

UNITED STATES OF AMERICA
NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

ENBRIDGE OIL SPILL
MARSHALL, MICHIGAN

*
* Docket No.: DCA-10-MP-007
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Interview of: RICK BONNEY

Marshall,

Michigan

Sunday,
August

1, 2010

The above-captioned matter convened, pursuant to notice.

BEFORE: MATTHEW NICHOLSON
Investigator-in-Charge

APPEARANCES:

MATT NICHOLSON, Investigator-in-Charge
y Board

[Redacted]

DANA SANZO, Accident Investigator
y Board

[Redacted]

JAY JOHNSON, Senior Compliance Specialist
Enbridge Energy Company, Inc.

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BRIAN PIERZINA, General Engineer
U.S. Department of Transportation
Pipeline and Hazardous Materials
Safety Administration (PHMSA)

[Redacted]
[Redacted]
[Redacted]

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I N T E R V I E W

1
2 MR. NICHOLSON: This is Matt Nicholson conducting
3 interviews on the Marshall, Michigan-Enbridge Crude Oil Leak of
4 July 25th, 2010. We are here interviewing Rick Bonney of the
5 Marshall Township Fire Department.

6 MR. BONNEY: Yep.

7 MR. NICHOLSON: Okay.

8 MR. NICHOLSON: Rick, if you would, introduce yourself,
9 give us some contact information and is it okay if we record you?

10 MR. BONNEY: Yes.

11 MR. NICHOLSON: Okay. Take it away.

12 MR. BONNEY: My name is Rick Bonney. I'm the Captain of
13 the Marshall Township Fire Department. Cell phone number is [REDACTED]
14 [REDACTED] or you can contact me through the Township.

15 MR. NICHOLSON: Okay. My name's Matthew Nicholson. I
16 am a mechanical engineer with the NTSB investigating this
17 accident. My contact number -- my contact -- I can be contacted
18 at [REDACTED] and I will give you a card.
19 Actually, it's probably easier that way. Can you introduce
20 yourselves, please?

21 MR. JOHNSON: Jay Johnson. I'm a senior compliance
22 specialist for Enbridge Pipelines and I'm hoping that -- I think
23 I'm out of cards. I am. So I can be contacted, cell phone which
24 is -- Jay as in J-a-y Johnson, [REDACTED] and my email is
25 [REDACTED] I should have said that [REDACTED]

1

MS. SANZO: My name is Dana Sanzo. I'm an investigator with the NTSB, office telephone number [REDACTED]

4

MR. PIERZINA: And I'm Brian Pierzina with the Pipeline and Hazardous Materials Safety Administration or PHMSA. My cell phone number is [REDACTED] and my email is Brian, [REDACTED]

7

8

INTERVIEW OF RICK BONNEY

9

BY MR. NICHOLSON:

10 Q. Okay. So the reason we're here is -- I know you've
11 given a statement and --

12 A. I just find one mistake on the statement.

13 Q. Oh, did you? We'll clarify that.

14 A. At the top it said July 26th and it should say July
15 25th.

16 Q. Oh, that's critical so --

17 A. Yeah.

18 Q. Did you type that statement?

19 A. Yes.

20 Q. Okay. So you might walk us -- you want to just walk us
21 through your statement a little bit about what time you got there,
22 who you were with?

23 A. I didn't have approximate times because I didn't have
24 the report in front of me so approximately 2200 we got a call for
25 an odor investigation. It may have been a few minutes before

1 2200. We were dispatched to our station but dispatch
2 misunderstood Marshall City when they requested us.

3 Q. How'd that happen? Did they dispatch you to your
4 station?

5 A. (No audible response.)

6 Q. Okay.

7 A. For an odor investigation.

8 Q. How did they get that wrong?

9 A. Well, when Marshall City made the request they said that
10 they needed to send Marshall Township because it was coming from
11 their station and then we said the pipe that comes out of the
12 ground and she just --

13 Q. Okay.

14 A. -- misunderstood completely and put it down as our
15 station.

16 Q. Okay.

17 A. I was listening on the (indiscernible) side so I heard
18 that side of the conversation so I knew it was out at Old 27 and
19 Division Drive where the actual, you know, incident was.

20 Q. It was a residence?

21 A. No. He was wanting us to look at the pumping station
22 that's out there. There's two natural gas stations out on
23 Division Drive which is what I thought he was talking about and
24 then there is the Buckeye Terminal's pumping station for the
25 gasoline that comes into the tank farm.

1 Q. When you say what he was talking about, the dispatcher?

2 A. No. Jeff --

3 Q. The caller.

4 A. Jeff Rhoades (ph.) with Marshall City.

5 Q. Okay.

6 A. 1231 initially responded out there on an odor
7 investigation.

8 Q. What's 1231? Is that a --

9 A. That's --

10 Q. -- police?

11 A. No, that's Marshall City's --

12 Q. Oh, I see.

13 A. -- pumper.

14 Q. Okay. Okay.

15 BY MR. JOHNSON:

16 Q. Just to get you to go a little slower.

17 A. Okay.

18 Q. It's really, so Marshall City, that's their pumper.

19 A. Yes.

20 Q. And who responded first?

21 A. They responded first and that was Jeff Rhodes that was
22 on it at that point.

23 MR. JOHNSON: Okay. I'm sorry.

24 MR. NICHOLSON: Was he by himself?

25 MR. BONNEY: Yes.

1 MR. NICHOLSON: Okay.

2 BY MR. JOHNSON:

3 Q. Can you just, maybe -- so based on location who does the
4 locate sort of the odor complaints issues (indiscernible)?

5 A. They originally dispatched it as out at the airport so
6 he got down in the area of the airport which is in Marshall City,
7 determined it wasn't coming from the airport, went down a little
8 bit said it was coming from the other side of the road which would
9 be Marshall Township. So he said go ahead and get Marshall
10 Township coming this way, you know, it's going to be coming from
11 their station and that's where the dispatcher dispatched it for us
12 to come to our station rather than out to Old 27 and Division
13 which is where he was sitting.

14 Q. Oh, okay. Yeah, that's a pretty easy mistake.

15 A. I contacted them a couple times on the radio asking for
16 a little bit more clarification and asking if they were going to
17 be standing by. They did not standby. They already left. He
18 felt it was coming from the pipeline station there and so --

19 BY MR. NICHOLSON:

20 Q. They were at Division Drive.

21 A. Yeah.

22 Q. Okay.

23 A. Yeah and I am so primed for -- because they said it was
24 a natural gas, I'm so primed for those other two stations that are
25 down on Division Drive that that's where we had the two first.

1 Q. Okay.

2 A. So we came down 16 Mile Road to Division and then we
3 headed east on Division to where those two pumping stations are.

4 Q. Uh-huh.

5 A. And I got out of the truck --

6 Q. I'm sorry. I want to back up. You said we. How many
7 are with you at this time?

8 A. Me and Dave Austin.

9 Q. Okay.

10 BY MR. JOHNSON:

11 Q. Maybe I'll back up just a little bit, too. So you got
12 the call from Jeff Rhoades.

13 A. We got the call from alarm office. They toned us after
14 talking, you know, with Marshall City, Jeff Rhoades.

15 Q. So Jeff called you and/or them? Sorry.

16 A. Jeff called dispatch.

17 MR. NICHOLSON: Oh, so he called dispatch, said --

18 MR. BONNEY: After the Marshall Township sent --

19 BY MR. JOHNSON:

20 Q. Called up Marshall Township, they put in that address.

21 A. Yes.

22 Q. Okay. So you -- okay, now it's clicking.

23 A. And there's two separate radio systems. There's the VHF
24 system that we're, you know, that County fire's on and then
25 there's the 800 side that they're trying to switch over to but

1 isn't working real well. So I had an 800 radio and I heard their
2 half of the traffic so I knew that the incident was going to be
3 out in that area and not at our fire station. Had I not of heard
4 that we'd a come to our fire station and said there's no odor here
5 and we'd a cleared and went home.

6 MR. NICHOLSON: Yeah. Okay. Okay. So we interrupted
7 you. You were -- there's two of you and you were heading to the
8 natural gas stations on 15.

9 MR. BONNEY: Yes. No, I'm on Division Drive.

10 MR. NICHOLSON: Division, I'm sorry.

11 BY MR. JOHNSON:

12 Q. So where did you meet Dave? I mean, where did he come
13 from?

14 A. He came from home and met me here.

15 Q. Okay.

16 A. And we responded from here in 1371 which is -- the
17 truck's not here right now and that's the truck we use to take out
18 on odor investigations.

19 Q. What was the number again?

20 A. 1371.

21 UNIDENTIFIED SPEAKER: I don't think it makes a
22 difference which it is.

23 BY MR. NICHOLSON:

24 Q. What -- why is that truck used for odor investigations?

25 What's --

1 A. It's just a smaller truck. We don't have to take the
2 big trucks out if we don't have to.

3 Q. Oh, okay.

4 A. And --

5 Q. It's not got any special equipment or anything?

6 A. No.

7 Q. Okay.

8 A. We don't have any gas detectors at this time. The ones
9 that we did have are out of service.

10 Q. Is that truck here in the shop? Did I see it?

11 A. No.

12 Q. Okay.

13 A. That truck is sitting down at 15 and A.

14 Q. Oh, right.

15 A. And the empty bay we were standing in, that's where it
16 goes.

17 Q. Okay. All right.

18 A. So we stopped in front of the Panhandle pipeline station
19 that's right there. Now, those are up -- you walk up a little
20 hill to get where the fenced-in area is and that's up about four
21 feet, you know, or probably about four feet, you know, off from
22 the road.

23 BY MR. JOHNSON:

24 Q. One question, the Panhandle is that on the north side of
25 Division or --

1 A. The north side.

2 Q -- the south side? North side of Division.

3 A. Yeah.

4 Q. Okay.

5 A. And the north side would be Marshall Township and the
6 south side is Fredonia.

7 UNIDENTIFIED SPEAKER: Great.

8 BY MR. JOHNSON:

9 Q. Can get confusing there.

10 A. Yeah. So we stopped at the Panhandle station on the
11 north side of the road, we walked up the hill. There was odor
12 down in the road but it didn't smell like natural gas. It smelled
13 like more of a petroleum.

