

# THE REEF SEEKER



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## CONCEPTION FIRE - WHAT WE KNOW AND WHAT WE DON'T

I am sure you are aware of the *Conception* tragedy on September 2, when fire broke out somewhere on the boat and killed 34 people as well as caused it to sink. We are now in the midst of an on-going investigation being conducted by the Coast Guard, FBI, Santa Barbara County Sheriffs, ATF, and National Transportation Safety Board (NTSB).

There's an excellent resource thread on ScubaBoard.com/SoCal that will give you details about the accident, references to discussions, copies of things like legal filings and the Certificate of Inspection (COI) for the boat, and number of other topics. Although this particular thread is not open to public comment, it is updated by the ScubaBoard staff as new information becomes available. You do not need to be a member of ScubaBoard to view this.

At the time of the accident, there was also a very robust discussion thread in the "Accidents & Incidents" forum. That thread is also not open to further/new comments, but you can feel free to peruse the 2,027 comments and posts that were made. Bear in mind when/if you read through this, that a lot of

it is opinion and some of it may not be 100% accurate.

The two big questions that we hope to find answers for are:

1. How did the fire start (and where).
2. How/why did it spread seemingly so quickly.

Everything else we all want to know pretty much springs from those two issues.

One way to try to piece all of that together is to establish an accurate timeline and work from there.

There are two times we know. Based on crew interviews, at 2:30AM one of the crew (not sure which one) walked through the galley, checked the stove and other stuff, and everything was fine. Based on USCG logs, the captain made the mayday call at 3:14AM.

We can do some interpolation from there. The mayday call was prompted by a crew member hearing a "thump." When he opened the wheelhouse door, flames were licking up from below. Give the crew member a moment to realize he heard something, maybe put some clothes or shoes on, and you can argue that the thump was perhaps around 3:10AM. If the "thump" was the fire starting, there's a 40-minute window between when we know things were OK and when they weren't. It's also possible that the fire started

perhaps at 3:00AM or 2:45AM. We don't know specifically and hopefully further tests by the NTSB can provide some answers. But we know, based on the 2:30AM walk-through, that it didn't start earlier than that and smolder for a long time. The assumption, reinforced by the time frame, is that this spread fairly quickly and ferociously.

This past Friday, an unnamed "law enforcement official not authorized to speak publicly" said that after two weeks of examining the charred hull of the *Conception*, they still really don't have any answers to the two key questions. And while that is disappointing news, it's not unexpected.

From the pictures that were taken around 3:30AM on-site when first responders got to the *Conception*, you can see the boat is fully engulfed. I am certainly no fire expert, but you would think that the fire is consuming and melting everything on the vessel. Then gravity takes over and, as the main deck burns away, everything now starts collapsing into the lower deck area.

The fire was extinguished at 5:08AM and the *Conception* sank at 7:20AM. In that time, whatever water the fire boats poured on it likely knocked evidence off the boat and into the water, plus the anchor line had burned through

and the boat was drifting. (A tow boat that was in the area threw a grappling hook and towed *Conception* out to deeper water.) When the hull sank, now burned to the waterline, it flipped over so anything that was loose and contained inside may have been dumped out into the ocean and drifted.

Body recovery, not evidence collection, was the primary initial concern and that was complicated by weather conditions as the well as the upside-down hull, which wasn't very stable. So the *Conception* lay on the bottom for another ten days, subject to the forces of tides and currents. And when it was finally raised, they first flipped it upright underwater, and then when it came to the surface, whatever water was inside drained out.

So the fact that there's very little hard evidence to examine that might lead to some answers is certainly no surprise.

The Santa Barbara Coroner's Office has determined that all the victims died due to smoke inhalation. The comforting thought is that everyone was likely unconscious or already gone before the actual fire hit the bunkroom. But many other questions remain.

The bunkroom had three smoke detectors. Why didn't those go off and wake the sleeping passengers? Same question for two smoke detectors in the main galley/salon. (All had been tested a month earlier and were in working order.)

