

1 USCG/MMS MARINE BOARD OF INVESTIGATION
2 INTO THE MARINE CASUALTY, EXPLOSION, FIRE,
3 POLLUTION, AND SINKING
4 OF MOBILE OFFSHORE DRILLING UNIT
5 DEEPWATER HORIZON, WITH LOSS OF LIFE
6 IN THE GULF OF MEXICO 21-22 APRIL 2010
7 Thursday, May 27, 2010

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9 The transcript of The Joint United
10 States Coast Guard Minerals Management Service
11 Investigation of the above-entitled cause,
12 before Dorothy N. Gros, a Certified Court
13 Reporter, authorized to administer oaths of
14 witnesses pursuant to Section 961.1 of Title
15 13 of the Louisiana Revised Statutes of 1950,
16 as amended, reported at the Radisson Hotel,
17 2150 Veterans Memorial Boulevard, Kenner,
18 Louisiana, 70062, on Thursday, May 27, 2010,
19 beginning at 8:00 a.m.

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1 APPEARANCES:

2 MEMBERS OF THE BOARD:

3 CAPT HUNG M. NGUYEN, CO-CHAIR
4 UNITED STATES COAST GUARD

5 DAVID DYKES, CO-CHAIR
6 MINERALS MANAGEMENT SERVICE

7 JASON MATHEWS
8 MINERALS MANAGEMENT SERVICE

9 JOHN McCARROLL
10 MINERALS MANAGEMENT SERVICE

11 ROSS WHEATLEY
12 UNITED STATES COAST GUARD

13 LTR ROBERT BUTTS, COURT RECORDER
14 UNITED STATES COAST GUARD

15 REPORTED BY: DOROTHY N. GROS, CCR
16 CERTIFIED COURT REPORTER
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1 PROCEEDINGS

2 CAPT NGUYEN:

3 Good morning. Please be seated so

4 we can get the hearing started.

5 Reporter, please go on record. There's

6 a change in the list of scheduled

7 witnesses this morning. This morning,

8 the board was informed by Mr.

9 Mansfield's counsel that due to medical

10 reasons, he could not be here for this

11 hearing. So the board will reschedule

12 to receive his testimony at the next

13 hearing in mid-July. So we will take

14 the testimony of Mr. Jimmy Harrell,

15 Offshore Installation Manager for

16 Transocean this morning.

17 UNIDENTIFIED SPEAKER:

18 Captain, you said mid-July, do you

19 have an actual date?

20 CAPT NGUYEN:

21 No sir, not at this point.

22 UNIDENTIFIED SPEAKER:

23 Okay, thank you.

24 CAPT NGUYEN:

25 Good morning, Mr. Harrell. Are you

1 represented by counsel? Do you have
2 your own counsel or are you represented
3 by Transocean counsel?

4 THE WITNESS:

5 Transocean.

6 CAPT NGUYEN:

7 Transocean. Please rise and raise
8 your right hand so I can put you under
9 oath.

10 THE WITNESS:

11 (Witness complies.)

12 * * * * *

13 JIMMY W. HARRELL,

14 after being first duly sworn in the cause,
15 testified as follows:

16 CAPT NGUYEN:

17 Thank you, sir. Please be seated.

18 Mr. Harrell, I just want to make sure I
19 understand. You do not have personal
20 counsel; is that right? Transocean is
21 your counsel?

22 THE WITNESS:

23 That's correct.

24 CAPT NGUYEN:

25 Thank you, sir.

1 EXAMINATION

2 BY MR. MATHEWS:

3 Q. Mr. Harrell, for the record, could you
4 please state your full name and spell your
5 last name?

6 A. Jimmy Wayne Harrell, H-A-R-R-E-L-L.

7 Q. By whom are you employed, sir?

8 A. Transocean.

9 Q. What position do you hold within
10 Transocean?

11 A. Offshore installation manager.

12 Q. How long have you held the position of
13 OIM?

14 A. About six and a half years.

15 Q. Can you briefly describe your job
16 responsibilities onboard the DEEPWATER
17 HORIZON?

18 A. Yeah, well I -- I deal a lot with
19 personnel, but you know, overall
20 responsibility on everything. I'm over the
21 entire rig, along with the captain.

22 Q. Prior to becoming an OIM, did you have
23 any previous oil and gas experience?

24 A. Yes, I did.

25 Q. Can you please elaborate on that?

1 A. Well, I was toolpusher, driller,
2 derrickman, floorhand, all the way down.

3 Q. All with Transocean?

4 A. Not all of it. I've been working with
5 Transocean since 1979. I worked for two other
6 companies prior to.

7 Q. How long have you been assigned to the
8 DEEPWATER HORIZON?

9 A. January 22, 2004. It will be a little
10 over six years, six and a half.

11 Q. At the time of the incident, how long
12 were you on a hitch?

13 A. I had been out a little over two
14 weeks. I had six days remaining on a 21-day
15 hitch.

16 Q. At any time during the duration of the
17 well, were you made aware of any specific
18 drilling problem, such as loss return, stuck
19 pipe, cementing of the casing, any other
20 issues?

21 A. You talking about -

22 Q. The drilling of the well to the bypass
23 that was taking place from March through
24 April?

25 MR. CLEMENTS:

1 That entire period of time?

2 THE WITNESS:

3 Oh, yeah, we had a -- yeah.

4 BY MR. MATHEWS:

5 Q. Could you please elaborate on what
6 type of problems you all encountered?

7 A. It was several cases, you know, loss
8 returns and took a couple of kicks in, had
9 stuck pipe. Actually, done a sidetrack.

10 Q. Could you please inform me what a loss
11 return is?

12 A. That's when the formation won't hold
13 the weight of the drilling fluid. The
14 hydrostatic pressure, it exerts.

15 Q. And how about a kick?

16 A. That's when your mud gradient is not
17 dense enough to handle the pressure exerted by
18 the formation.

19 Q. And all these are potential problems
20 that can lead to later problems in the well?

21 A. Well, I wouldn't say that, you know.

22 Q. Could you briefly go through the day
23 of the 20th and up until the time of the
24 incident?

25 A. We had run -- We had run casing the

1 day before, a string of 9-7/8 by seven inch
2 and cemented and actually pulling out of the
3 hole to go in and displace and run a top plug.
4 They did have a lot of visitors come out that
5 day, BP and Transocean. They spent the bigger
6 part of the day, you know, talking with them.

7 Q. And after that discussion up until the
8 incident?

9 A. Up til the incident. We got out of a
10 meeting roughly, I'd say, 2115 and got through
11 with the meeting. I went to the bridge,
12 central control room, and looked at permits,
13 closed out permits and talked with the senior
14 toolpusher and then later on went and took a
15 shower, about the time of the incident because
16 I was in the shower during the incident.

17 Q. Can you please elaborate on what
18 happened during the incident as to what you
19 heard, saw, up to leaving the DEEPWATER
20 HORIZON?

21 A. Well, it was a major explosion,
22 followed by a second explosion, a lot of back
23 draft in the living quarters. It totally
24 destroyed the living quarters over there on
25 the starboard side where I was taking a shower

1 in my state room. I managed to get debris out
2 of the way and crawl and walk up towards the
3 bridge and I had also seen some injured
4 personnel during the way up there. When I got
5 to the bridge, the captain, he was up there,
6 the subsea engineer, Chris Pleasant, he was up
7 there, also, and looking at the disaster we
8 had, I knew we needed to get away, so Chris
9 Pleasant, I told him to go ahead and
10 disconnect and EDS. And also, went back down
11 to the -- went back down to the lifeboat
12 stations to check out the damage to make sure
13 they were safe to load personnel in. It was
14 very chaotic. A lot of people were jumping
15 over the side during this explosion.

16 Q. You just made a reference to
17 disconnect. What are you disconnecting from?

18 A. You disconnect the upper marine riser
19 package from the lower marine riser package.

20 Q. And how does that activate?

21 A. From the -- from either the driller's
22 panel or the toolpusher's panel.

23 Q. And who has the authority to actually
24 activate that system?

25 A. Well, there's the drill floor -- and

1 it could either be the driller or toolpusher,
2 myself, and I guess at times, you know, during
3 a real emergency, even the captain, if we
4 exceeded our safe distance, you know, you can
5 bend that wellhead, you know, if you wait too
6 long.

7 Q. Was the attempt to do the emergency
8 disconnect before or after the explosion?

9 A. It was after.

10 Q. Do you think the driller or anybody on
11 the rig floor had the capability to activate
12 the EDS at that time?

13 A. I wouldn't think so because I tried --
14 I actually tried to call up there via
15 telephone and radio. No response.

16 Q. Back up a few seconds ago. You said
17 something about you had some visitors on your
18 rig that day. What time did they arrive?
19 You said from BP and Transocean.

20 A. Oh, it was -- it was roughly around
21 10:30.

22 Q. And who was that?

23 A. That was Pat O'Bryan, David Sims, Daun
24 Winslow and Buddy Trahan.

25 Q. And Don and Buddy -

1 A. Don and Buddy was Transocean; the
2 other two were the BP.

3 Q. Why were they coming?

4 A. A rig visit and recently we had just
5 made seven years no loss time incident and
6 they wanted to go over that with us and
7 congratulate us on that and pretty much -- the
8 other things we went over was -- we went over
9 our plan maintenance trying to get a better --
10 get a good working relationship with the
11 client to where we could meet their needs and
12 they could meet ours, as well.

13 Q. So you were on the DEEPWATER HORIZON
14 in 2008, correct?

15 A. 2008, that's correct.

16 Q. Could you refer to the incident
17 reporting right there?

18 A. (Witness complies.)

19 Q. Could you refer to the date that's
20 highlighted at Number 1?

21 A. (Witness complies.)

22 Q. And what's the date on that incident?

23 A. 6th of March, 2008.

24 Q. Can you go down to Number 5?

25 A. (Witness complies.) Yeah.

1 Q. And can you tell me what that says?

2 MR. LINSIN:

3 Excuse me, Captain. Can I get a

4 Bates number, please?

5 MR. MATHEWS:

6 I'm sorry. It's the Incident

7 Report. I don't have a Bates number on

8 it.

9 THE WITNESS:

10 It says a LTA, but according to our

11 records, we didn't have an LTA. It

12 says 53 days so that couldn't be right.

13 BY MR. MATHEWS:

14 Q. So who reported that to the MMS? You

15 can probably refer to the top of the thing.

16 Who represented them, BP or Transocean?

17 A. I guess it was BP.

18 Q. So the only reason they were coming

19 out there to recognize you all was for a loss-

20 time accident and discuss safety?

21 A. That's correct.

22 Q. Nothing about the well; nothing about

23 any problems of being delayed?

24 A. No, nothing about delays or anything.

25 Q. To your knowledge, is there any policy

1 within Transocean to lock out any portion of
2 the BOP stack?

3 A. No, there's nothing locked out.

4 Q. If there isn't a policy, are you aware
5 of any time that this does occur on the
6 Transocean rig?

7 A. I have seen it before, you know, on a
8 different rig. I mean, if you had a problem.
9 But like I say, everything's reported to BP
10 and MMS, you know, any problems with a BOP
11 stack.

12 Q. We don't receive reports when a BOP
13 stack is locked out. Can you elaborate? You
14 just said -

15 A. Are you talking about -- what are you
16 talking about? I mean, are you talking about
17 locking out a function and a ram?

18 Q. Function and a ram?

19 A. No, uh-uh. (Negative response.)

20 MR. CLEMENTS:

21 Did you understand the question?

22 THE WITNESS:

23 Not really.

24 MR. CLEMENTS:

25 Could you be more specific?

1 MR. MATHEWS:

2 Q. All right. Can you disable the auto
3 shear of the BOP stack?

4 Q. Yeah, I mean, you can disable it from
5 the panel.

6 A. Was it disabled in this incident?

7 Q. No.

8 A. Do you know if any modifications can
9 be made to the stack, any type of
10 modifications?

11 MR. CLEMENTS:

12 Is it possible to make any
13 modifications to the stack, is the
14 question?

15 MR. MATHEWS:

16 Yes, sir, from Transocean's
17 standpoint.

18 THE WITNESS:

19 Is it possible to make them? I
20 guess you could, you know, if it was up
21 on the surface unit.

22 BY MR. MATHEWS:

23 Q. And who would make such modifications
24 or would that have to go through the OIM?

25 A. That would have to go through the OIM,

1 but it would have to be a management of change
2 and engineering involved, also.

3 Q. Prior to the incident, were you aware
4 of any BOP stack issues? For example, like
5 leaks of the accumulators, dead man series
6 modifications, any modifications to the BOP
7 stack logic?

8 A. That's pretty -- that's a pretty broad
9 question. I mean -

10 Q. I think it's pretty defined -- the
11 dead man series -

12 A. Are you talking about a leak? What
13 kind of leak are you talking about?

14 Q. On the accumulator system.

15 A. No, I wasn't aware of any on the
16 accumulators.

17 Q. Were there any modifications to the
18 dead man series?

19 A. No, sir.

20 Q. Was there any modifications to the BOP
21 stack's logic?

22 A. No, sir, not that I know of.

23 Q. Were there any modifications made by
24 Cameron at the rig?

25 A. Cameron?

1 Q. The people that operate -- who own --
2 who sold you the BOP stack.

3 A. At what time? I mean -

4 Q. At any time when you were on the rig,
5 did Cameron show up and make any modifications
6 to the logic of the stack?

7 MR. CLEMENTS:

8 During the six-year period?

9 MR. MATHEWS:

10 Any time.

11 THE WITNESS:

12 I don't know. They change some
13 piping and manifold on it. Other than
14 that, I don't know.

15 BY MR. MATHEWS:

16 Q. Are you familiar with the HORIZON'S
17 BOP Assurance Analysis that was completed in
18 March 2001?

19 A. Yes, I am. I do remember it.

20 Q. Is there a copy of that on your rig,
21 or was -

22 A. Yeah, there was a copy.

23 Q. In that study, it identified that
24 there was 260 failure modes that could require
25 the pulling of the BOP or the lower marine

1 riser package; is that correct?

2 A. I'm not aware of that.

3 Q. Can you refer to the RKB Falcon Study
4 that's right in front of you, please?

5 A. (Witness complies.)

6 Q. And I'm referring to a study that's
7 RKB Falcon BOP Assurance Analysis.

8 MR. CLEMENTS:

9 Take your time if you want to look
10 at it.

11 BY MR. MATHEWS:

12 Q. Can you reference the number that says
13 how many failure modes that could require
14 pulling for the BOP?

15 A. I see where it says 250 failure modes
16 that could -- that could require pulling the
17 BOP.

18 Q. Were there any problems with the
19 control pods on the BOP at the time of the
20 incident?

21 A. Not that I'm aware of.

22 Q. Were there any problems with the
23 accumulators, at all, at the time of the
24 incident?

25 A. I can't recall that.

1 Q. How about the hydraulic systems?

2 A. Not that I can recall.

3 Q. What would be required if you
4 identified that one of your control pods had a
5 failure? What would be the result of that
6 operation? If you identify that you had a
7 control pod failure, what would you have to
8 do?

9 A. We would probably have to pull the
10 BOP.

11 Q. In your written statement you provided
12 the Coast Guard after the incident, in the
13 bridge, you said the BOP control panel as
14 being abnormal, after the explosion on the
15 rig. Could you please elaborate as to what
16 you meant by abnormal?

17 A. Well, it was the lighting and all. It
18 didn't -- it didn't look right, like something
19 had taken out the power to the controls during
20 the explosion.

21 Q. I've done a cursory review of some of
22 the other written statements and it appears
23 that there was some form of simulation going
24 on with the BP reps at the rig and some people
25 on the bridge that are in control at DP. Do

1 you have any recollection of that simulation
2 or were you involved with it?

3 A. I was not involved with it. They did
4 go up there with the captain and marine crew
5 and go through some DP simulator controls --
6 simulation only, though.

7 Q. So that simulation would not impact
8 the emergency disconnect system -

9 A. No, sir.

10 Q. -- at all?

11 A. Not at all.

12 Q. Thank you. You ordered the subsea
13 engineers to activate the EDS?

14 A. Yes, I did.

15 Q. And who was that, again?

16 A. Chris Pleasant.

17 Q. Did you see him activate it?

18 A. Yes, sir. I mean, I seen it.

19 Q. And what happened after the activation
20 occurred or the attempt to activate?

21 A. It didn't -- it didn't do anything.

22 It was like the panel was dead.

23 Q. Were you aware of any of the changes
24 to the drilling program on the Macondo well
25 bypass in the last 30 days?

1 A. It was -- the drilling program was
2 consistently changed.

3 Q. Who were you in communication with
4 directly about those changes?

5 A. The company man.

6 Q. Who was that?

7 A. It was different ones, I mean, during
8 the time period -- Murray Sapalvado
9 (phonetic), Ronnie Sapalvado, Don Vidrine, Bob
10 Kaluza.

11 Q. At the time of the incident, was it
12 the typical company man scheduled that was
13 your relationship at that time?

14 A. It was pretty typical. I think Bob
15 and Don was doing a short change that day and
16 one would be on the unit while they was
17 cementing and the other one, he stayed up to
18 meet with the BP visitors that came out.

19 Q. Did you receive and actually view the
20 permits that were approved by the MMS through
21 BP?

22 A. Yeah, in the permit to drill? Yes,
23 sir. They're all posted in the well plan.

24 Q. Are you familiar with the BP and
25 Transocean bridging document for the DEEPWATER

1 HORIZON?

2 A. Yes, sir. I have a copy.

3 Q. What is your role in that bridging
4 document?

5 A. Just -- I have to look over it. It's
6 a -- it's not a whole lot of -- it's not a
7 whole lot of changes. The bridging document
8 is pretty short.

9 Q. But the bridging document references
10 back to the Transocean HSE manual?

11 A. That's correct.

12 Q. So what are your roles and
13 responsibilities as the HSE in that manual?

14 A. To make sure that we fulfill -- we
15 have policies we have to follow as far as
16 Transocean and also, you know, we have to
17 liaison with BP to meet their policies, also.

18 Q. So according to that document, or as
19 you eluded to earlier, you are responsible for
20 the operations while the well is being drilled
21 on the DEEPWATER HORIZON?

22 A. Yeah, while we're latched up.

23 Q. After the setting of the, or cementing
24 of the production casing, what was the next
25 step in the well?

1 A. To pull out -- I had to pull out and
2 displace some seawater and then run the last
3 plug. I think it was 8367 depth. And then
4 they had some remedial work to do as far as --
5 they had to run a lid impression, lockdown
6 sleeve.

7 Q. But that plug wasn't set correct?

8 A. No, sir, it was not set.

9 Q. You all were in the process of setting
10 that plug. Do you remember the time of the
11 incident, the day of the incident, getting a
12 15 barrel gain after testing the casing at
13 about 11:55?

14 A. No, I don't recall that.

15 Q. You don't recall or -

16 A. I just don't know. I mean, I'm not up
17 there in the operation at all times.

18 Q. What time did you all begin offloading
19 to the boat?

20 A. I don't know. I know the boat was
21 alongside. Are you talking about offloading
22 or pumping mud?

23 Q. Pumping mud.

24 A. I don't know if we ever even pumped
25 any mud that day.

1 Q. Were you offloading -- what were you
2 offloading to the vessel? You weren't doing
3 anything with the support vessel next to you?

4 A. I can't recall at the time. I
5 mean -

6 Q. You're the OIM and you don't know what
7 the support vessel was doing next to the rig
8 and what -

9 A. He was getting ready to take -- he was
10 getting ready to pump mud from the rig to the
11 boat.

12 Q. Prior to the actual displacement of
13 the riser, was there any discussions with you
14 or any other Transocean people with the BP
15 visitors on the rig that day?

16 A. Yeah, we actually had a tour, you
17 know, and went to the rig floor -- various
18 places on the rig.

19 Q. And what was discussed?

20 A. Nothing really. I did stay behind
21 once I got to the drill floor because they
22 were having a little trouble with the annular
23 holding and I talked to the driller subsea and
24 asked him to increase the annular pressure.

25 Q. How many times did it take to test the

1 -- successfully test production casing of the
2 cement job?

3 A. Negative, positive or what?

4 Q. Negative.

5 A. It had a good test the first time, but
6 they wanted to do it again when the company
7 man come on, Don Vidrine.

8 Q. And why did he want to do it again?

9 A. He wanted to bring it up to kill line,
10 also.

11 Q. Was there any discussions between BP
12 and Transocean on this procedure or why they
13 were doing this?

14 A. No, sir. I mean, I don't have any --
15 I don't have any problem, you know, if they
16 want to do another negative test.

17 Q. Was there any discussions between you
18 and BP of any type of unsafe workman-like
19 activities with displacing the riser?

20 A. No. We had one little discussion.
21 The first plan I seen didn't have a negative
22 test in it. So I told him it was my policy to
23 do a negative test before displacing with
24 seawater.

25 Q. Did you all do that?

1 A. Yes, sir.

2 Q. Earlier yesterday, we had some
3 testimony saying that there was some type of
4 heated debate between you and the company man.
5 Do you know what he may be referring to?

6 A. I don't remember about no heated
7 debate. We did talk about the negative test.
8 He had given me a plan and I looked at it and
9 it didn't have anything about a negative test
10 and we just remained after the meeting and I
11 talked with him and the driller and the senior
12 pusher, you know, to make sure that we did a
13 negative test before displacing the seawater.

14 Q. Was there ever a THINK or START drill
15 held prior to displacing the riser on your way
16 to the rig floor?

17 A. I'm sure there was. We do that before
18 every test.

19 Q. What was covered in that drill?

20 A. I was not at the drill. I was
21 actually with the visitors.

22 Q. Was anyone monitoring the returns at
23 the time of the incident to see what type of
24 flow was coming back from the well?

25 A. I'm sure there was. You have a

1 shakerhand, also you have the driller, he
2 monitors and also you have the mud loggers
3 monitor.

4 Q. Do you know why the mud logger, Joseph
5 Keith, was taken off from monitoring the flow
6 of returns before the well was completely --

7 A. I didn't know he was. I wasn't aware
8 of that.

9 Q. Do you recall of some tank cleaners
10 being on the DEEPWATER HORIZON on the day of
11 the incident?

12 A. Yes, I do.

13 Q. What were those tank cleaners there
14 for?

15 A. They were cleaning the mud pits.

16 Q. Were they in the process of cleaning
17 the mud pits prior to the incident?

18 A. I believe they had finished the column
19 tanks and they were getting ready to clean
20 some of the surface pits after the
21 displacement was completed.

22 Q. Are you aware of any training or
23 safety notices that TO has implemented since
24 this incident?

25 A. No, I'm not.

1 Q. Do you know where the DEEPWATER
2 HORIZON was going after it's completion at
3 Mississippi Canyon 252?

4 A. Yes. It was going to the Nile well to
5 do a completion.

6 Q. The what well? Viosca Knoll?

7 A. The Nile. Yeah, Viosca Knoll.

8 Q. From our records, it indicates that
9 the HORIZON was 43 days late from an
10 application that was submitted by BP to go to
11 a well and abandon that well, actually, which
12 they paid for on February 2nd and they were
13 actually going to be at that site on March
14 8th. And the incident occurred on April 20th.
15 Was there any pressure on you from anyone
16 within Transocean or BP to complete the job
17 that you were doing at Mississippi Canyon 252?

18 A. Not at all.

19 Q. What is the day rate of the HORIZON,
20 sir?

21 A. I think it's about \$525 a day.

22 Q. So there was no pressure, from what
23 you told me, being about \$20 million behind on
24 the well?

25 A. No, sir, not on me, for sure, or my

1 people.

2 Q. And with that question, is there any
3 time where you feel that you have operational
4 safety being affected by rig efficiency and
5 rig rates?

6 A. I'm sure at times, you know, people
7 want to get it done and try to meet time
8 lines, but no, not -- never jeopardize safety
9 for operation.

10 Q. And I just want to clarify for one
11 more last time and you might have said it.
12 The only reason the Vice President of Drilling
13 and Completions of BP and his counterpart were
14 on the rig to come talk safety?

15 A. Yeah.

16 Q. Who normally comes from BP to talk
17 safety on those rig visits?

18 A. They have a lot of different -

19 Q. Is it the VP of Drilling and
20 Completion?

21 A. Yes.

22 Q. Normally?

23 A. Yes.

24 MR. MATHEWS:

25 Thank you. That's all I have, sir.

1 EXAMINATION

2 BY MR. McCARROLL:

3 Q. Good morning. I just have a couple of
4 quick questions. Were you on the rig when it
5 transferred from Panama to the Marshall
6 Islands, as far as the flag state?

7 A. Yes, I was.

8 Q. Are you aware of that transfer?

9 A. Yes.

10 Q. About the same time, Transocean
11 stopped having ABS inspect the rig package.
12 Are you aware of that?

13 A. No, we still have ABS to come out.

14 Q. Yes, but you stopped having them
15 inspect the rig package -- to inspect the rig,
16 but not the drilling package. I'm sorry.
17 I'll be more specific.

18 A. Okay, yeah.

19 Q. Was it about the same time, 2005?

20 A. Pretty close.

21 Q. Is there any connection between
22 transferring of the flag state and stopping of
23 inspecting the drilling package by ABS, or is
24 that just a coincidence?

25 A. I don't know. I can't answer that

1 question.

2 Q. When ABS comes out, do they come talk
3 to you?

4 A. Yeah, I talk to them when they come.

5 Q. And explain to you why they're out
6 there and what they're going to inspect?

7 A. Yes, sir.

8 Q. And when they came out in 2005, did
9 they let you know they weren't going to
10 inspect the drilling package?

11 A. I can't say that. I don't even know
12 if I was onboard when they came out in 2005.

13 Q. So you might have been off-duty and
14 someone else may have been there?

15 A. That's correct.

16 MR. McCARROLL:

17 Thank you.

18 EXAMINATION

19 BY MR. DYKES:

20 Q. In the course of conducting your
21 negative test, how do you typically line up
22 your piping and valve arrangements for that?
23 You said that Mr. Vidrine wanted to do a
24 second test because he wanted to use a kill
25 line.

1 A. Yes.

2 Q. So how did you all conduct the first
3 negative test?

4 A. You do it by leading off back to
5 Halliburton and up your drill pipe. You pump
6 seawater to the end of your tail pipe and all
7 the way back up to above your annular with
8 your spacer.

9 Q. So what do you do there? You close
10 your annular -- keep your mud above your
11 annular with seawater in your back side?

12 A. Yeah. You hold the mud in the riser
13 with the annular closed.

14 Q. So it's not full -- it's not
15 completely to a seawater gradient at that
16 point in time, correct?

17 A. Well, yeah, it is. I mean, it's -

18 Q. Because you have seawater down the
19 drill pipe, but you're holding it back on the
20 back side. You have no common back on the
21 annular all the way back to surface.

22 A. You have drill pipe. You have
23 seawater in the drill pipe and you have
24 seawater in the kill line and either one would
25 be seeing the same pressure as far as from

1 that depth of 8367.

2 Q. So what did he want to do on the
3 second test?

4 A. He just wanted to kill out the kill
5 line, I guess, to make sure, you know,
6 everything wasn't plugged and use one line.

7 Q. So how did you do it the first time,
8 though? If you did the second time coming up
9 the kill line on the back side, how did you do
10 it the first test?

11 A. Done it up the drill pipe.

12 Q. So you had drill pipe -- you had water
13 in the drill pipe all the way down to 83 -

14 A. That's correct.

15 Q. -- 67, and then you had it back up to
16 the annular, correct?

17 A. That's correct.

18 Q. And then you had your annular closed
19 and you had your choke and kill lines closed?

20 A. That's correct.

21 Q. But then putting it up the choke line
22 gave you a seawater gradient on the front side
23 on your drill pipe and up the back side?

24 A. That's correct.

25 Q. So the first test you did didn't give

1 you a true seawater gradient because you were
2 stopping it on the back side?

3 A. I don't -- well, it would. I mean,
4 still from that depth, I mean, seawater -- you
5 got seawater. I mean, if it was going to
6 flow, it would flow because you have seawater
7 all in the drill pipe.

8 Q. And where would you see that flow at?

9 A. Up the chickens and back down to
10 Halliburton.

11 Q. On the drill pipe?

12 A. On the drill pipe.

13 Q. On the drill pipe. Did you all
14 observe any flow at that time?

15 A. I did. Like I said, we had to pinch
16 down on the annular at one time -

17 Q. And why was that?

18 A. -- to increase the pressure. Why?
19 There was fluid coming out of the riser
20 dropping down in the riser u-tube.

21 Q. So that's what you think, the fluid on
22 the riser side was dropping and you were
23 getting flow up the drill pipe?

24 A. Yes, sir.

25 Q. Which annular in that test did you

1 have closed, the upper or the lower?

2 A. I believe it was the upper.

3 Q. The upper. When you start displacing,

4 what's the normal procedure for displacing

5 that mud? You displace it right back to the

6 tanks?

7 A. The mud in the hole?

8 Q. Yes, sir.

9 A. For the negative test?

10 Q. For the negative test.

11 A. Yes, sir, it goes back to the mud

12 pits.

13 Q. What's the normal process for

14 displacing mud off of the rig to the DAMON

15 BANKSTON?

16 A. You displace from the mud pits to the

17 work boat.

18 Q. You don't displace directly out of the

19 hole to the boat to save time?

20 A. No, we're not -- we're not set up to

21 do that.

22 Q. You're not set up to displace directly

23 out of the hole to a trip tank and then

24 directly to the boat?

25 A. No, sir. We come from a manifold.

1 Q. And that trip tank's not on that
2 manifold?

3 A. No, sir.

4 MR. DYKES:

5 Thank you.

6 EXAMINATION

7 BY MR. WHEATLEY:

8 Q. Good morning, sir. I'd like to just
9 go back here and get a little clarification of a
10 couple of items you mentioned. Do you hold
11 any Coast Guard issued licenses or
12 certificates?

13 A. Yes, I do.

14 Q. And what do you hold, sir?

15 A. I hold the Offshore Installation
16 Manager license.

17 Q. Do you hold a master's license, as
18 well, sir?

19 A. No, sir. Mine's not a master's
20 license.

21 Q. When you're on a rig, such as the one
22 you're dealing with, we had some discussions
23 or questions concerning the chain of command.
24 Once you're on the hole, who's in charge, the
25 master or you?

1 A. You say on the hole, do you mean
2 latched up?

3 Q. Yes, sir.

4 A. Latched up, it would be the OIM, which
5 would be me.

6 Q. And then does the captain work for you
7 at that point? What's the relationship
8 between you and him?

9 A. The captain and I work together. And
10 like I say, when we're latched up, I'm in
11 command; unlatched, he's in command.

12 Q. So as long as you're latched up,
13 you're in command and when you unlatch, then
14 he's in command.

15 A. That's correct.

16 Q. And that's according to organization
17 chart and directives for TO?

18 A. That is correct.

19 Q. Now, you mentioned about activating
20 the BOP and you mentioned a number of people
21 and you said that the captain -- even the
22 captain in an emergency, is there other times
23 that the captain is not authorized that he has
24 to ask somebody's permission, such as
25 yourself, or is he free to do it when he

1 thinks it's appropriate?

2 A. Normally, I would be up there or a
3 toolpusher, you know. But we would be
4 communicating, you know, back and forth.
5 Normally, it would be a driller, toolpusher or
6 the OIM to do the EDS.

7 Q. I guess my question sir is: Does the
8 captain have independent authority to
9 basically execute the EDS if he thinks it's
10 appropriate without asking anybody?

11 A. He does in an emergency.

12 Q. Define for me what an emergency would
13 entail, what type of event.

14 A. Well, that would be if say he thought
15 some of the key personnel were taken out say
16 for this explosion, for instance. I mean, you
17 got a certain time you have to EDS and in
18 normal situations, he would not EDS.

19 Q. It would either be you or the senior
20 toolpusher or one of the other people you
21 mentioned?

22 A. Yes, sir, or the toolpusher.

23 Q. I wanted to go back to something else
24 you mentioned. You mentioned that you had
25 gone to a meeting and it ended roughly about

1 9:15, 2115. Could you tell us who all
2 attended that meeting? Do you recall?

3 A. It was a lot of people, department
4 heads from Transocean, like supervisors, along
5 with Pat O'Bryan, BP; David Sims of BP;
6 myself; senior toolpusher; and Daun Winslow of
7 Transocean; and Buddy Trahan of Transocean.

8 Q. That's a lot of people. Do you
9 recall, in general terms, what you all talked
10 about?

11 A. We talked a lot about maintenance and
12 a lot of things that we had going on to
13 continue to improve operations, along with the
14 seven-year no loss time incident.

15 Q. Do you recall any of the specifics
16 about maintenance or other items related to
17 progress of the well?

18 A. Yeah. We were talking about
19 maintenance, what we were going to do at the
20 end of the Macondo between there and Nile and,
21 in general, just being open with BP, you know,
22 on the maintenance that we needed to perform,
23 you know, at the end of each well. That way
24 they could tend to their business and plan for
25 their schedule.

1 Q. Were there any particular issues
2 related to maintenance that you were concerned
3 about as you prepared to move to the next
4 well?

5 A. Not concerned. I mean, we always do a
6 maintenance list and go over it with
7 Transocean in town and BP on the rig and in
8 town.

9 Q. Have you ever had an occasion where
10 you believe that a certain maintenance
11 procedure was necessarily required or
12 advisable and basically BP told you no, that
13 you needed to move on because they needed you
14 someplace else?

15 A. Not really. I can't recollect that.

16 Q. So if you decided that maintenance was
17 required, basically it was going to get done
18 despite other efforts?

19 A. Yeah. If it was critical maintenance,
20 yes, it would be done.

21 Q. Was there any critical maintenance
22 that needed to be done upon your rig before it
23 moved off station to the next spot?

24 A. Yeah. Well, we had some critical
25 inbetween well maintenance.

1 Q. Do you recall what that was, to the
2 best of your recollection, sir?

3 A. Yeah. We had some -- we had a few
4 issues with the racker we wanted to do --
5 check some -- inspect some arms. They had
6 some UPSs that we had to change out.

7 Q. I'm sorry, sir. Could you explain to
8 me UPS?

9 A. That's a battery backup system.

10 Q. For what, sir?

11 A. Oh, I can't recall that right now.
12 I'd have to look at -- I'd have to look in the
13 RMS to figure out what all battery UPSs had to
14 be changed. It was a pretty -- a pretty
15 lengthy list, I think.

16 Q. Do you recall how long you estimated
17 it was going to take to do all this
18 maintenance?

19 A. Yeah. It's usually six to seven days.

20 Q. So a substantial period of time?

21 A. Yes, sir.

22 Q. I want to shift our focus here for
23 just a minute here, sir, if I could and again,
24 I'm going to ask you some questions here and
25 I'm not trying to embarrass you or anything

1 else, but it's important, as we look into all
2 the possible factors that may have been
3 involved in the casualty. At the time of the
4 casualty on the day in question, were you
5 under any type of medical condition requiring
6 you to take prescribed medication, sir?

7 A. The only medication I take is high
8 blood pressure.

9 Q. Thank you, sir. In the 48 hours
10 preceding the events on the 20th, do you
11 recall how much sleep you had gotten in those
12 two previous days?

13 A. I'd say six or seven hours.

14 Q. Would you consider that to be pretty
15 much normal?

16 A. Six or seven hours each day, you know,
17 a total of 12 to 14.

18 Q. Is that pretty much normal for you
19 when you're out there working?

20 A. Pretty much.

21 Q. Now, you mentioned that there were a
22 number of company people out there both from
23 Transocean and BP. Did you feel any pressure,
24 concerns, the fact they were out there or is
25 that just part of the job?

1 A. It's part of the job. I mean, no
2 pressure or concerns whatsoever.

3 Q. And again, could you outline real
4 briefly here, what were your interactions with
5 them on that day? You talked about you took
6 them on a tour of the rig, you had several
7 meetings. What else did you do?

8 A. That was pretty much -- I had a
9 conversation with them, the whole day, you
10 know.

11 Q. So lots of discussions?

12 A. Yeah. The tour -- the tour lasted a
13 long time and just getting everything set up,
14 you know, seeing what people they wanted to
15 meet with and speak with while they were out
16 there. It pretty much took the whole day.

17 Q. You said it's part of the job. Is it
18 kind of a -- do you see it as a distraction
19 while you're out there to have to do that?

20 A. Not really. I mean, I would -- if it
21 was, I would prioritize what I needed to do.

22 Q. So you feel confident if you felt
23 there was demands of the job as far as the
24 drilling going on that you could simply say,
25 "Sorry, guys, I've got to go take care of

1 this"?

2 A. Yeah. We'd take a time out for that
3 any time.

4 Q. I want to ask you a little bit about
5 emergency training, firefighting, life saving
6 drills and things of that nature onboard the
7 vessel. Are you familiar with basically the
8 watch quarter and station bill on the
9 DEEPWATER?

10 A. Yes, sir.

11 Q. Could you outline what are your
12 general responsibilities, other than as OIM in
13 emergency situations such as firefighting and
14 abandon ship, what are your responsibilities,
15 sir?

16 A. Well, I go to the bridge, and like I
17 say, I'm in charge of well control and all of
18 that, you know, at any time during the drill
19 to make sure the well is shut in.

20 Q. Do you have any specific
21 responsibilities concerning firefighting, for
22 example, obviously we heard there was an
23 explosion followed by a fire. What is your
24 role in the firefighting situation on the rig?

