

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

\* \* \* \* \*

Investigation of:

\*  
\*  
\*  
\*  
\*  
\*

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

Accident No.: DCA23FM026

\* \* \* \* \*

Interview of: TONY MORRIS, Lead Welder  
Trident Seafoods

Trident Seafoods Facilities  
Tacoma, Washington

Thursday,  
April 20, 2023

APPEARANCES:

CWO [REDACTED] Investigating Officer  
United States Coast Guard

LCDR [REDACTED], Chief of Investigation  
Sector Puget Sound  
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)

I N D E X

<u>ITEM</u>	<u>PAGE</u>
Interview of Tony Morris:	
By CWO [REDACTED]	5
By SA Heller	11
By Unidentified Speaker	14
By SA Heller	16
By Unidentified Speaker	18
By Capt Flaherty	18
By SA Heller	20
By CWO [REDACTED]	28
By SA Heller	30
By CWO [REDACTED]	33
By SA Heller	35
By Capt Flaherty	44
By SA Heller	45
By CWO [REDACTED]	47

I N T E R V I E W

(9:13 a.m.)

1 CWO [REDACTED] This is Chief Warrant Officer [REDACTED]. The  
2 time is 0913 local and the date is April 20th, 2023. We're here  
3 at Trident facilities to investigate the fire on the *Kodiak*  
4 *Enterprise*. My last name is spelled [REDACTED].

5 And in the room I have --

6 SA HELLER: Special Agent Greg Heller with the Bureau of  
7 Alcohol, Tobacco, Firearms, and Explosives, ATF. My last name is  
8 spelled H-e-l-l-e-r.

9 LCDR [REDACTED]: Lieutenant Commander [REDACTED] Sector  
10 Puget Sound, chief of investigation. [REDACTED]

11 MR. ALTENBRUN: Larry Altenbrun, Nicoll Black & Fieg. I'm  
12 the attorney for Trident Seafoods. Last name is spelled  
13 A-l-t-e-n-b-r-u-n.

14 MR. MORRIS: Tony Morris, lead welder, Trident Seafoods.  
15 Last name is spelled M-o-r-r-i-s.

16 CWO [REDACTED] And on --

17 SA HELLER: Do you spell Tony just the standard  
18 T-o-n-y?

19 MR. MORRIS: Yeah, T-o-n-y.

20 CWO [REDACTED] And on Teams we have?

21 CAPT FLAHERTY: David Flaherty. Last name is spelled  
22 F-l-a-h-e-r-t-y. I'm the investigator in charge with the National  
23 Transportation Safety Board.

1 CWO [REDACTED] All right. So Tony, we understand you're coming  
2 here on your free will, it's voluntary, and we appreciate that.  
3 You weren't coerced to come here and talk or anything like that?

4 MR. MORRIS: No.

5 CWO [REDACTED] Okay. All right.

6 INTERVIEW OF TONY MORRIS

7 BY CWO [REDACTED]:

8 Q. So we'll just start out, who are you employed by?

9 A. Trident Seafoods.

10 Q. Okay. And how long have you been with Trident?

11 A. I got hired on in -- I believe it was December of 2014.

12 Q. Okay.

13 A. But I've actually worked in the yard since November of '13.  
14 I started as a temp welder.

15 Q. Okay. All right. And how long have you been a welder?

16 A. I started welding in 2006.

17 Q. 2006. And what certificates do you have? Or are you  
18 certified?

19 A. ABS, AWS certifications in welding.

20 Q. Okay. In all the different positions and stuff like that?

21 A. (No audible response)

22 Q. Okay. All right. On April 6th -- or 7th, were you working  
23 that day?

24 UNIDENTIFIED SPEAKER: Friday.

25 BY CWO [REDACTED]

1 Q. On Friday?

2 A. Friday?

3 Q. Yeah.

4 A. Yeah.

5 Q. And what was your job? What was your job that day?

6 A. My job welding?

7 Q. Yeah, your job welding.

8 A. Oh, as a lead welder.

9 Q. Okay. And for the whole ship or just what job?

10 A. No, I was focused for chuck (ph.) welding steel, steel plate  
11 repair.

12 Q. Steel plate repairs?

13 A. Yeah.

14 Q. Okay. We have this general arrangement drawing here and it  
15 has different jobs on that right on the front page there.

16 A. Yeah. I've seen this before.

17 Q. Okay. Can you tell us what job you were the lead welder on?

18 SA HELLER: Yeah, and there's different --

19 MR. MORRIS: That would have been job number 2, I believe.

20 That was the deck insert there for removal of old hydraulic  
21 fittings.

22 BY CWO [REDACTED]

23 Q. Okay.

24 A. And also job number 3, port and starboard under the

25 wheelhouse, wheelhouse storage bulkheads, and also job number 1 in

1 the bow thruster room, replacement of some rotten bulkheads.

2 Q. So that day you worked on all of those?

3 A. Yes.

4 Q. Okay. All right. If you would, just start us from when you  
5 showed up to work and kind of what do you do?

6 A. Well, we come in. I start about 5:30 in the morning. We  
7 have a lead and team meeting with all our leads and our  
8 maintenance operational manager, Ed Ashley, and we have a little  
9 meeting to go over what we're going to do that day. And then I  
10 come out to the boat about 6 a.m. Then I have a toolbox meeting,  
11 also known as we have a safety meeting, go over what potential  
12 hazards we have during the day and how to negate any hazards that  
13 we have, and then we start work.

14 Q. Okay. In that safety meeting, do you have fire watches  
15 there?

16 A. Fire watches, everybody that's going to be on the boat that  
17 day. That includes guys that are on the pipe team and the ABS  
18 guys, too.

19 Q. Okay. All right. So about -- they'll last --

20 A. About 15 minutes.

21 Q. Fifteen minutes. Okay.

22 A. Yeah. It's kind of a roll call and we go over the safety  
23 points of the day, you know, what we might be facing.

24 Q. Okay. All right. And then so, all right, meeting's done and  
25 then just --

1 A. Yeah, we get everybody in place and then we wait for the SCPs  
2 to come to approve the hot work, to start.

3 Q. Okay. And they came that day --

4 A. Yes.

5 Q. -- do you recall?

6 A. Yes.

7 Q. Okay. And how do you know if it's safe to start work?

8 A. Well, I visually see them. I visually check their hot work  
9 permit that they sign every day. I also look over the area, make  
10 sure everything's okay as far as I'm concerned.

11 Q. Okay. Is there anything else that -- so you get a hot work  
12 permit, and how do you know that the atmosphere's good?

13 A. Oh, the SCP comes in with a sniffer.

14 Q. Okay.

15 A. Yeah.

16 Q. And then they show you --

17 A. I also normally carry one with me throughout the day just so,  
18 you know, if I'm going into spaces I'll know if something's become  
19 hazardous.

20 Q. Okay. All right. And then when that -- the shipyard  
21 competent person makes a round, how do they notify you that it's  
22 safe? Just verbal or --

23 A. No, they normally -- I usually see them come on in the  
24 morning --

25 Q. Okay.



1 A. -- and I know when they're there, so that's how I know  
2 they've been there. But they don't normally communicate with me  
3 as far as that goes.

