

**Transcript of the Testimony of
The Joint United States Coast
Guard/Bureau of Ocean Energy
Management Investigation**

**Date taken: October 5, 2010
PM Session**

**USCG/BOEM Board of Investigation (Re: Deepwater
Horizon)**

*****Note*****

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USCG/BOEM BOARD OF INVESTIGATION
INTO THE MARINE CASUALTY, EXPLOSION,
FIREPOLLUTION AND SINKING
OF MOBILE OFFSHORE DRILLING UNIT
DEEPWATER HORIZON, WITH LOSS OF LIFE
IN THE GULF OF MEXICO, 21-22 APRIL 2010
TUESDAY, October 5, 2010 P.M. SESSION

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The Transcript of the Joint United States Coast Guard/Bureau of Ocean Energy Management Investigation of the above entitled cause before Pat Kennedy Quintini, a certified court reporter authorized to administer oaths of witnesses pursuant to Section 961.1 of Title 13 of the Louisiana Revised Statute of 1950, as amended, reported at the Holiday Inn, 2261 North Causeway Boulevard, Metairie, Louisiana 70001, on Tuesday, October 5, 2010, beginning at 3:00 p.m.

1 APPEARANCES:

2

MEMBERS OF THE BOARD:

3

4 CAPTAIN HUNG M. NGUYEN
CO-CHAIR UNITED STATES COAST GUARD

5

6 JUDGE WAYNE R. ANDERSEN
UNITED STATES DISTRICT JUDGE (RET.)

7 CAPTAIN MARK R. HIGGINS
STAFF JUDGE ADVOCATE
8 COAST GUARD ATLANTIC AREA

9 DAVID DYKES
CO-CHAIR MINERALS MANAGEMENT SERVICE

10

JASON MATHEWS
11 MINERALS MANAGEMENT SERVICE

12 JOHN MCCARROLL
MINERALS MANAGEMENT SERVICE

13

LT. R. BUTTS, COURT RECORDER
14 UNITED STATES COAST GUARD

15

16 REPORTED BY:

17 PAT KENNEDY QUINTINI
CERTIFIED COURT REPORTER

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1 P R O C E E D I N G S

2 CAPTAIN NGUYEN:

3 Ms. Fleytas, are you online?

4 JUDGE ANDERSEN:

5 We are connected up by phone. Can
6 you hear me okay?

7 MR. JOHNSON:

8 Yes, I can.

9 JUDGE ANDERSEN:

10 We can hear the sounds of your
11 voice, but in order for us to distinguish
12 actual syllables and words, please speak
13 slowly. Okay?

14 MR. JOHNSON:

15 Yes, sir.

16 JUDGE ANDERSEN:

17 Would you identify your name for
18 the record?

19 MR. JOHNSON:

20 My name is Tim Johnson.

21 JUDGE ANDERSEN:

22 Okay. We could hear that. Is
23 your client present?

24 Ma'am, are you present?

25 MR. JOHNSON:

1 Ms. Fleytas is here.

2 THE WITNESS:

3 I'm here.

4 JUDGE ANDERSEN:

5 Hi, Ms. Fleytas. I'm a Board
6 member, Wayne Andersen, and I'm going to
7 handle the questioning of you by the Board
8 members and the various lawyers. If there
9 is something you don't understand, just let
10 me know and we can rephrase it. If somebody
11 asks you a question that you don't know the
12 answer to, you need not answer the question.
13 You can just tell us you don't know the
14 answer if that's the truth and that would be
15 fine. You don't have to make stuff up or
16 guess or speculate. Okay?

17 THE WITNESS:

18 Okay.

19 JUDGE ANDERSEN:

20 Having said that, since you are
21 making statements to an agency of the United
22 States, I have to advise you, as I have
23 every other witness, that false statements
24 are punishable by fine and/or imprisonment.
25 So in layperson's terms what you say really

1 counts. And even though I haven't -- this
2 is the greatest distance at which I have
3 ever sworn anybody in.

4 (Oath administered to Andrea Fleytas)

5 JUDGE ANDERSEN:

6 We are working with the
7 microphones here. It was a little hard to
8 hear that. We are going to ask that Board
9 members question you first.

10 Captain, would you like to go
11 first?

12 CAPTAIN NGUYEN:

13 Yes, sir.

14 Captain Higgins will lead the
15 Coast Guard questioning, but is there a
16 Coast Guard representative on your end of
17 the line?

18 THE WITNESS:

19 Yes, sir.

20 CAPTAIN NGUYEN:

21 Could the Coast Guard
22 representative please identify yourself,
23 name and spell your names out, please?

24 MASTER CHIEF SINE:

25 Master Chief Bryan Sine, Los

1 Angeles, Long Beach.

2 CAPTAIN NGUYEN:

3 Master Chief, please pronounce --
4 would you please spell out your last name
5 and first name, please?

6 MASTER CHIEF SINE:

7 My name is spelled B-R-Y-A-N.
8 Last name is spelled S-I-N-E.

9 CAPTAIN NGUYEN:

10 Thank you, Master Chief.

11 Captain Higgins.

12 EXAMINATION BY CAPTAIN HIGGINS:

13 Q. Good afternoon, Ms. Fleytas.
14 Thank you for being available by phone
15 today. I'm Captain Mark Higgins and I'm a
16 Board member with Judge Andersen and Captain
17 Nguyen. Could you briefly outline your
18 maritime background?

19 A. I graduated from the California
20 Maritime Academy in 2008 with a degree in
21 marine transportation. I hold a third
22 mate's unlimited tonnage license issued by
23 the U.S. Coast Guard.

24 Q. Are you currently assigned to a
25 vessel?

1 A. Yes, the DEEPWATER HORIZON. Oh,
2 currently? No, I'm not currently assigned
3 to a vessel.

4 Q. Which vessels have you been
5 assigned to?

6 A. The DEEPWATER HORIZON was the only
7 vessel I was assigned to.

8 Q. And what position did you hold
9 aboard the DEEPWATER HORIZON?

10 A. Dynamic positioning operator.

11 Q. And how long did you hold that
12 position?

13 A. About a year and a half.

14 Q. Did you have any other positions
15 with Transocean before that position?

16 A. No, sir.

17 Q. Would you describe the scope of
18 your duties as a dynamic positioning
19 officer?

20 A. It was to maintain location of the
21 rig as well as ballasting, ship collision
22 avoidance. That sums it up, I guess.

23 Q. What were your duties relative to
24 the various alarm systems on board?

25 A. I was to acknowledge alarms and

1 find the problems to alarms, let the senior
2 DPO know about the alarm, and then we
3 contact other departments so that those
4 alarms can be assessed.

5 Q. What were your responsibilities
6 with regard to communicating either for the
7 vessel or in the event of a distress?

8 A. Can you repeat that question? I
9 didn't hear it.

10 Q. What were your responsibilities in
11 terms of communications for distress signals
12 or communicating with other vessels?

13 A. I didn't understand.

14 MR. JOHNSON:

15 Can you repeat the question,
16 please, Captain?

17 CAPTAIN HIGGINS:

18 Yes, sir.

19 EXAMINATION BY CAPTAIN HIGGINS:

20 Q. Ms. Fleytas, what were your
21 responsibilities with regard to
22 communicating distress signals?

23 A. If we were in the situation of
24 distress, I had the authority to issue a
25 distress. I hold a SBC license, my radio

1 communications license, as well as I have a
2 radio operator's license issued by the FCC.

