

**ATTACHMENT 21 – *INTERVIEW OF MI DNRE DISTRICT 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: GREG DANNEFFEL

Conference Room  
Hampton Inn  
17256 Sam Hill Drive  
Marshall, Michigan

Tuesday,  
October 26, 2010

The above-captioned matter convened, pursuant to notice,  
at 3:17 p.m.

BEFORE: PAUL L. STANCIL  
Accident Investigator

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I N T E R V I E W

(3:17 p.m.)

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2  
3 MR. STANCIL: Okay, I'm Paul Stancil. I'm the hazardous  
4 materials accident investigator with the National Transportation  
5 Safety Board.

6 MR. KOVAL: I'm Chuck Koval with the -- pipeline  
7 investigator with the NTSB.

8 MR. BUNN: I'm Jim Bunn, from PHMSA Central Region.

9 MR. KLABUNDE: Duane Klabunde, Enbridge North Dakota,  
10 supervisor in compliance.

11 MR. JOHNSON: Jay Johnson, Senior Compliance Specialist,  
12 Superior, Enbridge.

13 MR. DANNEFFEL: And Greg Danneffel with the Michigan  
14 Department of Natural Resources and Environment. I'm the  
15 Kalamazoo District supervisor for the Water Resources Division.

INTERVIEW OF GREG DANNEFFEL

16  
17 BY MR. STANCIL:

18 Q. Excellent. Okay, Mr. Danneffel, if you could give us an  
19 overview of the role of the Michigan Department of Natural  
20 Resources with respect to its response to the accident here at  
21 Enbridge at Marshall, Michigan?

22 A. I think, you know, to sum it up in a few words, where  
23 our responsibility when it comes to spill events is to respond and  
24 evaluate the response that's necessary to address any  
25 environmental and resource concerns, mainly in this case with the

1 initial concern, of course, was surface water impacts and impacts  
2 to the resources associated with that, such as fish, aquatic life.

3 This also happened right near the time where we were in  
4 the middle of a reorganization, so we were recombined with our --  
5 before this happened, we were separate departments, the DNR and  
6 the wildlife and fishery folks were separate from the  
7 Environmental Quality, the Department of Environmental Quality,  
8 which dealt with water quality issues and spill response issues.  
9 So, we kind of all got thrown together in the middle right when  
10 this happened. And so, there's a wildlife component as well that  
11 we were involved with.

12 Q. Okay. And you were a member of the unified command  
13 structure?

14 A. Yes, sir.

15 Q. Okay. Could you tell us a little bit about how it was  
16 organized and how it operated?

17 A. Well, the unified command was put together by EPA, and  
18 the NRE was represented by myself on the unified command. And I  
19 guess how it operated, we were mainly the oversight group for to  
20 ensure that all the operations and response actions were conducted  
21 in consideration of everybody's input and concerns.

22 Q. Okay. And did -- do you have other staff members that  
23 worked with you on the response?

24 A. Yes.

25 Q. Could you give me an idea of how many folks and what

1 they did?

2 A. Well, at one point we were asked how many staff were  
3 involved, and the number that I got was 160. Now, that's in many  
4 forms, you know, people that were on site as well as people that  
5 may have been working from their office in Lansing or whatever and  
6 evaluating, you know, reports, proposals, whatever kinds of issues  
7 needed to be looked at.

8 MR. JOHNSON: Did that include contract staff, or was  
9 that --

10 MR. DANNEFFEL: No, that number would not have probably  
11 included contract staff, but there were -- I know there were some  
12 contract staff involved.

13 BY MR. STANCIL:

14 Q. Okay. And did you have people that were evaluating the  
15 oil containment and recovery aspects of the incident?

16 A. Well, in the beginning, our involvement was mainly we  
17 had our fisheries folks and wildlife division folks, conservation  
18 officers, you know, their main role in the beginning was to help  
19 to recover wildlife and evaluate impacts on the resource.

20 Q. Okay. Do you have the numbers on the recovered wildlife  
21 to date?

22 A. I --

23 Q. Or wildlife impacts, is that something that's available?

24 A. It's available but probably better obtained through the  
25 Fish and Wildlife Service.

1 Q. Okay.

2 A. They've been overseeing those activities.

3 Q. And you all were sort of participating along with them  
4 and assisting them?

5 A. Yes. Yeah, we worked alongside.

6 MR. JOHNSON: Is that still next door?

7 MR. DANNEFFEL: It is, yeah.

8 MR. KLABUNDE: Somebody can walk you over there. Some  
9 of that info might even be in the sites dedicated to the response,  
10 I think.

