UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

Investigation of:	*	
	*	
SINKING OF THE SEACOR MARINE	*	
LB *ROBERT* NEAR LAKE CHARLES,	*	Accident No.: DCA23FM007
LOUISIANA, ON NOVEMBER 20, 2022	*	
	*	

Interview of: PAUL FREMIN, Operations Manager
Seacor Marine Operations

Marine Safety Unit
Houma, Louisiana

Tuesday,
November 29, 2022

APPEARANCES:

BART BARNUM, Investigator
National Transportation Safety Board

LT. [redacted] [redacted] MSU *Houma* Investigating Officer
United States Coast Guard

MICHAEL CENEC, Designated Person Ashore
Seacor Marine

PETER TOMPKINS, Outside Counsel
Seacor Marine

I N D E X

I N T E R V I E W

(2:00 p.m.)

MR. BARNUM: It is November 29, 2022. Approximately 1400 local time. We're in MSU *Houma*. In conjunction -- we're conducting an interview today in conjunction with the Lift Boat *Robert*. An incident that occurred 11/20/22. In the room today, we're interviewing Seacor *Robert* corporate management. My name is Bart Barnum with NTSB. That's B-A-R-N-U-M. I'm going to go around the room, starting with you, sir.

MR. CENEC: Michael Cenec. Seacor Marine, designated person ashore.

LT. [redacted] Lieutenant Junior Grade [redacted] [redacted] MSU *Houma* investigating officer.

MR. FREMIN: Paul Fremin. Seacor Marine operations manager.

MR. TOMPKINS: Peter Tompkins, Seacor Marine's outside counsel.

MR. BARNUM: All right. Thank you gentlemen.

And this interview is recording. Is there any objections to it being recorded?

MR. CENEC: None.

LT. [redacted] None.

MR. FREEMAN: None.

MR. TOMPKINS: None.

MR. BARNUM: All right. Hearing none. US Coast Guard will -- you want to lead the questioning?

LT. [redacted] Sure.

INTERVIEW OF PAUL FREMIN

BY LT. [redacted]

Q. So we'll go ahead and we'll start with general operations of how Seacor goes about getting contract and then proceeding to taking vessel -- specific problem.

A. So, within Seacor Marine we have a sales and marketing team, of which obtain said contracts, in this particular instance, for the lift boat *Robert* was Apache.

The marketing team has their own technical spec sheets of the lift boats. So when a client would call requesting, you know, I have a P&A operation or a coiled tubing operation, whatever operation it would be, I'm in this much water depth, I'm looking for this much working deck height, x amount of crane tonnage, our marketing team will offer which vessel class they presume to be the best fit for the project. And, from there, within the talks of -- the preliminary talks, we'll get brought in, meaning myself in operations, human resources, and personnel for manning, as well as our vice president, Joey Ruiz, who is in charge of all of us.

And, whenever we get involved, it's you know, more or less a -- Paul we have this location we're looking at, it's 217 foot of water depth, we don't have any data on penetration, we have this construction blue print of the platform, you know, we're just looking for some extra input because we're not certain if we can do the job.

So, they'll always ask for help when needed and from there, any calculations that need to get done, I'll look at soil data if it's available, the blueprints, and, try to give a go or no go based on the information I have within. And again, if we're still not sure, we'll go back to the client. Hey, can you please provide this information, can you please provide this information. And it helps us make a good determination of if the vessel can or cannot do it.

And then from there, if we can't do it. It's done. Can't do it, sorry we can't help you. You know, we're done with that.

If we can do it, then a little more planning goes into it. We start requesting additional information. Aside from what we already have, if they start having sonar data, you know of the bottom surveying. And most of the time they do not. It's not something that's often had -- that they have in their database unless they've had multiple lift boats go on. Because what sonar does for a lift boat operator is, it allows us to look at the bottom and the soil of a platform.

What we do require right off the bat, before any project -- with a vessel going out on any project is, what we call, a base map, which is just on a pdf. It has a size approximate per whichever company would have did it a Fugro, Oceaneering and T. Baker Smith. Size approximate of the platform where all of the well heads are, as well as any vessel activity that has been there in regards to putting their legs, cans, or mats on the seafloor.

And what that does is, it helps Seacor as the vessel operator, see where is the safest place I can place my vessel at this platform or subsea well, what have you, and still do the work at the platform. Because if there are what we call can holes, meaning you have these big drilling rigs that come in that are 20 times the weight and have the shear strength of penetrating the soil compared to my biggest lift boat, if there are what we call can holes, that they made those impressions, if once I put one of my pads in there, pending on the soil data, I can have uneven levels of my legs.

So, I could have maybe the port leg goes in and the starboard leg and a half are still above the soil, which is not making it unstable because I can still have one leg lower than the other. But, these are all just factors that go into safely positioning a lift boat.

Q. So, if all of that data is obtained?

A. We have what we call an operations and area check sheet. It goes into where we plan to position the vessel, how much penetration we plan to obtain, if known, if not known it's estimated. How much working water depth we're in. What sonar imagery we do have. What pipeline base map we -- is mandatory to have, as well as any other comments and attachments. And what that goes to is, all of us planning together, even having the captain or master/chief mate involved. Because, again, I can tell him, hey, this is where you should go. He may look at something

with his years of experience and him operating the vessel and say, I don't, really don't like that position. I think we need to re-look at it a little bit more. Or, if he may say, yep, I'm totally in agreements, then it goes right up to Mr. Joey Ruiz, he has the final write off. That sheet in turn goes to the client, hey, this is what we plan to do, and they're in agreements, then it's a all go.

And then from there we do our preliminary planning of, let's get a manifest of equipment that's going to be coming, how many personnel are going to be onboard. Pretty much all what we need to head out.

And for lift boat operators, the one major piece of equipment and personnel that needs to be on a lift boat is the sonar equipment. Meaning a Fugro and Oceaneering or a T. Baker Smith, I just name these three because they are who we use in the area.

That is a must-have when positioning a lift boat. Because all of my captains are going off of is the sheet with this position, but I can't accurately give them a lat and long. Or, even if I could give them a lat and long, let's say that -- if I was given a sonar image, it could've been from three years ago, when we have hurricanes come through all the time. A handrail off that platform could've of failed. A piece of grating could've failed where I plan to position that lift boat. So what that sonar image does, once we get out to location is -- I'll stand by about 500 foot off of where I plan to be, and I'll make my first

drop. And now I can see the entire bottom of where I plan to put my lift boat at.

Then, I'll pick up the legs again, go back, look at the bottom yet again. The closer I get to my final position the better the sonar imagery actually comes. And it will show you the pipelines, it'll show debris, anything of that nature. And then my final position -- we'll do one final drop to assure, yes, this is where we all agree to be. We're so many feet away from this marker, or can hole, or pipeline what have you.

We'll place the three legs down, everybody's in agreements, we're good. Then, we'll start what we call a pre-load operation.

And what pre-loading means is, within the stability and ops manual there is a calculation that takes into account your variable load, meaning your fuel, your water, all of your deck load. It takes into account if you have a heavy lift you plan to take. You know, if you have, like with the *Robert*, this one was 165 ton, if you have a 150 ton lift it takes into account of that. And what it does is it -- the program tells you how much water to put in your where we have pre-load tanks. On the *Robert* we have eight tanks, and it's how much water to put in these eight tanks in order to achieve the maximum stability for that particular project and that job. And within the ops manual, it says a minimum of three hours you must hold the pre-load without making any adjustments to your legs.

So, we'll penetrate whatever the expected penetration is from

the data that we have, and, as long as he is continuously making adjustments -- they call pre-starts. They call pre-starts until no adjustments have been made. We'll do a minimum three hours unless, you know, other data comes in that we feel -- oh, we may need to go a little longer. You may have -- you know, if you penetrate more than what you anticipate, we may hold a little longer. And from there, once the captain feels that my boat is stable, my boat is -- you know, stability is great, my curves are where they need to be, we'll drop all of that water that we took on right from the sea, to get as light as possible, and we'll jack up to work elevation and begin operations.

So that is a quick of how we go from A to B. Leaving that -- preparing to jacking up putting the log buoy out.

