

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: KYLE DUNCAN, Port Engineer  
Trident Seafoods

Tacoma, Washington

Friday,  
April 14, 2023

APPEARANCES:

CHIEF WARRANT OFFICER [REDACTED], Investigator  
United States Coast Guard

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

LT. COMMANDER [REDACTED], Chief of Investigations  
United States Coast Guard

ELIZABETH STRUNK, Counsel for Trident Seafoods  
Nicoll, Black, and Feig

LARRY ALTENBRUN, Counsel for Trident Seafoods  
Nicoll, Black, and Feig

CAPTAIN DAVID FLAHERTY, Investigator  
National Transportation Safety Board

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I N T E R V I E W

1  
2 CWO [REDACTED]: This is Chief Warrant Officer [REDACTED], a US  
3 Coast Guard marine investigator. Last name is spelled [REDACTED].  
4 We're here at the Trident facility to conduct interviews on the  
5 fire on the *Kodiak Enterprise*. In the room, I also have?

6 MR. HELLER: Special Agent Greg Heller with the Bureau of  
7 Alcohol, Tobacco, Firearms, and Explosive, ATF. My last name is  
8 spelled H-E-L-L-E-R.

9 LCR [REDACTED] Lieutenant Commander [REDACTED], chief of  
10 investigations. Last name is spelled [REDACTED]

11 MS. STRUNK: Elizabeth Strunk with Nicoll, Black, and Feig,  
12 last name spelled S-T-R-U-N-K.

13 MR. ALTENBRUN: Larry Altenbrun with Nicoll, Black, and Feig.  
14 We are the attorneys for Trident Seafoods. Last name is spelled  
15 A-L-T-E-N-B-R-U-N.

16 MR. DUNCAN: Kyle Duncan, port engineer, Trident Seafoods,  
17 last name spelled D-U-N-C-A-N.

18 CWO [REDACTED]: And on the phone, we have?

19 CAPT. FLAHERTY: Davis Flaherty, last name spelled  
20 F-L-A-H-E-R-T-Y. I'm the investigator in charge for the National  
21 Transportation Safety Board.

## INTERVIEW OF KYLE DUNCAN

22  
23 BY CWO [REDACTED]

24 Q. All right. Okay, Kyle, so, you stated that you're a port  
25 engineer. How long have you been a port engineer?

1 A. For this boat in particular -- so, we've only just recently  
2 assigned boats, you know, solely to one port engineer. We, you  
3 know, popped back and forth between them for a while. I think we  
4 were assigned maybe three years ago. I've been involved with this  
5 boat on the second time around for about seven years, but -- I  
6 took a break away from Trident Seafoods, but my initial, my very  
7 first time on the *Kodiak Enterprise* was probably 2001.

8 Q. All right, and so, when did you first start with -- how long  
9 have you been with Trident?

10 A. I started -- my very first job was up in Seattle. 1999 was  
11 when I started. So, from then until now, I've had four years away  
12 at a different company.

13 Q. Okay. And have you always been a port engineer? Is that  
14 where you --

15 A. Yeah. Well, I started as a mechanic early on and moved up,  
16 on up, through working on the boats and in the boats, and  
17 eventually into the office.

18 Q. All right. Okay. So, just to start, here, you provided this  
19 updated version of the general arrangement, outboard profile, with  
20 looks like five jobs. Originally, there was three.

21 A. Correct.

22 Q. Can you just describe the jobs --

23 A. Yeah.

24 Q. -- to us?

25 A. You want all five of them?

1 Q. Yeah.

2 A. Okay.

3 Q. If you would.

4 A. Job number one, all the way down in the bottom of the boat  
5 was a fuel tank bulkhead that was rotted through from the outside  
6 of the fuel tank into, so we were cropping and renewing steel  
7 between the bow thruster space (indiscernible) area into those  
8 tanks. And then, the rotten steel actually extended out further  
9 than we expected and back into the cargo hold area. On the second  
10 page of that packet, you can see the rough length, estimated  
11 length, that shows it goes back into that cargo hold area.

12 Q. Okay. And on Friday, were they actively working on that, do  
13 you recall?

14 A. To my knowledge, yes, they were.

15 Q. Okay. And do you know, were they just cutting and gouging  
16 out steel, or were they welding?

17 A. No, no welding yet. We were still prepping. The job had  
18 more -- further work was identified but was not starting yet. The  
19 deck on that page, too, you know, had we been two days further  
20 into this, I would have had another square there showing the deck  
21 being removed in that floor space. So, we were preparing to go  
22 further. Had to get a bunch of interferences out of the way, so  
23 the workers themselves were at a standstill on that. So, so far,  
24 it was just that bulkhead that we were working on.

25 Q. Okay. And so, just because it's kind of hard to see on this,

1 so that --

2 A. Sorry.

3 Q. -- bulkhead was going into the number two starboard fuel  
4 tank?

5 A. Correct. Yeah.

6 Q. All right. So, that bulkhead separated the fuel tank from  
7 the bow thruster area?

8 A. Correct, and it actually, the bow thruster deck itself was  
9 elevated from the hull of the boat. And so, two starboard and  
10 two port fuel tanks actually meet on centerline underneath that  
11 bow thruster deck, if that makes sense, kind of an L shape.

12 Q. Okay. So, the page that we're looking at is the general  
13 arrangement, double bottom hold, main deck; and on the forward  
14 part of that drawing, it's kind of like a rectangular above the --  
15 so, you're saying that that little rectangular area is raised --

16 A. Correct.

17 Q. -- above that where the fuel meet at centerline?

18 A. Correct.

19 Q. All right. So, that bulkhead that you were cutting out,  
20 that's not the centerline of the fuel tanks, then?

21 A. Correct, yeah. No, it is not.

22 Q. All right. So, does that bulkhead go all the way up and meet  
23 that --

24 A. The next deck.

25 Q. -- deck? Is that what --

1 A. Yeah.

2 Q. Okay.

3 A. Yeah.

4 Q. All right. Okay. So, that's the one they were cropping out;  
5 and then, they were also going to crop out that deck above?

6 A. No, that landing of the deck and the bow thruster space. So,  
7 the top of the L shape down below was rotten, also.

8 Q. Okay. And approximately how big was that section that they  
9 were cropping out that --

10 A. The piece we had cropped out already was, I'd say, roughly  
11 10 feet long. These, you can barely see them, but the little  
12 marks along with the prime numbers, this boat is 24-inch frame  
13 spacing. So, I tried to give a rough estimate based on those  
14 frame spaces.

15 Q. Okay. And so, the fuel was taken out of both of those tanks,  
16 or --

17 A. Right.

18 Q. -- just the starboard tank?

19 A. It's both tanks.

20 Q. Okay. All right. And then, was there -- and forward of it,  
21 it's another --

22 A. Fuel tank.

23 Q. -- fuel tank. Did that have fuel in those?

24 A. Yes.

25 Q. Both of those?



1 A. Yeah.

2 Q. Okay. And they were full-full, or --

3 A. They're not the best full. Total capacity of number ones --

4 I don't have the capacity plan with me. I'm trying to remember

5 which ones. Do you guys have that here?

6 Q. I think --

7 A. I don't remember this --

8 Q. -- C8.

9 A. Okay. Those ones were 14,000 capacity, or --

10 Q. That's -- are those considered the wing tanks?

11 A. No. Probably --

12 Q. No?

13 A. -- number threes are the wing tanks.

14 Q. Okay. So, what was told to me at the beginning was 11 to

15 12,000 gallons --

16 A. In each of the --

17 Q. -- in each --

18 A. -- number ones?

19 Q. -- in each of the number ones.

20 A. Okay. I think we've got tank soundings from April 5, and I

21 think it's different than that number. The capacity, if the --

22 so, the only tanks that had fuel in them are the storage tanks

23 that had fuel. There was a day tank, also. The storage tanks

24 that had fuel was number ones and number threes. One set of them

25 had 14,000 gallons on sound, on the tank conditions report, and

1 the other set is 17,000, I think. So, one of those sets is 17.5  
2 capacity and the other is 14.3 capacity, or something like that,  
3 but I may --

4 Q. Okay.

5 A. -- be off.

6 Q. Well, we can -- yeah, if you could just provide that --

7 A. Yeah.

8 Q. -- to us, the soundings.

9 A. Yep.

10 Q. And then, we can get an idea of that. Okay. So, they were  
11 down there cropping that out, and that was job one?

12 A. Yep.

13 BY LCR [REDACTED]

14 Q. Okay. And with job one, if I can jump in a little bit, was  
15 there ventilation associated with that, like --

16 A. Yeah. The tank top itself is on the next deck up. That  
17 manhole was off. There's a fan in that -- that's the factory  
18 changing room space. And it had that lay-flat plastic hose  
19 running out of the boat from there. And then, once the opening  
20 was open down below, that lets much better air movement.

21 Q. Right. Do you know how that hose ran out of the boat?

22 A. No. The most direct route is -- I know it went up the  
23 stairs.

24 Q. Okay.

25 A. And I don't recall if it turned inboard and went through

1 the -- the most direct route -- if I were laying it, I would have  
2 went up the stairs, went through the galley, into the galley dry  
3 stores, and up the big hatch.

