

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: [REDACTED], Chief Warrant Officer  
Marine Inspector  
Sector Boston, Coast Guard

Boston, Massachusetts

Tuesday,  
May 2, 2023

APPEARANCES:

█ █ Lieutenant  
First District Formal Investigation Team  
U.S. Coast Guard

█ █ Lieutenant Commander  
First District Formal Investigation Team  
U.S. Coast Guard

BRIAN YOUNG (via telephone)  
National Transportation Safety Board

█ █ Lieutenant Commander, Legal Advisor  
U.S. Coast Guard

ERIC DENLEY, Counsel  
City Cruises

█, Agency Counsel

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I N T E R V I E W

(10:03 a.m.)

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LCDR ██████ We'll go ahead and start Chief Warrant ██████.  
Thank you for being here, and taking the time to come to us today.  
I'm going to go through, like, an introduction, but do you have  
any questions before we begin?

CWO ██████ No, ma'am.

LCDR ██████ Okay. Just a few ground rules just for  
everyone in the room. Just if you have a cell phone, make sure  
you silence it. And try to refrain from using acronyms. I know  
we're notorious for using a lot of acronyms. But if you have to  
use one kind of just spell it out for us.

CWO ██████ Sure.

LCDR ██████ Can you just acknowledge for the record that we  
have turned on the tape recorder, and we're recording this?

CWO ██████ Yes.

LCDR ██████ Okay. This is a joint U.S. Coast Guard, NTSB  
investigation. The Coast Guard is the lead agency, and we're  
conducting this interview under applicable Coast Guard  
regulations. The date today is May 2, 2023. The time is 10:03.  
We're conducting our interview with Chief Warrant Officer  
████████████████████ and the location is the First Coast Guard  
District Conference Room.

We'll go around real quick, and introduce ourselves in the  
room, and then we'll introduce everyone on line for you. And when

1 we get to you, if you could just spell out your last name as well.

2 CWO [REDACTED] Sure.

3 LCDR [REDACTED] So I am Lieutenant Commander [REDACTED] [REDACTED]  
4 My last name is spelled [REDACTED]. And I'm part of the First  
5 Coast Guard District, Formal Investigation Team.

6 LT [REDACTED] And I'm Lieutenant [REDACTED] [REDACTED], and I  
7 am also with the First Coast Guard District, Investigations Team.

8 LCDR [REDACTED] Lieutenant Commander [REDACTED] [REDACTED]  
9 [REDACTED] And I'm the legal advisor to the investigation.

10 LCDR [REDACTED] And we'll go to the NTSB.

11 MR. YOUNG: Good morning. This is Brian Young with the  
12 National Transportation Safety Board. The last name is spelled  
13 Y-o-u-n-g. Thank you for being here today to answer our  
14 questions.

15 LCDR [REDACTED] And the parties in interest.

16 MR. DENLEY: Good morning. My name is Eric Denley,  
17 D-e-n-l-e-y. I'm counsel for City Cruises. Nice to meet you.  
18 Thanks.

19 LCDR [REDACTED] Mr. [REDACTED] if you can introduce yourself.

20 CWO [REDACTED] Sure. I'm Chief Warrant Officer [REDACTED]  
21 [REDACTED] from Sector Boston, Investigate -- inspections, excuse me.  
22 [REDACTED] my last name.

23 LCDR [REDACTED] And counsel.

24 LT ALLING: My name is Lieutenant [REDACTED]. I am Agency  
25 counsel. Last name is [REDACTED]

1 LCDR [REDACTED] Mr. [REDACTED] you may -- you can change, modify  
2 anything you say, or if you remember something later, and you want  
3 to clarify just please go through Lieutenant Alling, and he can  
4 set the record. We can have that changed. You may also appeal  
5 the final results of any Report of Investigation that is drafted  
6 as a result of this investigation. And if you would like more  
7 information on the investigation process, the formal investigation  
8 process, it's in the *Marine Safety Manual*, Volume 5.

9 CWO [REDACTED] Okay.

10 LCDR [REDACTED] Do you have any questions for me?

11 CWO [REDACTED] I do not.

12 LCDR [REDACTED] Okay. We'll go ahead to Lieutenant [REDACTED]

13 LT [REDACTED] Great. Thank you.

14 INTERVIEW OF [REDACTED] [REDACTED]

15 BY LT [REDACTED]

16 Q. Okay. So Chief Warrant Officer [REDACTED] all my questions are  
17 going to be related to the period up to March 24, 2023, unless we  
18 specifically ask about a later date. We're going to break up the  
19 interview or my interview into two main parts; the first being  
20 your role as a marine inspector, and then we will talk about your  
21 activities related with the *Spirit of Boston*.

22 A. Okay.

23 Q. Can you give me a brief history about your Coast Guard  
24 background with related to marine safety?

25 A. Sure. So current -- I'll start here, and move back, and tell

1 me --

2 Q. Yeah.

3 A. -- when I've gone far enough.

4 Q. Yeah.

5 A. So currently I'm at Sector Boston. I've been in inspections  
6 here since 2009. Before that I was in MSU Huntington, West  
7 Virginia, and I was an investigator slash inspector there. So  
8 that was my time as a warrant. And then prior to that, I was  
9 enlisted, and I was in and out of marine safety doing, you know,  
10 as, as MSTs go for the Coast Guard. Mostly, mostly facility,  
11 mostly facility shops; not really vessel inspections related. So  
12 my inspections really started in 2015 I would say.

13 Q. Okay. And how many years do you have total in the Coast  
14 Guard?

15 A. 22. 22 this summer.

16 Q. Okay. And with related to marine safety what inspections  
17 qualifications do you hold?

18 A. T Boat, K Boat, hull, machinery, dry-dock, barge, inspect  
19 towing vessel. And then foreign freight, foreign passenger, and  
20 foreign guests.

21 Q. And are -- what -- are you what level of marine inspector are  
22 you with regards to the, the system that the Coast Guard has --

23 A. So --

24 Q. -- with regard --

25 A. I have a question about that?

1 Q. Yeah.

2 A. So currently I'm an advanced journeyman marine inspector.

3 Q. Okay.

4 A. That wasn't until February of this year. So before February  
5 I wasn't advanced journeyman marine inspector. If that --

6 Q. No, no, that helps out. So --

7 A. It's going to help out further I think.

8 Q. Yeah. So and what -- so what are the -- what is an advanced  
9 journeyman marine inspector? What makes you an advanced  
10 journeyman marine inspector now?

11 A. So time. So to be an advanced journeyman marine inspector  
12 you have to have three years as a journeyman marine inspector, and  
13 you have to have so many quals. And I don't off the top of my  
14 head what the quals are. But when you get the qualifications you  
15 need plus three years as a journeyman you become an advanced  
16 journeyman inspector.

17 Q. Do you hold any -- or at the time prior to March 24th did you  
18 have any collateral duties while attached to Sector Boston?

19 A. Yes.

20 Q. And what were those?

21 A. That's what I'm trying --

22 Q. Oh.

23 A. I'm trying to think what they were. So --

24 Q. Yeah.

25 A. -- I mentioned Budget Office or the Prevention Budget



1 Officer, oversight coordinator, and tugboats.

2 Q. Can you explain to me what oversight coordinator is?

3 A. So oversight coordinator is somebody who oversees third  
4 parties for the Coast Guard's alternate compliance program. So we  
5 have vessels that are not really self-regulated, but they have  
6 -- there they come into an alternate compliance program where a  
7 class society does a majority of their inspection regime, and then  
8 we oversee that process. So my -- as an oversight coordinator,  
9 my, my job is to oversee the, the third parties, whether it be the  
10 class societies or the, with the towing vessels now the third-  
11 party organizations, TPOs, that oversee the tugboats.

12 Q. Okay. And can you describe or explain to me what your job  
13 entails at Sector Boston in the Inspections Division?

14 A. So my job 99 percent of the time is inspections, vessel  
15 inspections, whether it's -- it could be, it could be a K Boat one  
16 it could be a T Boat the next day. But it's whatever, whatever  
17 inspections are on the calendar and I have a qualification to do  
18 that, I will go do that inspection.

