

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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CAPSIZING OF THE LIFTBOAT *SEACOR*
POWER SOUTH OF PORT FOURCHON,
LOUISIANA, ON APRIL 13, 2021

Accident No.: DCA21MM024

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Interview of: MICHAEL CENAC
Seacor Marine

Terrebonne Parish Emergency
Operations Center in Houma, LA

Tuesday,
April 20, 2021

APPEARANCES:

MIKE KUCHARSKI, Chairman for the NTSB
Operations Group for the Seacor Power
Capsizing

MICHAEL CENAC, QHSE Manager, Designated Person Ashore,
Chief Security Officer
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I N D E X

ITEM

PAGES

Interview of Michael Cenac:

By Mr. Kucharski	7, 11, 22, 31, 36, 38, 39, 41, 48, 50, 56, 70, 79, 90, 92, 97
By Mr. Ehlers	9, 27, 30, 35, 40, 47, 56, 77, 96
By Capt Phillips	10, 10, 21, 29, 35, 51, 55, 68, 72, 93
By Mr. [REDACTED]	20, 34, 41, 48, 49, 49, 53, 66, 70, 71, 93
By Mr. Preston	27, 39, 54, 94, 101
By Mr. Muise	28, 39, 97
By Mr. [REDACTED]	36, 50, 68, 78, 100
By Mr. [REDACTED]	76

I N T E R V I E W

(10:10 a.m.)

1
2
3 MR. KUCHARSKI: Okay. Good morning again, everyone. It's
4 10:10 central daylight time on April 20th, 2021, and we are here
5 at the Terrebonne Parrish Emergency Operation Center to conduct an
6 interview related to the capsizing and sinking of the Seacor
7 Power.

8 And right now, we have before us the interviewee is Michael
9 Cenac. And Michael do we have your permission to record this
10 interview?

11 MR. CENAC: Yes, sir.

12 MR. KUCHARSKI: Okay. So, the purpose of our investigation,
13 the NTSB the investigation is to increase safety. Not to assign
14 fault, blame or liability. Okay. We cannot offer any guarantee
15 of confidentiality. So, all immunity from legal or certificate
16 actions, well, you don't have a certificate that I'm aware of but
17 certificate actions.

18 Again, you will get a copy of the transcript and errata to
19 clear that up. This will, this interview will eventually go on
20 the public docket. Everyone will have -- the whole world will
21 have access to it. Of course, I mention there are certain things
22 that are redacted. Okay. But if you tell me how old you are, I
23 won't ask you, it'll be redacted. Okay.

24 You are allowed to have a representative with you. They can
25 be an attorney but it's really a personal representative that you

1 can have. They can't testify or interview you as part of this
2 proceeding. Okay.

3 Any questions so far.

4 MR. CENAC: No, sir.

5 MR. KUCHARSKI: Okay. Then I'd like to go around the room if
6 I may and I'll start with you Michael, again, state your name,
7 your title, position if you will, and also spell your name. Okay?

8 MR. CENAC: Okay. Michael Cenac, M-I-C-H-A-E-L, C-E-N-A-C.
9 I'm the QHSC manager, DPA CSO for Seacor Marine.

10 MR. KUCHARSKI: We'll start around the table. We'll go next?
11 Okay. Go ahead.

12 MR. [REDACTED] [REDACTED] [REDACTED] I'm with the U.S. Coast Guard.

13 MR. KUCHARSKI: Could you spell your name please?

14 MR. [REDACTED] Oh, [REDACTED].

15 MR. KUCHARSKI: All right.

16 MR. TOMPKINS: My name is Peter Tompkins, I am one of -- T-O-
17 M-P-K-I-N-S, I'm one of the outside counsels for Seacor.

18 MS. PHILLIPS: Good morning. I'm Tracy Phillips, T-R-A-C-Y,
19 P-H-I-L-L-I-P-S, I'm the Chair of the Coast Guard's Marine Board
20 of Investigation.

21 MR. [REDACTED] Morning, [REDACTED] [REDACTED] Coast Guard. Last
22 name is [REDACTED].

23 MR. EHLERS: Good morning, Andrew Ehlers, A-N-D-R-E-W, E-H-L-
24 E-R-S, NTSB investigator in charge for this accident
25 investigation.

1 MR. PRESTON: John Preston, J-O-H-N, P-R-E-S-T-O-N, I'm the
2 chief surveyor offshore for ABS, the American Bureau of Shipping.

3 MR. MUISE: This is Marcel Muise, M-U-I-S-E, I'm a Marine
4 investigator with the NTSB.

5 MR. KUCHARSKI: And, Mike Kucharski, K-U-C-H-A-R-S-K-I,
6 Office of Marine Safety NTSB, and the group chairman for
7 operations.

8 MR. [REDACTED] [REDACTED] [REDACTED] last name [REDACTED] I'm a Marine
9 casualty investigator and the recorder for the Coast Guard
10 investigation site.

11 [REDACTED] [REDACTED] [REDACTED] [REDACTED], legal advisor to the Coast
12 Guard's part of the investigation.

13 MR. KUCHARSKI: Thank you. And one other order of business.
14 The way I like to conduct an interview I'll keep it on topic.
15 Okay. We are going to -- I have some topics that I'd like to
16 stick with. Please keep your questions within that. I'll go
17 around the room and ask everyone. Please also identify yourself
18 at that time so the court reporter will get to know your name, Mr.
19 Cenac, and mine, you know, but the other voices. So, sometimes if
20 you have a question on topic then I'll ask you -- I'll badger you,
21 you know, to please state your name. I can't tell you how many
22 times how was that speaking or unidentified. And sometimes it's
23 very very important who is asking that question.

24 So, I apologize in advance to everyone, but I will ask, you
25 know, repeatedly you'll hear me say that. And I'll probably make

1 a mistake too but after a while the court reporter will know my
2 voice.

3 INTERVIEW OF MICHAEL CENAC

4 BY MR. KUCHARSKI:

5 Q. Mr. Cenac, can I call you Michael or would you prefer --

6 A. Mike.

7 Q. Okay. Great. Tell us about yourself, a little bit of
8 background about yourself, schooling in general and then related
9 to the industry.

10 A. Yes. So, I'm a graduate of Terrebonne high school in Houma,
11 Louisiana. After high school I went to Nichole State University.
12 I graduated with a Bachelor of Science in business administration.
13 During my college years, yes, I'm a licensed mariner. I attained
14 an OUPV to operate charter vessels. Avid fisherman on the water
15 my entire life.

16 After college and also during college worked in the oil field
17 industry support work, you know, pump support, technician type
18 mechanical, deliveries, thing of that nature. I started at Seacor
19 March 2nd, 2006. The position I interviewed ironically was
20 safety, but I was offered a position in crewing, which is human
21 resource.

22 Started at Seacor, worked in crewing probably a year-and-a-
23 half, two years and another position opened up in safety. So, I
24 interviewed again. I was afforded that opportunity a couple years
25 later. I'll just go with that. But basically, I worked as an HSC

1 supervisor. The role back then was essentially going to the
2 vessels doing your vessel visits, document transmittal, safety
3 meetings, things of that nature.

4 Over the years I, you know, received many different classes
5 of training from Seacor. Most of them through ABS over there.
6 So, that would be your internal auditor, your accident and
7 incident investigation, you know, your first aid CPRs, even first
8 aid CPR trainer, ISO, auditors as well. And the list goes on.
9 There's many other trans and some of the ones that we see such as,
10 you know, your HUETs of the world water survivals, you know,
11 attending all these for the company over the years.

12 I also attended Nichols State's Maritime management program.
13 We were part of the inductor semester. There's four courses. You
14 have your intro to maritime, the business law one. There was the
15 economic side and the safety one as well. And then that was a
16 really interesting, there was two each semester. So, we completed
17 that as well, myself, and several colleagues at Seacor.

18 And then, obviously, a lot of your internal training as a
19 company. PAUSE, which is our behavior-based safety program,
20 prevent accident use safety equipment. Risk tolerance awareness,
21 and, obviously, your risk assessment training over the years with
22 our colleagues.

23 During that transitioning time, I went from supervisor to
24 alternate CSO, alternate DPA, probably seven, eight years or so,
25 something like that till I became DPA/CSO January 1, 2020, I guess

1 late 2019 is when the transition really started to that role.

2 And I guess it's a good overview. If there's any questions
3 on the training topic side of it.

4 Q. So, no, but you mentioned 2019. So, that was about the time
5 you came into your current position?

6 A. Yes. I'd say fourth quarter 2019 is when we started that
7 transition of global consolidation to one singular DPA versus many
8 alternates around the globe.

9 Q. So, is there currently you mentioned were you a deputy or
10 alternate --

11 A. I was an alternate DPA, alternate CSO.

12 Q. Do you currently have that position an alternate DPA right
13 now?

14 A. I do have alternate DPAs and alternate CSOs positioned
15 strategically around the globe in each region.

16 Q. Okay. I'm going to stop there.

17 MR. KUCHARSKI: Around the room are there any questions about
18 Mr. Cenac's background?

19 BY MR. EHLERS:

20 Q. What's an OUPV?

21 A. Operator of uninspected passenger vessel.

22 MR. KUCHARSKI: Okay. that was Drew Ehlers speaking.

23 MR. CENAC: Generally, Coast Guard and licensing. They call
24 it like a six-pack license, basically it's for -- it's primarily
25 for the fishing industry. So, you could take up to six passengers

1 to do charter fishing trips, day trips out on the water.

2 MR. EHLERS: Okay. Thank you.

3 MR. KUCHARSKI: Captain.

4 CAPT PHILLIPS: Good morning. Tracy Phillips.

5 BY CAPT PHILLIPS:

6 Q. Do you have an alternate DPA for this location, this area?

7 A. Yes. Yes, ma'am, Barrett Charpentier (ph.), Barrett,
8 Charpentier.

9 Q. Okay.

10 A. I cannot spell his last name. I'd have to look it up.

11 Q. Thank you.

12 MR. [REDACTED] Hi, [REDACTED] [REDACTED] Just because I'm local,
13 Charpentier is spelled C-H-A-R-P-E-N-T-I-E-R.

14 MR. CENAC: Yes. That sounds correct. It's in SMS chapter
15 4, you'll see the full list there.

16 BY CAPT PHILLIPS:

17 Q. And so, do you take the phone calls normally and then he's a
18 backup or does he take the phone calls and you're a backup or how
19 does the division (indiscernible).

20 A. So, in the U.S. we are both based in the U.S.

21 Q. Okay.

22 A. So, we would in a sense rotate a primary call, but I'm always
23 on the call. So, in an area such as Angola you would have a
24 primary and then his relief would be home. Same thing in Saudi
25 Arabia you'd have a primary in country. His relief Solomon (ph.)

1 they do a 60/60 and swap. So, in the U.S. Barrett is a five and
2 two employee but I'm always on-call regardless for the globe. So,
3 I'm essentially his back up.

4 Q. Thank you.

5 A. You're welcome.

6 BY MR. KUCHARSKI:

7 Q. Who was your predecessor to this job?

8 A. Willard Robison. And he was the DPA for the Americus not
9 globally. That's R-O-B-I-S-O-N.

10 Q. So, the, this is Mike Kucharski again. So, then there was a
11 consolidation or how did it go from Global or Americus, do you
12 still have the Americus DPA?

13 A. I'm DPA globally. We have alternate DPAs in Americus.

14 Q. Okay. But Robinson was DPA Americus.

15 A. Just Americus.

16 Q. Different structure?

17 A. Correct.

18 Q. Okay. So, would you tell us, Michael, on a day-to-day basis
19 what your job entails?

20 A. Well, that's a very broad question. Is there any particular
21 trail you'd like me to go down or just --

22 Q. No. Give us an idea -- I'm sure there are other tasks may be
23 not on a day-to-day basis that you handle. Just what is your
24 workday like, you know, as far as --

25 A. So, essentially, you know, everyday obviously you'll map out

1 a plan for a week, a month, a quarter. So, you know, a calendar-
2 based schedule will have meetings with all department. You know,
3 obviously the Covid world I will start Monday morning at 7:00
4 we'll do a Covid call. We'll have general operations meetings in
5 the Americas. I'll periodically attend them in other areas of the
6 world based on time zones and what's going on.

7 Most of our meetings in my role because we are global start
8 from 7:00 to say 11:00 every day I'm usually tied up in meetings
9 every morning.

10 The afternoon is where I would normally get any of the day-
11 to-day business in a sense done where it would be, you know,
12 policy procedure review, plan procedure review, client audits,
13 things of that nature.

14 So, basically, you know, every day I'll go through what ever
15 happened, you know, in different time zones at the night. Start
16 my day. Address accordingly. Attend meetings. I'll do, you
17 know, weekly meetings with my team as well as phone calls
18 throughout. Just to make sure we stay on top of everything going
19 on, whether it's a, you know, audit, inspection, a survey, you
20 know, accident, incident anything of that nature to make sure they
21 are getting the resources and responding accordingly.

22 That could be, you know, anything from, you know,
23 (indiscernible) we do, you know, our role is flag state
24 inspections. Internationally we have Martial Islands flagged
25 fleet, not only U.S. Coast Guard. So, we'll oversee those

1 processes, maintaining your audit schedules, you know, statistic
2 tracking. So, as the group completes an investigation reports,
3 they have any questions or concerns they'll always reach out to
4 me.

5 A lot of the day-to-day, you know, minor in nature type
6 incidents they are more than capable of handling it. A very
7 experienced team they do have a diverse background, you know,
8 amongst different three classes, you know, as far as past mariners
9 and things of that nature.

10 Q. Okay. And then on a -- collateral duties that maybe are not
11 on a day-to-day basis --

12 A. Uh-huh.

13 Q. -- could you give us an idea of some of those?

14 A. Collateral as in corporate?

15 Q. Yeah, it could be corporate, yeah. Yeah. Yeah. Sure.

16 A. So, --

17 Q. Like maybe a monthly safety meeting or like, you know, on a
18 safety committee, anything of that nature.

19 A. So, we do, we have, obviously, ESG councils of the management
20 review committee meetings. I sit on cyber security council as
21 well. you know, our PAUSE steering committee. Steering being our
22 based safety program. We are rolling out a new preventive
23 maintenance program HELM connect. So, I'm on the steering
24 committee for that as well.

25 We are currently actively in the final stages of producing

1 another SMS revision. So, I've been the lead all throughout
2 reviewing and approving all the recommendations for that as well
3 as we're ISO certified company 9001, 45001 and 14001. So, we are
4 looking at consolidating those menus.

5 As of March, we just completed 13 days of auditing between
6 our DOC audits and our ISO audits. So, that's just a few of the
7 high level --

8 Q. Great.

9 A. And then if you go into a Covid world, obviously, that is an
10 ever-changing environment. So, my team, you know, we'll receive
11 the updates globally from every country around the world because
12 you're testing, you're quarantined. Your restrictions, you know,
13 permissions to travel change every day. So, as a Covid response
14 plan changes we have to reimplement or republish those. Vessels
15 move locations we monitor, obviously, security websites, you know,
16 making sure we are outfitting the vessels properly in that nature.

17 So, essentially oversight, you know, making sure our
18 superintendents are addressing, you know, as our fleet moves, as
19 our client moves.

20 Q. Do you also sit on any committees related to HR type
21 functions or promotions, reviews, --

22 A. No. I do not sit on any committees as far as promotion and
23 reviews. My role in that is when we do internal audits that is
24 one of our talking points. So, when I would do an internal audit
25 the company and we interview HR, that is one of the sample points

1 that we would use. You know, we'd pick a vessel, obviously, show
2 me samples of your evaluations for these employees.

3 Q. Okay. Okay. And a little bit we had talked about this, if -
4 - and maybe this is a good juncture at this point. For promotion
5 type items is there a separate committee that looks that over or
6 how does that process work?

7 A. That would be a better question for, you know, our president
8 in HR --

9 Q. Okay.

10 A. -- to go through that process.

11 Q. Okay. Who are your direct reports?

12 A. Can you rephrase? Who are my -- ?

13 Q. Who do you report to directly or is it more than one person?

14 A. So, I directly report to John Gellert (ph.) the president.
15 But we have general managers stationed globally as well was
16 country managers and operations managers who are directly involved
17 in the vessel's day-to-day operation and our liaison with the
18 client as well.

19 So, I don't directly report to any of them, but we
20 communicate as a line level of communication to ensure operations
21 are running smoothly. So, if they have any questions, concerns
22 throughout any of the operations, you know, I'll become involved
23 and will make sure to resolve any, any issues or concerns that
24 are.

25 Q. So, the one person that you report directly to is the

1 president?

2 A. Is the president. That's correct.

3 Q. Okay. And who reports to you?

4 A. Organizational chart wise -- in this region or globally?

5 Q. Well, it could be yeah, this region or globally.

6 A. So, in this region there's Barrett Charpentier, who is an
7 alternate DPA/CSO and Guyana, South America we have an HSC
8 coordinator Christine June. Emodin, Netherlands, we have an HSC
9 coordinator Eleanor Baermuff (ph.); Angola we have alternate
10 DPA/CSO Danny Morris, and we also have a position title I believe
11 is HSC advisor and that's a local Angolan Souse Sabastou (ph.).
12 Then in Saudi Arabia we have alternate DPA/CSO Patrick Bender
13 (ph.) and Frank Horiticer (ph.) who relieve one another at a 60/60
14 rotation. In the UAE Abu Dhabi (ph.) we have Daniel Rafferty and
15 Craig Pierce who are alternate DPA/CSO who relieve one another in
16 rotation.

17 So, you'll have, you know, Americus. I have West Africa,
18 Europe. We have Saudi, Arabia and then your Middle East Asia.

19 Q. So, would it be fair to just say to sum that up all the
20 alternate DPAs?

21 A. Yes.

22 Q. Any personnel that have security functions?

23 A. Yes.

24 Q. And HSC functions?

25 A. Yes.

- 1 Q. Would that be a fair summation?
- 2 A. Yes.
- 3 Q. Okay. And Seacor do you have an organizational chart or tree
4 which depicts the Marine?
- 5 A. Yes, sir.
- 6 Q. Okay. Will we get a copy of that or do we have it now?
- 7 A. It's been uploaded for the Americus.
- 8 Q. Okay. Great. Has any of that changed recently, within the
9 last six months?
- 10 A. Six months, for my side or for HSC?
- 11 Q. The organizational side just let's concentrate on Marine.
- 12 A. Okay. So, any one change or just the HSC?
- 13 Q. No, the structure not the personnel.
- 14 A. The HSC structure has not changed.
- 15 Q. Okay.
- 16 A. Now, as far as any other departments I think you will
17 interview them accordingly.
- 18 Q. Okay. You have a vessel personnel manual?
- 19 A. Vessel personnel manual?
- 20 Q. Yeah, in the operations --
- 21 A. So, you have an ISM code chapter 6, Resources and Personnel,
22 there's a chapter of the SMS for it. And then human resource, you
23 know, have their own functions.
- 24 Q. In your operations manual it cites to a vessel personnel
25 manual for the job descriptions?

1 A. Yes. That would be in fleet operations manual, chapter 3 is
2 management responsibility and authority, chapter 4 is designated
3 person ashore, chapter 5 is masters responsibilities, chapter 6
4 resources in personnel would have like your captain, your mate,
5 your chief engineer, able seaman, cook, on down.

6 Q. So, is that part of the SMS?

7 A. Yes.

8 Q. Okay. So, it's in the SMS, okay. And is there a collateral
9 shoreside type manual for positions shoreside or is that also in
10 your SMS?

11 A. Chapter 3 covers management responsibility and authority.

12 Q. So, that's in the SMS also?

13 A. Yes.

14 Q. Great. The safety management system.

15 A. Uh-huh.

16 Q. Okay. Is that -- does that follow the guidelines of the
17 international safety management code?

18 A. Yes, sir.

19 Q. It is. Okay. So, you go through a DOC audit and --

20 A. Yes. And our renewal completed in March.

21 Q. Okay.

22 A. And it's approved under two flag states. We have two
23 separate DOCs.

24 Q. And does part of your job entail ensuring that the vessel and
25 company employees adhere to the policies of the safety management

1 system?

2 A. Yes, sir.

3 Q. Okay. Does also part of your job, somewhere along the line,
4 one of the -- you wear many hats CSO --

5 A. Uh-huh.

6 Q. -- QHSC and DPA?

7 A. Yes, sir.

8 Q. Those are the three hats. Do any of those jobs include being
9 part of incident response team?

10 A. Yes.

11 Q. Okay. And what exactly is your position, what do you do in
12 incident response?

13 A. So, incident response your first layer, on a call layer is
14 the QHSCT call for that region. So, like many companies you'll
15 have a level of investigation, Level 1, 2, 3, 4. So, basically
16 our Level 1, our superintendents are responding to that would be
17 your more minor in nature, you know, a dented handrail, stub your
18 toe type items like that nature. I'm always on call so it does
19 happen where they will respond to me directly or they'll call me
20 directly regardless of who is on call just put of familiarity or
21 their confidence in the DPA to get them the response they entire
22 (ph.).

23 So, then if anything is elevated as far as, you know,
24 incident response or questions the superintendents have they
25 always bring them to my attention for review, investigations, you

1 know, gap closures, findings, things of that nature.

2 Q. Okay. So, specifically in this accident as part of incident
3 response --

4 A. Yes.

5 Q. -- what is your designated role during an incident like just
6 occurred?

7 A. So, business continuity would dictate our president as
8 incident commander. In this case I received the first call, you
9 know, got him online. I resumed the as incident commander
10 alongside Joseph Lewis, which is our general manager for a reason
11 and we jointly, you know, consolidated to do the incident
12 response.

13 Q. Okay. So, you were the incident commander for --

14 A. Myself and Joe Ruiz, yes.

15 Q. So, is that a shared --

16 A. Shared responsibility. It's a divided conqueror in a sense.

17 Q. And Joey Ruiz --

18 A. Ruiz, R-U-I-Z.

19 Q. -- Ruiz is the?

20 A. General manager.

21 Q. Okay.

22 MR. KUCHARSKI: I'm going to stop there. A lot that we went
23 through. Any questions from the room specifically?

24 MR. [REDACTED] [REDACTED] [REDACTED] the Coast Guard team.

25 BY MR. [REDACTED]

1 Q. Question back you said Seacor as a DOC for the company for
2 ISM compliance, right?

3 A. Yes, sir.

4 Q. Does the entire fleet fit under that DOC? In other words,
5 does the entire fleet participate in ISM and --

6 A. Yes.

7 Q. -- has a safety management system certificate?

8 A. All applicable vessels do. That's over 500 gross tons that's
9 applicable.

10 And we do have voluntary certificates as a best practice
11 measure for most of our fleet and we can get that exact number
12 that's something interesting. And those would be particularly
13 your FSVs, or crew boats are all under 500 gross tons, but we do,
14 you know, have half certifications for them, not only required
15 vessels.

16 Q. Okay. Is the Seacor Power on --

17 A. Yes. She's required and she does. She's a certified vessel.

18 Q. Okay.

19 MR. [REDACTED] That's all.

20 MR. KUCHARSKI: Captain.

21 CAPT PHILLIPS: Tracy Phillips.

22 BY CAPT PHILLIPS:

23 Q. You said, did I hear you say that the company has two DNC,
24 two different --

25 A. Yes. There are U.S. and Marshall Islands.

1 Q. Okay. Why are there two different ones?

2 A. Because we have vessels that are Marshall Island flags.

3 Q. So, they cover those?

4 A. Yes.

5 CAPT PHILLIPS: Thank you.

6 MR. KUCHARSKI: Okay. Any time you like to take a break too,
7 this is Mike Kucharski speaking, please let us know.

8 MR. CENAC: We can do another set and get a cup of coffee.

9 MR. KUCHARSKI: Okay.

10 MR. CENAC: I'm good.

11 MR. KUCHARSKI: Do another set, okay, got you.

12 BY MR. KUCHARSKI:

13 Q. Well, this may be a little bit longer one but now I'd like to
14 move into the actual incident.

15 A. Okay.

16 Q. Okay. But does the prelude to asking the question about the
17 incident, why was the vessel in port this particular time and how
18 long was it in port, do you know?

19 A. The specifics on that I do not engage in day-to-day
20 activities on probably any of our vessels. I do periodically get
21 involved when asked but as far as the day-to-day operations of
22 this particular vessel no I'm not engaged in that aspect.

23 Q. Okay. So, you don't know why it was in port?

24 A. I can give you --

25 Q. Was that an emergency --

- 1 A. -- what I understand why they were in port --
- 2 Q. Uh-huh.
- 3 A. -- but I do know it was not for an emergency.
- 4 Q. Okay. So, it was routine that it was in port?
- 5 A. It was routine they were in port. Yes, sir.
- 6 Q. Okay. And who would be the person to ask why it was in port?
- 7 A. The vessel's management operations department would be your
- 8 primary people to ask for that.
- 9 Q. Okay. So, give me a position. The department I'm not going
- 10 to interview the whole department.
- 11 A. So, I would go Joey Ruiz would be involved in that, the
- 12 operations manager Paul Freeman (ph.) would also be involved in
- 13 the daily operations and marketing, which I believe is Ben
- 14 Alvarez. So, that would be your team that is the liaison with the
- 15 clients who properly direct a vessel where to go, coming in and
- 16 out of port each day mobilizations, things of that nature.
- 17 Q. Okay.
- 18 A. And if there was any crew change type questions those would
- 19 go to Jacob Charpentier, and, yes, that's Barrett's brother. So,
- 20 when you spell Charpentier it's the same.
- 21 Q. Okay. So, now, in your own words start off with the
- 22 incident, okay --
- 23 A. Yes.
- 24 Q. -- when you first became aware of it, your involvement as it
- 25 evolved. So, start from the very beginning.

1 A. So, --

2 Q. So, you know, when you were first made aware of it for being
3 a problem and then as it evolved your interaction with it, what
4 you knew okay, and then until I guess probably would end then when
5 we went into the search and rescue stage, okay, further into that,
6 okay?

7 A. Okay. So, the first call I received was from -- it was
8 forwarded from our dispatch and it was from the lift boat Rock
9 Fish. It was on location that witnessed the capsizing of the
10 Seacor Power. Exact time between 4:00 and 5:00 o'clock probably
11 closer right at 4:25, 4:30-ish range, something of that nature.

12 And they basically were very distraught in their call that
13 they saw the vessel capsize. And it was a couple minute phone
14 call description about where they were, and they did advise they
15 had already made contact to Coast Guard.

16 So, my first call I believe was to Joey to notify him to
17 start activating our response team. Then I started a Microsoft
18 Teams conference call and I texted President John Gellert to get
19 on as well as Joey and I started pinging everyone while I was
20 calling Coast Guard. My first call is to Coast Guard Houma. So,
21 they should have that on their record of that call.

22 While we were on the call with them, our operations manager
23 Paul Freeman got a call from Sector 9 New Orleans, to give us a
24 point of contact I believe it was Lieutenant Gross (ph.) I want to
25 say, but that was our point of contact for them. So, then I began

1 coordinating directly with them.

2 As we had our teams call a background Joey immediately
3 dispatched to Port Fourchon to set up an incident command post,
4 while I maintained COMS with Coast Guard and the remaining of the
5 team going on for preliminary notifications. And during this
6 process we received updates from Coast Guard, the lift boat Rock
7 Fish as well. So, different sectors of Coast Guard were calling
8 in giving us updates on how search and rescue is going, where a
9 recover was made, things of that nature as well as the Rock Fish
10 who is offshore monitoring radio chatter to be able to give us
11 updates that their hearing and what they are seeing in the field.

12 Once Joey made it to Port Fourchon and established incident
13 command he took over the Teams meeting, and I packed and headed.
14 So, we were segregate in our travel approach because as everyone
15 is aware the weather was horrible that night as that front moved
16 through.

17 So, once we were able to get to Port Fourchon established we
18 started meeting the LaFourche Parish sheriffs, LaFourche Harbor
19 Police, Coast Guard came on scene and sometime during the night
20 incident command shifted to I believe it was a Michelle Ferguson.

21 And then up to -- after that was Will Watson. Both of them
22 basically gave me their personal cell phone numbers to where we
23 could directly contact from high up to high up without any or
24 anything in between and maintain constant coms with Coast Guard as
25 well as local police department. And to where they could

1 coordinate any efforts of recoveries made for shoreside response.

2 During that process as well, we notified DonJon-Smit, which
3 is our salvage Marine operator which was Tim Williamson, and
4 Guillermo, I believe was the two primary contacts within the first
5 several hours. They began mobilizing.

6 Shortly thereafter the incident and mobilizing their
7 resources to Port Fourchon. One of the, you know, our role in
8 that process is obviously their notification and their mobilizing
9 their resources and they asked, the one thing they needed from us
10 was a vessel. So, they asked for a crew boat 190 foot or bigger.
11 So, we outsourced a local crew boat had it at the facility waiting
12 for them. And from there we escalated to a DP2 vessel chartered
13 for availability.

