

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: KELLY YELLE, General Manager
Spirit of Boston, City Cruises

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
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ERIC DENLEY, Counsel
City Cruises

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I N T E R V I E W

(2:01 p.m.)

1
2
3 LT [REDACTED] Do you have any questions before we begin?

4 MS. YELLE: I don't think so.

5 LT [REDACTED] Okay, great. So I'll just please ask everybody
6 to please silence their cell phones. And, ma'am, if you can
7 officially acknowledge that the Coast Guard will be recording this
8 interview for the purposes of the investigation.

9 MS. YELLE: Yes.

10 LT [REDACTED] Thank you. This is a joint U.S. Coast Guard/NTSB
11 investigation, and the Coast Guard is the lead agency. And we are
12 conducting this interview under the applicable Coast Guard
13 regulations. It is April 6th, 2023, at 1401 and is the interview
14 with Ms. Kelly Yelle at the First Coast Guard District conference
15 room. We are conducting an interview to examine the events
16 surrounding the fire aboard the excursion vessel, Spirit of
17 Boston, which occurred on March 24th, 2023, in Boston Harbor.

18 First, we'd like to go around the room to introduce the
19 interview team and just to remind everybody if you could please
20 spell your last name. My name is Lt. [REDACTED] [REDACTED] [REDACTED] and
21 I am a member of the First Coast Guard District investigation
22 team.

23 LCDR [REDACTED] I'm Lt. Commander [REDACTED] [REDACTED] [REDACTED],
24 and I'm with the First Coast Guard District investigation team.

25 MR. YOUNG: Good afternoon, Ms. Yelle. My name is Brian

1 Young. I'm an investigator with the National Transportation
2 Safety Board, and my name is spelled Y-o-u-n-g.

3 MR. FAWCETT: Good afternoon. My name is Keith Fawcett. I'm
4 a civilian marine accident investigator with the U.S. Coast Guard
5 and I'm part of this investigation team and my last name is
6 spelled F-a-w-c-e-t-t. Thank you.

7 LCDR [REDACTED] Good afternoon, ma'am. I'm Lt. Commander
8 [REDACTED] [REDACTED] [REDACTED], and I'm the legal advisor to the
9 investigation. Nice to meet you.

10 LT [REDACTED] And, ma'am, if you can please introduce yourself
11 and spell your last name.

12 MS. YELLE: Sure. My name is Kelly Yelle and I'm the general
13 manager of Boston Harbor City Cruises, the dining division, and my
14 last name is spelled Y-e-l-l-e.

15 LT [REDACTED] And are you represented by counsel?

16 MS. YELLE: I am.

17 MR. DENLEY: I'm Eric Denley, D-e-n-l-e-y, counsel for City
18 Cruises.

19 LT [REDACTED] Thank you. Ms. Yelle, you may change or modify
20 anything that you say in this interview if you recall it at a
21 later date. Just notify Mr. Denley and he will notify us to get
22 it put on the record. Or you may also appeal the final results of
23 any reported investigation that results from this interview. For
24 your own information, the Coast Guard investigations are outlined
25 in the Marine Safety Manual Volume 5, which you can find online.

1 So at this point, we're ready to go ahead and begin the
2 interview. Mr. Fawcett.

3 INTERVIEW OF KELLY YELLE

4 BY MR. FAWCETT:

5 Q. Thank you, thanks again.

6 A. Of course.

7 Q. So all my questions are going to be directly related to -- up
8 to March 24th, 2023, unless I specifically mention otherwise. And
9 then we're going to talk about the operation of the Spirit of
10 Boston and the other vessels within the dining fleet in Boston.
11 And we're going to break your testimony into two parts. One,
12 we're going to talk about your duties as the general manager, and
13 then briefly we'll ask you to recount the events that you are
14 aware of and what happened to you relating to the fire on March
15 24, 2023.

16 A. Okay.

17 Q. For the record, we have these sheets that show the
18 organizational structure of what I believe the City Cruises on and
19 up to June 7, 2022. We have an exhibit that's public knowledge
20 that's fully redacted, no names, as part of another investigation.
21 So just for clarity, this kind of helps us out.

22 A. Okay.

23 Q. And this is, once again, on June 7th -- up to June 7th of
24 last year.

25 MR. DENLEY: The only clarification, Mr. Fawcett, is that

1 this is the marine structure for City --

2 MR. FAWCETT: Correct.

3 MR. DENLEY: Cruises.

4 MR. FAWCETT: Correct, thank you.

5 MR. DENLEY: Yes.

6 BY MR. FAWCETT:

7 Q. So we're here to understand the fire event, the preconditions
8 that led up to the fire, and by that I mean things like fire
9 prevention, fire strategy, training, and then what we call late
10 non-safe conditions so that we can make recommendations to
11 eliminate and improve fire safety on small passenger vessels.

12 A. Okay.

13 Q. And what I'd like you to do is just, in as much detail as you
14 choose to share with us, tell us about your duties and
15 responsibilities as a general manager, and the more you tell me,
16 the less questions I'll have to ask.

17 A. Okay. Well, my name again is Kelly Yelle and I've been in
18 the events and dining industry for probably 30 years. I started
19 with Hornblower when I was right out of college. I moved to
20 Boston 15 years later, worked for Mass Sailings (ph.), which is an
21 event/boat operator in Boston Harbor for just a year in a
22 marketing capacity. I then moved to Odyssey as a director of
23 sales. They merged with Spirit and I became the director of sales
24 for both operations, as well as the charter vessels. And then I
25 believe it was 2012, I was promoted to the general manager of the

1 -- Entertainment Cruises, the name at the time, which encompassed
2 Odyssey, Spirit of Boston and the two charter vessels.

3 My responsibilities are really to manage the dining
4 operation, which encompasses those four vessels, so I'm
5 responsible for the profit and loss, marine safety, F&B, and sales
6 and marketing. So I've got four direct, kind of legs, I guess, of
7 my responsibility. I mean, our ultimate goal as a company is to
8 provide great guest experiences for our guests and we do private
9 events, weddings, corporate events, public dining. And those four
10 different departments, I manage to bring it all together and
11 create great experiences for everybody, so.

12 Q. So have you ever worked, in your 30 years, as part of the
13 marine crew?

14 A. No, I've never been part of the marine crew.

15 Q. And the four legs of the divisions or departments that you
16 supervise, what are those four legs?

17 A. Sales and marketing, marine, F&B, and then the admin side,
18 which is HR, recruiting, retention, et cetera, et cetera.

19 Q. So would I be correct to describe City Cruises, and that's
20 the term I'm going to use --

21 A. Sure.

22 Q. -- as one part of a large corporation that operates a number
23 of different type of vessels?

24 A. Yes.

25 Q. And then, what is your understanding, as general manager, as

1 to who is directly responsible for the safety of operations on
2 board the dining vessels in Boston Harbor?

3 A. I would say that, as a general manager, I would be
4 responsible, but I have a director of marine operations that I
5 fully -- has full authority over the marine department that I
6 depend on. All of my directors are fully in charge of their
7 departments and I fully depend on them to run the departments as
8 well as they possibly can.

9 Q. And I don't think I have a breakdown, but the different
10 departments, could you tell me who and what their, you know -- who
11 the supervisors or whatever the title is?