25 A. Well, the captain, he's basically over

1 the firefighting.

2 Q. So the captain takes over and he's
3 responsible for the firefighting?

4 A. He's responsible for firefighting.

5 Q. What's your responsibilities during
6 the firefighting?

7 A. I'll be on the bridge coordinating
8 whatever -- whatever we need working with a
9 different emergency teams, backup teams, what
10 have you.

11 Q. And during your time on the DEEPWATER
12 HORIZON, is it fair to assume that you
13 participated in emergency training drills,
14 both abandon ship and fire drills?

15 A. Every week.

16 Q. Every week. You kind of say that with
17 a smile, there.

18 A. Yes, sir.

19 Q. When did you do it? Did you guys have
20 a set time you do it or does it vary?

21 A. Normally, we do it on Sunday at 10
22 o'clock.

23 Q. Pretty much a routine?

24 A. Pretty much.

25 Q. Did you ever vary them and do one at

1 night or maybe in bad weather? Do you recall?

2 A. Not a planned one at night.

3 Q. So pretty much every Sunday at 10?

4 A. Pretty much.

5 Q. Do you recall whether or not you

6 individually received training on launching of

7 the lifeboats?

8 A. Yes, sir, I did receive training of

9 the lifeboats.

10 Q. Do you recall how frequently that was

11 conducted?

12 A. I know it was done when I first got on

13 there and I have actually went to the

14 lifeboats, you know, with other people to

15 train just to refresh myself on training.

16 Q. Did you ever actually practice

17 lowering the lifeboats when you were there?

18 A. Yes.

19 Q. Did you guys ever load the lifeboat

20 and lower it and, excuse me, load it and lower

21 it during the drill? Do you recall?

22 A. Yes, sir. Yes, we did.

23 Q. You did? Do you recall how many

24 times?

25 A. Well, you say load it. A lot of times

1 we'd load it, but a lot of times we'll lower
2 it without all the people in it.

3 Q. So sometimes you load it to see if you
4 could do that and then other times you'll
5 practice lowering it, but only -- did you
6 recall an occasion in which you actually
7 loaded the lifeboat and lowered it with those
8 people in the boat?

9 A. Not while I was there.

10 Q. Now, you mentioned that following the
11 explosion and the fire, you went to your
12 abandon ship position and where was that, sir?

13 A. Lifeboat Number 1 on the forward deck.

14 Q. And what was your role once you got
15 there?

16 A. Well, tried to help get everybody in
17 and make sure everybody that was mustered, but
18 like I said, it was real chaotic getting them
19 mustered because they had people that was
20 actually jumping overboard. I did want to
21 inspect the lifeboat davits on count of the
22 explosion because that rig took a pretty good
23 hit from the explosion on the starboard and
24 middle floor of the ship.

25 Q. Did you have an opportunity to do that

1 before you actually lowered the lifeboats?

2 A. I did. I did the best inspection I
3 could. I had a lot of insulation and methane
4 gas in my eyes. I done the best I could to
5 inspect.

6 Q. Do you recall who was taking the head
7 count there before you guys launched the
8 lifeboats, with respect to your lifeboat, that
9 is, sir?

10 A. I think it was -- I think it was
11 Darin Rupinski. I'm not sure, I mean, to the
12 best of my recollection.

13 Q. Now, do you recall when it finally
14 came time to basically abandon ship and launch
15 the lifeboats, who gave that command?

16 A. Who gave the command?

17 Q. If anybody.

18 A. I can't recall. I know we was trying
19 to gather everybody up to get them in the
20 lifeboat and go over the muster. I can't
21 recall. Like I say, it was -- it was a lot of
22 trauma with a lot of people at that time.

23 Q. Yes, sir. Do you recall any
24 particular problems with the launching of the
25 lifeboat that you were in? Did it work the

1 way it was supposed to, the way you practiced
2 in the drills?

3 A. Yeah. It worked really good.

4 Q. Do you recall, or to the best of your
5 recollection anyway, what type of stuff or
6 equipment was contained in the lifeboat when
7 you guys launched? Was there like water and
8 food and all that stuff that was supposed to
9 be there?

10 A. There's always water and food in it.

11 Q. Do you recall if there was any type of
12 a cutting device, a knife or something like
13 that?

14 A. For my lifeboat?

15 Q. Yes, sir.

16 A. I mean, we don't have knives, but I
17 don't know why you'd need a knife. You can't
18 cut a cable no way.

19 Q. And I guess, what I'm referring to,
20 sir, is we've also had some testimony
21 concerning the life raft that was launched and
22 potentially some problems with getting it away
23 from the rig. The tether was difficult and
24 they couldn't seem to get it off and they
25 ultimately had to cut it, but nobody --

1 reportedly, nobody on the life raft had a
2 knife and that's the reason for my question.

3 A. They didn't, but they did find the
4 cutting device once they got it on the DAMON
5 BANKSTON, but they were unable to find it in
6 the pouch.

7 Q. I see.

8 MR. WHEATLEY:

9 Thank you, sir. I don't think I
10 have any further questions at this
11 point. Thank you, sir.

12 EXAMINATION

13 BY MR. MATHEWS:

14 Q. I have some quick questions. Earlier
15 we were talking about communication with the
16 emergency disconnect system. Are you familiar
17 with the emergency shutdown systems in the
18 engine room?

19 A. Am I familiar with them?

20 Q. Yes, sir.

21 A. Yeah. I know we have emergency
22 shutdowns back in the engine room.

23 Q. Was there any communication, at any
24 time, with anyone in the engine room to shut
25 down the engines?

1 A. Not that I'm aware of.

2 Q. Is there a reason why there was no
3 direct communication with them or is that --
4 in the normal well control drill, is there any
5 communication with the engine room?

6 A. Yes, sir, there is with the bridge.
7 But like I say, I'm not aware of what kind of
8 communication they had with the bridge.

9 Q. Also, are you aware of any BOP event
10 or action log that's kept on the DEEPWATER
11 HORIZON electronically or that's transmitted
12 to the beach?

13 A. Yeah. We do have a log in the CCU
14 room. You can go back and check anything, any
15 kind of event.

16 Q. And that data is submitted to BP --

17 A. It's a data logger they call it.

18 Q. Right. And it's sent to the beach and
19 backed up?

20 A. Yes, it will.

21 MR. MATHEWS:

22 Thank you.

23 EXAMINATION

24 BY LT BUTTS:

25 Q. Mr. Harrell, the accommodations -- you

1 were in the accommodations you said, in your
2 state room, I guess, when the explosion
3 occurred. As far as construction standards go
4 for mobile offshore drilling units, I think
5 your testimony and your statement was that
6 things were falling upon you. I think you had
7 mentioned that you had insulation in your
8 eyes. Is that true?

9 A. Yes. I did have insulation and
10 methane gas was really strong. There were no
11 walls or no ceiling left inside the quarters
12 on the starboard side.

13 Q. Now, was that a result of the
14 explosion or perhaps gas coming through the
15 accommodations, or do you know?

16 A. I would say both.

17 Q. Both. When did you get notification
18 that the company folks were going to come out
19 and visit with you? Was it on that morning or
20 was it well planned out?

21 A. I knew several days ahead of time.
22 They did make some changes, personnel, that
23 actually came out.

24 Q. I know in the Coast Guard when people
25 visit our unit, we don't necessarily like it

1 too much because it kind of messes up our day-
2 to-day schedules and I think you had said
3 something about there was visitors coming on
4 and you probably would have attended a
5 meeting, a test start meeting, but because you
6 had visitors, you wanted to go, obviously
7 accommodate them.

8 A. Yeah. I try to attend all the
9 meetings I can with the guys, different
10 operations.

11 Q. When the Coast Guard and the MMS and
12 any Classification Society comes out and you
13 have a pre-meeting and you start talking about
14 why they're there, why is regulatory there --
15 for example, let's say a Classification
16 Society, ABS, comes out and they're coming out
17 to do their annual inspections of the engines,
18 how do you determine together which engines
19 are going to be tested? Do you look at,
20 "Well, we're using 3 and 6, so those are on
21 line. Let's not look at those. Let's look at
22 maybe 4 and 5." What's the process for
23 determining what gets looked at?

24 A. Usually when they come onboard, we'd
25 have a meeting, have a briefing with

1 maintenance, myself and the ABS Captain,
2 everybody involved.

3 Q. Does everybody have a say in what's
4 going to get looked at?

5 A. Well, yes. I mean, we'll definitely
6 talk about it before we do it to make sure
7 everybody's on track.

8 Q. If I came out and inspected the rig
9 and I said I want to test Number 3 and it was
10 online, could we shift it and take it off-line
11 and parallel it up with something else and
12 test it?

13 A. Definitely.

14 Q. What if ABS asked?

15 A. We could do the same thing.

16 Q. And you would accommodate them?

17 A. Yes, as long as it wouldn't affect the
18 operation.

19 Q. So as long as it wouldn't affect the
20 operation you'd be okay with it?

21 A. Yes, sir.

22 Q. How many manuals you got up there to
23 look at? You got -- have you got enough
24 guidance out there on what you need to do?

25 A. I have plenty manuals to refer to.

1 Q. You were talking about it was chaos.

2 A. Chaotic.

3 Q. You were talking about getting off the
4 rig it was chaos after the explosion and
5 rightfully so. Part of our responsibility
6 when we come out there and visit with you is
7 to make sure people are comfortable evacuating
8 the rig, mustering, taking accountability,
9 everybody getting in the boats and going away
10 -- getting away, excuse me. The same thing
11 goes for those davit launch life rafts. When
12 we visit with you and we run you through and
13 we fly off, we feel like you all pretty much
14 have got it. Is there anything that you think
15 we could do to get better at that? Do we need
16 to alter the times in which we run those
17 drills?

18 A. It would probably -- it would probably
19 help to do a surprise drill to make sure
20 everybody went to their proper stations and
21 done what they're supposed to.

22 Q. Because you know what they say, you do
23 your job as you practice, so to speak, so
24 that's why I ask. What's a pincher?

25 A. A pincher?

1 Q. Yes, sir.

2 A. In what kind of -- are you talking
3 about -- are you talking about something on
4 the BOP?

5 Q. Yes.

6 A. That would be either a super shear or
7 a blind shear ram.

8 Q. All right. Pre-tour meeting, there's
9 a discussion and there was testimony yesterday
10 that said you were grumbling on the way out
11 and said something about a pincher.

12 A. I think it was maybe the day before.
13 It sure wasn't on that day, I don't think. I
14 think it was over some -- about the foam
15 cement job, to watch the nitrogen in the
16 riser. That could be a bad thing, too,
17 because you know that was a foam cement job.

18 Q. We heard yesterday that anybody on the
19 rig had the authority to stop work, any time.

20 A. That is correct.

21 Q. And that's Transocean policy?

22 A. That's correct.

23 Q. If the company man turns to you,
24 Jimmy, and says, "This is what we're going to
25 do," what do you do?

1 A. What do I do?

2 Q. Yes, sir.

3 A. Well, I look at the situation, you
4 know, to see if it's possible to do what he
5 wants to do. We don't just do it because the
6 company man says do it.

7 LT BUTTS:

8 Thank you very much, sir.

9 EXAMINATION

10 BY MR. DYKES:

11 Q. You mentioned foam cement job. Why
12 would you do a foam cement job?

13 A. On kind of the losses, what we had.
14 To assist in the cementing, you know, hoping
15 we wouldn't have losses.

16 Q. Was there anything typical about this
17 cement job or atypical? Was anything odd
18 about this cement job?

19 A. Not really.

20 Q. Not really. But you were pumping foam
21 cement. How many times have you all pumped
22 foam cement on this rig?

23 A. We do it a lot on surface. Usually
24 don't do it quite this deep.

25 Q. How many times have you done it this

1 deep -- at this depth?

2 A. Oh, I've done it before around the
3 same depth. I'd say a couple of times before
4 this.

5 Q. Two times before this on the HORIZON
6 or two times before this in your experience?

7 A. In my career.

8 Q. In your career.

9 A. On other rigs.

10 Q. How many times on the HORIZON?

11 A. This is the first time on the HORIZON
12 that I can recall.

13 Q. Being the OIM, I would think that you
14 got pretty good knowledge of your crew. What
15 do you think about the experience level of
16 your crew? How many times have they
17 experienced a foam cement job, your driller,
18 your toolpushers, all your personnel in those
19 key positions?

20 A. They do it on every well, but they're
21 not the actual personnel doing the foam. They
22 have a Halliburton crew out to do the foam
23 job.

24 Q. But these guys are on the floor?

25 A. Yeah. They do it basically on every

1 well.

2 Q. So you've had foam cement jobs on
3 every well at this depth --

4 A. Not at depth. I didn't say at this
5 depth.

6 Q. Not at this depth, okay. Was anything
7 odd about this job? Was it a perfect textbook
8 cement case? Did you take any losses on the
9 returns while you were doing this cement job?

10 A. Well, there was some things that were
11 odd, you know, because they said if they
12 didn't get a good lift pressure of at least 60
13 to 70 PSI they would run a CBL with
14 Schlumberger.

15 Q. And a CBL would be?

16 A. That would tell them where to add
17 cement to.

18 Q. And what would a CBL be?

19 A. Cement bond log.

20 Q. Cement bond log. And did they get the
21 lift that they thought they were going to get?

22 A. Yes, sir, they did.

23 Q. Did you get your returns back on your
24 cement job?

25 A. We had returns throughout the cement

1 job.

2 Q. Did you have the right returns?

3 A. Yeah. We had full returns.

4 Q. Full returns, okay.

5 MR. DYKES:

6 Thank you. I don't have any more
7 questions.

8 CAPT NGUYEN:

9 Flag state.

10 E X A M I N A T I O N

11 BY MR. LINSIN:

12 Q. Thank you, Captain. Good morning, Mr.
13 Harrell.

14 A. Good morning.

15 Q. Mr. Harrell, you testified a few
16 moments ago, sir, about smelling methane gas
17 or having methane gas in your eyes when you
18 were attempting to evacuate the rig. Did I
19 understand that correctly, sir?

20 A. Well, I got it inside the quarters is
21 when I first noticed the gas, you know,
22 breathing it in and getting it in your eyes.
23 Also, I mentioned insulation so it was -- it
24 was either the methane or insulation in the
25 eyes.

1 Q. My question, Mr. Harrell, is do you
2 recall hearing any high gas alarms at any
3 point prior to the explosion the evening of
4 April 20th?

5 A. No, I don't.

6 Q. Do you recall smelling any gas or
7 anyone commenting about gas being around the
8 rig that day?

9 A. You said that day?

10 Q. The day of April 20th, yes.

11 A. None prior to the explosion.

12 Q. You were also asked some questions,
13 sir, about the changeover of this rig from
14 Panama to the Marshall Islands and the
15 stopping of the inspection of the drilling
16 equipment. Do you recall those questions?

17 A. I recall it. Like I say, I couldn't
18 -- I couldn't give you any exact timing or
19 anything on it.

20 Q. My question, sir, is between 2005 and
21 2010, do you recall at any point, either the
22 Coast Guard or the Minerals Management Service
23 requiring that your rig have a certification
24 for your drilling equipment?

25 A. I can't recall that. I mean, I'd have

1 to look at all my records.

2 Q. Well, let me ask the question a
3 slightly different way. Between 2005 and
4 2010, was your rig inspected on a regular
5 basis by Coast Guard representatives and
6 representatives of the Minerals Management
7 Service?

8 A. Yes, it was.

9 Q. And do you recall during any of those
10 inspections any of those inspectors ever
11 telling you that you were required to have a
12 certification for your drilling equipment that
13 you did not have?

14 A. I don't recollect that?

15 MR. LINSIN:

16 Nothing further. Thank you.

17 CAPT NGUYEN:

18 Thank you, sir. Transocean, do you
19 have questions for the witness?

20 COUNSEL REPRESENTING TRANSOCEAN:

21 Not at this time.

22 CAPT NGUYEN:

23 Yes, sir. Cameron? Thank you.

24 EXAMINATION

25 BY MR. JONES:

1 Q. Good morning, Mr. Harrell. David
2 Jones on behalf of Cameron. I have a couple
3 of questions that I'd like to talk about the
4 timing and sequence and to help us out, I'm
5 going to put in front of you, your statement.
6 Now, as I understand it from reading your
7 statement, at about 2150 hours you were taking
8 a shower when you heard the first --

9 LT BUTTS:

10 Excuse me. Is that the statement
11 that he gave to the United States Coast
12 Guard?

13 MR. JONES:

14 Yes. I'm sorry. It's the Coast
15 Guard statement taken on the --

16 BY MR. JONES:

17 Q. Let me ask this: Was this the
18 statement that you gave on the BANKSTON after
19 the incident?

20 A. It was. That's my signature and all
21 there.

22 Q. So according to the statement, at 2150
23 hours you are taking a shower and you heard an
24 explosion; is that correct?

25 A. That's correct.

1 Q. After that you then smelled gas, felt
2 a strong back draft and then there was another
3 explosion.

4 A. That's correct.

5 Q. Approximately how long after the first
6 explosion did the second explosion occur?

7 A. It was pretty close together. I'd say
8 within three seconds.

9 Q. So it wasn't a period of minutes, it
10 was one explosion and another explosion
11 immediately?

12 A. Yes, sir.

13 Q. All right. And then presumably you
14 got some clothes on and made your way up to
15 the rig, correct?

16 A. Well, when you say the rig, what part
17 of the rig?

18 Q. I'm sorry, went up to the bridge.

19 A. Yeah. I did. Like I say, everything
20 was tore up in there. I did manage to get
21 partial clothes on and make it to the bridge.

22 Q. On the way up to the bridge, did you
23 see any fire?

24 A. Oh, yeah.

25 Q. Where specifically did you see fire?

1 A. On the drill floor. I seen that
2 before I ever made it to the bridge. You
3 could actually see it from inside the
4 quarters.

5 Q. Was the derrick on fire, as well?

6 A. Yeah. It was on fire.

7 Q. There was some testimony earlier in
8 these proceedings about mud raining down.
9 When you were going from the quarters to the
10 bridge, did you see mud raining down?

11 A. It was slick out there. I couldn't --
12 I couldn't say that it was mud. I mean, it
13 could have been gas and oil for all I know.
14 It was just very slippery.

15 Q. Did you see either mud or gas and oil
16 coming out from anywhere on the rig floor as
17 you were making your way up?

18 A. No. I seen fire like it was probably
19 coming from some type of gas or oil burning.

20 Q. When you get then to the bridge, you
21 have a note here that the BOP control panel
22 was abnormal and I wrote down when you were
23 answering questions a moment ago that you
24 thought it was abnormal because the lighting
25 on the panel didn't look right; is that

1 correct?

2 A. It didn't. It didn't to me. And like
3 I say, I had a lot of methane and a lot of
4 insulation in my eyes, but it did not look
5 normal.

6 Q. Were there any lights on the panel
7 that you could see?

8 A. It was lights, but like I say, some of
9 them seemed to be blocked and all.

10 Q. So there were some lights that were on
11 and other lights that were off that should
12 normally be on?

13 A. Well, it just -- it looked to me like
14 it was more lit up like some of the block
15 buttons had actually went to block and
16 shouldn't have been.

17 Q. Were any of the lights blinking, do
18 you recall?

19 A. I didn't see nothing blinking, not
20 that I recall.

21 Q. Then your statement says that the
22 subsea engineer, Chris Pleasant, was informed
23 by OIM to EDS. The OIM, I assume, is you?

24 A. That's me.

25 Q. And how long after the first explosion

1 was it until Mr. Pleasant was instructed to
2 EDS?

3 A. I don't have an exact time. Like I
4 say, I was in the shower. I would say -- I
5 would say between five and ten minutes, just
6 according to how long it took me to crawl out
7 and get up there.

8 Q. All right. And then I believe you
9 testified that you saw Mr. Pleasant actually
10 EDS the system?

11 A. I did see him and talk to him.

12 Q. Did you see any change in the panel,
13 any of the change in the lights in the panel,
14 after he hit the EDS?

15 A. No, sir, I did not.

16 MR. JONES:

17 Thank you, Mr. Harrell.

18 CAPT NGUYEN:

19 Thank you, sir.

20 E X A M I N A T I O N

21 BY MR. DYKES:

22 Q. You mentioned right there that you saw
23 lights that indicated the panel was blocked.
24 What does that mean?

25 A. The lights just -- it wasn't normal.

1 That's all I can tell you. Like I say, I had
2 that stuff in my eyes, but it didn't look
3 normal to me.

4 Q. What are these lights that you're
5 talking about indicating blocked?

6 A. Well, you've got green, yellow and red
7 lights on the panel. And I look at this panel
8 every day. It wasn't normal. It didn't seem
9 to be normal.

10 Q. What do you mean by the term, "it
11 looked like items were blocked"?

12 A. Well, it looked like lights were on
13 that weren't supposed to be on.

14 Q. And what are these lights?

15 A. What are they? Well, it's all
16 different functions. I'm not saying that
17 every light was abnormal, but the panel, it
18 was not normal.

19 Q. But I'm trying to understand what do
20 you mean by this when you say that items are
21 blocked.

22 A. Well, like a yellow light -- you've
23 got a green and a red.

24 Q. And I'm assuming that tells you it's
25 opened or closed?

- 1 A. It does.
- 2 Q. The red being closed?
- 3 A. Yes.
- 4 Q. Green being opened?
- 5 A. Yes.
- 6 Q. What does yellow mean?
- 7 A. That means it's blocked.
- 8 Q. It means that --
- 9 A. It's in the neutral position.
- 10 Q. It's in the neutral position. Now, is
- 11 that a manual position or is that a manual
- 12 step that somebody would have to take under
- 13 normal circumstances? I mean, is a yellow an
- 14 indication or is yellow a function?
- 15 A. Yellow, it's an indication --
- 16 Q. It's an indication.
- 17 A. -- of what the valve is actually in or
- 18 that component.
- 19 Q. Does the individual -- does the
- 20 operator whether it's a subsea engineer or
- 21 whatever, from that panel, do they have the
- 22 capability of putting it into the neutral
- 23 position?
- 24 A. Yes, you do from either panel.
- 25 Q. From either panel. And that's what it

1 indicated to you? It didn't look right -- all
2 of a sudden you have lights lit up that
3 they're indicating this thing is blocked?

4 A. Yeah. And like I say, it was not
5 normal. That's all I can tell you. And the
6 condition I was in -- I mean, I didn't have a
7 lot of time, you know, to investigate it, but
8 it wasn't normal.

9 Q. What would be the normal condition?
10 Either all green or all red, or what would you
11 expect to see?

12 A. Well, you know, I expected to see the
13 annular preventer closed and I expected to see
14 the diverter closed and all that, but some of
15 the functions acted like something had taken
16 the panel out.

17 Q. Taken the panel out of service?

18 A. Well, it looked like it had received
19 some damage from the explosion somehow or
20 another.

21 Q. Right, from the explosion. Disabled
22 that panel at the bridge?

23 A. Well, I wouldn't say disabled, but it
24 wasn't normal.

25 Q. Well, you're telling me that something

1 took it out of service so I'm trying to make
2 sure I understand. You're saying that the
3 explosion -- what you're thinking is, the
4 explosion did something to the logic in the
5 control system so that it was giving you all
6 kinds of weird signals?

7 A. Yeah. I would think so.

8 Q. I want to back up a couple of pages.
9 When Lieutenant Butts here made the reference
10 to the term "pincher" and you made the
11 statement you may have said that the day
12 before in the 11 o'clock meeting. Why did you
13 make that statement? Let's back up to that a
14 second.

15 A. I think the company man made a
16 statement or something, you know, "Well, be
17 careful with the nitrogen and be ready to
18 close the bag," or whatever. And like I said,
19 we do have those -- we do have shear rams and
20 all that too, you know. That nitrogen, it
21 could be a bad thing. If it gets in the
22 riser, it will unload the riser on you.

23 Q. But it's in the foam cement so if
24 you're nitrifying the cement so you're mixing
25 it with the cement, correct?

1 A. That's right. But anything can
2 happen. I mean, you can get a leak in your
3 drill string or anything. When you get that
4 foam, nitrous in your riser, you do have a
5 problem.

6 Q. Have you all had that problem before?

7 A. No, I haven't, but I've heard -- I've
8 heard of other rigs having that problem.

9 Q. Running nitrified cement?

10 A. Yes, sir.

11 Q. But you all run it all the time in the
12 shallow portions of the well?

13 A. Yes, sir. But now it -- it can, like
14 I say, anything can go wrong and you can get
15 that nitrous even after the cement is in
16 place.

17 Q. So was there an issue with pumping
18 this nitrogen this go-round for you to make
19 this statement?

20 A. No issues. I just, like I say, I want
21 everybody to be aware, you know, of the foam
22 cement and the nitrous, and the problems that
23 you can occur.

24 Q. So it wasn't that you may have had
25 doubts about the cement job working?

1 A. I didn't have no doubts about it.

2 MR. MATHEWS:

3 I just have one last question.

4 E X A M I N A T I O N

5 BY MR. MATHEWS:

6 Q. Is there a closed-captioned
7 television set on the DEEPWATER HORIZON?

8 A. CCTV?

9 Q. Yes, sir.

10 MR. CLEMENTS:

11 Excuse me. You don't mean for the
12 hearing impaired?

13 MR. MATHEWS:

14 I'm sorry. Yes, sorry. CCTV, I'm
15 reading it right here.

16 THE WITNESS:

17 Yeah. We do have CCTV on the rig.

18 BY MR. MATHEWS:

19 Q. Is that transmitted to the beach, as
20 well?

21 A. No, it's not.

22 Q. Did you see anything going on on the
23 rig floor on the CCTV while you were in the
24 bridge?

25 A. No. When I got to the bridge,

1 everything was taken out. No power.

2 CAPT NGUYEN:

3 Next Party In Interest is

4 Halliburton.

5 MR. GODWIN:

6 Yes, Captain. May I proceed,

7 Captain?

8 CAPT NGUYEN:

9 Please, sir.

10 MR. GODWIN:

11 Thank you, sir.

12 E X A M I N A T I O N

13 BY MR. GODWIN:

14 Q. Good morning, Mr. Harrell.

15 A. Good morning.

16 Q. How are you, sir?

17 A. Good.

18 Q. My name is Don Godwin and I'm the
19 lawyer for Halliburton. I have some questions
20 for you. I will ask you and if I don't make my
21 question clear or you don't understand it, if
22 you'll ask me, I'll try to rephrase it because
23 my purpose here is to try to ask you questions
24 you do understand so that you can give us
25 complete answers. Okay, sir?

1 A. Okay.

2 Q. Thank you very much. You had
3 mentioned that at this pre-tour meeting on the
4 -- what was it, on the 19th, when there was a
5 discussion that you had with the company man,
6 and possibly with another employee from
7 Transocean, that you didn't characterize that
8 as a disagreement or an argument. Do you
9 remember that testimony?

10 A. Yeah. There's a big difference though
11 in an argument and a disagreement.

12 Q. I understand, sir.

13 A. What disagreement are you referring
14 to?

15 Q. Well, there was some testimony here
16 yesterday by Mr. Douglas Brown with
17 Transocean. You know Mr. Doug Brown, don't
18 you?

19 A. Yeah. I know Doug Brown.

20 Q. When's the last time you spoke to him?

21 A. I think -- I think I spoke with him
22 briefly Tuesday at the memorial.

23 Q. Haven't seen him since he testified
24 yesterday?

25 A. No, sir.

1 Q. Okay, sir. And he testified about a
2 meeting that he recalled that was on the 19th
3 of April and he characterized that there was a
4 discussion that he characterized as somewhat
5 of a disagreement or he called it a skirmish
6 between you and the company man. And was
7 there a meeting, a pre-tour meeting at about
8 11 o'clock in the morning between you and the
9 company man for BP on April 19, as you recall?

10 A. There's always a pre-tour meeting at
11 11 o'clock.

12 Q. And do you remember -- you said that
13 there was a discussion between you and the
14 company man, that there was a disagreement
15 about a negative test. But you said it was on
16 a preceding day. Do you remember saying that
17 this morning?

18 A. Yeah. I remember the -- like I say,
19 it wasn't no argument. I did -- I did ask him
20 to stay behind because like I said, all these
21 plans kept changing and the plan that I seen
22 did not have a negative test to be performed
23 before displacing with seawater.

24 Q. And the plans you're talking about
25 were the drilling plans of BP, correct?

1 witness if it's accurate or not? Just
2 ask the witness directly the question
3 that addresses the information that
4 you're seeking.

5 MR. GODWIN:

6 Yes, sir.

7 BY MR. GODWIN:

8 Q. Sir, did you, on the 19th of April,
9 the day prior to the blowout, did you have a
10 pre-tour meeting with the company man?

11 A. Yes, always.

12 Q. Was that Mr. Bob Kaluza?

13 A. That was Bob on the -- this was the
14 18th or the 19th?

15 Q. On the 19th.

16 A. 19th, yes.

17 Q. And who else was in that meeting, at
18 that pre-tour meeting, with Bob Kaluza on the
19 19th.

20 A. Man, I can't tell you everybody that's
21 in that meeting.

22 Q. Okay. And did you make the statement
23 there in that meeting that if that's the way
24 the company man wanted it to be, that's the
25 way it will have to be?

1 A. No, I did not make that statement. I
2 don't know where you heard that at.

3 Q. All right, sir. Well, did you make
4 the statement following the meeting on the
5 19th when you left that that's the reason we
6 have the pinchers?

7 A. I can't recall that. I mean, I don't
8 know.

9 Q. Okay, sir. You don't -- you're not
10 saying that you didn't make it, it's just you
11 don't recall it? Is that what you're telling
12 me?

13 A. I'm not saying I didn't make it, but
14 I'm saying I don't recall that.

15 Q. Okay, sir. Let me ask you this, sir:
16 You have testified that you have, over your
17 career, been involved in virtually all aspects
18 of drilling, correct?

19 A. That's correct.

20 Q. You're familiar with bottoms up, are
21 you not, sir?

22 A. Yeah. Bottoms up -- yes, I am.

23 Q. The circulating and the bottoms up
24 procedure. Were you a part of a decision not
25 to circulate the well bottoms up for the 9th

1 casing string prior to the running of the
2 cement job?

3 A. For which casing string?

4 Q. For the 9th.

5 A. Which casing string would that be?

6 Q. Well, the 9th casing string just prior
7 to when the cement job was going to be run,
8 were you part of the decision to not do a
9 bottoms up on the well?

10 A. You're going to have to be more clear
11 on this question. You say the 9th. Are you
12 talking about the 9 and 7/8 by seven inch?

13 Q. Right -- yes, sir.

14 A. Okay.

15 Q. Was there a bottoms up that was run
16 prior to the cement job being performed?

17 A. That's running the casing and
18 circulating bottoms up once casing is at
19 desired depth?

20 Q. Yes, sir.

21 A. No. There was not a bottoms up done.

22 Q. Was a bottoms up performed before the
23 cement job was actually performed?

24 A. No, sir.

25 Q. Who made the decision not to do a

1 bottoms up?

2 A. BP.

3 Q. Okay, sir. Were you informed of that
4 decision?

5 A. Yeah. Well, I knew they wouldn't do a
6 bottoms up and a lot of things could change on
7 that. Like I say, if you started losing you
8 would go directly into cementing anyway.

9 Q. Okay, sir. And how did you learn, and
10 from whom, that there was not going to be a
11 bottoms up performed on the well prior to the
12 cement job being performed?

13 A. Where did I hear it from?

14 Q. Yes, sir.

15 A. The company man.

16 Q. The company man?

17 A. Company man.

18 Q. Which one, Mr. Vidrine or Mr. Kaluza?

19 A. I don't recall which one of them I
20 talked to at that time.

21 Q. Mr. Vidrine was the evening company
22 man, was he not?

23 A. Yes, he was.

24 Q. And Mr. Kaluza was the day company
25 man?

1 A. That's correct.

2 Q. Now, do you know how long the well had
3 been static prior to the casing cement job on
4 April 19?

5 A. How long the well had been static?

6 Q. Yes, sir.

7 A. What do you mean static?

8 Q. Well, how long had it been sitting
9 there without any activity, if that had
10 occurred?

11 A. Well, all we done, we went in and made
12 a conditioning trip, circulated bottoms up
13 prior to that. So really just static during
14 the rig up to run casing.

15 Q. Are you aware of any reports from
16 Transocean that showed that the well had been
17 static for approximately 70 hours prior to the
18 cement job?

19 A. I didn't see the reports, but I know
20 the well was static.

21 Q. Okay, sir. And do you know for about
22 how many hours?

23 A. I don't keep up with hours.

24 Q. Who would know that and where would we
25 be able to see that?

1 A. The only place I know you could see it
2 would be on the IADC report.

3 Q. Do you know how many barrels of mud
4 were added prior to the cement job or
5 circulated prior to the cement job on April
6 19?

7 A. What do you mean added?

8 Q. Well, or run. How many barrels of mud
9 were circulated before the cement job on April
10 19?

11 A. I don't know. I don't know an exact
12 figure.

13 Q. Did you learn from any source that
14 Halliburton had recommended running
15 substantially more mud in the circulation
16 process than what BP decided to run?

17 A. No. I was not aware of that.

18 Q. Okay, sir. You're familiar with float
19 equipment, are you not, sir?

20 A. Yes, sir, I am.

21 Q. Do you know anything about the
22 multiple attempts to convert the float
23 equipment on April 19 in the mid-afternoon
24 hours between say, 2 o'clock and 5 o'clock in
25 the afternoon?

1 A. Yeah. They did have a problem
2 converting the float equipment and, I mean,
3 I've seen this several times, you know. It
4 took a little more pressure.

5 Q. Are you aware that it took nine times
6 to convert the float equipment on the
7 afternoon of April 19?

8 A. I can't say it was nine times. I
9 didn't keep up with the times, but it did --
10 it did take doing it, bringing the pressure up
11 in stages to convert it.

12 Q. Did it concern you that it seemed to
13 be taking several times to convert the float
14 equipment on the afternoon of the 19th?

15 A. No. It didn't really concern me.

16 Q. All right, sir. Who provided the
17 float equipment to BP?

18 A. Who provided this float equipment?

19 Q. Yes, sir, to BP.

20 A. I don't know. I don't know what float
21 equipment it was.

22 Q. Do you know if it was Weatherford?

23 A. That's normally who does it, but I
24 cannot say that it was Weatherford. I mean, I
25 didn't actually look at the float equipment.

1 Q. The casing job that was done there
2 prior to the cement job, was that performed by
3 TO, Transocean?

4 A. The casing job prior to the 9-7/8 by
5 seven inch?

6 Q. Right.

7 A. What --

8 Q. Was the casing job that was performed,
9 was that done by Transocean?

10 A. Well, we have a -- I mean, Transocean
11 -- I reckon I don't understand the question.
12 Are you talking about the string right before
13 this --

14 Q. Just before the cement job was the
15 casing job that was done, was that performed
16 by Transocean?

17 A. Yes. We assisted in running this
18 casing.

19 Q. And who did you assist? Was it
20 Weatherford?

21 A. Weatherford.

22 Q. Okay, sir. And what company provided
23 the subsea plug system? Was that Weatherford?

24 A. I don't know. I don't know about the
25 plug.

1 Q. Who would know that, sir?

2 A. That would be BP. They're in charge
3 of all the plugs, the operator.

4 Q. Let's talk a little bit about this
5 negative test that you referenced earlier.
6 You said that the company man wanted to
7 perform a negative test --

8 A. I didn't say that.

9 Q. You didn't say that?

10 A. No, I didn't.

11 Q. I thought you said that was the reason
12 for you and the company man having a
13 discussion, I believe, you said on the 18th.

14 A. That's not what I said. I said there
15 was not a negative test in the plan.

16 Q. There was not a negative test in the
17 plan?

18 A. Yes. That's what I said.

19 Q. Okay, sir. Did you think that a
20 negative test should be called for in the
21 plan, in BP's plan?

22 A. I would not displace without doing a
23 negative test.

24 Q. And did BP inform you that it desired
25 to alter the plan in order to perform a

1 negative test?

2 A. Can you repeat that question again?

3 Q. Yes, sir. Did BP tell you at anytime
4 that it desired to alter the plan, the
5 drilling plan, in order to incorporate a
6 negative test?

7 A. Yeah. They agreed to do a negative
8 test. If that's what you're getting at. It
9 seems like a trick question to me.

10 Q. Okay, sir. It's not intended to be.
11 It's not intended to be. Did you recommend to
12 BP that a negative test be performed?

13 A. Yes, I did.

14 Q. And who was it with BP that agreed to
15 your recommendation the negative test be
16 performed?

17 A. I think the last time, I think it was
18 Don Vidrine.

19 Q. Mr. Vidrine. Okay, thank you, sir.
20 Do you recall how many negative tests there
21 were?

22 A. They done two negative tests.

23 Q. Okay, sir. And do you know how many
24 barrels of fluid were coming back during the
25 course of the first negative test?

1 A. How many barrels came back?

2 Q. Yes, sir.

3 A. No. I don't know exactly how many
4 barrels came back.

5 Q. Well, the preference would be that
6 there would be no barrels coming back of fluid
7 during the negative test, would there not, or
8 very few?

9 A. Yeah, that would be. I mean, if you
10 -- sometimes you have a little unbalance, I
11 mean, pipe in the line.

12 Q. Are you aware during the first
13 negative test that approximately 23 barrels
14 came back?

15 A. I knew it was somewhere around that
16 because it was leaking. They filled it back
17 up on the back side with the trip tank.

