

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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CAPSIZING OF THE LIFTBOAT *SEACOR*

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POWER SOUTH OF PORT FOURCHON,

*

Accident No.: DCA21MM024

LOUISIANA, ON APRIL 13, 2021

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Interview of: CAPTAIN JAMES GRACIEN, Survivor
Seacor Power accident

Via Microsoft Teams

Tuesday,
May 4, 2021

APPEARANCES:

MICHAEL KUCHARSKI, Marine Accident Investigator
National Transportation Safety Board

ANDREW EHLERS, Investigator in Charge
National Transportation Safety Board

MARCEL MUISE, Marine Accident Investigator
National Transportation Safety Board

CAPT. TRACY PHILLIPS, Chair
U.S. Coast Guard Marine Board of Investigation

ERIK VERDIN, Member
U.S. Coast Guard Marine Board of Investigation

JOHN PRESTON, Chief Surveyor Offshore
American Bureau of Shipping (ABS)

MICHAEL CENAC, QHSE Manager, Designated Person Ashore,
Chief Security Officer
Seacor Marine

PAUL M. STERBCOW, Attorney
(On behalf of Captain Gracien)

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I N T E R V I E W

(13:33 p.m.)

MR. KUCHARSKI: The time right now is 1433 Eastern Standard Time which is 1333 -- I'm sorry, Eastern Daylight Time which is 1333 Central Daylight Time. And we're here to interview Captain Jim Gracien.

And Captain, can I -- do I have your permission to record this?

CAPT. GRACIEN: Yes.

MR. KUCHARSKI: Okay. So again, it's the 4th of May. We're doing this interview by MS Teams, and Captain Gracien is in the Birmingham office of Attorney Gillis.

And Captain, just a couple things up front. I mentioned about the recording. You will be provided a copy of the transcript to review it, to make sure that we got it right, and provide any comments that you'd like. And one other thing I may point out that this interview becomes public, goes to our docket. It usually doesn't get released until the report does which will be months down the line. I can't tell you exactly but it's -- it will be some time down the line. Okay.

And the other thing is that -- so besides confidentiality I -- we can't offer any other form of protection from any other prosecution or any law proceedings that could come about. We're not a legal entity here. You know, this is -- we just develop probable cause.

1 INTERVIEW OF CAPTAIN JAMES GRACIEN

2 BY MR. KUCHARSKI:

3 Q. So, Captain, if you would, tell us a little bit about your
4 background. Tell us about yourself, you know, maritime related
5 and, you know, industry related training and employment, those
6 type of things.

7 A. Well, I mean, I started working onshore when I was 19 on
8 liftboats and in the beginning hired on as a deckhand and
9 then -- didn't really know too much about anything out there. The
10 guy that got me a job, he liked my work ethic. But we were
11 working on a construction site together. He used to be a captain,
12 but he had gotten out of the business, and he was doing welding.
13 And these boats -- these liftboats, if you will, they kind of were
14 a new boat, and he asked me if I'd like to go with him to be his
15 deckhand, and I said sure. So that's how I got into it. I was
16 just 19.

17 And he stayed with it on the liftboats there for a little
18 while, and he just ended up not wanting to stay out there and he
19 quit. I stayed on doing it, and I've been doing it ever since so
20 up until now.

21 And along the way, you know, in the beginning there
22 were -- the vessels weren't Coast Guard inspected. So you didn't
23 need a license to run the boat. But they eventually became, you
24 know, Coast Guard inspected, and you had to have a license, and I
25 got my license and got 100-ton license, and I upgraded that

1 to -- after some time I upgraded that to a 1,600-ton. And that's
2 where -- I never went any higher than that, just to that.

3 Q. Okay. Captain, I apologize. I got the horse ahead of the
4 cart -- ahead of the horse here. Would you spell your -- give us
5 the full spelling of your name, please?

6 A. My last name?

7 Q. Sure. I think we can figure out James so --

8 A. James, J-A-M-E-S, Gracien, G-R-A-C-I-E-N.

9 MR. KUCHARSKI: Okay. And I'm going to ask the others
10 in -- that are participating in this interview, the other parties,
11 representatives from the parties. So I neglected to mention to
12 you that as parties, Coast Guard is involved in this investigation
13 as a party. The owners are Seacor Marine, American Bureau of
14 Shipping, ABS, and also the National Weather Service, although I
15 don't know if they will actually participate in this interview.
16 They're all parties to this investigation.

17 So from my colleagues at the NTSB, Drew, would you start?

18 MR. EHLERS: Good afternoon, Captain Gracien. Drew Ehlers.
19 I am the investigator in charge for the NTSB for this
20 investigation. Thank you very much.

21 MR. KUCHARSKI: I guess Marcel is not on the line. Yeah.
22 Captain Phillips, Coast Guard?

23 CAPT. PHILLIPS: Good afternoon. Tracy Phillips,
24 P-H-I-L-L-I-P-S. I'm the chair of the Coast Guard Marine

25 (Audio lapse)

1 MR. KUCHARSKI: Marcel?

2 MR. MUISE: I'm sorry. I joined late. This is Marcel Muise.
3 I'm the survival factors at NTSB. Last name Muise, M-U-I-S-E.

4 MR. KUCHARSKI: Anyone else from the Coast Guard?

5 MR. VERDIN: Hey. Good afternoon. Sorry about joining late,
6 too. This is Erik Verdin with the Coast Guard.

7 MR. KUCHARSKI: Okay. Thank you, Erik. Anyone else from the
8 Coast Guard?

9 (No audible response)

10 MR. KUCHARSKI: Okay. Mike Cenac?

11 MR. CENAC: Yeah. Good afternoon, Jim. This is Michael
12 Cenac with Seacor Marine.

13 MR. KUCHARSKI: Okay. John Preston?

14 MR. PRESTON: Good afternoon, Jim. John Preston with
15 American Bureau of Shipping, J-O-H-N P-R-E-S-T-O-N.

16 MR. KUCHARSKI: Okay. Just I have the (904) 716-2686. Who
17 is that, please?

18 (No audible response)

19 MR. KUCHARSKI: I show a telephone number, I say again,
20 (904) 716-2686. Can you identify yourself, please?

21 CAPT. PHILLIPS: I think that's Anthony. I think he had to
22 step away from his phone, but he was calling in, and I think
23 that's his number.

24 MR. KUCHARSKI: Okay. That would be Anthony Alger; is that
25 correct?

1 CAPT. PHILLIPS: That's correct.

2 MR. KUCHARSKI: Captain Jim, he's with the Coast Guard also.
3 How about (985) 850-6465?

4 MR. VERDIN: Michael, that's me, Erik Verdin with the Coast
5 Guard.

6 MR. KUCHARSKI: Okay. So you're by voice. Okay. Thank you
7 very much.

8 MR. VERDIN: Not a problem.

9 MR. KUCHARSKI: Thank you.

10 And Mr. Sterbcow?

11 MR. STERBCOW: Paul Sterbcow, Lewis, Kullman, Sterbcow &
12 Abramson in New Orleans. I represent Captain Jim Gracien.

13 MR. KUCHARSKI: Okay. As his personal representative,
14 correct?

15 MR. STERBCOW: Correct.

16 MR. KUCHARSKI: Okay. Thank you.

17 BY MR. KUCHARSKI:

18 Q. So Captain, back to, you know, your time at sea, it was all
19 on liftboats, was it?

20 A. Yes.

21 Q. And when did you -- about when did you start sailing as
22 captain?

23 A. When I was 25.

24 Q. Okay. And you hold a 1,600-ton license; is that correct?

25 A. Yes.

1 Q. Okay. Okay. And any other credentials that you hold related
2 to your job?

3 A. Well, of course. You know, the -- I -- GMDSS, you know, a
4 lot of other training as needed to, you know, nowadays to be in
5 the marine industry so -- but I don't have -- just your basic
6 1,600-ton master.

7 Q. Okay. Working for Seacor, how long have you worked for them?

8 A. Well, I've been -- the companies that ended up getting, you
9 know, what -- you know, that got bought out -- they got bought out
10 and somebody else, so time all acquired Seacor I guess it's like
11 38 years.

12 Q. Wow. Long time. And the 38 years with Seacor, has that all
13 been as captain's time?

14 A. I didn't become captain until I was 25. And at that time,
15 I'm trying to -- you know, it's going to be hard to look back that
16 far but -- who I was working for, Cross Marine. But the whole
17 entire time I've been, you know, employed with Seacor since they
18 bought the company that I was -- you know, I've been captain.

19 Q. Okay. Okay. And so on this -- on this boat, on the accident
20 voyage, we noticed that you were called night captain; is that
21 correct?

22 A. Well, I was going to be working that night. I was going to
23 work the vessel from 1800 to 6 o'clock in the morning.

24 Q. Okay. And was that as captain of the boat at that time?
25 Were you captaining it?

1 A. Well, I was working -- see, my boat that I usually was
2 running was stacked, and Seacor was allowing me to work. You
3 know, they were gracious enough to keep me working even though I
4 wasn't the master of the vessel. So they were -- I'd been riding
5 on the *Seacor Power* since June of last year. And before that, I
6 had worked in the shipyard on some of the other boats that we had
7 that were warm stacked, and they were working on them.

8 And so when I was working on the *Power*, I was -- you know, I
9 wasn't the captain, but I mean, I've got the captain's license.
10 So I mean, there's a master on board and that's it.

11 Q. Okay. And had you served on the *Seacor Power* as the master?

12 A. I have before in the past. Yes.

13 Q. Okay. And about how much time did you spend -- can you give
14 us an idea just to frame this? Is it, you know, like one or two
15 tours, two-week -- two weeks? Or can you give us an idea how much
16 master's time on the *Power*?

17 A. It would be hard to say. It's, you know, years. I mean, I
18 used to work 14 and 14. That's what I've always worked. So be
19 hard for me to go back and give you exact dates and years times.

20 Q. Sure. But it's --

21 (Audio lapse)

22 A. -- letters or something, you know. I mean, I've been in the
23 business a long time. For the last couple years I'm a master
24 without a vessel.

25 Q. Okay.

1 A. If that makes any sense.

2 Q. It does. It does. It does without a permanent rotation, I
3 guess, as master. Okay. And you mentioned two weeks. Were you
4 on that type of rotation on this particular voyage?

5 A. On this voyage, I was allowed to come back to work two weeks
6 early and work with Captain Ledet. And I was going to work two
7 more weeks and get on my rotation with the other master that they
8 relieved, Scott Timmons. So I was going to work a 28-day trip and
9 get on my more regular rotation.

10 Q. Okay. And --

11 A. At the time, see, it flip-flopped. We were flip-flopping so,
12 you know, these guys wanted to be off for Christmas. I was like,
13 well, whatever you all want to do. And so they worked it out so,
14 you know, we would be off for a week and then come back and, you
15 know. So yeah. I was going out for a 28-day trip. Like I said,
16 going to work two with David and then get on my regular rotation,
17 Scott Timmons.

18 Q. Okay. And when you say get on the regular rotation, so that
19 was going to be as master?

20 A. I mean, I'm riding -- I'm riding a vessel as an extra
21 captain. I mean, how it's put on the log, I never saw the
22 billable.

23 Q. Okay. And what kind of duties did you have on a day-to-day
24 basis on the boat?

25 A. I was helping out doing maintenance, and you know, I'd do

1 some computer work. There's certain things that, you know, the
2 captain was having me do as far as that goes. A lot of the stuff
3 the mate usually does, you know.

4 There was a few occasions -- oh, I want to say two hitches I
5 actually ran as the mate on the vessel because Daniel's mother had
6 passed away, and he couldn't make it work. So I was actually, you
7 know, running as the mate on the boat.

8 Q. Okay. So on a day-to-day basis besides helping out you stood
9 a bridge watch, did you?

10 A. Of course.

11 Q. Okay. And that was from 1800 to 0600; is that correct?

12 A. Well, some trips it -- I went out, I worked days, and other
13 times I was working at night. So it just depended what the master
14 wanted me to do.

15 Q. Okay. And on this particular one it was 1800 to 06; that's
16 what you were going to stand?

17 A. That's correct.

18 Q. Okay.

19 A. Yes.

20 Q. And did you report directly to the master? Is that who you
21 reported to?

22 A. Yes.

23 Q. When you were on watch did you report to anyone else, or
24 would you -- would you report to anybody shoreside, or would it be
25 to the master?

