

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: BARBARA BOMMARITO

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

Wednesday,
October 5, 2005

The above-captioned matter convened, pursuant to
notice, at 10:45 a.m.

BEFORE: MARIETTE BURER

APPEARANCES:

MARIETTE BURER
National Transportation Safety Board

PAT BARNES
National Transportation Safety Board

STEVE RIVENBURGH
New York State Park Police

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I N T E R V I E W

(10:45 a.m.)

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3 MS. BURER: My name is Mariette Burer with the
4 National Transportation Safety Board. Today is October 5th,
5 and it is quarter till 11, 10:45. Next to me is?

6 MS. BOMMARITO: Barbara Bommarito. I reside in
7 Trenton, Michigan, and I was on the boat that capsized.

8 MS. BURER: Okay, and next to --

9 MS. BARNES: I'm Pat Barnes, National Transportation
10 Safety Board.

11 MR. RIVENBURGH: Steve Rivenburgh, New York State
12 Park Police.

INTERVIEW OF BARBARA BOMMARITO

13
14 BY MS. BURER:

15 Q. Can you tell us what happened on Sunday and how it
16 all evolved?

17 A. Well, we went down there to get -- and I know, my
18 first impression when I saw that, they said we were going to
19 have a cruise on the lake, that that wasn't much of a boat, but
20 then it was only supposed to be an hour, I guess. So we all
21 got on there, and even before we started, people sat on one
22 side, the boat kind of tipped, you know, and we all said,
23 whoop, somebody better go sit on the other side, you know. So
24 it wasn't real stable, I don't think. And anyway, we started
25 out, it was beautiful, and he was, you know, telling about the

1 different houses along the lake. And when he got up to that
2 point where he wanted to turn around, he started turning, and I
3 think -- I don't know, but it seemed like he turned too sharp,
4 I think, and that boat was so overloaded, and it right away, it
5 kind of tipped and a little bit of water came in. I thought
6 oh, my God, you know, we could -- I don't think we'll tip over,
7 but I -- anyway. Then it went again, and sure enough, I
8 couldn't believe it when it started going and the water was
9 coming in the boat.

10 And then next thing I knew, I was in the water by
11 myself underneath that boat. I didn't really -- I don't know,
12 I guess when you go through something like that, you just -- it
13 was like it's not real, you know. And but I knew I had to get
14 out of there or I was going to drown. So I kept trying to go
15 up, and I bumped my head, it still hurts, and I couldn't get
16 out that way. And then I thought well, I've got to go some
17 other way, so I started to think logically, then well then the
18 side of the boat would be over here. So I went down, I felt
19 the edge of it, and I went under it and came up. When I did,
20 here was everybody hanging on the boat. And I can't swim, you
21 know, I don't know how come I didn't sink, but I did, I guess I
22 was treading, you know, my legs. And I got over there, and
23 then that's when I got scared when everybody was hanging on the
24 boat and kind of pushing you, you know, and I thought I'm going
25 to fall in the water.

1 And Ann McGunagle was right by me, and she's a
2 terrific lady. When they came out, you know, with boats to
3 save us, I couldn't breathe. I guess I got a lot of water in
4 my lungs, and I was, you know, I didn't really talk, I was just
5 gasping for breath, and she yelled, she said get this girl, get
6 this girl, she's in trouble. So they did. And I was so weak.
7 I can't understand why I was so weak, but I couldn't do
8 anything for myself if I would've had to.

9 So these men came, and they wanted me to climb up --
10 you know, they came and got me and they said can you climb up,
11 says here's a ladder. I tried, I couldn't. So I think they
12 just grabbed me by the rear end and give me a push and got me
13 on the boat. And then from there, you know, they went to
14 shore, and they helped me over, and right away they started
15 putting covers on me and I got oxygen because I couldn't
16 breathe. Next thing was the hospital, took me to the hospital.
17 And I hadn't -- is it hypothermia?

18 Q. Uh-huh. Yup.

19 A. I would just shake. I got this warm, something new
20 that's hot, keeps you warm, covering me up with that. Kept the
21 oxygen, and the lung specialist came in and checked my lungs.
22 Anyway, they admitted me to the hospital then, and I was there
23 for three days.

