

UNITED STATES OF AMERICA  
UNITED STATES COAST GUARD

\*\*\*\*\*  
\* In the matter of: \*  
\* \* \* \* \*  
\* THE MARINE BOARD OF INVESTIGATION \*  
\* FOR THE CAPSIZING OF THE \*  
\* LIFTBOAT *SEACOR POWER* IN \*  
\* THE GULF OF MEXICO ON APRIL 13, 2021 \*  
\* \* \* \* \*  
\*\*\*\*\*

HOUMA, LOUISIANA

THURSDAY  
AUGUST 5, 2021

8:00 a.m. – 3:41 p.m.

## **A P P E A R A N C E S**

### U.S. Coast Guard

CAPTAIN TRACY PHILLIPS, Presiding Officer

MR. ANDREW LAWRENCE

MR. ERIC VERDIN

LT SHARYL PELS, Legal Counsel

LT ANTHONY ALGER, Recorder

PAC ELIZABETH BORDELON, Media Liaison

CWO4 LAWRENCE BLEVINS, Family Liaison

### National Transportation Safety Board

MR. ANDREW EHLERS, Investigator in Charge

MR. MICHAEL KUCHARSKI

MR. MARCEL MUISE

### Parties in Interest

MS. ANTONIA APPS, Esq.

MR. GARY HEMPHILL, Esq.

MR. PETER TOMPKINS, Esq.

Seacor Marine, LLC and Falcon Global Offshore, LLC

MR. GERARD WHITE, Esq.

MR. JOHN PRESTON, Chief Surveyor Offshore

American Bureau of Shipping (ABS)

MR. PAUL STERBCOW, Esq.

First Mate Bryan Mires

### Also Present:

MR. JEFFREY WOOD, Esq.

(on behalf of Mr. Jim Peters and Mr. Jason Jennison)

LCDR JAMES DAUGHERTY, U.S. Coast Guard

(on behalf of LTJG Aaron Rice, U.S. Coast Guard)

MR. BRIAN EISENHOWER, Esq.

(On behalf of Mr. Matthew Barrie)

## INDEX

<u>ITEM</u>	<u>PAGE</u>
Opening Remarks – Captain Tracy Phillips, Presiding Officer	5
Examination of Mr. Jim Peters and Mr. Jason Jennison:	
By Captain Phillips	8
By Mr. Verdin	46
By Mr. Ehlers	48
By Mr. Muise	53
By Captain Phillips	59
By Mr. Sterbcow	60
By Ms. Apps	64
By Mr. Ehlers	65
By Mr. Muise	67
By Mr. Ehlers	67
By Captain Phillips	68
Examination of LTJG Aaron Rice, U.S. Coast Guard:	
By Captain Phillips	76
By Mr. Verdin	105
By Mr. Ehlers	109
By Mr. Kucharski	110
By Mr. Muise	115
By Mr. Thompkins	117
By Mr. White	120
By Mr. Sterbcow	125
By Captain Phillips	126

<u>ITEM</u>	<u>PAGE</u>
Examination of Mr. Matthew Barrie:	
By Captain Phillips	127
By Mr. Lawrence	145
By Mr. Ehlers	150
By Mr. Kucharski	152
By Captain Phillips	156
By Mr. Ehlers	157
By Mr. White	158
By Mr. Muise	166
By Captain Phillips	167

## PROCEEDINGS

1  
2  
3 **CAPT Phillips:** The time is now 0800 on August 5th, 2021, this hearing is now in  
4 session. Good morning ladies and gentlemen I'm Captain Tracy Phillips, United States  
5 Coast Guard, Eighth District Chief of Prevention. I'm assigned as the board -- the Chair  
6 of the board of the Marine Investigation for this incident and I'm the Presiding Officer of  
7 these proceedings. The Commandant of the Coast Guard has convened this board  
8 under the authority of Title 46 United States Code, Section 6301 and Title 46 Code of  
9 Federal Regulations Part 4. The board is convened to investigate the circumstances  
10 surrounding the capsizing of the SEACOR POWER on April 13<sup>th</sup>, 2021 with the loss of  
11 13 lives while the vessel was transiting the Gulf of Mexico. Our investigation will  
12 determine the factors that contributed to the accident. This hearing will examine a  
13 variety of different topics including the incident, the events leading up to the incident, the  
14 weather, the search and rescue efforts, the condition of the vessel, the owner, the  
15 charterer and the regulatory scheme which applied to the vessel. Once we identify what  
16 contributed to the incident then we will make recommendations in order to prevent  
17 similar casualties from occurring in the future. This may include recommendations for  
18 new laws or regulations. Our Board will determine whether there's evidence that any  
19 act of misconduct, inattention to duty, negligence or willful violation of the law on the  
20 part of any licensed or certificated person contributed to the casualty. The board will  
21 also determine whether there's evidence that any Coast Guard personnel or any  
22 representative or employee of any other Government agency or any other person  
23 caused or contributed to the casualty. Upon completion of the investigation this Marine

1 Board will submit its report of findings, conclusions and recommendations to the  
2 Commandant of the United States Coast Guard. I will now review the hearing rules for  
3 all participants and observers. First we would like to minimize any disruptions to the  
4 board and to witnesses. Please remain silent during questioning. Any talking or loud  
5 noises that are distracting to the board or the witness will result in a recess. And the  
6 audience member engaged in the distracting behavior will received one warning.  
7 Please do not enter and exit the hearing room during witness testimony unless  
8 absolutely necessary. Second, silence all cellphones. Please exit the hearing room to  
9 make or receive phone calls. Third, treat all witnesses and all other participants with  
10 respect. The witnesses are appearing before the board to provide valuable information  
11 that will assist this investigation. Please be courteous to the witnesses and respect their  
12 right to privacy, both inside and outside the hearing room. Fourth, all media interviews  
13 must be conducted outside of the hearing venue. The members of the press are  
14 welcome to attend the hearing and area has been set aside for the press during the  
15 proceedings. The news media may interview hearing attendees or witnesses if they  
16 agreeable, but these interviews shall be conducted outside of the hotel building. Any  
17 witness interviews shall be conducted after I have released the witness from these  
18 proceedings. Finally, all attendees shall remained masked at all times and shall comply  
19 with other posted COVID protection measures. Hearing participants may remove their  
20 mask during questioning and testimony. Any failure to follow the hearing rules will result  
21 in one warning. If an individual continues to engage in the same behavior after  
22 receiving a warning, that individual will be removed. Warnings or removal of audience  
23 members can cause significant delays in the proceedings, so we ask for your

1 cooperation in following these rules throughout this important event. I would like to  
2 inform everyone that we have made some changes to the schedule. A new version will  
3 be posted very soon on both the livestream site and the media website. For the rest of  
4 this week the changes are minimal. The final afternoon session for today was  
5 supposed to involve two individuals as a panel. We will only have one individual on that  
6 panel this afternoon. That will be Mr. Matthew Barrie. And the second change for this  
7 week involves taking afternoon discussions from tomorrow and combining those into  
8 one panel discussion rather than having two separate witnesses tomorrow afternoon,  
9 we will have one and they will do a panel together. There are some adjustments to the  
10 schedule for next week. Those will be published. I won't go through them now. We will  
11 now hear testimony from Mr. Jim Peters and Mr. Jason Jennison from Bristow  
12 Helicopters. Lieutenant Alger can you please administer the oath.

13 [Wit 1 = Mr. Jim Peters. Wit 2 = Mr. Jason Jennison]

14 **Recorder:** Good morning. If you could stand and raise your right hand. A false  
15 statement given to an agency of the United States is punishable by a fine and or  
16 imprisonment under 18 U.S. Code 1001. Knowing this do you solemnly swear that the  
17 testimony you're about to give will be the truth, the whole truth and nothing but the truth,  
18 so help you God?

19 **WIT:** I do.

20 **Recorder:** Please be seated. For the record if each of you please state your full name  
21 and spell your last.

22 **Wit 1:** James Daniel Peters, P-E-T-E-R-S.

23 **Recorder:** And you sir.

1 **Wit 2:** Jason Allen Jennison, J-E-N-N-I-S-O-N.

2 **Recorder:** Thank you. And if you could please identify your counsel if present to  
3 confirm representation.

4 **Counsel:** Good morning my name is Jeffrey Wood, W-O-O-D. I'm with the Law Firm of  
5 Baker, Potts, L.L.P. And I'm here today on behalf of Mr. Peters and Mr. Jennison.

6 **Recorder:** Thank you.

7 **CAPT Phillips:** Thank you Lieutenant Alger. Good morning to you both, thank you for  
8 being here today to assist us with our investigation. I'm going to ask some background  
9 questions to start off. I'll start with you Mr. Peters. Can you tell me where you currently  
10 work?

11 **Wit 1:** I currently work with Bristow Helicopters out of Galliano, Louisiana.

12 **CAPT Phillips:** And how long have you been there?

13 **Wit 1:** With this company since 2017. I've worked with other companies in the same  
14 location since 2009.

15 **CAPT Phillips:** And what is your position at Bristow?

16 **Wit 1:** I am a hoist operator and a rescue specialist.

17 **CAPT Phillips:** Can you describe the general responsibilities associated with that  
18 position?

19 **Wit 1:** Day to day training flights, missions that we might get acting as a hoist operator  
20 or a rescue specialist we go out and provide medivacs for oil companies in the Gulf of  
21 Mexico to include medivacs. Depending on if it's a vessel or we can't land on them we'll  
22 provide a hoisting capability to get the individuals off the deck or the vessel to get them  
23 to the hospital.



1       **CAPT Phillips:** Thank you. Can you tell us a little bit more about your background and  
2 what you did before you came to Bristow?

3       **Wit 1:** My background is I have 20 years United States Navy as a helicopter air  
4 crewman. So hoist operator, rescue swimmer. Retired 2009. After that got with at the  
5 time BIH Cougar helicopters in Louisiana. And been through various different  
6 companies since then as a hoist operator and a rescue swimmer slash rescue specialist  
7 for these companies.

8       **CAPT Phillips:** Thank you. What's the highest level of education you've completed?

9       **Wit 1:** High school.

10       **CAPT Phillips:** And do you hold any licenses or professional certificates?

11       **Wit 1:** No I do not. For hoist operator one we got that for military background. So  
12 there's not really a particular license for that like you would have your, pilots have for  
13 their FAA license. But with each company you would go through a check, you know a  
14 check evaluation system with an instructor or what have you so you would become  
15 competent to be able to operate in an aircraft as a hoist operator or a rescue specialist.

16       **CAPT Phillips:** Thank you. Mr. Jennison I'm going to ask you the same questions.  
17 Where do you currently work?

18       **Wit 2:** Bristow Helicopters.

19       **CAPT Phillips:** And what's your role there?

20       **Wit 2:** I'm a rescue specialist.

21       **CAPT Phillips:** Can you describe a little bit more about rescue specialist?

22       **Wit 2:** A rescue specialist to put it in terms so you understand it's a rescue swimmer for  
23 the United States Coast Guard. Essentially that is what our job is. We control the

1 scene, we get the patient into the helicopter and we help with the patient inside the  
2 helicopter as well. We are trained to hoist them from the deck of the vessel. Hoist them  
3 from the rig. Retrieve them from the rig if they are in a confined area, bring them out.  
4 And also in the event of a water crash, water landing to rescue personnel from the water  
5 as well. Pretty much everything that would encompass a rescue swimmer in the Coast  
6 Guard we do at Bristow Helicopters.

7 **CAPT Phillips:** Thank you. For those that may not be familiar with a rescue swimmer  
8 in the Coast Guard does that mean you deploy out of the helicopter to go assist others?

9 **Wit 2:** Yes, ma'am. We go down the cable either to the water or to the vessel or to the  
10 rig to assist others. Or we land on the rig if it can handle the helicopter's weight.

11 **CAPT Phillips:** Thank you. How long have you been with Bristow?

12 **Wit 2:** I've been with Bristow since they purchased CHI Helicopters in 2016. And before  
13 that I was one year with CHI in the same location.

14 **CAPT Phillips:** And tell us a little bit about your background before you came to CHI.

15 **Wit 2:** I was a U.S. Coast Guard for 20 years and a rescue swimmer in the Coast  
16 Guard. I left the Coast Guard, I was the lead instructor for ocean rescue assist out of  
17 Portland, Maine where we taught water rescue to the boat community. We taught on  
18 rock rescue, wave rescue, high seas rescues from boats. Then I was picked up by  
19 Bristow – by CHI Helicopters which became Bristow Helicopters as a rescue specialist  
20 for them.

21 **CAPT Phillips:** Thank you. Thank you both for your military service. Mr. Peters can  
22 you tell us a little bit about what Bristow does?

1       **Wit 1:** So our main job like I said before at Bristow is we have three different types of  
2       aircraft. We have an S-76 which is basically a HAA or helicopter air ambulance. So  
3       that's a smaller aircraft that fly out and land on various different sizes of rigs. And they  
4       mainly perform medivac type deal. They carry a medic in the back and two pilots. We  
5       have an AW139 which is a medium, still a large aircraft. That goes out with a crew of 5.  
6       So we have two pilots up front, a hoist operator, a rescue specialist and a medic in the  
7       back. And if the deck is big enough for us to land on we'll land and we'll perform the  
8       medivac that way. If we're unable to land that's when we'll hoist. We'll hoist a RS  
9       down, he secures the scene, gets the medic down safely and then they go do what they  
10      need to do to get the patient, package the patient and bring them up to our hoisting site.  
11      We'll bring them up to the aircraft using the hoist. Once everybody's on board then we'll  
12      take them to the hospital. And then also we have an S-92 which is our large – large  
13      aircraft. And that goes out with a crew of 5 as well, the same thing as the one 139, if  
14      the deck's large enough for us to land on that's what we prefer to do because that is  
15      ultimately the safest way to get a patient on board. And if not we'll use the hoist and  
16      just like previously we'll hoist the RS and medic out, they'll go get the patient and  
17      whatever apparatus the patient needs to be put in they will put in and we'll get them up  
18      to the aircraft and then we'll be off to the hospital.

19      **CAPT Phillips:** Good. Does Bristow provide services besides rescue services?

20      **Wit 1:** Yes. They also provide passenger transfers to various rigs and for various oil  
21      companies.

22      **CAPT Phillips:** How many, you describe the different types of aircraft. How many total  
23      aircraft does the company have?

1 **Wit 1:** Offhand I don't know. I am more familiar with our base in Galliano and right now  
2 we have 5 aircraft. We have two 76's, two 139's and one S-92 aircraft.

3 **CAPT Phillips:** So the company has several bases in different locations?

4 **Wit 1:** Correct. But the Galliano base that's where the SAR aircraft are kept. The other  
5 bases that's where, or the other bases that we have that's where the passengers are  
6 move in and out from.

7 **CAPT Phillips:** Those are separate?

8 **Wit 1:** Correct.

9 **CAPT Phillips:** In different area? Okay. Thank you. Do you have a defined area of  
10 responsibility for Bristow?

11 **Wit 1:** As far as?

12 **CAPT Phillips:** How far you would go or what area do you service, you don't service?

13 **Wit 1:** No. It all depends on the customer and where the customer wants us to go. We  
14 do have a rig that we service from where we're at its 200, I guess a little over 200  
15 nautical miles offshore that we service. And we do service the entire Gulf of Mexico.

16 **Wit 2:** From Texas to Mississippi.

17 **Wit 1:** Yeah. There's a wide area of rigs that we service. Some as far East that would  
18 be South of Alabama and the Panhandle of Florida all the way over to basically the  
19 Galveston, and about an hour and a half South of Galveston. That's the area that we  
20 service.

21 **CAPT Phillips:** Thank you. The flights that Bristow does do they always have two  
22 pilots in the aircraft or are there times when you all go single pilot?

23 **Wit 1:** We always have two pilots in the aircraft.

1       **CAPT Phillips:** And do the pilots follow visual flight rules or are they instrument  
2 reading?

3       **Wit 1:** They follow both. Whatever the mission dictates or that's what they will do.

4       **CAPT Phillips:** So they have the capability to fly instruments?

5       **Wit 1:** Correct.

6       **CAPT Phillips:** Thank you. Were you both on board the Bristow flight that went out to  
7 the SEACOR POWER on April 13<sup>th</sup>, 2021?

8       **Wit 1:** Yes we were.

9       **CAPT Phillips:** And what was your position Mr. Peters?

10       **Wit 1:** On that particular flight I was the hoist operator for that mission.

11       **CAPT Phillips:** Can you walk us through what kind of training you need to become a  
12 hoist operator at Bristow?

13       **Wit 1:** With Bristow we tend to hire people that have a military background in the  
14 hoisting. Whether it be Navy, Air Force, Coast Guard, we do have some Army as well.  
15 Because the expertise to do this kind of job we really don't have a lot of time I guess  
16 you could say to train these individuals and there's a lot to be said for the military  
17 experience, you know what I mean. When they come out of the military they're trained  
18 to a certain level and that's what we expect our hoist operators and RS's to be at. So  
19 yeah. Does that answer your question?

20       **CAPT Phillips:** So most of the people that come in as hoist operators already  
21 understand and have the ability to do the job?

22       **Wit 1:** Correct. Most of them we hire do have like I said a military background. Once  
23 they come to the company and they do get hired on we do have a syllabus that we take

1 them through. We're not teaching them quote unquote how to be a hoist operator, but  
2 what we're doing is we're showing them our procedures on how we expect them to  
3 operate out of our aircraft.

4 **CAPT Phillips:** How long does it take for somebody to walk that syllabus generally?

5 **Wit 1:** Generally it could be upwards to a couple of months.

6 **CAPT Phillips:** Now Mr. Jennison what kind of training do you need to become a  
7 rescue swimmer at Bristow?

8 **Wit 2:** It the same thing we pull from the military background, primarily Coast Guard  
9 rescue swimmers, if rescue swimmers, Air Force PJ's. So people with a strong rescue  
10 background. We bring in, because they already have the skill set, they already have the  
11 real experience doing the operation. And again we just teach them our techniques, our  
12 procedures to do things so we're all on the same page and standardized.

13 **CAPT Phillips:** Is there also a company specific syllabus for rescue swimmers?

14 **Wit 2:** Yes, ma'am. There is, just like the hoist operators there is a syllabus that every  
15 rescue swimmer has to go to, go through to meet every condition may have to hoist in.  
16 Day water, night water, day boat, night boat, day helo deck and night helo deck. So  
17 they go through training scenarios in all three environments. Additionally all rescue  
18 swimmers go through a civilian course to just refresh the skills that have not been  
19 taught. Like they have not used in a few years and make sure that everything is still,  
20 you know current with them.

21 **CAPT Phillips:** Thank you. At this point I would like to walk through the day of April  
22 13<sup>th</sup>, 2021. We'll start with you Mr. Peters. I'll have you describe everything you  
23 remember from that day. And then Mr. Jennison we'll have you go back and fill in

1 what's different about your story and what you remember. So starting from the morning  
2 when you woke up just walk us through what you remember, when you arrived at work  
3 and then as many details as you can remember about April 13<sup>th</sup>.

4 **Wit 1:** So with that particular day we were both on what we call SAR 2 nights. So our  
5 duty day ended at 6 a.m. that morning. And usually I'm an early riser so I was awake  
6 going through a little bit of morning routine started hydrating for the day. And then  
7 usually right around 7, 8 O'clock or so that's when I start my physical routine. I like to  
8 do more cardio than anything. So I like to try to put in an hours' worth of either running  
9 or riding a bike or a mixture of the two. So once that was done get on back at the trailer  
10 and eating. And then of course since it's my off time, or I don't want to say off time, I'm  
11 not on duty at that time I've got to be crew resting for the night to see what the night  
12 might have for us. So mainly I stay in the trailer you know getting my crew rest. On that  
13 particular day I can remember the storm that blew through. And it came on relatively  
14 quickly. The reason it is quite noticeable is I mean we do live in a trailer park that they,  
15 trailers that they provide for us. But the wind was strong enough where it was literally  
16 shaking the trailers. So that kind of stuck out in a lot of people's minds. You know as  
17 the front blew through. And also I think at some point and time we might have lost  
18 power during the afternoon because of the storm. So then in the later afternoon I tend  
19 to usually go over and get the duty phone a little bit early. I probably picked up the duty  
20 phone around 5, maybe 5:15 and I headed over to the hangar. I like to get there a little  
21 bit early to look over the aircraft. Sometimes the pilots will show up you know 15  
22 minutes prior to their duty day. Or if our lead pilot is over there you might get an idea of  
23 what missions or what flights you might have you know in the que you might have to do.

1 On that day getting over there we found that we might actually have a PAX run to a rig  
2 offshore. I can't recall what company he was with but the individual was there waiting  
3 for us. Because the weather was so bad they tried to get him out on several different  
4 passenger aircraft from Houma but he was unable, the aircraft wasn't able to make  
5 because of the weather. So at times if that's the case they like to call us to do these  
6 PAX movements for these, for the companies. So talking to him and the pilots showed  
7 up, we started looking at the weather. And with the squall line that moved through we  
8 were unable to get him to his destination because of the squall line with the heavy rains,  
9 the lightning in the area and things you know between us and his destination. So we  
10 were going to wait. You know wait out the weather see how long it's going, you know  
11 what I mean. At that point and time we started to discuss it with him you know how long  
12 do you want us to wait. Do you need to get out there tonight because we don't know  
13 how long this weather is going to be. And at some point and time I think he got a hold  
14 of his supervisor and they were like you know what if you can't leave by a certain time  
15 just, you know we're going to cancel the flight. So I do believe the flight ended up  
16 getting canceled. But also at this point and time the whole crew is over there and then  
17 that's when we kind of caught wind of possible a vessel in distress. And we might be on  
18 the hook, I don't want to say on the hook, but in the que to go out and perform or assist  
19 in this situation. So that had to be probably about 6:30 or so somewhere in that nature I  
20 would say. And because also at that point and time you know I hadn't eaten yet so I'm  
21 like okay I'm going to head back to the trailer get something to eat. And when we were  
22 over there that's when we got the call that we were going to go assist and that had to be  
23 closer to 7 O'clock. And then we made it back over to the hangar. The aircraft was



1 pulled out of the hangar. I do believe we took on some extra fuel. We loaded up and  
2 we departed the base probably around 19, or 7:15. And we got to the area where it was  
3 of course before we left. Let me back up a little bit. We did kind of like a roundtable  
4 before going. You know possibly how many survivors are on the vessel. You know just  
5 through what we've heard or our lead pilot is telling us. The area, the location was at so  
6 we found out that it was very close to where we were. Very close to where we are. So  
7 then after doing all that we got in the aircraft, we started heading out, probably heading  
8 out around 7:30, excuse me 7:15. We got on station around 7:30. So it was pretty  
9 close. And at this time you have the front move through where we were going. But the  
10 winds were still incredibly strong. When we were on our way there the aircraft was kind  
11 of crabbing which is kind of flying sideways because the winds were pushing us, you  
12 know we couldn't fly directly there it was pushing us off course. So in order to stay  
13 course the aircraft was pointed in a different direction than we were heading, you know  
14 what I mean, on the course where we're going. Once we were getting close to the  
15 scene we started doing our SAR check part 1's. We're checking in, you know the pilots  
16 are starting getting stuff up front ready. That's an indication for us in the back to start  
17 getting up out of our seats moving around, start doing our checks in the back ensuring  
18 that everybody's secured in the aircraft prior to opening up the doors. Making sure that  
19 we have the gear in the proper area that we need in case we might need it once we get  
20 on scene. And just doing a quick check of everything. Once we get a little closer to the  
21 scene we start our SAR check part 2. That's when pilots start going over aircraft  
22 performance. You know if we're going to have single engine flyaway capability or if  
23 we're going to have hovering capability in case we lose an engine or things along those

1 lines. We're also talking about the winds, you know the weather in the area. And also  
2 fuel, how much fuel are we going to have to be able to stay on station to perform the  
3 rescue or to perform the hoist mission that we're going to do. Once that was all done we  
4 did get on scene, we made communications with the Coast Guard vessels that were  
5 there. We let them know our capabilities and that at that point and time you know we're  
6 going to make an attempt to hoist, you know Jason down to see if there's any way we  
7 can assist these people. So but also once we get on scene we get into our rest position  
8 and we put eyes on, we did put eyes on survivors on the vessel at that point and time.  
9 We seen them in the little area and they were waving to us. So we, okay we know  
10 where they were. That's when as a crew we start formulating a plan, you know how,  
11 what's going to be the best way for us to be able to possibly get them out of there. At  
12 this point and time the weather is still bad. One thing that sticks out in my mind is  
13 generally when we go out for training this aircraft we don't have single engine flyaway or  
14 a single engine hover capability on a normal day. But with the winds that we had I think  
15 they were saying that they were up towards of 40 knots. So we had single engine hover  
16 capability at that point and time. So if we lost an engine they were able to still hover.  
17 And the really stuck out in my mind that we had that. You know what I mean? That  
18 strong of wind being able to – so basically in a hover we were basically hovering at 40  
19 knots like we would be flying forward at 40 knots. So with that sticking out we seen the  
20 survivors. We did our briefings in the aircraft. At this point and time we were going to  
21 send Jason out so it was going to be a single out and do an evaluation, try to get him on  
22 the vessel, get him as close as he could to the survivors that were there. We do our  
23 safety checks, get him out. We were hovering around 80 feet. And at that point and

1 time we started hoisting him out on this dark night. We had our night sun on the left  
2 hand side, that's what was lighting up the vessel we could see. And also because of  
3 the winds the pilot in the right seat didn't have actual eyes on the survivors. So we were  
4 going to have to move, Jason being on the right side of the aircraft the pilot was  
5 listening to my conning to get the aircraft in the best position for Jason to be able to get  
6 as close as he could to the survivors to facilitate a rescue. So while hoisting him out,  
7 you know making our calls half way out, three quarters and watching his hand signals at  
8 that point and time we get him at a level we start to con the aircraft over to where he  
9 can get, you know get a little closer. And this went on for a little while. I think at one  
10 point and time we actually did get him on the vessel. Keep in mind this is at night. It  
11 was very, very dark. We had the lights underneath the aircraft on so I could see  
12 Jason's hand signals. And like I said we had the night sun on the left side. There were  
13 the lights from the vessels that the Coast Guard was providing. But it was spotty at best  
14 because of the sea state and the way the waves were crashing onto the SEACOR  
15 POWER as well. The light were going up and down so it was spotty. You know it  
16 wasn't – it was doing a good job but not as good as it could be if light our night sun. So  
17 it was dark and that threw off my depth perception a little bit. But we got, at that point  
18 and time we did get Jason I do believe on the railing and he was able to make eye  
19 contact with them. We got him pretty close. But with the way the railings were and you  
20 know at this point and time I would say we were hovering there with him on the hook for  
21 maybe about, maybe 10, 10, 15 minutes at that point and time. And so as a crew we're  
22 like okay let's bring him in. We bring him in, get him up to the aircraft so at that point  
23 and time we move back off to the rest so we can eyes on the survivors. And brought

1 him in, because now he had a better view of everything and the people who were on, or  
2 the survivors on the vessel. Got him in there, what do you think? What did you see?  
3 And he's like it's going to be a very difficult rescue because the way the railings were.  
4 He's like right now we might be best suited to try to get them to get, I guess you can say  
5 in the water to facilitate the rescue that way. Just because of the where they were, the  
6 way the railing was, because I'm not sure exactly how far the vessel was listing at that  
7 point and time. But it would have been very, very dangerous for him to be able to try go  
8 underneath the railings. You know what I mean? It's different if it's a 90 degree angle,  
9 but if like a say 45 or even a little bit more than a 90 degree angle if he was to go under  
10 there attached to cable and we didn't know the stability of the vessel and if it would have  
11 lurched it would have pulled us possibly out of the sky. You know then all five of us  
12 would have been you know possibly in the water or at least him. There would have  
13 been a lot of damage and possibly and fatal for Jason. So that's where we determined  
14 the best way to do – probably try to get them to get into the water. And then at that  
15 point and time we were also talking with the Coast Guard vessels that were on scene  
16 and we let them know that was going to be our next plan of action. So we went in for a  
17 second hoist and at that point and time we put Jason down, basically with his fins right  
18 above the water watching his hand signals to the best we could with wave action and  
19 everything that was going on and he was trying to motion them to get in the water. And  
20 as discussed when he was up in the aircraft he goes if you see them get in the water  
21 and they start to get away get me on top of them, basically con the aircraft over and use  
22 the hoist and put him on top of the survivor and he would use a physical grip. Basically  
23 grab the individual. We would pull the – pull them up out of the water where they would

1 just be right above the water. Get them away from any kind of debris or what have you,  
2 put them back in the water and that way he would be able to put the rescue strap on  
3 properly and then we would be able to bring up the survivor safely that away. We were  
4 kind of hoping that you know that would work. You know that one of them would get in  
5 the water at that point and time and see that okay yeah we got them. So that if one did  
6 it we were hoping okay the other two would get in the water and follow suite. But after a  
7 few minutes of trying that nobody got into the water at that point and time so we decided  
8 to bring Jason up again kind of reevaluate, take a step back. And at that point and time  
9 it was brought up, you know the Coast Guard asked us can we get them any kind of  
10 flotation or a radio. Because at this point and time we had no real communication with  
11 the survivors, just you know them waving to us. There was talk of okay let's go and  
12 hoist Jason down or hoist up a flotation and radios from one of the vessels. But we had  
13 flotation and a radio on hand. We had one radio dialed up to channel 16. We had, I  
14 think we put in three vests. We tied it in a bag, put a chemical light on it which is a glow  
15 stick. Basically you break it so it will light up so they can see it. At that point and time  
16 we tied it to our guide line so it's not really attached to the aircraft and we lowered this  
17 back down to them conning the aircraft through was kind of – because of the lens and  
18 everything it was difficult to get it to them because once again with the railings we were  
19 able to get it to go through the railings where it was a little effort on them they were able  
20 to reach out and grab it. Once we knew that they physically had it and that they were  
21 pulling it them, you know we assured that they had it and then we released the guideline  
22 from there and then we came back to the rest. When they had that on station we were  
23 all kind of waiting at that point and time you know, open it up are they going to find

1 radios. So during that time frame waiting for them to establish communications that's  
2 where I do believe we broke off from the scene and we flew some rescue, or not rescue  
3 some search patterns looking for anybody else in the water to – and we kind of stepped  
4 back to see if we could, or the Coast Guard could establish communications at that  
5 point and time. After you know maybe about 20 minutes from doing that we went back  
6 and yes they got the radio, it was turned on, we were able to make communications with  
7 them and they had communications with them at that point and time. We were asking,  
8 you know they were asking common questions you know have you put on the floatation,  
9 how many people are in, you know with you. And it was very difficult to hear them with  
10 the wind where they were at, the noise of the aircraft. I mean we picked up a few things  
11 you know what I mean from them. We asked them to get in the water, you know that  
12 was our plan with putting Jason down next to the water. We asked them to get into the  
13 water and the one thing that really sticks out is one of them came back and said I can't  
14 swim. So that in itself you could hear the terror you know in their voice because  
15 everything that's going on. I mean it's still raining, the wind's blowing, there's lightning  
16 everywhere. There is debris in the water. And you know also then again I mean it was  
17 in April it was a cool night. And you know the water temperature was quite chilly. So  
18 when we had communications with them, okay that's when we did a third hoist attempt  
19 to put Jason down in the water to try to get them again to come to him and then that's  
20 when some rain started to move in. And with my helmet, or started having issues with  
21 my helmet sticking it out the window and whatnot. My inner communication systems  
22 inside the aircraft started to fizzle out a little bit. So it started getting spotty so at that  
23 point and time I was like well let's bring Jason in. We were getting close to BINGO or

1 our fuel light. I don't want to say fuel light coming on, but our time on scene where we  
2 had to leave to go get gas. So we thought it best at that point and time to bring Jason in  
3 and go back to the airfield, pull the aircraft into the fuel pump. So we kept the aircraft  
4 turning, we hot fueled. Jason and I got out. We went inside and the rest of the crew  
5 was there. They had a spare helmet standing by for me, changed out the parts that I  
6 needed. And at this point and time we kind of did a quick roundtable and discussed,  
7 you know we told them what we seen. You know and then people were giving their, you  
8 know hey did you try this? Did you think about this? You know kind of things. And I  
9 don't want to say, it seems like we tried everything it just seemed like it was going to be  
10 a very, very difficult to put hands on these individuals unless they got into the water. So  
11 after I guess we were on deck maybe 20, 30 minutes we took off again. We headed  
12 back out to get on scene. Once again prior to arriving on scene we do our SAR check  
13 part 1 and 2, make sure everybody is safe in the aircraft to do what we need to do. To  
14 open up the door and to hoist. Made communications again with the on scene  
15 commander, I guess with the Coast Guard vessels that were out there. We let them  
16 know we're coming back out and what our plan of action was. Once again we were  
17 going to lower Jason down to the water, you know what I mean. Once again try to coax  
18 them, you know what I mean to get into the water. And once again to no avail and at  
19 that point and time when Jason was to lower to the water that's when we got word that  
20 the H65 aircraft from NAS JRB Coast Guard aircraft was on its way out. So when they  
21 were on their way out, you know okay we moved out of the way. They asked us to  
22 leave the area, sent us in an area to go do some search in case we, you know search  
23 for anybody else that might be in the water at that point and time. So we're off doing

1 our search. They get on scene and right around 20 minutes after they established  
2 themselves on the scene they call us over the radios and they asked us, you know did  
3 we attempt to hoist to the vessel. Like yeah we hoist several times at this point and  
4 time. And I do believe, I can't recall the exact wording but basically they didn't think it  
5 was a good idea to hoist that night. So, okay, you know what I mean. So they departed  
6 the area or went to do some searching as well. And then we went back in for possibly a  
7 third attempt. We almost, we thought that by this time you know what I mean hearing  
8 them on the radio and how stressed and how scared they were, terrified they were that  
9 okay that we figured once again trying to put Jason out there again, you know that they  
10 would know that this would be one attempt. You know what I mean to swim out, you  
11 know and unfortunately after that attempt they didn't. And then by that time it was  
12 getting late. Once again we were getting close to our BINGO fuel and we returned to  
13 base. At this point and time we shut down the aircraft. We went in we talked to our  
14 lead pilot that was there and we were done. Basically done for the night. That night we  
15 did sit around, you know as a crew and talked about everything, discussed you know  
16 what we could have done better possibly. You know what I mean? Because ultimately  
17 the outcome that we wanted didn't happen. So and with that I think that's the worst  
18 thing because in our part, I guess you can say we failed because we didn't get the  
19 individuals off there or bring them back to the base, so. Then after all the debrief stuff  
20 that's was probably, we landed a little after 11 and then after the debrief it was probably  
21 about 12:30 at that time and then we retired to our trailers.