4 Q. Okay.

5 A. I know that that cargo hatch was elevated on 4 x 4s, which is  
6 what we normally do so we can let hoses (indiscernible) and these  
7 ventilation hoses come out.

8 Q. Okay. So, that would be a typical --

9 A. Yeah.

10 Q. -- path?

11 A. Yeah.

12 Q. All right. But specifically for this instant, you're not  
13 sure?

14 A. I'm not 100 percent positive.

15 Q. Totally understand.

16 MR. HELLER: Is that hatch cover showing on there? It's not.

17 MR. DUNCAN: The hatch is the one that he's looking at for  
18 the dry -- no, it's not showing in here. It would be next  
19 (indiscernible). So, it would have run, you know, up -- so, this  
20 stairway here on the 01 level is what drops down into that factory  
21 break room, which is where that tank top is, so those would have  
22 come up the stairs through that door, turn inboard, went into the  
23 galley, and then forward into the dry stores, and out that loading  
24 hatch, which is gone.

25 LCR [REDACTED] Is not there, yeah. Okay. (Indiscernible).

1 CWO [REDACTED]: Greg, I'm going to ask you to try to draw it on  
2 one of these --

3 MR. HELLER: Probably, yeah, yeah. I'll move it around, if  
4 you don't mind.

5 LCR [REDACTED] Just because we're talking to somebody  
6 (indiscernible), we'll like, put your name on this one --

7 MR. HELLER: Okay.

8 LCR [REDACTED] -- what we're doing here. Let's grab one of  
9 these colors there. This hatch that we're talking about, that  
10 you're describing as --

11 MR. DUNCAN: The manhole?

12 LCR [REDACTED] The patch or the --

13 MR. HELLER: The one that was propped up by the --

14 MR. DUNCAN: By the 4 x 4s?

15 MR. HELLER: -- 4 x 4s.

16 MR. DUNCAN: That's here. Yeah.

17 LCR [REDACTED] It was just for the --

18 (Crosstalk)

19 LCR [REDACTED] -- so I'll say what color you --

20 MR. DUNCAN: Yeah.

21 LCR [REDACTED] -- if you can highlight that one.

22 MR. DUNCAN: Okay. With my shaky fingers?

23 LCR [REDACTED] Sure. All right. So, that's going to be orange  
24 on that hatch.

25 BY LCR [REDACTED]

1 Q. And when it was propped up by 4 x 4s, was it on all sides,  
2 or --

3 A. You --

4 Q. -- did you tilt it open, or how was --

5 A. No, it would have been -- I normally don't pay attention to  
6 it, but the standard way of doing it is chunks of 4 x 4 maybe a  
7 couple of feet long, and you can hit two edges by placing them --

8 Q. So, they're --

9 (Crosstalk)

10 A. -- at 45s, at the corners.

11 Q. Okay.

12 A. The four corners.

13 Q. Okay. And about how much space would that --

14 A. It would give you like 3 1/2 inches with the 4 x 4.

15 Q. And is that -- I haven't honestly been out on that boat, but  
16 would that give you direct space, or is there --

17 A. It'd have to go, yeah, it'd have to go around.

18 Q. (Indiscernible)?

19 A. Yeah.

20 Q. Okay.

21 A. Yeah. Hatch has a capture, you know, a gasket inside of --

22 (Crosstalk)

23 A. -- a thing, right, so you've got to -- the 4 x 4 itself would  
24 lift and leave the 3 1/2-inch clear space through that way, but  
25 you have to turn to go down.

1 Q. Okay. And then, the route that you -- and I understand  
2 you're not saying you saw the --

3 A. Yeah.

4 Q. -- certificate in this one, but the route that you described  
5 is one typically used for --

6 A. So, it'd come down --

7 Q. -- leads and stuff?

8 A. I'll square that loading hatch again; and then, it would come  
9 through here, through here.

10 Q. Oh, wow. That's fine. I'll draw to the second line. So,  
11 it'd come down this way, and then downstairs. I got you. Okay.

12 A. Is that good?

13 Q. Yeah, that works. And then, just (indiscernible) scratch out  
14 my screw-up so I'm not later puzzling myself as to what line is.  
15 We put some Xs through the (indiscernible) by the stairs. Okay.  
16 And then, the hatch is right here, these stairs. Okay.

17 A. So, the hose would come down these stairs and would be right  
18 in there.

19 Q. And so, is there an intake hose on the other side, or is it  
20 just a fan that's exhausting through that?

21 A. Just a fan.

22 Q. Yeah.

23 A. Yeah. So, the standard way of ventilation to clear a tank to  
24 try to start getting people into it is to blow air into it.

25 Q. Okay.

1 A. Once we get down in there and begin hot work, then we've got  
2 to -- then, we switch it to exhaust so --

3 Q. Got it.

4 A. -- we can get all the smoke and everything out.

5 Q. (Indiscernible). Okay. That's helpful. And then, the  
6 exhaust, if you were to describe it, is like a lay-flat hose or  
7 whatever --

8 A. Yeah.

9 Q. -- can you talk a little bit about what that's made of and  
10 what it looks like?

11 A. It's plastic. I don't know what actual material it is, but  
12 it's specifically for these fans. It comes in a massive roll and  
13 is sized to the outlet of these ventilation fans, and we just duct  
14 tape it to the outlet side.

15 Q. And are these like a reusable thing, or is it something  
16 that --

17 A. We generally don't.

18 Q. You just --

19 A. We just, yeah, we just throw them away.

20 Q. And it's thin enough that when it's not exhausting, it  
21 just --

22 A. Yeah.

23 Q. -- lays flat?

24 A. Yeah.

25 Q. Okay. Do you know the approximate diameter of that?

- 1 A. I think our fans are 12-inch diameter.
- 2 Q. Okay. So, it's a pretty sizeable --
- 3 A. Yeah.
- 4 Q. -- hose, yeah. And then, at the exit through the hatch, is  
5 there 12 inches of clearance, or do you just kind of --
- 6 A. No, you squeeze it through. It'll squeeze down. Actually,  
7 it helps a little bit to have some back pressure on it --
- 8 Q. Okay.
- 9 A. -- so to keep it inflated up.
- 10 Q. Okay. Have you ever had any issues with that system before,  
11 or --
- 12 A. No.
- 13 Q. -- hose failures, or things like that?
- 14 A. No. They'll get -- I mean, through tight areas or whatever,  
15 I've got tools on me right now, you might snag them every once in  
16 a while, but it doesn't blow. It'll be like get a hole in it once  
17 in a while, you'd throw a piece of duct tape on, or -- but we've  
18 never had issues where it burns or anything like that. You know,  
19 I think the airflow cools things fast enough. And in general,  
20 we're not trying to exhaust hot work. We're just exhausting the  
21 area, you know, of smoke and such.
- 22 Q. And that would be running during the work periods, and not  
23 after they leave, or what's the --
- 24 A. Yeah, at the end of the day, they shut that stuff down.
- 25 Yeah, it's because the atmosphere to the chemist certs associated



1 when we're dealing with a fuel tank. And then the updated SEB  
2 forms are all about maintaining the right, you know, atmosphere  
3 for workers in hot work. So, we've already reached that safe  
4 atmosphere when we've gotten that permit, which means what we're  
5 ventilating, when we're working, it's just that work --

6 Q. Okay.

7 A. -- not a problem in a tank.

8 Q. And my last question about the fan, and we can move on, is  
9 there any sort of filter, or intake filter, or --

10 A. Just a screen.

11 Q. A screen?

12 A. Yeah.

13 Q. Okay. Yeah, to keep our stuff from damaging the fan.

14 A. Okay. Do you have any idea of the like -- are we talking --  
15 the screen?

16 Q. I mean, you could stick a pen into it and hit the fan,  
17 probably, but you're not going to stick your finger in. It's for  
18 personnel.

19 LCR [REDACTED]: For bigger things, yeah. Okay. Cool. Right.  
20 Yeah, thanks.

21 BY CWO [REDACTED]:

22 Q. All right. We'll go on to job two.

23 A. Job two is up on the 03 deck. 01, 2, 3. Yeah, 03 deck.  
24 There was an old bank, a double row of threaded pipe couplings  
25 that were abandoned hydraulic lines that came through the deck,

1 and those threads in those couplings and in those plugs had  
2 started to fail. So, we pulled those out, and we were cutting a  
3 section of those fittings out so that we could put just a solid  
4 plate in to replace those rotten pieces. So, the prep work below  
5 would have been a large amount of foam removal. It would have  
6 taken -- it's in a stateroom and may have gone into a hallway  
7 passageway, also.

8       So, the carpenters would come in, take over, head down.  
9 Then, we'd have laborers who also are fire watches chip the foam  
10 back, get to at least our clearance, which is a foot from the hot  
11 work spot or, you know, hot work location, foot in all directions.  
12 And what I'm told is, they weren't yet done cutting the hole to  
13 the size that we were going to insert. It was a preliminary rough  
14 cut done, and we were yet to make the nice, straight lines in that  
15 area.