1 A. It would be to the master.

2 Q. Okay. And give us -- give us an idea of, you know,
3 when -- rest that you got before you joined the vessel. Did you
4 have -- you feel rested? Did you get plenty of sleep?

5 A. Sometimes, you know, it just depended on, you know, like, if
6 the boat was on the job we'd get on the crew boat and ride out
7 there. And of course, we'd all rest. You know, so on my way to
8 the boat I usually generally -- when I leave my house I rest. I
9 try to get as much rest as I can before I drive to New Orleans.
10 And are you asking this question on a particular -- this
11 particular day?

12 Q. Yes, sir. Yes. Yes. I'm assuming you joined the --

13 A. Well --

14 Q. -- you joined that morning, did you?

15 A. Yes, sir. We all met at the office at 5 o'clock in the
16 morning. I was there at 4, and I actually fell asleep in my truck
17 for about 35 minutes, 40 minutes, and then everybody started
18 showing up. We left, you know, the office right promptly, right
19 around 5 if it wasn't before 5 because everyone was there. And we
20 got down there to the dock around -- I'd say it was around ten
21 after six, I remember pulling into the bonger (ph.) yard
22 that -- and we boarded the vessel. You know, it didn't take long
23 to drive around to the boat.

24 Q. Okay. I'm going to hold there for just a little bit, and see
25 if there are any follow-on questions from my colleagues, to see if

1 there are any questions about your background before we talk about
2 the incident specifically.

3 MR. KUCHARSKI: Are there any questions from the group?

4 Yeah, Erik.

5 MR. VERDIN: Good afternoon, Captain. I just kind of want to
6 touch base. Your responsibility as an extra captain --

7 MR. KUCHARSKI: Erik Verdin. Erik Verdin.

8 MR. VERDIN: Oh, I'm sorry. Yeah. Erik Verdin with the
9 Coast Guard.

10 MR. KUCHARSKI: Thank you.

11 BY MR. VERDIN:

12 Q. Captain, your responsibility -- I just wanted to talk about
13 your responsibilities a little bit further. As the captain -- as
14 a captain in addition the standard crew, you know, there's
15 always -- there's one master on board the vessel, typically a
16 captain -- which is the captain. And then there are many -- the
17 mate can be filled by someone with a mate's license, and sometimes
18 they're filled with somebody's holding a master's license as well,
19 right?

20 A. That's correct.

21 Q. Okay. But having a mate -- this vessel had a mate on board
22 that was assuming the mate's responsibilities and their duties,
23 correct?

24 A. Yes.

25 Q. Okay. If you would, if you could, explain the difference of

1 having somebody qualified as yourself, senior; you've been a
2 captain; you've done it; you've seen it; how traditionally or how
3 that impacts the operation of the vessel as far as like somebody
4 come on your boat that has a master's thinking that's -- you know
5 ran vessels, liftboats, has got plenty of experiences. How is
6 that looked upon, you know, as far as you would as the master of
7 that vessel compared to the mate? What kind of preferences,
8 responsibilities and liberties that you've given to that
9 individual with experience? Do you feel more comfortable? Does,
10 you know, his -- what kind of -- with the night orders and the
11 standing orders, how does that differ a little bit, if any, if you
12 can explain all that? If you try to -- if you understand what I'm
13 getting at.

14 A. Not really.

15 Q. Well, if you have -- go ahead. I'm sorry.

16 A. Ask me again what you're wanting to -- want me to answer.
17 What question --

18 Q. Okay. Basically as a master, somebody comes on there -- if
19 you're the master of the vessel, somebody comes underneath you
20 that comes on board your boat that you know has years of
21 experience as a master, are they given a little bit -- or do you
22 feel a little bit better, more relaxed having an experienced man
23 at the wheel at night?

24 A. Yes.

25 Q. Okay.

1 A. It's very --

2 (Audio lapse)

3 A. -- to have another experienced captain on board knowing that
4 if I needed him he was -- you know, he was there. And you know,
5 even though there was a mate on board, I mean, you know, the mate
6 who was on board is very experienced.

7 Q. Right, right. And I know there's a lot of good, qualified
8 mates out there that are experienced. But having a well-seasoned
9 captain like yourself, you know, to rely on also is a great asset
10 on board, right?

11 A. Yes, sir.

12 Q. And typically being the senior experienced kind of
13 get -- don't we usually prefer to put them on the night watch?

14 A. It just depends. I mean, usually on the -- on the liftboat
15 there's -- the *Power*, you know, David and Brian, David would be on
16 the day -- on the dayshift, and Brian would work at night. And on
17 the other side there where I was working with Scott and Daniel
18 Jones, Scott worked during the day, and Daniel worked at night.

19 Q. Okay. And did you alter your watch schedule, or did you stay
20 on nights on both watches?

21 A. I worked generally during the day with Scott.

22 Q. Okay.

23 A. There was only two times that I worked nightshift -- actually
24 three. In the very beginning, we were standing by port, and so,
25 you know, there was Daniel and myself up, and one of the QMEDs.

1 And then later on, Daniel's mother had passed away, and I assumed
2 the mate's role while Daniel was out for his mother's passing.
3 And so I worked at night.

4 Q. Right. Okay. I was just kind of trying to get a feel for,
5 you know, having a senior -- another senior captain on board, how
6 that -- how that affected things, the operations. But still --

7 A. Go ahead. I'm sorry.

8 Q. But the ultimate decision was still the captain's, right, the
9 master's?

10 A. Yes. Yes.

11 Q. Okay. Thank you, Captain. Appreciate you.

12 A. Yes, sir.

13 MR. KUCHARSKI: Marcel?

14 BY MR. MUISE:

15 Q. Good afternoon, Captain. My name is Marcel Muise, NTSB.
16 Just one question with regard to background. You're water
17 survival trained so STCW basic training and HUET. Where did you
18 last take those classes?

19 A. It was actually I want to say two weeks before the incident I
20 renewed it, the HUET and the water survival. Actually, it was the
21 HUET and the T-HUET with the helicopter simulation. And then, you
22 know, we also got the pool. So you know, so that was just two
23 weeks before the incident, I want to say. I mean I could be off a
24 week. I can't really, you know, put it together but I just --

25 Last year in May, I had to get my firefighting and my STCW

1 water survival because my license was up for renewal this year in
2 February. So I attended that class with a colleague, Captain Dale
3 (ph.). He and I did that class, so I just recently did that a
4 year ago and just a few weeks ago before the incident.

5 Q. Okay. And where were those classes, both the HUET and the
6 STCW?

7 A. Right there in Houma, actually right around the corner from
8 our transportation center. I forget the address. It's called
9 Nutec now. Used to be Fowler Alford or something like that, Falck
10 Alford is how -- yeah.

11 Q. Okay. Thank you. That's all I have right now.

12 A. Um-hum.

13 BY MR. KUCHARSKI:

14 Q. Okay. Captain, like to move now into the actual incident.
15 If you can tell us in your own words from when you -- you
16 mentioned you boarded in the morning. Could you bring us right
17 through without -- we won't interrupt. Tell us your side until
18 the time you were actually rescued. Could you run us through that
19 from the beginning?

20 A. Yeah, sure. You know, as I said, when we got to the gate in
21 Fourchon, you know, they -- the security saw us, checked our
22 stuff, our identification, and allowed us to pass through. There
23 was two vehicles, and we pulled around to the boat, and we all got
24 our gear out, and we boarded the vessel.

25 And Scott and his crew were on deck. They had their bags

1 over off to the side. And you know, we all were exchanging hugs
2 and handshakes and how you doing and all this and that, you know.
3 It just depended on who you went up to talk to.

4 Of course, the two captains, Scott and David, they got
5 together, and they were doing their handover work, their exchange.
6 And I was talking with the mate that was leaving. He was there
7 real early to get off the boat. He'd been on board for six weeks.
8 So we really didn't talk very long. Was just like I'm -- he said
9 I'm ready to go down. And I said I hear you.

10 So I talked to a couple of the guys. In particular, I was
11 talking with Anthony and the cook that was on board, the engineer,
12 things like -- no. I didn't talk to the engineer. It's hard to
13 recall really. It was just idle chitchat, you know.

14 And you know, I made my way into the galley and got me a cup
15 of coffee. And I sat down at the table, and then I decided I was
16 going to get me a bite to eat. So I got French toast and sausage,
17 and I sat down and was eating. And then Brian, the first mate,
18 who was going to be sailing with us, he sat down with me. And you
19 know, there's a lot of people milling around, getting something to
20 eat.

21 And then Chaz came up, and I said, Man, I said, I thought you
22 were going home?

23 He goes, No. I'm staying. And so we bumped fists and so
24 we -- you know, we just -- I can't remember what we were talking
25 about, nothing really, just --

1 So I finished eating and made my way over and got another cup
2 of -- cup of coffee, went outside and had a cigarette. And by
3 then it looked like, you know, David and Scott, I guess they were
4 finished, you know, doing their handover information. And them
5 guys were ready to go. You know, it didn't seem like it didn't
6 take -- I don't know how long they were talking, a half hour or
7 so, maybe less. And they left and then David announced over the
8 loud hailers for everyone to come to the galley.

9 And so everybody got there. The company man wasn't there, so
10 David sent Chaz up to go get him. So he went all the way up to
11 the top, got him, and he came down. And so everyone was there in
12 the galley, and we were -- David was discussing, you know, the
13 meeting, JSAs about the loadout that was going to take place. We
14 had all the equipment out there that needed to get all loaded on
15 board the vessel. And David did some introducing. He introduced
16 Charlie, the crane operator, and Chaz. He was going to be working
17 days, him and Chaz. And so, you know, we discussed, you know, the
18 safety importance of the loadout.

19 And then, you know, I mean, after the meeting was over it was
20 established -- because Brian was standing right there. He said so
21 Jim, you're -- we're going to -- you're going to work nights, and
22 David's going to work day -- or Brian's going to work days. I
23 said look, said -- I said I'll work days if you want me to. I'll
24 work nights. It doesn't matter to me. And Brian was like, well,
25 I'll work -- I'll work days. And I said okay. Well, I'll work

1 nights. And David was like, okay, Jim, you'll be working at
2 night.

3 And so, you know, once that was -- I found out about, you
4 know, what I was actually working, I was like well, I'm going to
5 get my bags and go upstairs and get me some rest. So the meeting
6 was adjourned, and I went out and got my bags, and I went
7 upstairs. Took me a couple trips to get up there. You know, I
8 had three bags, so by the time I got up there, I sat down outside
9 on the bench outside my cabin, and I caught my breath. And I went
10 in my -- brought my stuff in my room and threw my gear on the top
11 bunk. And I got out my shaving kit, brushed my teeth, dug out my
12 pajamas and put them on, and I got in bed. And I was tired, so it
13 didn't take me long to fall asleep.

14 So I fell asleep pretty quickly, and I just woke up, I don't
15 know, it was a little after 11 o'clock. And you know, I was
16 wondering where we were in the operations of the loadout. And I
17 stepped outside. I lit up a cigarette and sat on my bench right
18 there that's right outside the cabin. And I could tell they were
19 loading because I could see the crane moving and stuff, but I
20 didn't know how far left they had to go. I didn't actually walk
21 to the end of the walkway there to actually look out on the deck
22 to see, you know, how many more pieces of equipment they had.

23 So I finished the cigarette, and I thought about going and
24 eating lunch. I was like no, I'm just going to go jump back in
25 bed. So I hopped back in bed.

1 And I don't know, it seemed -- you know, I'm a light sleeper
2 even when I'm tired. But it didn't seem like it was very long
3 later. I never -- I didn't really fall into a deep sleep. But I
4 felt the vessel jacking down and that we were, you know, jacking
5 down from the dock, and we were getting -- going to get underway
6 so -- and that's exactly what happened. Captain jacked the boat
7 down and got the legs raised, and he started getting underway.

8 And so I was just laying there, and I texted my daughter and
9 my son, and I got a response from both of them. And I guess about
10 15 minutes, you know, I -- you know, the phone was right there by
11 my bed. I was done, you know, making sure they knew everything
12 was all right, I was there and all this and that.

13 And so it takes usually about a good hour then to get out of
14 the ford, you know, after the jetty. So I fell asleep real good
15 once we were underway, you know. You got to go slow. The hum of
16 the motor's putting you right to sleep.

17 And I woke up in sometime later. I want to say -- I can't
18 recall exactly what time it was. But I could tell we were
19 underway and that we were -- which is not unusual, you know. The
20 waves were -- you know, I could feel them hitting the bow of the
21 vessel. You know, that's what kind of made me wake up. I could
22 tell we were offshore now and, you know.