14 And then after that we also got one of our vessels on
15 location which ended finally mobilizing on to get out to the
16 location. And it's been weather permitting ever since.

17 So, they were on seen actively activating their resources
18 immediately and we have been at the direction of Coast Guard up
19 until recently for response recovery and search and rescue
20 efforts.

21 Their team they have had a rotation of Coast Guard come in
22 giving us updates, keeping us abreast of search patterns,
23 information to provide for the families.

24 Q. So, when you were first -- you became aware of it --

25 A. Yes.

- 1 Q. -- it was from a phone call from whom again?
- 2 A. The lift boat Rock Fish called our main line --
- 3 Q. Main line.
- 4 A. -- which dispatch immediately patched them through to me.
- 5 Q. Okay. And that was sometime around 4:00?
- 6 A. Twenty-five, 4:30-ish, something of that nature.
- 7 Q. Where were you at that time?
- 8 A. I was at home.
- 9 Q. Okay. And after that your immediate first call after that
- 10 was to?
- 11 A. Joey Ruiz, the general manager.
- 12 Q. Right. Okay.
- 13 A. And then the second call was to U.S. Coast Guard.
- 14 Q. Okay.
- 15 MR. KUCHARSKI: I'm going to stop right there. I think
- 16 that's enough and maybe see if there are any other questions
- 17 around.
- 18 MR. PRESTON: This is John Preston with ABS.
- 19 BY MR. PRESTON:
- 20 Q. Is the Rock Fish a Seacor unit or someone else's?
- 21 A. No. It's a lift boat that works for all coast and she was, o
- 22 my understanding is in that area where the Seacor Power downed.
- 23 MR. EHLERS: Drew Ehlers, NTSB.
- 24 BY MR. EHLERS:
- 25 Q. What were you doing at the time you got that call from the

1 Rock Fish, you said you were at home but what were you doing?

2 A. Fixing dinner.

3 Q. Okay. Did you receive any calls prior to that about an EPIRB
4 hit or anything like that?

5 A. No, sir.

6 Q. Okay.

7 A. No, sir.

8 Q. Okay. And just for the record you mentioned response vessel
9 being a DP2 vessel, can you explain DP2?

10 A. Dynamic Positioning. It's dual redundancy. So, to dive
11 operations I think it would be best for them to explain it but my
12 understanding the reason for that is a secure platform, so you
13 have redundancy.

14 Q. Okay.

15 MR. PRESTON: That's all I have.

16 MR. MUISE: Marcel Muse, NTSB.

17 BY MR. MUISE:

18 Q. Just one question about the call to the Houma, was that
19 procedure to call Houma versus New Orleans or what the objective
20 there?

21 A. You can call any of the offices and they will put you through
22 to incident command. Houma is our local office for this area.
23 New Orleans Sector 9 took search and rescue over.

24 Q. Okay. Does your procedure, which ever SMS procedure covers
25 that have --

1 A. It would be the local area of operation. So, if we are in
2 Guyana, we are going to call the Guyana authorities, if we are in
3 Houma. If we are, you know, in Venice then we would call New
4 Orleans.

5 Q. Okay. Thank you.

6 A. If we are in Morgan City, we'll call MSU Morgan City.

7 MR. CENAC: Yes, ma'am.

8 CAPT PHILLIPS: Tracy Phillips.

9 BY CAPT PHILLIPS:

10 Q. Did you talk to anybody onboard the Seacor Power on the day
11 of the incident?

12 A. No, ma'am

13 Q. Did you get any -- prior to that call at 4:30 did you get any
14 calls about the Seacor Power that day?

15 A. Prior to?

16 Q. Yeah.

17 A. No, ma'am

18 CAPT PHILLIPS: Okay. Thank you.

19 MR. KUCHARSKI: Okay. That's it. Next section. Do you want
20 to take a break now?

21 MR. CENAC: Yeah, that would be good.

22 MR. KUCHARSKI: Okay. The time is 10:46 off the record.

23 (Off the record from 10:46 a.m. to 10:56 a.m.)

24 MR. KUCHARSKI: And we started back up again. The time is
25 10:56 to continue with the interview of Michael Cenac.

1 MR. CENAC: Yes, and I think we wanted to add to the docket
2 the notifications made, so we had in the list of them was Coast
3 Guard Houma, New Orleans, DonJohn-Smit for Salvage Marine Fire
4 Fighting, LaFourche Parish Police Department, Fourchon Harbor
5 Police and then NRC for pollution response, although there wasn't
6 any reported we made an initial notification as well.

7 MR. KUCHARSKI: Okay. Thank you. And I'll Just quickly open
8 it up again regarding the incident and what Mr. Cenac has just --

9 MR. EHLERS: I do have a follow up. This is Drew Ehlers,
10 NTSB.

11 BY MR. EHLERS:

12 Q. So, you mentioned you called Joey Ruiz --

13 A. Yes, sir.

14 Q. -- that was your first call.

15 A. Yes, sir.

16 Q. I think you said it but say again why didn't you call the
17 Coast Guard first?

18 A. To confirm the report, I'm receiving.

19 Q. Say it again?

20 A. To confirm the report, I received if it was a real truthful
21 report, and it wasn't an erroneous report. To see what he knew or
22 what he did not know.

23 Q. Okay.

24 A. And he had known, and he was fixing to call me. I do not
25 recall why he knew or how he knew. And then our next call was to

1 Coast Guard.

2 Q. Okay. And do you know did the Rock Fish call the Coast
3 Guard?

4 A. To my understanding I believe they were the Good Samaritan
5 vessel that reported the Coast Guard?

6 Q. Okay. All right.

7 MR. EHLERS: Thank you.

8 MR. KUCHARSKI: Okay. thank you.

9 BY MR. KUCHARSKI:

10 Q. Michael, I'd like to ask vessel and company operational type
11 questions see how things fit in or how fit things fit if you will.

12 Does the captain report to the division manager vessel super,
13 slash vessel superintendent?

14 A. A flowchart type question I believe. So, yes. So, your
15 master is going to report to your operations manager, yes.

16 Q. Okay. So, is there a position called division manager?

17 A. It would be an operations manager.

18 Q. Okay. And is there a position called vessel superintendent?

19 A. Your superintendent would be more of like your port captain I
20 believe type position. And then they would report to your general
21 manager, which would be doing this.

22 Q. Okay. So, it would be --

23 A. Technical superintendent would be the gentleman that's your
24 boots-on-the-ground type person going on board for your surveys
25 and inspections and maintenance and things of that nature.

- 1 Q. So, there was a port captain position --
- 2 A. Yes.
- 3 Q. -- at the company?
- 4 A. Marine superintendent. Yes.
- 5 Q. And who is that person?
- 6 A. For this particular vessel I would say confirm with Joey
- 7 obviously but it's going to either be Tommy Sonyae or David Cole
- 8 it would be one of those two would have been assigned this vessel.
- 9 Q. Sonyae or Cole?
- 10 A. Yeah, and Joey would confirm it.
- 11 Q. Okay. And they are marine superintendents?
- 12 A. Yes.
- 13 Q. Okay. I'll need you to confirm that if you would before we
- 14 talk to Joey because he's Friday --
- 15 A. Okay.
- 16 Q. -- today is Tuesday.
- 17 A. Okay.
- 18 Q. Okay. So, could you confirm who those people are?
- 19 A. Yeah. I don't know which one was for the Power --
- 20 Q. Understood, understood.
- 21 A. -- (indiscernible) I don't know the fleet dynamics.
- 22 Q. I understand it's just waiting till Friday you may want to
- 23 interview that person as the marine superintendent okay.
- 24 A. Understand.
- 25 Q. Okay. You answered my question number two. I was going to

1 ask you is there a port captain. So, now, that's okay. So, it's
2 port captain, marine superintendent. Yes. And the direct report
3 of the captain would be the marine superintendent.

4 A. The operations manager, I think is what (indiscernible).

5 Q. The operations manager. Okay. So, they were two different
6 positions Operations manager and marine superintendent? Okay.

7 So, this, again, I'm not trying to trick you. This is out of your
8 operations manual. Okay. I'm just reading directly what's out of
9 there. It says, you know, division manager --

10 A. It's safety management system is where we need to pull the
11 information from.

12 Q. So, the operations manual is not --

13 A. It's deferring to the safety management system.

14 Q. Okay. Okay. So, the direct report is the operations manager
15 and then also a report is the marine superintendent to the
16 captain?

17 A. Depends on what he's calling for.

18 Q. Okay.

19 A. So, let's clarify your question a bit. So, if he's calling
20 for an operational reason --

21 Q. Uh-huh.

22 A. -- it's going to be your operations manager. If he's
23 following up on a maintenance item he's going to follow up with
24 the marine superintendent. If it's a human -- if it's a crewing
25 question he's going to go to crewing. If it's HSC he'll go to my

1 team.

2 Q. And then there was a third position called technical
3 superintendent?

4 A. That would be the same as the marine superintendent, same
5 position.

6 Q. The marine, okay. Okay. Does the vessel have any
7 certifications from BSEE and let me clarify that, Bureau of Safety
8 and Environmental Enforcement?

9 A. No, sir. We are a U.S. Coast Guard vessel.

10 Q. Could you tell me what certifications, the major ones, the
11 company has?

12 A. Seacor Marine?

13 Q. Yes.

14 A. As far as a document compliance?

15 Q. You had mentioned ISO certifications, different
16 certifications similar to those.

17 A. So, you have document and compliance for ISM code. We have
18 ISO9001, which is quality assurance. We also have ISO45001, which
19 is occupational health and safety. And we also have ISO14001,
20 which is environmental management.

21 MR. KUCHARSKI: I'm going to do a mini stop right there to
22 see if there are any follow-on questions before I move on.

23 MR. [REDACTED] [REDACTED] [REDACTED] the Coast Guard.

24 BY MR. [REDACTED]

25 Q. So, you said the captain reports according to the need,

1 what's it called, (indiscernible) if it's crewing HR. Does the
2 captain have any direct contact to you as a TPA?

3 A. Yes, sir. My number is posted on every vessel in the fleet,
4 all of us.

5 MR. KUCHARSKI: I'll hold you on that. I have a whole line
6 of questions regarding that, thanks.

7 MR. [REDACTED] Okay.

8 MR. KUCHARSKI: Sorry.

9 MR. EHLERS: This is Drew Ehlers, NTSB.

10 BY MR. EHLERS:

11 Q. So, does the captain get an annual evaluation?

12 A. That would be done by the operations manager as I recall and
13 your best point of contact for that would be human resource and
14 operations deployment and they better verify that for you.

15 Q. Okay.

16 MR. EHLERS: Thank you.

17 MR. CENAC: Yes, ma'am.

18 CAPT PHILLIPS: Tracy Phillips.

19 BY CAPT PHILLIPS:

20 Q. So, the marine superintendent is that the person in the
21 company who would know the most about the condition of the hull of
22 the Seacor Power and the maintenance status on the Seacor Power?

23 A. Is the question as far as the most, I don't know if that
24 would be accurate, but they would be someone that can either
25 answer or point you in the best direction. I think saying the

1 most is a very direct and I couldn't answer that one exact.

2 Q. Okay.

3 A. But they would be familiar enough to point you in the right
4 direction for certain.

5 CAPT PHILLIPS: Thanks.

6 MR. CENAC: Yes.

7 MR. [REDACTED] This is [REDACTED] [REDACTED]

8 BY MR. [REDACTED]

9 Q. Just following up on the Captain's question there. Just
10 clarifying, the marine superintendent is the one that attends the
11 surveys, inspections; things like that?

12 A. Yes.

13 Q. Okay.

14 A. So, if there's an annual Coast Guard inspection that would be
15 who's the Seacor rep on board.

16 Q. Okay.

17 MR. KUCHARSKI: Mike Kucharski again.

18 BY MR. KUCHARSKI:

19 Q. Do you know if the vessel was chartered at the time of the
20 accident?

21 A. Yes, sir.

22 Q. And could you tell us who it was chartered by?

23 A. Talos, I believe it was Talos Energy as I recall.

24 Q. Was that just a voyage charter, was it a time charter?

25 A. Ben Alvarez, Joey, would be able to give you the details and

1 specifics of the charter, but this was not her first voyage on
2 this charter.

3 Q. Okay. I will ask you officially now, we would like a copy of
4 the charter agreement. Okay?

5 A. Okay.

6 Q. We can redact whatever it is -- I have seen many charter
7 agreements, I've seen many agreements between different maritime
8 entities, you know.

9 A. Yes.

10 Q. We understand you have business secrets and that's fine. But
11 I would like -- we would like, I would like to see where the
12 pieces fit in the actual agreement, who's responsible for what.

13 A. Understood. We have that. I'll get that for you.

14 Q. Great. A lot of these questions will go away unfortunately,
15 but, you know, I have to ask some of them now. So, can you tell
16 me, you said that the vessel did not have any BSEE certifications.

17 A. Nothing issued from BSEE.

18 Q. Issued from BSEE. Is there any interplay between BSEE at all
19 and that vessel and the sems system; are you familiar with the
20 sems system?

21 A. So, BSEE -- when did BSEE first come online, five, six, seven
22 years ago.

23 MR. [REDACTED] I'm sorry, Coast Guard. I think BSEE was split
24 for the Macondo incident which happened in 2010. Formally before
25 that it was MMS.

1 MR. CENAC: And what is BSEE for. It's the oversight --

2 UNIDENTIFIED SPEAKER: Production.

3 MR. [REDACTED] -- production operators, facility operators, the
4 rigs obviously. So, marine vessels are governed by U.S. Coast
5 Guard and ISM. BSEE is the oversight for the facilities, the
6 offshore facilities. So, Talos would be in a sense oversight by
7 BSEE, their facility.

8 BY MR. KUCHARSKI:

9 Q. Okay. So, being that -- let me restructure that. I want you
10 to explain it. I don't want to explain it. So, the vessel when
11 it operates, okay, does it ever come under BSEE's rules?

12 A. The facility comes under BSEE's rules.

13 Q. Okay. And would the vessel then as part of being in the
14 facility area fall under those rules also?

15 A. I can't speak on that one.

16 Q. Okay. I have a question about a bridging document afterwards
17 if you're aware of that. But I'll hold that for that.

18 So, as far as you're aware, whatever that vessel is in
19 operation --

20 A. Uh-huh.

21 Q. -- it falls under the Coast Guard regulations or SOLAS
22 regulations whatever it may be?

23 A. That is correct.

24 Q. Okay.

25 MR. KUCHARSKI: I'm going to stop there and see if there all

1 right any specific questions on that.

2 MR. MUISE: This is Marcel Muise, NTSB.

3 BY MR. MUISE:

4 Q. Do you liaise with your counterpart at the clients regarding
5 SEMS or actually any agency issue?

6 A. I have not.

7 Q. Whose job is it within your organization to liaise with each
8 client, specifically on agency issues?

9 A. If there is an 8SC issue then it would be Barret would
10 directly liaison with the client. If it's a concern of a higher
11 elevation, then it would come to me.

12 Q. Okay.

13 A. But the direct liaison would come from Barrett.

14 MR. KUCHARSKI: This is Mike Kucharski.

15 BY MR. KUCHARSKI:

16 Q. And Barrett I who?

17 A. He is the alternate DPACSO who is a superintendent assigned
18 to the USGOM.

19 Q. Barrett is the last name or the first name?

20 A. Barrett is the first name, Barrett Charpentier, we spoke of
21 earlier.

22 Q. Right. I thought that was it, but I wanted to hear you say
23 that again so we if there's other Barretts in here.

24 MR. PRESTON: John Preston, ABS.

25 BY MR. PRESTON:

1 Q. Does, the Seacor personnel are they required to take SEMS
2 training, or do you have any interaction with SEMS system?

3 A. Several of the clients they utilize ISNetWorld which does
4 SEMS' verification. So, it would be a familiarization in a sense
5 because we have equivalent training for IMOUS Coast Guard as SEMS
6 would require for the offshore facilities. So, they
7 intermediately fit that.

8 Q. So, some Seacor personnel are -- do have some SEMS
9 qualification through (indiscernible).

10 A. That would come from -- I'm sorry go ahead.

11 Q. I was just saying that this would all be tracked in
12 ISNetWorld or a similar SEMS training system?

13 A. As required by the client, yes.

14 Q. Okay. So, whatever that client requires would be captured
15 within that system.

16 A. Yes, sir.

17 Q. So, Seacor employees are involved with the SEMS?

18 A. Yes. As required by the charter because part of the
19 charter's requirement is going to be, obviously, that verification
20 for their purpose. So, when they come back to us, if it's a
21 training your human resource department would be responsible to
22 prove those competencies for the purpose of the charter.

23 MR. EHLERS: And just a follow up. This is Drew Ehlers,
24 NTSB.

25 BY MR. EHLERS:

1 Q. So, did Talos require that for this charter?

2 A. I do not know.

3 Q. Okay.

4 MR. [REDACTED] [REDACTED] [REDACTED] Coast Guard.

5 BY MR. [REDACTED]

6 Q. You know I know ISNetWorld is a member of industry clients
7 and stuff like that, and you know Talos is a member or if they
8 take part in that --

9 A. There's there's -- I do not know the specifics on Talos
10 affiliate with ISN. They would either be ISN, or I think it's
11 Fairforce (ph.) is the two primary ones in the Gulf of Mexico that
12 are utilized by the majority of our clients. So, if they utilize
13 one it would be one of those.

14 MR. KUCHARSKI: And moving along. This is Mike Kucharski
15 again.

16 BY MR. KUCHARSKI:

17 Q. Is the Seacor Legacy a similar vessel or a sister vessel to
18 the Seacor Power?

19 A. The Seacor Legacy is a lift boat who is in laid up status
20 here in Louisiana. To my knowledge she has not operated since we
21 acquired her from Superior Seacor Lift Boats prior to. I believe
22 she went through one inspection initially she actually did get an
23 interim SMC, but she never actually operated to my knowledge.

24 Q. Okay. I don't think I got an answer and it's okay if you
25 don't know. Is it a sister vessel or the same -- it shows the --

- 1 A. It's a lift boat.
- 2 Q. It shows the same hull number from the builder. So, as --
- 3 A. I know she's a lift boat. And we went out to there for that.
- 4 Q. Okay. So, the answer is you don't know.
- 5 A. No, sir.
- 6 Q. Okay. And who would be the best person to verify that?
- 7 A. Joey, Joey Ruiz.
- 8 Q. Okay. I'll ask you if you could before Friday, today is
- 9 Tuesday, if you could just -- I don't think we have too many
- 10 verifications, if you could do that, I'd appreciate that, okay?
- 11 A. Okay.
- 12 Q. And then a follow-on question would it be possible for us to
- 13 visit that vessel if it is a sister vessel?
- 14 A. Yes, sir, with the understanding she's been in laid up
- 15 status. So, her condition would be different.
- 16 Q. Right. Understood. Do you know if the vessel, company
- 17 policy is required to hold a predeparture conference or meeting?
- 18 A. Yes.
- 19 Q. And is that outlined in your safety management system?
- 20 A. Yes. There's a pre-departure check list that they would do
- 21 and then there's also a, you know, risk assessment and voyage
- 22 plans.
- 23 Q. Okay. This is Mike Kucharski again. It's okay if you don't
- 24 know. I've looked through the pre-departure check list, okay, I
- 25 haven't looked at the voyage plans yet, okay, I see that

1 requirement and the third thing that you mentioned I understand
2 that. But is there an actual that you know of a conference where,
3 say the master, the first mate, the night captain, the key players
4 I've seen on some ships where the ABs are there all those for pre-
5 departure, they actually have a meeting.

6 A. That would be a risk assessment.

7 Q. That would be risk assessment.

8 A. Yes.

9 Q. Okay. And is there a specific name of that risk assessment?

10 A. The risk assessments would be a vessel specific. So,
11 generally speaking if you went on board the Seacor Power they
12 would have it something along those lines as a voyage plan risk
13 assessment or navigation risk assessment. They would be worded in
14 that nature.

15 Q. Okay. So, there's no that you're aware of risk assessment
16 for pre-departure; it would be individualized?

17 A. Yes. It would be for that job task.

18 Q. Okay. And that is it called a risk assessment? Do you have
19 any particular name for it? Is it a JSA, is it --

20 A. It's a risk assessment. Yes.

21 Q. It is. Okay. And is that -- where is that -- the specific
22 risk assessments, okay, that's what I'm trying to nail down. The
23 specific ones are in your risk assessment section of your safety
24 management system?

25 A. The safety management system outlines the procedure for risk

1 assessment. The risk assessment program in a sense covers your
2 generic database and the vessel themselves maintain a vessel-
3 specific risk assessment database onboard the vessel.

4 Q. Okay. And is that an electronic -- is that in an electronic
5 form?

6 A. It's in electronic for functionality and they are updating
7 them. They are considered a living document as there's updates,
8 they are able to reprint them to have themselves a binder for a
9 quick review and easy review onboard. Depending on where the
10 operations are onboard the vessel if it's a bridge one as you're
11 specifically asking, that would be in the bridge. If it's an
12 engine room risk assessment that binder would be in the engine
13 room.

14 Q. So, but the -- do they printout and I guess what I need to
15 understand is can we actually see what that particular vessel,
16 maybe not that voyage, but can we actually see, if you're telling
17 me, it's on the boat, do you also have a copy of that?

18 A. No, sir. It's a vessel specific risk assessment that's
19 onboard the vessel.

20 Q. Okay. So, well, I'll get into a little bit of it now. So,
21 then are you part, any part as HSC part of the risk assessment
22 procedure and authorizing any changes to risk assessment the way
23 they are doing it or the way that that particular form, is it only
24 the vessel has complete control over that document?

25 A. Yes, the master of the vessel has complete control over that

1 document.

2 Q. So, the risk assessment -- so, I'm playing devil's advocate a
3 little bit here. Sorry. How would you know if it something that
4 maybe wasn't quite right that you wanted to correct, does the
5 company have any oversight of that process at all?

6 A. You'll have to rephrase that. I'm not certain where you're
7 going.

8 Q. So, if that particular form, that risk assessment says for
9 doing that it wasn't in line with risk assessment procedures,
10 recognize or the company's risk -- how would you make sure that
11 they were doing it right without any -- is there any control
12 mechanism of the company?

13 A. I think that question is in two parts.

14 Q. It is.

15 A. Okay. So, the first part I think you're asking is how does
16 the master assess it and when does he know when to stop; is that
17 correct?

18 Q. No. No. That's not. Sorry, I apologize. So, the master
19 has control of that risk assessment for completing it.

20 A. Uh-huh.

21 Q. But if there are changes to the way they are actually
22 assessing the risk, there are certain things --

23 A. Additions.

24 Q. -- yeah, different topics in there that you do for that or
25 let's say the risk assessment is for the departure from port.

1 A. Uh-huh.

2 Q. there are many points or things that you look at in there.
3 Is there someone ashore that looks over that one and says,
4 something like, hey, you missed something or maybe you should
5 think about this? How do you -- does it happen ashore somehow?

6 A. The control of oversight, that's what you're looking at? So
7 that would be through internal audits and vessel business. That
8 was where when we would periodically sample, evaluate, go onboard,
9 and view those items.

10 Now, the other side of it I think is where you're going is if
11 there was a high-level risk or a risk that they perceived to be an
12 issue, if it -- on the matrix as you'll see when you're
13 (indiscernible) anything that gets too high it dictates stop work
14 authority.

15 Q. Now, I guess where I was getting to sampling doesn't require
16 you to look at everything on that vessel?

17 A. That's correct.

18 Q. So, how -- if you just sample, look at that risk assessment,
19 that one form there once in ten years or whatever the period is --

20 A. Uh-huh.

21 Q. -- how do you know you haven't missed something without it
22 going to the office for you to, for somebody in the office, say a
23 marine superintendent or whatever to look over a process that's
24 purely marine?

25 A. This is the master's responsibility for the safe operation of

1 his vessel. And he has the overriding authority to do so.

2 Q. Okay. But this whole risk assessment process is outlined in
3 your safety management system --

4 A. Yes.

5 Q. -- so, we'll see how the pieces fit, but to your knowledge,
6 that doesn't come shore side the particular --

7 A. No, sir.

8 Q. Okay.

9 MR. KUCHARSKI: I'll stop there for a second. Okay.

10 MR. EHLERS: Drew Ehlers, NTSB.

11 BY MR. EHLERS:

12 Q. For the risk assessment is there a, I think you mentioned the
13 captain can add to the risk assessment --

14 A. Yes, sir.

15 Q. -- is there a baseline risk assessment that all vessels must
16 follow?

17 A. Yes. There is a baseline generic database. So, when you get
18 the program in a sense, it'll give you, you know, high level
19 overview. So, for example, I think you're specifically asking
20 voyage plan. So, give you an overview of that and cite the SMS
21 chapters where they'll find more information.

22 Q. Okay.

23 A. Then the vessel specific risk involved those would be on
24 board the vessel, those would be additional hazards that they'll
25 build a vessel-specific risk assessment for.

1 Q. Okay. Can the captain delete one of the baseline risk
2 assessments?

3 A. No, sir.

4 Q. Okay. All right. Thank you. I think we ate up more
5 questions, Mike.

6 MR. [REDACTED] Mike, [REDACTED] [REDACTED] with the Coast Guard.

7 BY MR. [REDACTED]

8 Q. Can I ask you to repeat the original question because I think
9 for some reason I was trying to follow? I think we may have
10 gotten way out somewhere in left field from the original intent of
11 the question. Maybe I can I ask to repeat the question, original
12 question?

13 MR. KUCHARSKI: Well, I don't know if I can do it verbatim,
14 but where I'm heading, I'd have to play it back, play it back.

15 BY MR. KUCHARSKI:

16 Q. So, what I'm asking is there -- you have the risk assessment
17 for pre-departure, okay. That particular risk assessment anywhere
18 along the line in the risk assessment process for that vessel, for
19 pre-departure does anybody shoreside, does that ever go across
20 their desk to look over that process, or that particular form to
21 get a final overview or look over?

22 A. No. Not to my knowledge. No, sir.

23 Q. And the only -- I'm sorry. And you said that in sampling in
24 audits it could possibly be looked at under sampling?

25 A. That's correct.

1 MR. [REDACTED] Okay. I think -- can I expand that a little bit
2 further on that if I may. [REDACTED] [REDACTED] again, correct.

3 BY MR. [REDACTED]

4 Q. So, in this process and it's -- because I think talking about
5 that process, but the voyage planning it's -- that's not really
6 risk assessment, you know, it is but it isn't. It is required --
7 is it required before every voyage, right? So, their route, their
8 weather conditions all of this is all taken in account --

9 MR. KUCHARSKI: Let me interrupt you there. You're nodding
10 your head. If you --

11 MR. CENAC: He's explaining it exactly how I did earlier.

12 MR. KUCHARSKI: Okay. Well, you're nodding your head. I
13 just want wonder whether you're agreeing with what he's saying?

14 MR. CENAC: Yes. When a vessel pre-departs, she does a pre-
15 departure check list that covers a lot of the U.S. Coast Guard,
16 you know, check your watertight doors and all these type items.
17 And you'll see they are in SMS. They also would do a voyage
18 planning risk assessment and they'll do a voyage plan, which is
19 plotting their route where they are going, you know, give you an
20 ETA and all these things and nature.

21 MR. KUCHARSKI: Please continue. Well, I just wanted to get
22 it on the record that you're nodding your head, that's all, if
23 that was an answer or not. Sorry.

24 BY MR. [REDACTED]

25 Q. Right. Basically, I was explaining in the form of a

1 question, but yes, I was asking you to confirm that as well. As
2 well as the crew orientation, everybody onboard, especially
3 contractors, offshore workers per se, is that part of the planned
4 prior to departure?

5 A. That's part of the plan when someone boards prior to
6 departure. So, even if we are not departing for two days when
7 they board, that's the plan. It's called a vessel familiarization
8 and it's a form in our SMS and you'll be able to see all the items
9 that it outlines.

10 So, the crew members, obviously have a more extensive one
11 because they ae their duties and then there's also a -- the vessel
12 familiarizational cover with the contractors would have been --
13 should have been received when they boarded the vessel such as
14 emergency preparedness.

15 MR. KUCHARSKI: Okay. This is Mike Kucharski.

16 BY MR. KUCHARSKI:

17 Q. Does anyone shoreside review those forms?

18 A. Same process. Internal audits through sampling. They are
19 not sent ashore.

20 MR. [REDACTED] This is [REDACTED] [REDACTED]

21 BY MR. [REDACTED]

22 Q. Just go back on the risk assessment I'm sure I can see if I
23 look over the risk assessment matrix in your SMS, but do you know
24 if the increased levels, you know, leave room for interpretation
25 on what is considered a high-risk element or are there clear black

1 and white cutoffs and if you meet this certain threshold when
2 terminology is used, you know --?

3 A. Yes. There is some specific terminology for personnel
4 environmental asset damage structural and it tears from level one
5 across the board.

