

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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ENGINE ROOM FIRE ABOARD THE  
STATEN ISLAND FERRY *SANDY GROUND*  
NEAR STATEN ISLAND, NEW YORK  
ON DECEMBER 22, 2022

Accident No.: DCA23FM010

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Interview of: BARRY TORREY, Director of Ferry Operations  
Staten Island Ferry

St. George Ferry Terminal  
Staten Island, New York

Wednesday,  
March 8, 2023

APPEARANCES:

CWO [REDACTED] [REDACTED] Accident Investigator  
United States Coast Guard

BRIAN YOUNG, Senior Marine Investigator  
National Transportation Safety Board

ROBERT BANDEN, Warranty Engineer  
Eastern Shipbuilding Group (ESG)

DANIEL J. FITZGERALD, Attorney  
Freehill Hogan & Mahar, LLP  
(On behalf of Staten Island Ferry and New York City  
Department of Transportation)

I N D E X

ITEM

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Interview of Barry Torrey:

By CWO [REDACTED]

4

By Mr. Young

23

I N T E R V I E W

(1:07 p.m.)

1  
2  
3 CWO [REDACTED] Good afternoon. This is Chief Warrant Officer  
4 [REDACTED] [REDACTED] That's spelled [REDACTED]. We  
5 are here at the St. George Terminal located in Staten Island, New  
6 York. Today's date is March 8, 2023. Time on deck is 1307. We  
7 will begin with introductions.

8 MR. FITZGERALD: Good afternoon. Dan Fitzgerald here with  
9 the law firm of Freehill Hogan & Mahar on behalf of party in  
10 interest New York City DOT and Staten Island Ferry. Spelling of  
11 my last name is F-i-t-z-g-e-r-a-l-d.

12 MR. BANDEN: Robert Banden, warranty engineer for Eastern  
13 Shipbuilding. Last name Banden, B-a-n-d-e-n.

14 MR. YOUNG: Brian Young with the NTSB, Y-o-u-n-g.

15 MR. TORREY: And Barry Torrey, director of ferry operations,  
16 T-o-r-r-e-y.

17 CWO [REDACTED] And Mr. Torrey, before we begin, do we have  
18 your permission to record this interview?

19 MR. TORREY: Yes, you do.

20 CWO [REDACTED] All right.

## INTERVIEW OF BARRY TORREY

21  
22 BY CWO [REDACTED]

23 Q. And we would like to begin with asking your maritime  
24 experience and background?

25 A. Sure. I graduated from the Merchant Marine Academy at Kings

1 Point in 1999. Spent the majority of the first 5 years out of  
2 school sailing, some deep sea, chemical and lube oil tankers,  
3 second mate, third mate. Worked for McAllister as a -- well,  
4 coming off deep sea I started as a deckhand, worked my way up that  
5 way, and did some work for a tug company out of Albany moving  
6 scrap metal and aggregate down the Hudson River into Connecticut.

7 In 2004, after that, that job actually led me to the  
8 Governors Island ferry. That tug company was actually the first  
9 commercial operator of the Governors Island ferry. Got hired  
10 there as a day captain, worked my way up in positions from captain  
11 to port captain, ultimately got some skin in the company and I was  
12 there till fall of 2012, about 8 years.

13 2013, came to the Staten Island Ferry as a senior port  
14 captain. I had experience in obviously Subchapter H ferry boats,  
15 ISM. When we had the Governors Island ferry we were the second  
16 domestic ferry to implement a safety management system audited by  
17 ABS, so was a fit in here for that. Since I've been here, been  
18 promoted to director of operations and now assistant commissioner.

19 Q. Very good. Thank you. Could you explain the design  
20 considerations and some of the input during the review and  
21 evaluation phase for the Ollis Class vessels?

22 A. Sure. If it's okay, before that, I did sit in some of the  
23 other interviews, and obvious Scammel explained it pretty well,  
24 the process, but I just want to, you know, foot stomp the -- we  
25 did reach out to all our crews here and came up with this wish

1 list and then ran it through all the scenarios, the value  
2 engineering and things that had to be done, to get the best of,  
3 you know, the institutional knowledge we had.

4       There were some hiccups when the Molinari Class came online  
5 that they wanted to avoid, collectively we wanted to avoid, yet  
6 the studies, the passenger studies and PDIs have shown that the  
7 Barberi and the Kennedy Class were the best overall ferries going  
8 forward, or at least the designs as far as passenger flow for the  
9 Kennedy Class and visibility, and on the Barberi Class the Voith  
10 Schneider maneuverability. So that led us to the Ollis design,  
11 which, you know, took the best of all that knowledge and, you  
12 know, brought it into today's regulatory standards.

13 Q.   Were there any challenges you saw or, you know, during that  
14 phase in regards to the Ollis Class vessels in regards to  
15 construction or design?

