

Su. Rapport om søulykke (brand, grundstødning, kollisjon, havari, ulykkestilfælde m. v.)

I. Alm. oplysninger vedr. skibet.

Kontrol nr. 399804	Navn "SCANDINAVIAN STAR"	Hjemsted Nassau
Kendingsbogstaver C 6 B F	BRT 10531	KW (hk -) Klasse Lloyds
Rederiets navn og adresse DA-NO-Linien		

Data for synet 8.-10. april 1990	Hvor foretaget Lysekill, Sverige
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II. Oplysninger vedr. søulykken

1. Hvem har underrettet Skibstilsynet?	Radioavisen, løbende; samt med fl.	
2. Hvornår har Skibstilsynet modtaget underretningen?	Date Lørdag d. 07.04.1990	kl.
3. Hvornår kom Skibstilsynet til stede?	Date Søndag d. 08.04.1990	kl. 09.00
4. Hvornår og hvor indtraf søulykken?	Date Sted 7.4.1990; Kattegat	kl. 02.00-02.30
5. Hvilken art søulykke er indtraffet?	Brand	
6. Hvem har afgivet forklaring til Skibstilsynet?	-	
7. a. Er politirapport optaget?	Ja	b. Er søforklaring afgivet? Ja

8. Kort beskrivelse af søulykken *)

Flere brande i agterste apteringsafsnit indenfor kort tid. Den første brand slukkes af passagerer i udbrudsfasen. Følgende brand(e) bliver ikke lokaliseret tids nok af besætningen, og en kraftig røgudvikling, der breder sig til kahyttsafsnit, er medvirkende til, at besætningen aldrig får kontrol med situationen. Mayday udsendes, og der træffes foranstaltninger til at gå i bådene. Skibet forlades af passagerer samt mandskab herunder kaptajn og officerer, efterladende omkomne samt flere overlevende, der siden undsættes fra andre skibe.

Branden begrænses af hovedbrandzoner, og der næsten ud, bortset fra mindre (gløde?) brande i kahyttsafsnit. Rekvirerede røgdykkere sættes ombord for eftersøgning af overlevende samt brandbekæmpelse, og bliver heri bistået af enkelte besætningemedlemmer. Skibet bugseres mod Lysekill, hvor ilden atter blusser op, og nu udbrænder hele forskibet over øverste gennemgående dæk.

Antal omkomne: 158 personer.

Vedr. hændelsesforløbet iøvrigt henvises til søforklaring afgivet i København.

Fr.havn

10 MAJ 1990

Frømsendes:

S. H. Hansen

III. Skibstilsynets undersøgelser m. v.

9. Hvad er undersøgt og med hvilket resultat? *) (Ved grundstødning og havari i søen søges oplyst skibets dybgang for og agter samt fribord midtskibs ved afgang fra sidste havn.)

Se bilag

IV. Skibstilsynets krav

10. Hvilke krav *) er scillet i anledning af søulykken?

Ingen

11. Hvilke krav *) står tilbage ved synets afslutning?

-

*) Kan evt. suppleres med skitse.

*) Krav nummereres og forsynes med indeks nr., f.eks. 1su 2su o.s.v.
(Eventuelle andre krav til skibet må ikke optages her, men skal oplyses i særlig rapport).

Frederikshavn, d. 3. maj 1990.


Skibsinpektørens underskrift
Flemming I. Jensen

sign. V. Merrild-Hansen.



Bilag til SU-rapport vedr. afsnit 9.

Hvad er undersøgt og med hvilket resultat?

3 arnesteder konstateret; henholdsvis ud for kahyt nr. 416 på Caribien dæk, samt i/ved bund af hver trappeskakt i borde SB og BB, ca. 1/3 skibslængde fra agter. 5 branddøre i skodder mod trappeskakter og tværskibs lobby på Coraldæk udløst/ var udløst, og har fungeret efter hensigten. Øvrige branddøre har ikke fungeret efter hensigten, og 4 har med sikkerhed ikke udløst. Branddør (skydedør) i BB trappe mod vogndæk "hængt" i åben stilling. 1 branddør på Main dæk (restaurationsdæk) ikke monteret efter udvidelse af bar agterover. Brandspjæld fundet i åben stilling, og brandslukningsmateriel (slanger og strålerør) i/mod det primære brandområde uberørt; rester af slange samt strålerør dog fundet på udskibningsdæk SB agter.

Ruller (Emergency Plan) yderst mangelfulde, og sikkerhedsskiltning i visse områder direkte misvisende.

Endvidere indsamlet materiale/oplysninger samt fotograferet med henblik på efterfølgende søforklaring.

Den intakte del af skibet giver indtryk af en høj teknisk standard og en vedligeholdelse, der ligger på højde med den bedre del af ældre passagerskibe. Skibet er bygget til SOLAS 60, og konstruktiv brandsikring udført til metode I.

Vedr. brandårsag, konstruktiv brandsikring/branddøre, alarmers lydbarhed, elektrisk funktion af branddøre, ruller, sikkerhedsskiltning m.v. henvises til d.d. uafsluttede undersøgelser ved politiets tekniske afd. samt nedsat nordisk undersøgelsesudvalg.

Bilag, (fremsendt separat til Vermundsgade):

1. Fotos optaget ombord d. 10.04.90
2. Udskrift af retsbog vedrørende forklaring afgivet af skibets tidligere kaptajn ved søretten i Tampa, Florida.

Øvrige materiale indgået som bilag til søforklaringen.

Skibsinspektørens vurdering:

4. Kan der være sket overtrædelse af skibstilsynslovgivningen ?

Ja

Nej

5. Hvis Ja oplyses, hvilke bestemmelser der menes overtrådt samt den nærmere årsag hertil:

Kan ikke vurderes på grund af sagens juridiske aspekter.

6. Hvem er ansvarlig for evt. overtrædelse ? (Navn, stilling og adresse)

7. Evt. yderligere bemærkninger:

8. Er politirapport vedlagt?

Ja

Nej

Fremsendes senere

Ja

Nej

9. Er søforklaring vedlagt?

Ja

Nej

Fremsendes senere

Ja

Nej

Frederikshavn

den 3. maj 1990.