18 Q. Yes, sir.

19 A. But I thought it was 15 barrels they
20 put in.

21 Q. Well, I think -- my notes show that on
22 the second test there were 15 barrels that
23 came back. Does that refresh your memory
24 about the first test --

25 A. I didn't -- I didn't keep up with the

1 barrels, like I said. I did stop and tell
2 them to increase the annular pressure --

3 Q. Right.

4 A. -- from, I believe, it was 12 to 2,000
5 and it ended up being about 1,900.

6 Q. And was the pressure that was being
7 held somewhere between 1,200 and 1,400 pounds
8 during the negative test, or do you know?

9 A. That's what they had on it initially.

10 Q. Okay, sir. Did that seem too high to
11 you?

12 A. No, it didn't.

13 Q. Would you have preferred -- as I
14 understand it, you would have preferred that
15 there be very few or no barrels coming back
16 during the negative test, correct?

17 A. You always get some, like I say. The
18 less the better, though.

19 Q. Did you consider the first negative
20 test to be successful?

21 A. Yes.

22 Q. Even with the barrels that came back?

23 A. Yes, I did. But like I say, when
24 you're bleeding these barrels off --

25 Q. Yes, sir.

1 A. -- you can always watch your pressure
2 and stop it at any time bleeding it off to
3 check your pressure.

4 Q. Okay, sir. Did you consider the
5 second negative test to be successful even
6 with the barrels coming back of approximately
7 15?

8 A. Yes, I did.

9 Q. Who on the DEEPWATER HORIZON was
10 interpreting the negative test data for the
11 first and second test?

12 A. Who was interpreting the data?

13 Q. The data for the negative test, who
14 was interpreting?

15 A. Usually the company man and the
16 toolpusher up there.

17 Q. Was there a third negative test
18 conducted prior to the cement job?

19 A. There was no third negative test done
20 to my knowledge.

21 Q. Okay, sir. Let's talk about bypassing
22 to the mud pits -- bypassing the mud pits, if
23 you will. During a negative test, where is
24 mud normally circulated to?

25 A. To the shaker.

1 Q. To the shaker?

2 A. And on to the mud pit.

3 Q. And then on to the mud pit. When
4 displacing mud from the riser, where is the
5 mud normally returned to?

6 A. To the active mud pits, sand traps and
7 all that.

8 Q. Why is the mud normally returned to
9 the mud pits during the course of a negative
10 test?

11 A. Why is it always returned to the --

12 Q. Why is it normally returned to the mud
13 pits, as opposed to some other location?

14 A. I mean, that's where it's supposed to
15 go.

16 Q. Well, does it have anything to do with
17 going to the mud pits if there are gauges
18 there that will allow for the measuring of the
19 volumes of the mud?

20 A. Yeah. You've got PVT sensors in
21 certain pits and you have certain pits
22 assigned, you know, that's in the -- that's
23 really in the active system.

24 Q. And also by returning the mud to the
25 mud pits from the riser, does that also

1 enable, through the use of gauges, to
2 determine how much gas is in the mud?

3 A. Well, the gas is at the possum belly.

4 Q. That gas is what, sir?

5 A. Your gas sensors, they're not in the
6 -- you've got some gas sensors on the mud
7 pits. You also have a gas detector --

8 Q. Right.

9 A. -- in the top of the shaker where the
10 mud goes into the shaker at the possum belly.

11 Q. Well, in the boat that was there next
12 to the rig, were there any gauges in there to
13 determine the volumes of mud that were going
14 in?

15 A. Any gauges?

16 Q. Any gauges or any equipment to
17 determine that?

18 A. They have a screen and they actually
19 -- they actually do a strap on the pits.

20 Q. Well, in the boat there was the mud --
21 you testified earlier during the negative test
22 that there was mud that was being displaced,
23 if you will, or discharged over into the boat,
24 correct?

25 A. I didn't say it was being put to the

1 boat.

2 Q. I thought you said mud was going --

3 A. I did not say mud was going to the
4 boat.

5 Q. Okay, sir.

6 MR. CLEMENTS:

7 For the record, I think he said the
8 opposite.

9 BY MR. GODWIN:

10 Q. Was going to the mud pit?

11 A. (Affirmative shake of the head.)

12 Q. Alright, sir. Well, on April 20, was
13 mud returned to the supply boat instead of the
14 mud pits, to your knowledge?

15 A. I don't know. I don't keep up with
16 the mud they put on the boat and the mud pits.
17 That would be the mud engineers and the
18 derrickman.

19 Q. Well, if it is shown that mud was
20 going to the boat there instead of the mud
21 pit, would you know why that was occurring?

22 A. Like I said earlier, the mud goes to
23 the mud pit then it goes to the boat.

24 Q. Okay, sir. You said it went into the
25 mud pit and into the boat.

1 A. I didn't say that.

2 Q. Are you aware of any mud that went
3 direct from the riser, direct into the boat,
4 as opposed to first going through the mud pit?

5 A. I told -- I said earlier there was no
6 way to do that.

7 Q. All right, sir. Were you aware of how
8 many centralizers were on the string down the
9 hole prior to the cement job being performed.

10 A. No. I don't know the exact amount.

11 Q. You didn't know anything about that?

12 A. No, sir. I thought they left them
13 off.

14 Q. Who left them off?

15 A. BP. They make that decision on
16 whether to put centralizers on or off. That
17 doesn't come under the OIM.

18 Q. Well, to your knowledge, did BP also
19 make the decision as to how many centralizers
20 would go down the hole?

21 A. That's correct.

22 MR. GODWIN:

23 Thank you, sir. Thank you very
24 much.

25 CAPT NGUYEN:

1 Any follow up questions from MMS?

2 MR. DYKES:

3 No.

4 CAPT NGUYEN:

5 M-I SWACO?

6 COUNSEL REPRESENTING M-I SWACO:

7 No questions.

8 CAPT NGUYEN:

9 Dril-Quip?

10 COUNSEL REPRESENTING DRIL-QUIP, INC.:

11 No questions.

12 CAPT NGUYEN:

13 Weatherford?

14 COUNSEL REPRESENTING WEATHERFORD,

15 INC.:

16 No questions.

17 CAPT NGUYEN:

18 Anadarko?

19 COUNSEL REPRESENTING ANADARKO

20 PETROLEUM CORPORATION:

21 No questions at this time.

22 CAPT NGUYEN:

23 MOEX?

24 COUNSEL REPRESENTING MOEX USA:

25 (No response)

1 CAPT NGUYEN:

2 DOUGLAS BROWN:

3 EXAMINATION

4 BY MR. GORDON:

5 Q. Mr. Harrell, my name is Steve Gordon.

6 I met you, I believe, at the memorial. Do you
7 recall that?

8 A. No. I don't remember meeting you.

9 Q. Anyway, I know that this is a -- that
10 you lost a lot of friends out there.

11 A. I did.

12 Q. I know that. And the purpose of this
13 is to try to figure out if there's anything
14 that could have been done to avoid this again.
15 Do you understand that?

16 A. I understand that.

17 Q. Can you please tell me what procedures
18 were in effect that would have avoided people
19 being in the area where they were killed?

20 A. I don't -- You've got to have people
21 up there to run that equipment.

22 Q. I understand. But yesterday, there
23 was testimony that said that area, I think it
24 was the pump room --

25 MR. CLEMENTS:

1 I would object to the
2 reconstruction of prior testimony. We
3 were led to believe that this would be
4 a question and answer procedure and we
5 would like to proceed with questions so
6 this witness can give answers directly.

7 MR. GORDON:

8 If you let me, I will.

9 BY MR. GORDON:

10 Q. So yesterday we were told that that
11 area, the pump room and the pit room and the
12 shaker room, would accumulate gas in the
13 beginning phases of the blowout. Do you agree
14 with that?

15 A. Well, yeah, I mean, it's subject to
16 it.

17 Q. And as a driller, you know that, or as
18 an OIM, you know that, right?

19 A. Yeah. I mean, the whole rig is
20 subject to it as far as that goes.

21 Q. Of course, but because they were
22 receiving the mud first as it comes up the
23 riser, the mud's going to have gas in it and
24 it's going to accumulate in those rooms,
25 correct?

1 A. Correct.

2 Q. What written policies were in effect
3 with Transocean to anticipate that and then
4 get those people out?

5 A. Well, the only time -- You know, we
6 got gas sensors up on the bridge and we always
7 notify our personnel when we have a high
8 content level of gas and get them out of any
9 space, shut down or anything during drilling.
10 Normally, you don't get gas back when you're
11 displacing the riser. I mean, you're done
12 done all your tests and you don't anticipate
13 getting any gas back.

14 Q. I understand. But at some point, when
15 the mud was spewing up at a very high rate,
16 way up in the air, somebody knew that there
17 was -- before there was an explosion, somebody
18 knew that there was a problem with the well
19 control. Maybe not you, but somebody on the
20 rig, correct?

21 A. I guess so. Like I said, I was in the
22 shower at the time of the explosion.

23 Q. Let's hope they did, before the
24 explosion, realize that they had some problem
25 with the well, correct?

1 A. Yeah. And from what I seen,

2 everything happened pretty quick.

3 Q. I understand. And my question,

4 though, is before the explosion, that key time

5 when there was mud coming out and you had the

6 obvious flow from the well, did Transocean

7 have any written policies on getting those men

8 out of that area that's anticipated to have

9 explosive gas? Did they have a written

10 policy?

11 A. We don't have a written policy, but

12 like I say at certain levels we make sure

13 everybody is out of the shaker area, mud area

14 too. It's according to whether the alarm goes

15 off. Now, these alarms go off -- they're set

16 up in different places in the mud system.

17 Q. Yesterday, there was testimony that in

18 the engine room they were noting alarms all

19 over the rig.

20 A. I'm sure they did right at the time of

21 the -- when it unloaded there. I'm sure they

22 did.

23 Q. Before the explosion?

24 A. I'm not aware of that.

25 Q. Okay. I'm just telling you what they

1 said. So my question is: In that key time --
2 Just yes or no: Was there a written policy to
3 remove those men out of that area?

4 A. Yes. I mean, we would get them out.

5 Q. There was a written policy?

6 A. I didn't see a -- I didn't say we had
7 a written policy, but we would get them out.
8 This is done by the bridge. They notify --
9 they notify personnel in them spaces. They
10 have all of that at the CCR, the bridge.

11 Q. Yes, sir. I believe there was
12 testimony yesterday that there was contact
13 from the bridge to the BANKSTON to let go of
14 whatever lines were connected.

15 MR. GODFREY:

16 Objection, Captain. I think the
17 witness is here to be asked questions
18 about facts. He's mischaracterizing
19 some of the testimony, as well. So if
20 you just ask and let the witness
21 answer --

22 THE WITNESS:

23 I wasn't there for that.

24 CAPT NGUYEN:

25 I agree.

1 MR. CLEMENTS:

2 For the record, the witness was not
3 in the room yesterday.

4 CAPT NGUYEN:

5 I understand, and that's why

6 I'm --

7 BY MR. GORDON:

8 Q. Okay. Were you aware that the
9 BANKSTON was contacted by the bridge to let
10 go?

11 A. No. I don't know -- I don't know that
12 they contacted him, but I do know he was --
13 he was released when I got up to the bridge.

14 Q. Is it your opinion that during that
15 time when that transmission was made prior to
16 an explosion that there should have been a
17 contact from the bridge to the shaker room,
18 pit room, pump room to vacate those premises?

19 A. I didn't understand --

20 MR. CLEMENTS:

21 Wait one second. I would like to
22 lodge an objection to counsel seeking
23 to elicit opinions from this witness on
24 the basis of hypotheticals. I don't
25 think that's appropriate. I think it

1 requires speculation and I think
2 there's no foundation for such a
3 question.

4 MR. GORDON:

5 Chairman and committee, with all
6 due respect, I am truly trying to
7 figure out what policies were out there
8 and if they weren't there, how, in the
9 future, they can implement them to
10 avoid casualties. And that's it.
11 That's the purpose of my questions.

12 MR. KOHNKE:

13 Captain, if he wants to figure that
14 out in asking this gentleman his
15 opinion when he doesn't have the
16 underlying facts won't help him.
17 That's the problem. It's just going
18 down a rabbit trail, you're not going
19 to get there. I wish that he can
20 figure this out, that would be fine.
21 This is not the right witness. This is
22 not a foundation for this witness in
23 rendering an opinion that will help him
24 do that.

25 MR. GORDON:

1 With all due respect, this is the
2 man who is in control of that vessel
3 when it's on station. If he doesn't
4 know, nobody knows.

5 THE WITNESS:

6 I don't have all these manuals
7 sitting here in front of me.

8 MR. GORDON:

9 I understand. I won't argue with
10 the witness. May I proceed --

11 THE WITNESS:

12 I do know the bridge. I do know
13 that they notify people in those spaces
14 and get them out any time there's any
15 gas in any space or go check it out.

16 BY MR. GORDON:

17 Q. Do you have knowledge that that
18 happened, sir?

19 A. No. I don't have any knowledge.

20 Q. As the OIM, are you the person that
21 has the authority to order a distress signal?

22 A. Yeah. I have the authority to do
23 that.

24 Q. Did you know that there was an attempt
25 to order a distress signal at the lifeboats?

1 A. There was a distress signal ordered
2 before we ever got to the lifeboats.

3 Q. Tell me: When does it shift from the
4 OIM to the captain on the ability to order a
5 distress signal?

6
7 A. Well, the captain -- the captain's in
8 charge of all emergency. Right.

9 Q. Okay.

10 A. I did not -- I did not order a distress
11 signal. I said the distress signal had been
12 ordered when I got to the bridge.

13 Q. Is it a fair assumption that the crew
14 believed that you were the person to have the
15 authority, sole person --

16 MR. CLEMENTS:

17 Objection. This is -- counsel is
18 asking this witness to speculate what
19 other people who are not in the room
20 and not before the board may have
21 thought and what their opinions are.

22 This is a sheer speculation. There's
23 no foundation --

24 MR. GORDON:

25 I'll move on counselor. I'll move

1 on.

2 BY MR. GORDON:

3 Q. Regarding the pinchers, sir. I just
4 want to make it clear what you said. Is it
5 true that you said, "Well, that's what they
6 make those pinchers for"?

7 A. I probably -- I probably did say that.
8 Like I said earlier, I don't recall it. I
9 mean, I probably say a lot of things I don't
10 recall.

11 Q. Yes, sir. If you said that, I believe
12 the testimony is you were referring to the
13 what?

14 A. You're talking about pinchers?

15 Q. Yes, sir.

16 A. It could be the casing shear rams or
17 the blind shear rams.

18 Q. And if those were actuated, what would
19 happen?

20 A. Well, one cuts the pipe; one cuts and
21 seals. It's according to the weight of the
22 pipe, you know, which one will shear which.

23 Q. Would the BOP be, in essence,
24 functioning at that point?

25 A. Would it be functioning?

1 Q. Yeah. Would it be closing off the
2 well?

3 A. It would if you had the blind shear
4 ram.

5 Q. So when you said that, was it your
6 belief that the BOP had the capacity to do
7 that, whenever you said it, whether you said
8 it on 19th or the 20th?

9 A. Yeah. Like I say, it's according to
10 the weight of the casing, or drill pipe.

11 Q. So you personally believed it would
12 have worked at that time?

13 A. Yes, sir.

14 Q. I would like to specify please,
15 exactly what monitors and what they're called
16 that would have monitored any flow to the mud
17 pits or to the shaker. What are those called?

18 A. The monitors?

19 Q. Yes, sir.

20 A. That's your flow in and flow out.

21 Q. And where are they located, those
22 monitors, the gauges?

23 A. They got -- you've got one in the flow
24 line, you've got some on the shakers.

25 Q. And are they electronic and do they --

1 are they electronic?

2 A. Yeah. They have electronics going to
3 them. Like I say, we have one and also
4 Sperry, they have one, the mud loggers. They
5 have a -- they monitor flow, also.

6 Q. Yes, sir. But I'm talking about items
7 or pertinences to the DEEPWATER HORIZON, the
8 Transocean vessel.

9 A. Yes. We have a return flow.

10 Q. And are those electronic?

11 A. Yes.

12 Q. And is the data recorded?

13 A. Yes. It is -- well, I mean, it's
14 recorded, but I -- what are you talking about
15 recorded?

16 Q. That was my next question. Where is
17 it recorded?

18 A. They have a trend on the driller.
19 There's various places throughout the rig you
20 can see that.

21 Q. Is it kept in an electronic data
22 format, like on a computer hard drive?

23 A. Well, yeah, you could -- like I say,
24 you could back it up on there. You can back
25 up a trend.

1 Q. Is it sent real time to the mainland?

2 A. BP gets -- they're able see everything
3 we do out there.

4 Q. In real time?

5 A. Real time. I know Sperry, you know,
6 they have -- they have a real time data they
7 sent to town, not Transocean, but Sperry.

8 Q. I understand. But basically, prior to
9 the explosion, any of that data would have
10 been sent shoreside, correct?

11 A. Yeah. It should have been sent to
12 shore.

13 Q. Do you know what the pollution pans
14 are, sir?

15 A. Pollution pans?

16 Q. Yes, sir.

17 A. Which -- the ones on the drill floor?

18 Q. Yes, sir.

19 A. Yes, I do.

20 Q. What are those?

21 A. They're pans that catch any spillage
22 going off the rig floor.

23 Q. Was there any drilling the day of the
24 20th on the floor?

25 A. Drilling?

1 Q. Yes, sir.

2 A. No, sir.

3 Q. Any reason why the floor would have
4 mud on it, the rig floor?

5 A. Yeah. They would wash and it's always
6 a clean up after the casing is run and
7 everything, the spillage from mud and
8 everything.

9 Q. Is it your testimony, sir, that there
10 was, in fact, mud on the rig floor, the day of
11 the 20th?

12 A. I can't answer that question because I
13 wasn't on the rig floor but one time on the
14 day of the 20th.

15 Q. Not your tour, but the whole day of
16 the 20th you were never on the rig floor?

17 A. I was on the rig floor on the evening
18 of the 20th.

19 Q. On the evening?

20 A. That's correct.

21 Q. So from, let's say, 1200 the morning
22 of the 20th, in the morning, all that morning
23 and all that afternoon, you never saw the rig
24 floor?

25 A. I'd see it on monitors, but no, I

1 didn't go up there.

2 Q. Was there mud on it?

3 A. Not when I was up there.

4 Q. Can you tell me why the pollution pans
5 filled up at 1700 hours?

6 MR. CLEMENTS:

7 You're asking a hypothetical
8 question. It sounds --

9 BY MR. GORDON:

10 Q. I'm asking you to assume that there
11 will be a --

12 CAPT NGUYEN:

13 Counselor's right. That's a
14 hypothetical question.

15 MR. GORDON:

16 Okay.

17 BY MR. GORDON:

18 Q. Could the pollution pans fill up if
19 there's no mud on the floor?

20 A. Well, yeah, I guess if they're washing
21 or something, you know.

22 Q. Is there anyway that it could come up
23 the pollution pans? Are they sealed at the
24 bottom?

25 A. Yeah, they're sealed or they wouldn't

1 be a pollution pan --

2 Q. Right. So it's not like a sink where
3 there's a drain.

4 A. No.

5 Q. Okay. Thank you so much. As I
6 understand your testimony, that day or the
7 evening or whatever, but before the explosion
8 on the 20th you were meeting -- had meetings
9 to attend; is that correct?

10 A. Yes, we have a lot of meetings to
11 attend each day.

12 Q. But especially that day?

13 A. Yeah. We had a -- we had a couple
14 more meetings to attend with the BPs that was
15 coming onboard. We had four VIPs coming
16 onboard.

17 Q. And they were onboard?

18 A. They were onboard.

19 Q. And you had attended meetings with
20 them there and also with Transocean execs or
21 higher ups there, correct?

22 A. Yeah. I met with them, BP and
23 Transocean.

24 Q. And as OIM, you were keeping them
25 informed of how the well was doing; is that

1 correct?

2 A. I informed them when I went to greet
3 them when they got off the helicopter of what
4 operations we had going on at the time.

5 Q. And that includes test results,
6 correct?

7 A. No. I don't give them test results
8 because I didn't even know when they got
9 there.

10 Q. So that night you never knew that
11 there were -- knew of any test results and you
12 never conveyed that information?

13 MR. CLEMENTS:

14 That's a compound question.

15 Whether or not he knew test results is
16 one question and whether or not he took
17 those test results and conveyed them to
18 other people. Object to the compound
19 question.

20 MR. GORDON:

21 Yes, sir.

22 BY MR. GORDON:

23 Q. That night, before the explosion, were
24 you aware of any test results of the well?

25 A. I do. I remember Don Vidrine, company

1 man, BP, he told me they had a good negative
2 test for 30 minutes.

3 Q. Any other -- were you aware of any
4 other test results other than that before?

5 A. That's all he told me.

6 Q. Were you aware of any others, sir?

7 A. Well, I know the toolpusher had told
8 me he had talked to -- the senior toolpusher
9 had told me he had talked to the toolpusher on
10 the drill floor before I got in the shower and
11 said they had a good negative test.

12 Q. And did you convey that information to
13 Transocean's people that had come to the
14 DEEPWATER HORIZON?

15 A. No. I didn't convey it to them.

16 Q. One last question: Looking back on it
17 now, can you identify any warning signs at any
18 point of the day of the explosion that would
19 have suggested a potential event like this was
20 going to happen?

21 A. No. I couldn't. If I was aware of
22 any problem, I would have been on the rig
23 floor to resolve any problem that I thought
24 may have occurred.

25 MR. GORDON:

1 Thank you so much.

2 CAPT NGUYEN:

3 Thank you, sir. BP?

4 MR. GODFREY:

5 Thank you, Captain. May I proceed,

6 Captain?

7 CAPT NGUYEN:

8 Please, sir.

9 MR. GODFREY:

10 Thank you.

11 E X A M I N A T I O N

12 BY MR. GODFREY:

13 Q. Good morning, sir.

14 A. Good morning.

15 Q. My name is Rick Godfrey. I represent

16 BP. It's a pleasure to meet you this morning.

17 I appreciate your time. I would like to begin

18 by focusing upon the regular meeting that took

19 place at approximately 11:00 a.m. on the

20 morning of April 20 in the year 2010. Can we

21 focus our attention on that, please?

22 A. Okay. The pre-tour meeting?

23 Q. Yes, sir. At that pre-tour meeting, I

24 believe you testified that there was a

25 discussion between you and the company man,

1 Mr. Kaluza, about the necessity or the
2 desirability of conducting certain tests. Do
3 you recall that?

4 A. Yeah, a negative test that wasn't --
5 that I didn't see in the plan.

6 Q. And is it correct that you wanted to
7 have a negative test performed on the drill
8 pipe?

9 A. Yeah. I will not -- I will not
10 displace prior to departure of a well without
11 a negative test being performed.

12 Q. And did Mr. Vidrine Did Mr. Kaluza,
13 the company man, agree that you could perform
14 such a test, that is you, Transocean?

15 A. Yeah. I mean, he agreed. He didn't
16 really have no problem with it. They just
17 left it out of the plan, the forward planner.

18 Q. And was the negative test that you and
19 Transocean wanted to have performed at that
20 11:00 a.m. meeting, was it then subsequently
21 performed?

22 A. Could you repeat that? I didn't catch
23 the last part.

24 Q. Sure. Was the negative test that you
25 and Transocean wanted performed that you

1 explained to Mr. Kaluza at the 11:00 a.m.
2 meeting on the morning of April 20,
3 subsequently to that meeting performed?

4 A. Yes, it was performed.

5 Q. And was the negative test that you
6 wanted performed, was that test a successful
7 test in your judgment?

8 A. Yes. Well, I thought it was and they
9 wanted to do another one. I reckoned nothing
10 wrong with doing a second test to confirm.

11 Q. So the BP person, that is, Mr. Kaluza,
12 wanted to do a second test?

13 A. I didn't say that.

14 Q. Who wanted to do the second test?

15 A. I think Don Vidrine's the one who
16 wanted to do the second test.

17 Q. Fair enough. Mr. Vidrine wanted to do
18 a second test and was that test then
19 performed?

20 A. Yes. It was done.

21 Q. And was that test also successfully
22 passed?

23 A. Yes. He told me -- I did meet him and
24 he said the negative test was successful for
25 30 minutes.

1 Q. As far as you can recall, was there
2 any disagreement or argument that you had at
3 the 11:00 a.m. meeting on the morning of April
4 20th between you or any of your colleagues and
5 people from BP that morning?

6 A. No. It wasn't -- it wasn't an
7 argument or nothing. I did -- I did ask a few
8 of them to stay back to make sure that -- we
9 discussed the negative test and make sure it
10 was done prior to displacing with seawater.

11 Q. As far as you were concerned, when you
12 left the 11:00 a.m. meeting, on the morning of
13 April 20th, were you satisfied personally that
14 all of the tests that were about to be
15 conducted and all of the drilling operations
16 that were planned for the rest of the day were
17 going to be safe and in proper order?

18 A. Yes. I was.

19 Q. You had no concerns about the drilling
20 operations or performed or planned to be
21 performed for the rest of the day on April 20
22 at the conclusion of that 11:00 a.m. meeting
23 on that day; is that correct?

24 A. I had no problems because everything
25 was sorted out and the proper tests would be

1 performed.

2 Q. Now, you also told Mr. Gordon a few
3 moments ago that the senior toolpusher had
4 spoken with the toolpusher about a good
5 negative test. Do you recall that?

6 A. Yeah. I do recall that. That was --
7 that was somewhere around 2130 on the day of
8 the 20th.

9 Q. And who was -- what is the name of the
10 senior toolpusher to whom you are referring
11 with respect to that conversation?

12 A. Senior pusher -- we had one out there
13 at the time. His name is Randy Ezell.

14 Q. And who was the toolpusher that he
15 spoke to that you are referring to?

16 A. It's one of the deceased, Jason
17 Anderson.

18 Q. Thank you, sir. Let's shift dates
19 now. Let's focus now on the 11:00 a.m.
20 meeting, the regular morning meeting, on the
21 19th. Do you recall that?

22 A. Yeah. I mean, I remember going to the
23 meeting.

24 Q. Do you recall that you testified that
25 there was a discussion at the meeting that

1 took place at 11:00 a.m. on the 19th of April
2 with respect to the cement job? Do you recall
3 that?

4 A. You need to be a little more clear on
5 the question.

6 Q. Sure. Do you recall discussing the
7 cement job at the 11:00 a.m. meeting that took
8 place on April 19, 2010?

9 A. What portion of the cement job? What
10 are you talking about specific?

11 Q. Do you recall when you testified
12 earlier today that the company man said, "Be
13 careful with the nitrogen." Do you recall
14 that?

15 A. Yeah. I remember him saying that.

16 Q. And that was on the 19th?

17 A. Correct.

18 Q. And nitrogen is foamed into cement for
19 the purpose of preventing channeling down
20 hole. Is that your understanding?

21 A. Well, yeah, and it gives the -- it
22 gives the cement some lift, too, you know.

23 Q. And, in fact, nitrogen is added to the
24 cement as a safety mechanism to prevent
25 hydrocarbons from coming up the hole. Is that

1 your understanding?

2 A. Well, you can actually get the
3 nitrogen and the riser, too, you know, and
4 there's always a chance, I mean, anytime --
5 anytime you run something through that rotary
6 table you take a chance of getting
7 hydrocarbons.

8 Q. At the conclusion of the 11:00 a.m.
9 regular meeting on April 19th, were you
10 personally satisfied that the plans for the
11 cement job were safe and to your satisfaction
12 as the OIM of the DEEPWATER HORIZON?

13 A. Yeah, I was. I mean, like I say,
14 they're approved by MMS and BP has engineers.
15 They do all kind of tests on the cement.
16 They've always done a good job in the past.

17 Q. Now, there was also testimony earlier
18 today about circulation and bottoms up. Do
19 you recall that?

20 A. Yes.

21 Q. Is it fair to assume from your prior
22 testimony that you had no concerns with
23 respect to circulation or bottoms up at any
24 time on April 19th or 20th of the year 2010?

25 A. No, I had no concerns. I know it's

1 always better to do a bottoms up.

2 Q. Was a bottoms up eventually done at
3 some point?

4 A. No, sir.

5 Q. With respect to the float equipment,
6 where it took several times before the float
7 equipment was established, as far as you were
8 concerned, was that normal?

9 A. Yeah. Most of the time it takes a
10 higher pressure to shift it.

11 Q. At any time on April 19th or April
12 20th, did you have any safety concerns with
13 respect to any of the operations that were
14 taking place on the DEEPWATER HORIZON?

15 A. No, I didn't. If I did I would have
16 stopped the operation.

17 Q. Right. And, in fact, there's an HSE
18 policy of Transocean that gives you the
19 authority to shutdown the operation at any
20 time if you think there might be a safety
21 issue; is that right?

22 A. That's me, or anybody has a privilege
23 to, or an obligation to stop the job.

24 Q. Now, you said a little while ago in
25 answer to Mr. Gordon's question that you were

1 on the rig floor on the evening of the 20th.

2 Do you recall that?

3 A. Yeah. I went up there with the VIPs
4 on the tour.

5 Q. Approximately what time of the day did
6 you go onto the rig floor on the evening of
7 the 20th?

8 A. It was somewhere approximately 5
9 o'clock, 5:30, somewhere in that time period.

10 Q. When you went to the rig floor
11 approximately between 5:00 p.m. and 5:30 on
12 the afternoon or early evening of April 20th,
13 did you have any concerns about the drilling
14 conditions or about the safety of the men on
15 the DEEPWATER HORIZON?

16 A. No, I didn't.

17 Q. Was there anything that you observed
18 when you visited the rig floor on April 20
19 between 5:00 and 5:30 p.m. that caused you any
20 concern about the safety of the DEEPWATER
21 HORIZON or its crew?

22 A. Not about the safety. Like I said,
23 they did have one little problem, you know,
24 with the annular. I asked them to increase
25 the annular pressure to assist in being able

1 to get a negative test to hold the mud in the
2 riser between it and the drill pipe.

3 Q. And did the crew successfully follow
4 your recommendation?

5 A. Yes, and it did hold.

6 Q. And that was successfully your
7 recommendation?

8 A. Yes, sir.

9 Q. Thank you. Now, you testified earlier
10 that, I think it was in response to a member
11 of the board's question about you had
12 discussions concerning whether there would be
13 six or seven days of maintenance that would be
14 done once this well was completed before the
15 next well move. Do you recall that?

16 A. Yes, sir.

17 Q. Was that normal to have maintenance
18 when you finished one well before you get to
19 the next well you make sure the vessel is
20 shipshape and in good condition?

21 A. Yes, sir. I mean, you've got to go
22 through your BOPs. It's just -- it changes
23 from well to well, but normally it's six to
24 seven days.

25 Q. So there was nothing unusual about the

1 maintenance list that you were going over of
2 six to seven days that you were planning to do
3 on completion of MC252 and before you moved to
4 the Nile well; is that right?

5 A. It was pretty normal. I think -- I
6 think we had one tensioner to change and a
7 little work to do on PRSs and some new PS work
8 to do.

9 Q. With respect to the visitors who came
10 to the vessel, did Mr. O'Bryan and Mr. Sims
11 come to discuss things other than safety?
12 Did they come to discuss maintenance or any
13 other issues, as far as you know?

14 A. Yeah. They were talking about safety,
15 you know, the safety. They even talked about
16 the seven-year no loss time incident, you
17 know, congratulating everybody on that.

18 Q. Did they come to talk to you about
19 maintenance that you were going to do?

20 A. Yeah. They reviewed that, our
21 maintenance plan between wells.

22 Q. Thank you. If I seem like I'm
23 skipping around it's because I'm last here
24 asking question so I'm trying to fill in some
25 gaps. I apologize for that. With respect to

1 the centralizers that you mentioned, whatever
2 the decision was made with respect to
3 centralizers, were you satisfied personally
4 and as the OIM of the DEEPWATER HORIZON that
5 the ship was -- that the drilling plan was
6 preceding according to plan and that
7 everything was safe?

8 A. Yeah. I mean, I don't make the
9 decisions to put the centralizers on anyway,
10 you know, so.

11 Q. Let's talk about responsibilities.
12 You're familiar with the bridging document?

13 A. Yeah. I have a copy -- I had a copy
14 in my office.

15 Q. Is it true that at all times prior to
16 an emergency that you, and you alone, as the
17 OIM are responsible for the safety, the
18 conditions and the procedures onboard the
19 DEEPWATER HORIZON?

20 A. Yes, as OIM I am responsible for the
21 safety of everyone.

22 Q. Are you familiar with the phrase, "a
23 kick" or the concept of "a kick"?

24 A. A kick influx?

25 Q. Yes.

1 A. Yes.

2 Q. What does that refer to?

3 A. That means you don't have enough mud
4 density to hold back hydrocarbons and you can
5 take an influx into the wellbore.

6 Q. And does that create a well control
7 situation?

8 A. Yes, it would, yeah.

9 Q. And a well control situation is
10 something that is both monitored and managed
11 by which personnel onboard the DEEPWATER
12 HORIZON?

13 A. By which personnel?

14 Q. Yes, sir.

15 A. It's monitored by the drill crew.

16 Q. That would be the senior toolpusher?

17 A. That would be -- I mean, that would be
18 assistant driller, driller, toolpusher, senior
19 pusher, myself and -- it's just according to
20 what stage of well control you're talking
21 about. I mean, well control can even start
22 back with the planning of the well.

23 Q. In the even of a kick, what does the
24 driller do?

25 A. He shuts the well in.

1 Q. Does the driller have any number of
2 things he can do before shutting the well,
3 like circulation or things of that type?

4 A. Can you repeat the question?

5 Q. Sure. I'll break it down for you.
6 Did the DEEPWATER HORIZON experience a kick in
7 March of 2010 on this well?

8 A. Yeah. It was in March 2010.

9 Q. And can you describe that -- what took
10 place after the kick was observed.

11 A. We shut the well in, weighted the mud
12 up and circulated the kick out.

13 Q. And was the well control operation
14 that took place in March of 2010 on the
15 DEEPWATER HORIZON conducted by the driller,
16 the assistant driller and that crew?

17 A. You're talking about "that crew."
18 Which crew are you talking about?

19 Q. The crew that works with the driller,
20 the drilling crew.

21 A. I think they were out there at that
22 time.

23 Q. At any time on April 20, 2010, prior
24 to the time that the explosion took place when
25 you were in the shower, did anyone advise you

1 that there was a well control situation?

2 A. No, sir.

3 Q. In the event of a drilling emergency,
4 are there different levels of drilling
5 emergencies that are outlined in the DEEPWATER
6 HORIZON's emergency response manual?

7 A. Yeah. It's all different levels of
8 emergency.

9 Q. And the driller sits in the drilling
10 shack; is that right?

11 A. Yes, he's in the driller's house,
12 yeah.

13 Q. And in the drilling shack there is
14 equipment that monitors pressure, right?

15 A. Yeah.

16 Q. Flow?

17 A. Flow.

18 Q. Amount of mud; the quantity of mud?

19 A. PVT?

20 Q. Yes.

21 A. Yes, they monitor PVT.

22 Q. And does the driller have the ability
23 to activate the BOP in the drilling shack on
24 his own volition?

25 A. Yeah. He has a -- that's called the

1 driller's panel up on the rig floor.

2 Q. You were a driller once, right?

3 A. Yes, sir.

4 Q. Worked your way up?

5 A. Yes, sir.

6 Q. You ever have well control situations
7 when you were a driller?

8 A. Yes, sir.

9 Q. How do you become aware of a well
10 control situation typically when you're a
11 driller?

12 A. You've got trends you watch on your
13 screens. You can have -- several different
14 things can take place. I mean, it can be
15 drill rate, PVT, pump pressure. It can be a
16 lot of different things. It's just according
17 to the scenario.

18 Q. Did anyone inform you at any time
19 after the events of April 20th that earlier
20 than the time that you indicated in your
21 statement people on the drilling rig floor
22 believed that there was a well control
23 situation?

24 A. I was told by the senior toolpusher
25 once I got on MV DAMON BANKSTON that he had

1 talked to the assistant driller and he was
2 putting his clothes on and going to the rig
3 floor and that's when the explosion occurred.
4 I would assume he would have -- he would have
5 called me, too, you know.

6 Q. The conversation that you had on the
7 DAMON BANKSTON after you had been rescued from
8 the sea, the person you were speaking to was
9 Mr. Ezell?

10 A. Yeah. I talked to him once we got on
11 the boat, you know, sometimes while we had
12 triage set up waiting on the Coast Guard and
13 all to come pick up the injured.

14 Q. Did Mr. Ezell tell you approximately
15 what time he learned that there was a well
16 control situation on the 20th?

17 A. He told me approximately 2145, just
18 prior to, I mean, just a couple of minutes.

19 Q. And did Mr. Ezell give an indication
20 of what he been told by people on the drilling
21 rig floor with respect to the well control
22 situation on April 20th?

23 A. This is exactly what he told me. He
24 said that he was talking to the assistant
25 driller and they had a well control situation

1 and they had mud coming out of the riser.

2 Q. Did he give any indication as to
3 whether at 2145 when he had been informed that
4 he, Mr. Ezell, that mud was coming out of the
5 riser that your driller or the assistant
6 driller or anyone onboard the vessel had
7 attempted to activate the BOP?