Q. Thank you very much.

A. Sure.

Q. Appreciate that. Yeah. From my -- own perspective, I knew you know, pre-loading existed, wasn't exactly sure where in the process --

A. Yes.

Q. -- that took place. So, thank you very much for -- giving me that quick run down.

When you're talking about dropping the sonar, and saying, hey we'll move 500 feet, you know, then move another 500 feet in a different direction, is there a set standard number of drops that a captain will make? Or, is it just up to their decision based on

the sonar visual that they're getting?
A. Everything is based on what their captain feels he deems necessary.
Q. Okay.
A. Normal operations, which is not set, will do normally a 500 foot drop. Then, if he still feels like he can't really see the imagery that he wants to see in that final spot, he may just move up another 300.
Q. Um-hmm.
A. To get to 300 foot away from our final spot. But then, most of the time is that 500 then goes into 150.
Q. Okay.
A. If he can see exactly what he wants to see -- because like I said before, some of these platforms we've been to have had 10 lift boats have been on this platform at this exact corner or heading, where the captain has been. So, if we most of -- some of the times we already have a base map that has lift boats that were there two months ago. And now we're coming back in and we call up the client or we may have to go straight to Fugro -- hey do you have the sonar imagery from the boat two months ago? Oh, yes. Here you go. Have it right here.

So, sometimes it's already known and we'll just do the, you know, 500 foot, yep. We know there's clear. There's -- a pipeline is 80 feet away. The closest, there has not been a -- the can rig is all the way on the northwest side and I'm on the

southeast side, I'll do this drop. First drop looks clear as can be. I'll do my 150 foot drop. Yep. Still great. All right, let's go into the final spot. Drop it one more time. We always drop at the final spot to assure that my pads are where they need to be, before making the final call. Okay, let's start pre-load operations.

Q. Thank you.

A. Um-hmm.

Q. And excuse me again. You had mentioned sal data previously.

A. Soil.

Q. Soil. Got you.

A. Yes. Soil. That's me. That's on me.

UNIDENTIFIED SPEAKER: That's on my list too.

A. That's on me, I'm sorry about that. Yes. Soil.

Q. That's just me not living down here for a long time.

A. I apologize. Yes. That's soil data.

Q. Let's see. So, you talked about kind of that go, no go decision.

A. Um-hmm.

Q. In terms of hey, can this lift boat that I have, can this asset do the job? And then you also talked about the sonar data. I was a little bit confused at what -- is there a, I guess, policy or list that you guys follow of, hey, these are all of things that I need in order for me to propose to Joey, that, yes, this asset can do this job? Or, is that just based on kind of, your

experience. You said people come to you. Is that a formal process or informal?

A. A little bit of both. Because, back on that operations check sheet, there's probably just a check box of lists.

Q. Um-hmm.

A. And one mandatory one that we require, as I said, is this base map. The only mandatory requirement is a base map. And that's to see the platform. And that's to see the recent data of what, like I said, vessels with "legs" or mats have been there. And that is the only mandatory one that we look for.

And what we do is, whenever -- if the client says, Paul or Joey, Mike, whomever, look this is all we can give you. Then it becomes more of, there's no formal process. It becomes more of -- okay, well, if all you have is base map and water depth, no soil data, so I have no idea how much I'm going to penetrate, no sonar imagery -- so I have no idea, you know, in the exact relation this pipeline may be, no exact relation what this can hole may be, what this depression may look like, we always tell the client, this will be -- it'll take a lot longer for the set up. Because, we'll -- it's going to be more of a trial and error to go out and let's take a drop from here, you know, on this corner. Let's take a drop from this corner. Let's take a drop from this corner. Or, sometimes, if the water depth is close to the maximum allowable and we're just not sure if we'll achieve too much penetration, we'll actually say we'd like to go 500 yards away from, from

where -- you know, where we plan to anticipate this set up. And we like to do a full pre-load. Just to assure that yes, we can do it, or no, we can't do it.

So there are yes and no's that happen even at the dock. But there are some yes and no's that actually happen in the field that client's just to see -- A lot of them don't mind paying the day rate to see yes or no, if we can or cannot do it.

And there have been instances where we'll go out, penetration was unknown. As soon -- we always know what our threshold is with our maximum allowable water depth, plus penetration for every boat.

So, if we go out -- an example, the *Robert* can be in 275, if we're going in 250 foot of water and I get 15 foot of penetration, or right whenever I get 16, it's an all stop.

Client, we've just reached 16, we cannot obtain the maximum allowable air gap. We need to liberate and head in immediately. Immediately. Because there's no point in staying where I'm at, because now, I can't achieve what I needed to achieve in case if weather were to come in or whatnot.

So, it's an immediate all stop. Liberate. Head into shallow water.

Q. So, I guess, part of what I'm getting out of that is with the, you mentioned there are some gos and no gos --

A. Sure.

Q. -- that happen offshore, right? Like, once the captain's

actually making the call --
A. Yes.
Q. -- maybe there's a little bit more penetration than he thought.
How is the vessel crew communicating back to you? Is that via email, or --
A. It can both ways, email or phone call.
Q. Got you.
A. It can go both.
Q. Just looking through, specifically for kind of, general, general questions before we start diving into the *Robert* specifically.
So you said Fugro, Oceaneering, and is it T. Baker Smith?
A. Yes.
Q. Are just kind of the two, or the three main go-to companies for those --
A. In this area, yes.
Q. -- surveys.
A. And that is hired by a client.
Q. Okay.
Does the client ever say, no, you guys have enough? You should have enough lay of the land. You don't need a survey? Is there any other --
A. I've never been told that. No. There's no -- yeah, I've never been told that.

Q. I wouldn't think so. Just out of curiosity.

That kind of wraps all of my general questions on processes. Mr. Barnum, did you have?

MR. BARNUM: Yeah. Just a couple, thank you. Yeah. [redacted]

Thank you.

BY MR. BARNUM:

Q. Is it Fremin?

A. Fremin.

Q. Okay. Sorry about that, Mr. Fremin.

The base map. I don't know if that's something we've requested, but that's required for each operation. Did, do you --

LT. [redacted] I think I just called it something.

MR. BARNUM: Oh. Okay.

LT. [redacted] I think I called it the subsea survey or --

MR. BARNUM: Oh. Okay.

MR. TOMPKINS: It's part of the package that was sent.

MR. BARNUM: Okay. Perfect.

MR. TOMPKINS: Everything you described is in your package.

MR. BARNUM: All right. Thank You.

MR. FREMIN: That'll be page 2.

Page 1 is the check sheet. Page 2 is always the base map. Anything thereafter is just additional data, that, over the 30 years of -- between Seacor, Superior, Powers, Montco Offshore. We have an entire database of 30 plus years of Gulf of Mexico that we use in our everyday operations when working in the Gulf.

BY MR. BARNUM:

Q. Is that a public database? Or is that just Seacor's?

A. That's just Seacor's.

Q. Okay. And you said it was mandatory to have that base map. Is that --

A. Yes.

Q. -- a Seacor requirement? Or is that some sort of other federal requirement, or --

A. From what I understand it's a Seacor requirement.

Q. Okay. Is the sonar company -- I assume they send a tech out to perform the sonar. Or, is that something the crew does?

A. A technician.

Q. Technician.

A. Yes.

Q. What is the minimum allow air gap. I know we'll probably get to the *Robert* but --

A. 15 foot.

Q. 15 foot.

A. Yes. For all Seacor lift boats, 15 foot.

Q. Okay.

A. And that's, excuse me, that's if you look at ops manual it'd be water depth plus penetration. And you must have a minimum 15 foot air gap.

Q. Okay. The -- is there any kind of spudding in abilities for these lift boats? I know jack up, sometimes they'll actually spud

down in. Or is it just the weight of the pre-load that actually sets the pads?

A. So, depending on the soil. It's all dependent on the soil. But, I guess, in what instance are you, are you referring to me just penetrating down, or starting --

Q. Yeah. Yeah. I don't know when you --

A. It's, it's --

Q. When you set the legs do you use --

A. Sure.

Q. Is there any other method to, to situate them in the mud? Or is it just the weight of the pre-load?

A. The weight of the vessel actually puts the pads in.

Q. Yeah.

A. And that's when we begin taking the final sonar shots. So, we're still in the water. We're still buoyant. With our pads just touching the mud.

