

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of: \*

FIRE ABOARD THE *SPIRIT OF BOSTON* \*

NEAR THE BOSTON SPORTS DISTRICT \* Accident No.: DCA23FM022

IN BOSTON, MASSACHUSETTS, \*

ON MARCH 24, 2023 \*

\* \* \* \* \*

Interview of: JEREMY KINNEY, Restaurant Manager  
*Spirit of Boston*

Boston, Massachusetts

Tuesday,  
April 4, 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  
United States Coast Guard

██████████ ██████████ Lieutenant Commander, Legal Advisor  
United States Coast Guard

██████████ ██████████ Commander  
United States Coast Guard

ERIC DENLEY, Counsel  
City Cruises

I N D E X

<u>ITEM</u>	<u>PAGE</u>
Interview of Jeremy Kinney:	
By LT [REDACTED]	7
By LCDR [REDACTED]	27
By Mr. Young	36
By Mr. Denley	51
By Mr. Fawcett	54
By LT [REDACTED]	59
By LCDR [REDACTED]	60
By Mr. Denley	61
By LT [REDACTED]	62

I N T E R V I E W

(1:00 p.m. ET)

1  
2  
3 MR. FAWCETT: Before we get started. Thank you very much for  
4 being here.

5 MR. KINNEY: Thank you.

6 MR. FAWCETT: And do you have any questions before we begin?

7 MR. KINNEY: No.

8 MR. FAWCETT: All right. Great. The Coast Guard has a lot  
9 of acronyms, shorthand for, you know, like we call SAR, search and  
10 rescue. Try to stay away from any acronyms you might use in the  
11 business --

12 MR. KINNEY: Okay.

13 MR. FAWCETT: -- you're in. If you would acknowledge that we  
14 have turned on tape recorders, and we're recording the interview  
15 by just saying that you understand that?

16 MR. KINNEY: I understand that.

17 MR. FAWCETT: Thank you. So this is a joint U.S. Coast  
18 Guard/NTSB investigation. The Coast Guard is the lead federal  
19 agency that's conducting this investigation.

20 The time is April 4th -- the date is date is April 4th, 2023.  
21 The time is shortly after 1:00 p.m. Eastern Time. We're  
22 conducting an interview with Mr. Jeremy Kinney, the restaurant  
23 manager aboard the *Spirit of Boston*. We're at the First Coast  
24 Guard District in the Legal Conference Room on the 8th floor.

25 And so what we're trying to understand is the events

1 surrounding the fire aboard the *Spirit of Boston*, and the -- which  
2 occurred March 24th, 2023, in Boston Harbor.

3 So we're going to go around the room, starting with myself,  
4 introduce each other, the actual team, and then we'll come to you.  
5 So my name is Keith Fawcett, F-a-w-c-e-t-t. I'm an investigator  
6 with the United States Coast Guard and part of this District 1  
7 formal investigation. So, [REDACTED]

8 LCDR [REDACTED] I'm Lieutenant Commander [REDACTED] [REDACTED] [REDACTED]-  
9 [REDACTED], and I'm the legal advisor for this investigation.

10 MR. YOUNG: Good afternoon. I'm Brian Young. I'm with the  
11 National Transportation Safety Board, and we're doing a joint  
12 investigation with the Coast Guard. And the spelling of my last  
13 name for the record is Y-o-u-n-g.

14 LCDR [REDACTED] I'm Lieutenant Commander [REDACTED] [REDACTED] [REDACTED]  
15 [REDACTED] And I'm with the District 1 Formal Investigations.

16 LT [REDACTED] And my name is Lieutenant [REDACTED] [REDACTED] [REDACTED]  
17 [REDACTED], and I'm also with the District 1 Investigations.

18 MR. FAWCETT: If you'll introduce yourself?

19 MR. KINNEY: Jeremy Kinney, K-i-n-n-e-y, restaurant manager  
20 on the *Spirit of Boston*.

21 MR. FAWCETT: Thank you. Counsel.

22 MR. DENLEY: Eric Denley, D-e-n-l-e-y, counsel for City  
23 Cruises.

24 MR. FAWCETT: So we're conducting this interview, and memory  
25 is perishable. And if you remember things differently, want to

1 change, amend, modify anything you say here today, if you'll let  
2 Mr. Denley know, he'll communicate that to the Coast Guard.

3 MR. KINNEY: Okay.

4 MR. FAWCETT: We're going to create -- the NTSB is going to  
5 create an independent report, separate from the Coast Guard, but  
6 when you see the Coast Guard report, if you have the opportunity  
7 and counsel might notify you or whatever, if you see anything in  
8 there that's inappropriate, substantially new information that we  
9 didn't cover, let Mr. Denley know and he'll let us know.

10 And then there is a document called the Marine Safety Manual,  
11 Volume V, and it's available if you Google it, Coast Guard Marine  
12 Safety Manual. And Volume V explains how we conduct these  
13 investigations so that if you have any questions, you can look  
14 there or you can ask Mr. Denley.

15 So without anything else, we'll begin the actual interview  
16 and --

17 LCDR [REDACTED] Commander [REDACTED] is online if we want to have  
18 him --

19 MR. FAWCETT: Oh, yeah. Commander [REDACTED] would you  
20 introduce yourself please?

21 CMDR [REDACTED] Sure thing. This is Commander [REDACTED] [REDACTED]  
22 I'm the lead investigator. I just (indiscernible). Last name is  
23 [REDACTED].

24 MR. FAWCETT: Thank you, sir. Lieutenant [REDACTED] sir.

25 LT [REDACTED] Yes. Thank you.

## INTERVIEW OF JEREMY KINNEY

1  
2 BY LT [REDACTED]

3 Q. Good afternoon, and thank you very much being here. How long  
4 have you been employed with Hornblower?

5 MR. DENLEY: Hornblower Cruises and Events.

6 MR. KINNEY: Just over 10 months.

7 BY LT [REDACTED]

8 Q. And has your entire -- have all those 10 months been aboard  
9 the *Spirit of Boston*?

10 A. For the most part, 90 percent of the time. The other time  
11 was a mix between the *Odyssey* and their two *Elite* boats.

12 Q. And what is your primary duty on board the *Spirit of Boston*?

13 A. Manage front of house staff. Just basically making sure that  
14 they're following direction, training, coaching, hiring and  
15 recruiting, just all those kind of sort of things that happen on  
16 the boats.

17 Q. And when you were hired on as the restaurant manager, what  
18 type of training did you receive from the company? Can you  
19 describe to us what that was?

20 A. There was a -- what we call the spec (ph.) training. When  
21 everyone comes on board as a new employee, and basically during  
22 that training, we just went over company values and protocol, and  
23 then along that, there was a half hour safety training on man over  
24 board procedures and how to apply the life vests.

25 Q. Are you familiar or have you received any company policy or

1 plans describing duties as a restaurant manager?

2 A. Yeah, when I got my on board letter, there was just basically  
3 very detailed list, about a page and a half of duties that I was  
4 responsible for. Most of them just in regards to, you know, just  
5 basically hiring, recruiting, what your duties are as a restaurant  
6 manager. So go into the fine detail basically like floor plans,  
7 you know, reporting -- who I report to, who are my bosses, all  
8 sorts of individual responsibilities as a restaurant manager.  
9 Nothing in regards to, you know, safety or training.

10 Q. So nothing with regards to a -- how you would respond to an  
11 emergency?

12 A. No.

13 Q. Have you ever received training on how to use a fire  
14 extinguisher in any of your previous --

15 A. No.

16 Q. Have you ever received training in deploying a fire blanket?

17 A. No.

18 Q. Are you familiar or do you know where the fire extinguishers  
19 are located?

20 A. No.

21 Q. Do you know where the fire blanket is located?

22 A. No.

23 Q. On the night of the 24th, what was your primary duty?

24 A. We had a cruise that night. It was one student group on deck  
25 2, and what we call indies (ph.) on deck 1. My primary duty on



1 that cruise was to manage the second and third floors of that  
2 vessel during that night which was the student group. There were  
3 about 300 of them, and 100 indies on deck 1. On deck 2, the 300,  
4 they had both decks and just my primary job that night was to just  
5 manage the front of house staff, make sure they were clearing, our  
6 assayers were surveying, our servers were serving, and just  
7 bringing plates and getting everything cleared up during the  
8 duration of the cruise. Just basically restaurant stuff. Making  
9 sure that they're cleaning, tidying up, resetting the boat, re-  
10 linening after everything, after the vessel docked which was only  
11 a short amount of time after it docketts that we stated getting  
12 stuff done. So.

13 Q. And you read off a few different types of -- a few different  
14 decks. Using the deck which the actual fire was located on, can  
15 you reference it so that the second deck you said, is that above  
16 the deck --

17 A. Deck 1 was where the fire occurred and then there was deck 2  
18 and then deck 3. 2 and 3 was the student group, about 300.

19 Q. And just with reference to the 24th, can you walk me through  
20 the -- from when you moored up to after you had departed the  
21 vessel?

22 A. Sorry. Can you repeat one more time?

23 Q. On the night of the 24th, can you walk me through what you  
24 were doing with very great detail, and the more detail you can go  
25 into, it helps us pain the picture as well.