Could the fire have started in the engine room? Two of the crew members jumbled off the boat, swam to the back, reboarded, accessed the engine room while the main deck was ablaze, and said there was no fire inside the engine

room. Also, if you've seen the picture of the burned-out hull after it was raised, you'll notice two large boxes in the middle of the hull. Those appear to be the fuel tanks, which look to be intact.

Could the fire have started in the bunkroom, perhaps from a battery charger or even someone smoking in their bunk? If that had been the case, again you'd assume the smoke detectors would have gone off and that someone would have been awakened by all of this and sounded an alarm. But no one reports hearing any noise of any sort coming from the bunkroom area.

It seems the most likely area for the fire origin was on the main deck. What will get a lot of attention will be whether a faulty battery or charger could have caused all of this. If either of these prove to be true, then the galley/salon area would have been the point of ignition. But this still wouldn't explain why the fire spread quickly, especially in light of the fact that when these boats were being built, regulations called for the use of fire retardant materials, even to the point of requiring flame-resistant resins.

One troubling fact that's come to

light was in the preliminary report issued by NTSB on September 12 where it was first revealed that all five surviving crew members were asleep at the time the fire was discovered. This has led to a lot of questions about the requirements for a roving watchman. The COI of the *Conception* specifically requires it anytime passengers could be asleep in their bunks.

The understandable first impression is, "If the watchman had been awake, this never would have happened." That's not necessarily true. We have no idea if the watchman would have been able to douse the fire before it spread. Perhaps he would have been overcome by smoke inhalation if he was in the galley/salon and that's where it broke out. Perhaps had he been roving on the lower deck, or in the engine room, and the fire started on the main deck, he would have been trapped like everyone else. Or if he had been in the wheelhouse and the fire broke out and spread quickly, it would have played out just as it did.

It's human nature to want to be able to make sense of this and point a finger at someone or something and say, "If only this thing that didn't happen had happened,

## 2019-20 DIVING VACATIONS

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**December 4-10 • Cabo Pulmo**

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**Mid-May 2020 • Bonaire**

the thing that did happen wouldn't have happened." It's a natural response but isn't supported by any logic. And in this case, until we know how the fire started, where it started, and when it started, it's impossible to definitively say what the actual effect of a roving watchman who was asleep really was.

And while you would think the term "roving watchman" is fairly cut-and-dried, it is not.

In the general CFRs (Code of Federal Regulations) that cover this, having a person on watch is listed, but then followed by some variation of "as the captain/mascer of the vessel sees fit." So it's like yes, you need a watchman, but the CFR doesn't define what that really means. The obvious problem with that is that it's so vague as to not really be a standard at all.

Even on the COI of the *Conception*, it's is not defined. Does "roving" mean continually moving around the boat? Even then, you can't be on all decks at once. So if you think "roving" is the same as "continuous," bear in mind that two out of three decks will always be unmonitored. Could you do your rove, set an alarm on your watch for 30 minutes later, and take a nap? It's not as cut-and-dried as it may seem initially.

A number of captains I've discussed this with say that they generally assign "roving" as an hourly duty. Walk the entire vessel every hour, find things to keep you occupied and awake until the next walk-around, and repeat. And that brings up another issue that may require further examination and modification.

When you mention the idea of an overnight watchman to a non-

## UPCOMING LOCAL DIVES & CLASSES

DAY	DATE	BOAT/SITE	PLANNED DESTINATION	PRICE
Sun.	Oct. 6	<i>Catalina Express</i>	Avalon U/W Park (3 dives)	<b>\$150</b>
Wed.	30	- CLASS -	- Tables & Computers -	<b>FREE!!!</b>
Sat.	Nov. 9	<i>Catalina Express</i>	Avalon U/W Park (3 dives)	<b>\$150</b>
Thu.	14	Redondo	••• Night Dive •••	<b>\$25</b>
Sat.	23	Redondo	Navigation dive (single tank)	<b>\$25</b>
Sun.	Dec. 15	<i>Catalina Express</i>	Avalon U/W Park (3 dives)	<b>\$150</b>
Thu.	19	Redondo	••• Squid Dive (night) •••	<b>FREE!!!</b>

diver/non-boater, their impression is likely an older man in an ill-fitting uniform, showing up at midnight with his thermos and lunchpail, who sits in a chair or behind a desk all night, and then goes home at 8AM when the day shift comes back in.