14 BY MR. NICHOLSON:

15 Q. Okay.

16 A. So the smell --

17 Q. So you could readily smell this?

18 A. Yes. You could smell it there in the road. When we
19 walked up to the fence there was -- you could still smell it but
20 there was less of an odor up there.

21 Q. Okay.

22 A. So we decided to walk across the road kitty-corer from
23 where that substation is. It was the other one for Michigan Gas
24 Utilities, I think, is what it's -- yeah, Machine Gas Utilities.
25 It's on the south side of the road in Fredonia Township. And we

1 did the same thing. We actually could hear some noise coming from
2 the, you know, the pipeline.

3 Q. (Indiscernible.) Okay.

4 A. Yeah. But again, as we walked up to the area where the
5 fence was the smell was less, at that point. So we got back in
6 the truck and we continued down Division Drive heading towards Old
7 27 so we were going east and Division.

8 Q. I'm sorry so you returned to Division and you went to
9 East.

10 A. We were on Division.

11 Q. You were on Division.

12 A. Yeah. We just continued east --

13 Q. Oh, okay.

14 A. -- we were already going east we just continued in that
15 direction.

16 BY MR. JOHNSON:

17 Q. So I'm -- you parked or you smell it when you parked
18 your truck, you walked up the hill, got less and less, I don't
19 want to put words in your mouth, Chief, and it was like, okay,
20 it's less here. So then you walked back and you went across to
21 the south side which is Fredonia and that's where the other --
22 that's where Michigan's --

23 A. Yeah.

24 Q. Okay. Then --

25 A. And the same situation down the road because the road's

1 sort of down in like a gully kind of thing -- down in the road it
2 was stronger. You got out to where the fence was and it was less.

3 Q. Okay.

4 A. Because our normal procedures are is if it's coming from
5 that, you know, we get the phone number off the fence, call the
6 pipeline company, have them come out and check things out. But we
7 determined it was neither one of those two stations.

8 Q. And you go in there without gas detectors?

9 A. Yes.

10 Q. Okay.

11 A. If we need a gas detector then we'll call Marshall City
12 and have them bring theirs out.

13 BY MR. NICHOLSON:

14 Q. So it's just a sniff test?

15 A. Yeah.

16 Q. Okay.

17 A. You could tell that there was something in the air.
18 Now, our normal is wintertime those O rings where they screw the
19 little mercaptan bottles on there --

20 Q. Okay.

21 A. They shrink up a little bit --

22 Q. Uh-huh.

23 A. -- and then that leaks out --

24 Q. Yeah.

25 A. -- and you get the odor with no gas.

1 Q. Um-hum.

2 A. And that's very common for us. When it gets to be about
3 ten degrees out and no wind we start getting all sorts of calls
4 and that's normally at the substation at Tar (ph.) Road and 15½
5 Mile Road which is the other side of 69 and that's Consumer
6 Station. So we got a bunch of pipelines that run through there.

7 Q. Yeah we found out. Okay.

8 A. So we continued east down Division and we came to
9 Division and Old 27. Since it was sort of an oily smell we turned
10 south and went to Walters-Dimmick.

11 Q. So that, you're saying, was an oily smell and you
12 somehow determined it wasn't gas it was more of a --

13 A. Yeah, it was a petroleum kind of smell --

14 Q. Okay.

15 A. We could tell that it wasn't a natural gas kind of smell
16 at that point.

17 Q. Okay.

18 A. And now we're just trying to figure out where the odor's
19 coming from. So the first place we thought about was Walters-
20 Dimmick.

21 BY MR. JOHNSON:

22 Q. Okay. So you -- and I know you gotta be going, jeez,
23 these people. You went down Division and came to Old 27 that's
24 when you said okay, now we smell it so is that an interaction you
25 go which --

1 A. It's across.

2 Q. So --

3 A. You can go across. It turns to Oliver Drive on the
4 other side of Old 27.

5 Q. Okay. Or you turn.

6 A. Or you can left or right and that'd be Old 27.

7 Q. And so you turned --

8 A. Turned right which would be south.

9 Q. Okay.

10 A. And then --

11 Q. Off of Old 27 on to --

12 A. Off of Division on to Old 27.

13 Q. Okay. Okay. Sorry.

14 A. Division's run east and west. Old 27's north/south. We
15 pulled in. It was real heavy on in the road in front of Walters-
16 Dimmick. We pulled into the --

17 MR. NICHOLSON: I'm sorry. What's Walters-Dimmick?

18 UNIDENTIFIED SPEAKER: It's a --

19 MR. BONNEY: It's a Shell -- they own a bunch of gas
20 stations across southern Michigan.

21 BY MR. JOHNSON:

22 Q. Oh, okay.

23 A. They've got a warehouse there that's got a bunch of oil
24 in it but it's all refined oil and then all their products for
25 the -- that they take off to the gas station itself.

1 Q. Okay.

2 A. Like I said out by the road it was real strong. As we
3 drove to the back of the complex which would be going back west it
4 got less and less to the point of at the back corner of the
5 building the odor went away. So we turned around and went back
6 out to Old 27. Due to the, you know, petroleum nature of the
7 smell we went down to Buckeye Terminals which is the tank farm on
8 Old 27. So we went back north on Old 27, pulled in there, drove
9 around. We didn't have any odor there at all. So we came --

10 BY MR. JOHNSON:

11 Q. Can I just stop right there. I don't have a question
12 I'm just trying to catch up here.

13 A. Okay.

14 Q. So you went back which direction on Division to --

15 A. North. No, we went back north on Old 27.

16 MR. PIERZINA: And I had a quick question just to
17 clarify. So when you were at Walters-Dimmick as you went west
18 towards the back of the building the smell got less and less?

19 MR. BONNEY: Yes.

20 MR. PIERZINA: Okay.

21 MR. BONNEY: To the point where we got to the very back
22 corner of the building we didn't detect any odor.

23 MR. PIERZINA: Okay. Okay.

24 BY MR. JOHNSON:

25 Q. So back side of the building no odor then you went back

1 north on Old 27 to the Buckeye Terminal

2 A. Yeah.

3 Q. Okay. I'm up to speed, sorry.

4 A. We drove through there, didn't have any odor there.
5 Came back out of there, went back down to Division, turned left
6 which would have been going east again which turns into Oliver
7 Drive and, you know, it was still real heavy in that area. We got
8 in front of the Bostik Corporation there and it was real heavy in
9 that area. I called Marshall City, their station, at that time to
10 ask for a wind direction and speed to see if we could figure out
11 where it was coming from.

12 BY MR. NICHOLSON:

13 Q. The Marshall City --

14 A. Yeah.

15 Q. -- Fire?

16 A. Yeah.

17 Q. Oh, okay. And what was the wind direction.

18 A. It was calm. So that didn't help us any trying to
19 figure out, you know, if it was coming from the south then we'd
20 know to head south farther, you know, whatever but being reported
21 as calm it's a little more difficult to figure out, kind of, where
22 we -- which direction do we go?

23 BY MR. JOHNSON:

24 Q. Just for -- I mean, I got all that but so when you
25 drove -- you drove around the terminal and you found no odor then

1 you went back down Division and turned --

2 A. Went back down 27, turned left on Oliver Drive which
3 is -- they changed the name of Division to Oliver Drive at that
4 point so it's --

5 Q. Okay.

6 A. -- like the same road.

7 MR. NICHOLSON: Yeah, it's --

8 BY MR. JOHNSON:

9 Q. Turned left on Oliver --

10 A. Yeah. If you go straight across Old 27 from Division,
11 you know, it turns from Division to Oliver drive.

12 Q. Okay. So you went back on Division -- went back down
13 Old 27 --

14 A. Turned left --

15 Q. -- left on Oliver.

16 A. Yes.

17 Q. And then you called the fire -- or --

18 A. Got out in front of --

19 Q. Oh, the --

20 A. -- the Bostik Corporation which is like the second
21 business in on the south side of the road. It was real heavy in
22 that area so we called and asked for a wind direction and speed
23 from Marshall City.

24 Q. Okay. Now, I'm up to speed, anyway.

25 A. They said it was calm. We -- I told them that it was a

1 petroleum kind of smell, seemed like it was stronger in front of
2 Bostik. We were going to drive around a little more trying to
3 figure out if we could find more specific and at that point we
4 went down a few different roads in that area and that's what I've
5 got on here. Wait. I missed one. After we came out of Walters-
6 Dimmick we went around behind on -- what's the name of that road?

7 MR. PIERZINA: Brooks Drive?

8 MR. BONNEY: Yep. We went down Brooks Drive and -- to
9 see if there was any smell down that way and we didn't get
10 anything. Well, we did. We'd get -- did get an odor down there
11 but it wasn't as heavy as it was out on Old 27. So after Bostik
12 we went down Adams and Pratt Drive. We stopped at Old 27 and
13 Wooley Drive. There's a company there called Advanced Fuel
14 something or another then we walked around.

15 BY MR. NICHOLSON:

16 Q. Where is that?

17 A. On the corner --

18 Q. That's on Pratt Drive?

19 A. No that's on the corner of Wooley Drive and Old 27.

20 Q. That's Advanced --

21 A. Advanced Fuel something.

22 Q. Okay. All right.

23 A. We walked around that building, had a real faint odor,
24 almost nothing at that point. Marshall City called us and I told
25 them that we were walking around that building. He said he was

1 heading back in, you know, heading back to our location and I told
2 him, you know, we were going to try to figure out where things
3 were. We left that location, went back up to Oliver Drive to
4 Bostik and now the smell was gone from Bostik. So we turned
5 around and came back to the corner of Oliver and Old 27. It was
6 real heavy at that point so we pulled in there and that was the
7 McElroy Metal something or another, that plant right on the
8 corner. And that's where we met up with Marshall City and at that
9 point --

10 Q. And who's the -- who is Marshall City?

11 A. That guy was John Travis.

12 Q. Oh, okay.

13 A. He was in 1231 at that point.

14 MR. JOHNSON: So I -- you know, Marshall City called and
15 said they were going to head to your location and then you drove
16 to where before he met you?

