

UNITED STATES OF AMERICA
NATIONAL TRANSPORTATION SAFETY BOARD
OFFICE OF ADMINISTRATIVE LAW JUDGES

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Investigation of: *
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MV ETHAN ALLEN, *
LAKE GEORGE, NEW YORK, *
OCTOBER 2, 2005 * Docket No.: DCA 06 MM 001
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Interview of: RICHARD POTTER

National Transportation Safety Board
490 L'Enfant Plaza East, S.W.
Washington, DC 20594

Monday,
October 10, 2005

The above-captioned matter convened, pursuant to
notice at 8:05 a.m.

BEFORE: BRIAN CURTIS

APPEARANCES:

BRIAN CURTIS
National Transportation Safety Board

ROBERT HENRY
National Transportation Safety Board

PETER GIONET
New York State Parks

RUSS LAYAL
Warren County Sheriff's Office

HUGH QUIRK
Shoreline Cruises

I N D E X

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P R O C E E D I N G S

(8:05 a.m.)

1
2
3 MR. CURTIS: Good morning. It's October 10th at
4 8:05 a.m. and we're going to interview Mr. Rick Potter. Is
5 that right?

6 MR. POTTER: Yes.

7 MR. CURTIS: From Shoreline Cruises. And you're a --
8 what's your title, Rick?

9 MR. POTTER: Dockworker.

10 MR. CURTIS: And, Rick, I'm with the NTSB, Brian
11 Curtis. We're going to do the safety investigation regarding
12 the October 2nd capsizing of the Ethan Allen. We think you may
13 have some information that will be helpful in our
14 investigation, so we'd like to ask you some questions this
15 morning. And before we get started, we're taping this
16 conversation and maybe transcribe it, and around the table,
17 each person identify ourselves. And additionally, as we all
18 ask questions, if we could identify who we are so it'll be
19 easier later if it is transcribed. I'm Brian Curtis with the
20 NTSB.

21 MR. QUIRK: I'm Hugh Quirk, Shoreline Cruises.

22 MR. POTTER: Richard Potter, Shoreline Cruises.

23 MR. GIONET: Pete Gionet, New York State Parks.

24 MR. LAYAL: Russ Layal (ph.), Warren County Sheriff's
25 Office.

1 INTERVIEW OF RICHARD POTTER

2 BY MR. CURTIS:

3 Q. Okay. Like I said, if you want to take a break or
4 anything, let me know and we can pause at any time. And a
5 little bit of your background in the marine industry and how
6 long you've been working for Shoreline and what your duties
7 are, if you would.

8 A. I worked for Shoreline since August of 2004. Before
9 that, I worked for four years in a marina in Florida as a
10 marine mechanic, assistant marine mechanic.

11 Q. Okay. And your duties here with Shoreline?

12 A. I help maintain a fleet of rental, small rental boats
13 and do some maintenance on the larger, larger cruise boats as
14 needed.

15 Q. Okay. So you do work on the De Champlain,
16 Ethan Allen --

17 A. Ethan Allen, The Algonquin, the Horicon, and the
18 Adirondack, also.

19 Q. Do you ever ride in these boats as a crew member?

20 A. Very rarely.

21 Q. That's not your typical responsibility there?

22 A. No, no. Usually, if they need an extra crew member,
23 they get one of the younger kids off the docks. They want to
24 keep me available in case they have mechanical problems.

25 Q. If you do ride, what's the responsibilities, or

1 what's a crew member do?

2 A. Help handle the dock lines, just try and make sure
3 everybody has a good ride, just basically, and also keep an eye
4 out for any obstructions or anything like that out on the
5 water.

6 Q. Regarding the Ethan Allen, did that boat have any
7 more or less problems or concerns than of the other smaller
8 vessels?