23 So I got up out of bed and to see, you know, where we were
24 at, what was happening. And I just walked out the side door there
25 where my bench is at, and I lit up a cigarette. And I was like

1 looking out, and you could tell that the weather was, you know,
2 like we're about to have a squall and a rain squall, you know. I
3 mean, it wasn't real rough or anything. It was just, you
4 know -- just a little, you know -- I don't know. I guess they
5 were about two- to four-foot seas. I mean, and we were, you know,
6 going right into them.

7 And so very shortly after I was out there, you know, the wind
8 picked up, and it blew the rain right into me, got me all wet.
9 And I was like -- I said forget this. I flicked the cigarette out
10 over the side and -- I mean, because I was getting wet. You know,
11 I mean, standing out there in my pajamas. So I open the door to
12 go back in, and I saw Charlie come out of the wheelhouse, and I
13 said, What's going on?

14 He goes, Man. And I just went into my room, and he went to
15 wherever he was going, you know. I'm not sure where he was going.
16 And I was so wet I had to take off my pajamas, you know. So I
17 dove in my bed in my underwear. And so I'm laying there, and you
18 know, going man, this is going to be a long night, you know,
19 because I want to say it was around 2:30, 2:40, something like
20 that, maybe 2:45. I want to say I looked at my phone, and I saw
21 that's around the time, you know. And it was like, yeah, I'm
22 going to be up on the tower at 6 o'clock, you know.

23 So I'm laying there, and it wasn't long I was laying in the
24 bed, very shortly after I got in the bed. I'm laying there, and I
25 was like, I heard the motors -- he had pulled back on the motors,

1 you know, the engines. And I thought well, you know, the
2 weather's got him or something. He can't see because it's, you
3 know, so raining and -- or whatever and, you know, he probably had
4 to slow down because I did notice that we were near some
5 platforms, you know. And when them squalls come up like that, a
6 lot of times it takes the visibility right away, you know, from
7 you. So I figured he was slowing down.

8 And so I'm laying there, and then it seemed like I want to
9 say he was making a maneuver with the engines. It almost felt
10 like he was -- he put one in reverse and one in forward. And so
11 as I'm laying there, I go wow, man. It feels like the boat's
12 listing to starboard. And very quickly I went no, no, no, it's
13 not. And then all of a sudden I go yeah, it is. We're listing to
14 starboard, man.

15 I got out of bed, and I stood up, and it flipped over. And
16 as it was going over, I grabbed the top bunk. I was facing the
17 bunk. I grabbed the bunk, and I just rode the boat over holding
18 onto the framework of the top bunk. And you know, it was a
19 tremendous crashing -- there is an -- I'm hanging there, and I let
20 loose. And my bags apparently, you know, they just -- they flew
21 down right there by me, you know. They were there on the whatever
22 they -- wherever they were because it seemed like something got
23 ripped off the top of the ceiling in my room, and it was allowing
24 some light to come in which was good because I spotted my
25 backpack. I had a flashlight in there. And I grabbed it

1 immediately and started looking around for my bag, my other bag
2 that had clothes in it. I was like I got to get dressed.

3 I found my jeans. I put on a pair of jeans. I found my work
4 shirt. I put it on, and I buttoned it up, buttoned my sleeves up,
5 and I grabbed my slippers, and I put them on. I didn't feel like
6 I had time to lace up my boots. I didn't know where they were
7 anyway. But I thought of my slippers because they were just right
8 there with my clothes. And I knew I had to get out of there, so
9 you know, I needed to have something on my feet.

10 And so, you know, my first thought was to break out the
11 window of my room, and with my flashlight I located my steel-toe
12 boot, my rubber boots. And I grabbed it, and I slung it against
13 that window. And it was like hitting steel. You know, it's just
14 thudding. And you know, it really wasn't something good to hammer
15 on a window with, and I wasn't in a position to try to kick it
16 out.

17 So I thought, you know, what -- maybe I should just try to
18 open my door, and try and climb out that door that I was
19 explaining to you I went out to go have these cigarettes, okay,
20 outside my cabin. So I opened my door, and it flung open. And
21 the door -- you know, I tried to push the door, but I couldn't do
22 it. You know, I couldn't open it.

23 And about that time, the doorway across the way from me
24 opened up. It was the company representative that was on board.
25 His room was right across from me. And his door flapped open, and

1 it was Steve, and he goes -- you know, he says, What is happening?

2 I said, we have flipped. We need to try -- you know, and I
3 saw his window over there, and you know, I said, Steve, we need to
4 get out. We need to bust that window out. But he's -- he went
5 over there, and he's trying to kick it out, and it ain't doing
6 nothing.

7 And so from where I was at I had -- to get over to him I
8 would have had to crawl over the hallway there which was already
9 filling up with water. I mean, it was already up high, you know,
10 getting close to us, I'd say probably six feet from getting to the
11 room, you know. That's when I noticed that fire extinguisher that
12 was against the wall right outside his doorway there.

13 And I said, Steve, I said, come over here. Come over here.
14 And I reached over there, and I said, You hold onto it. I'm going
15 to disconnect it. I said, Don't drop it. And he grabbed the
16 nozzle, you know, and I got -- I finagled that thing out of
17 its -- out of its rack, and he got it. And I said, Go start
18 banging on that window. I'm coming over.

19 So that's when I started crawling over, you know, making sure
20 I had a good handhold. I crawled over in the other room with him,
21 and he had already been beating on the window, but it wasn't
22 breaking. He was out of breath. So I took it. I started beating
23 on the window with it. And it wasn't doing nothing, and I ran out
24 of breath. And then he started beating on it again. He ran out
25 of breath and that's -- when I got it again from him the second

1 time, I was like, man. I couldn't believe it. We both couldn't
2 believe it. We're hitting this thing with a fire extinguisher,
3 and it's not breaking.

4 And you know, we were probably very, very, you know,
5 panicked, and you know, I know that I was running out of breath
6 very fast, you know, trying to do this. And I was thinking, you
7 know, each try it one more time and the third time, and then I did
8 it a third time, and that's when it finally broke. And it just
9 shattered into a million pieces. And so I kicked it out, and I
10 was --

11 I told Steve, you know, when we were -- I was breaking the
12 glass out and everything. And I said, Steve, we need to stay with
13 the boat as long as possible. I said, you know, I said, We're not
14 that far from port. You know, They're going to be coming, but we
15 need to stay here as long as we can.

16 And so we were both right by the window, and I mean, I
17 couldn't believe how rough it was outside, you know, or anything
18 else that was happening, first of all. But I mean, but it was
19 really, really rough. And all of a sudden, a wave came and hit
20 that window and blew us both back at least six feet all the way to
21 the dang near end of that hallway. And at that point, that's when
22 I knew I was getting out of that vessel.

23 We both scrambled up because we both got knocked back
24 together at the same time, and we both got up. And I said, Steve,
25 I said, I'm getting out of here. And he handed me the

1 lifejackets -- we hadn't put our lifejackets on yet. I said -- I
2 grabbed -- you know, he handed me one. I grabbed it and put it
3 on, and I said, Put yours on. I said, I'm going.

4 And once I tightened it up, I tried to duck out that window.
5 I put my leg out the window, and I ducked my head out the window.
6 That's when I hit the top of that glass and cut my head. And I
7 was bleeding all over the place. And that's when I went out the
8 window.

9 And once I got out the window and was floating away, my legs
10 got tangled up in some rope. And so I reached down, I grabbed
11 that rope, and I started seeing, you know, what it was to. And it
12 was connected to a life ring, and it was all the way over in the
13 corner of the cabin in like a deck that I could see. I was
14 thinking, man, I need to get that life ring.

15 So I started pulling myself over there to it. And the seas
16 are so big and very, very big seas. You know, the closer I got to
17 where the life ring was all tangled up to is a sling rack. I was
18 like man, I'm going to get my ass killed over here, you know,
19 getting, you know, smashed up into the steel, you know, that was
20 poking out of the sling rack that holds slings and stuff.

21 And so I just said -- you know, I abandoned that and let go
22 of it. And I noticed that as soon as I let go I floated off, and
23 there was a firehose hanging down from the board fire station
24 coming off that leg tower. Was hanging down and I floated pretty
25 much right by it. I grabbed it, and I hung onto that thing.

1 And I could see Steve. He was still in the window over there
2 in his room, you know, with his lifejacket on. And I'm hanging on
3 for dear life on this life -- this firehose it seemed like
4 forever. You know, I mean, a long time I was holding on to this
5 thing and getting thrashed around. And I didn't want to get -- I
6 didn't want to leave the vessel. You know, so I was trying to dig
7 around.

8 And in between the time that I was holding on to that thing,
9 I saw Steve finally give it up and get out because the water now
10 was pouring into the window. You know, it was no longer below it.
11 The water was coming in the window, you know. So off he went, and
12 that's the last I saw him. He floated off.

13 And I'm hanging there and hanging on and hanging on. And I
14 noticed, you know, somebody on the cabin over there, you know.
15 And I yelled out, Charlie. And it was Charlie.

16 He was like -- he said, Hang on, Jim. And it was really hard
17 to hear. I mean, that's the only time I think I really screamed
18 and -- but I thought it was just him. Come to find out it was
19 four guys up there, I want to say I was told, either three or
20 four.

21 But anyway, while I'm out there holding on to that hose, I
22 had it wrapped around my legs and stuff like Tarzan. You know, I
23 mean, I was just kind of going all over the place. And I was
24 getting a lot of water in my mouth and fuel. There was fuel in
25 the water.

1 So I hung on until I just didn't have any strength anymore to
2 hold on. I was completely done, and I let go, and I floated off.
3 And as I'm floating away from the vessel, you know, you could
4 still see some of the white of the cabin and everything but, you know,
5 not a whole lot. The wheelhouse was completely under water the
6 whole time.

7 But I kept -- I was floating away, and the seas were big, and
8 I'm bobbing up and down. And very quickly, you know, I noticed,
9 you know, just real pieces of debris, you know, like, I don't
10 know. I can't really say it was anything in particular, but I'm
11 just floating away and floating away and floating away. And you
12 know, finally I just -- you know, I'm looking around as I see
13 platforms and stuff. And I'm thinking God, I wish I could float
14 into one of those, you know.

15 And a board floated up. It was probably about five feet
16 long and about maybe that wide. It floated up, and I grabbed onto
17 it and then hung onto that. And I don't know, some time went by.
18 I don't know how long, but I saw a bed mattress, and it was coming
19 towards me, you know. It was, you know, obviously saturated but
20 still floating. And so it got close enough to where I got it.
21 Man, I got a hold of that mattress, and I let go of that board.

22 And I'm floating around, holding that thing and, you know,
23 trying to hang onto it because it was rough, and it was raining
24 and hard rain. And I don't know how long I floated around,
25 probably, you know, a couple hours. You know, I -- it just -- the

1 waves, they just never seemed to want to calm down. You know,
2 they were bobbing up and down, up and down. I'm looking around,
3 looking around.

4 Finally I saw a crew boat, but he was a little bit far away,
5 and they didn't see me. And I lost track of where they even went.
6 You know, I go well, they're out here looking. They're out here,
7 you know.

8 So again, you know, I don't know how much time was gone by
9 and all this. But I spotted another boat. It was a red hull
10 boat, a big one, a big supply boat, one of those frac boats. But
11 it was way too far away. They were never going to see me.

12 So you know, every time I'd come up on a big swell, I'd look
13 around best I could, you know. And you know, I was starting to
14 get cold now, you know what I mean. I was starting to shiver a
15 little bit in the water. But I was thinking, you know, man,
16 they're -- I'm going to get found because there was boats out
17 here, you know. I just hope they find me, you know.

18 And so I spotted a Swiss supply boat, and he was coming right
19 towards me, but he was a good ways away, you know. And so I'm
20 floating around and floating, and every time I'd come up and go
21 down and come up and go down, I'm looking, and there he is coming.
22 He's coming. He's coming right at me, you know. So when he
23 started getting close enough to where I thought that, you know, he
24 could see me, I would --

25 Well, back to when that mattress floated up, one of those

1 little bitty lights that go on your lifejacket, one of them
2 floated by me. I grabbed it, so I had that in my pocket. I took
3 it out of my pocket, and when that supply boat got closer I pushed
4 myself up on that mattress as best I could, and I waved that
5 light. Then I'd go down into a swell, and I couldn't see the
6 boat. And then when I'd come up on a new swell, I'd push myself
7 up on that mattress and wave that light. I kept doing that and
8 doing that. And you know, they got closer and closer, and I kept
9 doing it. You know, every time we'd come up on a swell, I'd come
10 up on a swell, I did that.

