

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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FIRE AND SINKING OF THE *CONCEPTION*
WITH LOSS OF LIFE NEAR
SANTA CRUZ ISLAND, CALIFORNIA,
SEPTEMBER 2, 2019

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Accident No.: DCA19MM047

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Interview of: LT



T-Boat Inspector, U.S. Coast Guard

Wednesday,
December 4, 2019

APPEARANCES:

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National Transportation Safety Board

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National Transportation Safety Board

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(On behalf of LT [REDACTED])

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I N T E R V I E W

(10:05 a.m.)

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2
3 MR. EHLERS: I'm sorry. We're commencing the recording.
4 It's about 10:05 on December 4th, and we're here with Lieutenant
5 [REDACTED] to talk about Subchapter T regulations from Title
6 46 of the CFR.

INTERVIEW OF LT [REDACTED]

BY MR. EHLERS:

9 Q. Could you state your name and your position?

10 A. Yes. I am Lieutenant [REDACTED]. I am a qualified T-
11 boat inspector, as well as in Coast Guard Engineering right now.
12 I have T-boat experience from Sector Miami and I also work with
13 hazardous materials as a chemical engineer.

14 Q. Okay. And what's your position, specifically, right now?

15 A. Specifically, right now, I'm in the Hazardous Materials
16 Division, Coast Guard Engineering 5.

17 Q. Here at headquarters?

18 A. Headquarters. Yes.

19 Q. Okay. All right. And what's your educational background?

20 A. My educational background is I attended the Coast Guard
21 Academy and graduated in 2011. And then I attended North Carolina
22 State University in chemical engineering and graduated in 2019.

23 Q. Okay. And then, when you became operational in the Coast
24 Guard, could you tell us a little bit more about your training and
25 experience? You mentioned Miami, but if you'd expound on that a

1 little bit?

2 A. Of course. My first billet was Sector Miami. I was there
3 for 3 years. I specialized in, first, foreign freight and
4 container ships, and then I moved on to passenger vessels. I have
5 been qualified in cruise ship vessels, Subchapter T and Subchapter
6 K vessels, as well as facilities and containers there. After
7 Sector Miami, I moved to Houston, where I qualified in tank
8 vessels, chemical, tankships, gas carriers, barges and that's --
9 after that I went to grad school.

10 Q. Okay. And what was your training to be an inspector?

11 A. The training to be an inspector is, initially, they have you
12 follow other inspectors around who are qualified, subject matter
13 experts in whatever vessel that you are studying. You attend a
14 school in Yorktown. It's called a Sea School, locally. And at
15 that Sea School, depending on what you're studying, it will be
16 roughly 1 to 5 weeks. They will teach you all of the regulatory
17 side, and then you will take that back into practice at your unit.
18 And then you undergo a rigorous training schedule with your unit.
19 It's a feeder port, is what we like to call it in the Coast Guard.
20 So at the feeder port you undergo that rigorous instruction where
21 you shadow somebody, you inspect as many vessels as you can,
22 following that person until you conduct a board, in front of a
23 panel, and that is what qualifies you to actually be able to
24 inspect by yourself.

25 Q. Okay. And you mentioned, I believe in Miami, you had

1 T-boat experience, T-boat qualification. First off, in Miami, are
2 there old T and new T-boats based there that you inspected?

3 A. Yes.

4 Q. And do you have a sense of how many boats that you might have
5 inspected over the time you were there? In the -- subject to
6 Subchapter T, not the broader.

7 A. Yes. Without having it in front of me, I would say about 140
8 different inspections. That doesn't mean different vessels in
9 particular.

10 Q. Certainly. And did you inspect the same boats year to year
11 or did you rotate with a pool of other inspectors?

12 A. We rotate with a pool of other inspectors. There are certain
13 vessels, if you have a rapport with whoever the master is or if
14 you have the history and you know the history better, we try to
15 keep our expertise in that area. So if you do know the history,
16 it does help for the inspections.

17 Q. Okay. And how many inspectors generally go out on an
18 inspection of a T-boat?

19 A. Of a T-boat, in general, there's about three inspectors;
20 usually two qualified and one who's learning.

21 Q. And I know we're going to talk about T regs here shortly, but
22 how long does an inspection take? And I know there's two,
23 essentially two versions. There's the COI inspection and then the
24 annual renewal or the annual reinspection. Can you kind of
25 explain how long a T-boat inspection might last?

1 A. Of course. It -- I hate to give the standard response: It
2 depends on the vessel. Whether they are one that's carrying more
3 passengers, there might be more things to inspect and also what
4 the construction is. Also, there's a lot of different kinds of
5 exams outside of just the COI, as you mentioned, and the annual.
6 We also have separate ones where we have them in dry dock and
7 other exams where we are looking at just specific parts that they
8 may have fixed or altered.

9 So if it's something where it's just a part that's altered or
10 fixed or we're just going there just to put eyes on it, it can be
11 a very short -- around 30 minutes to an hour exam. If it's a COI
12 or if it's an annual inspection, then it will be anywhere from 2
13 to 5 hours, depending if something goes wrong. If everything is
14 good and working and in good shape, it allows us to check things
15 more quickly. And it also depends where the vessel is at, because
16 we have to do a lifeboat or a life drill. And so we'll have them
17 actually do the man overboard operations in the navigable water
18 area. We don't want to have them do it right next to the dock,
19 obviously, for their safety. So some of the transits, especially
20 in Miami, it can take quite a while to get through the
21 Intracoastal Waterway just to get to a spot where you can do that.

22 Q. I see.

23 A. And that definitely prolongs the exam.

24 Q. Okay. You mentioned the man overboard drill. Does an exam
25 ever include other types of drills?

1 A. Yes. We also do a firefighting drill, as well, and how they
2 can respond to that.

3 Q. And, a typical firefighting drill, what would that entail?

4 A. So typically, for the firefighting drill, we want to test the
5 PA system if they have that on board, depending obviously old, new
6 T, whatever the requirements are. We try to see how they do any
7 kind of shutdown, if there's any systems that they're required to
8 shut down. Basically we're checking to see that they're following
9 the procedures that they have laid out.

10 Q. Okay. I'm going to back up just a little bit. You mentioned
11 the Sea School training.

12 A. Yes.

13 Q. And you said it was 1 to 5 weeks, depending on what the
14 course of instruction was. If you're going to a location that had
15 a lot of T-boats, did the training focus on T-boats?

16 A. The training at the Sea School isn't -- it's for inspectors
17 from every unit throughout the Coast Guard. So it doesn't
18 necessarily just focus on Miami or any section that you're at, or
19 more heavily on T-boats. It's actually -- it focuses on T, K and
20 also barges, domestic vessels. It's called MIC, Marine Inspector
21 Course. And so it just covers a broad spectrum, and then during
22 the training the instructors will ask what kind of experience you
23 have at your own unit, whether you've had any kind of wood vessel
24 experience or whatever that might be.