16 A.   There was a -- yeah, there was some unique challenges in that  
17 timeframe. Hurricane Michael in 2018, Category 5 storm, basically  
18 ran over Eastern's yard with, you know, the Ollis in various  
19 stages of construction, you know, equipment that had gotten  
20 damaged or, you know, gotten wet. So that was unique to  
21 everybody. It definitely slowed the process, muddied some of the  
22 waters and warranties and had to clear things up. You know, parts  
23 had to go back. The Voith stuff specifically had to go back to  
24 Germany; otherwise, Voith wouldn't certify it. And so, you know,  
25 that was one unique that we didn't see coming.

1           And then you had the Covid pandemic that made everything  
2 difficult, everything from workforce issues to us having the  
3 ability to get down to the shipyard, again, having the Voith show  
4 up to the yard. So, you know, it's one of those unique things.

5           So, I mean, those two things to me played the -- were the  
6 biggest hurdles. And then it is a -- you know, dealing with New  
7 York City and the private commercial world, working through those  
8 contract issues, I think that was foreseen but it definitely, you  
9 know, played an impact.

10 Q.    Thank you. And how about some of the history of the  
11 inspections and surveys for the *Sandy Ground* since delivery?  
12 Could you maybe explain some of that?

13 A.    Sure. You know, the *Sandy Ground*, it got a COI issued by the  
14 Coast Guard to Eastern, as they were the owners delivering it.  
15 That was just to, you know, basically to move it to this zone.  
16 Once we took possession of the vessel after substantial  
17 completion, we went through a full, you know, certificate --  
18 initial certificate, a COI, Certificate of Inspection, with the  
19 Coast Guard. And then we actually also went through one quarterly  
20 prior to the event. You know, and she met all the requirements of  
21 Subchapter H for her route, etc.

22 Q.    What is the current status of *Sandy Ground* repairs and the  
23 estimated return to service?

24 A.    So currently the *Sandy Ground* is at Canal Shipyard  
25 undergoing, you know, major cleaning and still surveying of the

1 work that's going to be done. The estimated return to service is  
2 going to be based upon the ability to get materials. In today's  
3 world, we have been -- we've had quotes of lead times of up to 30  
4 weeks. So, just to put that on -- you know, early next year,  
5 early '24, that would be -- is unfortunately realistic.

6 Q. And the status of *Dorothy Day* and the *Michael Ollis* vessels,  
7 could you explain their current status for those two vessels?

8 A. Sure. The *Ollis* is currently, you know, fully operational  
9 and on the run. In December, she completed her second COI. This  
10 year we'll be doing a -- getting her SMC, or ship management  
11 certificate, to, you know, bring her up to speed on the SMS  
12 requirements. And, you know, no -- really no issues with her at  
13 this time.

14 The *Dorothy Day*, the good news is just, on Monday, completed  
15 substantial completion survey. So we took custody of the *Dorothy*  
16 *Day*. Looking to schedule her initial COI probably mid-April is a  
17 realistic date for that and, you know, the normal processes of  
18 preparing her for passenger service.

19 Q. Okay. And in regards to general crew training evaluation and  
20 qualification for the *Ollis* Class vessels, could you describe  
21 that?

22 A. Sure. So, I mean, as a matter of regular operation we have  
23 procedures in place, you know, for training and familiarization of  
24 new employees. In my tenure here and for most people, this was  
25 our first take of a vessel, new vessels brought to us. So we had



1 put -- you know, followed our normal procedures. A little  
2 difference we did here is we established training officers,  
3 training captains and training chief engineers. They were  
4 selected by management. We interviewed them, vetted them. You  
5 know, then we had the ability to get some buy-in from them. We  
6 sent them down to the shipyard to see various stages of being  
7 built. They rode sea trials. They were able to rub elbows with  
8 the builders, you know, the manufacturers, technicians. And the  
9 training guys really -- the guys and gal, you know, became the  
10 subject matter experts for us.

11 Then once the vessels were here -- the *Staff Sergeant Ollis*  
12 was the first vessel here -- our crews, again, they got on it,  
13 went through what their plans of training would be, and then we  
14 started sending people over to train on the vessel.

15 Q. How were training captains, chief engineers, how were they  
16 chosen and evaluated?

17 A. The training captains, both of the training captains and  
18 chiefs, you know, we had put out a posting that we were looking to  
19 go down this route and looking for volunteers to do this.  
20 Interestingly enough, we got more interest from the above deck, so  
21 we actually did several interviews for that and narrowed it down  
22 to two training captains. And then we had a few engineers come  
23 through and the same process with them for chiefs. One of the  
24 chief engineers is, you know, probably one of our longest standing  
25 seniority and time here chiefs, was involved in the Molinari

1 Class, and then Michelle Murgolo, who spoke -- came out in several  
2 interviews, she was up to the task and, you know, really developed  
3 a solid team.

