

UNITED STATES OF AMERICA  
NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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EMPRESS OF THE NORTH

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JUNEAU, ALASKA

\* Docket No.: DCA-07-MM-015

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Interview of: Mike Mielke

Empress of the North  
Auke Bay, Alaska

Thursday,  
June 28, 2007

The above-captioned matter convened, pursuant to notice,  
at 1:00 p.m.

BEFORE: BRIAN CURTIS

## APPEARANCES:

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LIAM LARUE  
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National Transportation Safety Board

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Marine Operations  
Majestic America Lines

I N D E X

ITEM

PAGE

Interview of Mike Mielke, First Mate

By BRIAN CURTIS

P R O C E E D I N G S

(1:00 p.m.)

1  
2  
3 BRIAN CURTIS: Good afternoon. It's June 28th, 2007,  
4 at 1:00 p.m. Eastern Standard Time, and we're going to be  
5 interviewing the Chief Mate from the Empress of the North, Mr.  
6 Mike Mielke. Forgive me if I mispronounced that. And I would  
7 ask that as we go around, that each person questioning to  
8 identify themselves for -- in the interest if -- if we have  
9 this transcribed, that they can be identified. And -- Mike,  
10 we're -- we're conducting the safety investigation in the  
11 Empress of the North, and where you were Chief Mate onboard, we  
12 thought you might have some information that may be of  
13 assistance in our investigation. So, I'd like to ask you a few  
14 questions this afternoon, and we'll keep it moving along as  
15 best we can here.

16 BY MR. CURTIS:

17 Q. First of all, could you acknowledge that we're  
18 recording this interview?

19 A. Yes, indeed, I do acknowledge that you are recording  
20 it.

21 Q. Okay, Mike, and -- could I just get your age, please?

22 A. I'm 41.

23 Q. Forty-one. Okay. Your education, beyond high  
24 school, or any education you have leading up to your  
25 professional career?

1 A. Yes, college.

2 Q. And that was where?

3 A. California Maritime Academy.

4 Q. Okay, and year of graduation?

5 A. Eighty-nine.

6 Q. Eighty-nine. Okay. And following graduation, your  
7 professional -- where you sailed, and what led you to where you  
8 are today?

9 A. Okay. In a resume format, I worked down in Florida  
10 as a Third Officer, ships down there, one of the passenger  
11 vessels out of Lauderdale.

12 Q. Could you speak up just a little bit? I'm sorry,  
13 Mike.

14 A. Yeah, I was -- a passenger vessel out of Lauderdale,  
15 Florida, and then after that, made my way up to the Washington  
16 State ferries, and continued on to working -- I worked tankers,  
17 oil tankers, as an officer onboard, fuel oil tankers out at  
18 West Coast Tankers, and I proceeded to do some work on small  
19 passenger vessels after that time. I worked principally in the  
20 Sound, and worked my way up to Captain on those small passenger  
21 vessels. After that time, I moved on from that -- or the next  
22 opportunity, I should say, came up and it was -- that I worked  
23 some of the fishing -- fishing vessels on one of the factory  
24 trawlers, and worked as a Chief Mate doing some work there, and  
25 made my way to Russia. And after that, I worked -- came back

1 to some of the passenger boats. I did the west coast, and made  
2 my way all the way down to Mexico, and worked with high-speed  
3 ferries, Victoria Clipper, filled in -- even with them, worked  
4 between Seattle and Victoria. I moved on to help out with  
5 Glacier Bay Cruise Lines. With them, I had the opportunity to  
6 work my way up to Port Captain, assisting with the vessels up  
7 in the National Park in Juneau area. And also, I worked -- did  
8 some work filling in on research vessels at -- put together  
9 some survey work. I worked as Chief Mate on vessels between  
10 Oregon and Alaska for internet cable, and did some core  
11 sampling off the coast, down south, with that operation. And  
12 then I ended up returning to the -- after (indiscernible)  
13 became available, coming back and joining America West and the  
14 Empress, where I've resided for the last handful of years,  
15 here, aboard that vessel.

16 Q. When did -- when did you start with them? Do you  
17 recall the year, on the Empress?

18 A. I would say that -- I was just starting into my  
19 fourth year, so --

20 Q. Okay.

21 A. Yes.

22 Q. And, in your time there, have you sailed all -- what  
23 did you start as, did you start as Chief Mate, or --

24 A. I have worked as a Third Officer and my starting  
25 jobs, and I've also done fill-in work for -- I've worked as a

1 variety of different mates on different vessels, but I have had  
2 the opportunity to work Chief Mate on the research vessels, on  
3 passenger -- multitude overnight and captain on day boats, and  
4 Captain on small passenger vessels on the west coast, so I've  
5 had the opportunity to do the entire west coast and even Mexico  
6 with that. And then when I was working on tankers prior to  
7 this time, that was as a Third Officer also. First Mate on the  
8 high-speed ferries, and -- what am I missing on that?

9 Q. When did you start sailing Chief Mate with Majestic?

10 A. The year prior to the last one, that I started  
11 switching off with another fellow being Chief Mate, and then  
12 last year became a full-time Chief Mate.

13 Q. So that would be '05?

14 A. That -- that sounds right.

15 Q. Okay. And so since then, you've been sailing  
16 exclusively on the Empress, or other vessels in the fleet as  
17 well?

18 A. The Empress, here with this operation, yes.

19 Q. Okay. And is -- is -- was this the first Alaskan  
20 trip of the season that you were on, during the accident? For  
21 the vessel?

22 A. We had just completed the Seattle to Juneau run, and  
23 done the full Alaska itinerary, so this would have been the  
24 start of our seven-day itinerary in Juneau.

25 Q. Okay.

1           A.    Already gone through Alaska, but it was incorporating  
2 the Seattle-up run.

3           Q.    Okay, Mike.  That's some of that good opening  
4 information.  I'm going to start around here.  We'll open up  
5 the questioning now to Liam Larue.  Thanks, Mike, you can  
6 continue on.

7                   BY MR. LARUE:

8           Q.    Hey Mike, this is Liam Larue from NTSB.  Can you hear  
9 me okay?

10          A.    Yes, go ahead, Liam.

11          Q.    All right.  What I'd like to do first is to kind of  
12 get an idea of your work and rest schedule in the days leading  
13 up to the accident.  So I know this is going to be tough to  
14 remember, but you know, do the best you can.  The accident  
15 happened late Sunday night, early Monday morning.  Do you  
16 remember what your schedule was for that Sunday, what time you  
17 woke up, what time you went to sleep, what you did that day?

18          A.    On Sunday, Sunday at midnight, about 12:30, the -- or  
19 12:15, 00:15, I was called to the bridge, and then I responded  
20 to the bridge at half past midnight.  The Third Mate was ill,  
21 so I ended up taking his watch, and I was just going to give  
22 him a break for an hour, to spot him, and he ended being ill  
23 enough that I continued to take over his watch, and I ended up  
24 running the vessel between Auke Bay and -- up to Skagway.  
25 During the day, I ended up getting up a few hours later for

1 drill meeting, safety drill, and then I got a break, and I came  
2 back on for standard watch there that afternoon, being the 4:00  
3 to 8:00 was what I was assigned as the Chief Mate.

4 Q. Okay.

5 A. So I was up prior to that watch.

6 Q. So you were -- so you were asleep Saturday night, you  
7 got called up to the bridge at 12:15, 00:15?

8 A. Yes, yes, then I came up to the bridge at half past  
9 midnight and ended up staying the rest of the -- rest of the  
10 watch to go ahead and assume that watch while he sick.

11 Q. What time did you go to sleep after that watch?

12 A. I tried to get to sleep soon thereafter, probably  
13 08:30 is a target time. I do not know for sure.

14 Q. Okay, and what time do you think you woke up after  
15 that?

16 A. When the all-hands safety crew meeting was called,  
17 and my time with that would probably be -- prior to 10:00, I  
18 would say, so then I was up for at least an hour or two hours,  
19 and did get some sleep prior to my watch.

20 Q. Okay. How much sleep did you get prior to watch?

21 A. I'm going to say it was between -- somewhere around  
22 the noon hour, plus or minus half an hour, and getting up  
23 around -- I had to get up around 3:15. I get full rest there,  
24 so I was able to get some sleep while we were tied up on that  
25 day prior.

1 Q. Okay, and then what about that night? That evening?  
2 What time did you go to sleep on Sunday, after watch?

3 A. It was probably 9:00, 10:00 hour. Probably closer to  
4 10:00, after checking all the decks and doing my rounds.

5 Q. Okay. Let's see. We generally like to get it back  
6 about 72 hours, so I'm going to ask you to try and remember a  
7 little bit more. So you're working up at 12:15 on the Saturday  
8 evening; what time did you go to bed that evening?

