UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

Investigation of:	*	
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LOSS OF THE SUBMARINE *TITAN*	*	
IN THE NORTH ATLANTIC OCEAN	*	Accident No.: DCA23FM036
ON JUNE 18, 2023	*	
	*	

Interview of: JOHN WINTERS, Civilian Marine Inspector/Master Marine Inspector
United States Coast Guard

Puget Sound, Washington

Monday,
July 24, 2023

APPEARANCES:

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I N T E R V I E W

LT [redacted] Good morning, sir. How are you doing? My name is Lieutenant [redacted] I am the recorder for this MBI, Marine Board of Investigation regarding the submersible Titan. Thank you for attending, and providing us some time to conduct this interview with you today. Before we begin, do you have any questions for us?

MR. WINTERS: No.

LT [redacted] And I would just like to ask, and make sure it's okay with you, but we will be recording this for transcription purposes if that's okay.

MR. WINTERS: Okay.

LT [redacted] This is a joint U.S. Coast Guard investigation with NTSB, and the Coast Guard is the lead agency, and we're conducting the interview under the applicable Cost Guard regulations.

We will now allow the team to introduce themselves; go around the room.

MR. NEUBAUER: Okay. I'll start. Jason Neubauer. I'm with the Office of Investigations and Casualty Analysis Headquarters, but also the Chair of this Marine Board.

UNIDENTIFIED SPEAKER: Do we want to start recording first?

MR. NEUBAUER: Should I start --

LT [redacted] Yes.

MR. NEUBAUER: Okay, great. Good morning. Jason Neubauer.

I'm the Deputy Chief for the Office of Investigations Casualty Analysis, but also the Chair of this Marine Board.

LCDR [redacted] I'm Lieutenant Commander [redacted] Last name is spelled [redacted], and I am part of the Marine Board of Investigation.

MR. [redacted] I'm the ASAC of the NOA CGIS in Northeast Field Office. I'm just here to assist the team with evidence collection, interviews, whatever they need.

MR. MUISE: I'm Marcel Muise. I'm the NTSB investigator assigned to this case. We also investigate accidents like this one alongside the Coast Guard. At this point in the, in the investigation it's just easier for us to work together, collect the evidence. We'll move on. We'll produce our own report eventually though.

MR. [redacted] investigating officer and legal advisor to the Board. Just to make clear this is a safety investigation; nothing criminal about this. It was just -- all it is is assistance. So make that clear.

[redacted]: And then Marcel -- I'm sorry, Marcel. [redacted] on the line could you introduce yourself?

MR. [redacted] Hi, good morning. This is [redacted] I'm with the investigations NCOE. My last name is spelled [redacted].

LT [redacted] Thank you. And I'm just going to go back to a few for name spelling purposes.

MR. NEUBAUER: Jason Neubauer. Last name is N-e-u-b-a-u-e-r.

MR. [redacted].

LT [redacted] And Mr. [redacted]

MR. [redacted].

MR. MUISE: Muise, M-u-i-s-e.

LT [redacted] Thank you.

And are you being represented by counsel today, sir?

MR. WINTERS: No.

LT [redacted] And the intent as we stated for this is related to the *Titan* submersible incident where we had five passengers and loss of lives, a presumed loss of life that occurred on June 18, 2023, in the Atlantic Ocean at approximately 435 miles south of Saint John's Newfoundland, Canada. At any point you may change or modify your statement. Just notify the Marine Board of that, and any results or appeals related to this Report of Investigation you can also amend or speak into.

And with that do you have any more questions?

MR. WINTERS: I have no questions for the Board.

LT [redacted] So I'll now hand it off for the interview to begin.

INTERVIEW OF JOHN WINTERS

BY MR. NEUBAUER:

Q. Sir, can you go ahead and introduce yourself, and spell your last name?

A. My name is John Winters, W-i-n-t-e-r-s. I'm a civilian

marine inspector at Sector Puget Sound. I'm as master marine inspector. I've got about almost 38 years of experience.

Q. And can you tell me a little more about that experience?

A. I was originally assigned to Duluth, Minnesota, where I achieved the marine and hull, MI and hull right off -- inspectors, and I got assigned to sector -- or MSO Seattle at the time, and was training for it and became a VO here, and obtained most of the rest of my quals. The only two quals I don't have right now are MODU and events cruise ship instructor. So and then I did four years in San Francisco active duty. Retired in 2000, and then took the civilian marine inspector job in 2000. I've been here in Sector Seattle in the Puget Sound it seems like four times, but since then.

Q. And you had used an acronym of VO. What is that?

A. Verifying officer.

Q. Okay.

A. So we're training for it.

Q. Of course. And just as we move forward through this, the Coast Guard, we use a ton of acronyms. I get it. But for the transcription, if you could just go ahead and --

A. Okay, no problem.

Q. -- or if you use it and go ahead and go back to it.

A. Okay.

Q. Great. Thanks. You mentioned that you're a master marine inspector. What is that?

A. Master marine inspector, you have to have four major quals and 12 years' experience. So Admiral Fagan came in initial thing I have Certificate Number 20.

Q. And when were you -- when did you become a master marine inspector, roughly?

A. Roughly, I mean, I had 12 years in '97, but, I mean, the program wasn't (indiscernible) and, what, 2017, Admiral Fagan started issuing the certificates, I think; 2017, I think.

Q. And we mentioned -- you said you talked about quals. For the record can you explain for me the qualification process, and how you become qualified for a certain type of vessel, and how that works?