4 Q. How was training documentation and training material, how was  
5 that developed?

6 A. So I referred to the -- you know, once we came up with the  
7 training officers, you know, they really had the time, like I  
8 mentioned, to become the subject matter experts. So they, you  
9 know, took that knowledge and put it down into a recordable form.  
10 So they would have pamphlets and, you know, some information that  
11 they would be able to pass out to the employees as they trained.  
12 There was also some information that was provided through the  
13 contract that they disseminated and, you know, put it more into  
14 what our operational requirements were going to call for.

15 Q. Okay. And in regards to training records and crew training,  
16 how are records maintained?

17 A. So through our safety management system we have a group above  
18 the facility that's called ALT, Assignment, License, and Training.  
19 One of their duties is they take all the training records in, you  
20 know, they're filed, they get vetted through, you know, the  
21 director of that area, and then the safety manager reviews them,  
22 then they get put on file. And that's the process we followed  
23 here. The one difference, like I mentioned, we had vessels here,  
24 we had -- that information was already in place. As the Ollis  
25 came in, you know, that was developed side by side as a training.

1 So some of the training, I think I provided you the forms, you  
2 know, it was the attendance of the people there and there were  
3 some notes. You know, it was like a muster.

4 We also have a Form 17, which is a true familiarization pack,  
5 and that's for every title that works on the vessels. There are  
6 checklists or guidelines that -- what they're supposed to be  
7 familiarized on. In some cases, there's also practical exercises  
8 need to be completed and signed off.

9 Q. And what would you say is the average time to be qualified to  
10 work on the Ollis Class?

11 A. So the Ollis, when we train those, it's generally 1 week.  
12 And by 1 week, you know, the crews work, you know, 4 days a week.  
13 So most captains and assistant captains, their comfort level after  
14 4 days was good. And the same for below decks, the chiefs, marine  
15 engineers, and the oilers, generally they received a week.

16 If they needed more or if a trainee's trainers felt they  
17 could use a little more help, you know, we provided that. It was  
18 not a 4 days and you had to be done. It was more of a are you  
19 comfortably familiarized on this new equipment? Mates and  
20 deckhands, some of them in as little as 2 days, they were good  
21 with their duties.

22 Q. And in regards to the fleet and the crew sizes, what's the  
23 typical vessel assignment process and assigning crews on board?

24 A. Assigning crews? So both the officers and the unlicensed,  
25 you know, they operate under CBAs, collective bargaining

1 agreements, so they bid their job, their shifts annually. You  
2 know, so they -- and that basically gives them the timeframe that  
3 they're going to work.

4 And then through the scheduling -- operationally through the  
5 scheduling process, you know, a crew gets assigned to a vessel,  
6 but that vessel may move around. So crews are trained on all  
7 vessels to be signed off. In title, you have to be trained on all  
8 vessels. And that way when, you know, you bid your shift and  
9 you -- the boat that you're assigned for that day, you know,  
10 there's no issues with knowledge of the vessel.

11 Q. What are some crewing challenges that you've observed or  
12 experienced?

13 A. So going into the pandemic there was -- DOT actually had  
14 enacted a hiring freeze, which, you know, when -- and I look back  
15 in time looking at our numbers, we're okay and it was  
16 understandable how, you know, agencies do that to maybe shed, you  
17 know, some excess baggage. But then there was the pandemic which,  
18 you know, there was now a mass exodus of people. We had people  
19 that retired, like, I'm not getting involved with this, and you  
20 couldn't hire during the pandemic. And then as we came out of the  
21 pandemic, and I've heard this several times, it's like there's a  
22 nationwide shortage of mariners and most noticeable on marine  
23 oilers. I mean, I -- we are hiring and, you know, and I pay  
24 attention to (indiscernible) hiring, and we're still working  
25 through that.

1           To combat that, we have changed our DCAS specification for  
2 oiler. It was overly onerous. It was requiring -- we required  
3 two men to be an oiler, which is, you know, a qualified member of  
4 the engine department. But the spec had some old language in  
5 there that required an additional 2 years of service. And that  
6 was previously inserted before that two men endorsement was  
7 required, we wanted someone that had 2 years engine room  
8 experience. So now we've raised the bar for the quality of the  
9 mariner, but it still has an extra 2 years. So we removed that,  
10 and that's now evened the playing field so that -- you know, to  
11 get people in. That's a recent add-on. And we are seeing now  
12 movement below deck, which will help us, you know, backfill  
13 positions we've lost.

14           Tangentially to the crewing concerns, what that does is it  
15 now obviously can strain the service. So our schedule that we  
16 operate in, the amount of runs we make per day, is dictated by  
17 Local Law 88. It's a New York City administrative code that we're  
18 required to make so many runs per day and in certain increments of  
19 time. So basically it's 15-minute rush hour service, morning and  
20 p.m. weekdays, that requires four boats. And then no less than  
21 half-hour service for the rest of the day, including those  
22 overnight hours. So that's now two boats at a minimum you have to  
23 run on the overnight.