That's not how it works on a boat. The crew works throughout the day. They're tired just like everyone else is. And so they all share overnight watches. If they're doing 2-hour shifts it might be crew #1 10PM-Midnight, #2 Midnight-2AM, #3 2-4AM, and #4 4-6AM.

But the point here is that, unlike our classic version of the overnight watchman with his lunchpail, on boats, watch duty is IN ADDITION to your normal day shift. There is no one whose primary job it is to stay up all night. And maybe that should change.

This leads us into another area that will hopefully be examined throughout this investigation which are the standards and regulations under which all of this occurred. The knee-jerk reaction is to simply say that this must all be the fault of Truth Aquatics. But the boat was built under standards set by the CFRs and monitored by USCG, USCG inspects the boat every year, as well as sets the regulations under which you must man and staff the vessel. So some of the fault here may lie within the regulatory/oversight side of things.

With different building standards and clearer definitions of crew duties, would the outcome have been any different? No way to know.

As of this writing, two legal actions have been filed. One is by the insurers of the *Conception* to limit liability to the value of the vessel, which will be \$0. The other is by the crew member who broke his leg jumping from the wheelhouse, alleging a hodgepodge of failures on the part of Truth Aquatics as well as the chartering shop. I'm sure there will be more legal actions filed down the road. And in Sunday's *Los Angeles Times*, on page 15 of section 1, there's even an attorney specifically soliciting business from this disaster.

That's pretty much where things stand. Expect things to quiet as the investigation moves more into background mode. NTSB will likely not say anything publicly until they feel they've examined all avenues, which could take years. Lawyers will be telling their clients, both plaintiffs and defendants, not to discuss anything. If there are any USCG procedural changes as a result of this, they will likely be done quietly. So expect new information to be scarce.

We'll do our best to stay on top of things and will update you periodically. And if you have any questions you'd like answered, feel free to e-mail us directly and we'll do our best to tell you what's what.

## SHORT TAKES . . .

**LOBSTER SEASON IS UNDERWAY** - I'm not a hunter so I always view this weekend in terms of: Did anyone kill themselves trying to get bugs.? And the answer appears to be . . . NO!!! Good job everyone!!! It's very easy when doing any task underwater to get distracted by the task-at-hand and you stop paying attention to essentials things like how much air you've got left. No lobster (or photo or whatever) is worth your life. Don't let whatever it is you're doing distract you from a safe dive.

**COZUMEL CLOSING DOWN MANY SITES** - The Mexican government has announced that effective October 7, they are closing down many of the southern dive

sites due to an infestation of Stony Coral Tissue Loss, sometimes also id'd as White Band Disease. It's not the same as coral bleaching but can be just as devastating as it's a bacteria that kills many corals. The dive sites that will be closed in Cozumel are all dive sites south of the Palancar pier, including all the Palancar sites, Colombia, Punta Sur, El Cielo, and Maracaibo. If you have a Cozumel trip planned in the near future, you might want to double-check with your tour operator. Although they hope the closure time will be short, no end date has been announced. Naval vessels have been assigned to patrol the area to enforce the closure.

**OCTOPUS PROGRAM ON PBS** - Here's one more reminder that

the PBS series *Nature* has its season premiere on Wednesday with the story of Heidi the Octopus. The show highlights how brilliant and communicative these creatures really are. The cool thing is a family adopts Heidi to live with them for a year. Check your local listings but around SoCal, it's most likely going to be KOCE-TV, Wednesday evening 8-9PM.

**CONCEPTION Q&A** - I will be speaking at Eco Dive Center in Culver City on Tuesday (October 1) for the West L.A. Dive Club meeting starting at 7PM. I'll give an overview on the *Conception* (much of what was covered in the first three pages here) plus there will be a Q&A to try to resolve whatever issues are on your mind about this horrible tragedy.

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## PICTURE PAGE - Pretty fish

(All pix by Ken Kurtis © 2019)



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