16 Q. Okay. So, you just basically torched it, used a  
17 (indiscernible) torch to --

18 A. Correct, yeah.

19 Q. -- crop it out? So, there was a section of metal plate that  
20 had been removed?

21 A. Correct, yeah.

22 Q. It just wasn't finished for the actual --

23 A. Yeah.

24 Q. -- prep to --

25 A. -- in straight cuts --

1 Q. Okay.

2 A. -- radius corners.

3 Q. Sure. So, it was just -- okay. All right. And did you have  
4 any ventilation for that roughing, do you know?

5 A. I don't know for sure. By the book, yes, there should have  
6 been. In the passageway, there should have been another one of  
7 the same fans with (indiscernible) going out the -- just, that one  
8 would have been straight out a passageway out a door.

9 Q. Okay.

10 A. Yeah. So, that hot work would have been like right in this  
11 space. I think it's all in this room, but it may have been in  
12 this passageway, where it just wouldn't have gone straight down  
13 the door out onto the deck.

14 Q. Okay.

15 BY LCR [REDACTED]:

16 Q. Was it only cutting that day? Was there any grinding, or  
17 welding, or anything else?

18 A. I know -- well, I doubt --

19 Q. Okay.

20 A. -- I doubt there was either of those. The grinding would  
21 have been done after the final cuts to bevel the edges. The  
22 welding, there wouldn't have been any reason, I don't think, to  
23 weld. There's times, when they do cut a piece out of a deck like  
24 that, they'll weld a little tab, a flat bar, on the piece that's  
25 to be removed, so when they make the final cut, it doesn't fall.

1 So, depending on what day that piece that was gone was taken out.  
2 If it was Friday, then they may have welded those pads on Friday.  
3 But no insert being put in there.

4 Q. Okay. Was it covered for the night? Did they close it up at  
5 all?

6 A. Not usually.

7 Q. Okay.

8 A. You know. No, even -- if it's -- yeah, not on the deck, for  
9 sure. I think there was a tarp on it

10 Q. Okay.

11 A. -- to try to keep rain out --

12 Q. Right.

13 A. -- over the top of it. Actually, I know there was, now that  
14 I'm thinking about it. It came off of the bow on the skiff, and  
15 it was tied down, I believe, to the combing of the hatch we were  
16 talking about that goes to dry stores.

17 Q. So, it's like angled through, right?

18 A. Yeah.

19 LCR [REDACTED]: Okay.

20 BY CWO [REDACTED]:

21 Q. What's the prep work for that? How far back to you remove?  
22 Because you have the spray foam on the overhead, right?

23 A. Correct, yeah.

24 Q. And then, you have that down the bulkheads, as well?

25 A. The exterior bulkheads would have had it, so I doubt highly

1 that any of these bulkheads would have had foam. And I don't  
2 think any of them were steel, actually, so I don't think there  
3 would have been any spray foam insulation in the bulkheads near  
4 there.

5 Q. Okay.

6 A. Our policy and Tacoma rules are that 1 foot marker, so a foot  
7 away from any hot work. What we do is, if there's a nice, hard  
8 barrier, like a transverse angle in the overhead or whatever, if  
9 that's, you know, 18 inches away, we'll just go to that. It's  
10 safer to cut it back to that. That's generally what we do, is  
11 give is a hard barrier instead of that open -- opening the cells  
12 of the foam up and allowing --

13 Q. Sure.

14 A. -- the possibility of something happening. But at a minimum,  
15 it would have been 1 foot away from the planned insert size. But  
16 if we've got to go further, we chip foam first.

17 Q. Okay. And then, was there any paneling in that stateroom?

18 A. Yeah. You know, like the wall structure and stuff.

19 Q. Yeah. What was --

20 A. Yeah. So, general construction of this boat is plywood, like  
21 some sort of bulkheads. The ceiling panels are usually plywood.  
22 We've been changing. There's an old metal structure that we've  
23 been getting rid of and putting, they call it cab liner. It's  
24 plywood with laminate on either side of it. The walls in that  
25 room probably are not actually plywood. It's some sort of

1 fiberboard from way back when, when the boat was built. I don't  
2 know if there's fire, you know, retardant or whatever properties  
3 to it, resistant properties to it, or not. But without having  
4 looked at it from underneath myself, I have heard that it was  
5 pretty far into that room, so if it would have been straddling the  
6 bulkhead, we would have taken the bulkhead down, too, so that we  
7 can make sure stuff isn't going down the bulkhead into the deck.

8 Q. Okay.

9 A. But I'm -- the information I have is that it was inside the  
10 room quite a ways.

11 Q. Okay. So, none of the bulkheads were taken down to --

12 A. Yeah, I doubt it.

13 Q. Okay. All right. And then, did that have carpet on the  
14 floor?

15 A. (Indiscernible) it was probably sheet vinyl, would be my  
16 guess.

17 Q. Okay. Vinyl flooring, so not a fiber on the --

18 A. (Indiscernible), yeah.

19 Q. Okay.

20 A. Most of the rooms have sheet vinyl. Some of the guys'll  
21 bring a rug in to put in there, but I can't guarantee they would  
22 have rolled that up and put it in the bunk or got it out of the  
23 room.

24 Q. Okay. So, you're talking like a throw rug or --

25 A. Yeah.

- 1 Q. -- area rug, or --
- 2 A. Um-hum.
- 3 Q. -- something like that? Okay. All right. And that one,
- 4 that stateroom would have had a porthole in it, correct? Maybe?
- 5 A. No, I don't think so. Not based on the profile shot --
- 6 Q. Okay.
- 7 A. -- on this.
- 8 Q. All right. I was just going to see if there would have been
- 9 any drape --
- 10 A. Right.
- 11 Q. -- or something like that in there, so -- okay. All right.
- 12 So, you took the foam 12 to 18 inches away. Basically square,
- 13 right?
- 14 A. Yeah.
- 15 Q. Around that?
- 16 A. Yeah, I'd keep it to 12 inches, because I don't know if there
- 17 was a barrier that they went to or not --
- 18 Q. Sure.
- 19 A. -- at 12 inches.
- 20 Q. Okay, 12 inches. And then -- all right. And do you know how
- 21 big that insert --
- 22 A. That would have been --
- 23 Q. -- were to cut out --
- 24 A. I saw the piece they had up there. It was probably going to
- 25 be around, I'd call it 12 by 18 or so.

1 Q. 12 by 18? Okay. All right. All right. Job number three.

2 A. Three is more deteriorated steel. The wheelhouse itself has  
3 a crawl space underneath it I guess 4 feet tall or so. And on  
4 that 04 deck, there's watertight doors into that crawl space from  
5 the 04 deck. Directly below those watertight doors, the steel was  
6 wasted out from the inside out. So, we cut a strip on port and  
7 starboard, so job areas is two locations, port and starboard of  
8 the wheelhouse. I think they cut up about 12 inches, maybe a  
9 little taller. And the length, again, probably 8 to 10 feet or so  
10 along each side. Something like that. And neither of those were  
11 being put back in yet, either. The port side, I believe, was  
12 prepped completely and ready to have a piece put in, and that  
13 welder actually had moved over to the starboard side to help prep  
14 the starboard side and get it ready.

15 Q. Okay. So, on Friday, there would have been no work on the  
16 port side, but the starboard side --

17 A. Yeah.

18 Q. -- there might have been?

19 A. He might have been wrapping up on Friday. He might have  
20 still been working on Friday. I'd say all work was still  
21 happening on both sides.

22 Q. Oh, on both sides?

23 A. Yeah.

24 Q. Okay. And again, same thing. Down below, we had overhead  
25 removed by carpenters. Foam, the foam stopped in that vicinity,



1 because this boat, generally speaking, doesn't have spray foam  
2 underneath in the overhead where there's a house or superstructure  
3 above it, right? But we're working right on that edge, so the  
4 foam did go in past that hot work line by a foot or so. But we  
5 didn't have to, you know -- between those two spots, there wasn't  
6 a lot of foam, so the main concentration of foam was on the  
7 outboard of that crawl spacing edge.

8 Q. Okay. All right.

9 LCR [REDACTED]: (Indiscernible).

10 BY CWO [REDACTED]:

11 Q. All right. All right. Job four.

12 A. So, job four for ABS was, this was a five-year renewal on  
13 this boat. They want to take all the tank vents, the ball  
14 checks -- I don't know if you're familiar. You guys probably are.  
15 But, you know, in case of flooding on the deck, there's a ball  
16 that seats into a seat underneath so you don't down-flood into a  
17 tank. But ABS wants to take those apart and make sure that the  
18 balls are still intact and not dented, the seat's intact. On fuel  
19 tanks, there's a plain screen that goes on there, and they want to  
20 make sure all the hardware's in working order, all that stuff.