6 Q. Okay. Just trying to clarify if there's specific --

7 A. Yeah.

8 Q. -- guidance in there of if it's interpretable?

9 A. Yeah. You'll see the matrix with the tears that covers from
10 the e-chart, low, medium, high, and high is SWA.

11 MR. PRESTON: Explain SWA, just for the record.

12 MR. CENAC: Stop work authority.

13 CAPT PHILLIPS: Tracy Phillips.

14 BY CAPT PHILLIPS:

15 Q. A question about the vessel familiarization form. So, you
16 said those are kept on the vessel.

17 A. Yes, ma'am.

18 Q. Are those typically kept in paper format or electronically?

19 A. Paper format is what the current system would dictate for the
20 crew.

21 Q. And then when a contractor you said, I think I heard you say
22 that form is filled out when they get onboard the vessel.

23 A. Yes.

24 Q. And so, is it when a contractor comes onboard any Seacor
25 vessel they get a vessel familiarization, or do they get a

1 different familiarization when they are on different boats?

2 A. No. It's the same vessel familiarization for any Seacor
3 Marine vessel.

4 Q. So, if a contractor has been working for Seacor for six
5 months but going onboard a different vessel they don't get a
6 vessel specific --

7 A. The vessel specific side to it is when it says, you know,
8 fire plan, it would be this fire plan, general arrangement, this
9 general arrangement. That would be the vessel specific side.
10 It's going to cover the nature of the items that they must
11 discuss.

12 Like if it's emergency preparedness, where is your muster
13 plan. Every vessel will have a different muster station based on
14 the sign.

15 Q. Okay.

16 A. So, when they're reviewing this that's the specific nature of
17 it.

18 Q. And so, a contractor would get that familiarization each time
19 he boarded a different vessel?

20 A. Yes, ma'am.

21 Q. And then that would be documented on the (indiscernible)?

22 A. Yes, ma'am.

23 Q. And then going back to the departure checklist --

24 A. Yes, ma'am.

25 Q. -- says one of the line items in the departure checklist is

1 document stability.

2 A. Yes, ma'am.

3 Q. Do you know what that means, what type of actions they take
4 in order to document stability?

5 A. What we see on auditing purpose, I don't know this particular
6 voyage, but from an audit standpoint what you would see is your
7 drafts and your trim for stability when they depart. And that
8 would be in the rough log onboard the vessel. That's where they
9 would log those type items.

10 Q. So, --

11 A. And that would be based on your below deck and above deck
12 tonnage what's onboard.

13 Q. Okay. That line-item document stability typically means they
14 record the drafts.

15 A. Yes. And they'll have their manifest and records for what
16 they have below deck and above deck to confirm their voyage is
17 safe within their stability diagram.

18 Q. Okay.

19 MR. [REDACTED] [REDACTED] [REDACTED] with the Coast Guard.

20 BY MR. [REDACTED]

21 Q. How I would require because they are required by regulation
22 to load the draft that involve their KG oceanographic stuff, how
23 is that to calculate is that done manually, pens on paper, I know
24 they should have the stability book or is that -- is there any
25 software that assists them with that calculation?

1 A. No. To my knowledge, the Seacor Power is not fitted with any
2 stability calculating software.

3 BY MR. PRESTON:

4 Q. Okay. One more thing, one more question quickly just for the
5 record. You mentioned a SWA stop work authority. Could you
6 explain a little bit, elaborate on what that might be?

7 A. So, stop work authority is, it's not only in industry
8 initiative and it's been around long before SEMS as you're
9 referring to. That's one of the elements. Stop work authority
10 gives not only the master but any crewmember onboard the authority
11 to stop the job. That's one of the reasons my number is posted on
12 every layer of the vessel as a liaison.

13 So, if an able seaman says, you know, this is not safe or I
14 don't like the way the captain is running the ship, for example,
15 they would call me and I'll intervene. And what it does it give
16 everyone involved the opportunity to look at what the concern is,
17 make sure we have proper mitigation in place before we proceed.

18 And the ultimate work authority as identified is basically
19 the person that stops it. That's who is going to reason with the
20 operation. And we have to get all parties in agreeance that this
21 is safe to proceed.

22 MR. KUCHARSKI: I have a whole line of questions relating to
23 that, but I allowed it because he brought the stop work authority
24 and you asked for the clarification but so --

25 CAPT PHILLIPS: Are we still on the departure stuff?

1 MR. KUCHARSKI: Oh, no, that's fine. Yeah.

2 CAPT PHILLIPS: Tracy Phillips.

3 BY CAPT PHILLIPS:

4 Q. The voyage passage plan. So, at the top of that document, it
5 says a requested by client or shore management. That statement
6 implies that a voyage passage plan is not done for every voyage,
7 is that a correct statement?

8 A. No. That is not a correct statement.

9 Q. Okay.

10 A. So, what you'll have on board the vessel they always document
11 their voyage plans onboard the vessel. That document is generated
12 as many of the clients globally want to have very specifics about
13 where the vessel that's chartered to them is going and the routes
14 they are taking. So, that is a generated on a company letterhead
15 to provide to them as that record of where they are going and what
16 they are doing.

17 So, many of the charters around the globe have their separate
18 e-mails where when we depart, we would send them that document as
19 well. The actual voyage plan, which would be plotted onboard on
20 ECS and their paper charts to get them their route, that's
21 maintained onboard the vessel.

22 Q. That's maintained on the vessel?

23 A. Yes.

24 Q. Okay. Do you know if a voyage passage plan was sent to Talos
25 for this voyage?

1 A. I do not know if a voyage passage plan was sent to Talos.

2 Q. Okay. Who would be the best person to ask whether that
3 happened?

4 A. Paul Freeman or Ben Alvarez.

5 Q. Thank you.

6 A. Okay.

7 MR. EHLERS: I got another one Mike. Drew Ehlers, NTSB.

8 BY MR. EHLERS:

9 Q. Back to the vessel familiarization for its contractors. Who
10 does that familiarization? I don't mean who receives it. I mean
11 who's giving that familiarization?

12 A. So, the master is going to assign it. So, it could be the
13 mate. It could be a second captain, you know, they'll be the ones
14 going through it. It gives us spot for the person to sign off,
15 that's who's giving the familiarization (indiscernible).

16 Q. Is it required to be an officer?

17 A. I don't recall. I would have to look that up honestly.

18 Q. Okay. Thank you.

19 MR. KUCHARSKI: Can you -- this is Mike Kucharski back now.

20 BY MR. KUCHARSKI:

21 Q. Can you tell me what the company document or record retention
22 policy is?

23 A. For which document?

24 Q. All documentation.

25 A. There's a retention schedule and it will outline it in there.

1 I believe it's three years generally for most documents, but we
2 could verify any particular one.

3 Q. Okay. And where would --

4 A. It's part of the SMS.

5 Q. Okay. So, documents that are vessel specific -- are there
6 any documents that come off that vessel that go into the office
7 that they send in besides payroll type; are there any documents --

8 A. As in?

9 Q. Well, you said that the -- some of these -- the risk
10 assessment doesn't go in or -- none of those -- are there any
11 marine documents that you're aware of that go into the office?

12 A. You'll have to be more specific on what we are looking for, I
13 guess.

14 Q. Are you aware of any? I'll rephrase it. Are you aware of
15 any documents that go into the office?

16 A. Well, you just look at evaluations, come into the office of
17 human resource, you know, you obviously got your billing
18 information, preventive maintenance type requests, you know,
19 invoices or things of that nature. New certifications would come
20 in.

21 Q. Okay. So, pure marine related documents who would be the
22 best person to answer that question then if any of the documents
23 go into the office?

24 A. When you say marine related are you referring to
25 operationally?

- 1 Q. Yes, operational type stuff, yeah, sure.
- 2 A. Then your operations manager --
- 3 Q. Yeah.
- 4 A. -- for day-to-day operations of the vessel that would be your
5 primary point of contact.
- 6 Q. Did you perform any audits of the Power, of the Seacor Power;
7 you personally?
- 8 A. In the past, yes. It's been several years.
- 9 Q. Okay. And was that a part of an internal audit?
- 10 A. Yes, sir.
- 11 Q. Okay.
- 12 A. And I have been onboard participating in SMC audit as well,
13 several years ago.
- 14 Q. Did someone from the company perform an internal audit of the
15 vessel recently, not yourself but --?
- 16 A. Yes. Barrett Charpentier.
- 17 Q. And he, his position is as an operations manager?
- 18 A. No. He's a QHSC superintendent.
- 19 Q. And so that was an internal company audit; is that correct?
- 20 A. Yes, sir.
- 21 Q. And is that a dockside? Is it underway? How does that
22 audit, give us an idea how long an internal audit of the company
23 is and for that particular vessel let's say?
- 24 A. Internal audit of the vessel?
- 25 Q. Yes, please.

1 A. So, if you're in person on board a vessel you're looking at
2 anywhere from eight to 12 hours. Covid world today we are
3 following the guidance provided to us and anything that we can do
4 remotely we do. So, in this case Barrett did a remote audit, to
5 my understanding, and he did all the onboard interviews, document
6 verification, and I believe that was the steps he was on was
7 follow ups verifying some of the documentation that was completed
8 onboard. He was in the final stages of producing a completed
9 audit report.

10 Q. So, do we have any of that? You said in the final stages.
11 Do we have any documentation of his audit?

12 A. Yes, sir.

13 Q. We do. Okay. Great. About timeframe, when was that? Still
14 ongoing or --

15 A. Yes. He started maybe a couple of weeks ago. So, he was
16 still in the process of receiving document requests from the
17 vessel.

18 Q. Okay.

19 A. As a follow up process, you know, checklist complete,
20 interviews done. You go through it and you say, okay, I need to
21 reverify this one. So, you had a list of things that he was --

22 Q. And how often do you do that internal audit?

23 A. They are annually.

24 Q. Okay. So, you have one from last year also?

25 A. Yes, sir.

1 Q. Okay. Maybe we can -- we'll ask you for copies of those the
2 completed one and then maybe the last two years. I'll ask for
3 that, I don't know if anybody has any, around the room, Coast
4 Guard or like to see anything past two years.

5 I think we'll start with two years, how does that sound?

6 And then also Mr. Barrett's -- Charpentier, I'm sorry, his
7 most recent one, whatever you have on that.

8 A. Uh-huh.

9 Q. And you say the length is generally eight to 12 hours?

10 A. Onboard.

11 Q. Onboard.

12 A. If you're doing an in-person audit it would take you at least
13 that long to do all the interviews, document verifications, vessel
14 walk arounds, it's a lengthy process. There's a lot of items to
15 check, inspect and verify.

16 Q. And that's -- is that generally done or is it always done
17 when it's alongside or is it done sometimes offshore?

18 A. We have completed them offshore, but it is not ideal. Your
19 best case is when the crew has time to focus on that process to
20 where you can effectively get it done. So, alongside is the best
21 place to do an internal audit or any audit for that matter.

22 Q. How about an external audit. Do you use third parties for
23 external audits?

24 A. So, an external audit would be a broad category. American
25 Bureau of Ships conducts our SMC audits. Then we do periodically

1 have client requested audits that would be an independent third-
2 party surveyor.

3 Q. Was there a recent third-party client audit done of the
4 Seacor Power?

5 A. Not to my knowledge.

6 Q. And only ABS as in the external third-party auditor, do you
7 use anyone else?

8 A. Not for this vessel. No.

9 Q. Okay. Are safety meetings held onboard the vessels?

10 A. Yes, sir.

11 Q. Do you know how often? Let's limit to the Seacor Power in
12 this.

13 A. So, a safety meeting again is a very broad topic. So, a risk
14 assessment is a safety meeting. They also have a safety training
15 schedule that covers week by week, audit readings they do of the
16 SMS as well as audio visual training that they would watch.

17 Q. Okay. Outside of the risk assessment process, I'm sorry,
18 I've seen many safety meetings, weekly safety meetings. Is there
19 -- let's narrow it down then because it would be really broad.
20 Let's narrow it down.

21 Do they have weekly safety meetings on board that vessel?

22 A. At a minimum yes.

23 Q. Okay. So, is that something where everybody is shipboard or
24 boat board function?

25 A. Yes.

1 Q. Okay.

2 A. It's an onboard function by the master would initiate it.
3 Generally speaking, they could delegate it to a second captain or
4 a mate to hold the meeting --

5 Q. Uh-huh.

6 A. -- and there's a schedule that they would follow.

7 Q. Okay. And do they have particular topics that they cover as
8 part of the safety management system, your safety manager, these
9 are the topics you cover?

10 A. Yes, sir. So, they'll have the SMS safety training schedule,
11 and we also send out a weekly review of occurrences. That'll
12 identify anything ongoing in the fleet, news feed, notice to
13 mariners, NTSB reports and those would be the attachments as far
14 as a safety meeting that they would also hold onboard.

15 Q. Okay. Great. And those are on a weekly basis?

16 A. Yes. We sent that out to our fleet every week.

17 Q. But the safety meetings that they have, the shipboard ones or
18 the rig board ones would have --

19 A. They would use that as part of that context as a discussion
20 point. So, they'll have the weekly review of occurrences.
21 They'll also have the SMS readings. They'll also have audio
22 visual training as well. Then they'll also have the day-to-day
23 job tasks, risk assessment safety meetings. And then you also
24 get, many of our clients will send safety meeting requests as well
25 for their operations that are ongoing on top of that.

1 Q. And do you review those shoreside at all, the safety meetings
2 to see what they discuss?

3 A. Those are reviewed. Internal audits and vessel visits is one
4 way we review those.

5 Q. Okay. So, those don't come ashore either, you don't look at
6 those --

7 A. No, sir.

8 Q. -- particular meetings?

9 A. Not every -- no. No, sir. We don't get that back, there's
10 records maintained onboard.

11 Q. And how about company safety meetings shoreside, do you have
12 those too?

13 A. Yes, sir.

14 Q. How often do you have those?

15 A. We do a weekly operational meeting where we'll cover, you
16 know, obviously your PAUSE focal points, anything ongoing in the
17 company. Then you transition into operational type items as well.
18 And that would be weekly.

19 Q. Okay. I'm a little bit confused there. Is that a separate
20 safety meeting or do you discuss safety as part of another weekly
21 meeting?

22 A. Safety would be first and then you would transition into each
23 department to give overviews of what's going on. But we always
24 start out with safety.

25 Q. Okay. So, safety is not -- again, you know, I've seen

1 certain companies have a dedicated safety meeting --

2 A. Uh-huh.

3 Q. -- on a, whatever basis. Do you have a dedicated safety
4 meeting at the company in any way, shape, or form, okay, on a
5 regular basis?

6 A. Yes. Every week we do a weekly safety meeting as a start of
7 additional meeting topics.

8 Q. Okay. Okay. Okay. How about monthly, quarterly, do you
9 have any other timeframe that you have --?

10 A. As part of drills --

11 Q. Yes.

12 A. -- obviously when we do company-related drills globally we do
13 have meeting topics discussed in there.

14 Q. Great. Could we get maybe the last the past month safety
15 meetings that you have from the company to look at?

16 A. Yes.

17 Q. Okay. Have you had a safety meeting for this particular
18 incident?

19 A. Yes. We have discussed it internally. I do not recall the
20 documentation minute side of it, but yes, we have many conference
21 calls related to those meetings.

22 Q. But I mean as part of, you know, you said (indiscernible).

23 A. We did have a weekly call yesterday and it started out --

24 Q. -- weekly -- excuse me. You have a weekly safety meeting
25 process, that's what I'm trying to understand. Have you -- I know

1 you had a lot of things on your plate, but have you had a
2 dedicated safety meeting for that incident?

3 A. Yes. Yesterday's weekly call started out with discussion of
4 this incident.

5 Q. Okay. And you said it was a call. So, by that process are
6 they all calls or was this --

7 A. Yes. In the COVID world we live in today they are all
8 remotely called in to be able to account for individuals who no
9 matter where they are based at across the Gulf of Mexico.

10 Q. Okay. So, in this COVID world last one three weeks ago or a
11 month ago, you have some kind of a record of that?

12 A. Yes.

13 Q. Do you have a record of yesterday's call then?

14 A. I'll have to follow up with our designated person that took
15 the meeting notes.

16 Q. Okay. I understand. See, I'm not trying to be coy here.
17 It's you have a process --

18 A. Yes.

19 Q. -- that's what I'm trying to nail down.

20 A. Yes.

21 Q. And part of that process if you have that I would like to
22 see.

23 A. Yes, it' meeting minutes. Yes.

24 Q. Right. Right. Right.

25 A. Yes, sir.

1 Q. Okay. Because I know you -- I'm sure you have been
2 discussing the incident but as a formalized process.

3 A. Uh-huh.

4 MR. KUCHARSKI: I'll hold there for safety management system
5 that process audits or anything like that to see if these are any
6 further questions.

7 MR. [REDACTED] Related to the audit?

8 MR. KUCHARSKI: Yeah, of course. Don't ask me about stop
9 work authority though.

10 MR. [REDACTED] No, no, no. I just asked -- (indiscernible) I
11 just asked for clarification.

12 MR. KUCHARSKI: Please. Please.

13 MR. [REDACTED] [REDACTED] [REDACTED] with the Coast Guard.

14 BY MR. [REDACTED]

15 Q. Okay. You dobed in a couple of things I have a couple of
16 questions about. You said one of the topics that this master and
17 the crew discuss safety management system items. Is that the only
18 time that the master reviews the safety management system?

19 A. No. They do annual management reviews, masters reviews is
20 the name of the form is the master's review and that covers the
21 SMS entirely and it's sectioned off into blocks.

22 Q. Okay.

23 A. We get those done annually.

24 Q. Okay. Yes. Also, with the audit reports, internal audits,
25 external audits, is there corrective actions process report sent

1 back to the vessel to the office?

2 A. Yes.

3 Q. Okay. And then the next one I'm going into the line because
4 I want if I could make a recommendation. Is there a process for
5 the company or a requirement for the company to review their
6 safety management system as well?

7 A. Yes, sir.

8 Q. And how often and when is that?

9 A. That is annually. Our last one was October of 2020.

10 MR. [REDACTED] All right. I ask some specific questions
11 because if I my recommend NTSB if they can request those documents
12 as well along with the reports? That's all I have.

13 MR. KUCHARSKI: Sure. Yeah, we can afterwards we can get to
14 that sure.

15 MR. [REDACTED] Thanks.

16 CAPT PHILLIPS: I know that recent line of questioning has
17 been focused on audits. Is that the end of the safety management
18 section or is there more safety management?

19 MR. KUCHARSKI: No. There's going to be a lot of questions
20 on the DPA duties and calling and that type.

21 CAPT PHILLIPS: So, if I ask questions about other sections
22 of the SMS now would be the right time?

23 MR. KUCHARSKI: Yeah, this would be appropriate time, sure,
24 please.

25 CAPT PHILLIPS: Okay. Tracy Phillips.

1 BY CAPT PHILLIPS:

2 Q. You just talked about the master agreement form.

3 A. Yes, ma'am.

4 Q. What happens to that form once the master fills it out?

5 A. The master fills it out. He submits it to the safety
6 department and what we do is we summarize the recommendations as
7 part of our meeting minutes for management to review. In there we
8 will make comments based on what their recommendations are, if we
9 accept them, we don't accept them to include in our next SMS.

10 We also give them feedback. A lot of times it could be
11 things that are already in place they might be aware of or I might
12 have a quick answer. So, we would also respond accordingly to
13 them.

14 Q. Okay. Do you know when the captain for the Seacor Power last
15 did his master's review?

16 A. Not off my head. But we would have it on file.

17 Q. Okay.

18 CAPT PHILLIPS: Can we ask for a copy of that?

19 MR. KUCHARSKI: Sure.

20 MR. [REDACTED] This is [REDACTED] [REDACTED]

21 BY MR. [REDACTED]

22 Q. You mentioned companywide drills (indiscernible) the boats
23 have independent drills a day are required. What is all included
24 in company drills and I guess, or I guess categories of drills and
25 how often are they completed?

1 A. Well, they are all annually. We do a minimum of one drill to
2 a quarter. Our last one in the Americus I believe was a pollution
3 response drill where we included the team here. And it did
4 include I believe -- I think it was first aid was also part of
5 this one as well. We did a pandemic drill recently in West Africa
6 and, you know, we'll have drills such as, you know, bomb threats,
7 terrorists, security drills coming up next month of May. So, your
8 hurricane preparedness I believe is in May as well for this
9 region.

10 Q. Are they casualty response drills --

11 A. Yes.

12 Q. -- similar to something like this ever scheduled?

13 A. I don't think we could ever simulate something like this.

14 Q. But some sort of marine casualty response drill in that
15 category?

16 A. Yes. They normally would be part of your air pollution
17 response, your first aid type response. But obviously, we never
18 want to run a drill on fatality but that would be the same
19 process.

20 Q. How are those drills conducted? Are they tabletop, are they
21 live to some degree?

22 A. They all live to a pretty well degree. So, it depends on
23 your operation, what type of drill it is. So, you'll have your
24 crew run as live as possible and then we'll make all the
25 notification, so we'll test contact numbers, not only to Coast

1 Guard emergency response teams. We just recently participated in
2 DonJon-Smit's annual drill (indiscernible) as part of it and then
3 that goes out to our fleet as well.

4 Q. Do you have any idea of the last drill that was conducted
5 with this particular vessel companywide?

6 A. I'd have to research that one.

7 MR. [REDACTED] One more quick question.

8 BY MR. [REDACTED]

9 Q. Is there any location where you have -- basically where do
10 you pull these drills from? I mean basically, you don't pull them
11 off the top of your head. Where -- is there any place that you
12 actually get a guidance assist this I -- well, there are the
13 drills may be required by us by Coast Guard -- I'm sorry. [REDACTED]

14 [REDACTED] I forgot. But, you know, where do you elect these
15 drills, these abundance of drills from basically, topic cased?

16 A. Yes. They are dictated by industry, obviously. So, you'll
17 have your pollution response drill, security drills, obviously,
18 terrorism drills and things, that makes, you know, one of your
19 more recent one came on the industry, which we were one of the few
20 companies from what I understand that was actually doing pandemic
21 drills prior to the pandemic. So, there is a process there that
22 we must follow.

23 MR. KUCHARSKI: This is Mike Kucharski.

24 BY MR. KUCHARSKI:

25 Q. Do you have a company matrix that says we should do these

1 types of drills, that type of drill --

2 A. Business continuity plan.

3 Q. Okay. So, the drills are in the business continuity plan.

4 And where does that reside?

5 A. Our ship on site for the company. So, the entire shore base
6 has access to it.

7 Q. Okay. So, it's not in the safety management system?

8 A. No, sir. This is a shoreside document.

9 Q. Okay.

10 MR. KUCHARSKI: So, could we see a copy of the business
11 continuity plan and something that outlines what drills your
12 supposed to go ahead and follow.

13 MR. CENAC: Yes.

14 MR. KUCHARSKI: Okay.

15 BY MR. [REDACTED]

16 Q. On the ship was there I mean that's for the company -- [REDACTED]
17 [REDACTED] Coast Guard -- The ship has a similar, I mean they have
18 their own plans and requirements, but they must follow the drills
19 and process and all. Those where are those located and where do
20 you determine which drills must the vessel follow the topics?

21 A. Yes. So, it's a drill matrix. So, when you look at our
22 safety management system you will see that form in there. It's I
23 guess on your left column it will give you your monthly, bimonthly
24 -- I mean every two month and every 90-day drills. Across the top
25 on this side, you have your calendar, so they are able to track it

1 across. They document the drill specifics on a training report
2 and that's all maintained onboard.

3 CAPT PHILLIPS: I have some questions about some other SMS
4 forms. Tracy Phillips.

5 MR. KUCHARSKI: Uh-huh.

6 BY CAPT PHILLIPS:

7 Q. You previously mentioned the safety meetings that were
8 occurring on board weekly, are contractors' part of those safety
9 meetings --

10 A. Yes.

11 Q. -- on board?

12 A. Yes. We do engage our contractors to participate in all
13 onboard training even if it's not pertinent to them because
14 there's some topics in your safety manual system like, you know,
15 barge operation or anchor handling. We are not even on an anchor
16 handler, but we do engage in to participate in all drills and all
17 training.

18 Q. The severe weather planning document --

19 A. Yes, ma'am.

20 Q. -- once a master fills that out and they have their matrix
21 scored do they send that ashore at all?

22 A. Yes.

23 Q. Do you know if one was done on the 13th?

24 A. I do not know if one was done on the 13th or not.

25 Q. Who would have received it if it was?

1 A. Operations. That would be Paul Freeman, Ben Alvarez, Joey
2 Ruiz, that group would have received it if there was one done.
3 Those are normally done during hurricane season.

4 Q. Okay. The accident investigation procedures you mentioned
5 before you talked about the different levels.

6 A. Yes, ma'am.

7 Q. Had your company ever done a Level 4 accident investigation?

8 A. Not in my 15 years at Seacor Marine, no.

9 Q. The near miss unsafe conditions reporting form --

10 A. Yes, ma'am.

11 Q. -- who gets those paper reports?

12 A. That would come to my department. Barrett Charpentier, and
13 myself would see those when they come in.

14 Q. How frequently do you get those?

15 A. We've had more stop works reported this year than incidents.
16 So, frequently.

17 Q. So, the stop works get reported on that near miss unsafe
18 condition form?

19 A. Yes. We've had no near miss and stop works reported this
20 year than incidents.

21 Q. And so would you say one a week or one a month or once --

22 A. I can get you exact frequency if that's something you're
23 interested in.

24 Q. Just roughly. I'm just trying to get a sense of --

25 A. I think I had four just the last week stop works due to

1 weather.

2 Q. Oh, really.

3 A. Yes.

4 Q. Okay. And what happens when you receive one of those types
5 of reports

6 A. We respond, supporting the masters. And depending on how
7 much detail they put in them we might request for further
8 information. So, if it's a stop work weather related, we could
9 very well ask for some more specifics on the weather. If they
10 just say stop work for weather, we'll ask what's the sea status,
11 the wind conditions, you know, let us know when operations safely
12 resume, and we'll gain that information make sure the form has the
13 data it needs.

14 Q. Okay. And then is there ever something that you see on one
15 of those forms that gets incorporated back into the SMS
16 (indiscernible) it prompts a change to the SMS?

17 A. Not weather-related ones. But if you see a stop work
18 procedural wise then yes it could. And then typically that would
19 follow up on their management review, their master's review form.

20 Q. Okay. Who fills out the improvement suggestion form?

21 A. That would be from a crew member as well if there's an
22 improvement that they see onboard.

23 Q. And who do those go to?

24 A. Depends on the department. So, if it's a HR related function
25 it would go to them but generally speaking, they would come to

1 myself and I would disperse them from that point.

2 Q. Okay.

3 A. So, we train them send them in to safety, obviously, and then
4 from there if it's an equipment type item or an HR function or
5 operational item then we can advise that department appropriately.

6 Q. Okay.

7 A. For proper response.

8 Q. Do you recall one of your recent improvement suggestions that
9 you received?

10 A. I can research that if that's something we need to disclose.

11 Q. I was just --

12 A. Yeah.

13 Q. -- seeing if you remembered. Okay. I'm getting close. The
14 offshore worker manifest form --

15 A. Yes, ma'am.

16 Q. -- is that kept on board or does that come ashore?

17 A. That's kept on board. But they should -- if it's a passenger
18 vessel like a crew boat that's carrying passengers, they'll e-mail
19 that in as far as a passenger tracking system.

20 Q. Okay. That wouldn't be used for this, it wouldn't -- Seacor
21 Power wouldn't (indiscernible) --

22 A. No. Because these weren't passenger offshore because they
23 were part of the crew. So, they would have had a vessel
24 familiarization. They would be part of the mission of the ship.

25 So, that form wouldn't be used if I'm a crew boat and I'm

1 transporting personnel to an offshore facility this basically I'm
2 coming on board the vessel. I need to know my emergency
3 preparedness, how to get out of the vessel and I'll stay in this
4 area. That's it.

5 These contractors are assigned, you know, rooms. They are
6 living on board. They are working toward the mission of the
7 vessel. It's a different context.

8 Q. Okay. That makes sense. Thank you. Last question, the
9 engineering hand over notes --

10 A. Yes, ma'am.

11 Q. -- are those kept on board or do they come ashore?

12 A. Those are kept on board.

13 Q. Okay. Thank you.

14 A. Okay.

15 MR. [REDACTED] A little follow up to Tracy's question. This
16 is [REDACTED]

17 BY MR. [REDACTED]

18 Q. I have a follow up for the stop work question. So, are you
19 receiving those from the master of the vessel, the stop work --
20 you said you received four in the last week for weather?

21 A. Oh, that could be from the master. It conditions from the
22 second captain, the mate, the chief engineer, the person reporting
23 it. It could have come from any of them. But the master is aware
24 of all the reports that come from the vessel.

25 Q. Okay.

1 A. But as far as the person filling out the report it could be
2 the second captain that does the paperwork side of the e-mail,
3 yes.