A. Just pick hull inspector. So here the program is. There's a PQS that you go through, and go with a qualified inspector, and if you can explain how to do the different tasks in the PQS then you, you get them signed off. And then after you've had enough verification exams where you go and lead the inspection with the qualified inspector observing you, you could apply to go to the Board. Then your Qualification Board with three qualified inspectors are sitting across the table from you, and they take you through scenarios or test you in your knowledge of the regs, and what it takes to get through whatever -- whether it's a hull exam or a machinery inspector or a tugboat or dry-dock or whatever. That's the process. Each one individual one is its own, has its own process.

Q. Now does the Coast Guard have any qualifications for inspecting submersibles?
A. Not that I'm aware of.
Q. Do submersibles fall under any type of Coast Guard's or regulatory standard?
A. Yes. Obviously, if you're holding one passenger for hire it's -- has to be certificated. That came out in NVIC 794. And the, obviously, once we changed the definition of passenger 2006, so a submarine carrying one passenger for hire according to the regulations is inspected.
Q. Are there any inspected submersible passenger vessels in the Sector Puget Sound AOR?
A. No.
Q. Are you aware of any that you've ever worked on?
A. Yes. Several in the '90s several were built here, and then sent to various places in Hawaii, Guam, Puerto Rico.
Q. Can you tell me as much as you remember about that process?
A. The process, obviously, starts off with a plan review process by the Marine Safety Center, and their standards, you know, PVHO-1, pressure vessel for human occupancy one, is a lot of your -- the standards that we try to go by when we're looking to inspect a submarine for, for certification. And that, once that process, Marine Safety Center weighs in on the structural standards and -- any plan review comments, and then people start building. You go observe the whole process. Did you get the right kind of metals?

Are you welding it correctly? Are you installing your electrical correct? When the plans come back you're verifying that what's physically there is what's on paper. So that's -- the marine inspector's job is. I have approved set of plans. I have to make sure that whatever I'm inspecting, whatever kind of vessel, is the same as the plans. That's the marine inspector's job. And then when you get down to once it's completed, there's a lot of tests you've got to do, all the electrical systems, and for that kind of stuff. And there's releasing the lid, and doing that kind of stuff for the, the actual certification process once the structure is complete.

Q. You do experiments in releasing the lid. What did you mean by that?

A. Submarines, obviously, we try to make them sink. So the whole premise is even with the ballast tanks full of water, if something goes wrong before you release the lid we have a positive buoyancy it would go -- unless it's entangled it would go to the surface. So that's -- some engineer's done a calculation to come up with how much lead that takes to do that for them to get, obviously, to get it down, and then once you release it for it to have a positive buoyancy.

Q. Now those ones specifically -- those were in the '90s, and that's the last that you remember or --

A. Yeah.

Q. -- you had dealt with?

A. Yes.
Q. Now, were they given a certificate of inspection?
A. No. I mean, back in the '90s, yes. I got involved with one -- the 64 passenger one that they built without a -- the first one they built without a collision bulkhead. I forget where it went. I got involved in that one, actual construction of that one. And I forget what the name of it is or where it went, but it's the only one I think that was built without a collision bulkhead.
Q. Okay. And the reason the Coast Guard or yourself was involved is because they were being built here?
A. Correct.
Q. Were they operated out of the sector or where did they -- they were operated out of another location?
A. Correct.
Q. Were they -- was it a foreign location or a U.S. location?
A. U.S. location. I don't know if it was Hawaii or Guam or Puerto Rico. I think it was, I think it was Hawaii, but, I mean, I'm not 100 percent sure about that.
Q. Just for stating purposes as a master marine inspector you, obviously, fully understand the way that the Coast Guard inspections programs works. So once you oversee the, the build and the plan review and the new construction, it then goes to say -- as you stated possibly Hawaii. What would happen then in Hawaii?
A. So it was -- during the -- early in the process which you get

an application for inspection. You're going to contact Hawaii or whatever zone it's going to, to get -- if you have any local policies that need to be incorporated in life saving or firefighting or whatever local policies, and you communicate with those, that office. And then you communicate -- if it's all complete when it leaves here do you want Sector Seattle to issue the COI or does the local CMI want to issue that COI sign that. So you establish what that protocol is going to be for its final certificate or for its initial certification. So it starts off that's -- and then once that's established what's going to be done, then if it's -- once the COI when it leaves here, and where it's going agrees to that, so you, you ask the folks what, what kind of route are you going to give it? Because all these submarines are site specific 150-foot bottom and that kind of stuff. So the local CMI has to be involved. Is that an approved -- it's not in a traffic lane, it's not whatever. So you have to get that input from the local CMI about their specific -- because they have to submit their ops plan, and all that kind of stuff to the local CMI. So it's usually certificated whatever it's going.

Q. And you had -- you mentioned routes. So can you explain to me what is stated in the routing conditions, and why would things like that be --

A. So obviously for submarines the issue is dive sites and the bottom depth. So that's a specific -- when we get into the *Antipodes* there's a, there's a, but anyway, there's a specific

thing with the local OCMI as going to -- because we're talking about chase vessels, recovery, and that kind of stuff like that. So, obviously, the -- whoever the owner is has to provide that information to the local OCMI. How are we going to -- if it gets down on the bottom, it can't get out, how are you going to recover it? So they have to work with. So that's specific. Obviously, you can't put your dive site on top a marine cable or a pipe line or something like that. So they have to work with the local OCMI about a specific site. So, obviously, a submarine has one of the most restricted routes for any vessel out there just because of the nature of the operation of the thing. So that's -- they have to go through. Like the OCMI has to agree to the dive site being a safe location for them to operate in. And then, of course, the measures they've gone through to recover the submarine in the event of an accident.