Sted og dato


P. H. Simonsen

10. Kontorlederens bemærkninger: —

Frederikshavn

den 10/5-90

Sted og dato



Underskrift

P. H. Simonsen

Bilag: 7

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IN RE: SCANDINAVIAN STAR

SWORN STATEMENT OF:

PETER HEINRICH GOTTFRIED SCHAAB

DATE:

April 10, 1990

PLACE:

2022 Placida Road
Englewood, Florida

BEFORE:

Richard H. Lee, Jr.
Notary Public
State of Florida at Large

PRESENT:

TIMOTHY P. SHUSTA, Esquire
of the firm of
Hayden & Milliken, P.A.
2906-A Bay to Bay Boulevard
Tampa, Florida 33629-8113

RICHARD LEE REPORTING
501 East Kennedy Boulevard - Suite 1111
Tampa, Florida 33602

1 The sworn statement, upon oral examination,
2 of Peter Heinrich Gottfried Schaab, taken on the 10th
3 day of April, 1990, at 2022 Placida Road, Englewood,
4 Florida, beginning at 3 p.m., reported by Richard H.
5 Lee, Jr., Notary Public, State of Florida at Large.

6 * * * * *

7 PETER HEINRICH GOTTFRIED SCHAAB,
8 being first duly sworn to testify the truth, the whole
9 truth, and nothing but the truth, was examined and
10 testified as follows:

11 EXAMINATION

12 BY MR. SHUSTA:

13 Q Please state your full name.

14 A Full name, Peter Heinrich Gottfried Schaab,
15 spelled S-c-h-a-a-b.

16 Q What is your current address?

17 A Current address is in Germany;
18 Brucknerstrasse 4, 6944 Hemsbach/Bergst., West
19 Germany.

20 Q What is your occupation?

21 A I am employed as captain of the SEA ESCAPE.

22 Q How long have you been a ship's master?

23 A Since 1987. May, 1987.

24 Q Okay.

25 A I was relief captain on the SCANDINAVIAN

1 SUN.

2 Q Before you became a master, what positions
3 did you hold?

4 A I held the positions of second officer,
5 first officer, and staff captain with Wallenius
6 Lines and Commodore Cruise Lines.

7 Q Okay. What other Sea Escape vessels have
8 you been master of other than the SCANDINAVIAN SUN?

9 A I was master on the SCANDINAVIAN STAR from
10 September 1987.

11 Q What was your involvement in the recent
12 delivery of the SCANDINAVIAN STAR from the United
13 States to Scandinavia?

14 A We were ordered to transfer the vessel to
15 Europe according to a memorandum I received shortly
16 before the departure date. We were supposed to sail
17 the ship to Lisbon, in Portugal, or Frederikshavn
18 for crew change and then to Frederikshavn in
19 Denmark.

20 Q Okay. what port did you leave from in the
21 United States?

22 A We left from Port Canaveral, Florida.

23 Q When you left from Port Canaveral, how many
24 crew members did you have aboard?

25 A Well, I would have to look that up and the

1 crew list exactly. We had approximately 54.

2 Q Okay. And were those all Sea Escape
3 employees when you left Port Canaveral?

4 A As far as Sea Escape employees, as far as
5 the deck and the engine crew and stewards and cleaners
6 was concerned, plus employees from the food concession
7 providing food services for the galley, was the wife
8 of the electrician, Hans Rytter, who was signed on
9 as an assistant purser to help in the purser's
10 office --

11 Q Okay. Did you -- go ahead.

12 A And there was one person on board, the
13 owner's representative of the company we knew as V. R.
14 Da-No Shipping, which was supposed to be the new
15 owner, Captain Hans Bergmann, who sailed as a
16 supernumerary, as owner's representative, as
17 observer, and no other function.

18 Q Okay. Were any passengers taken on that
19 trip?

20 A No passengers.

21 Q Okay. What was the first stop that was made
22 in Europe?

23 A The first stop was Cuxhaven, West Germany.

24 Q And what took place there?

25 A We arrived at Cuxhaven, West Germany, shortly

1 before 9 a.m. local time on the calendar, Friday, 23rd
2 of March.

3 Q Okay.

4 A And our information was that in the first
5 port in Europe we were supposed to get the new crew of
6 the new owners on board.

7 Q Did that happen?

8 A Not when we arrived. We expected it. We
9 were supposed to have a port stay of maximum eight
10 hours for the new owners to bring their crew on board
11 and leave then to the Danish port where the ship was
12 to be taken over.

13 Q Okay.

14 A But the crew of the new owner did not arrive.
15 The ship was staying in Cuxhaven until the evening of
16 that day. We had to shift piers and went to a waiting
17 pier, or standby pier; and then a few crew members of
18 the new owners from Denmark came on board -- as I
19 found out later, the one who was supposed to take the
20 ship over as captain and the second mate and the chief
21 purser, who was running the hotel department, and food
22 manager to set up the kitchen and food and beverage
23 service.

24 Q How about anyone in the engine department?

25 A Was nobody.

1 Q Okay. Can you tell me approximately how
2 many of the new crew members that came on at
3 Cuxhaven?

4 A Well, during the entire stay -- we stayed in
5 Cuxhaven until Thursday evening, which was, I think,
6 the 29th, and we were not --

7 Q Thursday was the 29th, yes.

8 A We were not fully informed of what the cause
9 of the delay was, and we were just told to wait for
10 the new crew and that the crew transfer and the
11 transfer of the vessel was most likely happening in
12 Cuxhaven.

13 Q When did the transfer of the vessel
14 officially take place?

15 A The transfer of the vessel took officially
16 place, according to information I have received,
17 together with our owners' representative who was with
18 the ship in Denmark, after we delivered the ship in
19 Frederikshavn in Denmark on Friday, the 30th, at 6:20
20 p.m. local time.