21 So, the process is, take all those balls, the ball check, off  
22 of the pipe, take them all apart, have them all in baggies sitting  
23 there. And what was discovered while doing that at this time is  
24 that the threaded portion of those pipes, the threads were failing  
25 on those. And so, you know, you'll see on the chemist certs that

1 this is approved plan, right? But what we do is cut the threads  
2 off of the pipe, of the, quote, unquote, cold cut, which would be  
3 a Sawzall, or portaband, or something, rather than a torch, cut  
4 the threads off at the weld. And then, the chemist comes in and  
5 makes sure everything is good. And what we'll do is throw the  
6 inflatable pipe floats, it's like a balloon, for the tire  
7 (indiscernible) valve, we'll push that up into the pipe and  
8 deflate that, and then weld that prepped piece of threaded pipe to  
9 the end of it. And then, it can all be deflated, and now, you've  
10 got new threads on there. So, you don't have to empty tanks, or  
11 clean tanks, or whatever. You've got a safe little section of  
12 pipe that you can work on.

13 And we did a large number of those. The interesting one is  
14 in that photo that was being looked at before we started here.  
15 There's a white pipe that sticks out of the angled bulkhead  
16 between decks two and three. There's a white pipe that comes out.  
17 That had a ball check on it, too, and it was apparent once we  
18 opened it up that there was dryer lint in that ball, in that ball  
19 check. So, we abandoned -- it was a dryer vent, not a tank vent.  
20 So, we were abandoning that ball check and putting, welding a  
21 flapper system on that for fire damping, right? In case of fire,  
22 they could run up there and close that flapper. The flapper's on  
23 there now. You can see it from the dock.

24 What I'm told is that it was a flap bar that was being welded  
25 to the side of the pipe as the hinge, as the base part of the

1 hinge; and then, it just would have been a bolt, and to another  
2 flat bar, if that makes sense. And I'm also told it's not even  
3 100 percent welded out yet. It was tacked on to be welded out,  
4 but it wasn't welded out yet. I believe that hot work was  
5 happening on Friday, but I can't confirm that. The list of  
6 welders that I have, one of those guys, according to our lead  
7 guys, was assigned to that job, so I'm assuming that hot work was  
8 happening on Friday.

9 Q. Okay. Was that dryer vent cleaned out?

10 A. So, without me being able to, you know, be 100 percent  
11 confident in that, I had heard that, not the electrician that you  
12 guys are about to talk to, but the other ship's electrician, had  
13 cleaned that within the last months or so.

14 Q. Okay. But it wasn't cleaned out prior to that --

15 A. No. I --

16 Q. -- work they did?

17 A. Yeah, I can't tell you if our guys reached their hands up in  
18 there and cleaned it or not.

19 Q. Okay.

20 A. I can't tell you.

21 BY MR. HELLER:

22 Q. With that work, would it have been the same system where  
23 there's an inflatable plug in there?

24 A. I doubt it. I would hope so just for safety's sake, but I  
25 don't know. So, I guess, doubt it, is too strong. I don't

1 know --

2 Q. You don't know?

3 A. -- if they did or not. Yeah.

4 Q. And is that because it's not a fuel --

5 A. Yeah.

6 Q. -- tank? Okay.

7 CWO [REDACTED] Okay? Okay.

8 MR. DUNCAN: Job --

9 CWO [REDACTED] Job.

10 MR. HELLER: I guess I'm --

11 CWO [REDACTED] Oh.

12 MR. HELLER: -- real quick.

13 BY MR. HELLER:

14 Q. So, do you know the -- I mean, that goes to the -- do you  
15 know which dryer it is?

16 A. The -- I'm speculating, but I think, the way -- where it is  
17 on the boat, I believe that goes right to the dryer in the dry  
18 stores.

19 MR. HELLER: Okay. Okay. That's it.

20 CWO [REDACTED] Is that the only vessel that has that  
21 (indiscernible) with it, then?

22 MR. DUNCAN: With what? I'm sorry.

23 CWO [REDACTED] With that vent, the way that that vent it, like --

24 MR. DUNCAN: Yeah, and I would say the fact that there was a  
25 ball check on that means that that originally wasn't a dryer vent.

1 That was some vent for a space, or a tank, or something that was  
2 repurposed, and nobody ever caught that it had a ball with a check  
3 on it, and we just finally did. Most dryer vents, or the laundry  
4 room vents, or galley exhaust vents are going to have some sort of  
5 trunk or (indiscernible) with the flapper that we were putting on.

6 LCR [REDACTED] And just to be clear, I sent around a photograph  
7 that we obtained from the oiler wiper that shows -- he sent it  
8 because he believes it shows some flames coming out of it. In  
9 that photograph that I'm describing, do you see the dryer vent?

10 MR. DUNCAN: Yes. It's the white one sticking out just to  
11 the part at the edge of the ship just forward of the tarp that  
12 confirms that --

13 LCR [REDACTED] And just aft of that other vent, that seems to  
14 be showing a flame coming out of there, right?

15 MR. DUNCAN: Correct, yeah. The other vent has fire, and  
16 this one does not.

17 LCR [REDACTED] Okay.

18 CWO [REDACTED] And since we're talking about that picture, do you  
19 know where that vent --

20 MR. DUNCAN: The big one?

21 CWO [REDACTED] The big, it appears to be gray in the photo --

22 MR. DUNCAN: I think it's a stainless steel pipe.

23 CWO [REDACTED] Stainless steel?

24 MR. DUNCAN: Yeah.

25 CWO [REDACTED] And do you know where that comes out of?

1 MR. DUNCAN: Not positively until I can get back on there.  
2 The -- what's immediately below that is -- that pipe comes out  
3 just off of centerline right next to that mast, and immediately  
4 below that is that line locker, and the hydraulic storage -- or,  
5 not a storage tank, but a hydraulic tank, and a power pack for a  
6 crane. And then, was -- and I don't know what would be below  
7 that. It's probably just ventilating that line locker and the  
8 space with the tank in it.

9 LCR [REDACTED] Most likely, it's the deck locker on the 02  
10 deck, right?

11 MR. DUNCAN: Correct, yeah. Yeah, right there.

12 BY CWO [REDACTED]

13 Q. Okay. And so, that's got a -- so, we're looking at the  
14 01/02/03 deck general arrangement, and so, there's the deck locker  
15 up very forward, and it has an escape scuttle. And then, that  
16 trunk, is that part of that --

17 A. No, that --

18 Q. -- room, or is that different?

19 A. The trunk is the deck hatch from up above.

20 Q. Okay.

21 A. The stainless steel pipe we're looking at is actually between  
22 the escape back on the 02 deck, between the escape scuttle and the  
23 little rectangle that's shown in there.

24 Q. Okay, right at the number 20 on this --

25 A. Yeah.

- 1 Q. -- centerline at frame 20.
- 2 A. Correct.
- 3 Q. That little square right there that encapsulates the two.
- 4 All right. And then, so, this is a deck locker. This storeroom
- 5 behind it, do you know what's usually kept there?
- 6 A. Yeah. There's lots of just ship spares, a lot of electrical
- 7 spares. Of note here is that ship's store previously was an
- 8 antiroll tank, so the bulkhead between the store and the deck
- 9 locker is a steel bulkhead. It was a tank. It was a watertight
- 10 tank.
- 11 Q. Okay. So, that whole storeroom --
- 12 A. At least three sides of it, the aft bulkhead, forward
- 13 bulkhead, and the starboard bulkhead would be steel.
- 14 Q. Okay.
- 15 A. The inboard bulkhead was cut at some point, and this hallway
- 16 extended through it. And so, the bulkhead with the door on it is
- 17 a joiner bulkhead.
- 18 Q. Okay. And then, above that, would that still have the steel
- 19 tank top to that antiroll, do you think?
- 20 A. No, I -- it would share the deck with it, probably.
- 21 Q. Oh, just share the deck. Okay.
- 22 A. Yeah.
- 23 Q. So, it's just straight back.
- 24 A. Yeah.
- 25 Q. Okay. So, that would have a metal --

- 1 A. Correct, yes.
- 2 Q. -- top to it.
- 3 A. Yeah, yeah.
- 4 Q. Okay.
- 5 A. Yeah.
- 6 Q. All right. And then, so, on the 03 deck here, that square
- 7 section on the centerline at the same part at frame 20, that's the
- 8 same --
- 9 A. It's --
- 10 Q. -- square that's 02 deck?
- 11 A. Well, it's a different shape, as you can see.
- 12 Q. Yeah. It's a little different.
- 13 A. And so, I don't -- I'm not certain that this -- the rectangle
- 14 shown on the 03 deck is the master that you can see on the first
- 15 page of this drawing set --
- 16 Q. Okay.
- 17 A. -- which ends there. That doesn't extend through.
- 18 Q. So, we're saying this square on the 03 deck is where that
- 19 mast is shown --
- 20 A. Correct.
- 21 Q. -- on the general arrangement, outboard --
- 22 A. Yeah.
- 23 Q. -- profile drawing?
- 24 A. Right. And that --
- 25 Q. Okay.



1 A. So, that shape stops there. When you look at the ship  
2 itself, you'll see, out the back of this mast if the bow thruster  
3 exhaust pipe.