1 A. Yeah.

2 Q. So on the night of the 24th, from when the vessel began to  
3 moor and/or was moored to when you departed that night?

4 A. And that's like when the boat tied up.

5 Q. After the cruise.

6 A. Right.

7 Q. So once the boat, after the cruise --

8 A. Right.

9 Q. -- sort of pick up the story.

10 A. Okay. Post-cruise, boat docked. Passengers were all off  
11 board. I was helping reset deck 1 at the time because most of the  
12 staff was on deck 2 just because of how extensive and, you know,  
13 there was a lot going on, on deck 2. We had to reset both decks,  
14 our deck 2 and 3 at the time. So 90 percent of the staff was  
15 upstairs just because there's a larger are of cleaning and  
16 resetting to do. And I was downstairs with Sharon, Sharon Bell,  
17 at the time, and I was helping her and CC (ph.) or Cassandra asked  
18 me if I could start doing or helping her with the paperwork on the  
19 cruise. So I went over to the very last table at the stern of the  
20 boat, on deck 1, and she's doing physical paperwork. So basically  
21 pen and paper type stuff that we have to do post-cruise. I'm  
22 doing computer work. So basically our (indiscernible) report we  
23 call it. It just basically goes into detail about how the cruise  
24 went, you know, any food or beverage concerns, how we spoke with  
25 the client, you know, client reviews and stuff like that.

1           And, I'm sitting there, this is maybe 10 minutes after I  
2 started doing paperwork, and Sharon Bell starts walking toward the  
3 stern of the boat. And she goes, what's that smoke coming from  
4 being the wait station? So me and CC got up. I head back to the  
5 wait station with her. We look at it, and I didn't see flames at  
6 first. I saw the smoke. So I was looking for where the flames  
7 were coming from, and I looked underneath the glassware where our  
8 glassware racks are set up. They're like maybe four or five high,  
9 and when I looked underneath it, I saw the flames and I depicted  
10 and told the lieutenant at the time once 911 got there or the fire  
11 department got there, the fire was squiggly like that. It didn't  
12 look like a typical fire, and it didn't look like anything was  
13 caught on fire. From what I saw, it looked like there was a line  
14 of fire basically in the form of like a snake basically going  
15 across the floor. I didn't see anything actually that was lit on  
16 fire, but there was some minor flames coming from the corner.

17           So after I saw that, my first instinct was the call the  
18 captain, because the captain left immediately I would say no less  
19 than a minute before this fire broke out, 2 minutes max. So I go  
20 to the pantry just to see if he can pick up. I go back and he  
21 doesn't answer because it goes straight to voicemail. He's in the  
22 parking garage at the time, and there's no reception there. So I  
23 walk back towards that pantry, and then at the time, CC -- I  
24 didn't look at it again because I think I was just panicking a  
25 little bit. So CC said, get everyone off this boat. So I ran

1 across deck 1 towards the center of the boat, went up the stairs  
2 to deck 2. And I said, everyone get off this boat right now. And  
3 they all kind of looked at me dead in the eye and didn't move  
4 because I don't think they believed me. And then I said it again.  
5 I said, get off this boat. Deck 1 is on fire. And they all  
6 proceeded to get off. CC was the last one off the boat because  
7 she was checking deck 1 to make sure everyone was cleared off of  
8 it. I checked deck 2, and then once we got off the boat, took a  
9 headcount because we knew how much staff we had. And everyone,  
10 all 16 of us on the gangway.

11 When we got off the gangway, I called 911 while CC called our  
12 F&D director, Thatcher, to let him know so he can get down to the  
13 boat. I called 911, and then if I remember correctly, I was  
14 transferred three different times. I called 911. I was directed  
15 to them, and where's the location of your emergency? 200 Seaport  
16 Boulevard. I was then transferred over to Boston Fire where I  
17 explained the situation to them. They asked me the length of the  
18 vessel, the height of the vessel, where it's located and on which  
19 dock. And if the process is right in my head, I believe I was  
20 transferred once again to state police where they proceeded to  
21 just ask me general questions. And then they hung up.

22 And then in about 4 or 5 minutes, Boston Fire Department got  
23 there, and started taking out hoses. It took them a couple of the  
24 minutes to get to the length of the boat just because it's a  
25 couple hundred feet off of the road. And, I would say it was a

1 good maybe 15, 20 minutes before the fire was put out.

2 The lieutenant got there, and he started asking us questions,  
3 just basically asking who was on board, how many people were on  
4 board, name, numbers, age, and that was basically the extent of  
5 it.

6 As far as details of the fire while we were off of the  
7 gangway, the -- I would say no less than 2 minutes after we got  
8 off the boat, the entire boat was filled with black smoke, and  
9 then it started seeping out of the windows and the door. It  
10 melted -- or I don't know if it melted, but where the fire  
11 started, it broke through that window. And out of that window,  
12 the flames started follow up it. And then just like I said, the  
13 black smoke covered the entire boat on 2 and 3. And then -- yeah.  
14 That's to the best of my knowledge.

15 And then the fire department got there. Then I was busy with  
16 phone call and then talking to people. So as far as how they put  
17 it out or how long it took them to, I -- that's kind of where I  
18 started losing track of what was happening on board and who was on  
19 board.

20 Q. So, just so -- we can go back to where you when you were  
21 first notified of the fire. So you were on the starboard side --

22 A. Yes.

23 Q. -- all the way aft sitting at a table with the other  
24 restaurant manager? Cassandra, who you're calling her CC.

25 A. That's CC, yeah. I'm sorry. Yeah.

1 Q. No worries. So, which way were you, which way were you  
2 facing at the table?

3 A. I was -- if this is the stern of the boat and this is the bow  
4 of the boat --

5 Q. Um-hum.

6 A. -- I was facing the stern. So I was facing towards the  
7 galley.

8 Q. And from your vantage point, did you see directly into the  
9 area in which the fire was?

10 A. No, just because where -- I mean I could see it. I just --  
11 there's the pantry where the fire occurred and then it's, it's  
12 filled with wall space in front of me, but there's only one open  
13 doorway that's very minor. It's like very, I don't know, maybe 3  
14 feet across, 4 feet across in length. But if -- I'm trying to  
15 think. If I'm sitting at that table, the most I could see is I  
16 think the window honestly from it, not even the glass racks.

17 Q. Were there curtains? Is there a curtain covering that door  
18 space from where you were sitting on the starboard side? If you  
19 were to look -- if you were to be sitting with your -- you were to  
20 have your back against that aft bulkhead --

21 A. Um-hum.

22 Q. -- and you looked in board or towards the other side of the  
23 vessel, is there a curtain or anything that covers that so you  
24 couldn't see through it or --

25 A. Not out at the -- there's no curtain where I could

1 potentially see through. There's only a curtain on that larger  
2 part of the boat right next to the handicap bathroom. That sort  
3 of blocks it. But, it's not really directly in my line of sight,  
4 that open area, just because there's, you know, there's a dessert  
5 station right there, and then, you know, with the angle, there's  
6 like minimal sight into that wait station.

7 Q. So then when you were made aware, what route did you take to  
8 go and see the --

9 A. I got up and went immediately into -- I didn't -- I don't  
10 believe I took (indiscernible) way. I think I went directly into  
11 that open doorway, and then walked in, looked under and inside,  
12 and then I moved back around and then went into the galley through  
13 the pantry.

14 Q. And, you said you normally don't work on that deck? That's  
15 normally where you work.

16 A. Not -- I mean not typically. It really depends on the day  
17 just because most of the time for most of our cruises we utilize  
18 that, too. I would say deck 1 and 3 are our least used decks.  
19 The only reason why we're using or utilizing that one was just  
20 because of the fair amount of passengers that were on 2 and 3.  
21 They booked those decks for that. So the only reason why we moved  
22 down to deck 1 was because we had to, but typically deck 2 is our  
23 most used deck. I would say 80 percent of our cruises are on deck  
24 2. And if, you know, deck 2 fills up, then we migrate down to  
25 deck 1 which is this time of year very -- it doesn't occur very

1 much.

2 Q. Can you please describe to me what was in that space in which  
3 you saw the fire underneath the --

4 A. Yeah. So starting from the window outwards, there's a metal  
5 rack which is used for our coffee storage area. Basically just  
6 little creamer holders, coffee, our pots, all that sort of stuff.  
7 To the left of that is our glassware racks which is on a wheeled  
8 cart basically just for easier access for us to move it across the  
9 room. And to the left of that, our linen containers which the  
10 staff just uses to throw our dirty linen in as the cruise goes on.  
11 Usually black napkins we just throw in there, white linens at the  
12 end of the night. That's basically it for that side. If you turn  
13 around, there's just a sink. There's a hand washing sink, an ice  
14 well, and then a water dispenser or just a water line that we use  
15 to refill water glasses with. And then it's just the coffee maker  
16 on that side.