3 Q. When did you arrive on board
4 DEEPWATER HORIZON?

5 A. The date of the incident -- I
6 mean, the month of? Four days before the
7 incident.

8 Q. And how long did you serve on
9 board the DEEPWATER HORIZON? Was that one
10 and a half years?

11 A. Yes.

12 Q. Did the scope of your duties
13 include monitoring alarms and systems?

14 A. Right.

15 Q. And which alarms did you monitor?

16 A. The alarm -- I monitored DP
17 alarms, semi vessel control alarms, and that
18 consisted of engine alarms, ballast control
19 alarms, mud pull, fire alarms, numerous
20 other ones.

21 Q. Did you monitor anything with
22 regard to the emergency disconnect system?

23 A. No, sir.

24 Q. Did you have any responsibility
25 for the EDS system?

1 A. No.

2 Q. Were you authorized to operate
3 that system?

4 A. No.

5 Q. Was anyone on the bridge
6 authorized to operate that system?

7 A. No.

8 Q. Are you familiar with Transocean's
9 policy concerning the scheduling of testing
10 of alarms on the DEEPWATER HORIZON?

11 A. Not that I remember.

12 Q. When did -- when were the alarms
13 tested and the exercises done; do you know?

14 A. I don't remember.

15 Q. Do they do the exercises at ten
16 hundred on Sundays?

17 A. Yes, that was the fire and abandon
18 drill.

19 Q. Was there a policy aboard
20 DEEPWATER HORIZON to not interfere with
21 drilling operations when the tests were
22 being done?

23 A. Not that I know of.

24 Q. Were you aware of any parts of the
25 blowout preventer that were not working

1 properly as of the 20th of April?

2 A. No.

3 Q. How often was the EDS tested, if
4 you know?

5 A. I don't know.

6 Q. Did you ever participate in tests
7 involving EDS?

8 A. No.

9 Q. As the DPO, were you generally
10 aware of the readiness of safety systems on
11 board the DEEPWATER HORIZON?

12 A. Yes.

13 Q. If a system was not operational or
14 was disabled or inhibited, would you as the
15 watch officer be aware of that?

16 A. Yes.

17 Q. Are these nonoperational or
18 inhibited conditions logged anywhere?

19 A. Yes. Our detectors and our
20 sensors were logged in a gas -- fire and gas
21 detector logbook up on the bridge.

22 Q. To the best of your knowledge,
23 were any of these alarms or sensors
24 inhibited on the 20th of April?

25 A. We had it going and I don't

1 remember exactly which ones they were.

2 Q. I know this may be difficult for
3 you, but we would like you to describe what
4 happened the day of the incident from the
5 time you came on watch until you departed
6 the DEEPWATER HORIZON.

7 A. I came up to the bridge at
8 5:30 p.m. I believe Darin Rupinski had
9 assumed watch at 6:00. Business was as
10 usual until later on that evening I felt a
11 jolt. When I felt that jolt, there was a
12 series of combustible gas alarms that went
13 off. The first one was the shaker house.
14 The second one was the drill floor. When I
15 felt that jolt, Yancy came over and turned
16 the CCTV over to the starboard side and
17 that's when I witnessed mud coming from the
18 starboard side.

19 As soon as -- we continued to get
20 a series of alarms, and while we were
21 getting those alarms, the drill floor called
22 and told me that they had a well control
23 situation and they hung up. The ECR then
24 called me and said what was going on and I
25 told him that we had a well control

1 situation.

2 At that time I was acknowledging
3 alarms and still monitoring DP. Soon after
4 that, the rig blacked out. When the rig
5 blacked out, immediately after, there was a
6 huge explosion.

7 When the explosion happened, I
8 went over to the general alarm and hit the
9 general alarm. Yancy made the announcement
10 over the PA to report to emergency stations
11 and lifeboats. And I went back to the DP
12 console and I continued to acknowledge
13 alarms from the SBC to try to get the
14 systems back online.

15 At that time I looked over to the
16 NESF and noted that no one had hit any of
17 the distress buttons. So I went over and I
18 hit the distress buttons and issued a
19 mayday. I went back to the DP console and
20 minutes later the Captain yelled and said
21 that we were abandoning. I went over to the
22 PA and made the last announcement and said
23 that we were abandoning the rig.

24 Yancy, myself and the Captain were
25 the last to leave the bridge and we went

1 down to the station where there were a few
2 others and they were already launching the
3 life raft. I got into the life raft. And
4 when the life raft hit the water, I fell out
5 and I started swimming away from the rig.
6 When I was swimming away from the rig, the
7 BANKSTON rescue boat came and pulled me out
8 of the water.

9 Q. Thank you for the overview. Going
10 back to the evening on the bridge, was there
11 any unusual events that were going on on the
12 bridge prior to the jolt that you felt?

13 MR. JOHNSON:

14 Captain, what you do you mean by
15 unusual?

16 EXAMINATION BY CAPTAIN HIGGINS:

17 Q. Specifically were there VIPs that
18 were visiting the rig?

19 A. Yes. There were VIP personnel up
20 on the bridge that night.

21 Q. When the VIPs came onto the
22 bridge, who was with them and how many of
23 them were there?

24 A. I don't remember exactly how many
25 there were. But I do know that it was BP

1 personnel and the Captain did come up with
2 us to give them a tour of the bridge.

3 Q. Was Mr. Harrell on the bridge as
4 well?

5 A. No, sir.

6 Q. Do you remember what time they
7 arrived on the bridge?

8 A. I don't remember.

9 Q. What did they do when they came to
10 the bridge?

11 A. They were working on the
12 simulator.

13 Q. What was your role relative to
14 Mr. Keplinger's role while they were on the
15 bridge?

16 A. Yancy was giving them a tour of
17 the bridge while I was at the DP console
18 monitoring the DP.

19 Q. Did their presence on the bridge
20 in any way disrupt the bridge watch?

21 A. No, sir.

22 Q. You said that the Captain was also
23 on the bridge; is that right?

24 A. Yes.

25 Q. When you felt the jolt, what

1 reactions or what actions did the Captain
2 take?

3 A. Trying to figure out what it was.
4 And he walked over with Yancy and that's
5 when Yancy turned the CCTV over to the
6 starboard side.

7 Q. Did the Captain engage in
8 discussions with any of the VIPs with regard
9 to what was going on?

10 A. I don't know.

11 Q. Did you see him speak with
12 Mr. Winslow in particular?

13 A. I don't recall Mr. Winslow being
14 up there.

15 Q. Do you know who Mr. Daun Winslow
16 is?

17 A. Yes, I do.

18 Q. Do you recall whether he was one
19 of the VIPs or not?

20 A. I do know he was on board, but to
21 be honest, I don't remember.

22 Q. Did you hear anything with regard
23 to the thrusters during this period?

24 A. Excuse me?

25 Q. Did you hear anything with regard

1 to the thrusters, like they might be revving
2 up or reacting in an unusual manner?

3 A. When I first felt the initial
4 jolt, I thought that the thrusters were
5 revving so I looked at my thruster gauges.
6 But that evening we had no seas, calm
7 weather, and it wasn't our thrusters.

8 Q. With regard to the sequence of
9 alarms that you observed, did the
10 combustible gas alarms go off and how did
11 you recognize that?

12 A. It states "combustible gas alarm"
13 and it tells you which location. And that
14 was the shaker house was the first one and
15 the drill house was the second one and they
16 are in magenta.

17 Q. Were those alarms before or after
18 the jolt?

19 A. After the jolt.

20 Q. They were after the jolt and
21 before the large explosion; is that correct?

22 A. Correct.

23 Q. What actions did you take when you
24 observed those alarms?

25 A. I started acknowledging alarms and

1 Yancy went back to the fire and gas station,
2 that's the main console, and was
3 acknowledging alarms as well.

4 Q. Was the general alarm inhibited?

5 A. No, sir.

6 Q. Was it in a manual mode?

7 A. Yes, it was.

8 Q. And why is the general alarm in a
9 manual mode?

10 A. We have numerous ones that go off,
11 our sensors, and so if they go off and don't
12 get acknowledged, then the general alarm
13 will go off and alarm everybody else. So we
14 had them in a manual mode so we had the
15 power to go and hit the general alarm.