11 BY MR. STANCIL:

12 Q. Did the state have its own spill response resources?  
13 Does it have an emergency response team of any type?

14 A. No, we are not first responders, so --

15 Q. Okay. You don't have anyone that's trained to -- any  
16 HAZWOPER trained or --

17 A. Many of our staff, yes, sir, are HAZWOPER trained and  
18 capable. We just -- the department hasn't provided the equipment  
19 or resources necessary to do spill cleanup, though. So, you know,  
20 we're sort of in an advisory and backup role. You know, we leave  
21 the first response up to the folks that have the right equipment  
22 and experience in actually doing that sort of work.

23 Q. So, how does it work here in Michigan? If there's an  
24 oil spill, say, you know, a minor spill that's handled at the  
25 state level, maybe an overturned truck or something of that

1 nature, do you all respond to those types of incidents?

2 A. We respond, and often we get, you know, calls very early  
3 on.

4 Q. And you oversee the responsible parties' cleanup  
5 activities and such?

6 A. Yes.

7 Q. But you don't do any mitigation yourselves at all?

8 A. No. No, if there's a lack of a responsible party, we do  
9 have emergency response funding available, a limited amount of  
10 funding available that we can draw upon to hire contractors  
11 ourselves.

12 Q. Okay. And then in a large incident like this one, how  
13 do you interface with the EPA or other agencies?

14 A. Well, that -- I think that varies. You know, in many  
15 cases we may ask the EPA for EPA's assistance in responding to  
16 incidents like this. They've got people that are, obviously,  
17 people that are good at it, and they've got the resources. We  
18 often don't have the resources either financially or from a  
19 personnel perspective to do a large response.

20 Q. Okay. On the day of the spill, what time did your folks  
21 arrive on scene?

22 A. It was the day of the spill being --

23 Q. Well, the day it was discovered.

24 MR. JOHNSON: It would have been Monday, the 26th.

25 BY MR. STANCIL:

1 Q. July 26th.

2 A. I believe it was early afternoon. I can't give you an  
3 exact time.

4 Q. Okay. Were you here at the same time the EPA was here  
5 or prior to their --

6 A. I was not the first one on the site. One of my staff  
7 was the first person from our office to come out.

8 Q. Okay. And how did you get notified of the incident?

9 A. I'm not sure if there was more than just the  
10 notification that we get through the National Response Center.  
11 That may have been our first notification. But I -- that's been  
12 three months ago now. I know there was the NRC notice that we get  
13 telefaxed to us or e-mailed to us.

14 Q. Right.

15 A. And I'm aware of that. I don't know if we got any other  
16 calls before that.

17 Q. There was a conservation officer who lived in the area.  
18 Did he make any reports back to you?

19 A. I can't recall. I know he was out here and probably our  
20 first person on the site, but I don't know how -- you know, if  
21 you're talking the DNRE versus our office, you know, I don't know  
22 if Brian Fish called our office before we got the NRC report.

23 Q. And at that point in time, you all were still separate  
24 agencies?

25 A. No, we're the same DNRE. That was our --

1 Q. Okay, the water quality and the DNRE were the Department  
2 of Natural Resources?

3 A. We still weren't quite used to being together.

4 Q. Okay. All right. Was there any problem with  
5 communication notifying the state? Were you all in the loop? Do  
6 you feel that you were getting the information you needed?

7 A. You mean in the initial hours of --

8 Q. Yeah.

9 A. I guess that would be an opinion, and I don't know that  
10 I can --

11 Q. Okay, I mean --

12 A. You know, it was what it was. We got the report. We  
13 went out and things went out from there.

14 Q. Okay. All right. Did you or your staff go to the  
15 locations where oil containment was in place and do any evaluation  
16 of how well it was functioning?

17 A. I know Ken Leanin, the person that was the first one  
18 from our office out there, did visit some of them, the locations  
19 as far as where the oil was entering Talmadge Creek. I know he  
20 had some pictures of the confluence area where Talmadge Creek  
21 flows into the river. So, you know, he met with people that are  
22 out -- were out here doing some of the initial activities.

23 Q. Okay. And did he report anything back as far as were  
24 there any problems with the response?

25 A. There was a lot of oil. That's what I remember hearing.

1 There was a lot of oil, and he went up in a helicopter and decided  
2 the next day I'd better get out here with him, unfortunately.

3 Q. So, I understand that at this point the EPA has signed  
4 off on, I guess, aspects of the cleanup. I'm not exactly sure of  
5 the correct terminology here. Is it -- have they evaluated  
6 sections that were cleaned up and have determined that, you know,  
7 it's reached its endpoint? Is that the stage we're in now?