1       **CAPT Phillips:** Thank you very much Mr. Peters. That was incredibly detailed. And  
2       it's very valuable to us. I understand it feels like you failed, but I absolutely don't think  
3       so. We're really glad you were out there.

4       **Wit 1:** Thank you.

5       **CAPT Phillips:** Mr. Jennison do you have details that are different from what we heard  
6       from Mr. Peters or in addition to what he said?

7       **Wit 2:** Details are very similar but there is some additional stuff. One additional, when  
8       we returned to base to fuel up after the first attempt on the way back out we had learned  
9       that someone had departed the vessel, fell in the water. And when we returned to  
10      scene we spent a portion of time searching for that person. I believe the Coast Guard  
11      directed us to a search area to a track line search downwind from the vessel to try to  
12      locate that person in the water. Search conditions were very poor. We were on NVG,  
13      we had search lights with a 40 knot wind on our downwind legs you know we're still  
14      flying such a pace that makes searching very hard. We're looking for lights in the water  
15      because you really can't see a person. We spend – we made an effort to search but  
16      then it was determined we need to get back on the vessel and try to get those people off  
17      the vessel. While we were gone the wind had changed directions, probably about 10  
18      degrees so it made the wave action on the vessel slightly different. It made a large  
19      eddy in the water where the vessel met the ocean or the sea. And it made the – it  
20      would have made getting in the water more treacherous, but also at that time it was also  
21      known as the vessel had probably settled in the water a good 15 feet while we were  
22      gone. And it was settling in the sea floor or settling in the water. It had gone down quite  
23      a bit. This was more so validated the next morning at 6 a.m. we sent another aircraft

1 out there and get one of our rescue swimmer Sammy Rodriguez he was able to get on  
2 the vessel, unhook from the helicopter and he was able to access the area where we  
3 originally saw the last two survivors, the last two people on the vessel, that cabin was  
4 underwater. It had settled from maybe 20 to 30 feet above the water initially when we  
5 initially made contact with the scene to being underwater the next morning. So the  
6 vessel had settled quite a bit into the sea floor. Sammy was able to reach up in there  
7 but he wasn't able to locate anybody that night. It's a bit more clarity of that what when  
8 on at the scene. To paint a better picture of the conditions that night the waves were  
9 crashing over the people on the vessel every 5 or 10 seconds. You had people on the  
10 deck, they weren't in shelter. One of them was on a bulkhead that was acting  
11 essentially as a base for him to stand on by three black pipes. The other two were in a  
12 cabin or alcove. But the wave action was crashing over them to the extent we had sea  
13 spray hitting the helicopter at 80 feet every 5 to 10 seconds a wave would crash over  
14 them. Even while I was on the railing and trying to make contact and assess the scene  
15 the waves were crashing over us as well. So just to show it was a probability to get  
16 them off there was, it was going to take, it was going to be a long shot to take them off.  
17 It was a very, it was the worst, I mean I've been doing this job 27 years I've not seen it  
18 that bad. Just everything collaborating to put it in a poor situation. But the wind, the  
19 wind coming across the deck at such an angle that when the pilots were hovering they  
20 really had no reference for the most part. They were flying purely based on Jim's verbal  
21 commands in a point and space. I do believe when he got me to the railing that he did  
22 have a corner of one of the legs he was looking at, but he was looking at just a tip of  
23 one of the legs to try to maintain a hover reference. Amazing pilot flying that night. But

1 I go back to the crew experience. On our helicopter I believe we have about 150 years  
2 of experience on that helicopter. Glenn's been flying 30 years, Jim's been flying 30  
3 years, I've been flying 27 years. And Peyton the right stick on controls that night at  
4 least 15 years. So I think that's what gave us such a great chance and the confidence  
5 that it is bad, we can do this safely that's why we attempted it. Because we had such  
6 experience on the helicopter to really make that effort. We tried to put me on the deck  
7 three times. Three evolutions, you know got close, got under the large foot that was  
8 hanging there, I got underneath that, had to abort. And finally got me on the railing.  
9 There was no way to safely go over that railing and down and into the vessel where the  
10 wind was. Because it would have put me under an overhang that if the vessel even  
11 caught a cross breeze that pulls it off scene it was pulling myself and potentially myself  
12 and a survivor into the railing through the rigging. So there was no safe means to go  
13 vertical with the survivors. They had to go over the ocean. So when we went into the  
14 ocean we had two plans. I was going to be in the water right by the base of the rig. If  
15 one jumped like Jim said that I would grab that person with a physical grip, relocate and  
16 bring them to the helicopter. If all three jumped the plan was I would unhook from the  
17 cable, I would float out with them. I had a PLB on my body, I had strobe lights on my  
18 body so they were going to find us if we were all in the water together, that was the  
19 plan. It wasn't perfect, you know but we had a better chance for survival if all three of  
20 us were together, or four of us were together than one person floating by themselves.  
21 You know there were three Coast Guard vessels out there and the helicopter, if we had  
22 to go into the water together it was a risk we were willing to take to be recovered off the  
23 vessel if that was to get them men home that night. So that was the plan, executed it.

1 And you know again we even spoke to the coms on the radio and voices of those  
2 people on the vessel that night and trying to get someone that terrified to jump into that  
3 ocean with waves crashing over them it was a challenge at best that would have taken  
4 a leap of faith to do. But there was one point before the last hoist we told – I told Glenn  
5 to tell the survivors it's not getting any better. You know this is your strongest minute  
6 right now. Its cold, your vessel is going down. It's settling in the ocean. You're never  
7 going to be stronger, you're never going to warmer than you are right now. This is the  
8 time that you have to go. And I believe that's time that one of the survivors on the  
9 vessel said okay we're going to go for it. That's when they put me back in the water.  
10 That's when the Coast Guard 65 from New Orleans came out and we departed the  
11 scene so they could take over the rescue effort. And we returned to base and that's  
12 really about it.

13 **CAPT Phillips:** Thank you very much. You gave us a lot of information. So we're  
14 going to go back and ask you some questions about the sequence and go over a few  
15 more details we're interested to know about. So I think you said that you were on a duty  
16 rotation you called SARS two nights. Can you talk a little more about how the duty  
17 rotation works? It sounds like maybe it was a 12 hour watch.

18 **Wit 1:** Yes the duty rotation that we stand in Galliano, depending on the aircraft type  
19 the 139's stand a 6 a.m. to 6 p.m. rotation for 24 hours. The 92's stands a 9 a.m. to 9  
20 p.m. duty rotation. So everybody stands a 12 hour rotation.

21 **CAPT Phillips:** So there's one crew on at night and one during the day?

22 **Wit 1:** Correct.

23 **CAPT Phillips:** And how many days in a row would you do that?

1 **Wit 1:** Right now everybody there in Galliano is a 14 day on rotation, 14 day off  
2 rotation.

3 **CAPT Phillips:** Were you on a 14 day cycle in April?

4 **Wit 1:** Yes. That was actually, that's what we call our break day. That was my last day  
5 on shift. I was due to leave the next morning at 6 p.m.

6 **CAPT Phillips:** So by that point you were adjusted to the nights working?

7 **Wit 1:** Correct.

8 **CAPT Phillips:** And you were able to sleep during the days?

9 **Wit 1:** Correct.

10 **CAPT Phillips:** I think you said that you would go out a little early and look over the  
11 aircraft. Did you note any problems with the aircraft that day?

12 **Wit 1:** No, ma'am.

13 **CAPT Phillips:** Everything was working properly?

14 **Wit 1:** Yes, ma'am.

15 **CAPT Phillips:** And at any point during the day did you see a weather forecast?

16 **Wit 1:** I really do not recall seeing a weather forecast for that day. Just maybe local  
17 news, you know what I mean when you watch the news that some rain in the area that  
18 day. I don't really recall of how severe the weather was going to be or of how severe  
19 they said that it possibly could be, so.

20 **CAPT Phillips:** You don't remember seeing any forecast that said there was going to  
21 be very bad weather?

22 **Wit 1:** I can't recall seeing anything like that.

1       **CAPT Phillips:** Okay. Mr. Jennison had you seen any weather forecast that morning  
2       or that day?

3       **Wit 2:** During the day just the usual weather channel watching the weather projecting  
4       towards our duty day. What we may encounter, you know. And also during our duty  
5       brief a large portion is the weather. We look at the weather radar forecasting the future.  
6       We look at, you know on our SAR platform we take the Gulf of Mexico and divide it into  
7       four regions. And we note okay this region, this region have weather in them. Using  
8       aviation forecast so we know what we're going to encounter during our duty rotation at  
9       any given time. So our pilots and our staff are updating the weather constantly because  
10      if a front is moving in it cuts off Eastern to Western part of the Gulf of Mexico. So our  
11      forecast drives what we do a lot. So we pay great attention to the weather forecast  
12      because you know we're a B0 asset in the Gulf of Mexico. Our customers want us to  
13      get to any rig – to any rig and then to a hospital within four hours. So we need to pay  
14      close attention to the weather. From Galveston, Texas on over. So weather is huge to  
15      us. So as a crewman, the pilots especially they're always watching the weather.  
16      Because we're always planning, okay if the cell is here and we have to go the Thunder  
17      Horse rig we may have to divert to the East and then back to the West. Will that effect  
18      our gas, where do we get gas. So weather engagements are a very large part of what  
19      we do. So I watched the weather just so I would have an idea of what's happening.  
20      And I know the pilots have a huge, they're very well versed in the weather because of  
21      the deck SAR operation. It gives a large area of responsibility in the Gulf of Mexico with  
22      a B0 asset. Which means we're on a 30 minute launch with B0. If the alarm goes off  
23      we have 30 minutes to be airborne. Our goal is always 15 or less. And to piggy back

1 on the question you asked Jim about equipment, that night actually we have two 139  
2 aircraft, two medium endurance helicopters. One of the helicopters is a single hoist one  
3 has a double hoist on it. The one with the double hoist, that hoist was actually, the  
4 helicopter was going to be in the maintenance cycle. When we saw what we were  
5 being tasked with, with the potential mass casualty rescue we actually elected to make  
6 sure we had that helicopter. Because two of our helicopters has two hoists for  
7 redundancy. We have a primary and a secondary hoist. We wanted that ability just for  
8 such a large rescue. So we made sure that we had that helicopter ready to go for this  
9 mission because the initial report we got was 16 I believe people on an overturned  
10 vessel. We had a very unclear picture until we arrived on scene. But we were  
11 immediately were planning mass casualty to the point that we flew back for gas not  
12 knowing that what we were going to find. In our hangar we had a triage center set up  
13 by our medics with tables, chairs and paramedics waiting to receive a mass casualty  
14 incident in our hangar. Unfortunately we didn't have to use, but you know we had  
15 forecasted that far in advance and we prepared ourselves for anything.

16 **CAPT Phillips:** Thank you. So you said one of the 139's was going into a  
17 maintenance cycle. Was it going into a maintenance cycle because something was  
18 broken? Or because -----

19 **Wit 2:** Preventative maintenance. We have that window of time we can do it and it was  
20 going to go in. But it's a better asset for this sort of operation and we wanted to have  
21 the best tools available to us to finish the mission.

22 **CAPT Phillips:** Thank you. So did you see any weather forecast that day that jumped  
23 out at you as out of the ordinary or extremely bad?

1 **Wit 2:** It's, you know its Louisiana. You frequently have storms. But it was noted that  
2 there were going to be very severe storms moving through the area. So you just plan  
3 around it. But it was clearly going to be very bad weather during our duty period so we  
4 had planned for it. We always have the forecasts. If you walk into our flight ops area  
5 always on the screen is the weather forecast and the live weather radar for the area of  
6 responsibility.

7 **CAPT Phillips:** Do you know about what time you saw that prediction of extremely bad  
8 weather coming through?

9 **Wit 2:** No ma'am.

10 **CAPT Phillips:** Do you have an rough estimate?

11 **Wit 2:** I would say as it was happening as the front was passing through between 3 and  
12 4 that afternoon. You tend to wonder wow what is this. You look at the weather station  
13 and you say okay wow, that's a good front. When all the radar around you is red you  
14 know it's a pretty severe storm.

15 **CAPT Phillips:** In the time that you've been with Bristow and worked out of Galliano  
16 have you ever seen a storm like this?

17 **Wit 2:** Not that severe localized. If you have a hurricane move through you may get  
18 those conditions. But to have a localized storm that bad, it's not something you see all  
19 the time.

20 **CAPT Phillips:** Mr. Peters same question to you. In your experience have you seen a  
21 storm like this in Galliano?



1 **Wit 1:** Like Jason said not to that severity. On occasion you do have the pop up  
2 storms that do blow through. You might have some high gusty winds. Like I said before  
3 this one really rocked the trailer pretty good. But other storms not this severe.

4 **CAPT Phillips:** Is that same time that you remember seeing the winds were shaking  
5 the trailer? I heard Mr. Jennison say between 3 and 4.

6 **Wit 1:** I can't recall the exact time when it was. I know it was in the afternoon.

7 **CAPT Phillips:** Did either of you see a wind gauge or talk to anybody that had seen a  
8 wind gauge in that area?

9 **Wit 1:** No I have not.

10 **Wit 2:** No, ma'am.

11 **CAPT Phillips:** And when that weather was moving through what was the visibility?  
12 How far could you see?

13 **Wit 1:** I really can't recall at the time. The visibility at low level really was not, I would  
14 say not that bad. It just depends on if the rain was moving through. You know it would  
15 go in and out from different ranges. But generally it really wasn't, like even that night  
16 visibility was low, we had the low cloud cover with the high winds and with the rain so  
17 your visibility would go in and out. I forget the, I can't really recall the exact visibility that  
18 the field was forecasting or saying at that time.

19 **CAPT Phillips:** And I think you said that there was lightning associated with that as  
20 well?

21 **Wit 1:** Correct. It was lightning that was in the area when it blew through. And then of  
22 course afterwards when we were out on scene there was lightning in the area. We  
23 could see it off in the distance. I can't really, you know with everything going on, yeah

1 you would see a flash but I was more concentrating on you know Jason and getting the  
2 aircraft in the area that we needed to be. You know as long as I, I guess you could say  
3 as long as I feel that I didn't hear it I guess we're okay.

4 **CAPT Phillips:** How did you get word that there was a vessel in trouble?

5 **Wit 1:** When we were over at the hangar the word basically came from our lead pilot at  
6 the time. He passed the word on to us as a crew. Basically stating standby we might  
7 be – might be called out to go assist on this overturned vessel.

8 **CAPT Phillips:** Do you know where the pilot got the information?

9 **Wit 1:** From what I understand after talking with, it was one of our customers that  
10 relayed that information to him.

11 **CAPT Phillips:** I think you said that was about 6:30?

12 **Wit 1:** I can't recall. But yeah it had to right around in that range about 6:30 or so.

13 **CAPT Phillips:** What are the operating parameters of the helicopter that you were in  
14 that night?

15 **Wit 1:** Can you elaborate on the question?

16 **CAPT Phillips:** Is there a maximum wind that you're allowed to operate in? Is there a  
17 restriction on how close lightning is or visibility?

18 **Wit 1:** No. For visibility I mean if we did not meet our visibility range we would not have  
19 left. But for the maximum winds I think its 45 straight winds for us starting for rotor  
20 engagement. But the way the hangar is and everything else we were able to you know  
21 be able to start up. So none of these parameters were met.

22 **CAPT Phillips:** Do you know what the visibility parameter is?

23 **Wit 1:** I can't recall right off the top of my head at this point, no.

1       **CAPT Phillips:** Okay, thanks. And I think you said you did your prep around 7 and  
2 then you were leaving around 7:15, is that what I heard?

3       **Wit 1:** Correct.

4       **CAPT Phillips:** What was the weather like at that time?

5       **Wit 1:** The weather at that time we didn't have any rain at the field. We did have like I  
6 said the high winds. You know so and it did seem to be clearing up because the front  
7 had moved through. You know pretty quickly. That's what I was saying on the way out  
8 with the winds the way they were pushing the aircraft around we were heading in one  
9 direction, you know heading on our course, I forget exactly what our course was, but the  
10 winds were so strong that our nose of the aircraft was probably 5 degrees to the left of  
11 that course.

12       **CAPT Phillips:** Had you seen a helicopter fly like that before?

13       **Wit 1:** Yes I have.

14       **CAPT Phillips:** So it wasn't unusual?

15       **Wit 1:** No.

16       **CAPT Phillips:** Was there anything about the weather that concerned you that night?

17       **Wit 1:** Looking back, no not really. I mean of course the rain, the thunderstorms, the  
18 lightning is always a concern for a helicopter. Depending on how close in proximity you  
19 know it is. And after once again going back and looking at the brief that we had  
20 together we seen where the front was. If the front was say right on top of our  
21 destination where we needed to go with lightning in the area once again like with the  
22 flight that we were scheduled to do previously with the passenger run we would have  
23 waited until the area was clear and safe for us to move in.

1       **CAPT Phillips:** So there was no lightning at the time you took off?

2       **Wit 1:** At our field no. Just in the area we, once again looking at like some of the  
3       weather forecast we knew there would be some lightning in the area. But exactly how  
4       close to that area I would say maybe at the time 5 to 10 miles, so.

5       **CAPT Phillips:** Thank you. Mr. Jennison anything you were concerned about with the  
6       weather as you were taking off?

7       **Wit 2:** During takeoff no as Jim said the front had passed us. We had a clear line to  
8       the hoisting site, the location we were going to. So the weather was clear there. We  
9       were on scene quite a long time. The first sortie we were probably on scene close to an  
10      hour. Second was probably close to an hour also. And during that time on scene we  
11      had weather move through. Again the rain was severe at one time it shorted out Jim's  
12      headset. And it was coming into the cabin. Either the rain or the wind got the waves  
13      coming into the cabin and shorted out Jim's headset. So we had fronts move through.  
14      But we were largely focused on the people. So the weather is a secondary  
15      consideration at that time. You know it's there but you're very focused on the mission.  
16      But we do have the left seat pilot Glenn Jaminez [sic] who is one of our more senior  
17      pilots, you know he's monitoring the weather and aircraft safety. So if any time anything  
18      got outside the parameters Glenn would have spoken up and said we to RTB, return to  
19      base because the weather has gotten too bad. Glenn is a very senior pilot so I have to  
20      believe if it got out of parameters we would have gotten word and would return to base.  
21      **CAPT Phillips:** Thank you. And I think I heard it just took you about 15 minutes to get  
22      out to the scene?

23      **Wit 1:** Yes, ma'am.

1       **CAPT Phillips:** You said there was some Coast Guard vessels there when you got out  
2 there?

3       **Wit 1:** Correct.

4       **CAPT Phillips:** Can you tell us which ones or what they looked like?

5       **Wit 1:** I can't recall. Like I said it was dark. All we could see was there, you know their  
6 lights that they were trying to flash on or put on the survivors on the vessel itself. I  
7 assume that they came out of Grand Isle. And I don't know, without I don't have the  
8 Coast Guard background to tell you the size of the vessels that were actually on scene.

9       **CAPT Phillips:** Okay. Did anyone on scene – did any of the Coast Guard boats on  
10 scene give the helicopter any directions that night?

11       **Wit 1:** Looking back on it I mean coming on scene we told them our capabilities and we  
12 were there to assist. You know and it was at that point and time it became more of a  
13 coordinated effort to do what we can do. You know then the whole idea came up with  
14 lowering them the radio or whatever else. I don't know exactly who came up with that.  
15 But it was definitely coordinated efforts between whoever was an on scene commander  
16 for the vessel and us. So yeah there was communication. But the direction I mean at  
17 that point and time we did the best we could do, you know what I mean setting up our  
18 self for the rescue and they were doing what they could do to get as close as they could  
19 I guess to the vessel as well to perform a rescue.

20       **Wit 2:** If I may. I believe the idea to hoist the life jackets off the vessel came from one  
21 of the Coast Guard vessels. There was a patrol boat out there as well as, there was a,  
22 it looked like a Cutter maybe an 87, maybe one of the newer Cutters. And there was a  
23 small boat out there as well. There were three vessels out there. We talked about

1 hoisting life jackets off the vessel, but the sea state would have made the hoist  
2 incredibly challenging to get life jackets off of a Coast Guard vessel in those conditions.  
3 Then as a crew – as a crew we came up with the idea we do have ours on board, we  
4 have a radio on board. Let's use our radio and our jackets to put them down. The idea  
5 of hoisting from the Coast Guard vessel life jackets, putting me on the back of the Coast  
6 Guard vessel the risk didn't meet the gain for that. It was just not a safe hoisting  
7 environment.

8 **CAPT Phillips:** Thank you. We did receive several videos from that night from the  
9 company. I would like to put one or two of them up and then have you describe what's  
10 going on and what you were seeing. And then maybe show us a little bit about the  
11 railing that you said was in the way and that kinda thing. So Lieutenant Alger could you  
12 bring up Exhibit 156 please [showing Exhibit]. So just play it once through and then as  
13 we're going if there's a spot that's helpful to pause and have you explain things you can  
14 just say let's pause there and then you can explain what you see. Lieutenant Alger do  
15 you need something? Okay we're going to dim the lights.

16 **Wit 1:** Okay so right here at this point and time if you can see where the pipes are just  
17 to the right of Jason looking at the screen that's where the survivors were and that's  
18 where we're trying to get Jason down to. But you can see with the wave action and the  
19 wind was pushing the aircraft around a little bit. In some cases we did have a – start a  
20 little oscillation with Jason on the hook so that made things a little more difficult to get to.

21 **Wit 2:** If you look at the wind direction there you notice it's coming directly down the  
22 super structure from the top of the screen to the bottom of the screen. That allowed our  
23 pilot, he had to hover directly forward of that which gave him very few hover references.

1 That's why you know. Essentially right now Jim is flying the helicopter by his voice.  
2 Easy forward to right, easy forward to right or forward five, he's trying to con it, con the  
3 helicopter, move the helicopter to get me to that spot where those black pipes meet the  
4 railing.

5 **CAPT Phillips:** Can we go back about 20 seconds Lieutenant Alger and then pause it.  
6 That will work. So on the left side of the scene is that bottom of the vessel?

7 **Wit 1:** On the left side of the screen, correct.

8 **CAPT Phillips:** And then in the middle you kind of see a shiner black section that's got  
9 some white markings on it. Is that the side of the boat?

10 **Wit 1:** Correct.

11 **CAPT Phillips:** And then you see a railing I think it looks like three courses across. Is  
12 that the hand rail on the boat?

13 **Wit 1:** That is correct.

14 **CAPT Phillips:** And then you said there's three black pipes sticking out and it's kind of  
15 right in the middle.

16 **Wit 1:** Correct. That's where we believed the survivors at that time to be. Or that's  
17 where we seen them, so that's why we're trying to get Jason to the railing system there  
18 to hold on to the rails. You know what I mean possibly at that point and time you know  
19 to get a better look at, you know what I mean to – better look, better way to really  
20 facilitate the rescue from there. But it's kind of like what Jason said the pilots at this  
21 point and time were hovering about 80 feet and the winds are strong. You can see it  
22 pushing the aircraft around. And also pushing Jason around on the hoist itself right he's  
23 swinging back and forth. And the pilots visual cues at this point and time are very

1 limited. Yes he does NVG's on. He's using that to, using NVG's to scan the horizon,  
2 but he's also looking under the NVG's to get his in close cues to maintain the best  
3 stable hover that he can. But at this point and time as high as we were he really was  
4 depending on me and my conning of the aircraft you know what I mean. And it is a  
5 dance if you will you know what I mean. I'm constantly talking, you know easy forward,  
6 four, three, you know stop forward we drifting forward, stop forward at this at this, you  
7 know we're drifting back, stop back, move forward three, two, you know we're just  
8 constantly talking to give Jason the best, to put him in the best position we can to  
9 facilitate. So at this point you know Peyton is our right seat pilot he was doing a great  
10 job. But like I said with the winds, with the waves, the wave action you know with him  
11 looking under his goggles that's what he has as his references. It's just moving water.  
12 So as his references it is not, they're not great. They're not horrible, but we were still  
13 able to go out and do what we could do to facilitate the rescue.

14 **CAPT Phillips:** Thank you. And for those who are not familiar NVG's are night vision  
15 goggles, correct?

16 **Wit 1:** Correct.

17 **CAPT Phillips:** Did you have something Mr. Jennison?

18 **Wit 2:** I'm not sure if we have any of this, if we have video of it, but eventually we did  
19 make contact with the vessel and I was able to – I was perched roughly where the black  
20 pipes meet across the railing right there. I was able to make – to be at that location on  
21 that railing for maybe 15, 20 seconds, 30 seconds. Probably between 20 and 30  
22 seconds I was able to be on that railing and make contact with the people on the vessel.  
23 But because of the oscillation and the wind there was no way to cross that railing to get



1 in. Because if, it doesn't show well here, but the one survivor that I made contact with  
2 was he essentially sitting on a bulkhead. So the floor was coming up this way and he  
3 was on the bulkhead here. That's where he was stationed at. So he was maintaining a  
4 grip on the bulkhead holding on right there.

5 **CAPT Phillips:** And that was right where those black pipes were?

6 **Wit 2:** Yes, Captain.

7 **CAPT Phillips:** So when you were on the rail would you say he was underneath you,  
8 vertically underneath you?

9 **Wit 2:** He was vertically underneath me between 15 and 20 feet from me. Maybe I  
10 would say 15 feet from me. That's where I made contact with the one survivor right  
11 there. And he pointed out – we had already made contact with the other two, but our  
12 first contact is introduce, I'm here with the helicopter is here to save you. Are you  
13 alone? And he points and that's – pointed to the other two survivors on the boat at that  
14 time as well.

15 **CAPT Phillips:** And where were the other two?

16 **Wit 2:** They were in a bulkhead up and to the left of the pipes. You can't see it on that  
17 picture. But that's where they were located at.

18 **CAPT Phillips:** Again that was kind of underneath that railing?

19 **Wit 2:** Yes Captain underneath the railing. And we had laid eyes on them already  
20 during our scene evaluation when we were searching we located the three people that  
21 we could see on board.

1       **CAPT Phillips:** Thank you. Just by looking at the video and seeing the way the waves  
2       were hitting and coming across do you know whether this was during your first trip to  
3       the vessel or your second trip to the vessel?

4       **Wit 1:** I can't recall exactly which one it is. I want to say it might be the beginning of  
5       our initial one. Just for the fact that you know we are aiming for the vessel itself.  
6       Because all other previous ones if you want to stop it there, if you want to pause it? All  
7       the other ones you can see where the wave action is we were more, if you looking at  
8       the picture we would be more on the bottom right hand corner, maybe a little bit further  
9       out trying to put Jason in the water or at least get his fins in the water to stabilize him  
10      out to try to get them to come to us. So this I would say possibly could be our first one.  
11      Because like I said I mean I know the video is a couple minutes long we had Jason  
12      probably on the hook or on a line for probably for a good maybe 10, maybe 15 minutes,  
13      you know what I mean during this evolution trying to get him there.