12 A. So Thayer Harris is the director of marine. He reports
13 directly to me. Thatcher Trumbly (ph.) who is the director of
14 F&B; he reports directly to me. I've got Megan Senense (ph.),
15 who's the director of sales who reports directly to me, and I have
16 Randy Camarata (ph.), who's the director of admin that reports
17 directly to me.

18 Q. And who do you report to?

19 A. I report to Bob Lawler (ph.), who is the regional VP of the
20 Boston operation.

21 Q. Does Mr. Lawler have an -- any other job title?

22 A. He's the VP of Boston Harbor City Cruises and General
23 Manager.

24 Q. And then who does he report to?

25 A. Dan (ph.) and Christine (ph.).

1 Q. Okay. So that -- I was going to get to that. So he's --
2 those two people, are they chief operating officers or operations
3 officers? What -- who are they?

4 A. They're both COO's, so it's chief operating officers. I
5 would -- I don't know if it's operations or operating. But -- so
6 they joint manage City Cruises US.

7 Q. And is one of those persons more towards the hospitality side
8 and the other more towards the marine? How does that work?

9 MR. DENLEY: And I'm just going to object --

10 MS. YELLE: Yes, sure.

11 MR. DENLEY: -- to relevance and speculation. So to the
12 extent that you know, feel free to talk about it.

13 BY MR. FAWCETT:

14 A. I don't know what their definition -- their division of
15 duties is. We go to either one of them.

16 Q. So who would you go to for safety concerns?

17 A. Whoever answers their phone.

18 Q. Did you make reports to anybody -- it's about the fire -- but
19 did you make reports to anybody at the corporate level about the
20 fire?

21 A. I called Bob Lawler, who's my direct boss and we have an
22 emergency contact system, and then he did contact them as well as
23 our national marine team.

24 Q. Okay. So that I can understand, we've spoken to the director
25 of marine operations, and I think we have an idea of how that all

1 floats. But how about M. Trumble -- is it Trumble?

2 A. Trumbly (ph.).

3 Q. Trumbly. Could you explain the, you know, the reporting
4 scheme down to the actual vessel, through the food and beverage,
5 you know, like, who's who.

6 A. Yes, so we have a director for the beverage, which is
7 Thatcher, so he reports to me. And so he manages the restaurant,
8 front of the house and back of the house. So we've got restaurant
9 managers. I believe you talked to CC (ph.) and Jeremy (ph.).
10 They're two of our restaurant managers. We've got two others.
11 And then we've also got restaurant supervisors and then we've got
12 servers, bartenders, server assistants, barbacks, everybody there
13 reports up to them.

14 Q. So on the Spirit of Norfolk, is there a restaurant
15 supervisor?

16 A. You mean Boston.

17 Q. Oh, that's what I meant, I'm sorry.

18 A. There is, yes. We've got a couple of hourly restaurant
19 supervisors.

20 Q. And was a restaurant manager aboard during the accident
21 voyage?

22 A. That was CC, yes.

23 Q. And then who's responsible -- the term of art that I've
24 picked up through this investigation is back of the house. So who
25 supervises that aspect of the business operation?

1 A. So Thatcher also manages -- he manages all the restaurants
2 and we've also got an executive chef. Her name is Rhiannon Dulac
3 (ph.) and so she manages our back of the house operation. So all
4 of our cooks, runners, receivers, everybody that has a
5 responsibility in the back of the house.

6 Q. And on the Spirit of Boston that accident day, who would have
7 been in charge of the galley operation?

8 A. We would have had a supervisor and I am not sure who the
9 supervisor was on that night, I'm sorry.

10 Q. Do you know if any -- from the knowledge you have sitting
11 here -- do you have any knowledge of any of the galley personnel,
12 like shortfalls in the number of people that were aboard or were
13 all of the positions filled that evening?

14 A. I don't have any indication that they weren't, no.

15 Q. So there is a -- I'm holding up this page here, which is the
16 U.S. National Marine Team.

17 A. Um-hum.

18 Q. And looking at -- and once again, I just want to get this in
19 proper perspective if you know this -- looking at March 24th,
20 2023, was Mr. Smith (ph.), as you know, the senior vice president?

21 A. Yes. I mean, I don't know if his title's changed since then,
22 but he's -- yes, I mean, he --

23 Q. And then your understanding Mr. Frommel (ph.) the vice
24 president of marine operations?

25 A. Yes, and he's for City Cruises, yes.

1 Q. And then incident and admin manager, it lists here Mr.
2 Blakely (ph.)?

3 A. I have seen him on emails. I'm not quite sure of his title.
4 So he's an employee, so --

5 Q. Um-hum.

6 A. -- I'm not completely convinced that their titles are the
7 same. I have no reason to believe they're not, but --

8 MR. DENLEY: And just to be clear, this is for -- and again,
9 o I think it's important to just clarify -- this is the marine
10 structure?

11 MR. FAWCETT: Correct.

12 MR. DENLEY: Okay. So to the extent that you --

13 MS. YELLE: Yes.

14 MR. DENLEY: -- to the extent that you have knowledge --

15 MS. YELLE: Yes.

16 MR. DENLEY: -- go ahead, but --

17 MS. YELLE: Yes, I --

18 MR. DENLEY: You've already said --

19 (Crosstalk)

20 MR. DENLEY: -- you've already said who you report to and
21 it's --

22 MS. YELLE: Yes.

23 MR. DENLEY: -- nobody on this list.

24 MS. YELLE: Correct.

25 MR. DENLEY: Got you.

1 BY MR. FAWCETT:

2 Q. And then you recently hired, as far as the testimony that
3 we've heard here in the interviews anyway -- a director of
4 maintenance. Is that correct?

5 A. Yes, a port engineer.

6 Q. And then there is a position on this chart on the left, on
7 the bottom row called marine engineering and projects. Did you
8 involve or were you involved in correspondence with this person --
9 it's listed here as vacant -- about getting that director of
10 maintenance?

11 A. I don't know who this is. I didn't even know we had this
12 position, to be honest. No, I mean, our -- Gary Frommel (ph.) is
13 the VP for marine ops for City Cruises US, and we go directly to
14 him for anything. I'm not sure how he goes through his chain of
15 command.

16 Q. And then -- I'll skip over -- and then you have regulatory
17 safety and security. So do you -- in your position as general
18 manager -- deal with those topics?

19 A. No, I don't. You know, I will tell you that John Lake (ph.)
20 was involved with the incident and helped with our drug testing,
21 so he and I spoke about getting our team drug tested after the
22 incident.

23 Q. And then it says -- just -- and you may not know this -- you
24 know, we've talked about the marine side. So is marine crewing,
25 as we describe it here, to the best of your knowledge, is it only

1 maritime personnel or does it include any of the -- I would just
2 call them hospitality staff, front or back end?

3 A. As far as I know, it's just marine through this org chart.

4 Q. And then there's another one to the right, it's cruise
5 standards and aesthetics.

6 A. Um-hum.

7 Q. Is that only marine -- dealing with marine or is that dealing
8 with hospitality?

9 A. I believe, because he's on the marine team, it's just marine.

10 Q. Is there a similar chart similar to this for the food and --
11 well, the hospitality side?

12 A. I mean, it's very different, but we do have a national F&B
13 team. That is different and the titles are obviously different,
14 but we do have resources, which I would consider the national
15 marine team as a resource for our -- City, as well as an F&B
16 national team is also a resource for our City.