8 A. He said -- he did tell me that he
9 asked the assistant driller, "Well, are you
10 all shutting it in?" He said, "The toolpusher
11 is shutting it in as we speak."

12 Q. Was there any discussion about the
13 emergency disconnect system at that time, to
14 your knowledge?

15 A. Not that I know of.

16 Q. Was there anything else that Mr. Ezell
17 told you, either onboard the DAMON BANKSTON or
18 since the accident about the well control
19 situation?

20 A. No, I know he hadn't. I really hadn't
21 talk to him.

22 Q. Have you had any conversations with
23 anyone else who was onboard the vessel on
24 April 20th about a well control situation
25 since that day?

1 A. No, sir.

2 Q. Let's change topics and talk about the
3 BOP. Who inspects the BOP onboard the
4 DEEPWATER HORIZON?

5 A. Who inspects the BOP?

6 Q. Yes, sir.

7 A. Subsea engineers are in charge of the
8 BOPs.

9 Q. Are those subsea engineers who work
10 for Transocean?

11 A. Yes, sir, they do.

12 Q. How often was the BOP inspected on the
13 DEEPWATER HORIZON?

14 A. What -- can you be more specific?
15 What are you talking about, inspect it?

16 Q. Well, let's break it down. Were there
17 inspections of the BOP on the DEEPWATER
18 HORIZON under your watch and command?

19 A. No. I mean, we inspect it daily, you
20 know, do our checks.

21 Q. And the subsea engineers were the ones
22 who did the inspections?

23 A. Well, yes, and like I say, we also
24 inspect it subsea, too, with ROV, remote
25 operated vehicle.

1 Q. At any time did anyone ever suggest to
2 you that the BOP might not be functioning or
3 might have issues of functionality?

4 A. It did have a little tic on the test
5 rams, the lower pipe rams, which is test rams
6 used for testing BOPs. When I first got on
7 the rig, it had a little tic on the open
8 position -- tic --

9 Q. I was going to say -- I'm not sure
10 what you're saying tic or what you meant,
11 but --

12 A. Well, that's a little flow count on
13 the open position.

14 Q. Is that a leak?

15 A. Well, it can be trash; it can be
16 anything on the solenoid.

17 Q. Did that concern you at all?

18 A. Well, they got it -- they got it to
19 stop. No, it didn't. I mean, it was in the
20 open position and you could run them in block
21 and the leak will stop.

22 Q. As far as you knew on April 20, was
23 the BOP functioning?

24 A. Yes, it was functioning good.

25 Q. Final set of questions: When you're on

1 the bridge, you've come up out of the shower,
2 you're joined there, or the captain is there,
3 right, the Master Captain Kuchta?

4 A. Yeah. He's at the bridge.

5 Q. And the subsea engineer, Chris
6 Pleasant, is there?

7 A. Yes, he was there.

8 Q. And you were there?

9 A. Yes.

10 Q. And two explosions have already
11 happened, right?

12 A. Yes, that happened while I was in the
13 shower in my state room.

14 Q. And there's fire on the derrick?

15 A. Yes, sir.

16 Q. There's fire on the rig?

17 A. Yes, sir.

18 Q. The electricity is out?

19 A. Yes, sir. No power.

20 Q. No power. Engines are off?

21 A. Yeah. No engines.

22 Q. It's chaos, right?

23 A. (Affirmative shake of the head.)

24 Q. And as of the time you arrived, no one
25 had activated the emergency disconnect system

1 after all that?

2 A. No, I figured -- like I say, nobody
3 could operate it. It took them out, you know,
4 on the drill floor. That's why I was headed
5 to the toolpusher's panel.

6 Q. Did you give the order to activate the
7 EDS?

8 A. Well, yes. Chris was up there and I
9 told him to go ahead and EDS. I think the
10 captain told him, too, at the same time, to
11 the best I can recall.

12 Q. And did the EDS look like it had
13 worked when he activated it?

14 A. No, it didn't -- it didn't appear to
15 do nothing.

16 Q. When you say it didn't appear to do
17 much, what do you mean, sir?

18 A. Well, Chris was right in front of the
19 panel and he said he didn't get a signal that
20 anything happened. I mean, you've got a lot
21 of things to look at and you've got -- I mean,
22 you've got flow meters and everything and
23 you've got lights, but nothing appeared to
24 function.

25 Q. So the BOP panel looked abnormal,

1 right?

2 A. It did to me.

3 Q. Right. And the EDS system looked like
4 it didn't function?

5 A. No, it didn't. It didn't appear to.

6 Q. So the emergency systems on the
7 vessel, the BOP, the EDS, from your
8 observations, neither of those systems, which
9 are solely designed to operate in an emergency
10 appeared to you as the OIM in charge of that
11 vessel to be operating in the emergency at
12 hand?

13 A. Well, it appeared that it had been
14 taken out from the explosion.

15 MR. GODFREY:

16 Thank you, sir. I appreciate your
17 time. No further questions.

18 CAPT NGUYEN:

19 Thank you, sir.

20 EXAMINATION

21 BY MR. MATHEWS:

22 Q. In a well control situation, would you
23 typically divert to the gas buster?

24 A. No.

25 Q. Do you know if the rig floor tried to

1 divert to the gas buster?

2 A. I don't -- I don't know what they had
3 lined up at the time on the pre-select.

4 Q. And just for clarification, I'm
5 getting a little confused. You keep referring
6 to the procedure that didn't have the negative
7 test. Was that an MMS approved procedure or
8 was it a BP procedure?

9 A. No, it's a -- this well here, they do
10 a well planner. They send it out there. This
11 well here deviated from the initial well plan
12 they sent out.

13 Q. Correct.

14 A. It had added casing strings to it and
15 as I stated earlier, they had been revising
16 the plan. It was a revision to the, I think
17 it was the second or third plan we had.

18 Q. Right, but was the procedure you were
19 discussing with the BP company man that didn't
20 include the negative test, was that an MMS
21 approved procedure or a BP procedure?

22 A. No, it's not a -- it's just a BP well
23 procedure. It does not have MMS on it.

24 Q. So you are not aware if the MMS
25 actually had a procedure that was submitted by

1 BP that included a negative test that was
2 approved by the MMS?

3 A. I know they have a APDs. I don't
4 really understand your question.

5 Q. The discussion that you had with the
6 BP company man, did it include a negative
7 test? What procedure were they referring to?
8 Was that a BP procedure that was approved by
9 the MMS or was that a BP procedure that had
10 changed on the fly?

11 A. That was a BP procedure from town that
12 had changed, to the best of my knowledge.

13 MR. MATHEWS:

14 Thank you.

15 EXAMINATION

16 BY MR. DYKES:

17 Q. Did the MMS approve the APD that you
18 had on the rig that you looked at? Did it
19 have a negative test on it?

20 A. I can't recall. I mean -- I can't
21 recall, but that's something I always require,
22 a negative test.

23 Q. But you don't know if the APD that you
24 know that you had on the rig -- do you ever
25 look at the APD --

1 A. Yeah, I look at them.

2 Q. -- the procedure that's submitted?

3 A. Yes, sir.

4 Q. But you don't know if this one had a
5 negative test on it?

6 A. I can't remember.

7 MR. DYKES:

8 Thank you.

9 CAPT NGUYEN:

10 Mr. Harrell, I have a couple
11 questions for you.

12 E X A M I N A T I O N

13 BY CAPT NGUYEN:

14 Q. Were you onboard the HORIZON, I
15 believe it's in August of 2008?

16 A. Yeah. I'd been on it since 2004.

17 Q. Were you aware of a total loss of
18 power on the HORIZON for two minutes?

19 A. Yeah. They had a problem with the
20 governor.

21 Q. Were you onboard during that incident?

22 A. Yes, I was.

23 Q. So you say there was a problem with
24 the governor?

25 A. Yeah. It was problems with the

1 governor.

2 Q. With redundancy in the system, what
3 were you doing? Were you drilling or --

4 A. I don't think we were drilling at the
5 time. I actually think -- I actually think we
6 were out of a hole at that time.

7 Q. Now, with the redundancy, how come the
8 vessel lost power for two minutes. What
9 happened to emergency powers and all that?

10 A. There was on overspeed problem.

11 Q. Well, there is only one engine; is
12 that correct?

13 A. Yeah, but it took the other one when
14 it went down. And I know one engine started
15 back up.

16 Q. But it took two minutes? What
17 happened to the emergency power? Did the
18 emergency power come on when the regular power
19 went out?

20 A. I can't remember all the details, but
21 yeah, it was pretty close to a couple of
22 minutes before the --

23 Q. As OIM, and you have a total loss of
24 power for two minutes, is that a concern to
25 you?

1 A. Well, that's according to the weather
2 condition.

3 Q. It's what, sir?

4 A. It's according to the weather
5 conditions, how fast you drift off.

6 Q. But having experienced a total loss of
7 power for two minutes, is that a -- so if the
8 weather was perfect, you would be fine with
9 that?

10 A. Yeah. It takes -- it takes several
11 minutes. I mean, I report to the bridge in
12 case of emergency like that and I do remember
13 being up there and I don't recollect getting
14 too far off location during that two minutes.

15 Q. So the vessel is a dynamically
16 positioning vessel; is that correct?

17 A. That's correct.

18 Q. So you lost power and you were about
19 to drift off, right?

20 A. Yes, sir.

21 Q. Now, what if you were drilling and you
22 lost total power? What happens there? Would
23 that be a concern to you?

24 A. Well, yeah, it is anytime. I mean,
25 you've got more steps to go through if you've

1 got pipe across there. You've got to hang off
2 and all that when you get into yellow
3 condition, and red, you have to disconnect.

4 Q. So a loss power, regardless -- it
5 should be a concern to you, right?

6 A. Well, yeah. I'm talking to the drill
7 floor to make sure --

8 Q. Did you report that incident to
9 anybody?

10 A. Yes.

11 Q. Who did you report it to?

12 A. I reported it to upper management, the
13 rig management.

14 Q. What happened after that, after you
15 reported it to rig management?

16 A. Well, they go through different
17 scenarios, you know, finding out what caused
18 the problem and fixing the problem before they
19 return to work.

20 Q. Do you contact Class Society?

21 A. I do.

22 Q. Do you contact the flag state?

23 A. I do.

24 CAPT NGUYEN:

25 Can we bring the organizational

1 chart for the DEEPWATER HORIZON,
2 please?

3 BY CAPT NGUYEN:

4 Q. Have you seen this organizational
5 chart before, sir?

6 A. Yes, sir, we have it posted on the
7 rig.

8 Q. For a DP vessel, when would it not be
9 underway?

10 A. When would it not be underway?

11 Q. Yes, sir.

12 A. When you're latched up to the well
13 head.

14 Q. When you're latched up, is that --

15 A. That means you're latched up with the
16 BOP to the well head.

17 Q. Is that the definition of underway or
18 who defines that?

19 A. I thought you said not underway.

20 Q. That's right. So what I'm saying is,
21 latch up, does that mean it's not underway?

22 A. That's correct.

23 Q. According to whose definition?

24 A. According to whose definition?

25 Q. Yes, sir.

1 A. To the chart here. I mean, anytime
2 we're not latched up we have to go through
3 customs and all that. And the captain onboard
4 the DEEPWATER HORIZON, he's in charge when
5 we're not latched up, underway. OIM is in
6 charge when we're underway.

7 Q. Now, in nautical terminology like
8 underway and not making way and not underway,
9 those are standard terminologies. So what I'm
10 saying is that if this is a DP vessel, latch
11 up is not an anchoring system. So would the
12 vessel be continuously underway?

13 A. No.

14 Q. Who say no? Is it Transocean?

15 A. I'd say no, I mean, because you're
16 restricted in your maneuverability when you're
17 latched up.

18 Q. So is the drilling system an anchoring
19 system?

20 A. No, it's DP.

21 Q. But DP, it's not an anchoring system,
22 is it?

23 A. No, you don't have anchors on DP.

24 Q. Right. So the vessel is continuous
25 underway; is that correct?

1 A. No, it's not. I mean, you're latched
2 up. You're just holding and maintaining
3 position when you're latched up. You're not
4 making any way.

5 Q. But you are underway?

6 A. No.

7 Q. You're not making way, but you're
8 underway; is that correct?

9 MR. CLEMENTS:

10 I think he's asked and answered
11 several times.

12 BY CAPT NGUYEN:

13 Q. I understand, but terminology
14 matters and it defines -- because my concern
15 here is when you say that you are the OIM and
16 you are in charge of the safety of the vessel
17 and its personnel. Through the testimonies
18 here, it seems to me that you don't have
19 visibility on some of the activities going on
20 on the vessel in terms of the testing, the
21 results and things like that. So I just want
22 to make sure that when I look at the safety
23 net, somebody's in charge of that vessel at
24 all times. And I want to make sure that the
25 people understand that if the vessel is

1 underway, what does it mean? Who's in charge?

2 And from what my understanding of the

3 configuration of the vessel, this vessel is

4 always underway. It may not be making way,

5 but it's underway. So according to your

6 organization there, it's always going to be

7 the master of the vessel that's in charge.

8 A. Okay.

9 Q. Now, let's say you were in charge when

10 you were latched up. Now, according to your

11 testimony there's a transfer of command,

12 according to what you're saying is that once

13 the abandon ship is ordered by the master and

14 all that. So there's some kind of transfer of

15 command takes place between you and the

16 master, right?

17 A. That's correct.

18 Q. When does that take place? Is that

19 when the EDS is activated or when does that

20 transfer of command take place, under what

21 condition?

22 A. Yeah. It would be, I mean, after the

23 disconnect because once you disconnect from

24 the well head or anything, he would be in

25 command at that time.

1 Q. So from what I understand is that you
2 tried to activate the BOP and you tried to
3 activate the EDS and you have no indication
4 that whether the EDS was activated or not. So
5 if it didn't activate when you -- assuming
6 that you were in command before the incident,
7 if the EDS didn't activate would you still be
8 in command throughout evolution here instead
9 of the master?

10 A. Yeah. If it wasn't latched up, yes.
11 I mean, if it wasn't unlatched during the EDS
12 sequence.

13 Q. So it's not very clear, is it, in
14 terms of whether the master was in charge of
15 the situation or were you in charge of the
16 situation so there was chaos, right?

17 A. There wasn't chaos about that.

18 Q. I don't understand. Did you have a
19 hand off? How did the hand off take place
20 between you and the master in terms of who was
21 in charge of the vessel during this whole
22 evolution?

23 A. Well, it didn't really matter. Like I
24 say, the captain, he's in charge during an
25 emergency. But that's something we always --

1 I mean, we work together, but I do turn it
2 over to him. Like if we're going to a new
3 location, after we unlatch, he goes in charge.
4 But I'm still responsible for the safety of
5 everybody out there, no matter what.

6 Q. I'm just trying to understand here. I
7 mean, especially in a crisis situation, the
8 line of communication and the chain of command
9 and the line of authority has got to be clear
10 here. And I'm not very clear on what happened
11 because of the organization, how it's set up.
12 I'm not very clear on how that transition of
13 authority took place during the casualty. Did
14 it ever hand off between you to the master of
15 the vessel.

16 A. No, I never made a hand off to him
17 because it did not unlatch. I mean, you could
18 see the slip joint come up in the moon pool if
19 it had unlatched.

20 Q. So people were still looking to you
21 for direction?

22 A. Yes.

23 Q. So people were still looking for you
24 to order the abandon ship?

25 A. Yeah. But like I say, the captain, he

1 plays a major role, too, in emergencies and
2 all, also.

3 Q. I understand. And I think that's what
4 my understanding is that when I look at the
5 organizational chart, everybody has their own
6 little -- their own responsibilities and
7 activities going on, but I don't have a good
8 feeling that there's somebody that has the
9 handle on all the activities going on on this
10 vessel going from routine to crisis here.
11 That's my feeling from listening to the
12 testimony that everybody concentrated on their
13 activities and their responsibilities and then
14 when we go into a crisis situation, it's not a
15 smooth transition to insure that people are
16 safely evacuated and the vessel is secure in
17 terms of who has -- I mean, I've heard a lot
18 about everybody at Transocean had the ability
19 to stop an operation. So I'm not sure that
20 it's clear enough.

21 A. Can I say something?

22 Q. Yes, sir.

23 A. And like I say, you know, there was a
24 lot of trauma with a lot of personnel,
25 especially there on the starboard side. And

1 that's where I came from. Like I say, there
2 was trouble seeing, breathing, even talking
3 with all that gas that was engulfed on that
4 side.

5 Q. Yes, sir, I understand that, and I
6 understand that whatever you can do before
7 that in terms of clear chains of command and
8 things the people are, you know, need to do in
9 -- make it easier to go into a crisis. But
10 what I'm seeing here is that -- I mean, BP's
11 in charge of some things; Transocean is in
12 charge of some things. And a lot of
13 activities, to me, it seems is not very well
14 or tightly coordinated the way it makes me
15 feel comfortable. Maybe that's just the way
16 of the business out there, but it seems to me
17 that being a Coast Guardsman, it doesn't seem
18 to me that would make a smooth transition into
19 crisis. That's what I'm looking at when I'm
20 looking at this chart.

21 A. I could see your point to some extent.
22 On a crisis, you know, being unlatched or not
23 unlatched, because normally -- I mean, being
24 unlatched means you're going from one location
25 to another. And normally, like I say, you

1 wouldn't show up during a crisis situation.

2 Q. Yes, sir. Now, one of the things that
3 come out of this investigation there may be
4 some changes to the regulations. Would you
5 think that it would be appropriate for the
6 government to require that the OIM and the
7 master is one person so that we can insure
8 that smooth transition from routine to crisis,
9 and that one person have visibility and
10 control of everything onboard that vessel? Do
11 you think that's something that is -- would
12 you recommend something like that?

13 A. Yeah. I think we do it on some of our
14 vessels already.

15 Q. Yes, sir. But do you think that would
16 be a good idea for regular -- for the
17 government to require that? Because here you
18 have two individuals, the OIM, like you don't
19 have the marine side of it, and the master has
20 the marine side of it, but then it's two
21 different people here.

22 A. Anytime you can eliminate any
23 confusion, yes, it would be better.

24 Q. Yes, sir. So based on that
25 organizational chart, was there a time that

1 you feel that there was some confusion that
2 it's not as efficient as it could be?

3 MS. KOHNKE:

4 Captain --

5 THE WITNESS:

6 I've never had a captain I couldn't
7 work with.

8 MR. KOHNKE:

9 Excuse me. Jimmy, let me note an
10 objection. Captain, there was clearly
11 confusion because of this explosion,
12 this fire, the methane gas, the
13 injuries and the sense that it was
14 necessary to abandon ship. There was
15 clearly confusion, but I have not heard
16 in this record and I don't believe
17 anyone in this record will say that
18 there was some inability to communicate
19 to get these people off this vessel. A
20 hundred and fifteen people were safely
21 and effectively evacuated. Although I
22 understand that the Coast Guard may
23 have a good purpose in trying to put on
24 paper some organizational chart or some
25 table for handing off authority and

1 accomplishing something, in this
2 instance it was perfectly accomplished
3 and I think the record reflects that,
4 as well as it could have been perhaps
5 far better than it could have been
6 expected to be accomplished. So I
7 would ask when you say confusion, there
8 may be confusion on paper, but there
9 wasn't, in fact, confusion. That's all
10 I wanted to say.

11 CAPT NGUYEN:

12 I understand. And the line of
13 questioning I'm asking Mr. Harrell,
14 it's just like you refer to 115 people
15 were saved. Well, the BANKSTON was out
16 there and it's not the requirement for
17 the BANKSTON to be out there. So 115
18 people would have been, you know, some
19 of them may not have been here with us
20 because -- it's a possibility. So what
21 I'm saying is, if there's a chance to
22 have a standby boat requirement. It's
23 the same thing here is to look at the
24 manning requirement, the licensing
25 requirement and all that. So I'm just

1 asking Mr. Harrell, based on his
2 experience. I'm not trying to say that
3 -- I'm not making any conclusion here.
4 I'm just asking him as an experienced
5 OIM what his recommendation would be
6 for the board to consider.

7 MR. KOHNKE:

8 Yes, sir.

9 BY CAPT NGUYEN:

10 Q. So in your opinion, looking at the
11 organizational chart, not to criticize
12 Transocean or anything, based on your
13 experience in OIM and if you have the overall
14 responsibility and accountability for the
15 safety of the vessel and the personnel, would
16 there be any changes you would make in terms
17 of insuring that clear line of authority?

18 A. Well, yeah, it's like you said. It
19 would eliminate the confusion if the OIM and
20 the master were the same person, you know.
21 Other than that, I'm satisfied with the
22 organizational chart.

23 CAPT NGUYEN:

24 Yes, sir. I appreciate your
25 answer.

1 EXAMINATION

2 BY MR. DYKES:

3 Q. Mr. Harrell, I need to back up a
4 little bit to -- you mentioned earlier about
5 when you first jumped the BOP stack you had a
6 tic on the lower pipe rams on the test rams;
7 is that correct?

8 A. When we first --

9 Q. When you first got on the rig, that
10 the BOP stack had a tic --

11 A. Yeah. They had had a problem before I
12 got there and like I say, they tracked it down
13 to the BOP test rams, which would be the lower
14 pipe rams in the open position.

15 Q. Did they ever fix that problem?

16 A. They were going to check the solenoid
17 when it come up. They did have it in the
18 block. This is not a well control ram either.

19 Q. Right. It's a test ram.

20 A. Test ram.

21 Q. It only holds pressure from the top.

22 A. That's correct.

23 Q. But I guess the question is though,
24 did it ever get fixed?

25 A. No. It was still -- it was still the

1 same. It still had a tic if it was in the open
2 position and it was ran in the block position.

3 Q. And you ran it in and kept it in the
4 block position --

5 A. That's correct.

6 Q. -- during normal drilling operations?

7 A. That's correct.

8 Q. What was the configuration of the
9 other BOP controls under normal drilling
10 conditions in the open, blocked or closed
11 position?

12 A. Open.

13 Q. Open, all in the open. Same thing
14 with --

15 A. Well, that's just on the rams.

16 Q. Just on the rams.

17 A. But now your fail safe valves, they're
18 kept closed.

19 Q. Your fail safe?

20 A. That's your choke and kill valves.

21 Q. Oh, yes. I'm just talking about
22 strictly the BOP stack itself.

23 A. Yeah, they're open.

24 Q. They're kept in the open position?

25 A. Yes, sir.

1 Q. When you convert over from drilling
2 operations and you begin doing -- running your
3 cementing -- running your casing and cementing
4 operations, the BOP controls still stay in the
5 same condition, all in the open position?

6 A. Yeah, they do. You have to -- you do
7 back off your annular's pressure to keep from
8 collapsing the casing.

9 Q. Right, to allow --

10 A. And if the casing -- you would have to
11 go into -- you'd have to switch it to EDS 2
12 instead of EDS 1 on account of the casing
13 being crossed the BOPs.

14 Q. How many BOP control stations are
15 there on the HORIZON?

16 A. There's two actual control stations --
17 one at the -- one up at the bridge CCR and one
18 on the drill floor. You do have another panel
19 in the CCU, but we don't -- it's not an actual
20 -- it's not an actual BOP panel.

21 Q. But can you control the BOP stack from
22 the CCR?

23 A. You can -- you can do certain things
24 down there, but you can't do the opening and
25 closing of the BOPs and all -- the rams and

1 all.

2 Q. You cannot open a control -- the rams
3 from the CCR room?

4 A. Well, you can, but like I say, it
5 don't have a panel. They got different
6 readings -- they can use that when -- they do
7 use that when they got the BOPs up at surface.

8 Q. So they can use that control to
9 operate and function the rams either in
10 open --

11 A. You can make functions from down
12 there.

13 Q. -- neutral or closed?

14 A. Yes, sir.

15 Q. Does that control in the CCR, does
16 that control act as a master to the other two?

17 A. You said CCR -- now you're talking
18 about the bridge?

19 Q. I'm sorry. Where the subsea engineer
20 is.

21 A. That's CCU.

22 Q. CCU, I'm sorry. Does that control
23 unit in the CCU act as a master to the other
24 two control panels?

25 A. Well, it's even got a -- it's even got

1 data, you know, you can get off this one. You
2 cannot get data off the other two. It's like
3 the brain.

4 Q. Right, but I guess my question is, can
5 I disable the one at the floor and can I
6 disable or take them out of service, the one
7 at the drill floor --

8 A. Not to my knowledge.

9 Q. -- and the one at the bridge by the
10 operation of the one in the CCU?

11 A. No, not to my knowledge.

12 Q. So for whatever reason, if the one at
13 the CCU got put into the block or the neutral
14 position, it does not render the other two
15 control panels out of service or inoperable
16 where you have no BOP control function at the
17 bridge or at the floor?

18 A. No matter what, if you had that in
19 neutral, if you went to a different panel you
20 could change it, yeah. You could -- I mean,
21 it wouldn't change.

22 Q. It would still function --

23 A. Yeah. It would still function. I'm
24 sorry. I misunderstood your question.

25 MR. DYKES:

1 I have no other questions.

2 CAPT NGUYEN:

3 Mr. Harrell, thank you very much
4 for coming here and testifying to the
5 board. Are there any questions that we
6 didn't ask you or any information that
7 you would like to provide to the board
8 that has relevance to this
9 investigation.

10 THE WITNESS:

11 There's one thing I was concerned
12 about during all of this. Once we got
13 on that boat, there was a lot of people
14 that went through a lot of trauma and
15 all on that boat and they kept them out
16 there for 30 hours watching that rig
17 burn and unable to talk to their
18 families or anything and them guys went
19 through a lot. I think we could
20 improve as far as getting the people to
21 town and having them drug screened. Go
22 through the proper protocol, but do it
23 in a more timely manner. Not saying
24 that -- the Coast Guard done an
25 extremely good job getting the injured

1 personnel off of there. But I think in
2 the future we could do a better job of
3 getting these hands on the beach and
4 taking care of them. I mean, these
5 guys went through a lot of trauma. A
6 lot of them had a lot of exposure to
7 the methane and also, the water and
8 fuel -- it wasn't the best of
9 conditions to stay out for 30 hours.

10 CAPT NGUYEN:

11 Yes, sir. I understand.

12 THE WITNESS:

13 But I do appreciate everyone's help
14 getting everybody off of there.

15 CAPT NGUYEN:

16 And understand at the same time the
17 BANKSTON was the only major vessel out
18 there that was available for search and
19 rescue and they were looking for the 11
20 missing members of the HORIZON. So I
21 understand what you're saying, sir. So
22 if we have additional questions for
23 you, would you make yourself available
24 to the board in the future?

25 THE WITNESS:

1 Yes, sir.

2 CAPT NGUYEN:

3 Yes, sir. Thank you very much.

4 You are dismissed.

5 We'll take a break until 11

6 o'clock.

7 (Whereupon, a short break was taken off the

8 record.)

9 CAPT NGUYEN:

10 Please be seated. The board will

11 now call on Captain Curt Kuchta with

12 Transocean. Good morning, sir.

13 THE WITNESS:

14 Good morning.

15 CAPT NGUYEN:

16 Would you rise and raise your right

17 hand, please?

18 * * * * *

19 CAPTAIN CURT KUCHTA,

20 after being first duly sworn in the cause,

21 testified as follows:

22 CAPT NGUYEN:

23 Thank you very much. Please be

24 seated.

25 MR. KOHNKE:

1 Captain, can I make one brief
2 statement, please?

3 CAPT NGUYEN:

4 Sure.

5 MR. KOHNKE:

6 Captain Kuchta has a slight stutter
7 and he informs me that he is more
8 nervous today than when he took his --
9 sat for his captain's license. And so
10 he would like the board to understand
11 that he will do his best and
12 periodically he wants me to just remind
13 him to slow down and that might help.
14 So with that understanding, we would
15 ask that we could proceed?

16 CAPT NGUYEN:

17 Yes, sir. I understand. Thank
18 you.

19 E X A M I N A T I O N

20 BY MR. WHEATLEY:

21 Q. Good morning, Captain.

22 A. Good morning.

23 Q. Thank you for being here and I'll try
24 to go slow. I have a reputation of talking
25 kind of fast. Could you please state your

1 full name and spell your last name slowly for
2 the recorder?

3 A. No problem. Curt Robert Kuchta, K-U-
4 C-H-T-A.

5 Q. And do you currently have counsel,
6 Captain?

7 A. I do.

8 Q. And is it Mr. Kohnke?

9 A. Yes.

10 Q. Captain, can you tell us, do you hold
11 a Coast Guard Merchant Mariner's license or
12 credentials?

13 A. I do.

14 Q. And could you basically tell us about
15 the scope of that?

16 A. I have a Master's Unlimited Tonnage,
17 United States Coast Guard.

18 Q. And when did you first obtain that,
19 sir?

20 A. I want to say -- the license is right
21 there. I'm not sure of the exact date.

22 LT BUTTS:

23 Do you want me to give you back
24 that copy, sir?

25 THE WITNESS:

1 Yeah. I don't have that license.

2 It hasn't come yet since it was very

3 wet.

4 LT BUTTS:

5 Just hang on to it and you can give

6 it back to me later.

7 THE WITNESS:

8 Okay, thanks. Well, the new one

9 was issued May 4th. I've been in that

10 position for about two years on the

11 HORIZON.

12 BY MR. WHEATLEY:

13 Q. Could you outline for us your maritime

14 background, sir.

15 A. Sure. I graduated from Massachusetts

16 Maritime Academy in 1998. I went to work as a

17 third mate DPO for Reading & Bates on the

18 DEEPWATER PATHFINDER; stayed onboard there as

19 a third mate and second mate until '04 where I

20 went to the DEEPWATER HORIZON as chief mate,

21 until 2008 I went to new build projects and

22 then came back to be master in June of 2008 on

23 the DEEPWATER HORIZON.

24 Q. Could you outline your educational

25 background, too, sir?

1 A. In reference to college or -

2 Q. College.

3 A. Massachusetts Maritime Academy,

4 Bachelor's of Science in Marine

5 Transportation.

6 Q. What company do you currently work

7 for?

8 A. Transocean.

9 Q. What is your current job title, sir,

10 with Transocean?

11 A. Still master.

12 Q. I believe you indicated -- when did

13 you first assume that role?

14 A. June of 2008.

15 Q. As the master of the DEEPWATER

16 HORIZON, could you outline for us the scope of

17 your duties and responsibilities?

18 A. Sure. Safety of the vessel,

19 navigation of the vessel while we're underway

20 and station keeping, supervising station

21 keeping -- supervising station keeping, as

22 well as all the regulatory on the vessel side

23 of it, class, safety, that type of thing.

24 Q. So would it be fair to say you're

25 responsible for supervision of required

1 inspections and certifications and things of
2 that related to the vessel?

3 A. Correct.

4 Q. Could you basically kind of outline
5 for us -- we've seen an organizational chart
6 related to the DEEPWATER HORIZON your
7 relationship with the OIM.

8 A. In reference to?

9 Q. How do you interact with him? What
10 type of communications do you have, how often
11 do you discuss issues of concern?

12 A. Whenever one arises. We have
13 extremely open communications. Anytime any
14 type of question arise, whether on the
15 drilling side, the marine side, whatever side,
16 we have very, very good open communication.
17 We've worked together for quite a while.

18 Q. Do you have daily meetings and such to
19 discuss the issues of concern?

20 A. Yes. We have numerous meetings.

21 Q. And we also looked at, and perhaps we
22 could put up, the organizational chart. I
23 just have a couple of real quick questions
24 here for you, and I think it will help,
25 hopefully. Captain, have you ever seen this

1 chart before?

2 A. Oh, yes.

3 Q. So it's fair to say you're familiar
4 with it?

5 A. Yes.

6 Q. Is it fair to understand this is the
7 organizational chart for the DEEPWATER
8 HORIZON?

9 A. Yes.

10 Q. And it was basically effective on the
11 date of the incident in which we're
12 discussing, the 20th of April?

13 A. Yes.

14 Q. Now, up here you see that it
15 identifies the OIM essentially as the person
16 in charge and then in places you a little over
17 to the top line on the left. We've had a
18 number of questions about, if you will, who's
19 in charge and at what point and when that role
20 changes, how do you know? Basically, when the
21 vessel is underway, making way, you as the
22 master would be in charge of the vessel.
23 Would that be true?

24 A. Correct.

25 Q. And at what point, based upon your

1 understanding of this organization in the
2 chart, does the OIM essentially assume the
3 role of being, if you will, in charge of the
4 entire rig.

5 A. When we latch up.

6 Q. And is that your understanding of the
7 distinction between the two positions?

8 A. Yes, sir.

9 Q. In times of emergency, we heard the
10 testimony of the OIM, basically the master
11 assumes the role of being in charge; is that
12 correct?

13 A. Correct.

14 Q. Let me ask you this: How do you know
15 when that transfer of control takes place?

16 A. (No response.)

17 Q. Is there a formal handoff like when
18 you relieve a watch?

19 A. Not in the amount of time frames that
20 we have. I mean, there is extremely good --
21 there is always extremely good communications
22 so it's never been an issue. I mean, it's
23 never been an issue where it's come up.

24 Q. On the 20th of April, when the
25 incident occurred, did you have a formal

1 handoff of responsibility between yourself and
2 the OIM?

3 A. In that short time frame, no.
4 However, we were both on the bridge
5 communicating about what was happening. It
6 wasn't an issue.

7 Q. Now, being a mariner, obviously you're
8 familiar with the terms of underway, not
9 making way?

10 A. Yes, sir.

11 Q. When the vessel is latched up to the
12 BOP, is the vessel underway, not making way?

13 A. That would go back to call regs.

14 Q. And based upon your understanding of
15 the call regs, if a vessel is underway, not
16 making way, is the master in charge?

17 A. I go back to are we latched up and
18 conducting drilling operations. I mean, I
19 think that a -- once you're on location,
20 latched up and drilling, the dynamic
21 positioning system has it in control.

22 Q. So would it be fair to say that when
23 you're latched up you're still underway?

24 A. I wouldn't say that.

25 Q. So would it be your opinion that the

1 call regs would no longer apply at that point
2 once you're latched up?

3 A. No. Call regs call regs still
4 apply, but that's just for actual definition.
5 But like I said, it's never been a problem
6 latched up conducting drilling operations.

7 Q. I'd like to ask you some questions
8 about the safety management system onboard the
9 DEEPWATER HORIZON. Are you familiar with
10 that?

11 A. Yes.

12 Q. Could you basically outline for us the
13 scope of the SMS plan onboard the DEEPWATER
14 HORIZON?

15 A. That's a very broad question. In
16 reference to what aspect of it?

17 Q. Could you give, if you will, kind of
18 the 10,000 foot view level, describe what the
19 SMS is and how it applied to you on the
20 DEEPWATER HORIZON.

21 A. You're going to have to -- I'm sorry,
22 you're going to have to -- it's such a broad
23 question.

24 Q. Onboard the DEEPWATER HORIZON did you
25 have an SMS plan?

1 A. Yes.

2 Q. Do you know who approved that plan?

3 A. The NVS.

4 Q. And who was that?

5 A. DNV.

6 Q. Do you know whether or not it complied
7 with IMO standards?

8 A. Yes.

9 Q. Who at your company is designated as
10 -- let me ask you this question: Who on the
11 rig is designated as the safety management
12 officer or the safety officer?

13 A. It's been a long five weeks. I don't
14 -- at this point in time, I don't recall.
15 Those type of questions, a few weeks ago,
16 would have been no problem. But as you can
17 imagine, it's been a rather difficult few
18 weeks.

19 Q. I understand, sir. Could you tell us
20 how your company documented their compliance
21 with the Safety Management System?

22 A. I'm sorry. I don't understand
23 what -

24 Q. Well, there's certain requirements
25 that -

1 A. We'd go through the annual inspection
2 -- we'd go through the inspections every two
3 and a half years as required.

4 Q. Do you have annual inspections?

5 A. Yes, through ABS and class.

6 Q. Is that part of your management
7 system's role -

8 A. Yes.

9 Q. -- requirements?

10 A. Yes.

11 Q. Do you know where those are documented
12 on the DEEPWATER HORIZON? The fact they've
13 been completed, the fact that they were -

14 A. They were in a binder in my office,
15 every signed copy.

16 Q. Do you know who did your internal
17 audits for compliance, or to maintain
18 compliance with your SMS system?

19 A. First off from Transocean, and I don't
20 recall their exact name.

21 Q. Does your company provide, that is
22 Transocean, provide any type of training to
23 supervisors on the rig regarding SMS systems,
24 procedures and compliance?

25 A. We do receive training from the

1 office. Onboard training, it's not off-site,
2 but we do have training onboard.

3 Q. And who is responsible for carrying
4 that out?

5 A. It's a Powerpoint presentation. That
6 came from the office.

7 Q. And what frequency do you conduct that
8 training, sir?

9 A. We just did it, so I don't recall.

10 Q. Annual, semi-annual?

11 A. Honestly, I just don't recall.

12 Q. That's good. Thank you. When
13 deficiencies are found by one of the
14 surveyors, either DNV or, for example, ABS
15 related to the Safety Management System, did
16 they come and discuss those issues with you?

17 A. Yes.

18 Q. Could you give us an example of maybe
19 a recent discrepancy or a non-conformity that
20 they came to talk to you about?