Q. Yeah.

A. And we can see our pressures on our gauges to know, okay, pads in the mud. It's just -- you can still see the actual pad. When the sonar image is taken you can still see the actual pad.

Q. Yeah.

A. And then the sonar image is taken. Once we're -- the go is a go, then the pads are where they need to be. That's when he will continuously begin to penetrate as much as he can, just with vessel weight. And then start taking on pre-load.

Because you always want to have pre-load to be just barely above the water.

Q. Okay.

A. So, whenever the vessel is finally in pre-load mode, that means that his pads went with as much pressure as he could with the weight of the vessel. He elevates just above the waves, and that's when water is starting to be taken.

So, as water is being taken onboard, more adjustments --

Q. Yeah.

A. -- are being made. But that initial is from the weight of the vessel.

Q. Okay. But there's no sort of, water jets or anything that assists with getting the legs out, or spudding them in or anything?

A. Not in the Gulf. Not in -- no. No Seacor lift boats have a jetting system.

Q. Got you.

A. In the Gulf of Mexico.

Q. Okay.

A. In the Gulf.

Q. Okay.

I do have some other questions, but I think that's further down the line. That's all I have right now.

A. Yes, sir.

BY LT. [redacted]

Q. One other one that I had written down previously, what's the typical time for a vessel to work at one location without, like, backup after jacking down?
A. That varies on -- there's not a definitive answer.
Q. But is there a time limit, I guess I should ask?
A. No, sir.
Q. Okay. So, you, you can stay jacked down for as long as need be and not worry about liberating legs or anything like that?
A. Correct.
Q. Okay.
A. Correct.
Q. Now, I think that with that, we're just going to ask a few standard questions involving the *Robert* specifically.
A. Okay.
Q. Nothing too crazy. I know that you had mentioned, and I saw previously, it has a working height of 275 feet? Is that correct?
A. That is, the 275 is the maximum water depth plus penetration it can achieve --
Q. Okay.
A. -- to have that minimum 15 air gap.
Q. 275 feet of water plus --
A. Penetration.
Q. Penetration. And still --
A. And still have --
Q. And still work.

A. And still -- yeah. Be able to safely. May not work well for the client --

Q. Sure.

A. But it can safely be at that location.

Q. Got you.

A. If that makes sense.

Q. It does. Yeah. Because I can imagine, depending on who the client is, they may need --

A. Some work decks are 80 foot in the air --

Q. Right.

A. And now my vessel only has a -- of 48 something.

LT. [redacted] All right -- question with that?

MR. BARNUM: No. I do have a couple that --

BY MR. BARNUM:

Q. So, when you're in an area your going to jack down, is it -- would you rather put your pads in can holes, or not?

Is that a customary to do that? I mean, maybe we should just get to the *Robert.* Because I think -- all these questions are specific to the *Robert.* Was the *Robert* -- so when you guys arrived on scene, the *Robert* --

A. Yes.

Q. Where had the vessel come from?

A. The vessel, if I recall, came from Eugene Island 334.

Q. And how long of a transit it that? I don't know a --

A. I believe that was, I don't know offhand, it was maybe, I

don't want to give you a false time -- 6 to 8 hours? The reason we actually left that location was because it was in a deep, deep water area. We anticipated a certain penetration. And that penetration exceeded the 275 number, and we immediately liberated and started taking off north. And that's whenever the client said, okay, please proceed to south Marsh Island 137a.

Q. Is it the same client?

A. Yes. Apache.

Q. Apache. Okay.

So, you mentioned 275 water depth. Is that your max water? Because I know the *Robert* was at 28 feet of air gap, and you said earlier 15 feet air gap is your minimum, so --

A. That's correct.

Q. -- so you can go a little -- you can go deeper than water depth in two --

A. Again, it's, it's just -- I can be in 200 foot of water and have 75 foot penetration and I'd still be okay. Or, I could be in 250 foot of water and only have the, you know, 15 --

Q. Okay.

A. -- or 25 foot of penetration, so. Yeah. It's the, it’s the number is equaling to 275. There's no maximum water and maximum penetration. It is just equaling 275.

Q. Okay. And, what was the water depth at the SM 137?

A. 217.

Q. 217.

A. Yes.
Q. Back to kind of the, the, where the vessel had been.
A. Um-hmm.
Q. When did it approximately arrive, or when did it arrive at the SM 136a?
A. So --
Q. 137, I'm sorry.
A. I don't have the exact date, I apologize. But, our first scenario, this was the second time we actually got to South Marsh Island 137a.

The first time, we had the base map in front of us. We did not have any soil data. We didn't have any sonar imagery. So, the first spot we arrived, the client, Apache and Seacor agreed that we were going to jack up on the east side of the platform, with the starboard pad in a can hole. And it was determined that there would be a possibility that the vessel would not be able to elevate, you know, have that minimum 15 foot air gap, due to the can hole that the starboard pad was going in. Again, we had no soil data. We had no previous knowledge or information on these can holes at all.

So, the vessel began to -- we did the sonar shots. We saw where the can hole was. Vessel went exactly where we planned to put it. And, we started penetrating, started penetrating and taking on pre-load, and the starboard leg kept going down to more than the allowable penetration that we were going to have. And,

it just so happened that weather was approaching at that exact time, and we made the call to actually quit penetrating our stop operations of pre-load, to be able to liberate and seek safe harbor due to weather forecasted in the area.

Q. Okay.

A. So, we --

Q. And that was how much, how -- when was that? A couple of weeks before, or --

A. This was a week before.

Q. A week before the --

A. Yes.

Q. -- casualty. Okay.

A. Well, no. I'm sorry. This was a week before we arrived for the second and final time.

Q. Okay.

A. Yes.

Q. So, you ran just for shelter. Weather came back.

A. Yes. We actually went, performed the job. Rather than wasting time, Apache wanted us to go to another location in only 30 foot of water.

So we actually went, perform a job for 4 days, and then we completed that job. And then, transited back to South Marsh Island, 137a.

Q. Okay. And, you can't remember the date of when you arrived on -- how long it had -- what was it, 2 weeks, 3 weeks?

A. No. It was whenever we left South Marsh Island 137 and went to do that quick job.
Q. Um-hmm.
A. It was only 1 week, whenever we were back.
Q. Okay.
A. South Marsh Island 137. So a week had passed, bad weather had finished, and we were heading back to 137.
Q. Okay. And I think I had the AS data, I just thought you might remember. I --
A. I don't have it in front of me now.
Q. -- curious. Okay.

So then you came back. Did you set up on the east side again, or --

A. No. So we determined with the client that the east side was going to be a no go. Just due to what we had achieved with the can hole and the, actually the angle that we were going to be at was not going to be sufficient enough.

So, the client and Seacor agreed that we had to try other areas, other sides of the structure to be able to safely operate. So, on that sonar, you will actually see, I believe it was 5 additional areas the vessel went. Not in relation -- not close to the platform, but on the outskirts of the platform, just to take sonar shots.

Because all we had was a base map that had can holes, potential can holes, potential depressions, again, it wasn't most

information that we anticipate. So we actually took more images on the west side, southwest side, southeast side, before agreeing that we could go to the south side of the structure. And be in no can hole and be able to jack up and perform work.

So we took multiple images before determining, okay, this south side is going to work.

Q. Okay. Had the, had any Seacor boat been to that platform.

A. No lift boat had ever been to platform.

Q. Okay. So was that can hole, what type of structure made the, the can holes before?

A. That would be what we call like a drilling rig or a can rig.

Q. Okay.

A. Which are much, much, larger than the lift boat *Robert.*

Q. Okay. So what was the *Robert*'s, you know, contract? What was it tasked to do there? How long was it going to stay?

A. This was for coiled tubing and plug and abandonment operations. And I think the anticipated time at this location, I have to look back, but it was going to be, primarily about a month.

