

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: DEIONTAVIOUS BAYLOR, Welder
People Ready

Trident Seafoods Facilities
Tacoma, Washington

Tuesday,
April 25, 2023

APPEARANCES:

CWO [REDACTED], Investigating Officer
United States Coast Guard

LT [REDACTED] [REDACTED], Investigating Officer
United States Coast Guard

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

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

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

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I N T E R V I E W

(9:44 a.m.)

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2
3 CWO [REDACTED]: This is Chief Warrant Officer [REDACTED] with the
4 U.S. Coast Guard. The date is April 25th, the time is 9:44 local.
5 We're at Trident facilities investigating the fire aboard the
6 *Kodiak Enterprise*. In the room I have --

7 LT [REDACTED]: Lieutenant [REDACTED], United States Coast
8 Guard. Last name spelled [REDACTED].

9 SA HELLER: I'm special agent Greg Heller with the Bureau of
10 Alcohol, Tobacco, Firearms, and Explosives, ATF. My last name is
11 spelled H E L L E R.

12 MR. BAYLOR: Deiontavious Baylor. Last name spelled
13 B A Y L O R.

14 MR. ALTENBRUN: Larry Altenbrun, I'm counsel for Trident
15 Seafoods. My last name is spelled A L T E N B R U N.

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

17 CAPT FLAHERTY: David Flaherty, last name is spelled
18 F L A H E R T Y. I'm the investigator in charge for the National
19 Transportation Safety Board.

20 CWO [REDACTED]: All right, Mister --

21 SA HELLER: Can I have you spell your first name, too? I
22 just want to make sure I have it right.

23 MR. BAYLOR: D E I O N T A V I O U S.

24 SA HELLER: Perfect. I almost had it right.

25 INTERVIEW OF DEIONTAVIOUS BAYLOR

- 1 BY CWO [REDACTED]:
- 2 Q. All right, Mr. Baylor, what's your job title?
- 3 A. Welder.
- 4 Q. Welder, okay, and are you a Trident employee?
- 5 A. No, sir, a subcontractor.
- 6 Q. A subcontractor with who?
- 7 A. People Ready.
- 8 Q. People Ready?
- 9 A. Yes, sir.
- 10 Q. Okay, and how long have you been with People Ready?
- 11 A. This is my first job with them, honestly. I kind of -- I do
- 12 a lot of contracts, so I'll be here, there, there, there, wherever
- 13 the work is, wherever the money is, that's where I'm at. So, this
- 14 is, like, my first time. This is actually my first time coming
- 15 over to Trident. This is my first season, sir.
- 16 Q. Okay.
- 17 A. Yeah.
- 18 Q. All right, how long have you been a welder?
- 19 A. Eight years.
- 20 Q. Eight years?
- 21 A. Yeah.
- 22 Q. Okay, and do you have any certificates?
- 23 A. Yes, sir, a Welder Certificate and AWS.
- 24 Q. AWS?
- 25 A. Yes, sir.

1 Q. That's what you got?

2 A. Yes.

3 MR. ALTENBRUN: [REDACTED] I'm sorry to interrupt, but can we
4 establish that Deiontavious is here voluntarily and is able and
5 willing to be here?

6 CWO [REDACTED]: Yep.

7 And you're here -- so, just for the record, you're here on
8 your own free will, you weren't coerced, you weren't pressured to
9 come here?

10 MR. BAYLOR: Oh, no, not at all.

11 CWO [REDACTED]: Okay, I apologize. I should've done that first.

12 BY CWO [REDACTED]

13 Q. Okay, so eight years, AWS, and were you on board the vessel
14 on Friday, April 7th?

15 A. Yes, sir.

16 Q. Okay, and what were you doing on board?

17 A. I was at the front. I don't know the --

18 Q. It's okay.

19 A. I know the front, like -- right at the front, right. I was
20 cutting out a bulkhead that was connected to a door.

21 Q. Okay, so you were up on -- below the pilot house? The
22 bridge?

23 A. Yes, sir, right.

24 Q. Okay, and which side were you on, the left or the right?
25 Were you closest to the pier?

1 A. Right.

2 Q. Okay, so the right? Okay, so you were on the starboard side
3 on the right side?

4 A. Yeah, the starboard.

5 Q. Okay, just describe to us what you did that day?

6 A. Well, it was already cut out that day. I had everything
7 already cut out. I was basically just cleaning up, you know?
8 After the cut, you've got to clean it up and just basically
9 prepping it and getting ready before I put the plate in. So, I
10 was just kind of grinding and cleaning up what I had already cut
11 out, putting the radius in and just cleaning and prepping. I'm
12 thinking as I'm talking, so.

