

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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FIRE ABOARD THE *SPIRIT OF BOSTON*
NEAR THE BOSTON SPORTS DISTRICT
IN BOSTON, MASSACHUSETTS ON
MARCH 24, 2023

* Accident No.: DCA23FM022

* * * * *

Interview of: THAYER HARRIS, Director of Marine Operations
City Experiences, Dining Division

Boston, Massachusetts

Thursday,
April 6, 2023

APPEARANCES:

██████████ ██████████ Lieutenant Commander
First District Formal Investigation Team
United States Coast Guard

BRIAN YOUNG, Investigator
National Transportation Safety Board

KEITH FAWCETT, Marine Accident Investigator
First District Formal Investigation Team
United States Coast Guard

██████████ ██████████ Lieutenant
First District Formal Investigation Team
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██████████ ██████████ Lieutenant Commander, Legal Advisor
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ERIC DENLEY, Counsel
City Cruises

I N D E X

<u>ITEM</u>		<u>PAGE</u>
Interview of Thayer Harris:		
By Mr. Fawcett		6
By LCDR [REDACTED]		42
By Mr. Young		54
By CMDR [REDACTED]		66
By LCDR [REDACTED]		67
By Mr. Fawcett		68

I N T E R V I E W

1
2 LT [REDACTED] -- which occurred on March 24, 2023 in Boston
3 Harbor. I'd like to go around the room to introduce the interview
4 team. I'm Lieutenant [REDACTED] [REDACTED] [REDACTED], with the First
5 Coast Guard District Investigations Team.

6 LCDR [REDACTED] I'm Lieutenant Commander [REDACTED] [REDACTED]
7 [REDACTED]. I'm with the First District Formal Investigations
8 Team.

9 MR. YOUNG: Good morning, Mr. Thayer. My name's Brian Young.
10 I'm an investigator with the National Transportation Safety Board.
11 Thank you for your help today. You spell my last name Y-O-U-N-G.

12 MR. FAWCETT: So, good morning again. My name is
13 Keith Fawcett. I'm a civilian marine accident investigator with
14 the US Coast Guard. I'm part of the investigation team. My last
15 name is spelled F-A-W-C-E-T-T.

16 LCDR [REDACTED] Good morning. Lieutenant Commander [REDACTED]
17 [REDACTED] that's [REDACTED] and I'm a legal advisor in the
18 investigation.

19 CMDR [REDACTED] Good morning. Commander [REDACTED]. I'm the
20 lead investigator for this entire investigation. [REDACTED].

21 LT [REDACTED] And, Mr. Thayer, can you go ahead and introduce
22 yourself, please?

23 MR. HARRIS: Good morning, everybody. Thayer Harris,
24 H-A-R-R-I-S, director of marine operations for City Experiences,
25 Dining Division.

1 LT [REDACTED] And are you represented by Counsel today?

2 MR. HARRIS: I am.

3 MR. DENLEY: I'm Eric Denley, D-E-N-L-E-Y, Counsel for City
4 Cruises.

5 LT [REDACTED] Just to make notification, Mr. Harris, you may
6 change/modify anything that you say in this interview. If you
7 recall things at a later date, just make notifications with
8 Mr. Denley, and he'll let us know. You may also appeal the final
9 results of any report of investigation that may result from this
10 interview. For information about the Coast Guard marine casualty
11 investigations, you may look up Coast Guard Marine Safety Manual,
12 Volume V for guidance on Coast Guard classifications. I just want
13 to remind everybody, please silence your cell phones before we
14 begin, and once that's all set, Mr. Fawcett.

15 MR. FAWCETT: Captain Harris, all my questions will be
16 directly related to the time period leading up to the event on
17 March 4, 2023 unless I specifically give you a different date or
18 time.

19 MR. HARRIS: March 4.

20 MR. FAWCETT: March 24, right.

21 MR. HARRIS: March 24.

22 MR. FAWCETT: Thanks.

23 MR. HARRIS: Understood.

24 MR. FAWCETT: And if you need a break, let me know.

25 INTERVIEW OF THAYER HARRIS

1 BY MR. FAWCETT:

2 Q. And we're going to focus on your role as the director of
3 marine operations; and then, later on, we'll talk about what you
4 experienced on the date of the accident. And then, just to set
5 the stage for us, if you'll take some time and talk about your
6 maritime experience as it relates to your role as the director of
7 marine operations.

8 A. I have been in this role for approximately four and a half
9 years as director of marine operations. I am a licensed captain,
10 as well.

11 Q. So, we're here to understand the fire event. You do incident
12 investigations in your role as the director of marine operations?

13 A. Well, when applicable.

14 Q. Okay. So, we're here to understand the fire event, the
15 preconditions leading up to the fire, the latent unsafe conditions
16 that may have led to the fire, so that's the reason we're asking
17 these questions. So, talk about your role as a director of marine
18 operations in as much detail -- so, as much information as you
19 tell me, the less questions I have to ask, so just begin, what you
20 do as a director of marine operations, dining.

21 A. I oversee the operational aspect of the dinner fleet, which
22 is four boats. So, I oversee all manner of like operational
23 aspects with regards to our dining fleet on the marine side.

24 Q. And what would that encompass?

25 A. Scheduling, recruiting, hiring, disciplinary, invoicing,

1 budgeting, forecasting, working with other departments in terms of
2 understanding the nature of our cruises, things of that nature.

3 Q. And who do you directly report to?

4 A. General manager.

5 Q. And that would be who?

6 A. Kelly Hill (ph.).

7 Q. Based on my knowledge of City Cruises, and I'll use that
8 term --

9 A. Sure.

10 Q. -- there are some dotted-line relationships in the national
11 team. Do you have any dotted-line relationship outside of the
12 general manager where you can -- which would be part of your day-
13 to-day duties where you report to them or they direct you?

14 A. Not on day-to-day duties.

15 Q. And when would they?

16 A. Our company, City Cruises, has a national marine leadership
17 team that would be an additional layer of support. I guess you
18 could call it support level, I guess, from an executive
19 standpoint.

20 Q. So, would the general manager support what you do? Does what
21 you do include, for example, training, maintenance, and so forth,
22 like oversee that?

23 A. Training maintenance?

24 Q. No, training, comma, maintenance.

25 A. There's aspects, I suppose, yes, yes, that would be fair.

1 Q. So, does the general manager -- can she support all of your
2 safety-related needs? In other words, if you wanted to install a
3 certain system or increase like, for example, training for safety
4 or something, is she the person to go to, or can you go to someone
5 in the national leadership team that's responsible for, for
6 example, safety?

7 MR. DENLEY: I'm going to object to the question. If you
8 could restate it and --

9 MR. FAWCETT: Okay.

10 MR. DENLEY: I mean, it calls for him to speculate. Maybe
11 you could ask him like kind of what he does.

12 MR. FAWCETT: Well, it's not speculation to ask him who he
13 gets direction from regarding safety.

14 MR. DENLEY: That wasn't the question.

15 MR. FAWCETT: Okay. So --

16 MR. DENLEY: I agree with you.

17 MR. FAWCETT: Right.

18 BY MR. FAWCETT:

19 Q. So, who gives you direction related to safety programs and
20 safety initiatives at the national level?

21 A. So, again, the national executive leadership team. That is
22 at the national level. They have a series of, I guess, strategic
23 guidelines, if you will, that would be communicated across the
24 City Experiences dining vertical, to use kind of an in-house term.
25 So, the national team would present any kind of safety-related

1 guidelines to the cities individually across the dining fleet.

2 Q. And who would that be?

3 A. There's a number of individuals on the national team.

4 Q. No, directly related to safety.

5 A. Well, we have --

6 MR. DENLEY: I think he answered the question.

7 MR. FAWCETT: The national executive leadership team.

8 Specific individuals on that team?

9 BY MR. FAWCETT:

10 Q. Yeah. Is there a position within the national team that
11 manages the safety of operations for the fleet?

12 A. I'm not sure.

13 Q. How about, is there someone within the national organization
14 that oversees and is responsible for training in the fleet?

15 A. I'm not sure. In terms of --

16 MR. DENLEY: Objection. Speculation. I mean, he can -- you
17 can say what you -- don't speculate about the national team. I
18 mean, you can answer questions about what you do and how you
19 interact with the national team, but don't feel like you need to
20 speculate on (indiscernible).

21 MR. HARRIS: Yeah. No, it's fair. I -- we have a national
22 team, and the roles of those individuals on that team, I'm not
23 comfortable -- yeah, I can speculate --

24 MR. DENLEY: You don't need to speak for them, but --

25 MR. HARRIS: -- in terms of what --

1 MR. DENLEY: -- you can talk about how you interact with that
2 team and who you --

3 MR. HARRIS: Yeah.

4 MR. DENLEY: -- who you interact with on that team.

5 MR. HARRIS: Sure, sure. I mean, yeah, I don't know the
6 specific folks' responsibilities on that team in terms of from a
7 safety standpoint.

8 BY MR. FAWCETT:

9 Q. So, in the dining fleet, how many captains, just approximate,
10 at the time of the accident, how many captains were full time?

11 A. On my staff?

12 Q. Yes.

13 A. In total or on the *Spirit of Boston* --

14 Q. Yeah --

15 A. -- or just total?

16 Q. -- in total. Approximate number.

17 A. Ten.

18 Q. And then, how many part-time?

19 A. Oh, excuse me. Oh, so -- okay, so full-time, yeah, I would
20 say 10; and then, part-time, only a couple, only, I mean, very
21 few.

22 Q. And then, from your perspective as working for the general
23 manager, what do you understand are the duties of the general
24 manager?

25 A. That -- I don't know all of her responsibilities. I know

1 that as part of her role, she's the direct -- all my peers, right?
2 So, my -- the director-level individuals in the city report
3 directly to her. So, she is the direct supervisor for all of the
4 city's director-level folks. So, she, you know, she just kind
5 of -- we funnel up to her in terms of that. So, I don't know her
6 responsibilities with regards to all that.

7 Q. So, I met a -- pardon me. While I was visiting the vessel, I
8 met a Mr. Lawler (ph.). Who is Mr. Lawler?

9 A. Bob Lawler is the -- his official title, I don't know his
10 official title, but my understanding is that he's the VP and
11 general manager, I suppose, of the overall City of Boston, which
12 encompasses more than just the dining division.