25 Q. Okay. So now I'd like to get into what we really came to

1 talk to you about, which is the T regs themselves.

2 A. Yes.

3 Q. The regulations, I believe, were updated significantly in
4 1996 or came into force in 1996. Can you explain, as best you
5 know, what the major changes were when those new regulations were
6 implemented?

7 A. Of course. And I can also provide, I have a document here
8 that I made over the last couple of weeks, that I'd like to give
9 to you guys that -- this will have a little bit of what you're
10 asking for as far as covering the main differences.

11 In general, the main sections that you're going to be
12 focusing on that are the differences between the old and new T,
13 stem down to the lifesaving equipment and arrangements. Very
14 minimally with that; most of it actually has to carry over to the
15 new T, but there are some select items in there that are
16 highlighted in this that don't have to carry over. The
17 construction and arrangement, obviously, we aren't having them
18 redo all of their construction and arrangement because then we'd
19 be making them into a new T vessel. The fire protection
20 equipment, as well as the electrical equipment and machinery
21 installations.

22 Q. The document you provided here, where does this come from?
23 Did you generate this or does this come from a manual or something
24 like that?

25 A. I generated this. So this is -- I'll give you one --

1 UNIDENTIFIED SPEAKER: Thank you.

2 LT [REDACTED]: I generated this myself, but it comes directly
3 out of the regulations. So I took a little bit from my, our
4 Marine Inspector Course, just because that's how we learned it.
5 But the majority, all of it, is found within the regulations. And
6 really, what the document does, is it -- is a side-by-side
7 comparison, breaking down each of the parts and comparing what is
8 different, what is the same, are there any major nuances between
9 the two. And that's shown in each breakdown.

10 BY MR. EHLERS:

11 Q. Okay. Do you have any knowledge of the history of why it was
12 updated in 1996? Was there an accident that drove this update?
13 Or was there -- do you have any knowledge of the history? If you
14 don't --

15 A. I know where to find it.

16 Q. Okay.

17 A. But I don't have that in front of me.

18 Q. Okay. All right. That's fair enough. So when an inspector
19 goes aboard a vessel, they are obviously jumping back and forth
20 between new T and old T, depending on what they're looking at; is
21 that correct?

22 A. That depends on -- we do a lot of prep work before you go on
23 the vessel. You don't just show up on it and then ask whether
24 it's old or new. We find out, we use a program called MISLE. And
25 we go into that program ahead of time, before the inspection, and

1 we figure out what kind of system we're working with. Are they
2 before 19- -- for example, 1980? Are they before 1996? What kind
3 of, you know, what's their dates? So we see what their keel laid
4 date is and what their build date is, and then we figure out what
5 kind of gross tonnage they are, how many passengers they're
6 carrying, a bunch of different elements. Once we take those
7 elements, before we ever go on the inspection, we already have in
8 our mind what we're looking for.

9 But you are correct in, if it is an old vessel or old T, one
10 that applies, then, we will be looking at things a little bit
11 differently because the regulations are different.

12 Q. Okay. Just to clarify, the operations section of the
13 T regulations, all vessels are required to follow the new
14 T regulations. Is that a correct statement?

15 A. All vessels --

16 Q. To your knowledge?

17 A. All vessels that -- to which T applies, including vessels
18 that are either prior to 1996, it's all based on the applicability
19 section before each part. So you can't really say a blanket
20 statement of all. The best way of looking at it is, until stated
21 otherwise within the regulations, it all applies to T vessels.

22 Q. Okay. And I should've started with this. What vessels does
23 the T regs apply to?

24 A. So the T regs apply to a vessel that's carrying more than 6
25 passengers for hire, but less than 49 overnight accommodations,

1 less than 150 personnel, and also less than 100 gross tons.

2 Q. Okay. And is there a requirement for the number of crew for
3 a T vessel or is that dependent on the COI or the Certificate of
4 Inspection?

5 A. So it is dependent on the Certificate of Inspection for that,
6 but that is dependent on the officer in charge of marine
7 inspections, for that particular area.

8 Q. Okay. And if there is -- is an inspection only looking at
9 regulations, the compliance with regulations or does the inspector
10 have some leeway as far as, perhaps, what they view as an unsafe
11 practice or an unsafe situation, but not covered under
12 regulations, to take any action against that?

13 A. Absolutely. As an inspector, our -- what we're trying to do
14 is we're trying to ensure the safety of whoever we're inspecting.
15 And that is the highest precedence. If there's anything that we
16 see as an inspector that we deem unsafe, we have the authority to
17 talk to our OCMI and come up with a solution to address that.

18 Q. Okay. Did you ever have a situation when you were an
19 inspector where -- perhaps a situation where it wasn't -- there
20 wasn't a regulatory issue but perhaps a safety issue that OCMI
21 took action?

22 A. I can speak to -- I'm trying to think as far as T-boats go.
23 I can speak of a historical one that I was told about that might
24 be useful.

25 LT [REDACTED]: If you don't have a personal --

1 LT [REDACTED]: I just don't want to pull anything I can't
2 quite remember offhand, but I can get back to that if you'd like.

3 MR. EHLERS: Okay. If you have that information, that's
4 fine. If you don't, that's okay too.

5 LT [REDACTED]: Okay.

6 MR. EHLERS: Okay. That's all I have for the moment.

7 Bart, do you have something?

8 BY MR. BARNUM:

9 Q. Just a couple, I guess a little more specific questions that
10 I was thinking about.

11 A. Okay.

12 Q. We've spoken to several different sectors and inspectors at
13 different locations. You said you were in Miami?

14 A. Yes.

15 Q. When you were an inspector for Miami, did you -- was there
16 any system or any means of tracking vessel inspections outside of
17 MISLE that you would use, just like sector specific?

18 A. So within our sector we have a calendar that we use, and
19 that's where we heavily document all of our vessels. As we set up
20 the inspections we document them there, and then each individual
21 inspector kept their own spreadsheet of what vessels that they had
22 inspected.

23 Q. Okay. And what kind of categories were on those Excel
24 spreadsheets or those tracking systems?

25 A. Of course. So for -- because we were domestic vessel

1 inspections, it would be whether it was a Subchapter K or
2 Subchapter T vessel. We'd have the date that it was constructed
3 on it. We'd have whether it was an old T or a new T, if that was
4 applying. We would also have the location that it was at, and if
5 there was any other additional information that was beyond
6 standard regulations, if that makes sense.

7 Q. Would the inspectors -- because clearly you guys wouldn't
8 inspect the same vessel every year; there might be a different
9 inspector inspecting a vessel that you had inspected the previous
10 year.

11 A. Of course.

12 Q. Would they have access to your spreadsheet of notes of
13 tracking?

14 A. So we would put our own, the notes, inside of a community
15 folder within the unit so that we could go -- so we had the MISLE
16 option as well as our unit-specific folder. So as long as they
17 had access to the unit's folder, which they would by attending
18 there, then they would have access to all that information.