14      **CAPT Phillips:** But I think I heard you say it was only about 30 seconds where you're  
15      actually on the railing.

16      **Wit 2:** Yes, ma'am, I was able to make contact with the boat on the second hoist  
17      attempt to the structure itself up by the leg. You can't see it there. But the large foot on  
18      the jack up rig I also made contact there on the third attempt to the vessel the one that I  
19      was able to contact survivors I was able to be on deck for you know probably 30  
20      seconds. But when there's, you know Jim and I have flown together for a long time if  
21      I'm not moving and he's not seeing a way down he knows we need to reevaluate and try  
22      to find a better way. Also this video here really represents how initially on our first  
23      approach, our first attempt before we went back and got fuel the wind was moving right

1 down the vessel. Because in that video there's no eddy, there's no whirlpool where the  
2 structure meets the ocean. And on our second attempt there was a large eddy right  
3 there because the wind had moved over. But with this video very well shows where one  
4 survivor was and really maybe, maybe 10 tens yards off where that small swirl is in the  
5 bottom of the right hand screen right above the 9 right now that's where we were trying  
6 to put me in the water to have them jump to me. Where they could all see me, it was  
7 close enough that we could react in that split second before they were washed out.  
8 During the attempts there was a life jacket or a piece of debris that fell off the vessel.  
9 And it gave us a really good idea of how the drift would be. We watched it float out and  
10 we saw where it went. That gave us a really good idea of okay if they do go into the  
11 water they're going to float on this path so we could – we could really game plan what  
12 we planned to happened if they went in the water. One person or multiple people went  
13 in the water.

14 **CAPT Phillips:** Thank you. And Lieutenant Alger could you bring up 158 [showing  
15 Exhibit]. Just play one more clip and see if there's anything additional that you see and  
16 may note for us.

17 **Wit 1:** So if you want to pause it there. Or go back a little bit to where the waves' not  
18 so high. Keep going back. Right there see the three pipes, see the door behind it that's  
19 where the survivors were.

20 **Wit 2:** And this is after we went back and got gas I believe. Only judging by its lower in  
21 the water. The pipes were much higher out of the water on our first attempt then when  
22 we came back and got gas. I see the pipes that low I believe the vessel has probably  
23 settled there a good 15, 20 feet in the water lower. Then it also shows, it very well

1 shows what the survivors are dealing with, with those waves crashing over them quite  
2 frequently on to them.

3 **CAPT Phillips:** Can you go ahead and play the rest of the video please? Is the light  
4 coming from the helicopter or is that from one of the boats?

5 **Wit 1:** The light is coming from the helicopter. That's our night sun. It's on the left side  
6 of the aircraft. So at this point and time we're looking out of the left side of the aircraft.  
7 We keep that door closed mainly for our hoisting everything up we do on the right side  
8 of the aircraft. So at this point and time with the winds and everything that's why I can  
9 tell like Jason said before the winds had shifted and we're looking out the left side of the  
10 aircraft at this point and time.

11 **CAPT Phillips:** Thank you. And were the, you said one survivor was near the black  
12 pipes the other two were in kind of an alcove. Were they inside of a door?

13 **Wit 1:** When we first got on scene I remember them being right in that area waving,  
14 you now when we got on scene that's what I recall seeing the first time. Kind of after  
15 that you know it was hit or miss seeing them because I was doing most of my stuff  
16 keeping my eyes on him. And the way the vessel was at that point and time listing or  
17 settling in the water you know I knew the area so I was using the black pipes as the  
18 reference area to get Jason as close as I could to him on that. But when we were also  
19 putting him in the water like I said the way the winds were they were on the left side of  
20 the aircraft so I had no visual cues of them. I was keeping an eye on him in the water  
21 and I was watching for anything to where if they were to get into the water like we  
22 discussed before, if he was unable to get them at that point and time keep any eye on  
23 him, move him over to where the survivor would be, grab him and then we would get

1 into an area to where, a little bit further away from the vessel, secure him properly and  
2 then bring him up to the aircraft.

3 **CAPT Phillips:** Thank you. Thank you Lieutenant Alger. At this point we've been  
4 asking you questions for a while. We're going to go ahead and take a recess. So we'll  
5 recess until 0945. The time is now 0930. This hearing is now in recess.

6 *The hearing recessed at 0930, 5 August 2021*

7 *The hearing was called to order at 0945, 5 August 2021.*

8 **CAPT Phillips:** The time is 0945. This hearing is now in session. I have a couple  
9 more follow up questions and then I'll turn it over to the other Coast Guard and NTSB  
10 folks to see if they have some questions for you. Mr. Peters are you familiar what a  
11 SART, S-A-R-T?

12 **Wit 1:** Yes, ma'am.

13 **CAPT Phillips:** Search and rescue transponder?

14 **Wit 1:** Yes, ma'am. I'm sorry.

15 **CAPT Phillips:** Thanks. On the evening of April 13<sup>th</sup> do you know if anybody looked  
16 on the helicopter's radar to see if there were any SART's activated?

17 **Wit 1:** I cannot recall if we looked on ours. If we did for the fact you know we knew the  
18 location of where we were going for the – once we got on scene. Possibly when we  
19 were out doing our searches, our search patterns and whatnot at that point and time I'm  
20 sure that the pilots had it on. Because that would be a best indication to find out if there  
21 was a, you know what I mean if there was one out there.

22 **CAPT Phillips:** Do you know what kind of radars are on the helicopters you have?

23 **Wit 1:** No not right off hand.

1       **CAPT Phillips:** Do you Mr. Jennison?

2       **Wit 2:** No, ma'ma.

3       **CAPT Phillips:** Okay, thank you. Do you know if you have any equipment in the  
4 helicopter to detect weather in the area?

5       **Wit 1:** We do have a weather radar on the aircraft. We use that on the way out to  
6 locations. Once we get onto the location we do keep it running because it is used for  
7 and that will give us any indication of possible lightning or whatnot nearby and the  
8 severity of rain.

9       **CAPT Phillips:** I'm not familiar as much with a weather radar. Do you know what  
10 makes that different from a radar you would use to detect a ship?

11       **Wit 1:** I do believe the radar system that we have is also capable of detecting a ship in  
12 the water as well. We do use it for that as well. So yeah we would detect it, be able to  
13 detect an object there.

14       **CAPT Phillips:** Thank you. Okay. I'm going to ask Mr. Verdin if he has any questions.

15       **Mr. Verdin:** Good morning Mr. Peters and Mr. Jennison. I appreciate your service for  
16 what you do and did that day. I'm just going to ask you Mr. Peters I believe you said  
17 you're working out of Galliano for how many years now?

18       **Wit 1:** I've been there since July of 2009.

19       **Mr. Verdin:** And Mr. Jennison how long have you been in Galliano?

20       **Wit 2:** Roughly June 2015.

21       **Mr. Verdin:** So you've been there a couple years.

22       **Wit 2:** Yes, sir.

1 **Mr. Verdin:** Were both of you there last year, do you all remember Hurricane Zeta that  
2 came through in October of last year?

3 **Wit 1:** October of last year that came through here, yes we hurried back to help to  
4 move the aircraft out of the way. We wait for basically the customer's to let us know  
5 that they've evacuated all non-essential personnel off the rigs. And then we get the  
6 aircraft out of the area so if the storm is coming through there there's no damage done  
7 to the aircraft. And also put ourselves in a location to where if they still need medivac  
8 services or SAR services we're able to respond from that area. I do believe during that  
9 timeframe we moved our aircraft over to New Iberia.

10 **Mr. Verdin:** Okay. So you didn't stay in Galliano?

11 **Wit 1:** No, sir.

12 **Mr. Verdin:** I was just going to ask if the weather was comparable to this system that  
13 came through if there was any impact similar to Zeta.

14 **Wit 1:** I can say, you know it's hard to say. I mean yeah there was damage done but I  
15 don't know. I know we had strong winds that day but as far as like hurricane I really  
16 can't recall if this was stronger.

17 **Mr. Verdin:** That's fine. I was just trying to make a comparison to see if you all  
18 evacuated. Because I know Zeta came in so quickly that a lot of people and a lot of  
19 businesses and communities didn't evacuate. And I was just trying to see if you were  
20 there. That's all I got. Thank you.

21 **CAPT Phillips:** Thank you Mr. Verdin. Mr. Ehlers.

1 **Mr. Ehlers:** Thank you Captain. Good morning gentlemen and thanks for your  
2 testimony today. Just a couple questions here. Where is the Galliano field in relation to  
3 Air Station New Orleans?

4 **CAPT Phillips:** Our field is, flying wise maybe 15 minutes, 15 to 20 minutes. And our  
5 field is probably South, Southwest.

6 **Mr. Ehlers:** Southwest.

7 **Wit 1:** Correct.

8 **Mr. Ehlers:** Number of miles?

9 **Wit 1:** I don't know right off the top of my head. So 15 minutes it could be you know  
10 30, 40 miles somewhere around there.

11 **Mr. Ehlers:** The 139 helo does it have a restriction on how long you can remain in a  
12 hover?

13 **Wit 1:** Not that I'm aware of, no.

14 **Mr. Ehlers:** Okay. Do you know Mr. Jennison? Okay. Do you have a dispatch service  
15 that issues your flight plans or does the flight planning for your flight?

16 **Wit 1:** We have, we do have a dispatch service. We have our SAR phones there at  
17 dispatch I do believe through Acadian Ambulance. When they get the notification for us  
18 to go what comes to us is on the phone is the location and just what aircraft is going to  
19 be going. Really other than that that's all we get.

20 **Mr. Ehlers:** So they don't provide you the flight planning, weather planning?

21 **Wit 1:** No. They don't provide us with that. Once we get that notification that's usually  
22 when the pilots get together like we do at our 6 O'clock briefs or whenever. We'll  
23 discuss weather at that point and time the way the weather's going to be or forecasted



1 through our duty time. And if we suspect that it's going to be bad we'll meet over at the  
2 hangar once we get paged out. They'll over the weather and make sure that the  
3 weather is actually suitable for us to go. Once it is deemed suitable then we'll go ahead  
4 and launch. If we deem that it is not suitable for us to go then we'll wait for, we'll  
5 basically go on what's called a weather hold until it's clear for us to go.

6 **Mr. Ehlers:** Okay. So it's the flight crew's decision then?

7 **Wit 1:** Correct.

8 **Mr. Ehlers:** You mentioned the two pilots and yourselves on board the aircraft. Did  
9 you have any other crew on board the aircraft at the time?

10 **Wit 1:** Yes we had a medic. We go out with a crew of five, two pilots and an HL, RS  
11 and we have a medic.

12 **Mr. Ehlers:** Is that medic qualified as a rescue swimmer as well?

13 **Wit 1:** He's not qualified as a rescue swimmer. He's gone through essential crew  
14 member training. That's basically to get on the hoist, you know be hoisted out to like  
15 what Jason was saying before elevated helo decks, vessels to where he can go out on  
16 his own. Because depending on the severity of the issue with the patient if the medic  
17 needs to get there first order of hoisting sequence would be the medic out first. Once  
18 the medic hits the deck he goes and he starts triaging his patient. The RS would go out  
19 next and he would be bringing down or setting up any equipment or apparatus that the  
20 medic might need to put the patient in to get him back up to the aircraft.

21 **Mr. Ehlers:** Okay, thank you. And you may have said this before but I'll ask you again.

22 What is the maximum passenger capacity of the 139?

1 **Wit 1:** Of the 139 the way ours is set up we have four seats and one med bed so we  
2 can take a total of 5 in the back.

3 **Mr. Ehlers:** Did I hear you correctly you conducted a preflight roundtable or brief before  
4 heading out from this flight?

5 **Wit 1:** Correct.

6 **Mr. Ehlers:** In addition to the weather what other things did you discuss during that  
7 briefing?

8 **Wit 1:** Weather, I mean there's a lot of things that goes into it. You know potential  
9 other equipment we might need to take. You know just various different things that we  
10 can look at you know to better help facilitate us when we're on scene.

11 **Wit 2:** We actually, we have a prelaunch checklist, laminated checklist. We take a  
12 quick pause at the aircraft and go through that checklist. So we do a brief before we go  
13 to the aircraft, go over the checklist and we have a prelaunch pause checklist also we  
14 do. Just for those last minute checks. Do we have everything we need? What are we  
15 going for? What are we getting in to? So we have a dual systems of checks before our  
16 take offs.

17 **Mr. Ehlers:** Are you gentlemen familiar with the term crew resource management?

18 **Wit 2:** Yes, sir.

19 **Mr. Ehlers:** And does Bristow have a crew resource management policy or program?

20 **Wit 1:** We do have crew resource management, it's discussed in our Frat and it's also  
21 in our pre-brief stuff. We go over any kind of CRM, crew resource management. That  
22 is one thing that is asked you know how is, you know like our 6 a.m. briefs or 6 p.m.  
23 brief they ask how everybody is feeling in general, you know anything laying on your

1 mind or anything like that. And to the point where if you feel uncomfortable bringing it  
2 up in front of everybody talk to the pilot in command afterwards and bring it up to them.  
3 And that will be the determination whether that – we need to might have to replace that  
4 individual.

5 **Mr. Ehlers:** Do you have something to add?

6 **Wit 2:** And even on our flights before our flights and being a professional aviator we  
7 preach and live by crew resource management. If at flying at any time the crew  
8 member is uncomfortable we will stop the flight and return to base or back off the scene,  
9 talk about it, address the issue before we continue. We live and breathe by resource  
10 management and safety.

11 **Mr. Ehlers:** And you both feel comfortable doing that?

12 **Wit 2:** Yes, sir.

13 **Wit 1:** Yes, sir.

14 **Mr. Ehlers:** Alright thank you. You mentioned when you're in hover you were at 80  
15 feet. Is that typical for hoisting operations?

16 **Wit 1:** It varies for a situation. As a lot of people say each SAR mission is different.  
17 That's kind of where we felt that it gave us at that point and time the way the vessel was  
18 listing, we didn't know how far it was sticking up out of the water. Usually for a water  
19 hoist or a vessel flight where we know where the deck is usually we start around 50  
20 feet. But at this point and time when had discussed in the aircraft we figured at 80 feet  
21 would give us the, as we would say the low is safest right, low is safe is not only for the  
22 individual on the hook, but also the low is safe is for the aircraft. It's for the whole crew  
23 concept.

1 **Mr. Ehlers:** Okay. I think you mentioned pendulum or swing does that become a  
2 problem the longer your hoist is?

3 **WIT:** It can. But there's a few things I was doing to minimize it. You can push the  
4 cable you know the opposite direction. Also you can move the aircraft with a little bit of  
5 speed and that will null it out.

6 **Mr. Ehlers:** Where you having to do that the night of the accident?

7 **WIT:** There was some swinging as you seen on the videos. But mainly it wasn't to the  
8 extreme yet where I felt we needed to move the aircraft and I was able to minimize it  
9 enough with moving the cable in the opposite direction to.

10 **Mr. Ehlers:** Is that with your hand?

11 **Wit 1:** That's with my hand, correct.

12 **Mr. Ehlers:** Okay. So you had to do some of that evening?

13 **Wit 1:** Yes, sir.

14 **Mr. Ehlers:** When the Coast Guard helicopter came on scene was there a turnover or  
15 a pass down with that helicopter?

16 **Wit 1:** There was. Our PIC made contact or contact with them. Of course they knew  
17 where it was. We let them know where the survivors were. Of course we gave them an  
18 update on the winds. And we gave them basically a situation pass down you know with  
19 things that we seen. That was when they were on their way in. And then when they got  
20 closer that's when we you know vacated the area and they went in and they did their  
21 assessment from there.

22 **Mr. Ehlers:** Who was that, who was speaking with the Coast Guard?

1 **Wit 1:** That would be our pilot in command and he was flying left seat that night Glenn  
2 Jiminez [sic].

3 **Mr. Ehlers:** Alright so the pilot in command.

4 **Wit 1:** Correct.

5 **Mr. Ehlers:** You mentioned you had, Mr. Jennison a PLB on your person. Do all crew  
6 members have PLB's on the helo crew?

7 **Wit 2:** Yes, sir. The crew members have PLB's. We have PLB's in redundancy in my  
8 wet gear as well as in my dry gear. So anytime we fly the helicopter we have PLB's on  
9 board. As well as strobe lights and signaling devices.

10 **Mr. Ehlers:** Thank you very much gentlemen.

11 **CAPT Phillips:** Thank you Mr. Ehlers. Mr. Muise.

12 **Mr. Muise:** Good morning Gentlemen.

13 **Wit 1:** Good morning.

14 **Mr. Muise:** How is that your normally dispatched for a job? Do those calls come from  
15 the client, your customers?

16 **Wit 1:** Yes initially depending on what's going on out on a particular vessel, rig or  
17 whatnot. That particular customer will contact us through the dispatch system. And  
18 then the dispatch system will dispatch us out to the location.

19 **Mr. Muise:** And is there some sort of preplan or a contract with individual customers,  
20 individual platforms offshore that you're familiar with?

21 **Wit 1:** There are, but I don't know the specifics of those contracts.

22 **Mr. Muise:** Do you ever take request for help from the Coast Guard?

1 **Wit 1:** We have in the past. Yes there's been, that I can think up on two occasions  
2 where we've gone out and we've completed it and successfully done hoisting missions  
3 to cruise ships. The individuals on these cruise ships where one individual was actually  
4 having a severe heart attack at that point and time where they went into the medical on  
5 the cruise ship they collapsed right then and there. The doctor revived him from my  
6 understanding that's when the Coast Guard was notified but because of the range of  
7 where the cruise ship was they didn't have, the Coast Guard did not have an aircraft  
8 capable to get that far out. So they referred them to us. So we were able to go out and  
9 perform, in this mission we used an S-92. They were able to go out perform, lower the  
10 medic, the RS down, got a turnover with the doctor for the patient, brought the patient  
11 on board, brought the RS on board. As a matter of fact in that flight if I'm not mistaken  
12 the patient coded two more times on the way to the hospital. The medic did a great job,  
13 revived him both times with his air advanced life support systems that we have on board  
14 the aircraft. And from today the individual is still alive. There's been one other since  
15 indication, or incident that we actually went out and assisted with the 139.

16 **Mr. Muise:** Do you happen to know the range of the 92 and the 139 and the 76 as  
17 they're outfitted for Bristow?

18 **Wit 1:** Right off hand I -----

19 **Mr. Muise:** I understand you're not a pilot. I was just curious if you knew or not.

20 **Wit 1:** I mean with the 92 with the gas that we can bring on board we can average right  
21 around 4 hours of flight time.

22 **Mr. Muise:** Do you take request for help from local or State jurisdictions as well?

1 **Wit 1:** From local or State there was one incidence with a flooding that was up in Baton  
2 Rouge a few years back. They asked us to go help facilitate. And in that case yeah we  
3 moved some people around for them, hoisted them up off of a couple structures or what  
4 have you. Delivered water to individuals that needed water during that flooding  
5 situation.

6 **Mr. Muise:** Do you also do air ambulance work?

7 **Wit 1:** Correct. Our 76 that's more along their lines a helicopter air ambulance. So  
8 they do that mainly for the customers. I don't think they've been ask to assist with  
9 anything outside of the customers.

10 **Mr. Muise:** The life jackets that you lowered to the SEACOR POWER can you tell us a  
11 little bit about those?

12 **Wit 1:** I do believe the ones that we lowered it's a Switlik type vest. It's a double  
13 bladder so you got to actually put it on, snap it together and zip it up. And there's  
14 toggles on either side you pull it down and one side will inflate, pull it down and the  
15 other side will inflate. Also in the pockets I do believe we have a whistle. I forget all the  
16 other specific things that might be in there. And it should have, and they do have a  
17 strobe light with it as well and it's saltwater activated. So if it's inflated and they're in the  
18 water the salt water will get in the battery and it will activate a strobe light.

19 **Mr. Muise:** Are you familiar with Coast Guard approved life jackets? And what the  
20 difference might be between the two?

21 **Wit 1:** No I know that the ones that we had aboard the aircraft are FAA regulated so we  
22 do follow their guidelines and meet their guidelines for their approval and they have  
23 them on board the aircraft.

1 **Mr. Muise:** The three survivors that you mentioned did they, do you know if they  
2 donned those life jackets that you lowered to them?

3 **Wit 1:** I don't know if they did or not.

4 **Mr. Muise:** How common, both of you have a huge amount of experience, how  
5 common is it to coax non-swimmers to get into the water?

6 **Wit 2:** That's quite common. People who are, you know if you can't swim jumping in  
7 the pool is traumatic. If you can't swim jumping into 30 foot waves, 20 foot waves, 15  
8 foot waves with 50 mile per hour winds it's incredibly traumatic. If you watch the video  
9 it's – that's traumatic. And really for any, in any – any time you want to coax a non-  
10 swimmer into the water it would be for rescue situation. It's always going to take you  
11 know have to project a confidence that I've got you. That's what it takes. Because  
12 they're truly at that time putting their life in your hands. You know you have to, when I  
13 used to teach at the A School in the Coast Guard I taught rescue swimmers. And I  
14 always taught that you have to present yourself so they 100 percent know that you've  
15 got them. You know they have to see you and understand that you are the savior,  
16 you're the person who's going to get them off that boat, out of the water, they have to  
17 trust you 100 percent. So anytime a person cannot swim they've got to come to water  
18 they have to fully trust that okay that person has my life in their hands and they're going  
19 to do it.

20 **Mr. Muise:** These last three individuals if they had entered the water what was the  
21 danger of them getting tossed right back into the wreckage or blow right back to the  
22 wreckage?



1 **Wit 2:** The probability of survival going into the water I would say it was medium. I  
2 cannot guarantee going in the water would have saved them. I know one person fell in  
3 the water. The person that was initially there that I made contact with he fell in the  
4 water and he did not survive. The other two did not enter the water so I do not know the  
5 probability. I know there was debris in the water, pipes in the water, lines in the water.  
6 So you cannot be certain that they would have survived in the water. The only certainty  
7 was they had a better chance in the water than they had on the boat. If they stayed  
8 there they were going to die because it was going down, it was cold, it was nighttime  
9 and they were literally taking waves into their shelter. So it was really a risk verse gain.  
10 One situation the end was pretty much predetermined. The other situation there was at  
11 least a chance. That's why I was willing to go in the water with them. Though the odds  
12 of us all surviving were not guaranteed there was a better chance of us surviving if  
13 we're all together and that was as risk I was willing to take if they entered the water.  
14 Especially as a group.

15 **Mr. Muise:** Okay, thank you, sir. On your second sortie you were searching for an  
16 individual in the water I understand?

17 **Wit 2:** Yes, sir.

18 **Mr. Muise:** Some shipping companies, oil companies require reflective clothing,  
19 different color clothing, does any of that make a difference when you're searching for  
20 people in the water?

21 **Wit 2:** We are looking for lights, at largely night we're looking for lights or reflective  
22 objects. Something that's going to reflect our search light, something that's going to get  
23 our attention. In 20, 30 years searching in the water especially at night something has

1 to jump out and grab you. We need some kind of signaling device that says here I am.  
2 The human head in the water at night doesn't really exist unless they have something  
3 on them to say here I am. Even while we were searching that night we would divert our  
4 search because we saw a light on a crab pot or a light floating. So we're drawn to light  
5 and we investigate light. Because that's really at night what we have. Ideally  
6 something blinking that indicates distress is the best, but we're looking for any lit object  
7 in our search area at night.

8 **Mr. Muise:** Were you distracted at all by empty life jackets, empty life rafts that lead  
9 you on a wild goose chase maybe?

10 **Wit 2:** I wouldn't say distracted because you don't know if that's the person or not. You  
11 know we know that we had a rough idea that there were multiple people, greater than  
12 10 people on the rig when it went down. While we're searching we don't know if we're  
13 going to find the 1 person, 2 people, so we're going to investigate everything that looks  
14 like it may contain a person in hopes of finding that person.

15 **Mr. Muise:** And my last question is did the on scene coordinator task you with going  
16 straight to the, and staying with the vessel or was that something you did on your own  
17 as opposed to search downwind?

18 **Wit 2:** I can't speak directly to that because I didn't have comms most of, a lot of the  
19 time. So Jim could probably speak better to that.

20 **Wit 1:** So can you repeat the question again?

21 **Mr. Muise:** The decision to focus on the vessel itself as opposed to searching down,  
22 down range we know that a few of the survivors floated several miles to the Southwest.  
23 Was that at any time an option to go look for them?

1 **Wit 1:** Well on the way in we were actually the first air assets on scene. And at that  
2 point and time from our understanding that would be the best way to get the individuals  
3 that were on the vessel off was by from a helicopter. And they also had other vessels in  
4 the area searching for the individuals in the water. So it wasn't like that they weren't  
5 being searched for. You know they were being searched for, but we thought because of  
6 also in our limited time on scene our best time, or best situation or best thing to do at  
7 that point and time were to be help facilitate getting the individuals off of the vessel.

8 **Mr. Muise:** Okay, thank you both.

9 **CAPT Phillips:** Thank you Mr. Muise. Mr. Jennison when you're describing the  
10 weather right before you took off you said that the front had passed the location in  
11 Galliano and the location of the wreck?

12 **Wit 2:** Yes Captain.

13 **CAPT Phillips:** Were you looking at some sort of radar that showed you the front?

14 **Wit 2:** Well because we were – we had a pending humanitarian run. We were going to  
15 bring a crew member to a vessel who was replacing a person who had a family  
16 emergency. So we were actively engage in looking at the weather to try to determine  
17 when we can take that person to his location. So we knew the front, we had a very  
18 good idea of the weather at that time because we were looking for that opening to take  
19 him to the vessel for humanitarian reasons. So we were very engaged in the weather at  
20 that time.

21 **CAPT Phillips:** Thank you. Do you know which way the front was moving?

22 **Wit 2:** I do not.

23 **CAPT Phillips:** But you could see that it was past your airport and the wreck?

1 **Wit 2:** Yes Captain. And as we're at an airport you know we have a pretty defined  
2 weather station at the airport that we can pull up local conditions for our airport or  
3 alternate airports that we can go to for gas. So we always monitor that quite closely in  
4 aviation, the weather because we have to have alternate locations to return to should  
5 we need gas or should our base be closed by weather. So we have – you know  
6 weather is very important to us. Where we can go and what we can do.

7 **CAPT Phillips:** Okay. Do you know what airports would have been your alternate  
8 location when you took off that day?

9 **Wit 2:** That I do not.

10 **CAPT Phillips:** Okay, thanks. At this time I would like to see if any of the parties in  
11 interest have any questions for you. We'll start with the American Bureau of Shipping  
12 first.

13 **Mr. White:** Thank you Captain. ABS has no questions.

14 **CAPT Phillips:** Thank Mr. White. First Mate.

15 **Mr. Sterbcow:** Thank you Captain. Good morning. My name is Paul Sterbcow I  
16 represent First Mate Bryan Mires from the SEACOR POWER. Do you know, I guess  
17 this should be directed to Mr. Jennison. Do you recall what was said between you and  
18 the first person that you were able to communicate with?

19 **Wit 2:** Well the communications were brief and my – the introduction is who I am, I'm  
20 here to help you, any people on board. He pointed indicated crew at the two other  
21 survivors and he said family. I didn't know his name, I didn't know, it wasn't until  
22 retrospect but I knew what that meant.

1 **Mr. Sterbcow:** Let me follow up. How have you been able to subsequently to identify  
2 who that person was?

3 **Wit 2:** I was close enough to get a rough idea and then looking at media coverage  
4 after the fact and the location of the people and putting two and two together gave me a  
5 really a 95 percent certainty that that person was who I made contact with.

6 **Mr. Sterbcow:** And who do you think that person was?

7 **Wit 2:** I believe he was the Captain of the vessel at the time just by his location where  
8 he was found and a rough description of seeing him that closely. Fifteen feet to a  
9 person who doesn't survive tends to burn itself into your brain.

10 **Mr. Sterbcow:** Sure.

11 **Wit 2:** I've only done that once in my career and you don't forget it.

12 **Mr. Sterbcow:** Can you describe for us what he looked like when you saw him?

13 **Wit 2:** No, sir. Other than, not that I want to do in front of the family.

14 **Mr. Sterbcow:** Alright. And he fell off of the vessel after you left the first time before  
15 you got back the second time?

16 **Wit 2:** Yes, sir. When he received the life jackets from us on the vessel when we  
17 departed to get gas we received a report as we were getting fuel that that person had  
18 departed the vessel.

19 **Mr. Sterbcow:** And based on what you said when you went back the second time  
20 obviously concentrating your efforts on the vessel you, neither one you ever saw that  
21 gentleman again?

22 **Wit 2:** No, sir.

1 **Mr. Sterbcow:** Now when you came back the second time did you actually visualize  
2 anyone on the boat?

3 **Wit 2:** I believe we spoke with them and my vantage point was more in the water. But I  
4 do believe that on the second approach we still had visual contact with the two people in  
5 the alcove that we speaking to them. There was a time though they did radio that they  
6 were moving into more shelter because the waves were so intense on them. They were  
7 going to leave and move back into shelter.

8 **Mr. Sterbcow:** Do you have any specific recollection of what was said by yourself and  
9 what was said by either one of the remaining survivors on the boat during that second  
10 time?

11 **Wit 2:** I didn't have radio coms because I was wearing a water helmet. Jim could  
12 probably speak better to that.

13 **Wit 1:** I really can't recall exactly the communication.

14 **Mr. Sterbcow:** And do either one of you have any ability to describe either gentleman  
15 based on visual contact?

16 **Wit 1:** Not from the altitude that we were and the conditions.

17 **Mr. Sterbcow:** Lieutenant if you could pull up Exhibit 202 [showing Exhibit]. And for  
18 the record these are the SEACOR survey pictures of February 17, 2021. There's over  
19 300 of them. But I would like to go to photograph 255 if you would. It appears that this  
20 is the port side based on the crane orientation and these look like the pipes that you all  
21 pointed out. Is that fair?

22 **Wit 2:** Yes, sir.

1 **Mr. Sterbcow:** Do you know whether or not this is the area where those three  
2 gentlemen were located when you all were out there?

3 **Wit 2:** Without the exact orientation on the vertical plane I know the person who was  
4 exterior of the deck was in that rough facility, in that rough vicinity. Because he moved  
5 across roughly where that ladder is to receive the life jackets. That was his floor  
6 because of the angle he was standing or holding in that area right there in that alcove.  
7 The other two I'm not sure where they were.

8 **Mr. Sterbcow:** The other two were actually inside the super structure?

9 **Wit 1:** Correct. There's a, I do believe there's a door on the other side the wall there  
10 and they were in there. Because when we go on scene we put on night sun on them  
11 that's where we seen them waving from.

12 **Mr. Sterbcow:** So the door would be around that wall, that bulkhead?

13 **Wit 1:** Correct.