19 Q. Okay. And what is the inspections chain of command at Sector  
20 Boston?

21 A. So we have in my -- I'm in the Domestic Shop, Domestic  
22 Branch. So I -- we have a lieutenant who is our branch chief, and  
23 that lieutenant answers to our chief of inspections, who answers  
24 to the Prevention Department head. And he, and the Prevention  
25 Department head answers to the sector commander.

1 Q. Okay. So you have a -- and I'm just reiterating. So you  
2 have a Domestic Branch chief, and then you have a chief of  
3 inspections?

4 A. Correct.

5 Q. When we say domestics what, what does that mean?

6 A. Okay. So that means you U.S. flagged vessels.

7 Q. Who does Port State Control?

8 A. So that's a separate branch, and we have -- there's a branch  
9 that does -- Port State Control would be foreign vessels that come  
10 into Boston. That's a separate branch that takes care of that.  
11 So that's a lieutenant in charge of that who also answers to the  
12 chief of inspections.

13 Q. And do you ever, do you solely do domestics?

14 A. 99 percent of the time, yes, but there are times where I will  
15 do an inspection on a foreign vessel if they're short-staffed or  
16 they request our help.

17 Q. And what does the term officer in charge of marine  
18 inspections mean?

19 A. So that's a legal term in the CFR that basically states that  
20 they're, they're the legal authority to oversee the inspections  
21 for their zone. And so for Boston it's the Boston zone which is,  
22 I think, it's Plymouth to Newberry Port broadly, and I think it's  
23 probably a little bit more intricacies than that, but they oversee  
24 all the marine inspections, and they're in charge of making sure  
25 that the regulations are followed for those vessels.

1 Q. And who is that for Sector Boston?

2 A. It's Captain [REDACTED] delegated to Commander [REDACTED] for  
3 certain, certain things.

4 Q. What types of things is delegated for?

5 A. So Commander [REDACTED] can sign COIs for annual COIs or, or --  
6 I'm sorry, annual inspections on annual COIs or hull exams.

7 Q. And a COI is a Certificate of Inspection?

8 A. It is, yes.

9 Q. Okay. And so just to go along those lines as well. So  
10 Captain [REDACTED] who is the OCMI, she signs initials, initial COIs?

11 A. She does. Initial COIs and five-year renewals.

12 Q. And with that is she also -- before I get into that. So can  
13 you describe for me the Boston's inspected fleet of  
14 responsibility?

15 A. Sure. We have -- I don't know the exact number. It's  
16 upwards of 300 inspected vessels in our fleet, and that consists  
17 of Subchapter T boats which are small passenger vessels, 100 gross  
18 tons, less than 150 passengers; or we have Subchapter K boats  
19 which are over 150 passengers. Tugboats and a few, a few barges,  
20 and a few OSVs under, under Subchapter L and I.

21 Q. How many inspectors are there at Sector Boston,  
22 approximately?

23 A. So you looking for qualified inspectors or billet inspectors?

24 Q. Well, first well start off with billeted inspectors, and then  
25 we'll go into -- if you know the answer, a ratio of qualification

1 breakdowns.

2 A. Okay, sure. I have an answer. So we have my -- so seven,  
3 seven qualified inspectors. It depends on which subchapter we're  
4 talking about because not everybody, not everybody is qualified in  
5 every subchapter. So I'm just -- that was just, that was just the  
6 general -- that was just T Boat is what I gave you. So seven  
7 current T Boat inspectors. And we have three, four, four trainees  
8 right now that are working on qualification.

9 Q. How many Subchapter K qualified?

10 UNIDENTIFIED SPEAKER: I'm worried we're estimating and  
11 speculating a little bit. Is there -- can we just put on the  
12 record that this is an estimate --

13 LT [REDACTED] Yeah, of course.

14 UNIDENTIFIED SPEAKER: -- and not a, not a firm hard and fast  
15 number. Just estimate based on his memory.

16 LT [REDACTED] Of course.

17 UNIDENTIFIED SPEAKER: Yeah.

18 CWO [REDACTED] So current K Boat inspectors five.

19 BY LT [REDACTED]

20 Q. And how many advanced journeyman marine inspectors?

21 A. One.

22 Q. And that is you?

23 A. That's me.

24 Q. In March -- on March 24, 2023, how many advanced journeyman  
25 marine inspectors were there?

- 1 A. One.
- 2 Q. And who was that?
- 3 A. That's me.
- 4 Q. In February when you became -- prior to that --
- 5 A. So prior to that there was zero.
- 6 Q. Okay.
- 7 A. And that was February, February 25th or something like that.
- 8 I don't think that matters, but sometime in February when I hit my
- 9 three-year mark.
- 10 Q. Okay.
- 11 A. If you need exact dates, I can always e-mail you or --
- 12 Q. Of course.
- 13 A. -- exact dates.
- 14 Q. Appreciate that. Thank you. Are you familiar with the Coast
- 15 Guard tier inspection system?
- 16 A. I am, yes.
- 17 Q. Okay. And what can you tell me about that?
- 18 A. So it's relatively new process. I know the Headquarters CVC
- 19 ranks every, every small passenger vessel based on some algorithm
- 20 that they use. And they rank either Tier 1, Tier 2 and Tier 3.
- 21 Depending on the tier level that they are, the vessel is, depends
- 22 on the level of inspector that you need to do that annual
- 23 inspection on the vessel.
- 24 Q. Okay. And for a Tier 1 vessel what type of inspector or what
- 25 level of inspection -- inspector do you have to have?

1 A. Advanced journeyman.

2 Q. Okay. And how many Tier 1 vessels are in Sector Boston's  
3 AOR?

4 A. I don't have the exact answer. I can, I can estimate if you  
5 want, or I can get you exact numbers if you need it, but I don't,  
6 I don't -- I'm not going to --

7 Q. Okay. We'll be able to get an exact number at a later time.  
8 Was the *Spirit of Boston* a Tier 1 vessel?

9 A. It was.

10 Q. And based upon the risk based inspections program would that  
11 mean that the *Spirit of Boston* would have more Coast Guard  
12 oversight?

13 A. It should, yes.

14 Q. When -- talk to me quickly -- we're going to go back, and I  
15 hate to do that to you, but we're going to go back to a little  
16 bit. So is Sector Boston a feeder port?

17 A. It is.

18 Q. And what does that mean?

19 A. So that means that it has -- that port has the ability to  
20 train marine inspectors to be able to gain the minimum  
21 qualifications needed to be a journeyman marine inspector. So it,  
22 it's all, it's all based off of -- from my understanding  
23 headquarters will come out and say these, these qualifications are  
24 obtainable at your port, and you can get four of them. So you can  
25 be, you can be a feeder port. So Boston is designated as a feeder

1 port.

2 Q. Okay. And how many years are people billeted as a marine  
3 inspector at Sector Boston?

4 A. Warrant officers like myself are four years. And then junior  
5 officers, lieutenants, are three years.

6 Q. So now I want to talk a little bit about your inspection,  
7 shifting the inspection to the annual inspection that occurred in  
8 December. At the -- did you conduct the annual inspection on the  
9 *Spirit of Boston* in December of 2022?

10 A. Yes.

11 Q. Okay. At that time, were you an advanced journeyman marine  
12 inspector?

13 A. I was not.

14 Q. What is the Coast Guard -- do you know the Coast Guard's  
15 process for selecting an inspector for Tier 1 type vessels?

16 A. So like I said already, the default is an advanced journeyman  
17 inspector. If an advanced journeyman inspector is not available,  
18 then the OCMI will then select the -- the wording that we use in  
19 the, in the policy letter is the next best qualified inspector.  
20 So that's a -- would be a journeyman inspector.

21 Q. Okay. And do you -- did you have a discussion with the OCMI  
22 prior to leading that inspection?

23 A. No.

24 Q. Was that decision made from OCMI Captain [REDACTED] or OCMI  
25 Commander [REDACTED] or do you know?

1 A. I don't know the answer to that.

2 Q. Okay. So now take another step back. So how is it  
3 determined who conducts inspections onboard the vessels at Sector  
4 Boston?