11 And they got so close I seen a guy come out of the pilot
12 house door, and he pointed right at me. And I knew I was going to
13 get rescued. So they maneuvered the boat over to me. They got
14 close enough to throw a life ring out to me, and I got a hold of
15 it. And somebody jumped in, and he said, Man, we got you.

16 And so they pulled us into the boat, and the boat was huge,
17 man. I was looking up at least 15 feet to where they were
18 standing it seemed like, bobbing up and down, you know. Was like
19 man, I hope we don't end up getting knocked out, you know, here at
20 the last part of it, from the boat. But the guy -- they pulled
21 us -- they pulled me and the guy that was with me that jumped in
22 closer to the boat, and they threw over a Jacob's ladder. I was
23 like man, fixing to get out of here.

24 I tried to crawl up. I didn't have the strength. Couldn't
25 do it. I had zero strength. So the guy that jumped in said throw

1 him down a rope, and they knew what they meant -- they knew -- he
2 knew, you know, them guys up there knew, man. They --

3 (Audio lapse)

4 A. -- loop. They threw a rope down, and it had -- he got it up
5 underneath my arms. I hung on. I was, you know, hoping I
6 wouldn't slip through, but I hung on with everything I had. And
7 they pulled me out. They pulled me up on the deck.

8 And as soon as I got on deck, I was on my hands and knees,
9 and they -- the other guy climbed up the Jacob's ladder. Come to
10 find out he was the chief engineer. And so they got me in the
11 galley real quick, and you know, two guys made sure, you know, I
12 could get in because it was hard to walk. And we got in there,
13 and they had a blanket on the floor. And they just, I mean,
14 ripped my shirt off and, you know, basically almost had to cut my
15 jeans off. They were soaked. You know how hard to get soaked
16 clothes off of a person. They got all my clothes off and put a
17 blanket on me.

18 And then this dude Dwayne, he laid on top of me and held my
19 hand. And he said, You're saved, man. I'm going to keep you
20 warm, you know, get you warmed up. And I was shivering.

21 So they got me some clothes and socks and slippers and
22 eventually, you know, managed to get up and get that on. And they
23 gave me something to drink and, you know, I mean, I just was
24 thankful, you know. And they -- that one man, Dwayne, he stayed
25 there with me. He was by my side the whole night.

1 But eventually, you know, the Coast Guard wanted to talk to
2 me on the cell phone, you know. So I had to make my way to the
3 wheelhouse. They wanted to -- wanted me to help them understand
4 where people were inside the boat, you know, so they -- you know.
5 And so I did my -- I told them, I said look, you know, they were
6 in the wheelhouse. It was myself and the company man and Larry,
7 the night engineer, was on the level that me and the company man
8 were on. There was a couple people on the second level, and most
9 of the contractors were on the first level. And I mean, I gave
10 them any information I could that he wanted.

11 And you know, we were searching for survivors. You know, the
12 captain was making search runs, you know, with the vessel. And
13 that particular vessel was having some engine trouble, and you
14 know, it was some time later that, you know, he told -- he
15 contacted the Coast Guard and said, you know, they really needed
16 to get in because they were -- you know, the weather was still
17 bad, and it was blowing, and the captain knew he would have a hard
18 time trying to dock the boat, you know. He didn't want to -- he
19 lost his bow thruster and was having trouble with one of his main
20 engines. So they had to stop what they were doing and get back
21 into port.

22 So I want to say we got into the dock around 10:30, something
23 like that. And when we got docked there was an ambulance waiting
24 there and got in the ambulance, and then the ambulance took me to
25 the hospital in Houma which we got there around maybe a little

1 after 12. And you know, the rest is just being there at the
2 hospital.

3 Q. Okay. Captain, would you like to take a little break here
4 for a bit?

5 A. I mean, I could but --

6 Q. It's your call if you'd like to take a --

7 A. It's kind of hard because some of that story, you know,
8 because it was a lot of time.

9 Q. Major, major time. How about ten minutes and then -- because
10 we'll -- I'm sure we'll have a lot of follow-up questions
11 regarding the actual incident. Is that okay with you, ten
12 minutes?

13 A. Sure. That's fine.

14 Q. Okay. Then I'll stop the recording, and we'll come back in
15 ten. Thank you.

16 (Off the record)

17 (On the record)

18 MR. KUCHARSKI: Okay, Captain. Are you all set to go? I
19 think you're -- you're muted right now.

20 CAPT. GRACIEN: How's that?

21 MR. KUCHARSKI: That's it. Thanks, Jim.

22 CAPT. GRACIEN: Okay. You're welcome.

23 MR. KUCHARSKI: Okay, Captain. You all set? Ready to go?

24 CAPT. GRACIEN: Yes, sir.

25 MR. KUCHARSKI: Okay. Thank you, sir. It's now 15:42, 14:43

1 Central Time. We're resuming the interview of Captain Jim Gracien.
2 Captain, can you see my screen? Can you see the layout that I
3 have there, the living quarters of the arrangement?

4 CAPT. GRACIEN: No, I don't. Alls I'm seeing is a blank
5 screen that's got KM on it.

6 MR. KUCHARSKI: Okay. Okay. Let me try again.

7 MR. GILLIS: I can see it, Mike, so maybe it may have been
8 something on his end

9 MR. KUCHARSKI: Yeah. Let me try again, and see if you can
10 see it now. Any success seeing it now, Captain?

11 CAPT. GRACIEN: No. I don't know if Jim needs to do
12 something.

13 MR. KUCHARSKI: Yep. Maybe give him another holler there and
14 see if you can get this screen to come up. Thank you.

15 MR. GILLIS: Trying to get it, show you a picture on here.
16 Your KM is showing up. Let's see. More actions.

17 MR. KUCHARSKI: I had it working well when we first tried
18 this, so I know it's possible.

19 MR. GILLIS: Yeah. There appear to be a lot of people on
20 this call, according to what I'm seeing. Am I correct about that?

21 MR. KUCHARSKI: Yes.

22 MR. GILLIS: Anthony Alger, Michael Sennick, Andrew Ellers.
23 Are all these people on this?

24 MR. KUCHARSKI: Yes.

25 MR. GILLIS: Okay. Let's see. How about this? Okay. So I

1 opened the screen share. Maybe that's what I need to do. Exit
2 full screen, show meeting details, show device settings. Print
3 off incoming -- all right. So this might be it. Let's see if
4 that helps. It just did something, it said turn off incoming
5 video, and that was -- anything else I can do, though.

6 MR. KUCHARSKI: Okay. Now we've lost your video completely.

7 MR. GILLIS: Yeah. All right. So now I'm looking at what
8 looks like a floor plan or something.

9 MR. KUCHARSKI: Correct.

10 UNIDENTIFIED SPEAKER: SIMCOE, not -- Let me see if I can get
11 back to full-screen here. Okay. So is that what he needs to see
12 at this time?

13 MR. KUCHARSKI: Yes.

14 MR. GILLIS: All right. And hopefully his face will come
15 back on once you're done, but he'll let me know if that doesn't
16 work.

17 MR. KUCHARSKI: Okay.

18 MR. GILLIS: All right.

19 BY MR. KUCHARSKI:

20 Q. Okay. Captain? I can see you now, so I'm guessing you can
21 see the screen?

22 A. Yeah, the layout of the third level.

23 Q. Correct. Is this the level that you were on?

24 A. Yes.

25 Q. Okay. So I don't know if you see my pointer here, the hand,

1 so that was the captain's cabin up there? Let's see -- and you
2 were on the same level as the captain; is that correct?

3 A. That's correct.

4 Q. Okay. Now where is your room from there? Is it the forward
5 room with the office, or is it after room?

6 A. Well, before room is a two-man VIP room. That's the company
7 rep. Very Important Person. The four man room is the mate's
8 room, where I was at.

9 Q. Okay.

10 A. The three man room is where Larry was at.

11 Q. Okay. Okay, great. Great. So you were in this four-man
12 room here?

13 A. Right.

14 Q. And there was an after-facing window, is that correct, in
15 your cabin?

16 A. Yes. You can see it down there towards the -- behind this,
17 whatever that little square thing by that bunk.

18 Q. Right. Okay.

19 MR. GILLIS: Mike -- just a second. I'm sorry. Have you re-
20 begun recording?

21 MR. KUCHARSKI: Yes.

22 MR. GILLIS: Okay. All right. Didn't hear that, so I just
23 wanted to confirm.

24 MR. KUCHARSKI: Yep. Thank you. Yep. I did. And I think I
25 had the time as 3:43 when we started.

1 BY MR. KUCHARSKI:

2 Q. So anyway, so you're in the -- this four-man here and there's
3 an after window, and it says foot locker, I think it is, beneath
4 --

5 A. Right. Foot locker, you see that -- that's the window.

6 Q. Right. Right in here. Okay. And so I see up in the company
7 man's -- Steve's room, there's a window up forward there.

8 A. Yes. That's the window that we managed to finally break out.

9 Q. Okay. Great. Great. And when you mentioned about going out
10 the door, this looks -- if you see the hand there, it looks like
11 -- well, first here's the door to your cabin, and then this is
12 where you went outside to have a cigarette smoke? Is that
13 correct?

14 A. Yeah, out that door there where your hand is now.

15 Q. Okay. Great, great; now this is -- this diagram that we're
16 looking at says, Living Quarters, Detailed Arrangement, and then
17 in the center it says, 03 Level Living Quarters. Okay. Okay.
18 And so Steve's window was what you went out of and, if I
19 understand correctly, you said you saw water before you went out
20 the window. You saw water inside the house. Was it inside the
21 passageway you were -- I have my hand going back and forth?

22 A. I don't see your hand going back and forth on the screen.

23 Q. Okay

24 A. Anymore.

25 Q. Okay. Well, let's see. You see the -- it says two-man VIP

1 room and then there's a door facing aft -- coming out of the
2 two-man VIP room. And then there's a passageway there.

3 A. Yeah, the hallway there. I see the hand now.

4 Q. Yep. Great. Maybe I was moving it too fast. So is this
5 where you saw water coming into when the vessel was on its side?

6 A. Yeah. When I crossed over to go in that company man's room,
7 the water was all the way up to where your hand is

8 Q. Okay.

9 A. Maybe a little farther back by the -- closer to the office
10 door, but it was down more.

11 Q. Okay. So the water was filling that passageway up to about
12 the level of the office door to the two man VIP room. Is that
13 accurate?

14 A. I would say yeah. I mean, you know, because I looked down,
15 and all you could see was water, and it wasn't that far down, you
16 know? So I -- to my best recollection, I would say you know it
17 was at least up to that point right there by the office door, if
18 not -- that was all underwater, and it was, you know, it seemed
19 like it was rising to me but you know I didn't really you know, it
20 was just a lot of water in there, you know? I know our rooms are
21 the only ones, were you know last top side there, didn't have say
22 in it yet.

23 Q. Okay. Okay. That's still very helpful. Now did -- when the
24 vessel started to go over, you mentioned earlier, though, that you
25 -- I don't know the exact wording, but that they didn't stop the

1 engines, but started to slow down, was it? Is that correct?

2 A. Yeah, he just throttled back the engines, you know? We were,
3 you know, full steam ahead, and, you know, you could tell when the
4 engines are being pulled back on the throttle. So he's slowing
5 down. He slowed the vessel down.

6 Q. Okay. Okay. And it was shortly after that that you felt the
7 motion to the vessel? Felt it going over?

8 A. Well, when he throttled back, before I felt the list, I
9 noticed he had done another maneuver that had seemed to me like he
10 had one in reverse and one in forward, like he was twin-screwing
11 it.

12 Q. Okay.

13 A. I mean, I didn't really know why what was going on you know.
14 I really just had no idea you know what was fixing to take place,
15 so I didn't, you know, I just felt like we might have had some low
16 visibility, and you know, needed to kind of stay where he was at
17 until you could see better or whatever, you know, is what I was
18 thinking in my head.

19 Q. Mm-hmm. Mm-hmm. Mm-hmm. And did you -- when the vessel
20 started over, did you feel any rolling back and forth before you
21 felt it go over?