4 Q. So who would they communicate, say --

5 A. They do in the morning when they come on and I let them know,  
6 hey, we got hot work here, hot work there, hot work there. That's  
7 about where we're at with that.

8 Q. Okay. All right. Is there -- so at your work space, right,  
9 you have a marine chemist certificate or a hot work permit? How  
10 does that --

11 A. Yes. There's a hot work posted -- hot work sheet posted on  
12 the bulkhead closest to the work area. Or if it's in a tank, it's  
13 posted at the entrance, the hatch.

14 Q. Okay. So when you go into that space or that worksite,  
15 there's a permit there --

16 A. Yes.

17 Q. -- and is there anything else there?

18 A. If the chemist has been involved, then yes, there's also a  
19 chemist report localized to the hot work permit.

20 Q. Okay. And does the shipyard competent person post any  
21 document saying that the -- that they've taken readings and that  
22 the --

23 A. Yeah. It's all in the hot work permit.

24 Q. Oh, it's all in the hot work -- okay.

25 A. Yeah. It has readings for oxygen, CO2, etc., etc.

1 Q. Okay.

2 A. And they also add special notations sometimes depending on  
3 what the job is. Like they'll say -- they often post, post fire  
4 watch, charge fire hose, and they might require something else  
5 like local ventilation. They'll put -- include that all in the  
6 hot work sheet.

7 Q. Okay. All right. So what time did -- where did you start  
8 first?

9 A. I actually don't -- I just -- I supervise the work.

10 Q. Okay.

11 A. So I get the guys going and, you know, like start at the  
12 wheelhouse and make sure everything's in place. These guys, make  
13 sure they have everything in place, fire watch is in place, fire  
14 hoses are charged, and all that.

15 Q. Okay. So you're just the main --

16 A. I'm basically a supervisor, yes.

17 Q. Okay. All right. Okay. So you get them started, hey, this  
18 is where we got to go. And then, do you make a round of all  
19 jobsites to check for --

20 A. Yes.

21 Q. -- the, you know -- what do you -- so you check for --

22 A. What do I look for?

23 Q. Yeah.

24 A. I look, make sure the hot work permit's been signed. I make  
25 sure they're there, even though I've seen them come on the boat.

1 And I also inform my welders always to don't strike an arc unless  
2 they personally have looked at that and seen that it's been signed  
3 for that day.

4 Q. Okay. All right. And then do you check fire watches as  
5 well?

6 A. Yes.

7 Q. Okay. All right.

8 CWO ██████ Okay. I think --

9 BY SA HELLER:

10 Q. Yeah, I have a couple of things. So I guess, so first of all  
11 you're a supervisor. Did you do any actual welding or work --

12 A. No.

13 Q. -- yourself that day? Okay. So you're managing people that  
14 are --

15 A. Yes.

16 Q. -- that are welding? Gotcha. Okay. And then this diagram  
17 in front of you, to be clear, these labels in red are -- you did  
18 not draw these, these are from someone else.

19 A. No.

20 Q. Do these appear to be accurate to you as far as the locations  
21 of where the jobs were? I guess we can start with job 1. It  
22 looks like it's labeled here and then in the --

23 A. I mean, it doesn't really depict it -- this picture shows  
24 that it's --

25 Q. Sure.

1 A. -- but there's no one there.

2 Q. Yeah. Sure. I'm going to show you another -- this one's  
3 missing one of the pages. Oh, no, there it is.

4 A. This is a different -- what is --

5 Q. Now we're looking at the --

6 A. This is the bow thruster.

7 Q. Okay. We're looking at the whole plan there. And so what  
8 specifically was being done at that location?

9 A. The bulkhead on the side was rotted out or deteriorated  
10 enough that it needed to be replaced, so we were replacing that.  
11 And so this would be -- this room here is the actual cargo hold.  
12 And we had removed that whole piece of bulkhead. I think it was  
13 12 inches up and I can't remember the -- I don't recall the  
14 length. But I know it was a significant -- it was over 8 feet.

15 Q. So on April 7th, that Friday, what hot work was being done  
16 here? Was it cutting, welding, grinding? What was --

17 A. It was -- that was actually already cut out. We were waiting  
18 for -- what's her name -- Alexander gal.

19 Q. Um-hum.

20 A. Because we had some CO2 bottles in here that -- because we  
21 were also going to remove the deck here and the CO2 bottles  
22 would've been in the way, so they were going to come in and put in  
23 some smaller temporary bottles so the system could still be  
24 charged, but they never showed up that day. So he actually  
25 stopped work. Alls he did was some grinding and maybe some

1 minor -- I don't believe he did any cutting that day. I think it  
2 was just prepping.

3 Q. Okay. And that kind of gets me to my next question. You  
4 said he stopped early. What time did work, hot work stop at this  
5 site?

6 A. I believe he stopped at around 1:30 because he was going to  
7 leave at 2:30.

8 Q. Okay.

9 MR. ALTENBRUN: And just to be clear, we're talking about job  
10 number 1 as it's described in the general arrangement drawings  
11 that we have; is that right?

12 MR. MORRIS: Yes.

13 BY SA HELLER:

14 Q. Stopped about 1 o'clock. Okay.

15 A. 1:30.

16 Q. 1:30. I'm sorry. Thank you for correcting me.

17 Okay. And then for this specific job -- again, we're talking  
18 about job 1 here, the bow thruster here. Do you know what the  
19 arrangements were for a fire watch and ventilation and that sort  
20 of thing?

21 A. Yes. In the cargo hold I had Ethan -- or Nathan work.

22 Q. Okay.

23 A. And he actually stayed in position till 3 o'clock.

24 Q. Okay. Fire watch, Nathan worked till 3 o'clock. Okay.

25 A. And then I believe Rama Dali (ph.) was in the actual bow

1 thruster area with Louis -- Luis. Yeah.

2 Q. All right.

3 A. And then -- oh, what was that kid's name? He was in the fuel  
4 tank, number 2.

5 Q. Okay. And then sort of in general, can you describe to me  
6 what precautions were taken there? Were there blankets, hoses?  
7 Did they have -- were they spraying stuff down?

8 A. Yes. We had a fire blanket in there and prior to any kind of  
9 hot work was wetted down. And all the foam --

10 Q. Was that wetted down with water or with something else?

11 A. Yeah, water.

12 Q. Okay.

13 A. All the foam in this general area of the cargo hold had been  
14 removed down to bare steel.

15 Q. Okay. Were there any problems you're aware of with that job  
16 that day?

17 A. No.

18 Q. Other than the people not showing up for the tanks, I guess.  
19 But no fires or smaller fires were put out or anything like that?

20 A. No, nothing at all.

21 SA HELLER: Okay. Anything else on job 1 before we move on  
22 to --

23 BY UNIDENTIFIED SPEAKER:

24 Q. How far back was the foam removed?

25 A. From this actual bulkhead I would say we went back at least 4

1 feet.