5 A. Okay. So when we get a phone call, and someone wants to  
6 schedule an inspection, we -- we vet the vessel, you know, look at  
7 all the, look at the history, look at what kind of inspection it  
8 needs, and then we determine the tier level of the vessel. Based  
9 off of that we assign -- we assign an inspector, and that's done  
10 with the oversight of the branch chief to make sure that the  
11 proper, that the proper inspector is put on the proper vessel. So  
12 if it's an advanced journeyman, the default would be myself  
13 because I'm the only advanced journeyman. If I'm on leave or I'm  
14 not available, then we would go through our waiver process that we  
15 have. The same would have applied for this vessel. We would have  
16 -- we don't have an advanced journeyman so we would have gone to  
17 the next, next qualified. So we would have gone through the  
18 journeyman. Being that I was the closest person to the advanced  
19 journeyman status, I was always the first person we would try to  
20 get on the inspections, but we would still go through the waiver  
21 process. And I don't know, I -- for me the waiver process is I,  
22 we -- our lieutenant, and then he'll, he'll go from there. So I  
23 don't know, I don't -- once it goes past that, I don't know. I  
24 don't know how the process goes after that.

25 Q. Okay. Have you ever led an inspection on the *Spirit of*



1 Boston prior to December of 2022?

2 A. I don't believe so. I'm sure I've been on the vessel maybe  
3 as a secondary. I don't have the -- I don't know.

4 Q. Okay.

5 A. Don't know.

6 UNIDENTIFIED SPEAKER: It's okay if you don't remember.

7 CWO [REDACTED] Yeah, I don't, I don't.

8 BY LT [REDACTED]

9 Q. Have you ever conducted any other Tier 1 vessel inspections  
10 as a journeyman marine inspector?

11 A. Yes.

12 Q. And what vessels were those?

13 A. I don't know.

14 Q. Was that here at Sector Boston or was that --

15 A. It was.

16 Q. -- a previous --

17 A. It was here.

18 Q. In your best estimate how often is an advanced journeyman not  
19 available or has not conducted a Tier 1 vessel inspection at  
20 Sector Boston?

21 A. Well, so from May of last year when our advanced journeyman  
22 left until February it was every, it was every, it was every  
23 vessel. Since I became an advanced journeyman, I've been trying  
24 to -- I think there's been one vessel I haven't been able to,  
25 haven't been able to get on.

1 UNIDENTIFIED SPEAKER: [REDACTED] can we just clarify that  
2 question. I think I misheard it maybe. I think you asked how  
3 often is it that an advanced journeyman is not conducting? Do you  
4 mean to ask how often is it that a Tier 1 vessel is being  
5 inspected by someone other than an advanced journeyman?

6 LT [REDACTED] Correct.

7 UNIDENTIFIED SPEAKER: All right.

8 BY LT [REDACTED]

9 Q. So how, so -- and you stated -- or I'm -- I'll re-ask the  
10 question.

11 A. Sure.

12 Q. How often is a Tier 1 -- is a, is a, an inspection on a  
13 Tier 1 vessel conducted without -- or without -- with someone  
14 other than an advanced journeyman which would be a journeyman or  
15 lower qualification?

16 A. So I'd have to look in our records.

17 Q. So you had basically said from May to February --

18 A. May to February every one was done that way because we didn't  
19 have a, we didn't have an advanced journeyman. I don't know how  
20 many inspections that was. And then from March -- from February  
21 on it's been one, one inspection that I, that I recall that I  
22 haven't, that I haven't been able to attend.

23 Q. Okay. And prior to you -- I just want to talk a little bit  
24 about -- and I know I'm kind of jumping around. I apologize for  
25 that. But I want to really touch on this advanced journeyman. So

1 when did you receive or when did you attain your last  
2 qualification towards advanced journeyman, which would have put  
3 -- prior to -- understanding that --

4 A. So --

5 Q. -- you had to wait the time?

6 A. Okay. So I received my -- I don't have an exact date, but it  
7 was, it was a couple of years ago. It was -- that qualification  
8 was my foreign gas qualification. That was, I believe, that was  
9 August of 2020, but I don't know the exact date.

10 Q. So you had the qualifications, but you just didn't have the  
11 time allotted as a journeyman marine inspector to be --

12 A. Correct.

13 Q. -- an advanced advanced journeyman inspector?

14 A. That's correct.

15 Q. Is that the case for anybody else at Sector Boston, if you  
16 know?

17 A. It is.

18 Q. I want to talk a little bit about, about, and what -- what an  
19 annual inspection is or entails. So for a Tier 1 vessel what is  
20 -- what do you as a marine inspector do on an annual inspection?

21 A. Okay. So we have a checklist that we follow that came out  
22 from CVC, and what we do is we go -- we try to do a holistic  
23 approach and go through the boat, go through paperwork, go through  
24 lifesaving, go through navigation equipment, go through  
25 firefighting equipment, do an overall look, look at the vessel,

1 determine its seaworthiness based off, based off the checklist  
2 that we use. We'll get the boat underway, do drills, that's man  
3 overboard drill, fire drill, and check the maneuverability of the  
4 vessel while -- with the -- under the, under the command of the  
5 crew. That's the general aspect of it. I'm not sure do you need  
6 more than that?

7 Q. And now is that for just an annual or is it -- does the, does  
8 the scope differentiate between an initial or renewal and annual?

9 A. Well, so for a -- the scope is a little bit scaled back for  
10 an annual. So for a COI we'll look at, we'll look at every, we'll  
11 look at every fire, fire hose, fire pump, every life jacket. For  
12 annual we'll just spot check things as, as we go. I don't want to  
13 say assumption, but we, we know that, you know, we know that  
14 during the COI it's all looked at every five years. So we'll take  
15 samplings of things, and we'll expand if we, if we need, if we  
16 need to.

17 Q. Now is that from a Coast Guard policy or is that from -- is  
18 that a Sector Boston policy how to conduct an annual? Or is there  
19 an actual guidance from the Coast Guard how to conduct an annual?

20 A. So the guidance is the checklist that we get that we use  
21 from, from -- right off the CVC website. As far as the scope, I  
22 would have to say it's probably just how I've been trained. I  
23 don't know if -- can't recall if I've ever actually seen like a  
24 policy that says that we scale back during, during annuals.

25 Q. And is this the way an annual on a non-Tier 1 vessel would be

1 conducted?

2 A. No. So on a non-Tier 1 vessel so the, the checklist that we  
3 have has a, has bullet points for Tier 1, Tier 2 or Tier 3.  
4 Depending on the tier level it depends on how, how deep we go into  
5 the inspection. So for your Tier 1 we're pretty much checking  
6 everything, just maybe not to the extent of the COI inspection.  
7 Whereas, in Tier 3 there are some things we don't have -- there's  
8 some -- and I don't have the checklist in front of me so I don't  
9 want to tell you what we check and what we don't check, but  
10 there's things we don't have to check on a Tier 3 that we would  
11 say on a Tier 2 or a Tier 1.

12 Q. Can you go into detail as much as you can that you remember  
13 about the -- and I know memory is perishable in December of '22.

14 A. Right.

15 Q. Probably isn't at the top of your memory right now, but if  
16 you can go into the annual inspection that you conducted onboard  
17 the *Spirit of Boston*.

18 A. Sure. So I, obviously, since the fire happened, I've thought  
19 a lot about this inspection trying to rack my brain. I don't  
20 remember much about it. I know I had a team with me. So if I had  
21 a team with me, that means we'll split up and we'll -- so I won't  
22 do the entire inspection myself. I'll lead the inspection, and  
23 I'll direct other people to do certain parts of the inspection. I  
24 don't remember who did what that day. It was such -- so long ago.  
25 And I don't remember anything that really, really stood out for me

1 from the inspection that -- one thing -- the only thing I remember  
2 from the inspection, and I thought -- because I thought it was  
3 strange was I checked -- we checked the fire doors, and they're  
4 horizontal fire doors, and not vertical fire doors. And so  
5 normally you would see a fire door it closes, you know, hinged  
6 this way. These ones closed down on top of, on top of the stairs.  
7 And we tested them, and I remember, I remember testing them, and  
8 it stood out to me. That's why I remembered. If it was something  
9 else from the vessel that was strange, it probably would have, it  
10 probably would have peaked in my mind. But I hate to say the word  
11 ordinary inspection, but it was just a routine ordinary inspection  
12 for us.

13 Q. And you remember who was onboard when you conducted the  
14 inspection for the *Spirit of Boston's* crew?

15 A. I would tell you Thayer Harris because he's on every, he's on  
16 every one. But I don't remember anybody else that was onboard.