13 Q. And just to be clear, the general manager is only -- that
14 general manager, Ms. Yelle, is only the general manager for the
15 four dinner boats?

16 A. Correct.

17 Q. And then, how many director of marine operations in the Port
18 of Boston?

19 MR. DENLEY: Objection. Calls for speculation. Unless you
20 know.

21 MR. HARRIS: Just -- I do know.

22 MR. DENLEY: Okay.

23 MR. HARRIS: There's two. There's myself, and there's one
24 individual for the other side of the operation. We've got just
25 different divisions.

1 BY MR. FAWCETT:

2 Q. So, there's a position below you, and is it the associate
3 director of marine operations or the assistant director?

4 A. It's technically the associate.

5 Q. And does that person work subordinately to you and report to
6 you?

7 A. Yeah.

8 Q. And what does the -- what's the role of that individual, Mr.
9 Schuler?

10 A. It's to assist me with the operation and the running of our
11 respective department.

12 Q. Meaning the four boats?

13 A. Correct.

14 Q. And then, how about, is there, for that dining division, is
15 there a director of maintenance?

16 A. There is a -- yes. It's a relatively new position. And by
17 new, I mean within just -- very recently implemented.

18 Q. And what do you mean by recently?

19 A. The specific date, I don't know.

20 Q. Approximate.

21 A. Within, I would say, the new year, so --

22 Q. Within this year?

23 A. Yes, yes, sir. That's correct.

24 Q. And that director of maintenance, does that individual just
25 work for the dining side, or is it the fleet in Boston?

1 A. So far, with the newness of the role, it's been focused
2 primarily on the dining side.

3 Q. And then, to make all this happen in a complicated area like
4 port, how often would you have, I'll call them staff meetings,
5 where the general manager calls the management team that works
6 for, and have staff meetings about the operation of the vessels?

7 A. Generally, it's weekly.

8 Q. And what day of the week is that on?

9 A. Generally, it's a Thursday.

10 MR. DENLEY: Objection. Relevance.

11 BY MR. FAWCETT:

12 Q. Do they send out agendas for the meetings?

13 A. Yes.

14 Q. And do they offer you an opportunity to put agenda items on
15 that agenda so that you all can talk about the operation of the
16 vessel?

17 A. It's not formal in that sense. It's more a roundtable
18 discussion with regards to additional -- like, adding additional
19 agenda items to the discussion is more of a roundtable type
20 approach.

21 Q. So, I'm also aware of a -- and I don't know if it's a current
22 term. You can pardon me if I'm wrong. But there was a safe
23 cruise meeting of marine directors at one time. Does that still
24 exist?

25 A. I believe so.

1 Q. And have you participated in those meetings?

2 A. I have not.

3 Q. And do you get emails about those meetings?

4 A. I don't -- I think I may receive an email about it, but I've
5 not participated in a recent safety cruise.

6 Q. Right. Do they -- does the company expect you to
7 participate?

8 A. No.

9 Q. So, it's optional?

10 A. Well, there's -- my understanding is that there's been a
11 designated representative.

12 Q. For each meeting?

13 A. Yes.

14 Q. And then, I don't have an org chart. I'm going to ask
15 Ms. Yelle to draw me one tomorrow, and it'll probably take some
16 time to have her do that. But is there a director of marine
17 dining and excursions in Boston?

18 A. (No audible response.)

19 MR. FAWCETT: I just saw that in an org chart, so -- so,
20 the -- I'll do my best to stick to describing everyone other than
21 marine crew --

22 MR. DENLEY: Okay.

23 MR. FAWCETT: -- as hospitality staff.

24 MR. DENLEY: That's fair.

25 MR. FAWCETT: Who's responsible --

1 MR. DENLEY: Well, do you -- is there a term that you use as
2 a restaurant staff, or front of the house/back of the house, or
3 what's the term that you use, just so we can be maybe --

4 MR. HARRIS: Yeah. Sure, sure, sure. So, we essentially
5 have -- yes, our hospitality staff, if you will, is generally
6 divided into front of the house, which would be guest-facing, so
7 restaurant management, bartenders, servers, things of that nature,
8 folks who directly interact with the guests. We also have what's
9 known as back of the house, right? So, this would be kitchen or
10 galley staff, right? So, cooks, food runners, folks who
11 physically walk the food out into the dining room, dish-washers,
12 things of that nature. So, front of the house would be on the
13 floor, if you will, like on the dining floor. Back of the house
14 would be just that, back of the house, the galley.

15 BY MR. FAWCETT:

16 Q. So, who would be, from your position, in looking at the
17 company, who would be directly responsible for the performance and
18 operation of the marine crew?

19 A. Say that again, please?

20 Q. Like, who's in charge of the performance, and the duties, and
21 how they conduct themselves, of the marine crew?

22 A. So, for the marine crew, that would, I suppose, fall on me.

23 Q. And then, who would be in charge for, I'm going to call them
24 hospitality, you know, that grouping?

25 A. Sure.

1 Q. Who's in charge of them?

2 A. Honestly, I hesitate to answer, because I don't want to
3 misspeak. I don't know how that department divvies up the
4 responsibilities in that regard, right? Sorry, I'm not trying
5 to --

6 UNIDENTIFIED SPEAKER: Who would be able to answer that?

7 MR. FAWCETT: So, my direct peer from the F and B, the front
8 and back of the house, would be a gentleman by the name of
9 Thatcher Trombly. He's the director of food and beverage.

10 BY MR. FAWCETT:

11 Q. And that's for the Boston dining division?

12 A. Right. So, he would be essentially my equivalent for the
13 dining operation.

14 UNIDENTIFIED SPEAKER: So, you're a director, he's a
15 director?

16 MR. HARRIS: He's the director of food and beverage.

17 UNIDENTIFIED SPEAKER: And you go through port to
18 (indiscernible)?

19 MR. HARRIS: Correct.

20 MR. FAWCETT: Excellent. Thank you.

21 MR. HARRIS: Yep.

22 BY MR. FAWCETT:

23 Q. So, on board the *Spirit of Boston*, when the vessel is
24 underway, who is responsible for the performance of duties/conduct
25 of the hospitality staff?

1 MR. DENLEY: And again, you know, you can -- I'll object to
2 the relevance, but if you know, you can answer it. If not, you
3 don't need to speculate --

4 MR. HARRIS: It would --

5 MR. DENLEY: -- about it.

6 MR. HARRIS: It would be -- in my best estimate, I would
7 assume that that would be the manager on duty, all right? So,
8 whoever the, kind of the highest-ranking, for lack of a better
9 term, food and beverage staff member on the boat, and there may be
10 multiple. There could be a restaurant manager, there could be a
11 back-of-the-house galley manager, right, overseeing their
12 respective staffs.

13 BY MR. FAWCETT:

14 Q. And then, when a -- the captains that work for you, when they
15 step off the vessel at the end of a cruise, what is your
16 understanding of who's in charge of the safety of the hospitality
17 crew from a company perspective?

18 A. I would say that that would fall on the, again, whoever the
19 manager on duty would be, right? So, the highest -- and ranking
20 is sort of not super applicable, but yes, whoever the highest-
21 ranking manager on duty would be, that would fall on that
22 individual, I would --

23 Q. So, the vessel employees, not -- the company hires, I guess,
24 like a disc jockey. In this particular accident, there were two
25 disc jockeys.

1 A. You know, I don't know. I don't know that.

2 Q. If there were a third-party contractor -- and I'll describe
3 the disc jockey, perhaps, is a contractor --

4 MR. DENLEY: I guess, maybe you can ask him if he -- does he
5 have anything to do with the disc jockeys? I mean, I don't know.
6 He's here as the marine director.

7 MR. FAWCETT: Yeah, right.

8 MR. DENLEY: Do disc jockeys fall under your duties and
9 responsibilities?

10 MR. HARRIS: No.

11 MR. DENLEY: Do you contract for them?

12 MR. HARRIS: No.

13 MR. DENLEY: Do you manage them?

14 MR. HARRIS: No.

15 MR. DENLEY: Do you supervise them?

16 MR. HARRIS: No.

17 MR. DENLEY: Okay. Maybe we could ask him about the marine
18 questions.

19 MR. FAWCETT: Right.

20 BY MR. FAWCETT:

21 Q. So, who -- if a contractor is aboard the vessel, right,
22 does -- are you aware of anybody who gives the contractor a
23 specific safety briefing or explains what they're to do if there's
24 an emergency?

25 A. We have on board, and actually, it's the disc jockey,

1 ironically enough, who plays it through the ship's PA system, is a
2 pre-crew safety announcement. So, there's that.

3 Q. So, are you familiar with the events that transpired during
4 the accident evening, March 24, 2023, after the marine crew left?
5 Have you discussed it?

6 A. Somewhat, yeah.

7 Q. Yeah.

8 A. Yeah.

9 Q. So, the disc jockey got off, and then just ran back on the
10 vessel, and went down into the first deck in first close
11 proximity. Should someone in the waitstaff have prevented that?

12 A. I'm not sure. (Indiscernible). I don't know.

13 Q. I mean, is there a policy that someone that represents
14 Hornblower City Cruises controls access to the vessel?

15 A. Our general -- you know, with regards to vessel access, the
16 vessel is, in this particular instance, on the night of the fire,
17 you know, the vessel is generally left secured in terms of, you
18 know, access points being, doors being locked. Now, there may
19 still be staff on the vessel with work-related duties that would
20 require them to disembark, and then reembark the vessel after the
21 marine crew has departed for the night. But the exact comings and
22 goings is not always known.

23 Q. Is there any written guidance on the security of the vessel?
24 In other words, for example, like a vessel security plan that
25 talks about whether or not people can board the vessel without

1 permission?

2 A. There is a vessel security plan.

3 Q. And where would I find that?

4 A. That would be on the ship's bridge.

5 Q. So, how do you assess the performance of your captains? And
6 do you do it?

7 A. In what sense?

8 Q. In other words, if we had Captain Spillane as a witness in
9 here, does he get performance appraisals by you or Mr. Schuler?

