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1 drive it around, right?

2 **A. It depends. You can exercise the releasing**

3 **gear, which is really the important part of the**

4 **launch, and that's something that needs to be done**

5 **fairly regularly. Those releasing gears have a**

6 **tendency to gum up just from the salt water. We have**

7 **a lot of dust and soot, especially in that back area,**

8 **too. So that's -- that's probably -- I'm kind of**

9 **going off on a tangent here.**

10 Q. No, don't worry about it. I'm -- you're

11 enlightening me. I just want to -- I just want to

12 know whether the FRC was launched that day.

13 **A. I'm --**

14 Q. On February 7th.

15 **A. I'm not sure if anyone actually rode the FRC**

16 **around the water. So it was -- I know for certain**

17 **that it was lowered because that was reported to me.**

18 **I just can't recall if it was launched.**

19 Q. So you used the term "lowered." When you use

20 the term "lowered," are you insinuating that it

21 actually hits the water, or is it lowered to a point

22 before it hits the water and comes back up?

23 **A. It could be either one.**

24 Q. Okay.

25 **A. As I said, I wasn't the one back there.**

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1 Q. Do you know whether it hit the water?

2 **A. I don't know.**

3 Q. Okay. Did anyone report to you that it hit

4 the water?

5 **A. What was reported to me that morning is that**

6 **we'd had issues with the lowering, that specifically**

7 **it was the davit arm and the -- the hoist mechanism**

8 **that had to be used to lower, which is not how it**

9 **should be.**

10 MR. ROSENBERG: What am I up to?

11 THE REPORTER: 4.

12 (Exhibit No. 4 was marked.)

13 Q. (BY MR. ROSENBERG) I'm showing you Exhibit

14 No. 4 and asking you if you could identify that for

15 me?

16 **A. Yes, it's an e-mail I received -- sorry -- I**

17 **sent to John Hawkins after -- and an e-mail I received**

18 **from John Hawkins.**

19 Q. Now, this relates to what, sir?

20 **A. Oil record book.**

21 Q. All right. Is this something you reviewed --

22 this -- this e-mail, Exhibit 4, prior to today?

23 **A. Yes.**

24 Q. All right. How do you conclude -- how are

25 you able to conclude that this relates to the oil

79

1 record book?

2 **A. Well, that was John e-mailing me about the**

3 **oil record book.**

4 Q. I don't see any reference to an oil record

5 book in this e-mail, so explain how you -- explain why

6 your testimony is that he's e-mailing you about the

7 oil record book. Were there conversations you had

8 with him or taking --

9 **A. I had conversations with Vaclac Jedlicka and**

10 **John Hawkins. Prior to my arrival on the rig in**

11 **January, there was a -- what's the best way to say it?**

12 **There was some waste oil tanks on the rig that had**

13 **been inadvertently pumped out. A roustabout had**

14 **opened the wrong valve, and waste oil was processed**

15 **through the oily water separator. There was**

16 **subsequently, a record -- a logbook entry made into**

17 **the oil record book about this discharge. When I**

18 **arrived on the rig, John Hawkins asked me to look into**

19 **the oil record book issue. He said that he felt he**

20 **wasn't getting full cooperation from Captain Hagopian**

21 **concerning this issue and that he was glad I was there**

22 **to shed some light on it.**

23 Q. So Hawkins told you that Hagopian wasn't

24 cooperating with him?

25 **A. He said he felt he wasn't getting full**

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1 **cooperation.**

2 Q. Felt he wasn't?

3 **A. Yes.**

4 Q. Okay. What was the issue?

5 **A. The oil record book issue?**

6 Q. Yeah. I mean, you told us about what

7 happened and the separators and all that, but as far

8 as the entry in the book.

9 **A. Well, there was two issues about it. One was**

10 **relatively minor. The -- the date and the time of the**

11 **discharge were false -- incorrect. I think it was**

12 **just a mistake, you know, write January 14th instead**

13 **of January 15th.**

14 Q. Okay.

15 **A. That was the first issue. The second issue**

16 **is that this was a procedural violation because waste**

17 **oil tanks can only be processed through a shore-side**

18 **facility or sent to a vessel that is taking it to a**

19 **processing facility. It's not a tank that would have**

20 **been allowed to run through the oily water separator**

21 **and discharge into the ocean.**

22 **Q. Was the recording that was in the oil record**

23 **book an accurate recording of an improper action?**

24 **A. The -- the time and date were wrong.**

25 **Q. You told that already. But I'm talking about**