Q. We talked a little of the jacking procedures and --

MR. BARNUM: Michael, did you, do we, do we know the cargo -- did you get over cargo survey for us? Do we know how much weight was onboard?

MR. CENEC: It's on there.

MR. BARNUM: It's on there. Okay. Great. Thank you.

BY MR. BARNUM:

Q. The legs, are they, are they dry? Or, do they get filled with water when they jack down?

A. The pads are wet. The legs are dry.

Q. Okay. Is there like a, a bilge monitor in there? How do you know if they remain dry, the legs?

A. There is no bilge monitor at all. The only way we know if they're wet is whenever we come to liberate the legs, and we would have a list to either side of the vessel, which would determine we have a wet leg.

Q. And can you pump those out? How do you, how do you --

A. No. You nose bring it in.

Q. Okay.

A. You nose bring it in on to dry dock.

Q. Okay. He -- I do have some questions about the incident, but I don't think we want to go there yet.

Maintenance of the legs? Can you kind of tell me about what all is done with those? Just kind of maintenance schedule, regime, for the pads, for the legs. What kind of concerns that you may for those?

A. So it is a Coast Guard requirement and class requirement to dry dock a lift boat twice in 5 years. And the reason we dry dock a lift boat, because you know, for a hull exam, we'd be able to just elevate out of the water and go do. But, we have to perform what we call a leg to pad inspection.

So when the vessel is erected, the legs are erected in pieces and you have this one leg. But you also have the pad is erected alone. And the pad has a can, which is a piece of leg that goes through the bottom of the pad, all of the way through. For the *Robert*'s instance, it's 18 inches above the pad. And when the vessel is built, that leg and that pad can are 100 percent welded with a backing plate and that is what you call a leg to pad connection.

And every once in three, twice in five, years, so, twice in five years, we have that pad blasted. And we have it MT mag particled and UT - ultrasonic tested.

Because that would be one of your weakest parts of your vessel, because it's, it's the beveling of the 2 cans going together. Whereas, with the whole leg, you can get inside and weld it 100 percent on the inside, then you can run outside at the bevel and weld it 100 percent on the outside.

Well, once this can, once the leg and this can meet, there's no welding at 100 percent inside. So, you have a, a chill ring is what they call it, a chill ring with that bevel and you have that 100 percent weld going from the pad can to the chill ring to go into the actual leg. And that is your 100 percent weld.

But, again, it's 100 percent, but it's still going to be the weakest point. Not only for, not only just for structural reasons, but also because that is the point that is going in the mud. And as that vessel is trying to liberate, as that vessel is

just stationary, you know, still gyrating with the seas and the currents and the wind, all of that is at the bottom of the seafloor, and that is seeing all of the stress of the leg.

So, that is your main maintenance item for the legs and the pads. Is checking that leg to pad connection.

And then from there, if you have any deficiencies, it's per welding procedures of Coast Guard and ABS, along with the shipyard who designed the vessel to send their welding procedures of what kind of fix is needed to take place.

But, other than that, that is your main, main, maintenance of the legs for a lift boat.

Q. Any concern with the *Robert*'s?

A. No. No.

Q. What was the last, I guess, dry dock or maintenance of those legs?

A. We just did 6 months prior? 3 months prior? Maybe 3?

Q. So 3 months --

A. 3 to 6 months, yes.

Q. -- the cans would've been --

A. We just did a full 10 year, 10 year special on the lift boat *Robert.*

So that even went as far as checking, pulling gear boxes, checking the girth welds for the racks, checking the top rack butts of the vessel. It was an extensive, per Coast Guard requirement procedure to, to undertake.

Q. All right. So back to when the *Robert* jacked up on location. You said you moved locations a couple of times. Sonar data indicated there was no can holes, no obstructions, no nothing on the side they eventually jacked up on.

A. There, so, where we decided to jack up there was no indications of where the 3 pads were going to be.

Q. Okay.

A. There was a can hole off to the port side.

Q. Okay.

A. And where the starboard leg was positioned, there was on the base map an indication that just said, soil depression by others. Meaning on some previous map that they would've achieved from who knows how long ago -- I don't recall the date it was -- an image just saw that it was kind of a black image. So again, it's wherever the sonar would've potentially taken place 20 years ago, that they would've maybe noticed just a black area which indicates a depression for this location.

But we, we know that they had a can hole on that side and Seacor policy is to be minimum 25 foot away from the edge of the can hole to the edge, the outer edge of a pad. That is Seacor policy.

Q. And that was --

A. That was achieved.

Q. -- that was achieved.

A. Yes.

Q. And then you said the impression on the, that was on the starboard side?

A. Yes, sir. And that was the reasoning for doing an -- what we call an extended pre-load. From the sonar imagery, we did not -- the newest sonar imagery, the final one we took, we did not see any indication that was a depression.

All the other depressions that were on the base map were still visible at the time. So, because this one did not show up anymore, we just felt like it would've been categorized just as a -- what they put -- possible soil depression. Meaning, you know, from the image that we may have taken on the east side or the northeast side, we can still, we could see something black. But it was determined that it was just a mound that created a shadow. And we determined that it was not a depression.

But, as a precaution, we still did an extended pre-load just to be certain that there was no depression, no can hole, nothing of that sort. And it proved to be accurate.

Q. All right. So could you take us just through the timeline of, of what day did they pre-load, and then like, how long were they jacked up until the casualty.

Was there any issues? Did they have to jack back down and reset, move?

A. Okay. So, again, I apologize for not having the exact timeline on me. I wasn't anticipating going this deep. But, from memory, it was beginning of October. Very, very, beginning of

October, end of September when we were in the final spot. And I do not recall the exact extended pre-load time. But it was well above the 3 hour minimum of what we had -- of what's in the ops manual to perform.

Q. And you did that because of the impression on the starboard, or because of the impression on the starboard and the presence of a can hole on the port?

Was there any concern with that, the port can hole? Were you pretty confident that was not a factor, and you're more concentrating on that impression on the starboard?

A. It was more -- it was both. But it was more on the starboard.

Q. Okay.

A. We can, on the sonar image, we can physically see the can hole. Sometimes that's not the case. Sometime the base map it shows can holes, but whenever you take the sonar image, those can holes are gone. Meaning currents could push that soil and fill those holes in, and now they disappear.

But on this exact sonar image we took, we can see the perfect circular hole and we put our dot, you know, a 25 foot diameter, or a 25 foot radius circle from the edge of that can hole to the edge of my pad. And we were very confident that we were exactly 25 foot away, being the minimum.

So, it was more for that starboard pad. Because again, we have to go by that base map that they put depression on there for

a reason. And sometimes, which we have seen, those depressions are null and void. That it was just from a faraway image, that it cast a shadow and they put it on the map. So, we cannot ignore that it was on the map.

But again, it proved to be null and void. It was just a shadow and there was no can hole or depression that would've been there.

Q. Okay. So, beginning of October, the *Robert* arrived --

A. Yes.

Q. -- in the location. Can you just kind take us through, they pre-loaded, they jacked up, and then how long were they jacked up?

A. Sure. They jacked up.

Q. Was there any incidents?

A. Yeah. They jacked up, they pre-loaded, again we did extend, I apologize I don't have the exact time. I'm sure the captain's going to know exactly how long, because that's all in his logbooks and whatnot.

And then we got to work height. And we were there up until the casualty. The vessel did not have to liberate at all. On some circumstances, the sea state and/or winds would pick up and would -- I'm not going to say forced -- it just became, sometimes a concern of the -- what we call the vessel sway or gyration, due to the sea states and winds, that they vessel would rack the cranes and get down to a lower air gap to ride out this certain weather event that would have been passing.

Q. So you said that was done a couple of times.
A. Yes.
Q. So, you've braided down from the 28 but not below the 16, correct? Because that would be your minimum.
A. Well, so we would bring it down to the, to the waterline.
Q. All right.
A. We would bring it right down to the waterline. The 15 is to be able to safely be at that location. To be on a location.
Q. Okay.
A. So, but me being just hovering above the seas that, that's fine.
Q. So you bring it to the waterline --
A. Just, just where the, just before the seas would hit the hull. Is the most we can down before actually putting the vessel into the water.
Q. Okay.
A. Yeah.
Q. And would the waves, I mean, certainly the waves would -- I mean they're not always 10 feet, you might get a 15 footer come through. Would that extensively -- potentially lift the vessel? Or, --
A. No, sir. No, sir. The captain would, can, you know, has been monitoring the sea state and he'll put the vessel where he knows that no wave will come in contact to the vessel. Yeah.
Q. Yeah.

