

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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FIRE ABOARD *KODIAK ENTERPRISE*  
NEAR TACOMA, WASHINGTON  
ON APRIL 10, 2023

Accident No.: DCA23FM026

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Interview of: LALO SAN MIGUEL, Fire Watch  
Valeo and Trident Seafoods

Trident Seafoods Facilities  
Tacoma, Washington

Tuesday,  
April 25, 2023

APPEARANCES:

CWO [REDACTED], Investigating Officer  
United States Coast Guard

LT [REDACTED], Investigating Officer  
United States Coast Guard

GREGORY HELLER, Special Agent  
Bureau of Alcohol, Tobacco, Firearms & Explosives

CAPT DAVID FLAHERTY, [REDACTED] Investigator in Charge  
National Transportation Safety Board

LARRY ALTENBRUN, Attorney  
Nicoll Black & Feig  
(On behalf of Trident Seafoods)

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I N T E R V I E W

(10:04 a.m.)

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2  
3 CWO [REDACTED] This is Chief Warrant Officer [REDACTED] with the  
4 U.S. Coast Guard. Last name is spelled [REDACTED] The date is  
5 April 25th. The time is 10:04, local. We're at Trident Seafoods,  
6 investigating the fire on board the *Kodiak Enterprise*. In the  
7 room, I have --

8 LT [REDACTED]: Lieutenant [REDACTED], spelled  
9 [REDACTED] investigator with the United States Coast  
10 Guard.

11 SA HELLER: Special Agent Greg Heller with the Bureau of  
12 Alcohol, Tobacco, Firearms, and Explosives, ATF. My last name is  
13 spelled H E L L E R.

14 MR. SAN MIGUEL: Hello, my name is Lalo, my last name is  
15 San Miguel, S A N, Miguel, M I G U E L.

16 CWO [REDACTED] And just because you have a pretty specific first  
17 name, can you spell your first name as well?

18 MR. SAN MIGUEL: Lalo is spelled L A L O.

19 CWO [REDACTED] All right, thank you.

20 MR. ALTENBRUN: Larry Altenbrun, I'm the attorney for Trident  
21 Seafoods. Last name is spelled A L T E N B R U N.

22 CWO [REDACTED] And on the phone, we have --

23 CAPT FLAHERTY: David Flaherty. Last name is spelled  
24 F L A H E R T Y. I'm the investigator in charge for the National  
25 Transportation Safety Bureau.

## 1 INTERVIEW OF LALO SAN MIGUEL

2 BY CWO [REDACTED]

3 Q. All right, Mr. San Miguel, do you work with Trident? Let me  
4 stop real quick -- so, just for the record, has anybody coerced  
5 you or made you come and talk to us? You are here on your own  
6 free will?

7 A. Yes.

8 Q. Okay. All right, thank you. I know I was going to get  
9 stopped. All right, and do you work for Trident?

10 A. No, I'm with the agency.

11 Q. Okay.

12 A. And with the agency, I came here to Trident.

13 Q. Okay, and what agency is that?

14 A. Valeo.

15 Q. Valeo, okay. How long have you been with Valeo?

16 A. Back in October.

17 MR. ALTENBRUN: That's Valeo, V A L E O, is that correct?

18 MR. SAN MIGUEL: Correct.

19 CWO [REDACTED] Valeo, okay.

20 BY CWO [REDACTED]

21 Q. And what is your position?

22 A. Fire watch.

23 Q. Fire watch, okay, and how long have you been a fire watch?

24 A. I want to say about the second or third week of October.

25 Q. Okay, and did you receive your training through Valeo or

1 Trident? Where did you receive your training?

2 A. Trident, I came here to do my orientation and then in  
3 orientation, we went through safety procedures in class.

4 Q. Okay, all right, and were you on board the vessel April 7th?

5 A. Of the *Kodiak*?

6 Q. On the *Kodiak Enterprise*, yes.

7 A. Yes.

8 Q. Okay, and what was your job that day?

9 A. That day, I was fire watching for my welder. I forgot his  
10 name. We were lasering a door. I believe we were doing a radius.