10 A. Yes, he has.

11 Q. How often?

12 A. There's not a formal schedule to it. We try to monitor --
13 from a technical, I guess, standpoint, we would do like an annual
14 review, right? So, an annual, once-a-year, review to assess kind
15 of where they're at. In terms of ongoing regular performance, we
16 generally have a pretty open dialogue amongst the members of the
17 team, those 10 individuals. It's an ongoing kind of dialogue in
18 terms of performance, concerns, things of that nature.

19 Q. So, just in general terms, could you describe the written
20 documentation that City Cruises has for the safe operation of the
21 *Spirit of Boston*, like written procedures?

22 MR. DENLEY: Objection to the form of the question. It's
23 very, very broad.

24 BY MR. FAWCETT:

25 Q. All right. The emergency response plan, are you --

1 A. Right.

2 Q. -- familiar with that?

3 A. Sure. Yes.

4 Q. And I'm familiar with that, and it has the duties and
5 responsibilities, for example, of the restaurant manager. Are you
6 aware of anywhere in the emergency response plan that describes a
7 situation where the marine crew is not aboard, but hospitality
8 staff is aboard, and what should happen in an emergency if they're
9 aboard?

10 A. Specifically, like the specific wording of the emergency
11 response plan?

12 Q. Yeah. Does it cover the contingency of only hospitality
13 aboard, staff aboard, and what the emergency responses should be
14 in the event of an emergency?

15 A. I'm sorry, I missed the first part.

16 Q. Yeah. So, in other words, specifically pertaining to a time
17 when only the hospitality staff is aboard, does the emergency
18 response plan address that?

19 A. I'm not sure.

20 Q. Do you know if there have been any -- you know, are you
21 familiar with any changes to the emergency response plan since
22 last summer, June of 2022?

23 A. (No audible response.)

24 Q. So, looking particularly at fire prevention/fire safety, I'm
25 going to ask about specific procedures regarding fire safety/fire

1 prevention/firefighting. So, could you describe what you believe
2 to be the smoking policy, first for the passengers aboard the
3 *Spirit of Boston*?

4 A. My understanding is that there's to be no smoking for -- on
5 the *Spirit of Boston* --

6 Q. Yeah.

7 A. -- specifically? My understanding is that there's not to be
8 any smoking for passengers except for on the sky deck, that
9 uppermost deck of the vessel, exterior, for passengers.

10 Q. And how about for the actual crew of the vessel? This is --
11 by crew, I mean anybody working on the vessel.

12 A. So, the guidelines for crew is that there's not to be any
13 smoking in view of passengers.

14 UNIDENTIFIED SPEAKER: How about within the skin of the ship?
15 At any time, is smoking allowed inside the skin of the ship?

16 MR. HARRIS: Inside, no. No, there's no smoking in any
17 interior cabin space.

18 UNIDENTIFIED SPEAKER: Passenger or crew?

19 MR. HARRIS: Nobody.

20 LT [REDACTED] So, then, if you want, you'll have a chance
21 to --

22 UNIDENTIFIED SPEAKER: Okay.

23 LT [REDACTED] -- ask questions.

24 BY MR. FAWCETT:

25 Q. So, the *Spirit of Boston*, they use open flames on tables, and

1 they use Sterno to heat the different heating, you know, food
2 elements and stuff. Do you know if there's any written policy
3 about the use or disposal of those potential fire sources?

4 A. No.

5 Q. How about a written policy about the use of the departure
6 safety announcement?

7 A. Say again?

8 Q. In other words, is there a written policy about the use of
9 the recorded safety announcement?

10 A. I don't know if there's a written policy. I do know that
11 it's played prior to getting underway.

12 Q. Are you aware of the safety briefing for the passengers and
13 the associated things, like demonstration of the location of
14 lifejackets or the donning of a personal floatation device, is
15 required by regulation?

16 A. Say again?

17 Q. Is that required by US Coast Guard regulations?

18 A. I believe it is, yes.

19 Q. Both captains we had yesterday, neither of them knew what was
20 in the safety announcement, and they had no idea if it was played.
21 How are the captains expected to know that that announcement's
22 been made to satisfy the regulations?

23 A. I'm not sure how they would -- I'm not sure.

24 Q. So, I know that in other ports, they have a recorded daytime
25 safety announcement. Do you know if, in the Port of Boston, they

1 have a daytime announcement and a nighttime announcement?

2 A. I believe it's the same announcement for all cruises.

3 MR. DENLEY: Yeah, I'll just log an objection for relevance.

4 BY MR. FAWCETT:

5 Q. The new-hire orientation that new hires get, do you know if
6 every employee that's going to work on a vessel gets a new-hire
7 orientation?

8 A. I'm not sure.

9 Q. And are you familiar with the new-hire orientation that
10 the -- do you know if the marine crew gets those?

11 A. We, the marine crew -- I conduct new-hire orientations for
12 new hires separate from whatever is done at a kind of bigger-
13 picture scale. There's a number of topics that are covered in a,
14 quote, unquote, new hire orientation.

15 Q. So, is there anybody that -- and like I said, I don't
16 understand --

17 A. Sure.

18 Q. -- the structure, but you have the general manager. Does she
19 have like executive assistants or somebody that might assist her
20 in carrying out her duties, secretaries or anything like that?

21 MR. DENLEY: Objection, relevance.

22 BY MR. FAWCETT:

23 Q. Well, what I'm trying to determine is, how do you know that
24 an employee has conducted the formal new-hire orientation that the
25 company has for new hires? So, does someone say, okay, sir, you

1 know, Mr. Fawcett, he's good to go on his company new hire. He's
2 all yours. Go do your thing.

3 A. Sure.

4 Q. Do they tell you that?

5 (Crosstalk)

6 MR. DENLEY: Yes. No, that's fair.

7 MR. HARRIS: Yeah. I'm sorry, could you repeat the question,
8 please?

9 BY MR. FAWCETT:

10 Q. Yeah. Does someone come to you from general manager, or
11 secretary, somebody like that, and say, Mr. Fawcett's just been
12 hired. I'd like to introduce you. He's completed his new-hire
13 orientation, sir. He's all yours.

14 A. Yeah, that's our human resources department.

15 Q. Within the Port of Boston?

16 A. Yes.

17 Q. And have you ever seen that new-hire orientation?

18 A. I have.

19 Q. And in there, I think it's slide 41, and I don't know the
20 present configuration of the thing, but they have a section on
21 what to do for a fire, and it has multiple steps, and it includes
22 some type of demonstration of the use of a dry chemical
23 extinguisher or a fire extinguisher. Are you familiar with that?

24 A. The use of a dry chemical --

25 Q. No, no. The fact that --

- 1 A. -- you know, slide?
- 2 Q. -- they tell new hires what to do in case of a fire.
- 3 A. Okay. Sure.
- 4 Q. Yeah. And then, you know, or someone that you designate, is
5 going to orient them to the vessel operations from your
6 perspective, the marine perspective. How do you orient them to
7 the fire safety aspect of --
- 8 A. With regards to whom?
- 9 Q. Marine crew.
- 10 A. Marine crew?
- 11 Q. Yeah.
- 12 A. Okay. So, the marine crew are -- new hires are given a new-
13 hire orientation. They are trained through, directly through the
14 captains and the senior-level deck crewmates on board.
- 15 Q. Do you expect the captains on the dining fleet to take a new
16 hospitality worker and orient them to the vessel like
17 nomenclature? You know, this is the bow, this is the stern,
18 here's the fire extinguishers, this is what you do in a fire
19 emergency? Do you expect your captains or vessel personnel to do
20 that?
- 21 A. It's not necessarily a required expectation that I have, so
22 no, not with regards to hospitality staff.
- 23 Q. So, have you worked on the *Spirit of Norfolk*? Pardon me,
24 *Spirit of Boston*. It is a Freudian slip. I'm sorry.
- 25 A. Sure. Have I worked on the *Spirit of Boston*?

1 Q. Yeah.

2 A. Yes, I have.

3 Q. Okay. Are you familiar with the fire suppression equipment
4 in the galley over the deep fat fryer?

5 A. I am.

6 Q. And then, tell me about that.

7 A. What about it?

8 Q. Well, I mean, how does that operate? What's it supposed to
9 do?

10 A. I believe it's supposed to extinguish fire in the fryolator.

11 Q. And expanding on that, is it automatically activated?

12 A. I believe that those systems do have some components that are
13 going to be automatically triggered in the event of a flare-up.

14 Q. Do you know if there's a manual pull station to activate it?

15 A. Yes.

16 Q. There is? In the event of a fire in the galley in that
17 general vicinity, and this speaks to fire prevention and fire
18 safety, if a galley person witnessed the fire, are they authorized
19 to pull that handle and dump that fire suppression system?

20 A. No.

21 Q. They're not authorized?

22 A. I wouldn't advise them to do that.

23 Q. So, would you want them to wait until marine crew arrive if
24 it didn't actively dump?

25 A. I would.

1 Q. And why is that?

2 A. Based on, you know, the severity, I would say. I would just
3 feel more comfortable if the marine crew, and directly to the
4 captain, was aware of a scenario that required a system like that
5 to deploy.

6 Q. So, based on your understanding, you as a captain or director
7 of marine operations, galley personnel, if they witness a fire,
8 what are they supposed to do?

9 A. With regards to the galleys, the galley-specific staffs?

10 Q. Well, I mean, the back of the house, the whole area after the
11 deck one dining area, that whole area, if the galley staff were to
12 see a fire, what would they -- what would you expect them to do?

13 A. I would expect them to report that to the captain.

14 Q. And if they received -- and this is speculative in that new
15 employees receive new-hire orientation which explains what to do
16 in a fire and how to use a fire extinguisher, if it was a small
17 fire, would you expect them to use a fire extinguisher?

18 A. With regards to the --

19 UNIDENTIFIED SPEAKER: Is the marine crew on board or not on
20 board?

21 MR. FAWCETT: Under any circumstances.

22 UNIDENTIFIED SPEAKER: Okay.

23 MR. HARRIS: With regards to the new-hire orientation
24 specifically, again, a lot of material is covered in these
25 orientations. These are often several-hour-long seminars that go

1 from everything from history of the company, who founded the
2 company, the time frame of the mergers and acquisitions. I mean,
3 it covers a lot of information. There may be a few slides on fire
4 safety specifically. I don't have any kind of set expectations on
5 what these individuals not tasked with fighting fires or having to
6 do with any kind of onboard, shipboard emergencies, I don't have
7 any expectations on what they come away with, with regards to
8 responsibilities that aren't necessarily their job duties, right?
9 So, I wouldn't want to speculate on how a galley staff member
10 might respond, or a restaurant or hospitality member might
11 respond, in any kind of emergency. Just, I don't want to
12 speculate on that.