17 Q. Okay. Was there additional crew onboard?

18 A. There was.

19 Q. Was there any restaurant onboard?

20 A. I don't believe so.

21 Q. In your MISLE narrative you stated that you conducted a man  
22 overboard and a fire drill. Can you talk to me about those  
23 drills?

24 A. Sure. Again, I don't remember those drills particularly, but  
25 when we do these drills we'll get the boat underway. We'll go out

1 into the harbor. We'll find a safe spot where the vessel -- where  
2 the master can maneuver the vessel. We either we have a, we have  
3 a mannequin that we throw or we use a life ring, and depending on  
4 that day, I think, I don't remember. I'm not going to tell you  
5 what I, we used that day. But we put an object in the water, and  
6 we witnessed the crew maneuvering the vessel, and then using their  
7 procedures to recover the man overboard.

8 Q. Okay. And then what about the fire drill?

9 A. So fire drills are usually done tabletop style when we're  
10 coming back to the dock. We'll talk to the crew, and we'll say,  
11 okay, if there's a, if there was a fire here what would you do?  
12 We want to listen to their procedures as far as we get the fire  
13 extinguishers or we get the fire hose or we do whatever, whatever  
14 their procedures say. We want to listen to them. And it's a  
15 question and answer. Like, do you have a fire extinguisher  
16 onboard? Where are they? Do you have fire hoses? Where are  
17 they? Do you have fixed fire? How, what is the, what is the  
18 procedures for releasing that if you have it onboard the vessel?  
19 And we evaluate the crew's knowledge. Usually we'll have somebody  
20 from -- a manager from the company that's not driving the boat  
21 standing there with us. They can tell us whether or not the crew  
22 is answering the questions correctly.

23 Q. And on that particular day do you remember where you did the  
24 simulated fire drill?

25 A. I don't.

1 Q. Did you run the fire pump?

2 A. We did. We run it on every inspection or every annual.

3 Q. Okay. Have you ever conducted a drill onboard the *Spirit of*  
4 *Boston*, a fire drill in the galley area?

5 A. I don't recall.

6 Q. Have you ever conducted a drill onboard the *Spirit of Boston*  
7 in the what we would call as the cold prep area just forward of  
8 the --

9 A. I don't recall.

10 UNIDENTIFIED SPEAKER: These locations refer to the  
11 hypothetical location of the fire, not like where they were  
12 physically doing the table top?

13 LT [REDACTED] Correct.

14 UNIDENTIFIED SPEAKER: That's what you understand?

15 CWO [REDACTED] Yeah.

16 UNIDENTIFIED SPEAKER: Yeah.

17 BY LT [REDACTED]

18 Q. And on December -- in the December annual did you check all  
19 fire extinguishers?

20 A. Yes.

21 Q. And was there any deficiencies with any of the fire  
22 extinguishers?

23 A. Not that I recall.

24 Q. Were there any deficiencies identified during the inspection?

25 A. Not that I recall. I would have -- if I had, I would have



1 put them in the -- I would have put them in MISLE had I seen any.  
2 I don't recall if I did.

3 Q. And then when you were completed with the inspection, did you  
4 provide a brief to the OCMI with regards to the results of the  
5 inspection?

6 A. So I, as the inspector, don't do that.

7 Q. Okay.

8 A. When I get back I'll do my case work, and I submit it, and my  
9 understanding (indiscernible) understanding is that the branch  
10 chief or the CID will brief, will brief the OCMI on the results.

11 Q. Okay. Is that a Coast Guard policy, procedure, or is that a  
12 Sector Boston?

13 A. So that's a Coast Guard for the Tier 1, the Tier 1's to be --  
14 for the OCMI to be briefed.

15 Q. Moving away from the annual.

16 A. Okay.

17 Q. We want to shift to the administrative inspection deficiency  
18 check that occurred in May of 2022.

19 A. Okay.

20 Q. Can you tell me what you recall about that?

21 A. So what I recall is that when the vessel went to dry-dock it  
22 had some issues, a lot of pitting. And I know that the other, the  
23 (indiscernible) that did that inspection wrote, wrote a  
24 requirement for the vessel to undergo an electrical analysis to  
25 determine the cause of the pitting. Vessel left dry-dock before

1 that got done. So that got passed on to us. We received the  
2 report, and we reviewed it. We were happy with the results, and  
3 we closed our activity, closed the deficiency from there, and then  
4 closed the -- and then did administrative activity basically  
5 saying that we agreed with the technical report.

6 Q. Do you recall what the technical report said?

7 A. No.

8 Q. Did the technical report find any, find any abnormalities  
9 with regards to, like, the electronic -- not electronics, but the  
10 electrical system onboard the *Spirit of Boston*?

11 A. Not that I recall.

12 Q. Do you know who conducted the survey?

13 A. So it was someone from Hornblower, I believe, out of  
14 Nashville, but I don't -- and I think his first name was Chris,  
15 but that's, that's all I, that's all I remember from the report.

16 Q. Would it have been Chris Bierker?

17 A. That sounds right, yes.

18 Q. Have you ever dealt with him before?

19 A. No. I've never, no.

20 Q. And did you have any conversations with him about it or was  
21 it just a report?

22 A. It was just a report.

23 Q. And is that normal operations to clear a deficiency?

24 A. If we have a, if we have -- well, I wouldn't say normal  
25 operations. I would say it's common if we have -- if we get a

1 report from somebody who is a technical expert, and they're  
2 attesting to the fact that they believe this is not an issue,  
3 we'll take, we'll take their report. We do it all the time on  
4 foreign vessels. We'll take -- we call it class society reports.  
5 So it's -- my opinion this is the same. This was the same thing.

6 Q. Have there been any issues from there -- so and so that was  
7 on -- that was in May of 2022. So from May of 2022 'til over the  
8 year have there been any other issues that you've identified or  
9 anybody's identified --

10 A. No.

11 (Crosstalk)

12 A. No.

13 Q. Does the Coast Guard have any policy or procedure on who can  
14 clear the deficiency?

15 A. (No audible response.)

16 Q. With regards to qualification.

17 A. Right. So I don't know of any policy. I can -- I know what  
18 Sector Boston's stance is, but I don't know if there is a Coast  
19 Guard policy.

20 Q. Does Sector Boston have a policy or a procedure on who can --

21 A. Our -- it's not a written, it's not, not that I know it's not  
22 written that I know of, but we, we will only assign a deficiency  
23 check to someone qualified on a platform.

24 Q. And that's based upon your experience?

25 A. Based on my, based on my experience here. And usually,

1 usually it's the person who did the inspection. So if I did the  
2 inspection, I found a deficiency, I'm usually the one that will  
3 follow-up and clear it. If I'm not available, I'll ask somebody  
4 else who is, who is qualified in that platform to clear it.

5 Q. So on July 1st a follow-on inspection. So with a Tier 1  
6 vessel they required to do an inspection is it every six months?

7 A. Right. So they have the annual inspection, and then policy  
8 is five to seven months, but that we can, we can move that a  
9 little bit if it's a, if it's a seasonal vessel.

10 Q. Okay.

11 A. So if the vessel only operates May to September, we would do  
12 the follow-on in like July or August instead of, instead of six  
13 months. But yes every, every six months we do a follow-on  
14 inspection.

15 Q. Okay. And did you conduct that inspection?

16 A. I did not.

17 Q. Does the Tier 1 policy with regard to advanced journeyman  
18 marine inspector is that applicable for the follow-on inspections  
19 as well?

20 A. It is not.

21 Q. It is not?

22 A. It is not.

23 Q. So any --

24 A. Anybody who is qualified on that platform can conduct that  
25 follow-on.

1 Q. Does it also, does -- are there other policies within the  
2 Tier 1 or are the -- are the other guidance within the Tier 1  
3 policy are those applicable as well with regards to, with regards  
4 to conducting a post-inspections brief activity review?