9 A. We had a launch that went in, so I think I ended up  
10 going to sleep at -- I was up for the rescue boat launching at  
11 about 10:30, so I think I was asleep by 11:00, 23:00.

12 Q. Okay. What about that morning, what time did you  
13 wake up?

14 A. The morning prior to that?

15 Q. Saturday morning.

16 A. Okay, Saturday morning was turnaround day, Juneau. I  
17 was up for my standard watch. That would be at about 3:15.

18 Q. And Friday night, what time did you go to bed?

19 A. Backing up another day to Friday night,  
20 (indiscernible), that would be around the 9:00 to 10:00 hour, I  
21 would have to say, after elevacs.

22 Q. Okay. Now, was there anything unusual during the  
23 days leading up to the accident, or was it just kind of  
24 standard, standard work?

25 A. I would have to say that the evacuation of the

1 passenger on that Friday, that afternoon through evening,  
2 (indiscernible) my full watch, which is prior and after that,  
3 so about 3:00 until 9:00, we were highly involved with the  
4 passenger that we did end up losing.

5 Q. And that was on Friday?

6 A. Correct.

7 Q. Okay. All right, thank you very much. Good memory  
8 there. Next, I'd like you to just kind of go back through the  
9 whole accident, where you were when everything started  
10 happening, and kind of take us through your actions, what you  
11 saw, what you did, as best as you can remember. And then we'll  
12 continue on with some follow-up questions after that.

13 A. Okay. After I left the bridge and made my rounds  
14 that night, the night after we departed Skagway, I got some  
15 rest in. I was asleep, and I was indeed awakened around -- by  
16 the shaking, and immediately realized that this -- that we were  
17 -- in some kind of physical contact with something outside.  
18 And once I started to awake from this, get my head together, I  
19 was able to hear the address, the Captain came across, and  
20 (indiscernible) notified us that we needed to get up because of  
21 a situation that -- it was an emergency, very direct, very  
22 clear about that. And we proceeded to grab our PFDs and make  
23 our way out, and my duty is to report to the scene of the  
24 incident. I came up on deck and noted that there was -- that  
25 the lights were on on the vessel, outside, and that I heard air

1 rushing out of the (indiscernible), and being that -- with that  
2 response, I went down to the areas where the watertight doors  
3 had already been closed. Of course, I was outside my room, I  
4 saw that. And then I went down to inspect the damage once I  
5 got my deck staff on the radio, and we started patrolling each  
6 of the individual areas. I waited for direction, as we  
7 continue to start to set up patrols, and started responding to  
8 emergency. After it was taken care of inside, we took care of  
9 what needed to be done on-deck with the vessel, and that moved  
10 into my life raft launching. Again, after we started round and  
11 looked at a damage control situation -- of course,  
12 communications were established, and then we -- after that  
13 time, once we were alerted to the fact that different vessels  
14 were responding in the area, we coordinated after  
15 (indiscernible), having those vessels come alongside to assist  
16 in the safe evacuation of the passengers.

17 Q. Let's see here -- were there any issues of launching  
18 the life rafts, or any other emergency equipment, do you  
19 remember?

20 A. Yes, indeed. The (indiscernible) from the life rafts  
21 were indeed a problem. We had to (indiscernible) the rafts;  
22 the slides were packed backwards at the time.

23 Q. The slides were backwards, you said?

24 A. Yes, that is absolutely correct. The first one, I  
25 sat upward on it, and inflated it, and said, "Wow, maybe

1 something was done incorrectly," and maybe there was no way to  
2 resolve it by unclipping it or flipping it, so we had to cut  
3 that one free, but we cut it so we could still utilize it by  
4 putting line one in, but the other one did not work. We put  
5 the second one in, with all those that were standing there with  
6 me, I confirmed with everyone so that everyone could see that  
7 it was indeed put in the proper direction. It decided to  
8 inflate correctly, also. Between having to cut the rafts down  
9 and then inflating the slides backwards, that was something  
10 that I hope is well-noted in this conversation.

11 Q. Uh-huh. So once you flipped them, they both worked?  
12 Is that what you're saying?

13 A. Well, we had to cut them loose to flip them, because  
14 they came up and --

15 Q. Okay.

16 A. -- at an angle that was kind of -- were not  
17 effective.

18 Q. Okay.

19 A. So -- (indiscernible) with the lines on it, we were  
20 able to cut them loose and flip them over, and then lash them  
21 to the rail to try to use -- utilize them.

22 Q. Okay.

23 A. Of course, that's -- that may impact incorrectly, and  
24 I hope is looked into.

25 Q. Okay. How often do those -- do the life raft slides

1 have to be serviced?

2 A. I don't have an answer right now on the exact  
3 timeline on the rafts -- or on the slides.

4 Q. Do you know who's -- who would be the servicing  
5 facility, or --

6 A. Not on the slides, no.

7 Q. Okay. And then what was the problem with the life  
8 rafts? You said you had to cut them.

9 A. That is correct. The pump mechanism did not -- where  
10 the hydrostatic release is, the pump mechanism did not cut  
11 through it to activate the launch.

12 Q. And how many of the rafts did that occur on?

13 A. We were getting real close to 350%.

14 Q. Interesting. Okay, so let me make sure I've got --  
15 got this straight so far. So, you were in your rack when the  
16 accident occurred, correct?

17 A. Yes.

18 Q. And your job is to go to the scene of the accident?

19 A. That is correct.

20 Q. And so you reported to the outer decks immediately?

21 A. I went to the outer decks to assess the situation,  
22 from the outer decks, and then continued on, when I heard the  
23 air, to go down to see what kind of -- the air coming out of  
24 the void alerted me to the fact that the voids would be filling  
25 up with water. With my radio, I contacted mate -- mate COMS

1 (ph.) with the rest of the deck staff and had them start rounds  
2 in all the spaces up and down, seeing as -- in pairs, just like  
3 diving --

4 Q. Uh-huh.

5 A. -- that they could assess the exact situation and  
6 what was changing at the time. And then we had people stand by  
7 all locations to determine what our status was, and then report  
8 in.

9 Q. Now, these folks were reporting in to you?

10 A. Yes, they were. My deck staff, that's correct.

11 Q. Were you in contact with the bridge?

12 A. I did indeed call the bridge, and awaited -- just let  
13 them know that I was checking in, standing by for direction.

14 Q. Okay. And was -- were you receiving direction from  
15 the bridge?

16 A. I did, when we proceeded to launch the life rafts,  
17 and also they informed me of the other vessels that were nearby  
18 that were making their way to us directly, yes.

19 Q. So the bridge directed you to launch the life rafts.  
20 Were you instructed to launch all of them, a few of them? What  
21 was the plan there?

22 A. Start launching life rafts and stand by.

23 Q. Okay. All right. Let's talk a little bit about the  
24 Third Mate, Marino. What was your experience with him --

25 A. My experience with his is that I was aware that he

1 was joining. My experience was directly -- that I was to brief  
2 him on -- I was directed to brief him on the tests. That was  
3 my experience with him.

4 Q. You were directed to brief him on what? I'm sorry, I  
5 didn't catch that.

6 A. The steering gear test.

7 Q. Okay. Did he -- did he stand a watch with you at  
8 all?

9 A. He visited my watch, but he did not stand a watch  
10 with me.

11 Q. Okay. How long would you say he was on watch with  
12 you for? Or visiting you on watch for?

13 A. I would say that -- our meet and greet lasted 20 to  
14 30 minutes, would be most accurate.

15 Q. And during that time, you instructed him on the  
16 steering gear test?

17 A. No, that was while we -- I believe that's when we  
18 were underway. I mean --

19 Q. Okay. When did -- when did this meet and greet take  
20 place? What day?

21 A. That would have been -- no, it would be during watch  
22 exchange, I'm recalling now, would have been during watch  
23 exchange, and it would -- went to proceed with the steering  
24 gear test.

25 Q. So what day was that?

1 A. That would be -- let's see, Sunday.

2 Q. And that would be your afternoon watch?

3 A. That is correct.

4 Q. Okay. So, what are the -- what are the procedures  
5 onboard the ship for when you have new personnel like -- like  
6 the Third Mate reporting onboard? Do you have any procedures,  
7 or things you generally go over with them?

8 A. I don't have the information to be able to share that  
9 with you. I don't have anything -- thought on the procedures  
10 there.

11 Q. Okay. Is it -- is it normal procedure for an  
12 individual to go start standing watch right away? Is there a  
13 break-in period? Anything like that, that you're aware of?

14 A. That information, I do not have.

15 Q. Okay. Is this -- had you ever had other brand-new  
16 mates come onboard, like Marino, while -- while you -- while  
17 you've been there?

18 A. There have been mates that have joined us, yes.

19 Q. Like another Third Mate, since you've been there?

20 A. We have had Third Mates that have joined us, yes.

21 Q. Do you remember what training, if any, would -- you  
22 know, anything that was done with them when they first arrived  
23 on the boat?

