

ATTACHMENT 15 – *INTERVIEW OF US COAST GUARD DRAT SUPERVISOR*

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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ENBRIDGE OIL SPILL
MARSHALL, MICHIGAN

* Docket No.: DCA-10-MP-007

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Interview of: ANTHONY MANGONI

Unified Command Center
Marshall, Michigan

Sunday,
August 1, 2010

The above-captioned matter convened, pursuant to notice,
at 3:18 p.m.

BEFORE: LARRY BOWLING
Accident Investigator

APPEARANCES:

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1 BY MR. BOWLING:

2 Q. TJ --

3 MR. KLABUNDE: -- M-a-n-g-o-n-i?

4 MR. BOWLING: Yeah.

5 BY MR. BOWLING:

6 Q. For the record, what is the best contact information on
7 you at the district?

8 A. Best contact for me is phone number: (216) .
9 That's the 9th Coast Guard District Command Center and I have a
10 cell number.

11 Q. Okay.

12 A. (216) is a duty cell.

13 Q. Okay. And what is your official position with the
14 district?

15 A. I am the District Response Advisory Team supervisor and
16 I work within the Incident Management Branch at the 9th Coast
17 Guard District in Cleveland.

18 Q. All right. And for the non-Coast Guard or nonresponse,
19 Incident Management Branch, what is that?

20 A. Incident Management Branch encompasses search and
21 rescue, disaster response and marine environmental response under
22 one supervisor within the district.

23 Q. Okay. TJ, just to get a background on your
24 qualifications that got you to this position, can you walk me
25 through high school outward there?

1 A. High school at Erie, Pennsylvania; college, Edinboro
2 University of Pennsylvania; enlisted in the Coast Guard, was a
3 marine science technician. Started the Coast Guard in 1991.
4 Achieved the rank of first class petty officer, switched over to
5 GS-11, advanced up through GS-13 to the District Response Advisory
6 Team supervisor.

7 Q. All right. How much total experience did you have in
8 uniform?

9 A. Seven years -- just under seven years.

10 Q. All right. And as a marine science technician, that
11 rating within the Coast Guard, can you tell me what exactly that
12 rating specializes in?

13 A. Marine environmental response.

14 Q. Okay.

15 A. Yes, sir.

16 Q. So from a standpoint of environmental response, how many
17 years do you have under -- you started '91 as a third class?

18 A. 1991 as a non-rate.

19 Q. All right.

20 A. So I'd probably have 15 years of marine environmental
21 response --

22 Q. Okay.

23 A. -- experience.

24 Q. All right. I want to talk specifically about, before we
25 get into the incident we're here for, which is the Enbridge

1 pipeline release or spill, I want to talk -- I want to find out
2 exactly what your position description as a GS-13 at District 9,
3 what's that position description, say, you're responsibility is as
4 the DRAT supervisor?

5 A. Okay, the DRAT supervisor is the subject matter expert
6 for environmental response, is one, and it's the most relevant to
7 this event. We also manage what the Coast Guard calls the
8 District Response Group, which is mainly all of the resources
9 within the district that we can put together in response to all
10 hazards. So as we've moved through from open 90 on, the DRAT no
11 longer is strictly MER. We're more of an all-hazard response
12 group helping manage with -- through incident command system,
13 we're all at least Type 2 or Type 1 incident command-qualified
14 personnel. My qualifications are -- actually after this last
15 little go round in deep water, probably qualified to be Type 1 op
16 section chief and planning section chief. So we're very seasoned
17 in ICS and environmental response.

18 Q. Okay. What other responsibilities do you have?

19 A. Let's see. I supervise three personnel at the district.
20 I manage an incident management team of 17 personnel, 9 of which
21 are here, 2 are en route, so we'll have 11 here total. I think
22 that's -- isn't that enough?

23 Q. Okay. What I'd like you to do, in your own words, I
24 want to -- I'm going to -- these are a cognitive interview. I --

25 A. Right.

1 Q. -- we're going to turn it over to you --

2 A. Right.

3 Q. -- and I want to hear the story. What I'm interested in
4 is I want to hear what went on from your perspective in your eyes
5 once that District 9 got the notification from the National
6 Response Center that there had been a release, and what I'm
7 looking for is I'd like just to hear how it got to your desk, what
8 actions you did, what actions your subordinates and your teammates
9 and then your command did and then we want to explore down the
10 road the Coast Guard interaction with the Environmental Protection
11 Agency.

12 A. Yes, sir.

13 Q. All right. So can you start me out with the -- when you
14 first became notified of the release?

15 A. Between 1300 and 1400 on the 27th, I think, 26 -- it
16 would --

17 Q. Monday?

18 A. No, actually Monday I was with the EPA, so it was
19 Tuesday. Command Center came and said that -- they brought in an
20 NRC fax and we talked a little about it.

21 Q. Okay.

22 UNIDENTIFIED SPEAKER: 1300.

23 MR. MANGONI: I -- around 1300, right. That's when I
24 got back to the office.

25 UNIDENTIFIED SPEAKER: Sorry.

1 MR. MANGONI: Yeah, I was traveling that morning, I
2 believe. So we talked about it a little bit and I went and talked
3 to my boss and the questions at that time with the Coast Guard
4 were how far from the coastal zone, potential impacts to the
5 coastal zone, and do we think EPA would need anything from us.

6 BY MR. BOWLING:

7 Q. Okay.

8 A. Got with Sector Lake Michigan via -- the command centers
9 did, not me personally. We had the command center get back with
10 Sector Lake Michigan, take a look at the coastal zone boundary,
11 how far the release was. We determined it to be in excess of 40
12 miles from the, you know, the initial spot, from the coastal zone,
13 and really as far as an imminent threat determined that there was
14 none.

15 MR. KLABUNDE: You say you estimated that it was 40
16 miles?

17 MR. MANGONI: Right.

18 MR. KLABUNDE: Initially at that point?

19 MR. MANGONI: Well, initially. That's when our command
20 center came back --

21 MR. KLABUNDE: From -- okay.

22 MR. MANGONI: -- and said it's about 40 miles. Now, I
23 know that our -- the coastal zone goes in 11 miles.

24 BY MR. BOWLING:

25 Q. Okay.

1 A. And so the release site is a little less than 40, but
2 you know, still imminent threat was the threshold so we
3 immediately took a look at trigger points on, okay, what's the
4 trigger point that we are going to be aggressively engaged.

5 MR. BOWLING: Okay. If I can, real quick, with the
6 questionings, if I can, gentlemen, with your notes, just so that
7 we have it recorded and if you have a question, just jot it down
8 because we'll go around, and what I want -- I don't want to keep
9 giving the shotgun effect to the witness.

10 MR. KLABUNDE: Okay.

11 MR. KOVAL: Right.

12 MR. BOWLING: Because, you know, he would -- he's going
13 through this in his mind --

14 MR. KOVAL: Right.

15 MR. KLABUNDE: Uh-huh.

16 MR. BOWLING: -- and we want to keep him on these
17 timelines.

18 MR. KLABUNDE: Okay.

19 BY MR. BOWLING:

20 Q. But again, and from your perspective in your own words,
21 so the com center went back out to Sector Lake Michigan --

22 A. Right.

23 Q. -- and you're looking at basically the Coast Guard's
24 concerns at that point?

25 A. Yes, sir. That was strictly what we were thinking about

1 and --

2 Q. Okay.

3 A. And, you know, of course, working with Region 5 so
4 closely, what could we do to help if they required any help. I
5 mean, we knew really nothing of the initial response from the
6 initial notification.