17 Q. Do you know if the organization above your level, do they
18 have a training component for the hospitality people?

19 A. Like a manager or something?

20 Q. Yes, someone that oversees and supervises training for the
21 hospitality staff?

22 A. I don't believe there's anyone in particular that does that.

23 MR. DENLEY: I'm just going to put an objection for relevance
24 and to the extent that you know --

25 MS. YELLE: Yes.

1 MR. DENLEY: -- you know, you can answer.

2 BY MR. FAWCETT:

3 Q. So do you know who the president and chief operating officer
4 of the Hornblower organization is?

5 A. Yes.

6 Q. And who is that?

7 A. Kevin Rabbit (ph.).

8 Q. What's his last name?

9 A. Rabbit.

10 Q. R-a-b-b-i-t?

11 A. I think, or --

12 Q. Okay.

13 A. -- two T's, I don't know.

14 Q. Okay. So in 2020, the Spirit of Boston was sold. Are you
15 aware of that?

16 A. I was not.

17 Q. So how often do you interact with the director of marine
18 operations, and how do you interact with the director of marine
19 operations, Mr. Harris -- Thayer Harris?

20 A. We talk almost every day. We have regular one on ones. I
21 have a department head meeting every week with all of our -- the
22 four that I mentioned -- to talk about really anything, any agenda
23 items, anything that's happening in the City, the company, just
24 get them all together and so that we're on the same page and we
25 can help each other with whatever we need.

1 Q. And does the director of marine operations assess the
2 performance of captains that work on the dining vessels?

3 A. He certainly manages all of them. Yes, I mean, he's well-
4 aware of how they do in their job and, you know, just their
5 performance, yes.

6 Q. If I looked in the captain's personnel files, would I find
7 appraisals or some kind of documentation on their performance as a
8 record of their performance?

9 A. I don't know what's in their personnel files. I don't know.

10 Q. Is there a procedure that you're aware of within the company
11 that requires appraisal of the captain's performance and
12 documentation of that?

13 A. I --

14 MR. DENLEY: I'm going to object to relevance. Go ahead.

15 BY MR. FAWCETT:

16 A. I don't know. I will tell you that before 2020, before
17 COVID, we had regular review cycles and we, you know, everybody
18 that -- we don't -- we haven't taken on that since then. We do
19 it, like, kind of on our own so it's not a big company review
20 cycle, but we'll do it on our own regularly with our employees and
21 give them feedback, so.

22 Q. So from your perspective as general manager, when did you
23 feel like you came out from the company operations -- when did you
24 get out of the depths of COVID and get back to normal footing?
25 Just approximate, you know.

1 MR. DENLEY: Objection, calls for speculation.

2 BY MR. FAWCETT:

3 Q. Well, when did business return to normal? I personally have
4 people that operate an excursion vessel in New Orleans, and I've
5 watched their trips, like, when did they get back to the old
6 thing. And that was when I knew they had returned and come out of
7 COVID. So when did you get back to regular voyages, more or less?

8 A. I mean, we're still not at '19 levels, if that's your
9 question. You know.

10 Q. Yes, that's helpful. So you still haven't recovered is what
11 I'm saying?

12 A. I mean, if you were to compare us to '19, we're trying to get
13 to those levels.

14 Q. Thank you.

15 MR. DENLEY: And just to clarify --

16 MS. YELLE: It's revenue we're talking about.

17 MR. DENLEY: Yes, okay.

18 BY MR. FAWCETT:

19 Q. I understand.

20 A. Yes.

21 Q. So we met the senior deckhand. Do you know if there's a
22 qualification program to qualify people as a senior deckhand,
23 because they get paid more. So is there a program to get that
24 senior deckhand qualification?

25 A. I don't know.

1 Q. So do you -- are you involved with -- there's a program
2 called marine university. Do you participate in that?

3 A. I personally don't, but our marine team does.

4 Q. Have you been -- so you have team meetings in the local area
5 with your four directors. And then if you just briefly, so I can
6 understand, discuss how you interact with the national team. Do
7 you participate in meetings with them, like regular meetings?

8 A. I don't. I'm invited -- I mean, it depends on the topic. If
9 they think that the GM should be part of the particular subject,
10 absolutely. It's -- of the meeting, yes.

11 MR. DENLEY: And I guess just to be clear, when you're --
12 when you refer to the marine team, right -- I mean, national team,
13 are you referring to the national marine team?

14 BY MR. FAWCETT:

15 Q. As I understand it, either the national marine team or
16 whatever the food and beverage structure side of the house. Do
17 you participate in meetings above your level where everybody gets
18 together and discusses the goals and objectives of the company?

19 A. I mean, there's a lot of meetings. There's a lot of
20 meetings, there's a lot of calls, there's a lot of subjects. So
21 depending on what that is, absolutely. Some are not completely
22 relevant to, you know, participating in the latest events.

23 Q. Do you know if in Boston for dining, there exists standard
24 operating procedures for the vessels?

25 A. Yes.

1 Q. And if I ask you to hand them to me or show me, what would
2 that -- I'll give you some topics just to be -- would it have fire
3 prevention, fire safety, and firefighting procedures in those
4 standard operating procedures?

5 A. I don't know.

6 Q. How about, like, procedures for training and documenting
7 personnel?

8 A. I don't know what their standard -- about any -- there's so
9 many of them. I couldn't guess which ones were part of the
10 standard operating procedures and which ones aren't.

11 Q. So we had two people in here as witnesses that said that they
12 didn't get the new hire orientation and they weren't shown, like,
13 a vessel-specific orientation for the vessel they were on where it
14 showed them position of fire extinguishers and things like that.
15 Is -- do you know if that's a procedure in the company to give the
16 employees the new hire orientation?

17 A. I mean, every time that somebody's hired, they're to go to an
18 orientation, which includes a full safety orientation, as well as
19 (indiscernible) of the company, our -- they call it the respect
20 service system or service system. So it's a big presentation that
21 covers everything. So it is part of the new hire orientation. As
22 far as -- we have a lot of vessels, so as far as what where
23 something is on a vessel, I mean, we've got a lot of vessels in
24 Boston, so --

25 Q. We're just talking about four.

1 A. Well, the orientation is for our region, so.

2 Q. Okay. And then is there a procedure that I can go to that's
3 -- that would explain the duties and responsibility of the
4 hospitality crew?

5 A. The job description?

6 Q. Well, what they should do. In other words, we've talked in
7 here about disposal of waste, the trash, smoking policies on the
8 vessel for non-passengers, the use of open flames and sterno cans.
9 Is there any kind of procedure for those people that perform
10 hospitality functions to -- in written format to tell them how to
11 do their job?

12 A. We have a lot of documents. As far as the specific topics, I
13 couldn't tell you yes or no.

14 Q. Do you know if any of the -- and this may be a better
15 question for another guest -- but do you know if there's, like, a
16 sign-off or check-off sheet for a hospitality person when they
17 come aboard and, you know, that explains finished orientation, got
18 a vessel tour, you know, met the general manager. Is there
19 something like that, a checklist?

20 A. Our HR does track who goes to orientation, goes to our spec
21 training, who's done the compliance training, harassment training,
22 all sorts of things like that.