24 Q. When did you get discharged?

25 A. Yesterday, about 6:00.

1 Q. Okay. Yesterday is Tuesday.

2 A. Uh-huh.

3 Q. Six p.m.

4 A. Uh-huh.

5 Q. Okay. Did you sustain any other injuries?

6 A. Just soreness.

7 Q. Soreness.

8 A. Yeah.

9 Q. Okay.

10 A. Like I say, the bump in my head, and my knees are
11 scraped, I guess where they pushed me on the boat.

12 Q. Right.

13 A. Yeah.

14 Q. Can you show us where you were sitting?

15 A. Oh, I was in the front. I had the prime seat. We
16 got on early. I was sitting right there.

17 Q. Okay.

18 A. And Matt McGunagle was sitting right next to me, the
19 two of us.

20 Q. Okay.

21 MS. BARNES: That was through the entire voyage?

22 MS. BOMMARITO: Yeah.

23 MS. BARNES: Oh, okay.

24 MS. BOMMARITO: Until they dumped me.

25 BY MS. BURER:

1 Q. Okay. When you first arrived, did you notice
2 anything as far as the life jackets?

3 A. No. Now you mentioned we were sitting there waiting
4 for the boat to load so we could go. Somebody sitting over
5 here, I don't know who it was, said, "Where's the life
6 jackets?" And they said, "I don't know, I don't think there is
7 any." And in my mind I was thinking well, you don't need them,
8 you know. But then someone told me that if we had had them, we
9 probably would've drowned because that would keep us up, you
10 know, we wouldn't be able to go under.

11 Q. Right.

12 A. Maybe it's just as well.

13 Q. Could you tell me about the captain, his demeanor of
14 the day, and how he interacted with you or other passengers?

15 A. Fine. I didn't see anything wrong with him. He was,
16 you know, giving us our tour, and he seemed all right.
17 Somebody said something, "Oh, he seemed like an old grouch,"
18 but I couldn't tell you that.

19 Q. Right. Uh-huh. Was he helpful as far as with the
20 people who had to use either walkers or canes?

21 A. Uh-huh.

22 Q. In that respect, helping them either get on or --

23 A. Well, I was way out in front so I couldn't tell you
24 that, but I know Ann McGunagle had her walker right up there,
25 and she pushed it up in front there.

1 Q. Okay, okay. Did you notice anything as far as all
2 the other windows on the boat?

3 A. There was Plexiglas or something in the front there.

4 Q. Okay. Can you go back through when you said he
5 turned sharply?

6 A. Well, it seemed like he -- with that many people, he
7 should've taken a wider swerve or something. It seemed like he
8 just turned.

9 Q. Which way did he turn?

10 A. He was going, you know, he was turning to the right
11 to come back.

12 Q. This was after -- how many -- how long into the tour
13 were you?

14 A. About a half hour.

15 Q. Okay. So you were on your way back?

16 A. I think he was turning to come back, yeah.

17 Q. Okay. Do you remember anything as far as your
18 surroundings are concerned at that particular time?

19 A. Well, there were people out there in boats, and I
20 know they said something about a big surge, but I don't
21 remember any big ship close to us, so I don't -- I think so. I
22 think it was just overloaded, and when it turned like that, the
23 water came in. It came in a big surge, but I don't think it
24 was another boat.

25 Q. Okay.

1 A. So --

2 Q. Can you describe the waters to me at the time of the
3 accident?

4 A. Oh, it was beautiful that day.

5 Q. Was the water calm, or --

6 A. Yeah. Uh-huh.

7 Q. Okay. So you were -- the water was also coming in,
8 right?

9 A. Yeah.

10 Q. In the beginning, just a little bit of water was
11 coming in?

12 A. It turned over -- the boat went over that way, and we
13 all went ooh.

14 Q. Which way is that way?

15 A. Well, to the left, I guess.

16 Q. Okay.

17 A. And then I thought that would be it, but then the
18 next thing I knew, it was going again, and the water came in,
19 and the boat went over.

20 Q. After it went to the left side first, did it ever
21 bounce itself again, or straighten itself out, or --

22 A. Well, after the first when it kind of straightened,
23 you know, it was just overloaded. That was what caused it.

24 Q. Right.

25 A. They said 150-pound people. I don't think anyone in

1 there weighed 150, unless it was that little Carol. She's
2 about 100 pounds, I think.

3 MS. BURER: Right. Okay. I don't have any questions
4 for right now. Do you?

5 BY MS. BARNES:

6 Q. You probably have mentioned this, and I missed it. I
7 apologize. This is Pat Barnes, Safety Board. Did the captain
8 give a safety briefing of any type?

9 A. Uh-uh.

10 Q. Did he advise anybody to move from one side to the
11 next to balance the weight?

12 A. Uh-uh.

13 Q. Did he indicate that, you know, when it wasn't
14 completely full, did he indicate oh, yeah, we can accommodate
15 more people?

16 A. Yeah. He let anybody on that wanted to come on, as
17 long as there was a seat, you know.

18 MS. BARNES: And I'll let Steve ask the questions
19 related to the vessel.

20 BY MR. RIVENBURGH:

21 Q. You were sitting --

22 A. Right in there.

23 Q. And which direction were you facing?

24 A. Forward.

25 Q. You were facing forward.

1 A. Uh-huh.

2 Q. So the folks sitting to your --

3 A. Yeah, back here. You know, I wasn't looking at them.

4 Q. You could see that.

5 A. Uh-huh.

6 Q. And the folks sitting to your left, you would see

7 them?