9 A. No.

10 Q. Anything stick out?

11 A. No.

12 Q. The engine, mechanically, any problems?

13 A. It was fine.

14 Q. Did you ever hear concerns of passengers about any
15 reluctance to ride on the Ethan Allen?

16 A. Occasionally we get people that change their minds
17 about everything. We get some people that have never seen a
18 boat before. They come up and they want to go until the last
19 second and then they start getting nervous.

20 Q. Okay.

21 A. So --

22 Q. But they aren't identifying any reasons for not --

23 A. No. They're afraid the boat's going to tip over, but
24 that's any boat. I mean, they never even really been within a
25 hundred feet of a boat before in their lives.

1 Q. Okay. I have some specific questions about the
2 Ethan Allen that you may be able to answer. You have the
3 engine compartment --

4 A. Yes.

5 Q. -- and the forward compartment.

6 A. Yes.

7 Q. Is -- are they common areas or are they totally
8 independent? Are they water tight from each other?

9 A. They're water tight from each other.

10 Q. They are?

11 A. Yes.

12 Q. Okay. So in the morning, do you do any daily checks
13 of the boats or isn't that your --

14 A. No, that's the captain's responsibility.

15 Q. And the morning of the accident, were you --

16 A. I wasn't here.

17 Q. You weren't there. Back to the bilge pumps a little
18 bit. So --

19 A. Um-hum.

20 Q. -- do you get -- would rain water get into those
21 spaces, or how often -- what's the frequency of pumping the
22 bilges and --

23 A. The bilges on the forward compartment's been dry all
24 year long. It really hasn't taken on any water all summer
25 long.

1 Q. On the Ethan Allen?

2 A. Yeah. The rear compartment, it's jacked and pumped
3 out as needed. We -- the bilge pump doesn't work on it. We
4 don't use it on the engine compartment because we don't --
5 we're worried about any contaminants getting into the lake, so
6 we hand-pump it.

7 Q. Do you know if the captains check the forward
8 compartment as well, or just the engine compartment?

9 A. They usually -- from what I've seen when they -- on
10 the boats, I mean, I usually have my own job to do, so I really
11 don't have a lot of time to watch what all the other people are
12 doing, but they check pretty thorough going through the boats
13 every day.

14 Q. So you don't have a responsibility to check the boats
15 in the morning?

16 A. Just as -- just a visual check, you know, if it looks
17 like it's low in the water or something like that I will. Or
18 once in a while, if there's been a heavy storm, I'll take a
19 look at it. But other than that, it's the captain's
20 responsibility to inspect the boat.

21 Q. Have you noticed the Ethan Allen leaning low in the
22 water at any time in the recent past?

23 A. No.

24 Q. The bilges, I see they pump over the sides with
25 the --

1 A. Right.

2 Q. -- pump. So how do you get the water out of the
3 bilges if you have to pump (indiscernible)?

4 A. We use a hand-pump and a five-bucket (sic) pail.

5 Q. And what do you do with the water when you take it
6 out?

7 A. We'll dispose of it with a -- in our waste oil
8 barrel.

9 Q. Okay. Do you know if somebody picks up that waste
10 oil? Is there --

11 A. It should be, yes. I'm not sure of the frequency of
12 it. They usually -- we would call as needed.

13 Q. And that's the waste barrel that's right there --

14 A. Yeah.

15 Q. -- in the utility there? Have you ever seen them
16 test the bilge pump, run the bilge pump?

17 A. I tested it this spring after -- when the inspectors
18 came, they checked this spring. I haven't used it in probably
19 about a month or so.

20 Q. I just know -- just for clarity, I notice there's a
21 push/pull switch --

22 A. Right.

23 Q. -- under there and it was the pull position, which --
24 is that the on position?

25 A. It should be pulled out to be on, yes.

1 Q. Okay. And then is there a main -- I noticed there's
2 a main switch up in the -- how do you turn the pump on, I
3 guess, is my question?

4 A. You have to throw the main breaker. There's a small
5 breaker that goes to the bilge pumps. You have to engage both
6 of those, then pull the pump, and then there's a Y valve going
7 to either of the forward compartment or the engine compartment.