21 A. It had to do with the -- obtaining our
22 MARPOL 6 compliance for the engines about
23 change out injectors.

24 Q. What was the issue, sir?

25 A. They had the wrong type of injectors

1 to meet the new requirements. Had the engine
2 manufacturer send us new injectors, installed
3 them, signed off.

4 Q. Back in August of 2008, were you
5 aboard the DEEPWATER HORIZON?

6 A. I don't have my schedule. I don't
7 really remember.

8 Q. Do you recall an incident in August of
9 2008 when basically the two main engines
10 tripped off the line and the vessel suffered a
11 loss of electrical power, a total blackout?

12 A. Yes.

13 Q. Do you recall anymore details of that
14 particular incident?

15 A. Not particularly because environments
16 were light, luckily, and we stayed latched up.
17 The crew responded property, got power back
18 on, maintained station keeping.

19 Q. With respect to the SMS system, do you
20 know whether or not that incident was properly
21 reported to the authorities, both ABS and DNV?

22 A. Yes, as well as flag state.

23 Q. Back in May of 2008, a situation
24 developed in one of the forward stabilization
25 columns -

1 A. I was not onboard.

2 Q. You were not onboard?

3 A. No, sir. I wasn't assigned to the
4 vessel.

5 Q. Thank you. Under the Safety
6 Management System if a safety violation is
7 noted by an employee on the rig, what's the
8 mechanism for them reporting it?

9 A. They would take it to their
10 supervisor.

11 Q. And then what happens?

12 A. We would discuss the severity of it
13 and go from there.

14 Q. If you're unable to resolve it at the
15 supervisor level, what happens?

16 A. Continue taking it up the supervisory
17 chain until we have the proper answer and get
18 the problem rectified.

19 Q. Do you know what level a safety
20 violation would need to rise before it got to
21 the corporate safety board level or the
22 company safety board level?

23 A. I don't recall.

24 Q. I want to ask you a little bit about
25 life-saving and firefighting training, if we

1 could. We're going to shift gears here for a
2 minute. During your time on the DEEPWATER
3 HORIZON, do you recall conducting emergency
4 training drills with respect to abandon ship
5 and fire drills?

6 A. Yes.

7 Q. Did you have a standard protocol or a
8 timeframe in which those were done?

9 A. Yes.

10 Q. What was that?

11 A. It was usually Sunday mornings.

12 Q. Same time every Sunday?

13 A. Yes.

14 Q. Did you ever vary those drills and
15 conduct them, for example, during bad weather
16 and night time?

17 A. No.

18 Q. Do you believe it's necessary to
19 conduct those at random periods in order to
20 insure the safety and preparedness of your
21 crew?

22 A. I don't agree, and as you said, in
23 harsh weather or unannounced because then it
24 just puts one more level of risk for the crew.

25 Q. Also, would you agree that, and when

1 responding to an emergency the best practice
2 is if you practice under those circumstances
3 you're more likely to perform --

4 A. I believe that the crew can train
5 better in a controlled environment. It's
6 easier for them to receive the training and
7 familiarization with the equipment and to the
8 vessel in a controlled situation during an
9 announced time.

10 Q. Let's talk about abandon ship drills.
11 Did your vessel conduct abandon ship drills?

12 A. Yes.

13 Q. How often?

14 A. Every Sunday.

15 Q. Every Sunday. Did your abandon ship
16 drills include training on releasing the
17 lifeboats, boarding the lifeboats?

18 A. Yes. We would not board the entire
19 crew obviously due to an inherent risk of, as
20 you know, all of the issues we've had
21 worldwide with lifeboats in the past few years
22 with incidents.

23 Q. During the course of your drills for
24 lifeboats, did you ever require a lifeboat to
25 be loaded to its capacity?

1 A. No.

2 Q. Did you ever require a lifeboat to be
3 loaded and lowered to the water and operated?

4 A. They are tested to 110 percent and the
5 hooks and the releasing gear is inspected
6 annually by a third party company. So I don't
7 see that as being required to putting the crew
8 into undue risks. Look at it inversely. Say
9 you had 73 people in the boat and a cable
10 popped. You have a problem.

11 Q. Certainly if you have a problem, but
12 by on the flip side, sir, isn't the purpose of
13 the drill of actually loading the vessel -

14 A. But I don't think the purpose of the
15 drill is to put the crew at risk.

16 Q. Isn't that a balancing?

17 A. Yes, and when they receive training
18 they tour the lifeboats. We lower lifeboats
19 every Sunday, weather permitting, so the crew
20 can see how they are lowered. They're
21 retrieved and everything's fine.

22 Q. Nobody's in them?

23 A. No, but we do launch the lifeboats, as
24 required. The problem is, is on a semi-
25 submersible you need extremely calm weather to

1 launch a lifeboat because you don't have a
2 ship's hull to turn to make a lead for it to
3 come alongside. So you're trying to hit two
4 swinging pennants with a lifeboat. It's not
5 safe, and it's just not worth putting the crew
6 at risk.

7 Q. Did your crew ever practice or conduct
8 a drill in which they tried to basically, once
9 the crew was mustered at the lifeboat station,
10 load the lifeboat in the required three
11 minutes?

12 A. I don't recall.

13 Q. Let's talk a little bit about fire
14 drills. What is your responsibility as the
15 master during a fire?

16 A. Manage the scenario; manage the scene.

17 Q. Do you receive any formalized
18 firefighting training for combating fires
19 onboard vessels?

20 A. Yes.

21 Q. Could you kind of outline that for us,
22 please, sir?

23 A. It was advanced firefighting through
24 an accredited maritime school.

25 Q. In a situation such as occurred on the

1 DEEPWATER HORIZON on the 20th of April, at
2 what point did you draw the line and say
3 firefighting was no longer an option and
4 abandonment was required?

5 A. When we blacked out and had no power
6 to run the fire pumps.

7 Q. In your planning exercises, do you
8 have a contingency plan for dealing with loss
9 of powers when you can no longer man your fire
10 pumps and then what takes over with respect to
11 fighting the fire?

12 A. Well, if we have a backup generator,
13 which also would not fire.

14 Q. Captain, I'd like to ask you a couple
15 personal questions here, and then I'll try not
16 to do that -- it's part of the investigation
17 here looking at the human factors. During the
18 48 hours leading up to the incident, the two
19 days immediately preceding the 20th, how much
20 sleep did you get?

21 A. I was at home. I arrived on the
22 vessel that afternoon.

23 Q. So when you arrived on the vessel on
24 the afternoon of the 20th, did you consider
25 yourself well rested?

1 A. I don't really recall.

2 Q. How long had you been traveling to get
3 to the HORIZON on the 20th? When did you
4 leave home?

5 A. Monday afternoon.

6 Q. Where is home, sir?

7 A. Baltimore.

8 Q. So how long did it take you to get
9 from Baltimore to the DEEPWATER HORIZON?

10 A. Three hours -- well, to get to New
11 Orleans. I got in New Orleans, went to bed.
12 Got up at 7 a.m. to meet the crew change bus.

13 Q. Thank you. Captain, do you have any
14 type of medical condition that requires you to
15 take prescription medication?

16 A. No. Well, actually, I'm sorry. I do
17 take medicine for my knees, arthritis in my
18 knees.

19 Q. Thank you. Captain, was it your
20 opinion that the crew members onboard the
21 DEEPWATER HORIZON were provided with all of
22 the necessary personal protective gear they
23 needed, such as gloves, hard hats, safety
24 steel-toed boots, etcetera?

25 A. Yes.

1 Q. On the 20th, when you arrived onboard
2 the DEEPWATER HORIZON, there was a number of
3 folks from the corporate office, both at
4 Transocean, as well as BP. Were you aware
5 they were going to be present when you
6 arrived?

7 A. When I did land onboard, my relief
8 told me they were coming.

9 Q. What was the explanation or direction
10 that was given to you about their visit? What
11 was their purpose?

12 A. Just to come out to see the vessel.

13 Q. Is that a fairly routine practice?

14 A. Yes.

15 Q. And what role do you play when you
16 have offshore visitors coming out to visit the
17 platform?

18 A. Usually we greet them at the
19 helicopter waiting room, transit room, then
20 they will usually go, those who haven't been
21 onboard will be orientated and then they
22 usually go for a tour.

23 Q. And that occurred on this occasion?

24 A. Yes.

25 Q. Where did you tour?

1 A. The entire vessel.

2 Q. And did you accompany them the entire
3 time?

4 A. Yes.

5 Q. And while those individuals onboard
6 the vessel, did you feel any type of pressure
7 concerning the job at hand, completing the
8 drilling project?

9 A. None whatsoever?

10 Q. Any discussions about being behind
11 schedule or anything of the like?

12 A. None.

13 Q. During the course of your tour of the
14 vessel and various meetings, were you aware of
15 any disagreements between Transocean personnel
16 and BP representatives?

17 A. Was not.

18 Q. Okay, Captain, at this point I'd like
19 to take you back to, unfortunately, the April
20 20th incident. Take a deep breath here, so.
21 Could you kind of outline for us immediately
22 preceding the incident, what were you doing
23 and where were you at?

24 A. Immediately preceding I was on the
25 bridge with the gentlemen who flew out and we

1 gave them a tour of the bridge and they were
2 driving on the simulator.

3 Q. When you say, "driving on the
4 simulator," what's that entail?

5 A. Basically, we have a simulator of the
6 vessel as a joystick and station keeping that
7 we use for training new people, as well as
8 running scenarios for bad weather or upcoming
9 scenarios that we may have to undertake and
10 want to see how the vessel could handle it.

11 Q. Now, you mentioned that the simulators
12 on the bridge or was on the bridge of the
13 HORIZON, is that correct?

14 A. Yes.

15 Q. Does that cause you any concern as a
16 captain as being a possible distraction when
17 you're trying to conduct operations?

18 A. None whatsoever because my crew uses
19 it so there's -

20 Q. I'm sorry. Go ahead.

21 A. It gets used quite frequently for
22 running scenarios, as well as training people.

23 Q. So would it be fair to say that's
24 standard practice running the simulator while
25 you're underway and conducting normal

1 operations?

2 A. Uh-huh (affirmative response.)

3 Q. Let's go back to about -- starting at
4 about 9:30. Could you kind of walk us through
5 the events as they unfolded, to the best of
6 your recollection?

7 A. Somewhere around there we had left the
8 conference room after having a meeting; went
9 to the bridge; conducted the tour; simulation,
10 and that's when things started going bad.

11 Q. When did you first realize that
12 something was going on?

13 A. I saw mud over the -- mud in the
14 water.

15 Q. Could you tell where it was coming
16 from?

17 A. At that point in time, no, because I
18 was only looking out the port side window.

19 Q. So was it coming out -- I'm sorry.

20 A. And then I went across to the
21 starboard side and saw fluid coming out the
22 diverter.

23 Q. So you could see mud coming out of
24 both sides?

25 A. Well, it was probably being blown -- I

1 don't really know how it was getting to the
2 port side, but it was definitely coming
3 through the diverter.

4 Q. And you could see it coming out of the
5 diverter on the starboard side?

6 A. Yes.

7 Q. Now, does the bridge have a closed
8 circuit TV monitoring system?

9 A. Yes.

10 Q. Does that enable you to see the
11 various parts of the rig?

12 A. Certain parts, yes. I mean, we don't
13 -- we only have a handful of monitors, so you
14 pick a camera as you need it. We usually
15 always monitor the rig floor, depending on
16 operations.

17 Q. And on that night, were you monitoring
18 the rig floor?

19 A. I don't recall. That's purely an
20 operator watchstander's role of what cameras
21 he wants to monitor.

22 Q. And after you saw the mud coming out
23 of the diverter and also on the port side,
24 what happened next?

25 A. That's when we started getting -- it

1 all happened so quickly. It started a chain
2 of events of -

3 Q. Take your time. Details are really
4 important so to the extent you can remember.

5 A. Oh, I'm well aware. Gas alarms; a
6 flash of some sort, which obviously set -- or
7 an explosion; fire.

8 Q. Do you recall which gas alarms went
9 off?

10 A. No. I mean, they're all into the
11 vessel management system so the alarms were
12 just going -- going crazy.

13 Q. Now, do you recall seeing the EDS
14 display panel on the bridge?

15 A. I don't recall.

16 Q. So you don't recall looking at that
17 prior to leaving the bridge to abandon ship?

18 A. No, no, no. I thought you were still
19 before we got to that point. I'm sorry.

20 Q. Okay. I'll take you back then.
21 Continue from where we stopped.

22 A. And then, obviously, fire, blacked
23 out, personnel coming to the bridge, and then
24 somewhere in there -- I'm trying to remember
25 the scenario. It was Jimmy -- the OIM was on

1 the bridge, as well as the subsea engineer,
2 and I gave him -- I conferred for a moment
3 with Jimmy and told Chris to shear up the
4 EDSs. I think it was at 2156.

5 Q. And at that point when you directed
6 him to basically exercise or execute the EDS,
7 what happened? Do you recall?

8 A. He activated the panel.

9 Q. Was it your impression that the EDS
10 actually activated?

11 A. It was until I looked outside and saw
12 the fuel to the fire wasn't slowing down.

13 Q. And what did that signify to you?

14 A. That something had gone wrong.

15 Q. After you realized that it appeared
16 that the EDS didn't function the first time,
17 were additional attempts made to exercise it
18 or -

19 A. I don't recall.

20 Q. During the course when this was going
21 on, you indicated that the engineer was
22 onboard and that you directed him to do that.
23 Do you recall any discussions between him and
24 yourself concerning that maneuver or that
25 evolution?

1 A. No.

2 Q. After you gave the direction to go
3 ahead and exercise the EDS, what happened
4 after that?

5 A. Well, it was pretty straightforward.
6 No -- the fuel to the fire wasn't -- wasn't
7 shut off. We had -- we were dark. We had no
8 fire pumps. There was nothing left else to do
9 but leave the vessel -- abandon.

10 Q. Now, when you said the vessel was
11 dark, did the emergency lighting systems come
12 on, do you recall?

13 A. I don't recall because you have to
14 remember the emergency lighting is not all the
15 lighting on the vessel. I don't remember
16 looking up and saying what percentage of the
17 lighting was on or if was on, looking for the
18 insignia on the lights to say it's an
19 emergency light.

20 Q. So you just recall darkness and -

21 A. To what volume, to what level of
22 darkness.

23 Q. When you made the decision to go ahead
24 and abandon ship, did you give an order, did
25 you make any communications with any other

1 vessels, issue distress calls?

2 A. Yes.

3 Q. Which one?

4 A. All of those.

5 Q. What actions did you take?

6 A. Did I personally take or did the crew
7 take?

8 Q. Well, actions you either took or
9 directed the crew to take?

10 A. The crew was making -- making Mayday
11 calls, activated the GMDSS distress buttons.
12 They were speaking to the BANKSTON, but again,
13 what they were doing, that's why we have
14 roles. They did as they were supposed to do.
15 What they exactly did -- I was taking care of
16 my items; they were taking care of what they
17 were supposed to do.

18 Q. Do you recall ever having a
19 conversation with the BANKSTON?

20 A. I don't recall.

21 Q. When you left the bridge, what route
22 did you take to get to the lifeboats?

23 A. Down the starboard side of the bridge
24 and down the ladder well to the lifeboat deck.

25 Q. When you got to the lifeboat station,

1 could you describe for us the situation that
2 you found.

3 A. The lifeboats were gone and we
4 inflated a life raft. There were about eight
5 personnel on the deck; one injured in a
6 stretcher; two people -- a few people went in
7 the life raft, put the stretcher in, the life
8 raft started going down. There were a few
9 people on deck, two to three, I don't know the
10 exact number. Instead of bringing it back up,
11 to put another canister on the hook and
12 release it, we decided -- I decided to jump.

13 Q. And how far above the water were you
14 when you jumped?

15 A. Approximately 75 feet.

16 Q. And you had your personal flotation
17 device on?

18 A. Yes.

19 Q. Thank you.

20 A. Once in the water, we -- Those who
21 were in the water, as well as some people in
22 the raft, obviously, the life rafts have no
23 propulsion, so we started swimming the raft
24 away until the rescue boat from the DAMON B.
25 BANKSTON came and threw us a line and started

1 towing us back.

2 Q. Now, once the -- I believe it's a fast
3 recovery craft -- is that what that's called
4 -- from the BANKSTON hooked up with a life
5 raft, were there any problems in getting away
6 from the rig.

7 A. There was a painter attached, a line
8 attached. So I swam from the life raft to the
9 fast rescue craft, got a knife from one of the
10 crewmen, swam back and cut the vessel free. I
11 cut the raft free.

12 Q. And did you encounter any further
13 problems at that point?

14 A. No.

15 Q. Do you know if there was actually a
16 knife onboard the life raft as part of their
17 safety gear?

18 A. Yes, there was.

19 Q. And you weren't able to locate that?

20 A. Well, you have to remember, there's a
21 stretcher, there was Stokes litter in there,
22 it's dark, it's smoky. Instead of trying to
23 find a knife, which is probably this big
24 (indicating) in the life raft, it's was easier
25 -- I didn't even think to do that due to the

1 circumstances of the water and everything else
2 on fire around you. It was quicker just to go
3 to the boat, get a knife, swim back and cut us
4 free.

5 MR. WHEATLEY:

6 Thank you, Captain. I have no
7 further preliminary questions.

8 EXAMINATION

9 BY MR. MATHEWS:

10 Q. Captain, just to go back. When you
11 arrived, you took a Transocean helicopter out
12 to the DEEPWATER HORIZON?

13 A. No, it was a PHI helicopter.

14 Q. PHI helicopter, and where did you take
15 that helicopter from?

16 A. Houma.

17 Q. Houma. Do you know what type of
18 helicopter came with the VIPs?

19 A. I wouldn't.

20 Q. Do you know if there is any record
21 of -

22 A. I'm sure PHI has record of the
23 flights, I would assume. I know we had
24 records, but -- log books.

25 Q. Every person that comes onboard the

1 DEEPWATER HORIZON is logged somewhere?

2 A. Yes.

3 Q. You said it was a fairly routine
4 practice to have these safety meetings with BP
5 and Transocean VIPs, you affirmed Captain
6 Wheatley's --

7 A. It wasn't -- well, yes, a meeting with
8 them when they come aboard, a supervisory
9 meeting, yes.

10 Q. Is it fair to say that it's normally
11 the vice-president of drilling and completion
12 and drilling representatives from BP, or is it
13 normally safety personnel?

14 A. Both -- I mean -

15 Q. If they came to the vessel over the
16 last three or four months, I would be able to
17 identify who came to that vessel and when, if
18 I looked at the logs of who arrived at the
19 DEEPWATER HORIZON?

20 A. Yes.

21 Q. Can you please explain a little bit
22 about the DP simulation that was going on? I
23 know you said it was a routine practice with
24 the people that you oversee. From what I read
25 in some of the written testimony, it was

1 actually the vice-president of drilling and
2 completion that was up there?

3 A. Yes.

4 Q. What were they actually doing and
5 seeing?

6 A. They were basically playing a video
7 game.

8 Q. Does that in any way impact the
9 reliability of the safety systems -

10 A. Negative, no -- a totally separate
11 system. That's why it's a simulator. That's
12 why we have it for training for new people.

13 Q. Yes, sir. Thank you. You said, when
14 Captain Wheatley had asked you how you started
15 off your day. You said you were in a meeting
16 in the conference room. And who were you
17 meeting with?

18 A. Well, that was in the evening. It was
19 with the gentlemen who flew out on the
20 helicopter, as well as the supervisors on the
21 vessel.

22 Q. Can you give me some brief synopsis of
23 what you all discussed in that meeting?

24 A. 2010 goals. The biggest one was
25 lessons learned on the vessel because we did

1 have a good -- we had an extremely good safety
2 record. We had an extremely good performance
3 record. So one of their points was to come
4 out and get lessons learned to share with the
5 rest of the fleet.

6 Q. And that was done by the drilling and
7 completion manager of BP?

8 A. I'm not sure who it was.

9 Q. Was there any discussion about
10 requiring maintenance for the safety of the
11 vessel or safety systems on the vessel?

12 A. I don't recall.

13 Q. And in that recognition, were you
14 aware of any lost time accidents that occurred
15 in 2008 on the DEEPWATER HORIZON?

16 A. I don't recall.

17 Q. In respect to the Transocean HSE
18 manual, what are your roles and
19 responsibilities on the vessel in respect to
20 the emergency disconnect system?

21 A. I assist the -- make the judgments as
22 required I guess you could say looking at the
23 situation --

24 Q. Let me back up a second. Could you
25 please tell me what a yellow alert and a red

1 alert is?

2 A. Sure. It's certain amounts of
3 distance from the well head in which you can
4 get out to before you have to unlatch.

5 Q. What would you do in a red alert
6 system?

7 A. You unlatch.

8 Q. Do you have any specific roles in that
9 red alert?

10 A. I'm sorry.

11 Q. I'm looking at the policy right here.
12 The only people who have any type of
13 responsibility are the driller, the subsea
14 engineer and the assistant driller.

15 A. Okay.

16 Q. If the -- in a red alert situation, an
17 emergency disconnect, if you don't have the
18 assistant driller or the driller who possibly
19 had some issue with the explosion, who then is
20 in charge or making any decision about the
21 emergency disconnect, or who is the
22 functioning person?

23 A. You mean who actually functions the
24 panel?

25 Q. Yes.

1 A. The subsea engineer.

2 Q. And who actually gives the order to
3 him? Is that you or is that the OIM?

4 MR. KOHNKE:

5 Are you asking about this
6 incident -

7 MR. MATHEWS:

8 Yes, sir.

9 MR. KOHNKE:

10 -- or generally?

11 MR. MATHEWS:

12 Generally -- generally -- well,
13 specifically -

14 THE WITNESS:

15 I'm sorry.

16 MR. MATHEWS:

17 Generally.

18 BY MR. MATHEWS:

19 Q. Who gives the order -- I'm asking who
20 gives the order, and then specifically, what
21 happened in this incident because I have two
22 people saying that they gave the order to the
23 subsea engineer.

24 A. We were on the bridge, from my best
25 recollection, and I asked Jimmy, can we shear

1 somewhere along those EDSs, and he said yes,
2 and -

3 Q. Okay. I was just trying to get some
4 clarification because I didn't know if you had
5 made the recommendation to activate the EDS
6 before the OIM had come to the bridge -

7 A. Oh, no, no, no.

8 Q. Do you ever participate in any type of
9 day-to-day drilling rig operation meetings?

10 A. Yes.

11 Q. Were you aware of any problems with
12 the Macondo well prior to the incident?

13 A. I mean -

14 MR. KOHNKE:

15 By problems, you mean down hole
16 problems?

17 MR. MATHEWS:

18 Yes, sir. I'm sorry.

19 THE WITNESS:

20 I don't really have any -- that's
21 not really my area of expertise.

22 That's actually --

23 BY MR. MATHEWS:

24 Q. I'm sorry. That's why I was trying to
25 get clarification if you participated in those

1 operational meetings.

2 A. Were you aware that the rig was behind
3 schedule on that current well?

4 Q. Again, I had been gone for three
5 weeks.

6 A. Were you aware that the rig was behind
7 schedule for 45 days, which is greater than
8 three weeks?

9 Q. I really don't recall.

10 A. Were you aware of any type of, in
11 meetings that you participated, of any
12 discussion of changes to plans and procedures
13 within a short period of time to drilling the
14 well?

15 Q. I don't recall.

16 MR. MATHEWS:

17 That's all I have, sir. Thank you.

18 EXAMINATION

19 BY MR. McCARROLL:

20 Q. Captain, do you meet with ABS when
21 they come onboard?

22 A. Yes.

23 Q. In about 2005, Transocean stopped
24 having ABS inspect the drilling package. Do
25 you know why?

1 A. I was not master at the time.

2 Q. Have you met with ABS since you've
3 been master?

4 A. Yes.

5 Q. Have you talked to them about any of
6 their inspections?

7 A. In regards to?

8 Q. Like the annual where they test when
9 they come onboard?

10 A. Yes.

11 Q. Did any of the ABS guys indicate they
12 tested the safety devices for overspeed on the
13 engines?

14 A. I don't recall.

15 Q. Would you think that those types of
16 devices would be checked on annual inspection?

17 A. Yes.

18 Q. Do you know that the annual inspection
19 is a sampling-type inspection that they do not
20 inspect 100 percent of the safety devices?

21 A. Correct.

22 Q. So on a special inspection, which is
23 done every five years -

24 A. Yes.

25 Q. -- they do complete 100 percent; is

1 that correct?

2 A. I don't recall.

3 MR. McCARROLL:

4 Thank you.

5 EXAMINATION

6 BY LT BUTTS:

7 Q. Good morning, Captain.

8 A. Good morning.

9 Q. Earlier there was questions about
10 notification of flag state regarding the
11 blackout in 2008. Did you personally make
12 note of -

13 A. Yes.

14 Q. And who to?

15 A. Marshall Islands, I forget.

16 Q. Good enough. And were you told that
17 the American Bureau of Shipping was notified?

18 A. I don't recall.

19 Q. Good enough. Drills -- when you
20 conduct a drill -- when the rig conducts a
21 drill on Sundays is anyone onboard the rig
22 excused from the drill?

23 A. Depending on the operation, maybe a
24 handful of people.

25 Q. And typically, who would those people

1 be?

2 A. It's situational dependent.

3 Q. If there was a driller on tour and
4 there was a drill at 10 o'clock, would he come
5 off and participate in the launching of
6 lifeboats and the familiarization of muster
7 and things of that nature?

8 A. No, he wouldn't, but you need -- no,
9 he wouldn't.

10 Q. The third party hands that come
11 onboard, whether it be Halliburton, I believe
12 the catering service was Art, do you know if
13 they have a maritime background? For
14 example -

15 A. It's situational dependent --
16 sometimes they do. Some of the Art personnel
17 received came from cruise ships. So yes, they
18 do.

19 Q. So some do.

20 A. Yes.

21 Q. Typically, when you come on tour, is
22 your rotation 21 and 21, also?

23 A. Yes.

24 Q. What's the normal change of watch for
25 you and the other captain of the vessel,

1 typically? Can you kind of walk us through
2 that process?

3 A. Sure. Typically, we have a -- well,
4 there's three different ways. We phone each
5 other before we arrive -- have an hour or
6 however long conversation required to just to
7 find out what you're walking into.

8 Q. And that telephone call, does it
9 happen the morning that you're getting ready
10 to fly out of Houma?

11 A. Yes.

12 Q. Thanks.

13 A. Or the -- I'm sorry, usually that
14 afternoon -- the afternoon before. And then
15 we usually do extensive written handover
16 notes. And then there's a face-to-face on the
17 bridge during the -- for the crew change.

18 Q. Did you have the opportunity that, I
19 think you had said you got on in the
20 afternoon --

21 A. Yes.

22 Q. Company folks coming out to visit --
23 did you have ample time to --

24 A. Always.

25 Q. You did have time?

1 A. That's definitely one thing we always
2 do, because the last thing you want to do is
3 be blind sided by something that you should
4 have known about.

5 Q. I'm with you. I'm with you. The
6 simulator -- do you know when that was
7 actually installed onboard the vessel? Has it
8 been there for the life or the history --

9 A. Yes, from Korea.

10 Q. What is the purpose of it, the
11 simulator? We're talking about the DP
12 simulator.

13 A. Yes. It's basically -- to put it
14 bluntly, it's a video game. It's a video game
15 of -- with the vessel's dimensions. It's
16 basically a video game of the DP system. We
17 use it for if we upcoming weather or fronts
18 coming through, heading changes, what have
19 you, different station keeping scenarios on a
20 scenario to see how the vessel will handle it
21 before you actually do it.

22 Q. So it kind of sounds like then it's
23 almost a simulator for you to kind of populate
24 and for the crew then to participate in just
25 different situations?

1 A. You're exactly right. The crew can --
2 since obviously we're latched up quite often,
3 it's good training for the crew.

4 Q. To remain sharp?

5 A. You're exactly right, yes.

6 Q. Does the Coast Guard give, if you
7 know, does the Coast Guard give any credit of
8 time for operating the simulator for licensing
9 and credentialing later on?

10 A. I don't know.

11 Q. Good enough. Now, I know when you all
12 decided to run for the boats and the rafts, it
13 was chaotic. Some people, as explained, were
14 confused and dazed and somewhat. Tell me
15 about the life rafts. You had said, and I'm
16 not putting words in your mouth, you had gone
17 to the boats, 1 and 2, and they were gone.

18 A. Correct.

19 Q. Tell me about that ordeal there with
20 the life rafts. It's not our hope that you
21 would have to jump off of a 75 foot height
22 there. We want --

23 A. I don't want to do it again, either.

24 Q. We want life saving appliances in
25 place so you can safely embark, launch and

1 then hopefully be recovered. I'm not second
2 guessing why you jumped. Why?

3 A. Well, because the raft with the
4 personnel and the Stokes litter was starting
5 to go down.

6 Q. And you mean the brake was not holding
7 the raft as it --

8 A. Whether -- for some reason, it started
9 to go down. I can -- obviously, I didn't have
10 time to figure out why, but yes.

11 Q. I understand.

12 A. It started to go down.

13 Q. And to the best of your memory, how
14 many people were in there? Do you recall?

15 A. I don't recall.

16 Q. Was it at capacity?

17 A. Oh, no.

18 Q. I think 25, isn't it?

19 A. Yes.

20 Q. It was not at capacity?

21 A. No. It may have been five or six,
22 plus the Stokes litter with an injured person
23 on it.

24 Q. Can you just -- as soon as the people
25 get in it, were you still standing on deck and

1 you're watch it?

2 A. Yes.

3 Q. What happened then?

4 A. Well, as the raft was going down, we
5 knew that, or at least I knew there wasn't
6 going to be -- I didn't want to wait around
7 for the time to hand crank it back up, attach
8 another raft, swing it across and repeat the
9 same scenario.

10 Q. In practice, how long does that
11 usually take?

12 A. I don't --

13 Q. You don't know?

14 A. (Negative response.)

15 Q. Okay. That's fine. So once it's down
16 then you said I'm --

17 A. Right.

18 Q. -- and you jumped. Now, maritime
19 people like we are, when we're on our ships,
20 we have a pocketknife.

21 A. Yes.

22 Q. We have some type of knife on our hip.

23 We've got a Leatherman, we've got a Gerber,
24 not indoors, you know, but why didn't you have
25 a knife?

1 A. Knife-free policy onboard the vessel.

2 LT BUTTS:

3 Thank you.

4 CAPT NGUYEN:

5 Captain, I have a few follow-up
6 questions.

7 EXAMINATION

8 BY CAPT NGUYEN:

9 Q. Now, you say that when Captain
10 Wheatley asked you about a handoff between the
11 OIM and the master --

12 A. Yes.

13 Q. -- and you say, no problem?

14 A. Yes.

15 Q. Is there written guidance on how that
16 takes place?

17 A. I don't recall.

18 Q. Now, how's that get communicated to
19 the crew? If it's clear between you and the
20 OIM, Mr. Harrell, how is it clear to the crew
21 that a transition has taken place, that the
22 transfer of authority has been completed?

23 A. I would be speculating how they know.
24 I'm not really --

25 Q. So there's no -- there's no written --

1 A. Like do we make it over the PA
2 announcement or something like that? I mean,
3 I don't understand what you're saying.

4 Q. I don't know. I'm asking you. I
5 mean, how do the crew, especially you've got a
6 mixed crew here of Transocean of BP,
7 Halliburton and all these people. How do they
8 know who is in charge at any time on the
9 vessel? Do you have a written policy that you
10 give to the people when they first come on the
11 vessel or how is that communicated to the
12 people onboard the vessel?

13 A. It's pretty well understood amongst
14 the crew who's in charge.

15 Q. How do they know that? I mean --

16 A. I don't know. But it's pretty --
17 everyone knows.

18 Q. Yes, sir. Now, as the master of the
19 vessel, you are very -- you have working
20 knowledge of the International Safety
21 Management Code; is that correct?

22 A. Uh-huh (affirmative response).

23 Q. So when they come aboard the vessel,
24 you work pretty closely with that individual?

25 A. Yes.

1 Q. Now, your Safety Management System,
2 are these documents available onboard the
3 vessel?

4 A. Yes.

5 Q. Are they in binders?

6 A. I don't recall.

7 Q. So how do people get access to your --
8 the Safety Management System should document.
9 For example, if you've got equipment failure,
10 it should tell you the procedure on how to get
11 it resolved and all that, right?

12 A. Yes.

13 Q. Where are those procedures located on
14 the vessel?

15 A. I don't recall.

16 Q. So you don't remember whether there
17 was a paper copy, computer?

18 A. Most of those small details, I'm
19 sorry, I just don't --

20 Q. Yes, sir.

21 A. I just don't recall.

22 Q. Now, you said that there's a
23 Powerpoint presentation on the Safety
24 Management System?

25 A. Yes.

1 Q. So what's in this Powerpoint
2 presentation?

3 A. I'm sorry, I don't recall those
4 details.

5 Q. Yes, sir. Now, everybody onboard the
6 vessel needs to know how safety is managed on
7 the vessel; is that correct?

8 A. Yes.

9 Q. Now, would the information on the
10 Safety Management System on how would be in
11 this Powerpoint presentation?

12 A. Honestly, I don't recall what exact
13 details were in there.

14 Q. Yes, sir. With reference to the
15 questions regarding the blackout in August of
16 2008, you say that you made a casualty report
17 to class and flag; is that right?

18 A. Yes, as well as to the Coast Guard.

19 Q. As well as the Coast Guard. So was
20 there any follow-up action from Coast Guard or
21 flag state or Class Society that you remember?

22 A. I don't recall.

23 Q. Do you think that a two-minute
24 blackout onboard the HORIZON, do you think
25 that's a minor casualty, significant, major?

1 A. I'd say it's pretty significant, but
2 we did stay latched up -- no harm to the
3 environment, no harm to equipment.

4 Q. No harm to the environment, no harm to
5 the equipment --

6 A. Because we stayed latched up.

7 Q. So it's serious, but it's non-event?

8 A. I wouldn't say it's a non-event. I
9 don't really know classification -- what
10 levels there are you're speaking of, so I
11 don't know how to --

12 Q. So if it's a serious casualty, as you
13 say, what did you and your crew and Transocean
14 done about the casualty? Do you remember, to
15 insure that it doesn't happen again.

16 MR. KOHNKE:

17 You mean beyond fixing the
18 mechanical issue?

19 CAPT NGUYEN:

20 Yes, sir -- fixing, look at the
21 maintenance system and whether the
22 maintenance system missing something.
23 If you have a Safety Management System
24 onboard you would kind of look beyond
25 what --

1 THE WITNESS:

2 Yes. There was a plan put forth by
3 the maintenance department on governors
4 and what, you know, changing them out
5 and inspections, that type of thing.

6 But what the exact details were, I
7 don't recall.

8 BY CAPT NGUYEN:

9 Q. Now, as master of the vessel, when you
10 have a blackout for two minutes it's a concern
11 to you, right?

12 A. (No response.)

13 Q. You lost power for two minutes, right,
14 it's a concern to you, right?

15 A. I don't remember the exact time -- how
16 long we actually lost power for.

17 Q. But there was a total blackout for a
18 period of time, right?

19 A. Yes.

20 Q. Now, do you remember whether emergency
21 power came on?

22 A. It did.

23 Q. If it did, why would you have a two
24 minutes blackout or whatever the blackout is?
25 Do you remember?

1 A. Well, I don't think it was two minutes
2 we were blacked for. I mean, the generators
3 usually come on line out there. Again, I
4 don't remember the exact timeframe, but
5 generators -- the power management system
6 usually brings the generator on extremely
7 quickly. Now, if you're referring -- it
8 depends on if you're talking about power
9 online or thrusters online and back to
10 maintaining station keeping. There's a big
11 different between that. And what the time --
12 what the sequence or timeframe was between
13 those, I'm not sure.

14 Q. Yes, sir. I understand. Now, with
15 regard to this visit from senior management
16 from BP and Transocean to the HORIZON, now
17 have you met Mr. O'Bryan and Mr. Winslow
18 before?

19 A. I've met Mr. Winslow before. I don't
20 -- I don't recall a Mr. O'Bryan.

21 Q. Did you meet Mr. Winslow onboard the
22 HORIZON before?

23 A. Oh, I've known Don -- Mr. Winslow and
24 I have worked together for years.

25 Q. Right, but on the HORIZON?

1 A. Oh, he had been out there previous.

2 Q. Yes, sir. So who was the one -- who
3 was the one that was using the simulator?

4 A. They -- I think it was the two
5 gentlemen from BP, but what scenarios, what
6 timeframes, how long they were on there, when
7 they were on there, I don't recall.

8 Q. But you were with them the entire
9 tour, so it was the two gentlemen from BP that
10 was working the simulator --

11 A. It may have been, yes.

12 Q. -- at the --

13 A. I don't recall exactly. Again, I
14 don't recall exactly who was -- we were all on
15 the bridge and they were all standing around
16 the simulator, but who had their hands on the
17 joystick, I don't recall.

18 Q. So when there is a visit from senior
19 management does it get scheduled -- how long
20 does it get scheduled -- how long in advance
21 does it gets scheduled to communicate to the
22 ship to make sure it doesn't interrupt the
23 vessel operations? How long in advance
24 usually?