Q. Now would you as the initiating inspector, let's say that, would you work with the other sector -- that it's going to, to help create any of those things or --

A. I'm not -- create that. They -- I would look to that other sector to, to go fill in the operating details for that specific site or whatever local regulations they have on the -- I would just -- mine would be construction. Is it constructed in accordance with the plans? Is everything that's supposed to be there be there? And then as far as the operation would be to the OCMI wherever it's going to operate.

Q. And how would you document your work in ensuring that it is built in accordance with the plans?
A. Start off back in the day with MSIS, and then, then MISLE came along, and it would -- that would be in there for the construction. Just receive an application for inspection. You put the dates the plans were approved, the dates that you went and walked the plans, and stuff like -- qualified welders, and welder procedure and that -- when that was qualified. That would, that would get in the activity.
Q. And would you guys keep hard copies of those as well? Like so --
A. Used to be, yes, hard copy. We've gotten away from -- since about 2017, 2018, it's all, it's in teams. It's not hard copies anymore, I mean.
Q. Just quickly before I -- we move into OceanGate. What is the classification society? What is -- when we use the term class, what does that mean, and how are, how are they, how do they come into play with the submarines?
A. Submarines. So obviously class has a set of rules that -- and some we abide by incorporation to how, how to construct various things or electrical or some other kind of thing that we incorporate by reference. So, obviously, submarines is -- if it's PVHO-1, then obviously we're looking for it to be classed A1 submarine, which is ABS classification. There's other class societies have same, similar regulations. So it's -- we look for

them to have class approval for the -- their, their own technical folks to have looked at the drawings, and stuff, and approved those too as a dual.

Q. Do any of the small passenger -- because for carrying one passenger for hire would be considered a, a Subchapter T or a small passenger vessel, are any of those regulations that you know off-hand are they exempt from submersibles like egress routes and flares and those types of things? Are there any -- does anything speak to that within Coast Guard policy?

A. So I'd have to get -- 590 -- we started off with the 496, and then we went to 593. So, obviously, *Antipodes* -- above is 13 feet long there's only one way out of it. So it's -- but other things. We put stuff they have to have on their chase vessel that we're expecting. Obviously, they're going to have the dive flag and that other kind of stuff, and I don't think we want flares inside of a submarine, but it would not be --

Q. And would a pilot of a sub be required to hold a master or a merchant mariner credential?

A. They work toward that. They have a training -- they had a training program that I sat through for the National Maritime Center because they didn't want Stockton Rush who owned the thing to certify that. So they were looking to put an endorsement on the, on the small passenger vessel license for submarines just like a sailing vessel, auxiliary sailing.

Q. That's a pretty good segue into ocean -- into the company of

OceanGate. And can you tell us how you became involved in OceanGate?

A. So OceanGate acquired the *Antipodes* which is a 13-foot submarine. I think it was built in 1973. I think it was on some Russian billionaire's yacht. And I don't know how Stockton Rush got it, but he ended up with it. So they wanted to certificate it as a passenger carrying submersible. And he made an application. So we started the process. It was -- and it was ABS Class A1 submarine. It was going through start -- in the start of a five-year special survey. So with the principal -- Butch Hanson was principal surveyor here. We started the process because, obviously, Marine Safety Center takes a while back and forth, of doing the five-year survey. Through hulls are taken out, tested; gauges are taken out and tested. We dropped the lid. We tested it. All that kind of stuff went through the certifications about the acrylic domes that are in the end of the -- so he completed that five-year special survey which resulted in going down to 936 feet. And during that process back and forth the Coast Guard decided it would not certificate it in that he wanted more than the 150-foot bottom. It came down to the recovery issue. Because he wanted the 930, 936 feet which would -- a 1,000 foot what it was designed for. But when they -- at the end of a five-year, take it down as deep as you want to recertify it for, and 936 feet is the deepest they could find in Puget Sound. So --

Q. Just really quickly. You had mentioned a 150-foot bottom.

Can you explain that to me?

A. So the 150-foot bottom is, is that if the submarine for some reason can't surface they want a diver to be able -- without (indiscernible) a diver to be able to go down and hook a line on the thing to drag it back to the surface. That's the -- how that 150-foot came about, I haven't a clue, but that's the Coast Guard has been pretty standard for all the submarines that the dive site has to have no more than a 150-foot hard bottom where if the submarine can't come back, a diver can go down or hook a line on it and recover it.

Q. Okay. Can you continue with how you dealt with the *Antipodes*, and what came, and how --

A. So, obviously, like I said, we went out, went down to 936 feet, and got it certificated or not certificated. Got it recertified ABS 936 feet. And then shortly after that the Coast Guard says we're not going to certificate this for a 1,000-foot bottom. Has to be a specific dive site 150-foot bottom. So then they went the (indiscernible) research vessel type thing. So then we had them -- it was going to -- had them -- *Ops Manual*, and went back and forth a couple of rewrites. They had this thing, like, child scientists and stuff, and that's (indiscernible) scientist, not a child scientist. So they -- we worked with sector -- or LA at the time because that was where it's going to go was first research stuff down at Channel Island somewhere. And then it got issues. We issued it a research vessel letter. Obviously, the

old *Marine Safety Manual* for the B440 to 43 talks about pretty limited for (indiscernible) less than 300 gross tons. So issued a letter. Says is it a suitable platform for what its intended mission for was? And, obviously, being ABS class AO1 and PVHO-1 it's pretty much any standard that you wanted to compare it to as far as the structure of it. And we'd just been through a complete safety exam of all of its components. That it was issued a letter, research vessel letter, in 2010 sometime.