4 Q. Do you often get reports through, you know, the hotline
5 number that you have posted throughout the vessel, do you get
6 reports that don't, that the master doesn't see?

7 A. I have to think back on that one. As far as stop work
8 related type items or issues on board?

9 Q. Yeah.

10 A. Normally the calls I would get would be more procedural based
11 type items, how to fill out something or when to use, you know,
12 something of that nature. It's not what would be as a complaint
13 of someone onboard.

14 Q. Okay. Thanks.

15 MR. EHLERS: This is a real quick follow up to [REDACTED] here.
16 Drew Ehlers, NTSB.

17 BY MR. EHLERS:

18 Q. Did you receive any stop work from Seacor Power or any other
19 Seacor vessels on the day of the accident?

20 A. The Seacor Power, no. I can check my records as we did have
21 several stop works reported that week, notably another lift boat
22 in transit to Mexico used stop work multiple occasions due to
23 weather. One of them being fog. One of them being sea state.

24 We did also receive stop works from the Norman F. McCall in
25 Angola for sea states and incurrence and things of that nature we

1 can double check the nature of those exactly what day they work
2 but they were several last week.

3 Q. Okay. I'd like to see those.

4 A. Of course.

5 MR. [REDACTED] [REDACTED] [REDACTED] following up from the reporting
6 there.

7 BY MR. [REDACTED]

8 Q. Would the hotline be what they would use if there was a
9 situation where someone wanted to to some degree anonymously
10 report a condition?

11 A. Yes.

12 MR. KUCHARSKI: I've got a whole lot of questions hotline and
13 stuff like that, if we can just hold on a sec.

14 MR. [REDACTED] Sure.

15 MR. KUCHARSKI: Anything related to --

16 UNIDENTIFIED SPEAKER: Risk analysis.

17 MR. KUCHARSKI: -- yes, yes, yes, please.

18 BY UNIDENTIFIED SPEAKER:

19 Q. Is there a vessel specific higher lever risk assessment like
20 a safety case or a hazard study or a haz/ops study, maybe a
21 failure mode and effects analysis, FMEA; are you familiar with any
22 of those?

23 A. Okay. I think I follow where you're going. So, FEMA is DP
24 related -- (indiscernible).

25 Q. It can be related, right.

1 A. And you're referring to as far as?

2 Q. Those operations as a whole, so one big, one big hazard
3 analysis? For example, the impacted aspect register
4 (indiscernible)

5 A. Yes.

6 Q. -- something like that for safety. Does Seacor Power have
7 something like that?

8 A. I don't recall off the top of my head. That's --

9 Q. (Indiscernible) analysis or hazard register?

10 A. We do have a company hazard register for the Seacor Power
11 that would be her risk assessment program.

12 Q. But those would be smaller for specific jobs though, right?

13 A. Specific job tests. So, if you're looking at a hazard
14 analysis of the Seacor Power --

15 Q. Right.

16 A. -- everything that the vessel is capable of that would
17 essentially be the risk assessment data base and each one of those
18 would be a job task that the Seacor Power can engage in and that
19 would be the risk assessment for the Seacor Power.

20 Q. Okay. All right. Thank you.

21 MR. KUCHARSKI: This is Mike Kucharski.

22 BY MR. KUCHARSKI:

23 Q. Okay. Captain Phillips had asked you about the severe
24 weather form, right?

25 A. Uh-huh.

1 Q. That goes into the office?

2 A. Yes.

3 Q. Okay. All right. So, to look at that as a marine type form,
4 I don't look at it accounting or bookkeeping or --

5 A. That's why I was asking for specifics.

6 Q. All right. So, do you have a matrix or anything guidance to
7 the master what forms are supposed to go into the office?

8 A. Yes.

9 Q. You do?

10 A. Yes, sir.

11 Q. Okay.

12 A. Good.

13 Q. Is that somewhere in the safety management system, where is
14 that?

15 A. So, safety management system has got it then a file what
16 needs to be said, so if it's incident reports it'll say you are to
17 send them in. The severe weather planning it would tell them
18 where to send it in. If it's an evaluation form that section
19 would tell them where to send it in.

20 Q. Thank you for that clarification. Mike Kucharski again. So,
21 there is not an appendix or anything that says these are the forms
22 -- sorry, I've seen it on other vessels that's why I'm -- I'm not
23 trying to -- instead of going into that particular section and it
24 says send this form into the office, you know, is there a matrix
25 or something, a list that says on a weekly basis, on a monthly

1 basis each time, you know, send these forms in?

2 A. The forms are linked to the procedure that tells them what to
3 do for the form.

4 Q. So, the answer is, no?

5 A. (No response.)

6 Q. Is there a matrix or some kind of a list that says -- say it
7 again, on a weekly basis, a daily, whatever, send these forms in
8 or send this into the company?

9 A. There is a retention schedule. There is a list of documents
10 controlled and each procedure directs them what to do with each
11 form.

12 Q. So, your answer is no, there is not a matrix that has all
13 that in there?

14 A. Not what you're describing.

15 Q. Okay. So, DPA duties. Is a part of the DPA's duties to be a
16 direct point of contact in case a crewmember is concerned about
17 vessel safety or other safety related conditions?

18 A. Yes, sir.

19 Q. And are you that point of contact or is it in an alternate
20 DPA?

21 A. They would call myself or an alternate as dictated.

22 Q. Okay. And how are the crewmembers made aware of that policy?

23 A. They do annual training on it and it's posed on each level of
24 the vessel and that is also one of our interview questions on all
25 of our annual internal audits as well.

1 Q. Is that process kept confidential, so you know it, does the
2 master know if they call you for a safety related item? Is there
3 any part of that that's confidential? So, what I'm getting at if
4 they say I don't think the master is doing this safely, can they
5 -- is that held in confidence or does the master find out that
6 that person, the actual name of the person that called that in?

7 A. No. He would not find out the name of the person. But he
8 would be notified there was a report.

9 Q. As part of the company policy are the crew encouraged to
10 speak out?

11 A. Yes, sir.

12 Q. So, I think you said before you have been contacted in the
13 past about safety related matters under this system?

14 A. Yes, sir. The primary contacts in this last year have been
15 COVID related concerns.

16 Q. So, besides stop work authority, okay, but falling short of
17 stop work I understand that clearly. Short of stopping work, okay
18 but they don't want to stop work, but they are concerned, have you
19 been called on that type of an issue? Done under stop work, okay.

20 A. COVID related issues, yes, for crew change concerns, things
21 of that nature. Particularly in the middle east where
22 restrictions are lot severe getting flights in and out, getting
23 released there, COVID related test questions have been the most
24 recent and frequent calls we have gotten.

25 Q. And do you report that on to somebody else?

1 A. If the nature of it is crew change related, we will report
2 that to human resource to address and then I usually follow up
3 with the crew to ensure that they were received acceptable notice
4 and answers from human resource on the nature of their crew
5 change.

6 Q. And is -- forget COVID related.

7 A. Uh-huh.

8 Q. Let's say it's putting to sea. They don't want to put to
9 sea. They are worried about --

10 A. And they are not going.

11 Q. Okay. So, who makes that decision?

12 A. The master makes that decision.

13 Q. Okay. So, if a crew member calls that 800 number or calls
14 your number --

15 A. Yep.

16 Q. -- right, then you're going to go back to the master and make
17 that decision or do you report to somebody else?

18 A. No, sir. I'm calling the master. And I'm finding out why
19 they're reporting, what's the issue, whether it's -- no matter
20 what the issue he reported we are going to try to find the
21 solution to the story, obviously. We want to gain the facts of
22 the circumstance with all parties involved. Not only if it
23 involves the master, the second captain, the engineer, the client,
24 operations, whoever it is we are going to stop the job because of
25 the call. We are going to find out the facts and nature of it and

1 ensure we have a solution prior to proceeding.

2 Q. Anywhere in this process do you contact somebody above your
3 head like Mr. Jones --

4 A. John Gellert.

5 Q. Joey Ruiz.

6 A. Or Joey?

7 Q. Ruiz, is that how you say it?

8 A. If I'm not able to resolve it then, yes, I would.

9 Q. Okay. But he doesn't as a matter of course if somebody says
10 it's unsafe to sail that vessel he doesn't get notified?

11 A. Yes. He would see it. Because they reported in USIS and
12 that's a -- if you see a stop work or you see an incident, he's on
13 the distribution list for notification. So, he would see it as
14 well.

15 Q. Would see it after the fact but I mean --

16 A. If there's a phone call.

17 Q. Yeah.

18 A. No. Then I would follow up with an e-mail or for if it's
19 something he needed to be involved in that needed to be resolved,
20 then yes, he would be notified.

21 Q. Okay.

22 A. But we don't have that issue. we don't have that pressure
23 from anyone. I don't have to go above my head as our safety in
24 line management are very safety conscious.

25 Q. What are the steps a captain would take if he didn't feel it

1 was safe to leave the dock?

2 A. He would use stop work authority. His notification would be
3 who is ever giving him the sailing orders. So, if they are
4 operating under Seacor Marine's notice, if they are not on
5 charter, the orders would come from operations. If they are on
6 charter with a client, they with notify the client as well as us.

7 MR. KUCHARSKI: Do you have a question?

8 UNIDENTIFIED SPEAKER: You just covered it.

9 MR. KUCHARSKI: Okay.

10 BY MR. KUCHARSKI:

11 Q. Are you aware of any past situations where this has occurred?
12 Capsizing?

13 A. No. Captain said, I asked you the previous questions what
14 steps would a captain take if he didn't feel it was safe to leave
15 the dock.

16 A. Oh.

17 Q. Are you aware of any situations that that's occurred?

18 A. Yes.

19 Q. Okay.

20 A. There's stop work authority reports to support that.

21 Q. Is it fairly frequent that that happens?

22 A. Yes.

23 Q. Leaving the dock?

24 A. Yes.

25 Q. Okay.

1 MR. KUCHARSKI: I'm going to hold there, just do a quick hold
2 on that to see --

3 BY UNIDENTIFIED SPEAKER:

4 Q. Going back to the DPA role. First of all, you mentioned the
5 phone number that's posted on the decks of the vessels. Is the
6 number the same number for you and the alternate or is it a
7 different number?

8 A. No, sir. So, we have our main line number, which is the 876-
9 5400 number. Then you'll see my name. It'll have my personal
10 cell number, my direct e-mail address as well as our company
11 distribution for the safety department and then each alternate
12 DPA's name and their personal cell phone numbers as well.

13 Q. Okay. So, if I want to get in touch, I'm a crewmember I want
14 to get in touch with the DPA. Do I call the main number, or do I
15 call your individual number?

16 A. They can get in touch either or, but they are going to all
17 call my main -- they are going to call my cell number. But we
18 post them all just to ensure that they can get in touch with
19 anyone, anywhere round the world all the time.

20 Q. Okay. The main number who answer that phone?

21 A. That is the dispatch.

22 Q. Okay. And is that Seacor dispatch?

23 A. Yes, sir.

24 Q. Okay.

25 A. Seacor Marine employees.

1 Q. So, if I dial the main number okay. So, if someone -- go
2 ahead you were going to say something?

3 A. I was going to support your statement. So, procedural wise
4 that is exactly how I was notified that night. The lift boat Rock
5 Fish a third party called our dispatch, and our dispatch forwarded
6 that call to me.

7 Q. I see. Okay. So, if they call you on your cell phone
8 because they -- that's listed there.

9 A. Uh-huh.

10 Q. Is that number the same number as your regular business cell
11 phone?

12 A. Yes, sir.

13 Q. Okay. So, you mentioned the wide range of duties you have,
14 meetings all morning long. If you don't answer that phone, if it
15 comes an unanswered then call the next number down the list, is
16 that how -- how would that --

17 A. So, when you look at the matrix there will be an alternate
18 DPA for each area of operation. So, they would call that next
19 person in line.

20 Q. Okay. All right. They are not going to -- if they call your
21 number, they are not going to get a message saying call -- let me
22 ask this question. Let me back up.

23 If you get a DPA related question, do you know when it rings
24 on your phone if this is somebody calling you about DPA matters or
25 if --

1 A. No. It's a phone.

2 Q. Okay.

3 A. It's phone call.

4 Q. Just a regular phone call?

5 A. Yes, sir.

6 Q. All right. You mentioned that on a stop work authority, this
7 is a different line of questions or a different question. If you
8 have a client, let's say a no sale stop work authority and you
9 have a client, but the client is notified. The stop work
10 authority procedures is it always Seacor's procedure or is there a
11 client stop work procedure?

12 A. We have a stop work authority policy and that is equivalent
13 to all the ones of nature. You can't go more stringent than stop
14 the job, obviously. That's the most stringent you can go. So,
15 it's (indiscernible) equivalent to all the clients.

16 Q. How is a stop work cleared? In other words, how is -- how do
17 you recommence work?

18 A. So, the halting work authority is sent you engage all parties
19 involved. So, depending on the nature of it you have to ensure
20 that whoever used stop work is satisfied that it is safe to
21 continue by mitigating whatever the risk was, whatever the
22 concern.

23 So, if it's something to do with training, the amount of
24 personnel, weather related, equipment wise, any of the concerns
25 that's brought up you have to mitigate it. So, if we need

1 mechanical means. We need a different crane. We have an engine
2 failure. You know if we have a weather system, we wait for it to
3 pass. So, that's monitored by depending on who are on board the
4 vessel to go up to the master of the vessel to monitor that and
5 liaison with us.

6 Q. Okay. Does the client ever have an input into stop work,
7 clearing a stop work authority?

8 A. Yes. If it involves their operations or something that would
9 engage them, then, yes, they would have input in it.

10 Q. Okay.

11 A. So, an example of that I think is prudent. So, if we are
12 servicing say an FBSO or something of that nature and we are using
13 stop work because of the arrangement of the vessel in relation to
14 it. So, you can change heading to get by into the seas and hold a
15 lot better position on a DPT (ph.) vessel. So, in that tight stop
16 work your client is directly involved to reposition the FBSO.

17 Q. Okay.

18 A. That's, you know, a rough example.

19 Q. The person issuing the stop work authority filed it, if I
20 used the wrong terminology I apologize.

21 A. No. It's okay.

22 Q. Are they the final authority on recommencing work?

23 A. Yes. They would have to agree that the measures put in place
24 are properly mitigating their concerns.

25 Q. Okay. If they ever disagreed, maybe unreasonably so, can

1 they be overruled?

2 A. No.

3 Q. Okay.

4 A. We would -- that would come to myself, obviously, to get
5 directly involved and that would be a situation that would go
6 directly up to John. We don't have that issue in our company but
7 that would be a very good example of how that DPA role was first
8 developed by IMO to where if you have parties involved that are in
9 disagreement, saying, no, it's safe, no it's not, then that's
10 where I would get involved as a liaison to step in between, get
11 John involved and we are always going to rule on the side of
12 safety.

13 Q. Okay. So, if you had had a case where the originator of the
14 stop work authority was dissatisfied with the result, would the
15 mitigation matter?

16 A. Not as far as stop work authority goes. The only case is
17 that they are not satisfied the result, as we were speaking, only
18 way it would be COVID related or they want to get off the vessel,
19 but we cannot because of COVID country requirements, country
20 restrictions as far as crew changes go. Someone wants to get
21 home, but you can't.

22 Q. Okay. Thank you.

23 MR. KUCHARSKI: Mike Kucharski again.

24 BY MR. KUCHARSKI:

25 Q. Can a charter ask to have a different captain than one aboard

1 the vessel?

2 A. The direct answer to that question is very vague but they can
3 ask anything they want.

4 Q. That's all vague then isn't it. Can they ask to have another
5 captain?

6 A. They can ask whatever they want.

7 Q. Have they ever asked to have a different captain than the one
8 onboard the vessel?

9 A. Not to my knowledge.

10 Q. What is your direct involvement with the charterers?

11 A. My direct involvement with charters as a -- as the question
12 is asked would cover all clients. So, when I am involved with a
13 charter it's from the initial phases from an audit perspective
14 when they come audit our company. That's where I would be
15 involved.

16 In the event there is a bridging document that has concerns
17 or high level or things that's not in line, per se, I would come
18 in to review and ensure the gaps are properly closed.

19 Q. Okay. I had asked you about a bridging document before. So,
20 what's a bridging document now?

21 A. That would be if, you know, your procedure says I want paper
22 tower to be six inches and mine says eight inches. We are going
23 to agree on seven. You're basically bridging the procedures to
24 show you're going with not only the most stringent standard but
25 agreeable standards if the procedures are different.

1 Q. And do you have a bridging -- I know you're using a paper
2 towel there but what typically does a bridging document -- is
3 there a bridging document between Talos and Seacor?

4 A. Not that I recall, no.

5 Q. Okay. To your knowledge, has a master ever been relieved
6 because of a charter's complaint?

7 A. I think that question would be better for human resource. I
8 don't recall but I think that would be a good question for your HR
9 department.

10 MR. PRESTON: Okay. Can I just clarify. You mean relieved
11 like just kept off the job or terminated.

12 MR. KUCHARSKI: Terminated.

13 MR. PRESTON: I don't know if that changes your answer.

14 MR. CENAC: No, I would think that would be proper to be
15 clarified by human resource as they are over the crewing of the
16 vessel. So, that could change, that notification on why it would
17 come from them, but I'm not involved in that process.

18 BY MR. KUCHARSKI:

19 Q. Do you know what the primary means of communication between
20 ship and shore is?

21 A. Email and phone calls.

22 Q. Do you know if the master has an Iridium phone?

23 A. I don't know if it's Iridium, per se, but they do have
24 multiple like satellite numbers on that vessel. Yes. They have a
25 series of numbers and alternate communications, yes. There's a I

1 guess a log or whatever, a phone book in a sense.

2 MR. KUCHARSKI: Additional questions?

3 MR. [REDACTED] [REDACTED] [REDACTED] Coast Guard.

4 BY MR. [REDACTED]

5 Q. You're talking about bridging documents and, you know, six
6 inches versus eight inches and agreeing on seven. Is that
7 information passed down to the captain or the crew?

8 A. Yes. If there is a bridging document established with a
9 charter that's issued to the vessel, they would complete a
10 training report on that bridging document ensure all crew are
11 aware of any differences in procedures.

12 Q. Okay. And follow up on that. You said you're not aware of
13 any bridging documents with Talos what regards to sinking actual
14 system or things like -- so, in a situation like that who would
15 the vessel crew -- what system or what procedures would you follow
16 Talos or Seacor's?

17 A. They are following Seacor Marine procedures as they are on a
18 Seacor Marine vessel. We are not working on their facility.

19 MR. [REDACTED] That's all I got. Thank you.

20 CAPT PHILLIPS: Is this the end or?

21 MR. KUCHARSKI: Yes. Any additional.

22 CAPT PHILLIPS: Final questions?

23 MR. KUCHARSKI: Sure.

24 BY CAPT PHILLIPS:

25 Q. Do you have any initial thoughts -- Tracy Phillips. Do you

1 have any initial thoughts on what could be done to prevent what
2 happened to that Seacor from happening again?

3 A. I think we are very early in that process and I do look
4 forward to getting to that conclusion as a team here. And I would
5 like to refrain from speculation at this point. So, I think that
6 will come, you know, over the course of time amongst this team
7 here.

8 CAPT PHILLIPS: thank you.

9 MR. KUCHARSKI: Go ahead.

10 MR. PRESTON: So, you mentioned that you didn't --

11 MR. KUCHARSKI: ABS.

12 BY MR. PRESTON:

13 Q. Oh, I'm sorry. John Preston, ABS. Thank you. You mentioned
14 that you did not get notified that the EPIRB had gone off or
15 anything like that. Do you normally -- who gets notified in the
16 cases like that?

17 A. That's a two-part question.

18 Q. Yes.

19 A. The first part is, no, I did not get notified the EPIRB went
20 off.

21 Q. Yes.

22 A. And our main line is on the EPIRB registrations, the 87654
23 (indiscernible) so, if they called that that EPIRB is going off
24 depending on who is on the other end if it's a real alert or if
25 it's a test or whatever it is the dispatch would transfer them

1 probably to myself if it's a real alert as which was done in the
2 case of the Rock Fish call that this is an emergency.

3 Q. Okay. The vessel's emergency communications --

4 A. Yes, sir.

5 Q. -- where would that, you know, non-telephone, because the
6 EPIRB is a device that sends -- it just sends out a notification
7 signal. It doesn't -- I don't think it calls a phone number.

8 A. Yep.

9 Q. So, who would -- do you know who would get that notification
10 if not you apparently --

11 A. For the EPIRB?

12 Q. Yes.

13 A. Apparently it went to Coast Guard and it did not come to us.

14 Q. Okay. So, you think the notification went to the Flag

15 A. That's what I was led to believe by Flag.

16 Q. Okay. Got it.

17 A. I do not have that confirmed though.

18 Q. That's fine. I understand. thank you. The other question
19 would be, do you know who handles management of the SEMS program,
20 the ISNetWorld?

21 A. ISNetWorld would be Barrett Charpentier who is tasked to
22 oversee that process for Seacor for the Gulf of Mexico region.

23 Q. Okay. Thank you.

24 MR. EHLERS: Drew Ehlers, NTSB, this is a random question I
25 just didn't get to.

1 BY MR. EHLERS:

2 Q. What's the required training for a contractor coming onboard,
3 in other words, presale training?

4 A. As far as --

5 Q. As far as -- it's vessel -- let's just call it vessel safety
6 training.

7 A. So, vessel safety training if you look at vessel
8 familiarization, they are going to brief them on where to go in
9 the event of an emergency, how to dawn their life jacket, how to
10 exit the vessel here's the fire plan. This is who the master is.
11 If you hear a ship somewhere, this is where your muster point is.
12 They'll make the announcements, you know, this is the equipment we
13 have. They'll go through all of those items as far as the
14 familiarization process.

15 Now, a whole another side of that for safety training and I
16 keep hearing SEMS referred to is the contractor will have
17 different levels of training that they provide prior to. So, if
18 it's a Talos Energy SEMS type requirement they could have anything
19 from your water survivals. If it's a cook they could have safe
20 serve as a cooking layer. You know, if they are a crane operator,
21 they will have a crane cert. They could be a rigor, have a rigor
22 certification.

23 So, depending on their role in the operation they will also
24 have additional layers of training underneath them.

25 Q. Okay. So, as far as the Seacor --

1 A. Uh-huh.

2 Q. -- other than the crew familiarization upon reporting aboard

3 --

4 A. Yes.

5 Q. You don't require the client to provide, for instance, basic

6 --

7 A. Basic safety training?

8 Q. -- basic safety training, yeah?

9 A. That would be a question better for HR but to my knowledge
10 they don't receive that.

11 Q. Okay. That's good for me, thank you.

12 MR. MUISE: Marcel Muise, NTSB.

13 BY MR. MUISE:

14 Q. Just to clarify what Drew was saying, any requirement for
15 water survival for the non-Coast Guard credentialed people would
16 come from the client, Seacor doesn't have any requirement for,
17 let's say your cooks that don't have?

18 A. It's first contracted personnel?

19 Q. Right.

20 A. I think there was additional nine I believe.

21 Q. Right.

22 A. Not to my knowledge. No.

23 MR. MUISE: That's all I have.

24 MR. KUCHARSKI: Mike Kucharski.

25 BY MR. KUCHARSKI:

1 Q. Do you know anything about the drills on the vessel, abandon
2 ship drill?

3 A. Yes.

4 Q. Okay. What's the company policy as far as holding those?

5 A. The requirement is a minimum of monthly and then if 25
6 percent or more change then they would hold another one. So, they
7 should have had one that week. As I recall they did just recently
8 crew change. So, would have had one prior to departure.

9 Q. So, what -- are the contractors required to go to those?

10 A. Yes. They participate.

11 Q. So, on this voyage here that it embarked upon, okay, the -- I
12 think it was a matter of quite a few hours to get to the site.

13 So, would the contractors have any attendance, or would they have
14 any drill soon after departure or before they leave?

15 A. Yes.

16 Q. They would.

17 A. Yes. That's procedural wise, yes, they should have had an
18 abandon ship drill. Yes.

19 Q. So, before they left?

20 A. Yes. They should have had an abandon ship drill, yes.

21 Q. Okay. So, it's a company policy to have one before --

22 A. Yes. That's (indiscernible)

23 Q. -- I'm trying to see the gap --

24 A. -- Coast Guard regulation. As prior to departing if there's
25 25 percent or more, they are going to have an abandon ship drill.

1 Q. Okay.

2 A. So, if he's -- if the master is following procedure, then the
3 answer is yes.

4 BY UNIDENTIFIED SPEAKER:

5 Q. So, for the 25 percent does that include contractor or is
6 that only the ship's crew?

7 A. Is a contractor -- let's rephrase contractor. They are not a
8 passenger onboard they are part of that ship's crew. So, yes,
9 they should have had an abandon ship's drill prior to departure
10 toward my definition, yes, as procedure lines up.

11 Q. Okay. So, they are part -- just to restate it just to make
12 sure we are clear. So, they are part of that 25 percent. So, for
13 instance, if the crew -- there's not a crew change --

14 A. Uh-huh.

15 Q. -- but there is a changeover in the contractor's that -- for
16 instance there's nine personnel from contractors on the Seacor
17 Power, if those were nine new personnel there would have been an
18 abandon ship drill? Nine new contractors.

19 A. I would have to double check the exact wording on what you're
20 phrasing, but I'm fairly certain that the answer is yes. But I
21 would have to double check that because we are using terminology
22 as crew, contractors, subcontractor

23 Q. I understand that. That's exactly the reason I asked the
24 question.

25 A. -- that is the intent per se of the requirement because you

1 have new people sailing towards the mission of the vessel that you
2 want to make sure that they are familiar prior to departure port.

3 So, the answer is yes. Now that the exact language I'd have
4 to verify.

5 Q. Hold on a second. So, I would like you to do that as a
6 follow up.

7 A. Yes, fine.

8 Q. Just a quick question for clarification.

9 BY UNIDENTIFIED SPEAKER 2:

10 Q. We're discussing contractors and crew, with crew being marine
11 crew that's required by Coast Guard documented personnel.

12 Contractors, are all the contractors employed by or contracted
13 through Seacor or is it Talos and Seacor, some by Talos, some by
14 Seacor or third party, any other third party?

15 A. So, there were nine Seacor Marine employees, two OSSM
16 contracted cooks by Seacor human resource. The remaining
17 individuals were all charter -- contracted through Talos.

18 Q. Okay. That's what I just wondered. We keep talking
19 contractors and employee --

20 A. Yeah. And that's why it's difficult because there's so many
21 interested parties.

22 MR. [REDACTED] My question was -- [REDACTED] [REDACTED]

23 BY MR. [REDACTED]

24 Q. Considering, you know, considering them crew as far as your
25 station built for those drills and responsibilities in these

1 drills and possible casualty events, are these contract workers
2 outside of Seacor personnel assigned duties?

3 A. No, sir. They are assigned --

4 Q. They are treated as passengers in an emergency?

5 A. In an emergency they're taught to report to the muster
6 station. And then you'll see the, one of the assigned crewmembers
7 responsible for head count of the passenger or something.

8 Q. Okay.

9 A. Offshore workers, contractors, in this case. So, your duties
10 and responsibilities are just for the Seacor Marine crew.

11 Q. thank you.

12 MR. PRESTON: This is John Preston.

13 BY MR. PRESTON:

14 Q. As another clarification, I understand that instead of
15 treated as passenger it should be industrial personnel.

16 A. Yeah, offshore workers.

17 MR. KUCHARSKI: One last time around the room. 12:30 on the
18 button. The interview has terminated.

19 (Whereupon, at 12:30 p.m., the interview was concluded.)
20
21
22
23
24
25

CERTIFICATE

This is to certify that the attached proceeding before the
NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: CAPSIZING OF THE LIFTBOAT *SEACOR*
 POWER SOUTH OF PORT FOURCHON,
 LOUISIANA, ON APRIL 13, 2021
 Interview of John Smith

ACCIDENT NO.: DCA21MM024

PLACE: Terrebonne Parrish Emergency
 Operation Center

DATE: April 20, 2021

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



Letha J. Wheeler
Transcriber



Office of Marine Safety
Transcript Errata

SUGGESTED CORRECTIONS TO TRANSCRIPT OF INTERVIEW FOR

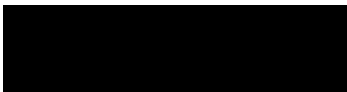
MICHAEL CENAC

TAKEN ON

APRIL 20, 2021

WITH NTSB REPLY

PAGE NUMBER	LINE NUMBER	CURRENT WORDING	CORRECTED WORDING	NTSB REPLY
			Mr. Cenac’s suggested corrections to the transcript were inserted directly into the transcript as either “strikethroughs” to the wording with the suggested wording above the “strikethrough” or within yellow “balloon” comments.	<i>NTSB’s replies were inserted directly into the transcript inside either blue or red “balloon” comments.</i>



Reviewed and signed by Michael Cenac 4-
June-2021 using the Adobe strikethrough and
notes features for grammer and spelling
corrections.