17 Q. And when you mention coffee on that storage, that's just like  
18 unused coffee packets or is that actual --

19 A. It's just --

20 Q. -- coffee and condiments?

21 A. Yeah, it's actual coffee. Yeah. So I'm sorry.

22 Q. Like a thermos, it's actual --

23 A. Oh, no. So that metal rack is actually only used for --  
24 after everything's been dumped, cleaned. So everything on that  
25 rack is clean, dried and just, you know, used as a dry storage



1 area. We never store wet coffee or -- sorry, not wet anything on  
2 that one or used coffee, you know. We'll never take it an empty  
3 pot or full pot and just replace it on there. We always have to  
4 clean it and then just put it on the rack. It's just basically  
5 dry goods. Our sugar is stored on there. It's mostly all just  
6 dry stuff.

7 Q. So, for that area, if somebody -- you identified a yellow  
8 trash can. Is there or is there ever a gray or a black or gray or  
9 brown trash can ever in that area?

10 A. Yeah. We typically put a linen -- we always have a linen  
11 back there. Most of the time, our trash can is stored in the  
12 galley, but sometimes just for the ease of things, the staff will  
13 take it from the galley and bring it over to the wait station just  
14 because they're chucking food. They're chucking their own trash.  
15 Usually we just have a linen back there and on rare occasions I'll  
16 see a trash bin there. I don't know there was one present that  
17 night, but even if it was, it would be on the outer most part of  
18 the wait station. It typically goes -- like I said from the  
19 window, it goes that metal rack, the glassware containers. We  
20 actually have two glassware containers on rollies (ph.).

21 Q. Can you describe that to me a little bit more?

22 A. Yeah. I'm sorry.

23 Q. The glassware rollie rack.

24 A. Yeah. So it's -- just basically the base is just plastic and  
25 it's just four wheels and we just stack our glassware on top of

1 it, and we'll pull it out if we have a large amount of people to  
2 set for the next day. We'll pull it out of the wait station, roll  
3 it across the boat, just so the staff doesn't have to lift and  
4 carry, you know, back and forth throughout the entire vessel to  
5 just set glassware. And then we'll replace it in that wait  
6 station.

7 Q. And then just back to that trash can. So that's not normally  
8 stored there?

9 A. No, it --

10 Q. That wouldn't be a normal place for you to store it?

11 A. Not typically. Usually it's put in the galley. The galley  
12 has their own linen -- yellow line trash barrel --

13 Q. Yeah.

14 A. -- whatever it is sitting there, and then usually a trash can  
15 right next to it. But that's after the pantry unit. So through  
16 the pantry on the right-hand side it's hung up against the wall  
17 basically, right at the bottom of the stairs that go up to the  
18 stern on deck 2. Like if you were coming down those stairs and  
19 you came directly to the galley, they would keep it against that  
20 wall right there. But I have seen a trash can placed there just  
21 because the staff will pull it and use it and utilize it  
22 throughout the night. It's just for quick ease of things.

23 Q. And do you remember -- now, is there an electrical receptacle  
24 anywhere in that -- in the lower part of that bulkhead there or  
25 wall?

1 A. On the side where the fire started?

2 Q. Um-hum.

3 A. Not that I know of. We have so much storage back there that  
4 it wouldn't have been visible to me or something that I would have  
5 been aware of. Yeah, I don't think there is one back there.

6 Q. Now, with the glass rollie storage, now does that -- if  
7 you're doing glasses, do you move the whole thing back there with  
8 all the glasses and then back through or is that its permanent  
9 spot and you just take the glasses from the wash station?

10 A. Basically -- I would say most of the time, 98 percent of the  
11 time, that glass rack stays there. We don't move it often. Like  
12 I said, they only move it if we have a large volume of people to  
13 reset for. And even then, the staff doesn't really utilize it  
14 just because there's so many glass racks that it's hard to roll on  
15 carpeting. It's heavy to roll over the dance floor. So, they're  
16 really just stored there on those wheeled things just because --  
17 for the ease of things, if we have to move them. That night, they  
18 weren't moved at all because we were resetting deck 1 that night  
19 or we were in the process of resetting it for a student group.  
20 So, with student groups, they don't get glassware. We weren't  
21 even touching glassware or silverware that night. Nothing was  
22 being really utilized off of that wait station just because we  
23 were just re-linening the tables. And during the whole line  
24 route, replacing the linen. And, the only thing that they would  
25 have done that night was just use the coffee pot, empty and just

1 re-rack it and that goes on right where the coffee maker is. So  
2 that gets stored right underneath there. Yeah, but like I said,  
3 they didn't utilize any of that glass on that night just because  
4 of the reset as we call it. So.

5 Q. How close were you -- when you say you got down to look up  
6 underneath, how close were you to the area which you saw the fire?

7 A. I'd say 4 feet. I would say right when I got to that doorway  
8 is when I bent over and kind of looked down.

9 Q. And can you describe to me again, you saw -- exactly -- I  
10 know you had said you kind of saw a snake type of fire.

11 A. Yeah.

12 Q. Did you see any sparks? Did you see anything other than what  
13 you said is the snake?

14 A. I personally I know Cassandra at the time mentioned she did,  
15 but I was in the pantry calling Dan, Captain Dan at the time. So  
16 right after he went straight to voicemail, I went back out there.  
17 I don't even remember looking at the fire again. All I heard was  
18 -- all I heard her say was get everyone off this boat. So I  
19 completely disregarded what was happening in that corner, and  
20 that's when I went upstairs. So as far as my personal experience,  
21 I didn't see the sparks just because of -- I immediately saw the  
22 flames, went into the pantry, came back out, and that's when I met  
23 her at the pantry and she goes, just get everyone off, and that's  
24 fine. I just left. I personally didn't see any sparks but from  
25 what Sharon and Cassandra were telling me, they did. I was just

1 kind of in a rush of things and, you know, just left. So I didn't  
2 really take into -- or not take into consideration, but take in  
3 that of what else was happening during the time. I think I was  
4 just panicking.

5 Q. You had mentioned a coffee station. Is that coffee station  
6 heated in any way or kept warm?

7 A. Yeah. There heated up with Sternos.

8 Q. And can you, can you describe or explain to me the process  
9 with regards to Sternos?

10 A. Yeah. So most of them most of the time, I would say not all  
11 the time actually, the galley lights the Sternos for us. They're  
12 the ones who place the Sternos out underneath the wait station and  
13 they go around and light them for us. As far as putting them out  
14 at the end of the night, they just take -- basically take a  
15 commercial size bucket filled with water, and they go around and  
16 just take them, you know, and dump into that water. And then  
17 after that, I don't know how they discarded them, but the galley  
18 is typically the ones who take care of the Sternos for us just  
19 because they're the ones who store them, use them, utilize them,  
20 take them out.

21 Q. That even goes for the Sternos that are in the vicinity with  
22 regards to the wait station? If there's a Sterno with the coffee,  
23 is that also the galley's responsibility or would a server or a  
24 server assistant be --

25 A. Sometimes the servers go ahead and, you know, will grab a

1 Sterno and light it just because one of their responsibilities is  
2 setting up the coffee station. So, as part of that  
3 responsibility, it's also a responsibility on their part to make  
4 sure that the Sternos are in place. As far as their process of  
5 doing it, I don't -- I typically don't honestly pay attention to  
6 see closely enough how they take care of those Sternos.

7 Q. And by that, you mean extinguishing and disposing them?

8 A. Yeah.

9 Q. As you were assisting the first deck in cleaning, did you  
10 dispose of any Sternos that night?

11 A. No.

12 Q. Did you dispose of any of the candles or see anybody dispose  
13 of any of the candles that were in --

14 A. No, I did not. No.

15 Q. Okay. Have you ever disposed of a candle?

16 A. Yeah, just empty ones. Usually when our votives are empty,  
17 we'll just chuck them.

18 Q. Into the regular trash.

19 A. Yes.

20 Q. This might be simple. How do you know they're empty? Or how  
21 do you -- do you test them for heat?

22 A. We --

23 Q. Do you put your finger on it to make sure it's not lit?

24 A. No. So we never -- we always have the staff check the  
25 votives before a cruise occurs and before they're even lit.

1 Basically they're set out on the tables the night before, and  
2 before a cruise, we'll have one of our server assistants or hosts,  
3 it's one of their responsibilities to go around and check the  
4 votives before they're lit. So basically they're not lit at this  
5 time, but they take them out of the thing, see if there's oil in  
6 there. They'll collect the empty ones. Usually they're bone dry.  
7 If there's a little left, it lasts us a while. So I think they're  
8 like 8 hours. So even just a little bit can last just a couple of  
9 hours for the cruise. So if there's a little, they'll put it back  
10 in there. The empty ones, like I said, they're dry. So they just  
11 take them and then just dispose of them. Then they'll go back out  
12 and reset new ones and then after that, they'll go around the  
13 votives.

14 Q. When you initially saw the fire, was anything else on fire?

15 A. No. At the time I went to go look at it, I think when I just  
16 became -- got closer to the fire and I looked under, I smelled  
17 rubber, like burning rubber. But, when I looked at the fire, it  
18 was so minimal. Nothing else at the time was on fire to my  
19 visible eye. It was just the ground. The metal rack didn't catch  
20 fire. The glassware rack didn't catch fire at the time yet. It  
21 was just maybe flames, a couple inches high, not even -- like I  
22 said, I went to the pantry, and then by the time I got back, it --  
23 everything was apparently engulfed, not engulfed but, you know, it  
24 started building up.