19 Q. One of the category -- would you have a category for -- you
20 know, I think it's obvious that some ships, some boats are problem
21 childs, if you will. You know, when you go out, was there a
22 section there where you'd be like, all right, we need to take a
23 closer -- make sure you take a closer look at this boat next time
24 you go out?

25 A. Our units are really small for the most part. So if there

1 were any problem vessels or vessels that kind of rose red flags,
2 we all would know about them pretty well in advance. And the
3 other thing that, if we were, because -- you're correct in saying
4 we do inspect different vessels, we would always talk, as long as
5 they're still at the unit, or even if they weren't at the unit
6 still, we talked to the inspector who went out before it, if there
7 were any red flags that were drawn with it. And within -- we all
8 have access to MISLE without -- throughout the Coast Guard. And
9 so if within that MISLE program, we would go inside, we would
10 check. Because after you do an inspection you have paperwork you
11 have to fill out and you have to say this vessel had this many
12 issues, these are where the issues were and kind of just a general
13 consensus of how the inspection went.

14 So we would read that before we'd go out and if we had any
15 questions and we would ask whoever was on that team, either who
16 wrote it or on that team. Because maybe the person who wrote it
17 might not be in the Coast Guard anymore but the team members --
18 I've never encountered a moment where none of the team members are
19 in the Coast Guard anymore.

20 Q. Okay. Just kind of changing speeds a little bit here. This
21 is I guess on Subchapter T. Are you aware, was -- are there any
22 studies that are available for a burn test or a fire test of
23 fiberglass opposed to fiberglass over wood?

24 A. I'm not aware of that.

25 Q. Is there any standard for that?

1 A. Unfortunately that's outside of my wheelhouse.

2 Q. Okay. Do you know who we can ask that, direct that question
3 to?

4 A. I mean, within engineering I know who's in charge of either
5 the machinery installations or the electrical installations, and I
6 know who's in charge of firefighting and --

7 Q. More (indiscernible) --

8 A. -- lifesaving. But I think that's probably a better one --
9 MR. EHLERS: Maybe the hull design.

10 UNIDENTIFIED SPEAKER: Let's try MSC.

11 LT [REDACTED]: Yeah. I think that'd be better.

12 MR. BARNUM: All right.

13 BY MR. BARNUM:

14 Q. Following up on that, obviously, NTSB gives out
15 recommendations. Has there been any thought to the fire detection
16 in the lazarettes of these vessels and implementing that into the
17 T at all? Has there been --

18 A. I am not in that discussion. I know there are discussions,
19 obviously, with the incidents that have lately come to. I know
20 there are discussions about changes. I don't know what those will
21 be.

22 MR. BARNUM: Okay. You got anything else?

23 MR. EHLERS: Yeah, a couple.

24 BY MR. EHLERS:

25 Q. You mentioned testing the PA systems, depending on whether it

1 was old T or new T. What is the old T difference, new T
2 difference for PA systems?

3 A. So that's within here. If you give me a minute I can pull it
4 up for you. I don't want to speak on my memory for this.

5 Q. Yep. Absolutely. Take your time.

6 A. So the PA system -- and I've probably misspoken that and I
7 meant the general alarm is what we were listening to, and the
8 general alarm -- the PA system can function as the general alarm.

9 Q. That's where I was going to go. So --

10 A. And that's -- yes. Exactly.

11 Q. And so what are the regulations for that?

12 A. For the public address system?

13 Q. Right. Yeah.

14 A. For the public address system, it's in new T, 184.610. Would
15 you like me to read it?

16 Q. Yeah. Please.

17 A. Of course. Except as noted in Paragraphs D and E below, each
18 vessel must be equipped with a public address system on a vessel
19 of more than 19.8 meters, 65 feet in length. The public address
20 system must be a fixed installation and be audible during normal
21 operating conditions throughout the accommodation spaces and all
22 other spaces normally manned by crew members.

23 A vessel with more than one passenger deck and a vessel with
24 overnight accommodations must have the public address system
25 operable from the operating station.

1 On a vessel of not more than 65 feet in length, a battery
2 powered bullhorn may serve as the public address system if audible
3 throughout the accommodation spaces of the vessel during normal
4 operating conditions. The bullhorn's batteries are to be
5 continually maintained at a fully charged level by use of a
6 battery charger or other means acceptable to the cognisant OCMI.

7 On a vessel of not more than 65 feet in length carrying not
8 more than 49 passengers, a public address system is not required
9 if a public announcement made from operating station without
10 amplification can be heard throughout the accommodation spaces of
11 the vessel during normal operating conditions to the satisfaction
12 of the cognisant OCMI.

13 Q. And that is new T?

14 A. That's new T, which applies in this part to both.

15 Q. To all T-boat --

16 A. Yes. To all T.

17 Q. Okay. So in the case of the *Conception*, which was built in
18 1981, that PA system requirement was required?

19 A. Yes. However, a public address item is not required if a
20 public announcement made from the operating station without
21 amplification can be heard. And what that means when you're doing
22 an inspection is that if the vessel is of such a size that you
23 could just yell and it could be heard, that is a sufficient way
24 to communicate.

25 Q. But that was 65 feet and under; is that correct?

1 A. 65 feet -- and I'm not familiar with the *Conception*, so if
2 there's --

3 Q. Yeah. So it's 75 feet.

4 A. Okay. Yes. Exactly. Sorry. I'm not familiar with it.

5 Q. So the full PA system would be a requirement then -- would
6 have been a requirement?

7 A. Yes, if they are more than 65 feet in length.

8 Q. Okay. It was. Yeah. So okay. All right. Thank you.

9 A. Sorry. I'm not familiar with that one.

10 Q. It's all right. I should have been more clear with that.
11 The other thing in reading the T regs and talking about the
12 inspections, and especially for COI, that when -- any major
13 alterations has to be reported to the Coast Guard; is that
14 correct?

15 A. Yes. That's correct.

16 Q. And that's correct no matter what version of the T regs
17 that --

18 A. That's correct.

19 Q. Okay. The T regs, as I read them, state that you don't have
20 to notify the Coast Guard if it's a replacement in kind. Can you
21 explain what replacement in kind -- or maybe I should ask this:
22 Is there a definition of replacement in kind in the regulations?

23 A. There's not a definition in the regulations for replacement
24 in kind. But, from an inspector's standpoint, replacement in kind
25 means that it was already approved and they're just replacing the

1 part that was already approved to the exact same specifications of
2 the part that was approved.

3 Q. Okay. So I'll get very specific here. If an electrical
4 system is being -- the wiring and electrical system is being
5 changed out, does that mean that a owner has to use the exact same
6 wire or wire of similar kind?