7 Q. Okay.

8 A. Then I would say, and I, you know, I'm -- forgive me, I
9 do not know the exact time or the day that it started, but I would
10 say at some point on Thursday morning of last week I was in the
11 chief staff office a couple times, which is our second in charge
12 of the Coast Guard District, who had been receiving phone calls
13 from the governor's staff, particularly the emergency management
14 director and Congressman Upton, saying that -- asking why the
15 Coast Guard was not involved in this and given the explanation
16 that, you know, the delineation between the inland and coastal
17 zone is determined this way; you know, explained to them the
18 process and that it's been determined and it's sort of -- I don't
19 want to say codified, but articulated in the regional contingency
20 plan and it's been that way for a long time, you know, that this
21 is not a Coast Guard jurisdiction.

22 Well, I don't think that was exactly the answer on the
23 political side of things, so it became a political driver for us
24 to have my boss, who is the chief of incident management, Captain
25 Stephen Torpey (ph.), to contact the Emergency Response Branch

1 chief at EPA, which is Jason El-Zein, and say, hey, is there
2 anything I can do? We really need to maybe work together on this
3 and really did not get any callbacks or coordination with them for
4 at least the whole day Thursday. Our only contact with this were
5 a couple Strike Team petty officers that were ordered by EPA and
6 they got on scene and then they immediately reached back to the
7 district, you know, to let them know we're here, that kind of
8 stuff. I mean, there's coordination between Coast Guard folks.

9 Captain Torpey asked me to sit down and kind of take a
10 look based on my conversations with the petty officer, force
11 package folks, that I think EPA would benefit from their presence
12 and he would work on EPA and make sure that, you know, we could
13 get the folks out here to help them out.

14 As far as the force package, strictly incident
15 management support and operations and planning within the ICS
16 structure. Nine folks initially and that's up to this point. My
17 presence here, I was not going to come. I have a lieutenant
18 commander who would be the team leader for this event. We're also
19 supporting sort of two fronts to this war. I have part of the IMT
20 still down at Deep Water Horizon in Houma, Louisiana, and so we
21 were very particular with, all right, do we want to just send
22 everyone -- re-call folks. So we decided that we would send the
23 nine folks we had available initially.

24 Based on some phone calls from Emergency Management of
25 State of Michigan and I believe -- I can't verify, Congressman

1 Upton's office, Captain Torpey said the chief of staff wanted me
2 here as a agency representative for the Coast Guard to represent
3 all Coast Guard equities to this response and I got here yesterday
4 to take that on. And that's pretty much the timeline as best that
5 I can piece together.

6 Q. Okay. I want to -- and if you don't -- you're doing a
7 great job. If you don't know the answer to the question, just do
8 what you've done is, hey, I don't know; here's what I've -- what I
9 recall. And, TJ, I want to go back and get a couple of things
10 clarified, but before I take you back in timeline --

11 A. All right.

12 Q. -- when you say nine personnel on site, those are your
13 IMT?

14 A. Yes, sir.

15 Q. Personnel from District 9?

16 A. Yes, sir.

17 Q. All right. And then you had two initial Strike Team
18 personnel that showed up --

19 A. Yes.

20 Q. -- from Atlanta area?

21 A. From Atlantic Strike Team.

22 Q. Is it -- Atlantic Strike Team?

23 A. Yes, sir.

24 Q. Now, do you know what time they got on site?

25 A. I do not.

1 Q. Okay.

2 A. My first contact with them was Thursday morning.

3 Q. Was Thursday morning. And were they on site at that
4 time?

5 A. They were.

6 Q. And were they dispatched originally from the Strike Team
7 command to the site because of -- you said something about the
8 Emergency Management Center?

9 A. No, sir. They were ordered by one of the OSCs here at
10 EPA.

11 Q. Okay. Okay.

12 A. EPA is -- under the National Contingency Plan there are
13 special teams. The DRAT, which I supervise, is one. The Strike
14 Team, the National Strike Force is another. EPA has access to
15 them right away.

16 Q. Right.

17 A. They don't need to call --

18 Q. Okay.

19 A. -- a chain of command. They can directly call the ops
20 boss at either place and say I need support. In this case the
21 DRAT is providing incident management support. The strike team
22 has been asked to provide contractor management and equipment
23 support.

24 Q. Okay.

25 A. So very tactical, less -- you know, so --

1 Q. Right.

2 A. -- that's the dynamic we have right here.

3 Q. All right. Now, with the -- I want to go back to early
4 in the timeline that you had indicated that we -- we're talking
5 about the RCP.

6 A. Yes, sir?

7 Q. And we're talking about the coastal zone and inland
8 zone. Can you tell me what is the significance of that line of
9 delineation?

10 A. Yes, sir. Under the National Contingency Plan, there is
11 a single federal on-scene coordinator assigned to respond to an
12 incident and the pre-designated federal on-scene coordinator for
13 the inland zone is supplied by the United -- U.S. EPA. And the
14 pre-designated FOSC for the Coast Guard is assigned to the coastal
15 zone.

16 Q. Okay.

17 A. There is a line of delineation that was before my time.
18 Why it is that 11-mile piece, could be geography, could be a
19 political boundary, could be a variety of things. I mean, it's
20 been, you know, there since I've been here. Why it is exactly
21 where it is in this case, I mean, I don't know.

22 Q. Okay.

23 A. But it is there and it is a line of delineation. It's
24 geographic between the two pre-designated federal on-scene
25 coordinators.

1 Q. Okay. And that is basically up river from Lake
2 Michigan?

3 A. Yes, sir.

4 Q. Okay.

5 A. Yes, sir.

6 Q. So roughly 11 miles. And that is going to be spelled
7 out in a graphic form or visual form in the regional -- or the
8 RCP, regional contingency plan?

9 A. I do not -- if it -- know if it's graphic in the RCP --
10 EPA owns the RCP.

11 Q. Uh-huh.

12 A. But I think we have a good graphic depiction in the area
13 contingency plan which I'm still waiting on a copy of, so --

14 Q. Okay.

15 A. Yeah.

16 Q. But that line of delineation is well known?

17 A. Oh, yes, sir.

18 Q. Okay.

19 A. It's in the RCP and it is basically the line in which we
20 plan for in the coastal zone.

21 Q. Okay.

22 A. So our worst case discharges, our average most probable
23 and maximum most probable thresholds, are based on the coastal
24 zone boundary.

25 Q. Okay. So when the Coast Guard -- when I say the Coast

1 Guard -- when District 9 got the -- their first notification back
2 on the -- I want to say Tuesday?

3 A. Yeah.

4 Q. You said the fax came in around 1300? Between 1300 and
5 1400?

6 A. Yeah. It's just the fax came in at 1333 on the 26th.

7 Q. All right. And what are you referring to there?

8 A. This is the NRC report.

9 Q. Okay, so this is the --

10 A. You can have that if you want it.

11 Q. -- an e-mail stream from --

12 A. Well, that's actually from the Strike Team --

13 Q. From the Strike Team.

14 A. -- because I left mine on my desk.

15 Q. Okay.

16 A. My -- I have one that's printed out with the 9th
17 District Command Center's CDO's name. He printed it out and
18 handed it to me.