16 Q. At some point did the chief mate
17 come in and say there was an uncontrollable
18 fire and ask the Captain to abandon?

19 A. Yes, sir. It happened after the
20 blackout and the explosion. The chief mate
21 was in and out and he came in and told the
22 captain that there was an uncontrollable
23 fire and that we needed to abandon the rig
24 now.

25 Q. Did the captain take advice or

1 reports from anyone else that indicated
2 there was a need to abandon ship?

3 A. Not that I know of. I don't
4 remember.

5 Q. Did he speak with Mr. Harrell or
6 Mr. Winslow with regard to the decision to
7 abandon ship?

8 MR. JOHNSON:

9 I'm going to object, Captain, only
10 to the extent that she doesn't recall
11 Mr. Winslow being on the bridge.

12 You can answer the question.

13 CAPTAIN HIGGINS:

14 If she knows.

15 THE WITNESS:

16 Can you repeat that?

17 EXAMINATION BY CAPTAIN HIGGINS:

18 Q. I will break it into two pieces.
19 Did the captain speak with Mr. Harrell with
20 regard to the decision to abandon the rig?

21 A. No.

22 Q. Did the captain speak with
23 Mr. Winslow with regard to the decision to
24 abandon the rig?

25 A. I don't know.

1 Q. With regard to the decision to
2 EDS, did the captain order the EDS?

3 A. The captain -- Jimmy Harrell was
4 up on the bridge and the captain asked for
5 authority to disconnect.

6 Q. So at some point Mr. Harrell did
7 come to the bridge and that was before the
8 EDS; is that correct?

9 A. I don't know. Jimmy Harrell did
10 come up to the bridge after the explosion.

11 Q. I'm a little confused. I'm sorry.
12 So Mr. Harrell came to the bridge at some
13 point after the explosion. Was that before
14 or after the captain had issued the order to
15 abandon the rig?

16 A. He never issued to abandon the rig
17 until what I stated before, when Yancy and I
18 were the last ones up there, that's when he
19 said that we were abandoning.

20 Q. Okay. So did he speak with
21 Mr. Harrell about the decision to abandon
22 the rig?

23 A. No, not that -- I don't know.

24 Q. Prior to the jolt, who in your
25 view was in charge of the rig?

1 A. The OIM.

2 Q. And that would be Mr. Harrell; is
3 that correct?

4 A. Right.

5 Q. And at what point, if at all, did
6 that authority shift to someone else?

7 A. When the explosion happened,
8 that's when I feel the captain was in
9 charge.

10 Q. Did you make any announcement or
11 any record that the authority had shifted
12 from the OIM to the captain?

13 A. No, sir.

14 Q. How would everyone on board the
15 rig know who was in charge at a given point?

16 MR. JOHNSON:

17 I object, Captain, to the extent
18 that calls for speculation. You are asking
19 her to comment on what other people might
20 have thought and I think that's an
21 inappropriate question.

22 MR. SCHONEKAS:

23 I will join in that objection.

24 JUDGE ANDERSEN:

25 We will sustain it, but allow the

1 question: How did you know who was in
2 charge at a particular point in time? And
3 then if the captain wants to follow up and
4 say was that general knowledge, he can do
5 that. But you don't need to guess or
6 speculate.

7 So how did you know who was in
8 charge at each time during these events?

9 THE WITNESS:

10 With my training I have been
11 trained that my chain of command goes to the
12 captain. So when the fire did happen, even
13 with the drills that we had when we had fire
14 drills, that's the one person who was in
15 charge. So that's why I feel the captain
16 was in charge at that time.

17 EXAMINATION BY CAPTAIN HIGGINS:

18 Q. Are you familiar with the
19 statement that you gave to the Coast Guard
20 immediately following the event?

21 A. Yes, sir.

22 Q. And are you familiar with the line
23 where it asked you who the person in charge
24 was?

25 MR. JOHNSON:

1 We have the statement here. Would
2 you like her to review it?

3 CAPTAIN HIGGINS:

4 Yes, sir. It's about halfway down
5 on the right side. It says the person in
6 charge and she has written Jimmy Harrell.

7 MR. JOHNSON:

8 Captain, just for clarification,
9 when you say she gave this statement
10 immediately after the event, it's my
11 understanding that it happened mid afternoon
12 the following day. We are talking about the
13 same statement; is that correct?

14 CAPTAIN HIGGINS:

15 Yes, sir. The statement is dated
16 21 April.

17 EXAMINATION BY CAPTAIN HIGGINS:

18 Q. Do you see that line where you
19 indicated that the person in charge --

20 A. No, I don't see it.

21 MR. JOHNSON:

22 What page are you referring to?

23 CAPTAIN HIGGINS:

24 Sir, it's one page. It's about
25 halfway down on the first.

1 THE WITNESS:

2 It's blacked out.

3 JUDGE ANDERSEN:

4 It's not part of the narrative.

5 It's an answer to --

6 MR. JOHNSON:

7 Yeah, we have a redacted copy.

8 JUDGE ANDERSEN:

9 Why don't you read the entry and
10 then she can explain that particular answer.

11 EXAMINATION BY CAPTAIN HIGGINS:

12 Q. The entry is just a line. It's
13 the data about the vessel and it says:
14 Person in charge of the vessel. And written
15 in there is Jimmy Harrell. Do you recall
16 that, Ms. Fleytas?

17 A. I don't remember writing it, but
18 it's there in writing, but I don't know.

19 MR. SCHONEKAS:

20 I am going to object, Judge. The
21 reason being there is no reference in terms
22 of a point in time. It's simply a line on
23 the form.

24 JUDGE ANDERSEN:

25 That's what we expect for her to

1 explain, so let's see what question the
2 Captain has, if any.

3 EXAMINATION BY CAPTAIN HIGGINS:

4 Q. Who has the authority to execute
5 the EDS system?

6 A. Subsea, that I know of.

7 Q. Was that a decision to be made by
8 the captain or a decision to be made by the
9 OIM?

10 A. I don't know.

11 Q. I'm sorry. I didn't hear your
12 answer.

13 A. I don't know.

14 Q. Do you know at the time the
15 decision -- do you know if at any time was
16 the decision made to EDS?

17 A. Yes. There was a decision made.
18 That's when Jimmy Harrell said: Yes, EDS.

19 Q. So Jimmy Harrell was the one that
20 made the decision to EDS; is that correct?

21 A. Yes.

22 Q. Was that at the request of Chris
23 Pleasant?

24 A. No. That was at the request of
25 Captain Curt.

1 Q. So your recollection is that the
2 captain asked Mr. Harrell for permission to
3 EDS; is that correct?

4 A. Right.

5 Q. So that would seem to indicate
6 that it was Mr. Harrell's decision as to
7 whether or not the rig should EDS; is that
8 correct?

9 MR. JOHNSON:

10 I am going to object again. That
11 calls for speculation, Captain.

12 CAPTAIN HIGGINS:

13 Well, sir, I think she was there
14 and she can answer if she knows or not. But
15 if the captain asked Mr. Harrell for
16 authority to EDS, that would seem that it
17 was his decision.

18 MR. JOHNSON:

19 It may seem that, but what you are
20 entitled to are her personal impressions of
21 what she saw and observed. She can't tell
22 you what was in the captain's mind or in
23 Jimmy Harrell's mind. She's already told
24 you what she observed.

25 CAPTAIN HIGGINS:

1 Well, the question I have, then,
2 is did she observe that the captain asked
3 Mr. Harrell for permission to EDS and that
4 that permission was granted?

