

UNITED STATES OF AMERICA  
NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

EMPRESS OF THE NORTH  
JUNEAU, ALASKA

Docket No.: DCA-07-MM-015

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Interview of: CAPTAIN NORMAN CUSTARD

Juneau, Alaska

Thursday,  
May 17, 2007

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

BEFORE: LIAM J. LARUE

## APPEARANCES:

LIAM LARUE, Operations Group Chairman  
National Transportation Safety Board  
Washington, D.C.

PAUL WEBB  
United States Coast Guard  
District 17

I N D E X

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I N T E R V I E W

(10:45 a.m.)

1  
2  
3 MR. LARUE: Good morning. It is Thursday, April (sic)  
4 17th, about 10:45. This is Liam Larue from NTSB here in Juneau,  
5 Alaska, investigating the Empress of the North grounding. To my  
6 right?

7 MR. WEBB: Paul Webb, D-17.

8 MR. LARUE: And we're talking with?

9 CAPTAIN CUSTARD: Captain Norman Custard, Chief of  
10 Response for the 17th Coast Guard District.

## INTERVIEW OF CAPTAIN NORMAN CUSTARD

11  
12 BY MR. LARUE:

13 Q. All right. Captain, if you could just go into a little  
14 bit of your background as far as Coast Guard Experience, you know,  
15 where you've been, what you've done?

16 A. Okay. Like I said, I'm currently serving up with the  
17 17th Coast Guard District Chief of Response. I've served on six  
18 Coast Guard Cutters, commanded four of them. I have just over 12  
19 and a half years of sea time. My last assignment prior to coming  
20 here was CO of the Chase out of San Diego.

21 From there, prior to that, I was at the Army War College  
22 and then at the Personnel Command of CO that Cutter Steadfast out  
23 of Astoria. And prior to that, I was at the Leadership and  
24 Management School down in Petaluma. Then I was XO of the  
25 Steadfast out of Astoria, Oregon and Long Beach. We did a cross

1 deck. I was CO.

2 I worked for the Army doing readiness plans and stuff.  
3 I think before that, when I was CO of the 110 of a 12 boat out of  
4 Coos Bay, Oregon.

5 Okay, teaching officer assignments at Yorktown. I was  
6 also CO of a 12 boat out of Puerto Rico, an 82-footer. And I  
7 served on another cutter, the Escape, out of Charleston.

8 So, that's, in a nutshell, that's the career.

9 Q. Okay, perfect. So, if you could, just go back to Monday  
10 morning, bright and early when you got the call.

11 A. Okay.

12 Q. Kind of take us through the whole evolution. Anything  
13 you can think of that will make it pertinent.

14 A. Okay. I don't know the exact time, but it was around  
15 2:00, or just after 2:00 I received a call from Commander Pollak  
16 (ph.) our chief of Incident Management Branch who advised me the  
17 Queen (sic) of the North ran aground and that they were abandoning  
18 ship. As soon as I heard that they were abandoning ship, I told  
19 him, Roger, I'm proceeding inbound right away. I live less than  
20 two miles away. I think from the time I hung up until I was in  
21 this building, it was probably less than seven minutes. Because I  
22 just basically, jumped out of bed, got dressed and hopped in the  
23 car and zoomed over here.

24 When I walked in here, it was still the watch,  
25 Lieutenant Booth Miller and Chief Mowry (ph.) were the two

1 controllers. They were frantically on the phones working cases.

2 Simultaneously while this was going on, when this  
3 incident happened, we were also involved in Northern Edge, Ardent  
4 Sentry Northern Edge, big Homeland Defense, Homeland Security,  
5 nationwide exercise. Because of that, I had a crises action watch  
6 set up across the hall, with three other individuals. So, there  
7 was, it was Commander Robertson, Lieutenant Commander Henshaw, and  
8 Lieutenant Fields. As soon as I came in here and I saw that the  
9 watch was having, was starting to become overwhelmed at that point  
10 in time, I grabbed those three individuals and I moved them over  
11 into the Command Center.