25 Q. But you didn't see it build?

1 A. No.

2 Q. You only saw it once?

3 A. Yeah.

4 Q. So you really don't know what it looked like.

5 A. Correct.

6 Q. To the initial fire.

7 A. Yeah.

8 Q. So when you saw the fire as you kind of used your fingers to  
9 explain, maybe a few inches high, but on the deck. Well, I can't  
10 -- don't want to have you make a determination on, but do you  
11 believe at that time had a fire extinguisher could have been  
12 utilized?

13 MR. DENLEY: Objection. Calls for speculation.

14 BY LT [REDACTED]

15 Q. So after you go to depart, what happened at that time? Once,  
16 you know, CC came down and said get everybody off the boat, what  
17 did you do?

18 A. I ran across deck 1, across the dance floor, went up the  
19 stairs in the center of the boat and then turned to the stern just  
20 because that's where all the staff was. And I just said get off  
21 this boat. Like I said, they just looked at me, and I had to  
22 repeat it again, and they did. And they did as followed and got  
23 off the boat probably within 30 seconds. CC checked deck 1 and  
24 made sure everyone was there, but she followed up behind me and  
25 she was the last one off the boat. She was checking making sure



1 everyone -- no one else was on the boat at the time.

2 Q. And then when you were on the dock, you were -- were you  
3 standing in the vicinity of -- to where you could see into the  
4 vessel to see the fire?

5 A. When I got off the boat, I called 911. So I walked away just  
6 because the staff was upset. It was loud and there was a lot  
7 going on. So I walked onto the gangway, the metal gangway, and  
8 that's where I called 911. I'm pretty sure I made my way all the  
9 way to the new boardwalk that they just built at the World Trade  
10 Center, and that's where I was making the call from. So I did not  
11 see if anything post getting off the boat, besides just smoke  
12 coming out of the boat.

13 Q. Have you ever been involved or been witness to a fire?

14 A. No.

15 Q. What's behind that wait station? Aft of the wait station and  
16 the cold prep that would share that same wall?

17 A. Okay. Yeah. So, where the wait station meets the pantry  
18 wall --

19 Q. Um-hum.

20 A. -- where it's flush, there are -- there's a food -- starting  
21 from the beginning of that wall, right when you walk in, there's a  
22 food heater, metal racks for dry good storage or just like these  
23 little soufflé cups, pots and pans I believe. And then the last  
24 thing is a -- there's a black box. I think it's for the TVs on  
25 the boat. My F&D director showed me how to turn on the TVs that

1 go throughout the boat. So basically it's just what turns on and  
2 off the TVs and they are for clients who come on and want to, you  
3 know, do slide shows on the TVs on the boat. So that's where you  
4 would plug in the laptop, change the source and hook it up.

5 Q. In the initial response to the fire, at any point did you  
6 hear anybody say anything about a fire extinguisher?

7 A. I'm sorry. Can you repeat that?

8 Q. In the initial response to where you went in and saw the  
9 fire, did anybody say or discuss getting a fire extinguisher or  
10 take any type of response actions to --

11 A. Yes. I'm not sure who said it because I was walking towards  
12 the pantry to place a phone call. Someone, and I can't remember  
13 who, it was either Sharon or CC be we were the only ones on there,  
14 get some water. And, I was still on the phone, but I just  
15 remember clearly someone saying that. I can't recall who it was.  
16 It's something I just can't clearly remember.

17 Q. Did anybody get any water?

18 A. No, because as soon as the -- as soon as I put the phone  
19 down, it was get off this boat situation. It just all happened so  
20 quickly that, you know, even going to grab water potentially, you  
21 know, it was quite scary. So I think in all of our cases, we were  
22 just like play it safe and just get off.

23 Q. Where was the nearest area where you would get water from be?

24 A. The wait station that it occurred in. If the fire didn't  
25 occur there, we could just turn around and just grab a cup of

1 water and splash it on there. Unfortunately, it was right there.  
2 So the next plan of action would probably be the galley. They  
3 have a bunch of (indiscernible) in there just for like sanitizers.  
4 So we could have used that.

5 Q. So when you saw the fire, can you describe to me the color?

6 A. Orange.

7 Q. Orange.

8 A. Yellowish-orange.

9 Q. And did it appear that anything above it was catching fire or  
10 was it just on the floor?

11 A. It was just on the floor at the time when I saw it.

12 Q. Did it extend all the way back to that bulkhead or sorry, to  
13 that wall?

14 A. No, not that I could see at the time.

15 Q. Now, you said it was directly below the shelf or the wheelie  
16 that rolls?

17 A. Yes, it was right underneath that glass rack with the wheels.

18 Q. And how much room is underneath there? Like when you bent  
19 down to see, like what approximately?

20 A. I would say from the floor to like where the glass rack  
21 starts, 4 or 5 inches.

22 LT [REDACTED] I don't have any further questions at this time.

23 BY LCDR [REDACTED]

24 Q. To go back when you were talking about your chain of command,  
25 just to understand, another restaurant worker or workers,

1 managers, can you kind of explain your supervisors you report to?

2 How does that work?

3 A. In regards on the night on that vessel?

4 Q. Sure.

5 A. So as far as who I report to, Cassandra or CC is the senior  
6 restaurant manager. So anything I have questions for or report to  
7 regarding staff or any form of questions, I go to her just because  
8 of her seniority and job title. I'm the next bump down. So I  
9 just basically follow suit of what she expects me to do. So.

10 Q. And so that change is based on the cruise or --

11 A. No, that's the case because she's always, she's always the  
12 senior restaurant manager on board and for the *Spirit of Boston*,  
13 depending on the night. Other senior restaurant manager -- our  
14 other senior restaurant manager might be on board but as of that  
15 night, it's specific. She was the highest level of management on  
16 board.

17 Q. Is it fair to say like she's your boss?

18 A. I wouldn't say she's my direct boss. My boss directly is  
19 Thatcher, our F&D director. CC is just basically -- I can't even  
20 say I directly to report to her. We work in alliance with each  
21 other. It's just she has a different level of seniority and she's  
22 been there 7 years. And she's just basically the ultimate  
23 decision maker for the restaurant. I can manage cruises by  
24 myself. I also have the authority to do that, but in cases of  
25 hiring and recruiting, termination, write ups and stuff like that,

1 I've always in those case scenarios -- minor stuff like that, is  
2 when I say, hey, is this okay with you? And then we'll go ahead  
3 and execute it. She's not like someone I report to. More so just  
4 checking in to make sure that we're both making the right  
5 decisions because we do work together. We have the same job title  
6 essentially and just making sure that we're just on the same page  
7 with each other in regards to the restaurant. So. But direct  
8 line of like who my boss is, is Thatcher.

9 Q. Is it typically to have two managers --

10 A. Yeah.

11 Q. -- on a cruise?

12 A. Yeah.

13 Q. And how many other restaurant managers are there?

14 A. In the whole fleet of Boston for dining, four.

15 Q. And they all report to the food and beverage director?

16 A. Yep, two senior restaurant managers, two managers.

17 Q. Kind of going back now to the night of March 24th. You had  
18 mentioned that CC and Sharon and you were on that main deck. Was  
19 there anyone else or was the entire rest of the staff on the  
20 second floor or were there other staff members with you on that  
21 main deck?

22 A. Just the three of us.

23 Q. You had mentioned that you went back up to the second deck --

24 A. Um-hum.

25 Q. -- when (indiscernible) said you could get off.

1 A. Yeah.

2 Q. How did -- can you talk us through how everyone got off the  
3 vessel from the second deck?

4 A. Yeah. They basically took direction, and they got off the  
5 portside stern door, which is the closest door to the gangway that  
6 connects the boat to land. So everyone got off that way. It was  
7 just direct line of sight. It's the quickest way to get off the  
8 boat just because like I said there's that -- the gangway is  
9 literally right behind that bar. So I told everyone to get off.  
10 So it was that portside stern door.

11 Q. And you had all mustered on the pier, right?

12 A. Um-hum.

13 Q. By the vessel?

14 A. Yeah.

15 Q. Did you look into -- did you witness anything at the window?

16 A. No, because right when we got off, I was the one who walked  
17 on the gangway towards the boardwalk and called.

18 Q. Can you kind of talk to us about the galley staff, or I guess  
19 you call it the back of the room staff?

20 A. Yes.

21 Q. Were they on board as well once the passengers left?

22 A. No. They wrapped up all their things for the night. They  
23 typically leave 15 minutes post-cruise, where as the management  
24 staff -- or management and restaurant staff is there for an  
25 average of an hour and half to 2 hours after the cruise.

1 Q. And how many typically worked in the back room on the night  
2 of the 24th?

3 A. Five or six. It was a big night -- 10 to 12 maybe.

4 Q. You had mentioned that they're responsible for the Sternos  
5 and they had a particularly way they do it. They put everything  
6 in a bucket of water.

7 A. Yeah.

8 Q. Do you know why they do that?

9 A. I don't. Just going to go based off an assumption and say  
10 that's the safest way. I'm unfortunately not -- it's not really  
11 something I'm responsible for on the restaurant management side  
12 of things. So I don't know what their protocol is regarding the  
13 Sternos.

14 Q. When you typically seen them though, when you've witnessed  
15 actually them clean up that way, is that the typical way they do  
16 it?