24 A. They were directed to join different mates, and if  
25 you were directed, you would take them over different

1 procedures with them.

2 Q. Okay. Is there any sort of a check-in sheet that new  
3 hires, or new individuals, would be required to do?

4 A. I -- I don't have that information.

5 Q. Okay. How about when you first got to the ship? Did  
6 you have to do a vessel familiarization?

7 A. Oh, like just the safety walk-through?

8 Q. Anything like that.

9 A. Yes, there is -- there is a safety walkthrough that  
10 you do join on the vessel, that's correct.

11 Q. So any -- any new hire would be required to do the  
12 safety walkthrough?

13 A. Yes, indeed.

14 Q. Okay. Do you happen to know if the Third Mate in  
15 question did the safety walkthrough?

16 A. I do not recall.

17 Q. Okay. Whose -- whose responsibility is it to make  
18 sure that that is done?

19 A. That is coordinated through the -- my department, but  
20 I do not recall if his -- his form was signed or not.

21 Q. Okay, does Captain have night orders onboard, or any  
22 kind of standing orders for the watch?

23 A. He does have standing orders, yes.

24 Q. Are they required to be read and signed, prior to  
25 going on watch? What's the procedure for that?

1 A. Yes, they are asked to be read and signed.

2 Q. Okay. Okay. Who's -- who's in charge of laying down  
3 track lines for upcoming courses and -- during the voyage?  
4 Would that be your responsibility?

5 A. Second Mate.

6 Q. Second Mate, okay. Okay. All right. Let's see.  
7 How often do you do drills onboard? Like --

8 A. We do drills weekly.

9 Q. What -- what sort of drills do you typically do?

10 A. We have our primary -- our standard drills, fire, man  
11 overboard, abandon ship, (indiscernible) included, and then  
12 more extensive drills.

13 Q. Okay. So you do one of each every week, or just one  
14 of those per week?

15 A. We try to rotate one of them.

16 Q. Okay. Well, thanks, Mike. I'm going to pass the  
17 questions on the next NTSB guy here, Barry Strauch.

18 BY BARRY STRAUCH:

19 Q. Good morning, Mike, this is Barry Strauch. Can you  
20 hear me okay?

21 A. Yes, sir, good morning.

22 Q. All right, good. I'm going to follow up on some  
23 questions that Liam asked. You were on the Empress of the  
24 North what, about two years?

25 A. Three.

1 Q. Three years, okay. How many different captains did  
2 you report to in that time?

3 A. I know of three.

4 Q. Okay. One of them was Captain Orgain, is that  
5 correct?

6 A. Yes, that's correct.

7 Q. Okay. About how much time did you serve under each  
8 of them, just proportionally?

9 A. Orgain and Nordstrom, Nordstrom goes back full-time  
10 because he was there prior. And -- was just going on three  
11 years with Orgain.

12 Q. Okay, so -- it sounds like you had considerable  
13 experience working with him?

14 A. I did have a few years working with him, yes.

15 Q. All right. How would you describe him, as a captain?

16 A. In -- his personality?

17 Q. As -- well, not his personality so much, as his  
18 performance, the quality of his performance as a captain, his  
19 leadership skills, his seamanship skills, and so on?

20 A. I think he does an exceptional job. I think he's a  
21 highly rated individual that has worked his way up very  
22 diligently to become a Masters Unlimited, and I have a very  
23 high respect for him, and I -- and I think that the outcome of  
24 this -- was clearly that --

25 Q. I'm sorry, you said "the outcome of this," I didn't

1 catch the last part of it.

2 A. The outcome of this incident, it shows that.

3 Q. Oh, I see. Now, the Third Mate took ill, and you  
4 took over the watch, is that -- that's what you said.

5 A. Yes, that is correct.

6 Q. Okay. Now, could you tell me what discussions you  
7 had with the Captain concerning the Third Mate's illness, and  
8 how this affected the running of the bridge?

9 A. That morning, I just alerted him to the fact that --  
10 exactly as I just spoke to you and gave you the play-by-play, I  
11 gave him that information, that -- I mean, he had called me at  
12 that time, fifteen minutes after midnight, and I came up at  
13 thirty minutes after midnight, and then being that he was that  
14 ill, I assumed his watch and continued the duties throughout  
15 the morning. And that was the extent of our conversation.

16 Q. Okay, well -- and what did the Captain say in  
17 response?

18 A. He -- he just recognized that indeed, I did take the  
19 watch, and we continued on with our daily procedures there in  
20 port.

21 Q. Okay. At some point it became clear that the Third  
22 Mate would not be able to take his watch on the day of the  
23 accident, that Sunday night. Could you tell me when that  
24 became clear to you?

25 A. I would have to say that would be sometime in the

1 evening hours, prior to that, on Sunday.

2 Q. Okay, and how did you recognize this?

3 (Pause.)

4 Q. I'm sorry, did you hear the question?

5 A. I'm just thinking about the question that you gave,  
6 trying to give you the best answer that I possibly can. I  
7 would say that I was -- I let the Captain pass that information  
8 on to me in a statement.

9 Q. Okay, do you remember the statement?

10 A. I do not recall the details on the statement. I just  
11 know it was -- it was brought to my attention, that -- that --  
12 that that is something that was going to occur.

13 Q. Okay. And presumably, there was a discussion then as  
14 to what would needed -- what would needed to be done in the  
15 light of the Third Mate's inability to take his watch? Is that  
16 correct?

17 A. He --

18 SECOND UNIDENTIFIED MALE SPEAKER: I'm going to  
19 object to that question, because it doesn't really field facts  
20 that are in evidence here.

21 BY MR. STRAUCH:

22 Q. Okay. All right, Mike, tell me what the Captain  
23 said, after that, about who would take the Third Mate's watch.

24 A. Sorry, I just got interrupted here. What did he say  
25 after that?

1 Q. Yes.

2 A. There -- he didn't -- we didn't have a discussion  
3 about it. He just -- he just brought it to my attention, that  
4 that was what's going to happen.

5 Q. That the Third Mate would not be able to take the  
6 watch?

7 A. That he was -- my understanding is if the Third Mate  
8 -- it's getting -- there's two Third Mates, so the clarity has  
9 been lost here, in the question you're asking.

10 Q. Okay. I'm asking -- first, about the ill Third  
11 Mate --

12 A. Okay.

13 Q. -- and then about the discussion you had with the  
14 Captain about who would replace the ill Third Mate on watch.

15 A. Well -- okay. The ill Third Mate was something that  
16 we discussed -- I passed on to him in the morning, and then he  
17 brought it to my attention that -- that the Third Mate that we  
18 have, a Third Mate, and that he's -- he's here for the Third  
19 Mate's watch, so I just acknowledge that fact, that indeed,  
20 yes, indeed, we have the watch covered. And that's as far as  
21 that --

22 Q. Okay. So when you said, "We have the third watch  
23 covered," what was your understanding of what that meant to the  
24 Captain?

25 A. When I said that, when I was -- when that statement

1 was -- was given to me, that stated that the -- that we indeed  
2 have a Third Mate that was now onboard the vessel for that  
3 position.

4 Q. Okay, and just -- I'm sorry -- just to clarify my  
5 understanding, the Captain said to you, "We have a Third Mate,"  
6 that's correct?

7 A. Right. Not -- not meaning the ill one, but meaning  
8 the new one.

9 Q. The new one, okay. And then you acknowledged that?

10 A. That's correct.

11 Q. Okay. So it sounds like the Captain was telling you  
12 that the new Third Mate would take the watch of the old Third  
13 Mate, is that your understanding of what the Captain said to  
14 you?

15 A. It sounds like we're speculating how the -- how the  
16 Captain was determining it, and he was just stating that that  
17 watch, indeed, was covered. And that's as far as -- that's the  
18 best information I have.

19 Q. Okay. Was the Captain asking you for your input on  
20 this decision?

21 A. We did not have a discussion on this.

22 Q. On this being, who would cover the Third Mate, the  
23 ill Third Mate's watch?

24 A. Right.

25 Q. Okay. Had you ever been in that situation before on

1 this vessel? Where someone had to replace someone else on  
2 short notice because of illness, or inability to take the  
3 watch?

4 A. This felt like a new situation.

5 Q. Okay, so you had not experienced --

6 A. So --

7 Q. You had not experienced this before?

8 A. I do not recall this type of urgency before, coming  
9 off like this, that's correct.

10 Q. Okay. Incidentally, I would think that that would be  
11 something that one would remember pretty well.

12 A. I do now.

13 Q. I'm sure. So apparently, from what you said, you had  
14 only talked to Marino now for 20 to 30 minutes or so the whole  
15 time, or did you have other encounters with him before he took  
16 the watch that night?