7 A. Can you give me 1 minute --

8 Q. Sure.

9 A. -- because I know there's -- it's in here --

10 Q. Okay. And if you don't find something right away don't worry
11 about it.

12 A. Um-hum.

13 Q. But if you can, if you're able to find it here --

14 A. That's okay. This is all I was going to say on it, is that
15 while it needs to be obviously meeting the standards, if it's not
16 being a new installation, it's just replacing the existing. There
17 are a couple catch-all's in here, and in the event that, say, a
18 new one -- or if using the old one is detrimental to the marine
19 side. In 183.10-20: All wiring cables shall be suitable for
20 marine service and for the particular installation used. It's a
21 catch-all one in the instance that, if that is an outdated
22 covering or coating or whatever -- I'm not an electrical engineer,
23 but whatever, if it does not meet that standard as far as the
24 marine service or suitable for the installation, then it would
25 have to be different in that case. And then it would be brought

1 up to this.

2 Q. Okay. Is there any education given to -- and maybe this
3 isn't your purview, let me know --

4 A. Um-hum.

5 Q. -- to owners of vessels or operators of vessels about what
6 replacement in kind means or what things are -- maybe broader,
7 what things, alterations are required to be reported to the Coast
8 Guard?

9 A. So the only thing that I'll say with that, because it is a
10 little bit out of my wheelhouse, is that we do give a checklist
11 for inspections that is provided to the general public on our home
12 port, and on that it does reference specific sections, and I
13 haven't read through the whole thing, but it may reference that.

14 Q. Okay. Speaking of references.

15 A. Um-hum.

16 Q. In the T regulations it states, there's several references
17 that are incorporated by reference. Can you explain what
18 incorporation by reference means?

19 A. That is actually defined in here. So I'll look up that one.

20 Q. Okay.

21 A. So incorporated by reference is covered in 175.600 of new T.
22 And what that says is: "Certain material is incorporated by
23 reference into the subchapter with the approval of the Director of
24 the *Federal Register*, in accordance with 5 U.S. Code 552a and 1
25 CFR Part 51. All approved material is available for inspection at

1 the US Coast Guard Office of Design and Engineering Standards (CG-
2 ENG) in Washington, D.C., and is also available from the sources
3 listed below. It's also available for inspection at the National
4 Archives and Records Administration," and then the list is quite
5 extensive so I won't go into that, if that's okay with you.

6 Q. Um-hum. Okay. That extensive -- let's now have a follow-on
7 question to that.

8 A. Of course.

9 Q. That extensive list includes standards created by various
10 organizations, whether they be non-profits or standards companies,
11 that kind of thing, or standards organizations. Are those
12 standards, by being incorporated by reference, are owners required
13 to comply with those standards?

14 A. All I was going to say with that is that within each
15 regulation, if it does have an incorporated by reference, it
16 states -- will add additional information saying may comply, may
17 incorporate -- there are different may/shalls and different ones,
18 so you'd have to -- it would very much so depend on the exactly
19 what -- what you're talking about.

20 Q. Okay. So, as noted within the text --

21 A. As noted within the text. Yes.

22 MR. EHLERS: All right. I think that's all I had for the
23 moment.

24 BY MR. BARNUM:

25 Q. I have just a couple follow-up on the plan review as a --

1 from a -- as you were an inspector, what kind of training or
2 guidance do you provide the owner/operator with regards to when he
3 needs to issue a plan review.

4 A. Of course. So, as an inspector -- and I brought this with
5 me. So this is just one example, because I don't have Miami's
6 offhand. This is Sector St. Petersburg's Guide to Plan Submittal.
7 And each unit, in particular, for their AOR, their Area of
8 Reference, they have a document where people can reach out if they
9 are interested in creating a T-boat, a K-boat, whatever it may be,
10 they can reach out to that unit's specific website and they can be
11 provided a document much like this one that will tell them -- and
12 I can provide this to you because it's public --

13 Q. Thank you.

14 A. -- something along those lines. Again, I wasn't at
15 St. Petersburg, but -- so as a unit, if I were having a vessel
16 asking about the plan review process, then we would supply them
17 with a document that tells them mainly to talk to MSC here, or if
18 the OCMI deems that they want to have it on their side, because
19 either can approve it technically, then we handle it from that
20 side.

21 Q. I guess one other follow-up question you brought up. Is --
22 the OCMI, has the authority to do a plan review of new
23 construction and also retrofitting? Or is that -- what's the
24 delineation between OCMI and the MSC?

25 A. Just give me one second. Sorry. Okay. So, "As per

1 46 CFR 177.202, plan submittal is required for new vessel
2 construction, vessels requesting certification for the first time,
3 and for modifications to existing vessels that may have an impact
4 on the safety and seaworthiness of the vessel. A list of plans
5 that will be required may be found in 46 CFR 177.202.

6 So, if you go to that one. And this is, while it's not the
7 same reference inside old, it says much of the same thing, but
8 they're both in the same section. I can tell you the old T
9 reference if you would like, as well.

10 Q. Sure.

11 A. So it's 177.05-1 for old T. And so here it says that:
12 Except as otherwise provided in paragraphs (c) and (d) of this
13 section, the owner/builder shall, prior to the start of
14 construction, if practical, or in any case prior to the initial
15 inspection of the vessel, submit for approval by the Officer in
16 Charge of Marine Inspection, or of the inspection zone where the
17 vessel is to be inspected, at least one copy of each of the
18 following plans:

19 Midship section, outboard profile, inboard profile,
20 arrangement of decks, machinery installation, electrical
21 installation, fuel tanks, piping systems, hull penetrations and
22 shell connections.

23 Additional prints of the required plans may be, at the owners
24 option, be submitted for approval. Such additional copies will be
25 stamped and returned for the owner's records.

1 The OCMI may accept specifications, sketches, photographs,
2 line drawings or written descriptions in lieu of any of the -- of
3 all the required drawings, provided their required information is
4 adequately detailed therein. The OCMI may not require some of the
5 plans called for by paragraph (a) of this section, if to his own
6 knowledge the design and construction of the vessel are a type
7 which has been proven record of safe operation and similar service
8 upon similar waters.

9 And I'll ultimately defer this to MSC because they are the
10 experts in this one. But that OCMI can then, as an inspector
11 speaking on behalf of the OCMI in that moment, then you can say, I
12 need further guidance and MSC can be the ultimate plan reviewer.

13 Q. So as an inspector, I'm sure a lot of the times these
14 owner/operators, they're not familiar with the process so you
15 would offer them guidance. If they changed out one of their
16 generators, you would say -- you would give them the contact at
17 MSC or the OCMI -- or who would you, what kind of guidance would
18 you give them for a plan review? Would you give them a number?

19 A. If there's a subject matter expert at that unit, I would
20 direct them to the subject matter expert. Because that's -- as an
21 inspector, in general, when -- especially from an officer side, it
22 might be a little bit out of your scope because you're learning
23 the general inspection side, you might not be an expert in
24 electrical installations, for your example, or generators. And
25 then it can always go beyond, if the subject matter expert has

1 questions, then they can reach out to MSC and provide that contact
2 information to the vessel.