19 Q. All right. I --

20 A. But that's not -- it's not the original.

21 Q. I have yet to see this.

22 A. Yeah.

23 Q. We've got a copy, but -- okay. Thank you.

24 A. You can have it.

25 Q. So once you got this notification the -- at any point

1 was there a Coast Guard concern that they needed to take lead with
2 regard to the incident?

3 A. No, sir, it was just questioned.

4 Q. Okay.

5 A. Where is this, how does it affect us, those types of
6 things.

7 Q. Okay.

8 A. No push to be in charge of anything, no.

9 Q. Okay.

10 A. We're spread pretty darn thin as it -- at this point --

11 Q. Yeah.

12 A. -- organizationally anyway with --

13 Q. Deep Water Horizon?

14 A. -- Deep Water Horizon.

15 Q. Okay. Now, Sector Lake Michigan, this particular
16 segment of the river where the spill extends from this -- the
17 spill site down to -- I think they've officially titled it --
18 they're not the mile marks on the river, they're mile marks from
19 the spill site --

20 A. Right.

21 Q. -- to 38.4. That is all within the AOR of Sector Lake
22 Michigan?

23 A. It is in the AOR of Sector Lake Michigan, but it is not
24 under their authority as FOSC.

25 Q. From a response standpoint, correct?

1 A. Exactly, sir.

2 Q. But if you just look at a geographic --

3 A. Yes, sir.

4 Q. Okay.

5 A. Yes, sir.

6 Q. Now, with regard to the waterway navigability, that is a
7 waterway that is federal jurisdiction for navigable water
8 purposes, correct?

9 A. For purposes of water, but not under the National
10 Contingency Plan.

11 Q. Okay.

12 A. Yes, sir.

13 Q. Got it.

14 A. For -- as far as the navigable waters, it will affect
15 the navigable water as it could turn OPA -- we're thinking OPA 90
16 here.

17 Q. Right.

18 A. The definition of navigable water under OPA 90 is
19 different --

20 Q. Correct.

21 A. -- than it is under other statutes that we respond to,
22 yes, sir.

23 Q. All right. Trigger points. Now, when you're referring
24 to trigger points, can you expand a little bit on that, what you
25 were referring to?

1 A. Oh, yes, sir. Well, what we did initially as we
2 typically -- as we do for every occasion, we take a look at this
3 and, okay, threat to the coastal zone, that's what we're charged
4 to protect. What is the threat to the coastal zone? Is there a
5 threat, potential threat? So we said, okay, we came up with --
6 and I don't know the whole plan that was done by Sector Lake
7 Michigan, and I was actually en route here when it was finalized,
8 but we did discuss the trigger point being more like if it gets
9 past -- I think there's a dam on the east side of Morrow lake. If
10 there's a -- an effect past that, we need to start thinking that
11 protection of the coastal zone might be warranted and start taking
12 a look at Coast Guard equipment and -- which we already have. We
13 have a long-range plan. I'm not sure in what form it is at this
14 point, if it's in a draft form or a final form of what we're going
15 to do if -- skimming resources, et cetera, et cetera at that --

16 Q. Okay.

17 A. You know, Lake Michigan is a -- what we're there to
18 protect, so --

19 Q. All right.

20 A. -- and the 11 miles down toward Lake Michigan.

21 Q. All right. I will do a formal request for that plan,
22 but we'll just let you know, we're going to want a copy of that.

23 A. Yes, sir.

24 Q. Region 5 contact. When you were telling us about the
25 situation, you talked about the Region 5 contact and initial

1 response. Who was that that -- the -- with the Region 5?

2 A. Jason El-Zein? You mean with Captain Torpey?

3 Q. Correct.

4 A. Yes, sir, Jason El-Zein. It's E-l - z-e-i-n. He is the
5 Emergency Response Branch chief for EPA Region 5 out of Chicago.

6 Q. Okay. And were you privy to that interaction or did you
7 just hear about the contact?

8 A. I was not privy to the phone call or the conversation.

9 Q. Okay.

10 A. I was told about it by my boss.

11 Q. All right. And when you were told about it by Captain
12 Torpey, what was relayed to you from the captain with regard to at
13 least that interaction with Jason?

14 A. Well, I think that we basically offered some incident
15 management support and it was agreed to. I would think that the
16 interaction, I guess candidly, was not very good at first. We
17 were, you know, looking for information; they were looking for
18 help and I don't think we connected very well at the beginning.
19 And of course with the way we've been working in other regions, we
20 asked that maybe with -- you know, I couldn't give you a
21 percentage or a probability of impact to the coastal zone, but
22 given the event that the river flows that way, that the Coast
23 Guard could probably be a great hand here in longer range planning
24 and in incident management support, having a person that would be
25 part of the Unified Command. We have that at Deep Water Horizon,

1 which there is no inland impact. EPA's there.

2 Q. Right.

3 A. We have that at a couple other things. But they
4 immediately refused, so I said, oh, okay, we'll just provide an
5 agency rep, and that happens to be me, so --

6 Q. Okay. Now, when you -- but you indicated just a second
7 ago you said that you -- at least from that -- getting second-hand
8 from Captain Torpey that they had asked for help and the Coast
9 Guard said, hey, we'll give you some support.

10 A. Right. Well, I think a lot of it was is -- it was an
11 initial offer of support in the beginning and we weren't -- it was
12 mainly because of a -- I would say political pressure.

13 Q. Okay.

14 A. On the Coast Guard. Why aren't you there? Why aren't
15 you doing something? And the explanation, which is the truth, is
16 really there's no indication that it's going to affect the coastal
17 zone and we really do not have any jurisdiction unless we are
18 invited in. And, you know, I've had conversations with folks from
19 the State of Michigan. They've called me and expressed that they
20 were wanting us there.

21 Q. Okay.

22 A. So we tried to tactfully -- which successfully we did.
23 We tactfully got ourselves on the radar of EPA and were invited
24 in. But my indication at -- you know, all indications were we
25 probably would have been here anyway and probably not on nice

1 terms. Now, I don't know what, you know, the political realities
2 were, but that's what I was being, you know, presented with from
3 the State of Michigan.