21 Q At the time the ship was officially
22 delivered, was the new owners' crew fully aboard it by
23 then?

24 A No. They, from what we gathered, had a
25 number of delays in their crew delivery, and they got

1 approximately -- right now, without seeing the crew
2 list, about 30 to 35 on board on Wednesday, late
3 night, with the rest supposedly arriving on Thursday;
4 but since then there was a change in delivery terms.
5 The ship was supposed to leave on Thursday.

6 Q Okay.

7 A So we did not have the new crew on board
8 completely then. They were rerouted to board the ship
9 in Denmark.

10 Q Okay. How long a cruise is it from the West
11 German port you were in to the Danish port where the
12 vessel was delivered?

13 A We made it in a little more than 18 hours.
14 We sailed at 10 minutes to 8:00 from Cuxhaven, and we
15 were there at about a quarter to 3:00 in the
16 afternoon.

17 Q During that portion of the cruise, what did
18 the new owners' crew members do aboard the ship? In
19 other words, were they acting as crew, or were they
20 simply carried as passengers, or did they use the
21 time --

22 A From my orders, they were not crew members.
23 They were allowed -- they had some workers on board
24 which came as workers from Denmark. They were, after
25 we got an agreement and got it confirmed, allowed to

1 do certain work, like doing painting and hanging
2 wallpaper and so on, during the time in port. The new
3 crew did not do any work. I treated them as
4 passengers. They were on a separate list as super-
6 numeraries.

8 Q Okay.

7 A The ship was transferred from Cuxhaven to
8 Denmark by the Sea Escape crew alone.

9 Q During that period were those crew members
10 that were carried on this separate list allowed to
11 familiarize themselves with the vessel?

12 A Yes. We allowed them to -- basically, that
13 was all done by -- they were assigned cabins. They
14 were allowed to go around, basically -- they were busy
15 with finding their way around, but I made it clear
16 that I treat them as nonworking crew. I wanted them
17 to stay clear of any place where work was done. I
18 allowed them to stand for mooring, departure, and so
19 on, with a certain amount of people there observing
20 how the machinery and everything was handled, but I
21 did not include them in my crew. It was the same what
22 I did with the officers.

23 Q Okay. During this 18-hour cruise from
24 Germany to Denmark, did the new owners institute any
25 training procedures aboard the vessel? Did they have

1 anyone specifically trying to train new crew members,
2 or was this done mostly on their own by the crew
3 members, whatever familiarisation that was going on?

4 A Well, I did not -- well, I only saw that
5 they were shown the facilities and so on and being
6 moved around by the new owners, mainly in the hotel
7 department. I do not know what type of training the
8 new owners did with the crew, exactly.

9 As far as we were concerned, I set up a
10 safety plan for the transfer trip. I assigned them a
11 muster station to assemble in case of emergency; and
12 they were explained over loudspeaker in English and
13 Portuguese language, about alarm signals on the ship,
14 the lifeboats to be used in case of emergency for this
15 particular trip, and they were attended in case of
16 emergency by Sea Escape crew.

17 Q What nationality were the new crew members
18 for the new owner that came on?

19 A Well, the ones -- the main part came from
20 Lisbon and Portugal, or from Portugal; were Portuguese
21 Nationals.

22 Q What was the name of the new captain that
23 came on that would act as master for the new owner?

24 A The name of the new captain was Hugo
25 Larsen.

1 Q During the cruise from Germany to Denmark,
2 did he stay on the bridge and observe what was going
3 on?

4 A Yes. He came on Friday evening, the 23rd,
5 and himself and everybody else were going through the
6 ship familiarizing themselves. They had access to
7 every place, but the rule was they could not by
8 themselves change anything or make any modifications.

9 Q But they could ask any questions they wanted
10 to, and the --

11 A Yes.

12 Q -- crew would answer?

13 A Yes, we would answer any questions, if they
14 had any, but basically they went around by themselves,
15 familiarizing with the ship.

16 Q Okay.

17 A The other observer, who was before supposed
18 to be captain on the ship, according to his statement,
19 was on board for a long period of time before that,
20 but he was taken off the ship in Cuxhaven.

21 Q Okay.

22 A Owners' representative, Mr. Bergmann. So I
23 don't know if they exchanged the information he had
24 gathered during the time he was on before.

25 Q Okay. You have said that for the new crew

1 members you explained to them the fire drill and boat
2 drill procedure. Was there ever a fire drill held for
3 that short cruise, or only an explanation to the crew?

4 A There was an explanation, and there was an
5 emergency muster list hung out in the dining room --
6 which acted as a mess room -- on the bridge, and in
7 the engine room, with the names; and then -- with the
8 list; and the explanation was done over the
9 loudspeaker system in the language they understand -- in
10 the language they were supposed to understand.

11 Q What was the fire signal that was explained
12 to them?

13 A Fire signal was one long blast on the alarm
14 horns and on the ship's whistle. That was in
15 accordance with the Sea Escape Emergency Plan. We had
16 modified or adjusted the Sea Escape Emergency Plan to
17 the crew we had on board at the time.

18 Q Is there any difference in signals from a
19 fire signal to a general emergency signal aboard the
20 ship?

21 A Yes.

22 Q What would the difference be?

23 A A standard emergency signal would be seven
24 short and one long tone on the emergency signal means:
25 whistles, bells, alarm horns, and so on.

1 Q Okay.

2 A That was explained to them, too, and that
3 would be the sign to go to their muster station.

4 Q After arrival in Denmark, you said that the
5 official transfer was 6:20 p.m. local time on March
6 30, 1990. At that time did the Sea Escape crew leave
7 the vessel?

8 A The Sea Escape crew left the morning after,
9 when travel arrangements had been made.

10 Q So they would have --

11 A We were informed about 8:30 about the
12 completion of the transfer at night. We made from
13 then travel arrangements, which meant they couldn't
14 leave the same night anymore. They left the next
15 morning.

16 Q Okay. But as of the time of the transfer
17 they no longer had an official position aboard the
18 vessel?

19 A No. We left the crew -- I left the crew,
20 which did fire rounds and safety rounds until
21 midnight, because the new crew -- I offered that to
22 the captain: "I offer you my crew until midnight, then
23 you are taking over as far as the fire rounds and
24 safety rounds go." And they still stayed on board.