17 A. Again, he -- the only other thing I can add,  
18 honestly, is that he may have walked through the bridge that  
19 evening, but I had no interaction with him after getting  
20 underway, and then my focus was that time where he came up and  
21 I went over the gear testing of the vessel with him.

22 Q. Okay. What was your impression of him?

23 A. Impression of Marino? It was too early for me to  
24 have a real impression for him. He -- that he was -- he just  
25 joined us, and you could tell that it was the -- that it was

1 the first time that he'd met anybody. That's the best  
2 information on how my impression would be of him.

3 Q. And -- did you know he had never served a watch  
4 before, on a vessel?

5 SECOND UNIDENTIFIED MALE SPEAKER: Again, I'm not  
6 sure that question -- you know, the facts on that question are  
7 correct or not.

8 BY MR. STRAUCH:

9 Q. That's a fact. That's not speculation, that's a  
10 fact.

11 MR. CORBIJN: I don't know that that's a fact,  
12 because he -- he stood watches on the Red and White,  
13 (indiscernible) commercial ferry, and he stood watch -- and  
14 also he stood watches on his training vessel.

15 LT. OSTRANDER: The first watch as a licensed  
16 officer.

17 BY MR. STRAUCH:

18 Q. There you go, thank you, Brierley. So I'll rephrase  
19 the question. Were you aware that this was his first watch as  
20 a licensed officer?

21 (Pause.)

22 Q. Mike, did you hear the question?

23 A. I'm thinking about the question. If -- if I had  
24 received any prior information that would -- would give me  
25 that information, that I would have had for determining if I

1 knew it was his watch or not, and I -- did not know how new he  
2 was, if there was anything else that he was involved in, that  
3 was not brought to my attention, other than the information  
4 that the others had passed on with watches he had stood. I was  
5 not part of that.

6 Q. Okay, well, could you kind of sum up for us what you  
7 did know about him?

8 A. Not a very long list. That I had met him, and he was  
9 interested in this -- this field, and that he had -- he -- a  
10 want to be part of our company, and I just went through the  
11 equipment, and he appeared to pay attention and respond  
12 correctly to that initial (indiscernible) that I gave him, that  
13 familiarization there with the steering gear test.

14 Q. Uh-huh. Okay.

15 A. All I had to say with him.

16 Q. Okay. Now, in the years you've been on the -- on the  
17 Empress, and other vessels, had you ever had a licensed officer  
18 report to you with his -- who had just graduated within the  
19 last two weeks from a maritime academy, and only had a license,  
20 let's say, for two weeks or so?

21 A. I ever had one report to me, the vessel, who had just  
22 graduated within two weeks before?

23 Q. Yeah, in other words, have you ever had anybody  
24 report to you who was similarly experienced, or inexperienced,  
25 as Marino was?

1           A.    I really didn't have any time to determine and talk  
2 about his background, to even find out how experienced he was,  
3 so I don't know how to best answer that.

4           Q.    Okay, have you -- in your experience before, have you  
5 ever had brand-new Third Mates report to you?

6           A.    I have worked with new mates, and those that have --  
7 have worked their way up before. I -- was such a brief with  
8 him, that -- I mean, I consider brief compared to the time I've  
9 spent --

10          Q.    In your previous experiences with brand-new Third  
11 Mates, what did you do before they served their first watch --  
12 did you discuss with them about what they needed to know, to  
13 properly perform their duties as watch officers?

14          A.    I have just discussed what I -- there wasn't enough  
15 time with this guy to figure out what he knew and what he  
16 didn't knew -- know here.

17          Q.    I understand. I'm asking about your other  
18 experiences with brand-new First Mates -- Third Mates.

19          A.    I've worked with a variety of other mates, and I  
20 don't know how to compare from this guy versus working with  
21 other people -- I'm not -- I don't know how to answer this  
22 question.

23          Q.    Okay. When the Captain told you that he was going to  
24 put Marino on watch, did you and the Captain discuss what --  
25 what either of you felt needed to be done to make sure that

1 Marino was familiar with the route, the vessel, and any other  
2 thing he needed to know to effectively perform as Third Mate?

3 A. No.

4 Q. Okay. I don't have any more questions right now, so  
5 I'll pass this on to Rob Jones. Thank you, Mike.

6 A. Okay.

7 BY MR. JONES

8 Q. Hey Mike, this is Rob Jones. As Brian said, I'm  
9 taking over the deck operations for Morgan, so bear with me, as  
10 I'm coming up to speed on this accident and I might be asking  
11 you to repeat stuff that may -- maybe you already have gone  
12 over, but thanks for your participation. How long were you  
13 onboard the vessel, Mike, prior to the accident?

14 A. I've spent a full three years on the vessel.

15 Q. I'm sorry, let me rephrase the question. Just this  
16 trip -- I mean, did you --

17 A. Okay, when the -- when the -- okay.

18 Q. For this -- yeah, this most recent trip.

19 A. I don't have a date, but if you back it up, I stated  
20 that there was a 10-day trip, and even back up to Seattle.

21 Q. Okay.

22 A. Two days prior, that would take us from Seattle to  
23 Portland, and then there was the one week, seven days, on the  
24 river, which gives you that Saturday prior.

25 Q. Okay, and how long were you off the vessel prior to

1 that? In a sense, Mike, you know, with the company, are you on  
2 like a one-month on, one-month off, two on, two off?

3 A. I'm trying to recall if it was -- it was either three  
4 -- it was a minimum of three weeks.

5 Q. Three weeks off?

6 A. Yes, indeed. Prior to joining the vessel, correct.

7 Q. Okay. And then how long would your normal routine be  
8 onboard the vessel, before you went back on vacation?

9 A. We have a four-week rotation.

10 Q. Okay. So three weeks off, four weeks on? Is that  
11 correct?

12 A. Depending on where we're located, it -- it -- that  
13 can change; for example, if we're in the river, we have three  
14 weeks and then three weeks off. And then in Alaska, it will go  
15 four and four.

16 Q. Okay. What's the -- what license do you hold, Mike?  
17 What's the highest license you have?

18 A. My license, Second Mate.

19 Q. Unlimited?

20 A. The Second Mate is a thousand, Third Unlimited,  
21 sixteen hundred gross tons, Master, let me --

22 Q. What was -- what was the Master of?

23 A. Sixteen.

24 Q. Now, what's the -- what's the highest -- now, do you  
25 sail on your Second Unlimited?

1           A.    No, Second was two thousand, Third Unlimited, yes,  
2   that is correct.

3           Q.    Okay.

4           A.    I did sail --

5           Q.    All right.  And then, on this -- on this vessel, you  
6   were on the 4:00-8:00 watch?

7           A.    Yes.

8           Q.    And there were two Thirds?

9           A.    A Second and a Third.

10          Q.    A Second and a Third, yourself, and the Captain.  Was  
11   that the officer's compliment?

12          A.    That's correct.

13          Q.    Okay.  And I think you already stated this, but does  
14   the Second Mate handle the charts?

15          A.    Yes.

16          Q.    And he planned the voyages with the Captain?

17          A.    Correct.  Well, that's my understand, it would be  
18   with the Captain, but yes, he does -- he does handle that.

19          Q.    Okay.  And when you're on watch, what's the normal  
20   routine on the bridge up there.  Do you have 1 AB, 2 ABs?

21          A.    Maybe.

22          Q.    Okay.  Are there two for the watch, and just one up  
23   on the bridge at a time?

24          A.    You have an AB and then an ordinary seamen.

25          Q.    Okay, so three -- three deck personnel are

1 complimenting the watch?

2 A. Correct, as you'd see on a large ship.

3 Q. Okay. And does the ordinary come up and relieve the  
4 AB at all, while you're underway?

5 A. That's the decision of the watch officer, how he  
6 wishes to run his watch.

7 Q. Okay, so -- you -- the man on watch and the AB could  
8 be on watch together for the entire four hours?

9 A. That's possible.

10 Q. Okay. And, for the waters you were navigating in, is  
11 it -- what's the normal for the steering? Is it on the mike,  
12 is it in hand, does it depend, just -- could you discuss that a  
13 little with us?

14 A. That would be completely up to the watch officer and  
15 his determination of the area that he's transiting.

16 Q. What do you normally do on -- what do you normally do  
17 for your steering, with the AB -- yourself?

18 A. Personally?

19 Q. Yes.

20 A. If there's anything that requires going to hand  
21 steering, then indeed, I will direct him to go to hand  
22 steering. If we're in a place that is of comfort, indeed, the  
23 autopilot is something that we can utilize as a tool.

24 Q. Okay. Would you go to hand steering for traffic  
25 situations, if you had to turn to give way to another vessel?

1           A.    If it -- if it required anything beyond the settings  
2 that were pre-set by the officer, that's correct.