24           So what we've done, and I've lost count of how many trips  
25 we've cancelled and modified the schedule, you know, we have to

1 stay within the 12-hour rule, I guess, you know, secondly, stay  
2 within the shifts. And the big picture, you know, you're watching  
3 fatigue. So we cancel trips. And, you know, it's not highly  
4 looked upon by our ridership sometimes, but unfortunately it's the  
5 only way to, you know, protect our crews and protect the  
6 operation.

7 Q. Understand. How about the frequency of port engineers  
8 filling in to chief engineer positions on board the ferry? What  
9 is that frequency?

10 A. It's probably a couple times a week on average. You know,  
11 it's -- and it's related to the same crew shortage. You know, the  
12 port office itself, the port engineers, port captains, and what we  
13 call port mates, they're really to support the systems, you know,  
14 and support the crews in their title. So they have administrative  
15 tasks as well, but the service comes first. So if we have a chief  
16 engineer job that we need to cover on a boat to get that fourth  
17 boat for the rush hour, the port engineer will be the first one  
18 they -- you know, once we go through all the overtime lists and  
19 try to backfill a job, the port engineer is the last line of  
20 defense before we cancel a trip. So it's -- yeah, twice a week on  
21 average.

22 Q. And in regards to general training for SMS procedures, could  
23 you discuss just that process for training?

24 A. Sure. So there's a couple things. We -- new employees, they  
25 go for that F-17 familiarization that I mentioned before.

1 Depending on their title, you know, that'll entail what they have  
2 to do. Training, similar to *Ollis* vessel, is done on the vessel  
3 with a combination of the training officers, you know, by title.  
4 There's also some shadow training. But ultimately they get signed  
5 off, you know, whether it's just the practicals or just the  
6 general knowledge that they've shown their instructor trainer.

7 We also do constant SMS training on a monthly basis where the  
8 safety manager will put out a training topic and, you know, the  
9 crew will -- they'll go through that evolution, whether it's a  
10 tabletop or, you know, a review of a procedure, and attendance is  
11 taken and that's put on the record. And that's, you know, in  
12 addition to safety meetings and emergency drills. So it's -- you  
13 know, the management system really does lay out the processes to  
14 continually train the employees, continually try and, you know,  
15 make it better.

16 Q. Could you also discuss the Staten Island Ferry's training in  
17 regards to at-sea passenger transfer to another vessel or vessel  
18 to vessel?

19 A. So within our training matrix or I should say our emergency  
20 procedure matrix, all the drills we do, you know, those -- some  
21 are required by the Coast Guard and some of the above-and-beyonds  
22 that we put in there as part of the management system, we do have  
23 a ferry-to-ferry transfer drill. It calls for -- it's twice a  
24 year and, you know, basically the crews can handle it. The  
25 captains run how they do the drills, but they can get underway and

1 follow our procedure, knows our boats.

2       They can do a tabletop. We have a binder with it all spelled  
3 out. That process entails that there's a boat out there in  
4 distress, we send a rescue boat to get it, preferably a Barberi  
5 Class or now the Ollis Class for the maneuverability. Rescue boat  
6 grabs the gangway that we have all set aside ready to go, throw it  
7 on the boat. In short (indiscernible), they nose up, they get  
8 lines out, tighten them up, slide the gangway across, and then we  
9 transfer it. You know, that's done as a company basically every 6  
10 months, but the crews themselves do it every 6 months, you know,  
11 they at least review the process.

12       Ironically, we don't have a procedure for using other  
13 vessels. We have a safety assessment on file with the Coast Guard  
14 that dictates the amount of safety gear we're required to have on  
15 board based upon our locale, busyness of the harbor, other  
16 vessels. And that refers that there are other vessels, but we  
17 don't have a procedure in place.

18       The night of the incident with the *Sandy Ground*, what the  
19 crews did is in effect what they train to do with their vessels,  
20 you know, the professional mariners of harbors came in with some  
21 assistance. You had tugboats that basically, you know, create a  
22 corral for these smaller passenger vessels that nose up and allow  
23 for the safe passage of passengers.

24 Q. And in regards to communication between the *Sandy Ground* and  
25 Staten Island Ferry management on the evening of the incident,



1 could you just discuss a little bit more about that and how did  
2 that communication, you know, kind of took place?

3 A. Sure. I was first made aware of it, I was just pulling into  
4 my driveway and I received a call from one of the port captains.  
5 He was actually calling me about something else, a schedule change  
6 later, and then I basically heard, uh-oh, hold on a second. I  
7 could hear him on another phone, which ended up -- he was actually  
8 on a different phone, cell phone with Captain Ajar. And, you  
9 know, basically, from what I could hear, this was going downhill  
10 very quickly, basically that they had already lost propulsion,  
11 machinery fire, and that they're working on, you know, dropping  
12 off, was basically what I got out of it.