5 THE WITNESS:

6 Yes, sir.

7 EXAMINATION BY CAPTAIN HIGGINS:

8 Q. Once the EDS was activated, did
9 any additional lights come on to indicate
10 that it worked?

11 A. I don't know. I never went back
12 to the DOB panel. I stayed up forward at
13 the DP console.

14 Q. So there are no flowmeters or
15 indication on the DP console that would
16 indicate whether or not the EDS was
17 successful; is that correct?

18 A. No. I don't know.

19 Q. On the night of the incident, to
20 the best of your knowledge, were all the
21 systems aboard the DEEPWATER HORIZON working
22 properly?

23 A. Yes, sir.

24 Q. After you departed the bridge, how
25 did you leave the DEEPWATER HORIZON?

1 A. Life raft. There was a few people
2 down there who were launching the life raft.
3 I got into the life raft. The life raft
4 then deployed and I ended up falling out
5 because there was some kind of -- I rolled
6 in the life raft and fell out.

7 Q. Do you know who made the decision
8 to launch the life rafts?

9 A. No.

10 Q. Do you know who on board the
11 DEEPWATER HORIZON was responsible for the
12 firefighting effort?

13 A. The captain and the chief mate.
14 There was a group. There was an emergency
15 team as well.

16 Q. Did the captain remain responsible
17 after he had departed the vessel?

18 MR. SCHONEKAS:

19 I am going to object. That calls
20 for a legal opinion.

21 JUDGE ANDERSEN:

22 Could you repeat that question?

23 THE WITNESS:

24 Yes.

25 JUDGE ANDERSEN:

1 Did she answer?

2 CAPTAIN HIGGINS:

3 I'm not sure I heard the answer.

4 MR. JOHNSON:

5 Would you repeat the question,
6 please?

7 JUDGE ANDERSEN:

8 Captain, if you could repeat the
9 question and we can see if it is a legal
10 question or what your understanding of the
11 authority was at the time.

12 EXAMINATION BY CAPTAIN HIGGINS:

13 Q. Did the captain continue to
14 exercise responsibility for firefighting
15 after he left the vessel?

16 A. I don't know.

17 Q. Your answer is, you don't know?

18 A. Yes, I don't know.

19 Q. Do you know if one of the boats
20 was designated as a rescue boat, one of the
21 lifeboats?

22 A. It was No. 2.

23 Q. Do you know if that rescue boat
24 undertook any rescue activities?

25 A. I don't know.

1 Q. Do you know --

2 A. You are talking about the
3 DEEPWATER HORIZON lifeboats, correct?

4 Q. Correct. After that boat was
5 launched, did it operate as a rescue boat or
6 did it go directly to the DAMON BANKSTON?

7 A. I don't know.

8 Q. Do you know who was in charge of
9 that boat?

10 A. It could have been Mike Mayfield
11 or Darin Rupinski. They were both DPOs off
12 watch.

13 Q. So the person who would be
14 responsible for operating that boat would be
15 the off-duty DPO; is that correct?

16 A. Right. The off-duty DPO or senior
17 DPO.

18 Q. But it would not be Mr. Winslow or
19 some other person; is that correct?

20 A. No, sir.

21 Q. In reflecting back over the last
22 couple of months since the incident, how
23 would you rate the overall effectiveness and
24 the firefighting and evacuation efforts?

25 MR. JOHNSON:

1 You cut out a little bit. Could
2 you repeat that, please?

3 EXAMINATION BY CAPTAIN HIGGINS:

4 Q. In reflecting back over the last
5 couple of months since the incident, how
6 would you evaluate the overall effectiveness
7 of the evacuation and firefighting efforts?

8 A. Good. Every Sunday we had our
9 drill, and overall good.

10 Q. How about the search and rescue
11 efforts?

12 A. I only did one of those during the
13 time I was on board and that was good as
14 well. We went over the steps we needed to
15 take.

16 MR. FANNING:

17 Excuse me, Captain, can I ask for
18 a clarification? Are you asking about this
19 incident or are you asking about overall?

20 EXAMINATION BY CAPTAIN HIGGINS:

21 Q. This is specific to the incident,
22 ma'am. With regard to this incident, do you
23 have any comments with regard to the search
24 and rescue efforts either by the Coast Guard
25 or by the DEEPWATER HORIZON crew?

1 A. I think everybody did a good job.
2 I do think that the Transocean -- everybody
3 on board that night helped each other out
4 and that's how we got so many people off
5 alive.

6 Q. I want to go back just to the
7 question I asked before with regard to the
8 firefighting effort and just make sure that
9 that question was also directed to that
10 specific event. With regard to the incident
11 on the 20th, how would you evaluate the
12 evacuation and firefighting effort?

13 A. Considering the circumstances,
14 that none of this was planned and it was all
15 so fast, I think everything went well.

16 Q. Based on your experience that day,
17 do you have any information or
18 recommendations that you would like to share
19 with the Board concerning firefighting,
20 abandoning ship or the search and rescue
21 efforts and procedures should this ever
22 happen again?

23 A. Not off the top of my head, no.

24 CAPTAIN HIGGINS:

25 Thank you, very much. I will now

1 turn it over to other Board members for
2 their questions.

3 EXAMINATION BY CAPTAIN NGUYEN:

4 Q. Ms. Fleytas, this is Captain
5 Nguyen. Just one question for you. You
6 said that Captain Kuchta asked Mr. Harrell
7 for permission to activate the EDS; is that
8 correct?

9 A. Correct.

10 Q. Was that before or after the
11 explosion?

12 A. After the explosion.

13 Q. So after the explosion the master
14 of the vessel should be in command of the
15 vessel; is that correct?

16 A. Yes.

17 Q. So if he was in command of the
18 vessel, why would he have to ask permission
19 from Mr. Harrell?

20 MR. JOHNSON:

21 Object. That calls for
22 speculation, Captain. Again, she can't tell
23 you what was going on in Captain Kuchta's
24 mind.

25 MR. SCHONEKAS:

1 He took the words out of my mouth.

2 I join in that objection.

3 CAPTAIN NGUYEN:

4 Thank you. I understand.

5 EXAMINATION BY CAPTAIN NGUYEN:

6 Q. Are you familiar with the
7 emergency response plan for the DEEPWATER
8 HORIZON?

9 A. Familiar now? No. I know there
10 is one.

11 Q. There is one, but have you seen
12 it?

13 A. Yes, I have seen it back in the
14 past.

15 Q. Did you read it?

16 A. Yeah.

17 Q. In the emergency response plan,
18 there's different actions that different
19 crewmembers are required to take for certain
20 events, is that correct, ma'am, including
21 explosion and fire?

22 A. Could you repeat that?

23 Q. Yes, ma'am. The emergency
24 response plan, in there it describes
25 different action a crewmember is required to

1 take for certain emergencies; is that
2 correct, ma'am?

3 A. Duties, yes.

4 Q. So for explosion and fire, if I go
5 to the emergency response plan under
6 explosion and fire scenario, I would find an
7 item to say -- that specifies that the
8 captain should ask the OIM for permission to
9 activate the EDS?

10 A. I don't remember what is in that
11 book.

12 Q. All right. So if Captain Kuchta
13 asked Mr. Harrell, that should be in
14 according to some written procedure for the
15 DEEPWATER HORIZON; is that correct?

16 MR. SCHONEKAS:

17 Objection.

18 MR. JOHNSON:

19 I am going to object, again,
20 Captain. That calls for speculation.

21 MR. SCHONEKAS:

22 And an opinion from a lay witness
23 whose area of expertise is not this.

24 MR. KOHNKE:

25 Captain, let me note in this

1 objection, my recollection of Ms. Fleytas'
2 testimony was that there wasn't an asking
3 for permission. It was: Can we EDS? Now,
4 you have worked into your question asking
5 for permission as though that is the only
6 basis there could be in asking for
7 corroboration: Am I making the right
8 decision in your opinion? But it is not a
9 handover of authority necessarily unless you
10 phrased the question as you have. But that
11 wasn't consistent with her earlier testimony
12 and I want to make that note for the record.