22 A. No. What I felt laying in the bed was I felt the -- you
23 could feel the starboard side a list. And for a few seconds I was
24 like no way man. And then I was like, yeah, it's listing, you
25 know, it's like were listing over. And that's when I stood up out

1 of bed and I was in that back bottom bunk there in the corner.
2 And that quick, over she went.

3 Q. Okay. Okay. And no pitching motion at all while you were
4 laying there in bed? Was -- this is -- I hate to really you know
5 drill down on this, but these little clues can be so helpful. Did
6 you feel any pitching motion? Did you -- could you hear any water
7 coming on deck, anything like that?

8 A. No, I couldn't hear nay water coming on deck, and I'm trying
9 to visualize what you're asking here, you know? A boat is a boat
10 and if it's in waves and it's you know, pitching, in waves? Is
11 that what you mean?

12 Q. Yeah, exactly. Was there any pitch first before you felt it?

13 A. No. No.

14 Q. Okay. Okay. And I think you mentioned that the seas were
15 fairly -- no, let me back up a little bit. Did the vessel hang at
16 all before it went over, or did it -- was it -- you said it
17 started to list and then did it just go right over? Was there any
18 other intermediary motion?

19 A. No. I could just -- you know, that boat always had a -- you
20 know, it was heavy in the back, so it rode high in the bow and
21 somewhat lower in the stern, because the stern of the vessel is
22 very heavy, you know? So she always had that kind of a backwards
23 -- or not backwards but just -- I mean you know that's just the
24 way it is on that boat, you know? She didn't ride perfectly
25 level. It always had, you know, to the back, as you can see in

1 that photo.

2 Q. Right. Okay. So you're seeing this photo of the vessel
3 right now, as this was actually taken as it was leaving the Port
4 Fourchon, so you're actually seeing that photo. So that's what
5 you're describing now is -- it's a little bit heavy by the stern;
6 is that correct?

7 A. Yes, sir.

8 Q. Okay. Okay. And what -- any other unique sounds that you
9 remember? Anything other -- that you could add to what you just
10 told us if you think back? Anything that sort of made you say, I
11 hear something else going on?

12 A. No. It was very quick. I mean, like I said, I -- when I
13 felt that feeling from a starboard list while I was laying the
14 bed, within 15, 20 seconds, I'm like, okay, yeah we're really
15 listing. And I stood up out of bed, and as I'm standing there,
16 she flipped over. I mean, that fast, I mean it was like, that's
17 how it happened. And that crane that you see right there, when
18 the boat flipped over, I thought that thing was coming through my
19 cabin. It sounded so loud, I don't know what it tore off, you
20 know, when it -- when the boat flipped, but maybe one of the air
21 conditioners or something up there that's welded to the top right
22 above my cabin, that's what ripped a hole open in my ceiling and
23 allowed me you know to be able to see a little bit enough to find
24 my backpack to grab my flashlight. So yeah, it was all very
25 quick.

1 Q. So when you say the crane, we're looking -- this is the
2 port-side crane, the orange crane structure that we're looking at.
3 Is that what you're talking about?

4 A. Yes, sir. Yeah.

5 Q. Okay. Okay. And before I hand it over to some of my
6 colleagues here, you -- when the vessel left Port Fourchon, did
7 you -- was this a -- was there anything different about when she
8 left this time, then any other times you had left with this
9 vessel?

10 A. I'm sorry. You're going to have to say that again. You kind
11 of broke up just a little bit there.

12 Q. Sure. This time when you sailed from Port Fourchon, was it
13 any different? Was there anything that was distinctive or set
14 this voyage apart from other voyages you had taken on this -- on
15 the Seacor Power?

16 A. No.

17 Q. Okay. And my last question for the incident, before I turn it
18 over, is you mentioned that you relieved a mate? Is that correct?
19 On this voyage.

20 A. On this voyage?

21 Q. Yes.

22 A. No. The mate was working days, with David.

23 Q. Okay. But you didn't relieve a mate, have any relief
24 handover with the mate that got off the boat, did you?

25 A. No.

1 Q. Okay. I must have misunderstood.

2 A. No, I just kind of were -- we said hello, and he was walking
3 off as I'm walking on and you know him and Brian would have talked
4 if they did talk they would have you know done their little
5 handover talk and I didn't see them do that. They may have done
6 that while I was in the galley or before Brian sat down with me in
7 the galley.

8 Q. Okay. Okay.

9 A. So I don't know.

10 Q. And sorry, lastly, I sort of lied a little bit. The last
11 question before I hand it over. When you first came out of that
12 window, can you estimate the sea state, how high the seas were?

13 A. Well, they were -- the way they were busting into the corner
14 of the cabin and the way the hull was sideways or the main deck, I
15 mean, it -- and when I was floating around I would say there were,
16 it had to have been 12 foot seas, ten to 12 foot seas. I was like,
17 where did all this come form, I had no idea. You know? It just
18 seemed like they were huge. I mean, I you know, I know they were
19 big. The wind was blowing real hard and it was raining real hard
20 and you know it's hard to, I mean, really -- you know, they may
21 have not been 12 foot. They may have been eight foot, they may
22 have been six foot, but they seemed big when I was in them. So it
23 wasn't calm like it was, you know, when I had stepped out and
24 tried to smoke and got wet you know. It was way, way worse than
25 that.

1 MR. KUCHARSKI: Okay. That's -- that's -- great. That's
2 good information. I'm going to hold here, and see if nay of my
3 colleagues have follow-on questions. Drew?

4 MR. EHLERS: Thanks, Kevin. I just have one follow-on
5 question. You mentioned stepping out to get a smoke and then the
6 rain coming and getting you all wet --

7 MR. KUCHARSKI: Drew Ehlers, NTSB.

8 MR. EHLERS: Drew Ehlers, NTSB, sorry

9 MR. KUCHARSKI: Thank you.

10 BY MR. EHLERS:

11 Q. How long -- if you can, can you estimate how long between
12 when you stepped back inside -- well, let me ask this. From when
13 the rain started and it forced you inside to when the Power rolled
14 over, did you have any sense of the time between how long it took
15 between those two events?

16 A. It wasn't long at all, I'll tell you that. Maybe less than
17 five minutes.

18 Q. Okay. Before that rain hit, was there a lot of wind before
19 the rain hit?

20 A. No. It was like, when I stepped out and looked forward toward
21 the bow, you know, it was probably three, four foot seas that
22 you're hitting head on. And you know when I looked out, you know,
23 you could just tell that you know we were about to get a rain
24 swell because it was turning dark and white-like, and the winds
25 was kind of swirling, you know, it was blowing and you know

1 blowing the rain all up on me, got me wet.

2 Q. So as that rain passed over is when the wind started to pick
3 up?

4 A. It must have picked up once I got back inside, you know, or
5 you know right as I got inside. Because like I said, when I went
6 back into my cabin, got my wet pajamas on, laid them on this chair
7 right there, and thinking they were just dry by the time I woke
8 up. I hopped in the bed -- like I said I would say I wasn't in
9 the bed maybe three or four minutes, then she flipped over, you
10 know? It was just no telling.

11 Q. Okay. All right. Thank you, Captain.

12 A. Mm-hmm.

13 MR. KUCHARSKI: Marcel, you didn't have your hand up, but I
14 guess you -- I see your picture, so do you have questions?

15 Yes, thank you, Mike. This is Marcel Muise, NTSB. And
16 Captain thank you for your time again. I just have one follow-up.

17 BY MR. MUISE:

18 Q. Can you confirm for me the window that was in your room, not
19 Steve's room, but your room, did that one open. Could you open and
20 crawl out that one if you had to, without busting it?

21 A. No.

22 Q. Did that -- it was the same design as the one in Steve's
23 room?

24 Q. None of them windows you could just open up. They're -- you
25 know that, they're just -- they don't open. They're just windows

1 in there. They're not the type that you -- any boat I've ever
2 been on you can open a window.

3 Q. Okay. All right. Thank you. That's all I have.

4 A. Mm-hmm.

5 MR. KUCHARSKI: Captain Philips?

6 BY CAPT. PHILLIPS:

7 Q. Good afternoon, Tracy Philips of the Coast Guard. Thank you
8 for the detail and all of the particulars. It was really, really
9 helpful to hear the entire story. Your level of detail was
10 incredible, so I really appreciate it.

11 A. Yeah.

12 Q. I was interested to know if there was any point before you
13 got on your way that you had checked the weather or you were
14 worried about the weather for this voyage?

15 A. I went -- my objective was to go get sleep. David was going
16 to take care of all that, I assumed. He's the captain of the
17 boat. It was established between me, him, and Bryan that I was
18 going to work at night with Larry and James Wallingford and the
19 night cook, which would have been Mr. Earnest -- I think was his
20 name, Earnest. So when that was said, there was no further
21 conversation between David and I. I went and got my bags and went
22 up to my cabin and got ready to get in bed and get some rest.

23 Q. Okay. Thanks. You talked earlier about the meeting in the
24 galley, right at the beginning, that the captain had called? He
25 talked about the load out and some of the JSA's?

1 A. Mm-hmm.

2 Q. At that -- did he do an orientation for the other folks that
3 were coming on board that weren't familiar with the vessel?

4 A. He did.

5 Q. Do you remember what he covered in there?

6 A. He covered how, you know, all the rooms had life-jackets in
7 it. We had life-jackets at the muster station and at the -- the
8 main muster station, which was the port side. We had two
9 containers there of life-jackets, and talked about, you know, them
10 guys -- familiarizing themselves with the vessel, and you know as
11 the boat's being loaded out, you know, if you're not involved in
12 the load out, you know, not to be out there around everything and
13 went over some house rules, safety, stairway safety, things of
14 that nature.

15 Q. Great. Okay. Thanks. Was there any discussion about life
16 rafts?

17 A. Of course. I just -- we had said at the main muster station
18 on the port side that's painted in orange there. Specifically by
19 the crane we had the 25-man life rafts. He pointed them out in
20 the secondary muster station, which was on the starboard side, had
21 life capsules there, 25-man life capsules there. Each room had a
22 life-jacket for each bunk that was in the room. And during an
23 emergency or drills you know that you know you would report to
24 your designated muster station, which that one is the primary one.
25 And, you know, have your life jacket on and he discussed -- like I

1 said, a lot of things pertaining to the safety of, you know, just
2 general safety.

3 CAPT. PHILIPS: Great. Thanks. Mike, could you get rid of
4 the diagram so that I can see the captain, again?

5 MR. KUCHARSKI: You know --

6 CAPT. PHILIPS: Or is that on my end?

7 MR. KUCHARSKI: No, I don't see him at all. When they
8 changed over -- when Jim Gillis changed over, I lost him.

9 CAPT. PHILIPS: Oh, I see. Okay.

10 MR. KUCHARSKI: You know, I can try --

11 CAPT. PHILLIPS: Thanks.

12 MR. KUCHARSKI: -- not sharing at all and just see what
13 happens, see if he pops in. There. But he doesn't pop in, so --

14 CAPT. PHILIPS: Yeah Okay. Thanks.

15 BY CAPT. PHILLIPS:

16 Q. It sounds like you're pretty familiar with the Seacor Power.
17 What were the waves and wind limitations for the vessel?

18 A. Well, the vessel, you know, to get into real particulars you
19 know I'd have to be looking at the operations manual, you know,
20 but we don't run the vessel under way in anything over five foot
21 seas.

22 Q. Okay. Thank you.

23 A. And of course, you know, wind, you know, when she's jacked
24 up, of course you know she's designed to -- and there's a chart
25 breakdown somewhere in the operations manual on its limitations,

1 you know? What it can survive in hurricane force winds or below
2 and certain miles per hour, but you know, we just don't go running
3 around in a lift boat in high winds, in high seas.

4 Q. Yeah.

5 A. You know, if we, you know, if we ever get, you know, to a
6 point where we're underway and say you know the wind started
7 picking up or it started getting rough, you know, that would be
8 time to stop and get a safe jacking area and contact the office
9 and let them know that we're going to stop and we're going to, you
10 know let this weather pass, you know? So -- you just don't run
11 around in rough weather.

12 Q. Yeah. Can you think of times in the past where you knew the
13 weather was going to be rough, and so you did not leave the dock?

14 A. Well, of course. We would wait until the weather was
15 favorable.

16 Q. Okay. And that was pretty standard across the company?

17 A. Yes, ma'am. Okay.

18 MR. KUCHARSKI: I'll get into more specific questions about
19 the operations a little bit later.

20 CAPT. PHILLIPS: Got it. Thank you. All right.

21 BY CAPT. PHILLIPS:

22 Q. Then my last question is just about the actual incident. So
23 when the boat -- right before the boat rolled, did you hear any
24 alarms?