8 A. That's probably a question for them.

9 Q. Okay. Well, my question then would be is it being  
10 handed over to the state to monitor for long term?

11 A. Well, we've been working with Enbridge all along and EPA  
12 to address any state regulatory issues that we could, you know,  
13 under the response actions that have been taken right from the  
14 beginning. And, you know, now that many of the primary response  
15 activities are being wrapped up, we're going to probably become  
16 more involved in relation to EPA's involvement. But I think we're  
17 still going to be working together, you know, with the EPA and  
18 Enbridge, and DNRE is going to be working out of that place over  
19 there for a long time.

20 Q. There was a September 13th letter that DNRE sent to  
21 Enbridge indicating that you all would be assuming the lead with  
22 the long-term remediation. Is that sort of the stage that you're  
23 in today?

24 A. Yeah, and I think, you know, some of that has begun with  
25 the hydrogeological studies and some soil evaluations going on

1 where public access and use areas, parks and that sort of thing.  
2 And, you know, those are certainly some of the regulatory aspects  
3 that we would have jurisdiction over between us, the DNRE and the  
4 state and the local health departments. So, yeah, long term soil,  
5 ground water investigations, you know, evaluation of any long-term  
6 resource impacts, those kind of things are probably going to fall  
7 under DNRE's jurisdiction.

8 Q. The natural resources damage assessment is that  
9 something that you all are going to be developing?

10 A. That is, I believe -- I was told that's the Fish and  
11 Wildlife Service's responsibility. And I believe the state is the  
12 trustee.

13 Q. Right. Do you all have any concerns about the way that  
14 the response was conducted, problems?

15 A. I don't think I want to answer that in a general  
16 overarching way. I mean --

17 Q. The problem is I don't know. I wasn't here and I don't  
18 know what you know. So, I'm sort of allowing you to, you know, if  
19 there were a problem with the way the response was conducted or  
20 handled, or if there was any particular problem that you think  
21 could be rectified in some way, you know, I invite you to tell us  
22 about it.

23 A. I think, you know, I haven't been involved in many of  
24 these, especially this big. You know, this is pretty big. And,  
25 you know, there was a crisis or two or three every day it seemed

1 like that we had to deal with, but, you know, in the end three  
2 months later, there's a lot of work that's been done. And I don't  
3 want to discount that, but I don't want to say, you know,  
4 everything was perfect. It's a tough question to answer.

5 Q. Well, especially in the beginning, you know, when things  
6 are getting organized, I assume there's going to be some glitches  
7 here and there. I mean, was there anything inherently problematic  
8 with the way the organization approached this problem, or --

9 A. Well, I think it was a matter that, you know, when  
10 you're ramping up as an organization over 2,000 people and who  
11 knows how much equipment, and you try to do that initially in  
12 managing that amount of human and mechanical resources is pretty  
13 daunting. You know, you don't know who's the boss. And, I mean,  
14 that was my perspective is there's a lot of people out there ready  
15 to go to work, but they just needed somebody to coordinate all of  
16 that, and not that it wasn't being coordinated. I mean, you saw  
17 vac trucks out sucking up oil and skimmers and boom going out on  
18 the river, but it took a while to get it organized. I'm not sure  
19 that there's any -- I don't know that you can do it any better.

20 Q. Now, that's where I was going. I mean, do you have any  
21 recommendation for how it could have been done better?

22 A. You know, unless Enbridge had that organizational  
23 structure built up before they even went into something like this,  
24 I don't know how.

25 Q. Okay, fair enough. And the unified command, going back

1 to that again, from your perspective, who was the overall incident  
2 commander? Who was in charge of this thing?

3 A. EPA.

4 Q. Okay. And there was -- was there two incident command  
5 systems going on at the same time that you're aware of?

6 A. Not that I was aware of, no. The EPA took on that role  
7 right at the beginning and from what I could tell asserted  
8 themselves in that role.

9 Q. And when did you join in with the unified command?

10 A. Well, I was here on the second day.

11 Q. On the second day.

12 A. And, I mean, I don't think the unified command was  
13 actually formalized until that Friday. I mean, that's my  
14 recollection of when we had our first meeting and we started  
15 talking about IAPs and planning meetings and, you know, planning  
16 periods and that sort of operational periods, that sort of thing.

17 Q. Did you notice any problem with things like site safety?

18 A. No. I think, you know, from the very beginning there  
19 were -- there was a pretty good focus on safety.

20 MR. STANCIL: I'm going to pass it around for now,  
21 Chuck.

22 BY MR. KOVAL:

23 Q. You said there was a lot of oil. There were sure a lot  
24 of agencies. You said 2,000 people? Where did you get that  
25 figure?