17 MR. BONNEY: McElroy Metal right on the corner of Old 27
18 and Oliver.

19 MR. JOHNSON: McElroy Metals.

20 MR. BONNEY: Yeah. I believe that's the name of the
21 company.

22 BY MR. NICHOLSON:

23 Q. So he met you at McElroy Metals. Okay.

24 A. Yeah. The smell was real heavy there.

25 Q. Yep.

1 A. I had him get his gas detector out so we walked around
2 the area. It got less towards the back of the -- their building
3 so going south on 27 the back corner of their building it got less
4 but it was still, you know, you could still smell it. He even
5 stuck his sniffer down in the storm drains to see if it was coming
6 out of the drains or something like that.

7 Q. Did he get a hit?

8 A. Nope. Got nothing any time. We didn't pick up anything
9 at all as far as the flammables go.

10 Q. Oh, you're just checking all the oil stuff?

11 A. Yes.

12 BY MR. JOHNSON:

13 Q. What type of detector? I'm not -- not that you know it
14 but just a gas check or --

15 A. Yeah, just a gas detector to see if there's any
16 flammables in the area. So it would pick up the natural gas if
17 that was there. If gasoline was there it would pick those up.

18 Q. Okay. So as a group you checked McElroy Metals site and
19 on the backside where did it get weaker?

20 A. Towards the back of that, to the south end of their
21 building. It was still, you know, you still had a smell to it but
22 it wasn't strong on the backside. So we headed back towards
23 Oliver Drive, you know, we were on foot at this point. We were
24 walking around in front there where the smell was a little heavier
25 and that's when the fellow in the white pick-up truck pulled up.

1 MR. NICHOLSON: So you're back at Oliver and --

2 MR. BONNEY: Old 27.

3 MR. NICHOLSON: -- 27. You're at that corner?

4 MR. BONNEY: Yep.

5 BY MR. JOHNSON:

6 Q. Walking?

7 A. Yep.

8 Q. From there you walked to --

9 A. We had been walking around the building on foot.

10 BY MR. NICHOLSON:

11 Q. Which way are you facing? Where are you headed? On 27
12 or towards Division?

13 A. We were heading back from the south side of the building
14 so we were heading back towards Oliver Drive.

15 Q. Okay.

16 A. And we got back out towards the road. David started
17 going east on the front of the building. I stopped to talk to
18 John for a minute and then this fellow in the white pick-up truck
19 pulled up.

20 Q. So he was traveling down Oliver?

21 A. He was traveling -- he came across Division or across
22 Old 27 from Division and --

23 Q. So he had been down at Division --

24 A. Yeah. And he saw our truck sitting there --

25 MR. JOHNSON: Okay. So it was --

1 MR. BONNEY: -- so he decided to stop.

2 MR. JOHNSON: -- Steve? Steve. Did you say Steve was
3 the guy from Marshall City?

4 MR. BONNEY: John Travis.

5 MR. NICHOLSON: No, John Travis.

6 MR. JOHNSON: Sorry.

7 MR. BONNEY: That's all right.

8 BY MR. NICHOLSON:

9 Q. But you had just been down at Division and you didn't
10 see a white truck down there before?

11 A. No.

12 Q. Okay.

13 A. But this has been probably 15, 20 minutes since we were
14 down Division because when we now, you know, start going around
15 the area up around Old 27 where the smell was heavier at that
16 point --

17 Q. So did he cross 27 and came to the Oliver side?

18 A. Yep. Saw our trucks so he pulled in there to talk to
19 us. He had a white truck --

20 Q. White pick-up truck? I want you to be as specific as
21 possible.

22 A. Yeah.

23 Q. Okay.

24 A. A white pick-up truck. I believe it had a cap on it.
25 It had a yellow, one of those federal signal mini light bars on

1 it.

2 Q. What's that?

3 A. It's --

4 Q. Like on the front?

5 A. On top of the roof.

6 Q. Oh, it had a light bar. So it wasn't --

7 A. Yeah. It was a --

8 Q. -- a single light it was a light bar?

9 A. Yeah. It had two rotators on it.

10 Q. Okay.

11 A. So -- one of the mini bars it's about that big.

12 Q. Okay. And was it yellow or what -- was it flashing?

13 A. Yeah. He had his lights on.

14 BY MR. JOHNSON:

15 Q. So it had two?

16 A. Yep.

17 Q. Two strobes?

18 A. No, two rotators.

19 Q. Two rotators, sorry. So you think it had a topper?

20 A. I think it had a cap on it.

21 MR. NICHOLSON: What's -- you're calling that the piece

22 that goes over the --

23 MR. BONNEY: The bed.

24 MR. NICHOLSON: -- the bed. Okay.

25 BY MR. JOHNSON:

1 Q. The full like not a (indiscernible) but the full cap.

2 A. Yeah.

3 Q. Okay.

4 A. I believe so. I didn't pay a whole lot of attention to
5 the truck.

6 Q. And it came from -- the truck came from --

7 A. From Division Drive across on to Oliver Drive. So he
8 was heading eastbound.

9 Q. From Division onto Oliver heading east?

10 A. Yeah.

11 q. Perfect.

12 A. He pulled up. Got out of his truck. Said that he was
13 also investigating an odor and he said he thought it was coming
14 from across the road where the little trucking company is right on
15 that corner of Division and Old 27 which would be the northwest
16 corner. And then there was some discussion about, you know, it
17 now smelling like natural gas.

18 Q. It came from --

19 A. -- (indiscernible) --

20 Q. -- (indiscernible). So you said he thought it came from
21 the little what?

22 A. There's a, like, a trucking company or something, I
23 don't know exactly.

24 Q. That's close enough for me. Thanks.

25 A. Right on the northwest corner of Old 27 and Division.

1 Q. Northwest.

2 BY MR. NICHOLSON:

3 Q. So let's just clarify here. This is just a white pick-
4 up not a big industrial type with the --

5 A. No.

6 Q. -- the built in tool chest. It's --

7 A. No.

8 Q. -- something you'd buy -- any of us would buy and just
9 put an extended shell on it or --

10 A. Yeah.

11 Q. Okay.

12 A. It had -- I don't remember the name on the side of it.
13 I do remember the little orange squiggly --

14 Q. Um-hum.

15 A. -- you know, symbol on the side there. And he had the
16 same kind of symbol on his shirt.

17 Q. White shirt, blue shirt?

18 A. It was dark out.

19 Q. Okay.

20 A. So I'm not --

21 Q. Okay.

22 A. I would think it would be a blue shirt but I'm not 100
23 percent sure.

24 Q. The squigglys, what color?

25 A. Yellow. Yellow/orange.

1 MR. JOHNSON: Not sure on the color, maybe blue, of the
2 shirt?

3 MR. BONNEY: Like I said we were standing in the dark,
4 not close to the street lights.

5 MR. PIERZINA: If you had to guess would you say it
6 seemed like a work type uniform?

7 MR. BONNEY: Yeah.

8 MR. PIERZINA: Okay.

9 BY MR. NICHOLSON:

10 Q. How else was he dressed, then. Jeans? Boots?

11 A. I don't recall.

12 Q. You don't recall. Okay.

13 MR. PIERZINA: Hard hat?

14 MR. BONNEY: No.

15 BY MR. NICHOLSON:

16 Q. Does he -- did he have any equipment? Did he have
17 natural gas testing sniffers or --

18 A. He didn't have anything when he got out of the vehicle.
19 I don't know if he had anything on the vehicle that would be doing
20 sniffing or anything like that.

21 Q. Can you describe him? I know he's been described before
22 but not -- (indiscernible) --

23 A. About --

24 Q. Glasses? No glasses?

25 A. -- five-eight, five-ten, short hair. I don't recall if

1 he had glasses on or not.

2 Q. Short. Dark hair? Blond?

3 A. Either a grayish or a salt and pepper, you know, kind of
4 thing.

5 Q. Can you guess an age or --

6 A. If I had to guess it would be probably 50's.

7 Q. So we've heard from --

8 MR. JOHNSON: So at the time when he got out of the
9 truck he had no equipment with him at that time?

10 MR. BONNEY: Right.

11 BY MR. NICHOLSON:

12 Q. Someone else has made the statement that it was an
13 Enbridge truck. You can't go that far? You don't --

14 A. I couldn't testify in court and say that it was or --

15 Q. Okay.

16 A. -- it wasn't. I wasn't really paying that close of
17 attention to that.

18 Q. Okay.

19 A. As he was talking I was sort of looking around trying to
20 see if there was any other buildings the smell could be coming
21 from.

22 Q. Did you -- who was he -- did he come and talk to you or
23 did he talk to one of the other two guys?

24 A. He came up and he talked to me and Dave.

25 Q. Okay.

1 A. I think John was walking around with his gas detector at
2 that point still doing some sniffing and he walked up and away a
3 couple times during that.

4 Q. What was it you guys were talking about?

5 A. He said that he got called out for an odor
6 investigation, too, but it didn't smell like natural gas.

7 Q. Who did he get called out by?

8 A. From his company. And that's when he made the statement
9 that it smelled more like number 8 oil than natural gas. And we
10 all agreed that it smelled, you know, sort of a more of a
11 petroleum kind of smell than natural gas.

12 MR. PIERZINA: Any other small talk that you can recall?
13 You know?

14 MR. BONNEY: Just where he felt that it was, you know,
15 coming from, possibly the area across at that trucking company and
16 that's about the point that we decided to split up again. I had
17 John go up Brooks Drive again so he could use his gas detector
18 back there. We were going to go across to that trucking company
19 and, you know, sort of walk around the area and see if we find,
20 you know, where it was coming from and --

21 BY MS. SANZO:

22 Q. Could you describe the -- sorry.

23 A. Go ahead.

24 Q. Could you describe the shape of the symbol or logo that
25 you saw on the truck?

1 A. It was all squiggly swirly --

2 Q. Circular, because you're making a circular motion with
3 your hand? That's why I want to make --

4 A. Yeah.

5 MR. JOHNSON: So you sent John back up Brooks with the
6 gas detector?

7 MR. BONNEY: Yep.

8 MR. JOHNSON: And then you guys --

9 MR. BONNEY: We went across to the trucking company and
10 then he was -- the fellow in the pick-up was going to go back down
11 Division.