14 **Mr. Sterbcow:** Lieutenant if you could pull up 232. Now what I'm going to show you, I  
15 don't want to confuse anybody, what I'm going to show you in 232 is the starboard side.  
16 Okay so it's the opposite side of the vessel. But do you recall whether or not this  
17 doorway appears similar or the same to the doorway that you saw on the port side?

18 **Wit 1:** I cannot recall that.

19 **Mr. Sterbcow:** Okay. How much time passed do you think between when you left after  
20 attempt 1 came to return for attempt 2? If you can.

21 **Wit 1:** From the first hoist to the second hoist it's difficult to really say. Because we  
22 were discussing so much inside the cabin at that point and time, you know what I mean.

23 **Mr. Sterbcow:** Would any of those times be logged by anyone?

1 **Wit 1:** Really no, not between hoist cycles it's not really logged.

2 **Mr. Sterbcow:** But whatever time had passed if I understood you correctly between the  
3 first pass and when you got back it appeared to you that the vessel had gone down  
4 about 20 to 25 feet into the water?

5 **Wit 2:** Yes, sir. The orientation to the pipes to the water, the wave action the vessel  
6 had been settling enough where the distance out of the water had decreased  
7 significantly. And into the next morning we were able to put one of our personnel on the  
8 vessel and that hatch was under water. Because he made entry to it from the surface.  
9 So it was settling quite a bit.

10 **Mr. Sterbcow:** Alright. Thank you. And thank you guys for what you did.

11 **CAPT Phillips:** Thank you Mr. Sterbcow. SEACOR Marine and Falcon Global.

12 **Ms. Apps:** Yes thank you Captain Phillips. My name is Antonia Apps I represent  
13 SEACOR Marine. I have just a couple of questions following up on the weather that  
14 Captain Phillips asked you. But before I do that I would like to thank you both for being  
15 here and on behalf of SEACOR Marine and my co-counsel here Mr. Gary Hemphill and  
16 Mr. Peter Tompkins I want to thank you for your willingness to undertake such a  
17 dangerous mission and your bravery and heroism for what you did that night on April  
18 13<sup>th</sup>. Captain Phillips asked you about a front that passed through where your station is  
19 that evening. Do you know what time that front passed through?

20 **Wit 1:** I cannot recall the exact time.

21 **Ms. Apps:** You had an individual who had come to your station or hangar for the  
22 purpose of potentially taking him to I think you said maybe a platform or some place out  
23 there.



1 **Wit 1:** Correct.

2 **Ms. Apps:** Do you remember what time he arrived at your station?

3 **Wit 1:** I'm not sure what time he arrived at the station for the transfer because we were  
4 in the middle of shift change. And the day crew was running out of duty time to be able  
5 to take him out if the weather was nice. But since the weather wasn't right they couldn't  
6 go anyway so they were going to pass on to our crew. And so when I arrived there like I  
7 said about 5:15, 5:30ish he was already there.

8 **Ms. Apps:** Do you remember if the front that we were talking about had already passed  
9 through when you arrived?

10 **Wit 1:** It had already passed through before then.

11 **Ms. Apps:** And I know you don't remember the exact time, but do you remember the  
12 space, the sequencing?

13 **Wit 1:** I don't know, remember. I know it was in the afternoon. But the exact time I'm  
14 not real positive on that.

15 **Ms. Apps:** Thank you just one moment. No further questions. Thank you very much.

16 **CAPT Phillips:** Thank you Ms. Apps. Mr. Ehlers.

17 **Mr. Ehlers:** Thank you Captain. You said something in response to Mr. Sterbcow's  
18 questions and I just want to make sure I heard it correctly or proper understanding. I  
19 think you said the next morning the helo went out and one of the rescue swimmers  
20 made entry into space from the surface. Is that that alcove? Did the person go in, was  
21 able to access that alcove?

22 **Wit 2:** Yes, sir. One of our rescue swimmers Sammy Rodriguez he exited the  
23 helicopter was hoisted down, came off the cable and was able to reach the alcove we

1 had described to him. He could not obviously go under water and enter it but he was  
2 able to hold himself to the surface as training dictates and reach his hand on the inside  
3 and see if he felt anything or anybody.

4 **Mr. Ehlers:** Okay.

5 **Wit 2:** And after that he – it was even the weather then a vertical hoist was not  
6 possible so to exit the scene he entered the water, rode the current out and was  
7 recovered by the helicopter in the water.

8 **Mr. Ehlers:** In his recounting do you remember if the door to that alcove was closed  
9 when he first reached it?

10 **Wit 2:** I do not know, sir.

11 **Mr. Ehlers:** But he did not find anything when he reached in?

12 **Wit 2:** No, sir. I do believe I have seen a picture of him on the wreck on the vessel  
13 online that does show him on the vessel that night though. So I know it does exist.  
14 There's a picture of him holding on the vessel that night. I'm not sure if that gives any  
15 clarity to the situation or not. It was taken from our helicopter.

16 **Mr. Ehlers:** But once again to make sure I'm clear the alcove that he reached into that  
17 was the door there underneath the three pipes that we've been talking about?

18 **Wit 2:** Yes, sir. That, at that time was submerged into the water.

19 **Mr. Ehlers:** Do you remember again in his recounting how deep down in the water it  
20 was at that time?

21 **Wit 2:** It had to be close enough to the surface to where he could hold on to the edge  
22 and reach in. But I do not know the exact depth.

1 **Mr. Ehlers:** Okay. When you say hold on to the edge, would that edge be above, it  
2 would have to be the water?

3 **Wit 2:** Yes, sir.

4 **Mr. Ehlers:** Thank you.

5 **CAPT Phillips:** Thank you Mr. Ehlers. Mr. Muise.

6 **Mr. Muise:** Gentlemen we talked earlier about getting dispatched. You mentioned that  
7 sometimes you get requests from the Coast Guard for help. Does that request come  
8 from the Sector usually or the District or directly from the Air Station?

9 **Wit 1:** I'm not real sure exactly how that works. All I know is that if they, I'm really  
10 unsure exactly how that works.

11 **Mr. Muise:** On this particular evening though you called them and offered your help?  
12 Is that, do I have that right?

13 **Wit 1:** No. From my understanding it was our, one of our customers was on the phone  
14 with our lead pilot. He informed them of what was going on and at that point and time it  
15 was kind of vessel in distress. And he cleared us to go out and be, you know what I  
16 mean, go out and see what we could do. I don't even recall if the Coast Guard  
17 requested us at that point and time.

18 **Mr. Muise:** Okay. Thank you again.

19 **CAPT Phillips:** Thank you Mr. Muise. Mr. Ehlers.

20 **Mr. Ehlers:** Sorry. Quick clarification. Do you know what customer it was that was  
21 talking to the pilot?

22 **Wit 1:** I believe it was Shell.

23 **Mr. Ehlers:** Shell?

1       **Wit 1:** Shell Oil.

2       **Mr. Ehlers:** Okay, thank you.

3       **CAPT Phillips:** Thank you Mr. Ehlers. When you arrived on scene that first evening do  
4       you recall if that door where the individuals were, on the second visit do you remember  
5       if that door was opened or closed when you first arrived and did your first initial sweep?

6       **Wit 1:** On the second flight?

7       **CAPT Phillips:** On the first flight when you first arrived.

8       **Wit 1:** I do recall it being opened. Because I do believe that there was a couple people  
9       in there with like Jason said one individual outside, individual outside of that he was the  
10      one that was waving towards us.

11      **CAPT Phillips:** Okay. Thank you. And does, I think you probably already answered  
12      this question but I just want to explicitly ask the question. Does Bristow offer any  
13      underwater rescue services?

14      **Wit 1:** No.

15      **CAPT Phillips:** Thank you. Lieutenant Alger would you bring up Exhibit 167 please  
16      [showing Exhibit]. Mr. Jennison on the next day you said there was a swimmer on the  
17      hull of the vessel and we have a photo. I just wanted to see if this was the photo that  
18      you were thinking of.

19      **Wit 2:** Yes Captain. That was our rescue swimmer Sammy Rodriguez on the hull of  
20      the vessel. And you can see there how far it has gone down. Give you a rough idea of  
21      how far that door would be under water.

22      **CAPT Phillips:** So you see the three black pipes and then you see a black spot above  
23      that. That's the rescue swimmer?

1 **Wit 2:** That's Sammy.

2 **CAPT Phillips:** And is that rescue swimmer still attached to the helicopter or is he  
3 disconnected from the helicopter?

4 **Wit 2:** I've got to believe he's disconnected because I don't think we could get that  
5 picture if he was – if he was connected to the helicopter.

6 **CAPT Phillips:** Okay. Thank you. And that's the point where he went down and  
7 checked that door in that area?

8 **Wit 2:** Yes, ma'am.

9 **CAPT Phillips:** Thank you. Do you know if he, so it looks like in that picture there's a  
10 life raft there as well, do you know if went over and checked the life raft?

11 **Wit 2:** He would have had to do a separate approach because of where the current is.  
12 You would have had to gone back to the helicopter, reoriented and check the life raft.  
13 But I would be absolutely certain that when they did the WRECKY which is scene  
14 assessment that they hovered over the life raft and he got a good view what's inside it.  
15 Because they do a full scene assessment, a high WRECKY and a low WRECKY to look  
16 for survivors and hazards in the area.

17 **CAPT Phillips:** Thank you. One of the big goals of this investigation in our report is to  
18 identify recommendations for the future. I'll start with you Mr. Peters. Do you have any  
19 recommendations in the future on how things can be done differently or additional  
20 equipment you would recommend or just any procedures you would update?

21 **Wit 1:** For our company or as a whole with say and working in conjunction with the  
22 Coast Guard?

23 **CAPT Phillips:** I would say both. Let's start with your company first.

1     **Wit 1:** There's a few things that we're working on now is a basically a hands free water  
2     radio. What this would do for us is the rescue swimmer would be able to be at the end  
3     of the hook and we would have voice communications with him throughout the flight.  
4     So we're working on that issue to get that resolved. So because that night you could tell  
5     how dark it was. I was relying on his hand signals, you know what I mean, whether he  
6     needed lowered down closer to the vessel or raise him up off of the vessel where he  
7     thinks he's going to possibly impact something. So any hands free water radio that's  
8     what we're working on now. But one thing that really jumped out to us all is the time  
9     that we were notified. And with that being said because the time we were notified and  
10    the time we got on scene at that April, I mean the sun just started to go down so it was  
11    sunset and it started to get dark and what have you. That was in my opinion it being  
12    night was a huge factor. If we could have gotten out there say daylight hours it may not  
13    have been our crew, it would have probably been the day crew. But if they were out  
14    there because we would have had a better situational awareness of where everything  
15    is, right. I mean like when you're putting light on something you get to see everything a  
16    lot better. It would have shed more light, would have given us a better asset, you know  
17    what I mean to help possibly better facilitate a different outcome of this event. So I  
18    would say we're here. It's kind of like with the cruise ship stuff. We're an advance life  
19    support. We have our medics are more capable than the medics, or excuse me the  
20    Coast Guard rescue swimmers capability. I think they're basic EMT. Our paramedics  
21    are advanced life support. I mean we have all kinds of equipment on board the aircraft  
22    to facilitate, you know anything, chest pains, we've had you know severe trauma in the  
23    back of the, you know that we've picked people up that they received on rigs. We're

1 able to take care of these individuals in a better way if you will. We have more medical  
2 knowledge. And also with our aircraft we have longer range than the 65 does. With the  
3 139 and 92. So that would have been a great help if they would have, you know called.  
4 Going back to the cruise ship thing, if they couldn't make it out there they called us. We  
5 were able to go out and do it. And we did it successfully, not once but twice. So you  
6 know we can do the job. We have great capabilities.

7 **CAPT Phillips:** Thank you for your recommendations. Mr. Jennison?

8 **Wit 2:** Recommendations like Jim said we're looking at it internally that we can do  
9 different. We've established a drop bag if this ever happened again. It has hard  
10 flotation, a radio and chem lights inside it so we're not scavenging from the crew, we're  
11 using directly a pre-purposed floatation for that. So we're addressing internal things to  
12 get a, you know just in case it ever happened again be it this magnitude or even a small  
13 boat, a smaller vessel that we need to make contact. So we're addressing that.  
14 Externally I can't emphasize more, call us. Having been in the Coast Guard knowing it's  
15 abilities I always say the Coast Guard helicopters are a pickup truck, they can drive fast.  
16 Essential person in the back and there's an EMT in there. We're a flying ambulance.  
17 You know we have advanced cardio life support in our helicopter. We have oxygen, we  
18 have IV fluids, we have twelve leads. We're, everything you get in Arcadian Ambulance  
19 on ground we have in our helicopter and more. So we're an amazing asset. We're a  
20 great force multiplier for the Coast Guard to extend the range. On the ship side I only  
21 can think of in the helicopter what we do for our inverted helicopter. All of our crews  
22 have HEAVES devices. It is a self-contained breathing apparatus that everyone's  
23 trained to use should our helicopter impact the water and invert. It gives between 2 and

1 5 minutes of breathable air to exit the structure. I would imagine something like that  
2 may have been beneficial at this time. If you have an instance where inverting traps  
3 you in the cabin a breathable device to exit the rig might have gone a long way. I know  
4 Jim and I have spent a lot of time teaching that down Guyana, the oil industry and it's  
5 become a standard there for the helicopter and it would be better. I could see it  
6 benefiting something like this being able to exit a structure for safety. My  
7 recommendations.

8 **CAPT Phillips:** Thank you.

9 **Wit 2:** You're welcome.

10 **CAPT Phillips:** You said a drop bag that had a hard flotation in it. Can you tell me  
11 more about what a hard flotation is?

12 **Wit 2:** A hard flotation is something they don't have to inflate. Something that is, they  
13 put it on, it's really what they know, what the marine person knows is a hard flotation.  
14 They may not be fully trained in how to use an inflatable vest. We can't use self-  
15 inflating because when it hits the water it goes off so they have to inflate it. So we now  
16 have established a drop bag with industry standard, Coast Guard approved hard  
17 flotation inside it that they will immediately recognize and put it on and that's what it is,  
18 flotation.

19 **CAPT Phillips:** So more like a horse collar orange life vest?

20 **Wit 2:** Yes, ma'am.

21 **CAPT Phillips:** Okay, thank you. What kind of communication equipment do you have  
22 at your base there in Galliano?

23 **Wit 1:** Communications for inside the aircraft, outside the aircraft?



1       **CAPT Phillips:** For the base there in Galliano to talk to either the helicopters or the  
2       rigs?

3       **Wit 1:** We have basically all of our radios, we have VHF. VHF radios that we talk. We  
4       also have a SAT phone that we use to be able to talk, you know use in the aircraft. We  
5       have handheld radios. We have ICOMS radios that we used that night is our one that  
6       we usually use in the water but we have to use a hand in order to operate it. Generally  
7       those are set up to channel, channel 8 or 10. That night we adjusted it to channel 16  
8       before we gave it to them so they would have you know radio comms. And generally  
9       yeah those are the radios that we have.

10       **CAPT Phillips:** The VHF radios that are there in the office do you know if they're set to  
11       a – setup where they can scan 16?

12       **Wit 1:** No they're not setup to scan 16. They're setup to our what we call base  
13       frequency. I don't know the frequency right off hand. So that's where we can make our  
14       communications back to base if we're having an aircraft issue or a maintenance issue  
15       with the aircraft while flying. We can kind of give them a heads up to let them know  
16       what's going on so the maintenance crew can be on hand. Or if we're coming in to do a  
17       hot pump crew swap, or a hot fuel crew swap let them know to give them a heads up  
18       that we're on our way inbound 5 minutes out or what have you so they will be ready to  
19       receive us. Do what they need to do and we'll be on our way.

20       **CAPT Phillips:** Okay.

21       **Wit 2:** But when flying we do monitor channel 16 as well in the helicopter. When we're  
22       flying we monitoring 16 because we hear the PON PON's, we get a call for assistance

1 as we're flying regularly. One team we're in the vicinity when we're flying. We want to  
2 be there. So we're monitoring 16 when we're flying.

3 **CAPT Phillips:** Thank you.

4 **Wit 2:** You're welcome.

5 **CAPT Phillips:** One final question for both of you. Is there anything else that you think  
6 we should know that we haven't asked about?

7 **Wit 2:** I really can't think of anything. I just really you know I don't think those videos  
8 even paint the magnitude of what those men were dealing with that night. It's hard to  
9 really appreciate the size of that rig from the videos. And the video with Sammy that  
10 last video that was played, that picture really gives an idea of what the trauma they're  
11 dealing with in those conditions. It's hard to really express that on scene conditions at  
12 the time without actually being there and feeling how small they must have felt at the  
13 time. Because there were mountains hitting them every 10 seconds. It was a lot for  
14 them. Keep that in mind when we're thinking about why they didn't jump. Because it  
15 was say God take me now if I jump because it was the conditions they were in.

16 **CAPT Phillips:** Thank you. Anything else? Again thank you both for being here.  
17 Thanks for your incredible efforts on the night of the 13<sup>th</sup>. We really appreciate your  
18 assistance. At this time we're going to recess for lunch. We will reconvene at 1200.  
19 The time is 1039. This hearing is now in recess.

20 *The hearing recessed at 1039, 5 August 2021*

21 *The hearing was called to order at 1040, 5 August 2021.*

22 **CAPT Phillips:** You're now released as witnesses at this Marine Board Investigation  
23 Hearing. Thank you for your cooperation today. If I later determine that this board

1 needs additional information from you I will contact you through your counsel. If you  
2 have any questions about the investigation you may contact Lieutenant Anthony Alger,  
3 he's over here behind the computer. Thank you again. The time is 1040, this hearing is  
4 now in recess.

5 *The hearing recessed at 1040, 5 August 2021*

6 *The hearing was called to order at 1202, 5 August 2021.*

7 **CAPT Phillips:** The time is 1202. This hearing is now in session. We will now hear  
8 testimony from Lieutenant Junior Grade Aaron Rice. Lieutenant Alger could you please  
9 administer the oath?

10 **Recorder:** Mr. Rice if you could stand and raise your right hand. A false statement  
11 given to an agency of the United States is punishable by a fine and or imprisonment  
12 under 18 U.S. Code 1001 and may also subject you to discipline under the Uniform  
13 Code of Military Justice. Knowing this do you solemnly swear that the testimony you're  
14 about to give will be the truth, the whole truth and nothing but the truth, so help you  
15 God?

16 **Wit 1:** I do.

17 **Recorder:** Thank you please be seated. For the record please state your full name  
18 and spell your last.

19 **WIT:** Lieutenant(jg) Aaron Rice, R-I-C-E.

20 **Recorder:** And please identify your counsel to confirm representation.

21 **WIT:** Lieutenant Commander James Daugherty.

22 **Recorder:** Mr. Daugherty if you state your full name and spell your last for me.

23 **Counsel:** James Daugherty, D-A-U-G-H-E-R-T-Y.

1 **Recorder:** Thank you.

2 **CAPT Phillips:** Good afternoon, thank you for coming today. Thank you for assisting  
3 us with our investigation. I'm going to start with some background questions. Can you  
4 tell us where you currently work?

5 **WIT:** I'm in the process of moving units. So I was just working at Marine Safety Unit  
6 Houma, Louisiana. But now I'm going to be moving in a week to where I will be  
7 attending Electronical Engineering Graduate School, still under the Coast Guard up in  
8 Cleveland, at Cleveland State University.

9 **CAPT Phillips:** Thank you. How long were you stationed at MSU Houma?

10 **WIT:** I was stationed at MSU Houma for three years.

11 **CAPT Phillips:** And what was your position while you were there?

12 **WIT:** Apprentice Marine Inspector.

13 **CAPT Phillips:** Can you describe the general responsibilities associated with an  
14 Apprentice Marine Inspector?

15 **WIT:** An Apprentice Marine Inspector is responsible for primarily inspecting vessels so  
16 we will for our AOR inspect vessels from small passenger vessels to offshore supply  
17 vessels, tank barges, towing vessels and essentially we are enforcing 46, Title 46  
18 C.F.R., Title 33 C.F.R ensuring that these vessels are safe, seaworthy, that they have  
19 the proper equipment, proper lifesaving, firefighting equipment that the people on board  
20 doing the right thing, they're not polluting. Just enforcing regulations domestically and  
21 internationally as they apply.

22 **CAPT Phillips:** Thank you. And what does the term apprentice mean?

1 **WIT:** Apprentice means that it's your first tour as a marine inspector. So it's your first  
2 one, you're an Apprentice Marine Inspector and then now I'm a Journeyman Marine  
3 Inspector which will be, would be my second tour. But you get the title before you go on  
4 to your next one.

5 **CAPT Phillips:** Thank you. And how long have you worked for the Coast Guard?

6 **WIT:** MSU Houma was my first tour. So upon graduating from the U.S. Merchant  
7 Marine Academy, a direct commission through the maritime graduate program. And  
8 was stationed at Marine Safety Unit Houma as my first tour out of college. So three  
9 years.

10 **CAPT Phillips:** Thank you. And have you ever spent any time underway?

11 **WIT:** Yes. When I was at the U.S. Merchant Marine Academy it is required for all  
12 cadets, all midshipmen attending to be out to sea to get your minimum days required to  
13 sit for your license. So I sat for my Third Engineers License at the conclusion of our  
14 graduate – before graduating and got my Third Assistant Engineers unlimited  
15 horsepower license and I sailed for 306 days at sea prior to graduating. And that's the, I  
16 need at least 300.

17 **CAPT Phillips:** What kind of ships did you get underway with?

18 **WIT:** I went on the Maersk CAROLINA which is a container ship where we crossed the  
19 Atlantic Ocean six times going between the Eastern Coast of the U.S. to Europe. I was  
20 the APL PHILLIPINES which is a container ship that goes down the West Coast and  
21 then over to East Asia. And then I was the Military Sealift Command Ship USNS FALL  
22 RIVER. And then, which is an expeditionary fast transport ship in Southeast Asia. And  
23 then I was on the CAPE ORLANDO which is a ready reserve fleet ship stationed in

1 Alameda, California. So the container ships were fairly large, about 1000 foot container  
2 ships, very large engine rooms. During this time I was serving as an engine cadet  
3 learning how to be an Engineer on board these ships. And the FALL RIVER was a twin  
4 hull catamaran used to transport Marines and get them into shallow areas, locations.  
5 And the CAPE ORLANDO was a Ro-Ro which stands for roll on and roll off. And it's a  
6 car carrier.

7 **CAPT Phillips:** Good. What was your degree in from the Merchant Marine Academy?

8 **WIT:** Marine Engineering and then I had a minor in shipyard management.

9 **CAPT Phillips:** And before going to school did you work for any other companies?

10 **WIT:** No, ma'am.

11 **CAPT Phillips:** Okay. Besides your Third Engineers License do you have any other  
12 professional licenses or certificates?

13 **WIT:** I have an EPA section 608 refrigerant license which allows me to, it's a universal  
14 license allows me to buy refrigerant. Yeah just a refrigerant license.

15 **CAPT Phillips:** Thank you. And besides your degree from the Merchant Marine  
16 Academy did you get any additional education?

17 **WIT:** No, nothing apart from High School.

18 **CAPT Phillips:** Thank you. You've already given us a description of what a marine  
19 inspector does. Can you walk us through what kind of training you need to become a  
20 marine inspector in the Coast Guard?

21 **WIT:** More specifically training in the Coast Guard?

22 **CAPT Phillips:** Correct.

1 **WIT:** Absolutely. So right when you show up we're immersed into the training  
2 environment. So when you show up you're not allowed to inspect vessels on your own.  
3 You are doing on the job training and shadowing the more senior qualified inspectors.  
4 And you go through very large PQS, that's what they're called, performance  
5 qualification standard books where you have to get a number of sign offs for items that  
6 you need to display competency and knowledge on. So for small passengers for  
7 example that's about 100 pages worth of sign offs. Offshore supply vessel it's about  
8 another 180 almost. And tank barges, you have each one for each subchapter and  
9 vessel platform. So you have to display competency, you're learning on the job,  
10 shadowing seeing how qualified inspectors do it before you until – and then once you  
11 have these books filled out you have to take what we call check rides where you are  
12 inspecting on your own and you're under the supervision of senior qualified inspectors.  
13 And then lastly you take an oral board in front of three to four people to where we  
14 display our knowledge in regulations and the vessel, how to inspect them.

15 **CAPT Phillips:** Do you also need to attend any type of formal school?

16 **WIT:** Yes, ma'am. So within the first few weeks showing up you attend a 5 week  
17 course at Yorktown, Virginia at the Coast Guard Training Center called Marine Inspector  
18 Course. And that is the initial introduction to regulations and inspections in the Coast  
19 Guard. Also to inspect international vessels, port state control vessels. I also attended  
20 port state control schools which is a school that details international regulations and  
21 how to inspect foreign vessels.

22 **CAPT Phillips:** And you're required to do a ship ride?

1 **WIT:** Yes, ma'am. So one of the ride specifically for offshore supply vessels we're  
2 required to go out on board a merchant vessel, ideally a boat in our unit, an offshore  
3 supply vessel. And we shadow the crew and see their operations for at least a week  
4 typically, typically we like to do two weeks.

5 **CAPT Phillips:** Thank you. And then do you receive any additional training if you're  
6 going to be inspecting lift boats?

7 **WIT:** Yes. So we have, the lift boat is considered an offshore supply vessel under that  
8 umbrella, but we have what's called a lift boat addendum because they're more unique  
9 offshore supply vessels. So for lift boats specifically you have these extra sign offs and  
10 things you have to see for – to be able to prior to sitting to your board for your offshore  
11 supply vessels. So there's additional sign offs and things for lift boats.

12 **CAPT Phillips:** And so that addendum is to the personal qualifications standards?

13 **WIT:** Yes, ma'am.

14 **CAPT Phillips:** Is that addendum Coast Guard wide or is that specific to Marine Safety  
15 Unit Houma?

16 **WIT:** I believe it is specific to Marine Safety Unit Houma. I'm not 100 percent sure.

17 **CAPT Phillips:** Does the Coast Guard have in addition to the qualification that you  
18 process that you just talked about, does the Coast Guard have guidance or policy about  
19 inspecting lift boats or any lift boat related activities?

20 **WIT:** Yes absolutely. So in the marine inspection field you have your Title 46 C.F.R.,  
21 Title 33 C.F.R., but outside of those there is a plethora of additional guidance because  
22 the C.F.R.'s you know they try to cover their best every single in and out question you  
23 have, but they're not perfect. So the additional guidance is published by the Coast



1 Guard whether it's national or local in the form of NAVIC , which is navigation vessel  
2 inspections circulars or local policy letters whether they be District or national. So there  
3 are multiple submitted guidance letters and NAVIC's on how to inspect lift boats that are  
4 more refined than the C.F.R. just didn't cover everything completely.

5 **CAPT Phillips:** Are you familiar with what particular documents are out there about lift  
6 boats?

7 **WIT:** NAVIC 1189 talks about inspecting lift boats very much so. We have multiple  
8 policy letters and CID memos also. I don't have all the numbers memorized. But I don't  
9 – I have a binder that I would keep all of them in. A specific lift boat binder that I have.

10 **CAPT Phillips:** Okay. You said a CID memo.

11 **WIT:** Yeah so CID memo stands for Chief of Inspection Division memo. And CID  
12 memos are also put out as an additional guidance for inspectors on items.

13 **CAPT Phillips:** And are those memos location specific are those Coast Guard wide?

14 **WIT:** So CID memos can be location specific. But there's also CID notes published  
15 which are Coast Guard wide. But typically CID memos are local.

16 **CAPT Phillips:** So that will only pertain to Marine Safety Unit Houma?

17 **WIT:** Yes, ma'am.

18 **CAPT Phillips:** In your time here in Houma can you estimate how many inspections  
19 you've completed on lift boats?

20 **WIT:** So I would, I completed lift boat inspections a lot for the probably two years or so  
21 prior to even being qualified and I completed many more after being qualified. Prior to  
22 being qualified where I'm shadowing people the more qualified I would say at least

1 maybe two to three dozen. And then after I was qualified maybe two dozen more  
2 myself or as the lead. So it would be close to around 50.

3 **CAPT Phillips:** And have you ever inspected the SEACOR POWER?

4 **WIT:** Yes, ma'am. I was the last person on board to inspect the SEACOR POWER.

5 **CAPT Phillips:** Had you inspected it before that as well? Or was that your first time on  
6 board?

7 **WIT:** No, ma'am. I think that was my first time on board.

8 **CAPT Phillips:** At this point I'll ask Lieutenant Alger to bring up Exhibit 32 [showing  
9 Exhibit]. This is the vessel's most recent certificate of inspection. And then I'm going to  
10 ask you to walk me through what information you see on this document. So let's start in  
11 the upper right hand corner. I see a line that says certification date and expiration date.

12 **WIT:** So the certification date and expiration date, certificates of inspection are only  
13 allowed to be issued for up to five years. So the certification date was when we certified  
14 the vessel and issued that document on 18 March 2020. Which means it can only be  
15 good for five years, it will expire on 18 March of 2025.

16 **CAPT Phillips:** Okay. And then reading through the rest of the lines can you just point  
17 out what you see and what kind of the key points are here on this document?

18 **WIT:** Yes, ma'am. So starting at the top you have vessel particulars, you have the  
19 vessel name and the official number that's given to the vessel, that stays with the vessel  
20 whether the name changes or not it will always have that official number. The IMO  
21 number is the international number issued to it. The call sign is issued with the radio  
22 through the FCC, that's a unique identifier for that radio. The service right there is the  
23 type of vessel it is, it's an offshore supply vessel it's the subchapter that is regulated

1 under. And then you have the hailing port, hull material which is steel, the horsepower  
2 of the vessel, compulsion diesel reduction which means it's a diesel engine with  
3 reduction gear. The place built, the delivery date, the keel laid date. So the keel laid  
4 date is when the keel was laid in the shipyard so it's going to be earlier. The delivery  
5 date is when it's actually fully constructed and done which is in 2002. Gross tonnage so  
6 R would be the gross regulatory tonnage which is a domestic measuring standard and I  
7 is your international standard. So it was only measured under the international tonnage  
8 convention so that's 2,276 gross tons, ITC. And then the net tons would be 682.  
9 Length 175 feet. That would be like overall. And then you have the owner, operator  
10 and then moving down, do you want me to continue, ma'am?

11 **CAPT Phillips:** Yes please.

12 **WIT:** This is the safe manning document portion related to the certificate of inspection.  
13 So this says the minimum manning that is required to be on this vessel so it includes  
14 licensed and unlicensed topside licensed deck officers and licensed engineers. So  
15 they're required to have a Master, two Mates, two AB's, an OS, a Chief and an Oiler.  
16 And moving down you see that the vessel may carry six other persons in addition to the  
17 crew and 36 offshore workers. These offshore workers are the term associated with  
18 subchapter L, offshore supply vessels allows them to total carry 50 people. Moving to  
19 the -----

20 **CAPT Phillips:** Let's pause there.