2 Q. Four feet?

3 A. Yeah.

4 Q. So, just so I can picture it because I haven't seen it, was  
5 that 4 feet completely around it like a box or --

6 A. Yeah, it was like a little alcove.

7 Q. Okay.

8 A. Because the cargo hold actually went under the deck of the  
9 bow thruster area. So all the foam underneath there was removed.  
10 All the foam that would've been on the bottom shelf was also  
11 removed, because I was worried that, you know, while they were  
12 cutting they were -- wanted to just use a fire blanket and I said  
13 no. You know, because it's going to fall on that fire blanket,  
14 it's still going to be hot. Fire blanket fails all the time. And  
15 so I just had them remove it all the way back, you know, about 4  
16 feet in those spaces. So --

17 Q. Basically you had -- if you're going underneath that deck  
18 there --

19 A. Yeah.

20 Q. -- because that's where you're working, correct?

21 A. Yeah.

22 Q. That whole area --

23 A. Overhead, the flanges that went through there, and the deck.  
24 So it was completely removed and cleaned.

25 Q. Okay.

1 BY SA HELLER:

2 Q. And was there a ventilation fan associated with this; do you  
3 recall?

4 A. Yes. They had one down in the space. There was also a  
5 ship's ventilation for the bow thruster room that we also  
6 incorporated. And there was one at -- in the hatch of the number  
7 2 fuel tank.

8 Q. Okay. Do you remember a hose that ran away from this  
9 ventilation fan and up through --

10 A. Yes.

11 Q. -- the galley?

12 A. That would've been the ventilation fan that was down in the  
13 room there. It ran up through the hatch door, up the stairs into  
14 the galley and up to that hatch.

15 Q. Okay. Do you know how that -- how it exhausted through the  
16 hatch? Was the hatch open? Was it --

17 A. The hatch was propped open like this with a couple 4 by 4's.

18 Q. Okay.

19 A. And it came out the side of it.

20 Q. Okay. Was the -- what was the diameter of the hose; do you  
21 remember? Was it like a big one or --

22 A. Yeah, it's our vented, which is a lay flat.

23 Q. Okay.

24 A. I'm not sure if you guys -- I'm sure you guys are.

25 UNIDENTIFIED SPEAKER: How big around, the diameter?



1 MR. MORRIS: I believe it's a 12-inch.

2 UNIDENTIFIED SPEAKER: Okay.

3 MR. MORRIS: Yeah.

4 BY SA HELLER:

5 Q. And then at the hatch where it exited --

6 A. It would have been choked out at the hatch.

7 Q. Okay. So more narrow there. And the hatch that it came out,  
8 do you see that on here?

9 A. Yeah. This hatch here.

10 Q. Okay. Would you mind circling that hatch for me just we can  
11 keep track? There's a lot of hatches.

12 Okay. And then as far as the path that that hose would've  
13 come up, it would've come up --

14 A. I think this is the door here.

15 Q. Yeah. I think this is the stairs here, yeah.

16 A. It came up here, went up the stairs through this door here,  
17 back around the galley, through here and then out the hatch.

18 Q. It (indiscernible) up. Okay. Okay. Perfect. It's circled  
19 in blue, the hatch, and then drawn in blue the hose path.

20 UNIDENTIFIED SPEAKER: And what plan is that?

21 CWO [REDACTED] On 01 deck and then up onto the 03 deck where the  
22 hatch is.

23 UNIDENTIFIED SPEAKER: And it's labeled the general  
24 arrangement 01, 02, 03 deck printed, (indiscernible) for the  
25 recording.

1 BY SA HELLER:

2 Q. Okay. And any issues with that hose or that ventilation  
3 process?

4 A. No.

5 SA HELLER: Okay. That's all I have for job 1 unless you  
6 guys --

7 BY UNIDENTIFIED SPEAKER:

8 Q. Where was the fan located?

9 A. The fan was actually -- I believe it -- I'm not sure what the  
10 actual name of that room is. It's like the bow thruster room and  
11 there's a room behind that's also got a name, and I can't remember  
12 the name of it. Yeah, it's not labeled, but they have it.

13 Q. So it was in the bow thruster room area?

14 A. It's right here. There -- obviously you can see there's a  
15 bulkhead and a door that separates these two rooms. It's a  
16 watertight door.

17 Q. All right.

18 A. And this is where the fan was located.

19 Q. Would you mind just putting like a blue X or something where  
20 that fan was?

21 CAPT FLAHERTY: I got just a couple of questions about job 1  
22 real quick.

23 CWO [REDACTED] Yeah. Okay.

24 BY CAPT FLAHERTY:

25 Q. Sir, David Flaherty with the NTSB. You said you removed the

1 foam. What was dangerous about that foam? Why did it have to be  
2 removed?

3 A. Oh, it's highly flammable and so we always remove it. We  
4 have a rule here of 12 inches from any hot work. I tend to go 18  
5 or even more if I can.

6 Q. Okay. And that rule, is it a company rule or is it based on  
7 some other organization's standard like OSHA or --

8 A. I believe, to my knowledge, it's a Tacoma Fire Department  
9 rule, but it's also ours.

10 Q. Okay. All right. And so you said 18 inches or a foot,  
11 right, is what --

12 A. I believe it's a foot. I tend to go 18 inches myself.

13 Q. Okay. But you said 4 feet through here; is that --

14 A. Yes.

15 Q. Okay.

16 A. That was because of the scope.

17 Q. All right. And so the other thing with that area, was there  
18 any combustible material stored either above or on the other side  
19 of any of the bulkheads or decks that you were -- that work was  
20 being done down in the bow thruster room?

21 A. No, I don't believe so. I believe it was all removed.

22 Q. Okay. Is that part of the policy with the company is to  
23 remove it --

24 A. Yes. It's company policy to remove all flammable materials.

25 Q. All right. And combustibles. So how far did you remove the

1 combustible materials?

2 A. I'm really having a hard time hearing you.

3 UNIDENTIFIED SPEAKER: Yeah, your -- the drawing's not great,  
4 but I don't know if we can --

5 UNIDENTIFIED SPEAKER: How far do you remove the combustible  
6 materials?

7 MR. MORRIS: Normally out of the area if we can. But if it's  
8 something flammable or something like that, it's got to be 30 feet  
9 minimum. So we try and get them out of the area completely.

10 CAPT FLAHERTY: All right. Thank you, sir.

11 SA HELLER: I don't know, I think it just makes sense if we  
12 just kind go job by job, so if we want to move on to job number 2.

13 BY SA HELLER:

14 Q. On this diagram the red circle on here is what's indicated as  
15 job 2. Does that seem to be approximately accurate as to where  
16 you guys were working?

17 A. Yeah.

18 Q. Okay. And then what was the scope of that job? What were  
19 you --

20 A. There was six old hydraulic couplings that went through the  
21 deck that had started leaking, so we were going to cut them out  
22 and then put an insert into the deck.