4 Q. Okay.

5 A. So, this trunk here is -- at a minimum, it's got the bow  
6 thruster exhaust coming through it. It's quite possible that  
7 that, talking this through right now, that that stainless pipe is  
8 air intake into the bow thruster space for combustion air for the  
9 engine.

10 Q. Okay.

11 A. But I don't know that for sure.

12 Q. So, when we look at the 01 deck right here at frame 20,  
13 between the freezer and the chiller --

14 A. Chiller, yeah.

15 Q. -- it says, bow - BT exhaust trunk.

16 A. Yeah.

17 Q. And it looks like it's the same --

18 A. Correct.

19 Q. -- shape --

20 A. Yeah.

21 Q. -- correct?

22 A. Yep.

23 Q. Now, was there any work being done to that exhaust trunk that  
24 you know of?

25 A. No.

1 Q. Okay. And have you ever -- so, that's a straight penetration  
2 from those decks all the way? There's no, you know, where it's  
3 bolted together or anything like that, do you know?

4 A. No, it --

5 Q. Where it separates?

6 A. It's probably open, yeah, in the opening -- or, in the bow  
7 thruster space below, there's likely a pipe with an opening around  
8 it. But, I mean, if --

9 Q. And it's just a straight trunk all the way up?

10 A. I would guess, (indiscernible). Let's see if they all line  
11 up. So, that trunk is at frame 20 to 21, and the bow thruster  
12 engine is -- I mean, 20 to 21 would make a lot of -- it's showing  
13 the same square all the way down in the bow thruster compartment,  
14 so probably a straight shot. It barely shows up on there, but  
15 right around 20.

16 Q. Oh, yeah. Okay. Yep, it shows, bow thruster, yep. Okay.  
17 And then, is there any -- on that engine itself, the bow thruster,  
18 is there any fuel tanks attached to that?

19 A. There's a fuel tank up there. I don't know how big it is.  
20 400 gallons, I think, something like that.

21 Q. That is strictly for the bow thruster?

22 A. Correct, yeah, bow thruster day tank.

23 Q. Okay. And that's got -- so, that bow thruster, is that a  
24 pivot where it swings --

25 A. No.

- 1 Q. -- up and down, or it --
- 2 A. No, it's got a tunnel, a fixed tunnel --
- 3 Q. Okay.
- 4 A. -- from the input shaft from the --
- 5 Q. So, fixed tunnel from port to starboard?
- 6 A. Yep.
- 7 Q. All right. And then, that bow thruster, that engine, just
- 8 that engine is there? That's it?
- 9 A. Yeah. Yeah --
- 10 Q. Okay.
- 11 A. -- it --
- 12 Q. And then, that fuel tank, is that on the fore part of the
- 13 engine, side, aft?
- 14 A. Well, it'd be mounted in the space. It's not mounted on the
- 15 engine.
- 16 Q. Okay.
- 17 A. And I don't know -- it's just -- the 400-gallon tank is just
- 18 me running on the chief. You know, I believe it's about a
- 19 400-gallon tank in that space somewhere.
- 20 Q. Okay.
- 21 A. I've never transferred fuel to it. I don't know.
- 22 Q. Okay. Fair enough, fair enough.
- 23 BY LCR [REDACTED]
- 24 Q. Just so I'm clear, what is your belief as to where this
- 25 particular stainless steel exhaust that's shooting --

1 A. On fire?

2 Q. -- out the flames --

3 A. Correct.

4 Q. Where do you believe that that goes?

5 A. It's really hard to say without going on. I think, most  
6 likely, my feeling is it's probably that line locker, directly  
7 below it. It's possible it goes further, but I don't --

8 Q. And so, where do you believe that the bow thruster exhaust  
9 comes out?

10 A. Bow thruster exhaust comes out -- in that same picture, if  
11 you look at the -- where did I -- I think it's not this -- might  
12 have been somebody else's picture. But up towards the top of the  
13 triangular mast, the white triangular mast with a pipe off the top  
14 of it, before that pipe starts, I think you might be able to see,  
15 I don't know if that's smoke or the exhaust pipe coming out, but  
16 it'll come right out the back of that mast.

17 BY CWO [REDACTED]

18 Q. So, at the back of the mast, so on this picture, at that  
19 stainless steel pipe that we're talking about --

20 A. Yeah.

21 Q. -- there appears to be a small pipe pointing a little  
22 forwards just below it. Is that what you're talking about?

23 A. No, no. It would be --

24 Q. Okay.

25 A. That's, I think that's a deck leg.

- 1 Q. Oh, is that a deck leg?
- 2 A. I think so.
- 3 Q. Okay.
- 4 A. Yeah, I think the -- well, I know the exhaust comes out the  
5 back of that, the aft edge of that triangular mast.
- 6 Q. Do, you're talking like a straight pipe as a --
- 7 A. Yeah.
- 8 Q. -- like a regular engine stack --
- 9 A. Yeah.
- 10 Q. -- type --
- 11 A. Exactly. It'd come up --
- 12 Q. Right.
- 13 A. -- and bend maybe a 45, and come out and have --
- 14 Q. Okay.
- 15 A. -- a snapped edge on it.
- 16 Q. How similar is the arrangement on the *Island Enterprise*?
- 17 A. I think it's one they --
- 18 Q. Because it looks like --
- 19 A. Well, the *Island*, the mast itself is a similar type thing.  
20 The *Island* doesn't -- the *Island* has an electric motor as its --
- 21 Q. Okay.
- 22 A. -- bow thruster --
- 23 Q. Fine.
- 24 A. -- but --
- 25 Q. Okay. Okay. Okay. So, that was four. So, job five.

1 A. Job five is a quite benign one as we're talking about this.  
2 What it is, is there's a stack boiler in the port side exhaust  
3 trunk, and there's a blowdown valve to empty that pipe -- or, that  
4 boiler, comes out of that space into the refrigeration space and  
5 kind of overboard. And there's a bad chunk of pipe there. So, in  
6 that refrigeration space, they'd begun to cut out a section of  
7 rotten pipe and weld it back together.

8 Q. Okay. And that was an active job on Friday?

9 A. Yeah.

10 Q. All right.

11 LCR [REDACTED]: Nothing specifically, no.

12 CWO [REDACTED] Okay.

13 BY CWO [REDACTED]

14 Q. So, as the port engineer, do you go and check the setup for  
15 the fire watches, welders? Do they have the proper, you know,  
16 hoses, extinguishers?

17 A. Safety is everybody's job, right? But, so, as a part of my  
18 job description, in my day-to-day activities, no. I mean, if I'm  
19 there and I see something not happening correctly, then  
20 absolutely, it's my job to make sure something changes.

21 Q. Okay. And whose job is it to specifically check the setup  
22 each day?

23 A. So, each -- the lead man is the one there daily, so the SCP  
24 will come in in the morning, check all tanks, any hot work  
25 locations. Anywhere that hot work is going on, they go and

1 document their inspection at that site. The welders and the lead  
2 men know to not start -- or, if they don't see that that place is  
3 signed off on, then they're not just to begin like work.

4 Q. Okay. And just for everybody, too, SCP stands for?

5 A. Shipyard competent person.

6 Q. Okay. Thank you. So, it's their job to go every day to  
7 check the --

8 A. Right.

9 Q. -- spaces --

10 A. Yeah. The morning is the most important. All right, the  
11 boat's been there overnight. Tugs going by or whatever, the boat  
12 moves a little bit, so fuel may come back into a tank or something  
13 might fall, you know, into an area that makes something dangerous,  
14 you know, or for potential issues, you know.

15 Q. Okay. And so, do you -- when the marine chemist first comes  
16 on board, do you interface with them?

17 A. Almost always. If not, I'll direct them to the lead man that  
18 I know will be involved with that job so they can interact and  
19 know the restrictions or make sure there's no issues and the  
20 chemist understands the whole job. The chemist call originates  
21 with me. You know, I'll do -- usually, I just get one for the  
22 engine room every time. All right, boat comes in, we wash the  
23 engine room. I call and get a chemist down. If I know there's  
24 tank work, like in this case, I knew there was fuel tank work, so  
25 we go about and further get the tanks washed and everything and

1 try to bring the chemist in then.

2       And then, this time in particular, on this boat, with the  
3 ABS-wide. So, an SCP can provide a safer entry into a fuel tank.  
4 We aren't -- an SCP isn't allowed to okay caulk work in those  
5 tanks. However, ABS requires a chemist cert for entry. They  
6 don't want to trust it with SCP, which is fine. So, I've had --  
7 there's a lot of chemist certs on this boat for entry; and then,  
8 we upgraded one for this fuel tank to hot work, and wanted --  
9 yeah. And then, the space that are fuel tanks or machinery  
10 spaces, like the engine room, the SCP will do that. I forget what  
11 you were asking. Did I answer the question?