13 So, okay, you know, you (indiscernible) with him. We have  
14 some senior staff notifications that we do. We have calls that I  
15 sprung away to talk with John Garvey to make sure that that went  
16 to the commissioner and the highest levels of the city, that  
17 this -- because this is going to be an event very quickly. And  
18 so, the management team was communicating at the same time the  
19 dock office or the port office was communicating with the vessel.  
20 And it was interesting because there was a lot of information  
21 going back and forth, but it -- and I was on in the phone the  
22 whole way back up. But it was interesting to see all the  
23 procedures work, because it wasn't like we were doubling down. We  
24 didn't get a lot of busy signals.

25 I think I tried not to call the captain because I knew he had

1 has hands full. I knew that he was in radio contact with the dock  
2 office. I knew at that point he had already spoken with the Coast  
3 Guard. I had called the command center. I knew they had spoken,  
4 so that connection was made. But I did call him a couple times,  
5 just more to check on him to see if there's any support I could  
6 give him. And, you know, he was -- you know, he was not happy,  
7 but he was calm, he was collected. We discussed the ferry-to-  
8 ferry transfer, you know, and, you know, he knew the Barberi was  
9 heading his way but that he had these other small passenger  
10 vessels and we talked about that. So, you know, he was  
11 methodically working through the information he had.

12 And when I arrived on scene -- it took me about an hour to  
13 get back up here -- you know, obviously all the first responders  
14 were already here. The vessel had just gotten on the hooks, so we  
15 got the last passengers off. The command, incident command center  
16 was basically being spearheaded by FDNY because of the fire. You  
17 know, but we had, you know, our leadership there, press, Coast  
18 Guard was there, and then, you know, shortly thereafter I ran into  
19 you, so --

20 I thought the communication -- you know, one of the positive  
21 takeaways I had was that the communication was well working for  
22 that event. Again, all the notifications were made, information  
23 coming in was useful, and we worked through it the best we could.

24 Q. Great. Thank you. Could you discuss a little bit further  
25 into how passenger count is established?

1 A. Yeah. The basic operation for passenger counting is the --  
2 there's cameras in both terminals at the entrance to the waiting  
3 rooms. They are constantly monitoring in the ins and outs, per  
4 se, of that waiting room. If you need to get a hard count, what  
5 you would have to do is -- a hard count on the vessel, you would  
6 have to look at the exact time the doors were closed by everybody  
7 that went out, and then go back to the previous trip when doors  
8 were closed, subtract that and then minus anybody that's in the  
9 terminal.

10 Subchapter H falls into a weird group because we have a lot  
11 of -- we're not required a passenger count to be radioed ashore  
12 and all this. However, we also have stability letters in the COI  
13 that gives you a limit to how many passengers you can carry.  
14 Within our SMS we have a procedure to monitor the capacity of the  
15 boat when basically the standing room meets a spot on the vessel,  
16 the crew talks to the captain, tells the terminal to close the  
17 doors. And then they would stop that, they would establish a  
18 count, and then the captain would make a call that, okay, open  
19 them back up, I'll take more, or I'm good, we're going to sail.

20 So that night when they ran, they realized they had the issue  
21 and had the fire and obviously the captain started getting,  
22 started -- he needed to get a number. He called Whitehall  
23 Terminal for the count and he was given a number that later on we  
24 realized didn't seem correct. As we started transferring  
25 passengers, there was a hard count taken to get off and to get

1 them on into -- back to St. George, and getting accountability  
2 that everybody made it. There was three vessels used. Two of  
3 them came to, I believe, Slip 5, but came to our slip. One did  
4 go -- the NYC Ferry, they were already accounted for, the count  
5 was transferred and then, you know, we were given a number.

6 During the event, the crew, as a matter of normal procedure  
7 even without it, they sweep the vessel as part of our security  
8 plan normally. But in this event, in this case, the crew was  
9 doing those constant sweeps to make sure nobody had panicked and  
10 maybe hid, got, you know, under a chair or -- you know, just make  
11 sure that the boat is empty of passengers. And there was -- you  
12 know, we were not made aware of anybody that had gone over the  
13 side, which, you know, we have had that. We've had issues where  
14 someone's jumped over the side, our crew didn't necessarily see  
15 it, but a passenger did. So it's -- you know, we had a comfort  
16 level that we had accounted for everybody at the end of that  
17 event.

18 Q. All right. And then in regards to post-incident  
19 notifications to crews, how was that completed?

20 A. So as a matter of normal operations here we have good events  
21 and bad events, and we try to get something out to the crew as a  
22 learning event. This one was a little different, at least  
23 initially, because, you know, it was a major event. We knew there  
24 was going to be an investigation, and to be cognizant of that, I  
25 initially, after, you know, talking with Deputy Commissioner

1 Garvey and our safety manager, I wanted to get something out to  
2 the crews, yes, we had this event, you know, please stay away from  
3 the vessel, nobody's hurt -- just giving a brief summary, how it  
4 is under investigation, we will continue to inform crews of  
5 anything that may be applicable to the other vessel of the class,  
6 obviously the *Ollis* at that time. And that was done, I think,  
7 within a day or two that went out.