13 EXAMINATION BY CAPTAIN HIGGINS:

14 Q. Ms. Fleytas, is that correct,
15 Captain Kuchta asked Mr. Harrell: Can we
16 EDS?

17 JUDGE ANDERSEN:

18 Perhaps if you just -- if you
19 remember them, what words did the captain
20 say to Mr. Harrell?

21 THE WITNESS:

22 Do we have the authority to
23 disconnect?

24 JUDGE ANDERSEN:

25 Can you say that again, ma'am?

1 THE WITNESS:

2 We need your authority to
3 disconnect.

4 EXAMINATION BY CAPTAIN NGUYEN:

5 Q. I need your authority to
6 disconnect?

7 A. Right.

8 Q. And what did Mr. Harrell say?

9 A. He said: Yes.

10 Q. Thank you, ma'am.

11 A. He said: Yes, do it.

12 CAPTAIN NGUYEN:

13 Thank you, ma'am. That's all I
14 have.

15 JUDGE ANDERSEN:

16 Any other Board questions?

17 EXAMINATION BY MR. MATHEWS:

18 Q. This is Jason Mathews with BOEM.
19 I think I heard you correctly that you said
20 you had 1.5 years experience on the
21 DEEPWATER HORIZON prior to this incident?

22 A. Right.

23 Q. When you were in that 1.5 years,
24 at any time had you ever experienced a well
25 control incident?

1 A. No. I mean, no.

2 Q. Had you ever experienced an
3 incident where you had multiple high gas
4 combustible gas alarms, I'm sorry, sensors
5 go off in an engine control room?

6 A. I don't remember.

7 Q. When you are on the rig and on the
8 evening of the 20th and you got a call from
9 the rig floor, do you know who made that
10 phone call to you, ma'am?

11 A. No, I don't.

12 Q. And exactly -- I think the only
13 words that they said were: We are in a well
14 control event?

15 A. Yes. We have a well control
16 situation, and they hung up.

17 Q. And then I guess shortly
18 thereafter you had a call from the engine
19 control room asking you what was going on?

20 A. Yes. And I responded: We have a
21 well control situation. And they hung up
22 with me as well.

23 Q. Prior to that phone call, did you
24 have any indication that high combustible
25 gas was going off in that area?

1 A. Yes. Before the phone call I got,
2 we were getting the combustible gas alarms
3 and the first one was the shaker house and
4 the second one was the drill floor. But
5 before that phone call, we did have an
6 indication of combustible gas.

7 Q. I'm asking specifically for the
8 engine control room.

9 A. There were so many alarms. There
10 were hundreds of them on that page, so I
11 don't remember if those were some of them.

12 Q. During your phone conversation
13 with the engine control room, do you know
14 who you were speaking with?

15 A. No, I don't.

16 Q. Did you ever tell them that they
17 had multiple high gas alarms going off in
18 the area?

19 A. No.

20 Q. At any time in the past, had you
21 ever been made aware if there was high gas
22 going off in the engine room, if you were
23 ever trained to inform them to shut down
24 their engines or go into a standby mode?

25 A. No.

1 Q. And lastly, I think earlier you
2 testified that no one was on the bridge that
3 had the authority to EDS; was that correct,
4 ma'am?

5 A. Correct.

6 Q. Isn't there multiple other
7 locations on that rig where authorized
8 personnel can EDS?

9 A. The only other one I know of is
10 the drill shack.

11 MR. MATHEWS:

12 Thank you, ma'am. I have no
13 further questions.

14 JUDGE ANDERSEN:

15 Lt. Butts.

16 EXAMINATION BY LT. BUTTS:

17 Q. Good afternoon, ma'am. Would you
18 tell us how you fell out of the life raft?

19 A. Yes. The life raft was deployed
20 and it was on the embarkation level and I
21 went to get in and when I got in, the life
22 raft started free falling and I rolled over
23 onto the opposite side of the life raft.
24 The life raft hit the water and I rolled
25 out.

1 Q. So it was after the life raft hit
2 the water's edge is when you rolled out?

3 A. Right.

4 Q. Were you standing next to the
5 canopy opening then?

6 A. Yes. I was in the process of
7 entering the life raft.

8 Q. During your time on board the
9 DEEPWATER HORIZON, have you ever
10 participated in the preparation, embarkation
11 and launching of a davit launched lift raft?

12 A. Yes, sir. I have done it myself.

13 Q. You have activated and inflated
14 the davit launched life raft on the rail?

15 A. No, sir.

16 Q. Have you ever gotten inside of the
17 davit launched life raft in practice and
18 deployed it using the releasing device?

19 A. On the DEEPWATER HORIZON I have
20 done it at training.

21 Q. I think you are misunderstanding.
22 I'm actually asking you, have you been
23 inside a davit launched lift raft while it
24 is inflated on the rail and released the
25 life raft for free fall?

1 A. No, sir.

2 Q. During any of your training for
3 the Coast Guard for your Merchant Mariner's
4 license, have you ever gone through STCW
5 training that taught you how to activate and
6 operate any of those life-saving appliances?

7 A. Yes, sir.

8 Q. You have? I'm sorry?

9 A. Yes.

10 Q. During your STCW training they
11 taught you how to launch a davit launched
12 life raft?

13 A. Correct.

14 Q. When underway on watch on the
15 bridge, if there is a risk of collision at
16 sea, do you notify the OIM or the master?

17 A. Master.

18 Q. Even when latched up?

19 A. My chain of command goes up to the
20 captain and when involving collision and
21 over the road, I call the captain.

22 Q. Just to follow along with
23 Mr. Mathews' questions, after you received
24 the telephone call from the ECR, did the rig
25 black out and then explode?

1 A. Right.

2 Q. One final question and thank you
3 for your patience. When you felt the jolt,
4 you said you went to the thruster page; is
5 that correct?

6 A. Series of thruster pages on the
7 SBC.

8 Q. What did you observe on the
9 thruster page?

10 A. There was alarms down at the
11 bottom there. I don't know if you have a
12 paper, but they are all alarms and there was
13 Xs all over the thruster page, things I had
14 never seen before.

15 Q. On the thruster page there, did
16 you see the Xs in the areas where the main
17 diesel generators are?

18 A. I don't remember.

19 Q. Did you see any indications that
20 the thrusters were not working?

21 A. Yes. When we tried to get them
22 back online, they weren't going back online.

23 Q. But you did not see any status of
24 the main diesel engines?

25 A. Yes. The main page that wasn't

1 X'd out until I was leaving the bridge.

2 Q. I'm not sure I understand. That
3 it was X'd out?

4 A. Yeah. The same way the thrusters
5 were, but the engine page, the main
6 generator page was not X'd out until minutes
7 after.

8 Q. And at any time did you see -- if
9 you did look at it on the main engine page,
10 did you see at any time the engines, whether
11 it be the RPM gauge, actually increase
12 rapidly and then decrease, did you see any
13 activity like that at all?

14 A. No, sir.

15 LT. BUTTS:

16 Thank you, very much.

17 JUDGE ANDERSEN:

18 Any other Board questions?

19 Transocean, would you like to ask
20 any questions?

21 COUNSEL REPRESENTING TRANSOCEAN:

22 Not at this time, Your Honor.

23 JUDGE ANDERSEN:

24 Oh, I'm sorry. Marshall Islands,
25 because it was a flagship of the Marshall

1 Islands they question first and it will take
2 a minute because we need to have the lawyers
3 come to the microphone so that you can hear
4 them.