4 Q. Okay. The district chief of staff, who is the -- what
5 06 is that?

6 A. Fred Midgette.

7 Q. Captain Midgette?

8 A. Yes, sir.

9 Q. All right.

10 A. Flag select.

11 Q. Of the famous Midgette family.

12 A. Yes, sir.

13 Q. Well known, the Midgette family. They're all out of --
14 for the team here, they're -- I guess most of the family's out of
15 Harker Island, North Carolina. They have a seagoing history and a
16 Coast Guard history back to 1800 or something. I mean --

17 MR. KLABUNDE: Huh.

18 MR. MANGONI: Right.

19 BY MR. BOWLING:

20 Q. -- just a well-known group, so one of the true Coast
21 Guard families.

22 Back on the topic of the reason for the interview, the
23 -- this discussion that you were talking about, flows of
24 communications from Michigan -- the governor's office, it looks
25 like and the -- Congressman Upton, they were asking at that point

1 or at least what you understand, encouraging the Coast Guard to
2 get involved --

3 A. Yes, sir.

4 Q. -- in the response?

5 A. And expressing dismay.

6 Q. Okay.

7 A. But I think --

8 Q. And this was Thursday?

9 A. And this was -- yes, and I -- well, I think it was prior
10 to Thursday.

11 Q. Okay.

12 A. I think -- but I was just brought into this on Thursday.

13 Q. Okay.

14 A. I had a feeling that -- the nexus here is Captain
15 Midgette is the former Sector Detroit Commander.

16 Q. Okay.

17 A. So there is a connection with Captain Midgette to the
18 State of Michigan and he was, you know, a star, you know, kind of
19 a guy and --

20 Q. Right.

21 A. -- there is a comfort level with these -- the -- some of
22 the political folks in Michigan with calling him as our chief of
23 staff.

24 Q. Okay.

25 A. So it instantly went there, you know, to the corner

1 office at the district, basically, immediately and then coursed
2 down through me because I'm their person that does this stuff.

3 Q. Okay.

4 A. So --

5 Q. The -- for the non-Coast Guard personnel here, the
6 district chief of staff is the second in command of District 9, so
7 a very high level position that, you know, would be a person who
8 would take direct calls from other, you know, political offices
9 and agencies.

10 A. And the admiral was out of the AOR, so he was acting.

11 Q. So he was acting D-9?

12 A. Right, so he was acting district commander.

13 Q. All right.

14 A. So, I mean, which is very often, you know, really, with
15 the chief of staff job.

16 MR. KLABUNDE: And Captain Midgette was the acting?

17 MR. MANGONI: Yes, sir.

18 MR. BOWLING: Correct.

19 MR. KLABUNDE: Okay.

20 MR. MANGONI: So he had command for the district, yes,
21 sir.

22 BY MR. BOWLING:

23 Q. Still in this timeline, the -- Jason El-Zein, is he on
24 scene now?

25 A. He is.

1 Q. Okay. Back in this timeline, the -- looks to me is
2 somewhere along the, maybe Wednesday or Thursday the EPA through
3 the -- their pre-existing agreements asked for two Strike Team
4 personnel?

5 A. Yes, sir.

6 Q. And those Strike Team personnel were brought in for
7 technical support?

8 A. They were brought in for -- I have it here. They were
9 ordered in to do contractor monitoring.

10 Q. Okay.

11 A. And then they were not utilized for that. They were
12 told that they were here for boom oversight -- equipment
13 oversight.

14 Q. Do you have an idea when they actually showed up on
15 site?

16 A. I do not, sir.

17 Q. Okay. Do you know the names of the individuals?

18 A. MST-1 Alvarez, first name escapes me.

19 Q. Okay, Alvarez.

20 A. And then MST-2 Baillie, and that's B-a-i-l-l-i-e.

21 Q. All right, B-a-i-l-l-i-e?

22 A. I-e, yes sir.

23 MR. KLABUNDE: I've met him, yeah.

24 MR. MANGONI: Well that's the female.

25 MR. KLABUNDE: I'm sorry, or her.

1 MR. MANGONI: The second's the female.

2 MR. KLABUNDE: The name --

3 MR. BOWLING: Yeah. All right.

4 MR. KLABUNDE: And I'm sorry, what was the initial
5 monitoring?

6 MR. MANGONI: Contractor.

7 MR. BOWLING: Contractor.

8 MR. MANGONI: Contractor monitoring.

9 MR. KLABUNDE: Okay.

10 MR. BOWLING: And then --

11 MR. MANGONI: Going out and overseeing contractors.

12 MR. BOWLING: -- boom placement.

13 BY MR. BOWLING:

14 Q. All right. So we'll find out maybe -- and that'll be in
15 another -- we'll do a official data call, and I know you're busy,
16 but we'll -- I'll get something to you in the e-mail.

17 A. Right.

18 Q. Because I'll -- we'll probably ask for the Coast Guard
19 documentation records just so we know when your assets are coming
20 and going, okay?

21 A. All right. Well, we're work -- yeah.

22 Q. And that's not something we need right now, but we'll --

23 A. Okay.

24 Q. -- get that down the road. All right. Want to keep
25 working on this response. What about any conversations? Were you

1 privy to any interaction with Jason El-Zein yourself prior to
2 arriving on site?

3 A. No, sir. Again --

4 Q. Okay.

5 A. -- what I did was put together the team. Lieutenant
6 Commander Brian Meier as team leader and basically said go do
7 great things and he contacted the scene here. Who he talked to, I
8 do not know. I think I recall him saying he talked to Ralph
9 Dohoff (ph.), who is the incident commander here.

10 Q. Right.

11 A. And said, hey, here's our folks, here's the package we
12 put together. We're going to be there, here's our ETA, et cetera.

13 Q. Okay. When you were telling us early in the phase the
14 -- you were talking that the -- Captain Torpey had directed you to
15 put together nine personnel from the District Incident Management
16 Team and deploy to the site here, was there any interaction with
17 you at that point and anyone in the Michigan EOC?

18 A. Not in the EOC, but the merchant management director.
19 Or the director of -- I don't know how they -- what the title is.
20 The Homeland Security director here in Michigan.

21 Q. All right. That would be Captain Sands?

22 A. Yes, sir.

23 Q. All right. All right. We've got to talk to him here in
24 a little bit, but I want to -- tell me about that -- your
25 interaction with Captain Sands.

1 A. Captain Midgette asked me to interface with Captain
2 Sands on his behalf, basically, because Captain Sands was calling
3 in directly to Captain Midgette. So I did. And he -- you know, a
4 few things, of course -- you know, I listened to him. He vented a
5 little bit and he wanted to have us come in and evaluate EPA's
6 response and report back to the state, which I wasn't really sold
7 on that being a great idea. So what I did, again, is work with
8 Captain -- work through Captain Torpey through Jason El-Zein to
9 have EPA invite us to this dance and come in and augment them and
10 help them.

11 I mean, we can do this. This is a very typical job for
12 the Coast Guard. We can manage this thing very easily with the
13 folks we have. So the conversations were, yea, thanks for getting
14 your folks together and doing this. Because I told him that I
15 would keep him in the loop via e-mail, which I did, on the status,
16 the ETA of the teams, the folks and the positions that we were
17 providing. I -- just trying to keep him, you know, in the loop.

18 Q. Okay.

19 A. Because bottom line the transparent communication is
20 what it's all about. I mean, it's all this is going to -- you
21 know, that's what we tried to do. So I kept him -- in fact, gave
22 him a coms plan and I said the person on scene to contact now is
23 Lieutenant Commander Meier. I won't have near as much firsthand
24 information as he would have. So I understand that Commander
25 Meier and Mr. -- or Captain Sands had a conversation, at least

1 one. I don't know if there was any more.

2 Q. Okay.

3 A. Captain Sands sent me an e-mail the other day saying
4 thank you and that he met with the EPA administrator and he's
5 going to -- I guess I should have said this in the beginning. He
6 was going to formally request the Department of Homeland Security
7 to Coast Guard be heavily engaged in this response from a
8 requirement level, like you're here because we -- you're told to
9 be here. He withdrew -- he said that based on a conversation he
10 had with the Emergency -- or the regional administrator, he was
11 going to withdraw that request on good faith that EPA was going to
12 step up and meet his expectations.

