

NATIONAL TRANSPORTATION SAFETY BOARD
 OFFICE OF MARINE SAFETY
 WASHINGTON, D.C. 20594



COAST GUARD ERRATA

Group Chairman's Factual Report Survival Factors

CONCEPTION DCA19MM047

Page/ Line	Original	Correction	Response
3/10	which was on fire,	which was surrounded by fire,	No change. Kohls stated the stairs and bathroom next to the stairs were on fire.
3/15	captain swam stern and re-boarded the vessel.	Comment: Not sure that the Captain actually re-boarded the vessel.	We concur and have made the requested change. Now reads: Two crewmembers swam to the stern and re-boarded the vessel.
3/18	while two crewmembers returned to the Conception	while two crewmembers returned to the Conception in the vessel's skiff	We concur and have made the requested change. Now reads: they launched a small skiff and picked up the remaining two crewmembers in the water
4/9	support the US Attorney's parallel criminal investigation	Comment: Some USCG marine investigators continued to work on the MBI and others were reassigned to support the U.S. Attorney's parallel criminal investigation.	We understand USCG Marine Investigators continued to work for the MBI, however on scene, USCG investigators did not participate in the Survival Factors Group's work after

			September 4. The paragraph now opens with: While initially on scene.
5/2	unable to examine firefighting and lifesaving equipment	unable to examine smoke and heat detectors, firefighting and lifesaving equipment	We concur and have made the requested change.
8/3	Narwhal initially responded to the distress.	Narwhal initially responded to the distress. Additional USCG assets were available as needed.	We concur and have made the requested change.
11/12	The stern painter	A rope attached to the skiff's stern (painter may not be understood by the public)	We concur and have made the requested change.
11/14	Painter line	The skiff's stern rope	We concur and have made the requested change.
12/16	Good Samaritan vessel	Comment: The public might not be aware of what a Good Samaritan vessel is	No change: Good Samaritan is a term commonly used in NTSB products and by the Coast Guard.
12/16	and TowBoatUS	Comment: Similar on the TowBoatUS. Was it the shore based TowBoatUS or a TowBoatUS vessel?	An employee of TowBoatUS called the SCC by telephone after hearing the UMIB. It is unclear whether the individual was already underway.
FN 11, PG 14	A UMIB is a request for assistance from any available mariners.	An urgent marine information broadcast (UMIB) is a request for assistance from any available mariners	We concur and have made the requested change.
14/4	directed the Narwhal,	directed the Narwhal to proceed to the accident location,	We concur and have made the requested change.
14/6	with the specific	Comment: with the position of the CONCEPTION or the position of the GRAPE ESCAPE or a corrected general location of the accident	The position given by the <i>Grape Escape</i> , 34-02N 119-44W was used in the UMIB. Since the coordinates were only given in minutes of latitude and longitude, it was accurate to 1 nm and it would have included the area the <i>Conception</i> was located. Now reads: ... radioed the Coast Guard with their position....
14/13	before them.	Comment: suggest dropping " before them." as the survivors if they could	We concur and have made the requested change.

		have escaped could have gotten out at any time.	
20/9	XX	Comment: Why did the <i>Retriever II</i> recover the victims instead of the USCG vessel? Proximity to shallow water?	We understand <i>Retriever II</i> located the first victims in shallow water and requested manpower from the RB-M who boarded the <i>Retriever II</i> . The victims were later transferred to the RB-M. Now reads: Four victims were recovered on the surface in shallow water by the <i>Retriever II</i> and transported by <i>CG 45643</i>
20/9	XX	Comment: Suggest provide definition of OSC at first mention.	We concur and have made the requested change. Footnote added: The on-scene coordinator (OSC) is the designated vessel or aircraft assigned to coordinate the activities of all participating search units.
20/ Table 5	XX	Comment: Suggest provide definition of SRU or add this to an overall acronym list	The acronym is spelled out in the paragraph immediately before its first use. Also added to acronym list of main report.
21/2	XX	Comment: Suggest provide definition of ICP	The acronym is spelled out immediately before its first use and is self-explanatory. Also added to acronym list of main report.
21/8	The last victim	Comment: Were all victims recovered?	Yes, all victims were recovered. This is stated in the survival factors medical/pathological addendum sent for party review on 6/26/20.
23 Figure 7	Add	Comment: The Coast Guard believes that one of the crew witnesses or Mr. Fritzler described one of the side deck sliding salon windows as an escape means and it was so labeled	No change: We removed the windows from the drawing due to clarification from the owner. We understand that the two windows were labelled as exits however these windows were not designed or intended to be emergency exits.