5 EXAMINATION BY MR. LINSIN:

6 Q. Good afternoon, Ms. Fleytas. My
7 name is Greg Linsin and I represent the
8 Republic of the Marshall Islands, and I just
9 have a couple of questions about the alarms
10 that you testified about. You said, if I
11 heard you correctly, that you recalled that
12 a -- combustible gas alarm in the shaker
13 house and then the drill floor, correct?

14 A. Right.

15 Q. And then you said there were a
16 series of other combustible gas alarms from
17 a number of different locations; is that
18 correct?

19 A. Correct.

20 Q. Do you recall any of the other
21 locations from which --

22 A. No, sir.

23 Q. I'm sorry?

24 A. No, sir.

25 Q. Can you give us some sense as to

1 the number of alarms you saw?

2 A. There are hundreds of alarms. You
3 can put up an alarm page and it will give
4 you a lot of them.

5 Q. Is it accurate to say that you
6 sensed that many, if not most, of the
7 combustible gas alarms were activated?

8 A. Yes.

9 Q. Can you give us an estimate as to
10 how long after the conversation you had with
11 the ECR the blackout occurred?

12 A. No, I can't. But I know it was
13 immediately after, so seconds maybe, but
14 that's just me speculating.

15 Q. And would it also be accurate to
16 say that it would be another matter of
17 seconds as opposed to minutes that the
18 explosion occurred?

19 A. Yes.

20 Q. From your vantage point on the
21 bridge, were you able to determine the
22 location from which that explosion occurred?

23 A. Yes. I saw fire coming from the
24 drill floor up through the derrick, so
25 that's where it was coming from.

1 Q. Was that the first observation of
2 fire that you had that evening?

3 A. Yes, sir.

4 Q. The jolting that you explained you
5 felt a few seconds before you saw the alarm,
6 did you see any fire or hear any explosion
7 in connection with that jolting event?

8 A. No, sir.

9 Q. Can you give us an estimate as to
10 how long it was after the explosion occurred
11 before you and Yancy and the master left the
12 bridge?

13 A. I don't remember.

14 Q. Would five or ten minutes be a
15 fair estimate, or was it longer than that?

16 A. I don't know. It felt like
17 forever.

18 MR. LINSIN:

19 I have no further questions.

20 Thank you very much.

21 JUDGE ANDERSEN:

22 Thank you.

23 Transocean?

24 COUNSEL REPRESENTING TRANSOCEAN:

25 No questions at this time, Judge.

1 We would like to reserve our rights.

2 JUDGE ANDERSEN:

3 Transocean is going to pass and
4 may ask questions later on.

5 BP?

6 COUNSEL REPRESENTING BP:

7 No questions at this time. Thank
8 you, Your Honor.

9 JUDGE ANDERSEN:

10 No questions, you're welcome.

11 Halliburton?

12 COUNSEL REPRESENTING HALLIBURTON:

13 No questions, Your Honor. Thank
14 you.

15 JUDGE ANDERSEN:

16 No questions. Thank you.

17 Cameron?

18 COUNSEL REPRESENTING CAMERON:

19 No questions, Your Honor.

20 JUDGE ANDERSEN:

21 No questions. Thank you.

22 Weatherford?

23 COUNSEL REPRESENTING WEATHERFORD:

24 No questions.

25 JUDGE ANDERSEN:

1 No questions. Thank you.

2 M-I SWACO?

3 COUNSEL REPRESENTING M-I SWACO:

4 No questions.

5 JUDGE ANDERSEN:

6 M-I SWACO no questions. Thank
7 you.

8 Anadarko?

9 COUNSEL REPRESENTING ANADARKO:

10 No questions.

11 JUDGE ANDERSEN:

12 MOEX?

13 COUNSEL REPRESENTING MOEX:

14 No questions.

15 JUDGE ANDERSEN:

16 No questions from them. Thank
17 you.

18 I promised I would switch the
19 order, so that one I skipped last time was
20 Jimmy Harrell.

21 COUNSEL REPRESENTING MR. HARRELL:

22 I still have no questions.

23 JUDGE ANDERSEN:

24 Ah, you still have no questions.

25 And then Mike Williams?

1 MR. BICKFORD:

2 Yes, sir.

3 EXAMINATION BY MR. BICKFORD:

4 Q. I'm Scott Bickford. I represent
5 Mike Williams. How are you today?

6 A. Fine. How are you doing?

7 Q. Fine, thank you. I want to take
8 you back for a second to your training on
9 the Simrad systems and your training as a
10 DPO. Were you trained on Simrad systems?

11 A. I did go to Kongsberg training in
12 Houston.

13 Q. That was for how long?

14 A. I took a basic operator's course
15 and an advanced operator's course.

16 Q. And how long was the basic
17 operator's course?

18 A. There are five and six-day
19 training courses.

20 Q. And how long was the advanced
21 operating course?

22 A. Five or six days.

23 Q. When did you take the basic
24 training course?

25 A. It was in the first month of my

1 hire.

2 Q. Which would have been
3 approximately?

4 A. That was sometime in September or
5 October.

6 Q. Of 2008?

7 A. Correct.

8 Q. And the advanced training course
9 would have been taken when?

10 A. I think it's 60 days after your
11 basic, or 60 days on the rig, so after that.
12 I don't recall.

13 Q. In the training course itself, do
14 you work on a simulator that simulates the
15 Simrad system?

16 A. No. Just dynamic positioning.

17 Q. And do you have any training
18 course looking at a screen with alarms on
19 it? In your training, do you have a
20 physical simulation of alarms coming up on
21 screens?

22 A. Yes. For the dynamic positioning,
23 yes, we do go over alarms and stuff.

24 Q. What about combustible gas sensor
25 alarms and other similar alarms on the rig?

1 A. That training is on the DEEPWATER
2 HORIZON.

3 Q. And so at Kongsberg you get none
4 of that training either in the basic or the
5 advanced course, correct?

6 A. No, sir.

7 Q. Describe to me what training you
8 get on the DEEPWATER HORIZON, on-the-job
9 training that involves the identification of
10 combustible gas alarms?

11 A. The steps you need to take to
12 figure out the problem. We acknowledge the
13 alarm. We notify all the people that need
14 to be notified. I let the senior DPO know.
15 And if there is a combustible gas in a
16 space, if it's one alarm in a specific
17 space, we call that space to make sure that
18 everybody is out. And then we send somebody
19 down there with a sniffer, an oxygen level
20 sensor to go down and check the area. If
21 there is nothing in that area then we call
22 the ETs and the ETs go and fix that sensor.

23 Q. If, in fact, there is more than
24 one sensor that goes off, does that change
25 the calculus of what you just told me?

1 A. Yes, sir.

2 Q. How does that change it?

3 A. If it's a combustible gas, we
4 treat it like a fire. We make sure that
5 that area is completely clear and we sound
6 the general alarm.

7 Q. So when two or more sensors of
8 combustible gas go off in adjacent areas,
9 it's your charge to sound the general alarm?

10 A. Right.

11 Q. Is that policy written down
12 somewhere? Do they give you that as a
13 training manual?

14 A. Not that I know.

15 Q. And so that policy is only passed
16 on to you as a result of on-the-job training
17 verbally?

18 A. Yes, that's part of my training.

19 Q. And you mentioned, I believe, in
20 your initial testimony to Captain Higgins
21 that you saw magenta on the combustible gas
22 alarm screens?

23 A. Yes, sir.

24 Q. What does seeing magenta mean?

25 A. That's the highest importance

1 alarm.