1           A.    Well, that's -- that was the number, you know, as  
2 unified command we considered ourselves to be at the top of an  
3 organization, and that organization included all of the Enbridge  
4 folks that were working at the site, all their contractors,  
5 consultants, all the workers out in the field that were conducting  
6 the operations. So, there were staffing levels. If you look at  
7 the situation reports and updates that were generated throughout  
8 the response, those are the numbers that you'll see.

9           Q.    So, that was the responders from Enbridge's standpoint,  
10 and did that include government agencies?

11          A.    Yeah, I believe that included EPA staff that were on  
12 site at any given time as well as DNRE staff.

13          Q.    Did you go to the Enbridge PLM facilities like when --  
14                MR. JOHNSON: That's supposedly where originally where  
15 the original command center was, or pipeline agencies.

16               MR. DANNEFFEL: Oh, yes, yes, that seemed to be where  
17 all the action was in the beginning, so I went there.

18               BY MR. KOVAL:

19          Q.    And the EPA was there running that meeting at PLM?

20          A.    They were there. They seemed to have an office. Those  
21 first two, three days were quite a blur, so, I mean, I just knew  
22 there were people from EPA there and people from Enbridge there.

23          Q.    Okay. That's where we -- but you thought EPA was  
24 running those meetings?

25          A.    Running those -- I'm not sure we had any meetings at

1 that point.

2 Q. Leading meetings?

3 A. I mean, there were impromptu informal meetings, you  
4 know, when, you know, I'd come up to somebody's door and say who I  
5 was and just start having a conversation about what was going on.

6 Q. And all those government agencies seemed to be familiar  
7 with the command system?

8 A. Well, I'm not sure that at that point the incident  
9 command system -- you know, in that first two, three, four days  
10 that from what I could tell it hadn't really been implemented.

11 Q. The unified command?

12 MR. JOHNSON: Yeah, Enbridge had instant command, but  
13 the unified command with EPA and yourselves wasn't set up until  
14 Friday. Is that a fair statement?

15 MR. DANNEFFEL: Yes.

16 MR. JOHNSON: Okay.

17 MR. DANNEFFEL: I guess I, you know --

18 MR. JOHNSON: Because there's two different things. You  
19 can have incident command within a company, and unified is when  
20 you involve the other agencies.

21 MR. DANNEFFEL: Yeah, it was obvious there were a lot of  
22 people sitting around a table on computers with stuff on the  
23 screen and trying to direct things. So, if that's incident  
24 command, I guess that sounds reasonable to me.

25 BY MR. KOVAL:

1 Q. Do you know Bruce Bennaterand?

2 A. No.

3 Q. He's listed on this -- I think so, yeah. He was listed  
4 as DNRE's --

5 A. Oh, Bruce Bennaterand?

6 Q. Bennaterand.

7 A. I know Bruce Bennaterand.

8 Q. Okay. Yes, he was a supervisor, or how did he fit in?

9 A. No, Bruce is the DNRE's -- I guess, if there is such a  
10 title, our emergency management coordinator.

11 Q. Okay. Does he oversee -- is he some people's boss, a  
12 supervisor?

13 A. I do not believe Bruce is a supervisor. He also manages  
14 our Pollution Emergency Alerting System, the PEA System, which is  
15 what we have when people want to call in and report something, and  
16 then there's an answering service that gets disseminated out to  
17 people that then carry a book and all the contact information for  
18 staff, and then they call out and get someone to respond. So, he  
19 manages that system for us, too.

20 Q. How does your agency interact with the EPA? Do they go  
21 to your emergency? Do they go to Lansing and let you know that  
22 they're going to have people on site, or how does that work?

23 A. I don't know if there's any standardized way or if it's  
24 an emergency response. I don't know how they get involved. They  
25 probably get the same sort of reporting that we get, either

1 through the National Response Center or initial reports. But I  
2 guess as far as what brought EPA out to this site in this case, I  
3 don't know.

4 Q. I'm just -- I have an idea of what -- just like us, we  
5 get those reports too, and I'm kind of familiar with what brought  
6 them out to the site, but I'm wondering how they interact with  
7 your agency in a way.

8 A. I think in various ways. I mean, in some cases, we have  
9 -- you know, it depends on whether it's Oil Pollution Act response  
10 or a Superfund site cleanup or -- I'm trying to think of what  
11 other types of situations they might get involved with. But, you  
12 know, in the case of a major pollution event, I think they may  
13 just take the lead on it, because they have the authority to.  
14 They're the Oil Pollution Act, I'm thinking.