3 Q. Yeah. Okay.

4 A. But they definitely need to inform us that they're making
5 that change.

6 MR. BARNUM: Okay. Great.

7 BY MR. EHLERS:

8 Q. I did have a couple follow-ups related to NVICs. And could
9 somebody help me with the --

10 LT [REDACTED]: Navigation Inspection Circular?

11 MR. EHLERS: Thank you.

12 LT [REDACTED]: Yep.

13 BY MR. EHLERS:

14 Q. We found a couple NVICs that had applicability to equipping
15 and fitting out, if you will, of T-boats, but all vessels. I have
16 a couple questions. One is, is the guidance in a NVIC a
17 requirement for a vessel?

18 A. The guidance in a NVIC is not a requirement for a vessel, but
19 it can be an indicator of the vessel having problems that are
20 within these requirements.

21 Q. Okay. Are inspectors required to be knowledgeable in all the
22 applicable NVICs for the certain vessel they're inspecting?

23 A. Yes.

24 MR. EHLERS: Okay. That's all I had for that.

25 MR. BARNUM: Any on the phone?

1 UNIDENTIFIED SPEAKER: Okay. NTSB on the phone?

2 MR. EHLERS: Yeah. Adam?

3 BY MR. TUCKER:

4 Q. Hey, good morning. Yeah. This is Adam Tucker with the NTSB.

5 Lieutenant, thanks again for speaking with us. I do have a
6 couple follow-up questions. You'll probably laugh at me through a
7 few of them because they're very dumb. I'm not at all good or
8 well-versed in reading regulations, but I'm learning.

9 So I wanted to ask you first that -- with respect to the
10 regulations, there's always a reference -- and I'm talking about
11 the old T, old Subchapter T. There's always this reference of S
12 and L throughout the regulations. I'm wondering, just in general,
13 does the S and L apply to the vessel *Conception*?

14 A. So, the S and L is actually, it's a length thing within the
15 regulations. So I believe, pulling it offhand -- one moment. But
16 if it's an S or L, it's differentiated by 65 feet in length. So
17 if indeed the *Conception* -- you said 74?

18 MR. EHLERS: Seventy-five.

19 LT [REDACTED]: Or 75. Seventy-five feet, then it is an L in
20 this case.

21 BY MR. TUCKER:

22 Q. Okay. So when I'm looking at the regulations, if it says L,
23 that means that it applies to the *Conception*?

24 A. Yes. If it's an L, it applies to the *Conception*.

25 Q. Okay. And you said that's because that's over -- the length

1 is over 65 feet. Okay.

2 LT [REDACTED]: Well, to be clear -- this is Lieutenant [REDACTED]
3 -- you don't have any personal knowledge of the *Conception*?

4 LT [REDACTED]: Yeah. I don't have any personal knowledge of
5 the *Conception*.

6 BY MR. TUCKER:

7 Q. No, that's fine. And actually, because you don't, I'll make
8 sure if I do ask you any questions of applicability, I'll give you
9 the length or -- one of the guys will, and the dimensions and the
10 layout of the vessel as we talk. So that's fine. Understood. I
11 know you deal with a lot of vessels.

12 My other question is, you mentioned that you had worked as an
13 inspector at Sector Miami and you had inspected a lot of T-boats.
14 Just off the top of your head, from when you were there, were
15 there any liveaboard T-boats or were they mostly, I guess,
16 day-trippers?

17 A. I can't say for sure that there weren't any liveaboard T-
18 boats that I inspected, but they were mostly day-trippers in
19 Miami.

20 Q. Okay. And when you did the inspections in Miami, was it just
21 in the Miami area or did you have to go outside, like down to the
22 Keys or anything like that, or was that a different unit?

23 A. No. We were in charge of going down to Key Largo, I believe,
24 is the extent of our AOR. And we are also in charge of going up
25 to Fort Lauderdale as well.

1 Q. Okay. All right. Thank you for that.

2 How's -- was I going to say. Just point of clarification, so
3 -- and again, this is where my confusion really sets in on what is
4 retroactive from old T to new T. You spoke of the PA system. So
5 as I understand, again, the *Conception* was 97 tons and it was 75
6 feet in length, 79 overall. So the PA system that would've had to
7 been on the *Conception*, would've had to been in the applicable new
8 T regs. Is that correct?

9 A. Yes. That's in the 180 -- section 184, I believe.

10 Q. Okay. The other question I have is, again, old T/new T. But
11 is there any requirement for any type of logs and records for old
12 T vessels? Specifically logs of watch activities for crew
13 members, logs of drills, logs of vessel movement, anything like
14 that?

15 A. Yes. There are requirements for logs to be kept.

16 Q. Okay. Do you know the details for what those -- what needs
17 to be covered in those logs?

18 A. I would have to verify for old T, if you have a moment.

19 Q. Sure.

20 A. Okay. So actually that is applicable to both old and new T
21 in new T. So that's in Section 185.

22 Q. 185. Okay.

23 A. As far as firefighting drills and training, if those are the
24 logs you're referring to.

25 Q. Okay. 185. And but I can't -- I'm looking at 185 right now.

1 Is there a specific number or is that only in the new T regs?

2 A. It depends on -- it's in the new T regs. But it depends
3 what section you're asking about. For example, firefighting
4 drills and training, that's 185.524.

5 Q. Okay. All right. Yeah. I only have the old T regs in front
6 of me. So 185. Yeah, there's -- that's not there. Okay.

7 A. In 3 -- or in delta of that one, it says firefighting drills
8 and training shall be logged or otherwise documented for review.
9 And within that 185, other things are required for that as well.

10 Q. Okay. All right. The other question I have is -- and I came
11 across this and it's an unknown to me, but just from an inspection
12 standpoint and also just the regs, the old T, in 185.25-1, it
13 specifies emergency instructions and, specifically, it makes
14 mention of recommended emergency check-off lists. So when it says
15 recommended, is that a requirement or do vessel owners have some
16 kind of wiggle room as to whether or not they have to do this?

17 A. So that, as far as 185 -- what was the rest of the regulation
18 you said?

19 Q. 185.25 and it's going to be bravo.

20 A. So as far as 185 goes, the applicability is that an existing
21 vessel need not comply with the hull marking requirements in
22 185.602 until completion of the first dry dock, which is -- occurs
23 on or after March 11th, 1996. And also an existing vessel need
24 not comply with the marking requirement in 185.604 and 185.610,
25 until the existing markings are no longer legible, as determined

1 by the OCMI. So this whole section of 185, it applies to old and
2 new T. So the 185 old T regulations shouldn't be used here.

3 Q. Okay. All right. And I guess the other question is -- and
4 again, pardon my ignorance, not at all good at reading regulations
5 -- is with respect to fire detection and fire detection systems on
6 board old T vessels. I know the regulations specify in the
7 passenger berthing, but is there anything else that is applicable
8 or retroactive to new T versus old T for fire detection?