12 MR. JOHNSON: Okay.

13 BY MR. NICHOLSON:

14 Q. The -- we'll go back to the symbol on the car. So you
15 said there was a squiggly and there's no writing?

16 A. There was a name there but I don't remember what it
17 said.

18 Q. One word? Two words?

19 A. Just one word.

20 Q. One word name?

21 A. Yeah.

22 Q. No sense of what color that text would have been?

23 A. Either red or a darker, you know, color. It wasn't
24 black but, like I said, we were standing in an area that had poor
25 light --

- 1 Q. I know.
- 2 A. -- to begin --
- 3 Q. Yeah.
- 4 A. -- with and that's why I can't be --
- 5 Q. Sure.
- 6 A. -- 100 percent positive.
- 7 Q. But he's left his car running.
- 8 A. Yeah.
- 9 Q. So that the lights are going off so --
- 10 A. Yeah.
- 11 Q. -- there's some ambient light or some light there.
- 12 A. Yeah. His -- the yellow lights on top were going. His
- 13 headlights were still on. None of the fire trucks had their
- 14 overheads on --
- 15 Q. Okay.
- 16 A. -- and we were pointed in towards the building. He
- 17 pulled up out by the road, you know, just like in the driveway out
- 18 by the road sort of parallel to the road.
- 19 Q. Okay. So he was called out to do testing is what he
- 20 told you.
- 21 A. Yeah.
- 22 Q. He was called out for odor complaint?
- 23 A. Yes.
- 24 Q. To do testing? Did he say to do testing?
- 25 A. He was supposed to be looking for what -- the source of

1 the odor. I believe he said he was looking for natural gas
2 because that's when we started talking about it not smelling like
3 natural gas --

4 Q. Okay.

5 A. -- which is what we were dispatched to also. You know,
6 even though the 911 tapes, you know, they said it was more of a
7 petroleum, oily smell --

8 Q. Yeah, we heard that on several of the calls. Yeah.

9 MR. PIERZINA: Rick do you think if we were able to
10 provide you, you know, symbols, you know, of the different company
11 trucks that you'd be able to pick, you know, I know there's a lot
12 of them around here but if we laid them all out, like company
13 logos, do you think you'd be able to pick out the one that was on
14 the truck?

15 MR. BONNEY: I've been looking at the different ones
16 that I've seen. I've seen the Enbridge ones.

17 MR. JOHNSON: There's a bunch of them, I bet, huh?

18 MR. BONNEY: A few of them. It does seem similar to
19 that but, you know, I'm probably 80 percent sure that that was the
20 symbol on there. But --

21 BY MR. NICHOLSON:

22 Q. Okay.

23 A. -- but I can't be 100 percent sure and I don't want to
24 say --

25 Q. I understand.

1 A. -- this is what it was.

2 Q. That's perfectly all right. If I go down Division, I
3 haven't been down there, is it a dead end if I keep going? Does
4 Division go anywhere?

5 A. Division comes -- well, if you come down 16 Mile Road to
6 Division --

7 Q. Yeah.

8 A. -- it's an L. You have to go east.

9 Q. Okay.

10 A. And then it turns in -- 16 Mile Road turns into Division
11 when it makes that sharp right -- or left-hand turn.

12 Q. Okay. I know what you're talking about that side.

13 A. So that would be --

14 Q. So it does continue through. There's -- it doesn't just
15 terminate at the two gas --

16 A. No. It --

17 Q. Okay.

18 A. -- it goes -- when you -- when it turns into Division it
19 goes through Old 27 and into Brooks Drive and then it does
20 eventually dead end.

21 Q. Okay.

22 A. But it doesn't dead end until, you know, quite a ways
23 into it.

24 Q. Okay. And what else -- what do you run into down there
25 once you get past some of the industrials --

1 A. It's all industrial.

2 Q. It's all industrial down there? Okay.

3 A. Yeah, that's an industrial park. That was part of our
4 discussion being an oily smell, you know, we were thinking it was
5 coming from one of the factories in the area --

6 Q. Okay.

7 A. -- you know, Fenton (ph.).

8 Q. That's what sent you down that way --

9 A. Right.

10 Q. -- because you knew it was industrial. Does that -- I
11 haven't been out there. Is that how you would get to Marshall
12 Pump Station, Division Drive?

13 MR. PIERZINA: Yes.

14 MR. NICHOLSON: Okay.

15 BY MR. NICHOLSON:

16 A. Yeah, the -- your guy's pipeline is -- if you continue
17 down 16 Mile Road where it turns there's a driveway right there --

18 Q. Um-hum.

19 A. -- and then you go south into Fredonia.

20 Q. Okay.

21 A. And that's where that pumping station is.

22 Q. Did you go down to the pumping station?

23 A. No. Dave said --

24 Q. Did you know there was pumping station?

25 A. I knew there was a pumping --

1 Q. All right.

2 A. -- station there. The last I knew we hadn't been back
3 there for training in probably -- it's probably been at least ten
4 years or more. And when we were there before I believe they were
5 pumping gasoline through that because I remember them talking
6 about the pigs that they put in the line to separate the different
7 types of fuels and stuff.

8 Q. Uh-huh.

9 A. But we haven't been back there in many years.

10 Q. And it didn't occur to you that evening to go check that
11 out?

12 A. It did.

13 Q. Okay.

14 A. But then Dave said that the fellow in the white pick-up
15 truck said that he'd been back there so --

16 Q. Hmm.

17 A. -- I almost, you know, as we were on our way back to the
18 station we went back that way and I almost said, well, let's turn
19 back down there anyway but then, you know, the guy said that he
20 had already been back there so --

21 BY MR. JOHNSON:

22 Q. When you say back there it's --

23 A. Back down to that pumping station right at the corner of
24 Division and 16 --

25 Q. So he said he came from that corner or --

1 A. He said he'd been down -- now, I didn't hear him say
2 that. Dave said he heard him say that.

3 Q. Okay.

4 A. Because there was discussion between us when we were
5 going back whether we should stop there or not and he said, no,
6 that guy said he was already down there. I said, all right.

7 Q. Okay.

8 A. So, you know, that's why we didn't turn down and go into
9 that area.

10 MR. NICHOLSON: But okay, just to clarify, he did not
11 say that directly to you, though. That was a conversation he had
12 with Dave.

13 MR. BONNEY: Yeah.

14 MR. NICHOLSON: Okay.

15 BY MR. JOHNSON:

16 Q. Did the -- that guy in the truck have a gas detector?
17 Did you guys work with him at all at --

18 A. I didn't see a gas detector that he had and when he got
19 out of the truck he just got out.

20 Q. Yeah, you said that I didn't know if he went back and
21 grabbed one to go with you guys. Did you work together at all
22 or --

23 A. No. We talked for just a brief couple minutes and he
24 got back in his truck and went back down Division Drive and that's
25 when we split up and I sent John down Oliver or, no, down Brooks

1 Drive and then we went across to the trucking company there.

2 MR. NICHOLSON: So I'm sorry, the guy in the truck, when
3 he left he went back down Division Drive?

4 BY MR. JOHNSON:

5 Q. Which -- towards which direction?

6 A. West, towards 16 Mile.

7 Q. Not a clue where we are here.

8 A. Back towards where that pumping site is.

9 Q. Okay.

10 MR. JOHNSON: I wish I was -- I didn't think -- if we
11 had a map to do this.

12 MR. PIERZINA: Ah, ask and you shall receive.

13 MR. BONNEY: I was going to say I think we got a big
14 aerial map if you don't have a good one here.

15 MR. JOHNSON: I think we even talked about we would do
16 that. I guess we dropped the ball.

17 MR. PIERZINA: What.

18 MR. JOHNSON: I said I already -- I said maybe we should
19 do this but we did so we're okay.

20 MR. PIERZINA: (Indiscernible.)

21 MS. SANZO: (Indiscernible.)

22 MR. NICHOLSON: Why are we whispering?

23 MR. PIERZINA: Are we recording?

24 MR. NICHOLSON: It's all right.

25 MR. JOHNSON: Yeah, what are you going to hear me talk,

1 Brian?

2 BY MR. JOHNSON:

3 Q. When he headed away from you what direction did he go?

4 A. He went Old 27 --

5 Q. Just give me a second so I can write here.

6 A. He went west down this way.

7 BY MR. NICHOLSON:

8 Q. Okay. So this is what you're talking about so Division
9 comes down here and turns --

10 A. And that's 16 Mile Road.

11 Q. That doesn't dead end, though.

12 A. No. And that runs into A Drive.

13 Q. Oh, okay. So where is the -- I don't even know.

14 Where's the Marshall Pump Station on here? You said it's at 16.

15 A. Right there.

16 Q. Oh, okay.

17 A. So if you come down 16 there's a driveway right here
18 that --

19 Q. Oh, okay.

20 A. -- comes all the way down. These are the two natural
21 gas stations that I was telling you about.

22 Q. Where are the two? This and this?

23 A. No, these two gray boxes here.

24 Q. Oh, okay. I see. Gotcha.

25 A. Those are like white stone around all their stuff. And

1 then the other one we have an issue with is right there.

2 Q. That's another --

3 A. That's Consumer's --

4 Q. -- (indiscernible)?

5 MR. PIERZINA: West of 69 and --

6 MR. BONNEY: Yeah.

7 MR. PIERZINA: -- and just --

8 MR. BONNEY: South of town.

9 MR. BONNEY: Yeah.

10 BY MR. NICHOLSON:

11 Q. So you watched the guy -- you were on Oliver -- Oliver I
12 thought was --

13 A. Well, they -- this map is wrong.

14 Q. Oh, I see.

15 A. This isn't Oliver Drive here.

16 Q. The split is up at 27.

17 A. Yeah. Which is just over here. This is Walters-Dimmick
18 here.

19 Q. Okay. And here's Brook. You talked about Brooks.

20 A. Yeah. We went down here -- down to this area in this
21 cul-de-sac here, walked around a little bit trying to, you know,
22 get a good, you know, detection for the odor and stuff.