23 Q. Okay. So you were cutting a portion of the horizontal  
24 deck --

25 A. Yes.

1 Q. -- taking that off, repairing something, and putting a  
2 replacement?

3 A. Yeah, a replacing it. Just putting in a new piece of plate,  
4 yeah.

5 Q. And what stage in that process were you on Friday?

6 A. He had -- just had a small section cut out. I'd say maybe 18  
7 by 4 probably cut out already.

8 Q. Okay. And cut out meaning like it was all the way cut out --

9 A. It was removed.

10 Q. -- because it was being removed? Okay, 18 by 4 inch segment?

11 A. Yeah.

12 Q. Okay. All right. And was that done with a cutting torch,  
13 with a grinder? What was --

14 A. Yeah, it was a combination of both. Yeah.

15 Q. Okay. And so no actual welding of that space?

16 A. No. No welding had actually been done in that area.

17 Q. Okay. All right. And then with that, do you know what time  
18 that job stopped on?

19 A. Yes. He stopped at 3:30.

20 Q. 3:30. Okay, job number 2 till 3:30.

21 UNIDENTIFIED SPEAKER: Who was the lead on that job? Were  
22 you?

23 MR. MORRIS: Yes. That's -- there was a steel work job.

24 SA HELLER: And then, do you know who the welder was on that?

25 MR. MORRIS: I can see his face right now. For some reason I

1 can't think of his name.

2 UNIDENTIFIED SPEAKER: Daniel Guzman.

3 MR. MORRIS: Daniel Guzman. That was it.

4 BY SA HELLER:

5 Q. All right. So Daniel stopped at 3:30, and was something put  
6 over the hole or was it left open with the insert removed at the  
7 end of day? Do you --

8 A. I don't believe he had anything over the hole. Yeah.

9 Q. All right. And then was there actual -- you said the insert  
10 was cut out. Had work been done on the hydraulics inside or just  
11 the --

12 A. No. There was no actual hydraulics there anymore. They had  
13 been gone for --

14 Q. I gotcha.

15 A. -- a few years.

16 Q. Okay. So just cut out and remove?

17 A. Yes.

18 Q. Okay. Can you describe to me sort of what the safety stuff  
19 was for this, the fire watch, where people were posted?

20 A. We had a fire watch here and there should have been a fire  
21 watch watching for the --

22 Q. Okay.

23 A. -- for this over here, because someone was assigned to  
24 Margarito Vasquez.

25 Q. Okay.

1 A. And they were -- when I seen them, they were sitting right  
2 here in this area.

3 Q. Okay. And for the recording, you indicated sort of near the  
4 centerline and about frame -- between frame 30 and 25?

5 A. Yes.

6 Q. Okay. I'm just going to put a solid --

7 A. Right.

8 Q. -- a solid square sort of where you were talking about. Is  
9 that right?

10 A. Yeah.

11 Q. Okay. So there was two people up on the deck --

12 A. Yeah.

13 Q. -- doing fire watch? Okay. And then just one welder -- or  
14 I'm sorry, one -- I guess you -- he wasn't welding, but cutting --

15 A. Yeah.

16 Q. -- one welder? And then was there any other fire watch  
17 associated with that?

18 A. There was a fire watch down below in the stateroom.

19 Q. Okay. And was that the stateroom that was directly below?

20 A. Yes.

21 Q. Okay. Do you know which one it was on --

22 A. I don't.

23 Q. That's fine. If you can't pick it out on the diagram, that's  
24 okay. That's --

25 A. Yeah, I can't remember the name of it.

- 1 Q. But the stateroom directly below --
- 2 A. Yes. Yes.
- 3 Q. -- where they were cutting? Okay. What preparations were  
4 made to that?
- 5 A. Foam removal. There was a wood wall that we had taken down  
6 and removed that, and fire blankets, fire hose.
- 7 Q. Okay. And after he cut his insert, could you -- was it such  
8 that you could see daylight essentially from in here?
- 9 A. Oh, yes.
- 10 Q. Yes. Okay. All right. There's nothing in between that?
- 11 A. No.
- 12 Q. Okay.
- 13 A. Yeah, there was overhead paneling, but we removed all the  
14 overhead paneling and --
- 15 Q. Right. So when you left on Friday, straight --
- 16 A. Yes.
- 17 Q. -- hole down into that stateroom? Okay. You said there was  
18 a fire watch person in here?
- 19 A. Yes.
- 20 Q. Okay. Do you know if there were fire blankets or anything  
21 else --
- 22 A. Oh, yeah. There was fire blankets all over the place in  
23 there.
- 24 Q. Okay. All right. Any issues with that fire watch that day?  
25 Did they have to put out any fires, have to deal with anything?



- 1 A. None at all.
- 2 Q. Okay. And then do you know when the fire watch left for that  
3 job?
- 4 A. 4:20.
- 5 Q. 4:20?
- 6 A. Yeah.
- 7 Q. Fire watch till 4:20. Okay. And were there fire blankets  
8 put anywhere up here on the deck?
- 9 A. Yes. They had fire blankets covering this hatch and --
- 10 Q. When you say this hatch, which --
- 11 A. That would've been the hatch to the dry stores.
- 12 Q. Where the -- the thing we talked about before with the hose  
13 coming out?
- 14 A. Yes. Yes.
- 15 Q. And how was that done? Was it completely covered?
- 16 A. Yes. They had the whole side of it covered and down to the  
17 deck.
- 18 Q. Okay. On all four sides or --
- 19 A. No.
- 20 Q. Okay. I guess can you describe -- like where would the  
21 blanket have been? What would it have been covering? Yeah, if  
22 you want to draw something, that's fine.
- 23 A. Yeah. It would've been covering this portion all the way  
24 across and down on the deck.
- 25 Q. So about halfway up through -- halfway along the hatch

- 1 covering the aft portion of that hatch?
- 2 A. Yes.
- 3 Q. Okay. And then was the hose, it exhausted on the other side?
- 4 A. It was right here. Yeah.
- 5 Q. So that was on the port side, right?
- 6 A. Port side, yeah.
- 7 Q. Okay. All right. And was any -- so was anything covering
- 8 the other side of the hatch?
- 9 A. No.
- 10 Q. All right. Any problems with stuff going down that hatch?
- 11 A. No.
- 12 Q. Issues with that?
- 13 A. Not at all.
- 14 Q. Okay. Was there any fire watch or anything down below this
- 15 hatch?
- 16 A. No. We did not have a fire watch there.
- 17 Q. Okay. And would that -- presumably that fan from this job
- 18 here was running --
- 19 A. The hatch was actually sitting in place on that part of it.
- 20 It was only propped up on this forward part.
- 21 Q. Only propped up on the forward part?
- 22 A. Yeah.
- 23 Q. Okay. Gotcha. So it's at an angle essentially?
- 24 A. Yes.
- 25 Q. Okay. When you left for the day were the fire blankets on

1 top of this left in place or removed or --

2 A. No, they were removed. They clean everything up when they're  
3 done. Daniel Guzman, he's really proficient with that stuff.  
4 He's -- gets a little anal with his cleaning.

5 Q. And as far as you know, no actual even small fires or  
6 anything had to be put out that day as a result of this --

7 A. No.

8 Q. -- job number 2? Okay. All right.

9 SA HELLER: Anything else on job 2?

10 UNIDENTIFIED SPEAKER: For job 2, you know, we were talking  
11 about the shipyard competent person certificate and the chemist  
12 certificate. What special notes or conditions were there in place  
13 for job number 2? Were there any limitations for the work at all?

14 MR. MORRIS: No, I don't -- just ventilation below.

15 UNIDENTIFIED SPEAKER: That's the only question I have.

16 BY SA HELLER:

17 Q. And I should have asked this earlier. You said this is  
18 approximately accurate. Can you estimate the distance between the  
19 cut and the hatch?