12 Q. You did, yes.

13 A. Okay.

14 Q. Yeah, yeah. So, every time a marine chemist is called in,  
15 it's you or the SCP that are interfacing?

16 A. Yeah, and I try to keep the lead man there, also, so if  
17 there's any kind of -- if I miss something, some detail of what  
18 they want to try to do, then they can detail that out. Yeah, just  
19 try to keep everybody involved. The SCP isn't necessarily always  
20 there with the chemist looking at it a lot of times, because what  
21 they need to do -- you know, the chemist cert will spell out the  
22 work that we're doing, if it's -- say the entire engine room isn't  
23 safe for work, but we're okay to do this pipe job that we want to  
24 do in this upper, in this one corner, then they'll write that on  
25 that cert.



1           So, we're all -- the people that are doing the work need to  
2 be there with the chemist to show them the detail of the work, and  
3 they can decide whether we get the whole space, that space, or  
4 whatever. That cert will have all that written on there, so the  
5 SCP can take that cert, and walk right down to that spot, and  
6 verify that this is the same. You know, this is okay.

7 Q.   Okay. And then, so, with the marine chemist, say you guys  
8 pulled in on March 24th, I think, around that date --

9 A.   Somewhere.

10 Q.   -- approximately. So, if a marine chemist came out that day  
11 and did your approval --

12 A.   Yeah.

13 Q.   -- and put the safe for hot work permit up there, do they  
14 come out every day to verify?

15 A.   The chemist?

16 Q.   The chemist?

17 A.   Negative, no. Once a chemist cert is issued, then the  
18 shipyard competent person can keep that up, and that's what I'm  
19 referring to. Then, once we got that certification from the  
20 chemist that these are the conditions of the space, this is the  
21 hot work planned. Then, from there, then the chemist just needs  
22 to make sure daily that nothing has changed in that area, and as  
23 long as nothing has changed, then they can continue that hot work  
24 permit, you know, day, to day, to day.

25 Q.   Okay. So, part of the SCP is doing air monitoring?

1 A. Yeah, they'll carry a four gas meter with them and verify,  
2 yeah, verify atmosphere and whatever combustibles may be in the  
3 area or shouldn't be in the area, make sure nothing's showing back  
4 up.

5 Q. Okay. And how often do they take readings?

6 A. The -- well, the SCP, at a minimum, once a day in the  
7 mornings. They'll also just make rounds throughout the day, and  
8 they have their four gas meter on all the time. So, while they  
9 may not be walking to that space, and looking at their meter, and  
10 writing it down, that would alarm is there's something going on.

11 Q. Okay. And do they log that somewhere?

12 A. There's a sheet, an SCP sheet, that is posted at each job  
13 site, but they're probably all burned up now. But yeah,  
14 there's -- we have records of the chemist cert; and then, there's  
15 the at-the-site sheet that gets filled out with the atmosphere  
16 conditions, and safer hour, safer entry, that sort of thing.

17 Q. Okay. So, they're at each job site?

18 A. Yeah.

19 Q. Okay.

20 A. Yeah.

21 Q. So, in all those five job sites, there would be a marine  
22 chemist cert; and then, also, you would have the daily recordings  
23 of the atmosphere?

24 A. Yeah, yeah, yeah. And the chemist cert, when the chemist  
25 leaves, we get two copies, maybe even three copies, but two

1 copies, minimum, of their cert. Depending on who's with them --  
2 if I'm with them, I sign it off, and take it up, and I'll hand it  
3 to Theresa (ph.) now, our SCP. And then, one will get posted.  
4 We've got reader boards at the bottom of the gangway, so usually,  
5 one of those gets posted there. And then, the idea of the SCP  
6 form -- so, the chemist cert doesn't necessarily get put at the  
7 job site. We'll --

8 Q. Okay.

9 A. -- sometimes place one at the door to the engine room if the  
10 engine room is safe. But the idea of those handwritten SCP forms  
11 is, you can put that right by the tank lid so they can see right  
12 there that it's safe to go in; or if something changed, they can  
13 write, not safe, don't go in there. So, it's right there instead  
14 of having to go back out to the dock and look at a reader board,  
15 remember where you're going.

16 CWO ██████ Okay. All right.

17 BY LCR ██████

18 Q. You brought up about the lead man. Can you just clarify what  
19 the role of the lead man is?

20 A. So, they're kind of my go-to person on the boat. I get in  
21 the office a lot with my requirements, so if something -- they're  
22 the ones that call me if something comes up; or they spot more  
23 work that needs to be done; or call me, we're finishing up, I need  
24 some more work. And, you know, we'll go out and look at the  
25 worklist, and figure out what job is going to be next, and we

1 start gearing up for.

2       They're in charge of making sure the right guy, the right  
3 type of welder, is on each job, and they've got an understanding  
4 for -- I would say in general, the SCP isn't having to tell them  
5 how many fire watches to post, right? The lead men know that.  
6 And if changes are realized, then an SCP can make those changes,  
7 but in general, the lead man is able to do all that, and  
8 everything is being done right. So, they're kind of the --  
9 they're running the personnel. The welders and fire watches are  
10 all reporting to him.

11       And we've got multiple, so there is two -- as title goes,  
12 there's two lead men on this boat: Tony, who's the -- Tony Morris  
13 is the, they call it steel work guy, the structural or whatever  
14 you want to call it. Brimo (ph.) is Barbarito Vasquez (ph.). He  
15 is the pipe lead man, so he's got a crew that just goes through  
16 all the boats. Tony's assigned to the *Kodiak*. Brimo is assigned  
17 to pipe work on whichever boat.

18 Q.   Okay. And you mentioned that they know how many fire watches  
19 to assign. Is there any guidance or anything? How do they know  
20 the appropriate amount of fire watches on any given day?

21 A.   It's all based on location and spaces around. So, if, you  
22 know, you're working on a deck insert that spans two spaces below,  
23 then you're going to need a fire watch on top and you're going to  
24 need a guy in each space below, person in each space below, to  
25 know that there's nothing going on in any of those spaces. And

1 then, also, just proximity to another one, even if the hole  
2 doesn't cut into the next, the adjacent space, you've got to have  
3 a person in that adjacent space, also. And then, some of that can  
4 be minimized. If there's a doorway right there between the  
5 two spaces below, a single fire watch can be there seeing both  
6 sides. So, it's entirely case by case, but, I mean, obvious is a  
7 hard term, but usually, quite obvious (indiscernible).

8 LCR [REDACTED] Okay. Thank you.

9 BY MR. HELLER:

10 Q. I've got some questions specifically about the mess deck and  
11 galley area.

12 A. Okay.

13 Q. Do you mind if I come over --

14 A. Yeah.

15 Q. -- there, and we can look at that?

16 (Crosstalk)

17 A. -- just grab a place.

18 (Crosstalk)

19 A. -- only drew on the floor. I think it's this one. Yep.

20 Q. Okay, cool. So, we're talking here, the mess deck, the  
21 galley, the dry stores area, yeah. We're on the 01 deck. So,  
22 this wall here, there's a door there that goes from the galley to  
23 the --

24 A. Dry stores.

25 Q. -- dry stores area. What kind of door is that; do you know?

- 1 Is that a watertight door?
- 2 A. It's not a watertight door. It's a standard square-corner  
3 door. I don't believe it has any dogs on it.
- 4 Q. Okay. So, you've got a metal --
- 5 A. I think it's metal.
- 6 Q. Okay.
- 7 A. Yeah.
- 8 Q. All right, sweet. And then, this wall, is this like a  
9 structural waterproof wall, or is there other, you know, pass-  
10 throughs, pipes, things like that between --
- 11 A. There's most definitely pass-throughs, and pipes, and stuff  
12 in the overhead, yeah.
- 13 Q. When you say, this wall, you're describing the --
- 14 A. Yeah. I'm sorry. Yeah. The galley and the dry stores,  
15 yeah. Yeah.
- 16 Q. And you said, in the overhead. What about lower in the  
17 space --
- 18 A. I doubt there's stuff -- there's just big penetrations  
19 through low. I would speculate that it's all, it would be wiring,  
20 and piping, and --
- 21 Q. Okay.
- 22 A. -- stuff in the lower.
- 23 Q. And would that be pipes that are like welded to the space, or  
24 they're like open near gaps, or do you have any idea?
- 25 A. Usually, it's not welded to the space.

1 Q. Okay.

2 A. So, there's be some sort of either a collar, right? There'll  
3 be the hole oversize for the pipe to go through, and then a collar  
4 welded around to keep that structure of the bulkhead. Or, if it's  
5 designed to be a watertight bulkhead, then there would be some  
6 sort of mechanical sealing --

7 Q. Got it.

8 A. -- between the pipe --

9 Q. But this is --

10 A. -- and the collar.

11 Q. -- this is not designed to be a watertight bulkhead?

12 A. Not without a watertight --

13 Q. Sure, sure.

14 A. -- door on that, yeah.

15 Q. Okay. All right. You talked about the overhead already. We  
16 walked through the other vessel.

17 A. Yeah.

18 Q. What would the overhead be made of in that area?

19 A. In this one --

20 Q. In the dry stores.

21 A. -- in the dry stores itself is standard foam on the -- over  
22 in the steel part of the overhead, and, yeah, I mean, 2 x 4  
23 framing for plywood hanging on it.