23 Q. And I've seen that for another investigation. It's a big
24 spreadsheet that shows every single topic that you have, you know,
25 sexual harassment, this, that, you know, thing. And everybody

1 that's employed on the vessels, are they part of that spreadsheet?

2 Would their name be in there?

3 A. I don't know.

4 MR. DENLEY: I'm just going to object to the -- for
5 relevance.

6 BY MR. FAWCETT:

7 Q. So there is a document that is very important related to this
8 fire, and that's the vessel emergency response plan. Are you
9 familiar with that?

10 A. Yes.

11 Q. Do you know in general terms or could you describe for me the
12 duties of the restaurant manager?

13 A. I mean, generally?

14 Q. Yes, just in general terms.

15 A. They're responsible for the crews that they are managing and
16 the guests on board.

17 Q. Do you know if the emergency response plan covers no marine
18 crew aboard, they've walked off for the night, and the only people
19 there are hospitality workers. Does the emergency response plan
20 address that?

21 A. I don't know.

22 Q. Does it -- do you know if it addresses like -- you have disc
23 jockeys on board. Would you describe them as contractors or what?

24 A. Contractors.

25 Q. Does the emergency response plan cover the conduct or the

1 safety and protection of a contractor like a disc jockey?

2 A. (No audible response).

3 Q. Do you know if -- in your knowledge, does anyone talk to the
4 hospitality staff on any of the vessels about fire safety or fire
5 prevention?

6 A. Can you repeat the question?

7 Q. Yes, has -- do you know if anybody's talked to the
8 hospitality staff about fire safety or fire prevention?

9 A. They do. I don't know if everybody has been talked to about
10 it. But, yes, fire safety is part of our safety orientation.

11 Q. So back in the galley, there's a fire suppression system on
12 the Spirit of Boston, which, if the fat fryer had caught fire,
13 it's supposed to immediately dump an extinguishing agent, and then
14 there's a pull station there. Do you know if your expectation as
15 general manager is that a hospitality person, say, a restaurant
16 worker, saw fire they would pull that?

17 MR. DENLEY: Objection, relevance.

18 BY MR. FAWCETT:

19 A. I mean, I can't speculate on what one individual would do.

20 Q. No, I mean, is it the procedure or policy or your expectation
21 that if they're standing right there, they pull that and dump the
22 fire suppression system?

23 MR. DENLEY: Objection, calls for speculation.

24 BY MR. FAWCETT:

25 A. I would tell you that any situation is different and people

1 react different ways. So I don't know how someone would react to
2 that.

3 Q. Would you say it's the responsibility of the marine crew to
4 do that, to use the fire systems?

5 A. I would say, yes, they should use the fire systems if there's
6 a fire.

7 Q. So are you aware of -- and what I'm looking at here -- you're
8 company management. So in September of 2019, there was a fire on
9 a small passenger vessel, the Conception, where there was a
10 tremendous loss of life. Are you aware of that?

11 MR. DENLEY: Objection, relevance.

12 BY MR. FAWCETT:

13 Q. Well, from that tragedy, the Coast Guard and the NTSB, in
14 particular the National Transportation Safety Board, strongly
15 recommended that a safety management system be put in place. So
16 what I'm asking about is did the company make you aware of it, as
17 an executive, so that you could then heighten the awareness of
18 fire safety or fire prevention for the people that work for you?

19 MR. DENLEY: Objection, relevance.

20 BY MR. FAWCETT:

21 Q. So did you know about it?

22 A. The incident --

23 Q. Yes.

24 A. -- or the --

25 Q. The incident --

1 A. I had heard of the incident with the cellphones, is that the
2 incident where --

3 Q. Yes, well, we're not precisely sure of -- as in this case --
4 (Crosstalk)

5 Q. -- cause of the fire, yes.

6 A. I would say yes.

7 Q. So are you aware of like corporation coming down and saying
8 put these enhanced fire safety prevention --

9 A. I will say that --

10 MR. DENLEY: Objection, calls for speculation.

11 BY MR. FAWCETT:

12 Q. Well, are you aware --

13 (Crosstalk)

14 A. -- incident, we had communication about how to improve what
15 we do. We're always learning from things -- our national marine
16 team is always communicating better ways to do things and letting
17 us know what we can do better if we're not doing it right now.

18 Q. Have you ever seen the national marine team or -- well, let's
19 stick with that -- like, have recommend, like, a third-party
20 auditor come down to the vessel? So the Coast Guard conducts
21 inspections of your vessels. Other than that, have you seen any
22 other audit by any -- like a consultant come down and walk the
23 vessels and say this is what you could do to improve safety --
24 fire safety.

25 A. Have I seen them, no. I mean, that doesn't mean that they're

1 not walking around and looking at things. Our marine team will
2 call anybody in if they have a concern about anything on our
3 boats.

4 Q. Would they schedule it with you?

5 A. They would not schedule it with me. They would schedule it
6 on their own.

7 Q. So it would be -- the marine team here in Boston wouldn't
8 know about it?

9 A. No, they would know about it and they'd work with our
10 national team if they need some -- if you're talking about an
11 external contractor to come on and look at something on the vessel
12 that they might be concerned about?

13 Q. Um-hum.

14 A. Absolutely.

15 Q. And then there -- as far as I know, there's safe cruise
16 meetings. Some of these, you know, like your maintenance system
17 has changed names over a period of time. The safe cruise
18 meetings, do you get the agendas for those?

19 A. There's a lot of safe cruise meetings. There's, like,
20 national safe cruise meetings, there's local safe cruise meetings.
21 But, yes, I do get the agendas.

22 Q. So you would get the national agendas? And --

23 A. Yes.

24 Q. Would you -- who sets up the local port safe cruise meetings?

25 A. Those are done locally and I would say that our marine team,

1 Rob Schuler, our associate director of marine, is, you know, very
2 immersed in that, trying to get all of our different departments
3 together, just to learn from each other and see how we can help
4 each other from a safety standpoint.

5 Q. Over the course of a period of time, there is a position that
6 evolved and it was the port safety officer. And the port safety
7 officer had a bunch of specific duties for port safety. Conduct
8 meetings, incident reviews, things like that. For the dining
9 fleet in Boston, who is the port safety officer?

10 A. Our port safety officer is more of a regional position. So
11 it -- they manage our region and our region consists of our four
12 vessels and the rest of the Boston vessels under City Cruises US.

13 Q. And then for the region of the port -- I'll just call it the
14 Port of Boston, it's easier for me, because region I think of
15 Maine and --

16 A. Yes.

17 Q. -- and all that. But for the Port of Boston, who is the port
18 safety officer?

19 A. Jeff Taylor (ph.).

20 Q. Jeff Taylor. And were you aware, from your management
21 position, about a fire on the Spirit of Norfolk in June of 2022?

22 A. I definitely heard about it, yes.

23 Q. And would it be fair to say that it was a fire that the
24 source hasn't been determined yet, and the vessel safely evacuated
25 108 people very quickly and very efficiently, and then the vessel

1 ended up being destroyed by fire. Would that be categorized --

2 A. That's what I've heard, yes.

3 Q. And then so that you could look towards the safety of the
4 vessels that you're responsible for, were you aware that on May
5 15th, the Spirit of Norfolk had an engine room -- suspected fire
6 in the engine room. It turned out that it was actually an engine
7 coolant leak that appeared to be a cloud of fire and smoke, but it
8 was actually steam. Were you ever made aware of that?