25 Q Okay. While you were still master of the

1 ship, what type of a fire watch was maintained?

2 A The regular fire rounds, which was for the
3 entire day, rounds through the entire ship here with
4 the watch clock.

5 Q How many crew members --

6 A Two crew members were assigned to that.

7 Q Do they go around together?

8 A No. They were going around one watchman at
9 a time.

10 Q And when you say a time clock, is this a
11 clock that at certain stations they have to turn a key
12 in a clock?

13 A Yes.

14 Q How long does it take them to make a circuit
15 through the vessel?

16 A Approximately one hour.

17 Q And that's maintained 24 hours a day?

18 A Yes. I maintained it for the transfer for
19 the entire time.

20 Q Okay. And where, specifically, did they go
21 in the vessel? The fire watchmen.

22 A They go through all accommodations, over
23 deck, through the open decks, according to checkpoint
24 plan, and check each clock in sequence.

25 Q Is there a plan somewhere for the checkpoint

1 plan?

2 A Yes.

3 Q If one of these fire watchmen were to
4 discover a fire, what procedure would be used?

5 A When he would discover a fire, he had
6 walkie-talkie standby on the frequency which was
7 continuously monitored on the ship.

8 Q On the bridge?

9 A On the bridge, yes. And he would inform the
10 bridge about the fire. He would stay at the scene,
11 try to extinguish the fire if it was -- and would push
12 the fire alarms and alert other crew members.

13 Q How many places through the ship are there
14 fire alarms that can be pushed?

15 A If I remember right, there's at least 53
16 zones for fire alarms.

17 Q If one of these fire alarm buttons is
18 pushed, what specifically happens?

19 A If that fire alarm button is pushed, an
20 alarm rings on the bridge alarm panel.

21 Q Okay.

22 A And also on a sketch board depicting the
23 various segments of the ship. In that segment where
24 the alarm is pushed, that segment is lit up.

25 Q From the first pushing of a fire alarm by a

1 fire watchman, does that ring any alarms in the
2 ship?

3 A No.

4 Q Okay.

5 A Only on the bridge, or in the officers'
6 accommodation, if the ship is in port and the ship
7 should not be manned.

8 Q What then needs to be done in order to ring
9 an alarm through the ship?

10 A Ring an alarm through the ship is done by
11 the general alarm buttons, which is split up into a
12 general alarm for crew and a general alarm for
13 passengers, which is on the alarm panel.

14 Q Okay.

15 A That rings all the alarm horns in the ship.

16 Q So how was the decision made to ring the
17 general alarm on the ship?

18 A The decision to ring the general alarm is
19 made by whoever is in charge -- watch officer or
20 captain on the bridge -- when from the fire alarm --
21 unless it's confirmed by the watchman already from
22 down below -- if anybody pushes the fire-alarm button,
23 the watchman on the bridge is dispatched to check the
24 sector where the fire alarm is and surrounding area;
25 check that out, and if the alarm should be positive,

3 Q Taking for right now a situation where there
4 would be passengers aboard the vessel, would the next
5 step, if a fire was confirmed, be to ring the fire
6 alarm for the crew first only, or would it be
7 generally rung throughout the ship?

8 A The way I handled it, I always was ringing
9 all the alarm bells through the ship, because during
10 daytime we have crew members working in passenger
11 areas, so they should be alerted of the emergency
12 situation, as well, and go to the alarm stations to
13 which they are assigned to follow those duties.

14 Q Let me ask you another question about the
15 fire alarms through the ship. I assume there are fire
16 alarms in public areas on the vessel where a passenger
17 -- if a passenger saw a fire, they could press a fire
18 alarm.

19 A Yes.

20 Q If a passenger pressed a fire alarm, would
21 it react as you have just explained? A light would
22 light up on the bridge or in the watch officer's
23 quarters?

24 A Yes.

25 Q Rather than a passenger pressing a button

3 Q Only on the bridge? Okay.

4 A Or in the accommodations, for better to
5 check out the alarm situation. Alarm buttons are only
6 made for information of whatever emergency situation
7 is in a certain section of the ship. It does not ring
8 a general alarm all over the ship. That is released
9 from the bridge from the general alarm button.

10 Q Is there any sort of automatic control so
11 that if a fire alarm were pushed and no one did
12 anything on the bridge for a certain period of time,
13 it would then automatically ring an alarm, or is it
14 necessary for someone to physically ring that alarm on
15 the bridge?

16 A Necessary to physically ring the alarm.

17 Q What is then the relationship between
18 ringing of the alarm and closing of fire doors and
19 cutting off ventilation to various areas of the ship?

20 A All that is done individually from the
21 bridge. There is no automatic fire-door release on
22 that ship and no automatic shutoff of the ventilation,
23 unless it's in certain engine room spaces when there's
24 a fire alarm; for instance, in the laundry, the
25 ventilation in the laundry is being shut off.

3 shut off either from the power supply in the engine
4 room or from the emergency shutoff on the bridge.
5 It's split into accommodation and car deck.

6 Q Are there various fire zones aboard the
7 SCANDINAVIAN STAR or zones that a fire would be
8 handled in?

9 A Yes. The ship is split into fire zones. I
10 would have to look at a plan. I think it's seven
11 vertical fire zones, which are consisting of fireproof
12 bulkheads, the penetrations of which can be closed by
13 fire doors.

14 Q What's the purpose of having those fire
15 zones?

16 A The purpose of the fire zones is keeping the
17 fire in one sector of the ship or keeping the heat
18 transfer in one section of the ship from going into
19 the next zone.

20 Q Okay. What is the procedure for the fire
21 watch if the fire is located in one part of the vessel
22 and the fire alarm is rung? Does the fire watch
23 continue to monitor the rest of the vessel, or is all
24 attention directed toward the fire that's discovered?

25 A Normally the fire watch assists in taking

1 care of that emergency and then continues when that's
2 taken care of.