20 A. I'm thinking it's 3, maybe 4 feet.

21 Q. Three or 4 feet. Okay. Any other openings in the area of  
22 this job that you guys were concerned about?

23 A. No.

24 Q. Okay. Were there any -- were any blankets put over any vents  
25 or anything else or was this the only spot?

1 A. Now I know that the dryer vent, because they were putting on  
2 some threads, I believe, for the new thing or new ball check. And  
3 I know when we started with all this with the marine chemist,  
4 because it was first for the fuel tanks that we all got together  
5 and talked about it and agreed that it be used on every tank or  
6 every vent that we put in, place a ball up inside to prevent any  
7 fumes, and the chemist agreed with that. And we decided to use it  
8 on all so nothing could go down any vents.

9 Q. Okay. So at the time of this job those were in place?

10 A. I believe yes.

11 Q. Were you the lead on the pipe stuff or was that someone else?

12 A. No. The ABS was Sam Flores and the pipe work was Margarito  
13 Vasquez.

14 Q. Okay. So essentially -- you gave me more information, but my  
15 basic question was were there any other blankets deployed on the  
16 actual deck to cover any openings other than this hatch, that you  
17 know of?

18 A. No.

19 Q. Okay.

20 BY CWO [REDACTED]

21 Q. Do you -- so there was work being done on that dryer vent at  
22 the same time?

23 A. Yes.

24 Q. Okay. And that's part of job 4. And it's got -- and we've  
25 been, just for the recording, we've been looking at the general

1 arrangement 01, 02, 03 deck plan. And so, that dryer vent is it  
2 right about where it says "See note" on this drawing?

3 A. Yes.

4 Q. Okay. And you said there was a fire watch for that --

5 A. Yes.

6 Q. -- job as well?

7 A. Yeah.

8 Q. Was there any fire watch down that line, because that vent  
9 goes into the dryer space, right?

10 A. Yeah. No.

11 Q. So there was no, there was no --

12 A. No. I don't believe there was. Not to my recollection.  
13 You'd have to speak with Margarito on that, whether he had one  
14 placed in there, but --

15 Q. Okay. And where is that dryer located; do you know?

16 A. I'm not really sure, but I believe it is in dry stores.

17 Q. Okay. All right. And so just -- I got copies of marine  
18 chemist certificates here so you can -- this. But was there --  
19 and you might know right off the top of your head -- was it a  
20 marine chemist certificate for job 2, that deck, or was it a  
21 Trident hot work permit?

22 A. Hot work permit.

23 Q. Okay. All right. Okay.

24 CWO [REDACTED] That's all I got.

25 David, do you have anything?

1 CAPT FLAHERTY: No, I don't. Thanks.

2 BY SA HELLER:

3 Q. All right. So we went in order job 1, job 2. Job 3 on this  
4 diagram is labeled as -- on the vertical side of the pilothouse.

5 A. Yes.

6 Q. Does that seem about --

7 A. Yes, that's --

8 Q. -- about right?

9 A. The location looks correct.

10 Q. And then on here it's drawn as well. We're looking at the  
11 overhead of the 04 deck and the tween deck void.

12 A. And on the port side that was an 8 foot by 18 inch insert  
13 going in, and on the starboard side it was a 6 foot by 18 inch.

14 Q. Okay. So for that job you were cutting out a piece and  
15 replacing it with --

16 A. Yeah. It started with -- there's a watertight hatch here and  
17 a watertight hatch here that goes into the wheelhouse, and the  
18 watertight hatches were compromised. There was holes in the  
19 actual bulkhead. And so we removed them and were going to replace  
20 them.

21 Q. So you're going to put in -- you're going to weld in new  
22 hatches?

23 A. No, just the bottom portion of it.

24 Q. Okay.

25 A. Eighteen inches up from the deck.

- 1 Q. Gotcha.
- 2 A. And we were going to rebuild the bottom portion of the door.
- 3 Q. Okay. Were you the lead on that or was Sammy?
- 4 A. I was.
- 5 Q. Okay. And what stage was -- what was the status of that job
- 6 on Friday?
- 7 A. This side was already tacked into place.
- 8 Q. So the port side -- or, I'm sorry, the starboard --
- 9 A. Yeah, the port side.
- 10 Q. Port side.
- 11 A. And the starboard side was in process of getting that
- 12 (indiscernible).
- 13 Q. Okay. You said in process. They hadn't cut that out yet?
- 14 A. Yes, that was cut out.
- 15 Q. Okay. And this was cut out and they were also welding on it?
- 16 A. That part was cut out and tacked in, because we can't go any
- 17 further than that until ABS comes and inspects it.
- 18 Q. Okay. All right. So on the port side, cut, tacked in,
- 19 waiting. On the starboard side cut out, not welded yet?
- 20 A. Yes. Yeah.
- 21 Q. Okay. Awesome. And then can you describe to me sort of the
- 22 fire watch and safety precautions for this one?
- 23 A. Okay. We -- inside here underneath on the deck is -- they
- 24 had wood, slatted wood to keep things up off the deck because the
- 25 (indiscernible) are getting water in there, and we removed that.

1 And the foam that would've been on the bulkheads, we removed that  
2 back pretty far. I know over on -- well, actually both sides, we  
3 went farther than we needed to just because. We try to do that.  
4 I try to do that. And I had --

5 Q. And was there a fire watch?

6 A. Yeah, it was Gonzalo Rivera was the welder on this side  
7 and -- why can't I remember that kid's name? I don't recall his  
8 name now.

9 Q. Okay.

10 A. And we had -- I can't recall any of the fire watches names  
11 either that were there.

12 Q. That's fine. But as far as their location, they --

13 A. Yeah, they would have been one inside on each side.

14 Q. Gotcha. Okay. Blankets used in there as well?

15 A. Yes.

16 Q. Okay.

17 A. Yeah, because there were still things in -- that we had moved  
18 back to the centerline so we covered them with fire blankets.

19 Q. Okay. Any issues with that job that day, having to put out  
20 fires or --

21 A. None at all.

22 Q. Okay. Do you know what time that work concluded for the day?

23 A. 3:30.

24 Q. 3:30? All right. So the only one that ended earlier than  
25 3:30 was job 1, the bow thruster?



1 A. Yes. And that's because he had an appointment.

2 Q. Gotcha. Okay. All right.

3 SA HELLER: All right. That's all I have on that job. I  
4 have a few other general questions, but if anyone else has  
5 anything on job 3 specifically?

6 BY CWO [REDACTED]

7 Q. So job 3, was there any fire watches below that deck?

8 A. Yes. Yes. There was a fire watch placed below.

9 Q. Okay. And that would be on the 03 deck?

10 A. Yes.

11 Q. All right. And was that in staterooms or --

12 A. Yes. It was -- one was actually in the hallway and the other  
13 one was in a -- I think it's a -- it's a big room, multi-man  
14 stateroom.