5 A. I don't know.

6 LT [REDACTED] Okay. That's all the questions I have for right  
7 now.

8 Ms. [REDACTED]

9 BY MS. [REDACTED]

10 Q. A few follow-up questions. You had mentioned that you helped  
11 Port State Control sometimes.

12 A. Yes, ma'am.

13 Q. How often do you help --

14 A. It's very rare that I, that I, help them out. People in my  
15 shop will help them out more often than me, but I'm like a last  
16 resort that if they can't get anybody else, I'll try to go. But  
17 the last time I think I did a Port State vessel was probably -- I  
18 don't even want to take a guess. I'm not even going to tell you.  
19 It's been a long time.

20 Q. How many inspections would you say that you in a typical week  
21 conduct?

22 A. You talking about domestic inspections?

23 Q. Yes.

24 A. At least -- three is a slow week for me.

25 Q. What's a busy week?

1 A. Five, one a, one a day.

2 Q. Is there any type of, like, assistant chief of inspections  
3 division or any kind of civilian position that falls within the  
4 chain of command for the domestics?

5 A. So the only thing we have is we have our chief of  
6 inspections, and then we have our branch chief. So he, so he --  
7 that individual is our -- it would be -- if you want to call him  
8 the assistant, assistant inspections you could, I guess, but he's,  
9 he's the person that manages all -- manages the inspections. We  
10 don't have a civilian in our chain of command.

11 Q. There's no link to audit line civilian that falls within your  
12 chain of command that helps out in your --

13 A. Well, no.

14 Q. And I know you don't assign feeder ports, but you had  
15 mentioned when we were talking about feeder ports that it's based  
16 on the ability of the chain quals. Do you know if that is taken  
17 into consideration the volume and amount of inspections or is it  
18 just based on feeder ports like get these quals?

19 A. Well, I don't know exactly how headquarters figures it out.  
20 What I know is that they, they have a, they have a select number  
21 of quals that -- recall an apprentice marine inspector has to get  
22 within their first tour to be considered a journeyman marine  
23 inspector. They look at that list, and they say, okay, Boston,  
24 you can get at least four of those. You can obtain at least four  
25 of those in your feeder port.

1 Q. In your professional opinion --

2 A. Yes.

3 Q. -- do apprentice marine inspectors are they able to obtain  
4 that at Sector Boston? Are they able to make it to their  
5 journeyman marine inspector?

6 A. For the most part.

7 Q. You had mentioned the waiver process for Tier 1 for the  
8 advanced journeyman. That waiver process what does that look  
9 like? Is that like a mission management system? Like do you have  
10 Chief of Inspection Division --

11 A. Sure. So we have, we do have, we do have an SOP, if you want  
12 to call it. What does that stand for? Standard operating  
13 procedure for, for scheduling inspections. One of those -- one of  
14 the things in there is trying to identify the proper inspector  
15 level. If an AGMI is not available for inspection or even if it  
16 was a JMI that wasn't available for -- inspection, we go to our  
17 branch chief, and we say we, we would like to request a waiver for  
18 this. We have a spreadsheet tracker that we put the name, we put  
19 the vessel in, the tier level, and we have some other information  
20 that we put in there, and then we let the -- the branch chief will  
21 brief the chief of inspections, and I -- I don't know. After it  
22 leaves our office, I don't know what happens, but we always -- we  
23 either get a waiver granted or waiver not granted.

24 Q. And I may have missed this, but who did you say assigns  
25 inspectors to the vessel?

1 A. So I might have misspoke earlier. We have a dispatcher that  
2 takes our phone calls. If someone calls in, and they want an  
3 inspection, we, we'll look at the inspection. We'll look at the  
4 vessel. First of all that vessel, determine what kind of  
5 inspection it needs. And then they'll look at the calendar, and  
6 see what other jobs, what other inspections we have that day, and  
7 if there's room, they'll put it on the calendar. We allow our  
8 inspector to sign up for inspections. If they see there's an  
9 inspection coming up, and they're interested in doing that  
10 inspection we'll -- we allow them to sign up for it. The  
11 oversight lies with the branch chief to make sure that if it's a  
12 Tier 1 vessel that the appropriate person is on that vessel.

13 Q. The dispatcher you mentioned, is that like a collateral duty  
14 or is that like their sole job?

15 A. So it's a collateral. It's -- it rotates daily with all the  
16 inspectors in the shop. So everybody will take -- everybody takes  
17 a turn of stand back to answer phones. We want to be able to, we  
18 want to be able to have our phone answered during work hours. We  
19 don't want people leave a message. We want to be -- have good  
20 customer service when it comes to that. So we have one person  
21 stand back in the office every day and answer phones. We do it on  
22 a rotating, on a rotational basis.

23 Q. The lieutenant you mentioned (indiscernible) are they a  
24 journeyman marine inspector or are they an apprentice?

25 A. They're a journeyman.



1 Q. And is that always the case since --

2 A. It has not always been the case since I've been there.

3 Q. So can you kind of go into that?

4 A. Sure. So when I first got there, this is where -- you asked  
5 if we had a civilian in our chain of command, dot, dot, dot,  
6 civilian. When I first got there we had a GS-12 who acted as the,  
7 as the branch -- as the assistant CID in the change of command, in  
8 the chain of command. He has since retired. When he retired, we  
9 put a -- they put a lieutenant in that, in that branch chief  
10 position. So the first lieutenant that I was there was a  
11 journeyman. He ended up separating from the Coast Guard. They  
12 filled his position with a, with a brand new lieutenant who was on  
13 his AMI tour, and he was not, he was not a, he was not a JMI.

14 UNIDENTIFIED SPEAKER: Can you refrain from using acronyms,  
15 please?

16 CWO [REDACTED] I'm sorry.

17 UNIDENTIFIED SPEAKER: It's okay, no worries.

18 AMI.

19 CWO [REDACTED] AMI, apprentice marine inspector. Excuse me.  
20 Thank you. So he was, he was an apprentice marine inspector when  
21 he, when he took that position. And then he was there, he was  
22 there for about a year, and then the lieutenant that we have now  
23 came in, and he is a journeyman. He is a journeyman marine  
24 inspector.

25 BY CDR [REDACTED]

1 Q. You had mentioned that, and I know you said once it goes to  
2 the OCMI briefing you're not involved, but do you know based on  
3 your experience at Sector Boston when you say OCMI you said it's  
4 split; that some parts are designated to Commander [REDACTED] and  
5 some to Captain [REDACTED] Do you know if, like, Commander [REDACTED]  
6 gets briefed for annual like the things he's designated or is that  
7 how it's kind of briefed, and then Captain [REDACTED] --

8 A. So I, I don't want to answer that because I don't know. I  
9 don't know the answer to that.

10 Q. And just one more thing about the annual inspection that you  
11 had done. You mentioned that the horizontal fire doors on the  
12 annual stood out to you. Can you kind of go into that, like, why  
13 as opposed to vertical?

14 A. Well, I've never seen them. I've never seen vertical -- I've  
15 never seen horizontal fire doors. And so when we tested them, I  
16 said, oh, that's kind, that's kind of neat. Never seen this. And  
17 it just -- that's why it stood out to me because it's not -- it's  
18 nothing I've ever seen in any other, any other vessel that I've  
19 ever, that I've ever inspected. So that's -- I don't know if  
20 that's --

21 LCDR [REDACTED] Thank you. That's all I have.

22 We'll go and move to the National Transportation Safety Board  
23 online. Mr. Young.

24 BY MR. YOUNG:

25 Q. Thank you very much for your help today. Just a little bit

1 deeper question to the Lieutenant Commander [REDACTED] about the  
2 horizontal fire doors when you tested them. Do you recall if they  
3 were tested remotely from the wheelhouse or locally --

4 A. Yes.

5 Q. -- at each (indiscernible)?

6 A. It was local.

7 Q. Local. And did they function properly when you tested them?

8 A. They did.

9 Q. While testing fire doors at any time were the galley fire  
10 doors tested; do you recall?

11 A. I don't. I don't recall.

12 Q. When you did the inspection on the *Spirit of Boston*, I know  
13 you inspect several vessels, and it's hard to remember each and  
14 every one, but do you recall if it was inspected as a Subchapter T  
15 vessel or Subchapter K vessel?

16 A. So it is a Subchapter K vessel, and that would be -- that was  
17 how we would have inspected it.

18 Q. Okay. And I heard some talk about grandfathered Subchapter T  
19 vessels. That have anything to do with the *Spirit of Boston*?