3           Q.    And how about turns?

4           A.    Turns --

5           Q.    Totally up to the individual officer?

6           A.    Yes, indeed.  Being in charge of his watch, we do  
7 encourage -- or I encourage, with my watch, this.

8           Q.    Okay.  Okay.  Is anything like that discussed in the  
9 steering in the night orders?  Or the standing orders?  And --  
10 I'm --

11          A.    With the incident that's occurred, I haven't reviewed  
12 those standing orders --

13          Q.    Okay.

14          A.    -- on my return, so --

15          Q.    All right.  Mike, I'm just asking you to -- you know,  
16 speak to the watch that you were on, or your knowledge of the  
17 watch.  How often would you put a fix on the chart, on a paper  
18 chart?

19          A.    If we -- on my watch?

20          Q.    Yeah, your normal routine, if you're navigating,  
21 like, in the waters that would -- in question that night, or,  
22 you know, that area, Icy Straits, or -- how often do you put a  
23 fix on the paper chart?

24          A.    I encourage those that are learning to put the fixes  
25 on the chart and I -- when I was learning, I put the fixes

1 anywhere from -- when I was first learning, anywhere from -- I  
2 don't know if I have an exact number on that. I think you'd  
3 just determine -- it's determined by where the timing and  
4 location of where you're at, so -- I mean, I've done fixes from  
5 -- in deep-sea, traditionally, I've done fixes where you're out  
6 in the middle of the North Pacific Ocean where you could put a  
7 fix on the (indiscernible) that would come in, and then -- open  
8 waters, you could get down to three to six minutes, and I think  
9 that -- anywhere in between would be a fair number.

10 Q. Okay. How long -- before the accident, how long was  
11 the trip into the next port, before your next port call? Was  
12 that next day, or --

13 A. The port call, our next destination after departing  
14 Skagway -- Sitka -- the following day would have been 10:00.

15 Q. Okay. Let's go back to the steering a minute. When  
16 -- if you are coming up to a turn, and you make the decision  
17 either to leave it in auto or put it in hand, who initiates the  
18 turn?

19 A. The watch -- the watch officer directs the -- all  
20 steering movement of the vessel.

21 Q. Okay.

22 A. That's what I've done.

23 Q. Now, what kind of training do you have, Mike, with  
24 regards to the bridge equipment? Ectis, bridge resource  
25 management, ARPA, do you have any other certificates? Do you

1 hold all of that?

2 A. Yes, that is correct.

3 Q. When -- now, I don't want to reiterate what Barry's  
4 already gone over with you, but -- any discussions about the  
5 new Third Mate, Marino, that was taking the midnight watch for  
6 the sick Third Mate. When you went to bed that night, did you  
7 have any reservations, yourself, about him being on the zip-to-  
8 four?

9 A. I thought that Icy Straits would be an area that when  
10 I came off, I would be in good position to continue the voyage  
11 the next morning. So, I did not -- it wasn't something that --  
12 no, I didn't think there'd be a problem.

13 Q. All right. Now, have you been through these areas  
14 before? This area of the water? The -- the rocky island,  
15 and --

16 A. Yes, I have.

17 Q. Have you taken the inside route there, that little  
18 cut between the mainland and the light that was hit by the  
19 vessel?

20 A. Yes, I have.

21 Q. Are there any rules, or standing orders, with regards  
22 to that passage?

23 A. Not that I'm aware of.

24 Q. So if it's on your watch, and you're approaching that  
25 area, you've got the option to go inside or outside?

1 A. Correct.

2 Q. Is that the same for all the officers -- all the  
3 watch officers, that you know of?

4 A. Yes.

5 Q. Okay. Were you pretty familiar with the steering  
6 system on that vessel, Mike? Or comfortable with it? I don't  
7 want to put words in your mouth. You tell me your own ability  
8 with the steering system.

9 A. I feel pretty -- I feel positive about it, the  
10 steering system.

11 Q. You didn't know any problems with it, beforehand?

12 A. I was not made aware of any problems with it.

13 Q. Either in-hand or in auto?

14 A. Correct.

15 Q. Okay. How about the radars onboard, and the Ectis?  
16 All the bridge equipment, everything in your perspective,  
17 everything working okay?

18 A. I did not note any problems getting underway that  
19 evening prior.

20 Q. And, I might have spoke out of turn. The vessel did  
21 have an Ectis?

22 A. Right.

23 Q. Okay. And the courses are plotted on the Ectis,  
24 along with a paper chart?

25 A. There are course plans on the Ectis.

1 Q. Okay.

2 A. Correct.

3 Q. All right, thanks, Mike. That's all I have right  
4 now. I appreciate you -- your participation.

5 A. Okay.

6 MR. CURTIS: I'm sorry, I don't want to interject  
7 here, but Mike, if you need to take a break to -- for a drink  
8 or anything, let me know, we can pause, but otherwise we'll  
9 keep moving along.

10 MR. MIELKE: Okay. We can keep going here.

11 MR. CURTIS: Okay. Brierley?

12 BY LT. OSTRANDER:

13 Q. Mike, you'd said earlier that when new people come  
14 onboard the vessel, they've been assigned to work with an  
15 officer for a certain period of time -- when new mates come  
16 onboard. When are they ready to stand watch by themselves?

17 A. That's a case-by-case determination. I do not have  
18 an answer for that.

19 Q. (indiscernible) that you look for. After that period  
20 of time, you know --

21 A. I don't know what to -- I don't know what would be  
22 the best answer for that.

23 Q. Can you just pick one -- one example? Who are the  
24 mates that came on sometime in the past that was new?

25 A. Okay.

1 Q. Tell me, walk me through his break-in period.

2 A. If -- well, we've had captains that have come onboard  
3 and they have been familiarized with this vessel, and then --  
4 just determining what their experience is -- it'd be a pretty  
5 quick transition, and with the mates that we've had that have  
6 come onboard, we've had some that have come from small boats,  
7 and that's been very advantageous to their -- to their path to  
8 familiarization. And we've had a few people from larger  
9 vessels that have come onboard and they've decided that this  
10 wasn't exactly what they wanted to do, so it's -- again, it's -  
11 - there's such a variety, it's -- there's no definitive answer  
12 on that.

13 Q. What about in your own history, when you came on with  
14 Majestic Lines. What was your break-in period like?

15 A. Mine was unique because they were looking for someone  
16 on two boats, so I actually went over and spent two days on  
17 their other vessel, and then came over to this vessel. And  
18 then I received a call after a period of time, and I joined the  
19 vessel headed northbound. So mine was just an exposure of  
20 visiting the vessels, and then joining it on the start of the  
21 next rotation. I spent a few -- I ended up spending a few days  
22 on both vessels, and then joining the vessel (indiscernible)  
23 position and started northbound.

24 Q. By northbound, you mean Alaska, or the river?

25 A. I mean out of Seattle, headed northbound to Alaska,

1 yes.

2 Q. So how many days -- so you -- you sort of had a --

3 A. I would say I was inside of a week for those -- for  
4 those two visits.

5 Q. So you had about a week of working with other people  
6 before you could watch alone as a mate?

7 A. It was less than that.

8 Q. Less than that. A couple of days?

9 A. On each vessel, yes.

10 Q. And what about way further back, 1989, when you were  
11 first working in Florida. Do you remember your first couple of  
12 weeks out of school?

13 A. I remember parts of it. It was -- what do you mean,  
14 specifically?

15 Q. Did you -- what kind of training did you go through?  
16 Did you just go right to standing your own watch, or --

17 A. It was pretty close to just standing my own watch. I  
18 don't remember any extensive initiation on the vessel that  
19 happened beyond -- but personally, I had worked a variety of  
20 charter vessels prior to that, prior to going to the Maritime  
21 Academy.

22 Q. You'd had some experience?

23 A. I had just grown up on the water, so for me it seemed  
24 a proper chain of events.

25 Q. Switching to a different subject, you've worked on

1 the vessel for a little over three years. You've worked in  
2 Alaska. Has it been the same route -- route in Alaska every  
3 year?

4 A. Similar.

5 Q. Similar.

6 A. Similar is the most accurate --

7 Q. A regular line?

8 A. I think you'll find that a multitude of different  
9 small passenger vessels have track lines that are mostly in the  
10 same --

11 Q. That particular chart, with the two track lines. Has  
12 that been onboard for as long as you've been there?

13 A. I do not know if it's been there the entire time I've  
14 been there.

15 Q. The first season you came up here, did you have the  
16 option of going one way around the point or the other?

17 A. Yes, I did.

18 Q. So that option is -- whether or not it's the same  
19 chart, that option has been there as long as you've been on the  
20 vessel.

21 A. I do not recall seeing any different.

22 Q. Okay. I remember there was a different between the  
23 track line on the chart and the track line in Nobeltec for that  
24 turn. Do you recall that?