15 Q. Okay. And was there any foam overhead in the stateroom?

16 A. Oh, yeah, there was a lot of foam they had to remove in  
17 there, a lot in the hallway and in the stateroom.

18 SA HELLER: Okay. But was there any cutting -- there wasn't  
19 any cutting down into the wood on the deck there?

20 MR. MORRIS: No. No, no.

21 SA HELLER: It was all on the roof.

22 BY CWO [REDACTED]

23 Q. So you made the prep for when you start welding, the heat  
24 transfer?

25 A. And also just for the cutting of the bulkhead. Because it

1 was going all the way to the deck, we had -- we remove it.

2 Q. Okay. All right. And in that space where you were doing --  
3 there's ventilation ducting in there. Do you --

4 A. Yes. We did remove some on the port side that would've been  
5 in the way and created a problem for the worker. You know, it  
6 would've been in his way of completing his job, so we removed it.

7 Q. Sure. Just get some elbow room in there.

8 A. Yeah.

9 Q. Okay. All right. And did you cap that stuff, that --

10 A. Yes.

11 Q. -- ventilation off? How did you --

12 A. Wait. I don't believe we did.

13 Q. Okay. Do you know where that ventilation goes to?

14 A. I do not.

15 Q. Okay. All right. Do you --

16 A. I just know it's ventilation for the house.

17 Q. Okay. And was there a fan motor in that space; do you know?

18 A. I believe there was.

19 Q. Okay.

20 A. But I -- I'm not sure, but I believe so. I believe that  
21 was -- on the port side at least, it would've been right in that  
22 corner, the aft port corner.

23 Q. All right. Do you know if it was running that day or not?

24 A. I don't believe so. I don't recall hearing it running at  
25 all.

1 Q. Okay. All right. And was that a Trident hot work permit or  
2 was that a marine chemist certificate?

3 A. No, that was Trident.

4 Q. Was Trident? Okay.

5 CWO ██████ That's all I have.

6 David, do you have anything for job 3?

7 CAPT FLAHERTY: No, not at this time. Thanks.

8 BY SA HELLER:

9 Q. Okay. I just have a few sort of general questions. When you  
10 guys were working on the boat, all the different workers and such,  
11 was there an area used as a break room or for eating or did you  
12 come off the deck?

13 A. Yeah. Sometimes they eat, they will use the galley.

14 Q. Okay.

15 A. Yeah.

16 Q. Do you know if people were using anything in there to cook or  
17 heat food or coffee pot or --

18 A. I believe they were because we had a little issue with people  
19 not cleaning up after themselves and -- or me and a fire watch  
20 personally went in there and wiped down all the tables, swept the  
21 floor, and wiped all the counters off. And I had told them that,  
22 you know, you need to clean up after yourself or you lose the  
23 privilege of being able to eat in there.

24 Q. Okay. Do you know if they were using any appliances in  
25 there?

1 A. I don't know if it was them or the crew, but when I cleaned  
2 the toaster, there was butter in the bottom of the toaster in the  
3 clean-out pan. So I don't know if it was us or the crew that had  
4 made that mess in there or not. I know they probably used the  
5 microwave maybe.

6 Q. When you said it was in the galley, do you --

7 A. Yeah.

8 Q. -- was it in the galley or was it in the mess with all the  
9 tables and --

10 A. Oh, the mess. There's a counter that runs right here.

11 Q. Okay.

12 A. And there's a microwave in the starboard corner of it.

13 Q. So this is box I put an "M" in, is that about where --

14 A. Yeah, that's the microwave.

15 Q. Where was the toaster?

16 A. The toaster was over here on the --

17 Q. On the counter?

18 A. -- bulkhead on a little counter that's there for it. Yeah.

19 Q. Where I put a "T", that's about right?

20 A. Yeah.

21 Q. Okay. Was there a coffee pot or anything else being used?

22 A. Yeah, there is a coffee pot, but it wasn't functioning. The  
23 crew turns them off when they come in.

24 Q. Okay. Coffee pot --

25 A. I believe it's on -- there's a, whatchacallit, a -- one of

- 1 the counters there.
- 2 Q. Sure.
- 3 A. An island.
- 4 Q. There's a coffee pot somewhere in here, but it was not being  
5 used?
- 6 A. Yeah.
- 7 Q. Was that just like a standard like one you'd see at a  
8 restaurant where you like pour water down --
- 9 A. No, it's a push button one.
- 10 Q. Okay.
- 11 A. Yeah. And they also have a -- there's a coffee pot and a  
12 juice machine up there.
- 13 Q. Okay. So other than the microwave and the toaster, was there  
14 a refrigerator people were using to store anything in there for  
15 your --
- 16 A. There is a -- there's a standard refrigerator over here.
- 17 Q. Okay. That's just like a standard one kind of like you'd  
18 have inside your house or --
- 19 A. No, not an in-house, an industrial one.
- 20 Q. But was it a -- I'm sorry. Was it a door opening one --
- 21 A. Yes.
- 22 Q. -- not a walk-in? Okay. So a reach-in frig there.
- 23 A. Yeah.
- 24 Q. Where I've marked the "R", that's about right?
- 25 A. Yeah.

- 1 Q. I'm not saying it's to scale, but --
- 2 A. And also there was a pod coffee pot. What do they call them?
- 3 Q. A Keurig pot?
- 4 A. Yeah. There was a Keurig coffee pot right here.
- 5 Q. Was that being used; do you know?
- 6 A. It was on. I don't know if it was being used at all.
- 7 Q. Okay. Forgive my spelling of Keurig. That's about right.
- 8 Okay.
- 9 A. I think you spelled it right.
- 10 Q. We'll see. Anything -- and so you said there was issues in
- 11 here, but that was more people not cleaning up and --
- 12 A. It was people not -- yeah, cleanliness, yeah.
- 13 Q. -- leaving their (indiscernible) and stuff? Okay. Any
- 14 heaters or anything added in here to make it warm other than
- 15 what's normally there in the ship's central system?
- 16 A. No. No.
- 17 Q. No. So no space heaters or wall heaters or anything like
- 18 that?
- 19 A. No.
- 20 Q. Okay.
- 21 A. I don't recall if there's a -- I don't recall if there's wall
- 22 heaters in there or not, but --
- 23 Q. Okay. But no -- you didn't add any heaters or anything
- 24 there?
- 25 A. Added, no.

1 Q. Okay. Were any tools -- like, you know, people are hanging  
2 out in here. Any tools being charged, you know, drills,  
3 batteries, anything like that?

4 A. Not to my knowledge, no.

5 Q. Okay. Which kind of leads me into my next thing. So for  
6 your welding equipment and tools and all that, are those run off  
7 of generators; are they run off of shore power? What --

8 A. They're all run off of -- we have a power panel. We call  
9 them our white boxes. And they have 480 and 110.

10 Q. And that's coming in from shore, the shore power?

11 A. Yeah.

12 Q. Okay. At the end of the day, what is the status of that  
13 stuff? Is it disconnected, turned off?

14 A. Machines are turned off. The white box is powered.

15 Q. Okay. And where is the white box on here?

16 A. The white box was on the dock probably somewhere in this area  
17 here. So -- I believe it's still there.

18 Q. Okay. All right. So this is what you're calling the white  
19 box?

20 A. Yeah.

21 Q. And we're on the dock just -- in this diagram, I've drawn it  
22 on the 02 deck portion, but it's relation to the dock.