8 A. Uh-huh.

9 Q. Okay. Margie was sitting there. Do you know Margie?

10 A. Yeah. She was over to my left.

11 Q. Which direction was she facing?

12 A. That way.

13 Q. Okay, she was --

14 A. East or west or something.

15 Q. The other side of the boat. She wasn't looking --

16 A. It was facing -- yeah.

17 Q. Okay. You didn't see any -- you said you didn't see

18 the big boat.

19 A. Uh-huh.

20 Q. Did you see any type of boat?

21 A. Well, yeah. There were a lot of boats out there, but

22 not any certain -- I know somebody else said something about a

23 speedboat, but I don't remember it.

24 Q. Didn't see it?

25 A. Uh-uh.

1 Q. Okay. When you pulled into the cove, how far in did
2 you go?

3 A. Well, we just got to -- I don't know how far we went.
4 I don't know. I'd say it came to a point where, you know, you
5 would turn around.

6 MS. BURER: Unfortunately, I can't have you -- this
7 is, this is the cove right in here.

8 MS. BOMMARITO: It is? I remember there was an
9 island. Is that the island?

10 MS. BURER: Here's an island -- or you were looking
11 at an island?

12 MS. BOMMARITO: Well, when we got up to where, you
13 know, it narrowed there --

14 MS. BURER: Uh-huh.

15 MS. BOMMARITO: That's when he started to turn
16 around. We were, you know, back -- we weren't right at it, we
17 were back from it.

18 BY MR. RIVENBURGH:

19 Q. Do you recall if the speed on the boat picked up,
20 slowed down when you came into the cove area --

21 A. No --

22 Q. -- when you started to make this turn?

23 A. Sounded like the motor was louder. I don't know,
24 maybe tried to -- maybe he was having a hard time turning or
25 something. I don't know. But I did -- you could hear the

1 motor racing.

2 Q. That's when the boat started to turn?

3 A. Yeah.

4 Q. And you felt it turn rather sharp.

5 A. It seemed like -- well, because it tipped, you know.
6 If the boat hadn't tipped, I wouldn't have thought anything
7 about it. But I thought, oh, he's turning too sharp.

8 Q. Do you remember anything more about that point? Did
9 water come in over the bow at you, or --

10 A. When it went to tip over, yeah. A big gush of water
11 came over, and the boat kept -- and when we all slid over to
12 the side and --

13 Q. Slid over to the left side?

14 A. Uh-huh.

15 Q. There was in-come through the Plexiglas at you -- did
16 it? Or did it come from your side?

17 A. It came from the side, yeah.

18 Q. Okay. I'm trying to do this because I know you have
19 a bus to catch.

20 A. Oh, yeah. We're supposed to go to the airport.

21 Q. If not, I'll give you a first class ride.

22 A. It's nice to know I have people that can help me.

23 Q. We'll get there. I think there's something else I
24 want to ask you, but I can't think of what it is. It went
25 through.

1 A. Uh-huh.

2 Q. Went through the sieve and didn't stop.

3 A. Yeah. Yeah, they had smaller seats on this side, and
4 bigger ones on -- that would make it overloaded right there,
5 wouldn't it?

6 Q. Did -- while you were sitting there and going -- when
7 you left the dock to start the cruise, was the boat sitting
8 level, or was it still listing?

9 A. Yeah, it was level. We did notice when people were
10 getting on, and they were all sitting on this side, the boat
11 kind of tipped, and someone yelled, hey, somebody better sit on
12 the other side, kind of made a joke out of it, you know. But
13 anyway, it was full. I don't think there were any empty seats.

14 Q. But when you did leave the dock --

15 A. It was all right.

16 Q. It was stable.

17 A. Uh-huh. Yeah, it was a real pleasant ride up the
18 park.

19 MS. BURER: Are you talking about the left side or
20 the right side?

21 MS. BOMMARITO: It went over on this side.

22 MS. BURER: Yeah, but when it was actually kind of,
23 in the very beginning when people were boarding, was it the
24 left-hand side or right-hand side?

25 MS. BOMMARITO: Left-hand side.

1 MS. BURER: Okay. Pat?

2 MS. BARNES: I have no more questions.

3 MS. BURER: Okay. I don't have any more questions
4 either.

5 MS. BOMMARITO: Okay.

6 MS. BURER: Okay. Could you acknowledge that this
7 conversation has been recorded?

8 MS. BOMMARITO: Yes, I acknowledge that it's been
9 recorded.

10 MS. BURER: Okay, thank you.

11 MS. BOMMARITO: Okay.

12 (Whereupon, the interview in the above-entitled
13 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 Barbara Bommarito

DOCKET NUMBER: DCA 06 MM 001

PLACE: Washington, D.C.

DATE: October 5, 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.

Trevy Thomas
Transcriber