15 But if it's a Superfund site, or it's a site of  
16 environmental contamination, we may make a contact with them, or  
17 if it's some -- say we find a factory full of barrels and we say  
18 we don't -- you know, EPA can you come in and help us with this  
19 site? They may send one of their on-scene coordinators over from  
20 Grosse Isle and look it over and decide whether they're going to  
21 take over the response activities for that site.

22 Q. Do you handle, speaking of Superfund sites, do you do  
23 any work south of Morrow Lake with that Superfund site?

24 A. Do you have a name? I mean, there's -- you mean  
25 downstream of Morrow Lake and the Kalamazoo River?

1           MR. JOHNSON: Yeah, that's what I was going to say.  
2 Yeah, it's like PCP contamination.

3           MR. DANNEFFEL: Right. In past positions I have, but  
4 currently, we are not involved in Superfund in that particular  
5 response activity. I guess when we were involved before was  
6 really a Superfund site.

7           BY MR. KOVAL:

8           Q. Does the Civil Support Team, did that have any relation  
9 to your agency? Do you know who called that out or anything? Are  
10 you familiar with that by chance?

11          A. They were out there doing air monitoring. I'm not sure  
12 how they get involved, unless it was through the Homeland Security  
13 and State Police.

14          MR. JOHNSON: The C-Tech (ph.) folks?

15          MR. DANNEFFEL: CTEH?

16          MR. JOHNSON: Yeah.

17          MR. DANNEFFEL: Or I think that's a consulting --

18          MR. JOHNSON: Yeah, that air monitoring, that was  
19 brought in by Enbridge to address concerns.

20          BY MR. KOVAL:

21          Q. This would have been, I think --

22          A. The National Guard.

23          Q. Yes, uh-huh, or army or military.

24          A. That contact may have been made through the Department  
25 of Homeland Security and governor's office, but Barry Raber would

1 be better able to answer that question for you.

2 Q. Okay.

3 A. And going back to the thing about the Superfund site,  
4 I'm thinking -- you know, I've got to get out of my pigeon hole  
5 here. I was thinking Water Resources Division. The DNRE, we do  
6 have staff in Remediation Division in Lansing that work on  
7 Superfund sites, and they are closely involved with the EPA and  
8 consultants on conducting the PCP cleanup even right now, but  
9 that's done out of a different office than I work in.

10 Q. Do you have something that's from a state -- do you have  
11 something like an oil spill liability trust fund from a state  
12 standpoint, something like that? Are you familiar with that?

13 A. It sounds familiar, but I don't really have any  
14 information on that.

15 Q. With regard to state regulatory issues, do you think --  
16 would you recommend any other states have some of those regulatory  
17 in place, any of those regulations in place, or how they could  
18 improve something like this, regulations that would help with  
19 this?

20 A. I guess I can't speak to that issue really.

21 MR. JOHNSON: You mean you don't know all the other  
22 state's regulations and --

23 MR. DANNEFFEL: No, or what they should or shouldn't do.  
24 That's not my place to say.

25 BY MR. KOVAL:

1 Q. I'm just saying -- I'm just asking you if there's  
2 something in place that you, like in this state, some state, you  
3 know, regulation or something that works well?

4 A. Oh, then I'll fall back on -- I'm sorry, was -- are you  
5 Duane?

6 MR. JOHNSON: Uh-uh, Jay.

7 MR. DANNEFFEL: Jay, I'll fall back on Jay's answer. I  
8 don't know what they want.

9 MR. KOVAL: Okay. Jim?

10 BY MR. BUNN:

11 Q. Okay, I'm trying to recall the history. I showed up  
12 about the same time you did. I think I came in Tuesday afternoon.

13 A. Oh, okay.

14 Q. And we were still meeting up at PLM at that point in  
15 time, and then we met there the next morning, possibly. And at  
16 that time, Enbridge was giving the updates. They were kind of  
17 leading a discussion, if I recall right. Is that correct?

18 MR. JOHNSON: Maybe you weren't involved in those  
19 meetings.

20 MR. DANNEFFEL: I was not involved in those meetings.

21 MR. JOHNSON: That's what I was thinking, because we  
22 were doing that, and it's just possible that someone other than  
23 you were involved in those update meetings. They were like every  
24 three hours at that time, Jim.

25 BY MR. BUNN:

1 Q. And it changed to six or something like that. And  
2 then --

3 A. I think it was pretty much the EPA and Enbridge that  
4 was --

5 Q. Okay.

6 MR. JOHNSON: Maybe the move to Battle Creek, some of  
7 those update meetings then on Wednesday?

8 MR. BUNN: I think didn't we move Wednesday to Battle  
9 Creek?

10 MR. DANNEFFEL: Because we went from the NTSB meeting in  
11 Coldwater up to Battle Creek.

12 MR. JOHNSON: That would have been Wednesday evening.

13 BY MR. BUNN:

14 Q. Wednesday, yeah, I think that's when we started in  
15 Battle Creek.

16 A. Yeah, that was the first organized meeting of any sort  
17 that I was involved with was up at Battle Creek County Building.