25/8	The requirement for 100 percent capacity lifesaving was required as of 1999	Does not appear accurate. 46 CFR 180.10-5(a) in Old T required 100% in 1960 by saying "vessels in ocean service shall carry sufficient life floats for all persons on board"	We concur and have removed this sentence as it is not relevant.
25/41	The vessel was equipped with two different models of lifejackets, and instructions for both were posted in both the salon and each individual bunk.	The vessel was equipped with two different models of lifejackets, and instructions for both were posted in both the salon and each individual bunk. The safety briefing given to passengers did not include a demonstration of putting on the lifejackets.	We concur and have made the requested change.
26/4	Skiff	Recommend adding that the skiff was the rescue boat required by old T 46 CFR 180.10-35 and new T 180.210	We concur and have made the requested change.
27/4	biennial hull (drydock)	and internal structural exam (ISE) per 46 CFR 176.600	We concur and have made the requested change.
27/41	9-volt battery backup.	9-volt battery backup. The owner commented that the smoke detectors had been disabled a month earlier due to nuisance alarms associated with soldering work on an air conditioning repair. He indicated that the captain at the time (unidentified) reconnected them and put new batteries in them. Was the system properly reset or reinstalled?	The soldering on the air conditioning is discussed on page 28. Discussed to better detail in the fire and explosions factual report. The NTSB was not permitted to interview the captain and it is unknown if the detectors were re-enabled. Added to report: The owner told investigators that the captain of the Conception told him that he "unplugged" the smoke detectors while the soldering was ongoing and when the work was completed, the smoke detectors were plugged back in, "fresh" batteries were added and they were tested.
28/22	automatic signaling.	Comment: I believe automatic signaling was for signals for navigation, fog signals, etc. Might not have had a siren or alarm noise.	No change: We are unclear on the specific arrangement on the Conception and function of the system.

29/17	Since 1999	Recommend a clarification. 46 CFR 181 was changed on January 10, 1996 to include more fixed fire extinguishing requirements. Existing wood vessels like CONCEPTION had until March 11, 1999 to comply.	We concur and have made the requested change.
30/41	Conception is unknown.	Comment: Page 77 of Kohl's interview talks about cleaning of the galley vent hood.	We concur and have noted Mr. Kohl's statement regarding cleaning the vent. There remains no evidence of the required planned maintenance procedure, also indicated in the post-accident inspection of the <i>Vision</i> . Added: The second galleyhand told investigators it was his duty to clean the grease trap.
31/41 Figure 10		Comment: Bunk assignment sheet could have shown the emergency escape hatch location to reinforce to passengers the alternate means of escape.	Could have is analytical but comment noted. This drawing was only to show the relative location of bunks and sizes. The emergency exit is shown in figure 7.
31/9	hatch out of the way.	hatch out of the way. The escaping passenger would then enter what was essentially a three-sided plywood box without handholds or assisting hardware or lighting and would have to climb out of it heading aft within the passenger salon space.	We concur and have made the requested change.
32/41	There was a 6-inch coaming around the escape hatch above the main deck of the salon.	Comment: In the CONCEPTION photos there appears to be a plywood box with three vertical sides and a larger structure on top, similar to a storage tray. On the sides of the coaming there was a fixed plywood box affixed.	We concur and have made the requested change.
35/6-7	The owner stated that he had put the emergency escape labels on the windows as an extra measure to help	The owner was required to mark emergency escapes unless specifically waived by the OCMI. All escape	We sought clarification from the owner and understand that he labelled the two windows as exits, however these