20 A. So it does. The way we treat that at Sector Boston is if  
21 it's a, if it's a -- it was a pre-'96 build. So you would hear us  
22 use the term old T for that, for that boat. The way we treat  
23 those vessels is they are now K vessels. Every vessel is a -- is  
24 either a K or it's an existing K. So we would call the *Spirit of*  
25 *Boston* an existing K vessel which means that some regulations are

1 grandfathered from pre-'96, but some of them are not. So we  
2 inspect it to make sure they're in compliance with what's new for  
3 K, and then making sure that all the old stuff is still in  
4 serviceable condition.

5 Q. Any of the grandfathered inspection parts they have anything  
6 to do with firefighting, fire detection or fire safety?

7 A. Yes.

8 Q. Could you talk about that a little bit?

9 A. Well, so, again, I don't really remember the *Spirit of*  
10 *Boston*, but I can, I can talk in general terms that I know that  
11 equipment that's -- equipment that's onboard a vessel whether it  
12 be firefighting equipment or -- electrical is a big one, are -- if  
13 they're in place onboard the vessel they're allowed to be  
14 maintained on place as long as they're still in serviceable  
15 condition.

16 Q. That's electrical. What about the fire --

17 A. So, yes. So, I know, like, fire, fire detection is one.  
18 Fixed firefighting is one that they -- if they didn't have it  
19 before, if they weren't required to have it before, they don't --  
20 they weren't required to install it. Again, I don't know if the  
21 -- I can't remember if the *Spirit of Boston* has it, has it or not.  
22 So I won't -- I don't want to tell you that. But I know that  
23 that's a general, a rule that we look at if -- we come across that  
24 a lot on inspections. We'll go to an inspection, and we'll say,  
25 oh, where's your fixed firefighting? Then we realize, oh, this

1 is, this is an existing vessel. It's not required to have it. So  
2 we move on. But I won't -- I don't want to tell you if the *Spirit*  
3 of *Boston* has it or not because I can't remember.

4 Q. Understood. And you had said that the *Spirit of Boston* is a  
5 Tier 1 on your inspection checklist. Is there any way any vessel  
6 could be removed from Tier 1 and elevate to a Tier 2 or once  
7 you're a Tier 1 you're stuck as the Tier 1?

8 A. So that's done annually by us -- Headquarters, Office of  
9 Commercial Vessel Compliance. They run an algorithm. They don't  
10 make -- they keep that from us. They run an algorithm every year,  
11 and it's based -- my understanding it's based on the vessel,  
12 vessel's service, passengers, age, and prior deficiencies. And  
13 they run it -- they put it in algorithm, and then it spits out,  
14 spits out a number, and then they assign that the number. And  
15 it's done every year. Every year about January we get an e-mail  
16 from Headquarters that says it's your new Tier list, and we go  
17 through our spreadsheet, and we update our vessels based off,  
18 based off of that.

19 Q. Okay. Understood. And did I understand you correctly that  
20 all the Subchapter K vessels in Boston were all Tier 1; is that  
21 correct?

22 A. I don't think I said that, and I don't think that -- I don't  
23 know if that's true or not.

24 Q. Okay. Then I must have misheard. Are there any current open  
25 billets for additional advanced journeymen in your shop?

1 A. No.

2 Q. No. And do you feel right now the number of advanced  
3 journeymen is sufficient in your shop?

4 A. No.

5 Q. What would be a good number of advanced journeymen for Sector  
6 Boston?

7 A. So Sector Boston is billeted for three. So I might need to  
8 clarify your -- what I said earlier. But Sector Boston is  
9 clarified -- is billeted for three. Two of those billets are  
10 filled with non-advanced journeymen inspectors. If we were  
11 billeted correctly, I feel that we would be, we would be billeted  
12 correct -- billeted correct. I feel we're billeted correctly.  
13 We're not staffed correctly. If that, if that makes sense.

14 Q. And are the two positions on their way up to becoming  
15 advanced journeymen or are they stagnant right now?

16 A. So one of them is actually an apprentice marine inspector,  
17 and the other one is a journeyman. So one of them will be an  
18 advanced journeyman in a couple years when he gets the time. And  
19 then the other guy is -- he's an apprentice. He's departing. I  
20 don't know what his replacement, I don't -- I know he's not an  
21 advanced journeyman, but I'm not sure where he's at in his, in his  
22 hierarchy because he hasn't arrived yet.

23 Q. Understood. Thank you. And just you had talked a little bit  
24 about a typical inspection in a Tier 1 vessel takes about a day.  
25 If that same vessel was a Tier 3, what kind of length of time

1 would you spend on a vessel like that?

2 A. It really varies. And I say that because it's not  
3 necessarily the tier level, but it's also the size, the size of  
4 the vessel. We could do a little we call a yacht launch vessel  
5 that carries seven passengers to moorings, and that inspection can  
6 take a half hour. Whereas, we could do another Tier 3 vessel that  
7 maybe is the size of the *Spirit of Boston*, and it could take two  
8 or three hours just because it -- just because there's a lot of, a  
9 lot of vessel there to inspect.

10 MR. YOUNG: Thank you very much for your time today.  
11 Appreciate it.

12 LCDR ██████████ Okay. We'll move to the parties in interest.  
13 Mr. Denley.

14 MR. DENLEY: Thank you.

15 BY MR. DENLEY:

16 Q. Good morning, Mr. ██████████

17 A. Good morning.

18 Q. I do have a couple questions for you. Kind of going back to  
19 your discussion about some of your prior inspection experience  
20 with the *Spirit of Boston*. Was there any indication based on your  
21 recollection did you have any -- were there any issues identified  
22 during either the, the annual or any of the, any of the re-  
23 inspections that you're aware of? Any safety issues that you  
24 noticed or any of the members of your team noticed during those  
25 inspections?

1 A. Not that I recall.

2 Q. And generally based on your recollection did you feel like  
3 the *Spirit of Boston* was well maintained, and in good, good  
4 condition?

5 A. I did.

6 Q. And in terms of the crew based on that annual exam when you  
7 exercised the crew, the drills, did you feel like the crew was  
8 well maintained and they knew what their jobs were, they  
9 understood what their roles and responsibilities were?

10 A. Yes.

11 Q. And it's safe to say that the *Spirit of Boston*, because it's  
12 Tier 1, is inspected by the Coast Guard the folks that you work  
13 with more often than other vessels, other T or K vessels?

14 A. That's correct.

15 Q. So there's more opportunity for you as a marine inspector to  
16 see, you know, I guess just have awareness of what's going on; is  
17 that a fair statement?

18 A. Yes.

19 Q. And anybody that either works with you or for you or, I  
20 guess, maybe your superiors, anybody ever talk to you about, you  
21 know, issues to work with, to look at or concerns specifically  
22 with the, with the *Spirit of Boston*?

23 A. The only concern we had was the -- based off the dry-dock  
24 last year with all the, the hull damage we had from the straight  
25 current. And you'd have to talk to the inspector that was onboard



1 for the follow-on. I know we -- I know they addressed that with  
2 him, talked to Hopkins about that a little bit when he, when he  
3 did that. But as far as me, no, I don't remember anything.

4 Q. And the -- you talked a little bit about kind of the -- there  
5 was a, I guess, a period of time between the annual exam and when  
6 you, I guess, technically became an advanced journeyman marine  
7 inspector as opposed to a journeyman marine inspector. And just  
8 to confirm that was really just a function of time, not so much  
9 experience. Is that a fair, fair statement? Or, I guess, skill  
10 or --

11 A. I was --

12 Q. -- knowledge on your part? I mean --

13 A. So it was a matter of two months. So I would say it's a fair  
14 statement to say it was just a matter of time.

15 Q. You talked about the firefighting doors. And, I believe you  
16 indicated that they, they worked properly. Are you aware of the  
17 fire that occurred onboard, and do you have any knowledge of what  
18 happened?

19 A. I have -- no. All I know is there's a fire. I don't know  
20 anything else besides that.

21 Q. Okay. So are you aware of any actions that the Fire  
22 Department took onboard?

23 A. I heard they busted the windows out. That's all. That's the  
24 only thing I heard.

25 Q. Did you hear if they closed any of the fire doors?

1 A. No.

2 Q. And then you talked a little bit about your department that  
3 you work within, and kind of the breakdown. About how many  
4 inspectors are assigned -- or how many people are assigned to  
5 domestic versus how many people are assigned to Port State  
6 Control?