A. So if there's 10 to 12's coming through, but, yeah, occasion he'll see a 15, I mean, he's at the sticks. You know, making the adjustments that needed. And he'll make sure that, okay, I may put a 16 foot air gap, because I have seen some potential 15, so. It's keeping the vessel as low as possible without having any interference with the sea state.

Q. Okay. So then, take us through the evacuation. I see it started around, what the 17th? Who made that decision, on what grounds? And kind of the process of how that occurred.

A. Sure. So, weekend, so right now we're the week before the casualty. The Sunday before. It's the weekend. And there was no concern from the captain then. Normally if there is something I'll receive a phone call or an email of some sort. Nothing took place.

The Monday comes at the office. I speak to all my boats, see how the weekend went. Any weather concerns they see on their end. And there was still no concerns.

Come Tuesday, Tuesday, that's when Captain Burnell and I, I ask him the same question. How's the weather? How's work? And that's whenever he brings into account, hey, there's some weather that's looking like coming Saturday into Sunday that we need to keep a close eye on. And, excuse me, he fired me the weather reports. Pretty much from that day until that Saturday/Sunday, it was showing easily 5 to 7's, potential. Here's an 8 or 10 coming.

So, at that point there was no weather window for the vessel

to be able to liberate safely and meaning, jack down, pull legs and head into safe harbor. None of the weather reports indicated safe allowable time to do that.

So, we were going to continue to monitor the weather. A window could've arose and ultimately when it came down to the final end, there was no window.

But, to go back to Tuesday, I believe, whenever Burnell and I spoke about it, I would've called Joey, hey, you know, all the boats are this, *Robert* we're watching. A potential weather that could be coming through the weekend. We're going to keep monitoring it because it has fluctuated, you know, as we kept looking at it.

Wednesday comes, we talk about it again in the morning. This time the sea state came down for Saturday and Sunday. On Wednesday. So, we're like, okay. You know, it looks like we're going to be fine. So we're still going to continue watching it.

A small window of opportunity was forecasted to show up Thursday night into Friday morning. Still, on the very high marginal side of the vessel's capabilities to be able to liberate and pull away and transit to safe harbor. But we continue watching it.

Wednesday afternoon, forecast comes out. And from there, it rises a little bit, but still from my remembrance, not enough to say you know, evacuation needs to take place. It's just continue monitoring it. Joey was notified, you know, we're still watching

this. Could be a, you know, potential but we're still watching it. There is a small weather window of maybe liberating. And we just going, kept continuing.

And come Thursday morning was when the, you know, into Wednesday, Wednesday night, having a conversation, you know, it's not getting any better. Small weather window. Into Thursday was whenever we finally got another forecast that morning. And the call was made to remove all non-essential personnel. Meaning, remove client personnel and remove any third party personnel, and any Seacor personnel that we could, but still remain minimum manning, per COI.

An email was sent to the client around 9:00, 9:23 I believe I sent an email to Apache, to the client. Notifying them this is what we plan to evacuate. And our original plan was to evacuate all non-essential personnel off the vessel. But leave my 7 Seacor crew on until Saturday and to have a flight out on Saturday.

We kept seeing that small, small weather window to able to possibly liberate. But, we just weren't sure but we wanted to you know, not leave the boat until we were 100 percent sure that we would have to ultimately leave the boat.

So, Thursday morning is happening. Thursday afternoon, more people are getting off the boat. And that's when Burnell, Captain Burnell, myself, and Joey Ruiz, or, and Joey's office on speakerphone and we're speaking with Burnell about potentially liberating the vessel. And we heard his concerns and his concerns

were that the potentially liberating the vessel and the sea state and the weather they were in would have possibly caused more harm due to the -- one, the amount of time we'd been at that location. We had been at that location for over a month and a half so the stability was great. The port leg had not moved. The starboard leg had not been adjusted. The aft leg, in that month and a half, I think, had been adjusted 2 to 3 feet over time. Just some small settling. Small settling with the sea state, the gyration, the weather events we had prior to the casualty.

So we felt the stability was good on the vessel. And the unknown leg pull time that we had, the rig down time that we had, the questionable very, very, high marginal sea state time we had, it was felt best that the vessel needed to remain as she was, because she was as stable as she could be. And that in the event we would've have started to liberate and the weather would've picked up, or something might've happened, well then I just lost all of that stability we had gained in a month and a half.

And it would take time to now start trying to pre-load, get deck equipment moved around. Shift fuel. Shift water. It would've just taken too much time in the amount of time that we had to react.

So, ultimately it was decided we were going to stay where we were. We consulted our naval architect, Brian Bywalec (ph.). He actually designed the lift boat *Robert*, whenever she was built. So, he's a consultant of ours. We sent him the stability software

that had been made with the cargo manifest, the amount of fluids we had onboard. Very below for water, fuel. Where the equipment was placed.

He looked at his forecast that he has, along with our forecast that we had. Which way the seas, the wind, he make recommendations to shift fuel from this tank to this tank. Put this deck equipment where this lock-up. Entire port side water integrity. Keep the starboard generator online. Just making all these recommendations until, you know, that's what they did the Thursday evening into Thursday night into Friday morning, and ultimately Apache had their last flight out for the -- for our crew and their two reps was Friday at lunchtime.

So, ultimately we elected to get those guys off. We made all of the preparations we needed to make. And the flight happened around Friday lunch, and they landed at 2:19 in Abbeville on Friday.

Q. Thank you. Very thorough.

A. I know that time because it was on my phone with the pictures that we got.

Q. What kind of eyes and ears do you have on the vessel when you leave it? Is there any -- do you have any idea what's going on your boat?

A. No, sir.

Q. No remote monitoring cameras --

A. No, sir.

Q. -- no indication?
A. Camera was, is a self-owned system within the vessel. Cannot be monitored remotely.
Q. Yep.
A. Via IP or anything.
Q. Is that typical for all of your vessels?
A. I'm not sure. It was for this instance. It was for this one.
UNIDENTIFIED SPEAKER: It is typical for our vessels.
MR. BARNUM: It is.
BY MR. BARNUM:
Q. When did you learn that there was a issue with the *Robert*?
A. I believe it was Sunday around --
MR. CENEC: I got the call.
MR. FREMIN: You got, yeah.
MR. CENEC: From Coast Guard's call -- from Coast Guard 128 that an EPIRB was activated. They were doing a flyover because of other distress calls in the area, apparently. And they -- when they flew over the area they saw the *Robert* there with 3 life rafts deployed and the EPIRB going off. And that's when I confirmed with them we had no crew. Because I knew this went on Friday, and then I followed up with an email -- which you should all have as well -- identifying all of crew member's names and when they departed.
MR. BARNUM: Is evacuating a lift boat a typical operation?

Is this something you do frequently?

MR. CENEC: No, sir. No.

MR. BARNUM: How many times would you say it's done a year?

MR. CENEC: Zero.

MR. BARNUM: Okay. It's really rare.

MR. FREMIN: Yeah. This is not -- the last time I was involved with a vessel evacuation we were Montco Offshore in 20 -- I think it was 2017, and we actually evacuated in safe harbor. Just 10 miles out of Fourchon. Because the -- we -- it was whenever it was actually for a hurricane was projected to go -- let's say to Florida? Well, so we like, okay, we're going to bring the vessel in Fourchon and the path shifted all of the way to Louisiana.

So we, rather than keeping personnel on the vessel through a cat 4 hurricane, we evacuated the vessel. But, she was in safe harbor of a lift boat. Safe harbor does not mean in port. It means in 75 -- some vessels are 75 foot or less water, and some are 50 foot or less water. That is what we consider safe harbor for a lift boat.