25 A. There may have been options that were inclusive

1 there.

2 Q. On a -- switching to a different subject, working  
3 with Ben French, can you tell me how long you've worked with  
4 him?

5 A. Ben -- brought onboard, spring of the year prior.

6 Q. And until this year?

7 A. We've been a full year together, last year, and then  
8 he's working with us here this year, so -- if that sounds  
9 correct, one and a half, it's coming up to.

10 Q. And when you're working with him on the bridge, and  
11 he's the helmsman, what -- what is your interaction typically  
12 like? How much direction does he need?

13 A. He comes from a military background, and he is very  
14 respectful and very responsive to -- in working together with  
15 him, he's very good at what he does.

16 Q. How much --

17 A. For me, I want to say. For me, he was very -- he was  
18 very good for me.

19 Q. Okay. How much specific direction would you give him  
20 to make a turn?

21 A. Again, you're asking me personally?

22 Q. Yes.

23 A. I would --

24 Q. Personally.

25 A. I would let him know that we're going to make a turn.

1 I would indicate what mode I wanted him to turn in, and then I  
2 would give him direction as to how much I wanted him to turn,  
3 and whether to increase or reduce that turn, or heading.

4 Q. So you would tell him when to start, and then --

5 A. I do. Perhaps down to the -- as to the steps that I  
6 wish him to do when he's on the helm.

7 Q. You said you would normally choose the shortcut, the  
8 inside option of doing the turn.

9 A. I don't think I said that.

10 Q. I'm sorry -- do you normally do one more than the  
11 other?

12 A. The choice there is purely up to the officer and his  
13 determination, what is the best route with the conditions that  
14 prevail.

15 Q. So, if you have the option, what -- what factors  
16 might cause you to choose one over the other?

17 A. Number one, you ask about the condition of the  
18 vessel. That would be a high consideration. Conditions  
19 outside, weather, the traffic would be inclusive in that.  
20 Also, determining our arrival time might be a factor in that,  
21 and working with the person who's steering. That would be all.

22 Q. You said arrival time might be a factor. Do you know  
23 how much time you might save going one way over the other?

24 A. Not off-hand.

25 Q. In Alaska, are there any other places where there's

1 an option like that in your normal route?

2 A. I would have to look. I don't have that answer.

3 Q. And about how many times have you transited around  
4 Point Couberden? On this vessel?

5 A. On this vessel? I would say my first year, I went by  
6 there every week for greater than half of the --

7 Q. You personally, when you had a watch, how many times did  
8 you --

9 A. On this vessel?

10 Q. Sure, yeah.

11 A. What would the math be? We were up there for four  
12 months, and I was there for those days -- we were there for six  
13 months -- between a dozen and two dozen times, I'd say I've been  
14 by Couberden, on this vessel.

15 Q. And what other vessels have you been on in  
16 (indiscernible)?

17 A. I've worked most vessels, fisherman, cruise line vessels  
18 that transit this area.

19 Q. On the Glacier Bay vessels, did you have the option of  
20 going inside or outside Rocky Island?

21 A. On all the vessels I mentioned, yes, that is true.

22 Q. Do you recall working on the Glacier Bay vessels, if  
23 there was a track line laid down for each of those turns, or was  
24 just normal?

25 A. There was track lines on -- on all the -- all the

1 companies that I mentioned, yes.

2 Q. Okay. Is it -- the last thing is just a general  
3 question. I know you weren't on the bridge, but is there  
4 anything, in your opinion, that could have prevented this  
5 accident?

6 A. I'd prefer not to speculate on that right now.

7 Q. Okay. Thanks very much, that's all I've got.

8 MR. CURTIS: Thanks Brierley. Nico, we'll move on to  
9 you.

10 MR. CORBIJN: Yeah, I have no further questions at this  
11 point in time.

12 BY MR. CURTIS:

13 Q. Okay. Now, back to NTSB Headquarters here, Mike, we'll  
14 -- a few more questions to go around, we'll wrap this up. I had a  
15 couple -- the -- the --are you familiar with the vessel's SMS  
16 system, Safety Management System?

17 A. There is an SMS.

18 Q. You pretty much familiar with that?

19 A. Yeah.

20 Q. Are there any -- regarding going on watch, are you  
21 familiar with any -- are there any checklists, or guidance, for --  
22 for guidance, or qualifications, for first-time watches? That  
23 you're familiar with?

24 A. No, there's just the checklist that you go through with,  
25 pre-departure, and then there's also checklists in the event of

1 emergency.

2 Q. But you're not aware of any guidance, specifically, for  
3 a new mate overtaking a watch?

4 A. No, I'm not aware of --

5 Q. Okay. Like I say, I'm trying to stay out of the  
6 questioning in the interest of expediency here, so -- I -- just  
7 one other question. You said you have standing orders, appreciate  
8 them and engineer -- you had standing orders. Did you have also  
9 night orders, from -- like nightly night orders for the mates, or  
10 just the standing orders that they would sign?

11 A. There was the standing orders, and then the option for  
12 the night orders.

13 Q. Ok, so they weren't necessarily put out on a daily  
14 basis? Night orders?

15 A. That's correct.

16 Q. And do you recall the last day you had night orders?  
17 Night you had night orders?

18 A. I --

19 Q. I'm sorry, I didn't get that, Mike.

20 A. What was the question?

21 Q. The last set of night orders that you received. Do you  
22 remember what day they were put out by the Captain?

23 A. I -- no, I don't -- I don't recall exactly when that  
24 last night orders were given out. I would have to look on the  
25 bridge.

1 Q. Okay, Mike. Thanks. I'm going to pass it on to Liam,  
2 then.

3 BY LIAM LARUE:

4 Q. Hey Mike, Liam Larue, NTSB, again. Just to clarify that  
5 last question Brian was asking -- do you remember if there were  
6 night orders that were put out for the night of the accident?

7 A. No, I do not recall if there was night orders put out  
8 for the night of the accident.

9 Q. Okay. If you could, just real quick -- run me -- could  
10 you just run me through the list of what your responsibilities are  
11 as Chief Mate onboard the Empress of the North? Who -- who -- who  
12 reports to you, what your daily duties are, just anything you can  
13 think of?

14 A. Okay. Onboard the Empress as Chief Mate, I am -- again,  
15 the First -- the First Officer, meaning that I am dedicated to the  
16 bridge and the vessel between the hours of 4:00 and 8:00, a.m. and  
17 p.m., of course. And that being underneath the Captain, and  
18 overseeing the deck department, my duties, the exterior of the  
19 vessel is extremely important with that, and paramount is the  
20 safety items that go with that, and the vessel.

21 Q. Okay. Could you go through some of, you know, your day-  
22 to-day responsibilities? You know, things you're checking up on  
23 on a daily basis?

24 A. Day-to-day would be working with -- with the deck staff,  
25 as I mentioned, the operation of the vessel, whether it's underway

1 or in port, the line handling is a -- is a detail of keeping the  
2 vessel safe when it's alongside. And the overall equipment that  
3 is part of the -- of -- part of our safety -- PFCP, as it's  
4 called, within a maintenance issue -- I'm highly involved with  
5 that.

6 Q. And what are your -- what are your usual interactions  
7 with the -- the deck staff?

8 A. Morning meeting, everybody comes up at 5:45, lay out the  
9 duties of the day, and then check with them how that's  
10 progressing, and actually see what duties are being accomplished  
11 when I get off watch, and where we stand, and what needs to be  
12 alerted -- or addressed, and then what they had brought to my  
13 attention that needs to be worked on. Also, getting together with  
14 them in the afternoon, seeing -- getting an update on the progress  
15 of what's occurred, and then -- then also making sure that the  
16 watches for the deck staff are in place for the vessel -- on their  
17 duties.

18 Q. Okay. Who's in charge of running drills, conducting  
19 training, that sort of thing?

20 A. The Captain runs drills. He, in meetings, requests any  
21 input, feedback, from how drills went, and what we can continue to  
22 do to improve it, and also gets input as to the drills that might  
23 be good ones for future -- and with that, it -- I respond to the  
24 drill that goes into play, and I suggest drills as to other  
25 departments that are a part of the ship.

1 Q. Okay, so the Captain keeps track of all that  
2 information?

3 A. I do a weekly write-up that includes what drills we have  
4 accomplished, and I state what -- concerns and comments from the  
5 crew members in our weekly meeting.

6 Q. Is that weekly write-up kept anywhere?

7 A. Yes, indeed. There's a safety and training manual  
8 that's there on the bridge, that's correct.

9 Q. Okay. Do you guys do any other, just, basic training  
10 other than the actual drills? And is that recorded anywhere?