25 A. I didn't hear any alarms. I know that it seemed like I

1 remember the horn, is all, the vessel's horn. But that didn't
2 last long. Because everything happened so fast, you know? It
3 seemed like that when the horn was going off, you know, we were
4 going over. I did not hear any alarms.

5 Q. Okay. And I think you said it was really dark when it went
6 over? Do you think that was just because you didn't have the
7 light on in your cabinet, or you think the lights were out
8 throughout the day?

9 A. Well, when it flipped over, the lights went out and the
10 lights weren't on anyway in my room because I was in there trying
11 to get sleep, but you know there was no light in my room until
12 that small hole lit up, you know, a little bit of the inside of my
13 cabin. I'm assuming all light went out when the boat flipped
14 over. I mean, you know --

15 Q. Yeah. Because you didn't see any in the hallway when you
16 looked through there?

17 A. No. No. There was no lights on you know when she was on her
18 side, no, ma'am.

19 CAPT. PHILLIPS: Yeah. Okay. Thank you. That was all the
20 questions I had okay.

21 MR. KUCHARSKI: John Preston?

22 BY MR. PRESTON:

23 Q. Thank you, Captain. This is John Preston with AVS. I guess
24 I just want to try to understand this a little bit. So if I
25 understand right, your cabin actually had the window covered up

1 with aluminum foil or something else to keep the light out?

2 A. No, there was no aluminum foil on the cabin.

3 Q. Okay. So the windows was actually --

4 A. There as a curtain, but that was, you know, there's curtains
5 on every window but you know the curtains weren't covering it.

6 Q. Okay. All right. And then it was basically dark in there,
7 and at some point then you said the something went -- hit the
8 house and it opened up the corner of your room?

9 A. Yeah. I say something probably got torn off or something
10 because, you know, I noticed that, you know, there was some light
11 coming through the ceiling there, it seemed like to me. I mean,
12 the window in the mates room did not have tin foil on it. It had
13 -- the windows are tinted, like -- this window looks like someone
14 may have spray-painted with, you know, black paint but it was
15 nothing covering it.

16 Q. Okay. All right. I was just trying to understand why it was
17 so dark, but somebody else said, you know, it was light in their
18 room at that time, so, okay.

19 A. Oh yeah. I got a little light. It had to be something that
20 busted up the top as it made a little light in there for me to
21 see.

22 Q. Okay. All right. And is -- in this photo, can you see the
23 photo of the unit now?

24 A. Yeah, sure.

25 Q. Is this the normal attitude, you know, bow and stern type

1 drafts that you're used to seeing this unit operating?

2 A. Yes.

3 Q. Okay. All right. Thank you.

4 A. Mm-hmm.

5 MR. KUCHARSKI: Sorry, John, are you all finished?

6 MR. PRESTON: Yes, I am. Thank you, man.

7 BY MR. KUCHARSKI:

8 Q. Okay. Captain, when -- just to be clear about this, you said
9 you went out to have a cigarette, this is just prior to the -- you
10 know, getting wet, okay.

11 A. Right.

12 Q. And you mentioned that you saw waves coming over the bow,
13 about two to four feet; is that correct?

14 A. Yes.

15 Q. Coming towards the bow? Okay. And you said you got -- the
16 rain hit you and you were getting wet. Did the rain seem to be
17 coming from the bow, the wind driven -- Was it a wind-driven rain
18 that was coming from the bow?

19 A. It was wind-driven rain that seemed like it had, you know, it
20 was coming -- the weather seemed to me like you know it was
21 changing --

22 Q. Mm-hmm.

23 A. -- I mean you know it was, it wasn't extremely windy while I
24 was standing out there, but it was breezy and then you know it
25 seemed like the wind just kind of -- as I was smoking and standing

1 there, it seemed like you could tell, the weather was -- a squall
2 was fixing to come up on us and we were going to have probably
3 some rain and some wind and I guess it was from the north is when
4 it blew in and got the rain on me. So that would have been coming
5 from the side, so yeah, it would have blew out of the north into
6 me.

7 Q. Okay, great. Thank you.

8 A. And we were traveling east, in an easterly direction.

9 Q. That's great. That's great. That's a great detail. Thank
10 you. Thank you. And so when you talked about leaving the dock
11 and there was a meeting, and Captain Philips asked you about the
12 life-saving gear and things like that, did you also -- you, the
13 captain and the mate, chief engineer, did you have like a
14 pre-departure meeting or anything like that where you discuss the
15 voyage itself?

16 A. Yes, I'm assuming they had, you know, they were going to take
17 care of that during the load out.

18 Q. Okay. But you were not part of that meeting; is that
19 correct?

20 A. I would have been -- when I came on tower at 1800, I would
21 have been briefed on everything that they would have been talking
22 about, the voyage plan and weather, status of the -- you know, the
23 vessel, everything from the speed to the, you know, just, you
24 know, turn it over for the night, you know? You would let me know
25 everything. We have a turnover process that we do and I would

1 know where we were, what location in the Gulf where we were at, so
2 yeah.

3 Q. Okay. So that would be at night. Okay. So if there are no
4 further questions on the actual incident itself, I'd like to move
5 into some operational-type questions and -- so if there are no
6 further questions on the actual incident that I was going over or
7 under way time? Okay. Captain, did you work or liaise with
8 anyone on this action voyage, anybody from the company?

9 A. I'm sorry --

10 Q. Did you work with anybody from the company on this voyage or
11 did you have any discussions about work with that person? The
12 company man?

13 A. On the voyage?

14 Q. Yes.

15 A. No, I didn't.

16 Q. Okay. And do you know -- these again are general operational
17 questions. When you were master on that vessel, did you calculate
18 stability?

19 A. We would work the stability up together, me and the engineer
20 or me and the mate. Sometimes all three of us, sometimes just the
21 two of us.

22 Q. Okay. Did you ever relieve Captain Leday (ph.)? As master?

23 A. Yes. Yes, we used to relieve each other --

24 Q. Do you know -- okay, great. Do you know if he calculated the
25 stability himself or if he had somebody else do it for him?

1 A. I don't know.

2 Q. Okay. Okay. Because we interviewed an engineer and the off-
3 coming captain, and they did -- the engineers said that he
4 calculated the stability. So I'm just wondering if you knew if
5 Captain Leday calculated the stability or if he had the engineer
6 do it?

7 A. I don't know how that would work out. I mean, like I said,
8 you know, it could -- he could either do it or he could have them
9 work on it together, the mate and the engineer, or you know -- but
10 the captain's going to have some part in it.

11 Q. Okay. Okay. And when you calculated the stability, did you
12 use a program, some kind of a program or a spreadsheet, or did you
13 use a form that -- some kind of a form?

14 A. It was a program.

15 Q. It was? Okay. And was it -- could you describe it? Was it
16 a spreadsheet type thing or did it have pictures on it or anything
17 like that or --

18 A. A lot of numbers. Okay. You know, I mean you got to
19 calculate how much fluid you have, your fuel, water, diesel -- I
20 mean, your diesel your water, your oils, and then the equipment
21 that's on deck, where it's placed at, you know, whether depending
22 on port or starboard side, and then it all goes into this program
23 and lets you know that your stability is good or it needs to be
24 adjusted.

25 Q. Okay. Great. And a little shifting gears. Did you also

1 consult the Cargo securing manual for the vessel, the cargo
2 securing manual, the CSM?

3 A. You're asking me if I have?

4 Q. Yeah.

5 A. Well, I mean, you know we got cargo on deck. You know, we
6 secure it as best we possibly can. I mean, there's places you
7 know that we try to set it towards the back where it's going to be
8 as close to the cabin as possible or in the center. So you know
9 it all plays a part in learning the boat.

10 Q. Okay. But there was there was a cargo security manual board
11 the vessel, and an approved ABS cargo securing manual. Did you
12 ever consult that?

13 A. I have.

14 Q. Okay. Okay. Did you ever do any calculations out of that
15 manual?

16 A. I'm sorry. What?

17 Q. Did you ever do any calculations per that manual for securing
18 cargo?

19 A. Oh, gosh. That'd be a long time back that I've worked on
20 that vessel as a master, so it'd be hard to recall, but yeah. You
21 know, it's just, you know, I don't -- I'm not really sure what
22 you're asking about calculations though.

23 Q. Okay.

24 A. On stability. Is that right?

25 Q. Well, no I was asking about the cargo -- any of the

1 calculations from the cargo securing manual.

2 A. I just did the stability on the program for the stability of
3 the equipment and the fuel and all that and the weights and
4 distributions and where it's supposed to be so the boat would ride
5 level.

6 MR. KUCHARSKI: Okay. I'm going to hold there. Before we --
7 the next topic will be ship handling, but for vessel operations,
8 any questions from the group? Drew? You had some questions
9 before? Okay.

10 MR. EHLERS: I did. I did. Sorry if I'm a little bit slow
11 with my --

12 MR. KUCHARSKI: No, no.

13 BY MR. EHLERS:

14 Q. -- technology here. Captain, as we understand it, the vessel
15 had a -- pretty much a full GFEMESS suite with NavTechs and
16 SatSea. As far as you know, was that equipment all operational?

17 A. I mean, as far as I know it was. I mean I did not go to the
18 wheelhouse while, you know, before I went to lay down, so I never
19 went up there, but First Officer Brian, the mate, would handle the
20 NavUnit or the --

21 Q. Okay. The last time you were on the vessel, how long ago
22 were you on the vessel previously? Would it have been 14 days
23 since you had gotten on?

24 A. I'd say it's all kind of hard to remember now because you're
25 trying to -- work seven days and then go home for seven days and

1 come back. But I guess your question was last time I was on there
2 was it working? Is that what you're --

3 Q. Yeah. Yep.

4 A. Yes, sir. It was.

5 Q. Okay. Go ahead.

6 A. There's you know the test procedure we go through I say we --
7 either myself or the captain or the first officer mate onboard
8 would do the testing on the GSS units.

9 Q. Okay. And the last voyage you were on, had you received any
10 weather warnings or anything else through NavTechs or StaSeas or
11 anything like that?

12 A. I didn't receive any, no. You know, whether -- I couldn't
13 say.

14 Q. Okay. Did -- was that equipment always kept on, operational?

15 A. Yes.

16 Q. Is that yes?

17 A. Yes.

18 Q. Okay. All right. Was there ever any occasion to have to
19 turn it off or need to turn it off?

20 A. No, other than, you know, on certain jobs where they were
21 using explosives and these wells or something, we had to go on
22 radio silence, you know?

23 Q. Mm-hmm.

24 A. It would be, you know, turned back on.

25 Q. So it -- as far as you know, as long as you were underway,

1 that equipment was energized?

2 A. Yes. Yes, sir.

3 Q. Okay. All right. Thank you.

4 MR. KUCHARSKI: Okay. I don't see any other hands up, so I
5 will move into the next topic which is the ship handling, the boat
6 handling.

7 BY MR. KUCHARSKI:

8 Q. Captain, did the Seacor Power -- did it have an autopilot?

9 A. No, it did not.

10 Q. Okay. And you've had a lot lift boat experience, years and
11 years. How did this boat handle compared to other lift boats?

12 A. I thought she handled very well. You know, it's a big boat,
13 so everything's in slow motion, but she had the power, you know?
14 I mean, to move the vessel safely at any time except in high
15 winds, you know? I mean, generally them lift boats you don't move
16 around in high winds anyway because, you know, they're not like a
17 regular boat, so but she handled good, you know? The bow thruster
18 was very adequate in its power, and you know, you could walk the
19 vessel from port to starboard -- so yeah I felt she handled very
20 well.

21 Q. Was it -- you mentioned slow motion. Was it -- how about in
22 a full-speed turn? If you're going ahead full speed, was it quick
23 to turn?

24 A. It's fairly quick, yeah. I mean, sure. I mean, you know,
25 not lightning speed, but you know I mean for a big boat like it

1 is, you know I mean she would turn pretty quickly.

2 Q. Okay. And when you talked about, you know, I think -- I
3 don't know if you call it opposing shafts or you know twisting it,
4 you thought it sounded like Captain David was doing that. How
5 well did it twist when you opposed shafts and you had one going
6 ahead and one going astern?