21 **WIT:** Yes, ma'am.

22 **CAPT Phillips:** So I can ask one or two questions about what we saw already. Going  
23 up near the top you mentioned the services offshore supply vessel.

1 **WIT:** Yes, ma'am.

2 **CAPT Phillips:** That means? What does that mean as far as which subchapter you  
3 find the regulations, regulatory requirements for this vessel?

4 **WIT:** So offshore supply vessels they're typically inspected solely subchapter L which  
5 is, however, they can also be multi certificated which this vessel isn't, to where they  
6 could meet, even more stringent regulations which would be inspected subchapter I  
7 which is cargo and miscellaneous vessels, that's the type of work they do. But in this  
8 case this is just a subchapter L vessel which means its working on an offshore oil  
9 mineral and energy resources. That would be – it's indicating the service with the work  
10 the vessel does and we can apply the appropriate subchapter from there.

11 **CAPT Phillips:** Thank you. And when you say subchapter that's a subchapter of Title  
12 46 Code of Federal Regulations, correct?

13 **WIT:** Yes, ma'am.

14 **CAPT Phillips:** Thank you. And then looking at the manning section you said it's  
15 allowed to have six persons in addition to the crew. What kind of people would those  
16 be?

17 **WIT:** Those would be persons that would necessarily not be going offshore as an  
18 offshore worker that would be taken to the rigs. So they would have the bunks available  
19 for them and it's just essentially a group of non-offshore workers that would be allowed.

20 **CAPT Phillips:** Okay. And the term offshore workers typically applies to what?

21 **WIT:** It applies if they're a worker that works offshore. In this case the Gulf of Mexico  
22 where they work on the oil rigs essentially.

23 **CAPT Phillips:** So they're not employed by the company who operates the boat?

1 **WIT:** Correct.

2 **CAPT Phillips:** Okay. Let's go through the first page of the routes and conditions.

3 What do you see there?

4 **WIT:** So going to the routes and conditions we first see the route on top and bold which  
5 is oceans. Which means it's allowed on essentially since it doesn't have limitation for  
6 not an international voyage it can transit any of the oceans. So long as we see the next  
7 line, while engaged in the support of exploration, exploitation of production of offshore  
8 mineral or energy sources. Just saying that it needs to be doing subchapter L work.

9 The next line we see when the vessel is on a voyage of less than 600 miles then they  
10 operate with less crew. And this allows them to operate with one less license Mate and  
11 one less AB, abled seaman. However, they still need four lifeboat man certified and two  
12 GMDSS operators.

13 **CAPT Phillips:** Thank you. And then let's continue on, on the next page.

14 **WIT:** Okay so the first line that says when vessels on an international voyage offshore  
15 workers are limited to 12. This is due to SOLAS which is safety life at seas, an  
16 international book of regulations and international convention. And this limits when  
17 you're traveling internationally your offshore workers at 12 because if you had any more  
18 than 12 you would have to be considered a passenger vessel which involves much  
19 more regulations that they would have to meet. This next line specified manning levels  
20 contingent on proper operation of the engineering automated control monitoring  
21 systems. Any major alteration or essential component failure must be reported  
22 immediately to the cognizant OCMI. So in today's world of 2021 there's a lot of  
23 automation on vessels. And we, when their safe manning is determined for their vessel

1 this automation is taken into account. So that line is basically saying that the manning  
2 level on the COI is you know contingent that your automation is working. Because if it's  
3 not then we would require more manning. Next line is vessel proceed to a harbor of  
4 safe refuge or elevate location where its 100 knots of wind when the 12 hour weather  
5 forecast predicts sustained winds in excess of 60 knots. So this one is drawing off the  
6 lift boat's operating manual which is a manual that's issued for all lift boats. It's required  
7 and the details their operations and basically this states that if there's 100 knots of  
8 winds they need to elevate, which is stick their legs down in the mud and elevate off the  
9 surface of the sea. Or they could go into a harbor of safe refuge which would be going  
10 into port if there's 100 knots of wind or if the forecast predicts excess of 60 knots. So  
11 this is just for the safety of the vessel. This is common verbiage issued to many lift  
12 boats. Next line as per Commandant letter November 17, 2005 vessels authorized to  
13 carry 12 additional offshore workers for a total of 48. These additional offshore workers  
14 may be brought on board only when the vessel is spotted on located and successfully  
15 preloaded. So this line is basically say that a lot of the jobs that lift boats do involves is  
16 they will jack up and be adjacent right next to an oil rig and they'll be using their cranes  
17 and have a surface of work. So when their through that when their up and jacked and  
18 servicing a rig on location, they're not transiting, they're not going through the water so  
19 while they're there this line is saying we allow more people to be on the vessel, but they  
20 need to be off by the time the vessel jacks back down and transits back into port and go  
21 in the water. The next line emersion suits is not required when operating between 32  
22 degrees North Latitude and 32 degrees South Latitude. So this line is just say  
23 emergent suits are a very – they're much better than life jackets because you put them,

1 they're tight fitting and they also keep you warm. So if the vessel is operating between  
2 32 degrees North and 32 degrees South latitudes that means they're staying in warmer  
3 climates. They're in latitudes close to the equator. So because the water does not get  
4 as cold they're allowed to not carry those on board if they operate in between those  
5 latitudes. Next line, vessel is to be operated in accordance with its current operating  
6 manual. This is just a line saying, what I was speaking on earlier the operating manual  
7 that's issued to the lift boat, they should operate under those parameters. The next line  
8 high strength steel using construction see operating manual. This is just, sometimes it's  
9 not so obvious when you're on the vessel whether that strength, the steel is high  
10 strength or not so when you're in the shipyard and doing repairs this line is helpful to  
11 know that you should look at the operating manual when you make repairs so you know  
12 if it's high strength steel or not because of the different properties. Next line both cranes  
13 tested on 13 April 2017 next inspection due is 30 April 2022. So this is speaking to  
14 weight tests for their cranes which are required to happen every 5 years. So the water  
15 bag or weights will be tested and you would let it set and see that there's no cracking or  
16 deformation or nothing wrong with the crane that it can operate to those weights.  
17 Lastly, the last line is 5 year leg inspections. Port, Starboard, Aft were conducted 11  
18 May '17, all sat. Next inspection due 30 May 2022. So the legs also need to be  
19 inspected every 5 years. And that's just giving us the dates on that. So that's the end  
20 of routes and conditions. Would you like me to continue?

21 **CAPT Phillips:** Let's pause there for now. If the vessel has an automated engine room  
22 why are you allow to then reduce the number of Engineers on board?

1 **WIT:** Well the U.S. Code, the Code of Federal Regulations allows the Officer in Charge  
2 of Marine Inspection locally to determine the safe and proper manning level of vessels.  
3 So the OCMI has a lot of ground to decide what the safe manning is for these vessels.  
4 So more automation that means that people don't, you know prior to old steam vessels  
5 and vessels way back in the day people don't have to be as much anymore physically  
6 looking at gauges and conditions of the plant as much as they used to anymore  
7 because of automation. So that's why that line is there.

8 **CAPT Phillips:** Thank you. Then the line that talks about surviving 100 knots of wind  
9 and then sustained winds in excess of 60 knots. Do you know what those number, that  
10 100 knots and that 60 knot threshold are those standard for all lift boats or do those  
11 change?

12 **WIT:** So those number would have been approved with the operating manual for this  
13 specific lift boat. So I'm not 100 percent sure if they change. I'm sure they could based  
14 on the size of the lift boat and it's stability. But I don't want to speculate on the other lift  
15 boats. But I think it can change a little bit. It's probably very similar looking for many lift  
16 boats.

17 **CAPT Phillips:** Thank you. Moving down the COI the next section talks about hull  
18 exams. Can you tell us what a dry dock exam and an internal structure exam might be?

19 **WIT:** Yes, ma'am. So the dry dock exam we're inspecting the vessel external hull, its  
20 legs. And an internal structure exam we are inspecting the internal structures, the  
21 inside of the tanks. So we'll be opening manholes up and crawling through them. And  
22 for both exams we are checking for the welds whether there's cracking. We're checking



1 for insets in the hull, skin material, looking at the structural members. And just ensuring  
2 that the vessel structure is sound and safe.

3 **CAPT Phillips:** Okay. The section that say stability what does that tell you?

4 **WIT:** The stability is simply saying that the stability letter was issued on 26 March of  
5 2007 by ABS, American Bureau of Shipping. That's all that's saying.

6 **CAPT Phillips:** Thank you. We don't need to read the section that says conditions of  
7 carriage but in general could you summarize what that says?

8 **WIT:** So that section is basically saying that so 49 C.F.R. DOT this has regulations for  
9 transporting portable tanks like that. Like these. And this is essentially saying that if  
10 they want to carry this portable tanks on deck they have two options. Either providing a  
11 semi portable fire extinguisher to – for additional fire protection or they could have an  
12 educator connection with foam bucket. So they could do either of those two options so  
13 that they have a safe fire protection methods for these tanks.

14 **CAPT Phillips:** Thank you. And the section about pressure vessels what does that tells  
15 us?

16 **WIT:** So pressure vessels mostly are typically air receivers and those would be air or it  
17 could be a fluid that are under pressure that's above 15 PSI. So with these there's just  
18 inherit risk with a pressure vessel getting under pressure beyond the ambient air 14.8  
19 PSI. So this is saying list the pressure vessels on the vessel which are all air receivers  
20 and it says we need to inspect them. It shows the date we inspected them last and they  
21 need to be inspected internally every 5 years.

22 **CAPT Phillips:** Thank you. And the section reads tail shafts?

1 **WIT:** So the tail shafts under subchapter L because the vessel is under 100 gross tons  
2 you would go to subchapter F for engineering. It details the – how often the tail shafts  
3 need to be inspected. So in this case the tail shafts need to be inspected every 5 years.  
4 So it's showing that they were last inspected 18 May 2020 and it shows the next date of  
5 2025. And then for lift boats specifically we will put in also the leg inspection dates  
6 because it's a good place to record those dates. So we have the next due date that all  
7 the Port, Starboard and Aft legs of the vessel are due for inspection.

8 **CAPT Phillips:** And I see two things there. I see a 5 year and 10 year and those  
9 appear to have different dates. What is that part showing us?

10 **WIT:** Yes, ma'am. So we have a policy letter detailing everything that you need to do  
11 for a 5 year leg inspection and a 10 year leg inspection. So a 10 year leg inspection is  
12 going to be more thorough. You don't need to do the first 10 year leg inspection until 20  
13 years after the build date of the vessel and then it's every 10 years after that. And that  
14 will involve physically taking, removing the legs from the vessel so it will need to go into  
15 dry dock and we do non-destructive testing of these legs to make sure they are good  
16 structurally. So it just, 10 years would be more in depth than a 5 year.

17 **CAPT Phillips:** So a 5 year do you remove the leg or is that done without removing the  
18 leg?

19 **WIT:** No you don't have to remove the leg for a 5 year.

20 **CAPT Phillips:** Thank you. And then as a summary what do you see in this lifesaving  
21 section?

22 **WIT:** So the lifesaving section first we have the davit weight test almost like a crane.  
23 The davit needs to be weight tested every 5 years and the falls which are essentially the

1 -- a wire rope that will hold the rescue boat needs to be replaced every 4 years or you  
2 can replace it every 5 as long it's infringed, twice in 5 years not to exceed 3. And then  
3 going on to the lifesaving section this list all the required lifesaving for the vessel. So  
4 we can see they need a rescue boat with a capacity of 6 people. They had six inflatable  
5 rafts capacity 150. Life preservers or also life jackets for 66 total people. They're going  
6 to need one for at least every person that can be on the vessel. Ring buoys with lights,  
7 without lights. Emergent suites, they have 0, although it would be required if the  
8 operated beyond that 32 and 32 latitude. And then radios. And then equip with an  
9 EPIRB, yes.

10 **CAPT Phillips:** And the section that says inflatable life rafts is that 6 150 person life  
11 rafts or is that 6 with a total capacity of 150?

12 **WIT:** Six with a total capacity of 150.

13 **CAPT Phillips:** Thank you. And then does the next section just list out the required  
14 firefighting equipment?

15 **WIT:** Yes, ma'am. So just number of firefighting outfits, number fire pumps and then  
16 the fire extinguishers as well.

17 **CAPT Phillips:** Okay. And the last page.

18 **WIT:** Last page fire extinguishers at the top and then certificate amendments. So each  
19 time a certificate is amended with this 5 year window we'll record it and say what was  
20 done. We'll have a remarks. So 17 February '21 this was after our inspection, we  
21 amended the COI to reflect the portable tank endorsement that you can see the  
22 conditions of carriage. And we also updated their davit servicing dates because it didn't  
23 have dates reflected for their rescue boat, wire rope davit we put in.

1       **CAPT Phillips:** Thank you. Thank you Lieutenant Alger. So on your last, on your visit  
2 to the SEACOR POWER what type of inspection did you conduct?

3       **WIT:** We conducted an annual inspection. So that is, annual inspection is done in  
4 between certificate inspections which are every 5 years. They need to be done as the  
5 title suggest annually. So there will be 4 in between each inspection, COI. And they  
6 need to be within a 90 day window before or after that expiration date of the COI.

7       **CAPT Phillips:** Can you walk us through a little bit about the scope of inspection for  
8 both the certificate inspection and the annual exam?

9       **WIT:** Absolutely. So we'll drive up to the vessel and first before we even get on board  
10 what we'll assess the hull and the condition of the vessel as much as we can see that's  
11 above the water so looking for insets and damage to the vessel at all prior to getting on  
12 board. We'll look for -----

13       **CAPT Phillips:** I know you're talking about, which type of exam annual exam or the  
14 certificate of inspection exam?

15       **WIT:** Is there one you want me to do address particularly or?

16       **CAPT Phillips:** We'll need to go over both. I'm just trying to see which one you're  
17 starting with.

18       **WIT:** I was just speaking on our – the annual.

19       **CAPT Phillips:** The annual.

20       **WIT:** That's the one we did.

21       **CAPT Phillips:** Okay.

22       **WIT:** The major difference is between the COI and the annual is the COI is a little more  
23 – little more in depth I guess you can say. You inspect a little more than 5 years we'll

1 get into that. For the annual we'll assess the condition of the hull prior to getting board  
2 as much as we can. And then typically we will meet with the Master and crew, head up  
3 to the bridge where we'll first look at documents, these would be Coast Guard issued  
4 documents. Class society issued documents, international documents, FCC issued  
5 documents. We'll look at the licenses and TWIC cards of the mariners. We will look at  
6 their logs, radio logs, official log book and then after we look at all the documents and  
7 logs typically we'll assess the bridge navigation equipment. So we'll look at radio, radar.  
8 We'll look at GMDSS, navigation lights, EPIRB. We'll do steering tests. We do  
9 propulsion checks. See that everything is operating properly for the deck officers. And  
10 then we'll conduct a – we'll work our way down the vessel checking lifesaving such as  
11 life rafts, life jackets, life buoys. We will assess their firefighting equipment, look at their  
12 fire stations, look at fire extinguishers. We'll go through the accommodations seeing  
13 that they're generally sanitary and safe. Check out the galley seeing everything is not a  
14 fire hazard. We'll walk the main the deck look for events of tanks and the lifesaving on  
15 board there. And lastly we will go down into the engine room where we'll do test the –  
16 see the main engines running looking for leaks, do an over speed test of the engines  
17 and generators, switching power over from generators, paralleling them. Doing reverse  
18 power relay trips. Testing alarms such low oil pressure, high jacketwater temperature  
19 for these engines. We will look at the oily water separator possibly test that. Check out  
20 the bow thrusters. Look for fire hazards in the bilge. We will just do a general safety  
21 walk. We'll check means of escape down in these engine rooms making sure they're  
22 not obstructed and that you can – the hatches are watertight. We'll check watertight  
23 integrity throughout the vessel. We'll do local steering, local propulsion check. Check

1 for coms and the sound powered phones. Check automation logs. And lastly we will  
2 conduct drills with the vessel. This would be one example of how for COI inspections  
3 we do three drills, but for annuals we will typically chose one drill asses, see the crew  
4 respond to a scenario presented whether it be fire or a man overboard or abandon ship.  
5 And after drills that will typically be the end of the inspection. We'll discuss with the  
6 Captain any deficiencies we found and the rectification needed for those and follow up.  
7 And then we would – that would be the conclusion of the inspection.

8 **CAPT Phillips:** Thank you. And is there anything unique about conducting an annual  
9 inspection on a lift boat versus a different kind of offshore supply vessel?

10 **WIT:** Yes, ma'am. So some unique items for lift boats is a lift boat operating manual.  
11 Check that they have that. We will check their low hydraulic level oil alarm. So that's  
12 just monitoring their hydraulic they will use for their hydraulics to lift up and down their  
13 legs. We'll check for the tilt alarm which alarms if the lift boat tilts one way too far or  
14 another. We will, for controls when the Mate on watch is controlling the lifting of the  
15 vessel it will have what's called a dead man alarm. So if he let's go of the control or  
16 steps off it should stop and an alarm. So you can't just un-control of the decent or  
17 ascent. They will check for an anemometer which measures wind speed so they have  
18 an idea of wind speed. Which is used for their information for their operating manual.  
19 Their fire hose will typically be different they're going to need have a means of sucking  
20 water from the sea to fight fires into their fire main. But if they're elevated you can't just  
21 have like a normal vessel sucking from the sea so they need a fire hose that drops  
22 down into the water. And those are the main differences.

1       **CAPT Phillips:** Thank you. The annual exam that you conducted on the SEACOR  
2       POWER did you follow that process that you just described to us?

3       **WIT:** Yes, ma'am, absolutely.

4       **CAPT Phillips:** And did you do that inspection by yourself?

5       **WIT:** No, ma'am. I was accompanied by another individual, Lieutenant(jg) Edward  
6       Wright.

7       **CAPT Phillips:** So did you and the other inspector go through the entire boat together  
8       like you described the process?

9       **WIT:** Yes, ma'am. We stayed together the whole time.

10      **CAPT Phillips:** And did you run a drill on the SEACOR POWER that time?

11      **WIT:** Yes we ran a drill.

12      **CAPT Phillips:** What kind of drill was it?

13      **WIT:** It was a, let me double check my notes here. It was a fire drill. We simulated a  
14      fire of the dryer in the laundry room.

15      **CAPT Phillips:** Who chooses what type of drill is going to be done? Is it the crew or is  
16      it the inspector?

17      **WIT:** It will be the inspector. Something that goes into choosing a drill is the drill that  
18      was done last on the last annual. So you want to maybe switch it up. Or looking at their  
19      logs they're required to log their drills. So if I saw they did a man overboard last week  
20      then I may do the fire drill next week so I could just keep them on board. Typically it will  
21      be the inspector taking a number of facets and then choosing the drill.

22      **CAPT Phillips:** And was the boat jacked up at the time you did the annual or was it  
23      sitting, floating in the water?

1 **WIT:** I think it was jacked up just out of the water, but I can't remember for sure.

2 **CAPT Phillips:** Did you find any deficiencies when you did that exam?

3 **WIT:** Yes, ma'am. We found three deficiencies and they were all cleared.

4 **CAPT Phillips:** Could you tell us a little bit about those?

5 **WIT:** Yes, ma'am. So we wrote three deficiencies. The first one was a – when we  
6 were in the engine room and looking at their bilge system we saw that they had portable  
7 bilge piping and basically their shaft seal for their tail shafts was collecting in a kind like  
8 a container underneath just because it drips a little bit. A little bit of dripping from the  
9 shaft seal is fine, it's completely normal on vessels. You're just making sure that it's not  
10 like a faucet running. Just because the way the shaft goes to the vessel it needs to  
11 have and the bearing system works in the area they're water lubricated or lube oil  
12 lubricated. And especially if they're water lubricated there may be a slight drip age of  
13 seawater which is completely normal. So they were – the seawater was collecting in an  
14 area in this portable bilge system to pump to one of their tanks on board. However, it  
15 had the ability to be pumped overboard. And according to MARPOL conventions the  
16 International Maritime Pollution Convention all water in the bilge is considered oily bilge  
17 water it's not allowed to be pumped overboard. Since they have the capability to  
18 bypass their oily water filtering system on a portable pump I just said it was not allowed  
19 because it could essentially pumping bilge water overboard. So they rectified that by  
20 just removing the system. Their, the vessel had a helicopter deck and the helicopter  
21 deck is required to have alternating blue and yellow lights around the deck. And six of  
22 those deck lights were inoperable. They just replaced those bulbs, that was fixed. And  
23 then lastly under SOLAS which is the Safety Life at Sea International Convention a



1 training manual is required to be provided in either each crew mess room or in  
2 recreation room or in each crew cabin. And the vessel just had one training manual  
3 stowed in only one room. And then the access to the computers we didn't think was  
4 very great so we just asked them if they could provide better availability of the SOLAS  
5 training manual which is training on using the lifesaving equipment. So they just  
6 provided additional SOLAS training manuals to rectify that one.

7 **CAPT Phillips:** Thank you. And did they correct those deficiencies the day you were  
8 there for the annual exam or did they correct them later?

9 **WIT:** Two of them were corrected the day I was there. And then one was corrected  
10 later.

11 **CAPT Phillips:** Did you go back to visit it again to fix that?

12 **WIT:** No. The one that was corrected later was a SOLAS training manual and we  
13 received photographic evidence of the new multiple manuals on board.

14 **CAPT Phillips:** Would you have looked at any tanks during that inspection?

15 **WIT:** No, ma'am. Typically looking in the tanks is reserved for the internal structure  
16 exam. So no.

17 **CAPT Phillips:** Did you note any water or oil in the engine room bilges?

18 **WIT:** No. Nothing concerning at all. I mean every vessel has a little bit of water and oil  
19 in the bilges. Very limited. It was nothing that concerned us in any way.

20 **CAPT Phillips:** Do you remember if you checked the bilge alarms during that exam?

21 **WIT:** Yes, ma'am. We checked the bilge alarms.

22 **CAPT Phillips:** How would you test on of those?

1       **WIT:** So typically we will have, we will be up in the bridge. Each vessel is required to  
2       have bilge alarms if they're over 26 feet in each water tight compartment. So I'll  
3       typically be up on the bridge while I'm conducting the bridge navigation equipment  
4       listening and watching for an alarm. So what will happen is I'll be with the Captain on  
5       the bridge and then typically an Engineer or an oiler will go down to each water tight  
6       compartment and it'll typically a level float switch and they will pull the float switch up  
7       until it'll alarm. And he'll do that for each water tight compartment going from, I typically  
8       go from bow to stern. And I'll just look for the visual and audible signal which is  
9       required. So I look for a light and the alarm on the bridge. And once I see and hear all  
10      of them that will be the end of the bilge alarm test.

11      **CAPT Phillips:** So you won't be down in the engine room actually lifting the switch or  
12      anything?

13      **WIT:** No. It will be an Engineer or oiler lifting them.

14      **CAPT Phillips:** Do you remember during that exam if there was any equipment that  
15      was out of service?

16      **WIT:** To my knowledge no.

17      **CAPT Phillips:** What was your overall assessment of the engine room?

18      **WIT:** I thought the engine room was in good condition overall. I mean just factually  
19      they only had one deficiency associated with it. And I could you know sometimes write  
20      a dozen in other engine rooms. So I don't think it was by any means bad.

21      **CAPT Phillips:** Anything that did catch your attention with the exception of the  
22      deficiencies during your exam?

23      **WIT:** No, ma'am.

1       **CAPT Phillips:** Do you remember the engine room on the SEACOR POWER?

2       **WIT:** I think a little bit. I mean we conduct vessel inspections almost every day and it  
3 was back in February. But I can generally remember the layout of it.

4       **CAPT Phillips:** Lieutenant Alger could you bring up Exhibit 202 [showing Exhibit]. We  
5 have some pictures of the vessel. I'm going to ask you to take a look at one of these  
6 pictures to start with. We're going to go with page 142. Does that look familiar on the  
7 SEACOR POWER?

8       **WIT:** Yes, ma'am. I think so.

9       **CAPT Phillips:** Do you know where this door would be?

10       **WIT:** This looks like the control room which is in the middle. I know they had a split  
11 port and starboard engine room. So I think this is looking aft and that would be the port  
12 side engine room water tight door.

13       **CAPT Phillips:** Does this door have an indicator to show whether it's opened or  
14 closed?

15       **WIT:** Yeah so they will – it is required to have an indicator. So I think it's the top right  
16 there, right above exit, yeah, right there. So it will just be a little switch that it gets  
17 moved when the door opens or closed which it'll show a light up on the bridge.

18       **CAPT Phillips:** Is that required for all water tight doors to have that kind of indicator?

19       **WIT:** It's required I'm trying to remember correctly for offshore supply vessels if they  
20 wish to have a class 1, which is a quick acting water tight door which is with that wheel  
21 they can open it quickly rather than a sliding class 2 or 3 water tight door. But those will  
22 still have them either way. As long as they're operating in the offshore oil industry they

1 can have a class 1 water tight door as long as it has that visual indicator on the bridge  
2 showing whether it's open or closed.

3 **CAPT Phillips:** Would you test that visual indicator during an annual exam?

4 **WIT:** Yes.

5 **CAPT Phillips:** Do you remember if that one was working?

6 **WIT:** I don't remember if we tested that or not.

7 **CAPT Phillips:** Okay. And then going to page 232. This is outside on the deck of the  
8 vessel. Do you know where that door, water tight door goes to? The one we're looking  
9 at there.

10 **WIT:** I think that water tight door would go to the engine room.

11 **CAPT Phillips:** When you're doing an annual exam do you check the condition of  
12 water tight doors?

13 **WIT:** Absolutely. We'll look at the gasket, make sure that it's sealing correctly and that  
14 it's, for water tight that it's a hard rubber gasket. Because there's a difference between  
15 what the Coast Guard calls water tight and weather tight. So weather tight is supposed  
16 to withstand spray from the sea and rain. But water tight is supposed to be able to  
17 withstand a head of water up to the door seal and still be watertight. So weather tight  
18 usually is like a soft foam gasket. So we check the gasket to make sure it's a hard  
19 rubber. That it has a good seal. We'll check the dogs if they're tight and not wiggling.  
20 And just ensure it is water tight.

21 **CAPT Phillips:** And that's done on every annual exam or is that done only other  
22 exams, some exams?

1 **WIT:** Absolutely. Checking water tight integrity and the doors and the escape hatches  
2 are done on every exam.

3 **CAPT Phillips:** How do you check the seal on the door?

4 **WIT:** So there's a number of ways to test it. Very quick and easy way to test it if you're,  
5 typically in the engine room you can make it rather dark so all you have to do is close  
6 the door and look for any light from the day seeping through from any of the corners.  
7 So if you have light coming through you could have water coming through and it's not  
8 water tight. Or the ventilation will typically have a pressure either coming in or coming  
9 out and you can feel if any air is coming through. Sometimes you can very clearly feel  
10 air coming through a spot and you know it's not water tight. You can also stick a dollar  
11 bill and shimmy it through and see if you know you can pull it through in certain parts. If  
12 we're very concerned you can do a hose spray test or more stringent method.

13 **CAPT Phillips:** So you checked the water tight doors on the SEACOR POWER during  
14 the annual?

15 **WIT:** Yes, ma'am.

16 **CAPT Phillips:** Did you note any problems?

17 **WIT:** No.

18 **CAPT Phillips:** And then looking at page 234. This water tight door here goes into the  
19 galley. Do you remember if you checked that door?

20 **WIT:** Not specifically. I would typically on all my inspections though I would check all  
21 the water tight doors as I'm walking through them. And especially if they're accessing  
22 spaces below the main deck. I'm extra careful inspecting a water tight door you know  
23 it's sealing below a main deck or at the main deck.

1       **CAPT Phillips:** Would this door be required to be water tight?

2       **WIT:** I don't believe so. I think it's for, well it's at the main deck and it doesn't have any  
3 spaces below that you can access. I don't think so. But I'm not 100 percent. I think it's  
4 all, for sure any spaces below the main deck will need to be water tight. And then when  
5 you get to higher levels it just needs to be weather tight.

6       **CAPT Phillips:** Thank you. During your inspection you said you checked the tank  
7 vents. Can you describe to us how you would check a tank vent?

8       **WIT:** Yeah. So for sure the tank vents will typically need a means of ensuring that the  
9 tank will vent with only through a one way means. So that will typically mean you will  
10 have a ball float it will be a goose neck with a ball float so that means that the tank will  
11 be vented out. But when water would go if it would get on deck it would cause the ball  
12 to float up into the goose neck and it would plug it so water can't flow into the tank. So  
13 we will check those, check those balls, we'll look underneath through the goose vent  
14 see, and if you give them a good kick you can tell if they're there because they're  
15 stainless steel typically and they'll rattle in that steel. We'll check for any flammable or  
16 combustible liquids for those tanks that required a flame screen. So that just allows no  
17 flame should be able to pass through a flame screen. So it's a means of containing a  
18 fire. So typically that will be a 30 by 30 mesh flame screen. We'll just make sure that  
19 that's there as well. And that's there's, you know good condition no holes in them of  
20 course. And for any oil vents they're going to need a containment around them as well.  
21       **CAPT Phillips:** There's some pipes coming up from the deck those on the outboard  
22 side next to the house, are those tank vents?

1 **WIT:** Yes. The black, that should be tank vent, correct. Right there, yeah that's a tank  
2 vent.

3 **CAPT Phillips:** Is that one of the ones that you described?

4 **WIT:** Yeah. That one doesn't have a goose neck particularly. But it will have a ball  
5 float in there I think that would seal it to keep water from coming in.

6 **CAPT Phillips:** Thank you. During an annual exam would you do anything related to  
7 the jacks on a lift boat?

8 **WIT:** The jack you mean by the jacking of the legs or the hydraulics?

9 **CAPT Phillips:** The jacking equipment or the hydraulics, yeah.

10 **WIT:** Yes. I mean we'll inspect the hydraulic equipment, inspect the tanks, inspect low  
11 level alarm for it make sure that works, look at the pumps for the equipment. Any  
12 hydraulic leaks to make sure they're not leaking. And we're doing the tilt alarm and stuff  
13 we're testing the hydraulic jacking system works too.

14 **CAPT Phillips:** Is there a certain angle a tilt alarm is required to activate?

15 **WIT:** No I believe it's set by the company what the degree is and what/where needs the  
16 alarm at.

17 **CAPT Phillips:** Is there anything in Coast Guard regulations that tell you how fast that  
18 the jacks need to work on a lift boat? How fast it needs to rise, raise or lower?

19 **WIT:** No, ma'am.

20 **CAPT Phillips:** And I understand you weren't involved in any dry docks on the  
21 SEACOR POWER but could you just talk, walk us through what you would do on the  
22 dry dock for a lift boat?

