UNITED STATES OF AMERICA U.S. DEPARTMENT OF HOMELAND SECURITY UNITED STATES COAST GUARD

UNITED STATES COAST GUARD

Complainant

vs.

STEVEN KYLE HILL,

Respondent.

Docket Number 2023-0298 Enforcement Activity Number 7769028

ADMISSION ORDER

Issued: August 29, 2023

By Administrative Law Judge: Honorable George J. Jordan

Appearances:

WILLIAM TAYLOR Investigating Officer Sector Honolulu For the Coast Guard

STEVEN KYLE HILL, *Pro se* For the Respondent

DECISION AND ORDER

On August 16, 2023, the United States Coast Guard (Coast Guard) initiated this

administrative action seeking four (4) Months' Outright Suspension of Merchant Mariner's

License Number issued to Steven Kyle Hill (Respondent) by issuing a

Complaint alleging Respondent committed Misconduct, pursuant to the legal authority contained

in 46 U.S.C. § 7703(1)(B) and defined by 46 CFR § 5.27.

In support of the Complaint, the Coast Guard specifically alleges Respondent:

1. On August 11, 2023, Respondent was employed by Norwegian Cruise Lines, Inc. (NCL), PRIDE OF AMERICA and subject to NCL (Bahamas) policies.

2. On August 11, 2023, NCL, PRIDE OF AMERICA had a drug and alcohol policy prohibiting PRIDE OF AMERICA employees from having a blood alcohol content (BAC) above 0.04% while onboard.

3. On August 11, 2023, Respondent was intoxicated with a BAC greater than .04%, in violation of NCL, PRIDE OF AMERICA's drug and alcohol policy.

4. Respondent's violation of NCL PRIDE OF AMERICA's drug and alcohol policy is Misconduct, as described by 46 U.S.C. § 7703(1)(B) and defined by 46 CFR § 5.27.

5. In Aggravation: Respondent was onboard and missed duty when found with a BAC over .04%.

After the complaint had been filed, Respondent filed an Answer admitting to all the

jurisdictional and factual allegations and indicating they agreed with the proposed order of 4

Months' Outright Suspension, with no additional conditions requested. The Chief Administrative

Law Judge assigned the matter to the undersigned Administrative Law Judge (ALJ) on August

17, 2023.

WHEREFORE,

<u>ORDER</u>

IT IS HEREBY ORDERED that Respondent's violation of negligence under 46 U.S.C. § 7703(1)(B) and 46 C.F.R. § 5.27 is **PROVED BY ANSWER**. I have carefully reviewed the file and find that the proposed sanction is appropriate under the provisions of 46 C.F.R. § 5.569.

IT IS FURTHER ORDERED that Respondent's Merchant Mariner Credential is SUSPENDED OUTRIGHT FOR FOUR (4) MONTHS, commencing on the date it is deposited with the Coast Guard.

PLEASE TAKE NOTICE, service of this Decision on the parties and/or parties' representative(s) serves as notice of appeal rights set forth in 33 C.F.R. §§ 20.1001 – 20.1004. (Attachment A).

Done and dated August 29, 2023, Seattle, WA

HON. GEÓRGE J. JORDAN ADMINISTRATIVE LAW JUDGE UNITED STATES COAST GUARD