BY MR. BARNUM:

Q. Did you have any other lift boats in this area? At that same weather event?

A. I had some more north. More north. Like, I had one in South Marsh Island 61.

Q. Okay. So the presumably saw the same weather. Did they

evacuate?
A. No. They did not see the same weather.
Q. They didn't.
A. No.
Q. Okay.
A. This was a you know, 40 or 50 miles north.
Q. Okay. So they did not, obviously, did not evacuate then?
A. No.
Q. Okay. The -- just one follow up on that.
You said the, you were talking about the vessel's capabilities to transit in weather.
A. Um-hmm.
Q. I know the COI has some routes and conditions on it. Pretty severe weather.
A. Yes.
Q. I don't think that weather, that severe weather wasn't forecasted. Do you have your own set of go, no go, weather policies? Basically, who made the call that -- I mean, you said that there's vessel capabilities. Where are you getting those from?
A. So we go per the ops manual.
Q. Okay. In your ops manual.
A. And the ops manual has a certain recommendation of maximum sea state. Because again, a lift boat can be in transit afloat. A lift boat can also be in what we call the changing mode of being

afloat to pad on the seafloor.

The you can also have another mode of being elevated. So you can have 3 different modes of, for a lift boat. And each different mode has their own sea state requirement recommendations for a lift boat.

So in the instance, jack, you know, elevated and where we were this particular instance was, was maximum 15 foot seas.

But, when changing modes, we normally it's 5 foot seas. And in transit it says, I think, in the ops manual 8 foot. But, we never -- that means the vessel can handle it, doesn't mean the captain wants to be in it.

Q. Okay.

A. So, there's different sea state requirements for the different modes.

Q. Okay. Yeah. I'm trying to get, you know, you said that lift boats never evacuate. So I'm just trying to understand, like --

A. Well, it's not a never. I shouldn't said never. It's rare. Very, very, rare.

MR. CENEC: I've been dealing with boats since 2012 and this is the first one I've been part of.

BY MR. BARNUM:

Q. Yeah. Could've the crew done anything differently if they had stayed onboard? That could've prevented the casualty?

A. That's very potential. That's potentials that we just don't know.

Q. What could they do though? I mean, is there different things they could've done? Could've they --

A. You hate to speculate. We just don't know. We have no idea what the boat did to get into that position she was in. You know, there's just too many speculation of what happened.

Did the wind push it over? Did a rogue wave hit the bottom that lifted it and pushed it? We don't know if the vessel, if the captain or the crew could've done anything. We really don't know.

Q. I guess a better question is, what are some techniques that you can do? I'm not sitting -- don't say they should've done this, but, like, what are some of the techniques that you do to ride out weather?

A. The only techniques is making adjustments. Making adjustments to the vessel.

Q. Okay.

A. Again, you want to keep the vessel as low as you can. The higher you are, the more gyration you're going to have. It's like, you know -- I've never done it, but imagine being on stilts. You know, your center of gravity is a lot more stable lower to the ground, whereas the higher you up, you know, you become -- the vessel's prone to more sway. Being all the way on top the legs and having those legs and the seafloor, dealing with the current, dealing with the waves.

So, of course, the lower you can have that vessel -- so the lower its center of gravity, the better it can be. And, whenever

we made the call to evacuate, all of the recommended forecasts were showing you know, I think it was 12, 14's, 16's. But one forecast showed a potential 22 foot sea that was planning to come through. And that's why the air gap was agreed upon to be made a 25 foot.

So, the only other thing the crew could've done was make adjustments throughout the entire weather event. Meaning, just keep jacking up, jacking down, jacking up, jacking down. That's all they could've done.

Q. So if you had lift boats in those same situations before that haven't been evacuated?

A. I've never dealt -- again, I've never dealt with -- you saying that have gone through --

Q. Same type of weather.

A. -- same type of weather? Not --

Q. The same water depth and --

A. No. Not the same water depth.

Q. Okay.

A. I've never dealt with the same. And again, the one that's even, the *Robert's* maximum air gap we had for this project -- the maximum she would have on her hull was 38 foot she could achieve throughout the entire project. The vessel that's closest, that I said was a few miles north? They could achieve a 70 foot air gap.

So, it's, even the vessel that was there did not experience the sea state and they had plenty leg left to be able to elevate

and make adjustments as needed during the weather event that was nowhere near what we anticipate the *Robert*, so.

Q. Okay.

MR. BARNUM: Mr. [redacted] sure some questions -- I've been asking for awhile.

Thank you, Paul

MR. FREMIN: Yes, sir.

BY LT. [redacted]

Q. What is the primary weather data that was used to make that decision to evacuate? Was that like, national weather service, navtechs? Can you just kind of --

A. So the client, we at Seacor subscribe to a subscription called Buoyweather.

Q. Uh-huh.

A. Buoyweather.com The captain has access to it. Of course, the captain has access to his navtech. We all know ecs you can view it. And of course, he has internet capabilities to look at any weather service he deems necessary.

But also, during the project, the client, Apache in this instance, uses StormGeo. And the *Robert* would get the push notifications on a daily basis from StormGeo at his specific location.

So, in conjunction, he was using those. And Seacor in the process of acquiring a contract with, called WeatherOps powered by DTN. And we, I don't know if we had finished the contract or not.

We requested from DTN to on, Wednesday, to begin giving us forecasts for South Marsh Island 137a, to now have Buoyweather, StormGeo, and WeatherOps by DTN. All in conjunction to, you know, compare. Compare them all together.

Q. Wednesday of --

A. Wednesday, the week of.

Q. -- the week of.

A. Yes.

Q. Is that something that you're going to continue, or is that just the one-time deal?

A. No, sir. There, it's now as of Monday, all our vessels are now.

MR. BARNUM: Sorry, [redacted]

LT. [redacted] No. That's all right.

A. Yes. It's now a fixed Seacor, per Seacor, per vessel, weather service with push notifications, so.

Q. The WeatherOps DTN and the Buoyweather?

A. Yes. I'm not sure how long. I don't know when the subscription to Buoyweather is going to be up. But, I believe we're planning to continue, for sure, with WeatherOps by DTN.

Q. And the Buoyweather that they had, is that an email sent from the office?

A. No, sir. That is a username and password that the vessels have to go on and actually click their lat long within the map.

Q. Yep.

A. And it generates a 16-day forecast.
Q. Is there any sort of weather notifications from the office?
A. No, sir.
Q. No.
A. No.
Q. Just those calls between you and the captain?
A. That's it.
Q. Discuss the weather.
A. Just discuss.
Q. You're not, you're not providing information?
A. No, sir. They have all of the tools they need.
Q. Got you.
BY LT. [redacted]
Q. Now, when you said you consulted the naval architect, it sounded like he was pretty clear about buttoning up the portside?
A. Yes.
Q. Was there any specific reason for that?
A. I believe his determination was it was on the opposite side of the wind direction. Of where the wind direction was coming.
Q. Okay. Did the Nav Arch have anything else to say in terms of, you talked about lowering pretty much as much as possible. Specific reason for that being purely to avoid the gyration?
A. Yes.
Q. Okay.
A. And again, just having that low center of gravity, as much as

you can. And I believe that was one of the emails that Amy has as well that was.

Q. In terms of the setup on the lift boat *Robert*, I haven't been on it so forgive me. It looks like the larger crane, the one with more capacity is on the port side.

A. That's correct.

Q. Is that correct? Okay. In your experience, have you ever had any issues with using, I guess, a heavier rated crane in association with imbalances on lift boats? Or, once it's pre-loaded it's --

A. No, sir. Once it's pre-loaded it's ready. And actually, the crane that's on the lift boat *Robert* is a smaller capacity crane due to a previous incident. This is just a temporary crane.

Q. Okay.

A. So the *Robert* is actually fixed with a 500 ton capacity crane and currently has a 165 ton. So, it's significantly smaller and lighter of what's currently on the *Robert*, but.

To answer your question, no. Once she's pre-loaded, she's ready for a 500 ton lift if it came down to it.

Q. And like you said, you didn't -- there were no adjustments that needed to be made on that port leg?

A. No.

Q. Only --

A. Not according to the captain. Once he, on that final pre-load and drop water, he never had to make any final adjustments.