Q. And then once it was issued the letter it --

A. It did some dives here at Puget Sound, and then it went to L.A., did some dives. Then it was in Miami for a while. I think Miami issued, you know, a couple years later it reissued the, the research vessel letter. So it's had several -- been that reissued several times at different places; I think maybe here once since then. But I was looking through the MISLE and things. So it's had a few. Every two years it has to get a new letter.

Q. And then so now did you have any further dealings with OceanGate and any other vessels?

A. I went to the -- their facility for something, and the *Antipodes* and the *Titan* was on the -- this barge they had, but I never went through it. Never, never any actual interaction as far as anything about the *Titan*. And they had another one which I forget the name of that one.

Q. And when was that? When was your last interaction?

A. Oh, probably five or six years ago.

Q. Did OceanGate ever reach out to Sector Puget Sound or yourself to certify any other outside of the *Antipodes*, any other submarines?

A. Nothing that I was aware of.

Q. Are you aware of or did Sector LA/LB reach back to you guys to discuss the *Antipodes* once it went to LA/LB?

A. It went back several -- back and forth -- the *Ops Manual* that we -- both units had issues with different sections of the *Ops Manual*. So it went back to -- we voiced the objections. It would go back to OceanGate for a rewrite, and that was -- went several times with -- as far as sector or LA/LB at the time until the commands were happy with what the, what the actual *Ops Manual* said.

Q. And what all did they submit? And for the record in front you, you have a --

A. I have *Ops Manual*. I don't know if this is the final version or not. And I have *Pilot Training Manual* for the course that I sent through for them to get the endorsement from the National Maritime Center for the submarine. So I had -- I sent through that course -- the National Maritime Center because they didn't want -- Stockton Rush to verify this -- the programs that -- he owns the thing.

Q. Were you ever aware of any of these submarines operating in U.S. waters with paying passengers?

A. I know that, obviously, these supposedly research people

were, obviously, charged money. But after the -- in hindsight looking at their website, it doesn't look like they adhered very much to their own standards about scientists. Is kind of evident, I think, from looking at their website. But as far as going back, and looking to see if they were completely adhering, I, I was not aware of, of how they were charging and who they were charging, whether it met the definition of passenger or scientist. I never went through and verified that.

Q. So in your professional opinion do you believe that if they could have become certificated they would have?

A. Yes.

Q. And when they could not become certificated they then went oceanographic research vessel?

A. Correct.

Q. Can you provide me a brief definition what an oceanographic research vessel is? And where, where would -- where did you find it? Was it in the *Marine Safety Manual*?

A. The definition of oceanographic research in the U.S. Code, 46 U.S. Code 2101 has the definition of oceanographic research vessel.

Q. And you guys still maintain a file for OceanGate here in Sector Puget Sound?

A. I think I still have some stuff. I have to look. Because that's 2010. May be in archives the actual original stuff. We probably have to go back to Sand Point and look through the

archives to see what -- I could see what's in paper records we have.

Q. That would be greatly appreciated if we're able to make that request. Thank you.

MR. NEUBAUER: I don't have any further questions at this time.

Going to go over to NTSB. Marcel, do you have any questions?

MR. MUISE: Just one clarification.

BY MR. MUISE:

Q. The requirement for -- to have a COI for submersibles even if you have less than six passengers. So there's no such thing as a submersibles six-pack, right?

A. Correct.

Q. Is that an old T or new T or both?

A. So the first time I became aware of that was in NVIC 594, and then they changed the -- now it's in all the -- if you look in 46 C.F.R. Part 2, it talks about all the classes of inspected vessels. It talks about submarine with one passenger is inspected.

Q. Okay. So before new T then you relied on the NVIC to enforce that?

A. Yeah.

Q. Okay.

MR. MUISE: All right. That's all I have actually.

UNIDENTIFIED SPEAKER: Thanks.

BY UNIDENTIFIED SPEAKER:

Q. I just have a couple follow-ups, John. You mentioned the ABS class for this vessel. Did we require ABS class for -- before we were given ORV designation?

A. No.

Q. Correct?

A. He was --

Q. Okay.

A. -- going through the process. So that's in our evaluation of is it suitable was one of the things that we were sent to complete that special survey. Because, obviously, it's the OCMI's job to make sure it's a suitable platform for its intended use.

Q. Right.

A. And that's part of the -- the thing -- ABS. Because we didn't, like I say, it wasn't certificated. Even Marine Safety Center grade PVH0-1. So structural standards, and going through the five-year survey we knew that the physical maintenance of the equipment had been maintained because it was built in '73. This is 2010.

Q. So it did obtain the --

A. Correct.

Q. -- ABS --

A. Yes.

Q. -- pass --

A. A1 submersibles. A1 submarine, I guess. Submersible. They

call it submarine.

Q. And you mentioned the *Ops Manual* for the vessel. Did you require that for an ORV to have an *Ops Manual*? Is that something that --

A. We required, yes. We, us an L.A. the OCMI signed the letter. You have to have, you have to have an *Ops Manual* that, that both commands are happy with.