	passengers identify additional escape routes.	hatches and emergency exits are required to be marked by Old T and New T unless waived by the OCMI. See 46 CFR 185.30-15 in Old T and 46 CFR 185.606 in New T.	windows were not originally designed or intended to be emergency exits, and do not appear on any approved drawings. Owner stated he placed them there since he thought it was prudent to do so. Sent amplifying information received from Truth Aquatics about this to Captain Neubauer.
35/41	heavy smoke.	heavy smoke visible through the glass.	We concur and have made the requested change.
36/41	anchor alarm	anchor alarm built into the GPS on the navigation station which would alarm if the vessel's position changed based on input of the vessel crew was set.....	We concur and have made the requested change.
37/1-2	"When former and current Truth Aquatics crew members were asked about a roving 1 watch, they either did not recall a roving watch being set at night or they declined to comment."	The Coast Guard believes at least one current crew member stated that a roving watch had never been set at night.	We concur and believe the existing verbiage correctly states this.
37/41	these familiarization procedures.	Recommend adding an observation made during Toscano's interview that "New crewpersons were training the newest crewpersons."	We believe the existing text adequately addresses the training for the purpose of survival factors. Please find additional discussion on pre-accident company procedures in the Operation Group Chairman's Factual Report.
38/1	Figure 14	Comment: Instructions also contained in the employee packet, Loss Control (Boat) (TOSCANO interview)	We concur and have made the requested change.
40/ Figure 15	Figure 15	Comment: It is not indicated in the photographs if there is appropriate signage, emergency lighting on the new modifications that created two emergency exits to the outside of the vessel.	We are not familiar with any approved plans and chose not to explore the suitability of the new escapes or their compliance with any standard ahead of the OCMI. Added text: submit the plans to the Coast Guard for approval

			which, at the time of publication of this report, were still under review and have yet to be approved by the OCMI.
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ERRATA

Group Chairman's Factual Report Survival factors

Conception DCA17MM047

Page/Line	Original	Correction	
Page 2 Line 26	The fiberglass-reinforced plastic (FRP) over plywood vessel...	not FRP over plywood, fiberglass over plywood	We concur and have made the requested change.
Page 24 Line 13-15	It is unknown whether the radio was programmed with the MMSI.	CG and FCC records will show vessel had an MMSI #	No change: We understand the vessel had an MMSI and was programmed in the AIS. It is unknown if the VHF radio was programmed with the MMSI.
Page 25 Line 23-24	The <i>Conception</i> had flares that were reported to be located in the wheelhouse. The type and amount are unknown.	CG records will show type and amount onboard from last inspection	We struck the last sentence. Although the type and amount of visual distress signals are not listed on the COI or in the inspection narratives, they were not used in the during the accident.
Page 27 Line 19-24	Fire Detection: The bunkroom area contained two independent modular smoke detectors, installed in the	vessel had CO2/Smoke alarms onboard	No change: Based on the detectors found installed on the <i>Vision</i> and no receipts, and/or records for detectors located in the

	overhead, on the port and starboard pathways between the bunks. Investigators were informed by the vessel owner that the smoke detectors in the bunkroom were hardwired into the vessel's electrical system with a 9-volt battery backup. The smoke detectors were not interconnected to other alarms or a centralized system in the wheelhouse. Based on past photos and video, the smoke detectors appeared to be common consumer-type home detectors.		company files, there is no evidence to support the detectors on the Conception were also capable of detection of CO2. . As written, the text does not contradict that they could also be carbon monoxide (CO) detectors as well.
Page 28 Line 2	engine 1 room and would set off an alarm in the wheelhouse,	alarm would <u>not</u> sound in wheelhouse	We concur and have made the change.
Page 28 Line 9-10	There were no requirements related to the testing and inspection of smoke detectors. When asked whether if there was any inspection or testing of the smoke detectors on the Conception, the owner stated the captain was responsible for any testing and inspection.	vessel had CO2/Smoke alarms onboard	No change: Based on the detectors found installed on the <i>Vision</i> (First Alert Model 0827) and no receipts and/or records for detectors located in the company files, there is no evidence to support the detectors on the Conception were also capable of detection of CO2. As written the text does not contradict that they could also be carbon monoxide (CO) detectors as well.
Page 32 Line 5	...from the double doors that led to the weather deck.	double door should be changed to <u>corridor</u> so as not to confuse	Removed double doors and replaced with passageway.
Page 33 Photo #2	 <ul style="list-style-type: none"> 1. Bunk 19L 2. Changing room 3. Silhouettes 4. Bunk 17L 5. Air conditioning intake 6. Bottom of main stairs to salon 	#2 is actually forward section of lower single bunks. There was no threshold to changing room	We concur and have made the requested change.