23 And then the cables would come onto your equipment. So this  
24 would've been powered?

25 A. Yes.

- 1 Q. It'd be still be plugged into equipment --
- 2 A. Yeah.
- 3 Q. -- and they were just turned off?
- 4 A. Yes.
- 5 Q. Okay. Was all of that up on the deck or was any of that down
- 6 into the --
- 7 A. Well, we did have -- I know Luis had a machine down in his
- 8 area on -- by the lav.
- 9 Q. Okay. By the lav. So that's near that bow thruster?
- 10 A. Yeah, by the hatch.
- 11 Q. Okay.
- 12 A. Yeah, there was one there.
- 13 Q. That was a -- when you say machine, that was a --
- 14 A. Power source.
- 15 Q. Power source. For welding?
- 16 A. Yes.
- 17 Q. Okay. So that would've been off but plugged in. And then
- 18 how is -- how do cables get there from --
- 19 A. Okay. The cables came up the stairwell here and went this
- 20 way, and they go through a -- there's a scupper that way that went
- 21 out.
- 22 Q. Okay. So you've indicated on the 01 deck diagram it comes
- 23 from the bow thruster space up the stairs along the hallway past
- 24 the mess. And then what happens with it after that?
- 25 A. Over in this area right here is a scupper, and it would come



1 out through that.

2 Q. You'll have to forgive me. I don't know what a scupper is.

3 A. Oh. Actually it's a flapper on the side of the deck,  
4 releases water, but shuts when the water tries to come in.

5 Q. Okay.

6 A. It doesn't prevent it from coming in, but it does slow it  
7 down.

8 Q. So the power for this is on this dotted line that I'm drawing  
9 here. And then it goes here, and it goes through this --

10 A. Yeah.

11 Q. Where -- does it go -- where is (indiscernible)?

12 A. It goes this way. There's a -- this is a -- wait a minute,  
13 where we at? Nope, you turned too soon.

14 Q. Okay.

15 A. Yeah.

16 Q. Let me X that out.

17 A. Yeah, that was my fault. It's actually back here.

18 Q. Okay.

19 A. And it's --

20 Q. So it comes out the end of this hallway?

21 A. Right over here is the scupper, yeah.

22 Q. And why don't you just draw it? Would you mind drawing the  
23 rest of it because I'm -- I messed it up once. Dotted line here.

24 A. I'm not sure what this is. But it came basically this way  
25 over here and then --

1 Q. Then off the side?

2 A. Yeah.

3 Q. Okay. So this is where the scupper you're talking about  
4 is --

5 A. Yes.

6 Q. -- on the side there? Okay. That makes sense.

7 And then for the job number 2 up on the bow deck, where would  
8 the equipment for that be, the power source?

9 A. Oh, he actually had a machine up there with him.

10 Q. Okay.

11 A. And I believe his power was run -- I believe it went over the  
12 side and down to the dock and over to the power source.

13 Q. Okay. So sort of near where job 2 is. You said the power  
14 source is sort of aft of that.

15 A. No, I --

16 Q. Or if you don't know --

17 A. If I recall, I think he had it close to him. It was  
18 somewhere around the skiff.

19 Q. Okay. And then it would just run off the side of the --

20 A. Yes.

21 Q. -- vessel to the box? Okay.

22 And for job number 3, the pilothouse, aside of that, where  
23 would the equipment be for that?

24 A. Oh, that's usually -- it's actually still there. It would've  
25 been -- they had a power source over here and the same on the

1 other side. It was back towards the gantry.

2 Q. Okay. So when you guys leave, all three of --

3 A. And those ran down these stairs here and followed the rest of  
4 them.

5 Q. Down the stairs and -- okay. So when you leave at the end of  
6 the day, those would be turned off --

7 A. Absolutely.

8 Q. -- and the cables would remain as they were --

9 A. Yes, intact.

10 Q. -- and the box would be still on?

11 A. Yes.

12 Q. Okay. So if you had come up -- if someone came up there, and  
13 I'm not saying they did, but you could turn the machine on by  
14 simply turning the --

15 A. Yes.

16 Q. -- turn the switch? Okay. Okay. That's helpful. Thank  
17 you. And then my last thing is sort of when was the last time you  
18 specifically checked these three jobsites? Did you do that at the  
19 end of the day? How does that work?

20 A. I typically run around 3:30 to 3:45 and go through all areas.  
21 And then I go off and I do my timesheets for the day.

22 Q. Okay. So you walk through the jobsites --

23 A. Yes.

24 Q. -- around 3:30? Okay. That day, anything that when you did  
25 your walkaround seemed unusual, issues, strange?

1 A. Absolutely nothing. Everything was SOP.

2 Q. Okay. And then you're the --

3 CAPT FLAHERTY: Excuse me.

4 BY CAPT FLAHERTY:

5 Q. Sir, when you're walking around is it common for you to see  
6 any smoky haze or -- in the areas where hot work was being done?

7 A. No, it's not common. If there is, there's -- especially on a  
8 final walkthrough, I have a very bright flashlight and I like to  
9 go through the areas and -- because the bright flashlight will --  
10 it'll show, it'll show the flashlight beam. And if there's any of  
11 that, then we try and find out why.

12 Q. Okay. And your walkaround, does that also include spaces  
13 that were not being worked on?

14 A. As I'm walking through the boat I travel to a lot of the  
15 spaces, yeah. Because it's a -- there's shortcuts to get to jobs  
16 that make it easier. Like from the bow, instead of going up  
17 wheelhouse level and then going all the way back down, you can  
18 come to the bow and there's a line room that goes down in the dry  
19 stores where there's a ladder that you get into dry stores and it  
20 comes through there and go to the bow really -- or the bow  
21 thruster room really quickly.

22 Q. Okay. So you -- just to clarify. So on Friday, you went  
23 through the line room and the dry stores on your way to the bow  
24 thruster?

25 A. I did during the day, but I don't recall if that's the route

1 I took at the end of the day.

2 Q. Okay. And what time was your route, sir?

3 A. I typically do it between 3:30 and 3:45.

4 CAPT FLAHERTY: Okay. Thank you.

5 BY SA HELLER:

6 Q. And just to piggyback on that. So you kind of answered it, I  
7 think, but the last time you were in dry stores was sometime that  
8 day?

9 A. Yeah, it was that day.

10 Q. And maybe on the walkthrough, but you're not certain?

11 A. Yeah. It might've been around break time, which is 2 o'clock  
12 or 1400 hours.

13 Q. Is that a space that people are accessing frequently during  
14 these jobs or --

15 A. Not typically, no. But I do know they -- like I said, some  
16 of the crew -- or some of our crew, I should say, do use the  
17 galley. And I know one of the fire watches that helped me clean  
18 has been going down in there because he wasn't happy about having  
19 to clean the galley with me.

20 Q. Making sure people are cleaning up, is that --

21 A. Yeah. Because like I said, some people that do use it,  
22 didn't want to lose it and --

23 Q. Um-hum. Smoking policy on board during work, is there  
24 smoking allowed? Are there specific locations?

25 A. On deck there's a -- there is a smoking area on deck. It's

1 by the incinerator. And they have also on --

2 (Crosstalk)

3 Q. -- incinerator.

4 A. -- I think it's on 02 deck there's a -- there was a bench  
5 there in front and there was a cigarette disposal or a standup  
6 one, so you drop it into a hole.