13 BY MR. FAWCETT:

14 Q. So, the vessel's equipped with a fire blanket?

15 A. I believe so, yes. Yes, it is.

16 Q. And what's your understanding of the use of a fire blanket?

17 A. My understanding of the use of a fire blanket? That it's
18 used to squelch a fire, squelch flame.

19 Q. So, one of the captains in here mentioned that it could be
20 used to smother a small fire, or it could be used to literally
21 wrap a person who might be on fire and extinguish the fire on the
22 person, on the clothing.

23 A. Sure.

24 Q. Would that be a correct possibility?

25 A. I understand they can be used to squelch a fire, yes.

1 Q. And have you yourself personally conducted drills with the
2 marine crew?

3 A. I have.

4 Q. And tell me what you tell them about the use of a dry
5 chemical fire extinguisher. In other words, in your drill, what
6 do you tell them?

7 A. We talk about a number of aspects with regards to dry
8 chemical extinguishers, the various types of fires that it should
9 or shouldn't be used on, why, implications, how to physically
10 utilize it in terms of deployment of it.

11 Q. In your training, would you tell the crew -- like, if there
12 was a small trashcan on fire, would you tell them to utilize a dry
13 chemical fire extinguisher in the event that their safety wasn't,
14 you know, in jeopardy?

15 A. Perhaps.

16 Q. Would you tell them -- like a trashcan fire, would you tell
17 them to drag out and charge fire hoses?

18 A. Yeah, perhaps.

19 Q. And I just want to understand something. In the wheelhouse,
20 there's an annunciation panel, a red panel with a bunch of lights
21 on it. I think it's on the starboard side of the wheelhouse.
22 What is that for?

23 A. That is a monitoring system that the vessel has. It's a
24 monitoring panel that will make an audible alert should there be
25 any smoke or heat detection on the vessel.

1 Q. And just in general, are the detectors spaced throughout the
2 entire vessel?

3 A. They are.

4 Q. And so, if there was a fire back in the galley area, the
5 alarm would get a smoke or fire detection announcement; is that
6 correct?

7 A. Correct.

8 Q. And then, some kind of fire alarm would ring?

9 A. There would be an audible in the pilothouse.

10 Q. But not throughout the vessel?

11 A. Correct.

12 Q. So, what would you expect the captains that work for you to
13 do in terms of the typical fire drill?

14 A. In terms of a typical --

15 Q. Yeah. In other words, first of all, let's talk about, how
16 often should they happen?

17 A. How often they should have them, or how often they do have
18 them?

19 Q. No, they should have them. What are your expectations? How
20 often should they conduct fire drills?

21 MR. DENLEY: Have you -- I mean, you don't have to speculate
22 on that. I mean --

23 MR. FAWCETT: Well, is there a policy?

24 MR. DENLEY: Yeah, would it be said or communicated?

25 MR. HARRIS: Sure.

1 MR. DENLEY: Well, maybe answer this question: Is there a
2 written policy?

3 MR. HARRIS: Well, I mean, the regulations are that there's
4 to be fire drills conducted, you know, at least once a month,
5 which is a regulation. But we -- I guess I would view that as
6 almost like a bare minimum, right?

7 BY MR. FAWCETT:

8 Q. And what are your expectations? So, the regulation is at
9 least once a month, and what are your expectations for your
10 captains?

11 A. I expect my captains to conduct all manner of drills to the
12 extent to which they feel comfortable that their crew is capable
13 to respond accordingly in any onboard emergency.

14 Q. And when was the last time either you or you directed
15 somebody within the company to go to the drill, observe the drill,
16 determine whether it was carried out the way you expected it to
17 be, meaning the company, and then gave them feedback?

18 A. I don't know the specific date.

19 Q. Just approximate.

20 A. It's regularly. It's ongoing. I mean, it's part of our
21 ongoing operation, is to conduct drills.

22 Q. No, no, for you, as director of marine operation, to evaluate
23 how the captains are conducting the drills.

24 A. I would be confident that my captains would communicate to me
25 the effectiveness of the drills that they're providing. I trust

1 that my captains are providing adequate, quality drills in terms
2 of frequency and scope.

3 Q. So, the Coast Guard audits during inspections the drills
4 being conducted; is that correct?

5 A. Correct.

6 Q. To your knowledge, has City Cruises or Hornblower sent anyone
7 outside of the Boston area down to conduct an audit of the quality
8 of the drills from the national marine team to see what's going
9 on?

10 A. I'm not -- I don't know.

11 Q. And then, do you know if like a third-party maybe consultant
12 or somebody like that has come in to audit the quality of your
13 drills?

14 A. I'm not aware.

15 Q. So, the safe cruise agenda and so forth -- I may get it
16 wrong, because I need to know, not from you, but I need to know
17 what now is. I know what it used to be. But there's a port
18 safety officer, and their duties facilitates port safe crews
19 meeting, manages and executes regular missions, and it goes on and
20 on, conducts incident investigation and so forth. Who is the port
21 safety officer for the Port of Boston for City Cruises?

22 A. I'm not sure.

23 Q. Do you know if they're doing -- is -- so, you don't know who
24 it is, but do you know if those type of things are being carried
25 out by anyone?

1 A. I believe that there's been a port safety officer assigned.
2 I don't know who that currently is. So, I'm not sure what that
3 person's responsibilities are, exactly.

4 Q. So, what's your -- as a director of marine operations,
5 responsible for certain aspects of the safe operations of the
6 vessel. What's your understanding of like who is ultimately
7 responsible for the safe operations of the *Spirit of Boston*?

8 A. It would be the captain on duty in the vessel.

9 Q. Would it be like -- would the company have responsibility?

10 A. I'm not going to speculate on the company's level of
11 responsibility with regards to the safe operation of the vessel.
12 My viewpoint is, is that the captain on duty on the vessel while
13 underway, while on board that vessel, while on board that vessel,
14 that's the individual.

15 Q. So, what's your level of understanding of the fire that
16 occurred on the *Spirit of Norfolk* on June 7, 2022?

17 A. My level of understanding is that a fire took place on the
18 *Spirit of Norfolk* while they were underway. My understanding is
19 that it took place in the engine room, and that they were
20 fortunate to disembark all BOB safely with no casualties there,
21 and that the vessel itself ultimately was a total loss as a result
22 of the fire escalating to that degree.

23 Q. And I'm not going to ask you beyond. At this point, as
24 director of marine operations, do you know the cause of the fire
25 aboard the *Spirit of Norfolk*?

1 A. No, sir.

2 Q. So, as a director of marine operations, can you tell me what
3 enhanced fire prevention or fire safety procedures had been put in
4 place as a result of the fire and total loss of the *Spirit of*
5 *Norfolk*?

6 A. I cannot.

7 Q. So, have they put out any fleet safety alert, for example,
8 like to management, that, hey, we've got to increase our -- and
9 I'll give an example, but like increase our fire prevention, fire
10 safety, firefighting training?

11 A. I don't recall.

12 Q. Have you directed any procedures or policies to be put in
13 place to improve fire prevention, or fire safety, or firefighting?

14 A. I have not.

15 Q. Captain Spillane described engine room rounds as being at
16 15-minute intervals. Another witness said that it could vary. Is
17 there a specific requirement for like engine rounds?

18 Q. There's not a specific requirement. It's advised that engine
19 room rounds are made at regular intervals, certainly not to
20 exceed, you know, more than, say, you know -- the expectation is
21 that engine room rounds are made regularly.

22 Q. How about deck rounds to ensure the safety of passengers?

23 A. Again, kind of ongoing and constant throughout the course of
24 the cruise.

25 Q. And then, the transition between, we dock at the dock, the

1 passengers safely get off, is there an expectation for what the
2 crews, marine crews, do before they depart the vessel in terms of
3 to ensure the safety of the vessel, specifically to when
4 hospitality staff are aboard?

5 A. Can you --

6 Q. Yeah. In other words, is there a policy that, prior to
7 departing the vessel, this is what the marine crew -- and it could
8 be anybody. It could be the captain, the mate, to make sure the
9 vessel's completely secure from a fire prevention and fire safety
10 standpoint before they walk off the ship?

11 A. Yeah, sure. We -- our general post-cruise guidelines are
12 that the vessel is secured; mechanical spaces are secured; access
13 entry points are secured, meaning locked; that all the engines,
14 the generators, so on and so forth, all the onboard mechanicals
15 are secured prior to the captain and crew disembarking the vessel
16 for the evening.

17 Q. Is that a written procedure?

18 A. It's more of a working understanding and guideline that all
19 the captains are very much aware of.

20 Q. Both the National Transportation Safety Board and the Coast
21 Guard have strongly recommended the implementation of a safety
22 management system. Do you know what a safety management system
23 is?

24 A. Its entire scope, no.

25 Q. Just in general.

1 A. No, I'm going to say no, only because I'm not familiar with
2 all the elements to it.

3 Q. So, they have a Marine University curriculum. Are you
4 familiar with that?

5 A. Yes.

6 Q. Are you aware that there was a discussion that in 2019, in
7 that training curriculum, that safety is goal number one?

8 A. Okay.

9 Q. No, are you aware of that?

10 A. Yes, we consider safety number one.

11 Q. And then, one of the safety objectives was to implement, as
12 of 2019, a safety management system. Have you been involved in
13 any discussions from your role as director of marine operations
14 about the implementation eventually, sometime, of a safety
15 management system?

16 A. Only in a general way, not in an active role.

17 Q. So, based -- I'm going to shift in a moment into the actual
18 event, but you've been on the *Spirit of Boston* for a period of
19 time. Are you familiar with that wait station where the fire took
20 place?