Page 37 Line 21-22	Regulations further required crew training be logged or otherwise documented for review by the Coast Guard upon request. Although not required by regulation, there were no records kept ashore related to crew certificates, training, or licenses	Logs burned, but were checked during all annual inspections for compliance.	We understand that reviewing logs may be part of a Coast Guard inspection. Investigators were unable to locate records ashore regarding specific crewmember training or competency assurance. We have added to the paragraph: Truth Aquatics stated the logs for the Conception were on board at the time of the fire, and that they had been checked during all Coast Guard annual inspections for compliance.
Page 37 Line 23	Although not required by regulation, there were no records kept ashore related to crew certificates, training, or licenses.	FBI confiscated crew files	The FBI provides scans of the documents to the NTSB, however no records were located regarding specific crewmember training or competency assurance.
Page 39 Line 11-12	There was no requirement to record crew members in attendance for the drill or training.	see comment above line 37	We understand that reviewing logs may be part of a Coast Guard inspection. Investigators were unable to locate records ashore regarding specific crewmember training or competency assurance.
Page 41 Line 5	They rearranged bunks near the forward end of the space and added ladders leading to watertight hatches, flush with the main deck exterior outside of the galley, both port and starboard.	Truth Aquatics did not rearrange bunks. A soda closet was converted to isle way and escape hatch on port, and an escape hatch was added in a bunk area on starboard	We concur and have made the requested change. Now reads: A closet near the port forward end of the space was converted to a passageway and ladders added, leading to watertight hatches, flush with the main deck exterior outside of the galley, both port and starboard.

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ERRATA

Group Chairman's Medical/Pathological Addendum Survival Factors

CONCEPTION
DCA19MM047

Page/ Line	Original	Correction	
4 / 6	There were no invasive examinations conducted on any of the victims.	The Sheriff-Coroner conducted external autopsies on each of the decedents. The Sheriff-Coroner elected not to conduct internal examinations on the decedents. However, the Sheriff-Coroner did conduct trachea examination, searching for soot, on 16 of the decedents.	We concur and have added the suggested text.
4 / 7	Coroner Bureau	Coroner's Bureau	We concur and have made the requested change.
4 / 13	The reports documented that tracheal exams were done on 11 victims...	...were done on 16 victims...	We concur and have made the requested change.
5 / 3	... coroner reports showed that many of the victims were clothed and had footwear on.	...during external examinations conducted by the Sheriff-Coroner, they documented 27 decedents as being fully or partially clothed, and 14 as wearing footwear.	We concur and have made the requested change.

5 / 11	<p>...and indicator that it was on a persons foot at the time of the fire and sinking. 7/21/20 comment:</p>	<p>...an indicator that it was on a person's foot at the time of the fire and sinking.</p> <p>***I believe this assumption is a stretch and should be removed from the report. If you were to look at my sandal it too has a silhouette of my foot.</p> <p>7/21/20: SBSO e mail follow-up: I understand what they are saying based on the picture provided. However, maybe they would be willing to change the language from "had a silhouette impression" to it "had a silhouette impression of a burned foot".</p>	<p>We concur and have changed the text to read "A sandal was recovered with the wreckage which had a silhouette impression of a burned foot in it", without further analysis.</p> 
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