13 Q. No, that's right.

14 A. But yeah, I remember I'm cleaning and prepping. That was it
15 for the most part. I know just cleaning, and prepping, and
16 grinding.

17 Q. Okay, and when did you start?

18 A. We start shift at 6:00 a.m., so probably, like, 7:00. After
19 we got our hot work stuff approved, probably, like, 7:38 or
20 whatever.

21 Q. Okay, approximately 7:38. Okay, and then when did you secure
22 for the day?

23 A. When did I leave?

24 Q. Yeah.

25 A. So, we stop hot work at 3:20 and we leave at 4:30. Sometimes

1 I clock out at 4:20 because they take 30 minutes anyway. So, I
2 clock at, like, 4:20 or 4:30.

3 Q. Okay, and did you have a fire watch assigned to you while you
4 did that?

5 A. Yes, sir.

6 Q. Okay, and what -- do you know -- they were there the whole
7 time?

8 A. Yes, they was there.

9 Q. And where were they at when you were grinding in that? Where
10 were they sitting or standing, do you recall?

11 A. A little bit of both, it just depends on -- because it's all
12 about where the sparks are going, right? So, if dominantly the
13 sparks are going in, he would be inside. But if the sparks are
14 going out, he would be outside. So, mainly, the way I've done it,
15 I like to do it from the inside, out. That's the way I like to do
16 it because it's really less hard for -- there's nothing really
17 around. So, it just really depends on where the sparks at, you
18 know, at the time.

19 I can't really say that he was inside, you know what I'm
20 saying, because it depends on where the sparks going. Wherever
21 the sparks' going, that's where he needs to be. So, it's like he
22 was either inside in the room or he was, like, right outside. So,
23 it's either one of those just depending on where I was at, you
24 know, and where the sparks was going.

25 CWO [REDACTED]: Okay, all right.

1 BY SA HELLER:

2 Q. Okay, so -- and I'm not an expert on welding, you're the
3 expert there, so you said prep and clean up, can you describe
4 which tools you were using for that?

5 A. Okay, a grinder.

6 Q. Okay.

7 A. Well, here it's a little bit different. So, like, any other
8 shipyard, you go to Bremerton (ph.), you go to any other
9 one -- like, when you're a welder, all you do is weld.

10 Q. Okay.

11 A. You know, so I'm going to rephrase that title. When I'm
12 here, you're like a welder fitter because it's like over here, you
13 do both. But, like, in any other place, it's like when you're a
14 welder, you've got a fitter come in, he fit it up and do the
15 prepping, which is what I was doing, and then the welder comes and
16 he just welds it all the way up.

17 Q. Okay.

18 A. So, what I was doing would be like what the fitter would do.

19 Q. Right.

20 A. You know, he cuts it out and so, I was using the grinder to
21 kind of clean it up.

22 Q. Okay.

23 A. Yeah, just stuff like that.

24 Q. And you said you were primarily -- you were inside and the
25 sparks were going outside, but you were on both sides?

1 A. Yeah.

2 Q. That was a terrible question, sorry. Were you on both inside
3 and outside when you were working on this?

4 A. Yes, I was like going inside and outside. Like where I'm at
5 it's like -- it's perfect, so you've got -- this is the bulkhead,
6 right, so this is the inside and this is the outside, so I'm right
7 here and this is actually like an actual scene. So, I'm like
8 this -- running like this, so I'm in between, you know what I'm
9 saying, inside and outside.

10 Q. Okay, and what was inside the area? Were there things there?

11 A. Yeah, it was -- I know it was in -- I don't -- it was covered
12 up. It had -- it was like a black bag -- not bags, but it was,
13 like, kind of bulkier.

14 Q. Okay.

15 A. But it was, like, zipped up and stuff in there. But I
16 can't -- I don't know exactly what it was because it was covered
17 up.

18 Q. Sure.

19 A. But I know it was, like, things in there, though.

20 Q. When you say covered up, what were they covered up with?

21 A. Like this, you feel what I'm saying? But it would just be
22 bigger, like it was zipped up into something. You know what I'm
23 saying?

24 Q. Oh, okay.

25 A. It was just like a whole lot of it stacked up together.

1 Q. Were there fire blankets and stuff like that in there?

2 A. Yes, sir.

3 Q. And when -- was there any sort of fire blankets or anything
4 on the outside?

5 A. No, not on the outside. We had -- well, I mean, we had,
6 like -- because you had -- what we was -- had on that side is like
7 a little slope, right?