9 A. I believe -- I don't hear a lot about the other cities
10 (indiscernible). Only when that's all done from a national
11 standpoint.

12 Q. And another company vessel, The Rendezvous, had a generator
13 fire in the spring of 2022. Were you aware of that?

14 A. (No audible response).

15 Q. And then so since that time where that vessel caught fire --

16 A. Which vessel? The Rendezvous?

17 MR. DENLEY: Yes, (indiscernible) ask your questions.

18 BY MR. FAWCETT:

19 Q. Yes, since that time where the Spirit of Norfolk caught
20 fire --

21 A. Yes.

22 Q. -- are you aware of any changes that the company has made?
23 And I'll give you a few examples. Have they put out any, like,
24 emails or instructions to management or crews talking about fire
25 safety and fire prevention?

1 A. I can't speak to exactly what they communicate, but I will
2 tell you that before and after, and during the fire there,
3 constantly, you know, having meetings and everything and talking
4 about safety, whether it's relevant to a fire or not, a fire --
5 it's all in the training and it's all communication about how we
6 can do a good job from a safety standpoint.

7 Q. So when was the last time you were in a management meeting
8 and the topic of discussion was fire prevention or fire safety?

9 A. Safety is always a topic of any meeting that I'm in. You
10 know, it's always something that's right up, it's always about how
11 each of the cities are doing from a safety perspective, incidents,
12 et cetera, et cetera. So safety is one of our core values, so
13 it's always right up, which is probably why I can't specifically
14 answer your question, because it's always a topic. So it's always
15 something that we want. It's our number one priority, the safety.

16 Q. Right, so I'm speaking directly to fire safety. So --

17 MR. DENLEY: Yes, if you recall a specific meeting, a
18 specific incident that was fire --

19 BY MR. FAWCETT:

20 A. Specifically about fire, I don't recall.

21 Q. So did the division that you supervise, knowing about the
22 Spirit of Norfolk in June, did you construct the marine --
23 director of marine or associate director of marine, to enhance the
24 vigilance related to fire safety, fire prevention or firefighting,
25 increased training, increased awareness and so forth?

1 A. I mean, that -- it's just something that they always are
2 focused on. You know, it was a tragedy and I think that it
3 impacted everybody to see the Spirit of Norfolk situation. And I
4 think that it made everybody think about how every -- all of our
5 boats operate. You know, we are not given a big newsflash on what
6 happened. I don't even know what happened. I don't know -- I
7 knew it was in the engine room, but I don't know what caused it.
8 That's not something that's broadcasted through our company, but I
9 think that all of our marine crew saw it happen and increased our
10 diligence on their own, what we do and made sure that everything
11 was to policy and standard.

12 Q. So if you had a safety concern that you didn't feel was going
13 to be appropriately addressed by the people in your chain of
14 command, could you go directly to the president of the company
15 with your safety concerns? Is that a policy that you have open
16 access to the president of the company?

17 A. I probably wouldn't go to the president of the company,
18 because we've got a national VP of marine who I would go to
19 verbally. Would he -- is his door open for anything? Yes. Our
20 president of our company is open to anybody calling about
21 anything. So open door policy, yes. But who would I go to? I
22 would go to the national director of marine.

23 Q. And that is?

24 A. Scott Smith (ph.).

25 Q. Okay. So is he the Hornblower senior vice president?

1 A. Yes.

2 Q. And --

3 A. So just to be clear, I mean, we don't really have a specific
4 chain of command. Scott used to have Gary's (ph.) job. And Scott
5 got promoted, Gary got hired, so I would go to either of them.
6 I'm used to Scott because I know him, but Gary, too. Both of
7 them.

8 Q. That's all the questions I have for now. I'll turn it over
9 to my colleague and I may have some follow-ups.

10 BY LCDR [REDACTED]

11 Q. Thank you again for being here today. I just have a few
12 follow-up questions. As a general manager, do you attend any
13 meetings, either on the national level or the local level, with
14 the port safety officer?

15 A. I'm invited to them, yes, so I will attend some of them, not
16 all of them. There's just a lot of meetings, so it really depends
17 on, you know, what the topics are, if it's, you know, if I have
18 the time, if I'm invited.

19 Q. Do you know how often those meetings occur?

20 A. Well, they have marine meetings every other week and they're
21 always talking about safety. There's a safety meeting, I don't
22 know how often, once a month, once every two weeks. There's in-
23 person meetings. There's just a lot of different meetings, so,
24 yes, I'm always welcome to attend.

25 Q. If you're unable to attend, do you get, like, a brief on

1 it --

2 (Crosstalk)

3 A. Sometimes, but our directors of marine always attend. So,
4 you know, again, if I have to rely on my directors to manage their
5 departments. So our directors of marine always attend.

6 Q. Would the port safety officer --

7 A. Yes.

8 Q. How does new policy or guidance get pushed down to the crew
9 member level and the deckhand from the national level?

10 A. I'm not sure what the chain is.

11 Q. Okay. So if like the company came up with a new policy they
12 wanted to implement and it gets disseminated like how -- does that
13 go through you and then it goes to the director of marine
14 operations and then to them? Is it done via email and -- how does
15 new policy get announced to the crew level?

16 A. So a new policy would go to the general managers, as well as
17 the directors of marine as our main focus. And then our directors
18 of marine would then disseminate that to the crew through
19 everything, their email after meetings, they're talking about it,
20 they're seeing a report, everything.

21 Q. You touched a little on the new hire presentation. What does
22 that physically look like? Like if I were to go to a new hire --
23 am I going to sit somewhere and get a PowerPoint or is there
24 someone teaching? Like how -- what does that --

25 A. Yes, so we do it, like, on the first day. We try to do it

1 like on a specific day of the week, so it's once a week, during
2 our hiring season. And so the new hires come in and it's not just
3 marine, it's F&B, it's sales, it's anybody that they hire. They
4 check in, they do a new company overview, (indiscernible) of the
5 company, they do -- how to use our HR platforms, BTG (ph.), how to
6 access things, perks, a big safety presentation. Kind of just
7 every intro to the company.

8 And they have a lunch, we usually have pizza, and then in the
9 afternoon, we do training on our values, our respect system, it's
10 our operating system, our hospitality behaviors, just what we
11 believe how we treat our crew, how we treat each other, et cetera,
12 et cetera. So it's basically like a four to five hour first day,
13 just like an intro to the company. And the safety training piece
14 is done by the captain.

15 Q. So it's done by different people --

16 A. Yes.

17 Q. -- different captains?

18 A. So our HR team will do the welcome to the company, the
19 captain will do the safety, and then myself and Bob Lawler will do
20 the respect training.

21 Q. And what is the respect training?

22 A. It's just our operating system. So it's our values, you
23 know, treat each other with respect, use the guest name,
24 hospitality behaviors, how to treat each other, you know, how to
25 celebrate a birthday, how to treat our guests, how to welcome

1 people on board, the people, you know, guests are -- they're, you
2 know, customers. Just the whole thing about just our company and
3 really our products, and what we are here to do as far as
4 hospitality and giving people a really good time.