12 At that point, I started, I had Lieutenant Field start  
13 working a status board. And if you look in the command center,  
14 you'll see where we put a whiteboard and a couple of flip charts  
15 so we can keep status of what all assets were out there because we  
16 started to receive some good sams. We had two fishing vessels  
17 that were starting to respond. One of them was already on scene.  
18 It just arrived on scene, just as I got there, and the other one  
19 was en route. And then we were starting to launch our other Coast  
20 Guard assets. So I needed to find out who is out there, what's  
21 going on, and then start ascertaining capacity.

22 Lieutenant Commander Henshaw was working the calms,  
23 making sure to kind of oversee the radio watch standards to make  
24 sure we were communicating correctly and that we were getting the  
25 information as the watch standards so that the radio watch

1 standards can maintain focus on a radio and not worry about  
2 running and tell the controller, Lieutenant Commander Henshaw  
3 could be that relay and kind of also keep track of things and keep  
4 things updated.

5           And Commander Robertson, I told him to start making some  
6 other phone calls. And one of our first questions was, are we on  
7 the checklist? Have we broken out the checklist for mass rescue  
8 operation, which they had done, and they were methodically going  
9 through the checklist.

10           And some people recalled, probably about 20 minutes  
11 after I got there, Mr. Webb showed up, was probably the next  
12 person that showed up in the Command Center. And Mr. Webb also,  
13 the first thing he did was started to go through the checklist as  
14 a double, to make sure we were making all the right notifications,  
15 we were getting assets on scene.

16           We launched boat helos from Air Station Sitka. We  
17 called the Liberty, once I got there, to get underway as soon as  
18 possible. We also launched the aircraft from Cordova, we have a  
19 60 up there on a seasonal and we were launching a C-130, with the  
20 mass rescue raft from Air State Kodiak. Just to get assets moving  
21 as quick as we could, until we were able to get a full assessment  
22 of what was going on.

23           The first reports we had was like, say, 281 people that  
24 were abandoning ship. Like I said, the one good sam, the fishing  
25 vessel, arrived on scene and we were still getting preliminary

1 reports as to what is going on. And we just want to get assets on  
2 scene to find out and stabilize and just get eyes on target is our  
3 biggest concern, so we can get a good assessment at that point.

4 One, like I said, Command Center, we also had to make  
5 sure they notified personnel, other members of the command  
6 structure of the sector personnel, so we can also get some  
7 expertise and a prevention side and the vessel. And they started  
8 getting research background. We want to make sure the owners, the  
9 responsible party was contacted, which I was told they were.

10 There was quite a few. I, personally, talked to the  
11 Admiral, who was up in Anchorage at the time, and gave him a brief  
12 as to what is taking place. We had all these assets on scene.

13 We heard that they had deployed ten rafts over the side  
14 and they were all nestled up over the side, but that the people  
15 have not been disembarked, but they all have their life jackets on  
16 and were being mustered up. We were also told that the other ten  
17 life rafts they could not deploy because, as the ship was listed  
18 to eight degrees. They could not launch those. We're like, okay.

19 At this point in time, we had another good sam, another  
20 fishing vessel was arriving on scene. One of the first things I  
21 did after I made sure we got things in motion and we had a good  
22 status of who is already out there right now was I went to the  
23 marine exchange to find out what other boats were in the area. We  
24 were able to locate numerous other ships, a couple of the large  
25 cruise ships, also the Columbia Ferry, the Ferry Columbia and we

1 made, I had to make specific call outs to each one of these ships.

2 We did an Urgent Marine Information Broadcast, our UMIB,  
3 which is just a shotgun broadcast that's saying that there's an  
4 urgent matter out there and anybody that can assist, please  
5 respond and assist. But I also wanted to make specific callouts  
6 because sometimes people kind of blank it out, if you're not  
7 really listening, but when you hear your name being specifically  
8 hailed, people respond to that.

9 We were able to get a hold of all the other major cruise  
10 ships, but they were all out of position. They could not respond.  
11 They were just too far away and weren't in position to respond.  
12 But we got the Columbia and the Columbia was able to respond. So,  
13 they kind of turned around and diverted as quick as possible. We  
14 also, part of UMIB, there was a tug and barge that also answered  
15 it and he diverted to get over there. And he was carrying fuel in  
16 his barge at that point in time.

17 The two fishing vessels and barge got there at a good  
18 time. From the time we launched, I don't know the exact  
19 timeframe, but the Liberty was there probably about two hours up  
20 to the time we launched. They got underway very quickly, but just  
21 the transit time, it took them about an hour, just over an hour,  
22 hour and a half to get there.