13 And that's the last I heard. I have no idea if his
14 expectations are being met. I'm here trying to get going and
15 that's where I stand there.

16 Q. Okay. When you had that interaction with Captain Sands,
17 and I talked to him today. He's up at -- in Lansing at the --

18 A. Right.

19 Q. -- (indiscernible) Operation Center for the state.

20 A. Right.

21 Q. But do you recall specifically anything that he relayed
22 to you concerns that he had about --

23 MR. BOWLING: We're in the middle of an interview. Come
24 on in but --

25 UNIDENTIFIED SPEAKER: Oh. We just wanted to see --

1 UNIDENTIFIED SPEAKER: We just wanted to see where you
2 are.

3 MR. BOWLING: Oh, come on in, that's fine.

4 UNIDENTIFIED SPEAKER: Okay, that's okay.

5 UNIDENTIFIED SPEAKER: That's okay.

6 MR. BOWLING: All right.

7 BY MR. BOWLING:

8 Q. But do you recall any of the concerns that he
9 specifically relayed to you asking you to bring your team of
10 specialists in?

11 A. Yeah, I don't know that he specifically asked for our
12 team of specialists. He asked for Coast Guard, you know,
13 involvement.

14 Q. Okay.

15 A. And we tried to meet that requirement and expectation
16 with the team we put together. He didn't specifically ask for
17 people to do these specific things; he was just saying can you get
18 involved? And I said, well, I mean, we really don't have
19 jurisdiction, and he --

20 Q. Right.

21 A. -- said he understood that fine line but he didn't care,
22 he's responsible for the State of Michigan and that's what his
23 concern was. I said all right.

24 Q. And --

25 A. So yes, he was not happy with the level of response.

1 I'm sure I probably won't speak verbatim but --

2 Q. And that's fine.

3 A. -- because I don't remember, right.

4 Q. To the best of your recollection.

5 A. Anemic. A few of the adjectives. That was the concern.

6 Again, and I really had no knowledge of exactly what was happening

7 on the ground here to make an assessment to that on my own. I was

8 just listening and saying, sir, yes, sir, we will support in any

9 way we can.

10 Q. Okay.

11 A. Absolutely we will do what we can, but again understand

12 that we do not have jurisdiction over the spill site. We do not

13 regulate that pipeline. We are just, you know, here.

14 Q. Here.

15 A. Right.

16 Q. Here to assist.

17 A. Yes, sir.

18 Q. Okay.

19 A. So --

20 Q. Now, Captain Sands, he's the high-ranking -- I think

21 with the state police?

22 A. Right. He's the director of emergency management,

23 Homeland Security, I believe --

24 Q. Okay.

25 A. -- for the state.

1 Q. All right.

2 A. It's typically a state -- a senior state police
3 officer --

4 Q. All right.

5 A. -- in the State of Michigan and when -- I think this is
6 at -- since they merged after 911, I'm thinking -- you know, I
7 really can't remember too much before that even though I've been
8 here since '94.

9 Q. Okay.

10 A. But -- right.

11 Q. All right. So you -- the Coast Guard -- well, you have
12 been on site since Friday?

13 A. Yesterday.

14 Q. Yesterday.

15 A. Me.

16 Q. Okay.

17 A. Our team has been here for a few days.

18 Q. All right. So when you said -- when you dispatched the
19 nine District 9 IMT personnel, you were not included in that?

20 A. No, sir. And that was the plan. I mean, I was going to
21 stay at district to manage our support to Deep Water Horizon. We
22 have additional support of the casualty in the marshes in
23 Louisiana --

24 Q. Okay.

25 A. -- and we have this.

1 Q. Okay.

2 A. So I was better served to stay as the DRG manager at
3 district until yesterday.

4 MR. BOWLING: For the team, and then we'll -- I'm
5 getting close to wrapping my questions up, but he's referring
6 to -- this is Larry Bowling with the NTSB. There was another
7 incident that we're monitoring in the Office of Marine Safety
8 where a tug and barge down in coastal Louisiana down around
9 Fourchon knocked out a wellhead, another wellhead, but this one's
10 a -- an above-surface wellhead and has an active release and as of
11 when I launched, I don't -- I think it's still open, but that's
12 what he's referring to.

13 MR. MANGONI: Yeah.

14 MR. BOWLING: So his teams are still involved in Deep
15 Water Horizon. They're also involved in this other response
16 incident within the same area of response in District 8, which is
17 New Orleans, and then here, so there are three locations.

18 BY MR. BOWLING:

19 Q. You got on site yesterday, which was Sunday?

20 A. Yes, sir, approximately 1600.

21 Q. All right. From a standpoint of the -- your role and
22 the Coast Guard's role at present, what are you providing to the
23 Unified Command?

24 A. All right. What we were ordered to do is to provide
25 incident command support. So as far as D-9 IMT, I provided a team

1 leader where that person would not be encumbered by a specific ICS
2 position; it would just be a manager. I brought in an operation
3 section chief, I brought in a deputy ops section chief and I
4 brought in a planning section chief, a resource unit leader, a SIT
5 unit leader and the rest field observers that work within
6 situation. But those field observers or DIV group -- division
7 group supervisor-qualified, so they could do contractor
8 monitoring. They can do those things, but we didn't want to start
9 pushing overhead personnel onto EPA so we just put "field
10 observer" behind their name.

11 Q. Okay.

12 A. So that is a less, I guess, invasive position in within
13 the ICS, so --

14 Q. So you -- from a standpoint of overall team lead, that
15 would be Lieutenant Commander Meiers [sic)?

16 A. Yes, sir.

17 Q. All right. And then your ops and deputy ops?

18 A. David Mergenthaler.

19 Q. Okay.

20 A. Sector Buffalo.

21 Q. All right.

22 A. And Chief Kenny Brockhouse out of Marine Safety Unit,
23 Chicago.

24 Q. Okay, and your planner?

25 A. Planning section chief is Mr. Alan Turner.

1 Q. Okay.

2 A. Out of D-9.

3 Q. All right. And your response chief?

4 A. Response chief or resource unit?

5 Q. Or resource, I'm sorry, yeah.

6 Q. Resource unit leader is a Mr. Herb Oertli out of Marine

7 Safety Unit, Toledo.

8 Q. And your situational unit?

9 A. Mr. Fritz Wasco out of D-9 Planning.

10 Q. All right, and then your field observers?

11 A. All right --

12 Q. Just if you know them. I mean, the names.

13 A. Yeah, Christina Ornelas, she's mine, MST-2, and then
14 there's an MST-1 and MST-2 out of Sector Lake Michigan.

15 Q. Okay.

16 A. And that's --

17 Q. And what exactly are the field observers doing?

18 A. Field observers would work for the situation unit
19 leader, because one of the things that I immediately recognized
20 this whole thing is information management is terrible. It -- you
21 know, for the record.