3 Q Okay. Do you know anything about how the
4 fire alarms and controls for releasing fire doors and
5 shutting off ventilation are wired up to the bridge;
6 how that's done; how those controls work?

7 A How they are wired up to the bridge?

8 Q Right. Is it a matter of electronic wiring
9 or pneumatic controls or hydraulic controls?

10 A To my knowledge, it's all electric.

11 Q All electric?

12 A The fire doors are held open by magnet; and
13 when the electric current to the holding magnet is
14 interrupted, either by pushing the release button on
15 the bridge or by pushing a button on the station where
16 the fire door is, or in case the power should fail,
17 then those doors close automatically. They close by
18 normal pneumatic door closer, but they are held open
19 electric.

20 Q Okay. Are there also, besides the fire
21 watch, fire detectors aboard the vessel?

22 A Smoke detectors in the engine spaces, in the
23 laundry, and in storerooms -- paint lockers and work
24 storerooms -- where flammable materials might be
25 stored.

1 Q How do those smoke detectors operate? In
2 other words, if they detect smoke, do they ring an
3 audible alarm in the area, or do they also signal the
4 bridge?

5 A They go the same way like the fire alarm
6 pushbutton. They ring the alarm on the bridge in that
7 section.

8 Q Okay. And that lights up a panel --

9 A Yes.

10 Q -- that shows where on the ship?

11 A Yes.

12 Q Is there a sprinkler system aboard the ship?

13 A There is a sprinkler system in the car deck
14 which is not an automatic sprinkler system. It has to
15 be activated by starting a pump and opening a valve on
16 the car-deck level, and that floods or sprinkles a
17 certain sector in the car-deck upper and lower level.

18 Q Okay. And the rest of the ship?

19 A No sprinkler system.

20 Q No sprinklers? Okay. Then how about
21 portable fire extinguishers? Are those located in
22 various places?

23 A Portable fire extinguishers are located
24 throughout the ship, in all hallways, locker rooms,
25 and in the fire station and in public rooms next to

1 the fire hose.

2 Q And besides the fire extinguishers, there
3 are fire hoses located --

4 A Fire hoses are hooked up on valves which are
5 connected to the central fire piping system.

6 Q To operate one of those fire hoses, what
7 machinery needs to be operated?

8 A One of the ship's fire pumps needs to be
9 started to get pressure on the fire line.

10 Q Okay. What procedure is there, when a fire
11 is signaled aboard the ship, to get a fire pump
12 started to get water pressure to the particular area
13 of the ship that it's needed in?

14 A The fire pumps can be started directly from
15 the bridge emergency panel.

16 Q Okay. And simply by then starting in the
17 fire pump, all that would need to be done would be to
18 turn the valve right at the hose?

19 A As soon as the pressure has built up, all
20 you have to do is turn the valve, the line is under
21 pressure, and it's charged, and you can use the hose.

22 Q How long a time are we talking to build up
23 pressure?

24 A Less than a minute.

25 (There was discussion off the record.)

1 BY MR. SHUSTA:

2 Q I will simply ask you to explain the fire
3 control panel, and you can explain it just like that.

4 A I think that should take care of that fire
5 control.

6 Q Would you explain for us, Captain, how the
7 fire control panel on the bridge works; what it looks
8 like and how it operates?

9 A The fire control panel is on the aft
10 bulkhead on the port side of the bridge, and it's the
11 alarm indicator panel. It's a plastic plate with a
12 sketch of the ship depicting the various fire alarm
13 zones which are, in case of alarm, lit up individually
14 according to where the alarm is, that way depicting
15 the area where a fire alarm button has been pushed or,
16 in case of a smoke alarm, where a smoke detector has
17 activated. And in the middle of those sectors is a
18 green button which by pushing releases the fire doors
19 in this sector.

20 Q Okay. What indication is there when the
21 fire doors are closed?

22 A When all fire doors in this sector are
23 closed, they give a contact which lights the green
24 button.

25 Q Did you stay aboard the vessel after the

1 official transfer to the new owners?

2 A Yes. I stayed on board until Thursday
3 morning, the 5th or 6th of April, I guess.

4 Q Thursday would be the 5th of April.

5 A Yes.

6 Q After the official transfer of the vessel to
7 the new owners, what was your position aboard the
8 vessel?

9 A I was asked to stay on board to observe and
10 assist the new Captain Larsen in maneuvering and
11 shiphandling.

12 Q Okay. Who --

13 A Actually, I was -- I was asked before by Mr.
14 Ole Hansen, which I believe is the general manager
15 of the new company; he asked me that after we arrived
16 in Cuxhaven -- if I could stay on board, which I
17 declined because I had pressing personal problems.

18 And I was under the opinion that the
19 observer who stays with the ship for approximately ten
20 weeks was taking the ship as captain, but apparently
21 they changed their plans and he left in Cuxhaven.

22 And he asked me to stay for two weeks or
23 longer, and I had to decline it. I said, "I have
24 pressing problems. I have to take care of them, so as
25 soon as my job is finished delivering the ship, I have

1 to leave."

2 And when I was aware that the man who
3 supposedly was with the ship and had all the
4 information about the ship during the time I was here
5 was not there, I was asked if I could at least stay
6 with the ship for maybe one or two trips with the ship
7 to assist and observe the shiphandling, just telling
8 him how it's done, so we could get the ship in and out
9 of port and showing him the maneuvering and the
10 characteristics.

11 Q Were you paid by the new owners for your
12 services in doing that?

13 A Yeah. We agreed that I should, for each day
14 I could afford to stay, that I should get paid by the
15 owners. It was a verbal agreement.

16 Q Were you paid anything by Sea Escape for
17 that period after the ship was turned over?

18 A No.

19 Q What was your status with Sea Escape during
20 that period?

21 A I was advised that I was no longer needed,
22 from the Sea Escape side, on the ship and that I was
23 free to do whatever with my vacation. I was
24 officially on vacation.

25 Q Okay. And how long was that vacation

1 supposed to last?