Q. And was that from the NVIC or was that just kind of a decision made by the --

A. I think it's part of the *Marine Safety Manual* that says you have to make sure that it's a suitable platform for its intended us. Like I said before, they (indiscernible) B440 to 43. So in there it talks about being suitable for its intended use. So that was, obviously, it's -- to me it's more --submarine is, submarine is more complicated, and the chances of something go wrong are -- because a surface vessel unless it's sinking it's -- you can get towed in. And a submarine it's hard to go -- you got to, you got to catch it if you can. So that was part of the *Ops Manual*. Obviously, with the research vessel they didn't have the 150-foot restriction on the thing that it was, obviously, hopefully, it would be relying on whoever the master at the time to not exceed its rated depth.

Q. Okay. And then do we require the credential for -- when we -- I'm sorry. Let me rephrase that. When we're working on the credential for the, for the submersible thinking it was going to

be inspected or --
A. Correct.
Q. -- require that for the ORV?
A. No.
Q. Okay.
A. If it were going to be inspected, then it would need the credential with the endorsement for submersible.
Q. Okay. And then just getting back to one thing that you mentioned about the 150-foot, you know, being the, the maximum we would allow because it was the maximum for recovery, for the ORV we didn't put the floor --
A. We did not. There's nothing in the -- even in the regulations or the code about, about a limit on that bottom. There's no reference for us imposing a limit on that.
Q. Right. So we just kind of trusted the company to have a safety plan in place?
A. So obviously it wouldn't prevent -- whoever the OCMI that you're going to operate in their zone it wouldn't prevent him from saying there's -- based on whatever there's, there's a limit on where you can operate this thing. Because, obviously, you don't want it in a traffic lane or over a gas pipe line or a cable where it could get entangled.
Q. And then are you aware of any requirements that an ORV has to check in with the, with the local Coast Guard --
A. The submarine does. There's a thing about them checking in.

They would, and they would do that. Whenever they dive here they would check in with VTS and stuff about where they were going to dive and when, and that kind of stuff. That was occurring when it was, when it was diving here.

Q. Okay. And was that per their *Ops Manual* or was it for a requirement or --

A. It's a requirement. If you look in the VTS in the -- I think it's a requirement to -- for them to notify. It's the rules say that.

UNIDENTIFIED SPEAKER: I think those are the questions I have right now.

[redacted] do you have any?

LT [redacted] I just have a couple for just clarification of the record.

BY LT [redacted]

Q. For OCMI and COI if you could just state what those --

A. OCMI is Officer in Charge Marine Inspection, and the COI is Certificate of Inspection.

Q. And outside of the, the A1 submersible was there any other plan that you received? Did you receive?

A. It was certified -- as PVHO-1 which passenger -- pressure vessel for human occupancy dash one is in the *Marine Safety Manual* that's equivalent to plan approval for a submarine.

Q. And did any other entity approve any plans or were the plans approved at the OCMI level?

A. No. The OCMI would not approve plans for a submarine. That's Marine Safety Center is our technical experts.

LT [redacted] That was all I (indiscernible).

BY UNIDENTIFIED SPEAKER:

Q. Well, thanks, John, for all this *Cyclops* -- did you receive anything about *Cyclops* at all?

A. *Cyclops*. I personally was not aware of them asking for anything. Whether they did or -- but I, I was not involved with anything with *Cyclops* or *Titan*.

Q. Did you ever see *Cyclops* or *Titan* operating --

A. I never saw them operating. I saw them on a barge.

Q. Okay. The 150-foot bottom, if they were to go through certification, actually get their COI, the max depth would have been 150 feet; is that correct?

A. Correct.

Q. And that's on any submersible --

A. Any submersible as far as I know. But in 2010 that was the -- basically why the Coast Guard denied them being certificated as a passenger vessel was they wanted to operate beyond 150 feet.

Q. And so working with carbon fiber do you have anybody on staff that if they were to submit plans, let's say, for a carbon fiber sub that someone here would have known kind of the layout, what to do with carbon fiber?

A. It depends on the time circle. Because we get professional engineers through here that may have some expertise in that. So

it would depend on what timeframe that would come in whether we have, like, I say, ex-Marine Safety Center folks, and we have a -- at least one or two professional engineers in staff now. So whether they would have the carbon fiber expertise or not is -- would -- you'd have to go to them and -- but typically even if we have someone that's been to the Marine Safety Center and would have that, we would still make you go to the Marine Safety Center. We would want a set of approved plans from the Marine Safety Center before we would start the project.

Q. So if somebody were to come today and say, hey, I want my carbon fiber sub certificated, can you hypothetically walk through that process what you guys would do?

A. First thing you'd have to fill out an application for inspection, and then we would set you up with a website for the Marine Safety Center, and say here's the plans you need to submit to the Marine Safety Center for review; electrical, structure, machinery, that kind of stuff. And then we would wait. We typically in a situation like that let's get some comments back on your plans before we actually start construction. Because if it comes back and says you didn't put enough layers, you didn't put the right kind, then you get to start over. But we would -- especially a novel material like that -- we have some carbon fiber sailing vessels, but not submarines here. We would hold firm on let's get some comments from the Marine Safety Center before we start.