23 Some of the people were starting to be offloaded onto  
24 the fishing vessel. So we were keeping track as our next biggest  
25 concern, I mean, our biggest concern was just getting the people

1 off the ship safely, finding out what's going on. We were working  
2 with the ship communications wise and they told us they were able  
3 to stabilize the ship. It was listing. It was listing eight  
4 degrees, but it seemed to be stable at the moment so that they did  
5 not have to put the people in the life rafts, so that we can just  
6 have these fishing vessels come right up along side the boat, and  
7 they were able to transfer people off that way.

8 I don't know the exact numbers of who got transferred  
9 where, we have that on our status board. But our biggest concern  
10 is we were transferring people off was accountability, who is  
11 where, so that we had a full accountable, so we didn't lose  
12 anybody.

13 So the fishing vessels took several people up to 30, I  
14 think, on one. The fuel barge ended up, the tug came along side  
15 and took people on. We did have, we kind of did a quick risk  
16 assessment. I had several members of the other staff started  
17 showing up that had knowledge on tug and barge operations and  
18 dangerous cargo. And we knew the barge was carrying diesel fuel.  
19 We did a quick assessment on that and we felt it was based on the  
20 information we were gathering at the time. The vessel was  
21 sinking. We had 200 plus, like I said 281 people onboard. We did  
22 not feel that the barge was going to explode or anything, that it  
23 was okay for the tug to come along side with this barge to get  
24 those people off, because the barge was able to take over 200  
25 people and yet the tug, just that asset alone, could have taken

1 everybody off, if we had to. And we didn't feel there was any  
2 danger. The vessel was stabilized for that to come along side and  
3 master, he made that final call on the tug. And like I said, he  
4 took off, I think 50 people is what he took off. I can't remember  
5 the exact numbers. We've got them posed there. But he did a nice  
6 job on that and then he backed off.

7           The Long Island was starting to get there on scene.  
8 Liberty. Excuse me, I said Long Island. I'm working the Long  
9 Island on another case right now. I just got off the phone  
10 talking about that. So, it was the Liberty. The Liberty got on  
11 scene.

12           We had the helos got there very quickly very early on  
13 and they were able to give us a quick assessment, so I'm kind of  
14 regressing a little bit. The two helos from Sitka got there  
15 quickly. One of them I designated as the on scene commander so  
16 that that person's job was to make sure that everybody got  
17 evacuated safely to all the good sams in an orderly manner and to  
18 keep track of where people were and how the ships come in to pick  
19 up the people and stuff. So, he was orchestrating that, the  
20 aircraft commander was doing that.

21           And then the Liberty was getting on scene. And then  
22 once the Liberty got on scene, then we shipped an on scene  
23 commander to the Liberty because that person was a better  
24 assessment, because the helos can only stay on scene for as long  
25 they can go airborne. I needed to keep somebody that can just

1 stay out there for as long as I need the person out there.

2 Liberty has a good (inaudible), has a good stable platform. So we  
3 shifted once the Liberty got out there.

4 Based on all of their assessments, we found out things  
5 were stabilized, we had more than enough resources there to take  
6 care of the situation to get the people off safely. We turned the  
7 C-130 back and the Cordova aircraft back. Because we had two 60  
8 helos. We already over half the people evacuated off the good  
9 sams. We didn't need to have two more aircraft in the airspace at  
10 that point in time. So, we turned those two aircraft back around  
11 and we managed everything with just the 60, stand over head, the  
12 two stand over head taking pictures and also monitoring things  
13 after we transferred to the Long Island (sic).

14 The Long Island (sic) was able to come along side,  
15 assess the situation and nestle right up along -- Long Island. I  
16 keep saying Long Island. Liberty.

17 Q. I wasn't going to say anything, I knew what you meant.

18 A. Yes, the Liberty came along side and was able to take  
19 off 127 people. So they got the rest of all the passengers off  
20 and some of the crew, nonessential crew members.

21 At that point in time, when they came along side, and  
22 they were evacuating the folks off, that's the first time we heard  
23 that the ship was actually floating and was not hard aground. We  
24 were still operating under the premise that the ship was still  
25 aground. But after the Long Island (sic) got there, there was

1 more daylight, they said she was adrift and they were alongside,  
2 everything was still stable, but she was free floating.