7 A. You know, it was slow but for her size I felt -- I mean,
8 every boat's got different handling characteristics, you know?
9 Whether it be a big boat or a small boat. So when you twin-screw
10 it and turn the wheel, you know, she's going to go. The way you
11 got your wheel turned and which way you're -- ahead and which one
12 you have in reverse

13 Q. Okay. On a full-speed turn, without twisting it, a full-
14 speed whatever it is, five, six knots, if you put the wheel over,
15 did that vessel -- did the Seacor Power heel?

16 A. No. I don't think it did.

17 Q. Okay. For --

18 A. If it did it was very little. I mean, we're talking about
19 when you turn a boat hard, it kind of tops over like heels over. I
20 know what you're asking. I don't think so, not really.

21 Q. Okay. Okay. Through seas. You said you sailed master on
22 there. Where was the best place to take a sea? Bow, stern, beam?
23 Where was the best place on there?

24 A. Probably -- I don't know if there is a good place. Worst
25 place is hitting bow on you know, which is -- so the best place

1 would probably be kind of pushing on the side but kind of like on
2 your stern there. You definitely will go a little faster, but --

3 Q. So the -- you felt that taking the seas from the bow was a
4 bad place on this -- on the Seacor Power?

5 A. Well, I mean it's just you get a lot of banging action, you
6 know? And you know with these vessels, you want to try to limit
7 how hard your vessel's being -- getting by the seas, you know?
8 Because you got the leg sticking up and you know, you just got to
9 be careful when you're running in any kind of sea that could, you
10 know, cause a problem, but I mean, you know, generally, you know,
11 you just run along and, you know, if you have to you pull them
12 back, you know, so it isn't, you know, so bad or whatever.

13 Q. Okay. And was there a better way to take winds on that boat?

14 A. I don't really understand that question, so, you know, I
15 really don't know how to answer it.

16 Q. Well, let me rephrase it. If you had a strong wind, would
17 you want to be stemming it heading into it or would you want it on
18 your stern? Would you want it on your beam?

19 A. Well, if it was in a situation where, you know, I was going
20 to continue to travel? Is that what you're asking, too?

21 Q. Yeah. If you continued -- well let's break it -- in part. If
22 you continue to travel and then let's say you saw a big wind
23 coming, where would you want to put it? You've got a ton of
24 experience on lift boats, so what you can tell us is helpful.

25 A. I'm trying to answer that question, and I just -- you know, I

1 mean, you always want to stay going in the direction you're trying
2 to get to. So, you know, if the weather's, you know, impeding
3 that progress and getting, you know -- I really don't know how to
4 answer this question, I'm sorry. I don't know why but --

5 Q. That's okay. That's okay. If you had an -- if you knew a
6 big wind were coming, you don't have any preference as to where
7 you would take that wind? You saw a squall coming, would you head
8 into it? Would you try to put it on your beam? You saw that
9 squall approach, do you have any sense for that on that boat?

10 A. Yeah, I guess if you knew I knew I was caught in something
11 you know I'd probably want to take it on the bow.

12 Q. Okay.

13 A. Or on the bow's corner, you know?

14 Q. Mm-hmm. Mm-hmm.

15 A. Probably.

16 Q. Okay. Let me hold there. Thank you. Thank you for whatever
17 you can. I know they're difficult questions but I appreciate your
18 candor.

19 A. Mm-hmm.

20 MR. KUCHARSKI: To the group, any questions out there? Okay.

21 I see first up is Erik Verdin.

22 BY MR. VERDIN:

23 Q. Erik Verdin with the Coast Guard.

24 A. Yeah.

25 Q. Hey Captain, I'd like to go back just a second to the

1 incident. You said the only thing -- you said you heard the horn
2 sound?

3 A. Yeah, but it didn't last long, you know? So if Dave was
4 blowing the horn, it everything happened so fast. I didn't hear
5 the alarms, but I do recall the horn.

6 Q. All right. So that was the only -- you didn't hear any other
7 alarms? Nothing else sounded just the --

8 A. No. That's right.

9 MR. VERDIN: Okay. Just wanted to make sure. Thank you.
10 That's all I got.

11 MR. KUCHARSKI: Okay. Drew Ehlers?

12 BY MR. EHLERS:

13 Q. Yes, Drew Ehlers for NTSB. Captain, the -- when the legs
14 were being lowered and you were moving through the water, did that
15 affect the trim or the list of the vessel?

16 A. You talking about in this particular situation we were in?

17 Q. Nope. I'm talking about, if you're -- let's say that you are
18 going to --

19 A. -- operation or --

20 Q. -- and you're putting legs down but you're still making way,
21 did that affect trim or list?

22 A. Well, jacking the legs down while we're making way, is that
23 what you're asking?

24 Q. Yes, sir.

25 A. Jack the trim or list?

1 Q. Yes.

2 A. You know, usually we're not making way with the legs being
3 jacked down, you know. The only time we're doing that is when
4 we're getting on-location or off-location, you know, so we
5 generally don't run with the legs, you know what I mean? Can you
6 hear me?

7 Q. I can.

8 A. Okay. Because I hear a loud noise. But no, you know, you
9 can just, you know, the boat's loaded level, and when the legs go
10 down, the boat's just like it was while it was floating, but the
11 legs are going down. So no, it didn't do anything different.

12 Q. Okay. All right. Thank you.

13 A. Mm-hmm.

14 MR. KUCHARSKI: Erik Verdin, I see your hand still up?

15 MR. VERDIN: I -- take it down.

16 MR. KUCHARSKI: Okay. Okay. I see no other hands up, so
17 we'll move into next questions.

18 BY MR. KUCHARSKI:

19 Q. Your past weather experiences, Captain. For -- what would
20 you consider heavy seas for this type of a boat?

21 A. Heavy seas --

22 Q. Yeah.

23 A. -- are five foot or more than five foot.

24 Q. Okay. Did you ever handle a lift boat underway in seas that
25 were over five foot? Any other lift boat?

1 A. Try not to but, you know, sometimes you might get caught in a
2 situation --

3 Q. Sure.

4 A. -- before you can actually get jacked up or -- you know --

5 Q. And what did you --

6 A. -- get out of it.

7 Q. You've got a ton of experience at this, but I don't. I've
8 mastered big ships but never lift boats. So what did you do?
9 Tell us what you did in that type of a situation.

10 A. When I could tell we were getting too much seas --

11 Q. Yeah.

12 A. -- I would want to stop and jack the boat and let the bad
13 weather pass us by. So you know before it starts getting too
14 rough you know you got to make that decision to stop and find a
15 safe jacking zone, so you got to, you know, get further chance on
16 the -- and so it takes time. So, you know, you find your safe
17 zone so you're not going to jack up on a pipeline or something out
18 there. And you know you jack the vessel down and get it out of
19 the sea, you know, and monitor the vessel, you know, because
20 you're jacked up, you monitor that thing, so you know it's -- got
21 to be careful, obviously you know, to don't get caught in rough
22 weather, you know? Make that call, decision, you know, to get it
23 jacked up.

24 Q. Okay. And what kind of wind? What was the biggest -- the
25 highest velocity wind that you had to handle a lift boat in?

1 A. I mean, you know, there's been times you know that you know
2 -- when you have 25-plus knot winds, you know that's a lot for a
3 lift boat to maneuver in. So, you know, I just don't like wind in
4 a lift boat because you know they're not like your normal boat,
5 you know? Although I thought she handled well, the wind affected
6 that vessel, so -- or it could, and so you know, yeah, when your
7 winds are picking up your seas are picking up and your conditions
8 to maneuver, you know, drop because of that.

9 Q. You mentioned that you were Captain on this on the Seacor
10 Power in the past. Were you captain on there before they changed
11 the legs? It had shorter legs on there. Were you captain on
12 there at the time?

13 A. Before they lengthened them?

14 Q. Yeah.

15 A. Yes.

16 Q. Did the vessel react any differently when they lengthened the
17 legs? Did it feel like it heeled more in winds? Did it handle
18 any differently? Did it feel any different?

19 A. I don't think it did. I really don't think it did, Mr. Mike.

20 Q. Okay. Okay. Again, you know, you have the unique
21 capabilities of telling us before and after. Let me stop right
22 there before we handle our last topic, to see if there are any
23 follow-on questions. Captain Jim, how are you doing? Are you
24 feeling okay before we get into the last topic?

25 A. Yeah, I'm all right, we got some weather moving in over here

1 again but yeah I'm alright. Before long I'll need a break, but --
2 a bathroom break, but I'm okay for right now.

3 Okay. Okay. John Preston, I see you have your hand up.

4 BY MR. PRESTON:

5 Q. Yes, sir. John Preston with ABS. Captain, do you happen to
6 know where that -- the stability program came from that you used
7 on this parameter Excel spreadsheet?

8 A. It was on that boat when I got there, so I don't know where
9 it came from.

10 Q. Okay. Do you know about when that would have been? Was that
11 before -- or I guess this is before the leg up sometime anyway?

12 A. It was a long time ago. Back there in Superior, you know
13 before --

14 Q. Okay. Thank you, Captain.

15 A. Mm-hmm.

16 MR. PRESTON: That's all, Mike.

17 MR. KUCHARSKI: Okay. Thank you, John.

18 MR. PRESTON: Mike, by the way, there's two other people with
19 their hands up, I don't know if you can see them.

20 MR. KUCHARSKI: No, I can't. Who do we have?

21 MR. PRESTON: At least on my screen, anyway. Captain Philips
22 and Drew had their hand up.

23 MR. KUCHARSKI: Nope. I don't see their hands. Captain
24 Philips?

25 CAPT. PHILLIPS: I don't have my hand up right now. Thank

1 you.

2 MR. KUCHARSKI: I didn't think so.

3 MR. EHLERS: Nothing from me either, Mike.

4 MR. KUCHARSKI: Okay. Okay. Thank you, Drew. So Captain --
5 well now I see a hand up. All right. Who's raising their hand,
6 before we move onto the next -- okay. Anyone have a question? Go
7 for it.

8 MR. VERDIN: Yeah, Mike, hey this is Erik Verdin with the
9 Coast Guard.

10 BY MR. VERDIN:

11 Q. Hey, Captain Jim, that stability program. Did y'all ever
12 test that? Was there anything in your stability manual? They
13 give you any calculations to test that program? Do you know?

14 A. I don't know.

15 Q. Okay. -- Dave, the accuracy of the program wasn't tested
16 that you know of?

17 A. I can't say that.

18 Q. Okay.

19 A. Whether it was or wasn't.

20 MR. VERDIN: Okay. Just wanted to check. Thank you.

21 MR. KUCHARSKI: Okay. Mike Kucharski back. Thank you, Erik.

22 BY MR. KUCHARSKI:

23 Q. Captain Jim, have you ever worked with this charter, Talos,
24 before?

25 A. Talos? Yes I have.

1 Q. Okay. And you've worked for other charters, too?

2 A. Yes, sir.

3 Q. And how would you compare working with Talos from anybody
4 else?

5 A. I mean, they're a client that we've worked with on many
6 different occasions and, you know, going way back, so, you know,
7 they're fine, I mean --

8 Q. Okay. Did you ever -- well, you said you worked with Talos
9 before. Did you ever see any weather provided by the charters for
10 the Accent voyage? Or did you ever see Talos provide any weather
11 for any other voyages?

12 A. I mean, that's -- no, I can't say I have. I mean, I just --
13 no, they -- I don't know what to tell you on that. I know that
14 when we're on -- when we were on charter with them, you know, the
15 captain's always discussing weather, you know, with the client,
16 because of coordinating any incoming and outgoing cargo and
17 weather conditions, what they're going to be like one day versus
18 the next and can we do this today or tomorrow and or we going to
19 be able to? So, you know, there's times where you're always
20 getting with the client to discuss operations and weather is one
21 of them.

22 Q. Okay. Let me ask a follow-on question. Did you see -- ever
23 see any printed weather on the Seacor Power? Anything on a
24 program that you looked at or a print-out that told you about the
25 weather for that voyage? Did you ever see that?

1 A. For this particular voyage?

2 Q. Any voyage.

3 A. Any voyage? Well, I mean, you know, again, you know I
4 haven't been a captain on a vessel in almost two years, but yeah,
5 you know, you get a print-out, you know, from the office or you
6 know you want to check the weather yourself, you know, you go to
7 the website.

8 Q. Okay. When your -- is not on there, do you ever consult the
9 weather on the website or see any printed weather anywhere?