21 A. Yes.

22 Q. So, eyewitness testimony has indicated that the after
23 bulkhead, right? So, you have the wait station, dining room,
24 forward bulkhead, wait station, window, cold prep area. They saw
25 sparks. Do you have any idea what could create sparks in the

1 vicinity of the middle of the lower portion of the after bulkhead?

2 A. No.

3 Q. They also described -- like, one witness described, anyway,
4 that he heard a sound like a hissing noise, like the release of
5 compressed gas. He didn't say that, but I'm going to say it.
6 Sort of a loud hissing noise that would sound like that. Do you
7 have any idea what's back there that might make that noise?

8 A. No, I don't.

9 Q. And then, he described -- one witness described sort of a
10 river of fire approximately an inch and a half high off the deck
11 as the only fire he saw. Do you know anything that might create a
12 ribbon of fire back in that area?

13 A. I don't.

14 Q. If you were the captain, and you saw a ribbon of fire, and
15 you were standing there, what would you do?

16 A. Me personally, what would I do?

17 Q. As captain of the *Spirit of Norfolk* -- of Boston. Pardon me.

18 A. I personally would grab the nearest fire extinguisher, and I
19 would deploy it.

20 Q. And by that, describe what you'd do. And deploy is -- I
21 understand, but for the benefit of the transcript, what would you
22 do with the fire extinguisher?

23 A. I would aim the nozzle at the base of the fire, and I would
24 squeeze the trigger, and I would deploy the dry chemical agent
25 until the fire was extinguished.

1 Q. Could you have used a fire blanket, also, or instead of?

2 A. I suppose, yeah.

3 MR. DENLEY: Objection. Calls for speculation.

4 MR. FAWCETT: Thank you, sir.

5 MR. DENLEY: I think the ribbon of fire was underneath the
6 glasses. It was underneath, in an area that was fully covered.
7 And I'm not so sure that that would have been possible, based on
8 the eyewitness testimony.

9 MR. FAWCETT: Thank you, sir.

10 BY MR. FAWCETT:

11 Q. Now, I want to shift directly to the accident day, March 24,
12 2023. So, just gather yourself for a minute. I'm going to ask
13 you to tell your story without interruption, but I just want to
14 know where you were when you were notified of the event, the fire.

15 A. I was at home.

16 Q. Okay. So, you were at home. I want you to just take a
17 minute; and then, just tell us what happened for you up until the
18 time you said, I'm going to depart the pier.

19 A. Say that again?

20 Q. Just tell me your story from the time you were at home until
21 the time you departed the pier at the end of your workday,
22 regarding the fire on the *Spirit of Boston*. What did you do?

23 A. Well, yeah, as I said, I was at home. I received a text
24 message that alerted me, and I phoned the individual that sent me
25 the text message, and I then -- so, you're looking for my, kind

1 of, overall --

2 Q. Yeah, what --

3 A. -- experience? Well, yeah.

4 Q. -- what you did.

5 A. Yeah, yeah. Okay. So, I then called the captain that was on
6 duty, and I made him aware of what I knew, that there was a fire
7 on board, or there was a fire reported on board. He had left the
8 premises for the evening. His workday was over. He then returned
9 to the vessel, where my understanding is that Boston Fire showed
10 up around that time. I then received a phone call back from him
11 saying that it was -- that it had escalated, and that the fire
12 department was there fighting the fire, that they had boarded the
13 vessel in some capacity, that they were breaking windows, that
14 they were breaking many windows.

15 At that point, I determined that it had rose to the level of
16 seriousness to personally go to the scene, so I drove to the boat.
17 At that point, the fire had been extinguished, and shortly
18 thereafter, we were, we meaning, you know, company personnel
19 were -- many company personnel were on the scene upon my arrival.
20 We then boarded the vessel, and we were able to then be on board
21 the vessel safely, along with local Coast Guard investigations
22 personnel, local firefighting personnel, local company personnel.
23 So, it was -- there was a lot of hands on deck. And it was -- you
24 know, there was a lot going on. I mean, there was a lot of
25 personnel on board, and they were still trying to ensure that

1 there was no reignition and so on and so forth.

2 So, it was a bit chaotic, and yeah, it was a lot of
3 discussions amongst internal folks on kind of the next -- you
4 know, essentially, kind of, you know, damage control, to a sense,
5 and kind of all getting together to discuss, you know, kind of,
6 all right, now, how do we -- you know, where do we go from here?
7 And that happened, approximately, yeah, I would say that
8 approximately -- I left that evening after numerous discussions,
9 so on and so forth. I left the facility approximately 2:30,
10 2:40 a.m. to go to the airport. My wife and I were going to
11 Nashville early, early that morning, so I actually had a plane to
12 catch, so it was great timing. So, that was my night.

13 Q. Do you recall approximately -- you mentioned they were
14 worried about reflash of the fire. I'm --

15 A. That's speculation. Firefighting personnel remained on scene
16 well after I arrived, and I seem to recall there not -- I don't
17 seem to remember there being very many uniformed firefighters
18 present when I departed.

19 Q. And do you recall like someone announcing the fire was out?

20 A. I don't remember there being a public announcement like,
21 attention, everybody, the fire is out. I don't -- not to that
22 extent, no.

23 Q. And I know you were departing, you know, going on a light,
24 but when did the security company alert you to fire and smoke
25 alarms or the indication of trouble aboard?

1 A. A call, a system automated call, came in to me in the same
2 kind of proximity that -- in the same time frame. I don't know
3 exactly chronologically. I don't recall exactly when that call
4 came in. But I did receive a call that there was a signal
5 generated.

6 Q. Would it be fair to say that it was right after, you know,
7 within close time after you began to get your notifications from
8 vessel personnel and so forth?

9 A. Yeah, I would say that's a fair assumption.

10 MR. FAWCETT: All right. Thank you, sir. I have no more
11 questions.

12 MR. HARRIS: You're welcome.

13 LCDR [REDACTED] I have a few follow-up questions, as well.

14 MR. HARRIS: Sure.

15 BY LCDR [REDACTED]

16 Q. At the very beginning, going back to what Mr. Fawcett asked,
17 you said it was fair to say that as part your duties as director
18 of marine operations, you're in charge of, or you're responsible
19 for, training and maintenance. Can you kind of go into a little
20 more detail on that? Of the dining vessels?

21 A. In terms of, again --

22 MR. DENLEY: Can you ask him a specific question?

23 LCDR [REDACTED] We'll start with training.

24 MR. DENLEY: That's pretty broad.

25 LCDR [REDACTED] We'll start with training.

1 BY LCDR [REDACTED]

2 Q. Kind of, can you take us through your responsibilities for
3 the training? What does that look like? Do you provide training
4 to people? Do you put it on? Do you get somebody to put
5 training -- like, kind of just take us through what you mean when
6 you say your responsibilities of training?

7 A. For who?

8 Q. For the marine crew.

9 A. Okay. So, for the marine crew -- and by, marine crew, are
10 we -- I just want to understand exactly so I can answer it
11 correctly.

12 Q. Sure.

13 A. So, like for the marine crew, the deckhands, they're --

14 Q. Yeah. As far as your jobs, what do you do as the director of
15 marine operations for training?

16 A. Okay. Yeah, so, part of my role is to provide newly hired
17 marine crew with sort of a day one orientation, if you will, and
18 that covers all manner of training with regards to day-to-day
19 operations. We do touch on the nature of the different drills
20 that we conduct. We touch on vessel familiarization. In terms of
21 the day-to-day on board during the shifts, a lot of the direct
22 training to the crew is provided by the captain on board, and
23 those captains, they provide the training for their specific
24 groups.

25 Q. The new-hire orientation that you do with the marine crew,

1 not the one that gets done by employees, the PowerPoint, but --

2 A. Yeah.

3 Q. -- the one you do, is there a policy for what that new-hire
4 orientation's supposed to be, or is that just kind of something
5 you created?

6 MR. DENLEY: So, your discretion.

7 MR. HARRIS: Yeah. Sure. No, I'm happy to answer. It's
8 something that I kind of put together, if you will. It's not like
9 a company policy. It's more of just some general guidelines that
10 I provide my staff with and new crew with just in terms of
11 expectations, right? So, like big picture stuff, right? Like, be
12 on time to work. Here's where you need to clock in, right? So,
13 kind of nuts and bolts logistical-like. And again, we touch on
14 the different safety, and security, and things of that nature,
15 things that they should be aware of as new deck crew coming on
16 board a vessel, perhaps even as a first-time member in a marine
17 environment. So, yeah, so, it's kind of a catch-all, right? It
18 doesn't really drill too, too hard in any one area of focus.

19 BY LCDR [REDACTED]

20 Q. Okay. The safety portion, though, does it touch on
21 firefighting capabilities on the vessel?

22 A. It can, yeah. It certainly does.

23 Q. And have you received any type of firefighting training or
24 anything at your level for the director of marine operations, or
25 is that kind of passed on, as well, to you?

1 A. I've undergone, you know, fire -- nothing formal. Like,
2 nothing from a fire department, per se. You know, I've --

3 Q. You had mentioned, too, that you have director-level peers.
4 Can you kind of tell us who those are so we can get a picture,
5 from the general manager, who are your director-level peers?

6 A. Okay. So, we have a director of sales. We have a director
7 of food and beverage. We have a director of administration. We
8 have a director of marketing, a director of -- I'm not sure how
9 the -- the food and the beverage is somewhat of a split role, so I
10 don't want to speculate on how that's handled specifically, but I
11 do know that we have a director of food and beverage.

12 Q. And those are what you consider your director-level peers?

13 A. (No audible response.)

14 Q. And do they all have -- you have an associate director of
15 marine operations. Do you know if --

16 MR. DENLEY: Objection. Relevance.

17 LCDR ██████ I mean, does that -- I'm just kind of trying
18 to --

19 UNIDENTIFIED SPEAKER: She hasn't asked the question yet. If
20 we can just let her get to the question --

21 MR. DENLEY: Sure.

22 UNIDENTIFIED SPEAKER: -- before the objection, that'd be
23 helpful.

24 MR. DENLEY: Sure.

25 BY LCDR ██████

1 Q. I'm just kind of trying to understand just the organization,
2 because I'm still -- so, do they each have associate directors, as
3 well?