8 Further information as we went along, you know, and you kind  
9 of got in the investigation and it appeared that there was  
10 potential that valves had been closed, we went down that road to  
11 get that information out. Talking with our engineers and how we  
12 operate, you know, that a lot of best practices were already in  
13 place, so we wanted, you know, get that out to the fleet. And  
14 then we also, you know, basically made a directive that, you know,  
15 at no time should valves -- you know, should you have a positive  
16 displacement pump working against a deadhead or completely closed  
17 valves. And then we did further -- as part of the training I  
18 mentioned earlier, we've done reviews since this event, you know,  
19 of other things, best practices that can be used going forward.

20 Q. All right. In regards to the video recording from the engine  
21 room from the time, you know, prior to leading up to the fire and  
22 the incident, could you just perhaps talk about some of the things  
23 you -- you know, your thoughts and your observations from that?

24 A. Yeah. You know, and it's -- I know it's been said before,  
25 it's -- as I've gone through this, it's very easy as a manager to

1 look, you know, play Monday morning quarterback. But I also --  
2 you know, we -- it's our job to make sure we do things right and  
3 we move on and prevent reoccurrences of events. You know, but  
4 what I saw in the video review is it does appear that the two  
5 marine oilers are dealing with -- you know, it looks like they're  
6 uncomfortable with the levels of the day tanks. And you see  
7 them -- in the one camera you can see them touching some valves,  
8 but you can see other ones -- but they're definitely in that area,  
9 and this goes on for a while.

10 It doesn't appear that communication was as good as it could  
11 have been both between the oilers and possibly with the engineer  
12 on watch, chief engineer. You know, maybe if there's a little  
13 more communication maybe that comfort level comes back in play and  
14 maybe we don't end up, you know, potentially closing both valves.  
15 But, you know, it does, to me, look like both return valves were  
16 closed, which created a pressure event, which now we had fuel  
17 spraying. And then, again, we had a chance of possibly to rein  
18 that in, whether it's stopping main engines, getting an officer to  
19 come look at this problem, you know. And then as that developed,  
20 you know, we got alarms, we so happened that we ended up with a  
21 fire, ultimately discharging the Novec.

22 But, you know, my biggest takeaway is that communication  
23 didn't happen as well as it could have below deck. And then when  
24 I take a step back to look at above deck, I think above deck was  
25 very responsive to the information they had, which, you know, we

1 got -- that's a huge positive because it could have -- you know,  
2 at some point you had to break the error chain. There was an  
3 error chain and at some point you had to break it, and I do  
4 believe it was broken then. And then it's just a matter now of,  
5 at least that night, getting everybody off safely, and now it's  
6 looking back and procedurally trying to prevent it from happening  
7 again.

8 CWO ██████████ All right. Thank you. At this time I'd like  
9 to switch it over to Mr. Brian Young.

10 MR. YOUNG: Great. Thank you.

11 BY MR. YOUNG:

12 Q. Thank you for your time again and all your help throughout  
13 the investigation. Just very few follow-up questions.

14 I know you talked about some of the COI inspections with the  
15 Coast Guard upon receiving the vessel. Was anything with class?  
16 Did you have any sort of class surveys completed?

17 A. Class surveys were done. They were done prior to that.  
18 Yeah, we did have the class certificate in hand prior to the COI.

19 Q. Great. And I know you are in the very early stages of  
20 repairing the *Sandy Ground*, but is there any estimated dollar  
21 amount just yet or is that still in the works?

22 A. The last estimate I saw was in the \$3 million range.

23 Q. And I know you talked a little bit about the crew scheduling  
24 and bidding jobs throughout the year, but what does a typical  
25 workweek look like for, say, a marine chief engineer?

1 A. So by the CBAs, they work 4 days a week, four 8-hour -- four  
2 consecutive 8-hour shifts. Depending on the shift they work,  
3 there's overtime involved too, whether it's startups of, you know,  
4 the plant on the morning runs; afternoon crew, sometimes they have  
5 to put the boat to bed, they have shutdown times, and then just,  
6 you know, drills, other things that cause overtime. So most chief  
7 engineers are working 11 to 12 hours a day and then it kind of,  
8 you know, goes down from there.

9 Q. And on the average, about how many hours prior to the first  
10 run of the day is the crew aboard the vessel?

11 A. It again depends on their run. The morning guys, they're in  
12 a couple hours early because sometimes they're doing PMs on the  
13 front end. They also have to start up the plant and go through  
14 all the checklists. The afternoon crews, they're handed like a  
15 warm boat, basically one that's been running, already on the run,  
16 the plant's fully operational, they can get on, you know, as short  
17 as a half hour before the next trip.