8 Q. Okay. But typically, is that pump used --

9 A. Not frequently, no. Like I said, we hand-pump it
10 because we're concerned about the cleanliness of the lake.

11 Q. When a captain does his checks, does he -- do you
12 know if he fills out a checklist or writes anything?

13 A. Not that I know of. I'm not positive one way or
14 another.

15 Q. Okay. If you're doing maintenance work, say, on the
16 Ethan Allen a hose broke, how is that -- how do you find out
17 about it and what's the process for going through the -- say a
18 hose -- a coolant hose broke on the engine. Would the captain
19 tell you?

20 A. The captain would come and tell me and tell --
21 contact the owners and either the captain and/or the owners
22 would contact -- would inform -- tell me.

23 Q. But you could take a directive --

24 A. Yes.

25 Q. -- from the captain and --

1 A. Yes, if there's a problem, they want it fixed as
2 quick as possible.

3 Q. Do you necessarily have to tell the owner
4 afterwards --

5 A. I --

6 Q. -- or is that the captain that does that?

7 A. Both of us usually will, and let him know that it's
8 been -- that there was a problem and it's been repaired.

9 Q. Say, for a repair like that, do you have to -- do you
10 have to write it down in --

11 A. No.

12 Q. -- a written report?

13 A. No, I don't keep a log.

14 Q. And say you used up a particular hose, do you have
15 to -- how do you go replacing that hose?

16 A. We buy as needed from a local marine supplier.

17 Q. And who does the purchasing? Who would go and get
18 the hose?

19 A. It could be anyone of several people. It depends on
20 if it can be purchased locally or if it has to be ordered.

21 Q. Okay. But there are no log --

22 A. No.

23 Q. -- records, maintenance records kept, from your
24 perspective?

25 A. No.

1 Q. Regarding the loading of the vessel, the day of the
2 accident, they had 48 people on board. Have you seen that many
3 people on board there before?

4 A. One or two times. We usually -- they usually --
5 unless it would be a charter, they usually don't go out that
6 full.

7 Q. When was the last time you'd say you saw that many
8 people on the boat? Best recollection

9 A. I think maybe some time in September.

10 Q. So how many times, ballpark, you think you've seen it
11 loaded?

12 A. That kind of a capacity, maybe four or five times
13 this summer, this season.

14 Q. Have they ever had problems with that many people on
15 it, the trim, the list or anything?

16 A. No, not really.

17 Q. Did the captains ever express any concerns that it's
18 a big load that they are apprehensive about?

19 A. The only time I really heard a captain be
20 apprehensive -- over weather conditions, if it's really, really
21 nasty out, and that's -- as far as I'm concerned, that's just
22 using judgment.

23 Q. In the forward compartment there's some lead ballast
24 bricks down there, because they've been displaced. Are you
25 familiar with those bricks?

1 A. I knew they were there. I couldn't tell you the
2 weight of them or the number of them.

3 Q. Right. I was just wondering where they were position
4 originally, because --

5 A. Around the fuel tank.

6 Q. On each side of the fuel tank?

7 A. Yeah.

8 Q. There's a plywood platform. Is that where they're
9 positioned?

10 A. Yeah.

11 Q. And they've been there since before you --

12 A. Before I started working there.

13 Q. I understand that the Cummins that's in there now is
14 a different engine than they had before. Was that put in
15 before
16 you --

17 A. Yeah, that's an older motor.

18 Q. And is that had any mechanical problems? Has it
19 been, reliability-wise, okay?

20 A. No. It just runs fine.

21 Q. Just bear with me here. Does anybody -- were you
22 ever in the vessels that much? Do the captains say that one
23 vessel rides better or differently than the other ones? Any
24 discussion they had?

25 A. A couple of the captains -- there's one that had a

1 counter-rotating motor that a couple of the captains didn't
2 like that much.