24 Q. And then, is it -- like, here, we have like a drop-down  
25 ceiling with piles. Would it be wood, or --

1 A. It's wood, but it's no drop. It's not designed -- it's  
2 screws holding it all together.

3 Q. Okay, yeah. Great. And then, just from the actual metal  
4 deck to what would now be the ceiling --

5 A. Correct.

6 Q. -- what kind of space are you talking?

7 A. 12 inches, 14 inches.

8 Q. Okay. Okay. And then, would that be similar in the galley  
9 with the overhead?

10 A. Overhead in the galley is a drop ceiling, hanging ceiling,  
11 with these 2 x 4 panels in them.

12 Q. Okay.

13 A. Those panels are, they're not the acoustic tile panels. It's  
14 a drop ceiling structure, but I believe it's got like 1/2-inch  
15 plywood.

16 Q. Okay. And the actual space in there --

17 A. The space in there --

18 Q. -- is similar?

19 A. -- it's bigger. I'm guessing, you know, a foot and a half to  
20 2 feet.

21 Q. Okay. Great. What about the lighting overhead or otherwise  
22 in the dry stores area?

23 A. I'm not 100 percent.

24 Q. Yeah.

25 A. It's most likely surface-mounted fluorescent type fixtures --



- 1 Q. Okay.
- 2 A. -- possibly with LED conversions in them, but --
- 3 Q. Okay.
- 4 A. -- but I don't (indiscernible).
- 5 Q. Is there -- would it be comparable to what's in the other  
6 vessels when we walk through there?
- 7 A. Not necessarily.
- 8 Q. Okay, yeah. Is there some diagram or record of what kind of  
9 lights those would be, like a wiring thing or --
- 10 A. Not any kind of drawings or anything. A lot of the lighting  
11 will just get -- the ship's crew will work on upgrading lighting  
12 in the cargo hold, or factory, or wherever. You know, if the  
13 electrician you're going to talk to has been involved with these  
14 lights, he'll be able to tell you.
- 15 Q. (Indiscernible)? Okay.
- 16 A. Yeah.
- 17 Q. Usually, that's a question with a fire --
- 18 A. Yeah.
- 19 (Crosstalk)
- 20 A. Sure.
- 21 Q. -- you know, so maybe the electrician would be the person  
22 to --
- 23 A. He would be --
- 24 Q. -- observe.
- 25 A. -- a better bet than me, yeah.

- 1 Q. Okay. Understood. Would this -- and if you're not the right  
2 person for this question, that's fine, but as far as the lighting  
3 in there, I'm assuming it would have been overall energized. I  
4 don't know if the switch was on or not, but --
- 5 A. Yeah.
- 6 Q. -- when it worked --
- 7 A. It does.
- 8 Q. -- you'd be able to use these lights --
- 9 A. Correct.
- 10 Q. -- I assume? Okay.
- 11 A. Yep.
- 12 Q. Same thing with the galley, correct. The freezer and chiller  
13 here, do you know if those were energized in port?
- 14 A. The lights or the --
- 15 Q. For the entries or lights.
- 16 A. -- freezers themselves?
- 17 Q. The (indiscernible).
- 18 A. The freezer compressor, I'm told, is not, and it was empty.  
19 The chiller, the after section, I'm told, had a little bit of  
20 stuff in it, and that compressor was --
- 21 Q. Was energized?
- 22 A. -- was running, yeah.
- 23 Q. And when you say this was not, was it --
- 24 A. There's -- sorry.
- 25 Q. -- was it turned off here, or turned off somewhere else, or

- 1 do you know?
- 2 A. It would have been just turned off at that --
- 3 Q. Okay.
- 4 A. Well, it may have been a breaker. They may have opened a  
5 breaker to that device entirely. I'm not sure where that breaker  
6 is.
- 7 Q. But it would not have been energized, and this one would have  
8 been?
- 9 A. Right.
- 10 Q. And is there lighting inside of those?
- 11 A. Yeah.
- 12 Q. Do you have any idea what the lighting is in --
- 13 A. I think it's just incandescent.
- 14 Q. Okay. Overhead?
- 15 A. Um-hum.
- 16 Q. Is there any lighting in here that's not overhead that you  
17 know of?
- 18 A. No, I don't think so.
- 19 Q. Like walls or anything? Okay. And then, this chips store  
20 spot here --
- 21 A. Yeah.
- 22 Q. -- what -- I don't --
- 23 A. That shading is --
- 24 Q. Because they were --
- 25 A. -- a little off.

1 Q. -- threatening to --

2 A. It kind of shows that it stops on the forward. It's since  
3 been extended.

4 Q. More forward?

5 A. Yeah, I think it goes all the way to the bow. So, that  
6 dotted line, that centerline, is actually the bulkhead of the  
7 ship's store.

8 Q. Okay.

9 A. What it is, is the C store (ph.), so, you know, sweats,  
10 clothes, deodorant --

11 Q. I got it.

12 A. -- toiletries.

13 Q. So, like clothing and --

14 A. Yeah, things that the crew wants to purchase. They don't  
15 actually go up there. They put an order in with the -- I believe,  
16 the medic runs the store. And then, the medic just goes and gets  
17 it.

18 Q. Do you have it locked up?

19 A. Yeah.

20 Q. Can't go in there, huh? Okay.

21 CWO [REDACTED] And that ship store, just to be clear, would that  
22 have lighters, cigarettes, stuff like that --

23 MR. DUNCAN: Yes.

24 CWO [REDACTED] -- as well?

25 MR. DUNCAN: Yeah.

1 BY MR. HELLER:

2 Q. As far as -- and we talked about the major jobs here. As far  
3 as in the galley, or the mess, or the dry stores, are there other  
4 like punch list type issues? Like, let's say something smaller,  
5 like, I don't know, this stove doesn't work, or this whatever,  
6 there's an issue with this receptacle, or something like that, are  
7 you aware of any fixes or ongoing issues in --

8 A. They wanted --

9 Q. -- these areas?

10 A. They were asking for service on a lot of stuff, not because  
11 of any problems, just service. The one --

12 Q. Would you say just like routine services?

13 A. Yeah. Yeah, beverage machines, juice machines, that sort of  
14 thing. The (indiscernible) dish sanitizer, they were having some  
15 sort of issue-ish (ph.) with -- Hobart is the brand of that. I  
16 don't recall exactly. I don't have the (indiscernible) with me.  
17 I'm not sure if it declares what the actual problem was or not.  
18 But it was something -- I don't think it says what the problem  
19 was. But Hobart had been down and looked at it, I believe, with  
20 the chief engineer was accompanying him.

21 Q. Okay. Is that like (indiscernible) type deal?

22 A. Yeah, yeah. I can share these with whoever, too.

23 Q. That'll be helpful. But no major like, hey, you know, we  
24 have a failure --

25 A. No.

1 Q. -- or anything like that when they're out on --

2 A. No, no, --

3 (Crosstalk)

4 A. Everything was functional. It was just trying to fix stuff  
5 up.

6 Q. Okay.

7 LCR [REDACTED] (Indiscernible) pass that punch list around and  
8 let me take a quick look at it, if there are any specific --

9 MR. DUNCAN: So, what --

10 LCR [REDACTED] -- questions about it.

11 MR. DUNCAN: -- what I've done -- Jonathan (ph.), NTSB, was  
12 asking for jobs within the last three days, and then jobs that  
13 were known the day off.

14 LCR [REDACTED] Okay.

15 MR. DUNCAN: So, blue highlights are within the last few  
16 days. Yellow ones were known. Actually, that's where that --  
17 service dishwasher. That was a few days prior to the door there,  
18 the incident. And then, the yellow ones are day of. And a lot of  
19 it is stuff well away from what's going, but --

20 BY CWO [REDACTED]

21 Q. Who's responsible for developing the worklist items?

22 A. So, the boat will --

23 Q. There's one more.

24 A. The boat will generate them just kind of throughout the  
25 season of fishing. We, as an office group, generally don't see

1 them until they're on their steam back down from Dutch Harbor.

2 Q. Okay.

3 A. And then, it's a baseline of work. The crew has their normal  
4 oil changes and things like that they're doing, or stateroom  
5 cleaning, or just things that they want to do. These lists are  
6 more what they want us to do or what they want me to organize  
7 vendors to do. And then, it's also the things that they're  
8 thinking about and know about, so it grows as we discover --

9 Q. Yep.

10 A. -- more issues.

11 Q. So, there's not a separate like shoreside list for you to  
12 arrange and kind of do all the logistics on the shore side versus  
13 on vessel, maybe internal worklist?

14 A. I mean, sort of. That crew list is -- you know, they just  
15 run with their stuff. Some of their stuff is definitely on here  
16 because they think there might be some assistance needed.

17 Q. Okay.

18 A. Yeah.

19 BY LCR [REDACTED]

20 Q. So, we talked about the overhead, we talked about the  
21 lighting. The flooring in these spaces, what sort of flooring  
22 (indiscernible)?