18 Q. Okay.

19 A. You know, there is -- there are checklists that they're  
20 supposed to follow to hand over chief to chief.

21 Q. Right. Right. And is that consistent with the watch  
22 changeover, is it --

23 A. Yes. Yeah. Yes, it's above and below decks, the process is  
24 for both. We try not to do what they -- you know, the hot  
25 reliefs, they call it, where a boat pulls in and people walk off,



1 walk on. So --

2 Q. Yeah.

3 A. Thirty minutes is about the shortest we have.

4 Q. Right. I know you said you made some modifications to try to  
5 increase the number of oilers getting hired. Has that been an  
6 effective change so far? Have you seen any increase in the number  
7 of oilers being able to be hired?

8 A. We have. And we are -- you know, as we went through that  
9 process to change that specification, we were aware of some, you  
10 know, either from prior applicants or just local knowledge on  
11 harbor people that were interested in coming here, that -- you  
12 know, so we have seen an increase. It's been short. It's only,  
13 honestly, been about a month since that actually fully -- but, you  
14 know, I have actively and marine oilers' actively onboarding them.  
15 So hopefully that trend continues.

16 Q. So at this point it's a positive trend?

17 A. At this point, absolutely, it's a positive trend. You know,  
18 we're also just -- and this is to the bigger picture, we're  
19 working to put an oiler trainee program into play. We use MITAGS.  
20 That's our -- we have a training contract with. They already have  
21 an oiler trainee program that, you know, basically you would bring  
22 someone in with really no qualifications, you know, could be a  
23 high school graduate or, you know, someone with no maritime  
24 experience, put them through a combination of an onboard training  
25 program, you know, and classroom time with sea days, and then this

1 would be approved to the Coast Guard so at the end of it they  
2 would be able -- they'd be qualified to take the, you know, the  
3 QMED test. So we're trying to establish another pipeline.

4 Q. And was that being in the works even prior to this incident  
5 or was that something that --

6 A. No, I think it was -- the groundwork was already being laid  
7 prior to this incident. I mean, we've known about -- you know,  
8 we've been working through the shortage for some time.

9 Q. I know you mentioned issues with Covid for crewing  
10 challenges. Around the time of this incident was right before  
11 Christmas, was that maybe contributing to having a hard time  
12 crewing vessels?

13 A. Yes. I mean, it's -- we've been dealing -- it had slowed  
14 time at this time, obviously, but it's still a real thing. Covid  
15 was still -- we'd still get it and we still have to follow, you  
16 know, the steps that the city dictates to keep the rest of our  
17 crew safe. Also contributory is there is the labor contract  
18 issues that, you know, that -- I won't say they're contributory  
19 toward our crewing issues, but they're not helping us crew  
20 vessels.

21 Q. Um-hum. You had talked also about if there was ever a point  
22 where there are too many passengers the captain would make -- may  
23 make the call not to load any. Is that frequent that you have  
24 that many passengers on board or is it very rare?

25 A. I would say it's rare. You know, even -- especially this --

1 to not happen it on a special day, that's pre-pandemic rush hours.  
2 The only time, really, that I can say it's a concern or we have to  
3 watch is Maritime Day. You know, but even then we generally -- it  
4 becomes -- takes you so long to load those people, so we'll  
5 generally stop at around, you know, 3,000 and there's still  
6 capacity on the boat per the COI. And that's -- Maritime Days, on  
7 those days where we think we're going to be close to any type of  
8 capacities, we actually take hard counts as they board the vessel.

9 Q. Makes sense. When we talked to Bobby previously, he said  
10 that there were some changes made to the fuel oil return valve  
11 arrangement on the *Ollis*. Do you know if the training for the  
12 people in the engine room was based on the changes made to it or  
13 had the training been completed prior to? Or been any updates to  
14 the training based on --

15 A. There was updates based on -- you know, the training had  
16 started, those valves weren't in place. And then we were still  
17 going on, you know, on board the vessel, still training, so that  
18 the training was altered to match up with the current  
19 configuration. And that information was gotten back to the fleet  
20 that, hey, this is where, you know --

21 Q. So the training was updated based on the addition of the  
22 valves?

23 A. Correct.

24 Q. Okay. Has there been any sort of, say, hotwash or meetings  
25 with all the agencies involved in response and any lessons learned

1 since the accident?

2 A. There was a -- John Garvey and I were involved in a hotwash  
3 down at Sector New York that was led by the deputy commander,  
4 Captain Sennick. FDNY was representatives on -- they were, you  
5 know, were Zoomed in. NYPD, Coast Guard senior staff, you know,  
6 heads of investigation -- excuse me -- inspections and waterways  
7 management. And really to go through the rescue side of it, the  
8 evacuation we'll call it, but rescue, the evacuation of the vessel  
9 and how well the harbor and the agencies and everybody kind of  
10 worked in conjunction with each other.