25 A. It all depends.

1 Q. Does that get communicated to you or
2 to the OIM?

3 A. Usually to the OIM and then he'll tell
4 us.

5 Q. So it always goes to the OIM first and
6 then he will tell you?

7 A. Usually.

8 Q. Now, after you got rescued by the --
9 arrived on the BANKSTON, did you order the
10 firefighting -- did you have any -- as far as
11 the firefighting efforts, what was your
12 involvement in that?

13 A. The only thing I recall is leaving the
14 water, going directly to the bridge of the
15 BANKSTON where I stayed until we got to
16 Fourchon and coordinating with ROV boats,
17 supply boats, to see who had firefighting
18 capacity and stuff like that. But actual
19 details, I don't recall. Obviously, we had
20 just gotten out of the water.

21 Q. Yes, sir. Yes, sir. So you didn't
22 ask other vessels to put firefighting water --

23 A. I don't recall.

24 Q. You don't recall. I understand, sir.

25 CAPT NGUYEN:

1 Flag state, do you have any
2 questions?

3 MR. LINSIN:

4 No questions. Thank you, Captain.

5 CAPT NGUYEN:

6 Yes, sir. Transocean, any
7 questions for the witness?

8 COUNSEL REPRESENTING TRANSOCEAN:

9 No questions.

10 CAPT NGUYEN:

11 Yes, sir. Anadarko?

12 COUNSEL REPRESENTING ANADARKO

13 PETROLEUM CORPORATION:

14 No questions.

15 CAPT NGUYEN:

16 Moex?

17 COUNSEL REPRESENTING MOEX USA:

18 (No response.)

19 CAPT NGUYEN:

20 Douglas Brown?

21 MR. GORDON:

22 No questions.

23 CAPT NGUYEN:

24 BP?

25 MR. GODFREY:

1 Thank you, Captain.

2 MR. GODFREY:

3 May I proceed, Captain Nguyen?

4 CAPT NGUYEN:

5 Yes, sir.

6 MR. GODFREY:

7 Thank you.

8 E X A M I N A T I O N

9 BY MR. GODFREY:

10 Q. Good afternoon, sir. I'm Rick
11 Godfrey. I'd like to see whether we can,
12 using your Coast Guard statement, which I see
13 is in front of you --

14 A. That's not my Coast Guard statement.

15 Q. Do you have your Coast Guard
16 statement, sir?

17 A. Not in front of me.

18 MR. GODFREY:

19 John, could you give him his Coast
20 Guard statement, please?

21 BY MR. GODFREY:

22 Q. While my younger colleague is bringing
23 it up, do you recall writing out your Coast
24 Guard statement?

25 A. (No response.)

1 Q. Do you recall writing out your Coast
2 Guard statement?

3 A. Partially. I mean, I remember the
4 scenario obviously of what we had just gone
5 through, but yes.

6 Q. Could you find your Coast Guard
7 statement in the book that's been put before
8 you, sir?

9 A. Yes.

10 Q. It's under your name.

11 MR. KOHNKE:

12 Which tab would it be?

13 MR. GODFREY:

14 There's an index in front that's
15 under his name.

16 MR. KOHNKE:

17 It's Tab 9.

18 MR. GODFREY:

19 Yes, but it's under his name. I
20 think we'll move on, Mr. Kohnke.

21 BY MR. GODFREY:

22 Q. Is that your Coast Guard statement,
23 sir?

24 A. To the best of my knowledge, yes.

25 Q. Is that your handwriting?

1 A. Yes.

2 Q. Is that your signature on the second
3 page?

4 A. Yes.

5 Q. Is what you wrote in your Coast Guard
6 statement true, accurate and correct, as far
7 as you know?

8 A. I think what I put down on the bottom
9 are the details to the best of my recognition.
10 The event is still blurry and I may have
11 missed details.

12 Q. That's fine. That's the best we can
13 ask of you. Prior to 2130 on the evening of
14 April the 20th, 2010, were you aware that a
15 sheen test had been conducted?

16 A. I don't recall.

17 Q. Do you know what a sheen test is?

18 A. Yes.

19 Q. Do you know who conducted the sheen
20 test?

21 A. I would assume one of the drilling
22 gentlemen, but who the actual person was doing
23 it, I'm not sure.

24 Q. As far as you're personally aware,
25 prior to 2130 on the evening of April 20,

1 2010, was everything proceeding normally and
2 safely with respect to drilling on the
3 DEEPWATER HORIZON?

4 MR. KOHNKE:

5 If you know about drilling.

6 THE WITNESS:

7 As far as from a mariner's side of
8 it and as far as I knew there was.

9 BY MR. GODFREY:

10 Q. Now, according to your statement, at
11 approximately 2130, high gas alarms went off?

12 A. Again, I don't -- again, as we were
13 speaking when I was writing this, I don't --
14 the times are probably off because the last
15 thing I was looking at was my watch when all
16 of this was going on.

17 Q. Do you recall high gas alarms going
18 off, sir?

19 A. Yes.

20 Q. Did you write that it was
21 approximately 2130?

22 A. Yes.

23 Q. Do you recall whether a pump or pumps
24 stopped around that time?

25 A. I don't recall.

1 Q. Did you ever call the DAMON BANKSTON
2 around that time to inform the DAMON BANKSTON
3 that the DEEPWATER HORIZON had a well control
4 situation and to move away?

5 A. I don't recall.

6 Q. Did you hear the engines rev up at any
7 time?

8 A. Again, we're at completely different
9 ends of the vessel. So no, I don't recall.

10 Q. Do you know whether ESDs were
11 activated around that time?

12 A. I don't recall.

13 Q. Were you on the bridge around 2130?

14 A. Yes.

15 Q. Did you hear someone, a voice over the
16 radio talking to the DAMON BANKSTON around
17 that time?

18 A. I don't recall.

19 Q. Do you know what the DAMON BANKSTON
20 had been doing standing by the vessel that
21 day?

22 A. They were doing a -- we were giving
23 mud back to them -- loading, discharging mud.

24 Q. Now, when you were on the bridge, was
25 the internal camera system working?

1 A. I don't recall.

2 Q. At any time that evening, did you see
3 any camera pictures or shots of the rig floor?

4 A. Again, I don't -- that's not one thing
5 I do when I walk up to the bridge.

6 Q. Now, after, according to your
7 statement, you saw the, or heard the gas
8 alarms being activated. Do I understand this
9 correctly that you looked out and saw mud
10 flowing out of the diverter?

11 A. Yes.

12 Q. Which side?

13 A. I think it was the starboard side.

14 Q. Did you see mud on the rig floor or
15 mud on the rig anywhere?

16 A. Again, the window that I was looking
17 out I just saw the diverter. I couldn't see
18 anywhere after that.

19 Q. All right. After you saw the mud
20 being diverted, about how long, to the best of
21 your recollection, between the visual seeing
22 of the mud being diverted and the sign of the
23 flash and the explosion?

24 A. Minutes.

25 Q. Five minutes, ten minutes?

1 A. I have no idea.

2 Q. Fair enough.

3 A. Again, that was the last thing I
4 wanted to do was to look at my watch and see
5 the timeframes.

6 Q. No reason to apologize. We're just
7 here to get your best recollection because
8 minutes may matter here in terms of
9 determining what the sequence of events were.
10 Now, was the subsea engineer on the bridge
11 with you at that time?

12 A. No.

13 Q. Did the subsea engineer come to the
14 bridge during this time?

15 A. Yes.

16 Q. Is that a "yes"?

17 A. Yes.

18 Q. Did the subsea engineer come to the
19 bridge after the first explosion or was he --

20 A. I don't recall.

21 Q. Can't recall. Do you recall who the
22 subsea engineer was?

23 A. Yes.

24 Q. Who was it?

25 A. Chris Pleasant.

1 Q. Now, after the initial explosion, did
2 you instruct anyone to activate the emergency
3 disconnect?

4 A. Yes.

5 Q. Who did you instruct?

6 A. After conferring with the OIM, Chris
7 Pleasant.

8 Q. Did you need to confer with the OIM
9 before you activated or ordered the activation
10 of the EDS?

11 A. Communication. I mean, we always have
12 good communication. He was right there on the
13 bridge. Why not use his drilling -- his
14 expertise?

15 Q. Well, actually, sir, he was in the
16 shower and he came up to the bridge. When did
17 he arrive on the bridge? Do you recall?

18 A. Before we EDS.

19 Q. Were you waiting for the OIM before
20 you made --

21 A. No.

22 Q. -- the decision to activate the EDS?

23 A. No, but that's where he goes during an
24 emergency is the bridge.

25 Q. Do you recall what time approximately

1 the EDS was activated?

2 A. Approximately 2156, as is in my
3 statement.

4 Q. Okay. Did you look at the panels at
5 the time the EDS was activated?

6 A. I did not.

7 Q. Did you look at the BOP panel?

8 A. I don't recall.

9 Q. Was the instrumentation on the bridge
10 acting normally or abnormally at that time, as
11 far as you can recall?

12 A. Again, I don't know.

13 Q. The time being around 2154 or 2156?

14 A. Right. Again, it was -- I don't
15 recall.

16 Q. Now, approximately how long after 2156
17 was it that you made your way down to the part
18 of the rig from which you jumped into the sea?

19 A. That's a good question. I -- to this
20 day, I wish I knew because I do not recall.

21 Q. Fair enough. That's fine. Was there
22 any type of confirmatory indication on the
23 panel in the bridge that indicated to you that
24 the EDS had been successfully activated?

25 A. Again, I don't -- I don't recall.

1 Q. What's the process, if you activate
2 the EDS, you obviously push a button, right?

3 A. It's a few buttons, obviously, so it's
4 not hit inadvertently.

5 Q. So you push a few buttons and then you
6 receive a signal that the buttons pushed were
7 received by the machinery --

8 A. That would be a question for the
9 subsea engineers.

10 Q. You're not involved in that?

11 A. No.

12 Q. Are you trained to activate the EDS
13 yourself?

14 A. Me personally, no.

15 Q. Subsea engineers trained?

16 A. I would assume. I don't --

17 Q. And OIMs trained?

18 A. I don't know.

19 Q. Do you know whether all the buttons
20 necessary to activate the EDS were pushed?

21 A. I don't recall.

22 Q. After you were rescued from the sea,
23 did you have any conversations with any
24 members of the crew or anyone since?

25 A. I'm sorry.

1 Q. I wasn't finished, but that's okay.

2 After you were rescued from the sea --

3 A. Yes.

4 Q. -- and you were on the DAMON BANKSTON,

5 did you have any conversations with any other

6 members of the crew about what they thought

7 happened which led to the explosion?

8 A. Again, I spent my -- I spent the time

9 after that on the BANKSTON -- on the bridge of

10 the vessel. There were BP personnel,

11 Transocean personnel on the bridge, but what

12 we talked about, I don't recall.

13 Q. And since that time, I take it you've

14 had no conversations with people from the crew

15 of the DEEPWATER HORIZON indicating what they

16 thought took place?

17 A. Again, I don't -- I mean, sure we've

18 spoken, but I don't recall.

19 Q. One final question: Was the DEEPWATER

20 HORIZON under a daily rate contract or a

21 yearly contract with BP at the time of the

22 incident?

23 MR. KOHNKE:

24 If you know.

25 THE WITNESS:

1 I don't really recall.

2 MR. GODFREY:

3 Thank you. I have no further
4 questions.

5 MR. GORDON:

6 Captain, would it be okay if I
7 ask some questions?

8 CAPT NGUYEN:

9 Sure, go ahead.

10 E X A M I N A T I O N

11 BY MR. GORDON:

12 Q. Hello, Captain.

13 A. Hello.

14 Q. I want to visit the call regs. Are
15 you familiar with the call regs?

16 A. Five weeks ago I was much more
17 familiar with them. Obviously, situation's
18 passed. I'm not familiar with them much
19 anymore.

20 Q. Is the DEEPWATER HORIZON, before she
21 sank, was she considered a vessel, in your
22 opinion?

23 A. Yes.

24 Q. Were you the captain and master of
25 that vessel?

1 A. Yes.

2 Q. Was she operating in U.S. waters?

3 A. International waters.

4 Q. Was she subject to the IMO regs?

5 A. Yes.

6 Q. Is Rule 3, in the IMO regs, is that
7 applicable to your vessel, sir?

8 MR. KOHNKE:

9 Do you have Rule 3?

10 MR. GORDON:

11 Yes, I do. In fact, -- I'm

12 sorry --

13 BY MR. GORDON:

14 Q. For the record, I've handed the
15 witness Rule 3 of what section, sir, of the
16 IMO regs?

17 A. I'm sorry.

18 Q. What section are you looking at?

19 A. It's Rule 3.

20 Q. What is highlighted with an asterisk?

21 A. The word "underway."

22 Q. It defines underway, correct?

23 A. Correct.

24 Q. Could you please read that into the
25 record?

1 A. "The word underway means that a vessel
2 is not at anchor or made fast to shore or
3 ground."

4 Q. When just prior to the explosion, was
5 the DEEPWATER HORIZON affixed to the ground or
6 anchored?

7 MR. KOHNKE:

8 When you say "affixed," you mean
9 made fast to the ground?

10 MR. GORDON:

11 Yes.

12 MR. KOHNKE:

13 He's asking you was it made fast to
14 the ground.

15 THE WITNESS:

16 We did have a riser and BOP down.

17 BY MR. GORDON:

18 Q. Do you consider that, sir, that it is
19 anchored to the ground?

20 A. (No response.)

21 Q. You're the captain of the vessel, sir.

22 A. But however, here's the --

23 MR. KOHNKE:

24 Here's the problem. Mr. Gordon,
25 this witness has raised his right hand

1 and taken an oath and has been told
2 that a false statement is punishable by
3 both jail and a fine. You're asking
4 him now to interpret something. There
5 is no black or white. There is no
6 absolute and I'm very, very reluctant
7 to allow him to interpret something in
8 an argument with counsel. So proceed
9 very carefully, please.

10 MR. GORDON:

11 I wish I had two copies. Have you
12 had a chance to read it, sir?

13 THE WITNESS:

14 If I'm going to be asked questions,
15 I'd like to keep it here.

16 MR. GORDON:

17 Does anybody have a copy of this?

18 CAPT NGUYEN:

19 No, you introduced it here.

20 MR. GORDON:

21 Can I mark it? Let me mark it.

22 I'd like to introduce it as Brown 1 --

23 CAPT NGUYEN:

24 Counselor, can I ask you the
25 relevance of your line of questioning

1 before we admit it into the record?

2 MR. GORDON:

3 Absolutely. I have here the form,
4 Marine Notice 7-038-2, which is the
5 Marshall Islands documents, which this
6 flag -- this DEEPWATER HORIZON was
7 flagged to Marshall Islands. And in
8 it, it's under the minimum safe manning
9 has something called On Location and
10 the call regs do not have that
11 definition. So I would like to ask the
12 Captain if he considered his vessel an
13 operating when they had the BOP down,
14 operating under this Schedule A of 2.25
15 -- 2.2.5, or if he considered himself
16 subject to the call regs. And the
17 reason is, is because if you're on
18 location under the Marshall Islands you
19 don't need a master. You need just an
20 OIM. And so I'm trying to figure out
21 under what rules they're operating.
22 That's why.

23 MR. KOHNKE:

24 If that's the purpose of what we're
25 doing and if that's where we're going,

1 then I have to object. I don't know
2 the relevance of that. Whether we need
3 a master or not, we had a master. Now,
4 the rules speak for themselves and if
5 at some future time Mr. Gordon wants to
6 argue that we had too many people
7 onboard, he can make that argument.
8 But it's not relevant to what we're
9 doing. If he wants to talk about the
10 division of authority, that's something
11 I would submit to the board already
12 deemed relevant. And I'm okay with
13 that. But otherwise, I think it's
14 irrelevant.

15 CAPT NGUYEN:

16 I understand. I think it's
17 probably appropriate to address through
18 the flag state, what do they see as the
19 vessel subject to their rules there.
20 You can address the flag state. Ask
21 the question.

22 MR. GORDON:

23 Mr. Flag State, are you familiar
24 with this, sir, this document?

25 MR. LINSIN:

1 Captain, could I request, if
2 counsel has a question he wants to pose
3 to flag state regarding interpretations
4 of which regs and how they interplay
5 with international conventions, I would
6 request that he make that request in
7 writing and we will respond in writing.

8 CAPT NGUYEN:

9 That's fine. I understand that. I
10 just wonder whether you would want to
11 accommodate him. That's all. I agree
12 with your position. I agree with your
13 position. That's fine.

14 MR. LINSIN:

15 We're happy to address the point,
16 but quite honestly, at this juncture,
17 counsel has passed papers across the
18 room. I'm not sure what point he's
19 getting at and I'd prefer it be in
20 writing and we will respond
21 accordingly.

22 CAPT NGUYEN:

23 So that's the position. If you
24 want clarification on what applicable
25 to the HORIZON, I think you can request

1 that from the flag state.

2 MR. GORDON:

3 Excellent. And if necessary, can
4 we recall the Captain.

5 CAPT NGUYEN:

6 Yes. Any witness can be recalled.

7 MR. GORDON:

8 Thank you so much.

9 CAPT NGUYEN:

10 Cameron?

11 COUNSEL REPRESENTING CAMERON, INC.

12 No questions.

13 CAPT NGUYEN:

14 Thank you, sir. Halliburton?

15 COUNSEL REPRESENTING HALLIBURTON:

16 No questions, Captain. M-I SWACO?

17 COUNSEL REPRESENTING MI-I SWACO:

18 No questions.

19 CAPT NGUYEN:

20 Dril-Quip?

21 COUNSEL REPRESENTING DRIL-QUIP:

22 No questions.

23 CAPT NGUYEN:

24 Weatherford?

25 COUNSEL REPRESENTING WEATHERFORD,

1 INC.:

2 No questions.

3 CAPT NGUYEN:

4 Any additional questions from the
5 board members?

6 LT BUTTS:

7 Captain, if you don't mind.

8 E X A M I N A T I O N

9 BY LT BUTTS:

10 Q. Captain, when you're on location, and
11 I'm not going to quote the OCS regulations
12 verbatim because I don't know them verbatim
13 anymore. When you're on location and you're
14 hooked up, are you required to display all
15 around white lights on the rig so it can be
16 seen?

17 A. Yes. We do show obstruction lights.

18 Q. So are those part of the call regs or
19 are those specific to the outer continental
20 shelf operations? Do you remember?

21 A. I don't recall.

22 Q. While the rig is on location, though,
23 latched in, is the rig displaying navigational
24 lights in accordance with the call regs?

25 A. We're -- yes, we did show lights. I

1 don't recall.

2 LT BUTTS:

3 Thank you.

4 CAPT NGUYEN:

5 Captain, thank you very much for
6 your testimony. Are there any
7 questions or any information that you
8 believe is relevant to the purpose of
9 this investigation that you want to
10 provide to us at this time?

11 THE WITNESS:

12 No, I would just like to thank the
13 crew of the DAMON BANKSTON. I'd like
14 to thank the Coast Guard for the
15 assets, especially the helicopters.
16 Rescue swimmers were getting the
17 injured off so quickly, as well as the
18 crew of the vessel for responding
19 properly and we got off 115 people.

20 CAPT NGUYEN:

21 Yes, sir. Thank you very much. If
22 we have additional questions for you,
23 would you make yourself available in
24 the future to the board?

25 THE WITNESS:

1 Yes.

2 CAPT NGUYEN:

3 Thank you, sir. You are dismissed.

4 We are adjourned for the morning.

5 Please come back here at 1:30 p.m. for

6 the afternoon hearings.

7 (Whereupon, a lunch break was taken.)

8 CAPT NGUYEN:

9 Please be seated so we can start

10 the hearings. The board will now call

11 on Mr. David Young with Transocean.

12 Mr. Young, please stand up and raise

13 your right hand.

14 * * * * *

15 DAVID YOUNG,

16 after being first duly sworn in the cause,

17 testified as follows:

18 CAPT NGUYEN:

19 Please be seated. Thank you for

20 being here.

21 MR. KOHNKE:

22 Captain, may I make one brief

23 statement for the record?

24 CAPT NGUYEN:

25 Yes, sir.

1 MR. KOHNKE:

2 Earlier this morning, when Captain
3 Kuchta was testifying, at the beginning
4 a question was posed, I believe by Mr.
5 Wheatley, and I didn't hear the
6 question. The only part of the
7 question I heard was Mr. Wheatley
8 trying to pronounce my name, is one
9 I've heard before, I might add. And so
10 I quickly pronounce it and I didn't
11 hear the Captain answer, or I heard him
12 say yes, but I didn't know what it was
13 in answer to. I have since been told
14 the question was, "Am I representing
15 the witness," and he was apparently
16 answering yes. I did not hear that.
17 Know that I've been told that's what
18 the question is, I want the record to
19 be clear that both Mr. Clements and
20 myself are representing Transocean in
21 this matter and not these witnesses in
22 individual capacities. So I just
23 wanted to make that statement for the
24 record.

25 CAPT NGUYEN:

1 Yes, I understand.

2 MR. KOHNKE:

3 Thank you, sir.

4 CAPT NGUYEN:

5 Mr. Young, do you wish to have
6 Transocean counsel to sit by you to
7 provide you with advice or do you
8 rather him sit over here at this table?

9 THE WITNESS:

10 No, I'm fine with him sitting here.

11 CAPT NGUYEN:

12 Okay, thank you.

13 E X A M I N A T I O N

14 BY MR. WHEATLEY:

15 Q. Good afternoon, Mr. Young. Thank you
16 for coming. Could you please state your
17 complete name and spell your last name slowly
18 for the record?

19 A. David William Young, Y-O-U-N-G.

20 Q. Mr. Young, do you currently hold any
21 type of Coast Guard license or credentials and
22 if you do could you please tell us what they
23 are?

24 A. Yes, sir. I hold a U.S. Coast Guard
25 Chief Mate's license, also Marshall Islands

1 ballast control operator.

2 Q. And did you bring copies of your
3 licenses with you here today, sir?

4 A. I do have copies that I provided
5 through Transocean's records and I also just
6 recently received my -- a copy of my U.S.
7 Coast Guard license re-issue.

8 Q. You can refer to those during your
9 testimony here, if necessary, today and then
10 if we could just get those for the record, we
11 would appreciate it. What company do you
12 currently work for, sir?

13 A. Transocean.

14 Q. And how long have you worked for them?

15 A. About three years.

16 Q. Could you briefly outline for us in
17 what capacity you have worked for Transocean?

18 A. I started as a DPO, or a DPO trainee.
19 I quickly went to DPO, then I went to senior
20 DPO, and now I am promoted to chief mate.

21 Q. And when did you first begin working
22 for them?

23 A. October about three years ago.

24 Q. And your current position is chief
25 mate?

1 A. Yes, sir.

2 Q. Could you outline for us briefly your
3 educational background, sir?

4 A. New York Maritime College -- I
5 finished high school and then New York
6 Maritime College where I got my third mate's
7 license and Bachelor of Engineering in Naval
8 Architecture.

9 Q. Other than working for Transocean, do
10 you have any other type of maritime or oil
11 industry experience?

12 A. Other than Transocean, yes. I worked
13 for -- I worked for Tyco, fiberoptic cable
14 ships.

15 Q. For how long, sir?

16 A. About six years.

17 Q. I want to direct your attention to the
18 DEEPWATER HORIZON. When you were onboard the
19 DEEPWATER HORIZON as the chief mate, could you
20 outline for us basically the general scope of
21 your duties?

22 A. Basically, I was in charge of deck
23 maintenance and that kind of stuff with
24 boatswains and ABs. And I also was in charge
25 of bulk systems, ballast control, you know,

1 ballast-type work, valves and marine

2 integrity-type stuff.

3 Q. Besides your prior position, did you
4 have any other assigned or delegated duties?

5 A. Beside my prior position? I'm not
6 sure I understand.

7 Q. Did you have like -- I guess I'm
8 referencing my earlier Coast Guard days. We
9 had collateral duties. Do you have any
10 additional duties, kind of, if you would,
11 beyond the scope of the traditional chief mate
12 duties?

13 A. Not as far as on a Transocean rig.
14 No, I don't think so.

15 Q. Okay. And when did you arrive on the
16 DEEPWATER HORIZON?

17 A. That was about three months, I
18 believe, into my time with Transocean. So
19 I've been there the majority of my time with
20 Transocean.

21 Q. Let me be a little more specific.
22 When you were onboard on the 21st, how much
23 before that did you -

24 A. Oh, I'm sorry.

25 Q. -- into this hitch.

1 A. About five days.

2 Q. About five days?

3 A. Yes, sir.

4 Q. Basically, tell us what was your work
5 schedule while onboard the HORIZON.

6 A. I worked 0600 to 1800.

7 Q. So basically the day watch?

8 A. Yes.

9 Q. Great. Before we get into the actual
10 events on the 21st here, there's a number of
11 background questions I'd like to kind of go
12 through here with you. So if you'd kind of
13 bear with me. One of the issues we're looking
14 at is obviously, human factors that played a
15 part or not in here. Sir, do you have any
16 type of a medical condition that requires you
17 to take prescription medication?

18 A. No, sir.

19 Q. In the 48 hour immediately -- 48 hours
20 immediately preceding the incident, could you
21 tell us how much sleep did you get?

22 A. Normal -- normal sleep schedule.

23 Probably -- I usually go to sleep about 9
24 o'clock and wake up about 5 and get ready to
25 go for a regular day.

1 Q. Six to seven hours?

2 A. Or better, yeah.

3 Q. Great. While you were onboard the
4 DEEPWATER HORIZON, do you feel that you had
5 all of your necessary protective -- personal
6 protective gear, such as safety glasses, hard
7 hats, boots and stuff like that?

8 A. Yes, sir.

9 Q. Did you feel that was appropriate for
10 the environment in which you were working?

11 A. Yes, sir.

12 Q. Now, we've heard some previous
13 testimony that there was a number of
14 executives from both Transocean and BP who
15 showed up on the day of the incident. Were
16 you aware of that?

17 A. Yes, sir.

18 Q. What role did you play in that
19 particular evolution?

20 A. I was in the meeting that they held
21 and basically it was just a supervisor's
22 meeting. There were supervisors in the
23 meeting and they were just commended us on
24 some of our safety and going over some future
25 plans for the rig and that kind of stuff.

1 Q. What time did that meeting take place,
2 sir?

3 A. I believe it started at 8:00 or 8:30.

4 Q. How long did it last?

5 A. About 9 -- let's see, it ended about
6 9:00, 9:15, somewhere in there.

7 Q. In the morning on the 20th?

8 A. I'm sorry, that evening.

9 Q. Oh, that evening. Oh, I understand.

10 Did the presence of the Transocean and BP
11 executives create any concern or pressure upon
12 you as far as the operations and your
13 responsibilities on the HORIZON?

14 A. I'm sorry. Could you repeat that?

15 Q. Sure. The fact that the Transocean
16 and BP executives were onboard the vessel, did
17 that create any concerns or issues for you, as
18 far as the performance of your job?

19 A. No, it didn't.

20 Q. At the time, on the 21st -- excuse me,
21 I'm losing track here. On the date of the
22 incident, was there any mention, to the best
23 of your knowledge, about the progress the well
24 was making as far as working towards
25 completion during those meetings?

1 A. Not during that particular meeting,
2 there was not, not that I remember.

3 Q. Was it discussed during a subsequent
4 meeting on that day?

5 A. Not that I recall. Just your general
6 meetings about moving forward with the well
7 plan.

8 Q. Let me shift topics here for just a
9 minute here and talk a little about lifesaving
10 and firefighting. What were your
11 responsibilities from a firefighting
12 standpoint and also from a lifesaving
13 standpoint onboard the vessel?

14 A. I'm basically an on-scene -- on-scene
15 leader for fire, for any emergency situation
16 as a station bill assignment. Also in charge
17 of the firefighting gear as far as inspection
18 and that kind of stuff for the monthly
19 inspections and weekly inspections.

20 Q. Did you participate in periodic
21 firefighting and abandon ship drills?

22 A. Yes, sir.

23 Q. What was the frequency of those
24 drills, sir?

25 A. Weekly.

1 Q. Weekly. Any particular time or place?

2 A. They were generally on Sundays.

3 Q. Did the fact that they were pretty
4 much conducted at the same time and place
5 concern you at all?

6 A. Not at all.

7 Q. Standard practice?

8 A. Yes, sir.

9 Q. Do you recall any instance in which
10 any of those drills were either conducted at
11 night in bad weather or during different time
12 frames?

13 A. No, sir.

14 Q. Now, let's talk a little bit about
15 launching the lifeboat. Did you get or
16 receive any particular training in launching
17 the lifeboats onboard the HORIZON?

18 A. Yes, sir.

19 Q. Could you outline that for us, please?

20 A. Basically when I first arrived to the
21 rig, my first time, I was shown through them.
22 At that point, I was DPO, so I was orientated
23 on them. And then beyond that, I was involved
24 with all of the inspections and everything
25 like that so I was pretty familiar with them.

1 Q. Now, during the time in which you were
2 onboard the HORIZON, did you ever practice
3 raising and lowering the boats?

4 A. Yes, sir.

5 Q. Did you ever practice raising and
6 lowering the boats and then launching them -

7 A. Yes, sir.

8 Q. -- and motoring them around?

9 A. Yes, sir.

10 Q. Could you estimate out of the number
11 of times you actually launched them, how many
12 times did you actually operate them?

13 A. If we launched them, they were
14 operated. Every time we'd launch the boats we
15 would operate them.

16 Q. How frequent was the launching in
17 respect to the total drills?

18 A. I'd have to -- I'd have to look at
19 records for that. I mean, I don't want to
20 just give you a number.

21 Q. Do you have a feeling -- ballpark? If
22 you did ten drills, you launched it once?

23 A. I'd have to look at the -- I'd have to
24 look back at the logs.

25 Q. Now, did your training include also,

1 actually loading the lifeboats themselves with
2 personnel?

3 A. I don't recall ever fully loading a
4 full compliment of the boat.

5 Q. Do you recall what the compliment of
6 the boat was or the -

7 A. 73 persons.

8 Q. 73. And were there occasions in which
9 you actually attempted to load the boat
10 itself, at all?

11 A. To fully load the compliment of the
12 boat?

13 Q. Or to load at least some of the
14 people?

15 A. Yes, sir.

16 Q. Did you ever fully load the boat?

17 A. No, sir. I never fully loaded the
18 boat.

19 Q. Obviously, you're familiar with the
20 requirements as far as loading the boat. In
21 your opinion, do you believe that you could
22 load those 73 people, assuming they were all
23 standing by in the correct position within the
24 three-minute limit?

25 A. I'm not aware of a three-minute limit.

1 I haven't -

2 Q. Basically the time that's supposed to
3 be able to accomplish to actually load the
4 boat once the command is given.

5 A. I've -- every time I've had Coast
6 Guard out there, they've told me within ten.

7 Q. Could you outline for us basically
8 when the command to abandon the rig would be
9 given in an abandon ship drill, what steps
10 would occur in the process of actually
11 launching a lifeboat?

12 A. Which steps would occur to launch the
13 boat after the command was given?

14 Q. Yes.

15 A. You would load the boat as evenly as
16 possible and once you -- after you had your
17 muster, you'd have a complete muster first, if
18 possible, and then load the boat as evenly as
19 possible and the release is either from on-
20 deck, if somebody has to stay on deck, or you
21 can lower it from inside the boat and the
22 coxswain would lower the boat.

23 Q. You feel that the training and drills
24 that you undertake with respect to abandon
25 ship and launching the lifeboat are sufficient

1 to insure the safety of the crew?

2 A. Yes, sir. They seem to work pretty
3 well the day of the event.

4 Q. Now, you mentioned that during the
5 firefighting you were basically the team
6 leader or the firefighting leader; is that
7 correct?

8 A. Yes, sir.

9 Q. What does that role entail?

10 A. Oh, I would correct that I wasn't team
11 leader. I was on-scene leader. We also had
12 individual team leaders for two separate
13 teams.

14 Q. Could you outline the scope of your
15 duties then?

16 A. I would basically assess the situation
17 and report to the bridge and organize the
18 teams to do what we needed to do to accomplish
19 the best outcome we could get to.

20 Q. So you direct the actual firefighting
21 onboard the vessel to the extent it's carried
22 out?

23 A. It's a group effort. It's a group
24 effort between myself and the bridge has --
25 the bridge has a command center. Basically,

1 they set up -- they're also feeding the
2 information and stuff like that, so it's a
3 group effort.

4 Q. I guess at this point, I think I'd
5 like to pretty much take you back to the day
6 of the incident, if I could. Do you have a
7 copy of your Coast Guard statement with you?

8 A. Yes, sir.

9 Q. And you're free to reference that as
10 we go through because I'd like to get as much
11 detail as we possibly can. On the evening of
12 the 20th, if you take us back, could you --
13 starting maybe, let's say an hour before,
14 maybe about 2030, what were you doing?

15 A. Well, I was -- I was in the meeting
16 with the BP and Transocean VIPs.

17 Q. And then after the meeting, what did
18 you do?

19 A. After the meeting, I went up to the
20 bridge and from the bridge I went to the drill
21 floor.

22 Q. Why did you do that?

23 A. There was a cement job scheduled and I
24 went up there to see how far out the cement
25 job was as far as when I would be needed.

1 Q. Did you have any particular concerns
2 at that point?

3 A. I did not have concerns, as far as
4 going to the drill floor, no.

5 Q. What type of role do you have as far
6 as participating in the cement job or is just
7 being aware of what's going on?

8 A. My role is to supply the cement from
9 the Transocean -- we store the cement onboard
10 and my role is to give that cement to the
11 Halliburton unit. So they have a little
12 hopper that I transfer from mine to theirs and
13 that's pretty much it -- just make sure they
14 keep getting cement so that they can mix it.

15 Q. Prior to going down to the drill
16 floor, did you ever have a conversation or
17 radio call with anybody onboard the BANKSTON?

18 A. Prior to going down, did I?

19 Q. Yes.

20 A. No, I did not.

21 Q. So it's about 2130 and you've gone
22 down to the drill floor. What happens then?

23 A. I -- let's see, it says here that I
24 was on the drill floor to talk with the
25 toolpusher and the driller to find out about

1 the times for the cement job. They had a
2 concern with differential pressure. The
3 toolpusher thought that it would be a little
4 bit longer that they were going to figure out
5 and so they wouldn't need me for, they said
6 probably a couple of hours for the cement job
7 meeting. What they do is, they have a pre-
8 meeting -- pre-cement job meeting where they
9 -- anybody involved is there. It's basically
10 a safety meeting. And then I headed down from
11 there -- went back down to the bridge.

12 Q. Now, you mentioned that they had an
13 ongoing conversation about they had some
14 concerns. To the best of your recollection,
15 can you recall any more detail about what
16 those issues were and what they discussed?

17 A. That was it. The only thing that they
18 said when I was there was that they had --
19 they were seeing a differential pressure and I
20 didn't ask any questions about it. I just let
21 them go on about their -

22 Q. What does that mean to you,
23 differential pressure?

24 A. I really didn't ask any questions
25 about it and wasn't, you know, I didn't -- I

1 didn't ask them.

2 Q. Do you know what differential pressure
3 is?

4 A. I'm not -- I don't want to speculate
5 on what -- I'm not going to guess.

6 Q. Okay. That's fine. You said that
7 after you had that little meeting and you left
8 to go back to the bridge, what did you do when
9 you go there?

10 A. I went to the bridge. I was there for
11 a short time, a couple minutes and then --
12 that's where my office is. It's also is on
13 the bridge. So I basically put my radio down
14 and we were going to head down and get some
15 rest before the cement job was going to be a
16 couple of hours so I figured I'd go down and
17 sit down and watch TV. I stopped at the
18 subsea office and when I was in the subsea
19 office is when we had -- when the gas started
20 coming through the well.

21 Q. When you arrived at the subsea office,
22 who was there?

23 A. It was Chris Pleasant and it was Allen
24 Seraile, the two people who were there.

25 Q. Did you have a conversation with

1 either of those gentlemen while you were
2 there?

3 A. I just mentioned that I thought they
4 were having an issue with the well and that I
5 was going to be a little longer for the cement
6 job.

7 Q. Did they say anything in return?

8 A. No, not that I recall. At that point,
9 it was that quick when I was in there that
10 that's when the well started coming through.
11 That was about all I had a chance to say.

12 Q. What do you recall happening next, if
13 you could kind of walk us through it as slowly
14 as you can.

15 A. From there, I went to the bridge to
16 basically -- I knew something was up, so I
17 went to the bridge anticipating if I was going
18 to be needed for anything and from there, I
19 think the next thing was the engines
20 overspeeding and the explosion with fire. At
21 that point, I went outside. When I went
22 outside, I was going out to get to the gear
23 lockers and meet up with any fire team members
24 that showed up.

25 Q. Let's go back for just a minute. From

1 the time you went to the drill floor and then
2 you sent back up to the bridge, an estimation,
3 how long would that normally take you?

4 A. From the drill floor to the bridge?

5 Q. Yes.

6 A. Initially, before I headed down to the
7 subsea office?

8 Q. Yes.

9 A. A couple minutes.

10 Q. And then you got to the bridge and how
11 long did you stay there? We're just trying to
12 establish the timelines as best we can.

13 A. When I was on the bridge, I probably
14 stayed there for two or three minutes.

15 Q. And so after that, it's been about
16 five minutes. You go down to the subsea
17 engineer's office. How long do you stay
18 there?

19 A. A few minutes there. I would say the
20 timeframe between the bridge from the rig
21 floor to the subsea office total was probably
22 -- after I left the rig floor was probably ten
23 minutes, maybe.