23 Q. Okay.

24 A. At that point you could smell it back here but it was a
25 little less than it was out here.

1 Q. Okay. So when you all three split up you were back at
2 27 so --

3 A. Yeah.

4 Q. -- right? Did you watch this man in the truck go away
5 or --

6 A. I didn't pay -- he went back down this way and I didn't
7 pay attention --

8 Q. And you went which way? Which way --

9 A. We went here.

10 Q. So you followed him for a short while?

11 A. He went -- he left before we did. We had to walk back
12 over to where our truck was.

13 Q. Oh, okay.

14 A. We went over here. We parked behind this building back
15 in this area. This is the Buckeye Pumping Station for the --

16 Q. Okay.

17 A. -- gasoline. It's all fenced in. I walked the whole
18 perimeter of that. There was a little bit of odor there --

19 Q. So you had to walk to your car, I'm sorry. I want to
20 just put (indiscernible) -- you walked to you car, he's already
21 headed down this way, right?

22 A. Right.

23 Q. You get in your car, you come back down 27, take a --

24 A. No, we were right straight across Old 27 --

25 Q. So you were also --

1 A. -- on this corner.

2 Q. -- Oliver.

3 A. We were on Oliver, yeah.

4 Q. Okay. So you cross 27, get in your car and you came
5 back this way.

6 A. We were already across 27.

7 Q. Okay.

8 A. This company is, like, directly across from this
9 printing company right here.

10 Q. So where did -- where -- you just had to cross one
11 street?

12 A. Yeah. We got back in our truck, turned around in the
13 parking lot, came back out and crossed --

14 Q. Oliver --

15 A. -- over 27 --

16 Q. How long did that take you? Three minutes?

17 A. Yeah. Two, three minutes.

18 Q. Okay.

19 A. So by the time we got in our truck and turned around and
20 came back he was gone.

21 Q. You did not see headlights?

22 A. Taillights?

23 Q. Or taillights, sorry.

24 A. No.

25 Q. Okay.

1 A. Because that's when we talked to John and I told him to
2 go down Brooks Drive to check down here with his gas detector.

3 Q. You -- okay that's where John went.

4 A. Yup.

5 Q. And did he leave before you?

6 A. He left about the same time we did.

7 Q. Okay.

8 A. And then I told him were going over here.

9 Q. So you saw his taillights as he went down to Brooks
10 Drive.

11 A. Yeah.

12 Q. Okay. But you saw nothing beyond his --

13 A. Right.

14 Q. It seems odd that you wouldn't be able to see -- I guess
15 you just weren't looking because it looks --

16 A. Yeah.

17 Q. -- fairly level, right. You'd think you could see the
18 guy if he was --

19 UNIDENTIFIED SPEAKER: (Indiscernible.)

20 MR. JOHNSON: Well, I'll let Rick speak for himself.

21 MR. PIERZINA: It's not that easy.

22 MR. NICHOLSON: Okay.

23 BY MR. NICHOLSON:

24 A. Yeah. It's not. I think it's a little hilly there
25 not --

1 Q. Okay.

2 A. -- too terribly much but --

3 Q. Okay.

4 A. And like I said, I wasn't looking for him either --

5 Q. Okay.

6 A. -- and, you know. We walked around here, didn't smell
7 anything. John walked around in this area with his detector. He
8 came back and met us here in the parking lot because we were still
9 walking around trying -- that's after I had already got done
10 walking around the Buckeye Terminal's pumping station. There was
11 a semi parked here. We walked around that seeing if there was
12 anything coming from that. John pulled back up. He got out with
13 his gas detector again, told me what he found on Brooks Drive,
14 that he hadn't registered any flammables at any point, you know,
15 during the time he was running his detector which was probably
16 about 20 minutes.

17 Q. So -- but from the time you got here it's been about 20
18 minutes?

19 A. No, from the time --

20 Q. (Indiscernible.)

21 A. -- he pulled up at the McElroy Metal --

22 Q. Um-hum.

23 A. -- and he got out with his gas detector --

24 Q. Okay.

25 A. From that time until we met back over here it was about

1 20 minutes.

2 Q. Okay. That it? I know it was --

3 A. Approximately.

4 BY MR. JOHNSON:

5 Q. Did -- I -- not that you speak for him but the other --
6 the guy from Marshall City --

7 A. John?

8 Q. -- John. Was he with you at all when the white truck
9 was there?

10 A. Yes.

11 Q. Okay.

12 A. Yup.

13 Q. And you maybe said that I just wasn't hearing
14 (indiscernible) --

15 MR. NICHOLSON: Did he speak to the guy in the truck or
16 not?

17 MR. BONNEY: I don't recall. And I know he walked away
18 from us a couple times, you know, while --

19 BY MR. JOHNSON:

20 Q. John, or --

21 A. Yeah, John Travis.

22 Q. With his -- so he walked up with his gas detector.

23 A. Yeah.

24 BY MR. PIERZINA:

25 Q. But it sounds like he -- I know you said that he was

1 away from you guys checking with his gas detector when the fellow
2 in the white truck first pulls up, right?

3 A. Yep. And he went back up to see what was going on.

4 Q. Okay. And then checked some more and --

5 A. Yep.

6 Q. And he -- once, twice maybe --

7 A. Yeah. He was probably in and out of the group a couple
8 times.

9 Q. A couple times, okay.

10 A. And this is that Buckeye Terminals we were talking about
11 where the -- all the tanks full of gas are.

12 BY MR. NICHOLSON:

13 Q. Right and I'm familiar with that, okay. Good. And
14 there's the -- another (indiscernible) facility.

15 A. Um-hum.

16 Q. Okay. So you were there, you said it was 20 minutes --

17 A. From the time --

18 Q. -- since you did --

19 A. Yeah.

20 Q. -- since you were there and then what? Did you leave
21 or --

22 A. Well, at that point is when we, you know, we talked
23 about we weren't finding any flammables, we were unable to
24 pinpoint the source, you know, because one minute we'd have real
25 strong smell and we'd come back to the same spot and it would be

1 gone.

2 Q. Yeah.

3 A. And we decided we -- since we didn't have any flammables
4 we thought it was coming from one of the industrial buildings out
5 there we just didn't know which one.

6 Q. Um-hum.

7 A. That we would go ahead and clear until we got a better,
8 you know, location on what it was.

9 Q. Now clear meaning return to your --

10 A. Return to station.

11 Q. -- your station. So in that time you were here
12 discussing you never say any -- you never noticed traffic, any
13 other cars coming up?

14 A. No.

15 Q. Okay.

16 A. I didn't. There may have been cars go up through there
17 I just didn't pay attention. I know there was cars up and down
18 27.

19 Q. Sure. That's a main thoroughfare. Is Division very --

20 A. No.

21 Q. -- it shouldn't be busy at all right, at that time of
22 night?

23 A. No.

24 Q. Is this a home here?

25 A. Yep.

1 Q. So there's a little group of homes there?

2 A. Yeah, I think --

3 Q. Are there any homes over here?

4 A. I don't think so. I think there's one more, yeah,
5 there's another one up here and there's one right there. So
6 there's a few homes down Division Drive.

7 MR. PIERZINA: Do you know if Fredonia was on at all
8 responding to any odor complaints?

9 MR. BONNEY: I do not know. They weren't out at this
10 time that we were --

11 MR. PIERZINA: Okay.

12 MR. BONNEY: -- and then when I go home I turn mine on
13 private so unless my tone goes off I don't hear anything. That
14 way I can sleep.

15 MR. PIERZINA: Okay.

16 BY MR. NICHOLSON:

17 Q. So you don't know how the complaint came in, right?

18 A. Right.

19 Q. You don't know where it came from other than it was
20 assigned to -- well, it came in near the airport. Because it was
21 assigned to the Marshall --

22 A. Marshall City first. I -- and I heard that on the 800
23 side.

24 Q. Okay.

25 A. And when they went out there, you know, that's when they

1 said that it's coming from Marshall Township.

2 Q. Okay. And --

3 A. And he was --

4 Q. -- where was the division line -- is it --

5 A. -- the --

6 Q. -- Division Road's your division line, right?

7 A. Right.

8 Q. Okay. So if this home had called it in it would have
9 gone -- well, it would have gone to Marshall City.

10 A. No, that would have gone to us.

11 Q. Oh, that's you. Okay.

12 A. Yeah, Marshall City is across the street here. They're
13 over in here. I think they take all of this, actually. They chop
14 a lot of the township.

15 Q. Okay. It's not a nice --

16 A. Yeah. So it's a little choppy around through here.
17 This corner is ours back into here somewhere and then it drops
18 back into Marshall City again.

19 Q. Okay.

20 MR. JOHNSON: Is Marshall City volunteer also or --

21 MR. BONNEY: Volunteer and full-time. I think they've
22 got two or three guys on the station all the time. That's why I
23 called them for wind direction so --

24 MR. JOHNSON: Uh-huh.

25 BY MR. NICHOLSON:

1 Q. So it sounds like Dave Austin did the majority of the
2 interface with the man in the truck.

3 A. Yes.

4 Q. Okay.

5 BY MR. PIERZINA:

6 Q. And you had mentioned earlier that you said he was
7 responding to a gas odor from his -- report from his company.

8 A. Yes.

9 Q. Okay. Okay. And also you mentioned the training that
10 you had, you know, ten or more years ago at the pumping station,
11 was that the company contacts the fire department for training or
12 do you know --

13 A. It was --

14 Q. -- why that was?

15 A. It was set up with Fredonia Township because that's
16 their area.

17 Q. Okay.

18 A. This is the division between us and Fredonia.

19 Q. Right.

20 A. So that was actually in Fredonia's area and they invited
21 us down.

22 Q. Oh, okay. So it was a --

23 A. Because it was right on the line.

24 Q. Right so --

25 A. But like I said, that was probably ten-plus years ago

1 that we went out there.