Q. Okay. And you would have worked with the company even if there would have been some roadblocks let's say in regulations --
A. Correct.
Q. -- you would have worked with the company to get it --
A. Yeah.
Q. -- certified and safe as possible?
A. Correct. Yeah. Obviously, the thing is to comply with the regulations. Most subchapters have things about equivalencies and exemptions. So that's a whole process in itself is how -- they have to detail how do you -- how is this going to provide an equivalent level of safety for whatever its intended use is?
Q. Do you think this could have gone through the, the CGN design basis agreement type process potentially?
A. That's getting out of my area of expertise. It's -- I mean, would say yes, but it would be a heavy lift on their part I think when you get a novel material, the amount of I'm going to say hoops that you would have to jump through probably would be pretty daunting I would think. Especially for like the 4,000 meters or whatever it is. But it would be, it would be a process that would take a while.
Q. For the MMC do you know currently if somebody wants to operate a submersible certificated is there an endorsement on the MMC that has for submersible operator or is it just the normal tonnage of the vessel?
A. Couldn't answer that question.

UNIDENTIFIED SPEAKER: That's all I have for now. Thanks, John.

UNIDENTIFIED SPEAKER: Sir, I have one follow-up I forgot to ask.

BY UNIDENTIFIED SPEAKER:

Q. You mentioned a 64-passenger submersible with no collision bulkhead. I just wanted to clarify was that for Atlantis or --

A. I think it was Atlantis

Q. Okay.

A. And it was either '93 or '94 somewhere, somewhere in that kind of timeframe.

Q. I just wanted to make sure. That's the only company I'm aware of.

A. Yeah, yeah, pretty sure that's Atlantis.

UNIDENTIFIED SPEAKER: And, Mr. [redacted] online, do you have any questions?

MR. [redacted] No, sir, none.

UNIDENTIFIED SPEAKER: I have just a few follow-ups.

BY UNIDENTIFIED SPEAKER:

Q. Were you -- you can only speak to what you know. So were you ever made aware of a OSHA investigation about 2018 with regards to a former employee of OceanGate?

A. No. Well, I guess I -- let's do that. On the news it said post -- this, after this accident they had it on the radio, yes. That's when I became aware of that. But as far as the 2018

timeframe, no.

Q. Have you prior to or since the have you ever received any notifications from OSHA regarding any type of whistleblower or safety issues --

A. No.

Q. Just one final type of question. Just kind of leaning on your experience, when you, when you have like a vessel, and you have different composites such as you've got titanium, and you've got carbon fiber, and you have or say fiberglass, and aluminum what kind of issues may be -- may you have within those composites -- those structures?

A. I guess, well, the biggest one is the two materials compatible. Is one going to cause the other one to weaken, corrode, fracture, or whatever? It's like stainless steel and aluminum. You have to isolate the stainless steel from the aluminum or it causes issues with the aluminum. So that's part of that. Obviously, you have to look at the plan review letters because it would address that, you know, like exfoliation or, or some other kind of issue that would have in those kinds of materials, and what kind of precautions they had to take to prevent them from interacting with each other. So that's, obviously, I'd be -- want to see the original approval plans, and any plan approval comment letter from the Marine Safety Center that would address that.

UNIDENTIFIED SPEAKER: I have no further questions.

Marcel.

MR. MUISE: Just one follow-up.

BY MR. MUISE:

Q. In addition to the NVIC is there any local sector prevention or inspection memos that talk about either operation or construction of submersibles?

A. No. Obviously, we start, start off with MTN 0496, and then, and then it went into the NVIC 593. So that was part of the *Antipodes* was we started with 0496 because that was more construction, and then 593 has some construction, but more about equipping the sub, the site, and that kind of stuff. So if the Coast Guard would have approved the *Antipodes* to get a COI, then we would have changed over to 5 -- went through 593, and addressed all the, all the issues about the site and that kind of stuff specifically.

Q. Okay. So there's no sector level --

A. No, no sector --

(Simultaneous comments.)

A. We were relying on the MTN and the NVIC if it would have went through the complete process.

Q. How about a district instruction? Is there anything?

A. Not that I'm aware of.

MR. MUISE: Okay. That's all I have. Thank you.

UNIDENTIFIED SPEAKER: I'd like to recommend -- we've gone about an hour. Can we take a quick, like, 10-minute break, and

then just have the Board confer if there's any follow-up questions then --

LT [redacted] Sure.

UNIDENTIFIED SPEAKER: -- get back to you?

LT [redacted] Yeah.

UNIDENTIFIED SPEAKER: Break for about 10, and then --

LT [redacted] Okay, that's fine.

(Off the record.)

(On the record.)

BY UNIDENTIFIED SPEAKER:

Q. Who did you correspond with?

A. Stockton Rush.

Q. And he was the primary person that you corresponded with?

A. Correct.

Q. And so through the review process or the not review process but through the plan review process, and the process of attempting to get certificated, how did you guys correspond? Was it e-mail?

A. E-mail and phone calls.

Q. And what was his demeanor like? How was he when, you know, in working back and forth what was your impression personally?

A. When the project first started he -- I thought he was honestly trying to comply with the rules. And then when the Coast Guard said no -- I'm getting into a little speculation here is he was CEO or owner of like 10 or 12 companies or something, airline, he was certified to fly a 747. He just got a whole series of

no's, and I don't know, I just think it kind of -- his opinion of the regulatory process he made a couple of comments about it didn't, it didn't go with innovation very well. And so I don't -- at some point, like I say, at the -- when it first started, yes, let's try to comply completely with the rules to the letter of the rules, and then it -- when it got into the research vessel type of thing it was, it was not as closely to the rules I don't think as, as the attempts were when we first started the process.

Q. And just for the -- and just to restate it, when -- do you remember the year that your relationship started with Mr. Rush?