18 Q. And they did a press conference and everything up there  
19 at that point?

20 A. Yeah.

21 Q. Okay. And then Thursday we also met in Battle Creek, I  
22 believe?

23 MR. JOHNSON: And I was all interviewing by that time.  
24 That's possible, Jim. I don't remember. I wasn't involved in it.

25 BY MR. BUNN:

1 Q. I think, and then I think Friday is when they made the  
2 move to the school. And that's when EPA kind of seemed to take  
3 over the incident command situation. Like you pointed out, that's  
4 when that first became active is when my recollection of what went  
5 on. Do you recall when the governor visited?

6 A. That would have been on --

7 Q. Wednesday or Thursday?

8 A. That would have been on Wednesday.

9 MR. JOHNSON: We had a congressman Wednesday morning.

10 MR. DANNEFFEL: No, no, no, I'm sorry.

11 MR. JOHNSON: And the governor maybe Thursday morning.

12 MR. DANNEFFEL: First, I think it was Tuesday. I think  
13 she came on Tuesday.

14 BY MR. BUNN:

15 Q. She came on Tuesday, because I recall now she did a  
16 press conference.

17 A. That's when we all went outside the courthouse and stood  
18 up on the steps, and the press was --

19 Q. Okay, that's when she expressed --

20 A. I think that was Tuesday evening.

21 Q. She expressed some displeasure though of the response at  
22 that point in time, was one of the things I recalled, because she  
23 didn't think that things were going fast enough possibly. I  
24 don't --

25 A. I'm not going to characterize what the governor thought.

1 Q. No, no, well, I'm just saying what --

2 A. Whatever she said she said.

3 Q. And then I think that's why it seems like that's when  
4 EPA became very active on Friday, and the incident command thing  
5 kind of really started to flow from there was after some comments  
6 by the congressman and possibly the governor. That kind of moved  
7 things along.

8 A. Unified command.

9 Q. Unified command. Okay, I don't have anything else.  
10 That's fine. Thanks.

11 BY MR. KLABUNDE:

12 Q. Okay, yeah, I guess just as a follow up, that based on  
13 the unified command, based on conversations, likely not being set  
14 up until Friday, you discussed that there was a pretty good focus  
15 on safety over the first few days. And as far as when responding  
16 as an advisory support group and as overseer to some of those  
17 things, were you taking safety direction from the responsible  
18 party as far as needed PPE monitoring, stuff like that? Were you  
19 getting direction from the responsible party? Was EPA giving any  
20 direction in those first few days?

21 A. I'm not sure how much there was. You know, to be  
22 honest, when I think back, I know that we had our Fisheries  
23 Division people out on the river, and we had, you know,  
24 conservation officers out with Fish and Wildlife Service staff on  
25 boats. And, you know, thinking back, they pretty much had free

1 reign over wherever they wanted to go, and that was not the case  
2 later on. I mean, things were much more tightly controlled later  
3 on.

4           So, you know, maybe going back to my statement that  
5 there was good safety, I'm not sure that relative to where we were  
6 a week or two weeks later, it wasn't so good. I mean, the access  
7 wasn't controlled. I'm not sure what you're describing as  
8 direction from anyone that you should or shouldn't be doing this  
9 was there. I don't know that there was a site safety plan that  
10 had been implemented. So, but on the other hand, I wasn't out on  
11 the river, so I can't say from experience --

12           Q. Is it possible that some of that was developed from an  
13 incident command standpoint, but not being involved in some of  
14 those early meetings, you can't really say, I guess, either way?

15           A. Say that again.

16           Q. Well, I'm wondering not being involved on the daily  
17 update meetings from the incident command structure initially, is  
18 it possible that some of those things did exist just without your  
19 knowledge?

20           A. Oh, I was involved with the, well, unified command  
21 beginning on Friday, but I was in the incident command meetings  
22 beginning when we started going to the county building in Battle  
23 Creek. I guess I can't say when there was discussion about, you  
24 know, you need a HAZP (ph.) and, you know, we need to implement  
25 some safety controls. You know --

1 Q. As far as the --

2 A. I think, you know, what everybody relied on in the  
3 beginning was, you know, you've got a contractor, and they're  
4 supposed to have properly trained staff, and worker health and  
5 safety issues, you know, those kind of things is probably what  
6 controlled the initial safety aspects of it.