11 A. Yes. Training that goes beyond the drills, we do put in  
12 the same booklet -- it's just broken into two sections, and if we  
13 do training with the staff, for example, emergency anchoring, that  
14 would -- just as one of the examples, that would be reflected  
15 there in the booklet.

16 Q. Okay. You mentioned also, one of your duties was  
17 setting the watch rotation, correct?

18 A. Yes, that is correct.

19 Q. Okay. Who -- who decided to switch around the watch  
20 rotation and put the AB, Ben French, up on watch. Would that have  
21 been your call?

22 A. That call was made by the Captain, and I was indeed --  
23 that was brought to my attention some time that afternoon. I  
24 don't recall when, or later that evening, and that was his  
25 decision, yes.

1 Q. Okay. What was your understanding of why Mr. French was  
2 put up on watch that evening?

3 A. I can only say that -- that the Captain must have had  
4 his own reasons why Ben was selected for that watch, so that, I  
5 think, would be a Captain's answer there.

6 Q. Okay. What -- how would you describe Ben French's skill  
7 levels, compared to all the other ABs? Is he a good watch-  
8 stander, bad watch-stander --

9 A. I think I had an opportunity to describe him earlier on  
10 in the conversation, and that he came from a very "Yes, sir, no,  
11 sir," professional approach, and he -- he has done a very, very  
12 good job for me in the past, so I -- I did not have any objection  
13 to that change.

14 Q. Okay. I'm going to switch tacks here a little bit, go  
15 back to some of the life-saving stuff. Can you describe how those  
16 hydraulic releases are supposed to work on the life rafts, and  
17 then what actually happened with them?

18 A. There's a vertical -- the plunger is at the bottom.  
19 There's a knob. It probably extends about the length of your  
20 hand, open. Usually it's four to six pumps on that. After that  
21 time, minimum four to six pumps, my understanding is that will  
22 create enough pressure to cut through the line that holds it in  
23 place, in the cradle, much like a hydrostatic -- yes, just like a  
24 hydrostatic release, but it's manually operated hammer system. If  
25 I'm -- if I'm incorrect in mentioning it, that might be a name

1 brand. And after that time -- after multiple pumps after that  
2 time, it's supposed to cut the line, and that would launch the  
3 raft.

4 Q. Okay, can you describe what -- what happened that --  
5 that morning, late evening? When the accident occurred?

6 A. Yeah, the deck hands continued to pump, probably upwards  
7 of a dozen to two dozen times, and the releases did not work, and  
8 when they stated that they weren't working, I directed them to cut  
9 the -- just go ahead and cut the line; that is, with the straps  
10 that's holding it in place, and manually release the rafts.

11 Q. Okay. Were there any issues with the life rafts  
12 themselves, once you had actually gotten them off the vessel? Did  
13 they all inflate properly?

14 A. I will add that the CO2 on a couple -- on a few rafts,  
15 that we actually had to utilize the rescue boat to pull to engage  
16 the CO2 to make them inflate. That we were unable to do it by  
17 hand.

18 Q. How did they -- how did they do that? Pulling the  
19 lanyard -- the painter?

20 A. The (indiscernible)?

21 Q. Yeah.

22 A. Well, you pull the full distance out of it, sometimes  
23 about a hundred, a hundred and twenty feet, you get to the end  
24 where there's a CO2 cartridge, and then you give it a yank, as I  
25 stated, and that will do the inflating that will activate the raft

1 and break the canister, and with that, they were unable to -- even  
2 though they had pulled on other C-tainers, at the end of the C-  
3 painters, and had activated the raft, we had minimum two that we  
4 had to utilize the rescue boat and pull on them to get them to --  
5 I want to say engage, or activate, I should say, is probably the  
6 best word.

7 Q. So pulling on the lanyard from the ship wasn't working,  
8 so you had to do it from the rescue boat?

9 A. Yes, that is true.

10 Q. And once they pulled on it from the rescue boat, they  
11 opened?

12 A. Yeah, they got them to work, and there were some  
13 problems on the other side that they had to spoke to others on.

14 Q. Okay. Was that just the -- an angle of the pull, or  
15 what's your understanding of the problem there, with the CO2?

16 A. I could not distinguish between activating one raft,  
17 what they were doing, and watching what they were doing, or seeing  
18 what they were doing, and the combination of everything that was  
19 going on --

20 Q. Uh-huh.

21 A. -- that they were doing anything different than would  
22 of, in their actions, that they were doing anything different that  
23 would have resulted in these rafts inflating. They appeared to do  
24 similar angles, or motions, or whatever you wish to call it, and  
25 the two that -- or, at least the two plus maybe other ones,

1 depending on what the other people worked with on the other side,  
2 the other mate, that we were not able to do that by hand, so --  
3 and I do not know of anything they did different than -- with the  
4 ones that did work versus the ones that did not work.

5 Q. Okay.

6 A. I thought that everybody did an exceptional job, and  
7 they were -- their response was -- should be well noted.

8 Q. Okay. And how many rescue boats do you have onboard?

9 A. We have two.

10 Q. And many did you launch during this event?

11 A. Two.

12 Q. Okay. What were they doing during the time that they  
13 were launched?

14 A. Initially, draft readings, on the stability of the  
15 vessel, and the list. And then, once we were ordered to do so by  
16 the Captain, to launch the raft, they assisted with the raft in  
17 bringing them alongside the ship.

18 Q. And did they stay in the water for the whole -- the  
19 whole time?

20 A. Once they were launched, yes, that is correct.

21 Q. Okay. Do you recall any problems transferring  
22 passengers to any of the other vessels that you transferred them  
23 to?

24 A. Once the other vessels were alongside and set up, the  
25 transfer with the crew we had seemed to go extremely well, from

1 the ship. Again, the crew, I think that's -- be well noted. I do  
2 want to say that the professionalism of the tugboat and the  
3 fishing boats, the first response from the tugboats, were  
4 something that's -- there's high praise.

5 Q. Okay. I understand that the make-up of the crews, I  
6 guess the age of the crews tended to be older passengers. Did  
7 that pose any particular problems or issues with evacuating?  
8 Specifically, I don't know, walkers, wheelchairs, anything like  
9 that?

10 A. Our crew is well-trained in responding to those that  
11 have mobility challenges, and they were able -- they can put extra  
12 people to assist with that, so that went -- I think it went very  
13 well.

14 Q. Is that something you actually train the crew on?

15 A. Yes, indeed.

16 Q. Okay. Okay, I think that's it -- that's it for me for  
17 now. Anybody else?

18 BY MR. STRAUCH:

19 Q. Yeah, this is Barry Strauch. I have just a few more  
20 questions, Mike. Early on, you said that the Captain felt that  
21 this watch that Marino took was an easy watch. Could you tell me  
22 what it was about this watch that was easy?

23 A. I would say that I never used the word "easy."

24 Q. No, I think you said the Captain felt it was an easy  
25 watch.

1           A.    I don't recall using the word "easy," and I would like  
2 to say that I find that the best description of that would be -- I  
3 don't know if it's -- I think it's -- it's, again, this is a  
4 Captain's question you're asking here, Captain-level question  
5 you're asking.

6           Q.    Okay.  What did -- what were your thoughts about the  
7 challenges of this watch?

8           A.    I will say, relative to the (indiscernible) of the  
9 vessel and the other things that we do, that this -- this -- this  
10 part of the -- the options here is more open and very cruise ship-  
11 like, and it would be described as a much more straightforward  
12 watch.

13          Q.    And what would make it straightforward?

14          A.    The -- just the relative area that you have to transit.

15          Q.    Okay.  Now the -- the Third Mate, Marino, was sent up a  
16 week early, but we know, had to take -- took the watch because the  
17 other Third Mate got ill.  What was planned for Marino during that  
18 week, had the Third Mate not gotten ill?  What would -- what was  
19 Marino going to be doing?

20          A.    Again, I think you're asking a question that is beyond  
21 my ability to answer effectively.

22          Q.    Okay.  But were you -- you described yourself as the  
23 head of the deck officers, deck operations?

24          A.    With the deck hands, yes.

25          Q.    Wouldn't your duties also have included supervising

1 Marino?

2 A. As directed to do so.

3 Q. Okay. So what would you have expected to do with Marino  
4 that week?

5 A. I'd prefer not to speculate what I would have done after  
6 that time, and just focus on what did happen.

7 Q. Okay. What did you have planned for Marino to do that  
8 week?

9 A. I would do what I was directed to do. What -- what I  
10 was directed to do with him was what I would -- would have done.