24 Q. Then you mention you're on the bridge,
25 or you're in the subsea office and you realize

1 something's going on so you go to the bridge.
2 And the first thing you notice, and don't let
3 me put words in your mouth, please correct me
4 if it's wrong, is you heard or noticed the
5 engines overspeeding. Could you hear them or
6 was it -- do you have indicators on the bridge
7 that you can see that happening?

8 A. I wasn't paying attention personally
9 to any of the -- any of the SPC screens or any
10 of that stuff. I was at the starboard exit
11 from the bridge initially looking at the fact
12 that it was whatever fluid was coming down out
13 of the well all over the decks and stuff like
14 that. And from there, I -- I wasn't -- I did
15 hear the -- I heard the engines overspeed. At
16 the time, I wasn't sure that I knew that's
17 what it was until we had the blackout because
18 between the noise of the well and the noise
19 from the engines, you really couldn't
20 differentiate the two at first.

21 Q. Have you ever heard an engine
22 overspeed before?

23 A. I have, not an engine that size,
24 but, yeah.

25 Q. So you're pretty certain that's what

1 you're hearing now?

2 A. I'm pretty sure that's what I was
3 hearing.

4 Q. Now, you mentioned that you stuck your
5 head out of the bridge wing there and you
6 could see fluid raining down. Could you tell
7 where it was coming from?

8 A. It was going through the center of the
9 rig floor and it looked like it was coming
10 down from the crown, basically.

11 Q. Did you see it coming from anywhere
12 else?

13 A. I didn't really notice.

14 Q. Did you see it coming out of the
15 diverter; do you recall?

16 A. I didn't pay attention.

17 Q. Okay. And at about that point the
18 explosion happens. Then what do you do?

19 A. I grabbed my radio back off my desk
20 and headed out of the starboard door and went
21 to the Fire Gear Locker Number 1, which is
22 port forward and just aft of the bridge. And
23 I began -- I grabbed a jacket at first, was
24 the only thing I grabbed as far as suiting up
25 and waited -- at this point, my timeframe's

1 are a mess.

2 Q. I understand.

3 A. I was headed in so many different
4 directions that I really couldn't give you
5 timeframes, but basically just trying to get
6 people together and organize getting people to
7 the boats and getting as many people as we
8 could.

9 Q. Now, in reviewing your statement here,
10 it looks like you also made an attempt to
11 possibly rescue another crew member. Could
12 you tell us about that?

13 A. Yeah. I got reports that there was a
14 man down over by the starboard crane so I made
15 my way over there by myself initially and I --
16 I didn't know -- I didn't know if the report
17 was that he was in the crane, near the crane,
18 or anything like that. So I just made my way
19 over there real quick. I got close to him. I
20 knew I couldn't move him myself so I went to
21 get help. I went back to the gear locker and
22 one more person showed up there. They suited
23 up in fire gear. At that point, I lost --
24 it's a little foggy from there. I kind of
25 lost that person, but another explosion went

1 off and we couldn't get back to him,
2 basically. The area was obstructed.

3 Q. After the second explosion, what did
4 you do next?

5 A. This is the explosion when I couldn't
6 get back to him?

7 Q. Yes, sir.

8 A. We basically started making our way to
9 the boats. I was in and out of the bridge a
10 few times. Again, my memory is real foggy on
11 that part of it, but we basically were trying
12 to get people to the boats -- get people in
13 the boats and stuff like that. I came to the
14 bridge one last time and I was getting a raft
15 together. My next step was going to get the
16 raft together because the last boat had left
17 and we were just trying to get people out of
18 there.

19 Q. Let's back up for just one second.
20 When you first arrived at the lifeboat
21 station, can you estimate for us how long
22 after the first explosion that was?

23 A. I can't estimate, no.

24 Q. When you arrived at the lifeboat
25 station, were both the boats still there, were

1 they both gone, was one gone?

2 A. The first time I was there, they were
3 both there.

4 Q. And then you went back to the bridge
5 at some point?

6 A. At some point, yeah, I was through the
7 bridge a few times.

8 Q. But on the final time you went back to
9 the lifeboat area and both boats were gone,
10 correct?

11 A. One boat was leaving as I was -- as I
12 was heading back up.

13 Q. At that point, you elected to try to
14 what, launch one of the life rafts?

15 A. Yes, sir.

16 Q. Can you tell us kind of, what is the
17 evolution required to make that happen?

18 A. Basically, you pull the ring out of
19 the raft and hook it up to the davit, lift the
20 raft out of the cradle. You have to release
21 the pelican hook, lift the raft out of the
22 cradle, slew it over the side, inflate the
23 raft and begin to board it and then lower it
24 in a normal situation.

25 Q. In a normal situation, when you say

1 load it, what does that entail?

2 A. Load the raft -- as far as loading the
3 raft?

4 Q. Right.

5 A. You evenly distribute the weight as
6 best you could and however many people -- it's
7 a 25-person raft, so if you were putting 25
8 people in it, you put the 25 people in and
9 lower it to the water.

10 Q. This situation obviously was not a
11 normal situation. Tell us what really
12 happened here.

13 A. Well, we had -- we got the raft
14 inflated. That went fairly smoothly as far
15 getting the raft inflated. It was -- we did
16 have it a little low for boarding. I was the
17 first person in the raft. I had one more
18 person get in the raft with me to help with an
19 injured person that we had on a stretcher. We
20 put the injured person in the stretcher and
21 beyond that, I am not sure who came in behind
22 him. I don't know the order of the people
23 that came in behind the man on the stretcher,
24 but -- I don't know if it was an explosion or
25 just the wind shift or something, but the raft

1 filled up real bad with smoke and it started
2 getting really hot in there. Once it got that
3 bad, it was -- I don't know what made the raft
4 drop, but the raft dropped, luckily. We
5 couldn't see the brake handle, couldn't see
6 anything inside the raft. It was full of
7 black smoke so I don't know if it was somebody
8 on deck or something like that that released
9 the brake because you're capable of releasing
10 the brake from on deck and inside the raft.
11 The raft made it about halfway to the water
12 and the raft flipped 90 degrees. So
13 everything kind of got scattered in the raft.
14 The guy that was on the stretcher came out of
15 the stretcher so the stretcher was disoriented
16 in there and then the raft went the rest of
17 the way to the water and landed right-side up
18 and we began to get the raft away from the
19 vessel.

20 Q. During the course of getting the raft
21 away from the vessel, did you encounter any
22 problems?

23 A. Yes. The sea painter was still
24 attached and they weren't able to break the
25 weak link. I'm not sure if the sea painter

1 was hung up or if the weak link -- if the boat
2 didn't have enough power -- the little rescue
3 boat didn't have enough power for the weak
4 link, but it was difficult to find a knife. I
5 was not inside the raft at the time. I kind
6 of -- I don't know if I fell out or if I half
7 rolled out of the raft once it got to the
8 water. We were all piled up on one side from
9 it flipping 90 degrees and it was right by the
10 doorway. So I was in the water helping swim
11 it away and there were a couple other people
12 in the raft. I'm not sure who was left in the
13 raft at the time, but they weren't able to
14 find a knife. I later did find the knife. It
15 was in the right spot in the raft, but under
16 that situation, with the stretcher flipped
17 over in there and everything I can imagine it
18 was pretty difficult to find the knife with
19 being full of smoke and everything else in
20 there. But the rescue boat was able to bring
21 a knife over and, I believe, it was the
22 captain that got the knife from the rescue
23 boat and was able to cut the sea painter.

24 Q. After that, what happened, sir?

25 A. They pulled us -- they pulled us away

1 to the -- at that time, when they pulled us
2 away, I was in the rescue boat. They pulled
3 me up into the rescue boat and they tied up
4 the -- the BANKSTON crew tied up the raft to
5 the rescue boat and pulled us over the
6 BANKSTON.

7 Q. If I could just back up for a minute
8 and I kind of left this out along the way.
9 You indicated that during the time that you
10 were onboard, there was an initial explosion
11 and then there was subsequent explosions
12 afterwards. Based on previous testimony,
13 there was indications that basically the ship
14 blacked out. Do you recall whether or not any
15 emergency lighting systems activated?

16 A. I can't recall. Once I was outside, I
17 was on the -- after the explosion, I was
18 immediately off the bridge and then I was in
19 and out of the bridge. I don't recall the
20 emergency lighting. I wasn't paying attention
21 to it. The biggest thing I noticed was the
22 fire. So I couldn't tell you one way or the
23 other whether it was working or not.

24 MR. WHEATLEY:

25 Thank you, sir. I have no further

1 questions at this point. I'll pass it
2 off to the other members of the board.

3 EXAMINATION

4 BY MR. MATHEWS:

5 Q. Mr. Young, earlier in your testimony
6 you said you were at the rig floor talking to
7 the floor about possibly doing a cement job
8 and transferring the cement to the well. Was
9 that for the top plug at 8,300 feet?

10 A. I'm not sure of the depth that the
11 plug was for. I'm not part of the well plan.
12 They call me to -- for when they need the
13 cement and I go up there and give them the
14 cement.

15 Q. Do you know if the production casing
16 had been cemented prior to what you --

17 A. Again, I'm not sure which part of
18 the -

19 Q. And that was -

20 A. -- cement was for which part of the
21 well.

22 Q. -- at -- what time was that again?

23 A. The time that I went up for the
24 meeting?

25 Q. Yes.

1 A. Well, it wasn't -- it wasn't a
2 scheduled meeting. I went up there to find
3 out what time they were going to have a
4 meeting and I went up there at 2130.

5 Q. And you were going to be responsible
6 for transferring the cement?

7 A. I was going to be transferring the
8 cement from our storage tanks to the
9 Halliburton hopper.

10 Q. Did you testify earlier to the fact
11 that you worked from 6 to 1800 hours?

12 A. Yes, sir.

13 Q. So why are you running the operation
14 at 2130?

15 A. They generally will get overtime for
16 that and it will be -- if it's anything over
17 four hours we'll go -- we get somebody else.

18 Q. Are you familiar with wells if you set
19 in a top plug what happens next? Would you
20 say that's the end of the job and you move it
21 to a new location?

22 A. As far as the drilling process, that's
23 not my area.

24 Q. Let me back up just to what you --
25 Captain Wheatley had asked a question earlier

1 and I wrote it down. He had asked you what
2 was discussed in the meeting with the BP VIPs
3 and you mentioned three things. You said
4 commended on safety, future projects and
5 moving forward with the well plan. Commended
6 on safety, who was the actual people that were
7 commending you on the safety? Was it BP or
8 Transocean?

9 A. BP and -- I would say it was BP. It
10 was BP.

11 Q. And the board has presented
12 information in this hearing that there was
13 actually a loss-time incident on this rig. So
14 that's one thing that I have questions with,
15 the commending on safety. The next thing that
16 we had talked about was future projects. Was
17 the future project BK914 moving off-site and
18 going to Viosca Knoll 914?

19 A. I'm not sure of the numbers.

20 Q. Why was the well that they were
21 supposed to be moving to that they were 43
22 days late on? The next thing you said was
23 moving forward with the well plan. And then
24 from my review of the documents, the next
25 procedure that they were going to be doing was

1 setting the top plug, which is the end of the
2 well plan. So you have commending on safety,
3 the future projects and moving forward with
4 the well plan. To me, all three of those were
5 negated from previous stuff. Was there
6 anything that could have ever been discussed
7 outside of those three?

8 A. I don't recall any -- there could have
9 been, but I don't recall.

10 MR. MATHEWS:

11 I have no further questions. Thank
12 you.

13 MR. McCARROLL:

14 Just a quick follow-up.

15 E X A M I N A T I O N

16 BY MR. McCARROLL:

17 Q. While you were in this meeting, you
18 were on the rig floor itself?

19 A. Again, it -- this wasn't the meeting.
20 I went up there to find out when they were
21 going to hold the meeting.

22 Q. Where exactly were you on the rig
23 floor? Did you go to --

24 A. I was in the driller's shack.

25 Q. -- the driller's shack?

1 A. Yes, sir.

2 Q. And who else was in the driller's
3 shack at the time?

4 A. It was Jason Anderson, Dewey Revette
5 and Vince Tabler came in behind me shortly
6 after.

7 Q. Do you know their functions, drillers,
8 assistant drillers?

9 A. Toolpusher, and the driller and then
10 Halliburton cement.

11 Q. Did it look like or appear that they
12 were having some sort of meeting or discussing
13 anything or -- they were together or were they
14 all in separate directions?

15 A. No. The people that were together
16 were Jason Anderson and Dewey Revette and they
17 were looking at the differential pressure that
18 they were seeing.

19 Q. Did they look concerned or did they
20 look like they were just kind of gossiping, if
21 you know?

22 A. I mean, I --

23 Q. A general feeling?

24 A. I don't want to -- I don't know what
25 they were feeling. I can't tell you what they

1 were feeling.

2 Q. But could you tell from their
3 appearance that they were --

4 A. It was quiet. I mean, there was no
5 panic or anything like that.

6 Q. So no real concern from your
7 appearance that there was a real big issue
8 brewing, huh?

9 A. I don't know what they were thinking
10 about. I don't know what their feelings were.

11 Q. And the conversation you overhead,
12 would you repeat it again?

13 A. They said they were having -- they
14 were seeing a differential pressure is what
15 they said.

16 Q. And they didn't mention anything about
17 an annular leaking?

18 A. No.

19 Q. U-tube pressure?

20 A. No.

21 Q. Nothing of that detail?

22 A. No, sir.

23 Q. And you were in there for how long
24 approximately?

25 A. I'd say maybe five or ten minutes --

1 five minutes.

2 Q. Did you overhear any other
3 conversation during the day, earlier, anything
4 related to, if you go to the drill floor
5 occasionally related to any issues or
6 anything?

7 A. Nothing related to issues with the
8 well, no, sir.

9 MR. McCARROLL:

10 Thank you.

11 EXAMINATION

12 BY LT BUTTS:

13 Q. Good afternoon, Mr. Young. How are
14 you?

15 A. I'm fine.

16 Q. Glad to see you. Your duties -- let's
17 go back to the marine side of things. You're
18 in charge, as you said, moving cement around
19 when people needed supplies and things like
20 that. When supplies came out to the rig, were
21 you also the person that was responsible for
22 getting them off the back of the offshore
23 supply vessel or whatever vessel and bringing
24 it onboard the rig?

25 A. No, sir. The bridge team would

1 generally handle that. That would be the DPOs
2 and senior DPO. Occasionally, I would -- I
3 would know where they were going to be putting
4 that. If it was cement, the cementers would
5 tell me which tanks they would like to have it
6 in and that kind of stuff, just based on the
7 different types of cement they used.

8 Q. So you weren't engaged in any type of
9 transfer from rig to vessel of any type?

10 A. No, sir, not at that time. I've done
11 it before, but no --

12 Q. But for this time on the 20th, you
13 were not involved with any cargo operations
14 taking place or intended to take place with
15 the BANKSTON?

16 A. No, sir.

17 Q. Lifesaving equipment -- obviously,
18 the Coast Guard is concerned because some of
19 the equipment, as you're describing, may not
20 have worked as intended. You mentioned when
21 you got onboard as assistant DPO, I think you
22 said, you were given familiarization with the
23 equipment; is that right?

24 A. I got onboard as a DPO, was my first
25 assignment. But yes, we were familiarized

1 with the safety gear.

2 Q. Is that typical for everyone that
3 comes out to the rig for the first time?

4 A. Everybody gets a walk-through on
5 muster stations and that kind of stuff and we,
6 also -- new personnel, we'll pull aside and
7 show them the releasing gear and that kind of
8 stuff. Just your basic marine orientation.

9 Q. So a catering hand comes out, brand
10 new to the rig, one the first things would be
11 to go through familiarization. This is your
12 muster station; these are your
13 responsibilities and so forth?

14 A. Yes, sir.

15 Q. Thank you. Now, you had mentioned
16 inspection of the gear. Do you do the
17 inspection or does a boatswain?

18 A. The boatswain and ABs generally handle
19 the inspections. I -- they'll note any
20 discrepancies and I often -- I'll go back an
21 double check them often anyway just to check
22 up to see if they are missing anything.

23 Q. So it's your duties then to insure
24 tracking of the maintenance --

25 A. It's my responsibility to make sure

1 that it's done correctly.

2 Q. So if a life raft is coming due for
3 inspection, would it be your position then to
4 get it to shore --

5 A. Yes, sir.

6 Q. -- and get a new one out?

7 A. Yes, sir.

8 Q. The rafts used for the davit launch
9 life-saving appliance, do you know what the
10 height restriction was on the canister? Do
11 you recall any of that information?

12 A. I don't recall, no.

13 Q. Some canisters have a, good up to a
14 certain feet, and so on.

15 A. Right. Yeah, I don't recall.

16 Q. It seems odd that it would flip on you
17 at 90 degrees. So we need to run that down.

18 A. I don't think it was a result -- I
19 think it's possible that the sea painter was
20 hung up or something like that. I think that
21 may have been what caused it, but I'm not
22 sure.

23 Q. Well, that's a good point. Can you
24 explain what that sea painter is and that
25 attachment that hooks on to the rig?

1 A. The sea painter has a weak link
2 attached to the deck. You have to pull out
3 about a hundred feet of line before the raft
4 will inflate and it's got a canister in there
5 that you pull and it inflates with -- it's got
6 stored pressure and inflates the raft. That
7 sea painter is also then your means of staying
8 next to a vessel if it's -- if you want to, or
9 if the vessel sinks, that weak link is
10 supposed to break.

11 Q. So is it your understanding the weak
12 link that's holding onto the deck is for
13 sinking?

14 A. That's the intention of it.

15 Q. And in this case, something along the
16 line actually kept it to the rig?

17 A. Yes. It's got a hydrostatic canister
18 on it that will part the line.

19 Q. The operation of the life boat, as you
20 were trained, who gives the command to the
21 muster stations? Who makes the decisions,
22 let's go to the muster stations? Who does that
23 and how is it performed?

24 A. Once the general alarm is sounded,
25 that's where everybody's going.

1 Q. And then when the crew -- everyone
2 gets to the muster station, who gives the
3 command to load the boats or get into the life
4 rafts? Who typically does that?

5 A. That would be -- generally, it would
6 be the -- the coxswain would be the person to
7 give that command and that's a station bill
8 position.

9 Q. So the coxswain, and if you don't
10 know, that's fine, so when the lifeboats and
11 life rafts are boarded to either capacity or
12 at some point in time, it's the coxswain's
13 call to go ahead and launch and move away
14 from --

15 A. They also have a radio and they'd be
16 in contact with the bridge. So they would
17 probably ask the captain for permission to
18 lower and generally, that's -- during drills,
19 we'll say, "Do we have permission to lower the
20 boats"? That's just even for testing them.

21 Q. Sure.

22 A. It's really the captain's discretion.
23 In this situation, they -- it was a lot harder
24 to keep people onboard.

25 Q. Agree. I definitely agree. In your

1 experience, have you ever performed the duties
2 of a coxswain in a lifeboat?

3 A. Yes, sir.

4 Q. If someone other than the master of
5 the vessel or the OIM told you, "Let's go,"
6 would you?

7 A. I can't say. I mean, I guess I'd have
8 to be put in a situation.

9 Q. You mentioned one of your
10 responsibilities for firefighting was on-scene
11 leader. Well, let me go back. When you left
12 the rig floor, you were checking on your
13 duties and responsibilities for cementing. As
14 in your statement, you've mentioned that there
15 was some type of situation going on that was
16 going to delay cementing, your job. Is that
17 true?

18 A. My job is not the actual cementing --

19 Q. Yes, sir, I understand. But giving
20 the cement to the folks to actually perform
21 the job, you knew your efforts to supply the
22 cement was delayed?

23 A. Yes, sir.

24 Q. You went to subsea. What was the
25 purpose of going to subsea?

1 A. It's just on the way to --

2 Q. What's going on?

3 A. -- my room.

4 Q. And it's normal instinct to find out
5 if you're not getting information somewhere,
6 go somewhere else. And it was just my
7 question to you, were you going down there
8 just to verify what else was going on --

9 A. No.

10 Q. -- just being conscious of what's
11 going on on the rig?

12 A. It was just a social -- social stop,
13 basically. All of us are friends on there,
14 you know.

15 Q. Right on. Yep. So you hear the
16 escaping gas, I think -- no, you had went back
17 to the bridge and that's where you heard the
18 -- who was on the bridge at the time when you
19 returned from subsea? Do you remember the
20 specific people? You are friends, but I know
21 you --

22 A. Not all of them. I do know that the
23 captain was up there. I know that the senior
24 DPO and the DPO were onboard, or on the
25 bridge --

1 Q. Yes, sir.

2 A. -- and beyond that -- I believe the
3 two BP VIPs were on the bridge, and other than
4 that, I'm not sure.

5 Q. When there was -- I think you
6 explained as the explosion occurred, were you
7 the one that hit the general alarm?

8 A. I wasn't the only one. I hit it on my
9 way out the door because they were trying to
10 hit it from the -- we have an acoustic panel
11 is what it's called and it's our PA system,
12 basically, and I don't -- it sounded to me
13 like they were having issues with it not going
14 off, but I couldn't tell. So I just hit it on
15 the way out of the door. There was so much
16 noise I couldn't differentiate one from the
17 other.

18 Q. And when you left that bridge area,
19 could you hear it audible?

20 A. Outside I did. Outside I did -- when
21 I was outside, yes.

22 Q. And your duties were the on-scene
23 leader; is that right?

24 A. Yes, sir.

25 Q. And where did you go and what did you

1 see?

2 A. I went outside. The whole thing was a
3 scene, I mean, basically. I went port forward
4 to the Fire Locker Number 1, Fire Team Locker
5 Number 1, which was port forward just after
6 the bridge and was basically waiting for any
7 fire team-wise to show up.

8 Q. Did you see exactly where the fire was
9 coming from onboard the rig?

10 A. It was coming right through the center
11 of the rig.

12 Q. Good enough.

13 LT BUTTS:

14 Thank you very much.

15 CAPT NGUYEN:

16 Flag state?

17 MR. LINSIN:

18 Thank you, Captain.

19 E X A M I N A T I O N

20 BY MR. LINSIN:

21 Q. Good afternoon, Mr. Young.

22 A. Good afternoon.

23 Q. I am Greg Linsin. I'm representing
24 the flag state, the Marshall Islands. I just
25 have a couple of questions for you, sir. I

1 believe you testified that you had arrived on
2 the DEEPWATER HORIZON five or so days before
3 the 20th. Did I hear you correctly?

4 A. Yes, sir.

5 Q. In the time you were on the rig prior
6 to the events of the 20th, do you recall there
7 having been any high gas events that you were
8 aware of or that people had told you about?

9 A. I couldn't tell you in those five
10 days. The first five days are really just
11 getting your feet on the ground for the hitch.

12 I don't recall a specific time before that
13 with high gas level in those five days, no.

14 Q. As you were -- did you go through any
15 handoff procedures from the chief mate you
16 were relieving?

17 A. Yes, sir.

18 Q. And did he discuss with you any high
19 gas events or any issues in that regard with
20 you during the hand-off procedure?

21 A. Not specifically. It's a pretty short
22 turnover with the helicopter and crew change,
23 and I don't recall it being in the turnover
24 notes.

25 Q. Now, can you tell us, sir, as best you

1 can recall, where were you located when you
2 heard the first explosion?

3 A. Initially, with the gas coming
4 through, I was in the subsea office.

5 Q. And from that location, could you
6 sense or could you see the direction or the
7 location from which the explosion occurred?

8 A. No, sir.

9 Q. In your movement around the rig after
10 that first explosion, did you see any obvious
11 areas that suggested to you that they had been
12 the focus of significant damage as the result
13 of an explosion?

14 A. No, sir.

15 Q. Now, just one question regarding the
16 life raft, sir, when the life raft was
17 inspected following this incident, my
18 understanding is that several of the lifting
19 straps had actually, inside of the life raft,
20 had actually been severed. Do you recall
21 whether those had been intentionally cut,
22 perhaps to accord access for the stretcher?

23 A. Yes, we did. Those were cut once we
24 were alongside the BANKSTON, and that was to
25 just make it easier to get the man in the

1 stretcher out without getting his leg caught
2 on one of those straps. It was very difficult
3 to get him out on the stretcher with all the
4 slings there, so we just -- we cut those to
5 make it easier to get him through without
6 moving his leg around anymore than we had to.

7 Q. So as best you can tell, those straps
8 had not failed in any way to cause the tipping
9 of the raft --

10 A. No, not at all. They were fully
11 intact before we got to -- before we cut them
12 ourselves.

13 MR. LINSIN:

14 Thank you, sir. No further
15 questions, Captain.

16 CAPT NGUYEN:

17 Parties In Interest -- Moex?

18 COUNSEL REPRESENTING MOEX USA:

19 (No response.)

20 CAPT NGUYEN:

21 Douglas Brown?

22 MR. SEELY:

23 Yes, Captain.

24 E X A M I N A T I O N

25 BY MR. SEELY:

1 Q. Mr. Young, Jeff Seely, how are you?

2 A. Good.

3 Q. From the time, as I understand it,
4 from the time you were in the subsea and first
5 realized that there was an issue, you went
6 directly to the bridge?

7 A. Yes, sir.

8 Q. Approximately how long did that take
9 you in time?

10 A. The amount of time from the subsea
11 office to the bridge is probably less than a
12 minute.

13 Q. And describe what you, I guess, felt
14 and observed while you were in the subsea
15 before you left to go to the bridge. Describe
16 the explosion and whatever you felt.

17 A. It was -- it sounded like -- it almost
18 sounded like a tensioner bleeding off. It
19 sounded like air -- an air leak -- a loud air
20 leak, basically.

21 Q. But there was no ignition at that
22 time, just gas leaking?

23 A. Just gas.

24 Q. And you get up to the bridge and I
25 think I wrote down that of the people that you

1 can recall, it was the captain, the senior
2 DPO, the DPO, and potentially two BP people;
3 is that right?

4 A. Yes, sir.

5 Q. When you got to the bridge, were they
6 discussing this issue that everybody was
7 observing with the leaking gas?

8 A. They definitely were aware of it.
9 That's definitely --

10 Q. Did you witness a conversation about
11 these people who were obviously aware of the
12 situation about how they were dealing with it
13 at that time?

14 A. No, I didn't. I was on my way,
15 basically getting ready to go outside and take
16 care of the damage control end of it.

17 Q. Why did you go to the bridge
18 originally?

19 A. Because that's where my -- that's
20 where my desk is, that's where my radio is,
21 that's where my safety gear is.

22 Q. And when you find yourself in a
23 situation, an emergency situation like this
24 after the explosion, do you have a pre-
25 determined role in that emergency situation

1 where you're supposed to go do certain things?

2 A. Yes. I explained that as being the
3 on-scene leader.

4 Q. Do you know what the senior DPO's role
5 in that regard?

6 A. The senior DPO's role, yes. They'd be
7 in control of DP. They'd sit at the console,
8 as far as the DP operations go and position
9 keeping. And they are at the SPC screen
10 dealing with fire and gas systems and that
11 kind of stuff.

12 Q. And for the DPO, it would be the same
13 thing?

14 A. Yeah, they're assisting on the bridge
15 with radio communications and that kind of
16 stuff.

17 Q. At the time that you were at the
18 bridge, was the OIM there?

19 A. Not that I can recall.

20 Q. Was there any discussion while you
21 were at the bridge with these gentlemen about
22 whether anybody was going to activate any
23 emergency shutdown system?

24 A. I don't recall. I don't recall
25 hearing it. They may have been, but I wasn't

1 part of the -- any of the conversations.

2 Q. And I know that you couldn't remember
3 everybody's name, but can you quantify how
4 many people were at the bridge when you got
5 there?

6 A. I really can't. I would say -- I
7 mean, I know for sure the people that I've
8 mentioned and other than that, I couldn't tell
9 you.

10 Q. Do you recall the second time you went
11 back to the bridge, because obviously you left
12 and then you came back at some point as I
13 understand it.

14 A. Again, I was in and out so many times
15 I couldn't tell you which was the second time
16 or the fourth time or --

17 Q. And I know it's hard to give these
18 details and just do the best you can, but do
19 you know how many minutes or seconds separated
20 you leaving the bridge and then coming back
21 the next time?

22 A. No. I couldn't tell you.

23 Q. Do you know if the next time you went
24 there the OIM was there?

25 A. Again, I couldn't tell you.

1 MR. SEELY:

2 Thank you.

3 CAPT NGUYEN:

4 Thank you, sir. BP?

5 MR. GODFREY:

6 Thank you, Captain.

7 MR. GODFREY:

8 May I proceed, sir?

9 CAPT NGUYEN:

10 Yes.

11 MR. GODFREY:

12 Thank you.

13 EXAMINATION

14 BY MR. GODFREY:

15 Q. Good afternoon, Mr. Young.

16 A. Good afternoon.

17 Q. My name is Rick Godfrey. When you
18 went to the drilling shack at 2130, you said
19 that Jason Anderson was there, that -- who was
20 the other person from Transocean there?

21 A. Dewey Revette.

22 Q. And then there was someone from
23 Halliburton?

24 A. Yes, sir.

25 Q. And what was that person's name?

1 A. That was Vince -- Vincent Tabler I

2 believe is his name.

3 Q. And was he there to discuss the cement

4 job?

5 A. I'm not sure, but I would have assumed

6 that that's what he was there for.

7 Q. Do you have your statement in front of

8 you, sir?

9 A. Yes, sir, I do.

10 Q. If you could turn to the -- halfway

11 through the middle of the third line. Do you

12 see that? Where it says the driller and

13 toolpusher were concerned with the

14 differential pressure?

15 A. Yes, sir.

16 Q. Did they tell you that or did you

17 understand that from listening to them or how

18 did you --

19 A. I overheard them.

20 Q. Do you recall precisely what they said

21 at that time?

22 A. That was it. They were seeing a

23 differential pressure.

24 Q. And then you wrote that the

25 toolpusher felt that they would most likely

1 not perform the cement job on schedule due to
2 the issue with the well. Do you see that?

3 A. Yes, I do.

4 Q. Now, when you wrote that, did you know
5 anything more about what the issue with the
6 well was other than what you wrote?

7 A. No, sir, I didn't. They just knew
8 that they weren't ready for the cement job and
9 they said they would probably be a couple of
10 hours.

11 Q. Now, the next line you put in
12 parentheses -- do you see that line? It says,
13 "He wasn't sure."

14 A. Yes.

15 Q. Can you read that line that you put in
16 parentheses in your own handwriting, please,
17 on your statement?

18 A. "He wasn't sure if they were going to
19 need to circulate."

20 Q. Do you know what "needing to
21 circulate" means?

22 A. Circulate fluids through the well.

23 Q. That's a well-control response,
24 right, sir?

25 MR. CLEMENTS:

1 If you know.

2 THE WITNESS:

3 I'm not sure. I don't know, you
4 know, I'm not in the drilling side.

5 BY MR. GODFREY:

6 Q. I appreciate that, sir. Have you ever
7 heard someone suggest that when you need to
8 circulate that's a well-control response when
9 you're trying to get control of the well?

10 A. I --

11 MR. CLEMENTS:

12 Just a second. The question is,
13 has he ever heard that and what that
14 person meant?

15 MR. GODFREY:

16 No, I didn't the latter part,
17 counsel. I asked if he'd ever heard
18 someone use the phrase, "well-control
19 situation," when they were using the
20 word, "circulate."

21 THE WITNESS:

22 I'm not sure I understand.

23 MR. GODFREY:

24 I'll rephrase it.

25 BY MR. GODFREY:

1 Q. You heard the phrase before,
2 "circulating a well," right?

3 A. Yes, sir.

4 Q. When you've heard it prior to April
5 20, did you have an understanding that
6 circulating a well was a means or method by
7 regaining control of the well?

8 A. Yes.

9 Q. And so when you left the drilling
10 shack, after the time that you were there, did
11 you leave with the understanding that the
12 driller and the toolpusher were attempting to
13 regain control of the well?

14 A. I was not -- I wasn't aware that they
15 were trying to control the well, no.

16 Q. Okay. Could you turn to the second
17 page of your statement, sir, please?

18 A. (Witness complies.)

19 Q. Do you see on the third line where
20 you're describing when you went to the subsea
21 engineering station, do you see that?

22 A. Yep.

23 Q. And you -- can you read what you wrote
24 there, just the second and third lines,
25 please, outloud?

1 A. Let's see, "On second deck and talked
2 to the subsea engineer about the fact that
3 they were -- they appeared to be having well
4 issues."

5 Q. So is it fair for us to conclude that
6 based upon your statement that you wrote
7 immediately after the event that by the time
8 you reached the subsea engineer's office, you
9 had concluded that the driller and the people
10 in the drilling shack had well issues?

11 A. I believe that they were, yes, they
12 were having issues with the well.

13 Q. Now, did you ever hear the gas alarms
14 go off?

15 A. Again, when I was on the bridge, the
16 SPC alarms -- the alarms that you hear on the
17 bridge -- they all sound the same. So the DPO
18 and the senior DPO would have been the ones to
19 acknowledge -- to see exactly what the alarm
20 page was saying. Other than that, the amount
21 of noise that it was, I didn't differentiate
22 any of the different alarms.

23 Q. Fair enough. And did you hear the
24 engine overspeed happen before the first
25 explosion or after?

1 A. That, I believe, was after -- after
2 the initial gas coming through the well before
3 -- before the fire.

4 Q. So gas came first, then both engines
5 overspeed, then explosion?

6 A. (Affirmative nod of the head.)

7 MR. GODFREY:

8 Thank you very much, Chief. I have
9 no further questions of you. I
10 appreciate it.

11 CAPT NGUYEN:

12 Thank you, sir. Cameron?

13 COUNSEL REPRESENTING CAMERON, INC.:

14 No questions.

15 CAPT NGUYEN:

16 Halliburton?

17 COUNSEL REPRESENTING HALLIBURTON:

18 No questions, Captain.

19 CAPT NGUYEN:

20 M-I SWACO?

21 COUNSEL REPRESENTING M-I SWACO:

22 No questions.

23 CAPT NGUYEN:

24 Thank you. Dril-Quip?

25 COUNSEL REPRESENTING DRIL-QUIP, INC.:

1 No questions.

2 CAPT NGUYEN:

3 Weatherford?

4 COUNSEL REPRESENTING WEATHERFORD,

5 INC.:

6 No questions.

7 CAPT NGUYEN:

8 Anadarko?

9 COUNSEL REPRESENTING ANADARKO

10 PETROLEUM CORPORATION:

11 No, thank you.

12 E X A M I N A T I O N

13 BY CAPT NGUYEN:

14 Q. Mr. Young, from the time you came on
15 watch at 0600 a.m. on the 20th until the time
16 you departed the HORIZON, who was in charge of
17 the vessel?

18 A. I'm sorry. Could you repeat that?

19 Q. From the time you came on watch to the
20 time you departed the vessel, you evacuated
21 from the vessel, who was in charge of the
22 HORIZON?

23 A. The OIM is in charge while connected
24 and the captain would be in charge of the
25 emergency situation.

1 Q. So the captain is in charge of the
2 emergency situation whether it's connected or
3 not connected?

4 A. No. He would be dealing with the fire
5 end of it and the evacuation end of it.

6 Q. So who is in charge of the vessel?

7 A. The OIM while connected.

8 Q. From the time you came on watch to the
9 time you evacuated the vessel?

10 A. Yes, sir.

11 Q. Who ordered the abandon ship? Who
12 gave the command for abandon ship? Did
13 anybody give the command for abandon ship?

14 A. I don't -- I wouldn't know who made
15 that call. I didn't -- I wasn't on the bridge
16 when they made the call. I wasn't paying
17 attention to the announcements, either, at
18 that time. So I couldn't tell you over the PA
19 who I heard it from, or if I heard it. It was
20 -- you definitely couldn't hear anything on
21 deck. I wasn't near the control center.

22 Q. Yes, sir. Any time when you're on the
23 bridge or anywhere else and you see that an
24 alarm was turned off, or any alarm that you
25 seen that was turned off before the incident?

1 A. An alarm turned off?

2 Q. Yes, any alarms on the panel or
3 anything like that you detected that was
4 turned off before the incident?

5 A. Not that I was aware of, no.

6 CAPT NGUYEN:

7 Are there any questions that we did
8 not ask you or any information that you
9 -- that the board should be aware of
10 that is relevant to the purpose of the
11 investigation that we should know, sir?

12 THE WITNESS:

13 Not that I can think of.

14 CAPT NGUYEN:

15 I thank you for your testimony
16 today, and if we have additional --
17 need additional information from you,
18 would you make yourself available to
19 the board?

20 THE WITNESS:

21 Yes, sir.

22 CAPT NGUYEN:

23 Thank you very much. You are
24 dismissed.

25 We will take a quick break and

1 reconvene at 2:45.
2 (Whereupon, a short break was taken off the
3 record.)