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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CAPSIZING OF THE LIFTBOAT *SEACOR*
POWER SOUTH OF PORT FOURCHON,
LOUISIANA, ON APRIL 13, 2021

Accident No.: DCA21MM024

* * * * *

Interview of: MICHAEL CENAC
Seacor Marine

Terrebonne Parish Emergency
Operations Center in Houma, LA

Tuesday,
April 20, 2021

APPEARANCES:

MIKE KUCHARSKI, Chairman for the NTSB
Operations Group for the Seacor Power
Capsizing

MICHAEL CENAC, QHSE Manager, Designated Person Ashore,
Chief Security Officer
Seacor Marine **Company Security Officer**

JOHN PRESTON, Chief Surveyor Offshore
American Bureau of Shipping (ABS)

██████████ ██████████ Member
U.S. Coast Guard Marine Board of Investigation

ANDREW EHLERS, Investigator in Charge
National Transportation Safety Board

JERRY WHITE, ESQ., Counsel for American Bureau of
Shipping

MATTHEW BARRIE, ABS Surveyor

CAPT TRACY PHILLIPS, Chair
U.S. Coast Guard Marine Board of Investigation

LT ██████████ ██████████ Recorder
U.S. Coast Guard Marine Board of Investigation

██████████ ██████████ Member
U.S. Coast Guard Marine Board of Investigation

I N D E X

ITEM

PAGES

Interview of Michael Cenac:

By Mr. Kucharski	7, 11, 22, 31, 36, 38, 39, 41, 48, 50, 56, 70, 79, 90, 92, 97
By Mr. Ehlers	9, 27, 30, 35, 40, 47, 56, 77, 96
By Capt Phillips	10, 10, 21, 29, 35, 51, 55, 68, 72, 93
By Mr. [REDACTED]	20, 34, 41, 48, 49, 49, 53, 66, 70, 71, 93
By Mr. Preston	27, 39, 54, 94, 101
By Mr. Muise	28, 39, 97
By Mr. [REDACTED]	36, 50, 68, 78, 100
By Mr. [REDACTED]	76

I N T E R V I E W

(10:10 a.m.)

1
2
3 MR. KUCHARSKI: Okay. Good morning again, everyone. It's
4 10:10 central daylight time on April 20th, 2021, and we are here
5 at the Terrebonne Parrish Emergency Operation Center to conduct an
6 interview related to the capsizing and sinking of the Seacor
7 Power.

8 And right now, we have before us the interviewee is Michael
9 Cenac. And Michael do we have your permission to record this
10 interview?

11 MR. CENAC: Yes, sir.

12 MR. KUCHARSKI: Okay. So, the purpose of our investigation,
13 the NTSB the investigation is to increase safety. Not to assign
14 fault, blame or liability. Okay. We cannot offer any guarantee
15 of confidentiality. So, all immunity from legal or certificate
16 actions, well, you don't have a certificate that I'm aware of but
17 certificate actions.

18 Again, you will get a copy of the transcript and errata to
19 clear that up. This will, this interview will eventually go on
20 the public docket. Everyone will have -- the whole world will
21 have access to it. Of course, I mention there are certain things
22 that are redacted. Okay. But if you tell me how old you are, I
23 won't ask you, it'll be redacted. Okay.

24 You are allowed to have a representative with you. They can
25 be an attorney but it's really a personal representative that you

1 can have. They can't testify or interview you as part of this
2 proceeding. Okay.

3 Any questions so far.

4 MR. CENAC: No, sir.

5 MR. KUCHARSKI: Okay. Then I'd like to go around the room if
6 I may and I'll start with you Michael, again, state your name,
7 your title, position if you will, and also spell your name. Okay?

8 MR. CENAC: Okay. Michael Cenac, M-I-C-H-A-E-L, C-E-N-A-C.
9 **QHSE Manager**
I'm the QHSC manager, DPA CSO for Seacor Marine.

10 MR. KUCHARSKI: We'll start around the table. We'll go next?
11 Okay. Go ahead.

12 MR. [REDACTED] [REDACTED] [REDACTED] I'm with the U.S. Coast Guard.

13 MR. KUCHARSKI: Could you spell your name please?

14 MR. [REDACTED] Oh, E-R-I-C, V-E-R-D-I-N.

15 MR. KUCHARSKI: All right.

16 MR. TOMPKINS: My name is Peter Tompkins, I am one of -- T-O-
17 M-P-K-I-N-S, I'm one of the outside counsels for Seacor.

18 MS. PHILLIPS: Good morning. I'm Tracy Phillips, T-R-A-C-Y,
19 P-H-I-L-L-I-P-S, I'm the Chair of the Coast Guard's Marine Board
20 of Investigation.

21 MR. [REDACTED] Morning, [REDACTED] [REDACTED] Coast Guard. Last
22 name is [REDACTED]

23 MR. EHLERS: Good morning, Andrew Ehlers, A-N-D-R-E-W, E-H-L-
24 E-R-S, NTSB investigator in charge for this accident
25 investigation.

1 MR. PRESTON: John Preston, J-O-H-N, P-R-E-S-T-O-N, I'm the
2 chief surveyor offshore for ABS, the American Bureau of Shipping.

3 MR. MUISE: This is Marcel Muise, M-U-I-S-E, I'm a Marine
4 investigator with the NTSB.

5 MR. KUCHARSKI: And, Mike Kucharski, K-U-C-H-A-R-S-K-I,
6 Office of Marine Safety NTSB, and the group chairman for
7 operations.

8 MR. [REDACTED] [REDACTED] [REDACTED] last name [REDACTED]. I'm a Marine
9 casualty investigator and the recorder for the Coast Guard
10 investigation site.

11 [REDACTED] [REDACTED] [REDACTED], [REDACTED], legal advisor to the Coast
12 Guard's part of the investigation.

13 MR. KUCHARSKI: Thank you. And one other order of business.
14 The way I like to conduct an interview I'll keep it on topic.
15 Okay. We are going to -- I have some topics that I'd like to
16 stick with. Please keep your questions within that. I'll go
17 around the room and ask everyone. Please also identify yourself
18 at that time so the court reporter will get to know your name, Mr.
19 Cenac, and mine, you know, but the other voices. So, sometimes if
20 you have a question on topic then I'll ask you -- I'll badger you,
21 you know, to please state your name. I can't tell you how many
22 times how was that speaking or unidentified. And sometimes it's
23 very very important who is asking that question.

24 So, I apologize in advance to everyone, but I will ask, you
25 know, repeatedly you'll hear me say that. And I'll probably make

1 a mistake too but after a while the court reporter will know my
2 voice.

3 INTERVIEW OF MICHAEL CENAC

4 BY MR. KUCHARSKI:

5 Q. Mr. Cenac, can I call you Michael or would you prefer --

6 A. Mike.

7 Q. Okay. Great. Tell us about yourself, a little bit of
8 background about yourself, schooling in general and then related
9 to the industry.

10 A. Yes. So, I'm a graduate of Terrebonne high school in Houma,
11 Louisiana. After high school I went to Nichole State University.
12 I graduated with a Bachelor of Science in business administration.
13 During my college years, yes, I'm a licensed mariner. I attained
14 an OUPV to operate charter vessels. Avid fisherman on the water
15 my entire life.

16 After college and also during college worked in the oil field
17 industry support work, you know, pump support, technician type
18 mechanical, deliveries, **things** of that nature. I started at Seacor
19 March 2nd, 2006. The position I interviewed ironically was
20 safety, but I was offered a position in crewing, which is human
21 resource.

22 Started at Seacor, worked in crewing probably a year-and-a-
23 half, two years and another position opened up in safety. So, I
24 interviewed again. I was afforded that opportunity a couple years
25 later. I'll just go with that. But basically, I worked as an HSC

HSE

1 supervisor. The role back then was essentially going to the
2 vessels doing your vessel visits, document transmittal, safety
3 meetings, things of that nature.

4 Over the years I, you know, received many different classes
5 of training from Seacor. Most of them through ABS over there.
6 So, that would be your internal auditor, your accident and
7 incident investigation, you know, your first aid CPRs, even first
8 aid CPR trainer, ISO, auditors as well. And the list goes on.
9 **trainings**
There's many other trans and some of the ones that we see such as,
10 you know, your HUETs of the world water survivals, you know,
11 attending all these for the company over the years.

12 **Nicholls**
I also attended Nichols State's Maritime management program.
13 **induction**
We were part of the inductor semester. There's four courses. You
14 have your intro to maritime, the business law one. There was the
15 economic side and the safety one as well. And then that was a
16 really interesting, there was two each semester. So, we completed
17 that as well, myself, and several colleagues at Seacor.

18 And then, obviously, a lot of your internal training as a
19 company. PAUSE, which is our behavior-based safety program,
20 prevent accident use safety equipment. Risk tolerance awareness,
21 and, obviously, your risk assessment training over the years with
22 our colleagues.

23 During that transitioning time, I went from supervisor to
24 alternate CSO, alternate DPA, probably seven, eight years or so,
25 something like that till I became DPA/CSO January 1, 2020, I guess

1 late 2019 is when the transition really started to that role.

2 And I guess it's a good overview. If there's any questions
3 on the training topic side of it.

4 Q. So, no, but you mentioned 2019. So, that was about the time
5 you came into your current position?

6 A. Yes. I'd say fourth quarter 2019 is when we started that
7 transition of global consolidation to one singular DPA versus many
8 alternates around the globe.

9 Q. So, is there currently you mentioned were you a deputy or
10 alternate --

11 A. I was an alternate DPA, alternate CSO.

12 Q. Do you currently have that position an alternate DPA right
13 now?

14 A. I do have alternate DPAs and alternate CSOs positioned
15 strategically around the globe in each region.

16 Q. Okay. I'm going to stop there.

17 MR. KUCHARSKI: Around the room are there any questions about
18 Mr. Cenac's background?

19 BY MR. EHLERS:

20 Q. What's an OUPV?

21 A. Operator of uninspected passenger vessel.

22 MR. KUCHARSKI: Okay. that was Drew Ehlers speaking.

23 MR. CENAC: Generally, Coast Guard and licensing. They call
24 it like a six-pack license, basically it's for -- it's primarily
25 for the fishing industry. So, you could take up to six passengers

1 to do charter fishing trips, day trips out on the water.

2 MR. EHLERS: Okay. Thank you.

3 MR. KUCHARSKI: Captain.

4 CAPT PHILLIPS: Good morning. Tracy Phillips.

5 BY CAPT PHILLIPS:

6 Q. Do you have an alternate DPA for this location, this area?

7 A. Yes. Yes, ma'am, Barrett Charpentier (ph.), Barrett,
8 Charpentier.

9 Q. Okay.

10 A. I cannot spell his last name. I'd have to look it up.

11 Q. Thank you.

12 MR. [REDACTED] Hi, [REDACTED] [REDACTED] Just because I'm local,
13 Charpentier is spelled C-H-A-R-P-E-N-T-I-E-R.

14 MR. CENAC: Yes. That sounds correct. It's in SMS chapter
15 4, you'll see the full list there.

16 BY CAPT PHILLIPS:

17 Q. And so, do you take the phone calls normally and then he's a
18 backup or does he take the phone calls and you're a backup or how
19 does the division (indiscernible).

20 A. So, in the U.S. we are both based in the U.S.

21 Q. Okay.

22 A. So, we would in a sense rotate a primary call, but I'm always
23 on the call. So, in an area such as Angola you would have a
24 primary and then his relief would be home. Same thing in Saudi
25 Arabia you'd have a primary in country. His relief Solomon (ph.)
schedule

1 they do a 60/60 and swap. So, in the U.S. Barrett is a five and
2 two employee but I'm always on-call regardless for the globe. So,
3 I'm essentially his back up.

4 Q. Thank you.

5 A. You're welcome.

6 BY MR. KUCHARSKI:

7 Q. Who was your predecessor to this job? Americas

8 A. Willard Robison. And he was the DPA for the Americus not
9 globally. That's R-O-B-I-S-O-N.

10 Q. So, the, this is Mike Kucharski again. So, then there was a
11 consolidation or how did it go from Global or Americus, do you
12 still have the Americus DPA?

13 A. I'm DPA globally. We have alternate DPAs in Americus.

14 Q. Okay. But Robinson was DPA Americus.

15 A. Just Americus.

16 Q. Different structure?

17 A. Correct.

18 Q. Okay. So, would you tell us, Michael, on a day-to-day basis
19 what your job entails?

20 A. Well, that's a very broad question. Is there any particular
21 trail you'd like me to go down or just --

22 Q. No. Give us an idea -- I'm sure there are other tasks may be
23 not on a day-to-day basis that you handle. Just what is your
24 workday like, you know, as far as --

25 A. So, essentially, you know, everyday obviously you'll map out

1 a plan for a week, a month, a quarter. So, you know, a calendar-
2 based schedule will have meetings with all department. You know,
3 obviously the Covid world I will start Monday morning at 7:00
4 we'll do a Covid call. We'll have general operations meetings in
5 the Americas. I'll periodically attend them in other areas of the
6 world based on time zones and what's going on.

7 Most of our meetings in my role because we are global start
8 from 7:00 to say 11:00 every day I'm usually tied up in meetings
9 every morning.

10 The afternoon is where I would normally get any of the day-
11 to-day business in a sense done where it would be, you know,
12 policy procedure review, plan procedure review, client audits,
13 things of that nature.

14 So, basically, you know, every day I'll go through what ever
15 happened, you know, in different time zones at the night. Start
16 my day. Address accordingly. Attend meetings. I'll do, you
17 know, weekly meetings with my team as well as phone calls
18 throughout. Just to make sure we stay on top of everything going
19 on, whether it's a, you know, audit, inspection, a survey, you
20 know, accident, incident anything of that nature to make sure they
21 are getting the resources and responding accordingly.

22 That could be, you know, anything from, you know,
23 (indiscernible) we do, you know, our role is flag state
24 inspections. Internationally we have Martial Islands flagged
25 fleet, not only U.S. Coast Guard. So, we'll oversee those

1 processes, maintaining your audit schedules, you know, statistic
2 tracking. So, as the group completes an investigation reports,
3 they have any questions or concerns they'll always reach out to
4 me.

5 A lot of the day-to-day, you know, minor in nature type
6 incidents they are more than capable of handling it. A very
7 experienced team they do have a diverse background, you know,
8 amongst different three classes, you know, as far as past mariners
9 and things of that nature.

10 Q. Okay. And then on a -- collateral duties that maybe are not
11 on a day-to-day basis --

12 A. Uh-huh.

13 Q. -- could you give us an idea of some of those?

14 A. Collateral as in corporate?

15 Q. Yeah, it could be corporate, yeah. Yeah. Yeah. Sure.

16 A. So, --

17 Q. Like maybe a monthly safety meeting or like, you know, on a
18 safety committee, anything of that nature.

19 A. So, we do, we have, obviously, ESG councils of the management
20 review committee meetings. I sit on cyber security council as
21 well. you know, our PAUSE steering committee. Steering being our
22 **behavior based safety program**
23 based safety program. We are rolling out a new preventive
24 maintenance program HELM connect. So, I'm on the steering
25 committee for that as well.

25 We are currently actively in the final stages of producing

1 another SMS revision. So, I've been the lead all throughout
2 reviewing and approving all the recommendations for that as well
3 as we're ISO certified company 9001, 45001 and 14001. So, we are
4 looking at consolidating those menus.

5 As of March, we just completed 13 days of auditing between
6 our DOC audits and our ISO audits. So, that's just a few of the
7 high level --

8 Q. Great.

9 A. And then if you go into a Covid world, obviously, that is an
10 ever-changing environment. So, my team, you know, we'll receive
11 the updates globally from every country around the world because
12 you're testing, you're quarantined. Your restrictions, you know,
13 permissions to travel change every day. So, as a Covid response
14 plan changes we have to reimplement or republish those. Vessels
15 move locations we monitor, obviously, security websites, you know,
16 making sure we are outfitting the vessels properly in that nature.

17 So, essentially oversight, you know, making sure our
18 superintendents are addressing, you know, as our fleet moves, as
19 our client moves.

20 Q. Do you also sit on any committees related to HR type
21 functions or promotions, reviews, --

22 A. No. I do not sit on any committees as far as promotion and
23 reviews. My role in that is when we do internal audits that is
24 one of our talking points. So, when I would do an internal audit
25 the company and we interview HR, that is one of the sample points

1 that we would use. You know, we'd pick a vessel, obviously, show
2 me samples of your evaluations for these employees.

3 Q. Okay. Okay. And a little bit we had talked about this, if -
4 - and maybe this is a good juncture at this point. For promotion
5 type items is there a separate committee that looks that over or
6 how does that process work?

7 A. That would be a better question for, you know, our president
8 in HR --

9 Q. Okay.

10 A. -- to go through that process.

11 Q. Okay. Who are your direct reports?

12 A. Can you rephrase? Who are my -- ?

13 Q. Who do you report to directly or is it more than one person?

14 A. So, I directly report to John Gellert (ph.) the president.
15 But we have general managers stationed globally as well was
16 country managers and operations managers who are directly involved
17 in the vessel's day-to-day operation and our liaison with the
18 client as well.

19 So, I don't directly report to any of them, but we
20 communicate as a line level of communication to ensure operations
21 are running smoothly. So, if they have any questions, concerns
22 throughout any of the operations, you know, I'll become involved
23 and will make sure to resolve any, any issues or concerns that
24 are.

25 Q. So, the one person that you report directly to is the

1 president?

2 A. Is the president. That's correct.

3 Q. Okay. And who reports to you?

4 A. Organizational chart wise -- in this region or globally?

5 Q. Well, it could be yeah, this region or globally.

6 A. So, in this region there's Barrett Charpentier, who is an
7 alternate DPA/CSO and Guyana, South America we have an HSC
8 coordinator Christine June. Emodin, Netherlands, we have an HSC
9 coordinator Eleanor Baermuff (ph.); Angola we have alternate
10 DPA/CSO Danny Morris, and we also have a position title I believe
11 is HSC advisor and that's a local Angolan Souse Sabastou (ph.).
12 Then in Saudi Arabia we have alternate DPA/CSO Patrick Bender
13 (ph.) and Frank Horiticer (ph.) who relieve one another at a 60/60
14 rotation. In the UAE Abu Dhabi (ph.) we have Daniel Rafferty and
15 Craig Pierce who are alternate DPA/CSO who relieve one another in
16 rotation.

17 So, you'll have, you know, Americus. I have West Africa,
18 Europe. We have Saudi, Arabia and then your Middle East Asia.

19 Q. So, would it be fair to just say to sum that up all the
20 alternate DPAs?

21 A. Yes.

22 Q. Any personnel that have security functions?

23 A. Yes.

24 Q. And HSC functions?

25 A. Yes.

- 1 Q. Would that be a fair summation?
- 2 A. Yes.
- 3 Q. Okay. And Seacor do you have an organizational chart or tree
4 which depicts the Marine?
- 5 A. Yes, sir.
- 6 Q. Okay. Will we get a copy of that or do we have it now?
- 7 A. It's been uploaded for the Americus.
- 8 Q. Okay. Great. Has any of that changed recently, within the
9 last six months?
- 10 A. Six months, for my side or for HSC?
- 11 Q. The organizational side just let's concentrate on Marine.
- 12 A. Okay. So, any one change or just the HSC?
- 13 Q. No, the structure not the personnel.
- 14 A. The HSC structure has not changed.
- 15 Q. Okay.
- 16 A. Now, as far as any other departments I think you will
17 interview them accordingly.
- 18 Q. Okay. You have a vessel personnel manual?
- 19 A. Vessel personnel manual?
- 20 Q. Yeah, in the operations --
- 21 A. So, you have an ISM code chapter 6, Resources and Personnel,
22 there's a chapter of the SMS for it. And then human resource, you
23 know, have their own functions.
- 24 Q. In your operations manual it cites to a vessel personnel
25 manual for the job descriptions?

1 A. Yes. That would be in fleet operations manual, chapter 3 is
2 management responsibility and authority, chapter 4 is designated
3 person ashore, chapter 5 is masters responsibilities, chapter 6
4 resources in personnel would have like your captain, your mate,
5 your chief engineer, able seaman, cook, on down.

6 Q. So, is that part of the SMS?

7 A. Yes.

8 Q. Okay. So, it's in the SMS, okay. And is there a collateral
9 shoreside type manual for positions shoreside or is that also in
10 your SMS?

11 A. Chapter 3 covers management responsibility and authority.

12 Q. So, that's in the SMS also?

13 A. Yes.

14 Q. Great. The safety management system.

15 A. Uh-huh.

16 Q. Okay. Is that -- does that follow the guidelines of the
17 international safety management code?

18 A. Yes, sir.

19 Q. It is. Okay. So, you go through a DOC audit and --

20 A. Yes. And our renewal completed in March.

21 Q. Okay.

22 A. And it's approved under two flag states. We have two
23 separate DOCs.

24 Q. And does part of your job entail ensuring that the vessel and
25 company employees adhere to the policies of the safety management

1 system?

2 A. Yes, sir.

3 Q. Okay. Does also part of your job, somewhere along the line,
4 one of the -- you wear many hats CSO --

5 A. Uh-huh.

6 Q. -- QHSC and DPA?

7 A. Yes, sir.

8 Q. Those are the three hats. Do any of those jobs include being
9 part of incident response team?

10 A. Yes.

11 Q. Okay. And what exactly is your position, what do you do in
12 incident response?

13 A. So, incident response your first layer, on a call layer is
14 the QHSCT call for that region. So, like many companies you'll
15 have a level of investigation, Level 1, 2, 3, 4. So, basically
16 our Level 1, our superintendents are responding to that would be
17 your more minor in nature, you know, a dented handrail, stub your
18 toe type items like that nature. I'm always on call so it does
19 happen where they will respond to me directly or they'll call me
20 directly regardless of who is on call just put of familiarity or
21 their confidence in the DPA to get them the response they entire
22 (ph.).

23 So, then if anything is elevated as far as, you know,
24 incident response or questions the superintendents have they
25 always bring them to my attention for review, investigations, you

1 know, gap closures, findings, things of that nature.

2 Q. Okay. So, specifically in this accident as part of incident
3 response --

4 A. Yes.

5 Q. -- what is your designated role during an incident like just
6 occurred?

7 A. So, business continuity would dictate our president as
8 incident commander. In this case I received the first call, you
9 know, got him online. I resumed the as incident commander
10 alongside Joseph Lewis, which is our general manager for a reason
11 and we jointly, you know, consolidated to do the incident
12 response.

13 Q. Okay. So, you were the incident commander for --

14 A. Myself and Joe Ruiz, yes.

15 Q. So, is that a shared --

16 A. Shared responsibility. It's a divided conqueror in a sense.

17 Q. And Joey Ruiz --

18 A. Ruiz, R-U-I-Z.

19 Q. -- Ruiz is the?

20 A. General manager.

21 Q. Okay.

22 MR. KUCHARSKI: I'm going to stop there. A lot that we went
23 through. Any questions from the room specifically?

24 MR. [REDACTED] [REDACTED] [REDACTED] the Coast Guard team.

25 BY MR. [REDACTED]

1 Q. Question back you said Seacor as a DOC for the company for
2 ISM compliance, right?

3 A. Yes, sir.

4 Q. Does the entire fleet fit under that DOC? In other words,
5 does the entire fleet participate in ISM and --

6 A. Yes.

7 Q. -- has a safety management system certificate?

8 A. All applicable vessels do. That's over 500 gross tons that's
9 applicable.

10 And we do have voluntary certificates as a best practice
11 measure for most of our fleet and we can get that exact number
12 that's something interesting. And those would be particularly
13 your FSVs, or crew boats are all under 500 gross tons, but we do,
14 you know, have half certifications for them, not only required
15 vessels.

16 Q. Okay. Is the Seacor Power on --

17 A. Yes. She's required and she does. She's a certified vessel.

18 Q. Okay.

19 MR. [REDACTED] That's all.

20 MR. KUCHARSKI: Captain.

21 CAPT PHILLIPS: Tracy Phillips.

22 BY CAPT PHILLIPS:

23 Q. You said, did I hear you say that the company has two DNC,
24 two different --

25 A. Yes. There are U.S. and Marshall Islands.

1 Q. Okay. Why are there two different ones?

2 A. Because we have vessels that are Marshall Island flags.

3 Q. So, they cover those?

4 A. Yes.

5 CAPT PHILLIPS: Thank you.

6 MR. KUCHARSKI: Okay. Any time you like to take a break too,
7 this is Mike Kucharski speaking, please let us know.

8 MR. CENAC: We can do another set and get a cup of coffee.

9 MR. KUCHARSKI: Okay.

10 MR. CENAC: I'm good.

11 MR. KUCHARSKI: Do another set, okay, got you.

12 BY MR. KUCHARSKI:

13 Q. Well, this may be a little bit longer one but now I'd like to
14 move into the actual incident.

15 A. Okay.

16 Q. Okay. But does the prelude to asking the question about the
17 incident, why was the vessel in port this particular time and how
18 long was it in port, do you know?

19 A. The specifics on that I do not engage in day-to-day
20 activities on probably any of our vessels. I do periodically get
21 involved when asked but as far as the day-to-day operations of
22 this particular vessel no I'm not engaged in that aspect.

23 Q. Okay. So, you don't know why it was in port?

24 A. I can give you --

25 Q. Was that an emergency --

- 1 A. -- what I understand why they were in port --
- 2 Q. Uh-huh.
- 3 A. -- but I do know it was not for an emergency.
- 4 Q. Okay. So, it was routine that it was in port?
- 5 A. It was routine they were in port. Yes, sir.
- 6 Q. Okay. And who would be the person to ask why it was in port?
- 7 A. The vessel's management operations department would be your
- 8 primary people to ask for that.
- 9 Q. Okay. So, give me a position. The department I'm not going
- 10 to interview the whole department.
- 11 A. So, I would go Joey Ruiz would be involved in that, the
- 12 operations manager Paul Freeman (ph.) would also be involved in
- 13 the daily operations and marketing, which I believe is Ben
- 14 Alvarez. So, that would be your team that is the liaison with the
- 15 clients who properly direct a vessel where to go, coming in and
- 16 out of port each day mobilizations, things of that nature.
- 17 Q. Okay.
- 18 A. And if there was any crew change type questions those would
- 19 go to Jacob Charpentier, and, yes, that's Barrett's brother. So,
- 20 when you spell Charpentier it's the same.
- 21 Q. Okay. So, now, in your own words start off with the
- 22 incident, okay --
- 23 A. Yes.
- 24 Q. -- when you first became aware of it, your involvement as it
- 25 evolved. So, start from the very beginning.

1 A. So, --

2 Q. So, you know, when you were first made aware of it for being
3 a problem and then as it evolved your interaction with it, what
4 you knew okay, and then until I guess probably would end then when
5 we went into the search and rescue stage, okay, further into that,
6 okay?

7 A. Okay. So, the first call I received was from -- it was
8 forwarded from our dispatch and it was from the lift boat Rock
9 Fish. It was on location that witnessed the capsizing of the
10 Seacor Power. Exact time between 4:00 and 5:00 o'clock probably
11 closer right at 4:25, 4:30-ish range, something of that nature.

12 And they basically were very distraught in their call that
13 they saw the vessel capsize. And it was a couple minute phone
14 call description about where they were, and they did advise they
15 had already made contact to Coast Guard.

16 So, my first call I believe was to Joey to notify him to
17 start activating our response team. Then I started a Microsoft
18 Teams conference call and I texted President John Gellert to get
19 on as well as Joey and I started pinging everyone while I was
20 calling Coast Guard. My first call is to Coast Guard Houma. So,
21 they should have that on their record of that call.

22 While we were on the call with them, our operations manager
23 Paul Freeman got a call from Sector 9 New Orleans, to give us a
24 point of contact I believe it was Lieutenant Gross (ph.) I want to
25 say, but that was our point of contact for them. So, then I began

1 coordinating directly with them.

2 As we had our teams call a background Joey immediately
3 dispatched to Port Fourchon to set up an incident command post,
4 while I maintained COMS with Coast Guard and the remaining of the
5 team going on for preliminary notifications. And during this
6 process we received updates from Coast Guard, the lift boat Rock
7 Fish as well. So, different sectors of Coast Guard were calling
8 in giving us updates on how search and rescue is going, where a
9 recover was made, things of that nature as well as the Rock Fish
10 who is offshore monitoring radio chatter to be able to give us
11 updates that their hearing and what they are seeing in the field.

12 Once Joey made it to Port Fourchon and established incident
13 command he took over the Teams meeting, and I packed and headed.
14 So, we were segregate in our travel approach because as everyone
15 is aware the weather was horrible that night as that front moved
16 through.

17 So, once we were able to get to Port Fourchon established we
18 started meeting the LaFourche Parish sheriffs, LaFourche Harbor
19 Police, Coast Guard came on scene and sometime during the night
20 incident command shifted to I believe it was a Michelle Ferguson.