22 Q. Yeah.

23 A. And I brought in a Type 1 person, a great guy that's
24 done it at the -- all the big incidents we've been to as a team
25 situation and the field observers would be the person out there

1 verifying in the field the report situations getting. If there's
2 verification that there's oil in Morrow Lake, well, we would send
3 out these field observers, whether they're doing over flight or if
4 they're doing it on a boat, whatever, how -- whatever out there to
5 verify these things. So our situation unit is truth. That's what
6 they do.

7 Q. Okay. With regard to the EPA command structure at
8 present, have -- has anyone from the command cell asked for
9 support -- further support from the Coast Guard or --

10 A. I can't speak for --

11 Q. Yeah.

12 A. -- for the 9th District, no.

13 Q. Yeah. Okay.

14 A. I asked for two additional folks to help manage from my
15 team --

16 Q. Okay.

17 A. -- to bring in and then for Strike Team I can't say.
18 The Strike Team lead would have to -- if there -- I know there are
19 more coming, but I don't know how they were ordered.

20 Q. Okay. And they are basically not coming through from
21 the District, they're coming through from -- you're fine. We're
22 on recorder, so -- basically they're being handled -- that -- he's
23 setting up the room for us. They're being handled through the EPA
24 Region 5 direct?

25 A. Well, I would think --

1 Q. To the Strike Team?

2 A. -- I would hope they were being handled through
3 resources here, but I don't know the process.

4 Q. Okay. Who was the leader for the Strike Team on site?

5 A. Baillee.

6 Q. Baillee?

7 A. Petty Officer Baillee.

8 Q. Petty Officer Baillee. All right.

9 A. And there'll be a Lieutenant JG showing up some time
10 today or tomorrow to assume that.

11 Q. All right. All right. I think from my standpoint other
12 than getting back and doing a formal data call, I'll get you a --
13 an e-mail requesting some of the things we talked about. I think
14 I'm going to turn the questions over to the group chairman.

15 MR. BOWLING: Chuck, do you have questions to follow up
16 with the witness?

17 BY MR. KOVAL:

18 Q. When Petty Officer Baillee, when she first walked in to
19 the Unit 5 command center, I believe there was a briefing going on
20 and I asked her what she was there for. And she said technical
21 support.

22 A. Correct.

23 Q. I just wanted to say that you characterize that term --
24 okay.

25 A. Yeah, technical support is a term that encompasses a

1 variety of different things.

2 Q. And --

3 A. It could be safety, could be boom, you know, equipment,
4 strategies, it could be contractor management. But I -- initial I
5 believe the technical support that was requested was contractor
6 oversight. At least that's from her to me earlier today.

7 Q. And a boom equipment control, what does that entail?

8 A. Well, I think that that move into boom oversight, the
9 booming oversight I believe is going out and ensuring that the
10 angle of the boom is correct and it's not entraining oil under the
11 boom, making sure they're doing it correctly. The actual art of
12 booming. There's a -- you know, there's ways to do it where it's
13 completely ineffective. They were asked to go out and make sure
14 that it was being effective in the way it was being employed.

15 Q. And you say make sure that -- the contractors? Make
16 sure the contractor --

17 A. Make sure the contractors are doing it correctly and,
18 you know, properly. Proper PPE, all -- the whole -- you know,
19 that whole oversight thing, right. And that's an interesting --
20 because I don't know if you've talked to her. You probably got
21 the issues she has?

22 Q. No, I haven't.

23 A. All right, well I --

24 MR. BOWLING: We will formally -- we'll formally talk to
25 her.

1 MR. MANGONI: All right.

2 MR. BOWLING: We need to get her on the record.

3 MR. MANGONI: All right.

4 MR. BOWLING: Yeah.

5 MR. MANGONI: I got them, so --

6 MR. BOWLING: You want to --

7 MR. MANGONI: Because I'm --

8 MR. BOWLING: Actually --

9 MR. KOVAL: But he has them.

10 MR. BOWLING: Yeah. Yeah.

11 MR. MANGONI: Well, I --

12 MR. BOWLING: Or yeah, you -- save us time?

13 MR. MANGONI: Well, I'm talking to the incident
14 commander today and voicing a few concerns we have. That's what
15 these are.

16 MR. BOWLING: You have the floor. You want to go ahead?
17 Just get him on the record if you want to.

18 BY MR. KOVAL:

19 Q. Can you tell me those concerns, please?

20 A. All right. Operation section chief has a lack of
21 knowledge of field operations and has unknowledgeable Division
22 Group supervisors leading knowledgeable Coasties. Strike Force is
23 underutilized. No leadership with OSC, given no direction.
24 Directed to coordinate with contractors, but no desire to be given
25 -- to receive the information that they acquire from the field, so

1 they're told, like, yeah, just go do that and there's no backfill
2 of information into the system. And they resist the notion of
3 ever having a meeting with the Strike Team to actually get
4 everybody on the same page.

5 And my perspective with the Strike Team and our folks,
6 which are incident management, is there is -- within the ICS
7 process, safety has been an issue. There's no formal site safety
8 plan. We are in currently a safety stand down with our folks in
9 the field in Divisions A and B and doing only area familiarization
10 today in area -- the rest of the divisions because of this --
11 there's no site safety plan. There's no -- nothing to tell us how
12 to be safe. There's no assignment list in -- within ICS
13 terminology it's an ICS-204 form -- assigning Coasties to do
14 anything.

15 It's basically go over there. Well, is it safe for me
16 to go over there? There's none of those discussions or formal
17 documents being generated within ICS, which in five years from now
18 those forms become your documentation, which is really why the
19 Coast Guard bought and paid for Incident Command System is because
20 the documentation that it provides you is tight. It -- you know,
21 you can tie everything back to objectives and rationale why you
22 did anything. That's not happening here.

23 So there's some frustration. I don't know if you've
24 gained that from discussions with other folks, but on the
25 Coasties' behalf, because we were asked to be here, basically, and

1 in some cases not being utilized where we were told -- in the way
2 we were asked for, so --

3 Q. And you were told to go out there and watch booms,
4 but --

5 A. But then --

6 Q. -- nobody asked if you were safe?

7 A. -- we go out and watch the booms --

8 Q. Uh-huh.

9 A. -- and we say okay, here, you do this, do this, do this.
10 Well, no, we don't want to hear that. Okay. Well, then why the
11 heck did you have them go do it, then? That --

12 Q. Right.

13 A. That's what I'm talking about, so --

14 Q. I see.

15 A. -- that's her frustration. And she could probably
16 articulate that way better. She's very, very sharp kid, so --

17 Q. Kind of seemed that way to me.

18 A. Right.

19 Q. Uh-huh. I only met her very briefly.

20 A. Right. Yeah, she will have no problem talking to you.

21 Q. Okay. Okay. And without that safety plan, it's
22 possible that one of your employees could have been injured,
23 possibly?

24 A. Do you mean exposed?

25 Q. Yes, exposed?

1 A. Yes, sir. They can't rule out exposure.

2 MR. BOWLING: But it -- for the record --

3 MR. MANGONI: I mean, what --

4 MR. BOWLING: Let me -- for the record, we don't want to
5 have you speculate.

6 MR. MANGONI: Right, yes, sir.

7 MR. BOWLING: We don't know what would happen, what
8 didn't happen. But --

9 MR. MANGONI: Well, we were at a safety meeting and the
10 determination there was based on all the monitoring, everything
11 that went on, they cannot rule it out. That's where it stands
12 right now. They can't prove that an exposure occurred, but they
13 cannot disprove an exposure occurred based on the monitoring.