7 Q. Sure. Where would that be, where would that be on here?  
8 Sorry to keep you putting your glasses on.

9 A. So that would've been -- I believe it was here. There was a  
10 bench here and butt cans here and here.

11 Q. So I'm going to draw little filled-in circles in this area.  
12 In that general area there's a bench and there's --

13 A. Yeah.

14 Q. Okay. And that's aft of the house on --

15 A. Aft of the house, yeah.

16 Q. -- on 2 deck. Okay. And do a lot of employees smoke? Is  
17 that commonly used?

18 A. It's hard to say how many of them do, you know.

19 Q. Sure. Do you specifically recall seeing anyone smoking there  
20 towards the end of the day on the 7th?

21 A. No. I don't recall.

22 Q. Okay. And then my last question for real this time is you're  
23 sort of like the foreman. You're in charge of the crew.

24 A. Yeah.

25 Q. I imagine you're not the like HR person that hires and fires

1 people?

2 A. No, not at all.

3 Q. But as far as you know, any issues with employees? Anyone  
4 that had to be recently disciplined, terminated, within the scope  
5 that you are aware of?

6 A. No, not at all.

7 Q. Okay.

8 A. At least not that was on the boat.

9 Q. Okay. At least that was on the boat. Was there a recent --

10 A. Well, you know, we typically get rid of fire watches for  
11 whatever reason, catch them on the phone or something like that,  
12 you know, or not doing the job they were hired to do.

13 Q. Okay.

14 A. But I don't believe I fired anybody in a couple weeks.

15 Q. Okay. And no person that you did have to let go at any point  
16 that made specific threats to come back or --

17 A. No. No.

18 Q. -- frustrations or anything like that? And then -- and it's  
19 not really necessarily your department, but as far as are you  
20 aware of any threats or protests or issues with --

21 A. Not that I'm aware of, no.

22 Q. Okay. That's all I have. Thank you very much for --

23 A. Absolutely.

24 BY CWO [REDACTED]

25 Q. So just to go into equipment, you were saying that were was

1 some cutting done in the bow thruster that day. What -- and up on  
2 the 03 deck, I believe is what you said for job number 2. What's  
3 the policy for removal of oxyacetylene lines, torches --

4 A. Yes. Anytime there had been a hole or in a room, they're  
5 pulled out.

6 Q. And how far out do they get pulled?

7 A. All the way out to open air.

8 Q. Open air?

9 A. And then at the end of the day the bottles are disconnected  
10 from the dock or wherever the main source is, turned off at the --  
11 if we're using a manifold, which sometimes we don't if we don't  
12 have enough degrees in the cutting torch. But I believe there was  
13 a manifold back on the trawl deck and they shut the lines off at  
14 the manifold, at the torch, and then we remove them at the end of  
15 the day from the main source of the oxyacetylene.

16 Q. Okay. And is the oxyacetylene tanks usually on the vessel or  
17 are they on the shore?

18 A. Normally they're on the shore. But up there we did have --  
19 up on the -- we call it the skiff. We had one sitting up here.

20 Q. Okay. It's on the --

21 A. It was our portables. They were sitting in one of our big 4  
22 by 4 bottle carriers and it was also in a rollable cart that was  
23 strapped to that bottle carrier.

24 Q. Okay. Do you clear those lines that are left on the dock or  
25 do you just --



- 1 A. Oh, yeah.
- 2 Q. -- shut them off, secure the source, and then whatever's  
3 left --
- 4 A. We pull the -- I can't think right now. We pull the valves  
5 off.
- 6 Q. Okay.
- 7 A. The regulators. There we go.
- 8 Q. The regulators? All right. Okay. And then you store those  
9 and then do you put the cap --
- 10 A. Yeah, the caps are put on, yeah.
- 11 Q. Okay. But the lines, the torch lines and that, do you clear  
12 those?
- 13 A. Yes.
- 14 Q. So you shut them off at the source and then clear them?
- 15 A. Yes.
- 16 Q. Okay. All right.
- 17 I got two documents here. You've probably seen these,  
18 hopefully. It's Appendix A, Maintenance --
- 19 A. Oh, yes.
- 20 Q. -- and Repair Hot Work Policy. And then also it's the --  
21 Appendix B, maintenance -- I believe it's for the fire watch  
22 training.
- 23 A. Yeah, I've actually been through that.
- 24 Q. Okay. So you're familiar with both of these?
- 25 A. Yes.

1 Q. And how often do you refer to those documents?

2 A. (No audible response)

3 Q. Okay. So you don't open them back up once you've done the  
4 training?

5 A. No.

6 Q. You never thumb through them? Okay. Do your -- so all the  
7 leads that are on the job and that, do they go through both of  
8 those documents?

9 A. Yes. We've all been through the fire watch training and  
10 we've all had to go through this when they put it into place.

11 Q. Okay. And how is that documented that you guys have received  
12 the training; do you know?

13 A. I'm not sure.

14 Q. Okay. There wasn't something that you signed saying, yeah, I  
15 was here or --

16 A. I believe we signed something from the class, but I don't  
17 remember. But I'm sure we do, because most of our classes we do  
18 have to sign a paper saying that we're there.

19 Q. So like a roster sheet or something?

20 A. Yeah.

21 Q. Okay. All right. And do you know if the fire watches that  
22 are hired, because those are subcontracted --

23 A. Yes.

24 Q. -- is what my belief is, do they -- do you go through that  
25 policy with them or --

1 A. I don't do the fire watch training.

2 Q. Okay. Do you know if they've gone through that fire watch  
3 training?

4 A. Yes. And I know that they won't send them out. And  
5 sometimes they do send out a laborer, but they always inform us  
6 that that person cannot do hot work or fire watch position. They  
7 can only be used for moving stuff or needle grinding or something  
8 like that.

9 Q. Okay. All right. And then last question I have, what is the  
10 policy for -- I mean, do you -- maybe this was asked and answered;  
11 I apologize. How long does a fire watch stay on after hot work is  
12 completed?

13 A. One hour.

14 Q. One hour?

15 A. Yeah.

16 Q. And is that your policy or is that --

17 A. That's a Trident policy.

18 Q. Okay.

19 UNIDENTIFIED SPEAKER: Nothing for me.

20 CWO [REDACTED] That's all I have.

21 David, do you have any other questions?

22 CAPT FLAHERTY: No. Not at this time, no. Thank you.

23 CWO [REDACTED] Okay. No further questions from anybody?

24 UNIDENTIFIED SPEAKER: Unless you have anything you want to  
25 add, I think we're done.

1 CWO [REDACTED] No? Okay. That will secure the interview. The  
2 time is 10:09 local.

3 (Whereupon, the interview was concluded at 10:09 a.m.)  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
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 *KODIAK ENTERPRISE*  
NEAR TACOMA, WASHINGTON  
ON APRIL 10, 2023  
Interview of Tony Morris

ACCIDENT NO.: DCA23FM026

PLACE: Tacoma, Washington

DATE: April 20, 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.

  
\_\_\_\_\_  
Ka  
Transcriber