Q. Okay.
A. Or further adjustments.
Q. We had talked a little bit earlier about the camera onboard, and the fact that there's no remote access for that. Do you know if that records on a cassette? Does that, you know, store, and run on its own? Or is that something that has to be activated?
MR. CENEC: I think I know what you're asking, but yes, it records.
LT. [redacted] Okay.
MR. CENEC: It just constantly records.
LT. [redacted] Okay. So that's constantly recording.
MR. CENEC: Yeah.
LT. [redacted] Do you know what the timeframe is, of when it like, starts to write over itself?
MR. CENEC: How much capacity?
LT. [redacted] Yeah.
MR. CENEC: Not offhand.
LT. [redacted] Okay. That's just, curiosity. Considering, you know, DVR data and everything like that in terms of what, what actually happened.
BY LT. [redacted]
Q. So, the *Robert* was working in 217 feet of water --
A. Yes.
Q. -- with a 25 foot, I guess, below the mud line? Or, what penetration? Do you know what the penetration was?

A. Yes. It was 23 on the port, 28 starboard, 28 aft.
Q. Okay. And is that, I guess, what is the deepest that you've seen the *Robert* work in before?
A. So, water depth, deepest, if I recall, the boat has worked in 250 foot of water before.
Q. Okay. Little penetration.
A. Little penetration, correct.
Q. How much penetration?
A. Oh, I don't recall. But it was -- yeah, I don't recall exactly. This was -- again, I'll have data that will show, but I don't have that in front of me.

MR. BARNUM: So, with the 28 feet and the 217, would you consider that maxed out operational?

MR. FREMIN: No.

MR. BARNUM: No.

MR. FREMIN: Not even close. 275 is maxed out.

LT. [redacted] Okay.

MR. BARNUM: You said other lift boats didn't see the same weather. And that no lift boat had been to that location before?

MR. FREMIN: Correct.

BY LT. [redacted]

Q. The ops manual has different modes for different, or, different sea state allowances depending on the mode.
A. Yes.
Q. Is that correct? Did -- when you were talking with the

captain and saying that you didn't have, or that there probably was not going to be a weather window --

A. Uh-huh.

Q. -- in which you could liberate the legs. Did the captain provide you with an estimate of time to liberate and transit to safer harbor?

A. Yes. He anticipated a leg pull to be 12 hours.

Q. Okay. And then did he provide transit time as well?

A. So, for the transit time, if I recall the conversation, we didn't actually make a set transit point. It was more or less, get out of deeper water.

The more, even if going from 217 to 200 foot of water, just that extra 17 foot just allows the vessel to get lower and lower, so. We didn't make an actual transit point. It was just head, head north. We knew soil data within the South Marsh Island area was a lot -- as you can see, the deep water we had, we only had 30 foot. So we knew the South Marsh Island area. Anywhere north we would've went, the penetration would've just gotten less and less for the vessel that we knew that she would've been a lot more stable heading north.

So there was no actual point we were aiming for. It was north.

Q. And now you -- I seen him speak with Captain Burnell on a pretty regular basis --

A. Yes.

Q. -- correct? Did he seem more concerned than usual in this circumstance -- previous instances with weather?
A. I'll say yes. Just due to the fact that once we saw the forecast showing a number of 20 foot seas. That's whenever the concern really, really came up. Especially when the ops manual says 15 and our forecast is showing 20.
Q. Sure.
A. So now you're going over what your vessel could potentially capable of withstanding.
Q. Okay. And what that operations manual is based off of is the concern that a wave will hit the actual vessel itself rather than just the legs, or --
A. I do not know what the interpretation --
Q. Got you.
A. -- is for that.
Q. And then who's, I'm sorry if I missed this earlier, who made the final decision to evacuate?
A. I think it was a joint effort. Like I said, on that phone call between Burnell, myself, and Joey.
Q. Okay. And then we kind of talked about how this is a two stage evacuation in terms of --
A. Yes.
Q. -- P&A crew pulled off before the actual required manning crew. Had there been instances in the past where Seacor has decided to pull non-essential personnel and leave essential

personnel?
A. Yes.
Q. Okay. In that, I guess you know, times per year, could you give me a rough number?
A. That's low too. That's low as well.
Q. Okay.
A. It's a -- again, it's all based on the forecast that we get at hand.
Q. Sure.
A. If we're able to liberate, we're going to liberate. If, you know, if something's about to exceed or come close to the maximum allowable per the ops manual, there's no chances taken. It's liberate, tell the client we're rigging down, already we are -- kind of create these sheets before every location we go to where we ask the client, okay, we're, you know, in this operation, what is your rig down time? What is your emergency rig down time if we need to call an all stop?

Again, by all the data we have we'll know an estimate of how long it will take to pull legs and get underway. So that's all pre-planned information that we monitor the forecasts and know, okay, you know, it may need 26 hours from start of, you know, begin liberation operations to finally underway, it may take 26 hours.

So, we're always looking that far ahead to try to make that decision. And in some instances, we'll pull a boat, you know, if

weather allows, 5 days before that potential event could come.

And that weather event may turn into nothing.

Q. Sure.

A. Which is has before. But you just have that, you never know. Because you're going by off of what that forecast is at that moment, and that's you have to go by.

And in this instance, we never had an opportunity -- the forecast we showed never showed these exceeds of the ops manual. And then finally, whenever they did, we had no window to leave.

But to answer your question for the non-essential personnel and just leaving core Seacor crew, it's not a, it's not something we do, it's not an everyday or you know, once a week type thing. It's strictly based on forecasts of what we see.

Q. Understood.

A. Because, if we are able to liberate and transit, we prefer having the least amount of people on board to transit in.

Q. So talking about liberating, transiting. Do you know offhand what the parameters are for weather to be, I guess, good enough for Seacor, the *Robert*, to liberate?

A. Sure. So it's within the ops manual. Whatever the ops manual says. But again, it's always going to be by master's discretion.

Q. Okay.

A. You know, you can still have, if it says 6 foot seas, you know, and he sees 5 foot seas but he's got ground swells --

Q. Uh-huh.
A. -- you know, coming through at long, long periods of seconds, that can actually do more harm to the vessel when actually trying to pull these legs out. Or, in the other instance of trying to put the legs down, that you can have a hard impact.
So, sea state is just as the ops manual, is a recommendation. It's all about what the master feels comfortable in that time and setting for him to make that judgment call. It's all by him.
Q. Got you. And then you had said, an estimated 12 hour time for liberation?
A. Yes.
Q. So, -- just talking among some of the, with the inspectors here, that captains will have different terminology for different type of soil. Just like, you know, like this is soft ground versus --
A. Yes.
Q. -- harder. In terms of liberating something that's been on location for over a month, and it is sitting at between 23, 28 and 28 feet --
A. Um-hmm.
Q. -- is 12 hours a pretty standard time? Or would that mean that you know, it's softer or harder ground?
A. So, if the captain puts 12, then we're going with 12.
Q. Okay.
A. You know, since I did not have the soil data to know if this

was clay, mud, sand, as you said, all of those sticky clay --
Q. Right.
A. -- I've had lift boats that take 2 days to liberate. And I've had lift boats that have gone and penetration of 60 foot of penetration and have liberation time of 30 seconds.
So, it really all depends on that soil. Again, how long you've been there sometimes is a factor. But sometimes it's not a factor.
Q. Okay.
A. So it really goes by what that captain feels of what how long he's going to estimate. Because again, it is just an estimation.
Q. Sure.
A. So it's not a set, a set number. So that's what we have to abide by.
Q. Understood. And then, I think the final question for me for today is, based on some of the phone calls that 10 hundred conference that Joey's been holding for us --
A. Uh-huh.
Q. -- he said that, I believe it was yesterday or the day before, the vessel listed to port -- to starboard rather than port. Does that give you either, I guess in your experience, any insight as to what you think may have happened? You know, does that, is that amplifying information help you at all? Or just --
A. Not really.
Q. -- more confusing?