17 A. Yeah.

18 Q. I just want to go back to -- I know we've asked you about  
19 what you witnessed, you saw and explained, but can you kind of  
20 describe the smoke? Did you see any smoke?

21 A. I did, yeah. I only noticed it just because Sharon noticed  
22 it at the time, and she let us know. There is a part I forgot to  
23 mention when I went over there. She was like what's that smoke  
24 coming. So I look up and the smoke's rising to the ceiling. When  
25 I saw that line of fire, I also heard like a very high pressure

1 noise, and I don't know what it was. It sounded like basically an  
2 air compressor like when you press it, and it shoots out  
3 pressurized air. It sounded like that. I wanted to add that at  
4 this point just in case, but that's something I also heard  
5 regarding -- when I went over, I looked down and saw the flames.  
6 I got back up, and it was almost like shhhh (ph.), like that. I  
7 don't know what it was. Like I said, I just went through the  
8 pantry and got off the boat.

9 Q. So in your events, you came over there, saw the smoke that  
10 she directed to the smoke. Then you heard the noise and then  
11 looked under or you looked under and then heard the noise.

12 A. Saw the smoke, looked under, heard the noise, and then I went  
13 to the pantry.

14 Q. You had mentioned -- this would be about the timeframe you  
15 had mentioned it all happened so fast.

16 A. Um-hum.

17 Q. Can you kind of approximate or do you know from the time you  
18 first went back there and witnessed the flames to the time you  
19 said it was out of control, kind of approximate for us the  
20 timeframe?

21 A. I would say no less than 30 seconds. We -- from Sharon  
22 saying what's that smoke to getting off the boat, a minute. Yeah.  
23 It all happened very quickly. Two minutes max. Not even 2  
24 minutes. It just happened so, so fast.

25 Q. When you said you had seen the flames in the snake pattern on



1 the floor, did it look -- have you ever seen gasoline or like a  
2 liquid on fire? Did it look like that or was it just --

3 A. No, it was just --

4 Q. You didn't see (indiscernible)?

5 A. No, no.

6 Q. It was just in a snake pattern.

7 A. Yeah.

8 Q. Can you kind of take us through when you're on the pier and  
9 talk to us, did you speak with any of the first responders?

10 A. Yeah. When they first got there, no, but then I believe it  
11 was the lieutenant or Chief Richardson (ph.) I believe it was if  
12 I'm not mistaken, he came up to me and spoke to me, just quickly  
13 asked me what happened, and then immediately went into how many  
14 people were on board and what's their names, ages and telephone  
15 numbers. And then that's like the most I spoke with him about. I  
16 spoke with a couple -- I spoke with a firefighter who asked me my  
17 name, my job title and age. And then I spoke with one other  
18 individual. I don't know who he was. I believe he was a  
19 firefighter who was asking additional information. I thoroughly  
20 spoke to the people who asked me specific information about what  
21 happened and just generally my information.

22 Q. Do you know -- was the fire chief, was he wearing a uniform?

23 A. Yeah, he wasn't dressed. He wasn't like in uniform or  
24 anything. He was semi-formal dressed in a -- I believe he was in  
25 a button down and a jacket. Yeah, definitely looked like someone

1 of authority.

2 Q. I know you were making phone calls you stated from the time  
3 you got onto the pier.

4 A. Yeah.

5 Q. But did you witness anyone ever get back onto the vessel  
6 prior to the fire department arriving?

7 A. I didn't see anyone get on board. I heard that someone did  
8 go back on board. She grabbed a couple of belongings on deck 2.  
9 I believe someone -- one of our workers went on board to get a  
10 lifejacket even though we were not on the water. And then a DJ  
11 walked on board to get --

12 UNIDENTIFIED SPEAKER: Do his training.

13 MR. KINNEY: Yeah. One of our other workers went back on to  
14 grab his DJ equipment. Yeah, I don't know why he, you know, went  
15 back on to grab a life vest but to each their own. So.

16 BY LCDR [REDACTED]

17 Q. Do you know the names of the two --

18 A. Yes.

19 Q. -- who went back on board?

20 A. The guy who grabbed the lifejacket, server, Mark Melaney  
21 (ph.). DJ, Mike something. I don't remember his last name. I  
22 can't recall his last name right now.

23 Q. But just from your staff it was Melaney?

24 A. Mark Melaney, yeah.

25 Q. He was the only that went back on board.

1 A. Yeah.

2 Q. Did any of you or your crew go back on board after the fire  
3 department departed?

4 A. Yeah. Well, the fire department was still there at the time.  
5 We got their clearance to go back on around 12:30, 1 a.m., after  
6 everything settled down. They were on the boat, and then they  
7 directed us one by one onto the boat just so we didn't trip or  
8 fall. There was a lot of stuff on the ground. So a firefighter  
9 each took us down into the (indiscernible) to get our stuff and  
10 get off the boat.

11 Q. Where was your stuff located? You said we got stuff. Was it  
12 all in the same place?

13 A. Yeah, it was on that table. I grabbed my laptop off of -- or  
14 I'm sorry. My F&D, my boss, grabbed my laptop before I even got  
15 on the vessel, and then I was brought down by a firefighter and  
16 the only thing I had to grab was my backpack and then my keys.  
17 And, I had another set of keys behind the deck 1 bar. So he  
18 brought me back there, too, where I grabbed another set of keys.

19 Q. So were you in the vicinity of where the wait station was  
20 when you back to get your items?

21 A. Um-hum.

22 Q. Did you notice -- can you kind of describe, when you looked  
23 around, did you see anything after?

24 A. No, everything was just destroyed. It was a lot of ceiling  
25 tiles on the floor. I only took a quick look when I walked on the

1 boat. It was complete pitch black in there. So I didn't see much  
2 honestly at the time. Just I saw shattered glass everything  
3 because they shattered all the windows and then just ceiling tiles  
4 all over the floor. The stairs were drenched in water. It was  
5 like a waterfall going down into the void of the boat, and it was  
6 pretty much -- I think I was just, you know, like I said, just a  
7 lot going on. So I didn't get a good look at the boat when I  
8 walked on. I just wanted my stuff and wanted to go home. So I  
9 just, you know, just followed the firefighter and got off. So --  
10 plus I didn't know how stable the boat was. So I just wanted to  
11 get off it as quickly as possible which was more of a safety  
12 thing, too. So.

13 Q. So when you got your things, did you just depart?

14 A. Yeah, yeah.

15 Q. Okay.

16 MR. FAWCETT: I have some after Mr. Young, if Mr. Young has  
17 any.

18 BY MR. YOUNG:

19 Q. Do you need a break?

20 A. I'm good.

21 Q. You're all set?

22 A. Yeah.

23 Q. Great. This is Brian Young with the NTSB, and I certainly  
24 appreciate your sharing everything you saw and remembered and  
25 really have done a great job helping us recreate the scene. So

1 this is some of the notes I made, because maybe it will trigger  
2 some further questions. Starting at the beginning, you had the  
3 high school kids on the upper decks and then indies down below.  
4 What would that be? Individuals.

5 A. Individuals, yeah.

6 Q. So --

7 A. Who just buy tickets, individual tickets.

8 Q. Okay. So it could be a couple or five people, four people,  
9 and they would just get put at different tables. Would that be  
10 assigned tables?

11 A. Yep.

12 Q. When we were kind of talking about the location of items  
13 inside the wait room, I'm sorry --

14 A. Wait station.

15 Q. -- wait station, you recall that there might have been two  
16 rollies in there or just one?

17 A. Two.

18 Q. Two. Can you recall if the fire was under the rollie that  
19 was closest to you or closer to the window?

20 A. Closer to the window.

21 Q. Closer to the window. And would that rollie closer to the  
22 window be butt up against that wire rack that had all the coffee  
23 on it or was there anything in between them?

24 A. It would be butted up.

25 Q. You talked about the fire kind of following a snake pattern.

1 If you were to be looking down in the wait station and all the  
2 rollies are on your left and your coffee machine's on the right,  
3 would the snake be going fore and aft or would it be going like  
4 towards the window? Do you remember which direction the snake was  
5 in?

6 A. Horizontally port to starboard.

7 Q. Port to starboard.

8 A. Yeah.

9 Q. We call that a torch ship in our world. So it wouldn't be  
10 going -- you wouldn't walk across it. It would be walking with  
11 you going to the window?

12 A. Yeah. Sorry. Can you ask that question again? I didn't  
13 understand --

14 Q. So it sounds like if I was -- the shape of the fire as you  
15 described it is a snake. If it was a snake, a snake would be  
16 heading --

17 A. Towards the window, yeah.

18 Q. Towards the window. Instead of going from rollie to coffee  
19 maker.

20 A. Yeah.

21 Q. Okay.

22 MR. DENLEY: Did it extend out from underneath the -- can you  
23 describe the snake, like how long it was and did it extend out  
24 from the rollies or was it kind of sneaking underneath the rollies  
25 towards the window?