7 Q. Has the city or the county ever hosted a collective  
8 response exercise of any kind?

9 A. I can't answer that. I don't know. Have you  
10 interviewed them?

11 Q. Yeah, a couple of different members previously.

12 A. Did they not know?

13 Q. I don't know that I've asked that question to them until  
14 recently. As far as previous contact with Enbridge, did you have  
15 a previous relationship with Enbridge at all, I guess, or had you  
16 heard previously of Enbridge in this area?

17 A. Well, in the program I work in we issue discharge  
18 permits for discharge of hydrostatic test water, and Enbridge has  
19 some coverage under that permit through us.

20 Q. Okay.

21 A. But as far as personal contact, no, my staff conducted  
22 those compliance permitting activities.

23 Q. Okay. I don't have anything else. Thank you.

24 BY MR. JOHNSON:

25 Q. One of the things you said, you know, maybe in your

1 thoughts on how maybe it could go better is organizational  
2 structure already built up. So, are you thinking of the  
3 organizational structure as the support staff, say, in the  
4 incident command center or actually the people on the river? What  
5 -- I mean, is that a fair question?

6 A. No, I meant, you know, if as far as when you start  
7 bringing in all this -- all the vac trucks and containment boom  
8 and workers and, you know, how is that influx of resources going  
9 to be managed to make for the most effective use of those  
10 resources.

11 Q. No, and I don't dispute. I'm just kind of curious. I  
12 didn't know quite know how you meant that, and now I understand  
13 it. And I was there on day one, and because I was there, I mean,  
14 I was ordering mats, and I was ordering tanker trucks and things  
15 like that, and it's because we needed it to get it going. You  
16 worry about later on about where it's going.

17 A. I understand.

18 Q. So, I hear you saying that and, you know, we had another  
19 incident in Romeoville, and there was immediately they brought in  
20 procurement people, because it's like, you know, we don't want to  
21 pick up the pieces afterwards. But in the same aspect, initial  
22 responders, I'm getting it coming this way. If I've got to send  
23 half of it back, I don't care. I don't want to be short anything.  
24 And so, I think that structure got a little more defined as we  
25 were out here. But those -- us first responders just said get it

1 coming here; we don't care.

2 A. Yeah, it showed. We could tell. Wait, look at all this  
3 stuff, but I kept --

4 Q. And we would do it again. I mean, I know we did it  
5 again. I mean, we would rather have something sitting and not  
6 being used than need something and not have it.

7 A. And maybe that's what was going on, but, you know, in  
8 those -- I remember just hearing stories, you know, of people  
9 standing around, trucks with boom on them sitting because nobody  
10 was telling them where to go, you know, or vac trucks sitting in a  
11 parking lot because -- and they weren't doing anything because  
12 nobody told them where to go.

13 Q. And there was a fair amount of standby equipment like  
14 that. If -- I may have to -- you know, some of us may apologize  
15 to management because we had equipment sitting around, but I'd  
16 rather apologize to management than to John Q. Public for not  
17 having equipment there when we needed it.

18 A. Well, were they sitting around though because they  
19 didn't know where to go, or were they sitting around because there  
20 was no place for them to go?

21 Q. We had I would say three-fourths of it was we didn't  
22 have a place for them to go at that time. You knowing the river  
23 certainly better than us, it was very hard in the early flood  
24 conditions to get down to sites with the trucks. And we talked  
25 earlier to our pipeline supervisors in the beginning with the

1 river and the stage it was, getting -- being able to get equipment  
2 in close to put in boom and containment, and being able to suck it  
3 out was very difficult until the waters came down. You know, and  
4 building in roads and, of course, you know, doing that and finding  
5 sites along that river when the water was that high was very  
6 difficult.

7 A. Yeah, I don't know if it could have been any better.

8 Q. So, I was just curious because, you know, we've got an  
9 organizational structure as far as our incident command where  
10 someone comes in, and it's very tier-driven. It's like it goes  
11 down, and if you're a planning chief, this is what you do for  
12 these people. You have procurements. You have site security.  
13 You have everything else.

14 So, that's what you do is you pencil in, and that's what  
15 we started doing literally the evening -- it was like okay, who's  
16 going to handle this, and who's going to handle that.

17 So, it does flex, and I was just curious if you thought  
18 when you said a structure already built up if it's like, okay, we  
19 have a core group of people that come out and just know what to do  
20 that. So, I just didn't 100 percent understand your question, but  
21 I've got a better feel for it now.