A. Yeah. Because you have to think right now, as the vessel leaned over, now our stability is kind of like day one. So, even me just putting the vessel back level, we did not do a pre-load. So it was just literally, put the vessel back level, jack up -- thankfully jack up because of the weather events we have been seeing. So right now, her stability is just weight of the vessel at this point. There was no more pre-load that we had on her. So, not uncommon.

Q. Okay.

A. Yes, sir.

BY MR. BARNUM:

Q. The term punch through was used a lot. This particular accident, is that, is that something you think could've happened here?

A. Too early.

Q. Too early.

A. Too early.

Q. Okay.

A. It is.

Q. What are some other possibilities that could've happened? I mean, I understand you've had an ROV down? Have they been able to see anything with the ROV?

A. No.

MR. CENEC: Yeah. They surveyed all the legs. It was covered on 10:00 calls. But basically the water that they got to,

you know, really to the bottom is very murky. But there was no identifiable kinks, damage to the legs, everything checked out.

MR. BARNUM: Okay. Were they able to see the bottom at all?

MR. CENEC: No. It was very murky. That's what I was saying. When you get down to the bottom it's really murky. The video footage didn't show anything.

BY MR. BARNUM:

Q. Okay. And just for the transcript, what is a punch through?

A. You know, a punch through is normally seen in my lift boat experience, more upon initial, initial pre-loading. Initial pre-loading, initial set up, initial jack up. That's more of whenever a punch through were to be happening. And that's the whole point of a pre-load.

Again, we are 25 foot from a can hole. And you don't know exactly how that can hole is. Did that rig go straight down? Whenever they liberated, did they come up on an angle? Did they, you know -- all you see is just a hole. We have no idea if that hole did this? You know, went vertical. Went at an angle.

So, a punch through will most often happen during pre-load mode. And that's why we do the pre-loading of staying just above the waterline. That way, if a punch through does happen, the vessel can catch itself via buoyancy.

So, in my experience, I've never actually had a punch through. For as long as the *Robert* may -- again, my experience. As long as the *Robert*'s been out there, for a month and a half,

I've never had a punch through experience. It's always been if one were to happen, it was during that initial point.

Q. That area where the *Robert* was, I know some areas they're prolific for, you know, not having solid bottom.

Was that area know to be a problem area? Or is it --

A. Again, we did not have any soil data to begin with. So this was more or less, you know, the trial and error of going out. But, doing that extended pre-load to assure that the vessel was, you know, in her final stable point. Because again, the whole point of pre-loading is, this is the heaviest the vessel is going to get. During that pre-loading stage, I'm adding tons and tons and tons of water, so. During that pre-load stage, that is the heaviest. That's why we do this, to make sure this leg is not going to, as you call it, or what they call, penetration punch through down.

Q. Yeah.

A. Anywhere. This is where she is and that's where she's going to stay.

Q. Was there any cargo on deck at the time of the casualty? Was it --

A. Yes.

Q. -- lashed down.

A. Yes.

Q. They lashed it down when they left?

A. Yes.

Q. What was on deck?
A. P&A spread. Quite a good bit of equipment on board.
Q. Okay. I mean, I think it's probably in the cargo survey. It was a significant amount of weight? How much, do you know how much deck load was --
MR. CENEC: It's on there.
MR. FREMIN: I don't have it off, on hand.
(Crosstalk)
BY MR. BARNUM:
Q. Is there an indication that it had shifted when you guys boarded the vessel?
A. Some equipment did shift, yes.
Q. It did.
A. Yes.
Q. Broken latchings, what was the --
A. That's -- we haven't made any of the determination yet. We haven't been really surveying equipment.
Q. Sure. Okay. One final one for me, naval arch said port side to make it water tight. Because that was the leeward side.
A. I believe that's the way it indicated, yes.
It's in the event --
Q. I mean, fills the -- that you would think that you'd want a weather tight the windward side. Why would he say the leeward side? Was there concerns that --
MR. CENEC: It was the windward side.

MR. FREMIN: It was the windward?

MR. CENEC: Yeah. It's where the seas was coming because the low pressure coming from the south collided with a cold front from the north. And he --

MR. FREMIN: So, yeah. Wind was coming from one direction, seas was coming from the other.

MR. CENEC: Correct.

MR. FREMIN: So, I apologize. I was wrong. Yeah.

BY MR. BARNUM:

Q. Okay.

A. Windward side was buttoned up. And leeward side was open and that's the generator that was turned on, on the starboard side. I apologize, yes.

Q. Okay.

A. Yeah.

Q. And I know, I know, I understand it's fluid, you guys don't know what happened yet. You haven't obviously, got the vessel ashore. I'm just trying to nail down this weather event. 20 foot seas, not entirely uncommon.

MR. CENEC: That's what the forecast said.

MR. FREMIN: We have no idea.

MR. CENEC: No idea what the actual was. There was no one out there.

MR. BARNUM: Okay.

MR. CENEC: No vessels in the area, so we don't know what she

actually went through.

BY MR. BARNUM:

Q. Okay. You don't know how, you don't know how long it would've taken the vessel to get to shore, if you had been able to liberate?

A. If I'd been able to liberate, I believe -- and it's on the planning sheet.

MR. TOMPKINS: They have a copy of it -- weather planning sheet, it's --

MR. FREMIN: Yeah. I don't remember offhand, exactly.

MR. TOMPKINS: There's a document on that drive called the severe weather plan--

MR. FREMIN: It may have been 16 hours?

BY MR. BARNUM:

Q. It may have been 16 --

A. I don't want to speculate. It's on our sheet. We do have a sheet saying, nearest closest harbor on that sheet, say how many hours?

Q. So having that soil survey, is that something you wish you would've had, or, I mean, you keep on referencing it, that you didn't have it in the area. Is that something that might be requested in future? Or, how do you feel?

A. Not necessarily. It's, again, we spoke with the client to do a lot of preliminary positions before getting into that final position. To make sure we, you know, we could better judge what

the penetration was going to be. And in our past experience, whether I'm going to, you know, and we always pick undisturbed soil. That's going to give us our best consistency of penetration. Whether I'm going to be on the east side or whether I'm going to be on the west side, south side, whatever the undisturbed soil. And that's what we like to do beforehand. To see what type of penetration we were going to be getting. And whenever we did it on that east side, and I saw the penetration numbers we had achieved. We felt confident and the sheet, if you saw, said 25, and I achieved an average of 25.

So, all the soil data does for us is to accurately get penetration numbers. Again, sometimes it's looking at if it's clay or if it's sand, mud. That does help in some liberation times. But, it's not a deal-breaker not to have it.

MR. CENEC: Its' more of a proactive measure to help assist the client in making a decision if the lift boat can achieve that project. Because what I'll -- the soil data will help them project penetration. So, without it, they've got to go do trial/error like he said. If you had it, it's beneficial for the client more than us. Because it saves them time. It save them the potential of hiring an asset to go to location -- having to do trial and error.

MR. FREMIN: Yeah.

MR. CENEC: It gives you better estimates.

BY MR. BARNUM:

Q. When was the *Robert* estimated to be complete there? Completed with the project?
A. End of this month. So, in the next day or two.
Q. What kind of -- is that, is that a contract, that the work would be completed in a certain date?
A. It's always a -- it's always at most an estimate. It's an estimate of time that our captain gets from the company rep onboard. And we just use it as a tool to further plan our business ahead, so.
Q. I guess, contractually, is, no Seacor personnel are completing the work. They're just standing -- they're just jacking the vessel, running the cranes.
A. Correct.
Q. And it's a third party that's doing the plug and abandon and the other work to be done on the well?
A. Yes, sir.
Q. Okay. Well, I appreciate it. That's all the questions I had. I don't know.

LT. [redacted] I'm all finished.

MR. BARNUM: That's it. Okay. Thank you.

(Whereupon, at 3:26 p.m., the interview was concluded.)

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF:	SINKING OF THE SEACOR MARINE LB *ROBERT* NEAR LAKE CHARLES, LOUISIANA, ON NOVEMBER 20, 2022 Interview of Paul Fremin
ACCIDENT NO.:	DCA23FM007
PLACE:	Houma, Louisiana
DATE:	November 29, 2022

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.

Angela Allen
Transcriber