21 And then up to -- after that was Will Watson. Both of them
22 basically gave me their personal cell phone numbers to where we
23 could directly contact from high up to high up without any or
24 anything in between and maintain constant coms with Coast Guard as
25 well as local police department. And to where they could

1 coordinate any efforts of recoveries made for shoreside response.

2 During that process as well, we notified DonJon-Smit, which
3 is our salvage Marine operator which was Tim Williamson, and
4 Guillermo, I believe was the two primary contacts within the first
5 several hours. They began mobilizing.

6 Shortly thereafter the incident and mobilizing their
7 resources to Port Fourchon. One of the, you know, our role in
8 that process is obviously their notification and their mobilizing
9 their resources and they asked, the one thing they needed from us
10 was a vessel. So, they asked for a crew boat 190 foot or bigger.
11 So, we outsourced a local crew boat had it at the facility waiting
12 for them. And from there we escalated to a DP2 vessel chartered
13 for availability.

14 And then after that we also got one of our vessels on
15 location which ended finally mobilizing on to get out to the
16 location. And it's been weather permitting ever since.

17 So, they were on seen actively activating their resources
18 immediately and we have been at the direction of Coast Guard up
19 until recently for response recovery and search and rescue
20 efforts.

21 Their team they have had a rotation of Coast Guard come in
22 giving us updates, keeping us abreast of search patterns,
23 information to provide for the families.

24 Q. So, when you were first -- you became aware of it --

25 A. Yes.

- 1 Q. -- it was from a phone call from whom again?
- 2 A. The lift boat Rock Fish called our main line --
- 3 Q. Main line.
- 4 A. -- which dispatch immediately patched them through to me.
- 5 Q. Okay. And that was sometime around 4:00?
- 6 A. Twenty-five, 4:30-ish, something of that nature.
- 7 Q. Where were you at that time?
- 8 A. I was at home.
- 9 Q. Okay. And after that your immediate first call after that
- 10 was to?
- 11 A. Joey Ruiz, the general manager.
- 12 Q. Right. Okay.
- 13 A. And then the second call was to U.S. Coast Guard.
- 14 Q. Okay.
- 15 MR. KUCHARSKI: I'm going to stop right there. I think
- 16 that's enough and maybe see if there are any other questions
- 17 around.
- 18 MR. PRESTON: This is John Preston with ABS.
- 19 BY MR. PRESTON:
- 20 Q. Is the Rock Fish a Seacor unit or someone else's?
- 21 A. No. It's a lift boat that works for all coast and she was, o
- 22 my understanding is in that area where the Seacor Power downed.
- 23 MR. EHLERS: Drew Ehlers, NTSB.
- 24 BY MR. EHLERS:
- 25 Q. What were you doing at the time you got that call from the

1 Rock Fish, you said you were at home but what were you doing?

2 A. Fixing dinner.

3 Q. Okay. Did you receive any calls prior to that about an EPIRB
4 hit or anything like that?

5 A. No, sir.

6 Q. Okay.

7 A. No, sir.

8 Q. Okay. And just for the record you mentioned response vessel
9 being a DP2 vessel, can you explain DP2?

10 A. Dynamic Positioning. It's dual redundancy. So, to dive
11 operations I think it would be best for them to explain it but my
12 understanding the reason for that is a secure platform, so you
13 have redundancy.

14 Q. Okay.

15 MR. PRESTON: That's all I have.

16 MR. MUISE: Marcel Muse, NTSB.

17 BY MR. MUISE:

18 Q. Just one question about the call to the Houma, was that
19 procedure to call Houma versus New Orleans or what the objective
20 there?

21 A. You can call any of the offices and they will put you through
22 to incident command. Houma is our local office for this area.
23 New Orleans Sector 9 took search and rescue over.

24 Q. Okay. Does your procedure, which ever SMS procedure covers
25 that have --

1 A. It would be the local area of operation. So, if we are in
2 Guyana, we are going to call the Guyana authorities, if we are in
3 Houma. If we are, you know, in Venice then we would call New
4 Orleans.

5 Q. Okay. Thank you.

6 A. If we are in Morgan City, we'll call MSU Morgan City.

7 MR. CENAC: Yes, ma'am.

8 CAPT PHILLIPS: Tracy Phillips.

9 BY CAPT PHILLIPS:

10 Q. Did you talk to anybody onboard the Seacor Power on the day
11 of the incident?

12 A. No, ma'am

13 Q. Did you get any -- prior to that call at 4:30 did you get any
14 calls about the Seacor Power that day?

15 A. Prior to?

16 Q. Yeah.

17 A. No, ma'am

18 CAPT PHILLIPS: Okay. Thank you.

19 MR. KUCHARSKI: Okay. That's it. Next section. Do you want
20 to take a break now?

21 MR. CENAC: Yeah, that would be good.

22 MR. KUCHARSKI: Okay. The time is 10:46 off the record.

23 (Off the record from 10:46 a.m. to 10:56 a.m.)

24 MR. KUCHARSKI: And we started back up again. The time is
25 10:56 to continue with the interview of Michael Cenac.

1 MR. CENAC: Yes, and I think we wanted to add to the docket
2 the notifications made, so we had in the list of them was Coast
3 Guard Houma, New Orleans, DonJohn-Smit for Salvage Marine Fire
4 Fighting, LaFourche Parish Police Department, Fourchon Harbor
5 Police and then NRC for pollution response, although there wasn't
6 any reported we made an initial notification as well.

7 MR. KUCHARSKI: Okay. Thank you. And I'll Just quickly open
8 it up again regarding the incident and what Mr. Cenac has just --

9 MR. EHLERS: I do have a follow up. This is Drew Ehlers,
10 NTSB.

11 BY MR. EHLERS:

12 Q. So, you mentioned you called Joey Ruiz --

13 A. Yes, sir.

14 Q. -- that was your first call.

15 A. Yes, sir.

16 Q. I think you said it but say again why didn't you call the
17 Coast Guard first?

18 A. To confirm the report, I'm receiving.

19 Q. Say it again?

20 A. To confirm the report, I received if it was a real truthful
21 report, and it wasn't an erroneous report. To see what he knew or
22 what he did not know.

23 Q. Okay.

24 A. And he had known, and he was fixing to call me. I do not
25 recall why he knew or how he knew. And then our next call was to

1 Coast Guard.

2 Q. Okay. And do you know did the Rock Fish call the Coast
3 Guard?

4 A. To my understanding I believe they were the Good Samaritan
5 vessel that reported the Coast Guard?

6 Q. Okay. All right.

7 MR. EHLERS: Thank you.

8 MR. KUCHARSKI: Okay. thank you.

9 BY MR. KUCHARSKI:

10 Q. Michael, I'd like to ask vessel and company operational type
11 questions see how things fit in or how fit things fit if you will.

12 Does the captain report to the division manager vessel super,
13 slash vessel superintendent?

14 A. A flowchart type question I believe. So, yes. So, your
15 master is going to report to your operations manager, yes.

16 Q. Okay. So, is there a position called division manager?

17 A. It would be an operations manager.

18 Q. Okay. And is there a position called vessel superintendent?

19 A. Your superintendent would be more of like your port captain I
20 believe type position. And then they would report to your general
21 manager, which would be doing this.

22 Q. Okay. So, it would be --

23 A. Technical superintendent would be the gentleman that's your
24 boots-on-the-ground type person going on board for your surveys
25 and inspections and maintenance and things of that nature.

- 1 Q. So, there was a port captain position --
- 2 A. Yes.
- 3 Q. -- at the company?
- 4 A. Marine superintendent. Yes.
- 5 Q. And who is that person?
- 6 A. For this particular vessel I would say confirm with Joey
- 7 obviously but it's going to either be Tommy Sonyae or David Cole
- 8 it would be one of those two would have been assigned this vessel.
- 9 Q. Sonyae or Cole?
- 10 A. Yeah, and Joey would confirm it.
- 11 Q. Okay. And they are marine superintendents?
- 12 A. Yes.
- 13 Q. Okay. I'll need you to confirm that if you would before we
- 14 talk to Joey because he's Friday --
- 15 A. Okay.
- 16 Q. -- today is Tuesday.
- 17 A. Okay.
- 18 Q. Okay. So, could you confirm who those people are?
- 19 A. Yeah. I don't know which one was for the Power --
- 20 Q. Understood, understood.
- 21 A. -- (indiscernible) I don't know the fleet dynamics.
- 22 Q. I understand it's just waiting till Friday you may want to
- 23 interview that person as the marine superintendent okay.
- 24 A. Understand.
- 25 Q. Okay. You answered my question number two. I was going to

1 ask you is there a port captain. So, now, that's okay. So, it's
2 port captain, marine superintendent. Yes. And the direct report
3 of the captain would be the marine superintendent.

4 A. The operations manager, I think is what (indiscernible).

5 Q. The operations manager. Okay. So, they were two different
6 positions Operations manager and marine superintendent? Okay.

7 So, this, again, I'm not trying to trick you. This is out of your
8 operations manual. Okay. I'm just reading directly what's out of
9 there. It says, you know, division manager --

10 A. It's safety management system is where we need to pull the
11 information from.

12 Q. So, the operations manual is not --

13 A. It's deferring to the safety management system.

14 Q. Okay. Okay. So, the direct report is the operations manager
15 and then also a report is the marine superintendent to the
16 captain?

17 A. Depends on what he's calling for.

18 Q. Okay.

19 A. So, let's clarify your question a bit. So, if he's calling
20 for an operational reason --

21 Q. Uh-huh.

22 A. -- it's going to be your operations manager. If he's
23 following up on a maintenance item he's going to follow up with
24 the marine superintendent. If it's a human -- if it's a crewing
25 question he's going to go to crewing. If it's HSC he'll go to my

1 team.

2 Q. And then there was a third position called technical
3 superintendent?

4 A. That would be the same as the marine superintendent, same
5 position.

6 Q. The marine, okay. Okay. Does the vessel have any
7 certifications from BSEE and let me clarify that, Bureau of Safety
8 and Environmental Enforcement?

9 A. No, sir. We are a U.S. Coast Guard vessel.

10 Q. Could you tell me what certifications, the major ones, the
11 company has?

12 A. Seacor Marine?

13 Q. Yes.

14 A. As far as a document compliance?

15 Q. You had mentioned ISO certifications, different
16 certifications similar to those.

17 A. So, you have document and compliance for ISM code. We have
18 ISO9001, which is quality assurance. We also have ISO45001, which
19 is occupational health and safety. And we also have ISO14001,
20 which is environmental management.

21 MR. KUCHARSKI: I'm going to do a mini stop right there to
22 see if there are any follow-on questions before I move on.

23 MR. [REDACTED] [REDACTED] [REDACTED] the Coast Guard.

24 BY MR. [REDACTED]

25 Q. So, you said the captain reports according to the need,

1 what's it called, (indiscernible) if it's crewing HR. Does the
2 captain have any direct contact to you as a TPA?

3 A. Yes, sir. My number is posted on every vessel in the fleet,
4 all of us.

5 MR. KUCHARSKI: I'll hold you on that. I have a whole line
6 of questions regarding that, thanks.

7 MR. [REDACTED] Okay.

8 MR. KUCHARSKI: Sorry.

9 MR. EHLERS: This is Drew Ehlers, NTSB.

10 BY MR. EHLERS:

11 Q. So, does the captain get an annual evaluation?

12 A. That would be done by the operations manager as I recall and
13 your best point of contact for that would be human resource and
14 operations deployment and they better verify that for you.

15 Q. Okay.

16 MR. EHLERS: Thank you.

17 MR. CENAC: Yes, ma'am.

18 CAPT PHILLIPS: Tracy Phillips.

19 BY CAPT PHILLIPS:

20 Q. So, the marine superintendent is that the person in the
21 company who would know the most about the condition of the hull of
22 the Seacor Power and the maintenance status on the Seacor Power?

23 A. Is the question as far as the most, I don't know if that
24 would be accurate, but they would be someone that can either
25 answer or point you in the best direction. I think saying the

1 most is a very direct and I couldn't answer that one exact.

2 Q. Okay.

3 A. But they would be familiar enough to point you in the right
4 direction for certain.

5 CAPT PHILLIPS: Thanks.

6 MR. CENAC: Yes.

7 MR. [REDACTED] This is [REDACTED] [REDACTED]

8 BY MR. [REDACTED]

9 Q. Just following up on the Captain's question there. Just
10 clarifying, the marine superintendent is the one that attends the
11 surveys, inspections; things like that?

12 A. Yes.

13 Q. Okay.

14 A. So, if there's an annual Coast Guard inspection that would be
15 who's the Seacor rep on board.

16 Q. Okay.

17 MR. KUCHARSKI: Mike Kucharski again.

18 BY MR. KUCHARSKI:

19 Q. Do you know if the vessel was chartered at the time of the
20 accident?

21 A. Yes, sir.

22 Q. And could you tell us who it was chartered by?

23 A. Talos, I believe it was Talos Energy as I recall.

24 Q. Was that just a voyage charter, was it a time charter?

25 A. Ben Alvarez, Joey, would be able to give you the details and

1 specifics of the charter, but this was not her first voyage on
2 this charter.

3 Q. Okay. I will ask you officially now, we would like a copy of
4 the charter agreement. Okay?

5 A. Okay.

6 Q. We can redact whatever it is -- I have seen many charter
7 agreements, I've seen many agreements between different maritime
8 entities, you know.

9 A. Yes.

10 Q. We understand you have business secrets and that's fine. But
11 I would like -- we would like, I would like to see where the
12 pieces fit in the actual agreement, who's responsible for what.

13 A. Understood. We have that. I'll get that for you.

14 Q. Great. A lot of these questions will go away unfortunately,
15 but, you know, I have to ask some of them now. So, can you tell
16 me, you said that the vessel did not have any BSEE certifications.

17 A. Nothing issued from BSEE.

18 Q. Issued from BSEE. Is there any interplay between BSEE at all
19 and that vessel and the sems system; are you familiar with the
20 sems system?

21 A. So, BSEE -- when did BSEE first come online, five, six, seven
22 years ago.

23 MR. [REDACTED] I'm sorry, Coast Guard. I think BSEE was split
24 for the Macondo incident which happened in 2010. Formally before
25 that it was MMS.

1 MR. CENAC: And what is BSEE for. It's the oversight --

2 UNIDENTIFIED SPEAKER: Production.

3 MR. [REDACTED] -- production operators, facility operators, the
4 rigs obviously. So, marine vessels are governed by U.S. Coast
5 Guard and ISM. BSEE is the oversight for the facilities, the
6 offshore facilities. So, Talos would be in a sense oversight by
7 BSEE, their facility.

8 BY MR. KUCHARSKI:

9 Q. Okay. So, being that -- let me restructure that. I want you
10 to explain it. I don't want to explain it. So, the vessel when
11 it operates, okay, does it ever come under BSEE's rules?

12 A. The facility comes under BSEE's rules.

13 Q. Okay. And would the vessel then as part of being in the
14 facility area fall under those rules also?

15 A. I can't speak on that one.

16 Q. Okay. I have a question about a bridging document afterwards
17 if you're aware of that. But I'll hold that for that.

18 So, as far as you're aware, whatever that vessel is in
19 operation --

20 A. Uh-huh.

21 Q. -- it falls under the Coast Guard regulations or SOLAS
22 regulations whatever it may be?

23 A. That is correct.

24 Q. Okay.

25 MR. KUCHARSKI: I'm going to stop there and see if there all

1 right any specific questions on that.

2 MR. MUISE: This is Marcel Muise, NTSB.

3 BY MR. MUISE:

4 Q. Do you liaise with your counterpart at the clients regarding
5 SEMS or actually any agency issue?

6 A. I have not.

7 Q. Whose job is it within your organization to liaise with each
8 client, specifically on agency issues?

9 A. If there is an 8SC issue then it would be Barret would
10 directly liaison with the client. If it's a concern of a higher
11 elevation, then it would come to me.

12 Q. Okay.

13 A. But the direct liaison would come from Barrett.

14 MR. KUCHARSKI: This is Mike Kucharski.

15 BY MR. KUCHARSKI:

16 Q. And Barrett I who?

17 A. He is the alternate DPACSO who is a superintendent assigned
18 to the USGOM.

19 Q. Barrett is the last name or the first name?

20 A. Barrett is the first name, Barrett Charpentier, we spoke of
21 earlier.

22 Q. Right. I thought that was it, but I wanted to hear you say
23 that again so we if there's other Barretts in here.

24 MR. PRESTON: John Preston, ABS.

25 BY MR. PRESTON:

1 Q. Does, the Seacor personnel are they required to take SEMS
2 training, or do you have any interaction with SEMS system?

3 A. Several of the clients they utilize ISNetWorld which does
4 SEMS' verification. So, it would be a familiarization in a sense
5 because we have equivalent training for IMOUS Coast Guard as SEMS
6 would require for the offshore facilities. So, they
7 intermediately fit that.

8 Q. So, some Seacor personnel are -- do have some SEMS
9 qualification through (indiscernible).

10 A. That would come from -- I'm sorry go ahead.

11 Q. I was just saying that this would all be tracked in
12 ISNetWorld or a similar SEMS training system?

13 A. As required by the client, yes.

14 Q. Okay. So, whatever that client requires would be captured
15 within that system.

16 A. Yes, sir.

17 Q. So, Seacor employees are involved with the SEMS?

18 A. Yes. As required by the charter because part of the
19 charter's requirement is going to be, obviously, that verification
20 for their purpose. So, when they come back to us, if it's a
21 training your human resource department would be responsible to
22 prove those competencies for the purpose of the charter.

23 MR. EHLERS: And just a follow up. This is Drew Ehlers,
24 NTSB.

25 BY MR. EHLERS:

1 Q. So, did Talos require that for this charter?

2 A. I do not know.

3 Q. Okay.

4 MR. [REDACTED] [REDACTED] [REDACTED] Coast Guard.

5 BY MR. [REDACTED]

6 Q. You know I know ISNetWorld is a member of industry clients
7 and stuff like that, and you know Talos is a member or if they
8 take part in that --

9 A. There's there's -- I do not know the specifics on Talos
10 affiliate with ISN. They would either be ISN, or I think it's
11 Fairforce (ph.) is the two primary ones in the Gulf of Mexico that
12 are utilized by the majority of our clients. So, if they utilize
13 one it would be one of those.

14 MR. KUCHARSKI: And moving along. This is Mike Kucharski
15 again.

16 BY MR. KUCHARSKI:

17 Q. Is the Seacor Legacy a similar vessel or a sister vessel to
18 the Seacor Power?

19 A. The Seacor Legacy is a lift boat who is in laid up status
20 here in Louisiana. To my knowledge she has not operated since we
21 acquired her from Superior Seacor Lift Boats prior to. I believe
22 she went through one inspection initially she actually did get an
23 interim SMC, but she never actually operated to my knowledge.

24 Q. Okay. I don't think I got an answer and it's okay if you
25 don't know. Is it a sister vessel or the same -- it shows the --

- 1 A. It's a lift boat.
- 2 Q. It shows the same hull number from the builder. So, as --
- 3 A. I know she's a lift boat. And we went out to there for that.
- 4 Q. Okay. So, the answer is you don't know.
- 5 A. No, sir.
- 6 Q. Okay. And who would be the best person to verify that?
- 7 A. Joey, Joey Ruiz.
- 8 Q. Okay. I'll ask you if you could before Friday, today is
- 9 Tuesday, if you could just -- I don't think we have too many
- 10 verifications, if you could do that, I'd appreciate that, okay?
- 11 A. Okay.
- 12 Q. And then a follow-on question would it be possible for us to
- 13 visit that vessel if it is a sister vessel?
- 14 A. Yes, sir, with the understanding she's been in laid up
- 15 status. So, her condition would be different.
- 16 Q. Right. Understood. Do you know if the vessel, company
- 17 policy is required to hold a predeparture conference or meeting?
- 18 A. Yes.
- 19 Q. And is that outlined in your safety management system?
- 20 A. Yes. There's a pre-departure check list that they would do
- 21 and then there's also a, you know, risk assessment and voyage
- 22 plans.
- 23 Q. Okay. This is Mike Kucharski again. It's okay if you don't
- 24 know. I've looked through the pre-departure check list, okay, I
- 25 haven't looked at the voyage plans yet, okay, I see that

1 requirement and the third thing that you mentioned I understand
2 that. But is there an actual that you know of a conference where,
3 say the master, the first mate, the night captain, the key players
4 I've seen on some ships where the ABs are there all those for pre-
5 departure, they actually have a meeting.

6 A. That would be a risk assessment.

7 Q. That would be risk assessment.

8 A. Yes.

9 Q. Okay. And is there a specific name of that risk assessment?

10 A. The risk assessments would be a vessel specific. So,
11 generally speaking if you went on board the Seacor Power they
12 would have it something along those lines as a voyage plan risk
13 assessment or navigation risk assessment. They would be worded in
14 that nature.

15 Q. Okay. So, there's no that you're aware of risk assessment
16 for pre-departure; it would be individualized?

17 A. Yes. It would be for that job task.

18 Q. Okay. And that is it called a risk assessment? Do you have
19 any particular name for it? Is it a JSA, is it --

20 A. It's a risk assessment. Yes.

21 Q. It is. Okay. And is that -- where is that -- the specific
22 risk assessments, okay, that's what I'm trying to nail down. The
23 specific ones are in your risk assessment section of your safety
24 management system?

25 A. The safety management system outlines the procedure for risk

1 assessment. The risk assessment program in a sense covers your
2 generic database and the vessel themselves maintain a vessel-
3 specific risk assessment database onboard the vessel.

4 Q. Okay. And is that an electronic -- is that in an electronic
5 form?

6 A. It's in electronic for functionality and they are updating
7 them. They are considered a living document as there's updates,
8 they are able to reprint them to have themselves a binder for a
9 quick review and easy review onboard. Depending on where the
10 operations are onboard the vessel if it's a bridge one as you're
11 specifically asking, that would be in the bridge. If it's an
12 engine room risk assessment that binder would be in the engine
13 room.

14 Q. So, but the -- do they printout and I guess what I need to
15 understand is can we actually see what that particular vessel,
16 maybe not that voyage, but can we actually see, if you're telling
17 me, it's on the boat, do you also have a copy of that?

18 A. No, sir. It's a vessel specific risk assessment that's
19 onboard the vessel.

20 Q. Okay. So, well, I'll get into a little bit of it now. So,
21 then are you part, any part as HSC part of the risk assessment
22 procedure and authorizing any changes to risk assessment the way
23 they are doing it or the way that that particular form, is it only
24 the vessel has complete control over that document?

25 A. Yes, the master of the vessel has complete control over that

1 document.

2 Q. So, the risk assessment -- so, I'm playing devil's advocate a
3 little bit here. Sorry. How would you know if it something that
4 maybe wasn't quite right that you wanted to correct, does the
5 company have any oversight of that process at all?

6 A. You'll have to rephrase that. I'm not certain where you're
7 going.

8 Q. So, if that particular form, that risk assessment says for
9 doing that it wasn't in line with risk assessment procedures,
10 recognize or the company's risk -- how would you make sure that
11 they were doing it right without any -- is there any control
12 mechanism of the company?

13 A. I think that question is in two parts.

14 Q. It is.

15 A. Okay. So, the first part I think you're asking is how does
16 the master assess it and when does he know when to stop; is that
17 correct?

18 Q. No. No. That's not. Sorry, I apologize. So, the master
19 has control of that risk assessment for completing it.

20 A. Uh-huh.

21 Q. But if there are changes to the way they are actually
22 assessing the risk, there are certain things --

23 A. Additions.

24 Q. -- yeah, different topics in there that you do for that or
25 let's say the risk assessment is for the departure from port.

1 A. Uh-huh.

2 Q. there are many points or things that you look at in there.
3 Is there someone ashore that looks over that one and says,
4 something like, hey, you missed something or maybe you should
5 think about this? How do you -- does it happen ashore somehow?

6 A. The control of oversight, that's what you're looking at? So
7 that would be through internal audits and vessel business. That
8 was where when we would periodically sample, evaluate, go onboard,
9 and view those items.

10 Now, the other side of it I think is where you're going is if
11 there was a high-level risk or a risk that they perceived to be an
12 issue, if it -- on the matrix as you'll see when you're
13 (indiscernible) anything that gets too high it dictates stop work
14 authority.

15 Q. Now, I guess where I was getting to sampling doesn't require
16 you to look at everything on that vessel?

17 A. That's correct.

18 Q. So, how -- if you just sample, look at that risk assessment,
19 that one form there once in ten years or whatever the period is --

20 A. Uh-huh.

21 Q. -- how do you know you haven't missed something without it
22 going to the office for you to, for somebody in the office, say a
23 marine superintendent or whatever to look over a process that's
24 purely marine?

25 A. This is the master's responsibility for the safe operation of

1 his vessel. And he has the overriding authority to do so.

2 Q. Okay. But this whole risk assessment process is outlined in
3 your safety management system --

4 A. Yes.

5 Q. -- so, we'll see how the pieces fit, but to your knowledge,
6 that doesn't come shore side the particular --

7 A. No, sir.

8 Q. Okay.

9 MR. KUCHARSKI: I'll stop there for a second. Okay.

10 MR. EHLERS: Drew Ehlers, NTSB.

11 BY MR. EHLERS:

12 Q. For the risk assessment is there a, I think you mentioned the
13 captain can add to the risk assessment --

14 A. Yes, sir.

15 Q. -- is there a baseline risk assessment that all vessels must
16 follow?

17 A. Yes. There is a baseline generic database. So, when you get
18 the program in a sense, it'll give you, you know, high level
19 overview. So, for example, I think you're specifically asking
20 voyage plan. So, give you an overview of that and cite the SMS
21 chapters where they'll find more information.

22 Q. Okay.

23 A. Then the vessel specific risk involved those would be on
24 board the vessel, those would be additional hazards that they'll
25 build a vessel-specific risk assessment for.

1 Q. Okay. Can the captain delete one of the baseline risk
2 assessments?

3 A. No, sir.

4 Q. Okay. All right. Thank you. I think we ate up more
5 questions, Mike.

6 MR. [REDACTED] Mike, [REDACTED] [REDACTED] with the Coast Guard.

7 BY MR. [REDACTED]

8 Q. Can I ask you to repeat the original question because I think
9 for some reason I was trying to follow? I think we may have
10 gotten way out somewhere in left field from the original intent of
11 the question. Maybe I can I ask to repeat the question, original
12 question?

13 MR. KUCHARSKI: Well, I don't know if I can do it verbatim,
14 but where I'm heading, I'd have to play it back, play it back.

15 BY MR. KUCHARSKI:

16 Q. So, what I'm asking is there -- you have the risk assessment
17 for pre-departure, okay. That particular risk assessment anywhere
18 along the line in the risk assessment process for that vessel, for
19 pre-departure does anybody shoreside, does that ever go across
20 their desk to look over that process, or that particular form to
21 get a final overview or look over?

22 A. No. Not to my knowledge. No, sir.

23 Q. And the only -- I'm sorry. And you said that in sampling in
24 audits it could possibly be looked at under sampling?

25 A. That's correct.

1 MR. [REDACTED] Okay. I think -- can I expand that a little bit
2 further on that if I may. [REDACTED] [REDACTED] again, correct.

3 BY MR. [REDACTED]

4 Q. So, in this process and it's -- because I think talking about
5 that process, but the voyage planning it's -- that's not really
6 risk assessment, you know, it is but it isn't. It is required --
7 is it required before every voyage, right? So, their route, their
8 weather conditions all of this is all taken in account --

9 MR. KUCHARSKI: Let me interrupt you there. You're nodding
10 your head. If you --

11 MR. CENAC: He's explaining it exactly how I did earlier.

12 MR. KUCHARSKI: Okay. Well, you're nodding your head. I
13 just want wonder whether you're agreeing with what he's saying?

14 MR. CENAC: Yes. When a vessel pre-departs, she does a pre-
15 departure check list that covers a lot of the U.S. Coast Guard,
16 you know, check your watertight doors and all these type items.
17 And you'll see they are in SMS. They also would do a voyage
18 planning risk assessment and they'll do a voyage plan, which is
19 plotting their route where they are going, you know, give you an
20 ETA and all these things and nature.

21 MR. KUCHARSKI: Please continue. Well, I just wanted to get
22 it on the record that you're nodding your head, that's all, if
23 that was an answer or not. Sorry.

24 BY MR. [REDACTED]

25 Q. Right. Basically, I was explaining in the form of a

1 question, but yes, I was asking you to confirm that as well. As
2 well as the crew orientation, everybody onboard, especially
3 contractors, offshore workers per se, is that part of the planned
4 prior to departure?

5 A. That's part of the plan when someone boards prior to
6 departure. So, even if we are not departing for two days when
7 they board, that's the plan. It's called a vessel familiarization
8 and it's a form in our SMS and you'll be able to see all the items
9 that it outlines.

10 So, the crew members, obviously have a more extensive one
11 because they ae their duties and then there's also a -- the vessel
12 familiarizational cover with the contractors would have been --
13 should have been received when they boarded the vessel such as
14 emergency preparedness.