7 A. Okay, sure. Give me one second. I can count this up in my  
8 head.

9 Q. Sure.

10 A. We've 11 people in domestics, and 7 in Port State.

11 UNIDENTIFIED SPEAKER: If you're estimating, say that you're  
12 estimating.

13 BY MR. DENLEY:

14 Q. I think I -- you broke up a little bit.

15 A. Oh, sorry.

16 Q. How many Port State?

17 A. So approximately seven.

18 MR. DENLEY: I don't have any further questions. I  
19 appreciate it. Thank you.

20 LT [REDACTED] Okay, Lieutenant [REDACTED] do you have any follow-  
21 up?

22 LT [REDACTED] I do. I have a few follow-ups.

23 BY LT [REDACTED]

24 Q. And they're kind of all over the place. So bear with me.

25 A. Sure.

1 Q. I'm going to start with -- so what is a Subchapter K vessel?

2 A. Okay. So a Subchapter K vessels is a, what we call a small  
3 passenger vessel. So it takes passengers for hire, more than 150  
4 passengers, and less than 100 gross tons.

5 Q. And how is tonnage determined? You don't need to tell me how  
6 to break down the mathematics, but who determines tonnage?

7 A. That's determined at Headquarters at Marine Safety Center.

8 Q. And do you know what the tonnage of the *Spirit of Boston* is?

9 A. I do not off the top of my head.

10 Q. Is the *Spirit of Boston* one of the largest by length vessels  
11 in the domestic fleet at Sector Boston?

12 A. It's one of the -- not the larges, but it is one of the  
13 largest.

14 Q. Are the other vessels Subchapter K as well?

15 A. Yes.

16 Q. And if it were to be over 100 gross tons in the same  
17 passenger count, same brow, what would that subchapter --

18 A. So that would be Subchapter H.

19 Q. Can you talk to me a little bit about the qualification  
20 process for -- first for somebody coming in as a first tour  
21 apprentice vice somebody transferring in with a qualification?

22 A. Sure. Okay. So somebody who comes in, and they're a brand  
23 new apprentice with zero inspection experience of maybe, maybe  
24 they have, maybe they've been on a few vessels, but they don't  
25 have any qualifications, we actually have a MITO, which stands for

1 marine inspection training officer, who oversees that process. So  
2 he'll -- he will meet with the individual, and he'll discuss the  
3 expectations as far as, okay, this is, this is your, your  
4 transformation if you want to, if you want to call it that, to  
5 becoming a marine inspector. So he'll go through that process.  
6 He'll give them an expectation letter, and he'll tell them how  
7 long they have to get -- to get the qualification. To get the  
8 qualification, so first thing they have to do is they have to go  
9 through this program we call AMI systems, which stands for  
10 Apprentice Marine Inspector Systems Course. I know you're in the  
11 Coast Guard, but for the people there they don't -- they're not  
12 familiar with our Marine Inspection Course and our Port State  
13 Control Inspection Course that we used to have. Those have gone  
14 away, and those are -- they've pushed the training, initial  
15 training for marine inspectors back for the units. So all the  
16 feeder ports now do a -- have put their apprentices through a 12-  
17 week AMI, what we call AMI systems training. And what that is,  
18 it's a week-by-week -- it's they, they -- the apprentices will  
19 watch, will watch online videos, and online PowerPoints of all the  
20 different, all the different -- let's just say I'm just going to  
21 for simplicity's sake I'm going to say fuel systems. They're  
22 going to watch a video on this is what a fuel system is, and then  
23 they'll do some self-study. Then they'll go out with a verifying  
24 officer to different vessel types, and actually look at a fuel  
25 system. They'll trace the fuel system, and they'll get familiar

1 with how fuel system works, and then they'll get that portion of  
2 their what they call their performance test checklist signed off,  
3 and then they have to do that for all 12 systems that have been  
4 identified. And that takes 12 weeks to complete. Once they  
5 complete that, that's the equivalent of them doing what we used to  
6 call a Marine Inspection Course or, or Port State Control. And  
7 then they're -- then at that point they're eligible to start  
8 actually working on their qualification for their platform.  
9 Depending on the needs of the unit we'll either assign them to  
10 Port State Office first or Domestics first depending on, again,  
11 who we have, who we have training where, and where the work is.  
12 And then they would get a, they would get a PQS or Performance  
13 Qualification Standard packet, and they work through that. And  
14 that basically -- that breaks down everything that we would  
15 inspect on a vessel, and they need to learn the requirements what  
16 vessels have them, what vessels don't have them, where they're  
17 needed. And then they work with the verifying officer who will  
18 sign off the PQS. And then once that's completely signed off,  
19 they'll go through a qualification oral qualification board, and  
20 then the board will make a recommendation to the OCMI whether or  
21 not that person can be -- should be qualified for that platform.  
22 And then they do that for all -- they do that for all four quals.  
23 Hopefully they get that within three years, and then they become a  
24 journeyman. That's brand new off the street.

25 If it's somebody coming in who already has quals, maybe

1 they're already a JMI or maybe they're an AMI they're just missing  
2 a qual, they don't have to do that whole AMI systems that's  
3 already been done. We'll just do the second part of that which is  
4 just get them the qualifications that they need using -- going  
5 through the PQS packet and the board, and that.

6 Q. So say hypothetically say I have a Subchapter T  
7 qualification, and I come from a unit, and I transfer into Sector  
8 Boston. Am I immediately certified to conduct an inspection  
9 aboard a Subchapter T vessel at Sector Boston?

10 A. No, you're not. So the first thing you have to, you have to  
11 do a recert, a recertification. And what that is, is you have to  
12 go on to a Subchapter T vessel if that's the qualification you're  
13 trying to recertify with a verifying officer, and conduct that  
14 inspection. And they're going to observe you. And then they'll  
15 make a recommendation at that point to the MITO training officer  
16 whether or not you feel that they, they've -- good, and so we have  
17 a verification form that we fill out. We give that to the MITO,  
18 and then he'll, he will recertify them if -- he'll come back -- if  
19 he has questions, he'll come back to us or whatever. We'll talk  
20 about it. We'll let him know if we feel comfortable, and then  
21 he'll recertify.

22 Q. Okay. You had mentioned this new process. When did this new  
23 training Coast Guard process come into effect or when did it  
24 start?

25 A. So it started on year -- January of '22 is when it went into

1 effect.

2 Q. Okay. So you had mentioned the marine inspector course. Is  
3 there still a marine inspector course or a schoolhouse for marine  
4 inspections?

5 A. So the marine inspector course is no longer a course. There  
6 is still a schoolhouse for continuing education. So there is --  
7 there's a journeyman marine inspector course that they have  
8 developed, and I believe -- I don't want to speculate. So I'm not  
9 going to say it. But as far -- I know for sure there's a  
10 journeyman inspection course.

11 Q. You had mentioned the term verifying officer. Is there a  
12 verifying officer at Sector Boston?

13 A. There is.

14 Q. And when were they brought on?

15 A. So let me -- we have -- every inspector, everybody who is  
16 billeted can become a verifying officer. We have a verifying  
17 officer billet, a GS-13 billet that just came onboard this past, I  
18 guess, just, just January. That he -- his responsibility is to  
19 oversee the AMI systems, and he's a verifying officer for the AMI  
20 systems. But every other inspector at Sector Boston can become a  
21 verifying officer because he can't -- obviously, he's not going to  
22 be able to do it all himself.

23 Q. Okay. So for signing off performance qualification standard  
24 items anybody who is designated by the OCMI as a verifying officer  
25 can sign off those PQS items?

1 A. Correct.

2 Q. We talked about apprentice marine inspector. How many  
3 qualifications do you have to have to be an apprentice marine  
4 inspector or is everybody an apprentice --

5 A. Everybody's an apprentice. You show up to the unit, you're  
6 assigned apprentice, and then you're an apprentice for three years  
7 and four qualifications.