8 Q. Uh huh.

9 A. So, we had, like, cement coming around the edge just so the
10 water can go the opposite way and then anything that was -- it
11 wasn't nothing flammable outside, right.

12 Q. No, and I'm implying that there should've been.

13 A. Right, for sure. But I mean it's -- we have a rule that
14 everything should be clear from 35 feet. It should be -- you know
15 what I'm saying, any combustibles, anything -- if it's anything,
16 it's supposed to be covered up. But the outside, it's like
17 really -- there's nothing outside.

18 Q. Do you recall, were there any -- like, was there any duct
19 work in the area where you were working?

20 A. What's that?

21 Q. Duct work, like pipes or ventilation stuff?

22 A. Where I was at, they had ventilation -- not ventilation,
23 insulation where I was at.

24 Q. Okay.

25 A. But, you know, we were painting -- that's where we would do

1 the painting and bring it in and remove all of that. So, all of
2 that was --

3 Q. You didn't disconnect any pipes or ventilation?

4 A. No, not at all. If it's anything like that, that's why I
5 kind of -- that's a call you've got to make. It's like you can't
6 just -- you know, it's like -- so, you've got to make sure
7 somebody else is doing that.

8 Q. Okay, and all of the cutting and grinding you were doing was
9 on a vertical space? Vertical, implying not on the deck.

10 A. No, I was on the deck. Vertical -- it was -- so, it's just
11 like this, right, so, it goes like this.

12 Q. Right.

13 A. Right, and it goes to the door -- right to the door.

14 Q. Right.

15 A. So, it's like I've got to grind from here, around, and up to
16 the door, you see what I'm saying?

17 Q. Got it.

18 A. It was just like this. So, I was kind of doing like this
19 here.

20 Q. Got it.

21 A. But for the most part, most of my grinding was on the
22 verticals on the I beam, which is -- you know, you're taking the
23 plate out, right, but you've got an I beam right here. But
24 dominantly, you don't want to cut too close to it, you want to cut
25 right to the weld. So, it's going to leave this much. Anything

1 else is a clean cut.

2 Q. Okay.

3 A. But when it's connect to two I beams, you don't want to go
4 all the way to the I beams, so you've got to leave a little bit on
5 there. So, that's what most of our grinding was. It was, like,
6 on those two vertical I beams.

7 Q. Would you say there were any problems with the job, or did it
8 go smoothly?

9 A. I don't want to say it went a hundred percent smoothly.

10 Q. Sure.

11 A. But it was, like -- it was pretty cool.

12 Q. Okay, did your fire watch person actually have to put out any
13 small fires or were there any issues with that.

14 A. No, me personally, I like to wet everything.

15 Q. Okay.

16 A. So, I don't even have -- you know what I'm saying, I like to
17 just turn on the -- he had a bottle -- he had a spray bottle on
18 him, and I just tell him to spray it. Just spray everything down
19 so that way I don't even have that problem.

20 SA HELLER: Okay.

21 MR. ALTENBRUN: I have a few questions.

22 BY MR. ALTENBRUN:

23 Q. You indicated that the work was approved before you started
24 that morning?

25 A. Yes.

1 Q. And who approved it?

2 A. I don't remember the name.

3 Q. Is it a shipyard competent person?

4 A. Yes, it was. The person that comes around and checks the hot
5 work.

6 Q. And you felt like the work that you were engaging in was
7 being done safely and properly, is that right?

8 A. I think so.

9 Q. You've worked at various shipyards around Puget Sound, is
10 that right, from the sounds of it?

11 A. Yeah, I've worked over 12 shipyards.

12 Q. and working here, do you feel like you are given the
13 necessary support to do your work safely?

14 A. Yes.

15 Q. Does Trident seem like a company that's committed to safety?

16 A. Yes, I like that they come by and make sure you're good and
17 make sure you're straight, you know, and they knew that I kind
18 of -- I'm a dominant welder, like I said. So, they come and make
19 sure, like, you know, you're good and you've got everything you
20 need. So, I mean, that's what matters with me, that you're making
21 sure I'm straight and everything good around me and stuff, you
22 really care. So, that's what I'm big on.

23 Q. And you indicated that hot work stopped at about 3:20?

24 A. Yes.

25 Q. Was that the routine? Was that -- did the welders always

1 stop working about that time?