5 Q. You had just mentioned birthday parties and celebrations.

6 A. Um-hum.

7 Q. Do those occur on board your vessels?

8 A. We have a lot of people that celebrate events on board, y es.

9 Q. And are they allowed to say it's my birthday, can I have a
10 cake? Are we allowed to bring candles? How does the open light
11 policy -- open flames work on board the vessel?

12 A. Well, we're not doing it anymore, that's for sure. After,
13 you know, this and, you know, we don't know what happened. But
14 we've, like, allowed open flames up to a certain amount.
15 Occasionally, there'll be a candle. I'm not going to say there's
16 not. It's not typical. We don't have candles for everybody, but
17 if we give somebody -- somebody brings on a birthday cake, we'll
18 have -- we do have birthday candles on board. We'll provide --
19 yes, I mean, but it's not a standard. It's if somebody requests.

20 Q. Can you kind of bring us through the smoking policy on board
21 your vessels? And we'll start with the passengers. What's the
22 smoking --

23 A. Yes.

24 Q. -- policy?

25 A. So we've traditionally allowed passengers to smoke in certain

1 areas of our boats. On the Odyssey, we stopped that a couple of
2 years ago and just said no smoking. Just the sign of the times
3 just because this was bothering other guests, you know, even on
4 the top decks. Everyone wants to be on the top deck. The Spirit,
5 we hadn't got to that point, because we did do a lot of night life
6 business, which we chose to stop moving into this year. It was
7 just too late at night and not really our core product.

8 So we decided that we were not going to do night life
9 business anymore, which -- so then we decided, you know what,
10 let's just not do smoking on any of our vessels for our guests.
11 The only exception to that rule is if they have the whole boat
12 privately and they ask, and if they did, then it's the top level
13 only for guest smoking. If it's a shared boat, which more than
14 likely, the Spirit and the Odyssey would be shared, then no
15 smoking and certainly not inside.

16 Q. And what's the smoking policy for crew members on board?

17 A. For crew members, the good news is there are fewer and fewer
18 that smoke, which is good. No smoking in guest-facing areas, so
19 -- and if they do want to go and take a smoke break, it has to be
20 outside and the managers -- they need to get permission from the
21 managers to do their smoke break.

22 Q. We've been told in several of these interviews that we've
23 conducted the last few days that in the event of an emergency on
24 board, say a fire or any emergency, if the restaurant staff
25 notices, they're to alert the marine team or the marine crew on

1 board. What is your expectation or company policy as the general
2 manager if there's not any marine crew members on board, what are
3 the restaurant staff expected to do during an emergency? Say you
4 don't have a marine crew to notify.

5 A. Which would be probably, you know, not during a cruise,
6 because there's always marine crew during a cruise. So if they're
7 on a vessel and there's not a marine team there and there's an
8 emergency, they would immediately call a director of marine, but
9 also use their best judgment. The night of the fire, we knew that
10 CC just got everybody out of the boat, which was a great judgment
11 call. We don't have anybody hurt or injured. So that was
12 fortunate.

13 Q. And is there any, like, formal or written policy about what
14 they should do during that event, that situation?

15 A. I don't know if there's any formal or written policy about
16 what the standards are after the main crew has left. You know, we
17 have a lot of training manuals, like, I don't know if it's in
18 there, to be honest.

19 Q. You just made a comment when we were talking about the
20 birthday candles, about not any more. Do you --

21 A. There's policy now that we just, you know, again like to your
22 earlier point, when anything happens you look and see what happens
23 and you make adjustments. And it's just -- we don't know what
24 happened, but it's not worth it to even have a birthday candle on
25 board anymore. So the policy is no more birthday candles as of

1 two days ago, so.

2 Q. So my question to that, too, but thank you -- but was also,
3 such as policies like that, have you implemented any other
4 policies since March 24th similar to that?

5 A. You know what, I'm sure there will be quite a few. You know,
6 that was an immediate, you know, no more candles on board. And as
7 far as policies, that also the recommendation was start getting
8 metal garbage cans, to start researching that and make sure that
9 all boats have those, regardless of whether it's regulation in
10 your city or not.

11 So that was immediately brought down to everybody from the
12 national marine team as a, you know, cautionary, you know. We
13 don't -- I don't know if this investigation is done or not, but
14 it's a response to what I would say something that we don't need
15 to see regardless of what happens in the future. You know, so.

16 Q. And when you said that as of two days ago you're not going to
17 do that, does that specifically apply to birthday candles or does
18 that include any open flames such as (indiscernible) or sternos or
19 anything like that?

20 A. Not sternos, because we use those for buffets and
21 (indiscernible), but any candles on board, including --

22 Q. Thank you. That's all my questions.

23 BY MR. YOUNG:

24 Q. Good afternoon. Do you need a break?

25 A. I'm okay. I (indiscernible), I guess.

1 Q. So between Mr. Fawcett and Ms. [REDACTED] asked most of the
2 questions, I'm just going to follow-up and dig a little bit deeper
3 on some of the responses, so. They had asked if you had worked as
4 crew aboard any of the vessels and I don't know if it was
5 distinguished between marine crew or restaurant crew. Did you
6 ever work in any of the galleys or restaurant, back or front of
7 the house on board?

8 A. Not officially, no.

9 Q. For the Spirit of Boston, when there's a dinner cruise, is
10 all the food completely prepared on board or does it come in pre-
11 cooked and all that?

12 A. Everything's done on board.

13 Q. So typically the ovens would be in operation, deep fryer,
14 griddles, all that?

15 A. Um-hum.

16 Q. So the uncooked food comes aboard and everything is prepped
17 on board?

18 A. Yes, everything is done on -- in our galleys aboard.

19 Q. You talked a little bit about the orientation process day,
20 with the four, five hours a new hire would come in and go through
21 the respect training, and then all the other -- I'm sorry, the
22 harassment training. But can you talk a little bit more about the
23 safety part. After you go through the respect training and all
24 that --

25 A. Um-hum.

1 Q. How do the new hires get trained on safety, such as
2 firefighting and all that?

3 A. I mean, there's probably about 20 slides on safety,
4 everything from man overboard to how to don a life jacket, you
5 know, how to -- what a fire extinguisher is. They walk through
6 how to use it. They don't -- I don't know, like, it changed every
7 year. I had -- in some years, there was a demonstration, in some
8 years not, but it's basically (indiscernible) that you would see.
9 That's not the extent of the training, but it's the introduction.
10 And again it's everybody from a sales director to a marine person,
11 so it's a general company-wide overview, yes.

12 Q. So not just people aboard the vessels receive this training.
13 People in your office --

14 A. Ticket booth --

15 Q. -- do as well?

16 A. -- office, everybody receives that training.

17 Q. So then when you do -- if someone like myself want to work
18 aboard your vessel as a cook --

19 A. Yes.

20 Q. -- would I have to go through this training?

21 A. Absolutely, yes.

22 Q. And how much more training would I have to go through about
23 my position on the vessel?

24 A. Well, then you'd get turned over to your department.

25 Q. And what happens there?

1 A. And the department goes through their own training. So
2 everybody has different kinds of training with, you know, I mean,
3 if -- a cook's training is different than an SA's training, that's
4 different than bartender, sales, ticket booth.

5 Q. So it's individually trained --

6 A. Yes.

7 Q. -- based on your job description. How would somebody, a
8 passenger know, about the smoking policies? It sounds like
9 there's different policies if I was to come in with this group?
10 Because we've rented the whole vessel or chartered it for the day,
11 we could smoke. How is that established and passed on to the
12 passengers?