A. 2010.

Q. 2010.

A. It's the summer of 2010.

Q. Okay.

A. It completed its five-year special survey August 30, 2010. That's when we put it on the log.

Q. And so working through the process like you stated he was -- he seemed to want to get to the same spot, and then did it become more and more difficult and more and more, you know, as you -- was there a point when you said to him this is not going to get certificated?

A. Yes. When the letter from headquarters came that says that they wouldn't approve it for being a passenger carrying submersible in accordance with our present standards.

Q. Did they provide -- and within the letter was there

corrections to be made to get to the certification status or the construction just would not --

A. It didn't have to do with the construction of the submarine. It had to do with the recovery.

Q. Recovery.

A. That was the issue why the Coast Guard would not certificate it is that they wanted to certificate it for more than 150 feet.

Q. And then once he received the letter that it would not be certificated do you remember that conversation or --

A. Then they --

Q. -- how it --

(Simultaneous comments.)

A. -- shifted focus to the research vessel, and then to get it through the research vessel process. And that's when we started back and forth with the *Ops Manual* and that kind of stuff like that communicating with L.A. and stuff. But it shifted. At first the focus was, was pretty spot on, but somewhere along the line post research vessel thing it seems like the adherence to the standards got a little looser. Like I say, we're getting into some speculation here --

Q. Yeah.

A. -- as far as any glaring outstanding things that point to that I can't remember any.

Q. And who was involved in those conversations? Was it just you and Stockton or were there other people?

A. John Dwyer was involved obviously part of the certification process, and I forget who in headquarters was the person that was the main person assigned to that back in 2010. But, obviously, John Dwyer was the approval -- OCMI's representative was involved in the whole -- that process.

Q. And did you provide -- did he already know about the research vessel?

A. I think so. Because that was one of the things that had -- in the earlier conversation was they wanted -- research was his -- he had an interest in oceanographic research for the different, different kinds of wrecks and stuff around that he was interested himself going and taking other people to. So from even if it was -- been inspected as a passenger carrying submersible he would have still done some oceanographic research dives.

Q. And then after you -- so, so now they're going through the oceanographic research, and you basically made the, the requirement for the *Ops Manual*, and you're still going through that process. Were you still working with Stockton Rush --

A. Yes.

Q. -- at the time?

A. There's obviously other people in the company, but he was the main point of contact as far as the back and forth to the different OCMIs and stuff. And he had other people, obviously, doing the -- creating the manual, and like I said, what they were doing back there, but he was the main person in conversations with

about that, hey, we don't like -- this section or that paragraph doesn't read correctly or whatever. He was the person that we'd go back to and say, hey, this, this needs to be changed or that's, that's not -- cannot be a child scientist. The rules don't allow for that.

Q. Did you ever have a discussion with him when -- as him being allowed to be an oceanographic research vessel that they were not allowed to carry any paying passengers?

A. We went through, you know, 794 we went through what the -- because, obviously, the definition of passenger changed in 2006 from what it was. In fact in 2010, well, 2010 it had changed. Because if you're not a member of the crew, you're a passenger. And then obviously we get -- scientists are not passengers according to the rules, but it's -- so that was, that stuff was all in place by the time he got his oceanographic research vessel about what the rules are about what's the definition of a paying passenger, and what's the definition of a scientist was -- that was all laid out as process of the process. And they knew that when they started the whole process.

Q. Did you ever hear the term mission specialist?

A. Yes.

Q. Prior to I guess the last few months or --

A. I mean, the Coast Guard's had mission specialists who are -- folks out on the (indiscernible) breakers and -- mission specialists about they specialize in -- I mean, the term has, has

been, you know, been in the Coast Guard for a long time. So they're -- that term has been out there.

Q. With regards to OceanGate?

A. No.

Q. When you had gone out to *Titan*, I believe you said it was four or five years ago is the last time you went out?

A. Yeah.

Q. And you saw the -- what you believed to -- how did you know -- you said it was the *Titan* on the barge. How did you know it was the *Titan*?

A. They said it was.

Q. Said it was. And what conversation did you have with them regarding --

A. I just I was there for something else, and they, and they said, hey, we have these other two that we're planning on taking people to the *Titanic* with for the, for the *Titan*. The *Cyclops* I don't think was certified for that deep. But so they just -- what they had planned for both of those two that I had never been associated with, with -- like I say, it was on the thing and everyone in it, and they just -- what their, I guess, vision for it was, was taking people to the *Titanic*.

Q. Was it a -- if you looked at it, was it a -- was it a fully built submersible at the time?

A. Yes.

Q. And you said there was two of them that were there?

A. There was actually all three of them; *Antipodes*, and I think the *Cyclops*, and I'm not 100 percent sure on that, but the *Titan*. All three of them were sitting on the same barge platform.

Q. And did you ask him whether or not they had oceanographic research designation or anything like that?

A. No.

Q. Did they discuss where they would be operating outside of the *Titanic*?

A. No.

Q. Were you aware of any time that they operated in Puget Sound?

A. Yes. I mean, as far, as far as the *Antipodes*, not the other two.

UNIDENTIFIED SPEAKER: That's all the questions I have. Do you have any (indiscernible).

MR. WINTERS: Just as a point of information. During the whole *Antipodes* process he says I want a sub -- I'm going to have a submarine someday that's certified for 10,000 feet. That was, that was, I guess, a dream or a goal of his is even during this *Antipodes* process is I want a submarine that's certificated for 10,000 feet. That was more than once.