23 MR. HELLER: Excuse me.

24 MR. DUNCAN: Dry stores is just painted steel.

25 BY LCR [REDACTED]

1 Q. Okay.

2 A. The mess deck and the galley area are all what I call  
3 terrazzo, just like a quartz flooring --

4 Q. Okay.

5 A. -- or hard-surface flooring. And then, I don't know, in the  
6 mess deck. The galley, quite often, has anti-fatigue mats.

7 Q. Okay. And then, in as far as contents, you very nicely  
8 walked us through the other, the *Island Enterprise*, and it looked  
9 like the shelving in there was like painted wood --

10 A. Yeah.

11 Q. -- with, you know, plywood, and cardboard boxes, and wooden  
12 boxes, and things like that. Is that consistent with --

13 A. Yeah, that was --

14 Q. -- what was in there?

15 A. -- that was the state that that space was in, also.

16 Q. Then, in that space where we walked through, quite full of  
17 shelving. Is it real comparable? I mean --

18 A. There's a little more space in this one. It's not quite as  
19 tight. But yeah, I mean, there's a lot of shelves.

20 Q. And do those shelves go all the way up to the ceiling?

21 A. Yeah.

22 LCR [REDACTED] I guess -- do you guys have anything else about  
23 the galley or mess area?

24 CWO [REDACTED] I --

25 LCR [REDACTED] Yeah?



1 CWO [REDACTED] -- I do on this.

2 LCR [REDACTED] (Indiscernible).

3 BY CWO [REDACTED]

4 Q. On this list that you have here, it talks about exhaust trunk  
5 from the serimi (ph.) area. Port forward has leak into galley  
6 area. Sour smell under galley cupboards. Also, smells in 02-4  
7 and 02-3 --

8 A. It stinks --

9 Q. -- staterooms.

10 A. -- real bad, is what they --

11 Q. Yeah, yeah. But --

12 A. So, there's a trunk -- let's see. It doesn't really show it.  
13 It's a fan type, because in the factory space itself, kind of up  
14 forward, it's an opening. It's boxed in with wood, and there's --  
15 the fan itself actually lives now in the mess deck area. It's  
16 probably completely gone now, but up in the frame 40 area or so,  
17 there was an island with popcorn maker and, you know, various  
18 pastry racks, and things like that. And off to the port side of  
19 that was a column that was a ventilation trunk for that serimi  
20 area. Nothing had been done to that yet other than we opened the  
21 wood paneling up to see what we could find with possible leaks in  
22 the ducting or whatever.

23 Q. Okay. The serimi lab, is that -- my understanding is it's  
24 being used now as some type of crew lounge? Is that accurate,  
25 or --

- 1 A. Which page is that on?
- 2 Q. This is on the main deck.
- 3 A. Main deck.
- 4 Q. Maybe I'm saying it wrong, the serimi, right?
- 5 CAPT. FLAHERTY: Serimi area?
- 6 BY CWO [REDACTED]
- 7 Q. Area? It's over at starboard side, frame 30.
- 8 A. Serimi lab.
- 9 Q. On four.
- 10 A. No, that's still the lab.
- 11 Q. Okay. Okay.
- 12 A. Yeah.
- 13 BY LCR [REDACTED]:
- 14 Q. And my last thing on this (indiscernible) back over there,
- 15 the loading hatch -- and we'll probably be able to sort of
- 16 recreate this from the photos, too. Like, there are some pretty
- 17 good ones. What would be directly below that?
- 18 A. Nothing. So, the --
- 19 (Crosstalk)
- 20 A. Yeah, the --
- 21 Q. So you have access to the --
- 22 A. Correct, yeah. Now, the idea is, this crane, the crane
- 23 turret, you can see on the next decks above, they'll drop full
- 24 pallets of food and dry stores to be back loaded into the shelves.
- 25 So, they'll drop the whole pallet right down there.

1 Q. Okay. Right. So, it would just be floor space --

2 A. Yeah.

3 Q. -- for that? Okay. Okay. And then, just a couple of  
4 general questions. Are you aware of any problems with employees,  
5 or terminations, or recent issues specific to the work that was  
6 going on here?

7 A. Right. Nothing that I was made aware of.

8 Q. Okay. Are you aware of any threats or anything like either  
9 internal or external to this vessel for any reason?

10 A. No.

11 Q. Is there any reason you think someone would -- I'm not saying  
12 that it is, but if --

13 A. Right, right, yeah.

14 Q. -- anyone would purposely set it on fire?

15 A. No, nothing that I --

16 Q. Okay.

17 A. Not that I can imagine.

18 Q. Okay. When was the last time you like -- were you on the  
19 vessel Friday?

20 A. Yeah, not a full round --

21 Q. Okay.

22 A. -- through the vessel with -- I can't even tell you --

23 Q. Sure.

24 A. -- where I went, but I'm positive I was on the boat that day.

25 Q. Sometime on Friday?

1 A. Yeah.

2 Q. Okay. And I assume, because you probably would have  
3 mentioned it, but nothing that struck you as odd about anything  
4 that was going on --

5 A. No.

6 Q. -- that day?

7 LCR [REDACTED] Okay. Okay.

8 CWO [REDACTED] David, do you have any questions?

9 CAPT. FLAHERTY: Yeah, I had just one question.

10 BY CAPT. FLAHERTY:

11 Q. At any time, did anyone come up prior to the fire and express  
12 any safety concerns?

13 A. Safety concerns, you say?

14 Q. Yeah.

15 A. No. No, nothing that's -- no. I mean, not even in passing,  
16 really.

17 Q. Okay. And what day did all of the hot work start after the  
18 vessel had docked?

19 A. Start?

20 Q. Yeah.

21 A. I'd have to go back through some timesheets on that and  
22 reorient myself on days. The wheelhouse -- would you be okay with  
23 me just gathering that information and sending it to you?

24 Q. Yeah, that's --

25 A. Okay.

1 Q. Yeah, that's fine. That'd be good. I appreciate that.

2 A. And with --

3 Q. And then, just --

4 A. -- just these five on the list, do you think, or --

5 Q. Yeah, and any other work that was initiated after vessel  
6 docked and, obviously, before the fire.

7 A. Okay.

8 LCR [REDACTED] And --

9 CWO [REDACTED] Well, David --

10 LCR [REDACTED] -- so, my --

11 CWO [REDACTED] -- to be clear, I --

12 (Crosstalk)

13 CWO [REDACTED] -- I presume there's a massive amount of work that  
14 was ongoing with all sorts of different people, so can we limit it  
15 to hot work?

16 CAPT. FLAHERTY: Well, hot work and grinding, I think.

17 MR. DUNCAN: Okay.

18 CWO [REDACTED] Okay? All right.

19 BY CAPT. FLAHERTY:

20 Q. And the last question is -- you know the vessel, sir, and you  
21 know what work was being done. What do you think happened?

22 A. You want me to speculate?

23 Q. No.

24 LCR [REDACTED] No, no.

25 MR. DUNCAN: I was --

1 BY CAPT. FLAHERTY:

2 Q. I mean --

3 A. I have --

4 Q. -- based on your professional experience.

5 A. I have absolutely no clue. I've been telling everybody I  
6 wouldn't be surprised at anything anybody was saying, because I  
7 just don't -- I have a hard time personally relating -- and I'm no  
8 expert, right? But I'm having a hard time relating any of the hot  
9 work we were doing to this fire. Well, to this fire to where it  
10 appears to a layperson to have started. That's a big --

11 Q. Okay.

12 A. -- key, is because I just don't know where it started.

13 CAPT. FLAHERTY: Right. All right. No, that's all the  
14 questions I have. Thank you.

15 CWO [REDACTED] Can we add to that scope of work any electrical  
16 work?

17 MR. HELLER: Yes. Okay. And so, there's electrical like  
18 electronics, too --

19 CWO [REDACTED] Anything that would produce --

20 MR. HELLER: -- or just electricity --

21 CWO [REDACTED] -- if you wired, it could produce a spark.

22 MR. HELLER: Okay.

23 CWO [REDACTED] So, just looking at something that might be an --

24 MR. HELLER: Yeah.

25 CWO [REDACTED] -- ignition source.

1 MR. HELLER: Yeah, yeah.

2 BY MR. HELLER:

3 Q. Did you come down to the fire? How did you get notified  
4 of --

5 A. So, I was -- there were failed attempts to wake me via phone  
6 calls: two calls from the guard in the morning; and then, one call  
7 from Rick Brown, my superior, in the morning. And then, I woke up  
8 normal time and saw a missed call, and so I learned of the fire at  
9 5:30 or something.

10 Q. So, you weren't here for any of the early stages of that?

11 A. No.

12 MR. HELLER: That's all.

13 CWO [REDACTED] All right. With no further questions, we'll end  
14 the interview. And I don't know if I said this at the beginning  
15 of it, but today is April 14, and we're concluding the interview  
16 at 10:39 local.

17 (Whereupon, at 10:39 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 Kyle Duncan

ACCIDENT NO.: DCA23FM026

PLACE: Tacoma, Washington

DATE: April 14, 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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Transcriber