13 A. Good question. So it's a process. We've mastered it on the
14 Odyssey, but we have group account managers that sell the boats to
15 the groups. So anybody that's 20 or more gets sold to by our
16 regional account manager that's in our offices. It's no smoking
17 unless they ask, and so if we have a group that says we're getting
18 married and grandma -- we're not booking with you because grandma
19 and all of her friends need to smoke and they have the boat all to
20 themselves. And we'll put in the notes, you know, we've allowed
21 this on the top level of the boat only, you know. Please allow
22 ashtrays, so it's in the notes. It's communicated.

23 If you're on a general -- if you're on a boat that has a lot
24 of different people on it, it's -- let's us know so that the
25 announcement, the captain's announcement, says this is fully non-

1 smoking vessel. We don't allow smoking on the vessel and then we
2 have no smoking signs everywhere. And then if there -- if the
3 guest is caught smoking, which happens, the restaurant team will
4 tap them and say I'm so sorry, but this is a non-smoking vessel.
5 Please put out your cigarette, so.

6 Q. So is the announcement for the cruise different for different
7 groups? So like -- or is there a generic announcement that's
8 played all the time --

9 A. We haven't --

10 Q. -- about the smoking?

11 A. We have -- so the current announcement -- so we just started
12 implementing this on the Spirit. So the Odyssey's announcement
13 currently says it's a no smoking vessel. We just actually changed
14 the Spirit, it was just recorded this week actually, to say that
15 the Spirit is a non-smoking vessel.

16 Q. A new recording. Is that what you -- something was just
17 recorded this week?

18 A. Yes --

19 Q. Is that what you said?

20 A. -- we -- it's been in production for a few weeks, but
21 supposedly they're done. I haven't seen it. But anyway, so the
22 current Spirit recording says if you need to smoke, you know, the
23 outside -- please use the outside deck, et cetera, et cetera. So
24 we're swapping that out as soon as this recording is finished.

25 So that will be another way to tell people. Well, we have

1 that -- we do that non-smoking signs now on the Spirit in the
2 general public areas outside the -- indicating it's a non-smoking
3 vessel. So it -- it's -- it doesn't seem like it should be a work
4 in process, but it's, you know, getting 500 people not to smoke
5 is --

6 Q. Yes, for sure. I walked the vessel a few times, I didn't see
7 a single no smoking sign. Do you know where I would find them on
8 the Spirit of Boston?

9 A. On the Spirit?

10 Q. Yes.

11 A. We're just putting them up. Yes, so again, like our season
12 just kind of started back up so this is -- again, like, this is
13 just this year we're starting. So I think the sign -- they're
14 actually -- the signs are coming in as we speak. We're getting
15 rid of the ashtrays. You probably saw those smoking things, too.

16 Q. Yes.

17 A. So it's, again, like it's a process to try to kind of convert
18 a boat that's been smoking outside to non-smoking, you know. Even
19 for our crew, because they are used to people, you know, so.

20 Q. Right.

21 A. And, again, it's really just for guests, you know, guest
22 experience, you know. Nobody will -- if he doesn't smoke wants to
23 be out with somebody that's smoking and (indiscernible) outside,
24 you know, so trying to get our products to be more aligned.

25 Q. Makes sense. We noticed also that there were several -- they

1 call them petroleum distillate candles that go inside votives.

2 Has that now been stopped on --

3 A. With the notification, yes, 12 days ago, yes. So we just
4 made the decision as a company to not have flames on the boats,
5 candles, yes.

6 Q. And has that been broadcast to all the vessels that -- in the
7 dinner area under your jurisdiction?

8 A. City Cruises US. I don't know about the rest of our
9 operations.

10 MR. DENLEY: So the answer's City Cruises US, the answer's
11 yes to that?

12 MS. YELLE: Yes.

13 MR. DENLEY: It's been communicated throughout the City
14 Cruises US?

15 MS. YELLE: Yes.

16 MR. DENLEY: Okay.

17 MS. YELLE: That's what I know.

18 BY MR. YOUNG:

19 Q. Is that beyond Boston or is that just here?

20 A. Oh, yes, it's beyond Boston, yes.

21 Q. Okay. And --

22 A. In New York, yesterday, they got the message.

23 Q. They did?

24 A. Yes.

25 Q. And is that something that came from a higher authority

1 within your --

2 A. The national marine made an announcement that that was how we
3 were moving forward.

4 Q. Was there anything else that was on that announcement other
5 than no birthday candles and no --

6 A. No candles, no -- no candles, period. So oil-based candles,
7 candles, birthday candles were included, as well as everybody now
8 needs to have metal garbage cans on board.

9 Q. Okay.

10 A. And, again, like, we have to order them and everything, so if
11 -- yes, so that's the policy. So, you know, again, like nobody
12 wants to be in situations like this and we want to do everything
13 that we can to right the wrong, you know. Not that it was wrong,
14 just -- but it's not worth it, so.

15 Q. You described this as a tragedy.

16 A. Yes.

17 Q. If this had happened an hour before, with 469 kids on
18 board --

19 MR. DENLEY: Objection, calls for speculation.

20 BY MR. YOUNG:

21 Q. It could have been a much worse situation.

22 A. I can't speculate on how it happened, when it happened. I
23 will say that -- you guys probably know. The industry of boat, is
24 -- it's like a home. It's not a -- it's a home to all of our
25 workers and it's a tragedy in so many ways. And they've lost

1 their home and they love it, you know. And so they -- all they
2 all wanted to do is protect it, and so I see it in this is that
3 it's emotionally taxing, as much as it is, you know, for the, you
4 know, vessel and thank God, nobody got hurt. But it's an
5 emotional thing and we want to learn from it and do better, you
6 know.

7 Q. Yes. Is there any consideration, in your position, to talk
8 to the people that work for you, especially in the marine side,
9 about finding ultimate sources of chafing dish heat instead of
10 sternos?

11 A. I can't speak to that, I don't know. My guess is that we're
12 always looking for new ways to do things. So I certainly wouldn't
13 be surprised if they were trying to research that. I don't know
14 if that's available. It's a big, big part of how we
15 (indiscernible) things, so.

16 Q. Yes. Were you aware of any training that considers a fire
17 aboard a vessel with passengers at sea -- I'm sorry, I'm making --
18 during a cruise, if you were to have a fire -- do you have -- do
19 you train for that?

20 A. I mean, we -- they -- the marine team trains on, you know,
21 fire extinguishers and everything, which is what they want you to
22 do. So that's part of the marine training, you know.

23 Q. That's all I have, thank you so much for your time. I
24 appreciate it.

25 LT [REDACTED] Thank you, Mr. Young.

1 BY MR. FAWCETT:

2 Q. I just want to clarify a few things. Lt. Commander [REDACTED]
3 asked you about the dissemination of information, and you were
4 talking about, you know, disseminating it to the crew. I just
5 want to make sure that when you say crew, do you mean all the
6 employees that work on the vessel, or is there a different flow of
7 information disseminating to the hospitality people?

8 A. It depends on what piece -- what kind of information it is
9 and if it impacts their day to day.

10 Q. Can you give me an example of something that would be
11 disseminated from the corporation down to hospitality workers
12 regarding vessel operations?