22 A. I know I met Duane before. I rode in the truck with  
23 you, didn't I?

24 MR. KLABUNDE: Yes, Matt grabbed me, and --

25 MR. DANNEFFEL: What are you doing back here from

1 Wyoming anyway?

2 MR. KLABUNDE: North Dakota.

3 MR. DANNEFFEL: North Dakota, somewhere out there, a  
4 long ways away.

5 MR. KLABUNDE: Well, I showed up and was asked to assist  
6 with one of the teams, and because of that, I'm still involved.  
7 So, yeah, we ended up giving you and a few government officials  
8 kind of a tour, right?

9 MR. DANNEFFEL: We rode out to the source area. It was  
10 when the National Guard general was out there with us, right?

11 MR. KLABUNDE: Yeah.

12 MR. DANNEFFEL: Okay, it just all of the sudden hit me.  
13 You looked familiar, and I said where did I remember you from.

14 MR. KLABUNDE: Yeah, we ended up riding in the same  
15 truck.

16 BY MR. JOHNSON:

17 Q. Yeah, that's, if you will, an incident command chart.  
18 So, incident command within Enbridge is different than unified  
19 command. This is how we basically run it. And so, we have the  
20 structure, and then it's just a matter of putting the names in  
21 what each area does. And that's what literally we were filling in  
22 that on Monday night. And early on, I mean, you do two to three  
23 roles until you get the people back filled. And that's kind of  
24 where my question came from.

25 But, yeah, when you're dealing with 2,000 people and

1 your structure is like that, it is -- it takes a while to get,  
2 certainly, in place. I mean, right down to when we were first  
3 sending people out to sites, like you need to go to 15½ Mile or  
4 you go to the Ceresco Dam, or you go to -- and it was all these  
5 names, and they came down and said no, we're going to give it, you  
6 know, site A and site B, site C. So, it was very clear. You knew  
7 where to send people. Like this is where you're going, you know,  
8 and everything else.

9           And so, it does -- I mean, the scope of the Kalamazoo  
10 River spill is 30 miles as opposed to the other releases I've been  
11 on, and I've been on quite a few, where you can walk to the other  
12 end of it. So, this was definitely something that we hadn't  
13 experienced before is when you get that spread out, and you want  
14 an update from someone, and he's an hour away driving time.

15           And that's why early on it's like, you know, the guys  
16 are out there, and they've got to drive back for these meetings I  
17 talked about, the early three hour meetings. It's like he's got  
18 an hour to do something before to get there, work for an hour, and  
19 then drive back to give an update on what he kind of didn't even  
20 get a chance to do. So, that was a learning for us is when  
21 something gets that spread out; we hadn't dealt with that before.

22           I think that's kind of what some of our guys talked  
23 about too, some of the challenges was that none of our response  
24 drills had ever dealt with something so spread out. When you lose  
25 contacts, more or less with people, that was quite a learning

1 process for us.

2 A. Well, and that was my -- well, everybody's main focus  
3 initially was stop it; we don't want it to go any farther than  
4 it's gone. But you can only get out ahead of it so much, I guess,  
5 especially, like you say, with the river conditions the way they  
6 were, it's difficult to control.

7 So, this was written up on Monday night?

8 Q. Yes.

9 A. That's -- wow. It looks a lot the same today as it did  
10 then.

11 Q. I know, because I have -- it's funny because he's got my  
12 name here and the government agencies, and then I remember getting  
13 a tap on the shoulder from Tom Fridel. He says, oh, yeah, you're  
14 planning chief too, because I was there, you know, and I was in  
15 that office role. So until the next afternoon when someone came  
16 in to replace me, I was doing two roles.

17 MR. KLABUNDE: And that's not all-encompassing. That  
18 was when I showed up, I was writing down people that I needed to  
19 contact within my role in the investigation. So, I was taking  
20 that off of what was at the PLM. So, I think it's a -- I can see  
21 initially where if the EPA came in and decided to take over the  
22 unified command that it would initially be a structure within a  
23 structure and trying to figure out how to transition in.

24 MR. JOHNSON: I have no more questions.

25 MR. STANCIL: Anyone else?

1 BY MR. STANCIL:

2 Q. Well, Mr. Danneffel, do you have anything else that  
3 you'd like to add or any observations, comments?

4 A. No, not really at this point.

5 Q. Well, we definitely appreciate you coming down and  
6 speaking to us today.

7 A. Well, it was interesting. Good discussion.

8 Q. Thank you.

9 (Whereupon, at 4:06 p.m., 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 Greg Danneffel

DOCKET NUMBER:           DCA-10-MP-007

PLACE:                    Marshall, Michigan

DATE:                     October 26, 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, as recorded by Amy  
Shankleton-Novess, certified electronic reporter.

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Amy Shankleton-Novess  
Official Reporter

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Debbie Mizell  
Transcriber