1 **WIT:** Absolutely. So you would, depending on whether it's 5 year legs exam or a 10  
2 year leg exam your scope would be much more broad. But so a typical dry dock would  
3 be a 2 ½ year in the internal structure exam. You would look at the external of the hull.  
4 Check out the legs that they're in good condition, look for insets. I would check all the  
5 welds internal structure exams crawling through all the tanks in the internal structure  
6 exam. And if there are any repairs that need to be done it would be brought to the  
7 attention of them. And we would just ensure that those repairs are completed.

8 **CAPT Phillips:** Would a dry dock exam on a lift boat involve inspecting the pads?

9 **WIT:** Yes, ma'am. So for a 5 year and 10 year exam it's required to have – to inspect  
10 the pads to do an NDT of the leg pad connection. NDT stands for non-destructive  
11 testing. It will typically be an ultrasonic testing. So you're inspecting those welds if  
12 they're good and there's a good connection between the legs.

13 **CAPT Phillips:** So you're looking at the connection. What are you looking at when  
14 you're inspecting the pads?

15 **WIT:** You're just checking the pad making sure that the steel is good and that the welds  
16 are good. And that NDT will help you with determining if welds are good as well. And  
17 making sure that it's not too damaged. Jacking down into the ocean and on the sea  
18 bed. And with the weight of the vessel there could be a lot of stress and strain on those  
19 leg pads and legs. So just a key area that we look at.

20 **CAPT Phillips:** Okay. What are the most common areas of the lift boat that do see  
21 problems during inspections?

22 **WIT:** Common areas. Let me think about this. I mean specifically for lift boats I  
23 wouldn't say there's, the extra unique inspection for lift boats I wouldn't say are typically



1 main problems we have. Just be general common problems that we see with you know  
2 vessels whether it be, we'll see sometimes water tight gaskets that need to be replaced.  
3 We'll see an alarm or a bilge alarm that needs to be changed out. Lights that need to  
4 be replaced. Some documentation errors. We see some life buoy stenciling that needs  
5 to be done. And there's a whole list of common deficiencies that let's say that any  
6 vessel could have. But I don't think any of them are particularly unique to lift boats.

7 **CAPT Phillips:** Thank you. At this point I'll look to the other Coast Guard folks and the  
8 NTSB folks and see if there's any questions that they have. I'll start by turning the  
9 microphone over to Mr. Verdin.

10 **Mr. Verdin:** Thank you Captain. Good afternoon Lieutenant(jg) Rice. I have a few  
11 questions of your inspections regarding GMDSS equipment. The testing of and the  
12 certification of. Lieutenant Alger can we bring back the COI, I think it was Exhibit 34,  
13 was it?

14 **CAPT Phillips:** 32.

15 **Mr. Verdin:** 32, yeah 32 [showing Exhibit]. On this COI a requirement you'll see at the  
16 bottom of the line two GMDSS requirement, two GMDSS operators required. How do  
17 you check the certification for that? What certification are you looking for on the mariner  
18 to make sure that they're in compliance with this?

19 **WIT:** So on their merchant mariner credential under the international page portion it will  
20 state GMDSS operator. So when you're looking through their licenses you will check  
21 that they have a minimum number of GMDSS operators required of their mates to meet  
22 that. So it's just a simple line item on their merchant mariner credential.

1 **Mr. Verdin:** And do you know to get that endorsement on their credential is that a  
2 training that's required for them to get that endorsement?

3 **WIT:** Yes, sir. They have to take a class.

4 **Mr. Verdin:** Okay, 70 hour class?

5 **WIT:** I don't know. I was an Engineer I didn't get those license.

6 **Mr. Verdin:** Understand. Also is there another document that is required that shows  
7 because they have the training also is there another credential that is given to them or a  
8 license that is given to them?

9 **WIT:** Yeah I believe they get issued a certification card or paper.

10 **Mr. Verdin:** An FCC certificate?

11 **WIT:** Yeah it would be FCC.

12 **Mr. Verdin:** For a GMDSS operator, okay, good. While you're doing your inspection do  
13 you look at any of their GMDSS records, logs, test anything you know notations that  
14 they should be documenting?

15 **WIT:** Yes. So with the GMDSS they are required to have a radio log book. So that will  
16 log any problems they have with it, any work that they've done and times that they've  
17 tested it. So we'll look through that seeing if anything is glaring or has problems. Make  
18 sure that its operating properly. And sometimes we'll test their knowledge, their  
19 knowledge of using it.

20 **Mr. Verdin:** So you'll test the competence as well?

21 **WIT:** Yes.

22 **Mr. Verdin:** During the drills is this a place where you would normally would test  
23 competencies?

1 **WIT:** For GMDSS typically we'll just test that when we're going through navigation  
2 bridge equipment. So you know when we're testing the radio we know their knowledge  
3 and competence of the radios they can operate the radios or when we're testing the  
4 radar that they know how to operate it. It would be the same for GMDSS. But in such,  
5 in like a drill like an abandoned ship drill we would want them to see that they know how  
6 to interface with that. That they're making the proper radio calls using their emergency  
7 radio distress placard, utilizing their EPIRB.

8 **Mr. Verdin:** Do you get them during a drill to simulate testing of any of the buttons on  
9 the GMDSS system?

10 **WIT:** Yes so what typically do for the two person inspection crew we'll have one person  
11 up on the bridge viewing the mate on watch or the Captain while the other individual is  
12 with the crew assessing them. So we like to see them as the Captain or the mate on  
13 watch to make the appropriate actions of radio calls, gathering their logs and  
14 equipment, getting the EPIRB and doing everything that they should be training to do.

15 **Mr. Verdin:** And I know for the most part I'm sure that get them, let me rephrase this a  
16 little bit. On their testing of VHF equipment is this done by voice or simulation of  
17 pressing the distress button that's on the VHF equipment or both?

18 **WIT:** We'll just do voice. So they'll do a radio call typically we'll radio the channel 16  
19 which is the emergency radio channel to ask Sector Coast Guard in New Orleans to  
20 switch to 22A for a radio check. And that way we can see coms to and from on two  
21 different channels. And we'll just do it by voice.

1 **Mr. Verdin:** So the distress button on the VHF is typically not simulated being tested?  
2 We don't test it per se, press it because it would obviously send out a distress vessel –  
3 distress call to all vessels in the area.

4 **WIT:** Yeah. We don't on our inspections test that button.

5 **Mr. Verdin:** Also you said you examine the EPIRB.

6 **WIT:** Yes, sir.

7 **Mr. Verdin:** Do you all examine the registration?

8 **WIT:** We examine the document associated with the EPIRB which is showing that it's a  
9 NOAA EPIRB, it's registered with the FCC, we have a number and then we'll have the  
10 Captain or mate on watch test it. Typically it'll just – there's a few different models of  
11 EPIRB's but typically it will be an easy quick test and you'll see a flashing white light and  
12 it will beep and you know the test was successful. We'll ensure it's in a float free  
13 arrangement and, yeah we'll go ahead and test it.

14 **Mr. Verdin:** Alright. Could you tell me the requirement for registration of the EPIRB?  
15 Would that be found in Coast Guard regulations or anywhere else?

16 **WIT:** So Coast Guard regulations that all vessels operating on the high seas which is  
17 greater than 3 nautical miles from shore require an EPIRB. And that, I believe it says  
18 also they need to be registered with the FCC. But either way it needs to be an  
19 approved EPIRB, Coast Guard approved EPIRB.

20 **Mr. Verdin:** If I wanted to find out more information about EPIRB where would I find it,  
21 in the FCC regulations or Coast Guard regulations?

1 **WIT:** It would be more details would be in the FCC regulations. But the Coast Guard  
2 regulation will have some as well and the requirements of when the vessel needs an  
3 EPIRB.

4 **Mr. Verdin:** Okay. I think that's all I have. Thank you Lieutenant(jg) Rice.

5 **CAPT Phillips:** Thank you Mr. Verdin. Mr. Ehlers.

6 **Mr. Ehlers:** Thank you Captain. Thank you Lieutenant. I just have quick series of  
7 questions. You mentioned the deficiency related to the shaft seal leak. You said it was  
8 a slow leak. The vessel had four shafts. Was this one shaft that had this leak or was it  
9 all of them were dripping?

10 **WIT:** I believe it was two out of the four. I know it was on each, they have a port and  
11 starboard engine room I know they had it set up on each side of the engine room. I'm  
12 trying to remember correctly. I think it was either 2 or 4 of the shaft that was leaking. I  
13 know it was on both sides of the engine room.

14 **Mr. Ehlers:** And the portable pump where was it pumping from? Was it pumping from  
15 the bilges or from?

16 **WIT:** So it was, the bilge had a, the way the structure was set up it had basically a  
17 small steel box around the container. There was just a natural structure members of the  
18 vessel. So it was only a small section of the bilge that the seawater was dripping to.  
19 And it was mostly seawater you could look at it and there was hardly any oil. But yeah it  
20 was just in small section under each shaft. And if that section were, if it were to keep  
21 dripping unattended not pumped out if it were to overflow then it would go into the bilge.

22 **Mr. Ehlers:** And into the bilge where there was a bilge pumping system was available?

23 **WIT:** Correct.

1 **Mr. Ehlers:** Thank you.

2 **CAPT Phillips:** Thank you Mr. Ehlers. Mr. Kucharski.

3 **Mr. Kucharski:** Lieutenant Rice nice to see you again, good afternoon.

4 **WIT:** You too, sir.

5 **Mr. Kucharski:** Would you characterize your inspection of SEACOR POWER that it  
6 concentrated on safety, pollution related items, documentation and evolutions?

7 **WIT:** Yes, sir.

8 **Mr. Kucharski:** And about how long did it take you, or the team, there were two of you,  
9 how long did it take?

10 **WIT:** I don't know for sure the length. But typically our inspection probably go around 2  
11 hours. The bigger the vessel more, more in the COI, a little more in depth.

12 **Mr. Kucharski:** And during the inspection do you check to see if any jobs or processes  
13 or evolutions are properly followed by the crew?

14 **WIT:** Yes, sir. So we're inspecting the equipment and the competence of the vessel.  
15 And a lot of those times, a lot of those do go hand and hand. So when we're testing the  
16 equipment we can, they're operating it in front of us so we can test that they know how  
17 to, you know start and stop the main engines and parallel generators and conduct  
18 steering operations locally and remotely. And know how to work the sound powered  
19 phones. So in many of, throughout the inspection as you're testing equipment you're  
20 also testing their competency that they know how to do certain things. And some will  
21 just be knowledge based questions. Hey how does this work. Or what would you do in  
22 this situation.

1 **Mr. Kucharski:** Could we, Lieutenant Alger could we pull up Exhibit 46 please  
2 [showing Exhibit]. On the first page there it says status open submitted for review.

3 **WIT:** Yes, sir.

4 **Mr. Kucharski:** Is it still open?

5 **WIT:** No, sir. It's been closed. The activity for some time now.

6 **Mr. Kucharski:** And going down to page 3 at the top. It says ABS surveyor Henry Jreij  
7 was in attendance to finalize ABS surveys, do you see that?

8 **WIT:** Yes, sir. He was present on behalf of ABS which is attending certain documents  
9 that they issued to the vessel as the Class Society.

10 **Mr. Kucharski:** Did you discuss your inspection at all with him?

11 **WIT:** I don't remember the details exactly, but yes. Anytime I see a Class surveyor n  
12 any of my inspections I will talk to them, discuss hey what do you think of the vessel,  
13 anything that you found that you're concerned about. And typically he'll ask the same of  
14 us and we'll just have a cordial discussion about the vessel.

15 **Mr. Kucharski:** Did he express any concerns?

16 **WIT:** No, sir. Not to my memory.

17 **Mr. Kucharski:** Along that same page down on the third, second full paragraph, third  
18 line it say inspected official log book. Did it have an official log book?

19 **WIT:** So the official log book Regs are a little, they're out of the U.S. Code and they're  
20 actually a little antiquated. So official logs books we looked at them. Back in the day  
21 vessel would literally have to turn in their log book status to the local OCMI every time  
22 they came in and out of port. And it just became a logistical and administrative  
23 nightmare. So it goes in depth when a vessel is actually required to have an official log

1 book. But it was, I believe an unofficial log book and it just, but they still need to record  
2 all the items they need to record in the official log book. It's just, we're not receiving  
3 these official log books, everyone looking at them every time of every vessel in our AOR  
4 that comes in and out of port. So I think it was an unofficial log book. But many times  
5 it's the terminology that just gets associated with them. Like it just has that name  
6 associated with it. But in C.F.R., you know language it would actually I think be an  
7 unofficial log book.

8 **Mr. Kucharski:** So it was just some kind of a deck log book would you consider it, a  
9 deck log book?

10 **WIT:** Yeah typically you'll see like the green memo books and that's what we'll go  
11 through on every vessel has to have one.

12 **Mr. Kucharski:** And did you – what particularly did you check as far as logging? Was  
13 the frequency of drills? What did you check?

14 **WIT:** That's the big one. However, there is other things that need to be logged. So  
15 frequency of drills, test of certain equipment like lifesaving equipment and EPIRB. Pre-  
16 departure checklist, pre-arrival checklist. When people come on board when they do  
17 security checks, things that we're just testing. Seeing that they're running the good tight  
18 ship that they are doing things they should be doing and recording it. And doing drills  
19 as frequently as they should be.

20 **Mr. Kucharski:** Do you recollect if you saw the pre-departure, pre-departure checklist  
21 on there?

22 **WIT:** I do not.



1 **Mr. Kucharski:** How about any of the water tight doors being closed or logged in there,  
2 did you see that?

3 **WIT:** I can't remember it anymore what the log book mentioned.

4 **Mr. Kucharski:** As Captain Phillips said about the deficiencies that you noted. Is it  
5 unusual to find deficiencies on a vessel like the SEACOR POWER, a lift boat that size?

6 **WIT:** Absolutely not. I mean you know out of the 100's of vessel that I inspect I usually  
7 write deficiencies. It can you know I would say three deficiencies is not bad at all. I  
8 think deficiencies can be way more than that. Sometimes I don't write any deficiencies  
9 but I would say 3 is about average.

10 **Mr. Kucharski:** And when Captain Phillips asked you about the bilge alarms did you  
11 test all of them?

12 **WIT:** I don't remember for sure. For smaller vessels absolutely we'll test every one.  
13 For larger vessels the larger they are they could have a dozen or so bilge alarms. And  
14 we know through their international safety management system and with Class Society  
15 they should be checking those as well. So a lot of times we'll say I want you to test, I  
16 want to test the most forward bilge alarm, most aft bilge alarm and then three in the  
17 middle. So the bigger vessels sometimes we will do something like that. For this vessel  
18 I can't remember exactly what we did. But I think for the more square nature of lift boats  
19 and not as long we would have more than likely would have tested every single bilge  
20 alarm.

21 **Mr. Kucharski:** Okay. So you don't recollect the actual engine room bilges whether  
22 they were checked or not?

23 **WIT:** I do not.

1 **Mr. Kucharski:** And on that same page I know Mr. Verdin asked you questions about  
2 the radio log. Did you note if they logged monitoring the VHF or any of the GMDSS  
3 frequency while underway? Did you note that they did that?

4 **WIT:** I can't recall, sir.

5 **Mr. Kucharski:** And my last question is how do you determine if a water tight door  
6 needs to be water tested?

7 **WIT:** Well typically it's fairly obvious because by the easier test of light, air, dollar bill  
8 whether it's not water tight or not. And they agree with us there's typically no arguing if  
9 – the only time I would, and I have yet to have had to do this, but if I thought it was not  
10 water tight and they were arguing with me and say it was water tight then that would be  
11 something we would say well let's take a hose to it. But that's never had to come to  
12 that.

13 **Mr. Kucharski:** Okay. I sort of lied I said that was the last question. But I do have a  
14 follow on the dogs. You mentioned about checking the dogs on the water tight doors.  
15 They jiggle or they wiggle, did you say something like that?

16 **WIT:** Yes, sir.

17 **Mr. Kucharski:** Did you – do you dog all them down to see if there's compression in  
18 that gasket all around?

19 **WIT:** Yeah absolutely. We definitely when we check them we dog all of them down.  
20 And check where it's actually hitting the surface and whether if that – if it has a jiggle we  
21 know it's not putting any pressure on it. So it needs to be tightened because if there's  
22 no pressure then you're not going to have a good seal. So we'll go all the way around  
23 the door and check all of them.

1 **Mr. Kucharski:** Thank you very much. Thank you Captain.

2 **CAPT Phillips:** Thank you. We'll take a short recess and we'll reconvene at 1340.

3 The time is 1328. This hearing is now in recess.

4 *The hearing recessed at 1329, 5 August 2021*

5 *The hearing was called to order at 1341, 5 August 2021.*

6 **CAPT Phillips:** The time is 1341. This hearing is now in session. We'll now turn it  
7 over to Mr. Muise with the NTSB for questions.

8 **Mr. Muise:** Good afternoon Lieutenant.

9 **WIT:** Good afternoon.

10 **Mr. Muise:** What would you find in subchapter W? What is subchapter W for?

11 **WIT:** Subchapter W is lifesaving. So it contains all the lifesaving requirements for  
12 subchapter I vessels, H vessels, and D vessels and U vessels primarily. However,  
13 other subchapters will draw off and reference and go to subchapter W for their lifesaving  
14 requirements as well.

15 **Mr. Muise:** Do lift boats inspected under subchapter L fall – also use subchapter W or  
16 do they have own part for lifesaving?

17 **WIT:** They'll use both. They will use W for some parts.

18 **Mr. Muise:** Are you familiar with an FCC requirement for vessels that use W to  
19 upgrade their EPIRB by 2023?

20 **WIT:** It sounds familiar. I didn't dive too deep into it.

21 **Mr. Muise:** Are marine inspectors to recognize the difference between a GPS equipped  
22 EPIRB and a non GPS equipped EPIRB?

1 **WIT:** I would say that's more like model types would be more in the weeds than the  
2 typical training that a marine inspector receives. However, it is possible that it could be  
3 brought up in some training in some ports. It's not something that I can recall  
4 specifically that I was – the different model types that I was trained on for EPIRB's.

5 **Mr. Muise:** If I were to upgrade or if you were to upgrade my COI with new lifesaving  
6 equipment maybe a change to the people allowed on board or a change in the owner or  
7 operator would you also advise them or require them to update their EPIRB registration  
8 with that information?

9 **WIT:** We would make sure that the call signs on the documentation matches and  
10 everything, matches up with the new documentation. But if it's not required for them to  
11 upgrade their EPIRB then we would not advise them. But by 2022 if it was a  
12 requirement that applied to the vessel then yeah that's something. The onus isn't on us  
13 for to – for them to comply with regulations. We're just supposed to show up and  
14 inspect as it is and enforce the regulations. But that would be more a cordial like hey  
15 you know this deadline is coming up make sure you know, but it wouldn't be per se on  
16 me.

17 **Mr. Muise:** So during your inspection you check with the sticker that's on the EPIRB  
18 and maybe the form that it came with, but is there any way for you to see the details that  
19 were on the registration like lifesaving and phone numbers? Is there any way for the  
20 inspector to actually look at that?

21 **WIT:** I'm sure we could contact the FCC representative and get some more details that  
22 are outside of the document that comes with it. And the EPIRB will also should have an  
23 approval number on it that we can look up and see more details on it as well.

1 **Mr. Muise:** As an inspector though do you have access to the NOAA database that  
2 shows all those registration details, life rafts, people on board?

3 **WIT:** Not to my knowledge.

4 **Mr. Muise:** I happened to notice that the hex code, the EPIRB hex code for the  
5 SEACOR POWER was, somebody put that in MISLE. Is that a routine habit for marine  
6 inspectors to do that? Is that someone on the response side?

7 **WIT:** No, I don't think marine inspectors do that at all. It's more than likely from the  
8 response side.

9 **Mr. Muise:** Switch a little bit now to egress have you ever seen windows on a  
10 subchapter L vessel, a supply boat or a lift boat use or designated as emergency  
11 escapes? Specifically windows in staterooms?

12 **WIT:** No I don't think so.

13 **Mr. Muise:** I have no further questions Captain. Thank you Lieutenant.

14 **CAPT Phillips:** Thank you Mr. Muise. At this point I'm going ask the parties in interest  
15 if they have any questions. I will start with SEACOR and Falcon Global first.

16 **Mr. Thompkins:** Thank you Captain. Thank you Lieutenant. My name is Peter  
17 Thompkins I represent Falcon Global and SEACOR in this case. I just have a very few  
18 questions for you, okay.

19 **WIT:** Yes, sir.

20 **Mr. Thompkins:** Based on the information you gave Captain Phillips early on where  
21 you outlined all your on the job training and your course training as well as your  
22 experience on inspections of upward to 50 lift boats. Do you consider yourself well

1 qualified to do an inspection of SEACOR POWER on February 11<sup>th</sup>, 2021 when you  
2 made that inspection?

3 **WIT:** Yes, sir.

4 **Mr. Thompkins:** I heard you reference, again early in your testimony that the SEACOR  
5 POWER was a SOLAS, S-O-L-A-S vessel. Can you explain to us?

6 **WIT:** Yes, sir. So that means that the vessel has the ability if it would like to travel  
7 internationally to international ports. And with that come with meeting addendums like  
8 for conventions such as SOLAS which is safety of life at sea and it's an international  
9 regulations in which many, many countries around the world are signatory to and they  
10 have to meet machinery regulations, fire protection, lifesaving, navigation, security and  
11 meet many other regulations if it's a SOLAS vessel.

12 **Mr. Thompkins:** Is it fair to say that when you are inspecting a vessel for an annual  
13 inspection for the Coast Guard that is a SOLAS vessel that your inspection even more  
14 stringent than it would be for not a SOLAS vessel?

15 **WIT:** Yeah absolutely. Just because they have to meet many more regulations.

16 **Mr. Thompkins:** So you're attesting as to those regulations which are above and  
17 beyond just Coast Guard, is that right?

18 **WIT:** Yes, sir. And some of them are in harmony and probably the majority of cases  
19 they are. But some domestic Regs are more stringent than some international Regs are  
20 more stringent. But when you're combining just another book on top of it's, yeah it  
21 would be more stringent.

22 **Mr. Thompkins:** Lieutenant Alger could you put up Exhibit 32 for us please, page 1  
23 [showing Exhibit]. Just scroll down to the bottom. I'm sorry page 1. Okay right there.

1 Okay do you see the box section below see next page for additional certificate  
2 information?

3 **WIT:** Yes.

4 **Mr. Thompkins:** And just to read it in for the record where it say that with this  
5 inspection for certification having been completed in Morgan City the Officer in Charge  
6 Marine Inspection. Marine Safety Unite Morgan City certified the vessel in all respects.  
7 Is in conformity with the applicable vessel inspection laws and the rules and regulations  
8 prescribed thereunder. When you talk about all inspection laws and rules and  
9 regulations prescribed thereunder what are you referencing there?

10 **WIT:** So the law would be U.S. Code which law which gives more general and then it  
11 would also reference the Code of Federal Regulation which more confines the law and  
12 gets more specific. And then we would also, that would be your regulations. And it  
13 would also be referencing to your international regulations as they apply too.

14 **Mr. Thompkins:** And so this certificate tells the world that the Coast Guard had been  
15 on board and satisfied with this vessel, is in good shape, sea worthy and ready to sail, is  
16 that correct?

17 **WIT:** Essentially, sir.

18 **Mr. Thompkins:** And from your experience of dealing with various vessel owning  
19 companies did you find SEACOR to be very proactive in having their vessel ready for  
20 Coast Guard inspections?

21 **WIT:** I would maybe say factually on just the SEACOR vessels that I've been on,  
22 deficiency wise if that's a good indicator they didn't have an above average number of  
23 deficiencies. I would say if anything they were probably less than the average number

1 of deficiencies which means they were an above average company. But that's just  
2 referencing my personal experience in the deficiencies that I wrote for them in our port.

3 **Mr. Thompkins:** Right and you're the only one here to testify. So I'm just confirming  
4 from your experience SEACOR was at least above average compared to other vessel  
5 companies when it came to the condition of the vessel and their readiness for  
6 inspection, is that fair?

7 **WIT:** Yes, sir.

8 **Mr. Thompkins:** Thank you very much Lieutenant.

9 **CAPT Phillips:** Thank you Mr. Thompkins. American Bureau of Shipping.

10 **Mr. White:** Yes Captain thank you. Good afternoon Lieutenant my name is Jerry White  
11 I represent ABS.

12 **WIT:** Good afternoon.

13 **Mr. White:** Based on your testimony this afternoon I understood that you visited the  
14 vessel on two occasions, is that correct?

15 **WIT:** No. I visited the vessel once. And then to clear the last deficiency that was  
16 opened I just received photographic evidence.

17 **Mr. White:** So to the extent that Exhibit 46 was put into evidence, if we could, if the  
18 Lieutenant could bring that up to the screen. Is Exhibit 46 and activity summary report  
19 that you issued in connection with your attendance on 11 February 2021? I know you're  
20 referring to your notes, but when the activity summary report comes up I would ask you  
21 to just look at the Exhibit.

22 **WIT:** Yes, sir.



1 **Mr. White:** Now if you want to scan through that or just to refresh your recollection as  
2 to the report and it's content and that it was issued by yourself.

3 **WIT:** Would you like me to answer that question first or?

4 **Mr. White:** Okay looking at Exhibit 46 on the screen Lieutenant is that the activity  
5 summary report that you issued in accordance with your attendance on the SEACOR  
6 POWER on 11 February 2021?

7 **WIT:** Yes, sir. Me and the individual that worked with me would have both worked on  
8 creating that activity.

9 **Mr. White:** And I understood that based on your attendance on 11 February 2021 the  
10 unit was jacked up out of the water some distance, correct?

11 **WIT:** Yes I believe so. It was just jacked up probably a little bit out of the water. I think,  
12 I'm not 100 percent.

13 **Mr. White:** Okay. If we scroll down to the top of page 3 that may refresh your  
14 recollection on 11 February 2021 that you attended the vessel afloat.

15 **WIT:** Yes, sir it does say afloat. But also during our inspections a lot of times we'll just  
16 say if it's in the water all of our vessels are afloat per se. So it could have possibly been  
17 jacked up.

18 **Mr. White:** But one of the objectives of your inspection was to assess the water tight  
19 integrity of the hull, correct?

20 **WIT:** Yes, sir.

21 **Mr. White:** And to do that it would have to be jacked up some distance out of the water,  
22 correct?

1 **WIT:** Umm no because we inspect, I mean for every vessel that's not a lift boat it's not  
2 jacked up so we inspect the water tight integrity of all of our vessels and that's as much  
3 we can see outside as well as the water tight doors, escape hatches, bulkhead  
4 penetration. So that's more general for all of our vessels. Would it possibly help if the  
5 vessel was jacked up to assess that, possibly. But it wouldn't have been a requirement.

6 **Mr. White:** So after doing an assessment of the vessel's hull you also inspected all the  
7 documents, correct?

8 **WIT:** Yes, sir.

9 **Mr. White:** And you found them to be in order?

10 **WIT:** Yes, sir.

11 **Mr. White:** Would you put up Exhibit 47 please, the activity summary report [showing  
12 Exhibit]. Lieutenant based on this Exhibit 47 does this reflect, or what does this reflect  
13 with regard to any attendance or steps taken on 17 March 2020?

14 **WIT:** 17 March 2020?

15 **Mr. White:** It seems to be date of the report in the opening. Where it says start  
16 date/time. Do you see that?

17 **WIT:** Yeah I see, oh is that the – because this is the dry dock certificate of inspection.  
18 So this was the inspection a year before mine. So this wouldn't have been my activity.  
19 So this would have been when it was in dry dock and got a COI in Morgan City.

20 **Mr. White:** Okay. A year before?

21 **WIT:** Correct.

22 **Mr. White:** Thank you. And based on your inspection on February 11<sup>th</sup>, 2021 at some  
23 point you issued a certificate of inspection?

1 **WIT:** I didn't issue it. It would have already been issued, but they're good for 5 years.  
2 And annually we endorse it at the bottom. At the bottom of the COI you can see where  
3 we would date and sign.

4 **Mr. White:** And as part of your inspection, as part of the requirements to endorse the  
5 COI that included assessing of the vessel's safety equipment, correct?

6 **WIT:** Yes. Among many other things.

7 **Mr. White:** Including its life rafts?

8 **WIT:** Yes, sir.

9 **Mr. White:** Its life jackets?

10 **WIT:** Yes, sir.

11 **Mr. White:** And its survival gear?

12 **WIT:** Yes, sir.

13 **Mr. White:** And based on your inspection was it your recommendation to keep this –  
14 that this vessel was in fact fit for route and intended service?

15 **WIT:** After the deficiencies were cleared we endorsed the document, yes it says we – it  
16 is fit for it route and service.

17 **Mr. White:** Thank you. Nothing further. I'm sorry. Can I just follow up with one  
18 question? Lieutenant to the extent you performed your inspection in accordance with  
19 the Coast Guard requirements? Is there a book or is there guideline that you follow in  
20 performing your inspections?

21 **WIT:** There is some Coast Guard made checklist and books to help inspectors go  
22 through making sure you're hitting all the options. All the – covering all the many things

1 that you should be inspecting on the vessel. So that's just more internal guidance to  
2 help inspectors make sure we check all the boxes essentially.

3 **Mr. White:** Okay. When you attended on February 11<sup>th</sup>, 2021 what if any reference  
4 materials did you rely on or did you use in order to conduct your inspection?

5 **WIT:** Well I mean essentially you rely on all of them. I mean I have the books,  
6 subchapter L right in my backpack. I'll have the C.F.R.'s and the international  
7 documents on my phone. I'll usually bring as well a SOLAS and MARPOL in my bag.  
8 And the deficiency paper to write deficiencies on. So I will have hard copies with me in  
9 my bag, but I'll also have that available on my phone. And I'll use all of those to  
10 reference with respect in the inspection as I need them.

11 **Mr. White:** And is there any book particular that's specific to the Coast Guard marine  
12 inspector in order to conduct the inspection? Is there a specific book?

13 **WIT:** There's nothing required. We do have I think it's called an 840 book that helps.  
14 It's like a, it just helps inspectors with the checklist process.

15 **Mr. White:** And is that a book you would have relied on and used to perform the  
16 inspection on February 11<sup>th</sup>, 2021?

17 **WIT:** I mean it helps. When you've done so many after a while you'll reference it, you'll  
18 glance at it, but for the most part you're comfortable with what you know and like  
19 typically for documents is there going to be a long list of documents, I want to make  
20 sure I hit all of them. I will use that to go through the documents making sure that the  
21 vessel has all of them. And everything is up to standard and not expired. But generally  
22 for the rest of the inspection I won't rely on it that heavily.

23 **Mr. White:** Thank you Lieutenant. Captain I have nothing further. Thank you.

1       **CAPT Phillips:** Thank you Mr. White. First Mate.