14 MR. BOWLING: And if I may have the floor one second,
15 Chuck, just to get it on the record?

16 BY MR. BOWLING:

17 Q. If you don't mind, go ahead for the -- some of the folks
18 that are new to the response, explain the significance of that
19 site safety plan, which we've actually asked for. We haven't got
20 it yet, for the 204.

21 A. Okay, sir. Site safety plan, what happens in -- and I
22 can start at ICS. You have objectives. You turn those objectives
23 into work assignments. Each of those specific work assignments
24 has to be assessed by the safety officer. So, for example, if you
25 say I want a person to walk down the beach in, you know, a

1 hundred-degree weather, you know, to -- just to walk down the
2 beach and look at the beach and tell me what kind of beach it is,
3 the safety officer should look at that work assignment and say
4 okay, here are the hazards: bug bites, heat stress, whatever the
5 hazards are. There are the hazards, here are the mitigating
6 measures we can reduce the effects of those hazards and here are
7 the PPE we do it with. Each work assignment needs to be pretty
8 much assessed. That's very simplified, but like that.

9 There are -- this wasn't really, I don't believe,
10 happening because ICS wasn't really flipping through and we had
11 several different entities monitoring, getting different readings,
12 and one of the readings happened to be this anomaly reading above
13 exposure limits, and nobody can verify that that reading wasn't a
14 true reading, but nobody can verify that it was. You -- does that
15 make sense? So based on all the other readings, it looked like an
16 anomaly, but, you know, but nobody went and did a check to make
17 sure that that specific little column of air wasn't above --
18 exceeded the threshold.

19 So the assessment of the work assignments I don't know,
20 because we're not getting official work assignments on 204 forms
21 right here. There's not a Coastie on any of them, but we're being
22 asked to go do work. But we're not -- like, so as you can see
23 here, there are special instructions here. That's where safety
24 goes. Safety and PPE requirements will go in there. And here's
25 your communication. So you basically would have a communications

1 plan or document that says okay, here's how to get back in touch
2 with somebody if something like this comes up.

3 Our -- when we were, you know, the exposure occurred, I
4 don't think there was a process to report that back to command
5 until everybody kind of got back and, you know, it was this sort
6 of a delayed type of a deal so -- which is again, you probably
7 ought to talk to somebody more engaged in that to exactly the
8 timeline of how that all occurred.

9 BY MR. KOVAL:

10 Q. Okay. I've been attending these briefings, and every
11 night it seems they come up with some type of safety concern. Is
12 that being -- the health and control officer with the -- I'm not
13 sure, quite sure without looking through my notes, which I don't
14 have right now -- you know, he says there's a lot of mosquitoes
15 out there, we got to watch heat stroke, you know, it's hot.

16 A. He says this at night?

17 Q. Yes, the nightly briefings, I believe. Or no, maybe I'm
18 wrong.

19 A. Right.

20 Q. Maybe the morning briefings.

21 A. If it's at the ops brief in the morning, right, he's
22 basically saying, hey -- you know, there's always a safety message
23 given out --

24 Q. Okay.

25 A. -- during those to say, hey, you know what, it's hot out

1 there, be careful, drink lots of water, use the buddy system, you
2 know, those types of things. But there still needs to be a signed
3 site safety plan by the Unified Command that is approved by all, a
4 single one. Right now we have -- well Enbridge has, I have a
5 safety plan. Okay, well, great, what does that do for me? I'm
6 Coast Guard. Does that mean I go by Coast Guard policy, which
7 would mean I'm in Level B, buddy, and you're walking around in
8 jeans? That doesn't look very good if I'm in a half face
9 respirator and Tyvek and you're walking around in jeans and a
10 T-shirt because our policies are different. There needs to be an
11 incident policy that conforms to all of our agency policies. And
12 that's -- that has not occurred yet. It may have occurred in the
13 last couple hours because we really put the heat on them yesterday
14 to do it. Generated by Coast Guard dismay because it was one of
15 ours that potentially was exposed and we went into a safety stand
16 down. So we're not out there monitoring contractors anywhere
17 where there's free-flowing product at all because we don't have a
18 safety plan.

19 Q. So that's totally unrelated to what they're announcing.

20 A. I don't know if it's at --

21 Q. I thought some of it was at night.

22 A. I don't know if it's unrelated. I don't know if it's in
23 a plan somewhere, but there -- you know, I went to a safety --
24 were you at the safety meeting yesterday?

25 Q. At the briefing?

1 A. Yeah. There was a meeting after the briefing.

2 Q. No, I wasn't, no.

3 A. All right. We sat at the safety meeting and three folks
4 talked. There was an EPA person, an Enbridge person and -- well,
5 two Enbridge folks. One was a doctor, an industrial hygienist
6 person. I couldn't determine from the way they were speaking who
7 was the safety officer. There needs to be one person responsible
8 that has the authority but also carries the liability when things
9 happen and I'm not sure that, you know, I think EPA is it. I
10 guess we'll -- he sits in the chair in the vest, but I'm not --
11 don't know if he's got the plan or what, so there's a safety
12 disconnect, and that is the issue that we have, at least, right
13 now, the Coast Guard.

14 MR. BOWLING: Chuck, further questions?

15 MR. KOVAL: No.

16 MR. BOWLING: All right. Duane?

17 MR. KLABUNDE: Yeah, I got a couple questions. I guess
18 there -- with regard to the coastal zone versus the inland zone.

19 BY MR. KLABUNDE:

20 Q. You said typically that line of delineation is 11 miles?

21 A. No, not typically, just in this case.

22 Q. Okay. So that -- is that 11 miles from the spill point?

23 A. No, it's 11 miles from the mouth of the river to the --
24 of Lake Michigan --

25 Q. Okay.

1 A. -- 11 miles inland. That is the line. And whatever
2 that line represents to somebody, whether it be a political
3 boundary or a watershed boundary, however that determination was
4 made years ago, I mean, I don't have any idea.

5 Q. Okay.

6 A. All I know is that's the line.

7 Q. And at this point we haven't hit that buffer
8 regarding --

9 A. No, sir.

10 Q. -- regarding --

11 A. We have a trigger point of the back -- if oil starts
12 getting past that backside of Morrow Lake I think there's -- is
13 there an overflow dam there? I --

14 MR. KOVAL: I heard that.

15 MR. MANGONI: Right, so --

16 MR. BOWLING: There is.

17 MR. MANGONI: -- that overflow dam at the back -- the
18 east -- the west side of Morrow Lake is a trigger point for us to
19 start moving Coast Guard equipment toward --

20 MR. KOVAL: Right.

21 BY MR. KLABUNDE:

22 Q. Right.

23 A. -- protection.

24 Q. That buffer would normally determine your taking over
25 jurisdiction?

1 A. No, no, no. That is just we are going to start making
2 efforts to move equipment around --

3 Q. Okay.

4 A. -- in the coastal zone to start employing our strategies
5 that exist in our contingency plans.

6 Q. Okay.

7 A. Yes, sir.

8 Q. All right. Regarding the comment that information
9 management is terrible according to -- is it according to Captain
10 Sands; is that correct?