2 BY MR. NICHOLSON:

3 Q. So Fredonia still has responsibilities for this?

4 A. Yes.

5 Q. Okay.

6 A. Yeah, anything south of this road this gas -- natural
7 gas pipeline station there, the Michigan --

8 Q. Um-hum.

9 A. -- Gas Utilities, that's Fredonia's.

10 Q. So if the man were checking on this he would have
11 been -- on the Marshall Pump Station he would have been called
12 from Fredonia Fire Department?

13 A. I don't know how he got his call.

14 Q. Okay.

15 A. He didn't say. He just said, you know, he got a call
16 through his company to come out and check an odor.

17 Q. But it -- so there are two of these stations, right? I
18 thought one was -- yeah, one's on one side of the road so and
19 they're two different companies --

20 A. Correct.

21 Q. -- so Michigan would have to call -- is this Michigan on
22 the south --

23 A. Yeah.

24 q. -- Michigan would call who, City or Township?

25 A. If it was that then it would be Fredonia Township.

1 Q. That'd still be Fredonia.

2 A. Yeah.

3 Q. Okay.

4 A. This one would be Marshall Township.

5 MR. JOHNSON: And that's -- we talked about this this --

6 MR. NICHOLSON: Okay.

7 BY MR. JOHNSON:

8 Q. -- morning a little bit. That's kind of a -- must be a
9 little confusing for the folks up in the 911 center how it's --
10 right in that neck of the woods.

11 A. Yeah.

12 Q. So they get a call and do they -- is it common to send a
13 few of you guys out or --

14 A. Well, initially they got a call at the airport so that
15 was over here.

16 Q. Um-hum. Yeah, actually that's about the only thing I
17 remember. That and the PLM Shop.

18 A. Yeah. So the airport's Marshall City so they sent them.
19 Marshall City came out, got an odor there but as they drove south
20 it got stronger and he thought -- and the facility he was talking
21 about was the Buckeye pumping station --

22 Q. Okay.

23 A. -- here that he thought was natural gas. So that's why
24 he called us out. When I got the call and he said natural gas
25 pumping station I automatically thought these here so that's where

1 we went first.

2 MR. PIERZINA: Okay. And did --

3 MR. JOHNSON: Did he stay in sight until you got there?

4 MR. BONNEY: No. He left. That was one of the calls
5 that I made to him. Are you still -- are you standing by or have
6 you cleared. He said no he had cleared.

7 MR. JOHNSON: And I think you said that earlier so I
8 apologize if I asked it again.

9 BY MR. PIERZINA:

10 Q. And as far as you know, like, neither you or John Travis
11 or nobody kind of reached out to Fredonia Township to check that
12 south area --

13 A. No.

14 Q. -- but you guys looked around --

15 A. Right.

16 Q. -- as much as you did, I guess.

17 A. Right. We checked out a little bit. We felt that the
18 odor was coming from the industrial park area because it was
19 stronger here than it was down here.

20 Q. Okay. The Adams Drive and Pratt Drive some of the --

21 A. Yeah.

22 Q. -- the ones that you mentioned as long as we got a map
23 in front of us.

24 MR. JOHNSON: This is helpful. Thanks, Rick.

25 BY MR. PIERZINA:

1 A. This map's cutting of just before Old 27.

2 Q. Okay. So --

3 A. If this map continued across, Adams Drive runs across
4 here off of Oliver going north. Pratt Drive goes back and around
5 behind and connects with that Wooley Drive.

6 Q. Okay.

7 MR. JOHNSON: (Indiscernible.)

8 MR. BONNEY: And they're both --

9 MR. JOHNSON: (Indiscernible.)

10 BY MR. PIERZINA:

11 Q. They're both east of Old 27?

12 A. Yes.

13 Q. Okay.

14 BY MR. JOHNSON:

15 Q. And we -- and just -- the smell was over there or you
16 just were just looking anywhere.

17 A. The smell was over in that area.

18 Q. Also?

19 A. Yeah.

20 Q. Hmmm.

21 A. That's why were concentrating over there more. It was
22 right in that area of Old 27 and Division. At times, like I said,
23 it -- at the Bostik Corporation which is two companies in on
24 Oliver on the south side of the road it was real heavy there.
25 When we first came in there and then when we came back to it, it

1 was almost gone, you know, there was hardly any odor there at all
2 anymore.

3 Q. That's -- you know, it, you know, if it was the spill it
4 just seems weird that that's where the smell would be. That's --
5 I, you know, that really helped me. I don't understand it in the
6 least.

7 A. Me too.

8 MR. NICHOLSON: Well, let's look at that real quick
9 because the break was -- the break's somewhere in here right? The
10 break's right there.

11 MR. JOHNSON: I don't know where the break is.

12 MR. NICHOLSON: I think the break's approximately there.

13 MR. JOHNSON: Is it?

14 MR. PIERZINA: I think you're right, Matt, because the
15 oil kind of migrated --

16 MR. NICHOLSON: Didn't it go kind of through the woods
17 there --

18 MR. PIERZINA: Yeah. And back through the creek.

19 MR. JOHNSON: Oh, then it does -- then --

20 (indiscernible).

21 MR. NICHOLSON: So if the break is there --

22 MR. JOHNSON: I'm looking at the --

23 MR. NICHOLSON: You were --

24 MR. JOHNSON: -- yellow dot over here.

25 MR. BONNEY: Well, we were here -- twice.

1 MR. NICHOLSON: You were --

2 MR. BONNEY: -- twice.

3 MR. NICHOLSON: Yeah.

4 MR. JOHNSON: And?

5 MR. BONNEY: It was -- there was odor there but it was
6 less than what it was out at Old 27.

7 MR. NICHOLSON: Which is there.

8 MR. BONNEY: Yeah. And like I said --

9 MR. NICHOLSON: You were all around it. You --

10 MR. JOHNSON: What's that one facility there, Joyce?

11 MR. BONNEY: Walters-Dimmick.

12 MR. JOHNSON: No, the one --

13 MR. PIERZINA: Down on Brooks Drive.

14 MR. JOHNSON: Oh, down on Brooks Drive, yeah.

15 MR. BONNEY: What is --

16 MR. PIERZINA: Is that a residence or is --

17 MR. BONNEY: No, that's two companies down there and I
18 don't recall what the name of either one of them are. We went
19 into the cul-de-sac, pulled around, got out and actually walked
20 around outside.

21 MR. NICHOLSON: I'm surprised that's --

22 MR. BONNEY: And then we pulled around to Walters-
23 Dimmick. We went all the way to the back of the facility, you
24 know, this back corner here and it was less there than it was out
25 here.

1 MR. JOHNSON: I just -- I want to --

2 MR. NICHOLSON: It was -- (indiscernible) it was less --

3 MR. JOHNSON: -- put words in your mouth.

4 MR. NICHOLSON: -- there.

5 MR. BONNEY: Right.

6 MR. NICHOLSON: Which is actually closer --

7 MR. BONNEY: Closer.

8 BY MR. JOHNSON:

9 Q. So twice you were down Brooks drive but the odor was
10 stronger east of Old 27 than there?

11 A. Yep. And I was down -- we were down -- me and Dave were
12 down Brooks Drive once and Marshall City, John Travis was down
13 Brooks Drive once.

14 Q. You were down once. They were down once.

15 A. Right.

16 MR. NICHOLSON: Where's the creek? Oh, here --

17 MR. BONNEY: Right here.

18 MR. NICHOLSON: That's it, yeah. Okay.

19 MR. BONNEY: It goes into the woods. Yeah, too bad they
20 didn't make that map this way just a tad longer.

21 MR. JOHNSON: It still, from my standpoint, it pulls it
22 together. I --

23 MR. NICHOLSON: Yeah, because I think we all know where
24 27 -- Old 27 (indiscernible).

25 MR. BONNEY: Um-hum. The thing that was real confusing

1 for us was --

2 BY MR. JOHNSON:

3 Q. Now, did John Travis, that was down Brooks Drive once,
4 him, too?

5 A. Yep.

6 Q. And he had the gas detector.

7 A. Yep.

8 MR. NICHOLSON: You must have been called back out,
9 though. That wasn't your --

10 MR. BONNEY: No, we were never called back out. Well, I
11 left at nine o'clock in the morning to head up north and, you
12 know, from that time until nine o'clock in the morning we hadn't
13 got called out again. Now, I do know that listening to the 911
14 tapes the cleaning lady for here called at 11:30 so that would
15 have been a half hour after we cleared.

16 MR. PIERZINA: That's Walters-Dimmick?

17 MR. BONNEY: Yep.

18 MR. PIERZINA: Cleaning lady. That was 11:30.

19 BY MR. JOHNSON:

20 Q. So in general, Marshall Township was not called again.

21 A. No. At least not before --

22 Q. Did they --

23 A. -- nine o'clock, you know, when I left town.

24 Q. Oh, yeah. I don't want to make an assumption.

25 A. Because I didn't take my radios with me or anything. I

1 was going to Traverse City. So as of nine o'clock when I drove
2 out of my driveway we hadn't been called.