11 Q. Okay, and where was that at?

12 A. On the bridge facing towards the water. I want to say the  
13 right side.

14 Q. Okay, so the starboard side?

15 A. Yeah.

16 CWO ██████████ All right, okay.

17 BY SA HELLER:

18 Q. Okay, so on the -- where you were doing your fire watch, were  
19 you inside somewhere, were you outside?

20 A. I was on the outside of the door.

21 Q. Okay, and you said he was cutting a radius, was that with a  
22 grinder, or a torch, or what was he doing?

23 A. The plasma.

24 Q. Okay.

25 A. I think it was a torch and that was it, yeah.

1 Q. Okay, and what sort of things did you do as a fire watch for  
2 that job?

3 A. So, that morning, I came in, I had the other fire watch go  
4 out onto the dock and turn the hose on. Then from there, we had  
5 our hose running up on the side of the ship. We had it T  
6 connected because each side of the -- I guess the bridge on the  
7 side, we had a fire hose, so we made sure to open up the fire  
8 hoses so they were charged. Then it was pretty rainy that day. I  
9 believe the previous day, we had a little mess up, so we were  
10 doing some clean up out there in the morning.

11 Q. Okay, a little bit of a mess up, what do you --

12 A. So, it rained pretty hard and we were supposed to make a  
13 little concrete, little cave so the water didn't get on the weld  
14 line and the guy just dumped the bag on the floor.

15 Q. Oh, okay, all right.

16 A. So, I had to clean it up.

17 Q. All right, and then so you got the hoses prepped, was there  
18 anything inside that -- you're calling it the bridge, but the  
19 little crawl space in there?

20 A. Yeah, the crawl space, yeah, we had -- my welder was on the  
21 inside cutting and then we had some fire blankets in there, as  
22 well, protecting it from the foam.

23 Q. Okay, were there contents in there? Were there things being  
24 stored in there that you had to move or cover?

25 A. Not particularly. None of it was wood, it was just, like,

1 bags and tools.

2 Q. Okay.

3 A. None of it needed to be covered, I believe.

4 Q. Okay.

5 A. Maybe it was a little bit, but not much.

6 Q. Were there any vents or duct work that you had to move or  
7 take apart, change, or anything?

8 A. No.

9 Q. And were there any issues? Did you have to put out any fires  
10 with the fire hose?

11 A. No, no issues.

12 Q. Problems?

13 A. No issues.

14 Q. And you said there was another fire watch person. Was that  
15 person also on the same level as you or were they somewhere else?

16 A. Same level as me, on the opposite side.

17 Q. Okay, did -- I mean, I guess, overall, did the job go  
18 smoothly or were there any major problems?

19 A. No, it went pretty smooth. We got the radius cut and then we  
20 needed a couple of angles to be tacked on so the door didn't warp.

21 Q. Okay.

22 A. We were worried that it wouldn't -- if we took one -- if we  
23 took both angles out, it wouldn't match up to seal properly.

24 Q. Okay, so what time did you start work that day?

25 A. I want to say we didn't start any hot work until about 7:30

1 to 8:00. We were just doing clean up, yeah.

2 Q. And when did you finish work?

3 A. Around -- right before first break, so 8:30 -- anywhere to  
4 8:45.

5 Q. And then did you work on that job more or was that complete  
6 for the day?

7 A. No, we worked on it all day.

8 Q. All day, okay. Then when did the hot work stop that day?

9 A. I think it was -- it stopped at 3:30.

10 Q. Okay, and then when did you leave?

11 A. I left about -- around 4:20.

12 Q. Okay, and when you left, were there -- did you leave the hose  
13 there? Were the fire blankets still there? What was the  
14 condition when you left?