2 A So far, until May 20.

3 Q And when that's over, you will be going back
4 to Sea Escape?

5 A Yes.

6 Q What ship will you be going back to? Do you
7 know?

8 A Well, I was informed that I would go back on
9 the M/S TROPICANA.

10 Q That's the one out of St. Petersburg?

11 A Yes.

12 Q So it's fair to say that during the period
13 from when the ship was turned over until you left, you
14 were not acting on behalf of Sea Escape?

15 A No. I got that very clear with a phone call
16 to Sea Escape's representative and also with verbal
17 agreement that Sea Escape no longer was involved and
18 that all the crew was able to leave.

19 Q Okay. Did the new owners hire any of the
20 old crew to stay on on the ship, that you know of?

21 A Yes. There was some crew members sailed
22 over as supernumeraries with a contract they signed
23 with the new owner. Contract was signed between
24 Captain Bergmann and three crew members of the deck
25 department for the purpose of painting the par deck

1 and getting the car deck ready for ferry service and
2 refurbishing some passenger cabins on the car-deck
3 level.

4 Q Okay.

5 A It was three crew members.

6 Q Any others, that you know of, that stayed on
7 or --

8 A There was -- the chief engineer was supposed
9 to stay on and get a contract, after delivery of the
10 vessel, with the new owners -- which I don't know if
11 he got so far. The first engineer was supposed to
12 stay on, and the second engineer was supposed to stay
13 on, and two motormen stayed.

14 Q Do you know if those people in the engine
15 department were still on the ship when you left?

16 A Yes, they were on the ship.

17 Q How would you describe the condition of the
18 ship on the date it was officially turned over to the
19 new owners?

20 A She was in fully serviceable condition,
21 fully seaworthy. All components were working during
22 the time prior to her sale. The ship was inspected in
23 all parts; fully new class certificate was arranged
24 with class survey, and all the -- any remaining
25 inspections for the year 1990 were done by Sea Escape

1 prior to the sale, prior to the start of the transfer.

2 Q Who classed the ship?

3 A Lloyd's Register.

4 Q On the day that you left the ship, was the
5 ship still in that condition, to the best of your
6 knowledge?

7 A As far as the ship is concerned, I could not
8 detect, during the time from the transfer to when I
9 left, any major deficiencies in the ship.

10 Q Okay. How many trips did you take with the
11 new owners?

12 A Well, I was for two trips to Oslo and
13 back.

14 Q What ports did the ship operate between?

15 A She operated between Frederikshavn and Oslo.

16 Q And Frederikshavn is in Denmark?

17 A Denmark. And Oslo is in Norway. And the
18 schedule the new company had was leaving Denmark in
19 the evening between 7 and 9 o'clock, depending on the
20 loading of the cargo, and arriving in the morning, at
21 8 o'clock, in Oslo; leaving there in the evening and
22 arriving the next morning in Frederikshavn.

23 Q We're talking about basically a 12-hour run
24 between ports?

25 A Yes.

1 Q During the time you remained aboard the ship
2 while it was being operated by the new owners, did you
3 observe any fire drills that the crew participated in?

4 A I did not observe any fire drills from the
5 crew.

6 Q How about boat drills?

7 A I didn't observe any boat drills.

8 Q For a trip between the port in Denmark and
9 the port in Norway, what information did you observe
10 was given to the passengers regarding fire alarms,
11 muster stations, or lifeboat drills?

12 A It's hard to say. All announcements were
13 made in Scandinavian -- Norwegian or Danish --
14 language, which I don't speak, so I do not know what
15 information was given to the passengers. There was a
16 number of announcements made in Danish or Norwegian
17 language, but I do not know about the contents of
18 those.

19 Q Okay. Do you have any specific knowledge of
20 any training the new crew of the vessel was given
21 regarding firefighting, muster stations, or lowering
22 lifeboats?

23 A I noticed that the ship was preparing a
24 safety plan which was based on the previous safety
25 plan of Sea Escape, adjusted to the lesser amount of

1 crew they had; and that safety plan I saw being made,
2 typed up, and hung out. It was basically the same
3 emergency plan Sea Escape had in operation during the
4 time, adjusted for the amount of the crew.

5 Q How many crew members were aboard while it
6 was running in Scandinavia, as a ferry, approximately?

7 A To my knowledge, between 90 and a hundred.

8 Q And how many had been on previously when it
9 was operated by Sea Escape?

10 A Sea Escape had a crew between 240 and 260.

11 Q And is the difference in number because the
12 Sea Escape had a large hotel staff on there that
13 wouldn't have been on there when operated as a ferry?

14 A To the most part it was entertainment,
15 casino and large hotel staff, and to a smaller amount
16 maybe a small reduction in other departments.

17 Q Okay. Can you explain in general terms what
18 the safety plan was that you knew of that had been in
19 operation while the ship was operated by Sea Escape;
20 who would have been assigned to do what in an
21 emergency?

22 A Yes. The Sea Escape Emergency Plan consists
23 of three phases. Phase 1 is limited emergency, mainly
24 a fire, which is handled by the crew alone, which
25 involves firefighting groups, fire-limitation group,

1 and a search group in a limited area of the fire,
 2 which has as a head -- operational command headed by
 3 the captain, who directs all the groups. It consists
 4 of emergency standby group; continuous-running ship's
 5 group, which takes care for the continuing of the
 6 power supply, continuing running of the engines,
 7 continuation of the navigation, stability, safety,
 8 emergency standbys for lifeboat preparation and raft
 9 preparation and hospital emergency standbys; and the
 10 group taking care of documents and valuables; group
 11 standing by on the radio station for emergency
 12 transmissions; and the group standing by in the galley
 13 for supply of food and hot beverages, blankets, and so
 14 forth. That's basically the group which acts when
 15 limited emergency is in progress.

16 Phase 2 is general emergency. That involves
 17 all parts of the crew; and it calls, in addition to
 18 the previously-mentioned groups, mainly the evacuators
 19 and assistant groups; evacuators and the central squad
 20 which is directing the evacuation of the
 21 accommodations, passengers and crew, from a central
 22 place and then moving all persons to four assigned
 23 muster stations and also reporting when evacuation is
 24 complete.