4 A. I don't believe so.

5 Q. Okay. And then, from your associate director, does it go to
6 captains?

7 A. I do -- just what --

8 Q. Kind of like the organization. I'm sorry. Because you have
9 an --

10 A. Sure. Yeah.

11 Q. -- associate director.

12 A. Yep.

13 Q. Does that go in like a straight chain? Like, is he
14 responsible --

15 A. Yeah.

16 Q. -- for the captains? Are you?

17 A. They would be like kind of the next level, I guess, if you
18 were to draw an org chart.

19 Q. Okay. That's what I'm just trying to --

20 A. Yeah.

21 Q. -- understand, how the captains and you fit, and then how the
22 associate director fits in there, as well.

23 A. Yep, yeah.

24 Q. You had stated when you were talking to Mr. Fawcett about the
25 safety announcement with the disc jockey. Can you kind of take us

1 through, what does that look like if somebody hands him a -- like,
2 how does that even happen? Can you --

3 A. I'm not sure the hardware that's involved. I do know that
4 they, through the ship's PA system, they play throughout the
5 vessel a, let's say a pre-getting-underway safety announcement.

6 Q. And does one of your deckhands of the marine crew tell him to
7 do that, or does he just know to do that?

8 A. I believe our vendors know to do that.

9 Q. Mr. Fawcett also touched on this, more on the emergency
10 response manual, but I'm just going to ask more company policy in
11 general, any policy. What's the company policy for how the
12 hospitality staff should address an emergency when the marine crew
13 is not on board?

14 A. I'm not specifically aware of what the policy says with
15 regards to food and beverage staff.

16 Q. And just to be clear, because I know we were talking directly
17 about the marine crew, the hospitality staff does not get the new-
18 hire orientation that you provide?

19 A. Correct.

20 Q. Okay. Whenever there is a policy change, or a change in
21 policy, let's say smoking policy, if there was a change in that,
22 how is policy within your company disseminated, those kind of
23 notifications?

24 A. That would be -- you know, policy in the sense of, you know,
25 company like big picture, national-level policy is provided as

1 like a strategic kind of set of guidelines, and we then -- it can
2 kind of be somewhat specific -- like, not specific, but it can
3 somewhat be broad in scope in terms of it may have nuances with
4 regards to how exactly that's rolled out, just because due to the
5 just the different nature of sort of all the different
6 departments, and the cities, and so on and so forth, so I'm not
7 sure exactly what -- if that helps.

8 Q. Yes. Have you ever received notification of a policy change
9 from higher up?

10 A. Yeah. We have routine calls and so forth with regards to the
11 guidelines.

12 Q. So, they're like company calls that you're involved in, and
13 let's say passing this policy change or --

14 A. Sure.

15 Q. -- new guidance --

16 A. Yeah, that's --

17 Q. -- and that's how you --

18 A. Yeah.

19 Q. Okay. It's not like an email? That's what I'm -- like, is
20 it an email? Is it a call? Like, how do you get notified of --

21 A. Yeah, it can be via emails or calls.

22 Q. And do you ever implement -- say, on a general manager level,
23 or even your level, how does that policy change like on a smaller
24 scale get disseminated to your captains and crew?

25 A. Yeah. Verbally, electronically. If we were to, say, roll

1 out a new type of guidance, whether it be operationally or what
2 have you, yeah, it would be done either via verbal conversation or
3 whatnot. It would be, you know --

4 Q. Do you review any of the -- are fire drills logged in the
5 logbook, like bridge log?

6 A. Yes.

7 Q. Do you review any of the logbooks for any of, I don't know,
8 anything out of the ordinary, or how often fire drills are
9 conducted, or any kind of drills? Like, do you ever look at those
10 logbooks and review it?

11 A. We log our drills a couple of different ways. We log them
12 with pen and ink in a logbook. We also have an electronic logbook
13 system that we utilize, as well.

14 Q. So, they do both?

15 A. Sorry?

16 Q. So, the captains do both?

17 A. Yes.

18 Q. And you review the electronic system?

19 A. Yes.

20 Q. You had stated, also, earlier, that captains kind of, not
21 really quote for quote, but was responsible for the vessel, went
22 on duty, went underway, you expect him to be in charge of that.
23 So, who is responsible for the vessel when the captain isn't on
24 board?

25 MR. DENLEY: Objection. Asked and answered. Mr. Fawcett

1 asked the same question.

2 LCDR [REDACTED] No, he was asking; and then, he said the
3 captain's ultimately responsible, and that's where it stopped.
4 So, I'm asking --

5 MR. DENLEY: Yeah, earlier in the conversation, I believe he
6 testified that he assumed it would be the head of the food and
7 beverage.

8 LCDR [REDACTED] No, I didn't say what food and beverage. I
9 said, if the captain's not on board anytime.

10 MR. DENLEY: Oh, I understand. Thank you.

11 BY LCDR [REDACTED]

12 Q. I mean, if he's not on board, if there was waitstaff or if
13 there wasn't, like, who is in charge if he's not there?

14 A. Okay.

15 Q. Who's responsible for the vessel, I'm saying.

16 A. So, again, just to understand, so, who's responsible for the
17 vessel, period, or who's responsible for the vessel --

18 Q. Correct.

19 A. -- like when it's like --

20 Q. And you said the captain was if it was -- he was on board.

21 A. Right. When the captain's on board the vessel, it's
22 generally understood that that's the person that's going to be in
23 charge of the vessel or responsible for the safety of the vessel
24 when on board. When not on board, you know, again, if there's
25 staff on board, it would presumably fall to the -- when there's

1 staff on board, presumably, that would fall onto the highest-
2 ranking employed individual; but when there's nobody on board, I
3 don't know that I really understand like -- I don't understand.
4 If there's nobody on board, I don't know.

5 Q. Okay. I'm just trying to ask who's responsible for the
6 vessel. I mean, as you know, what -- if something happens to the
7 vessel, who's responsible for the vessel if the captain's not on
8 board?

9 A. Yeah, I don't -- I'm not -- I guess I wouldn't speculate.

10 Q. Okay.

11 UNIDENTIFIED SPEAKER: So, do you (indiscernible), or do you
12 not know?

13 LCDR [REDACTED] Yeah. If you don't know --

14 MR. HARRIS: Frankly, I'm not sure I really understand.
15 Like, if there's nobody on the boat -- that wasn't even really the
16 question, so I don't --

17 BY LCDR [REDACTED]

18 Q. No, I just said -- I guess -- and it could be anytime. You
19 just made it a point that if a captain's on board, he's
20 responsible, so --

21 A. Sure.

22 Q. -- like, if he's not on board, then who's responsible?

23 A. Again, I'm not going to speculate.

24 Q. We could go with security, too. Say somebody went onto the
25 vessel, and then did something (indiscernible) the other vessel, I

1 mean, who's responsible? You know. I don't know, like, do they
2 call you? Do they just contact someone at --

3 MR. DENLEY: So --

4 LCDR ██████ -- the company?

5 MR. DENLEY: -- if the person that broke on the boat -- so,
6 if somebody breaks on the boat, breaks into the boat, after hours?
7 Is that -- I mean, do you want to give a scenario? Do you want
8 to -- it's just a very, very broad question.

9 LCDR ██████ Oh, yeah.

10 MR. DENLEY: You know, there's a million things that could
11 happen after hours, and maybe we should talk about that. I
12 mean --

13 LCDR ██████ That's --

14 MR. DENLEY: -- if we're notified about something that
15 happened when nobody was on boards after hours, who would get the
16 phone call?

17 LCDR ██████ Sure. I was just --

18 MR. DENLEY: I mean, you know --

19 LCDR ██████ Yeah.

20 MR. DENLEY: -- again, it's like --

21 LCDR ██████ If something happened --

22 MR. DENLEY: -- it's just a very broad --

23 LCDR ██████ -- if somebody got on the vessel, right? There
24 was --

25 MR. DENLEY: Yeah.

1 LCDR [REDACTED] -- a safety issue, who's responsible? I don't
2 know.

3 MR. DENLEY: Maybe ask a specific question, because I think
4 where we're getting hung up is like the who's responsible. I
5 think that calls for speculation, and I think he's not comfortable
6 answering it. If you want to talk about specific operational
7 issues, then we can maybe do that. I mean, if the -- I think that
8 makes sense. But I think that's where we're maybe getting hung
9 up, with kind of this -- it --

10 LCDR [REDACTED] I understand. I --

11 MR. DENLEY: -- it presumes -- I think that term,
12 responsible, sort of presumes something that he either can't or is
13 uncomfortable answering.

14 LCDR [REDACTED] Understood.

15 (Crosstalk)

16 LCDR [REDACTED] If you don't know --

17 (Crosstalk)

18 LCDR [REDACTED] -- you can say you don't know. I was just --
19 you made it a point to say that he was, and I was just like, if
20 that -- you know, not when he's not on.

21 MR. HARRIS: Sure.

22 LCDR [REDACTED] Maybe you could ask that. So, when the
23 captain's not on board, is it safe to say he's not responsible?

24 MR. HARRIS: That's safe to say.

25 MR. DENLEY: Yeah? Okay. Great. That worked out.

1 BY LCDR [REDACTED]

2 Q. When Captain Spillane was recalled back to the vessel, you
3 had stated that you called the captain on duty. Why did you
4 call -- but he wasn't -- he had left. So, was he still on duty --

5 A. No.

6 Q. -- or -- okay. So, he had no expectation to stay while
7 hospitality staff was on board?

8 A. Correct.

9 LCDR [REDACTED] Okay. I just wondered. That's all I have.

10 MR. HARRIS: Okay.

11 LT [REDACTED] Mr. Young?

12 MR. YOUNG: Good morning, Captain. Do you need a break,

13 or --

14 (Crosstalk)

15 MR. YOUNG: A head break or more water?

16 MR. HARRIS: No.

17 MR. YOUNG: Okay. This is Brian Young with the NTSB.

18 BY MR. YOUNG:

19 Q. I just want to start with a few questions to follow up what
20 we talked about on board the vessel so we can have it on the
21 record, because you shared a lot of very good technical details
22 about some of the equipment in and around the area of the fire I
23 just want to capture so that we can use it for our reports. We
24 talked a little bit about the air handling unit system that has a
25 boiler, and a condenser, a freon-activated compressor down in the

1 engine room. Can you just talk about the heating or cooling fluid
2 goes up into the space where the fire was? Is it water, or is it
3 freon?