3 Q. Which one was that?

4 A. I'm trying -- I can't remember which one it is
5 even -- it might've been the Cummins. I'm not sure. But
6 other -- I mean, it's just because of the way it steers. It's
7 a little bit different than the other two when it's in reverse.

8 Q. Do you notice that the Ethan Allen, to you
9 recollection, that it rode -- was it pretty even trimmed or was
10 it down with the bow --

11 A. Yeah.

12 Q. -- or the stern or one of the other --

13 A. It rode pretty evenly.

14 Q. Pretty evenly? And the fuel tank. Were you here
15 when the forward fuel tank was replaced in the Ethan Allen or
16 was that previous to your time?

17 A. That's previous to when I started here.

18 MR. CURTIS: That's all I have right now. I'll pass
19 it on to Hugh.

20 MR. QUIRK: I don't have no questions.

21 MR. CURTIS: Peter?

22 BY MR. GIONET:

23 Q. I'm Peter Gionet, New York State Parks. Rick, you
24 said that every once a while you would have to get water out of
25 the rear compartment. Do you mean where the engine space is or

1 do --

2 A. Yes. Yes.

3 Q. (indiscernible).

4 A. Not the lazerette, no. The lazerette never had any
5 water in that I was aware of.

6 Q. Okay. Just to clarify, lazerette (indiscernible) --

7 A. Where the rudder cable --

8 Q. Okay. Ted Beaudet said yesterday that they replaced
9 the water pump on the Cummins this year, is than correct?

10 A. Yes.

11 Q. Okay. Was it, you know, just a bad pump or did you
12 have to change the impeller or --

13 A. Change the pump.

14 Q. Change the pump?

15 A. Yes.

16 Q. Did you change your hoses at the same time?

17 A. We changed a couple of the hoses the first part of
18 this year. I believe Hugh had identified that there was a
19 chaffing problem on one of them and we changed it. I would
20 say -- I can't say for sure that it was within 24 hours. I
21 guess it was a little longer than that because we had to order
22 some hose.

23 MR. GIONET: Okay. I have no other questions.

24 BY MR. CURTIS:

25 Q. Just one. This Brian Curtis, NTSB. Rick, also, if

1 you could spell your last name for us while we're here.

2 A. Rick -- Richard Potter, P-O-T-T-E-R.

3 Q. Okay. Thanks. The valve position of the seacock --
4 sea strainer, is that -- now, you have two sea strainers.

5 A. Right.

6 Q. Explain if the position was on or off. I just wasn't
7 familiar with that one (indiscernible).

8 A. Yeah, we usually just use the one side of it and
9 it's -- if you push it forward toward the bulkhead is the open
10 position, and you can pull it to the back position to change
11 out the basket -- clean the basket out on the sea strainer, and
12 you'll lose a little bit of water, maybe about a quart, but
13 it'll -- then you can just take the end it off and pull the
14 basket up and clean any grass or anything out of the sea
15 strainer.

16 Q. So it's three positions, one side and the other --

17 A. Right.

18 Q. -- and then is there an off position?

19 A. No, there is -- that is an on and off, and then you
20 can also change it from the on position from side to the other.

21 MR. CURTIS: Okay. Okay, good. Anything else, Hugh?

22 MR. QUIRK: No.

23 MR. CURTIS: All right, Rick, I guess that's it.

24 It's 8:23 and I close the interview. Thanks a lot, Rick. I
25 appreciate it.

1 (Whereupon, at 8:23 a.m., the interview in the above-
2 entitled matter 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: Investigation of MV Ethan Allen
 Lake George, New York
 October 2, 2005
 Interview of Richard Potter

DOCKET NUMBER: DCA 06 MM 001

PLACE: Washington, D.C.

DATE: October 10, 2005

was held according to the record, and that this is the
original, complete, true and accurate transcript which has been
compared to the recording accomplished at the hearing.

David Martini
Transcriber