10 A. I mean, I didn't have to, you know, I mean the weather was
11 always, you know, when I was taking that role. But it's not
12 uncommon to take and you know look at the weather report at night
13 when you know you're going to have some high winds coming or
14 something. I mean, I'm not exactly sure what you're asking, Mike.
15 I mean, do we check the weather at night? Yes.

16 Q. No, what I'm asking you is there are weather services, some
17 provide weather to the boats.

18 A. Uh-huh.

19 Q. Did you -- you know checking the weather, did you see -- you
20 mentioned something about looking at the computer. Is there --
21 are you familiar with any particular type of weather that comes
22 out or did it come from dispatch? What -- was there any weather
23 that came out to that boat?

24 A. Yes, I mean the office would send weather reports to us.

25 Q. Okay. And so along with that, did the charter provide -- did

1 you ever see any weather reports provided by the charter? Like
2 the office --

3 A. Yes I have

4 Q. You have?

5 A. Yes, I have.

6 Q. Okay.

7 A. They have computers in their office onboard the boat, and
8 they watch the weather just like we do.

9 Q. Okay. Okay. So you didn't see it on this particular voyage,
10 but you have seen it in the past?

11 A. That is correct.

12 Q. Okay. Okay. I see some hands up. I'm assuming it's related
13 to weather because I have some more follow-on -- other questions,
14 but if it's related to weather, let's go ahead and take those. So
15 Drew?

16 BY MR. EHLERS:

17 Q. Yeah. I'm sorry to keep hammering away at this, Captain, but
18 when you got weather from a charter, was that when you were on
19 site at a platform or at a work site or did you get weather from
20 the charter during a transit?

21 A. While we're on the job site.

22 Q. And when you're in transit, did the charter ever provide
23 weather?

24 A. The client wants to know if, you know, what's the weather
25 going to be like? Of course, you know, to get the location, can we

1 not, when can we, so, yeah, they're part of the weather.

2 MR. EHLERS: Okay. All right. Thanks, sir.

3 MR. KUCHARSKI: Okay. Erik? Erik Verdin?

4 BY MR. VERDIN:

5 Q. Say, Captain -- excuse me. Sorry, Captain, to -- okay. The
6 -- prior to departure, it was common or y'all do a pre-departure
7 checklist, correct?

8 A. Yes.

9 Q. Okay. Was that pre-departure checklist, was it on paper or
10 just computer? Just notes or how did y'all retain copies of
11 evidence of doing a pre-departure checklist?

12 A. Well, it's on the computer and a pre-arrival, pre-departure
13 is logged in the rough log, you know, that you've done that, done
14 those items before departing.

15 Q. All right. Is there a list of items or -- sorry.

16 A. No. Go ahead.

17 Q. Is there a list of items that is in the checklist that y'all
18 use as references to complete this pre-departure checklist?

19 A. Say that again? I'm sorry, sir.

20 Q. Do you have a list of items that is, you know, like a
21 reference like a checkbox, say a list of items that says okay,
22 this needs to be checked off for our pre-departure checklist? This
23 --

24 A. Yes.

25 Q. -- needs to be checked?

1 A. Yes.

2 Q. Okay.

3 A. Yes. Yes.

4 Q. Okay. Is weather -- is checking the weather part of the pre-
5 departure checklist?

6 A. I'm sure that it is, yes.

7 Q. Okay. If there are anyway, how -- I mean, we know you check
8 it through some type of internet system or something. Do y'all
9 capture or is it normal to print up or document some kind of way
10 to show evidence of how did the -- you know, did y'all check your
11 weather. Do you print up a weather report, you know, to put with
12 the pre-departure checklist, saying to, showing evidence, yes, we
13 did check the weather. Here's what the forecasts was. Here's what
14 is intended -- here's what the weather's forecasting for our
15 voyage. Do y'all normally print out any evidence of weather
16 reports?

17 A. Yes.

18 Q. Okay. The one -- the one y'all used form the office or is
19 there a means that maybe one of you preferable weather reports?
20 Can you print out one of your preferable weather reports? One you
21 rely on the most? Is that printed out?

22 A. -- the most up to date and accurate forecast for the area
23 you're going to be transiting.

24 Q. Okay. And just to make sure I'm clear, so it's normally
25 printed out, the weather report's normally printed out, and

1 attached some kind of way or nearby the voyage -- the pre-
2 departure checklist or the voyage plan?

3 A. That'd be all in the same folder of, you know, for that
4 particular voyage.

5 Q. Okay. That's all I got. Thank you.

6 MR. KUCHARSKI: Okay. Thank you, Erik.

7 BY MR. KUCHARSKI:

8 Q. Okay. Captain, continuing along, are you familiar with the
9 Stopworth work authority at Seacor?

10 A. Yes.

11 Q. Did you ever have to exercise that?

12 A. I can't say I've had to do it recently but, you know, it
13 surely has been brought up, yes.

14 Q. Okay. And you say not having to do it recently. Is --
15 what's recent? Is it the last couple years, five years, what is
16 it?

17 A. I don't know how to put a time on something like that.
18 Trying to think, you know, I mean, you know -- pretty -- as things
19 go, it had been going very well you know, and it's just, I've not
20 had to -- I can't remember or recall the last time I had to say
21 you know stop work so yeah it's been a long time.

22 Q. Okay. How about -- have you been on board recently where any
23 captain has exercised stop work authority?

24 A. I can't say that I have. Not recently.

25 Q. Okay. And --

1 A. You know, we haven't been that busy in the last several
2 years, you know? We've been working but we haven't been solid
3 busy like we used to be before the oil fields started slowing
4 down, so -- but there's certainly stop work that goes on. I see
5 these write-ups that we get that, you know, these weekly safety
6 reports that we get out, you know, whether other vessels are using
7 us, so --

8 Q. Okay. Okay. So you're aware of what goes on but y'all
9 haven't been on a vessel where it went on recently. Okay. Okay.

10 A. That's correct.

11 Q. Okay. And so how did you -- you've had a lot of experience
12 with different companies. How was the atmosphere, the safety
13 culture at Seacor?

14 A. The safety culture at Seacor? I thought it was very good.

15 Q. Okay.

16 A. And you know -- work safe you know I mean, so -- that's the
17 way to be, and that's what our company asks of us, and that's what
18 we try to do to the best of our ability.

19 Q. Okay. Okay. And last few questions. You've sailed with
20 Brian Meers (ph.) before?

21 A. I have. Brian, at one time, was my mate.

22 Q. And what's your impression of Brian?

23 A. I like Brian very much. He's very experienced. He knows how
24 to handle a boat, he should be a captain, but you know he's
25 comfortable being the mate, so he's nice to have on board. He's a

1 go-getter and very smart.

2 Q. Okay. And Chief Encalade (ph.), if I'm pronouncing it
3 correctly, did you sail with the chief?

4 A. Yeah.

5 Q. And how --

6 A. Encalade -- yes.

7 Q. Yes. And how -- what's your impression of Chief Encalade?

8 A. I've -- you know, he's been doing this for quite a long time
9 and on lift boats and I've thought very highly of him.

10 Q. Okay. And is, you know, his performance as an engineer?

11 A, Yes.

12 Q. Okay. Okay. And last of the questions, the toughest one,
13 probably, Captain Leday, you've -- did you ever sail with Captain
14 Leday, besides this voyage?

15 A. Yes, I have. In fact, when I moved up to that size vessel,
16 David is who broke me out on that type boat, and when I stepped up
17 from a 230 class and so yes, I have sailed with David before.

18 Q. Okay. And did you sail as mate under him or did you relieve
19 him or how did that work?

20 A. No, I was going to start being his relief, and he was showing
21 me the vessel, you know? Me and the mate that was going to work
22 with me, we had -- the office put us on board with him, and we
23 traveled from Fourchon to Cameron.

24 Q. Okay. Okay. And likewise, the last of that, you felt he was
25 a competent master?

1 A. Yes.

2 Q. Okay. Thank you. Thank you for your candor, again. Erik
3 Verdin, Coast Guard?

4 BY MR. VERDIN:

5 Q. Yeah, quick question, Captain Jim. Appreciate your time.

6 A. Sure.

7 Q. Going back to stop work authority. For example, this day,
8 the -- had Captain Dave held back because of weather, would it be
9 required or would it be normal to plead a stop work authority and
10 submit that to the officer? Was that a report or if it was just
11 something normal just waiting on weather?

12 A. Oh, that was -- you know, it usually happens something
13 normal, I mean, not a regular boat, you know? We're not out there
14 like a supply boat that can handle big seas, you know? It's
15 obvious that you can't go nowhere in a lift boat in rough weather.

16 Q. Right. So if after the boat was loaded and it was, you know,
17 after discussion of weather references and the weather and they
18 decided well, we're just going to sit here and let the weather
19 pass, they'll -- there -- would there or wouldn't there not be a
20 stop work authority form completed?

21 A. I mean, I guess you could if you wanted to. I mean,
22 generally, you know, in the past it was something I would discuss
23 with the client and the office, so -- and I don't know if it'd be
24 in that order, you know what I mean? It'd be agreed upon, you
25 know, between all of us.

1 Q. Right, right. And that's just for recordkeeping processes is
2 what I'm asking about. Yeah, that kind where on the lines of
3 where I was going.

4 A. Yes, sir.

5 Q. Thank you, Captain. Appreciate your time again.

6 A. Yep. Sure.

7 Q. And -- you know, your --

8 A. Thank you.

9 MR. KUCHARSKI: Okay. Once around the horn. Anyone else
10 have any questions? Captain Jim, do you have anything you'd like
11 to add? Any insight, anything you'd like to add to this
12 interview?

13 CAPT. GRACIEN: Not really, Mr. Mike. Just, you know, I mean
14 it's three weeks ago to the day that it happened, so you know, I
15 was floating around somewhere three weeks ago out there, and you
16 know it was a rough deal but, you know, it's kind of good that I
17 just recently went through water survival. That really kicked in
18 and I stayed calm and got through with it the best way I could and
19 was, if I could get out. It's unfortunate, but I just think
20 about, you know, but no I don't have any questions. I need to go
21 to the bathroom, I know that.

22 MR. KUCHARSKI: Okay. Well, if there's anything you can
23 think of that maybe helpful, please don't hesitate to reach out to
24 us. We thank you for your time, tremendous interview. And if
25 there's nothing further -- Drew, do you want to have a word?

1 MR. EHLERS: I don't. I know Captain Jim wants to get going
2 so I just want to thank you on behalf of the NTSB for your time.
3 Thank you, Captain.

4 CAPT. GRACIEN: Thank you.

5 MR. KUCHARSKI: Okay. The time is now 17:06 Eastern Daylight
6 Time, 16:06. The interview has ended, and thank you again.

7 Thank you, Paul, thank you for making this happen.

8 (Whereupon, the interview was concluded.
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CERTIFICATE

This is to certify that the attached proceeding before the
NATIONAL TRANSPORTATION SAFETY BOARD

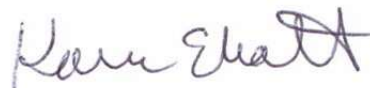
IN THE MATTER OF: CAPSIZING OF THE LIFTBOAT *SEACOR*
 POWER SOUTH OF PORT FOURCHON,
 LOUISIANA, ON APRIL 13, 2021
 Interview of Captain James Gracien

ACCIDENT NO.: DCA21MM024

PLACE: Via Microsoft Teams

DATE: May 4, 2021

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



Karen Ehatt
Transcriber



Office of Marine Safety
Transcript Errata

Matter: *Seacor Power*
Ref Nbr: DCA21MM024

Dear Sir/Madam:

Enclosed with this letter is a copy of the transcript of interview for Mr. James Gracien taken on May 4, 2021. Kindly ask Mr. Gracien to review this transcript for accuracy and provide suggested corrections, if any, in the attached table.

Thank you in advance for your attention to this matter.

5/24/21
Date

Michael J. Kucharski
Captain Michael J. Kucharski
Senior Marine Accident Investigator

TABLE OF CORRECTIONS TO TRANSCRIPT OF INTERVIEW FOR

MR. JAMES GRACIEN

TAKEN ON

MAY 4, 2021

PAGE NUMBER	LINE NUMBER	CURRENT WORDING	CORRECTED WORDING
		NO ERRATA SUBMITTED	

If, to the best of your knowledge, no corrections are needed kindly circle the below statement "no corrections needed" and initial in the space provided.

NO CORRECTIONS NEEDED. _____
Initials

Printed Name of Person providing the above information

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Date