15 MR. KUCHARSKI: Okay. This is Mike Kucharski.

16 BY MR. KUCHARSKI:

17 Q. Does anyone shoreside review those forms?

18 A. Same process. Internal audits through sampling. They are
19 not sent ashore.

20 MR. [REDACTED] This is [REDACTED] [REDACTED]

21 BY MR. [REDACTED]

22 Q. Just go back on the risk assessment I'm sure I can see if I
23 look over the risk assessment matrix in your SMS, but do you know
24 if the increased levels, you know, leave room for interpretation
25 on what is considered a high-risk element or are there clear black

1 and white cutoffs and if you meet this certain threshold when
2 terminology is used, you know --?

3 A. Yes. There is some specific terminology for personnel
4 environmental asset damage structural and it tears from level one
5 across the board.

6 Q. Okay. Just trying to clarify if there's specific --

7 A. Yeah.

8 Q. -- guidance in there of if it's interpretable?

9 A. Yeah. You'll see the matrix with the tears that covers from
10 the e-chart, low, medium, high, and high is SWA.

11 MR. PRESTON: Explain SWA, just for the record.

12 MR. CENAC: Stop work authority.

13 CAPT PHILLIPS: Tracy Phillips.

14 BY CAPT PHILLIPS:

15 Q. A question about the vessel familiarization form. So, you
16 said those are kept on the vessel.

17 A. Yes, ma'am.

18 Q. Are those typically kept in paper format or electronically?

19 A. Paper format is what the current system would dictate for the
20 crew.

21 Q. And then when a contractor you said, I think I heard you say
22 that form is filled out when they get onboard the vessel.

23 A. Yes.

24 Q. And so, is it when a contractor comes onboard any Seacor
25 vessel they get a vessel familiarization, or do they get a

1 different familiarization when they are on different boats?

2 A. No. It's the same vessel familiarization for any Seacor
3 Marine vessel.

4 Q. So, if a contractor has been working for Seacor for six
5 months but going onboard a different vessel they don't get a
6 vessel specific --

7 A. The vessel specific side to it is when it says, you know,
8 fire plan, it would be this fire plan, general arrangement, this
9 general arrangement. That would be the vessel specific side.
10 It's going to cover the nature of the items that they must
11 discuss.

12 Like if it's emergency preparedness, where is your muster
13 plan. Every vessel will have a different muster station based on
14 the sign.

15 Q. Okay.

16 A. So, when they're reviewing this that's the specific nature of
17 it.

18 Q. And so, a contractor would get that familiarization each time
19 he boarded a different vessel?

20 A. Yes, ma'am.

21 Q. And then that would be documented on the (indiscernible)?

22 A. Yes, ma'am.

23 Q. And then going back to the departure checklist --

24 A. Yes, ma'am.

25 Q. -- says one of the line items in the departure checklist is

1 document stability.

2 A. Yes, ma'am.

3 Q. Do you know what that means, what type of actions they take
4 in order to document stability?

5 A. What we see on auditing purpose, I don't know this particular
6 voyage, but from an audit standpoint what you would see is your
7 drafts and your trim for stability when they depart. And that
8 would be in the rough log onboard the vessel. That's where they
9 would log those type items.

10 Q. So, --

11 A. And that would be based on your below deck and above deck
12 tonnage what's onboard.

13 Q. Okay. That line-item document stability typically means they
14 record the drafts.

15 A. Yes. And they'll have their manifest and records for what
16 they have below deck and above deck to confirm their voyage is
17 safe within their stability diagram.

18 Q. Okay.

19 MR. [REDACTED] [REDACTED] [REDACTED] with the Coast Guard.

20 BY MR. [REDACTED]

21 Q. How I would require because they are required by regulation
22 to load the draft that involve their KG oceanographic stuff, how
23 is that to calculate is that done manually, pens on paper, I know
24 they should have the stability book or is that -- is there any
25 software that assists them with that calculation?

1 A. No. To my knowledge, the Seacor Power is not fitted with any
2 stability calculating software.

3 BY MR. PRESTON:

4 Q. Okay. One more thing, one more question quickly just for the
5 record. You mentioned a SWA stop work authority. Could you
6 explain a little bit, elaborate on what that might be?

7 A. So, stop work authority is, it's not only in industry
8 initiative and it's been around long before SEMS as you're
9 referring to. That's one of the elements. Stop work authority
10 gives not only the master but any crewmember onboard the authority
11 to stop the job. That's one of the reasons my number is posted on
12 every layer of the vessel as a liaison.

13 So, if an able seaman says, you know, this is not safe or I
14 don't like the way the captain is running the ship, for example,
15 they would call me and I'll intervene. And what it does it give
16 everyone involved the opportunity to look at what the concern is,
17 make sure we have proper mitigation in place before we proceed.

18 And the ultimate work authority as identified is basically
19 the person that stops it. That's who is going to reason with the
20 operation. And we have to get all parties in agreeance that this
21 is safe to proceed.

22 MR. KUCHARSKI: I have a whole line of questions relating to
23 that, but I allowed it because he brought the stop work authority
24 and you asked for the clarification but so --

25 CAPT PHILLIPS: Are we still on the departure stuff?

1 MR. KUCHARSKI: Oh, no, that's fine. Yeah.

2 CAPT PHILLIPS: Tracy Phillips.

3 BY CAPT PHILLIPS:

4 Q. The voyage passage plan. So, at the top of that document, it
5 says a requested by client or shore management. That statement
6 implies that a voyage passage plan is not done for every voyage,
7 is that a correct statement?

8 A. No. That is not a correct statement.

9 Q. Okay.

10 A. So, what you'll have on board the vessel they always document
11 their voyage plans onboard the vessel. That document is generated
12 as many of the clients globally want to have very specifics about
13 where the vessel that's chartered to them is going and the routes
14 they are taking. So, that is a generated on a company letterhead
15 to provide to them as that record of where they are going and what
16 they are doing.

17 So, many of the charters around the globe have their separate
18 e-mails where when we depart, we would send them that document as
19 well. The actual voyage plan, which would be plotted onboard on
20 ECS and their paper charts to get them their route, that's
21 maintained onboard the vessel.

22 Q. That's maintained on the vessel?

23 A. Yes.

24 Q. Okay. Do you know if a voyage passage plan was sent to Talos
25 for this voyage?

1 A. I do not know if a voyage passage plan was sent to Talos.

2 Q. Okay. Who would be the best person to ask whether that
3 happened?

4 A. Paul Freeman or Ben Alvarez.

5 Q. Thank you.

6 A. Okay.

7 MR. EHLERS: I got another one Mike. Drew Ehlers, NTSB.

8 BY MR. EHLERS:

9 Q. Back to the vessel familiarization for its contractors. Who
10 does that familiarization? I don't mean who receives it. I mean
11 who's giving that familiarization?

12 A. So, the master is going to assign it. So, it could be the
13 mate. It could be a second captain, you know, they'll be the ones
14 going through it. It gives us spot for the person to sign off,
15 that's who's giving the familiarization (indiscernible).

16 Q. Is it required to be an officer?

17 A. I don't recall. I would have to look that up honestly.

18 Q. Okay. Thank you.

19 MR. KUCHARSKI: Can you -- this is Mike Kucharski back now.

20 BY MR. KUCHARSKI:

21 Q. Can you tell me what the company document or record retention
22 policy is?

23 A. For which document?

24 Q. All documentation.

25 A. There's a retention schedule and it will outline it in there.

1 I believe it's three years generally for most documents, but we
2 could verify any particular one.

3 Q. Okay. And where would --

4 A. It's part of the SMS.

5 Q. Okay. So, documents that are vessel specific -- are there
6 any documents that come off that vessel that go into the office
7 that they send in besides payroll type; are there any documents --

8 A. As in?

9 Q. Well, you said that the -- some of these -- the risk
10 assessment doesn't go in or -- none of those -- are there any
11 marine documents that you're aware of that go into the office?

12 A. You'll have to be more specific on what we are looking for, I
13 guess.

14 Q. Are you aware of any? I'll rephrase it. Are you aware of
15 any documents that go into the office?

16 A. Well, you just look at evaluations, come into the office of
17 human resource, you know, you obviously got your billing
18 information, preventive maintenance type requests, you know,
19 invoices or things of that nature. New certifications would come
20 in.

21 Q. Okay. So, pure marine related documents who would be the
22 best person to answer that question then if any of the documents
23 go into the office?

24 A. When you say marine related are you referring to
25 operationally?

- 1 Q. Yes, operational type stuff, yeah, sure.
- 2 A. Then your operations manager --
- 3 Q. Yeah.
- 4 A. -- for day-to-day operations of the vessel that would be your
5 primary point of contact.
- 6 Q. Did you perform any audits of the Power, of the Seacor Power;
7 you personally?
- 8 A. In the past, yes. It's been several years.
- 9 Q. Okay. And was that a part of an internal audit?
- 10 A. Yes, sir.
- 11 Q. Okay.
- 12 A. And I have been onboard participating in SMC audit as well,
13 several years ago.
- 14 Q. Did someone from the company perform an internal audit of the
15 vessel recently, not yourself but --?
- 16 A. Yes. Barrett Charpentier.
- 17 Q. And he, his position is as an operations manager?
- 18 A. No. He's a QHSC superintendent.
- 19 Q. And so that was an internal company audit; is that correct?
- 20 A. Yes, sir.
- 21 Q. And is that a dockside? Is it underway? How does that
22 audit, give us an idea how long an internal audit of the company
23 is and for that particular vessel let's say?
- 24 A. Internal audit of the vessel?
- 25 Q. Yes, please.

1 A. So, if you're in person on board a vessel you're looking at
2 anywhere from eight to 12 hours. Covid world today we are
3 following the guidance provided to us and anything that we can do
4 remotely we do. So, in this case Barrett did a remote audit, to
5 my understanding, and he did all the onboard interviews, document
6 verification, and I believe that was the steps he was on was
7 follow ups verifying some of the documentation that was completed
8 onboard. He was in the final stages of producing a completed
9 audit report.

10 Q. So, do we have any of that? You said in the final stages.
11 Do we have any documentation of his audit?

12 A. Yes, sir.

13 Q. We do. Okay. Great. About timeframe, when was that? Still
14 ongoing or --

15 A. Yes. He started maybe a couple of weeks ago. So, he was
16 still in the process of receiving document requests from the
17 vessel.

18 Q. Okay.

19 A. As a follow up process, you know, checklist complete,
20 interviews done. You go through it and you say, okay, I need to
21 reverify this one. So, you had a list of things that he was --

22 Q. And how often do you do that internal audit?

23 A. They are annually.

24 Q. Okay. So, you have one from last year also?

25 A. Yes, sir.

1 Q. Okay. Maybe we can -- we'll ask you for copies of those the
2 completed one and then maybe the last two years. I'll ask for
3 that, I don't know if anybody has any, around the room, Coast
4 Guard or like to see anything past two years.

5 I think we'll start with two years, how does that sound?

6 And then also Mr. Barrett's -- Charpentier, I'm sorry, his
7 most recent one, whatever you have on that.

8 A. Uh-huh.

9 Q. And you say the length is generally eight to 12 hours?

10 A. Onboard.

11 Q. Onboard.

12 A. If you're doing an in-person audit it would take you at least
13 that long to do all the interviews, document verifications, vessel
14 walk arounds, it's a lengthy process. There's a lot of items to
15 check, inspect and verify.

16 Q. And that's -- is that generally done or is it always done
17 when it's alongside or is it done sometimes offshore?

18 A. We have completed them offshore, but it is not ideal. Your
19 best case is when the crew has time to focus on that process to
20 where you can effectively get it done. So, alongside is the best
21 place to do an internal audit or any audit for that matter.

22 Q. How about an external audit. Do you use third parties for
23 external audits?

24 A. So, an external audit would be a broad category. American
25 Bureau of Ships conducts our SMC audits. Then we do periodically

1 have client requested audits that would be an independent third-
2 party surveyor.

3 Q. Was there a recent third-party client audit done of the
4 Seacor Power?

5 A. Not to my knowledge.

6 Q. And only ABS as in the external third-party auditor, do you
7 use anyone else?

8 A. Not for this vessel. No.

9 Q. Okay. Are safety meetings held onboard the vessels?

10 A. Yes, sir.

11 Q. Do you know how often? Let's limit to the Seacor Power in
12 this.

13 A. So, a safety meeting again is a very broad topic. So, a risk
14 assessment is a safety meeting. They also have a safety training
15 schedule that covers week by week, audit readings they do of the
16 SMS as well as audio visual training that they would watch.

17 Q. Okay. Outside of the risk assessment process, I'm sorry,
18 I've seen many safety meetings, weekly safety meetings. Is there
19 -- let's narrow it down then because it would be really broad.
20 Let's narrow it down.

21 Do they have weekly safety meetings on board that vessel?

22 A. At a minimum yes.

23 Q. Okay. So, is that something where everybody is shipboard or
24 boat board function?

25 A. Yes.

1 Q. Okay.

2 A. It's an onboard function by the master would initiate it.
3 Generally speaking, they could delegate it to a second captain or
4 a mate to hold the meeting --

5 Q. Uh-huh.

6 A. -- and there's a schedule that they would follow.

7 Q. Okay. And do they have particular topics that they cover as
8 part of the safety management system, your safety manager, these
9 are the topics you cover?

10 A. Yes, sir. So, they'll have the SMS safety training schedule,
11 and we also send out a weekly review of occurrences. That'll
12 identify anything ongoing in the fleet, news feed, notice to
13 mariners, NTSB reports and those would be the attachments as far
14 as a safety meeting that they would also hold onboard.

15 Q. Okay. Great. And those are on a weekly basis?

16 A. Yes. We sent that out to our fleet every week.

17 Q. But the safety meetings that they have, the shipboard ones or
18 the rig board ones would have --

19 A. They would use that as part of that context as a discussion
20 point. So, they'll have the weekly review of occurrences.
21 They'll also have the SMS readings. They'll also have audio
22 visual training as well. Then they'll also have the day-to-day
23 job tasks, risk assessment safety meetings. And then you also
24 get, many of our clients will send safety meeting requests as well
25 for their operations that are ongoing on top of that.

1 Q. And do you review those shoreside at all, the safety meetings
2 to see what they discuss?

3 A. Those are reviewed. Internal audits and vessel visits is one
4 way we review those.

5 Q. Okay. So, those don't come ashore either, you don't look at
6 those --

7 A. No, sir.

8 Q. -- particular meetings?

9 A. Not every -- no. No, sir. We don't get that back, there's
10 records maintained onboard.

11 Q. And how about company safety meetings shoreside, do you have
12 those too?

13 A. Yes, sir.

14 Q. How often do you have those?

15 A. We do a weekly operational meeting where we'll cover, you
16 know, obviously your PAUSE focal points, anything ongoing in the
17 company. Then you transition into operational type items as well.
18 And that would be weekly.

19 Q. Okay. I'm a little bit confused there. Is that a separate
20 safety meeting or do you discuss safety as part of another weekly
21 meeting?

22 A. Safety would be first and then you would transition into each
23 department to give overviews of what's going on. But we always
24 start out with safety.

25 Q. Okay. So, safety is not -- again, you know, I've seen

1 certain companies have a dedicated safety meeting --

2 A. Uh-huh.

3 Q. -- on a, whatever basis. Do you have a dedicated safety
4 meeting at the company in any way, shape, or form, okay, on a
5 regular basis?

6 A. Yes. Every week we do a weekly safety meeting as a start of
7 additional meeting topics.

8 Q. Okay. Okay. Okay. How about monthly, quarterly, do you
9 have any other timeframe that you have --?

10 A. As part of drills --

11 Q. Yes.

12 A. -- obviously when we do company-related drills globally we do
13 have meeting topics discussed in there.

14 Q. Great. Could we get maybe the last the past month safety
15 meetings that you have from the company to look at?

16 A. Yes.

17 Q. Okay. Have you had a safety meeting for this particular
18 incident?

19 A. Yes. We have discussed it internally. I do not recall the
20 documentation minute side of it, but yes, we have many conference
21 calls related to those meetings.

22 Q. But I mean as part of, you know, you said (indiscernible).

23 A. We did have a weekly call yesterday and it started out --

24 Q. -- weekly -- excuse me. You have a weekly safety meeting
25 process, that's what I'm trying to understand. Have you -- I know

1 you had a lot of things on your plate, but have you had a
2 dedicated safety meeting for that incident?

3 A. Yes. Yesterday's weekly call started out with discussion of
4 this incident.

5 Q. Okay. And you said it was a call. So, by that process are
6 they all calls or was this --

7 A. Yes. In the COVID world we live in today they are all
8 remotely called in to be able to account for individuals who no
9 matter where they are based at across the Gulf of Mexico.

10 Q. Okay. So, in this COVID world last one three weeks ago or a
11 month ago, you have some kind of a record of that?

12 A. Yes.

13 Q. Do you have a record of yesterday's call then?

14 A. I'll have to follow up with our designated person that took
15 the meeting notes.

16 Q. Okay. I understand. See, I'm not trying to be coy here.
17 It's you have a process --

18 A. Yes.

19 Q. -- that's what I'm trying to nail down.

20 A. Yes.

21 Q. And part of that process if you have that I would like to
22 see.

23 A. Yes, it' meeting minutes. Yes.

24 Q. Right. Right. Right.

25 A. Yes, sir.

1 Q. Okay. Because I know you -- I'm sure you have been
2 discussing the incident but as a formalized process.

3 A. Uh-huh.

4 MR. KUCHARSKI: I'll hold there for safety management system
5 that process audits or anything like that to see if these are any
6 further questions.

7 MR. [REDACTED] Related to the audit?

8 MR. KUCHARSKI: Yeah, of course. Don't ask me about stop
9 work authority though.

10 MR. [REDACTED] No, no, no. I just asked -- (indiscernible) I
11 just asked for clarification.

12 MR. KUCHARSKI: Please. Please.

13 MR. [REDACTED] [REDACTED] [REDACTED] with the Coast Guard.

14 BY MR. [REDACTED]

15 Q. Okay. You dobed in a couple of things I have a couple of
16 questions about. You said one of the topics that this master and
17 the crew discuss safety management system items. Is that the only
18 time that the master reviews the safety management system?

19 A. No. They do annual management reviews, masters reviews is
20 the name of the form is the master's review and that covers the
21 SMS entirely and it's sectioned off into blocks.

22 Q. Okay.

23 A. We get those done annually.

24 Q. Okay. Yes. Also, with the audit reports, internal audits,
25 external audits, is there corrective actions process report sent

1 back to the vessel to the office?

2 A. Yes.

3 Q. Okay. And then the next one I'm going into the line because
4 I want if I could make a recommendation. Is there a process for
5 the company or a requirement for the company to review their
6 safety management system as well?

7 A. Yes, sir.

8 Q. And how often and when is that?

9 A. That is annually. Our last one was October of 2020.

10 MR. [REDACTED] All right. I ask some specific questions
11 because if I my recommend NTSB if they can request those documents
12 as well along with the reports? That's all I have.

13 MR. KUCHARSKI: Sure. Yeah, we can afterwards we can get to
14 that sure.

15 MR. [REDACTED] Thanks.

16 CAPT PHILLIPS: I know that recent line of questioning has
17 been focused on audits. Is that the end of the safety management
18 section or is there more safety management?

19 MR. KUCHARSKI: No. There's going to be a lot of questions
20 on the DPA duties and calling and that type.

21 CAPT PHILLIPS: So, if I ask questions about other sections
22 of the SMS now would be the right time?

23 MR. KUCHARSKI: Yeah, this would be appropriate time, sure,
24 please.

25 CAPT PHILLIPS: Okay. Tracy Phillips.

1 BY CAPT PHILLIPS:

2 Q. You just talked about the master agreement form.

3 A. Yes, ma'am.

4 Q. What happens to that form once the master fills it out?

5 A. The master fills it out. He submits it to the safety
6 department and what we do is we summarize the recommendations as
7 part of our meeting minutes for management to review. In there we
8 will make comments based on what their recommendations are, if we
9 accept them, we don't accept them to include in our next SMS.

10 We also give them feedback. A lot of times it could be
11 things that are already in place they might be aware of or I might
12 have a quick answer. So, we would also respond accordingly to
13 them.

14 Q. Okay. Do you know when the captain for the Seacor Power last
15 did his master's review?

16 A. Not off my head. But we would have it on file.

17 Q. Okay.

18 CAPT PHILLIPS: Can we ask for a copy of that?

19 MR. KUCHARSKI: Sure.

20 MR. [REDACTED] This is [REDACTED] [REDACTED]

21 BY MR. [REDACTED]

22 Q. You mentioned companywide drills (indiscernible) the boats
23 have independent drills a day are required. What is all included
24 in company drills and I guess, or I guess categories of drills and
25 how often are they completed?

1 A. Well, they are all annually. We do a minimum of one drill to
2 a quarter. Our last one in the Americus I believe was a pollution
3 response drill where we included the team here. And it did
4 include I believe -- I think it was first aid was also part of
5 this one as well. We did a pandemic drill recently in West Africa
6 and, you know, we'll have drills such as, you know, bomb threats,
7 terrorists, security drills coming up next month of May. So, your
8 hurricane preparedness I believe is in May as well for this
9 region.

10 Q. Are they casualty response drills --

11 A. Yes.

12 Q. -- similar to something like this ever scheduled?

13 A. I don't think we could ever simulate something like this.

14 Q. But some sort of marine casualty response drill in that
15 category?

16 A. Yes. They normally would be part of your air pollution
17 response, your first aid type response. But obviously, we never
18 want to run a drill on fatality but that would be the same
19 process.

20 Q. How are those drills conducted? Are they tabletop, are they
21 live to some degree?

22 A. They all live to a pretty well degree. So, it depends on
23 your operation, what type of drill it is. So, you'll have your
24 crew run as live as possible and then we'll make all the
25 notification, so we'll test contact numbers, not only to Coast

1 Guard emergency response teams. We just recently participated in
2 DonJon-Smit's annual drill (indiscernible) as part of it and then
3 that goes out to our fleet as well.

4 Q. Do you have any idea of the last drill that was conducted
5 with this particular vessel companywide?

6 A. I'd have to research that one.

7 MR. [REDACTED] One more quick question.

8 BY MR. [REDACTED]

9 Q. Is there any location where you have -- basically where do
10 you pull these drills from? I mean basically, you don't pull them
11 off the top of your head. Where -- is there any place that you
12 actually get a guidance assist this I -- well, there are the
13 drills may be required by us by Coast Guard -- I'm sorry. [REDACTED]

14 [REDACTED] I forgot. But, you know, where do you elect these
15 drills, these abundance of drills from basically, topic cased?

16 A. Yes. They are dictated by industry, obviously. So, you'll
17 have your pollution response drill, security drills, obviously,
18 terrorism drills and things, that makes, you know, one of your
19 more recent one came on the industry, which we were one of the few
20 companies from what I understand that was actually doing pandemic
21 drills prior to the pandemic. So, there is a process there that
22 we must follow.

23 MR. KUCHARSKI: This is Mike Kucharski.

24 BY MR. KUCHARSKI:

25 Q. Do you have a company matrix that says we should do these

1 types of drills, that type of drill --

2 A. Business continuity plan.

3 Q. Okay. So, the drills are in the business continuity plan.

4 And where does that reside?

5 A. Our ship on site for the company. So, the entire shore base
6 has access to it.

7 Q. Okay. So, it's not in the safety management system?

8 A. No, sir. This is a shoreside document.

9 Q. Okay.

10 MR. KUCHARSKI: So, could we see a copy of the business
11 continuity plan and something that outlines what drills your
12 supposed to go ahead and follow.

13 MR. CENAC: Yes.

14 MR. KUCHARSKI: Okay.

15 BY MR. [REDACTED]

16 Q. On the ship was there I mean that's for the company -- [REDACTED]
17 [REDACTED] Coast Guard -- The ship has a similar, I mean they have
18 their own plans and requirements, but they must follow the drills
19 and process and all. Those where are those located and where do
20 you determine which drills must the vessel follow the topics?

21 A. Yes. So, it's a drill matrix. So, when you look at our
22 safety management system you will see that form in there. It's I
23 guess on your left column it will give you your monthly, bimonthly
24 -- I mean every two month and every 90-day drills. Across the top
25 on this side, you have your calendar, so they are able to track it

1 across. They document the drill specifics on a training report
2 and that's all maintained onboard.

3 CAPT PHILLIPS: I have some questions about some other SMS
4 forms. Tracy Phillips.

5 MR. KUCHARSKI: Uh-huh.

6 BY CAPT PHILLIPS:

7 Q. You previously mentioned the safety meetings that were
8 occurring on board weekly, are contractors' part of those safety
9 meetings --

10 A. Yes.

11 Q. -- on board?

12 A. Yes. We do engage our contractors to participate in all
13 onboard training even if it's not pertinent to them because
14 there's some topics in your safety manual system like, you know,
15 barge operation or anchor handling. We are not even on an anchor
16 handler, but we do engage in to participate in all drills and all
17 training.

18 Q. The severe weather planning document --

19 A. Yes, ma'am.

20 Q. -- once a master fills that out and they have their matrix
21 scored do they send that ashore at all?

22 A. Yes.

23 Q. Do you know if one was done on the 13th?

24 A. I do not know if one was done on the 13th or not.

25 Q. Who would have received it if it was?

1 A. Operations. That would be Paul Freeman, Ben Alvarez, Joey
2 Ruiz, that group would have received it if there was one done.
3 Those are normally done during hurricane season.

4 Q. Okay. The accident investigation procedures you mentioned
5 before you talked about the different levels.

6 A. Yes, ma'am.

7 Q. Had your company ever done a Level 4 accident investigation?

8 A. Not in my 15 years at Seacor Marine, no.

9 Q. The near miss unsafe conditions reporting form --

10 A. Yes, ma'am.

11 Q. -- who gets those paper reports?

12 A. That would come to my department. Barrett Charpentier, and
13 myself would see those when they come in.

14 Q. How frequently do you get those?

15 A. We've had more stop works reported this year than incidents.
16 So, frequently.

17 Q. So, the stop works get reported on that near miss unsafe
18 condition form?

19 A. Yes. We've had no near miss and stop works reported this
20 year than incidents.

21 Q. And so would you say one a week or one a month or once --

22 A. I can get you exact frequency if that's something you're
23 interested in.

24 Q. Just roughly. I'm just trying to get a sense of --

25 A. I think I had four just the last week stop works due to

1 weather.

2 Q. Oh, really.

3 A. Yes.

4 Q. Okay. And what happens when you receive one of those types
5 of reports

6 A. We respond, supporting the masters. And depending on how
7 much detail they put in them we might request for further
8 information. So, if it's a stop work weather related, we could
9 very well ask for some more specifics on the weather. If they
10 just say stop work for weather, we'll ask what's the sea status,
11 the wind conditions, you know, let us know when operations safely
12 resume, and we'll gain that information make sure the form has the
13 data it needs.

14 Q. Okay. And then is there ever something that you see on one
15 of those forms that gets incorporated back into the SMS
16 (indiscernible) it prompts a change to the SMS?

17 A. Not weather-related ones. But if you see a stop work
18 procedural wise then yes it could. And then typically that would
19 follow up on their management review, their master's review form.

20 Q. Okay. Who fills out the improvement suggestion form?

21 A. That would be from a crew member as well if there's an
22 improvement that they see onboard.

23 Q. And who do those go to?

24 A. Depends on the department. So, if it's a HR related function
25 it would go to them but generally speaking, they would come to

1 myself and I would disperse them from that point.

2 Q. Okay.

3 A. So, we train them send them in to safety, obviously, and then
4 from there if it's an equipment type item or an HR function or
5 operational item then we can advise that department appropriately.

6 Q. Okay.

7 A. For proper response.

8 Q. Do you recall one of your recent improvement suggestions that
9 you received?

10 A. I can research that if that's something we need to disclose.

11 Q. I was just --

12 A. Yeah.

13 Q. -- seeing if you remembered. Okay. I'm getting close. The
14 offshore worker manifest form --

15 A. Yes, ma'am.

16 Q. -- is that kept on board or does that come ashore?

17 A. That's kept on board. But they should -- if it's a passenger
18 vessel like a crew boat that's carrying passengers, they'll e-mail
19 that in as far as a passenger tracking system.

20 Q. Okay. That wouldn't be used for this, it wouldn't -- Seacor
21 Power wouldn't (indiscernible) --

22 A. No. Because these weren't passenger offshore because they
23 were part of the crew. So, they would have had a vessel
24 familiarization. They would be part of the mission of the ship.

25 So, that form wouldn't be used if I'm a crew boat and I'm

1 transporting personnel to an offshore facility this basically I'm
2 coming on board the vessel. I need to know my emergency
3 preparedness, how to get out of the vessel and I'll stay in this
4 area. That's it.

5 These contractors are assigned, you know, rooms. They are
6 living on board. They are working toward the mission of the
7 vessel. It's a different context.