2       **Mr. Sterbcow:** Thank you Captain. Good afternoon Lieutenant my name is Paul  
3       Sterbcow I represent the First Mate who was on the SEACOR POWER, Bryan Mires.  
4       Just a couple. Lieutenant Alger could you pull up 202, page 234 [showing Exhibit]. I  
5       believe this picture is the starboard side galley door, okay. Its part of your inspection  
6       obviously, correct?

7       **WIT:** Yes, sir.

8       **Mr. Sterbcow:** Is this a weather tight door or a water tight door?

9       **WIT:** Water tight door. I'm almost positive.

10      **Mr. Sterbcow:** Alright. And about how high off the deck, if you can tell me is the  
11      bottom lip of that door?

12      **WIT:** It would be a foot and a half maybe.

13      **Mr. Sterbcow:** If I understood your testimony correctly if there was water reported  
14      coming in that door during the final voyage would that most likely have been the result  
15      either of the door not having been dogged down all the way or a problem with the seal  
16      of the door? Are those the only two potential causes?

17      **WIT:** Yes, sir. If it's a water tight door and there's water coming through it while it was  
18      closed then it would have been either the seal gasket or it was, all the dogs were not  
19      closed and properly dogged down. Which I know in many instances when transiting is a  
20      lot of time and effort to dog down six doors and a lot of them will be closed by just  
21      dogging down one door because it's quick and easy. So it's possible that only one dog  
22      was used to be – to hold it closed.

1 **Mr. Sterbcow:** Okay. So in order to completely, and we're using this term dog it down,  
2 am I counting six what I will call levers that have to be operated?

3 **WIT:** Yes, sir.

4 **Mr. Sterbcow:** And all six of those have to be completely engaged for the door to be  
5 totally water tight, assuming that the seal is proper?

6 **WIT:** Correct.

7 **Mr. Sterbcow:** Alright. And if five of the six are tight and one is not could that possibly  
8 let water in it if it got up to the bottom of the door?

9 **WIT:** Yes, sir.

10 **Mr. Sterbcow:** Okay. Thanks very much. That's all I have.

11 **CAPT Phillips:** Thank you Mr. Sterbcow. Mr. Muise.

12 **Mr. Muise:** Sorry Captain.

13 **CAPT Phillips:** No questions from you, okay. Thank you very much. Thank you for  
14 being here. Before I close I'll just ask you one final question. Is there anything else we  
15 haven't asked about regarding the SEACOR POWER that you would like to tell us?

16 **WIT:** No, ma'am.

17 **CAPT Phillips:** Okay. Thank you. You're now released as witnesses at this Marine  
18 Board Investigation Hearing. Thank you for your cooperation. If I later determine that  
19 this board needs any additional information from you I will contact you through your  
20 counsel. If you have any questions about the investigation please contact Lieutenant  
21 Anthony Alger who's sitting over there behind the computer. We appreciate your help  
22 today. Thank you for coming in. For those listening we have verified that the updated  
23 schedule is posted. So if you would like to see the changes to week 2 you may find

1 those online on either the media site or the livestream site. We will now take a recess  
2 until 1420. The time is now 1404. This hearing is now in recess. Thank you.

3 *The hearing recessed at 1404, 5 August 2021*

4 *The hearing was called to order at 1420, 5 August 2021.*

5 **CAPT Phillips:** The time is 1420. This hearing is now in session. We will now hear  
6 testimony from Mr. Matthew Barrie. Lieutenant Alger will you please administer the  
7 oath?

8 **Recorder:** Please raise your right hand. A false statement given to an agency of the  
9 United States is punishable by a fine and or imprisonment under 18 U.S. Code 1001.  
10 Knowing this do you solemnly swear that the testimony you're about to give will be the  
11 truth, the whole truth and nothing but the truth, so help you God?

12 **WIT:** Yes.

13 **Recorder:** Please be seated. For the record if you could state your full name and spell  
14 you last.

15 **WIT:** Matthew Michael Barrie, B-A-R-R-I-E.

16 **Recorder:** Thank you. And please identify your counsel present to confirm  
17 representation.

18 **WIT:** Brian Eisenhower, that's E-I-S-E-N-H-O-W-E-R.

19 **Recorder:** Thank you.

20 **CAPT Phillips:** Thank you Lieutenant Alger. I'm going to start off with some  
21 background questions. Can you tell us where you currently work?

22 **WIT:** I currently work for the American Bureau of Shipping out of Houma port.

23 **CAPT Phillips:** And what's your position there?

1 **WIT:** I'm a surveyor 2.

2 **CAPT Phillips:** Can you describe the general responsibilities associated with that  
3 position?

4 **WIT:** Yes. As a surveyor 2 typically for day to day would be doing vessel inspections.  
5 And it depends on what's scheduled for that day. Go attend a vessel at the request of  
6 an owner representative. And we will do any inspection that they would request from  
7 us. So it could be maybe there's a repair, maybe there's just annual surveys or maybe  
8 it's an intermediate survey or dry dock, just a few examples of the surveys that we  
9 would do.

10 **CAPT Phillips:** Thank you. And does the 2 indicate anything?

11 **WIT:** Yes. It's just 2<sup>nd</sup> in I guess the line of surveyors. They go surveyor 1 through 3  
12 and then you go senior surveyor 1 through 3. So I started out as a surveyor 1. After I  
13 was there for a year I was promoted to surveyor 2.

14 **CAPT Phillips:** Thank you. And how long have you worked for ABS?

15 **WIT:** It was three years in July.

16 **CAPT Phillips:** What did you do before you worked for ABS?

17 **WIT:** So I am a graduate of LSU. I graduated with a degree in Engineering in 2016.  
18 And after that I was looking for a job in oil and gas actually down here, obviously the  
19 market wasn't great at that time. So I was fortunate enough to get an opportunity to  
20 work in Norfolk, Virginia for Newport News Shipbuilding. And for them we did refits on  
21 nuclear submarines for the U.S. Navy. I worked there for about 2 years. And after that I  
22 was looking for a different job to come back down to Louisiana. And I was very



1 fortunate to find a position with ABS. And I was given an opportunity and I jumped at it.  
2 I knew how good of a company ABS was and is.

3 **CAPT Phillips:** Have you ever spent any time underway?

4 **WIT:** No.

5 **CAPT Phillips:** Besides your Engineering degree do you have any higher level  
6 education beyond that?

7 **WIT:** No, ma'am.

8 **CAPT Phillips:** Do you hold any professional licenses or certificates?

9 **WIT:** No, ma'am.

10 **CAPT Phillips:** Can you tell us a little bit about the training that you need to become an  
11 ABS surveyor?

12 **WIT:** Sure. So we do many, many hours of online training and that is anything from  
13 materials of welding to survey requirements for an annual. You know dry docking  
14 survey. What to look for. And then also that's basically mainly for say your shore side  
15 jobs doing dry dockings down in Fourchon. But we also do a longer 5 day training for  
16 offshore. We learn everything from jack up rigs, drill ships, semi-submersible, also  
17 floating offshore installations. Column stabilized units. Mooring and it's a very intense 5  
18 day course where we're immersed in the offshore experience from the people who are  
19 teaching us. And those are other ABS employees.

20 **CAPT Phillips:** So that 5 day training is an ABS training?

21 **WIT:** Yes, ma'am.

22 **CAPT Phillips:** Okay. Do you receive any specific training for lift boats?

1 **WIT:** For lift boats it kind of falls under so that offshore training for jack up rigs. But  
2 then also in order to get qualified for your annual hull, all the Class and statutory  
3 surveys that we do you have to go attend at least twice with a qualified surveyor and  
4 they have to write off that you are in fact qualified to do those surveys.

5 **CAPT Phillips:** So you would have to attend at least two lift boats in order to get  
6 qualified to do a lift boat?

7 **WIT:** Well -----

8 **CAPT Phillips:** Survey?

9 **WIT:** Annuals you would have to attend two annuals. Intermediate you would have to  
10 attend two intermediates. Special survey you have to attend two special surveys.

11 **CAPT Phillips:** I see. So not a specific survey.

12 **WIT:** Right. Just because I attend for an annual doesn't mean I'm qualified to do the  
13 special survey.

14 **CAPT Phillips:** Can you estimate how many surveys or other types of exams you've  
15 done on lift boats?

16 **WIT:** I don't know. I would have to look at my survey reporting over the past few years.  
17 But it's probably like, I don't know 15 plus something like that.

18 **CAPT Phillips:** How many times were you on board the SEACOR POWER?

19 **WIT:** I've been on there three times I believe.

20 **CAPT Phillips:** Do you remember what types of surveys that was for?

21 **WIT:** So the first time I was on there it was just an annual survey. The second time  
22 was their intermediate dry docking. And then the third it was in February for their  
23 annual.

1       **CAPT Phillips:** I'm going to ask Lieutenant Alger to bring up Exhibit 216 [showing  
2       Exhibit]. This is the certificate of Class for SEACOR POWER. I just ask you to walk me  
3       through this form and kind of explain what the notations on this form mean.

4       **WIT:** Okay.

5       **CAPT Phillips:** So what do you see on this first page? Starting from the top and kind  
6       of working your way down. What kind of information is provided?

7       **WIT:** So just the ABS certificate of Class. It's the Class number 02416906. It says the  
8       vessel's name and the description, lift boat. Dimensions as well. Tonnage, gross  
9       tonnage and then your net tonnage. Who owns it, who builds it. Who built the engines.  
10      The year it was built and then the hull number for that shipyard. And then below that is  
11      your Class notation and those are filled out on what we call a request for Class. So  
12      initially whenever they – before they build the vessel the owner says hey we would like  
13      these notations. So for that one it's Maltese Cross A-1, which means the hull was built  
14      under survey. And also self-elevating units. That is, obviously it's a self-elevating unit  
15      as a notation. Restricted service meaning that it's servicing where it can go and how far  
16      off shore it can go. And also Maltese Cross AMS which means it was built under survey  
17      for the machinery as well.

18      **CAPT Phillips:** Is there anything on the following pages?

19      **WIT:** All they have -----

20      **CAPT Phillips:** That you would use?

21      **WIT:** You can sign like your annual, you would endorse the annual. Yeah it would be  
22      on, yeah there. So this would be like every annual you go you endorse it and then also  
23      for this you have your intermediate survey endorsement. And that's on page 4, yeah it's

1 right there. So you would, at your intermediate survey that's when you would endorse  
2 that section.

3 **CAPT Phillips:** Thank you. And you said that the notation restricted service means  
4 there's some limitation on how far off shore they can go. Do you know what those  
5 limitations are?

6 **WIT:** I'm not sure.

7 **CAPT Phillips:** Where would you find those limitations?

8 **WIT:** You can go into, there's actually like a notations guide that we would have online  
9 for – in our ABS system and you can look at all the notations and what they mean.

10 **CAPT Phillips:** So restricted service notation is just a set fixed point for all types of  
11 vessels?

12 **WIT:** What do you mean by that?

13 **CAPT Phillips:** If I wanted to figure out how far off shore this vessel could go I could  
14 look at the guide that say restricted service notation means this far off shore?

15 **WIT:** Yeah. I believe so.

16 **CAPT Phillips:** Okay. How do you use the information on the certificate of class to  
17 conduct your surveys?

18 **WIT:** So with that we know that with the Maltese Cross E-1 being that the vessel was  
19 built under survey for the hull they wanted to do annual hull surveys with the Class.  
20 Rather than like say a low lying vessel we would just do the load line survey. But that  
21 kind of tells you what you need to do and also for machinery, Maltese Cross AMS, all  
22 machinery that you need to test during your survey. But that wouldn't tell you

1 specifically from the Class certificate. That's more part of our reporting system to tell  
2 you exactly what you need to look at.

3 **CAPT Phillips:** And during a survey on a restricted service vessel does that impact  
4 what you do during your survey?

5 **WIT:** No.

6 **CAPT Phillips:** So you said that your most recent survey was in February, did I hear  
7 that correct?

8 **WIT:** On the SEACOR POWER.

9 **CAPT Phillips:** On the SEACOR POWER. Are there ever situation where a vessel  
10 doesn't meet the requirements that you need during an annual survey and they fail it?

11 **WIT:** Would they fail the annual survey? I've never had that. Usually we would find,  
12 whatever is holding it up we would say hey you guys need to correct it or I can't issue  
13 your certificates or I can't sign your certificates. But there's never, I've never had  
14 anything major enough to be like alright you know we can't sign your certificates or you  
15 know finish this annual survey.

16 **CAPT Phillips:** Do you look at anything special on a lift boat annual survey that you  
17 wouldn't look at on other types of vessels?

18 **WIT:** Oh sure yeah. I mean a lift boat obviously has the legs right. So we look at like  
19 the leg guides. And then the accessible parts of the legs as well above the water line.

20 **CAPT Phillips:** Anything else?

21 **WIT:** Just like the foundations for the leg guides really. We also look at just visually  
22 look at all the machinery inside of, say the machinery space that would be powering the  
23 jacking system just to make sure that there's nothing obvious, I mean that stuff there.

1       **CAPT Phillips:** I'm going to ask Lieutenant Alger to bring up Exhibit 77 [showing  
2       Exhibit]. So this is labeled as ABS survey for 4 February 2021. Would these have been  
3       pictures that you would have taken during your annual survey?

4       **WIT:** No, ma'am. I didn't take those pictures. That was a, actually the owner's rep had  
5       called us out because he just had like a little dent in the side shell. And so we cropped  
6       and renewed that. But I think that was on the weekend so the on call surveyor at the  
7       time went and did that. And we just so happened to be doing the annuals the following  
8       week.

9       **CAPT Phillips:** Okay. So these weren't taken during your annual survey?

10      **WIT:** No, ma'am.

11      **CAPT Phillips:** Okay, thank you. So before the annual survey you said you were  
12      involved in the intermediate dry dock, intermediate survey in the dry dock. Can you tell  
13      us a little bit about what the scope of an intermediate survey would be compared to an  
14      annual?

15      **WIT:** Yeah. It's like for the intermediate dry dock, obviously you dry dock the vessel.  
16      And you do what they call an intermediate hull survey. And that could involve tank  
17      crawling, a certain number of tanks depending on the vessel's age. I don't remember  
18      crawling tanks on this vessel specifically. So I can't tell you which tanks were crawled.  
19      But yeah that's pretty much the extent of what we would do for an intermediate hull.  
20      Just a little bit more expanded right.

21      **CAPT Phillips:** Any other areas you would expand on for an intermediate survey?

22      **WIT:** If there's suspect areas like found we would like say okay well let's start doing  
23      some gauging in that case.

1       **CAPT Phillips:** And can you walk us through a dry dock? What would you look at in a  
2       dry dock?

3       **WIT:** Oh sure yeah. We would look at all the parts that are normally covered while the  
4       vessel is afloat, right. So the spud cans, the leg to pad connection. We would also look  
5       at like the overboard discharge connections to the side of the hull. We would look in the  
6       sea chest, basically all the hull parts, the propellers, tail shafts, rudders. Everything like  
7       that.

8       **CAPT Phillips:** Would a dry dock involve inspecting the full length of the leg?

9       **WIT:** No not for the dry docking that they were doing. But I think eventually like once it  
10      hits like 20 years they have to pull all the legs out and then you would inspect the whole  
11      thing. But they were not at that point yet.

12      **CAPT Phillips:** So when do the pads get inspected on a lift boat?

13      **WIT:** Anytime it's out of the water. For dry docking they'll do a ND on the leg to pad  
14      connection. And also the welds right there on the, right by the pad.

15      **CAPT Phillips:** So during the dry dock you would inspect the pads or wouldn't inspect  
16      the pads?

17      **WIT:** Yes.

18      **CAPT Phillips:** What was the 20 year thing you were talking about then? I got  
19      confused, sorry.

20      **WIT:** Pulling legs. Pulling the whole leg out of the vessel. Because you can't get all  
21      the way up in the air right whenever you want to look at it. So you got to pull it out and  
22      lay it on its side.

1       **CAPT Phillips:** Do you ever ask them to operate the jacks during any of your  
2 inspections or surveys?

3       **WIT:** For the special survey yeah. But the annual, in this case it was just, it was  
4 available to us for us to look at the underside of the hull so at the same time they were  
5 jacking up. And it was just a couple feet.

6       **CAPT Phillips:** Okay. What would be a special survey required for a lift boat?

7       **WIT:** So that would be the same, just testing of the tilt alarm and the jacking system.

8       **CAPT Phillips:** And how often are those required?

9       **WIT:** Special surveys are every 5 years.

10       **CAPT Phillips:** Are there any ABS requirements for how quickly a jack has to work  
11 either up or down?

12       **WIT:** I wouldn't know about that. That would be more of a question for our Engineering  
13 department.

14       **CAPT Phillips:** What are the most common problem areas or failure points on a lift  
15 boat?

16       **WIT:** I mean I would say every boat I've done there could be something different. You  
17 know there's no one thing like hey let me always check this spot. I mean I could tell you  
18 what we had found on the SEACOR POWER. But I don't think that's like common  
19 across all vessels necessarily.

20       **CAPT Phillips:** Are there any critical areas you would pay more attention to on a lift  
21 boat than you would on other vessels?



1 **WIT:** So like we were talking about earlier the specific leg guides, leg foundations.  
2 Looking up at the legs as assessable above the water line. It's kind of the spot that we  
3 would look at that would be different than just a regular OSV.

4 **CAPT Phillips:** So let's walk through now the specific inspections or sorry surveys that  
5 you did on the SEACOR POWER. Starting with the intermediate survey and dry  
6 docking you did. What did you find during that survey?

7 **WIT:** During the intermediate. You know I don't really remember for that. That was  
8 kind of like my, I guess it was when I was doing a little bit of training. So they were in  
9 dry dock for a while. So you have time to go over there and take a look at the vessel,  
10 right. I think I might have gone there once or twice. So I don't remember what all was  
11 found during that. But with the annual I would know more about that one.

12 **CAPT Phillips:** Okay. And how about the annual survey. Can you walk me through  
13 what you found during the annual survey, the last annual survey that you did?

14 **WIT:** Sure. I think there's a, what's called an Exhibit, right that would show all the  
15 findings that we had.

16 **CAPT Phillips:** Would that look like, what would that look like? Would that look like a -  
17 ---

18 **WIT:** That would be -----

19 **Mr. White:** Captain that would be Exhibit 52.

20 **WIT:** 52.

21 **Mr. White:** It's the annual survey for annual hull survey number 4. It's an ABS survey.

22 **CAPT Phillips:** Thank you Mr. White.

23 **Mr. White:** Exhibit 51 is the intermediate hull survey.

1       **CAPT Phillips:** Lieutenant Alger could you bring up Exhibit 52 please? [Showing  
2       Exhibit].

3       **WIT:** Yes. So you can go to page, it looks like 206 and that's where the findings start.  
4       All the way at the bottom. Report findings, so this one was a life line chain that was on  
5       the starboard walkway right by the Helo Deck and it was just not connected, or it was  
6       missing actually so they had to replace it. Let's see. And then they have one for piping  
7       in the overhead, missing insulation. And that was rectified. And then this next one 469,  
8       accommodation doors on the levels, on all levels they were just like the fire doors they  
9       wouldn't close, right so they're supposed to close all the way by themselves. So we had  
10      them adjust the doors to where they closed. The next one 461. That's where the GAI-  
11      Tronics phone was just wasn't mounted. So that's the internal communication system.  
12      It just wasn't mounted on the bulkhead. It was just free floating so we wanted them to  
13      mount it in the case that you know they were in heavy seas we didn't just want it to fall  
14      over and break. You know or hit somebody. And then let's see. Oh this one is about,  
15      they had some vents the port aft super structure bulkhead so they were like vents that  
16      were probably like over my head. Basically they're like, it's like a dryer vent, right. It  
17      just has a little cover that you put down, screw it down and it was on the main deck, O1,  
18      O2. They were just corroded they needed to clean them up a bit. Do you want me to  
19      just keep going through all of them?

20      **CAPT Phillips:** Yes please.

21      **WIT:** Okay. Then let's see finding 468 was about starboard aft reach rod. So I found it,  
22      actually had like this little nipple coupling on there and they had drilled two holes  
23      through it and they put bolts on there. I think one of the Exhibits maybe the one that,

1 with the pictures might have had like a picture of that. But basically it was connected  
2 through the reach rod to where they could remove it easily. So I think they could clean  
3 the stuffing tube up on the main deck. But I made them fix that because if it wasn't  
4 operable then that's, you know it's not going to be good for the reach rod. Let's see  
5 467. So that was just a lot of the SOLAS safety signs, the stickers that they have, the  
6 square ones they were faded so they just had to replace that for us. And then 464 life  
7 buoys, same thing, the name and the homeport was just faded. So we just had them  
8 spray paint it on there. And then this one was for the emergency lights so whenever we  
9 ran the emergency generator we would go around and then if it didn't have the  
10 emergency light sticker on there we just made sure, hey guys put that on there. And  
11 then this 460 is about the insert on the side shell. That I was not there for, it was  
12 another surveyor. And that is all the findings.

13 **CAPT Phillips:** Okay. So when you went for this survey in February you were there in  
14 person?

15 **WIT:** I was.

16 **CAPT Phillips:** And how would you have cleared all these findings?

17 **WIT:** So usually we'll go back and clear them, we will visually verify that they are fixed  
18 and that they did fix them. That's how we would go there, we wouldn't take pictures or  
19 accept pictures sent to us. We're going to go and visually verify that.

20 **CAPT Phillips:** Did you do that on the SEACOR POWER?

21 **WIT:** My colleague Henry did.

22 **CAPT Phillips:** You mentioned the finding on the emergency lights. Do you remember  
23 where the vessel was equipped with emergency lights?

1       **WIT:** Yes. It was in the machinery space, that's where we were – we were at the time.  
2       But it's all through the accommodations, embarkation station, navigation lights should  
3       also be illuminated at that time. Whenever you're running the emergency generators it  
4       should be powered by it.

5       **CAPT Phillips:** Are you familiar with which requirements, or let me rephrase that. Are  
6       you familiar with where the accommodation spaces emergency lights would be  
7       required?

8       **WIT:** In the, like in the hallways by the fireman's suits, things like that.

9       **CAPT Phillips:** Would you look into any tanks during an annual survey?

10      **WIT:** Only if the coating condition was fair or poor and the vessel is over 5 years is  
11      what we do. But all the coating was in good condition, so no. Not on this one.

12      **CAPT Phillips:** So you didn't look in any tanks on the SEACOR POWER?

13      **WIT:** No, ma'am.

14      **CAPT Phillips:** Would you look in those during an intermediate survey or a dry dock?

15      **WIT:** Yes, ma'am. Intermediate hull and special hull.

16      **CAPT Phillips:** Do you remember doing that during the intermediate survey you were  
17      on?

18      **WIT:** I don't think I was there for the day that they crawled tanks. No, ma'am.

19      **CAPT Phillips:** During the last survey did you notice water or oil in the engine room  
20      bilges?

21      **WIT:** No. No, ma'am.

22      **CAPT Phillips:** Would you check bilge alarms as part of your annual survey?

23      **WIT:** Absolutely.

1       **CAPT Phillips:** What would you do to check those?

2       **WIT:** We would have them just either manually get the alarm going or put water into  
3       like a little container and have them go right up under the bilge alarm, or the yeah the  
4       bilge alarm so it would set off.

5       **CAPT Phillips:** And would you do a sampling of bilge alarms or would you test all of  
6       them?

7       **WIT:** No usually we do all of them.

8       **CAPT Phillips:** Do you remember if there was any equipment that was out of service  
9       when you did your annual survey?

10      **WIT:** No, ma'am. We would have reported on that.

11      **CAPT Phillips:** What was your overall impression of the condition of the engine room?

12      **WIT:** It was found to be in accordance with the ABS rules. And that's how we found it  
13      at the time of the survey.

14      **CAPT Phillips:** What was your impression of the overall condition of the vessel?

15      **WIT:** It was also in accordance with the ABS rules.

16      **CAPT Phillips:** The number of findings that you issued on the SEACOR POWER was  
17      that about average? Was it more than normal, less than normal?

18      **WIT:** Like I said it really depends on the boat. You know sometimes you find more and  
19      sometimes you don't find anything.

20      **CAPT Phillips:** In your experience -----

21      **WIT:** Umm.

22      **CAPT Phillips:** What's your opinion?

1 **WIT:** Yeah I guess I mean you could say average. I don't know if really there's like a  
2 metric taken for the amount of findings on a vessel. But yeah I wouldn't even be really  
3 to say if it's average or a lot.

4 **CAPT Phillips:** Do you look at watertight doors?

5 **WIT:** Yes, ma'am.

6 **CAPT Phillips:** During your inspections what do you do to exam those?

7 **WIT:** Typically we'll dog the watertight doors down to make sure that those dogs are  
8 really tight on the strike plates.

9 **CAPT Phillips:** And if it's tight that's acceptable?

10 **WIT:** Yes.

11 **CAPT Phillips:** Do you check the condition of the seal?

12 **WIT:** Oh absolutely yes. We look at the gasket to make sure that there's a good knife  
13 edge that's sitting in there and that's not real like wavy or that it's not bulging out, right.

14 **CAPT Phillips:** Did you find any problems with the watertight doors on the SEACOR  
15 POWER?

16 **WIT:** We did not.

17 **CAPT Phillips:** Do you remember how the engine room on the SEACOR POWER is  
18 sub-divided?

19 **WIT:** I sure do. So there's a port engine room and then there's a starboard engine  
20 room. And in the centerline there's an engine control room. It's like a switchboard room.

21 **CAPT Phillips:** And does that control room run the full length of the engine room front  
22 to back?

23 **WIT:** Yes, ma'am.

1       **CAPT Phillips:** So there's no way to get from the port side to the starboard side  
2       without going through the -----

3       **WIT:** You need to go through the watertight doors.

4       **CAPT Phillips:** Watertight doors.

5       **WIT:** So there's watertight doors port and starboard in the engine control room. That's  
6       how you get to each engine room.

7       **CAPT Phillips:** Are there indicators on those watertight doors between the engine  
8       room and the control room?

9       **WIT:** I don't remember.

10      **CAPT Phillips:** If there are indicators would that be something you would test?

11      **WIT:** Oh yes absolutely.

12      **CAPT Phillips:** How would you test that?

13      **WIT:** By making sure that when you open the door there's an alarm panel and it says,  
14      ops door is open. Or when you close the door it says door's closed.

15      **CAPT Phillips:** And where is the alarm panel for that?

16      **WIT:** There's one in the engine room right there when you walk in from the starboard,  
17      or sorry in the engine control room right when you walk through the starboard door.

18      **CAPT Phillips:** Okay. Do you also get the same indication in the wheelhouse?

19      **WIT:** I don't recall. I was doing a lot of the engine room, like a survey item. So I don't  
20      remember specifically myself testing that. But Henry was up there at the time, so I'm  
21      sure he would know more about that.

22      **CAPT Phillips:** If there was an indicator on the bridge would you coordinate with the  
23      other inspector to say door is opened at this point, door is closed at that point?

1 **WIT:** That's a good way to like we'll test the sound powered phone at the same time,  
2 right. So I might call up to him and be like hey is it working. But I don't remember if  
3 that's what we had done at that point.

4 **CAPT Phillips:** Okay. Would you check the condition of all the watertight doors on the  
5 vessel during an annual survey?

6 **WIT:** Yes, sorry. Yes we would. We would go walk around and verify that that's all  
7 satisfactory.

8 **CAPT Phillips:** Are there differences in how you would inspect a watertight door  
9 depending on what kind of closure device it has?

10 **WIT:** Okay so you mean like the different type of dogging mechanism, right? So if it's  
11 just like a regular dog so it has six dogs or whatever we would make sure that they're all  
12 tight on there. Sometimes if there's a door with like a wheel and then all the dogs go  
13 out in every direction we'll make sure that the dogs are tight and just try to rotate them.  
14 And if we can't then that means the door is tight.

15 **CAPT Phillips:** Would you check the tank vents during that annual survey?

16 **WIT:** Absolutely.

17 **CAPT Phillips:** What would you do to check those vents?

18 **WIT:** So we would take the cover off and then we would look at the float inside the  
19 vent. And we would also look at the gasket inside the vent.

20 **CAPT Phillips:** What condition were the tank vents on the SEACOR POWER?

21 **WIT:** They were in accordance with the rules.

22 **CAPT Phillips:** What was your assessment of the general condition of the hull on the  
23 SEACOR POWER?



1 **WIT:** So we just inspected the hull in accordance with the rules and it was satisfactory.  
2 Otherwise we would have reported something in our findings to say hey this is  
3 something that's not in accordance with the rules. Or yeah, if it's fine then we don't  
4 report anything on it.

5 **CAPT Phillips:** Okay. I'm going to turn the microphone over to some other folks to see  
6 if they have some questions. We'll start with Mr. Lawrence.

7 **Mr. Lawrence:** Thank you Captain. Thanks for your testimony, it's very helpful to  
8 understand how lift boats are inspected, surveyed. You said the leg guide foundation  
9 was in area that you would focus on, specific to lift boats. Why is it a critical area?  
10 What makes it something that you would want to look at?

11 **WIT:** So obviously when the vessel jacks up and it's in the air there's a lot of stresses  
12 on that area and that would be something that we would look at as a main reason.

13 **Mr. Lawrence:** What indications of failure would you be specifically looking for in that?

14 **WIT:** Like substantial corrosion or maybe there could be a fracture there. An indication  
15 of that and then we call out an ND, a non-destructive examination company to take a  
16 look at it.

17 **Mr. Lawrence:** Is there a way you would be able to identify fatigue in that area?

18 **WIT:** You mean like as if the metal is really fatigued? Is that what you're asking?

19 **Mr. Lawrence:** Right. We heard testimony earlier this week that the legs can  
20 sometimes whip, which I understand is kind of a cyclic motion back and forth which  
21 could cause fatigue in the structure itself. Just curious if there's any way you can detect  
22 fatigue?

1 **WIT:** We would just be looking for you know like I said any fractures or something that  
2 would be suspect that would need to be – would have further evaluation done to it. So  
3 not seeing that that's what we did. We did not have to expand our scope in the survey.

4 **Mr. Lawrence:** Okay. And that's referring to this most recent survey?

5 **WIT:** Correct.

6 **Mr. Lawrence:** Can I jump to the survey that you did in 2020, the intermediate hull  
7 survey?

8 **WIT:** Sure, yeah.

9 **Mr. Lawrence:** I know that's a long time ago.

10 **WIT:** Yeah.

11 **Mr. Lawrence:** Could you bring up Exhibit 74 please, page 2 [showing Exhibit]. I  
12 believe some of the pictures will help. Can you describe what we're looking at in the  
13 picture on the right labeled SB Spudcan?

14 **WIT:** I believe that would be the starboard Spudcan. So it's like the leg or the mat that  
15 the vessel jacks up on.