15 A. When I left, I made sure that I discharged our hose out into  
16 the water, pushed back the hose. Everything -- I was cleaning up,  
17 so I did the debris, sweeping it all up, putting it in trash bags.  
18 I remember putting my coat down on the front of the bridge and I  
19 know that's gone now.

20 Q. Oh, okay.

21 A. Yeah, and then I'd think about oh, I need to grab that and I  
22 didn't. Overall, it was pretty clean. I believe that I left a  
23 fire blanket underneath the stairs, right there by the doorway  
24 because that's where the cut was in that corner. I didn't want it  
25 to catch or anything that was there.

1 Q. Probably the -- so, near the stairs, then you go up another  
2 level, just outside the door?

3 A. Yeah, so outside the door, there was a staircase that went up  
4 into the area for the captain.

5 Q. Got it. Okay, anything strike you as unusual about that day  
6 or as you were leaving?

7 A. No.

8 MR. ALTENBRUN: I have a couple of questions.

9 BY MR. ALTENBRUN:

10 Q. So, were you one of the fire watch on the water side of the  
11 boat?

12 A. Yes.

13 Q. And you said you don't remember exactly the name of the  
14 welder that you were fire watching, but was he a black man?

15 A. Yeah, he was in here.

16 Q. Was it the guy that just came out the door?

17 A. Yeah.

18 Q. So, it was Deiontavious Baylor?

19 A. Yeah.

20 Q. And when events like this happen, memories sometimes aren't  
21 perfect, so nobody's making any accusations against anybody here  
22 and it's no problem. But are you sure that he was cutting on that  
23 Friday or is it possible that he actually did the cutting on  
24 Thursday and Friday was more just kind of clean up work with the  
25 grinder? Do you know?

1 A. No, I don't know what day. I remember, for me, that day, we  
2 were cutting the radius and then he cleaned up and did the angles.

3 LT [REDACTED] Okay, thank you.

4 CWO [REDACTED]: David, do you have anything?

5 CAPT FLAHERTY: No, I'm fine, thank you.

6 BY CWO [REDACTED]

7 Q. Okay, and just a little house keeping here, you said you were  
8 trained by Trident, have you seen this document? It's Appendix B,  
9 of Fire Watch Training? If you don't remember, that's fine.

10 A. I don't remember seeing this at all.

11 Q. Okay, all right, how do you feel their -- Trident's safety is  
12 around here?

13 A. It's pretty good.

14 Q. Do you work anywhere else? Any other yards?

15 A. No, this is my first time on a yard.

16 Q. Okay, but they -- but you feel like they give you all the  
17 equipment to safely watch the welders? Anything that you might  
18 need, they provide for you?

19 A. Yeah, backup glasses, safety glasses, respirators, gloves,  
20 95s, latex, earplugs.

21 Q. So, anything that you might need, they're providing you for  
22 safety gear and they're worried -- one of their priorities is the  
23 safety of the people that are working and the projects that are  
24 going on?

25 A. Correct.

1 CWO [REDACTED] Okay.

2 BY MR. ALTENBRUN:

3 Q. And you don't recall specifically seeing that document, but  
4 you do recall that when you were hired in October of last year,  
5 that you went through some orientation and some safety training,  
6 is that right?

7 A. Correct, yeah.

8 Q. And you were taught how to be a fire watch, is that right?

9 A. Yeah.

10 MR. ALTENBRUN: Thank you.

11 CWO [REDACTED] Okay, no further questions. We'll conclude the  
12 interview. The time is 10:16.

13 (Whereupon, at 10:16 a.m., the interview was concluded.)

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CERTIFICATE

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

IN THE MATTER OF: FIRE ABOARD *KODIAK ENTERPRISE*  
NEAR TACOMA, WASHINGTON  
ON APRIL 10, 2023  
Interview of Lalo San Miguel

ACCIDENT NO.: DCA23FM026

PLACE: Tacoma, Washington

DATE: April 25, 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.

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