8 Q. Okay. That makes sense. Thank you. Last question, the
9 engineering hand over notes --

10 A. Yes, ma'am.

11 Q. -- are those kept on board or do they come ashore?

12 A. Those are kept on board.

13 Q. Okay. Thank you.

14 A. Okay.

15 MR. [REDACTED] A little follow up to Tracy's question. This
16 is [REDACTED]

17 BY MR. [REDACTED]

18 Q. I have a follow up for the stop work question. So, are you
19 receiving those from the master of the vessel, the stop work --
20 you said you received four in the last week for weather?

21 A. Oh, that could be from the master. It conditions from the
22 second captain, the mate, the chief engineer, the person reporting
23 it. It could have come from any of them. But the master is aware
24 of all the reports that come from the vessel.

25 Q. Okay.

1 A. But as far as the person filling out the report it could be
2 the second captain that does the paperwork side of the e-mail,
3 yes.

4 Q. Do you often get reports through, you know, the hotline
5 number that you have posted throughout the vessel, do you get
6 reports that don't, that the master doesn't see?

7 A. I have to think back on that one. As far as stop work
8 related type items or issues on board?

9 Q. Yeah.

10 A. Normally the calls I would get would be more procedural based
11 type items, how to fill out something or when to use, you know,
12 something of that nature. It's not what would be as a complaint
13 of someone onboard.

14 Q. Okay. Thanks.

15 MR. EHLERS: This is a real quick follow up to [REDACTED] here.
16 Drew Ehlers, NTSB.

17 BY MR. EHLERS:

18 Q. Did you receive any stop work from Seacor Power or any other
19 Seacor vessels on the day of the accident?

20 A. The Seacor Power, no. I can check my records as we did have
21 several stop works reported that week, notably another lift boat
22 in transit to Mexico used stop work multiple occasions due to
23 weather. One of them being fog. One of them being sea state.

24 We did also receive stop works from the Norman F. McCall in
25 Angola for sea states and incurrence and things of that nature we

1 can double check the nature of those exactly what day they work
2 but they were several last week.

3 Q. Okay. I'd like to see those.

4 A. Of course.

5 MR. [REDACTED] [REDACTED] [REDACTED] following up from the reporting
6 there.

7 BY MR. [REDACTED]

8 Q. Would the hotline be what they would use if there was a
9 situation where someone wanted to to some degree anonymously
10 report a condition?

11 A. Yes.

12 MR. KUCHARSKI: I've got a whole lot of questions hotline and
13 stuff like that, if we can just hold on a sec.

14 MR. [REDACTED] Sure.

15 MR. KUCHARSKI: Anything related to --

16 UNIDENTIFIED SPEAKER: Risk analysis.

17 MR. KUCHARSKI: -- yes, yes, yes, please.

18 BY UNIDENTIFIED SPEAKER:

19 Q. Is there a vessel specific higher lever risk assessment like
20 a safety case or a hazard study or a haz/ops study, maybe a
21 failure mode and effects analysis, FMEA; are you familiar with any
22 of those?

23 A. Okay. I think I follow where you're going. So, FEMA is DP
24 related -- (indiscernible).

25 Q. It can be related, right.

1 A. And you're referring to as far as?

2 Q. Those operations as a whole, so one big, one big hazard
3 analysis? For example, the impacted aspect register
4 (indiscernible)

5 A. Yes.

6 Q. -- something like that for safety. Does Seacor Power have
7 something like that?

8 A. I don't recall off the top of my head. That's --

9 Q. (Indiscernible) analysis or hazard register?

10 A. We do have a company hazard register for the Seacor Power
11 that would be her risk assessment program.

12 Q. But those would be smaller for specific jobs though, right?

13 A. Specific job tests. So, if you're looking at a hazard
14 analysis of the Seacor Power --

15 Q. Right.

16 A. -- everything that the vessel is capable of that would
17 essentially be the risk assessment data base and each one of those
18 would be a job task that the Seacor Power can engage in and that
19 would be the risk assessment for the Seacor Power.

20 Q. Okay. All right. Thank you.

21 MR. KUCHARSKI: This is Mike Kucharski.

22 BY MR. KUCHARSKI:

23 Q. Okay. Captain Phillips had asked you about the severe
24 weather form, right?

25 A. Uh-huh.

1 Q. That goes into the office?

2 A. Yes.

3 Q. Okay. All right. So, to look at that as a marine type form,
4 I don't look at it accounting or bookkeeping or --

5 A. That's why I was asking for specifics.

6 Q. All right. So, do you have a matrix or anything guidance to
7 the master what forms are supposed to go into the office?

8 A. Yes.

9 Q. You do?

10 A. Yes, sir.

11 Q. Okay.

12 A. Good.

13 Q. Is that somewhere in the safety management system, where is
14 that?

15 A. So, safety management system has got it then a file what
16 needs to be said, so if it's incident reports it'll say you are to
17 send them in. The severe weather planning it would tell them
18 where to send it in. If it's an evaluation form that section
19 would tell them where to send it in.

20 Q. Thank you for that clarification. Mike Kucharski again. So,
21 there is not an appendix or anything that says these are the forms
22 -- sorry, I've seen it on other vessels that's why I'm -- I'm not
23 trying to -- instead of going into that particular section and it
24 says send this form into the office, you know, is there a matrix
25 or something, a list that says on a weekly basis, on a monthly

1 basis each time, you know, send these forms in?

2 A. The forms are linked to the procedure that tells them what to
3 do for the form.

4 Q. So, the answer is, no?

5 A. (No response.)

6 Q. Is there a matrix or some kind of a list that says -- say it
7 again, on a weekly basis, a daily, whatever, send these forms in
8 or send this into the company?

9 A. There is a retention schedule. There is a list of documents
10 controlled and each procedure directs them what to do with each
11 form.

12 Q. So, your answer is no, there is not a matrix that has all
13 that in there?

14 A. Not what you're describing.

15 Q. Okay. So, DPA duties. Is a part of the DPA's duties to be a
16 direct point of contact in case a crewmember is concerned about
17 vessel safety or other safety related conditions?

18 A. Yes, sir.

19 Q. And are you that point of contact or is it in an alternate
20 DPA?

21 A. They would call myself or an alternate as dictated.

22 Q. Okay. And how are the crewmembers made aware of that policy?

23 A. They do annual training on it and it's posed on each level of
24 the vessel and that is also one of our interview questions on all
25 of our annual internal audits as well.

1 Q. Is that process kept confidential, so you know it, does the
2 master know if they call you for a safety related item? Is there
3 any part of that that's confidential? So, what I'm getting at if
4 they say I don't think the master is doing this safely, can they
5 -- is that held in confidence or does the master find out that
6 that person, the actual name of the person that called that in?

7 A. No. He would not find out the name of the person. But he
8 would be notified there was a report.

9 Q. As part of the company policy are the crew encouraged to
10 speak out?

11 A. Yes, sir.

12 Q. So, I think you said before you have been contacted in the
13 past about safety related matters under this system?

14 A. Yes, sir. The primary contacts in this last year have been
15 COVID related concerns.

16 Q. So, besides stop work authority, okay, but falling short of
17 stop work I understand that clearly. Short of stopping work, okay
18 but they don't want to stop work, but they are concerned, have you
19 been called on that type of an issue? Done under stop work, okay.

20 A. COVID related issues, yes, for crew change concerns, things
21 of that nature. Particularly in the middle east where
22 restrictions are lot severe getting flights in and out, getting
23 released there, COVID related test questions have been the most
24 recent and frequent calls we have gotten.

25 Q. And do you report that on to somebody else?

1 A. If the nature of it is crew change related, we will report
2 that to human resource to address and then I usually follow up
3 with the crew to ensure that they were received acceptable notice
4 and answers from human resource on the nature of their crew
5 change.

6 Q. And is -- forget COVID related.

7 A. Uh-huh.

8 Q. Let's say it's putting to sea. They don't want to put to
9 sea. They are worried about --

10 A. And they are not going.

11 Q. Okay. So, who makes that decision?

12 A. The master makes that decision.

13 Q. Okay. So, if a crew member calls that 800 number or calls
14 your number --

15 A. Yep.

16 Q. -- right, then you're going to go back to the master and make
17 that decision or do you report to somebody else?

18 A. No, sir. I'm calling the master. And I'm finding out why
19 they're reporting, what's the issue, whether it's -- no matter
20 what the issue he reported we are going to try to find the
21 solution to the story, obviously. We want to gain the facts of
22 the circumstance with all parties involved. Not only if it
23 involves the master, the second captain, the engineer, the client,
24 operations, whoever it is we are going to stop the job because of
25 the call. We are going to find out the facts and nature of it and

1 ensure we have a solution prior to proceeding.

2 Q. Anywhere in this process do you contact somebody above your
3 head like Mr. Jones --

4 A. John Gellert.

5 Q. Joey Ruiz.

6 A. Or Joey?

7 Q. Ruiz, is that how you say it?

8 A. If I'm not able to resolve it then, yes, I would.

9 Q. Okay. But he doesn't as a matter of course if somebody says
10 it's unsafe to sail that vessel he doesn't get notified?

11 A. Yes. He would see it. Because they reported in USIS and
12 that's a -- if you see a stop work or you see an incident, he's on
13 the distribution list for notification. So, he would see it as
14 well.

15 Q. Would see it after the fact but I mean --

16 A. If there's a phone call.

17 Q. Yeah.

18 A. No. Then I would follow up with an e-mail or for if it's
19 something he needed to be involved in that needed to be resolved,
20 then yes, he would be notified.

21 Q. Okay.

22 A. But we don't have that issue. we don't have that pressure
23 from anyone. I don't have to go above my head as our safety in
24 line management are very safety conscious.

25 Q. What are the steps a captain would take if he didn't feel it

1 was safe to leave the dock?

2 A. He would use stop work authority. His notification would be
3 who is ever giving him the sailing orders. So, if they are
4 operating under Seacor Marine's notice, if they are not on
5 charter, the orders would come from operations. If they are on
6 charter with a client, they with notify the client as well as us.

7 MR. KUCHARSKI: Do you have a question?

8 UNIDENTIFIED SPEAKER: You just covered it.

9 MR. KUCHARSKI: Okay.

10 BY MR. KUCHARSKI:

11 Q. Are you aware of any past situations where this has occurred?
12 Capsizing?

13 A. No. Captain said, I asked you the previous questions what
14 steps would a captain take if he didn't feel it was safe to leave
15 the dock.

16 A. Oh.

17 Q. Are you aware of any situations that that's occurred?

18 A. Yes.

19 Q. Okay.

20 A. There's stop work authority reports to support that.

21 Q. Is it fairly frequent that that happens?

22 A. Yes.

23 Q. Leaving the dock?

24 A. Yes.

25 Q. Okay.

1 MR. KUCHARSKI: I'm going to hold there, just do a quick hold
2 on that to see --

3 BY UNIDENTIFIED SPEAKER:

4 Q. Going back to the DPA role. First of all, you mentioned the
5 phone number that's posted on the decks of the vessels. Is the
6 number the same number for you and the alternate or is it a
7 different number?

8 A. No, sir. So, we have our main line number, which is the 876-
9 5400 number. Then you'll see my name. It'll have my personal
10 cell number, my direct e-mail address as well as our company
11 distribution for the safety department and then each alternate
12 DPA's name and their personal cell phone numbers as well.

13 Q. Okay. So, if I want to get in touch, I'm a crewmember I want
14 to get in touch with the DPA. Do I call the main number, or do I
15 call your individual number?

16 A. They can get in touch either or, but they are going to all
17 call my main -- they are going to call my cell number. But we
18 post them all just to ensure that they can get in touch with
19 anyone, anywhere round the world all the time.

20 Q. Okay. The main number who answer that phone?

21 A. That is the dispatch.

22 Q. Okay. And is that Seacor dispatch?

23 A. Yes, sir.

24 Q. Okay.

25 A. Seacor Marine employees.

1 Q. So, if I dial the main number okay. So, if someone -- go
2 ahead you were going to say something?

3 A. I was going to support your statement. So, procedural wise
4 that is exactly how I was notified that night. The lift boat Rock
5 Fish a third party called our dispatch, and our dispatch forwarded
6 that call to me.

7 Q. I see. Okay. So, if they call you on your cell phone
8 because they -- that's listed there.

9 A. Uh-huh.

10 Q. Is that number the same number as your regular business cell
11 phone?

12 A. Yes, sir.

13 Q. Okay. So, you mentioned the wide range of duties you have,
14 meetings all morning long. If you don't answer that phone, if it
15 comes an unanswered then call the next number down the list, is
16 that how -- how would that --

17 A. So, when you look at the matrix there will be an alternate
18 DPA for each area of operation. So, they would call that next
19 person in line.

20 Q. Okay. All right. They are not going to -- if they call your
21 number, they are not going to get a message saying call -- let me
22 ask this question. Let me back up.

23 If you get a DPA related question, do you know when it rings
24 on your phone if this is somebody calling you about DPA matters or
25 if --

1 A. No. It's a phone.

2 Q. Okay.

3 A. It's phone call.

4 Q. Just a regular phone call?

5 A. Yes, sir.

6 Q. All right. You mentioned that on a stop work authority, this
7 is a different line of questions or a different question. If you
8 have a client, let's say a no sale stop work authority and you
9 have a client, but the client is notified. The stop work
10 authority procedures is it always Seacor's procedure or is there a
11 client stop work procedure?

12 A. We have a stop work authority policy and that is equivalent
13 to all the ones of nature. You can't go more stringent than stop
14 the job, obviously. That's the most stringent you can go. So,
15 it's (indiscernible) equivalent to all the clients.

16 Q. How is a stop work cleared? In other words, how is -- how do
17 you recommence work?

18 A. So, the halting work authority is sent you engage all parties
19 involved. So, depending on the nature of it you have to ensure
20 that whoever used stop work is satisfied that it is safe to
21 continue by mitigating whatever the risk was, whatever the
22 concern.

23 So, if it's something to do with training, the amount of
24 personnel, weather related, equipment wise, any of the concerns
25 that's brought up you have to mitigate it. So, if we need

1 mechanical means. We need a different crane. We have an engine
2 failure. You know if we have a weather system, we wait for it to
3 pass. So, that's monitored by depending on who are on board the
4 vessel to go up to the master of the vessel to monitor that and
5 liaison with us.

6 Q. Okay. Does the client ever have an input into stop work,
7 clearing a stop work authority?

8 A. Yes. If it involves their operations or something that would
9 engage them, then, yes, they would have input in it.

10 Q. Okay.

11 A. So, an example of that I think is prudent. So, if we are
12 servicing say an FBSO or something of that nature and we are using
13 stop work because of the arrangement of the vessel in relation to
14 it. So, you can change heading to get by into the seas and hold a
15 lot better position on a DPT (ph.) vessel. So, in that tight stop
16 work your client is directly involved to reposition the FBSO.

17 Q. Okay.

18 A. That's, you know, a rough example.

19 Q. The person issuing the stop work authority filed it, if I
20 used the wrong terminology I apologize.

21 A. No. It's okay.

22 Q. Are they the final authority on recommencing work?

23 A. Yes. They would have to agree that the measures put in place
24 are properly mitigating their concerns.

25 Q. Okay. If they ever disagreed, maybe unreasonably so, can

1 they be overruled?

2 A. No.

3 Q. Okay.

4 A. We would -- that would come to myself, obviously, to get
5 directly involved and that would be a situation that would go
6 directly up to John. We don't have that issue in our company but
7 that would be a very good example of how that DPA role was first
8 developed by IMO to where if you have parties involved that are in
9 disagreement, saying, no, it's safe, no it's not, then that's
10 where I would get involved as a liaison to step in between, get
11 John involved and we are always going to rule on the side of
12 safety.

13 Q. Okay. So, if you had had a case where the originator of the
14 stop work authority was dissatisfied with the result, would the
15 mitigation matter?

16 A. Not as far as stop work authority goes. The only case is
17 that they are not satisfied the result, as we were speaking, only
18 way it would be COVID related or they want to get off the vessel,
19 but we cannot because of COVID country requirements, country
20 restrictions as far as crew changes go. Someone wants to get
21 home, but you can't.

22 Q. Okay. Thank you.

23 MR. KUCHARSKI: Mike Kucharski again.

24 BY MR. KUCHARSKI:

25 Q. Can a charter ask to have a different captain than one aboard

1 the vessel?

2 A. The direct answer to that question is very vague but they can
3 ask anything they want.

4 Q. That's all vague then isn't it. Can they ask to have another
5 captain?

6 A. They can ask whatever they want.

7 Q. Have they ever asked to have a different captain than the one
8 onboard the vessel?

9 A. Not to my knowledge.

10 Q. What is your direct involvement with the charterers?

11 A. My direct involvement with charters as a -- as the question
12 is asked would cover all clients. So, when I am involved with a
13 charter it's from the initial phases from an audit perspective
14 when they come audit our company. That's where I would be
15 involved.

16 In the event there is a bridging document that has concerns
17 or high level or things that's not in line, per se, I would come
18 in to review and ensure the gaps are properly closed.

19 Q. Okay. I had asked you about a bridging document before. So,
20 what's a bridging document now?

21 A. That would be if, you know, your procedure says I want paper
22 tower to be six inches and mine says eight inches. We are going
23 to agree on seven. You're basically bridging the procedures to
24 show you're going with not only the most stringent standard but
25 agreeable standards if the procedures are different.

1 Q. And do you have a bridging -- I know you're using a paper
2 towel there but what typically does a bridging document -- is
3 there a bridging document between Talos and Seacor?

4 A. Not that I recall, no.

5 Q. Okay. To your knowledge, has a master ever been relieved
6 because of a charter's complaint?

7 A. I think that question would be better for human resource. I
8 don't recall but I think that would be a good question for your HR
9 department.

10 MR. PRESTON: Okay. Can I just clarify. You mean relieved
11 like just kept off the job or terminated.

12 MR. KUCHARSKI: Terminated.

13 MR. PRESTON: I don't know if that changes your answer.

14 MR. CENAC: No, I would think that would be proper to be
15 clarified by human resource as they are over the crewing of the
16 vessel. So, that could change, that notification on why it would
17 come from them, but I'm not involved in that process.

18 BY MR. KUCHARSKI:

19 Q. Do you know what the primary means of communication between
20 ship and shore is?

21 A. Email and phone calls.

22 Q. Do you know if the master has an Iridium phone?

23 A. I don't know if it's Iridium, per se, but they do have
24 multiple like satellite numbers on that vessel. Yes. They have a
25 series of numbers and alternate communications, yes. There's a I

1 guess a log or whatever, a phone book in a sense.

2 MR. KUCHARSKI: Additional questions?

3 MR. [REDACTED] [REDACTED] [REDACTED] Coast Guard.

4 BY MR. [REDACTED]

5 Q. You're talking about bridging documents and, you know, six
6 inches versus eight inches and agreeing on seven. Is that
7 information passed down to the captain or the crew?

8 A. Yes. If there is a bridging document established with a
9 charter that's issued to the vessel, they would complete a
10 training report on that bridging document ensure all crew are
11 aware of any differences in procedures.

12 Q. Okay. And follow up on that. You said you're not aware of
13 any bridging documents with Talos what regards to sinking actual
14 system or things like -- so, in a situation like that who would
15 the vessel crew -- what system or what procedures would you follow
16 Talos or Seacor's?

17 A. They are following Seacor Marine procedures as they are on a
18 Seacor Marine vessel. We are not working on their facility.

19 MR. [REDACTED] That's all I got. Thank you.

20 CAPT PHILLIPS: Is this the end or?

21 MR. KUCHARSKI: Yes. Any additional.

22 CAPT PHILLIPS: Final questions?

23 MR. KUCHARSKI: Sure.

24 BY CAPT PHILLIPS:

25 Q. Do you have any initial thoughts -- Tracy Phillips. Do you

1 have any initial thoughts on what could be done to prevent what
2 happened to that Seacor from happening again?

3 A. I think we are very early in that process and I do look
4 forward to getting to that conclusion as a team here. And I would
5 like to refrain from speculation at this point. So, I think that
6 will come, you know, over the course of time amongst this team
7 here.

8 CAPT PHILLIPS: thank you.

9 MR. KUCHARSKI: Go ahead.

10 MR. PRESTON: So, you mentioned that you didn't --

11 MR. KUCHARSKI: ABS.

12 BY MR. PRESTON:

13 Q. Oh, I'm sorry. John Preston, ABS. Thank you. You mentioned
14 that you did not get notified that the EPIRB had gone off or
15 anything like that. Do you normally -- who gets notified in the
16 cases like that?

17 A. That's a two-part question.

18 Q. Yes.

19 A. The first part is, no, I did not get notified the EPIRB went
20 off.

21 Q. Yes.

22 A. And our main line is on the EPIRB registrations, the 87654
23 (indiscernible) so, if they called that that EPIRB is going off
24 depending on who is on the other end if it's a real alert or if
25 it's a test or whatever it is the dispatch would transfer them

1 probably to myself if it's a real alert as which was done in the
2 case of the Rock Fish call that this is an emergency.

3 Q. Okay. The vessel's emergency communications --

4 A. Yes, sir.

5 Q. -- where would that, you know, non-telephone, because the
6 EPIRB is a device that sends -- it just sends out a notification
7 signal. It doesn't -- I don't think it calls a phone number.

8 A. Yep.

9 Q. So, who would -- do you know who would get that notification
10 if not you apparently --

11 A. For the EPIRB?

12 Q. Yes.

13 A. Apparently it went to Coast Guard and it did not come to us.

14 Q. Okay. So, you think the notification went to the Flag

15 A. That's what I was led to believe by Flag.

16 Q. Okay. Got it.

17 A. I do not have that confirmed though.

18 Q. That's fine. I understand. thank you. The other question
19 would be, do you know who handles management of the SEMS program,
20 the ISNetWorld?

21 A. ISNetWorld would be Barrett Charpentier who is tasked to
22 oversee that process for Seacor for the Gulf of Mexico region.

23 Q. Okay. Thank you.

24 MR. EHLERS: Drew Ehlers, NTSB, this is a random question I
25 just didn't get to.

1 BY MR. EHLERS:

2 Q. What's the required training for a contractor coming onboard,
3 in other words, presale training?

4 A. As far as --

5 Q. As far as -- it's vessel -- let's just call it vessel safety
6 training.

7 A. So, vessel safety training if you look at vessel
8 familiarization, they are going to brief them on where to go in
9 the event of an emergency, how to dawn their life jacket, how to
10 exit the vessel here's the fire plan. This is who the master is.
11 If you hear a ship somewhere, this is where your muster point is.
12 They'll make the announcements, you know, this is the equipment we
13 have. They'll go through all of those items as far as the
14 familiarization process.

15 Now, a whole another side of that for safety training and I
16 keep hearing SEMS referred to is the contractor will have
17 different levels of training that they provide prior to. So, if
18 it's a Talos Energy SEMS type requirement they could have anything
19 from your water survivals. If it's a cook they could have safe
20 serve as a cooking layer. You know, if they are a crane operator,
21 they will have a crane cert. They could be a rigor, have a rigor
22 certification.

23 So, depending on their role in the operation they will also
24 have additional layers of training underneath them.

25 Q. Okay. So, as far as the Seacor --

1 A. Uh-huh.

2 Q. -- other than the crew familiarization upon reporting aboard

3 --

4 A. Yes.

5 Q. You don't require the client to provide, for instance, basic

6 --

7 A. Basic safety training?

8 Q. -- basic safety training, yeah?

9 A. That would be a question better for HR but to my knowledge
10 they don't receive that.

11 Q. Okay. That's good for me, thank you.

12 MR. MUISE: Marcel Muise, NTSB.

13 BY MR. MUISE:

14 Q. Just to clarify what Drew was saying, any requirement for
15 water survival for the non-Coast Guard credentialed people would
16 come from the client, Seacor doesn't have any requirement for,
17 let's say your cooks that don't have?

18 A. It's first contracted personnel?

19 Q. Right.

20 A. I think there was additional nine I believe.

21 Q. Right.

22 A. Not to my knowledge. No.

23 MR. MUISE: That's all I have.

24 MR. KUCHARSKI: Mike Kucharski.

25 BY MR. KUCHARSKI:

1 Q. Do you know anything about the drills on the vessel, abandon
2 ship drill?

3 A. Yes.

4 Q. Okay. What's the company policy as far as holding those?

5 A. The requirement is a minimum of monthly and then if 25
6 percent or more change then they would hold another one. So, they
7 should have had one that week. As I recall they did just recently
8 crew change. So, would have had one prior to departure.

9 Q. So, what -- are the contractors required to go to those?

10 A. Yes. They participate.

11 Q. So, on this voyage here that it embarked upon, okay, the -- I
12 think it was a matter of quite a few hours to get to the site.

13 So, would the contractors have any attendance, or would they have
14 any drill soon after departure or before they leave?

15 A. Yes.

16 Q. They would.

17 A. Yes. That's procedural wise, yes, they should have had an
18 abandon ship drill. Yes.

19 Q. So, before they left?

20 A. Yes. They should have had an abandon ship drill, yes.

21 Q. Okay. So, it's a company policy to have one before --

22 A. Yes. That's (indiscernible)

23 Q. -- I'm trying to see the gap --

24 A. -- Coast Guard regulation. As prior to departing if there's
25 25 percent or more, they are going to have an abandon ship drill.

1 Q. Okay.

2 A. So, if he's -- if the master is following procedure, then the
3 answer is yes.

4 BY UNIDENTIFIED SPEAKER:

5 Q. So, for the 25 percent does that include contractor or is
6 that only the ship's crew?

7 A. Is a contractor -- let's rephrase contractor. They are not a
8 passenger onboard they are part of that ship's crew. So, yes,
9 they should have had an abandon ship's drill prior to departure
10 toward my definition, yes, as procedure lines up.

11 Q. Okay. So, they are part -- just to restate it just to make
12 sure we are clear. So, they are part of that 25 percent. So, for
13 instance, if the crew -- there's not a crew change --

14 A. Uh-huh.

15 Q. -- but there is a changeover in the contractor's that -- for
16 instance there's nine personnel from contractors on the Seacor
17 Power, if those were nine new personnel there would have been an
18 abandon ship drill? Nine new contractors.

19 A. I would have to double check the exact wording on what you're
20 phrasing, but I'm fairly certain that the answer is yes. But I
21 would have to double check that because we are using terminology
22 as crew, contractors, subcontractor

23 Q. I understand that. That's exactly the reason I asked the
24 question.

25 A. -- that is the intent per se of the requirement because you

1 have new people sailing towards the mission of the vessel that you
2 want to make sure that they are familiar prior to departure port.

3 So, the answer is yes. Now that the exact language I'd have
4 to verify.

5 Q. Hold on a second. So, I would like you to do that as a
6 follow up.

7 A. Yes, fine.

8 Q. Just a quick question for clarification.

9 BY UNIDENTIFIED SPEAKER 2:

10 Q. We're discussing contractors and crew, with crew being marine
11 crew that's required by Coast Guard documented personnel.

12 Contractors, are all the contractors employed by or contracted
13 through Seacor or is it Talos and Seacor, some by Talos, some by
14 Seacor or third party, any other third party?

15 A. So, there were nine Seacor Marine employees, two OSSM
16 contracted cooks by Seacor human resource. The remaining
17 individuals were all charter -- contracted through Talos.

18 Q. Okay. That's what I just wondered. We keep talking
19 contractors and employee --

20 A. Yeah. And that's why it's difficult because there's so many
21 interested parties.

22 MR. [REDACTED] My question was -- [REDACTED] [REDACTED]

23 BY MR. [REDACTED]

24 Q. Considering, you know, considering them crew as far as your
25 station built for those drills and responsibilities in these

1 drills and possible casualty events, are these contract workers
2 outside of Seacor personnel assigned duties?

3 A. No, sir. They are assigned --

4 Q. They are treated as passengers in an emergency?

5 A. In an emergency they're taught to report to the muster
6 station. And then you'll see the, one of the assigned crewmembers
7 responsible for head count of the passenger or something.

8 Q. Okay.

9 A. Offshore workers, contractors, in this case. So, your duties
10 and responsibilities are just for the Seacor Marine crew.

11 Q. thank you.

12 MR. PRESTON: This is John Preston.

13 BY MR. PRESTON:

14 Q. As another clarification, I understand that instead of
15 treated as passenger it should be industrial personnel.

16 A. Yeah, offshore workers.

17 MR. KUCHARSKI: One last time around the room. 12:30 on the
18 button. The interview has terminated.

19 (Whereupon, at 12:30 p.m., the interview was concluded.)
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21
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23
24
25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD


IN THE MATTER OF: CAPSIZING OF THE LIFTBOAT *SEACOR*
 POWER SOUTH OF PORT FOURCHON,
 LOUISIANA, ON APRIL 13, 2021
 Interview of John Smith

ACCIDENT NO.: DCA21MM024

PLACE: Terrebonne Parrish Emergency
 Operation Center

DATE: April 20, 2021

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


Letha J. Wheeler
Transcriber