8 Q. So you had mentioned that the Domestics Branch chief at some  
9 point in your time at Sector Boston was an apprentice marine  
10 inspector. So which means that they could either have zero quals  
11 or one qual. They could have minimal qualifications --

12 A. That's correct.

13 Q. -- in the Domestics Branch which they are overseeing?

14 A. That's correct.

15 Q. How in your opinion -- not your opinion -- in your experience  
16 I should say, how does that work with regards to like routing  
17 deficiencies and OCMI? So you as a journeyman almost an advanced  
18 journeyman marine inspector are going to conduct an inspection,  
19 possibly issue deficiencies, possibly suggest control actions, you  
20 would then route that to your Domestics Branch chief?

21 A. So it depends on the severity of the deficiency. Certain  
22 deficiencies by our policy have to be briefed straight to our,  
23 straight to our chief of inspections. And especially during that  
24 time when we had the, when we had the apprentice that was, that  
25 was standing in for the branch chief (indiscernible), we went



1 straight to, straight to the CID or chief of inspections for  
2 pretty much ever deficiency that we -- and there's only certain  
3 deficiencies that we have, and I don't, I don't have the, I don't  
4 have the policy in front of me. I can't tell you which ones, but  
5 only certain deficiencies have to be, have to be notified. Some  
6 of them we can just write a deficiency, and we'll give them 14  
7 days or whatever to fix it. And then there are certain ones that  
8 -- and based on our policy that says if you find this, or you find  
9 this control action, that has -- it's an immediate notification to  
10 the, to the chief of inspections. And during that time we were,  
11 we were going straight to the -- we were, we were bypassing the  
12 branch chief, and going straight to the chief of inspections.

13 Q. And --

14 A. For that.

15 Q. -- so you were bypassing the branch chief because he didn't  
16 have the experience or the qualifications --

17 A. Correct.

18 Q. -- to make the determination?

19 A. Correct.

20 Q. You had mentioned professional -- basically professional  
21 development training. Have you, yourself, attended any  
22 professional development trainings?

23 A. Not -- yeah, yes, I have.

24 Q. Care to tell --

25 A. So sure. So since my time in Boston, I've attended training

1 on marine diesel engines. I went to a school on sail rigging.  
2 And most recently I attended a course of plan, plan review for  
3 vessels.

4 Q. And where were those classes, and how were you able to attend  
5 those? Who -- somebody select and direct you to go? Was there  
6 solicitation --

7 A. So --

8 Q. -- are they for everybody?

9 A. So they're for everybody. So for the -- those three in  
10 particular, those were managed by our, by our MITO. He got the  
11 solicitation from either district or headquarters or whoever was,  
12 whoever was running the program, whoever was running the course.  
13 And then he'll -- he identifies who he thinks is the best fit to  
14 go to those trainings, and then he'll, then he'll farm that out to  
15 whoever. And he tries to be equitable. He tries to make sure  
16 everybody gets -- everybody tries to -- he gets people to what  
17 they, what they need based off their qualification and their, and  
18 their current status or -- status is the wrong word. The current  
19 progression in their marine inspector career.

20 Q. Have you been provided the training required to do your  
21 duties with proficiency and competence?

22 A. Yes.

23 Q. How does the Coast Guard measure proficiency? And that's  
24 separate from qualification.

25 A. Right. That's a good question. I don't know.

1 Q. Have you ever identified any fire hazards? And you say  
2 you're -- with the *Spirit of Boston* you vaguely remember -- do you  
3 remember the layout specifically or can -- if I were to kind of  
4 talk you through a layout do you think you could remember?

5 A. Yeah, maybe.

6 Q. Okay. So on the -- you recall where the galley was located?

7 A. So I believe it's on the main deck aft.

8 Q. Okay. And just forward of the galley is what we would call  
9 as the cold prep area. Okay. So it's a -- not cooking area, but  
10 it's a prep -- it's a galley prep area.

11 A. Okay.

12 Q. And just forward of that is a service station which would be  
13 -- which would have a coffee, possibly a coffee maker and a shelf  
14 and some cups and things like that. Do you remember that area of  
15 the vessel?

16 A. No, not at all.

17 Q. Okay. So have you ever identified any fire hazards onboard  
18 the *Spirit of Boston*?

19 A. Not that I recall.

20 Q. Just one last question.

21 A. Okay.

22 Q. How -- in your professional experience as a seasoned marine  
23 inspector, and have been involved in the -- at the sector, Sector  
24 Boston specifically, how does Coast Guard officer career  
25 progression with like the lieutenants, right, so not the warrant

1 officers but with regards to the lieutenants who come through as  
2 JMI to AJMI, how does that affect the Inspections Division at  
3 Sector Boston?

4 A. Can you repeat that again?

5 Q. Yeah.

6 A. I just want to make sure I heard your question correct.

7 Q. So Coast Guard officer career progression, right? So with a  
8 feeder port you get the qual and you move on to the next qual.

9 A. Right. Okay.

10 Q. You get the qual, you move on to the next qual. So the Coast  
11 Guard wants or the Coast Guard is looking -- a feeder port is to  
12 provide the most qualifications within the least amount of time;  
13 is that correct?

14 A. That's correct. Yes, sir.

15 Q. With officers, ensigns, junior grades, lieutenants,  
16 lieutenant commanders even at times they come in with zero  
17 qualifications, and they are given a time you need to get 1, 2, 3,  
18 4 quals. How does the need and the push to progress through  
19 officer qualifications how does -- does that affect the Sector  
20 Boston inspections program with regards to who is available to do  
21 them and/or like the proficiency of doing the inspections?

22 A. I don't think so.

23 Q. Okay.

24 A. Yeah, no.

25 Q. No?

1 A. No.

2 LT [REDACTED] Okay. Awesome. Thank you.

3 BY LCDR [REDACTED]

4 Q. I just have one follow-up question. I just wanted to clarify  
5 -- I'm sorry, again. You had mentioned an (indiscernible) policy  
6 talking about the verifying officers. And I believe when you were  
7 talking about the three things you said that it was a standard  
8 operating procedure, your SOP. Is that your only policy in  
9 domestics that you have your standard operating procedure or do  
10 you have, like, MMS, Mission Management System procedures or CID  
11 notes as well or just --

12 A. Sure.

13 Q. -- the standard operating procedure?

14 A. So our standard operating procedures are based off of the  
15 Coast Guard's MMS. So we incorporate those in that when we're  
16 developing them. So I don't know if that answers your question,  
17 but as far as briefing the OCMI we use, we use our, our standard  
18 operating procedure that we, that we have set in place to do that.

19 Q. And is it like one procedure or are they broken up into  
20 certain --

21 A. Just one.

22 Q. -- categories?

23 A. It's just one procedure.

24 LCDR [REDACTED] Okay. Thank you. That's all I had.

25 I'll go to Mr. Young. Do you have any follow-up questions?

1 MR. YOUNG: Yes, please. Just one clarification.

2 BY MR. YOUNG:

3 Q. When Mr. Denley was asking you about the Tier 1 inspection  
4 regime, I just want to make sure I heard it correctly. Would a  
5 Tier 1 vessel be inspected on a short frequency and more frequency  
6 in time or just increased scope or both?

7 A. So it gets one annual inspection a year, and then it gets one  
8 follow-on halfway through, halfway through its season. The  
9 follow-on is a, is a lesser scope than an annual would be.

10 Q. Okay. So as a Tier 1 vessel there would be two visits per  
11 year?

12 A. Correct.

13 Q. Would that be correct?

14 A. That's correct.

15 Q. And if it was the Tier 2 and Tier 3 those wouldn't have as  
16 many inspections?

17 A. They only have one visit per year.

18 Q. Understood. So it was one additional inspection as a follow-  
19 up?

20 A. Correct.

21 MR. YOUNG: Understood. Thank you.

22 LCDR [REDACTED] Mr. Denley, do you have any follow-up  
23 questions?

24 MR. DENLEY: No, I don't. Thank you.

25 LCDR [REDACTED] Lieutenant [REDACTED]

1           LT [REDACTED] That's it.

2 LCDR [REDACTED] Okay. That concludes the interview for today. The  
3 time is 11:16, and we'll go ahead and stop the recording.

4           (Whereupon, at 11:16 a.m., on May 2, 2023, the interview was  
5 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 [REDACTED] [REDACTED]

ACCIDENT NO.: DCA23FM022

PLACE: Boston, Massachusetts

DATE: May 2, 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.

[REDACTED]

Katherine Motley  
Transcriber