2 Q. That would indicate the highest
3 amount of combustible gas that the sensor
4 would detect and trip?

5 A. Right.

6 Q. And did you see magenta on more
7 than one sensor?

8 A. Yes.

9 Q. And approximately how many
10 combustible gas sensors did you see magenta
11 on? More than five?

12 A. Yes.

13 Q. More than ten?

14 A. Yes.

15 Q. Are you aware of how many
16 combustible gas sensors there are on the
17 DEEPWATER HORIZON?

18 A. No, sir.

19 Q. When you saw these sensors go off
20 in this fashion, had you ever been trained
21 in a simulation on board the DEEPWATER
22 HORIZON what to do if you had multiple,
23 five, ten combustible gas alarms going off
24 in a magenta phase?

25 A. No. But you know that more than

1 two is call for hitting the general alarm.

2 Q. When you saw these alarms going
3 off after the jolt and prior to the
4 explosion, was the captain present?

5 A. Yes, sir.

6 Q. Was the captain aware that there
7 were multiple combustible gas alarms going
8 off in the magenta phase?

9 A. I don't know.

10 MR. SCHONEKAS:

11 Objection. Calls for speculation.

12 JUDGE ANDERSEN:

13 You don't have to guess, only if
14 you know whether or not he was aware of it.

15 EXAMINATION BY MR. BICKFORD:

16 Q. Was he in the position to observe
17 that?

18 A. Yes, he was up on the bridge.

19 Q. But was he in the position to
20 observe those alarms where he was on the
21 bridge?

22 A. Yes.

23 Q. And to your understanding, did he
24 observe those alarms?

25 A. I don't know.

1 Q. Where was he relative to your
2 location when those alarms went off?

3 A. He was everywhere. He was a few
4 feet away from me here and there, so he was
5 everywhere.

6 Q. Was he ever at your screen when
7 these alarms were going off in magenta?

8 A. I don't know if he ever came by my
9 screen.

10 Q. You said earlier in a question
11 that the general alarm was not set on
12 automatic, but it was set so that we have
13 the power to go and hit the general alarm.
14 And I guess my question becomes, you would
15 do that when two or more sensors went off in
16 magenta? That would be one situation?

17 A. Right. It's automatic.

18 Q. It's automatic that you would do
19 it or it's automatic that it would --

20 A. Automatic that we would go and
21 personally hit the general alarm.

22 Q. And that's because the general
23 alarm would give visual and audio signals to
24 people in areas of danger where the
25 combustible gas may be to get out?

1 A. Yes. We received the alarms on --
2 at the DP console.

3 Q. But my question to you is: The
4 reason the general alarm is then sounded is
5 to give people notice, both visually and by
6 sound, to get out of the specific areas that
7 may be dangerous?

8 A. Can you repeat that again?

9 Q. Yeah. One of the reasons you are
10 hitting the general alarm upon the receipt
11 of two or more high gas, combustible gas
12 sensor readings or alarms is so that people
13 on the rig can be notified both visually and
14 by sound to get out of the specific areas,
15 correct?

16 A. Yes, correct.

17 Q. To your understanding, do the
18 general -- do you have the ability to shut
19 down ventilation in certain areas of the
20 rig?

21 A. Yes. That's on our emergency
22 shutdown panel.

23 Q. And what do you understand the
24 purpose of the emergency shutdown panel to
25 shut down ventilation in certain areas of

1 the rig to be?

2 A. There is a fire in the space and
3 we need to shut down ventilation to block
4 that area off.

5 Q. What about the presence of
6 combustible gas?

7 A. Same thing.

8 Q. That would be a reason to shut
9 down the ventilation?

10 A. Right.

11 Q. Now, do you as the DPO -- and what
12 is your position -- there is a senior DPO
13 and are you just a DPO?

14 A. I'm a DPO. I'm under the
15 supervision of the senior DPO.

16 Q. But your title would be DPO,
17 correct?

18 A. Correct.

19 Q. In your position as the DPO, did
20 you have the authority by yourself, without
21 consulting anyone else, to activate the
22 general alarm under the circumstances of,
23 for instance, the two magenta sensors
24 indicating high gas?

25 A. Yes.

1 Q. You didn't have to consult anyone,
2 ask anyone; you could sound the general
3 alarm all by yourself?

4 A. Correct.

5 Q. Had you been -- I'm sorry if I
6 asked this before and I'm sure someone here
7 will stop me. Were you ever trained to deal
8 with the advent of multiple alarms, high gas
9 alarms going off at the same time?

10 MR. SCHONEKAS:

11 I want to fulfill his expectation.
12 Scott is getting old, I understand.

13 MR. BICKFORD:

14 I understand. I am getting old
15 and you are making me older by the second.

16 I'm sorry, Ms. Fleytas.

17 EXAMINATION BY MR. BICKFORD:

18 Q. When is an emergency shutdown of
19 the ventilation systems merited with regard
20 to high combustible gas alarms?

21 A. I don't know.

22 Q. Is there any procedure that you
23 know of when you would do an emergency
24 shutdown of the ventilation due to high gas
25 alarms?

1 A. No. I don't know of any
2 procedures.

3 Q. When you say procedures, I mean,
4 are you aware of any circumstances when you
5 would trigger the emergency shutdown in
6 those areas? In other words, when there is
7 a high gas alarm or an alarm sounding on
8 your panel, is there some procedure that you
9 have been given on the job or at your
10 training at Kongsberg which would indicate
11 when you would hit the emergency shutdown
12 for ventilations in certain areas?

13 A. Not that I can remember, no.

14 Q. Captain Higgins asked you if any
15 alarms were inhibited. I wanted to ask you:
16 What do you understand when an alarm is
17 inhibited?

18 A. When an alarm is inhibited that
19 means it won't alarm on your alarm page, so
20 that allows your welders to work in a space
21 when we inhibit an alarm.

22 Q. In other words, when you go and
23 inhibit an alarm, you stop it from sounding?

24 A. Correct. And there is a visual on
25 our pages stating that it is inhibited.

1 Q. When an alarm sounds on your
2 screen and you want to silence that alarm,
3 there is a method by which you can silence
4 it; is that correct?

5 A. Right. There is a silence button.

6 Q. Is there a method, then, to
7 somehow disregard that alarm?

8 A. Silencing and acknowledging the
9 alarm.

10 Q. So you acknowledge, you silence
11 and then can you reset it?

12 A. Yes. On the fire and gas system,
13 you can reset the alarm.

14 Q. When you were getting these
15 multiple alarms, were you silencing -- were
16 you acknowledging, silencing and resetting
17 those alarms?

18 A. Only acknowledging alarms. You
19 have to acknowledge all the alarms in order
20 to reset the system.

21 Q. So were you just acknowledging the
22 alarms, or were you acknowledging, silencing
23 them, or are you acknowledging, silencing
24 and resetting them?

25 A. Just acknowledging.

1 Q. You have your statement in front
2 of you that you gave to the Coast Guard?

3 A. Yes, sir.

4 Q. And I just had a question about
5 it. You gave the statement not on the DAMON
6 BANKSTON, but later on?

7 A. No. I gave the statement on the
8 DAMON BANKSTON later on that day.

9 Q. And is this the only statement
10 that you gave?

11 A. Yes.

12 Q. You didn't give any other recorded
13 statement after -- immediately after the
14 incident?

15 A. No.

16 Q. And on your statement you say --
17 and I'm looking at it and I just have a
18 question. You say: The rig jolted -- and
19 this is about three lines from the bottom --
20 thought it was thrusters ramping slash
21 revving. Senior DPO turned CCTV camera and
22 saw mud ejecting out of the side of the
23 derrick. And then it says: Between 2155
24 and is it, and 2242 --

25 A. Correct.

1 Q. -- combustible gas detectors went
2 off. And then I can't read it -- oh, drill
3 floor shaker house. Is 2155 would be, for
4 me the layman, would be 9:55 in the evening?