1 MR. KINNEY: It was underneath towards the window.

2 BY MR. YOUNG:

3 Q. Underneath towards the window. So kind of under the  
4 rollie --

5 A. Um-hum.

6 Q. -- and then coming out towards the window?

7 A. Yes.

8 Q. And was there a fire on one side of the snake and no fire on  
9 the opposite side of the snake or --

10 A. It was all one way.

11 Q. I'm sorry.

12 A. It was all one -- yeah, it was just all one line.

13 Q. One line. That's a good description. That helps us a lot.

14 As you're looking out towards the window, it looked like there  
15 were several, after the fire burned out, cans of Sternos. Would  
16 they have been stored on that window sill maybe, any Sternos, do  
17 you know?

18 A. Yeah.

19 Q. And is that typically where the full ones would be kept or  
20 the empty ones?

21 A. I'm not sure just because I don't touch the Sternos.

22 Q. Okay.

23 A. That's something the galley handles. I do not handling of  
24 any of the Sternos, post or pre-cruise. That's something the  
25 galley takes care of.

1 Q. Understood. Thank you. Is the linen always thrown into a  
2 yellow garbage pail or is sometimes in maybe -- put into a brown  
3 one?

4 A. It's yellow.

5 Q. It's always yellow. Okay. Do you recall at all that night  
6 any of the garbage pails being emptied prior to the fire?

7 A. No.

8 Q. Okay. Who typically would be responsible for emptying out  
9 the garbage pails in the wait station?

10 A. Servers.

11 Q. Do you know where they would take them once they're emptied?

12 A. Stern.

13 Q. Stern.

14 A. Yeah. There's larger on wheel trash bins that we just keep  
15 outside the boat.

16 Q. That's on the boat on the stern or on the pier?

17 A. On the stern of the boat, yeah.

18 Q. Okay. And just to kind of understand the rollie, if I was to  
19 go to Home Depot a rollie, would it just be about 8 inches high  
20 with 4 wheels and they all they swivel and you just stack the  
21 carts into them and they're typically tan in color? Is that  
22 right? Or are they all different colors?

23 A. Yeah, I think the ones on the *Spirit* are green.

24 Q. In the room just aft of the wait station, they call it either  
25 cold prep or pantry, and in that corner is a black box. Is that



1 the TV system?

2 A. Yeah.

3 Q. Occasionally it does get turned on?

4 A. Yeah. It wasn't in use that night, to answer your question.  
5 The last time I used it or the last time a client used it was a  
6 couple of weeks ago.

7 Q. Okay. So it wasn't even in use. Okay. And to turn it on,  
8 would you have to open up the door and flip some switches inside  
9 it?

10 A. Yes.

11 Q. Okay.

12 A. I believe some computer stuff runs in there most of the time  
13 while we're cruising. I don't know what other things are  
14 connected in there, what electrical work on the boat, but I know  
15 for the TV in specific you have to turn it on to make it come on.

16 Q. Okay. And also one other question, speaking about the decks.  
17 How do you keep high school kids on the upper decks away from the  
18 indies?

19 A. We have a chain at the bottom of the staircase on the deck  
20 that we link up to the (indiscernible).

21 Q. Do you have a security team aboard to enforce that?

22 A. Only for college cruises. Because this was high school  
23 cruise, we don't have security on board. But on a typical night  
24 for something like that, we do, yes.

25 Q. You do. Okay. On that night, were there any problems with

1 passengers or incidents that caused any concern?

2 A. No.

3 Q. Sometimes in a kitchen, even at home, we have Pam in a spray  
4 concern that's pressurized. Can you think of anything like that  
5 that may have contributed to that sound you thought as the air  
6 pressure releasing, maybe cleaning product --

7 A. No.

8 Q. -- that's in a pressurized container?

9 A. No, not stored back there of that nature.

10 Q. The smoking policy for passengers on the boat?

11 A. *Spirit* and all four vessels are -- the dining vessels are  
12 smoke free.

13 Q. Completely smoke free. So if I was a passenger on there and  
14 came on with my family and I wanted to smoke, what would I be  
15 told?

16 A. So, the -- we switched up the smoking policy fairly recently  
17 that I was unaware of. A time last summer, the *Spirit* was the  
18 only vessel in the fleet that allowed smoking on that upper  
19 exterior deck. I recently learned, and this was before the  
20 incident occurred, that the *Spirit* no longer is a smoking vessel.  
21 We in our safety announcement on board state that it is smoking  
22 vessel just because at the time of, you know, at the time it was a  
23 smoking vessel, only again on the upper exterior deck. But as far  
24 as my most recent knowledge, we changed our policy and smoking is  
25 no longer allowed. And like I said, this is a month ago that this

1 policy was implemented, a couple of weeks before the incident  
2 occurred, that we changed it to a smoke free vessel, all four.  
3 So. I know on the *Elite* products, it's up to the clients.

4 They're smoking on the exterior.

5 Q. By clients, you mean the passengers?

6 A. Yeah.

7 Q. Does the same no smoking policy pertain to the crew as well?

8 A. No. The crew, the crew does smoke outside of the vessel on  
9 the stern.

10 Q. And actually I did see a sign on the portside there that says  
11 please don't throw your cigarettes on the ground is what it says.

12 A. Correct, yeah.

13 Q. Where would you throw your butts?

14 A. They have buckets out there as far as I know. I'm not -- I  
15 don't smoke.

16 Q. Okay.

17 A. So I don't spend my time out there much, but most of the time  
18 we have the cigarette -- the bases, you know, dump them in there  
19 or just a general bucket.

20 Q. Yep, yep. Are you aware of anybody on -- in the crew on that  
21 night that were smokers? I'm talking about the galley staff and  
22 the wait staff.

23 A. Yeah, I would say 90 percent of the galley smokes cigarettes.  
24 But I never really witnessed anyone smoking that night. I was  
25 just busy on board with the other things I had to do. So, nothing

1 of -- I never physically saw anyone smoking on board that night.

2 Q. Have you ever seen anyone smoking inside the galley or the  
3 pantry or the --

4 A. No.

5 Q. -- wait station?

6 A. No.

7 Q. Pretty much outside?

8 A. Yeah. They're very good about, you know, keeping it outside.

9 Q. We went aboard after the fire. We were looking inside the  
10 wait station. We noticed that there was a dark gray or black  
11 colored two level swiveling cart that was right as you would have  
12 looked right through the door from the passenger space directly  
13 in.

14 A. Yeah.

15 Q. And the previous person we talked to said it was a place to  
16 store plates and forks because they wouldn't be let out after they  
17 were detailed.

18 A. Yep.

19 Q. Is that typically located in any specific place or does it  
20 get moved around?

21 A. Yeah, they keep that in the galley or in the pantry. They  
22 use it pre-cruise for moving up to different levels. After that,  
23 it's mostly used by the staff, front of house staff for the  
24 detailing of plates and silverware just because they have to  
25 transport it from the back of the house to the stern where --

1 basically where they detail them and do all that stuff.

2 Q. Within the galley is where the detailing is done?

3 A. Yeah.

4 Q. Is there a dumbwaiter or elevator?

5 A. I'm sorry.

6 Q. Is there a dumbwaiter or elevator on that vessel?

7 A. No.

8 Q. You were talking about locations. You said everybody exited  
9 the vessel on the portside. You called it a stern door.

10 A. I'm sorry. You lost me. I'm sorry.

11 Q. When you got us all off the vessel.

12 A. Yeah, yeah, yeah.

13 Q. On the one deck --

14 A. Yeah.

15 Q. -- on the portside.

16 A. Yeah.

17 Q. Was that door close to the ladder well that went down to like  
18 where the reefer boxes are and --

19 A. Yeah, yep. Yeah. So that -- if you leave that door and go  
20 to the left, you're hit with that stairwell to down to the stern  
21 of the boat.

22 Q. Stern.

23 A. Or the deck, lower deck on of the boat.

24 Q. The stern of the boat is really behind the kitchen, behind  
25 the galley. That's the stern?

1 A. Yeah.

2 Q. So is there another exit back there also?

3 A. Yeah. So, if you, if you came out that door that we exited  
4 out of, the staircase can't really lead -- if you take that  
5 staircase down to the left, it will lead to the stern of the boat  
6 where that outdoor trash area is.

7 Q. Okay.

8 A. If you're already down there, there is another way off the  
9 boat from that stern area where that trash is kept. It's like a  
10 little tiny cargo door. It can shut and lock if you need it to.  
11 They keep it open just because that's where they tie the lines for  
12 the boat. So there is another exist off to the gangway to get to  
13 the barge area where the *Spirit* is docked.

14 Q. Which one did you use to get off?

15 A. We used the second deck --

16 Q. Second deck.

17 A. -- where it's connected by that little ramp.

18 Q. Okay. Not the number 1 deck which is that exit would be  
19 closest to the ladder where it goes --

20 A. Yeah.

21 Q. -- into like the --

22 A. Yeah. If we did get off deck 1, we would have -- would have  
23 had all had to go down that little alleyway off the boat. Either  
24 up that stern area or up the stairs that way.

25 Q. Okay. Do you know if there had been anybody taking any

1 pictures or video of the fire during or afterwards from your crew  
2 that may help us out to see anything?

3 A. No, not that I know of. Like I said, I was busy with the  
4 phone calls. So I'm not sure what the staff collected, but no,  
5 not as far as I know of.