13 MR. DENLEY: Objection, calls for speculation.

14 BY MR. FAWCETT:

15 Q. Well, that you're aware of?

16 A. Like you can't have hair that's a different color than your
17 natural color. I mean, that would -- just to our servers. And
18 there's so many different things.

19 Q. The recent policy about the elimination of candles and open
20 flames and so forth, precisely where did that come from? Do you
21 recall? Was it an email from a corporate official, like, I don't
22 know, Mr. Blakely (ph.) or Mr. Frommel to where --

23 A. I don't remember specifically who sent it, but we have
24 meetings and they're brought up in our meetings. From the GM
25 standpoint, it's, you know, in the marine, you know, it's brought

1 to me, I told my team get them off the boats, we're not using them
2 anymore. There's a lot of different ways we communicate and --
3 through email, through meetings, Teams meetings to get the word
4 out. And then it's ultimately -- so that is a new policy and
5 that's -- which will -- we're enforcing, you know, there's no
6 questions asked.

7 Q. And then how is that communicated to the vessel captains?

8 A. Through the same way. Meeting their national marine
9 meetings, their local meetings, our department head meetings,
10 through emails, through me having one on one, just making sure
11 that it's all taken care of.

12 Q. So that policy and procedure about this particular topic, did
13 that come to you in the form of a written correspondence or was it
14 just in a meeting where somebody in the corporation said, hey,
15 managers, we're getting rid of them.

16 A. Like I said, all of the above. You know, it's -- when we
17 have something that is a new policy, then we communicate it in a
18 lot of different ways. So it's through an email, we have a lot of
19 meetings. So the general manager meetings, the marine meetings,
20 the team meetings, we have meetings with the whole company weekly,
21 and so through those meetings, between --

22 Q. But this particular one that we're speaking of that just came
23 down this --

24 A. Yes.

25 Q. -- week, how was that delivered?

1 A. I was in a meeting, and it was talked about, as well as an
2 email.

3 Q. And then in the -- has over time, the new hire orientation
4 changed? You've been with the company a long time. Has more
5 content been added?

6 A. I would say we always tweak it every year. The content
7 remains the same in general, but the, you know, we add more
8 pictures, we add more boats, if it's a different, you know, a
9 little bit more history. We've acquired a couple of companies,
10 Walks and Devour, last year so we add a little bit of that. So it
11 tweaks like that, with the content and the -- but the content is
12 the same with the company history, the values, safety, how to use
13 our HR platforms, et cetera, et cetera.

14 Q. So the content relating to fire safety, which is what to do
15 in case of a fire, and either a physical demonstration of the use
16 of a fire extinguisher or a talk about how to use the fire
17 extinguisher, has that always been in there?

18 A. I don't know, because I can't speak to every single year's
19 worth of safety training. But using a fire extinguisher, I can't
20 speak to that.

21 Q. Well, how about the last, say, five years?

22 A. I don't remember the last five years of trainings. I will
23 tell you that this year, it's in there, and the last year it was
24 in there.

25 Q. And then why did the company either tell a person how to use

1 a fire extinguisher or show a person how to use a fire
2 extinguisher through a practical demonstration -- I'm not talking
3 about shoot the fire extinguisher, but I mean, hold it up and walk
4 through the steps, if they didn't expect them to use it?

5 MR. DENLEY: Objection, calls for speculation.

6 BY MR. FAWCETT:

7 Q. The ticket -- the people at the people booth get this new
8 hire orientation, the hospitality staff, why would that be
9 included, based on your knowledge as a general manger, if you
10 didn't expect them to use it?

11 A. I mean, I don't know that I said I didn't expect them to use
12 it if there's a situation where it would be practical that they
13 use it.

14 Q. Okay.

15 A. I mean, you know, if there's a fire extinguisher somewhere
16 and there's a fire.

17 Q. And then I just want to circle back to this safe cruise. So
18 you don't attend those necessarily. You might attend them. Is
19 that a correct --

20 A. Yes.

21 Q. -- characterization. In the last year and a half, starting
22 about mid-summer or June of 2022, do you remember any -- either
23 agenda or actual meeting where the -- there was a discussion about
24 the fire on the Spirit of Norfolk?

25 A. In a safe cruise meeting?

1 Q. Yes.

2 A. I can't speak to that, because I wasn't in all the meetings.
3 I don't know.

4 Q. So down in the bottom of those agendas, they talk about who
5 fills the roles of the port safety officer. They also talk about
6 incidents down at the bottom, like each port is expected to talk
7 about an incident.

8 A. Yes.

9 Q. And in that, did you ever see like a topic, Spirit of Norfolk
10 fire?

11 A. I can't specifically tell you that I have, but I know that it
12 was communicated. I can't remember if it was through the safety
13 or the -- again, there's agendas for a lot of meetings that we
14 have in our companies. There's a lot of meetings and a lot of
15 agendas.

16 Q. And then just one clarification.

17 A. Yes.

18 Q. Because we talked about -- right away we relatively, quickly
19 came out with a procedure to do away with open flames on the
20 vessels. Just another time chance -- if you would just think for
21 a minute -- any changes with the safety posture of the company
22 after June 7th, 2022, as a result of the Spirit of Norfolk fire.
23 Just -- I'm just trying to see if there was any change that you're
24 aware of?

25 A. I am not -- I don't know because that particular fire in

1 general would be directed to our marine team that is in the engine
2 room and using the engine room facilities. So if that was done,
3 it would be to the marine team. So I don't know.

4 Q. Was there any safe cruise discussion or any management
5 discussion about how effective the evacuation was? Because the
6 crew on board safely evacuated 108 people, including the crew,
7 without injuries. Was there a discussion about, hey look, that
8 went off very well. This is how we want it, you know, improve it
9 in the future. Was there any discussion about mass evacuation?

10 A. Again, I'm sure there was. I know that when -- I can speak
11 for myself in our general manager meetings we have weekly -- they
12 talked about the incident from start to finish. And how, again,
13 they didn't know the source of the fire, but they talked about how
14 they evacuated everybody, those kindergarteners safely, and told
15 the story of that, so.

16 Q. Thank you very much.

17 LT [REDACTED] This could be on the record, it could be off the
18 record. The reason we're so serious about this is Mr. Fawcett
19 just talked about --

20 MR. YOUNG : Let's take it off the record.

21 LT [REDACTED] Yes, let's do that, but --

22 MR. YOUNG: Let's go ahead and secure the recording.

23 MR. FAWCETT: Well, do you have any more questions?

24 MR. YOUNG: No, I don't, sorry.

25 LT [REDACTED] All right. We're going to go ahead and conclude

1 the interview.

2 MR. FAWCETT: Yes, conclude the --

3 LT [REDACTED] All right. The time is --

4 (Whereupon, the interview was concluded.)

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CERTIFICATE

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

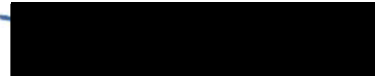
IN THE MATTER OF: FIRE ABOARD THE *SPIRIT OF BOSTON*
NEAR THE BOSTON SPORTS DISTRICT
IN BOSTON, MASSACHUSETTS ON
MARCH 24, 2023
Interview of Kelly Yelle

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.



Maria Socorro R. Abellar
Transcriber