11 Q. Okay. Would you have proposed something, independent of  
12 what you were directed to do?

13 A. I really don't have an answer on that.

14 Q. Okay. Did the Captain discuss with you --

15 A. Yeah.

16 Q. -- what kind of activities were planned for Marino that  
17 week?

18 A. No. No. He did not.

19 Q. Okay. Did anybody on the vessel discuss with you  
20 activities planned for Marino that week?

21 A. No.

22 Q. Anybody at Headquarters?

23 A. No.

24 Q. Okay. Now, you said that -- that you were comfortable  
25 with Marino taking the watch, is that correct?

1 A. Was I comfortable with him taking the watch?

2 Q. No, I think you said you did, you -- when you heard that  
3 the -- when the Captain told you that Marino would take the watch,  
4 you said you were comfortable with that -- I -- I believe that's  
5 what you said.

6 A. I acknowledged his statement.

7 Q. Okay. By your acknowledging that statement, what were  
8 you conveying to the Captain?

9 A. Conveying to the Captain?

10 Q. Yes.

11 A. That -- that I understood that he was here as a new --  
12 as a mate, and that he had -- he told me that he was here as a  
13 Third Mate, and when you're -- arrive as a Third Mate, that's part  
14 of your duties, to do the Third Mate position.

15 Q. Okay.

16 A. I didn't try to speculate one way or another on it.

17 Q. Okay, so you were acknowledging that the Captain said  
18 that Marino would take the watch, and that as a licensed Third  
19 Mate, he would take the watch. Is that -- is that what you're  
20 saying?

21 A. I just acknowledged his statement, that's what I'm  
22 saying.

23 Q. Okay. Now, on VRM that you've taken, I believe, one of  
24 the objectives of VRM is for officers to participate in decision-  
25 making, and that if they disagree with the decision, they would

1 convey that disagreement. Is that correct?

2 A. The VRM --

3 Q. Yes.

4 A. -- is a watch team course, that's correct.

5 Q. Okay, so the fact that you didn't state any disagreement  
6 to the Captain -- that's an inferred, or I'm sorry, an implied  
7 agreement, according to VRM?

8 A. I think it'd be left open to interpretation on that.

9 Q. Okay. If you had any reservations about Marino's taking  
10 the watch, you certainly didn't express them to the Captain, from  
11 what you said. Is that correct?

12 A. I did not have the opportunity to express them to the  
13 Captain, that's correct.

14 Q. Did you have any reservations about Marino taking the  
15 watch?

16 A. I did not think one way or another on that -- on that  
17 topic.

18 Q. Okay. You said that you -- in answer to Brierley's  
19 question, that your determination as to whether somebody was ready  
20 to take a watch was made on a case-by-case basis. Is that  
21 correct?

22 A. I did speak of different levels of experience between  
23 that -- between that person, like that, and the Captain or --

24 Q. Okay, and the words you used were "case-by-case basis."

25 A. I would say that's a fair way to look at it.

1 Q. Okay, in this particular case, you -- how would you rate  
2 the Third Mate's readiness to take the watch, based on your --  
3 your experience?

4 A. I found that I didn't have enough information to make a  
5 valid judgment, whether he was ready or not.

6 Q. Okay. And if all things were equal, what information  
7 would you have gotten that would have told you whether or not he  
8 was ready to take the watch?

9 A. I just don't have an answer for that, since I did not  
10 spend enough time with him to be able to even ascertain that  
11 information.

12 Q. All right, I have no further questions.

13 BY MR. CURTIS:

14 Q. Mike, Brian Curtis. I just have one before I pass it --  
15 pass it along. This should -- this should wrap up the NTSB  
16 questions; we'll go back to Brierley and Nico after this, but just  
17 -- just one, regarding the 265 degree track line that took you  
18 between Rocky Island and Point Couberden. Who would have put that  
19 on the chart, or who would have approved it? What's the process  
20 for that, and how would that have been handled?

21 A. The Second Mate works with the track lines, and to  
22 answer who exactly would have done it, I do not have a name on who  
23 would have -- who would have determined the different parts of  
24 that.

25 Q. Does the Captain approve those track lines, then? Is

1 that how it works? Once the mate puts it on, the Captain approves  
2 the routes?

3 A. I believe that he reviews it, and I do not know if any  
4 exact approval that is given on that.

5 Q. Okay. The chart line -- the 265 on the chart, that's  
6 the one that you've routinely used before, and that looked typical  
7 for your past experiences, then? I mean, it didn't look abnormal,  
8 I would say, then?

9 A. It had track lines on there that were available for the  
10 watch officer to choose what would work best for the conditions  
11 that prevailed.

12 Q. Okay. That's all the questions I have. We'll go back  
13 -- thanks Mike. Brierley?

14 LT. OSTRANDER: I'm good.

15 MR. CURTIS: Okay. Nico?

16 BY MR. CORBIJN:

17 Q. Yeah. I have just a couple of questions for Mike. The  
18 life rafts -- they are serviced on a routine basis. Is there  
19 anything that you guys can do with the life rafts once they're  
20 installed onboard?

21 A. No, no, that's all done at a -- at a shoreside facility.

22 Q. So basically, they're mounted on the vessel, and the  
23 only thing you have to hope is that you don't have to use them?

24 A. Yes, sir.

25 Q. Same goes for the slides?

1           A.    That's -- that's correct.  I'm not aware of any --  
2 anything that we would do differently with the slides.

3           Q.    How about the -- the -- the cutting mechanism for the  
4 Benka (ph.) lines, or for the insulation lines, or whatever you  
5 call them?

6           A.    Which part now?

7           Q.    The cutting mechanism, the hydraulic cutting mechanism  
8 that you used to cut the Benka lines?

9           A.    I believe that that is all sealed inside -- it's all --  
10 it's sealed in that hammer release system.  I do not know of any  
11 exterior access to it.

12          Q.    But is there any -- is there any routine maintenance  
13 that you guys can do on this to make -- to test it, or to make  
14 sure that it works?

15          A.    The testing is annual with the COI, and I'm -- I'm  
16 familiar that there is a gauge that they test -- is come up to  
17 pressure.

18          Q.    Uh-huh.

19          A.    Yes.

20          Q.    Okay.  All right, that's all.

21          A.    Okay.

22               MR. CURTIS:  Thanks, Nico.  You're all set, Nico?

23               MR. CORBIJN:  Yeah, I'm all done, thank you.

24               MR. CURTIS:  And Brierley, you're all set?

25               LT. OSTRANDER:  All set.

1           MR. CURTIS: And I think Liam has just one more question  
2 here, I believe.

3           BY MR. LARUE:

4           Q. Hey Mike, Liam Larue again. How many slides -- rescue  
5 slides are there onboard?

6           A. Two.

7           Q. Okay. And both of them were apparently packed  
8 backwards?

9           A. That is correct.

10          Q. Those are -- how are those stored onboard?

11          A. There's a safety hold locker on the starboard side main  
12 deck, and they are stored in bags inside that locker.

13          Q. So they can be used on either side?

14          A. Yes, that is correct. There is -- clips, or D rings,  
15 that they can be put into with (indiscernible) and then activated  
16 at that location.

17          Q. Okay. And so, you activated them, and when they  
18 activated, they were upside down, is that correct? Did I  
19 understand you correctly?

20          A. Right, right. They came out upside down.

21          Q. Okay.

22          A. Yes.

23          Q. Is there a way to --

24          A. A 180 out would be the same way of saying that.

25          Q. Okay. Is there a way to tell if they're packed

1 correctly when you take them out, or is that not, you know,  
2 obvious to you when you unwrap them?

3 A. When they're rolled up in the bag --

4 Q. Uh-huh.

5 A. -- and we looked at it, those who were with me, it was  
6 marked on the exterior of the bag what direction --

7 Q. Uh-huh.

8 A. -- outward, with dual arrows on it, and we confirmed --  
9 we couldn't -- once we opened the top of the bag, there was  
10 nothing to indicate, from looking at the way it was wrapped up,  
11 there was no way to see if it was inverted, packed backwards.

12 Q. Okay. And there -- could you describe the operation --  
13 is there some sort of a pull cord, or --

14 A. There is indeed a pull cord that activates that with a  
15 CO2 canister that inflates it, yes.

16 Q. Okay. Okay. And you guys don't ever open the bags, you  
17 don't mess with them, the only time they're looked at is when  
18 they're serviced, correct?

19 A. That is correct.

20 Q. Okay.

21 MR. CURTIS: Okay, I guess that's all the questions -- I  
22 believe that's all we have. Nico and Brierley, I guess you're all  
23 set?

24 LT. OSTRANDER: Yes.

25 MR. CORBIJN: I am, thank you.

1           MR. CURTIS: Nico and Brierley, if you'll just hold the  
2 line for a moment after we conclude here. Mike, I appreciate your  
3 talking with us today. I guess that's all we have, and I  
4 certainly appreciate your participation here. It's 2:40, and that  
5 concludes the interview. Thank you, Mike.

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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 Mike Mielke

DOCKET NUMBER: DCA-07-MM-015

PLACE: Auke Bay, Alaska

DATE: June 28, 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.

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Matt Dycus  
Transcriber