4 A. So, do you want me to talk about the overall system, or --

5 Q. Yeah, yeah, just --

6 A. -- just for the liquid?

7 Q. The whole system. What we're looking at is, what is actually
8 used to cool or heat the area where the fire was? Is it chilled
9 water, heated water, or is it gas and freon? The reason I'm
10 asking is, is because one of the witnesses thought they heard
11 something hissing, and --

12 A. Yes.

13 Q. -- and I'm trying to figure out if there was Freon up there,
14 if that could have been a potential release of gas.

15 A. Sure. At the time of the incident specifically, that's
16 system would have been not operational.

17 Q. Okay.

18 A. It would have been secured. By secured, I mean it would have
19 been shut down for the night.

20 Q. So, the water that would have been pumped through the system,
21 is that what would have been secured?

22 A. The --

23 Q. The pump?

24 A. Yes, the water pumps would be secured. That through-hull sea
25 chest that draws that seawater in --

1 Q. Yeah.

2 A. -- that would have been secured, closed. And the circulator
3 pumps for the freon would have been secured.

4 Q. Okay. And just to be clear, during operation, what would be
5 the medium that flows through the chillers or heat exchangers
6 above the passenger spaces and in the room where the fire was, the
7 wait station?

8 A. I'm going to say, I don't want to speculate.

9 Q. Okay. And if the water is secured, could the electrical fan
10 continue to run, or is that all connected with the pump?

11 A. The blowers for the fans are separate from the pump.

12 Q. Okay.

13 A. But those would have been secure, as well.

14 Q. Okay, and how were they secured?

15 A. The electrical breaker.

16 Q. In the engine room, or up on each deck?

17 A. You've been on the vessel?

18 Q. Yeah.

19 A. The ladder well into the engine room behind the secured entry
20 door that's been open during this investigation --

21 Q. Yeah.

22 A. -- in that ladder well, secured, is a panel. In that panel
23 are the breakers for the blowers.

24 Q. Okay. And is that a standard practice, that they're all
25 secured every night when the crew departs the vessel?

1 A. It's -- it is, unless it is very cold weather ops, meaning if
2 there's freeze potential.

3 Q. And do you have any idea of the status of the fans that
4 night?

5 A. I don't.

6 Q. Okay. You talked a little bit about some steelwork that had
7 been done in the area of the wait station on the deck. Could you
8 just talk about that, maybe what was done and when it was done?

9 A. My understanding is that, not in the wait station, but aft of
10 it, aft of that bulkhead that separated kind of the cold prep
11 pantry area, if you will.

12 Q. Yeah.

13 A. In that vicinity, there was a small insert. By small insert,
14 I mean a small insert of steel that was cropped out and renewed,
15 meaning cut out and rewelded into, you know, regulation standards
16 to insert a piece of a steel deck plate, but it was not much in
17 scope. It was a small area.

18 Q. Okay. It wasn't in the wait station?

19 A. Correct.

20 Q. Are you aware of any electrical work that has been done in
21 the wait station over the last year?

22 A. I'm not, no.

23 Q. If some electrical work had to be done, let's just say they
24 had to replace a receptacle, would somebody from your company do
25 it, or would you hire it out to a contractor?

1 A. That would depend. That would depend on the scope of the
2 job. So --

3 Q. Okay. Did you ever sail, Captain, on the *Spirit of Boston*?

4 A. I did.

5 Q. And could you just help me understand -- now, I understand
6 there were four boats under your umbrella of the dinner ops. What
7 are the other three boats?

8 A. The *Odyssey*, the (indiscernible), and the *Boston Elite*.

9 Q. What was the last one?

10 A. The *Boston Elite*.

11 Q. *Boston Elite*? And do you hold a current captain's license?

12 A. I do.

13 Q. And what's the rating on it?

14 A. It's a 100-ton inland license.

15 Q. And how long have you had that license?

16 A. I would say, 10 years plus.

17 Q. And just going back to the deck work that was done in the
18 cold prep room, are you aware if any of the coatings on top of the
19 steel deck have been replaced over any time recently?

20 A. They were replaced in the winter/spring during our normal
21 haul-out period in 2020.

22 Q. 2020? And did that also include the wait station? Was that
23 a new deck?

24 A. I believe so. I'm not 100 percent. I think it did, but I
25 don't know for 100 percent certainty that it did.

1 Q. Do you know if it's some sort of an epoxy that gets down in
2 the --

3 A. Yeah. I don't know the name of the product, but yes, it's,
4 you know, it's an approved coating for that type of application,
5 yeah.

6 Q. I see. The night of the fire, during the cruise, we
7 understand it was a high school on the two decks above and
8 individual people down below, and we understand people eating.
9 How does the food get prepared? Do you order it precooked, and
10 you keep it warm, or does your crew actually cook it on the
11 vessel?

12 A. We cook it in house for the most part. Again, I want to -- I
13 don't directly -- I'm not directly involved with like the food
14 preparation piece of it, so I don't want to misspeak, but my
15 understanding is, is that more often than not, we prep it on
16 board, we prep it and cook it on board.

17 Q. Okay. And I'll ask that to the people responsible, so --

18 A. Sure.

19 Q. -- thank you. You talk about the system that alerts someone
20 in your company after the vessel is secured. What would cause an
21 alert? Name a scenario that would trigger the system to notify
22 you.

23 A. A number of different scenarios would trigger an alert to me,
24 but specific to this -- specific to the notification system?

25 Sorry, could --

1 Q. Let's say there's a bilge alert.

2 A. Okay.

3 Q. Would you get a call, or would somebody on your team get a
4 call?

5 A. For spaces outfitted with a bilge alarm tied to the system,
6 yes.

7 Q. Security breach.

8 A. Yes.

9 Q. How is that -- are there motion detectors?

10 A. Yes, there's motion detectors. There are point of entry
11 sensors. So, if the system was armed and active, if any component
12 of that system was triggered, it would generate a call.

13 Q. And, of course, fire. Would one of the smoke detectors? Is
14 it tied into that system, or is it a separate system?

15 A. They're separate systems, but there's a link for notification
16 purposes.

17 Q. And how does it work for the people on the other end of the
18 phone, such as yourself? Is there a duty schedule, or does a
19 notification go out to everybody on your team?

20 A. So, it's more of a call tree, if you will, meaning that
21 there's a list. So, for the -- I guess dispatch will call them.
22 So, for the alarm monitoring station, if any alarm comes to them,
23 they are then -- our account comes up, presumably, on their
24 screen, and they start notifying those individuals identified
25 internally to start making those calls.

1 Q. Okay. And is the expectation that somebody on that call tree
2 would then proceed to the vessel to troubleshoot or solve the
3 problem?

4 A. It would depend on the scenario. Yes, it would depend on the
5 nature of the event.

6 Q. Okay. The fire detection system on the bridge has a
7 starboard side red panel, and that, from what we understand,
8 receives all the input from all the sensors in the overheads.
9 Would that also include engine room sensors, galley?

10 A. Yes.

11 Q. If that -- let's just say there was a fire in any of the
12 spaces, and the detection system is activating, I know it alerts
13 with an audible signal on the bridge.

14 A. Correct.

15 Q. If it were to go unanswered for a while, would it then resort
16 to ringing to the general alarm, or does it continue just ringing
17 on the bridge?

18 A. It just would resort to ringing on the bridge. It's an
19 audible and a visual notification.

20 Q. Okay. Is that visual indication the strobe that says, fire
21 on the portside --

22 A. Yes.

23 Q. -- of the wheelhouse?

24 A. Yes.

25 Q. And in that general area, too, is that where the alarm system

1 is that goes out? It's made by HES, I believe?

2 A. That's the security firm that we contracted to install and
3 monitor that system, so --

4 Q. Okay. And they have people standing by like a security
5 system? Once they get an alarm, they alert the tree, whoever's on
6 the tree?

7 A. Right. Yeah, right. It's not ATS. It's kind of a link to
8 the call center. I guess maybe you could say that. It's not --
9 you know, my contact at ATS isn't calling me. It's a call center.

10 Q. Understood. Got it. And then, on the night of the fire, did
11 the call center notify you?

12 A. They did.

13 Q. And via text, email, phone? How did that happen?

14 A. A phone call. Yeah, a phone call.

15 Q. And would that have hit your cell phone?

16 A. It would have.

17 Q. Would you have a timestamp on it so we can know exactly when
18 that might have happened so we can put the pieces together on a
19 timeline, when that call came in?

20 A. I would most likely have that on my phone, yeah.

21 Q. Does the, any of the vessels -- I'll just go with the *Spirit*
22 *of Boston*. Do they use heat lamps to keep food warm whatsoever?

23 A. I don't know.

24 Q. After the fire and after the fire department released the
25 vessel, (indiscernible) took off, did anybody from the crew or

1 your company stay aboard as like a coast firewatch on board the
2 vessel?

3 A. Yes, I believe so.

4 Q. Do you know who that might have been? Was it a crew member
5 or a company employee?

6 A. I believe it was Captain Dan Spillane, and I believe we also
7 had another individual stay. Again, I had left, but when I left,
8 it was my understanding that another individual, probably one of
9 my team, was stayed.

10 Q. Okay. And as additional firefighting measures on board the
11 vessel, talk a little bit about the operation of fire dampers.
12 Are you aware that there are dampers throughout the vessel that
13 can be closed in the event of a fire?

14 A. I am.

15 Q. And where can they be released from or closed from?

16 A. They can be released from the primary operating station, in
17 the pilothouse. They can also be operated locally at the dampers
18 themselves.

19 Q. Okay. And have you ever seen them operating?

20 A. I have.

21 Q. And when would that have been?

22 A. During routine checks of that equipment.

23 Q. During a COI? During a Coast Guard exam, maybe?

24 A. Yes.

25 Q. And is that part of the maintenance procedure or some sort of

1 exercise where these dampers are actually exercised?