2 A. Yes, always. It's a 30-minute cooldown, so you have to stop
3 30 minutes prior before it's time to go and clean up and do
4 everything. So, that's something that you do every day.

5 MR. ALTENBRUN: All right, thank you, sir.

6 LT [REDACTED] [REDACTED]?

7 BY CWO [REDACTED]

8 Q. You just reminded me of one thing, the stopping. What
9 equipment did you leave up there? What was the status of the
10 equipment when you left the welding? Did you actually have a
11 welding machine there or just the grinder?

12 A. No, I haven't gotten -- I haven't even gotten to the welding
13 part yet. It was just mainly cutting. The main thing, I left a
14 five-hundred-dollar welding head up there. It's gone now. But
15 other than that, man, I don't -- nothing -- I didn't have a torch
16 or nothing like that.

17 Q. Okay.

18 A. So, yeah, a grinder, but it's -- yea.

19 CWO [REDACTED] Okay.

20 SA HELLER: Who's welding hood, yours?

21 MR. BAYLOR: Yeah.

22 SA HELLER: Have you talked to anybody about getting --

23 MR. BAYLOR: Yeah, they're supposed to be --

24 SA HELLER: Okay.

25 MR. BAYLOR: Yeah, it's supposed to be taken care of.

1 MR. HEITZKE: Okay.

2 CWO [REDACTED] David, do you have anything?

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

4 By CWO [REDACTED]:

5 Q. Mr. Baylor, I'm going to show you two documents here,
6 Appendix A, Maintenance Repair Hot Work Policy.

7 A. Okay.

8 Q. Have you seen that before? And then also, Appendix B, it's
9 the fire watch training.

10 A. Am I familiar with this whole packet or have I seen it?

11 Q. Have you seen it? Have you gone through any training here?

12 A. One of the guys had kind of went over it with me briefly.

13 Q. All right.

14 A. But I haven't seen a fire watch book, no. I wasn't -- I
15 didn't go over the fire watch one.

16 Q. Okay, but with all the different -- you said 12 yards that
17 you work at?

18 A. Yes.

19 Q. Have you received any training on fire watches, proper
20 procedures, what the fire watch should be?

21 A. Yeah, so it's like this, right, so let's say this yard -- so,
22 this yard, they have a lot of fire watchers. They bring in so many
23 fire watches, versus there's some yards I've been to. Like, I
24 have a fire watch card, like, you will be the welder one day and
25 you will be the fire watch. Like I said, when you go to a

1 different yard, a welder is a welder, he don't do nothing else.
2 So, if I come at the beginning of the project and the fitter's
3 doing his job and he's cutting and stuff, now you're the fire
4 watch. So -- but I didn't -- before I went, you have to get your
5 card. So, they did it online, on Zoom, so we had to go over the
6 class and do everything on Zoom before we even came over there.

7 Q. Come to here?

8 A. Come to -- well, not here, but to the yard. Like I said,
9 over here, they have their own specific fire watchers.

10 Q. Okay.

11 A. You know what I'm saying?

12 Q. Yeah.

13 A. So, if you was at any other yard, sometimes you might not be
14 doing nothing because you're a welder, that's all you do, so you
15 might be a fire watch for the fitter -- for your fitter, you know
16 what I'm saying? So, then that gives you the training to be a
17 fire watcher. But here, they have so many fire watchers, you know
18 what I'm saying?

19 Q. Okay, but you've had -- you've been trained as a fire watch,
20 so you understand all that?

21 A. Yeah, so I've been trained for sure, yeah.

22 Q. And then in the other yards, you've been trained on hot work
23 policy and all that?

24 A. Right.

25 Q. So -- and would you say that that's pretty -- all those

1 policies are pretty much the same? They might have a little
2 different ones?

3 A. Yes, the only difference is over here versus, like, the other
4 yards is you don't have to sign. Like at the other ones, there's
5 like -- it's a paper that comes around and makes sure and verifies
6 any everybody signs off. I think that's something that should be
7 implemented, that way everybody's, you know, involved and they
8 know, like, hey, this is this. This is verified, this is this,
9 and sign off. You know what I'm saying? I think that should be
10 implemented over here as well.

11 CWO [REDACTED]: Okay, all right.

12 Everybody good?

13 Okay, with that, no further questions. The time is 10:00
14 local. This will conclude the interview.

15 (Whereupon, at 10:00 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 Deiontavious Baylor

ACCIDENT NO.: DCA23FM026

PLACE: Tacoma, Washington

DATE: April 25, 2023

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been transcribed
to the best of my skill and ability.

Carolyn
Transc