9 A. One minute, please. So as far as fire detection, spaces
10 required to have fixed fire extinguishing, or spaces required to
11 have fire detection systems, which section are you asking about?

12 Q. Fire detection, not fire extinguishing.

13 A. Okay. All right. One minute please.

14 Q. Sure.

15 A. For the section itself, for spaces required to have fixed
16 fire detection systems, doesn't actually exist in old T, but -- it
17 is a retroactive requirement for boats with a wood or FRP hull or
18 machinery space bulkhead to have independent modular smoke
19 detection and alarm in overnight accommodations. And, also, a
20 retroactive requirement for boats with a wood or FRP hull or
21 machinery space bulkhead to have automatic fire detection and
22 alarm.

23 Q. And so that -- it is retro. And you said automatic fire
24 detection and alarm, but that is only in the hull and machinery
25 overnight accommodation of space. It doesn't specify anywhere

1 else, does it?

2 A. I'm going to defer you to MSC for that one because they have
3 a better answer for that.

4 Q. Okay. No problem. The next question I have was related to
5 trash cans. Again, reading the regulations, I came across the
6 subject of metal trash cans that needed to be at least covered. I
7 don't have the exact wording. And it mentioned lounges.

8 A. Yes.

9 Q. So, I believe, reading the reg page, the lounge, really, by
10 definition, is only the space where there's overnight
11 accommodation and there's nothing else. Is that correct?

12 A. There's no definition for lounge in the regulations.

13 Q. Oh. Okay. I thought I saw that somewhere. So is there -- I
14 guess my question then is, is there any definition or space
15 categorization for spaces on board of a T-boat? For example,
16 lounge, overnight accommodation, either in the old or new T regs?

17 A. Overnight accommodations are defined in the new T
18 regulations.

19 Q. And that's in new T?

20 A. Yes.

21 Q. Okay. And, if -- for the *Conception*, they have the bunk room
22 down below. And again, I understand you probably don't know the
23 layout of the vessel. I'm just curious. So, if you can point me
24 in the right direction in the regulations for it, is bunk rooms
25 down below, you know, within the hull. Then we had the main deck.

1 And on the main deck, there was the galley up forward and what
2 they called the salon, back aft, was basically tables, chairs,
3 where the passengers would sit, eat, you know, and just hangout.
4 Then above the main deck was the wheelhouse where there was also
5 crew berthing there. So, just curious, if there's -- do you know
6 if there would be a proper title or a name or a space
7 categorization for that salon area --

8 A. I do not know that.

9 Q. -- on the -- okay.

10 I'm getting down to the list here. Also, with this whole
11 retroactive from old T to new T is signage and lighting, in
12 particular, emergency signage and lighting. Is there anything
13 retroactive between old T and new T relative to the *Conception*?
14 And again, 75 feet in length, 97 ton, built in '81?

15 A. Can you repeat the question?

16 Q. Emergency signage and emergency lighting. Just wondering if
17 there's anything retroactive between old T regulations and new T
18 regulations for a vessel of the *Conception*'s year of build, which
19 is '81; and the length of the vessel, 75 feet; and the tons, the
20 gross tons being 97?

21 A. Just give me one minute, please.

22 Q. Sure.

23 A. So for, as far as emergency lighting goes, that's not covered
24 in old T. It's in new T, 183.432.

25 Q. Okay. And signage, is there anything retroactive to that, as

1 well? For example -- I should be more specific. I apologize.
2 Emergency escape signage for alternate or secondary egress routes
3 signage.

4 A. One minute. So that's a new T requirement: Means of escape,
5 which is not readily apparent to a person from both inside and
6 outside a space, must be adequately marked in accordance with
7 185.606 of this chapter. And that's found in 177.500. It is not
8 listed in old T.

9 Q. Okay. And so when you say not listed in old T, that means
10 it's not applicable to an old T vessel, right?

11 A. Correct. Except as otherwise required by paragraph (b) of
12 this section, an existing vessel must comply with the construction
13 arrangement regulations that were applicable to the vessel on
14 March 10, 1996.

15 Q. Okay. And just wondering, again, with the emergency escape
16 route or, as the old T regs call it, avenues of escape, is there
17 anything retroactive -- I'm probably not even using the right
18 words and I apologize if I'm not -- for avenues of escape, that
19 would have applied in new T for the *Conception*? In other words,
20 the emergency escapes -- emergency escape hatches or, as it's
21 called in the regs, the avenues of escape.

22 A. No, there's no retroactive for that.

23 Q. No retro.

24 MR. TUCKER: Okay. Let me double check my notes. I'm
25 probably going to have one or two more follow-ups with you.

1 That's all I have for now. Lieutenant again, thank you. I
2 appreciate it.

3 LT [REDACTED]: Thank you.

4 UNIDENTIFIED SPEAKER: Andrew --

5 MR. MUISE: Lieutenant, this is Marcel Muise, also one of the
6 NTSB investigators. And I just had a few questions about T for
7 you. And if you're not the right person to ask, just say so.
8 That's okay.

9 MR. EHLERS: Hey, Marcel. I'm sorry to interrupt you. Can
10 we take a short break?

11 MR. MUISE: Absolutely.

12 MR. EHLERS: All right. Let's --

13 UNIDENTIFIED SPEAKER: We can go for about an hour --

14 MR. EHLERS: Yeah. It's, I've got about 11:05. Why don't we
15 start up in about 5 minutes?

16 MR. MUISE: Five minutes, aye.

17 MR. EHLERS: Pausing the recording.

18 (Off the record.)

19 (On the record at 11:15 a.m.)

20 MR. EHLERS: Starting the recording of interview of
21 Lieutenant [REDACTED], Coast Guard Headquarters, December 12th
22 [sic], 11:15 a.m.

23 Mr. Muise.

24 BY MR. MUISE:

25 Q. Good morning there, Lieutenant. Marcel Muise with NTSB and

1 I've just got a couple follow-ups.

2 Specifically, about 181, where it talks about independent
3 modular smoke detection and alarms, does that language -- would
4 that language preclude me, as an owner, from installing an
5 interconnected system, either wireless or hard wired?

6 A. I would say for that you would want to ask more of an expert
7 in that field.

8 Q. Okay. That's fine, thanks. And then a little bit later when
9 it talks about griddles and extraction hoods and if you have an
10 extraction hood, then you need a dry or wet chem system. Is there
11 any, you know, a better definition of what a griddle is? Is there
12 a temperature or a size? Because I think from what most of us saw
13 on the *Conception*, that was the common person's definition of a
14 griddle, but --

15 A. There's no specific definition as far as griddle in the
16 regulations.

17 Q. Okay. Fair enough. And I'm also looking at a list of rule-
18 making projects on (indiscernible) website, and there's about 20
19 line items there. Nothing really that pertains to T-boats. Are
20 you aware of any other rule-making projects?