11 A. No, that was according to me that explains the
12 frustration of Captain Sands.

13 Q. Okay.

14 A. Yes, sir. That is -- it is just -- to get information
15 at Day 5 or so, you shouldn't have to pull information. You
16 should be getting it pushed to you and --

17 Q. Uh-huh.

18 A. -- really that's not occurring. It's still not
19 occurring. I don't know that -- I just, for example, went to the
20 resource unit leader and said how many feet of boom do we have in
21 the theater. No idea. Situation unit leader knew, but why
22 doesn't the resource guy know? I mean, so there's that -- we need
23 to get it tightened up. I mean, if you use the ICS system, which
24 we're trying to use, it's good. But --

25 Q. And at this point, I guess, to take away some of my

1 confusion is when we're directing those comments and these
2 concerns, is that related to the entire incident command process
3 or is that currently related to the working relationship between
4 EPA and Coast Guard?

5 A. Well, it has nothing to do with the EPA and Coast Guard.

6 Q. Okay.

7 A. The information management. The information management
8 when, you know, really I think --

9 Q. You're talking start to finish?

10 A. I'm talking from the beginning of this thing and we're
11 getting the calls at the District Office for something that we
12 have really nothing to do with as Coast Guard.

13 Q. Uh-huh.

14 A. And, you know, we're going to try to help out.

15 Q. Yeah.

16 A. And the -- really the whole, I mean, this could have
17 been the greatest response ever and if it's not getting -- the
18 information isn't getting to the people who require it, the
19 governor --

20 Q. Uh-huh.

21 A. -- you lose. It doesn't matter how great you're doing,
22 you lost.

23 Q. Yep.

24 A. And that's what I mean by information management.

25 There's still no single voice coming out of this building. There

1 is not. And it has nothing to do with us. We're here to help you
2 get that voice.

3 Q. Yep.

4 A. And we're being -- it's -- a little bit of resistance in
5 us helping out, I think. A little -- I don't know if it's --
6 whatever it is, but, you know, when the call -- and basically the,
7 you know, when the calls stop coming into the District, we can go
8 home.

9 Q. Okay.

10 MR. BOWLING: All right. We'll -- may have a few more
11 questions, but I wanted to --

12 MR. KOVAL: Can I interrupt a second?

13 BY MR. KOVAL:

14 Q. For the record I would just like to tell you, from my
15 notes, I don't know what type of dam that was that basically -- it
16 may have been an underflow dam.

17 A. Okay.

18 Q. And I'm not sure about that.

19 A. Right, but --

20 Q. What would be the difference between those two, an
21 underflow and an over --

22 A. It's still a trigger point.

23 Q. Okay.

24 A. That is our trigger point to start taking a look at --

25 MR. BOWLING: Yep.

1 MR. MANGONI: -- efforts to effect a response in the
2 coastal zone. And that would just consist of taking a look at
3 moving some resources. It still would have a lot of way to go.

4 MR. BOWLING: Yeah.

5 MR. MANGONI: But that is the -- there's nothing left
6 between the coastal zone and the oil, then, if it gets past there.
7 Probability of that happening I really have no idea. Could be --

8 BY MR. KOVAL:

9 Q. And -- oh, I'm sorry.

10 A. Could be none. I mean --

11 Q. Okay, Sarge.

12 MR. BOWLING: All done?

13 MR. KOVAL: Uh-huh.

14 BY MR. BOWLING:

15 Q. One final question from my perspective, then we'll do --
16 see if there's anything else and we'll wrap up. Is the Coast
17 Guard still in a safety stand down this morning awaiting a Unified
18 Command site safety plan?

19 A. We actually haven't been assigned on 204s, but we are
20 strictly working not in Divisions A and B and just doing area
21 familiarization with the new folks that came in in the rest of the
22 divisions.

23 Q. Okay.

24 A. So we are not actively working on an assignment from EPA
25 or Enbridge, well, whoever, the Unified Command, which we're not

1 part of. We're just an assisting agency.

2 Q. All right, so presently none of the Coast Guard assets
3 that are here --

4 A. Are on 204s.

5 Q. -- personnel assets --

6 A. No, sir.

7 Q. -- are on any 204s. So from a standpoint of at least
8 the divisions -- what divisions are you doing familiarization in
9 right now?

10 A. C, D and E.

11 Q. Divisions C, D and E?

12 A. Yes, sir.

13 Q. And then Divisions A and B --

14 A. And B --

15 Q. -- are no --

16 A. No Coasties are in there because of the elevated --

17 Q. Right.

18 A. -- readings that they had off and on of the benzine.

19 Q. Right.

20 A. Yes, sir.

21 Q. All right. I have nothing further.

22 MR. BOWLING: My teammates?

23 MR. KLABUNDE: I do -- yeah, I guess I do have a
24 question.

25 BY MR. KLABUNDE:

1 Q. Regarding the --

2 MR. BOWLING: Duane with Enbridge.

3 MR. KLABUNDE: Yeah.

4 BY MR. KLABUNDE:

5 Q. Regarding the incident command structure (indiscernible)
6 was there a specific date where it was determined that EPA had
7 taken over the spill site from Enbridge?

8 A. I do not -- I don't have any idea. I know EPA was
9 engaged immediately because at the -- you know, and I don't know
10 the whole effect after the NRC facts went in, but typically they
11 assign an OSC immediately. I mean, I really can't speak to the
12 EPA's --

13 Q. Okay.

14 MR. KLABUNDE: No -- that's all I have.

15 MR. BOWLING: Anything further? Okay.

16 BY MR. BOWLING:

17 Q. TJ, before we do -- close the interview out, I'd like to
18 turn the floor over to the interviewee and let the interviewee
19 become the interviewer. Any questions for us or anything we've
20 failed to ask you that you feel would help us -- you know, our
21 purpose here is to, hopefully, if anything can be improved upon,
22 to improve upon -- and you've been very helpful. Have we failed
23 to ask anything we need to ask? Okay?

24 A. No. I think that, you know, taking a look at, you know,
25 understanding the NTSB mission and looking at the accident and all

1 that is great, but actually this is the first for me answering
2 questions on the management or the response to something like this
3 for me --

4 Q. Yeah.

5 A. -- personally, so and I think it's good. I think, you
6 know, if I think of anything else, will I have an opportunity to
7 come back and tell you that? You -- send you an e-mail or --

8 Q. Okay.

9 A. -- whatever I -- I'd like to do that.

10 Q. Actually it -- you've got my business card, right?

11 A. I do, sir.

12 MR. BOWLING: All right. So we'll close this off the
13 record. Let me make sure we --

14 (Whereupon, the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

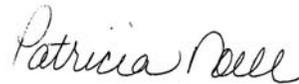
IN THE MATTER OF: ENBRIDGE OIL SPILL
 MARSHALL, MICHIGAN
 Interview of Anthony Mangoni

DOCKET NUMBER: DCA-10-MP-007

PLACE: Marshall, Michigan

DATE: August 1, 2010

was held according to the record, and that this is the original,
complete, true and accurate transcript which has been compared to
the recording accomplished at the hearing.



Patricia Noell
Transcriber