6 Q. Only two more questions. I know that you said there was no  
7 problems with the passengers. Were there any people in the  
8 hospitality side that had any disciplinary issue, that got written  
9 up for any problems that night?

10 A. The entire cruise went smoothly.

11 Q. Good.

12 A. Everyone left happy. The staff was okay.

13 Q. A little bit of an engineering question for you, and then  
14 I'll be done. We know when the vessel's underway, she's creating  
15 her own power. When you get along side, they shut the engines  
16 down and they shut the generators down. Typically they hook up to  
17 shore power. Do you know if that was the case that night?

18 A. I know it's a process of what we do as -- I'm not sure if --  
19 I believe this is part of the process of the shore power and  
20 generator thing, the lights out where the boat loses complete  
21 power, and then it's regenerated back on because I believe they're  
22 connecting to the shore power of the vessel. Before the incident,  
23 the lights out did happen and we were I believe we were connected  
24 to the generator -- or to the shore power just because the marine  
25 crew left for the night already. And that process happens while

1 they're still there.

2 Q. Right, right. Okay. So then is that typical work and clean  
3 up with the vessel on shore power?

4 A. Yes.

5 Q. And when the vessel's on shore power, do you have all the  
6 lights on as if you were transiting or is it limited lights  
7 because you're on reduced power?

8 A. I think it's the same amount honestly. I don't know the  
9 answer to that question.

10 Q. Okay. You're not working in the dark, right?

11 A. No, no, absolutely not. It's quick, maybe 3 seconds and the  
12 power comes back on.

13 Q. And how about the ventilation system? Does that come back on  
14 also?

15 A. Yeah, when the lights go out, you can hear the air go off on  
16 the boat, and then when the lights come back on, maybe 30 seconds  
17 later, you'll hear the ventilation system start.

18 Q. Okay. And can you recall if it was on that night? Do you  
19 remember hearing or feeling any air --

20 A. Yeah, it was. Yeah, they usually keep it on just because of  
21 the colder weather right now. They're good about ventilating the  
22 boat and keeping it -- keeping air flow in there --

23 Q. Okay.

24 A. -- just because of the cold weather.

25 Q. And if this would have been a normal night, who would have



1 been the last person to leave the boat for the night?

2 A. Usually me and CC. It was a typical night, we're always --  
3 we let the staff go and we're always the last ones off board that  
4 night.

5 Q. Okay.

6 A. We're always the ones to lock it.

7 Q. And when you do leave, are there still lights on and --

8 A. No.

9 Q. You shut off the lights?

10 A. Yep. The lights are shut off. The doors are locked on the  
11 boat, arm the boat. We lock it up and we leave.

12 Q. How about the ventilation? Do you leave that on for the  
13 night?

14 A. I don't know if it goes off in the middle of the night. We  
15 don't touch anything with that sort of stuff.

16 Q. Okay.

17 A. We just shut off the general lights on the ceiling and that's  
18 it as far as I know. We don't touch anything electrical besides  
19 the lights. We don't touch anything that has anything to do with  
20 the vessel. So it's just lights off.

21 Q. And then you say you arm it. What does that mean?

22 A. Four digit pin. It arms it, 30 seconds to get off the boat,  
23 and then lock it, and all the seals on the doors have to be sealed  
24 in order for it to lock and lock properly.

25 Q. That's part of the sink area system?

1 A. Yeah, yeah, and if one of those things break, it'll set it  
2 off.

3 Q. Who do you think will hear it?

4 A. Oh, God, I don't know. Probably the entire neighborhood.  
5 Yeah, it's a loud security system. But, yeah, it goes immediately  
6 to a tracker.

7 Q. All right. And my last question. Did you hear any alarms,  
8 any smoke alarms or fire alarms, when you noticed the fire?

9 A. No. The first smoke alarm never went off, and you can hear  
10 it as clear as day from the gangway. It never went off until we  
11 all got off that boat.

12 Q. And then you heard it?

13 A. Yeah, yeah, we heard it after we got off the vessel.

14 Q. So you estimated that was less than 2 minutes, right?

15 A. Yeah. I heard it go off while I was on the phone. So it  
16 took like some time for it go off.

17 Q. I don't know if you know the answer, but do you know if there  
18 was a smoke detector in the wait station?

19 A. I don't know. I don't.

20 Q. Okay. Thank you very much. You really did a good job  
21 remembering so much.

22 A. Yeah.

23 Q. Thank you.

24 A. I try to recall as much as I can.

25 LT [REDACTED] (Indiscernible).

1 UNIDENTIFIED SPEAKER: Yeah, I just have a couple of  
2 questions.

3 BY MR. DENLEY:

4 Q. So we talked about sort of the snake of fire, and you  
5 described kind of the direction you thought it was traveling.  
6 Could you estimate how long it was?

7 A. Less than a foot I would say. It was very short. It wasn't,  
8 it wasn't like feet long. To put a guesstimate on it? I haven't  
9 got one. It was in the middle of the floor underneath that glass  
10 rack.

11 Q. But that ribbon of fire was immediately -- it was entirely  
12 underneath --

13 A. Yes.

14 Q. -- the glass rack?

15 A. Yes, yes.

16 Q. Based on your (indiscernible), if there were sparks when you  
17 saw, when you looked in that area, if there were sparks, would you  
18 have seen them?

19 A. Yes.

20 Q. And you did not see any sparks.

21 A. No.

22 Q. You talked about the noise. How long was the duration of the  
23 noise? Like did it stop and did it start or was this continuous?  
24 Can you describe that?

25 A. Yeah, it was continuous.

1 Q. And it's not something that you typically hear in that area?

2 A. No.

3 Q. So did it start when you went in there or did you just kind  
4 of notice it?

5 A. I think I just kind of noticed it. I wasn't sure if I was  
6 aware of it at the time but when I got over there it was  
7 significantly louder than were I was sitting at the time.

8 Q. As you got closer to it?

9 A. Yeah.

10 Q. That was your assumption?

11 A. Yeah.

12 Q. Could you tell where it was coming from inside that -- was it  
13 clearly coming from -- in your opinion, was it clearly coming from  
14 inside the wait station?

15 A. Yeah. Yep.

16 Q. And can you -- do you have -- do you know where in the room  
17 or could you not really tell? It was just sort of somewhere? It  
18 was coming from somewhere in that space?

19 A. It was in that exact area of that fire. It was coming from  
20 there. I'm not sure what it was, but it was in that exact  
21 vicinity.

22 Q. Was it your assumption that the fire was -- like it was --  
23 could it have been the fire itself?

24 A. Yeah or something that was being --

25 Q. Burned or --

1 A. -- influenced by the fire -- or not influenced but, you know  
2 what I mean.

3 Q. Yeah, yeah.

4 A. You know, something that could have caught fire at that time.

5 Q. Understood. So you're -- I know you weren't right next to  
6 the boat immediately after you got off, but afterwards, did you  
7 see the fire department breaking windows?

8 A. Yeah, yeah. They started doing that on the gangway side, and  
9 then the fireboat came up and started doing it on the starboard  
10 side --

11 Q. Okay. On the first deck. And then did you see them -- did  
12 you see the fire department breaking other windows?

13 A. Yeah, then they started shattering windows.

14 Q. Up on deck 2.

15 A. No, I believe deck 2 stayed intact. I saw them shatter a  
16 couple right above where the fire we under, but that was the  
17 extent of deck 2. I'm pretty sure most of them intact.

18 Q. And then we heard some -- did you see the window -- where the  
19 fire was, did you see that window break?

20 A. No.

21 Q. But you did see a lot other windows break.

22 A. Yeah, yeah.

23 Q. So of all the windows that you saw that were broken on the  
24 night of the fire, the fire department broke them all?

25 A. Yeah.

1 Q. So some of them were shoreside fire department?

2 A. Yes.

3 Q. And then some of them were a fireboat that came alongside?

4 A. Yeah.

5 Q. And -- yeah, actually that's all I have. Thanks.

6 BY MR. FAWCETT:

7 Q. My name is Mr. Fawcett. Thank you again. Are you okay to go  
8 through a few more questions?

9 A. Yes, absolutely.

10 Q. So you were hired approximately 10 months prior to the  
11 accident or 10 months from --

12 A. Yep.

13 Q. -- from this date, right? So the new hire orientation  
14 presentation, did you receive that prior to going out on the  
15 boats?

16 A. Yes.

17 Q. Now, that presentation has a slide on it that describes what  
18 to do in the case of a fire. It has a few steps on it, and then  
19 there's a demonstration in some way, I don't know how it's done,  
20 of the use of a fire extinguisher. Can you talk about that?

21 MR. DENLEY: I would object to question. I guess did you --  
22 I mean he can maybe answer the questions to what he recalls.

23 MR. FAWCETT: Yeah, that's what I mean.

24 MR. DENLEY: That's what the question was. It wasn't a  
25 specific question.

1 MR. FAWCETT: Yeah.

2 BY MR. FAWCETT:

3 Q. Can you tell me of what you recall of how they demonstrated  
4 the use of fire extinguisher?

5 A. There wasn't.

6 Q. There wasn't. Not in the specific presentation that you were  
7 required to do, correct?

8 A. No.

9 Q. So now you get on the vessel, first time. At what point do  
10 you recall a marine crew giving you like a walk through the vessel  
11 to explain the location of say -- I'll just call it safety  
12 equipment, but I'm primarily -- I don't care about man overboard.  
13 I care about fire. When did that happen?