21 A. I am not aware of any other rule-making projects.

22 Q. Okay. And then lastly, just a follow-up on Drew's question
23 about MIC school. How long is MIC school now? What's the latest
24 iteration of that?

25 A. So when I went to MIC school, it was 5 weeks long.

1 Q. And that covered T, barge, and port state control; is that
2 right?

3 A. No. Port state control has its own school. That's Port
4 State Control School, and it's 3 weeks long.

5 Q. Okay. So 5 weeks covers T, K, I assume as well?

6 A. Yes.

7 Q. And barges?

8 A. Correct.

9 LT [REDACTED]: To clarify. When did you go to MIC school?

10 LT [REDACTED]: I don't have the precise date. I went to MIC
11 school either in 2012 or 2013. So it could have changed or be
12 different now.

13 BY MR. MUISE:

14 Q. Is there still such a thing as Senior MIC School?

15 A. I don't believe so, but I don't have an answer to that.

16 MR. MUISE: Okay. All right.

17 Hey, that's all I have for you, Drew.

18 MR. EHLERS: Okay. Captain Neubauer, do you have any
19 questions?

20 CAPT NEUBAUER: I do. But first I'll go to LT [REDACTED] on the
21 line. [REDACTED], do you have any questions?

22 LT [REDACTED]: Hey, good morning, everyone. This is Lieutenant
23 [REDACTED]. I'm the national technic advisor at the
24 Investigation National Center of Expertise. I do not, Captain.
25 Thank you very much. I don't have any questions.

1 CAPT NEUBAUER: Okay. Thank you.

2 Well, this is Captain Neubauer. I just have a couple
3 questions.

4 LT [REDACTED]: Okay.

5 BY CAPT NEUBAUER:

6 Q. I want to go back to your experience as a T-boat inspector.

7 A. Okay.

8 Q. You mentioned a typical team size --

9 A. Yes.

10 Q. -- of two to three inspectors. Was that Miami or Houston or
11 both; do you remember?

12 A. That was in Miami, and that's only -- I have to be very
13 specific -- that's only for team K really. In Houston, because
14 there are so few vessels, usually there's a bigger inspector team
15 going out to try to get more experience. So probably the same
16 number of qualified, one or two qualified, that can -- depending
17 on the size of the vessel, and then several more people shadowing.

18 Q. In your experience, was there ever times in Miami for T-boat
19 inspections that you had one inspector go out solo?

20 A. I didn't ever go out solo on any T-boat and I never -- I
21 don't know of anybody who went out solo, but I could see it
22 happening, of someone going out solo, depending if it's a very
23 small -- because we'd get some very, very small -- for example, a
24 high-speed craft that's very small.

25 Q. Okay. So --

1 A. So I went out with one qualified inspector and one
2 non-qualified inspector, which is pretty much the same as going
3 with one.

4 Q. Okay. But there was no unit policy saying that you had to
5 have at least two inspectors, that you could remember?

6 A. I don't recall, but it could be different.

7 Q. Okay. And as part of your -- those T-boat inspections in
8 Miami, did you ever do abandon ship drills with the crew?

9 A. We did the man overboard drills, which I believe is what
10 you're --

11 Q. I was thinking more about like maybe post-fire, emergency
12 evacuations, donning life jackets to like having crew and
13 passenger escape.

14 A. We did look at life jackets. We didn't necessarily have them
15 don the life jackets, that I recall.

16 Q. Okay. So part of that would not be, like, in your memory,
17 doing a drill to have, like, passengers escape from the vessel?

18 A. So the --

19 Q. Like an escape with fire or anything like that?

20 A. No. I wouldn't say so.

21 Q. Okay. When you were doing those inspections, were you
22 looking for modifications on the vessels?

23 A. Yes. We were looking to see if anything was different that
24 wasn't previously stated to us.

25 Q. Okay. In your experience, would you have to find those or

1 would the owner present those or was it maybe a mix of both?

2 A. Usually the owner presented it before we ever went on the
3 inspection. They would notify us that they were making a change,
4 and then either they would contact MSC or us to get approval for
5 the change. And as an inspector, we would just go to verify that
6 it was made according to regulations.

7 Q. And in your experience, did you ever find modifications that
8 were not reported?

9 A. I did not find any.

10 Q. And I'd like to get to an owner's perspective. Like when an
11 owner has a vessel under old T, how does he reference the
12 regulations in new T? Are those included, the standards that he
13 has to apply from old T?

14 A. In what context?

15 Q. If I'm an owner and I need -- want to know what regulations
16 apply, and I have an old T-boat, how do I reference the
17 regulations?

18 A. You can get the regulations online as far as the Code of
19 Federal Regulations, if that's what you're asking.

20 Q. So, but that would be new T that would be online?

21 A. You can -- I've managed to get an old T version online and
22 they should be at our Coast Guard website. There's a link to
23 them. I don't have that link in front of me.

24 Q. Okay. So but you'd have to get like a historical version of
25 the regulations; is that correct?

1 A. Yes. There's a -- it would have to be historical for
2 old T.

3 Q. Okay. Because it wouldn't be included in the new T
4 regulations.

5 A. It's not included anywhere in the new T regulations, just
6 referenced back.

7 Q. Okay. Are you familiar with the phrase in the regulations
8 that applied to the means of escape for old T? Like, the
9 requirements for the means of escape for old T?

10 A. Yes.

11 Q. Okay. Can you read the requirement for where the positioning
12 of those escapes would have to be for a space?

13 A. Yes. One minute, please. In old T, 177.15-1, Requirements
14 for Means of Escape: Except as otherwise provided in this
15 section, all vessels shall be provided with not less than two
16 avenues of escape from all general areas accessible to the
17 passengers or where the crew may be quartered or normally
18 employed, so located that if one is not available the other may
19 be.

20 Q. Do you know if the Coast Guard has a good definition to
21 define for inspectors how to interpret that last line of "if one's
22 not available, the other may be."

23 A. I don't think I've ever seen anything in writing saying that.
24 As an inspector, having other inspectors when they're training
25 you, just as far away from the other as practicable is how it's

1 been described to me.

2 Q. In your experience with that, would that typically be in the
3 same space? Both exits to be in the same space?

4 A. To the same space?

5 Q. Yeah. Leading to the same space.

6 A. In my experience with such small vessels, a lot of times they
7 have to because they have to work around different -- going
8 through like a machinery space or things that have any kind of
9 hazard like that. So, in my experience then, yes, they would
10 typically lead to the main deck usually.

11 Q. To the main deck. But would that be typically inside one
12 space or would it be to the main deck maybe one outside, one
13 inside, or -- can you remember?

14 A. I don't want to give you an answer saying it is always one
15 way or the other or in general because all of the vessels are so
16 different that it's hard to make that blanket statement.