25 Q Okay.

1 A And Phase 3 will be abandon ship, then, from
2 the muster stations where all evacuees are mustered.
3 The persons will be split up to the lifeboat and to
4 the life raft.

5 Q In that general plan, what are the duties of
6 the captain and the bridge watch officers that happen
7 to be on watch at the time a fire emergency is
8 declared?

9 A The captain's duties on the bridge for the
10 general -- he's the head of the operational command.
11 And the watch officer is being relieved by the watch
12 officer assigned to navigation and stability duties,
13 unless he is that himself, and then he just maintains
14 his station and assists with navigation and anything
15 else being necessary. And the captain directs all
16 measures from the bridge.

17 Q Okay.

18 A He works with the radio station for
19 transmission. He is in connection with the fire-
20 fighting and limitation groups. He is in contact with
21 the engineers for the power, propulsion and technical
22 groups in the engine room. And he is in contact with
23 the administration group and the purser's office to
24 take care of documents, crew list, passenger list,
25 valuables and so on.

1 Q What officer is the officer that is on the
2 scene directing the firefighting efforts?

3 A Following the normal procedure, it will be
4 the staff captain or the chief officer, whomever you
5 have, taking care of the firefighting, and the first
6 officer or the next in line taking care of the fire
7 limitation.

8 Q What are the duties of the chief engineer,
9 the first engineer, et cetera?

10 A The chief engineer is the head of the
11 technical group and power and propulsion group, also,
12 in case the fire should be in the engine room. He
13 will be taking charge of the engine room firefighting
14 team.

15 Q In that emergency plan you have already
16 explained the closing of fire doors. How is the
17 decision made to close or to turn off ventilation in
18 various parts of the ship when there's a fire? In
19 other words, is that something that would be done at
20 the same time fire doors are closed, or is that a
21 separate decision that has to be made?

22 A That depends on the nature of the fire, but
23 in any type of fire it's standard procedure to shut
24 off the ventilation immediately.

25 Q And in doing that, do I understand correctly

1 that what you're trying to do is isolate the various
2 fire zones that you previously described so there's no
3 communication between these seven zones?

4 A At least not by forced ventilation. Closing
5 the fire doors is a different story.

6 Q In what way?

7 A You might shut off an escape route to people
8 who are not familiar with the ship.

9 Q Okay.

10 A So that should be checked.

11 Q Okay.

12 A If you really want to do it.

13 Q Okay. To the best of your knowledge, would
14 the officers on the new crew have had similar duties
15 to those you have described?

16 A To my knowledge, yes. From the information
17 I gathered, they have been on ferry ships for five or
18 six years; and from what I heard, they also went
19 through another major fire on another ferry ship.

20 Q For the fire alarm or fire bells that are
21 rung through the ship when that becomes necessary,

22 where are those alarms or bells located? I mean, do
23 they ring from one place in the ship, or do they ring
24 in several areas of the ship?

25 A No, there's no bells. It's horns.

1 Q Horns? Okay.

2 A They look similar like the horn of a car,
3 electric horns or klaxons -- which are mounted in the
4 ceiling throughout the hallways and in the public
5 rooms.

6 Q So as far as --

7 A Staircase, halls, and so on.

8 Q So far as the cabin areas, they would be in
9 the corridors immediately outside the cabins?

10 A In the corridors.

11 Q Is there oxygen-breathing apparatus aboard
12 the ship for crew members to wear in fighting a fire?

13 A Not oxygen-breathing apparatus. It's
14 compressed-air breathing apparatus. If I remember
15 right, it's 14 systems spread in firefighting
16 compartments throughout the ship: in the engine room,
17 in the car deck and in the passenger areas. Location
18 is depicted on the fire and emergency fighting plan.

19 Q How long was the new crew aboard the vessel
20 before the first trip was taken carrying cars and
21 passengers as a ferry?

22 A One part of the crew came on Wednesday
23 night -- which was, I think, the 28th -- somewhere
24 around 11:00, I believe, and the ship left Cuxhaven on
25 Thursday evening; and the rest of the crew, if I

1 remember right, came after the ship arrived in
2 Frederikshavn on Friday; and the first trip with
3 passengers was on Sunday evening at, I think, 10 or 11
4 o'clock.

5 Q So that would have been Sunday, April 1st?

6 A Yes.

7 Q Do you know anything about what the new crew
8 members did to familiarize themselves with the ship's
9 systems during that period?

10 A I don't remember exactly what they did to
11 familiarize themselves or what type of introduction or
12 training they got.

13 Q But that's something that you were not
14 responsible for. Is that correct?

15 A No. The ship was entirely operated by the
16 new owner.

17 Q Okay. Specifically, during the trips you
18 took, what did you do? Did you physically operate
19 anything or simply stand by to --

20 A No. I did not operate anything. I
21 explained the maneuvering, the power controls, the
22 rudder controls, the autopilot, radio equipment,
23 bridge equipment, and was available for any questions
24 they might have.

25 They also had questions regarding the

1 emergency plan, which I tried to help them as good as
2 I could.

3 Q What, specifically, do you recall they asked
4 you about the emergency plan?

5 A It was general questions like, for instance,
6 when someone was mentioning that emergency plan, the
7 casino manager asked if they could put somebody else
8 in that charge and -- which there was a position
9 mentioned in our emergency plan -- if they could put
10 somebody or if they would put somebody else on it.

11 Basically, I only could tell them to adjust
12 it to the reduced crew they had, leaving the less
13 essential people on the lower part of the duty list --
14 leaving off -- and everybody one up.

15 Q Who specifically did you discuss that with?

16 A That was the second mate, Mr. Ashland,
17 who was typing the emergency plan with the radio
18 officer. He was the only one I saw working with the
19 emergency plan.

20 Q Was that new emergency plan, to your
21 knowledge, completed before the first trip was taken?

22 A I did not see it completed then.

23 Q When was the first time you knew that it was
24 completed?

25 A About Tuesday.

1 Q Which would have been, what, in time for the
2 second trip?

3 A Yes.

4 Q Okay. Just so I can understand the
5 operation of the ship, then, you have, sometime on
6 Sunday, the 1st of April -- maybe Sunday evening of
7 the 1st -- a trip from Denmark to Oslo?