3           So she took the people off. And then we were talking to  
4 the Master and the Master indicated the flooding was under  
5 control, it was about 25 gallons per minute. Originally we heard  
6 it was completely double hull. We found out throughout  
7 conversations throughout the morning it's only double hull in  
8 certain parts of the ship, that it was flooding in the voids. But  
9 we had no indication that it was getting into the inner portions  
10 of the ship, at this point in time.

11           The Master felt that they could get underway. They were  
12 able to restore all power propulsions and they started working  
13 with the Sector. At that point in time, I handed the transit part  
14 off to the Sector because we had all the passenger safely  
15 evacuated. There were still 29 people onboard, but they were  
16 essential crew members to sail the ship safely. They started to  
17 go. There was another vessel that stayed with them during the  
18 transit to make sure they were working with the Captain of the  
19 Port for Juneau as to what they have to do before they can enter a  
20 Port.

21           During this whole rescue phase, we were also  
22 coordinating very closely with the City of Juneau and they stood  
23 up their Emergency Operations Center. And we got going shortly  
24 after we got our assets. Our first concern was let's get assets  
25 moving on scene to rescue the passengers and crew.

1           Once we had everything in motion, at that point time,  
2 then we shifted over, besides monitoring what was taking place on  
3 scene, okay, once we get these passengers, what do we do with  
4 them? So we looked at whether we go to Juneau, whether we go to  
5 Huna (ph.). And based on the on scene whether conditions and the  
6 transit times, there was only maybe 30 minutes difference, Juneau  
7 is a much better place to support this kind of mass rescue  
8 operation. We felt it was better. And also, at that point in  
9 time, we knew had the Ferry Columbia was arriving on scene.

10           So the plan was, once the Columbia arrived on scene, the  
11 on scene commander was supposed to coordinate where all the  
12 passengers that were on the good sam vessels on the two fishing  
13 vessels and on the tug and on the Liberty, we transferred them all  
14 to the Ferry Columbia, because that was a much better platform  
15 that could house everybody. Like I said, we wanted to make sure  
16 we had total accountability. We didn't like having people spread  
17 out all over the place. So we moved them.

18           Once the Columbia arrived on scene, the Liberty  
19 coordinated with them and, in an orderly manner, got the people  
20 moved, starting with the fishing vessels, got them off first, the  
21 ones on the two fishing vessels. Then it was the tug and barge,  
22 then the Liberty, I think, was the last one that got -- and there  
23 was also a pocket cruise ship that was out there, a smaller cruise  
24 ship, too. I forgot about that one. We transferred some people  
25 on to the Spirit of Columbia. The Spirit of Columbia, yes. So

1 there was two fishing vessels, Spirit of Columbia, and the tug and  
2 barge, and the Liberty. Those were the assets that we had various  
3 passengers and crew onto that.

4           So, now that we have the Ferry Columbia, our plan was  
5 all passengers and crew would be transferred to that. And then  
6 the Ferry Columbia was going to come to Juneau at Auke Bay. And  
7 that's when we worked with the local emergency operations folks  
8 here and then they put into their plan to make arrangements to  
9 receive all these, to receive the passengers, and the non-  
10 essential crew. And I know they set up their plan where they had  
11 buses meet them, took them to Centennial Hall, as well as the  
12 company reps were involved with that aspect.

13           Once they got to the pier, my knowledge, all I know is  
14 that was the plan and that's kind of what happened, but I don't  
15 know the details of what happened at that point. We also had a  
16 team mobilized and the Sector Anchorage was in charge of this one.

17       That was their tasking, as part of their normal duties, they had  
18 inspectors meet the Empress of the North, which he did tie up at  
19 Auke Bay. Sector Juneau. What did I say this time, Anchorage?  
20 Sector Juneau personnel were charged to go over there, meet the  
21 ship, and start their investigation, urinalysis, drug testing,  
22 start interviewing the crew. And I knew they did some follow on  
23 interview with the passengers when they got to Centennial Hall.

24           So, they started their aspect. They put a security zone  
25 or a safety zone around it, and a Captain Port orders. And he

1 started asking for a salvage plan.