14 A. It didn't.

15 Q. Have you -- and we didn't ask this question, but did you have  
16 experience in the restaurant industry prior to coming to work for  
17 City Cruises?

18 A. Yeah.

19 Q. Talk about that for a minute.

20 A. It was in Connecticut. I moved here from Connecticut. I  
21 worked at Subway for 4 years. I became the general manager of a  
22 meal prep company in Connecticut for about 2 years. And then I  
23 also served and bartended at another restaurant in that same time  
24 for about a year. And then I moved to Boston, started as a  
25 restaurant supervisor and then 2 months promoted to a restaurant

1 manager, and I've been here since.

2 Q. So back near the -- and I'm going to ask you to help me just  
3 a little bit --

4 A. Sure.

5 Q. -- just for a minute. I'm not an artist. I apologize. So  
6 we're standing here looking at the wait staff area, right, and  
7 this is a waist high trash can. Where was it? Can you put --

8 A. Yeah.

9 Q. So that's where it was.

10 A. This is where the window is.

11 Q. Um-hum.

12 A. A metal rack, two glasswares.

13 Q. Right.

14 A. The linen one.

15 Q. Okay. So if this was the actual wall, would it be outside of  
16 the wall? Okay. So right on the corner.

17 A. Yeah.

18 Q. And do you recall a fire blanket being located in this  
19 general vicinity?

20 A. No.

21 Q. Thanks. One other question.

22 A. Sure.

23 Q. Wait a minute. This snake --

24 A. That's right.

25 Q. So to understand it, is the snake a shape and the hole behind



1 it is fire or is it just the leading end of the snake?

2 A. It's just the leading end of the snake.

3 Q. So behind it, if it was moving this way, behind it, there  
4 wouldn't be fire?

5 A. No.

6 Q. And the thickness of the snake would be? How many inches?

7 A. (No audible response.)

8 Q. So you're showing approximately an inch. Would that be --

9 A. Yeah.

10 Q. That was very helpful. So, the night of the cruise, were you  
11 aware of any celebrations, for example, birthday parties, wedding  
12 anniversaries, where they might have used birthday candles?

13 A. No.

14 Q. How about the people that smoke on the vessel? Do you know  
15 anyone that might use electronic cigarettes or vape?

16 A. No.

17 Q. How about in the cold prep area, do you have any desserts  
18 that you prep with whipped cream from an aerosol can?

19 A. No. The only whipped cream on board is (indiscernible).

20 Q. So how do you, how do you know how a fire alarm sounds on the  
21 vessel?

22 A. I don't.

23 Q. Because I think, and correct me if I'm wrong, you said  
24 something about I didn't hear it then, but I heard it later.

25 A. Yeah. The fire alarm went off after getting off the boat.

1 So I never physically heard the fire alarm up close while I was on  
2 the vessel. This happened 100 feet, 150 feet away from the  
3 vessel, and then that's when I started hearing it go off.

4 Q. And we hadn't heard this before, but when you talk about food  
5 heater, I'm used to looking in a restaurant, seeing an electric,  
6 infrared bulb, you know, shining.

7 A. Yeah.

8 Q. How does that work?

9 A. I'm not sure. I don't know like the engineering behind it. I  
10 just know that it's an electronic -- it's very tall. Maybe like 7  
11 feet high.

12 Q. Um-hum.

13 A. This wide, and you flip them on, only to heat food throughout  
14 the cruise. They don't use that one in the galley though just  
15 because they only use the ones on the floor because that's where  
16 the food is closest to the buffet. So they only store them in  
17 there. They never use that one in particular stored in that  
18 pantry for heating.

19 Q. And by that we mean the cold prep area.

20 A. Yeah, outside the pantry. The one in the pantry is never  
21 used.

22 Q. So do you have knowledge if this is electric?

23 A. Yes.

24 Q. It is electric. It has like a cord?

25 A. Yes.

1 Q. Okay. And, when you saw the total area of fire, I just want  
2 to make sure I get this absolutely correct, was a ribbon of a  
3 certain length about an inch wide, and you saw no other flame, no  
4 other fire than that?

5 A. No.

6 Q. And the loud noise, I won't characterize it as hissing, but  
7 the loud noise you described, it was continuous from the time it  
8 started until the time you left the vessel?

9 A. Yeah.

10 Q. Thank you very much. You were very helpful.

11 BY LT [REDACTED]

12 Q. Thanks again. I just have a few more. So we've covered the  
13 length by the width of this fire of what you witnessed. What was  
14 the height so we can get a full --

15 MR. DENLEY: That was covered earlier, too.

16 MR. KINNEY: Yeah, I believe so. I would say about that  
17 high.

18 BY LT [REDACTED]

19 Q. Can you describe to me that? Just for the record officially.

20 MR. DENLEY: About how many inches?

21 MR. KINNEY: Two.

22 BY LT [REDACTED]

23 Q. Two inches high. Okay. Thank you. Have you ever  
24 participated while aboard the *Spirit of Boston*, a fire drill?

25 A. No, I haven't.

1 Q. If there were -- do you -- would you know what to -- were you  
2 trained or do you know what to do if there's a fire on board the  
3 *Spirit of Boston* during a cruise?

4 A. No.

5 BY LCDR [REDACTED]

6 Q. I just wanted to clarify, you had stated that the prior --  
7 you started (indiscernible) you said that smoke filled the entire  
8 (indiscernible). Can you kind of describe what kind of smoke that  
9 was? How -- like how did you know that? Was it before you left?  
10 Did it fill already before you left the vessel or is that  
11 something --

12 A. No, this happened after we got off the boat. While I was on  
13 the phone with 911, it was heavy black smoke.

14 Q. Throughout the entire vessel?

15 A. Yeah.

16 Q. Can you kind of just walk up through, if there's a policy  
17 change such as the one we're talking about, how does that get  
18 relayed to restaurant staff, the entire staff or how does --

19 A. Our GM is very good at letting us know about policy changes.  
20 Throughout my 10 months, I've never had any that was a significant  
21 policy change that, you know, had to be elaborated. It was just  
22 more so changes that CC and I made on our end for the restaurant  
23 staff, but nothing of like corporate policy or a major marine  
24 policy that would have changed that would have had to been like a,  
25 you know, been communicated in a meeting or, you know, high

1 priority email or anything. So.

2 Q. So when you say your GM, is that the food and beverage  
3 director?

4 A. Our GM is Kelly Yell. She's our general manager.

5 Q. And how does that -- you said meetings. Is that how the  
6 policy --

7 A. Yeah, like I said, I've never actually had to attend a  
8 meeting where there was a policy change. The policies have been  
9 -- that I started with have been the same, have been implemented  
10 the same since the day I started. Like I said, they're just like  
11 some minor adjustments that happen on like mine or CC's end but  
12 how we manage the restaurant staff, the front of house staff.

13 Q. Specifically to the smoking policy, would have that gotten  
14 relayed how? How did it -- like how did -- you said you didn't  
15 know about that but it was changed. So how did that get relayed  
16 to you?

17 A. I can't remember how it was relayed to me. Word of mouth.  
18 LCDR ██████ That's all.

19 BY MR. DENLEY:

20 Q. I just have one more question. So you were asked about, you  
21 know, training for firefighting. Who on board -- when the  
22 vessel's in operation with guests on board, who's responsible for  
23 firefighting?

24 A. The marine crew.

25 Q. And so in terms of, you know, if there's an emergency on

1 board, if there's a safety emergency on board, who would respond  
2 to that?

3 A. The marine crew.

4 Q. And so ashore, when the vessel's moored, and the marine crew  
5 is not on board, is it safe to say you call 911 and depart the  
6 vessel?

7 A. Yes.

8 BY LT [REDACTED]

9 Q. Can I ask one more question? When he asked if it's safe to  
10 say you call 911 and depart the vessel, is that something that you  
11 learned through training or is that you being supervisors, you  
12 know, just using your instincts and keeping safe?

13 A. Instincts.

14 Q. Okay. So you were not instructed to call 911?

15 A. No.

16 MR. FAWCETT: All right. So, thank you for bearing with us.

17 The time is 2:45 --

18 (Whereupon, at 2:45 p.m. ET, the interview was concluded.)  
19  
20  
21  
22  
23  
24  
25

CERTIFICATE

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

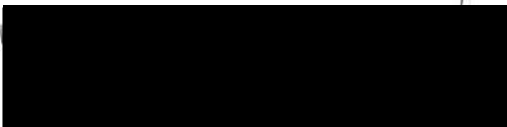
IN THE MATTER OF:            FIRE ABOARD THE *SPIRIT OF BOSTON*  
                                      NEAR THE BOSTON SPORTS DISTRICT  
                                      IN BOSTON, MASSACHUSETTS  
                                      ON MARCH 24, 2023  
                                      Interview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

ACCIDENT NO.:                DCA23FM022

PLACE:                         Boston, Massachusetts

DATE:                         April 4, 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.

  
\_\_\_\_\_  
Kathryn A. Mirfin  
Transcriber