BY UNIDENTIFIED SPEAKER:

Q. Yeah. Did you have any like discussions with him? He said he wanted it. Did you say how are you going to get there? How are you going to do this or --

A. No, sir. I thought, you know, I thought, I personally

thought that's going to be a heavy lift because those are expensive I think. You start getting one like PVHO-1 to 10,000 feet, I think it would be a pretty heavy lift.

Q. Okay. Just a couple follow-ups, sir. Are you aware of any contact that *Titan* had with either the district or even higher in the sector, sector commander? Was there ever any pressure coming from those things?

A. Never -- I was never aware of any that got down back to my level.

Q. Oh, after you, you saw the, the *Titan* did you mention that to anybody back at the sector? Do you remember? Was there any conversation?

A. I think we had some conversations about they had some more submarines, and they had visions of going to the *Titanic*, but it's like in the bullpen. You know how that gets.

Q. Sure. Was it your understanding that he knew the process to get it certified if he needed to?

A. I told him I, I don't -- that I don't think that the Coast Guard could be very amenable to giving them a research vessel letter for the *Titanic* is, is -- I thought that -- I told I thought that would be at the time would be a heavy lift. Because, obviously, plan approval, and because I'm sure the marine -- that would go way up the chain, and I'm sure that the -- we would have been outside the regulations to push different kinds of standards on them for, for a structural review and that kind of stuff like

that if they were to ask us for, for a research vessel letter on that.

Q. And to get that, they would have -- had some kind of class society; is that correct?

A. Well, the rules don't say you have to be classed to be a research vessel.

Q. Okay. But you did tell him from a Coast Guard standpoint --

A. From a Coast Guard standpoint obviously whichever (indiscernible) if you, if you were to ask them for to get certified to 12,500 feet that, obviously, an OCI written mission to make sure that it's a safe vessel or whatever to operate in, we would have required some kind of structural review. Where on the *Antipodes* we had that PVHO-1 ABS class. So we had -- knew that it met a structural standard that we recognized, both the PVHO-1 and ABS. So it met two different structural standards that we, that we use. But like I said, for you to come and ask for a research vessel letter for 12,500 feet, I'm very sure without -- not having that specific conversation we had to major jump through some hoops.

Q. And just to make sure; that conversation was between you and Stockton Rush?

A. Yes.

Q. Do you know when that took place?

A. It was -- that would be probably five or six years ago when they actually had the *Titan*, and they were talking about, hey, we

want to take people. I don't think they'd actually taken anybody to the *Titanic* yet. They may have taken a dive out near Puget Sound or two just to test out, but I don't think they had ever gone to the *Titanic* yet.

UNIDENTIFIED SPEAKER: That's all I have.

Marcel.

MR. MUISE: I have nothing, sir. Thanks.

BY UNIDENTIFIED SPEAKER:

Q. Do you know why if the ORV was available why Stockton would want to go through the COI process for the *Antipodes* in the first place?

A. Well because -- how he was marketing it then I could just have anybody go buy a seat on it. Where if it's ORV technically it has to meet the definition of a scientist, you know, be oceanographic (indiscernible) archeology, whatever. Has to be somebody involved in one of those professions to be called a scientist. Whereas a passenger carrying submersible anybody comes off the street with enough money you could take them for a, for a dive.

UNIDENTIFIED SPEAKER: I think I'll leave that one alone. That's good. Thank you.

LT [redacted] I just have just a few.

BY LT [redacted]

Q. Could you go into details about the comments that he had stated as far as for regulatory purposes or his, his

(indiscernible)?
A. There was never any really derogatory comments about the -- he was an aviation person. He was used to complying with regulations the whole industry. So this started out we're going to go to the letter of the rules. Whatever the rules you got we're going to comply. Help us comply with the rules. And that through even, through the, the ORV process there was attempts by them to comply with the rules that we put in place whether they were OCMI's discretion rules or actually in the regs or whatever as far as getting certificated. Post that, post that thing he was in some conversations after they got that he was disillusioned with the process of I'm an innovator type thing, as and it's our rules don't keep up with the times. There was couple of those conversations. He was not a fan of all the hoops that had been put in his -- in the way as far as the whole process.
Q. And was it -- was he, was he aware that as far as for the ORV the one that he did receive the letter for it only covered the *Antipodes* or was it --
A. Yes. It specifically says on that it's only -- it actually it, it's actually issued to a *Antipodes* WN number blah, blah, blah. So that's -- it says right on the designation that it only applies to that vessel.
Q. So there was no assumption that he could have been covered by the *Titan* or the *Cyclops* or any of those?
A. No. Those were not covered by that letter.

LT [redacted] That was the only questions I had.

UNIDENTIFIED SPEAKER: [redacted] do you have any questions?

MR. [redacted] No, sir.

BY UNIDENTIFIED SPEAKER:

Q. Just one more. Have you ever been involved in the new construction of a carbon fiber submersible?

A. No.

UNIDENTIFIED SPEAKER: That is all we have for the interview. It is 11:33, and that completes the interview.

(Whereupon, at 11:33 a.m., the interview was concluded.)

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF:	LOSS OF THE SUBMARINE *TITAN* IN THE NORTH ATLANTIC OCEAN ON JUNE 18, 2023 Interview of John Winters
ACCIDENT NO.:	DCA23FM036
PLACE:	Puget Sound, Washington
DATE:	July 24, 2023

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

[redacted]

Katherine Motley
Transcriber