2 Kind of getting back to the rescue side of the house, we  
3 were fortunate the weather was with us on this case. Again, we  
4 were very blessed because this could have been a nightmare.  
5 Luckily, there was no water slapping up against the Empress of the  
6 North, because, looking at the pictures after the fact, I can see  
7 here gunnels were getting close to the waterline, that it could  
8 have been bad real fast.

9 We're also fortunate where it happened. I was able to  
10 get resources to it very quickly. Like I said, the Liberty was  
11 able to get on scene very quickly. The helos were able to get on  
12 scene very quickly, so we're very fortunate in that regard.

13 As far as on the rescue side of the house, I mean, I  
14 thought it went well as far as the coordination. We got assets  
15 moving there very quickly. The passengers and the master seem to  
16 have been in an orderly fashion. You know, I can't really speak  
17 too much down there, but from our point of view, it seemed like it  
18 was orderly. Nobody, we didn't get any reports that people were  
19 panicking or frantic. When our on scene assets got there, they  
20 listened. They followed our instructions.

21 One of our other concerns with the other vessels that  
22 were responding we used, some of them were smaller vessels. One  
23 of the fishing vessels was 32 feet, one was 56 feet, that  
24 ballpark. And the tug and barge itself, it was the passengers  
25 possibly be exposed to the elements. It was still cool out there.

1 Not cold, but cool. And it was still a light rain out there.  
2 Luckily there wasn't much of a wind. But when the smaller ship,  
3 the Queen of, I mean the Spirit of Columbia came, we wanted to get  
4 try to get more people on her because she can provide them  
5 shelter. And that was the other reason when the Ferry Columbia  
6 came, we really wanted to get everybody on that one, because it's  
7 a large ferry that can accommodate all 281 and provide them  
8 shelter, warmth, and beverages. You know, some food and stuff.  
9 Just care to their comfort. So, we just first wanted to keep them  
10 out of the water and make sure that they were safe, but then the  
11 next phase is, we didn't want them to be exposed out there too  
12 long, because that would create other problems. But at least if  
13 they weren't in the water, we were okay. So it was just more of  
14 comfort than anything else.

15 But the other fortunate I have to say, is we had our  
16 extra watch standers here that I was able to tag real quickly to  
17 help us in an orderly fashion before the rest of the team arrived.

18 So we were able to move on this very quickly because of that.

19 Q. You said a Homeland Security drill and --

20 A. Well, it's a big, it was a Homeland Security Defense  
21 Exercise that was just ongoing simultaneously, so I had extra  
22 watch standers for that aspect.

23 Q. Okay.

24 A. It's called a Crisis Action Watch and these are standing  
25 members that we can recall anytime for any big contingency. And

1 in this case, if they weren't there on watch, they would have been  
2 called anyway.

3 Q. Okay.

4 A. We were just fortunate they were already standing watch  
5 because of this big exercise, --

6 Q. Right.

7 A. -- that I can just pull them over there immediately.  
8 Otherwise, it could have taken another hour before those members  
9 would have come. It was just the time, you know, getting up at  
10 2:00 in the morning and getting over here.

11 So, yes, I was here in the building probably at 2:15, no  
12 later than 2:15. I was able to get things moving in the right  
13 direction.

14 Q. What's your knowledge of the area that the accident  
15 happened? Is that a dangerous area or something, a place where  
16 this type of thing you would expect to happen?

17 A. Well, you know, I can't say I've sailed there too much,  
18 even if at all. You know, just looking at the charts and stuff,  
19 you're talking two, I mean we have huge tidal ranges here, which  
20 causes strong currents. And that's there's two big channels that  
21 are right there. So, you know, I don't have any firsthand  
22 knowledge, but just as a sailor, I would be concerned with any  
23 time you have a place to where two channels funnel in, you've got  
24 to really be concerned about the currents at that junction point.

25 (Whereupon, the interview abruptly ended.)

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF:                   The Investigation of  
  Empress of the North  
  Juneau, Alaska  
  Marine Accident  
  Interview of Captain Norman Custard

DOCKET NUMBER:                   DCA-07-MM-015

PLACE:                               Juneau, Alaska

DATE:                                May 17, 2007

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.

\_\_\_\_\_  
Kimberly J. Zogby  
Transcriber