2 A. As part of an exercise procedure, yeah. It's part of ongoing
3 kind of routine training, drilling, et cetera.

4 Q. And would that be logged anywhere, in like a deck log or
5 something?

6 A. Perhaps. Yeah, perhaps.

7 Q. And how about fire doors? How can they be operated?

8 A. On the *Spirit*, those are -- I believe most of the doors on
9 the vessel have a particular fire rating, but I don't know for
10 sure, but it's my understanding that many, if not all, the doors
11 on the boat have a fire rating.

12 Q. Okay. Some of the doors, especially around the galley, are
13 held open with a pin. Is there -- and then, it looks like there's
14 a (indiscernible) pump that --

15 A. Correct.

16 Q. -- may release them. Can that be done from the bridge?

17 A. Yes. Everything, all the fire-related equipment on the boat
18 can be operated from the operator's station, as well as locally.

19 Q. In addition to the doors around the galley, we also noticed
20 some doors above ladder wells in the passenger space.

21 A. Doors above ladder wells in the passenger space.

22 Q. They're almost vertical doors that would close down, and
23 they're held open with a --

24 A. I see. Yes, yes. I know what you're referring to.

25 Q. Can you talk about how they would be used and how they could

1 be actually activated?

2 A. So, with regards to those specific vertical doors that would
3 close down on, say, like the opening of a ladder well, yeah, those
4 would be pulled remotely via a cable station that would --
5 essentially, a cable would lead to the pin, the pin would fall,
6 and then that would allow for the doors to close.

7 Q. Right. And have you ever seen them operated --

8 A. I have.

9 Q. -- on the *Spirit*?

10 A. I have.

11 Q. Like, what -- are they successfully closed from remote pull?

12 A. Yes, yes.

13 Q. When would you do the remote pull?

14 A. We would conduct that, certainly, during an inspection
15 period. We would also exercise those doors, potentially, during
16 drills or exercises.

17 Q. The last question I have is, since this fire on March 24,
18 have you made any changes to any operations on the other three
19 vessels in Boston? Anything?

20 A. I've not implemented any specific changes.

21 MR. YOUNG: Okay. Thank you very much. Appreciate all your
22 help.

23 MR. HARRIS: Thank you.

24 UNIDENTIFIED SPEAKER: Mr. Wilcox, any questions?

25 CMDR [REDACTED] Yes. I just have two short ones.

1 BY CMDR [REDACTED]

2 Q. I know we touched on your training a little bit. What type
3 of formal training have you actually received for fire, if any?

4 A. I've not received any formal training (indiscernible).

5 Q. Have you ever received any type of training --

6 A. And when you say formal --

7 Q. All right. Explain to me what type of training you've
8 received for firefighter -- use of fire equipment used to
9 extinguish fires, et cetera.

10 A. Okay. Yeah, so, I haven't received any formal.

11 Q. Okay. The firefighter training that -- or, the firefighting
12 knowledge that you have, where did you receive that from, then?

13 A. I've received that throughout the course of my tenure, just
14 in the history throughout working on vessels, and being trained by
15 various captains, and --

16 Q. Could you use the generic term, on-the-job training?

17 A. Correct, yeah, that would be fair.

18 Q. Have you ever received any type of training to prepare
19 yourself to train others? I mean, a lot of industries have
20 courses called, Train-the-Trainer. Have you ever received
21 anything like that, either on your own or provided by the company?

22 A. I believe that there may be some trainings available, but
23 I -- with regards to specific firefighting training, I don't
24 recall.

25 CMDR [REDACTED] Okay. That's all I have.

1 LCDR [REDACTED] Yeah, just a couple of questions.

2 BY LCDR [REDACTED]

3 Q. So, you've been in your current position -- I guess, how long
4 have you sailed on board the *Spirit of Norfolk* either as a
5 captain -- or, how long have you been associated with the *Spirit*
6 *of Boston* either as a captain or the director of marine
7 operations?

8 A. So, again, I've been in the director position for
9 approximately four and a half years. I've been working for the
10 company that the *Spirit of Boston's* a part of now for closer to 12
11 or 13 years.

12 Q. And you've either performed, supervised, or been responsible
13 for firefighting training and drills for that entire period of
14 time?

15 A. Yes.

16 Q. Either as a captain or in your role now as the main director?

17 A. (No audible response.)

18 Q. And Mr. Fawcett asked you about like third-party auditing or
19 outside auditing. Have you received any feedback from the Coast
20 Guard about the quality of those drills in the last 12 years?

21 A. Yes, yeah.

22 Q. Can you describe that feedback?

23 A. It's been very positive. You know, when we have the Coast
24 Guard on board the vessel for annual or five-year inspections, and
25 we go through drills, we oftentimes will do any number of

1 firefighting-equipment-specific drills, from deployment of
2 multiple hoses to the tabletop discussions. So, a spectrum that
3 goes anywhere from a tabletop discussion about scenarios to a
4 full-on deployment of fire hose.

5 Q. So, when that's happening, that's in the presence of Coast
6 Guard or inspectors?

7 A. Yes.

8 Q. And so, over that past 12 years, you've characterized, I
9 think, the feedback is generally positive, and has the Coast Guard
10 ever called you up and said, hey, we have a systemic problem, or,
11 we have a problem with the way that you're doing drills or the way
12 that you're training recruits?

13 A. No, I haven't.

14 LCDR ██████████ Thank you. I'm good.

15 UNIDENTIFIED SPEAKER: Okay. Mr. Fawcett?

16 MR. FAWCETT: Captain, some follow-ups. You still good for a
17 few more questions?

18 MR. HARRIS: Yep.

19 MR. FAWCETT: Great.

20 BY MR. FAWCETT:

21 Q. Do you know when the last electrical survey was conducted
22 where a third party came aboard and checked the electrical system
23 outlets, electrolysis, you know, things like that, on board the
24 vessel?

25 A. Yeah. I do.

1 Q. And when was that?

2 A. That would have been shortly after our last dry dock haul-out
3 (indiscernible) inspection.

4 Q. What recommendations did the surveyor make in terms of
5 changing electrical equipment on board the vessel? You know, in
6 general, recommendations?

7 A. They didn't make any.

8 Q. So, speaking back to the firefighting training that you
9 conduct with new hires and vessel crew, one or the other, how much
10 time in terms of minutes does it take you to demonstrate the use
11 of a fire extinguisher to a crewperson?

12 A. How many minutes would it take me to demonstrate the use of a
13 fire extinguisher? I don't want to speculate on that. I mean --

14 Q. Well, you have done it, so how long does it take?

15 A. Right. Well, it can vary, right? I mean, it can vary,
16 depending on the individual I'm directly working with, questions,
17 scenarios. I mean, it's not always the same answer. If you're
18 familiar with how to do it, and you're comfortable with it, it's
19 going to take me a lot less time to work with you on operating a
20 fire extinguisher than, say, somebody else who might not
21 necessarily be familiar and comfortable. So, it can vary, right?

22 So --

23 Q. What would be the longest?

24 MR. DENLEY: Objection. Calls for speculation.

25 BY MR. FAWCETT:

1 Q. Well, you've done it, so would it -- in your experience, when
2 you've done it --

3 A. Yeah.

4 Q. -- what's been the longest amount of time it's taken?

5 A. To physically deploy and go through a full-on --

6 Q. To teach them how to use a fire extinguisher.

7 A. I would say it's, I would say, no more than, say, 30 minutes.

8 Q. How about the use of a fire blanket?

9 A. Again, you know, it would vary, but again, I would say -- I
10 would venture to say that, in my experience, it wouldn't take much
11 longer than minutes. You know, certainly not hours. If we're
12 going to categorize it in that way, I would say, you know,
13 minutes.

14 Q. And how about the activation, the manual activation, of the
15 fire suppression system in the galley?

16 A. Again, that would be scenario-dependent and case-by-case
17 dependent, it would not be a very time-consuming instruction.

18 Q. So, how many minutes, do you think?

19 A. I don't know, sir, how many minutes it would take me to teach
20 someone how to pull a fire suppression --

21 Q. So, if we're walking back towards the after portion of the
22 galley, we have the wait station, we have the food prep area, I've
23 got a bulkhead on my left shoulder, there is a damper to pull for
24 the engine room dampers and secure them. And then, up above it, I
25 thought it was a fire alarm, there's a hammer, and it might have

1 had a protective glass cover on it where you tap the hammer, break
2 the cover, and push a button.

3 A. Correct.

4 Q. What is that?

5 A. I'm not sure what that button specifically is.

6 Q. All right. And then, just your function as the director of
7 marine operations, and your situational awareness, and the
8 awareness that the company provides, related to fire prevention
9 and safety, so on the *Spirit of Norfolk*, on May 15, they had an
10 engine overhead in the engine room, and the crew discharged
11 what -- they thought they were seeing a fire, and they discharged
12 two fire extinguishers into the engine room, thinking it was a
13 fire. It was, in fact, just pink-colored steam. Were you aware
14 of that?

15 A. I don't recall. I don't remember.

16 Q. And then, the small passenger vessel, *Rendezvous*, another
17 vessel under the City Cruise umbrella, had a generator fire in the
18 late spring of 2022. Were you made aware of that as part of like
19 company meetings or incident reviews?

20 A. I don't recall that.

21 Q. And then, just my final question, the orientation that you
22 give crewpersons, is that documented in their records, that you've
23 conducted that?

24 A. Perhaps maybe not as consistently as I'd like to say, but yes
25 and no.

1 Q. So, would I be correct to say it can be?

2 A. It could have been, yeah.

3 MR. FAWCETT: So, thank you very much. You've been very
4 patient. I appreciate your help.

5 MR. HARRIS: Sure.

6 LT [REDACTED] Mr. Harris, thank you very much for your time
7 today. That concludes our interview at 10:54. Thank you.

8 MR. HARRIS: Thanks.

9 MR. DENLEY: Thank you.

10 (Whereupon, at 10:54 a.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: FIRE ABOARD THE *SPIRIT OF BOSTON*
NEAR THE BOSTON SPORTS DISTRICT
IN BOSTON, MASSACHUSETTS
ON MARCH 24, 2023
Interview of Thayer Harris

ACCIDENT NO.: DCA23FM022

PLACE: Boston, Massachusetts

DATE: April 6, 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.

A rectangular area of the document is redacted with a solid black box, obscuring the signature of the transcriber.

Lisa D. Sevarino
Transcriber