5 A. Yes.

6 Q. And that went on, according to
7 your statement, for almost an hour?

8 A. What was that again?

9 Q. I'm looking at your statement.
10 And you just say between 2155 and 2242,
11 that's almost an hour time period, is it
12 not?

13 A. Yes, it is.

14 Q. Is it your recollection that for
15 an hour time period there were multiple gas
16 detectors going off?

17 A. No. Between 2155 and 2242, that
18 was for the rest of my statement. The
19 series of events that happened, that was in
20 between times.

21 Q. I'm sorry. I misunderstood the
22 way it was written.

23 MR. JOHNSON:

24 Is there a question pending?

25 MR. BICKFORD:

1 No. I'm just checking my notes to
2 see if I have anything else.

3 MR. JOHNSON:

4 Thank you.

5 EXAMINATION BY MR. BICKFORD:

6 Q. Ms. Fleytas, why didn't you signal
7 immediately the general alarm when two of
8 the sensors came up magenta on the
9 combustible gas alarms?

10 A. It was a lot to take in. There
11 was a lot going on. And soon after, I went
12 over and hit the alarms.

13 Q. But you didn't do it immediately,
14 correct?

15 A. No, sir.

16 Q. And, in fact, at the time there
17 were, by your testimony, more than ten to 20
18 magenta combustible gas alarms going off?

19 A. Correct.

20 Q. And did you consider at any time
21 initiating an emergency shutdown of any
22 ventilation aboard the rig?

23 A. No, sir.

24 Q. Did anyone else consider an
25 emergency shutdown of any ventilation for

1 any spaces aboard the rig?

2 MR. JOHNSON:

3 Objection. That calls for rank
4 speculation.

5 JUDGE ANDERSEN:

6 Only if you know. You don't have
7 to guess.

8 EXAMINATION BY MR. BICKFORD:

9 Q. Did anyone discuss it? Did you
10 hear anyone discussing it on the bridge at
11 that time?

12 A. Not that I remember.

13 Q. It was not an option put forth at
14 any period of time that you were on the
15 bridge following the jolt?

16 A. No. Not that I remember.

17 MR. JOHNSON:

18 Objection. Same speculation.

19 JUDGE ANDERSEN:

20 We will include her
21 qualifications. She didn't hear anybody
22 offer the option.

23 MR. JOHNSON:

24 Thank you, Judge.

25 MR. BICKFORD:

1 That's all the questions I have.

2 Thank you.

3 JUDGE ANDERSEN:

4 Okay. Thank you very much.

5 Any questions from Douglas Brown?

6 COUNSEL REPRESENTING DOUGLAS BROWN:

7 No, Your Honor.

8 JUDGE ANDERSEN:

9 Dril-Quip?

10 COUNSEL REPRESENTING DRIL-QUIP:

11 No questions.

12 JUDGE ANDERSEN:

13 Thank you. Kuchta?

14 COUNSEL REPRESENTING CAPT. KUCHTA:

15 No questions.

16 JUDGE ANDERSEN:

17 Bertone?

18 COUNSEL REPRESENTING BERTONE:

19 No questions.

20 JUDGE ANDERSEN:

21 Pat O'Bryan?

22 COUNSEL REPRESENTING PAT O'BRYAN:

23 No questions.

24 JUDGE ANDERSEN:

25 Robert Kaluza?

1 COUNSEL REPRESENTING MR. KALUZA:

2 No questions.

3 JUDGE ANDERSEN:

4 Are there any -- Transocean, is
5 there anything you would like to ask?

6 COUNSEL REPRESENTING TRANSOCEAN:

7 No, Judge, thank you.

8 JUDGE ANDERSEN:

9 Counsel, are there any questions
10 you would like to ask of your client, and
11 then after you do that or not do it, then we
12 will see if the Board has any follow-up
13 questions.

14 MR. JOHNSON:

15 I have none. Thank you.

16 JUDGE ANDERSEN:

17 Captain Higgins.

18 EXAMINATION BY CAPTAIN HIGGINS:

19 Q. Just briefly, when you departed
20 the bridge, was it in the company of the
21 Captain and the other DPO?

22 A. Yes.

23 Q. So the three of you left at the
24 same time; is that right?

25 A. Correct.

1 Q. The bridge watch, did that
2 normally consist of the senior DPO and
3 yourself as the DPO?

4 A. Correct.

5 Q. Was there anyone else that was
6 part of that watch?

7 A. No, sir.

8 Q. Do you consider a dynamically
9 positioned vessel underway when it's on
10 station?

11 A. Underway, not making way, in my
12 opinion.

13 Q. And was the senior DPO the person
14 that was responsible on the bridge in that
15 situation?

16 A. Yes.

17 Q. Do you know if he has a mariner's
18 license?

19 A. No.

20 Q. You have a third mate's license;
21 is that correct?

22 A. Correct.

23 MR. FANNING:

24 Excuse me, Captain. Was that a
25 "no" or "I don't know" about the license?

1 EXAMINATION BY CAPTAIN HIGGINS:

2 Q. Do you know if the senior DPO had
3 a license or not?

4 A. I know he didn't have a third
5 mate's or second mate's license, but he did
6 have other U.S. Coast Guard licenses.

7 Q. So you know he didn't have a
8 mate's license but that he may have had
9 other certifications; is that correct?

10 A. Correct.

11 Q. But you, in fact, have a third
12 mate's license; is that correct?

13 A. Yes, I do.

14 Q. But he was the one that was
15 responsible on the bridge; is that correct?

16 A. Yes.

17 CAPTAIN HIGGINS:

18 Thank you very much.

19 JUDGE ANDERSEN:

20 Any other Board questions?

21 EXAMINATION BY LT. BUTTS:

22 Q. Ma'am, Lt. Butts, once again.
23 When two combustible gas devices go off you
24 said: We treat it as a fire. Now, do you
25 know --

1 A. I said we treat it like we would
2 treat two fire sensors in one space, but not
3 like a fire.

4 Q. And when two sensors do go off in
5 adjoining spaces or zones, do you know if
6 you personally or a DPO has to activate the
7 emergency shutdowns or do they occur
8 automatically?

9 A. No. I don't know.

10 Q. Okay. Are there emergency
11 shutdown devices on the control, or in the
12 control room there where you are stationed
13 for ventilation and to secure electricity
14 into, say, the shaker house?

15 A. Yes, that's correct. That's the
16 ESD panel.

17 Q. And are there on the ESD panel for
18 operations from the bridge ventilations into
19 each one of the six engine rooms?

20 A. Yes, sir. You can shut down
21 ventilation to each of them.

22 Q. Do you know closing or activating
23 these, they also close the dampers in the
24 ventilation system?

25 A. Yes, sir.

1 Q. And do they secure the fans that
2 are blowing into the six generator spaces?

3 A. No. I really don't remember, but
4 I know that they did shut down ventilation
5 when you hit those buttons.

6 Q. Does it follow the same sequence
7 for the mud pit rooms?

8 A. Yes.

9 LT. BUTTS:

10 All right. Thank you.

11 CAPTAIN NGUYEN:

12 Ms. Fleytas, thank you very much
13 for your time and cooperation. If we need
14 for you to provide additional information in
15 the future, would you make yourself
16 available?

17 THE WITNESS:

18 Yes, sir.

19 CAPT. NGUYEN:

20 Thank you, ma'am. You are
21 dismissed.

22 JUDGE ANDERSEN:

23 Thank you, Counsel.

24 CAPTAIN NGUYEN:

25 Thank you, Master Chief. We will

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1 adjourn for today and we will convene
2 tomorrow morning at 0800. We expecting two
3 BP witnesses, Mr. Nick Wilson and
4 Mr. Michael Beirne. Thank you.

5

6 (Which recessed the proceedings at
7 4:30 p.m. for the day)

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