3 MR. PIERZINA: Given that, you know, that the cleaning
4 lady called in the odor complaint at 11:30 do you know who was
5 dispatched to --

6 MR. BONNEY: Nobody was.

7 MR. PIERZINA: Nobody was.

8 MR. NICHOLSON: Why?

9 MR. BONNEY: I don't know.

10 BY MR. JOHNSON:

11 Q. So Monday morning you left at 9:00 a.m.

12 A. Yeah, I left town at 9:00 a.m. Monday morning.

13 Q. Yeah, and I just -- I want to be really careful. You
14 know, you said we were not called again. I want to make sure
15 that --

16 A. Right.

17 Q. -- if you got called in at 9:30 you were out of town
18 so --

19 A. Right, and I didn't know it.

20 Q. Yeah. (Indiscernible.)

21 A. Okay.

22 MR. NICHOLSON: Yeah, so it's not that you weren't
23 called back out it's just you weren't part of it.

24 MR. BONNEY: Right. After --

25 MR. NICHOLSON: And you wouldn't have known about it.

1 MR. BONNEY: After nine o'clock I didn't know.

2 MR. JOHNSON: (Indiscernible.) And --

3 MR. PIERZINA: Eleven-thirty --

4 MR. JOHNSON: -- you --

5 MR. PIERZINA: Oh, I'm sorry.

6 BY MR. JOHNSON:

7 Q. -- you -- from listening to the tapes, and you said this
8 Brian, I just want to repeat -- you listened to the tapes after
9 the fact. You --

10 A. I just listened to the tapes on --

11 Q. -- you didn't --

12 A. -- on --

13 Q. -- but you didn't hear --

14 A. Friday.

15 Q. Yeah, so you didn't hear any -- I mean you got your
16 radios on and stuff --

17 A. They -- they never called us and --

18 Q. No one else was called out. Nothing like overlap in the
19 radios?

20 A. No.

21 Q. Is that a kind of decent way to say that overlap on the
22 radio?

23 A. Well, they're on the same channel we are.

24 Q. Okay.

25 A. So we would have heard them if they went out. Now, I

1 wouldn't have heard it after I got back home because I turn my
2 pager to private --

3 Q. Um-hum.

4 A. -- at night. So unless my tone goes off I don't hear
5 the general radio traffic that's going across there because it
6 gets busy at night and I wouldn't get any sleep. So personally I
7 just turn mine to private so when my tone goes off I get woke up.
8 If my tone doesn't go off I don't get woke up.

9 Q. Does anyone from Marshall Township need to leave theirs
10 on?

11 A. No, because the only time we go anywhere is when we get
12 toned.

13 Q. Okay. I didn't how that worked. My neighbor was a
14 (indiscernible) on call or is and he always was wearing it and so
15 I just didn't know what --

16 A. Yeah, when they drop our tone that's when our response
17 starts.

18 Q. Um-hum. Okay.

19 A. Now, sometimes if you have it open, like, during the day
20 I leave mine open and I can listen to it and if somebody else
21 calls for us, another department, you can hear that start getting
22 going.

23 Q. Before you even get toned.

24 A. Right. But, you know, at night I just turn that off
25 that way I don't have to listen to everybody in the county.

1 BY MR. NICHOLSON:

2 Q. So you guys met up here and then that was it, you
3 cleared.

4 A. Yeah.

5 Q. You and Dave went back to your place.

6 A. Yeah we went this way back to our place.

7 Q. Okay. You went down Division to 16 --

8 A. And up to 15 back to here.

9 Q. Any observations as to smell as you went down.

10 A. No.

11 Q. Did you have your windows open or --

12 A. Yep. We left our windows open. We still had odor down
13 there. It wasn't any stronger here than it was before.

14 Q. Okay.

15 A. But there was definitely an odor.

16 Q. Okay. Never saw the truck again? Never saw --

17 A. No.

18 Q. -- the car on that road.

19 BY MR. PIERZINA:

20 Q. Just to -- I just want to make sure the cleaning lady
21 was at this building.

22 A. This building.

23 Q. Walters-Dimmick, right?

24 A. Yep.

25 Q. Is it D-e-m -- well, they spell that somewhere.

1 A. Yeah, it's in here somewhere.

2 Q. Okay.

3 MR. JOHNSON: D-i-m-m-i-c-k.

4 MR. PIERZINA: Okay.

5 MR. NICHOLSON: Oh, it's Dimmick.

6 BY MR. PIERZINA:

7 Q. And so she called in a odor complaint at 11:30 p.m.

8 A. Yep.

9 Q. And that went into --

10 A. To central dispatch.

11 Q. To -- so she called 911.

12 A. Yeah.

13 Q. Okay.

14 A. And they told her the fire department's been out and
15 checked it and they gave the all clear or whatever. I don't
16 remember the --

17 BY MR. NICHOLSON:

18 Q. They realized that you had cleared?

19 A. Yes.

20 Q. Before they got the call.

21 A. Right.

22 Q. Okay.

23 A. And then they didn't -- I don't know what their protocol
24 for that is.

25 MR. JOHNSON: Actually, you know, (indiscernible) we

1 shouldn't (indiscernible) make assumptions.

2 BY MR. NICHOLSON:

3 Q. Yeah, we've got some tapes we still need to hear it.

4 A. We never heard that there was multiple calls, you know,
5 from different areas. I don't know what -- where each of these
6 calls were. I know one of the calls was from down here somewhere
7 because they said they lived right down by one of these pumping
8 stations so it must have been one of these houses in here. She
9 said there was a heavy smell.

10 Q. Yeah. Okay. What time was that? Do you --

11 A. I don't remember.

12 Q. But it's not the call you responded to.

13 A. No.

14 Q. Your were response was from some guy who --

15 A. Yeah.

16 Q. -- a passerby.

17 BY MR. PIERZINA:

18 Q. That's down at the airport.

19 A. The airport.

20 Q. Right?

21 A. Yep.

22 Q. And did you say -- is this Marshall City jurisdiction
23 or --

24 A. Yeah.

25 Q. -- Fredonia? Where is --

1 A. It's Marshall City's.

2 Q. -- where is the line between Fredonia and Marshall City
3 going this way, if you know?

4 A. I'm not sure.

5 Q. All right.

6 A. I believe all of this is Marshall City's.

7 Q. Okay. So Marshall City has Brooks Drive and the
8 Walters-Dimmick --

9 A. Yeah.

10 Q. -- and stuff and west of that somewhere starts Fredonia.

11 A. Right.

12 BY MR. JOHNSON:

13 Q. Did you -- let's see how I want to word this -- I don't
14 want to lead you. Do you have any interaction or even -- I know
15 you talked about ten years ago you got invited to an Enbridge --
16 do you --

17 A. I don't even recall what company it was.

18 Q. You -- or -- oh, (indiscernible) but it was at a
19 company?

20 A. Yeah, it was here so I --

21 Q. Okay. So you got called out there and you didn't know
22 who it was you just got to do --

23 A. Well, I probably did at the time.

24 Q. But you just -- it was an exercise.

25 A. Right.

1 Q. And that's perfectly fine.

2 BY MR. PIERZINA:

3 Q. You know what? I might be able to help with this. Do
4 you remember a company called Lakehead?

5 A. Um-hum.

6 Q. Lakehead Pipe Line?

7 A. Yeah.

8 Q. Okay.

9 MR. JOHNSON: That's our old name.

10 BY MR. PIERZINA:

11 A. Maybe it was them. Yeah.

12 Q. Yeah, they're --

13 MR. JOHNSON: Nothing changed except the name. And
14 these guys are trying to change it too, some of their coworkers
15 but you -- is there any extra -- any other type of -- boy -- does
16 Enbridge invite you to anything? Other than training exercise did
17 you have any interaction with Enbridge for training or
18 (indiscernible) --

19 A. No, I was training officer for years and I don't
20 remember Enbridge inviting us out for anything. I know that once
21 a year in the spring we get invited out for a gas line safety for
22 the natural gas.

23 MR. NICHOLSON: By who? (Indiscernible) it's one of the
24 utilities?

25 MR. BONNEY: Yeah --

1 MR. NICHOLSON: Okay.

2 MR. BONNEY: -- one of the utilities does.

3 MR. JOHNSON: Do you attend those or have you or --

4 MR. BONNEY: I have in the past. I haven't, probably,
5 in the last couple years. They always seem to land on our
6 training night. That, you know, makes it difficult for --

7 BY MR. PIERZINA:

8 Q. I used to do some of that stuff and that was always the
9 issue, you know, we and sometimes it works out because that can be
10 you training --

11 A. Right.

12 Q. You know.

13 A. It depends on what you got planned.

14 Q. Right. Do you recall in -- you know, when you get those
15 invitations or -- is it always one company that invites you out or
16 do -- is it ever like a group invitation from a number of pipeline
17 companies?

18 A. I don't recall. It may be a group or may be just one.

19 Q. Okay.

20 A. And they're doing more general, you know, pipeline, you
21 know, safety kind of stuff, you know, what to do if the natural
22 gas pipeline ruptures, who to call.

23 Q. Um-hum.

24 A. You know, evacuation distances and all that kind of
25 stuff.

1 Q. Do you remember the last meeting like that that you may
2 have attended?

3 A. It was probably been three or four years ago.

4 Q. Okay. And that would have been --

5 MR. JOHNSON: So what -- go ahead, Brian.

6 MR. PIERZINA: No, go ahead.

7 BY MR. JOHNSON:

8 Q. I just -- so you just said and I don't want to word --
9 put words in your mouth. You kind of put down that you do know
10 that you get invited each spring to a what kind of a --

11 A. Natural gas pipeline safety.

12 Q. Safety what? Dinner --

13 A. Yeah. It's a dinner.

14 Q. Dinner? I always joke about that night.

15 A. They do a dinner and then a little --

16 Q. We call it rubber chicken dinners.

17 A. -- little training thing afterwards.

18 Q. Yeah.

19 MR. PIERZINA: Where do they hold that usually?

20 MR. BONNEY: It's been different places. The last few
21 years it's been at the Marshall Golf Course down here.

22 MR. PIERZINA: Hmm.

23 MR. BONNEY: Down by the airport.

24 MR. NICHOLSON:

25 Q. Nice. Another question about that driver. He didn't

1 have a radio? Was he -- did he have one of those radios strapped
2 to his (indiscernible) --

3 A. He didn't have it on him, no.

4 Q. Okay. You heard anything in the truck? Chatter? You
5 know?

6 A. (No audible response.)

7 MR. NICHOLSON: Okay. Any other questions. We got
8 another interview.

9 MR. PIERZINA: Oh, we do?

10 MR. NICHOLSON: Yeah.

11 MR. JOHNSON: Yeah, after you shut -- shut that off then
12 I've got a question but I don't think it's applicable to hear.