17 CAPT NEUBAUER: That's what I have.

18 MR. EHLERS: Okay. I have one follow-up on the owner's
19 perspective that Captain Neubauer was talking about.

20 BY MR. EHLERS:

21 Q. If I'm a new owner, how do I -- is there any program through
22 Coast Guard Sectors, et cetera, that I can learn what regulations
23 apply to my vessel?

24 A. So I would say, kind of along the lines of the document that
25 I already presented you. For the OCMI -- exactly -- and for

1 anybody who's, you know, specific to the actual unit that they're
2 at, most of the units publish something very similar to this.
3 Because we do recognize that it's hard for -- especially if you're
4 new, to understand what the requirements are. And so, there are a
5 lot of publications specific to that AOR, such as that St.
6 Petersburg --

7 Q. To your knowledge, there's not a Coast Guard-wide program
8 but, AOR by AOR, most likely there are programs to help. Is that
9 correct?

10 A. The Coast Guard, by program, would be just contacting the
11 Coast Guard directly, be it contacting the local unit or
12 contacting MSC.

13 Q. Okay. All right. In your experience, did you have any
14 outside -- did you have any role in the generation of Certificates
15 of Inspection.

16 A. I did. Yes.

17 Q. You did? On all of -- so I'm going to talk to it very
18 specific now. On all of the T-boat COIs that we have reviewed, in
19 the Routes and Conditions section, there is a line that says --
20 the wording varies -- but it says, you must have a roving patrol
21 whenever passengers are on board. Again, with that -- now, that's
22 in the regulations. It's not -- but it's also on the COI. The
23 COI doesn't list the hundreds of other regulations. And my
24 question is this. Why is -- is there a reason or is there a
25 direction that that reg, that line be included on all T-boats'

1 COIs?

2 A. I would be speculating if I answer that. So I won't say
3 that.

4 Q. Okay. Fair enough. There's no manual, though, of COI
5 development that you know of that would list that requirement?

6 A. As far as guidance for the COI; is that what you're asking?

7 Q. Yeah. Exactly.

8 A. So for guidance of the COI, we at the Coast Guard use MSM
9 Volume II, the Marine Safety Manual. Volume II, Section B, covers
10 the inspection of vessels for certification. And Chapter 1 is the
11 Domestic Inspection Program. And then, more specifically, Chapter
12 4-Alpha, that's T-boats.

13 MR. EHLERS: All right. That's all I had. Thank you.

14 MR. BARNUM: I have no questions. Thank you.

15 MR. EHLERS: Adam?

16 MR. TUCKER: Yeah. It's Adam here. Just had one follow-up
17 and --

18 BY MR. TUCKER:

19 Q. Lieutenant, the -- so just back to the metal trash
20 containers. So just wanted to verify -- I know you've got the
21 document in front of you and thank you for producing that. That's
22 going to be a big help for us. But, as I understand, in old T
23 regs, the only area that is required to have a metal trash
24 container to minimize fire safety hazards is in the lounge area or
25 lounge areas. Is there anything else retroactive that you're

1 aware of?

2 A. There's no retroactive that I'm aware of.

3 Q. Okay. So --

4 A. As far as the lounge spaces being different.

5 Q. Okay. And there's no definition of lounge, except for
6 passenger lounge areas located below the main deck?

7 A. There is no definition in (indiscernible). Yes.

8 Q. Okay. And, in general -- or your experience inspecting
9 T-boats, what have you seen? Have you seen more metal trash
10 containers or plastic or a mix of each? Just in your experience.

11 A. In my experience, I've seen a mix of each.

12 MR. TUCKER: Okay. I do have a lot of questions but I'll
13 wait until everyone else was done. Thank you.

14 LT [REDACTED]: Thank you.

15 MR. EHLERS: Marcel?

16 MR. MUISE: Nothing further, thanks.

17 MR. EHLERS: Okay. Go ahead.

18 CAPT NEUBAUER: This is Captain Neubauer. I have one follow-
19 up.

20 BY CAPT NEUBAUER:

21 Q. In your experience, did you typically review, like, T-boat
22 plans ahead of inspections?

23 A. We looked at the plans that were already approved. I didn't
24 approve them myself.

25 Q. And were those available within MISLE or vessel files?

1 A. Yes. They're uploaded into MISLE after MSC reviewed them.

2 Q. Did you ever have any trouble finding vessel plans or
3 encountered that T-boat plans were missing or were hard to --

4 A. If they were missing, there might have been one instance, and
5 we just contacted MSC and it just was an error and it hadn't been
6 uploaded.

7 Q. Can you kind of explain the process for how the plans are
8 shared between units in MSC, how that would work? Like if an
9 owner wanted to do a -- let's say an old T-boat, that was reviewed
10 at the unit level.

11 A. Um-hum.

12 Q. How do those plans work? Especially if that owner wants to
13 submit --

14 A. I'm going to defer this to MSC. I think they would be the
15 best person for that.

16 CAPT NEUBAUER: Okay. That was my --

17 MR. EHLERS: [REDACTED], do you have any other questions?

18 LT [REDACTED]: No, Captain. I do not. Thank you.

19 MR. EHLERS: All right, Adam. It's your last question.

20 MR. TUCKER: Okay. Last one, yep. Thanks again. And this
21 is really just a general, all-encompassing question, Lieutenant.
22 Is there anything that we have not asked you, that you feel that
23 may be important in helping us throughout this investigation?

24 LT [REDACTED]: I think the document I provided is probably the
25 most helpful resource I could give towards that.

1 MR. TUCKER: Okay. And thank you very much.

2 LT [REDACTED]: And just to clarify the record, the document
3 you're referring to is the crosswalk between old T and new T?

4 LT [REDACTED]: Correct.

5 MR. EHLERS: All right. Lieutenant [REDACTED], thank you very
6 much for your time. It's really appreciated.

7 LT [REDACTED]: Thank you. If I can just, before you turn off
8 to say, I think I might have misspoken earlier. I said AOR and I
9 said Area of Reference. it's Area of Responsibility. Just in
10 case --

11 MR. EHLERS: Okay. Good. Thank you.

12 All right. Stopping the recording.

13 (Whereupon, 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 AND SINKING OF THE CONCEPTION
WITH LOSS OF LIFE NEAR
SANTA CRUZ ISLAND, CALIFORNIA
SEPTEMBER 2, 2019
Interview of LT [REDACTED]

ACCIDENT NO.: DCA19MM047

PLACE:

DATE: December 4, 2019

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]

Gayle Gorman
Transcriber

Errata

Interview of LT [REDACTED]

<u>Page & Line</u>	<u>Correction</u>
Page 5 – Line 14-15	Sea School should be C-School
Page 7 - Line 16	“Life drill” should be changed to "life-saving drill"
Page 8 - Line 11, Line 16 -	Sea School is C-School
Page 8 - Line 18 -	Section should be Sector
Page 15 - line 1 -	“rose” should be “raised”
Page 15 - line 8 -	“without” should be "throughout".
Page 45 - line 7 -	"T" for (indiscernible)