16 **Mr. Lawrence:** Do you remember taking this picture? Or was this you?

17 **WIT:** No.

18 **Mr. Lawrence:** Okay. But you were here, you were present for this survey?

19 **WIT:** Right.

20 **Mr. Lawrence:** What type of inspection do you do around this Spudcan or the pad?

21 **WIT:** Oh yeah. Like the leg, the mat connection you do, usually a magnetic particle  
22 inspection. So if you go to, I'm trying to see, if you go to like the 6<sup>th</sup> page actually that  
23 shows a pretty good picture. Right so they grind away all the paint right there and then

1 your guy with the, the developer, sorry with the magnetic particle inspection and he'll  
2 use this yoke and he looks for cracks or any indication, sorry fractures or any  
3 indications.

4 **Mr. Lawrence:** Okay so this is looking for cracks?

5 **WIT:** Fractures, yeah.

6 **Mr. Lawrence:** Okay. Are there any other indications you're looking for with the pads  
7 and leg connection?

8 **WIT:** Any other, like so anything in that weld. I mean it would be just like a fracture or  
9 something that would be the NDI or that, sorry the NDE technician would say hey that's  
10 an indication.

11 **Mr. Lawrence:** Okay. If you could go back to page 2, back to the pads itself. Are  
12 these pads, do they provide buoyancy for the lift boat or any sort of required floatation  
13 for the vessel?

14 **WIT:** I'm not certain about this one. Some of them do have like a manhole cover on  
15 them where you go crawl in there. But I wouldn't to be really tell you that, right. I don't  
16 remember for this one specifically.

17 **Mr. Lawrence:** Is there a document or some reference that you would go to be able to  
18 tell if this was supposed to be buoyant or not?

19 **WIT:** I think in the, maybe in the, honestly I don't know. That would be more for the  
20 Engineers to answer from ABS.

21 **Mr. Lawrence:** Okay how would you detect if there was flooding or if it was not  
22 watertight as a surveyor?

1       **WIT:** So you would do maybe some sort of leak test. But you would have to find like a  
2       hole right in there. But if it's in the water you wouldn't be able to do anything. But in this  
3       case you could if it was buoyant.

4       **Mr. Lawrence:** Are the feet on lift boats generally watertight or are they normally not  
5       watertight?

6       **WIT:** I think it varies from lift boat to lift boat.

7       **Mr. Lawrence:** How about the legs?

8       **WIT:** The legs are they watertight? I believe that they are intended to be. But it's also  
9       a question for maybe an Engineer.

10      **Mr. Lawrence:** But there's no reference that you have when you're out doing a survey  
11      to show you that this should be watertight I need to check this?

12      **WIT:** Like so as far as just like documentation goes? We would use our verification  
13      points and what that would tell me is just look at the leg, right. And basically do a  
14      general visual examination. But there's no requirement to test water tightness of a leg.

15      **Mr. Lawrence:** Okay. If we can switch to page 16. So this should be a picture of the  
16      guide, the leg foundation guide I think or the jacking tower. Could you describe in this  
17      picture what are the critical areas that you were talking about earlier that you would  
18      focus on for a lift boat?

19      **WIT:** Which picture, the left one or the right one?

20      **Mr. Lawrence:** Either one. I think this is the best we can get.

21      **WIT:** Okay, sure. So really like any of that, any of the metal right there is what we're  
22      looking at and also the connection to the deck.

1 **Mr. Lawrence:** Okay. And so during this intermediate hull survey is there anything  
2 different that you look that you look at an annual survey?

3 **WIT:** Are you asking if we, I don't remember doing that part for the intermediate hull  
4 survey. As far as ND for that I don't remember that part actually. I don't think so.

5 **Mr. Lawrence:** Okay. Regarding the jacking system in general and the machinery  
6 associated with it, especially the rack and the pinion, the gearing there and some of the  
7 other details about it what specifically do you look at during the inspections for that in  
8 any of the lift boat inspections, special survey, intermediate or annual?

9 **WIT:** Okay so for the annual it's the leg as far as accessible outside of the water.  
10 Generally we're looking at that. And that obviously includes the rack on there. Also the  
11 leg guide which is in that left photo. We're just looking around making sure there's  
12 nothing obvious that would be sticking out to us that wouldn't need to be correct or  
13 further inspected.

14 **Mr. Lawrence:** Would there ever be an inspection that brings in like specialist to look at  
15 the systems.

16 **WIT:** Typically yeah we'll, sorry taking about the jacking system or the foundation part?

17 **Mr. Lawrence:** Either one, maybe both?

18 **WIT:** Yeah. For the special survey definitely we're looking at all the foundations and  
19 once again the, like we did for that intermediate we looked at the leg to spud connection  
20 and then the welds on the leg.

21 **Mr. Lawrence:** Are there any inspections where you would bring in, you said you're a  
22 surveyor 2, would you bring in a senior surveyor for – are there any surveys that would  
23 require a more senior surveyor?

1 **WIT:** I believe at like the 5<sup>th</sup> special we would need to have a, like our principal  
2 surveyor come with us. But that's for all the vessels.

3 **Mr. Lawrence:** Thank you. That's all I have.

4 **WIT:** No problem.

5 **CAPT Phillips:** Thank you Mr. Lawrence. Mr. Ehlers.

6 **Mr. Ehlers:** Thank you Captain. Thank you, sir. I just have some pretty elementary  
7 questions I'm going to start out with. ABS is a classification society. Can you describe  
8 what a classification society is and what it does?

9 **WIT:** Yeah. So in this case with the SEACOR POWER we are representing the owner  
10 and we are making sure that we go on board do these inspections in accordance with  
11 our rules and our regulations and we are a third party that helps to survey the vessel  
12 and determine the conditions of it and if it in accordance with our rules and regulations.

13 **Mr. Ehlers:** So maybe you can talk further. What are rules as opposed to say Federal  
14 regulations?

15 **WIT:** The rules that we have so they're, there's rules and then there's also guides for all  
16 these different types of vessels. And when we're able to use those rules and determine  
17 you know say a piece of machinery isn't working so it will, does this need to be working  
18 and we can make that determination.

19 **Mr. Ehlers:** So is it similar to regulations?

20 **WIT:** Say that again.

21 **Mr. Ehlers:** Is it similar to a regulation, a rule?

22 **WIT:** Yes. It's just rules and I guess it would be like a regulation, sure.

23 **Mr. Ehlers:** So in essence a minimum standard?

1 **WIT:** Yeah.

2 **Mr. Ehlers:** What rules or, let me ask this. Are there different rules for different types  
3 of vessels?

4 **WIT:** There sure are, yeah. There's, well there's like lift boat or MODU rules which is  
5 mobile offshore drilling unit and then steel vessel rules which is now actually marine  
6 vessel rules so they're trying to like combine a bunch of the rules into one.

7 **Mr. Ehlers:** So you mentioned lift boat rules and MODU rules. So do lift boats fall  
8 under the MODU rules or do they fall under other rules?

9 **WIT:** So in this case the vessel is built to like the 2001 MODU rules so it falls under that  
10 and a self-elevating unit. Although it's not a drilling unit, but it falls under that.

11 **Mr. Ehlers:** Okay. So it's a, for instance would an offshore supply vessel go use a  
12 different set of rules?

13 **WIT:** Yes.

14 **Mr. Ehlers:** And very quickly can you describe what a MODU is? A typical MODU.

15 **WIT:** Okay. A mobile offshore drilling unit could be anything from a drill ship or a jack  
16 up rig with a drilling package on it. Or also semi-submersible drilling rig.

17 **Mr. Ehlers:** So it's a wide range of vessels?

18 **WIT:** Yes.

19 **Mr. Ehlers:** Or machinery. The last question for you during the intermediate dry dock  
20 survey or other surveys is there every a requirement to gauge the hull?

21 **WIT:** Oh yes. During special surveys and that would be based off the vessel's age.

22 **Mr. Ehlers:** So a vessel with the age of the SEACOR POWER is that hull gauged  
23 regularly?

1       **WIT:** Not regularly, but like if there's something suspect like I said or if there's a coating  
2       condition of a tank that may be fair or poor you go in there and you say okay I want to  
3       gauge that.

4       **Mr. Ehlers:** Okay. So it would be based on another factor would drive the requirement  
5       to gauge the hull or a tank?

6       **WIT:** Sure it could.

7       **Mr. Ehlers:** Thank you.

8       **WIT:** Yep.

9       **CAPT Phillips:** Thank you Mr. Ehlers. Mr. Kucharski.

10      **Mr. Kucharski:** Good afternoon Mr. Barrie. Thank you for coming. In broad terms  
11      would you say that your surveys you look at structural and mechanical items for ABS?

12      **WIT:** Is it looking at structural and mechanical?

13      **Mr. Kucharski:** Yes, sir.

14      **WIT:** Yeah you could say that in broad terms.

15      **Mr. Kucharski:** Do you check the vessel's load line at all when you do that survey?

16      **WIT:** Like the markings on the side?

17      **Mr. Kucharski:** Yes.

18      **WIT:** Yes, sir.

19      **Mr. Kucharski:** Could you, Lieutenant Alger could you pull up Exhibit 77 and page 7  
20      [showing Exhibit].

21      **WIT:** Page what.



1 **Mr. Kucharski:** Page 7. Does that look like the, sorry. So you looked at the load lines  
2 when you went there? Do you know if the load line was either embossed or if it had  
3 bead on it there any kind of a?

4 **WIT:** I'm not sure but it has to be permanently marked so. That way if the paint fades  
5 or whatever they know how to put it back on there.

6 **Mr. Kucharski:** Great. And you see that white line up at the top above the plimsoll, the  
7 round is the plimsoll, right? You see the ----

8 **WIT:** The deck line?

9 **Mr. Kucharski:** Yeah the deck line, yeah. Is that supposed to be embossed also with  
10 a permanent mark on it?

11 **WIT:** All of that should have some sort of permanent marking, permanently affixed I  
12 believe is how they word it.

13 **Mr. Kucharski:** And do you also check to see that the load line marks were they lined  
14 up properly with the plimsoll mark?

15 **WIT:** Like do we measure from the deck line down to the plimsoll mark?

16 **Mr. Kucharski:** No, sir. On the Plimsol the AB line to the top of the AB line is that  
17 supposed to line up with any of those load line marks?

18 **WIT:** Is it supposed, well we would look at that on the like load line certificate and it  
19 would tell me where it's supposed to fall.

20 **Mr. Kucharski:** Okay. So you don't check to see if it's supposed to line up with any  
21 mark on there or not?

22 **WIT:** Well we would do that measuring it. But not typically would we look at that.

1 **Mr. Kucharski:** Okay. And I think I saw something that said you look at engine and  
2 deck log books, do you just sight them to see that they are there?

3 **WIT:** Yes just sight them to see if they are there.

4 **Mr. Kucharski:** And along with the line of questions about the watertight doors. You  
5 also check the operation of the dogs. And do you check the compression?

6 **WIT:** Say that again.

7 **Mr. Kucharski:** Do you also -----

8 **WIT:** Check compression like of the gasket?

9 **Mr. Kucharski:** Let me back up. So you check the operation of the dogs.

10 **WIT:** Yes.

11 **Mr. Kucharski:** And do you check the compression of the gasket at all while those  
12 dogs are tightened?

13 **WIT:** Well we tighten the dogs down on the watertight doors.

14 **Mr. Kucharski:** You don't do a chalk test or anything like that?

15 **WIT:** No.

16 **Mr. Kucharski:** Do you ever do a pressure test, water test on the doors?

17 **WIT:** Usually it's like at new construction or if they modify the door.

18 **Mr. Kucharski:** And I think you mentioned, was it Mr. Jreij that was with you on the  
19 survey?

20 **WIT:** Yes, sir.

21 **Mr. Kucharski:** Two of you. So how long did it take to complete that survey?

22 **WIT:** I think it was about, we were there probably about 6 to 8 hours. And then Henry  
23 had to go back on another day to go and rectify the findings that we had.

1 **Mr. Kucharski:** And the bilge alarms you said you tested all of those alarms, is that  
2 correct?

3 **WIT:** Yes.

4 **Mr. Kucharski:** Do you check any of the cranes structure at all, the cranes  
5 themselves?

6 **WIT:** Well in this case we're checking the leg guide which is also happens to be the  
7 right crane foundation because the legs, or the crane is around the bow legs or the front  
8 two legs.

9 **Mr. Kucharski:** But the structure of the crane, how about the cradle of the cranes? Did  
10 you check those at all?

11 **WIT:** So like for an annual crane survey we'll go check alarms and we'll go up there  
12 and check if the diesel engine works. Make sure that the crane can boom up, boom  
13 down, all that.

14 **Mr. Kucharski:** But it wasn't part of this survey?

15 **WIT:** No.

16 **Mr. Kucharski:** Do you visually check protective coatings on the deck at all?

17 **WIT:** I mean in passing, right. We'll walk and we'll see what the coating looks like. But  
18 there's nothing like it's in our system that say hey what is the coating condition of the  
19 deck you know.

20 **Mr. Kucharski:** Did you happen to notice the condition of the nonskid on the decks?

21 **WIT:** I don't remember now.

22 **Mr. Kucharski:** Do you know if there were high water level alarms in the legs on that  
23 on the SEACOR POWER?

1 **WIT:** I don't remember. I don't think so.

2 **Mr. Kucharski:** So you didn't – if they were there you didn't test them?

3 **WIT:** We would have tested them definitely.

4 **Mr. Kucharski:** No further questions.

5 **CAPT Phillips:** Thank you Mr. Kucharski.

6 **Mr. Kucharski:** Thank you.

7 **CAPT Phillips:** Do you have a check list that you would use during a survey?

8 **WIT:** We use, yes our verification points, our check list.

9 **CAPT Phillips:** Does any kind of stability related work included in any of those  
10 verification points for an annual survey?

11 **WIT:** Could you elaborate on that?

12 **CAPT Phillips:** Did your annual survey include any kind of check to make sure that the  
13 crew is properly accounting for the stability of the vessel?

14 **WIT:** There is one, our verification points for to check like stability computer.

15 **CAPT Phillips:** So what would that entail?

16 **WIT:** Well this vessel I guess we had marked that it did have a stability computer but it  
17 wasn't like an ABS approved one. That was just I guess what the Captain had told  
18 Henry that it was, oh yeah we do have a stability computer but it was just an excel  
19 spreadsheet.

20 **CAPT Phillips:** Do you remember what kind of check was done on that spreadsheet?

21 **WIT:** I don't remember, no.

22 **CAPT Phillips:** Did you do that?

23 **WIT:** Henry would have done that, yeah.

1       **CAPT Phillips:** If it was you checking it what would you do?

2       **WIT:** Checking the stability computer is that what you're asking? I mean since it's not  
3       ABS approved one I mean I'm not, I don't think that I would be even qualified to do that.  
4       I think I just need to check that it's an ABS approved stability computer and that there  
5       are actual test loads that would be done.

6       **CAPT Phillips:** So would you enter those test loads if it was an ABS approved  
7       program?

8       **WIT:** I would not do that, no.

9       **CAPT Phillips:** Would somebody do that?

10      **WIT:** I believe a U.S. Coast Guard licensed individual would do that.

11      **CAPT Phillips:** But you would during a survey verify that the computer was present?

12      **WIT:** If it was ABS approved yes.

13      **CAPT Phillips:** How would you know if it's an ABS approved computer?

14      **WIT:** There would be actually probably, sorry there would be an ABS approval letter  
15      with that.

16      **CAPT Phillips:** With the computer?

17      **WIT:** Yeah I believe it would need to be typed approved.

18      **CAPT Phillips:** Mr. Ehlers.

19      **Mr. Ehlers:** Thank you Captain. I just have a follow up question on that. So is the  
20      vessel permitted to use a non-classification society stability computer?

21      **WIT:** That wouldn't be for me to enforce.

22      **Mr. Ehlers:** Say that again.

23      **WIT:** That wouldn't be for me to enforce. That's more of an operations aspect.

1 **Mr. Ehlers:** So is there, would the Class rules allow that, do you know?

2 **WIT:** So all we're checking is, is it an ABS approved stability computer. Not that are  
3 you allowed to or not allowed to do that.

4 **Mr. Ehlers:** So when you're saying the operations, who would be, who would be the  
5 organization that would check that or would enforce that?

6 **WIT:** I guess the vessel owner would do that.

7 **Mr. Ehlers:** Alright, thanks.

8 **WIT:** Yes.

9 **CAPT Phillips:** Thank you Mr. Ehlers. Mr. Kucharski. No questions. Okay. At this  
10 time I'm going to turn it over to the parties in interest to see if they have any questions  
11 for you. I'll start out with the First Mate.

12 **Mr. Sterbcow:** No questions Captain, thank you.

13 **CAPT Phillips:** Thank you Mr. Sterbcow. SEACOR Marine and Falcon Global.

14 **Mr. Thompkins:** No questions.

15 **CAPT Phillips:** Thank you. American Bureau of Shipping.

16 **Mr. White:** Yes Captain. Mr. Barrie I'm looking to clarify some of the roles that ABS  
17 has that you described this afternoon. In response to some of the questions from some  
18 of the panel there were inquires as to whether you performed an annual survey and you  
19 indicated that in the affirmative, right? And you went through the findings that you found  
20 during the course of that annual survey, correct?

21 **WIT:** Yes.

1 **Mr. White:** Okay. And I'm going to pause there for a minute. As far as an annual hull  
2 survey that's performed by ABS could you generally tell me the process you would  
3 follow when you get on the vessel to conduct an annual hull survey?

4 **WIT:** Yes. For an annual hull survey what we would do is we'll do, get on board and,  
5 we'll I'll just skip forward. Usually we meet with the crew and say hey we're doing your  
6 annuals today, we're doing this survey today. But for annual hull survey we'll do a walk  
7 around the vessel looking at all the structure also looking at watertight integrity of the  
8 vessel and we'll look at. There's kind of an overlap with the annual load line survey  
9 within the annual hull but we'll use the LL11D and make sure that there's no  
10 modifications done to the vessel that would affect stability or anything to that nature.  
11 And we'll also look at like I said watertight integrity, so doors make sure that they're the  
12 same as on the LL11D, windows, vents and anything like that.

13 **Mr. White:** And to interrupt you for a minute. An LL11D is what? What is a LL11D?

14 **WIT:** Sorry. The survey for load lines so it tells you all the watertight closures including  
15 vents, watertight doors, air pipes, and everything of that nature that's on the deck.

16 **Mr. White:** You further stated that went into the engine room, correct?

17 **WIT:** Correct.

18 **Mr. White:** And we had supplied some photos in Exhibit 69. And if we could bring  
19 those up for a minute I just have a few questions for you [showing Exhibit].

20 **WIT:** Sure.

21 **Mr. White:** Okay. If I just, if Lieutenant you would be kind enough just scan some of  
22 the first couple pages. I just want to ask the witness to verify that these are the photos

1 that he took when he performed his annual survey. And Matt do you recognized these  
2 photos as those he took when you performed the annual hull survey.

3 **WIT:** Yes.

4 **Mr. White:** And these are in the engine room, correct?

5 **WIT:** They sure are between the port and starboard engine room. It should say it  
6 though, yeah.

7 **Mr. White:** And if we pause there for a minute, if we went on to the, I'm sorry the ABS  
8 0513 that's on page 3 of the Exhibit, sir. Okay. And Matt can you walk us through you  
9 know the tag on the photo says it's a fuel oil service system. Can you just generally  
10 describe what you're looking at when you're in the engine room as far as the annual  
11 machinery survey that you performed at that time?

12 **WIT:** For this specifically?

13 **Mr. White:** Yeah. I'm looking for an overview and why you took the photo.

14 **WIT:** Okay. Yeah so in this case this would just be a reach rod so in the event that  
15 there is a fire you would need to be able to close the valve for the fuel tank from the  
16 main deck. And that's something that you want to check for a condition because that's  
17 a verification point that we would look at. Also machinery such as like the engine, you  
18 know we take a picture of that get a general condition, look at that. We'll also look at  
19 like the fire pump and we'll also look at the bilge pump make sure that they all work.  
20 We're also looking at like I said earlier the bilge alarms. And doing just a general walk  
21 around in there. We're also testing emergency steering from that engine control room.  
22 And internal communications as well.



1 **Mr. White:** Okay. Again I'm going to pause you there and I'm going to ask Lieutenant  
2 to scroll down to, I'm sorry page 6, page 6 of 10. And you took this photo and earlier in  
3 your testimony you described an outstanding recommendation. What's that photo and  
4 what's it related to?

5 **WIT:** That is a reach rod that we had found with the unapproved modifications. That's  
6 that nipple coupling that they put on there and then the two bolts through the actual  
7 reach rod, so the bottom and the top. So we had to have them remove that and then  
8 weld that back so that it was in compliance with the rules.

9 **Mr. White:** Okay. And I'm going to scan down to page 8 of 10 please. Page 8 of 10,  
10 machinery space. What's the photo and why did you take it?

11 **WIT:** This is actually that centerline switchboard room and that's just general visual of  
12 the space. Make sure it's, you know to look at it and say hey this is not like in bad  
13 condition, the lights are on, look at the rubber matting is in front of the switchboard.  
14 That's pretty much what we looked at right there.

15 **Mr. White:** Earlier in your testimony there was a question on lighting. And to the extent  
16 there was lighting aboard the vessel or emergency lighting, can you tell us what type of  
17 – what dictates where and where emergency where is on a vessel? Is there something  
18 to look at or something you look at visually or tells us what the process is for that.

19 **WIT:** To test the emergency lighting we would, we actually run the emergency  
20 generator so we would do what they call a blackout of the vessel, right. Turn off the  
21 generators or disconnect the shore power and then we're going to have that emergency  
22 generator automatically kick on as if it's a real emergency. And then it needs to kick on  
23 within 45 seconds. And so when it does that we'll go walk around. I'll start in the

1 engine room, we walk around make sure that all the E lights are working. That's how  
2 we saw that some of the E lights were missing those stickers because we would go  
3 around and say oh that light is on while the E Gen is on so it's an E light.

4 **Mr. White:** I'm going to put you up in the accommodation space for a minute. Walking  
5 around the accommodation space is there a plan or drawing that might determine where  
6 the emergency lighting is in the space?

7 **WIT:** Yes. The fire and safety plan would have all that information on it.

8 **Mr. White:** And to the extent during an annual if you're walking around the  
9 accommodation space if there's battery lighting what if anything would you do?

10 **WIT:** We would usually test that, you know especially if it's at the emergency exits,  
11 right. We're going to – there's a button on it, we're going to push that button because  
12 it's just a light, right. We want to make sure it works.

13 **Mr. White:** So the amount of emergency lighting is determined by the Engineers during  
14 their plan – during the course of plan approval for the vessel, is that correct?

15 **WIT:** Correct.

16 **Mr. White:** Let me put you on the deck again. So you perform during an annual to get  
17 an overview of the vessel's watertight integrity, you use the LL11D, excuse me, right?

18 Okay. And any findings that you found there you included that in your report?

19 **WIT:** Absolutely.

20 **Mr. White:** And then you also went into the engine room, you described what photos  
21 you took and what you did, correct?

22 **WIT:** Correct.

1 **Mr. White:** Okay. Let's put you on the deck again. As far as, there was a question  
2 between Class rules and maybe regulatory requirements. So to extent you did a survey  
3 according to ABS rules did you perform any surveys on behalf of Flag State?

4 **WIT:** I sure did. Yeah that would be your load line survey, annual load line. Also your  
5 safety equipment, so SLE. And the safety construction as well. Those would be the  
6 statutory. Oh and the ballast water management.

7 **Mr. White:** Okay. So there may be Class rules that governs certain aspects of the  
8 vessel's construction or survey, correct?

9 **WIT:** Correct.

10 **Mr. White:** And there may be C.F.R. requirements on behalf of the Flag State that they  
11 warrant a different inspection, correct?

12 **WIT:** Correct.

13 **Mr. White:** There was a question as far as the legs and the guides and whipping. And  
14 you described this afternoon the difference between that the fact there's an annual  
15 survey and intermediate survey and special survey, correct?

16 **WIT:** Correct.

17 **Mr. White:** So during an annual survey what if anything do you do to look at the legs?

18 **WIT:** We would just do a visual examination of the legs as accessible above the water  
19 line.

20 **Mr. White:** And on an intermediate I believe your testimony indicated that during an  
21 annual hull survey you don't go into the tanks or voids, correct?

22 **WIT:** Correct.

1 **Mr. White:** And if you had an intermediate survey what if anything would determine  
2 whether or not you went into the voids or the tanks?

3 **WIT:** That would be coating condition and then also in the rules it would tell you  
4 whether or not you need to go into the tank.

5 **Mr. White:** Okay. And as part of an intermediate inspection might that require entrance  
6 into voids or tanks?

7 **WIT:** Yes absolutely.

8 **Mr. White:** But typically that's not done in an annual?

9 **WIT:** Correct.

10 **Mr. White:** And was there a time that you oversaw or checked the repair in connection  
11 to the void tanks on the SEACOR POWER?

12 **WIT:** No not for this one.

13 **Mr. White:** Okay. Do you recall doing – overseeing any repairs on the void tanks for  
14 the SEACOR POWER?

15 **WIT:** No.

16 **Mr. White:** And as far as the special survey what would be done as far as entrance to  
17 the tanks typically on a special survey which is every 5 years?

18 **WIT:** Like which tanks would we go in?

19 **Mr. White:** Yeah.

20 **WIT:** Yeah that would be typically like the ballast preload void tanks. But it also  
21 depends on the rules and the age of the vessel. You could have to crawl fuel tanks,  
22 lube tanks.

1 **Mr. White:** There was a question in connection with the pads whether they're buoyant  
2 and whether they're filled, would that be something that might be typical or peculiar to  
3 the exact plan approval for a particular lift boat?

4 **WIT:** Yes.

5 **Mr. White:** At a special survey to the extent, or at any survey, to the extent that there  
6 were cracks found in the legs or foundations for the lift boat you mentioned NDT. What  
7 is NDT, what would be done in the event that cracks or fractures were found in the  
8 foundation on the legs on a lift boat?

9 **WIT:** So we would do NDT which is non-destructive testing and we would have the  
10 ABS approved service supplier come out and do magnetic particle inspection or one of  
11 the inspections to determine if there is a crack inside of the weld that we found.

12 **Mr. White:** Okay. So to the extent that there are cracks during a visual inspection a  
13 specialist is brought in to determine the extent of the cracks or the extent of the fatigue,  
14 correct?

15 **WIT:** That's correct.

16 **Mr. White:** And then on a special survey or at timely intervals the legs are pulled,  
17 correct?

18 **WIT:** Correct. After a certain age of the vessel.

19 **Mr. White:** Are you aware of any problems or deficiencies aboard the SEACOR  
20 POWER aside from those that were identified in your annual hull survey and then later  
21 rectified?

22 **WIT:** I'm not aware of any.

1 **Mr. White:** And as far as ABS's attendance on the vessel, aside from performing an  
2 annual hull survey do you ride with the vessel, do you attend the vessel aside from  
3 instances where a survey is scheduled or if there are damages reported?

4 **WIT:** No. Only if they're a scheduled surveys do we attend. We don't attend outside of  
5 that.

6 **Mr. White:** As far as the documents that were on board can you tell us typically during  
7 an annual hull survey what if anything do you do with regard to the presence of  
8 documents aboard the vessel?

9 **WIT:** So we'll make sure that the documents as required in our verification points are  
10 on board just for reference. And that's as far as we go. That would include like the  
11 MODU of operation manual, the trim and stability booklet which is inside of that. What  
12 else, the ballast water management plan.

13 **Mr. White:** And as part of your annual hull survey would you make sure or sight to  
14 confirm that those documents are aboard?

15 **WIT:** Yes.

16 **Mr. White:** Nothing further Captain, thank you.

17 **CAPT Phillips:** Thank you Mr. White. Mr. Muise.

18 **Mr. Muise:** Afternoon, sir. I just have a quick follow up. Is the main deck of a lift boat  
19 is that considered a hazardous area when it's working alongside a platform?

20 **WIT:** The main deck of a lift boat is that considered a hazardous area when it's working  
21 alongside a platform?

22 **Mr. Muise:** Or because it might be working alongside a platform?

23 **WIT:** I'm not sure. I don't think we would make that determination.

1 **Mr. Muise:** Okay, thank you, sir.

2 **CAPT Phillips:** Thank you Mr. Muise. We heard you talk a little bit about the using the  
3 LL11D to see if there were any modifications on the vessel, did you note any  
4 modifications on the SEACOR POWER?

5 **WIT:** None were noted.

6 **CAPT Phillips:** Thank you. I think you probably covered this but I don't remember the  
7 answer, so I apologize for asking again. Are there special verification points for lift  
8 boats specifically?

9 **WIT:** Yes. So for like the leg guide that would be something that we would look at  
10 which would be different from just a conventional vessel.

11 **CAPT Phillips:** So there's verification points that are specific to certain kinds of  
12 vessels?

13 **WIT:** Well yes.

14 **CAPT Phillips:** So lift boats is one of those separate verification points? Set of  
15 verification points?

16 **WIT:** Right. So it would be like leg guide would be the verification point as opposed as  
17 to not having just for like a barge, right, it's not going to be on there.

18 **CAPT Phillips:** Thank you. We also heard you talk a little bit about an annual load line  
19 survey.

20 **WIT:** Yes.

21 **CAPT Phillips:** Was that conducted as part of your annual survey?

22 **WIT:** That was, yes, ma'am.

1       **CAPT Phillips:** So the last annual load line survey was the one at the same as the  
2       annual survey you did in February?

3       **WIT:** Yes, ma'am.

4       **CAPT Phillips:** I think that concludes the questions we have for you. Thank you for  
5       coming today. You're now released as witnesses at this Marine Board Investigation  
6       Hearing. Thank you for your cooperation. If I later determine that we need additional  
7       information from you I will contact you through your counsel. If you have any questions  
8       about this investigation you may contact the board Recorder, Lieutenant Anthony Alger.  
9       At this time we're going to recess until 0800 on August 6<sup>th</sup>, 2021. The time is 1541, this  
10      hearing is now in recess.


11                   *The hearing recessed at 1541, 5 August 2021*



UNITED STATES OF AMERICA  
UNITED STATES COAST GUARD

In the Matter of:

THE MARINE BOARD OF INVESTIGATION INTO THE CAPSIZING OF THE L/B  
SEACOR POWER ON 13 APRIL 2021 WHILE TRANSITING THE GULF OF  
MEXICO

I, , an officially designated and qualified  
Court Reporter of the United States Coast Guard, hereby certify  
that the foregoing proceedings were taken by me and transcribed  
by me, and is a true record of the testimony of all witnesses,  
and of the proceedings herein contained. I further certify that  
there is no interest attached, either financially or by virtue  
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Court Reporter/Paralegal Specialist  
U. S. Coast Guard, Eighth District