13 MR. NICHOLSON: (Indiscernible) are you finished? Okay.

14 (Off the record.)

15 (On the record.)

16 MR. NICHOLSON: Okay. This is a follow up question for
17 the Rick Bonney interview. Go ahead.

18 MR. JOHNSON: Okay. What I'm doing, Rick --

19 MR. NICHOLSON: Introduce yourself. (Indiscernible) --

20 MR. JOHNSON: -- is in Marshall Township --

21 MR. NICHOLSON: Who is this? Who is talking?

22 MR. JOHNSON: Jay Johnson.

23 BY MR. JOHNSON:

24 Q. The Marshall Township Incident Chief is --

25 A. Yes.

1 Q. I'm just kind of curious how that's created. Is that
2 like from the one call or --

3 A. Yep, that would be the call that we got --

4 Q. Is it coming on the fax or --

5 A. No, we fill that out here.

6 Q. So okay. So it's on every call.

7 A. Every call we have.

8 Q. Yeah, and I was curious now then on this one, now, do
9 you -- is it normal to close one out or I'm not sure -- because I
10 got this in conjunction with it.

11 A. Yeah. That was Steve's -- I think that's what he wrote
12 in after, you know, because they wanted a statement from us what
13 happened.

14 MR. NICHOLSON: Who's they?

15 MR. BONNEY: Somebody made the request of the chief and
16 this is our chief.

17 BY MR. JOHNSON:

18 Q. Oh, because that's -- the only thing that confuses me
19 here a little bit and I -- I'll ask you and if you don't know
20 we'll go to the chief because it's got a date on there like it was
21 written the same date as the -- your call out and it seemed kind
22 of strange to me.

23 A. Well, I think the date of the report which would be for
24 the date of this.

25 Q. So that's when it was.

1 A. Yeah.

2 Q. All right. Thank you.

3 A. (Indiscernible) so --

4 MR. JOHNSON: And I don't know if you -- any -- you have
5 a copy of that.

6 BY MR. NICHOLSON:

7 Q. We do have a copy but you're saying you weren't there
8 when that was written. He didn't consult you before he wrote
9 that?

10 A. No. He might have talked to Dave before he wrote that.

11 Q. Okay.

12 A. I was gone. I wasn't back until Thursday evening, late
13 in the evening.

14 Q. Well, wait -- when was this written?

15 MR. JOHNSON: I don't know that it says it on there.
16 That's what threw me the date.

17 MR. BONNEY: Yeah, the date is the date of the response.

18 BY MR. NICHOLSON:

19 Q. Right. So you --

20 A. -- (indiscernible) --

21 Q. -- don't know when this was written.

22 A. No.

23 Q. So you -- how do you know you weren't here when it was
24 written?

25 A. I'm guessing.

1 Q. Okay. That's --

2 MR. JOHNSON: Yeah, that's okay. That was the only
3 thing I had on that one because it -- I was just confused.

4 MR. BONNEY: I know that the chief responded to the
5 other station and I talked to him on our private channel --

6 BY MR. NICHOLSON:

7 Q. Um-hum.

8 A. And he knew we were looking for a petroleum smelling
9 smell not in our area --

10 Q. Okay.

11 A. -- either it was more concentrated towards Marshall City
12 and I told him we were going to hang around for a little bit and
13 take a look -- look a little longer.

14 MR. JOHNSON: Let's just -- who's name is on there.

15 MR. BONNEY: Steve Riggs.

16 MR. JOHNSON: Riggs.

17 BY MR. PIERZINA:

18 Q I'm not sure if I have -- so did you say that one of you
19 guys were investigating this odor complaint? Your chief was at
20 Station 1.

21 A. 2.

22 Q. Station -- oh, the -- the new station.

23 A. Yeah.

24 Q. Okay.

25 A. This is station one.

1 Q. All right. So he was at station two. Was he just
2 standing by in case --

3 A. Yup.

4 Q. -- you needed him or something?

5 A. They stood by. He ended up, after talking to me on the
6 radio, said he was going to clear and go home and if we needed him
7 to call him.

8 Q. Okay. And you said they, was there somebody else with
9 him?

10 A. I'm sure there was more people at the other station
11 there. We used to have a bigger response to that station.

12 MR. NICHOLSON: Where is Station 2? Can you -- is it on
13 there?

14 BY MR. PIERZINA: It's north of --

15 A. North of 94.

16 Q. By the Hampton Inn kind of.

17 A. Yeah, north of that --

18 MR. NICHOLSON: Okay. I kind of know where you're
19 talking --

20 MR. BONNEY: There's a trucking company right here --

21 MR. NICHOLSON: Oh, by the Hampton Inn. I think I know.
22 Okay.

23 MR. BONNEY: That's where our other station is.

24 BY MR. PIERZINA:

25 Q. Okay. So they were standing by in case you guys called

1 and asked for assistance.

2 A. Normally, we only send one truck out on an odor
3 investigation unless we need more. That way we don't roll too
4 much apparatus. And they were standing by in case they were
5 needed.

6 Q. (Indiscernible.)

7 A. The Chief and other firefighters.

8 Q. Okay.

9 BY MR. JOHNSON:

10 Q. So the report was written up by Chief Steve Riggs
11 without consulting you. I think --

12 A. Yeah.

13 Q. Okay. And the follow-up was done due to a request that
14 you did not know who made.

15 A. The follow-up?

16 Q. So this was done, you said, based on someone's request?

17 A. I'm -- yeah.

18 Q. But you don't know who.

19 A. Correct.

20 Q. All right. That's -- yeah, well --

21 A. Like I said, you know, me being gone, you know, for
22 those four days --

23 Q. Well, no you -- but you -- I wouldn't be surprised if
24 you were gone so that's understandable why you said that was done.

25 Okay. That was my only other question. I apologize for making

1 you restart there.

2 BY MR. NICHOLSON:

3 Q. So did -- you talked to Dave. Have you talked about
4 that letter at all with Dave at --

5 A. No, I've not.

6 Q. Okay. But you knew the letter existed?

7 A. Yeah.

8 Q. Okay.

9 A. I saw it when I talked with Steve and Blaine, the Chief
10 and the Assistant Chief, on Friday.

11 Q. Okay.

12 MR. JOHNSON: But you didn't ever talk to Dave about it?

13 MR. BONNEY: No.

14 BY MR. NICHOLSON:

15 Q. What was the discussion you had with (indiscernible)?
16 The same reason we are here?

17 A. Yeah.

18 Q. Okay.

19 A. They wanted to talk to me to find out what --

20 BY MR. JOHNSON:

21 Q. And who are they, when you said they?

22 A. Steve and Blaine, the Chief and the Assistant Chief.

23 Q. Steve and Blaine. And we don't --

24 A. Right.

25 Q. -- I don't have Blaine's last --

1 A. Cornwell.

2 Q. Cornwell? So would you say Steve and Blaine reviewed it
3 with you? I'm just trying to -- I don't want to lead you there?
4 I'm sorry.

5 A. They wanted to, you know, take my statement that -- to
6 know --

7 Q. Oh, that's when you made your statement?

8 A. Yeah.

9 Q. Oh, okay. Now it clicks. I'm glad --

10 A. And they knew that I would be -- I was going to be asked
11 to talk with you guys. I just hadn't been asked yet. They knew
12 that that request was coming. I had already talked with the
13 deputy who was arranging, you know, getting a hold of all of us
14 and stuff.

15 Q. So you actually saw this?

16 A. I saw it across the table. He was sitting where she's
17 sitting and he said he had that all --

18 Q. Oh, so you didn't read it or --

19 A. -- written up.

20 Q. Okay. So you said we've got Dave's response. We'd like
21 a statement from you?

22 A. Correct. I just don't -- haven't read it. I briefly
23 looked at it just a minute ago but --

24 Q. Okay.

25 MR. NICHOLSON: Do you want to read it? In case there's

1 anything you take issue with?

2 MR. BONNEY: Yeah, that's a good idea, Matt.

3 MR. JOHNSON: I didn't know if I could do that so I was
4 oh -- I can't do it.

5 BY MR. NICHOLSON:

6 A. Yeah, like I said I couldn't say specifically it was an
7 Enbridge employee and there could have been a little more detail
8 on that but that's okay.

9 Q. So just to clarify, then, the statement you generated
10 for Steve and Lane --

11 A. Steve and Blaine.

12 Q. Oh, Blaine, I'm sorry. It was done without having seen
13 this.

14 A. Yes. I saw it from across the table. I didn't --

15 Q. Without having read this?

16 A. Correct.

17 Q. Okay. Okay.

18 A. Just now was the first time I read it.

19 Q. That's good to know.

20 BY MR. JOHNSON:

21 Q. I didn't think yours was dated so I -- when did you do
22 that?

23 A. Friday.

24 Q. Friday.

25 A. And like I said, when I was sitting here just before we

1 started I noticed the typo at the top of it saying it was the 26th
2 and not the 25th.

3 Q. And that Friday was the 30th?

4 A. I believe so. Yeah.

5 BY MR. NICHOLSON:

6 Q. Yes.

7 A. Because Saturday was the 31st. After I talked with
8 Steve and Blaine I went home and I wrote that out.

9 Q. And why did they ask you to do that? Maybe you already
10 explained because they knew there was an issue and --

11 A. They knew that I was going to be asked to talk with you
12 guys.

13 Q. Okay.

14 A. And they also wanted it for the Township's records.

15 Q. Okay.

16 A. So it was generated for both reasons.

17 Q. Okay.

18 A. So it could go in the file with that run and then also
19 for you guys.

20 Q. Okay.

21 MR. JOHNSON: Now we can shut it off.

22 MR. NICHOLSON: Okay.

23 (Whereupon, at an unknown time, the interview in the
24 above-entitled matter was concluded.)

25

CERTIFICATE

This is to certify that the attached proceeding before the
NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: ENBRIDGE OIL SPILL
 MARSHALL, MICHIGAN
 JULY 25, 2010
 Interview of Rick Bonney

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.

Beverly
Transcriber

A. Lano

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