4 CAPT NGUYEN:

5 The next witness is Mr. Chad Murray
6 of Transocean. Mr. Murray, please
7 stand so I can swear you in under oath.

8 * * * * *

9 CHAD MURRAY,
10 after being first duly sworn in the cause,
11 testified as follows:

12 CAPT NGUYEN:

13 Thank you, sir. Please be seated.

14 E X A M I N A T I O N

15 BY MR. MATHEWS:

16 Q. Mr. Murray, for the record, could you
17 please state your name and spell your last,
18 please?

19 A. Chad Murray, M-U-R-R-A-Y.

20 Q. And Mr. Murray, by whom are you
21 employed?

22 A. Transocean.

23 Q. What is your current position within
24 Transocean?

25 A. Chief electrician.

1 Q. Is that onboard the DEEPWATER HORIZON?

2 A. Yes.

3 Q. How long have you been the chief
4 electrician onboard the DEEPWATER HORIZON?

5 A. A little over a year.

6 Q. Had you had any other previous
7 experience within Transocean or --

8 A. I've been with Transocean a little
9 over five years.

10 Q. What else did you do at Transocean
11 outside of being a chief electrician?

12 A. I've always been an electrician for
13 Transocean.

14 Q. Could you briefly touch upon what your
15 job responsibilities are as a chief
16 electrician?

17 A. Corrective maintenance, preventative
18 maintenance on all electrical systems aboard
19 the rig.

20 Q. How long had you been on your hitch
21 prior to the incident, sir?

22 A. I'd been there eight days.

23 Q. Were you aware of any problems inside
24 the DEEPWATER HORIZON?

25 A. No.

1 Q. Are you familiar with ABS and DNV
2 inspections onboard the DEEPWATER HORIZON?

3 A. Yes.

4 Q. Were there any deficiencies that
5 you're aware of that were noted in their
6 inspection?

7 A. Not to my knowledge.

8 Q. Are you familiar with the air intake
9 systems for the engine rooms?

10 A. Yes.

11 Q. Do you personally inspect those?

12 A. Yes.

13 Q. What does that inspection involve?

14 A. You just go in there and you check
15 your louvers, your fan blades, your motors.

16 Q. You test that it actually shuts in or
17 shuts down?

18 A. No, that's not my job.

19 Q. Whose job is that?

20 A. The marine department checks to make
21 sure that the actuator is closed.

22 Q. Are you familiar with the engine
23 overspeed shutdown system?

24 A. Yes.

25 Q. Do you inspect those?

1 A. No.

2 Q. Who does the inspection and
3 preventative maintenance on those?

4 A. I believe that would be the ET and the
5 engine room engineer.

6 Q. Let's start off on April 20th. Can
7 you go up to the board here and indicate where
8 you were and where is that, sir?

9 A. That's outside of my electrical shop
10 right there in the port hallway.

11 Q. Can you please tell us what occurred
12 when you were in the room at the time of the
13 incident?

14 A. I was standing on this side of the
15 pump room door. I had just come out of my
16 shop -- I heard a bunch of high pressure
17 noise, and then when I come out of my shop, I
18 went to go through that door and that's when
19 it exploded.

20 Q. Up until that incident, was there
21 anything prior to that that made you concerned
22 or hear anything or see anything?

23 A. No.

24 Q. I think in your testimony, you said
25 you went back to the room after the explosion.

1 A. Right.

2 Q. What did you see when you went back
3 into the room?

4 A. I actually went back to my -- stepped
5 in my shop and got my flashlight and then when
6 I opened the pump room door, it was dark,
7 smoky, stuff just scattered everywhere.

8 Q. Do you think anything in the pump room
9 area might have caused the explosion?

10 A. I'm not sure.

11 Q. Do you know what a shunt safety
12 function is?

13 A. Yes.

14 Q. Could you please elaborate on that?

15 A. As far as a breaker?

16 Q. Yes, sir.

17 A. What that does is when you have
18 something wrong, you shunt trip your breaker
19 and it'll throw your breaker and kill the
20 power, your outgoing power.

21 Q. Are you familiar with high gas alarms?

22 A. Yes.

23 Q. Could you please tell me what happens
24 when high gas comes within an area of the high
25 gas alarm?

1 A. You usually get a gas alarm and a
2 light.

3 Q. And it's just a noise indication and a
4 light?

5 A. Right.

6 Q. Is there any connection between the
7 alarm, gas alarm, a high gas alarm, and a
8 shunt?

9 A. Not to my knowledge.

10 Q. If there was any type of high gas that
11 encountered through the wellbore on the
12 DEEPWATER HORIZON, to your knowledge, no area
13 on the rig would be shunted?

14 A. I'm not clear on that.

15 Q. If that have a high gas alarm that
16 comes up -- if you have gas that comes up the
17 wellbore --

18 A. Right.

19 Q. -- and you have an influx of gas
20 around the rig floor, possibly going into the
21 air intake for the engine compartment room and
22 they have gas alarms in the engine compartment
23 room, correct?

24 A. Yes.

25 Q. If those gas alarms go off, is there a

1 shunt that shuts off the power to the engines?

2 A. To the best of my knowledge, you go
3 what they call rig saver flaps on your engine.
4 And somehow that's tied in with that and it
5 trips your rig saver flaps which just bogs
6 your engines down.

7 Q. And the rig saver, is that the marine
8 department, as well?

9 A. That would be the engine room
10 engineers.

11 Q. Were you aware of any type of issues
12 with the rig saver at the time of this
13 incident?

14 A. No.

15 Q. Do you know where the location of the
16 air intake is on the -- for the engine
17 compartment rooms on the DEEPWATER HORIZON?

18 A. For the engine compartment rooms?

19 Q. Yes, sir.

20 A. Where the intakes are?

21 Q. Yes, sir.

22 A. I can't remember. To the best of my
23 knowledge, they're on the main deck.

24 Q. Can I show you a display and maybe you
25 can point them out to us?

1 A. Yes.

2 Q. Take your time to look at this image
3 and come around and show me where and label,
4 to the best of your knowledge, where the air
5 intake system is for the engine compartment
6 room.

7 A. I want to say that's the fans right
8 here.

9 Q. Are you certain that that's the air
10 intake?

11 A. No, I'm not certain.

12 Q. Okay. Do you know what direction
13 those fans turn on air intake?

14 A. I've never looked to see which way
15 they turn.

16 Q. Prior to the incident, and I'm saying
17 maybe five hours and beyond prior to the
18 incident, was there any high gas alarms that
19 went off on the DEEPWATER HORIZON?

20 A. Not that I know of.

21 Q. If they did, would you be aware of it?

22 A. Yeah.

23 Q. Are you familiar with the engines at
24 all, sir? I know you're an electrician.

25 A. I'm familiar with the generator end.

1 Q. In your background, if you were
2 familiar with diesel engines, if you have a
3 runaway scenario, what is likely to occur, if
4 you don't have your overspeed devices or the
5 rig saver activated?

6 A. It will just -- it'll run til it blows
7 up.

8 Q. How long have you been with Transocean
9 again? I'm sorry.

10 A. A little over five years.

11 Q. In your time on the DEEPWATER HORIZON,
12 was there ever a reduction in workforce?

13 A. I mean, you have extras that come and
14 go, but as far a reduction in the workforce
15 itself, no.

16 Q. Specifically to the engine or
17 electrical side?

18 A. No.

19 MR. MATHEWS:

20 Thank you. That's all I have, sir.

21 EXAMINATION

22 BY MR. McCARROLL:

23 Q. Sir, in the beginning of your
24 testimony you said you were near the pump
25 room?

1 A. Yes, sir.

2 Q. Had you actually worked on the pumps?

3 A. What I do is I went and isolated the
4 power to the pumps so they could work on it.

5 Q. Okay. So that's the reason for you
6 being interested in what's going on in the
7 pump room because you had been in there and
8 done some prior work on the area?

9 A. Right.

10 Q. When you went back into the pump room,
11 did you actually notice any fire or any
12 flames?

13 A. No, I didn't.

14 Q. Just smoke and some debris?

15 A. Right.

16 Q. So you couldn't really tell if that
17 was a source of ignition or if there had been
18 -- did you smell gas in that time? Did your
19 eyes burn from being exposed to anything?

20 A. No, all I smelled was smoke. That's
21 the main thing when I opened the door smoke
22 blew in my face so that's the only thing I
23 smelled at the time. But as far as seeing any
24 fire, no, I did not.

25 Q. You didn't feel any gas or anything

1 burning your face or your eyes from --

2 A. I didn't look in there long.

3 Q. And then you exited and where did you
4 go then?

5 A. I went back forward to the forward
6 side of the rig so I could go up to the next
7 level to go to the lifeboat station.

8 Q. So you went back toward the bridge to
9 go the lifeboat. You didn't try to go out the
10 back side?

11 A. No.

12 Q. Because you figured the explosion came
13 from that direction so you were better going
14 toward the bridge?

15 A. Right. My reason for going back into
16 the pump room is that my emergency station is
17 the ECR, which is on the backside of the pump
18 room. So I couldn't get through there so I
19 went back through the living quarters to go to
20 my emergency station, but then I figured out
21 what was going on.

22 Q. Just for knowledge, if the pump room
23 would have been okay, how would you proceed to
24 the ECR from there?

25 A. I would have went right through the

1 pump room, through another door and up a set
2 of stairs.

3 Q. And would you have to go through the
4 engine room behind the pump room, or --

5 A. No, actually it's a hallway that goes
6 up. You don't actually go through the engine
7 yourself.

8 Q. But is the engine room located behind
9 the pump room?

10 A. Yes. So if there had been some sort
11 of explosion in the engine room, it could have
12 impacted the pump room?

13 Q. Yes, sir.

14 MR. McCARROLL:

15 Thank you.

16 EXAMINATION

17 BY MR. DYKES:

18 Q. For my benefit, would you identify the
19 sequencing of the numbering of the pumps on
20 this?

21 A. Okay Starting right here, that's
22 Number 1 pump, that's Number 2 pump, that's
23 your Number 3 mud pump, and that's your Number
24 4 mud pump right there.

25 Q. And you had locked out the Number 2?

1 A. Yes, sir.

2 Q. Let's go back to the fans on the main
3 deck. Have you ever performed any maintenance
4 on those fans?

5 A. I'm sure I have at one point or
6 another.

7 Q. But you don't know if it's blowing air
8 or sucking air in through those fans?

9 A. Well, you've got exhaust and supply
10 fans. Your supply fans pull your air in; your
11 exhaust fans blow your air out.

12 Q. And all of them are located along the
13 -- I guess that would be the aft side of the
14 rig?

15 A. I assume so, yes, sir.

16 MR. DYKES:

17 Thank you.

18 MR. WHEATLEY:

19 Good afternoon, Mr. Murray. Thank
20 you for coming. I just have a few
21 questions here for clarification.

22 EXAMINATION

23 BY MR. WHEATLEY:

24 Q. One of the factors that we're looking
25 at is obviously the human factors that may

1 have played a part in this casualty here so I
2 have a couple of personal questions I'd like
3 to ask you so please don't take offense. On
4 the day of the casualty, did you have any type
5 of medical conditions that required you to
6 take prescription medication?

7 A. No, sir.

8 Q. Great. In the 48 hours immediately
9 preceding the incident, can you tell us how
10 much sleep you got?

11 A. Probably at least eight or nine hours.

12 Q. Each day?

13 A. Yes, sir.

14 Q. Is that pretty much normal for you?

15 A. I just got through short-changing,
16 which I swapped from nights to days so the
17 first two days I usually sleep, you know,
18 about eight or nine hours.

19 Q. Now, while you're onboard the
20 DEEPWATER HORIZON, did you feel that you had
21 all the personal protective gear you needed --
22 safety boots, gloves, hard hats, safety
23 glasses?

24 A. Yes, sir.

25 Q. During the course of your duties

1 onboard the vessel, did you ever feel there
2 was any pressure being placed upon you by your
3 employer to do things faster, quicker, get
4 things moving on?

5 A. No, sir.

6 Q. On the day in question, there was a
7 lot of executives from Transocean and BP
8 Management onboard. Were you aware of that at
9 all?

10 A. Yes.

11 Q. Did that make any impact upon your
12 daily routine or your activities?

13 A. Not mine it didn't.

14 Q. Now, during the course of the time in
15 which you were on there, did you participate
16 in vessel lifesaving and firefighting drills
17 and training?

18 A. I did.

19 Q. Could you tell us basically what your
20 role was with respect to firefighting? What
21 position did you hold?

22 A. Actually, my emergency position on
23 there is -- I go to the ECR and I stand by and
24 assist with cutting off power to whatever area
25 they need isolated during a fire. So

1 actually, going to the fire, no, I do not
2 participate in fighting the fire itself.

3 Q. With respect to lifesaving, did you
4 participate in lifeboat launching drills at
5 all?

6 A. Yes, sir.

7 Q. In what regard? Could you tell us
8 what your participation was?

9 A. Well, I mean, everybody had the option
10 to learn how to operate and learn how to
11 deploy the lifeboats.

12 Q. And did you participate in that
13 regard, sir?

14 A. I have.

15 Q. Did you actually participate in the
16 lowering and launching of lifeboats?

17 A. I've never participated in the
18 launching of it, but I went through the steps
19 to launch it.

20 Q. Do you feel that the training for both
21 your firefighting responsibilities and your
22 lifeboat and abandon ship duties was adequate
23 for an emergency situation?

24 A. Yes, sir.

25 Q. During the course of the abandon ship

1 drill, or the abandon ship, there was some
2 previous testimony about it was somewhat of a
3 chaotic situation. Was that your experience
4 and, if so, could you tell us what you saw and
5 what you heard?

6 A. It's -- it's absolutely a disaster,
7 what I recall it. I mean, we're talking about
8 a lot of noise, a lot of fire and a tremendous
9 amount of heat, people panicking, and the fear
10 of losing your life. At that time, I mean,
11 you do what you can to survive. It's just a
12 bad deal.

13 Q. Sir, can I ask you, how did you get
14 off the DEEPWATER HORIZON? Were you in one of
15 the lifeboats or were you in the life raft?

16 A. I was in the life raft.

17 Q. So you were one of the last ones to
18 leave?

19 A. Yes, sir.

20 MR. WHEATLEY:

21 Thank you, sir. I have no
22 questions at this point.

23 EXAMINATION

24 BY LT BUTTS:

25 Q. Good afternoon, Mr. Murray. Do you

1 hold any Coast Guard issued license or
2 credentials?

3 A. I do not.

4 Q. How about Marshall Islands?

5 A. No, sir.

6 Q. For lifesaving training, thank you for
7 bringing in your certificates. There was a
8 certificate in here for "Certificate of
9 Completion, Marine Survival Training Center."
10 Do you remember that training in July of 2005?

11 A. Yes, sir.

12 Q. What did you do, Chad?

13 A. That's water survival.

14 Q. And what is it?

15 A. They actually go through and teach you
16 the survival tactics of how to survive in a
17 situation such as that and how to egress
18 helicopter, if you were to go down it and it
19 was to capsize. They train you on how to
20 egress the helicopter.

21 Q. Did they go over, in that course, how
22 to launch lifeboat or life raft or any of
23 those things?

24 A. No, sir.

25 Q. Was it basic general lifesaving --

1 A. Yes, sir, just basic.

2 Q. Is that the only training that you've
3 undergone other than onboard the rig?

4 A. That's it.

5 Q. The engines, how many of them are
6 onboard?

7 A. Six.

8 Q. And your responsibility with each of
9 the engines starts where?

10 A. Actually, my end of the engine is the
11 generator. I do preventative maintenance on
12 the generator.

13 Q. If I came onboard doing an inspection
14 or EDS and we wanted to test one of the
15 engines, would you be there?

16 A. Yes, sir.

17 Q. When the Coast Guard or ABS calls for
18 tests, on the shutdowns, what are those
19 shutdowns that we often look for? Do you
20 remember?

21 A. It just depends. I mean, they'll do
22 reverse power, overspeed. They may do -- they
23 may want to do a total ESD shutdown all
24 together.

25 Q. What's a reverse power? What is that?

1 A. It's the power that you're feeding
2 back. You're regenerative power. If you get
3 too much back, then the reverse power trips to
4 keep it from blowing your generator up.

5 Q. So if two generators are running
6 online, what does that prevent? They're
7 running parallel, right?

8 A. They're just working together.

9 Q. Yeah. And if one slowed down?

10 A. There would be another one come
11 online.

12 Q. What about -- what's the other trips
13 that we're talking about?

14 A. You got overspeed.

15 Q. What's that one, Chad?

16 A. If the engine gets to a certain RPM,
17 it's supposed to trip.

18 Q. And that's typically set at what? Do
19 you know?

20 A. I don't know.

21 Q. So engine overspeed gets above a
22 certain parameter and then it does what?

23 A. It just trips offline.

24 Q. Now, your knowledge of the rig, if you
25 have two generators running online in

1 parallel, one trips offline, should there be
2 another generator in the standby position to
3 pick up the load?

4 A. What they have is they have them --
5 they have them -- they designate each engine
6 of which one wants to be the lead engine.
7 Whichever one is running -- say like the
8 Number 1 is running and Number 2 trips off,
9 whatever one they have designated to come
10 online, that engine automatically will start
11 up and come online.

12 Q. Now, what -- and I guess I'm asking
13 for a hypothetical, but what if one of the
14 engines went down, the load was such that that
15 one engine -- well, let me back up. If
16 there's two engines online, one falls down,
17 another engine needs to come up online, right,
18 to pick up the load?

19 A. Right.

20 Q. What would prevent that one not coming
21 up to take the load?

22 A. I don't know. Maybe --

23 Q. I mean, is it as simple as somebody
24 not having a switch --

25 A. I mean, you could have it on your

1 console. You could have it to where it's in
2 standby or something like that. I mean, but
3 that's -- I've seen it happen maybe one time
4 in the 14 years I've been offshore.

5 Q. Any of the trips on it, reverse power,
6 overspeed, what else? Do you deal with the
7 low lube oil or high temperature, or is that
8 he engineers?

9 A. That's the engineers.

10 Q. How about when you got to the life
11 raft, I understand there was a lot of things
12 going on. Can you take us to, you're
13 evacuating -- well, let me back up. How did
14 you know to evacuate the rig?

15 A. When I looked back at the pump room, I
16 knew it was time to evacuate the rig.

17 Q. What did you see? I mean, you're
18 poking your light in there, right, and you're
19 looking around. Did you see things blown, as
20 if you're looking through the door, things
21 blown to you?

22 A. I mean, there was just stuff
23 everywhere. I don't know which way it blew,
24 but it was there.

25 Q. So you saw that and you said you heard

1 the general alarm and I think you said you
2 were reporting to your station, ECR?

3 A. Actually, we never got an alarm. I
4 heard the general alarm one time after the
5 explosion and that was it.

6 Q. Then what did you do?

7 A. I went -- started to my emergency
8 station.

9 Q. And that was --

10 A. It was supposed to have been the ECR,
11 but I couldn't get there.

12 Q. And then you headed to your muster
13 station; is that right?

14 A. Right. But between my muster station,
15 we found a guy down in the galley disoriented.
16 We went in and got him out and gave him to the
17 medic. Then we turned and went back through
18 the galley, out the pantry, and when we got to
19 the starboard forward hallway, that's where we
20 found Buddy Trahan, Randy Ezell and Wyman
21 Wheeler.

22 Q. So you found four people on the way
23 out to your station.

24 A. Yes, sir.

25 Q. Did you help them all out?

1 A. Yes, sir.

2 Q. When you were back there in the house
3 and you're going through the accommodations,
4 can you tell us -- the galley is a common
5 place. What did it look like? I mean --

6 A. It looked like a tornado went through
7 there.

8 Q. Everything was upside down?

9 A. Yes, sir.

10 Q. Was anything in the galley beforehand
11 secured to the deck or things of that nature?

12 A. All that stuff is secured.

13 Q. And how was it when you saw it?

14 A. Most of the stuff that sits on the
15 floor was still secured. Mostly what was
16 messed up was the ceiling panels, the wall
17 panel and stuff such as that.

18 Q. What about the doors? To your
19 knowledge, were there any fire doors at all in
20 the accommodations?

21 A. There was two as you go out to the
22 Sack room.

23 Q. Did you see them?

24 A. No.

25 Q. How about the other doors? As you're

1 making your way through the accommodations and
2 up the stairs, were all doors blown open or
3 were they secured? Did you have to open any
4 doors?

5 A. I had to open two water-tight doors.

6 Q. Were they intact?

7 A. Yes.

8 Q. Since you mentioned water-tight
9 doors, and just kind of going back, I'm sorry,
10 when you opened up the pump room, was that a
11 water-tight door?

12 A. Yes.

13 Q. The mud pump room?

14 A. Yes.

15 Q. Do you know if any of the other water-
16 tight doors in the -- back in the engine room
17 were dog down?

18 A. I mean, it's generally policy that you
19 do dog the doors down once you come through
20 them.

21 Q. I know typically what the general
22 policy is, and you know as well as I do, it's
23 easier to get around on the rig when the doors
24 are open, but -- and if you don't know, that's
25 fine, if you know the location of the doors.

1 A. I know where the doors are at, and no,
2 I don't physically know if each door was
3 dogged down. I do know the door that I was
4 standing at was dogged down.

5 Q. Good enough. Thank you. So back in
6 the accommodations. You were in the galley
7 and you left with the four people out to your
8 station?

9 A. Right.

10 Q. And when you got to the station, was
11 everyone standing at the muster station out
12 there? Were they all taking accountability at
13 that time or were people just running back and
14 forth?

15 A. They weren't there when I got out
16 there. We got one guy out and then we went
17 back in to get the other and when we come
18 back, they was gone.

19 Q. The boats were gone?

20 A. Yes.

21 Q. Were you assigned, your primary
22 lifesaving station, was it a boat or a raft?

23 A. A boat.

24 Q. And your primary lifesaving was gone?

25 A. Right.

1 Q. What happened then?

2 A. We launched a life raft.

3 Q. Have you ever launched a life raft or
4 prepared a life raft or any of those things?

5 A. We went through the steps to launch
6 them.

7 Q. Through regular crew training drills?

8 A. Right.

9 Q. Who was in command of that? Who was
10 saying to lower it out and unlatch, hook up
11 this? Was there anyone doing that, taking
12 positive action or was it more of just a group
13 effort?

14 A. It was -- you had to have a designated
15 person to lead the group. But we did -- we
16 was supporting each other, but there was a man
17 that took charge.

18 Q. And who was that man?

19 A. That would be Dave Young.

20 Q. Dave Young?

21 A. Uh-huh (affirmative response).

22 Q. And what was Mr. Dave doing? Was
23 he --

24 A. He was giving us directions of how to
25 launch that raft.

1 Q. Was anybody else around at anytime
2 before you all lowered it?

3 A. There was people there when I got
4 there.

5 Q. Do you remember who they were?

6 A. Yes, sir.

7 Q. Would you please list them by name, if
8 you can?

9 A. Steve Bertone, Curt Kuchta, Andrea
10 Fleytas, Mike Williams, Stan Carden, Wyman
11 Wheeler, Randy Ezell, of course, Dave, and --

12 Q. Yourself?

13 A. -- myself and Paul Meinhart.

14 Q. So there's ten, about -- about ten?

15 A. About ten.

16 Q. Do you know the capacity of the life
17 raft?

18 A. No, I do not.

19 Q. I understand there was a stretcher or
20 some type of Stokes litter or something put in
21 there.

22 A. Right.

23 Q. Did you all ten, including the
24 stretcher get in there?

25 A. No.

1 Q. Tell me about that.

2 A. Myself, Dave Young, Stan Carden, Steve
3 Bertone, Randy Ezell, Wyman Wheeler and Andrea
4 was the only ones in the life raft.

5 Q. Who decided that order or was it
6 first-come, first-serve?

7 A. Well, no, me and Dave jumped in first
8 so we could get the stretcher in. And once we
9 got the stretcher in, then the others started
10 getting in. It's not real easy to board a
11 life raft with it sitting there swinging.

12 Q. I'm with you. So who decided, or who
13 activated the release of it? Who started it
14 going down? Did anyone say, "Okay, stop,
15 we're going," and someone pull a cord or
16 anything like that or did it just --

17 A. Dave Young pulled the release handle.

18 Q. From inside the life raft?

19 A. Yes, sir.

20 Q. So Dave pulls it. You guys start
21 descending. Tell me about the ride down.

22 A. It was terrible because the painter
23 line got left tied to the hand rail and once
24 it tightened up, it jerked the raft up and it
25 threw all of us down to one side and then

1 when it come loose, it swung back and throwed
2 us all back to the other side. So we was just
3 tumbling around inside that life raft.

4 Q. And there was a litter inside there --
5 a person was laying down inside there in a
6 Stokes litter?

7 A. Yes, sir.

8 Q. Then what happened?

9 A. When we got in the water, we knew we
10 had to get away from the rig so myself, Steve
11 Bertone, and I believe it was Captain Curt,
12 and maybe Paul Meinhart, we got out and
13 proceeded to swim and pull the raft away from
14 the rig until the line tightened up and we
15 couldn't pull it no more.

16 Q. So the other folks that were left up
17 there, did you see how they got off the rig?

18 A. They jumped.

19 Q. The did jump off?

20 A. Yes, sir.

21 Q. How helpful was the fast recovery
22 craft?

23 A. It was -- I mean, if they wouldn't
24 have been there we possibly could have burned
25 up.

1 LT BUTTS:

2 Thank you very much. I appreciate
3 it.

4 CAPT NGUYEN:

5 Flag state?

6 MR. LINSIN:

7 Thank you.

8 E X A M I N A T I O N

9 BY MR. LINSIN:

10 Q. Good afternoon, Mr. Murray. I'm Greg
11 Linsin representing Marshall Islands. I just
12 have a couple of follow-up questions for you,
13 please. You testified about what you saw
14 after you opened the mud room door.

15 A. Right.

16 Q. And did I understand you to say, sir,
17 that you had been working in that area just
18 prior to that explosion?

19 A. I just -- I wasn't actually working in
20 that area, I just came through that area.

21 Q. Did you see anyone else in that area?

22 A. I did. I did.

23 Q. Who else did you see in that vicinity?

24 A. Wyatt Kemp, Shane Roshio, Don Clark
25 and Adam Weise.

1 Q. And where did you see them?

2 A. It was between Number 2 and Number 3
3 mud pump.

4 Q. And what were they doing?

5 A. They had just got through changing a
6 pop off valve on Number 2.

7 Q. Did they then proceed with you forward
8 on the rig?

9 A. No. They was in the pump room when it
10 happened.

11 Q. Do you know if anyone was down in the
12 engine room?

13 A. Not to my knowledge.

14 Q. Now, the individuals you just named,
15 sir, that were in the pump room when the
16 explosion occurred, do you know what happened
17 to them?

18 A. They didn't make it.

19 Q. Did you see any of them, at any point,
20 after the explosion?

21 A. I did not.

22 Q. In your years working aboard these
23 rigs prior to this incident, you underwent a
24 number of lifesaving drills; is that correct?

25 A. Yes.

1 Q. Both for lifeboat launching and also
2 then the steps you would go through to deploy
3 a life raft; is that correct, sir?

4 A. Yes, sir.

5 Q. Now, I know that on the night of this
6 incident, on April 20th, you've described a
7 very confused and disorganized situation. But
8 my question for you is, do you believe that
9 the training you did receive, the drills you
10 did go through, did it help you and others get
11 through this situation and get the people that
12 did get off the rig off the rig?

13 A. Definitely.

14 Q. As you think back on it, is there
15 anything you would recommend in terms of
16 changing or adding to that training or the
17 drills that you think might help people in
18 future situations?

19 A. I think the training's fine, but I
20 think every rig that's designed needs a fast
21 rescue craft.

22 Q. And why is that?

23 A. Because for the simple fact that if
24 the boat wouldn't have had a fast rescue
25 craft, there may have been ten more lives that

1 was lost.

2 Q. All right.

3 MR. LINSIN:

4 Nothing further. Thank you,

5 Captain.

6 CAPT NGUYEN:

7 Douglas Brown.

8 COUNSEL REPRESENTING DOUGLAS BROWN:

9 No questions.

10 CAPT NGUYEN:

11 Transocean, do you have any

12 questions?

13 COUNSEL REPRESENTING TRANSOCEAN:

14 No questions.

15 CAPT NGUYEN:

16 BP?

17 MR. GODFREY:

18 Thank you, Captain. No questions.

19 CAPT NGUYEN:

20 Thank you. Cameron?

21 COUNSEL REPRESENTING CAMERON, INC.

22 No questions.

23 CAPT NGUYEN:

24 Halliburton?

25 COUNSEL REPRESENTING HALLIBURTON:

1 No questions, Captain.

2 CAPT NGUYEN:

3 Thank you, sir. M-I SWACO?

4 COUNSEL REPRESENTING M-I SWACO:

5 No questions.

6 CAPT NGUYEN:

7 Dril-Quip?

8 COUNSEL REPRESENTING DRIL-QUIP, INC.:

9 No questions.

10 CAPT NGUYEN:

11 Weatherford?

12 COUNSEL REPRESENTING WEATHERFORD,

13 INC.:

14 No questions.

15 CAPT NGUYEN:

16 Anadarko?

17 COUNSEL REPRESENTING ANADARKO

18 PETROLEUM CORPORATION:

19 No questions.

20 CAPT NGUYEN:

21 Moex?

22 COUNSEL REPRESENTING MOEX USA:

23 (No response.)

24 CAPT NGUYEN:

25 Mr. Murray, a couple of questions

1 for you.

2 E X A M I N A T I O N

3 BY CAPT NGUYEN:

4 Q. Can you provide me some information on
5 your education and training as an electrician?

6 A. As my --

7 Q. As an electrician --

8 A. My training?

9 Q. Your training and education --
10 technical education or technical training?

11 A. All my education come from on-the-job.

12 I picked it up and learned it over the years.

13 As far as training, I've been trained in
14 hazardous air equipment locations. I've been
15 through several types of rigger training. But
16 as far as actually having training for as
17 being an electrician, I basically picked that
18 up on my own.

19 Q. Yes, sir. Now, you're responsible for
20 preventative maintenance on the electrical
21 equipment; is that right?

22 A. Yes, sir.

23 Q. Any of those equipment part of the
24 drilling system?

25 A. Yes, sir.

1 Q. What are they?

2 A. That would be your mud pump motors,
3 your draw works motors, you're A/C drives, all
4 your motors for your mud pumps. I mean, your
5 shaker motors, just basically all of it.

6 Q. Do you work on the blowout preventer
7 or the --

8 A. I do not, sir.

9 Q. Did the HORIZON have a Safety
10 Management System?

11 A. Yes.

12 Q. Can you tell me your knowledge of the
13 Safety Management System onboard the HORIZON?

14 A. Well, everybody had the authority to
15 stop a job. If you seen something wrong, you
16 could step in there and stop the job. As far
17 as safety-wise, I mean, we had all the tools
18 and all the training in place to be safe and
19 to work safe.

20 Q. What kind of training did you have on
21 the HORIZON Safety Management System?

22 A. I just know the policies and
23 procedures of what you're supposed to do.

24 Q. For a new employee or a new crew
25 member come onboard the HORIZON, do they

1 receive orientation and training on the --

2 A. Yes, sir.

3 Q. What was it?

4 A. They taken through the rig, they're
5 shown their lifeboat station. They are shown
6 where their emergency, as far as the smoke
7 hoods, flashlights, life jackets, they're
8 orientated on all that.

9 Q. Policies and procedures are
10 documented in some system?

11 A. Pretty much everything we do we have
12 paperwork for it as far a permit-to-work,
13 things of that nature.

14 Q. So if you have a piece of equipment
15 that needed repair, how do you -- how is that
16 -- what item get into the system so that it
17 get satisfactorily resolved according to the
18 Safety Management System?

19 A. First thing is, whoever is working on
20 a piece of equipment, they'll have a permit-
21 to-work and an isolation that they'll have
22 signed and at that time I'll go isolate the
23 power to that piece of equipment so that it
24 will not take the chance of coming on and
25 mashing somebody or cutting a finger off or

1 such as that.

2 Q. Is there a procedure that you follow
3 in terms of what safety items you need to
4 secure like turn off the power to the piece of
5 equipment and all that?

6 A. Right. They got what we call -- I
7 drew a blank, but it's a sheet that we go
8 through and write down what the job is and
9 what the hazards are, what we do to prevent
10 the hazards, and inspect the jobsite and
11 record your findings such as that. It's
12 called a THINK plan.

13 Q. Yes, sir. How do you know if you have
14 overdue repairs to the equipment?

15 A. It's generated through the management
16 system that Transocean has in place.

17 Q. So when an item is overdue, what
18 happens?

19 A. Most of the time we try to knock out
20 the overdue PMs first and then, of course, we
21 have so many PMs, I mean, you've always got
22 some that's overdue.

23 Q. So if there's a -- not just a
24 preventative maintenance, but you also do
25 corrective action?

1 A. Right.

2 Q. So if a piece of gear that needs to be
3 repaired and it's overdue for whatever reason,
4 who is responsible for follow up on it and
5 make sure it gets done?

6 A. Whoever signs on the responsible part
7 of your work permit is required to come back
8 to the jobsite and make sure that the jobsite
9 is back to normal operations before that
10 equipment is de-isolated.

11 Q. If you need information on your ship's
12 Safety Management System, where do you go?

13 A. HS and E manual.

14 Q. What's that, sir?

15 A. The HS and E manual.

16 Q. Where is that located?

17 A. In each work area, each shop, each
18 office.

19 Q. It's just one binder or two binders
20 or --

21 A. It's just one book.

22 Q. One book that covers the entire vessel
23 or just one book per area?

24 A. No, one book per area. I mean, there
25 was several books. I mean, there was books to

1 be had. All you had to do was ask for one.

2 CAPT NGUYEN:

3 Are there any other questions that
4 we didn't ask you or any other
5 information you would like to provide
6 to the board that is relevant to this
7 investigation?

8 THE WITNESS:

9 No, but I would like to say that
10 this incident that happened onboard our
11 rig should have never happened. And I
12 hope you all find out exactly what was
13 done because there was 11 buddies of
14 mine that perished and their families
15 deserve to know exactly what happened.

16 CAPT NGUYEN:

17 Yes, sir. We thank you for your
18 time and if we need to bring you back
19 for additional questioning, would you
20 make yourself available to the board.

21 THE WITNESS:

22 Yes, sir.

23 CAPT NGUYEN:

24 Thank you, sir. You are dismissed.

25 MR. KOHNKE:

1 Captain, in that respect, I
2 understand that Bob Kaluza, one of the
3 company men, has taken the Fifth
4 Amendment and will not testify; is that
5 correct?

6 CAPT NGUYEN:

7 He exercise his constitutional
8 rights to appear at this hearing. We
9 will reschedule him.

10 MR. KOHNKE:

11 What about the other one, Vidrine,
12 is he going to testify because I don't
13 see him on this list?

14 CAPT NGUYEN:

15 Mr. Vidrine, due to medical
16 reasons, we excused him from this
17 hearing here and rescheduled him for
18 the next hearing.

19 MR. KOHNKE:

20 So we will hear from both
21 individuals or is one of them asserting
22 the Fifth Amendment privilege?

23 CAPT NGUYEN:

24 The only one that is exercising
25 his constitutional rights is Mr. Kaluza

1 and we will process that accordingly
2 for non-compliance with a subpoena.

3 MR. KOHNKE:

4 By granting him immunity or -
5 because if I understand it, if he
6 asserts his Fifth Amendment
7 privilege --

8 MR. GODFREY:

9 Excuse me. Rather than making
10 speeches if he wants to have a bench
11 conference, we can have a bench
12 conference as the rules allow. But
13 this is a speech not for the purposes
14 of finding facts on this hearing, but
15 as a speech that should take place in
16 front of a bench conference.

17 CAPT NGUYEN:

18 I understand. The board has not
19 -- These are recent developments and
20 we have not made any decisions on how
21 we are going to address the non-
22 compliance to the subpoena that we
23 issued for this hearing. So we will
24 deal with it accordingly.

25 MR. KOHNKE:

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Thank you.

CAPT NGUYEN:

Tomorrow we will start the hearing
with six witnesses. The hearing is
adjourned for today. Thank you.

* * * * *

(Whereupon, the hearing was adjourned at 3:30
p.m.)

REPORTER'S PAGE
I, DOROTHY N. GROS, Certified Court
Reporter in and for the State of Louisiana,

1 the officer, as defined in Rule 28 of the
2 Federal Rules of Civil Procedure and/or
3 Article 1434(B) of the Louisiana Code of Civil
4 Procedure, before who this sworn testimony was
5 taken, do hereby state on the Record:

6 That due to the interaction in the
7 spontaneous discourse of this proceeding,
8 dashes (--) have been used to indicate pauses,
9 changes in thought, and/or talk overs; that
10 same is the proper method for a Court
11 Reporter's transcription of proceeding, and
12 that the dashes (--) do not indicate that
13 words or phrases have been left out of this
14 transcript;

15 That any words and/or names which could
16 not be verified through references material
17 have been denoted with the phrase
18 "(phonetic)".

19

20

21

DOROTHY N. GROS, CCR

23

24

C E R T I F I C A T E

25

1 I, Dorothy N. Gros, Certified Court
2 Reporter, in and for the State of Louisiana,
3 authorized by the laws of said State to
4 administer oaths and to take the depositions
5 of witnesses, hereby certify that the
6 foregoing matter was taken before me at the
7 time and place herein above stated; the matter
8 being reported by me and thereafter
9 transcribed under my supervision; that the
10 foregoing pages contain a true and correct
11 transcription of the matter as thus given to
12 the best of my ability and understanding.

13

14 I further certify that I am not of
15 counsel nor related to any of the parties to
16 this cause, and that I am in no wise
17 interested in the result of said cause.

18

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21

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DOROTHY N. GROS, CCR

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