8 A Yes.

9 Q Arriving Monday morning?

10 A Arriving Monday morning, yes.

11 Q And then it would have returned, leaving
12 Oslo Monday evening?

13 A Monday evening, yes.

14 Q Arriving Tuesday morning?

15 A Arriving Tuesday morning.

16 Q And then it would have left again Tuesday
17 evening?

18 A Tuesday evening, arriving Wednesday morning;
19 leaving Wednesday evening, arriving Thursday morning
20 in Denmark.

21 Q And it would have been on the return to
22 Denmark on Thursday that you would have disembarked?

23 A Yes.

24 Q And that would have been on --

25 A I left the ship about 8 o'clock in the

1 morning.

2 Q On the 5th of April?

3 A That Thursday, yes.

4 Q Okay. During those trips you made, were you
5 aware of any problems that the new crew was having in
6 operating the ship or any machinery aboard the ship?

7 A Machinery was, in my opinion, the usual
8 start-up problems. They had -- everything went slow,
9 and they had to be shown more things. And as far as
10 operating and the helmsmen on the bridge that worked,
11 it was actually very good from the beginning; but
12 sure, they had to be explained the system. But as far
13 as the deck work or operation of any equipment down
14 below, I wasn't aware of any problems they had with
15 operating the ship.

16 Q Okay. At the time you disembarked the
17 vessel, in your opinion was the crew competent to
18 operate that ship?

19 A Considering the short time of the stay, I
20 think they could at least get the ship in and out of
21 port okay.

22 Q Okay.

23 A But my main concern was the maneuvering of
24 the ship -- or my main field of attention was the
25 maneuvering of the ship, from a shiphandling

1 standpoint, by the captain, and navigation; and that
2 was without a doubt good. I had no hesitation, as far
3 as Captain Larsen's capability as a shiphandler and
4 also a navigator.

5 Q Do you have any feeling for any opinion as
6 to the crew's ability to handle an emergency situation
7 at the time that you left?

8 A Well, they appeared to be fairly new, in my
9 opinion. They would have needed more time in getting
10 familiarized with everything. The cooperation and
11 teamwork did not work perfect yet.

12 Q While you were still aboard the SCANDINAVIAN
13 STAR as master, when do you recall the last time the
14 lifeboats were inspected or tested for operation,
15 being able to raise and lower them, and that they
16 operated?

17 A We had the lifeboats moved in the davits on
18 the Sunday before we arrived in Cuxhaven, when we were
19 in between the Azores, which was probably -- would
20 that be the 21st?

21 Q Let's see. If you arrived on the 23rd --

22 A Must have been the 18th.

23 Q The 18th.

24 A We had fire, boat and emergency drill for
25 the transfer crew then, when we were in the sheltered

1 waters between the Azores; and we moved all ten
2 boats in the davits.

3 Q In that drill would the fire pumps have been
4 turned on, also, to ensure operation?

5 A I think we started the fire pumps.

6 Q To the best of your knowledge, when would
7 the last time the alarm system aboard the SCANDINAVIAN
8 STAR have been checked?

9 A That was on that day.

10 Q On that day, also?

11 A Yes.

12 Q In other words, the fire alarm would have
13 been rung as a drill?

14 A Yeah, the fire alarm, the general alarm.
15 Yeah. The other fire alarms, they worked in between
16 here. And the last time I saw the fire alarm working
17 was -- I think it was on the day before I left someone
18 had pushed an alarm button in, I think, coral deck
19 forward, and the fire alarm and the panels were lit
20 up, and the bells were ringing.

21 Q So that was an instance where it lit up on
22 the bridge, and from the bridge the button was pressed
23 that made the horns ring throughout the ship?

24 A No, the horns were not rung at that time.

25 Q When is the last time you know that the

1 horns were rung so that you know they were working?

2 A The last time we operated it was on the
3 18th.

4 Q And that was the horns and everything?

5 A Yes.

6 Q Fire horns, general alarm?

7 A Fire horns. Fire horns, everything.

8 Q Everything? Okay.

9 MR. SHUSTA: Just let me run through my
10 notes. I think I'm just about done, but I want
11 to make sure I've got everything.

12 BY MR. SHUSTA:

13 Q One more thing. Is there a general public
14 address system aboard the SCANDINAVIAN STAR?

15 A Yes.

16 Q Okay. And where are the speakers for that
17 system located throughout the ship?

18 A The speakers in that system are located in
19 the ceiling of all hallways and the public areas --
20 lounges -- in the crew sections and in the car deck.

21 Q Is that public address system operated from
22 the bridge?

23 A It can be operated from the bridge and from
24 the reception desk in coral deck.

25 Q In the case of a fire emergency, are

1 instructions given over the public address system?

2 A Yes.

3 Q When you left the ship, to your knowledge,
4 was the public address system working throughout the
5 ship?

6 A That was working all the time, yeah. They
7 made a lot of announcements paging people, and it was
8 working.

9 Q Does that reach even down to the car deck?

10 A Yes. It has loudspeakers in the car deck.

11 MR. SHUSTA: That's all I have.

12 (At 4:09 p.m., no further questions were
13 propounded to this witness.)
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CERTIFICATE OF REPORTER

STATE OF FLORIDA)

COUNTY OF HILLSBOROUGH)

I, Richard H. Lee, Jr., Notary Public, in and for the State of Florida at Large, do hereby certify that I reported in shorthand the foregoing proceedings at the time and place therein designated; that my shorthand notes were thereafter reduced to typewriting under my supervision, and the foregoing pages, numbered 3 through 42, are a true and correct, verbatim record of the aforesaid proceedings.

WITNESS MY HAND AND SEAL, this, the 10th day of April, 1990, in the city of Tampa, county of Hillsborough, State of Florida.

Richard H. Lee, Jr.

NOTARY PUBLIC
State of Florida at Large

My commission expires: 3-10-91

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