11 It went very well. You know, you can always do better. One  
12 of the things that we've done since then, I've already met with  
13 the FDNY Harbor about one of the suggestions the Coast Guard does  
14 that they have -- they bring the firefighters down to the vessels  
15 to do a walkthrough. And then that's one thing we're looking to  
16 do here.

17 A little careful of them -- you know, obviously the captain's  
18 in full command. The captain of the vessel is in command. To try  
19 and not make his night worse, that's why I consider that, you  
20 know, he's got his hands on -- his boat's on fire, and FDNY to  
21 come in and take command. But FDNY to maybe come in and say, hey,  
22 what do you need from us; is there anything we can do?

23 You know, in our case they did. There were some FDNY people  
24 that got on the boat pretty quickly and, from what I understand,  
25 they talked with our crew, hey, what do you have? And our crew

1 was like, listen, we had an engine room fire, we've released our  
2 fixed system, everything's buttoned up, we're not touching it.  
3 And FDNY was like, yeah, got it. And then they kind of -- they  
4 stood by, they actually helped with the passengers. And then once  
5 it got down to the terminal, obviously, you know, it was a little  
6 different now. You know, FDNY at that point they became the lead.  
7 You know, it's attached to a building at that point.

8 Q. Right. Right. So it was a positive hotwash?

9 A. Yeah. That component was a positive hotwash, yes.

10 Q. I know we talked about doing training with your own vessels  
11 as an at-sea evacuation. Now that, you know, real life incident,  
12 other vessels have been utilized, would there ever be a  
13 consideration to have a intercompany training with different  
14 vessels?

15 A. We've considered it. We are talking about it. I mean, it's  
16 a small harbor. I'm involved in the harbor ops steering committee  
17 and the safety committee for the harbor. I'm also the chair of  
18 the passenger vessel subcommittee. So through that, I've spoken  
19 with these operators. I knew them before they came -- you know, I  
20 thanked them, their management that night, obviously. So it  
21 really comes down to, you know, scheduling that event, you know,  
22 versus, you know -- I guess the good news is that we've talked  
23 about it, we know it can be done, we're aware of it. Now it's  
24 down to the value of actually doing it again and, you know, maybe  
25 doing damage to someone, getting somebody hurt during that

1 evolution.

2 Q. Right.

3 A. It's not ideal, as you can imagine. But it's -- it is  
4 potentially better than the alternative.

5 Q. Right. Right. And do you -- were you made aware of any  
6 issues having other company vessels or different size vessels  
7 working with the *Sandy Ground*?

8 A. What we noticed that night was that the larger boat, the New  
9 York Waterways ferry, actually it was -- has a higher freeboard,  
10 so that actually matched up better for us. The New York City  
11 ferries had a lower freeboard, you know, and quite a stand -- in  
12 looking at some pictures, it was quite a step down, to the point  
13 where actually some passengers were delaying across the tugboat,  
14 you know, across the tire fenders, harbor tugboat, and then down.  
15 So that was a lesson learned, at least for there, for the future.

16 Q. In some of the reports I think we received initially, there  
17 might have been five minor injuries. Is that still an accurate  
18 number or have you heard differently?

19 A. No, it seems to be accurate. You know, it's four to five.  
20 We had two crew members that night that I confirmed, you know,  
21 were checked out by the hospital. Both received immediate fit for  
22 duties with no issue. There are reports that other passengers,  
23 you know, went to the hospital for evaluation. But to this time  
24 we haven't received any notification of any, you know, anything  
25 other than that minor report.

1 MR. YOUNG: Thank you very much. I think I'm all set. Thank  
2 you for all your help.

3 CWO [REDACTED] All right. I have no further questions.

4 At this time I'd like to open up any questions for the room?

5 (No response)

6 All right. And Mr. Torrey, do you have any final remarks or  
7 any statements you would like to add?

8 MR. TORREY: No. I think I've answered all the questions and  
9 said my piece. Thank you.

10 CWO [REDACTED] All right. Thank you. And you do agree that  
11 we can contact you at a later time for follow-up questions?

12 MR. TORREY: Absolutely.

13 CWO [REDACTED] All right. That concludes our interview.  
14 Time on deck is 1349.

15 (Whereupon, at 1:49 p.m., the interview was concluded.)  
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CERTIFICATE

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

IN THE MATTER OF:           ENGINE ROOM FIRE ABOARD THE  
                                  STATEN ISLAND FERRY *SANDY GROUND* NEAR  
                                  STATEN ISLAND, NEW YORK  
                                  ON DECEMBER 22, 2022  
                                  Interview of Barry Torrey

ACCIDENT NO.:               DCA23FM010

PLACE:                        Staten Island, New York

DATE:                         March 8, 2023

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.

\_\_\_\_\_  
Kay M  
Trans





