

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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MINNEHAHA ACADEMY SCHOOL EXPLOSION \*

MINNEAPOLIS, MINNESOTA

\* Accident No.: DCA17MP007

AUGUST 2, 2017

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Interview of: JAMES POND

Fire Station #21  
Minneapolis, Minnesota

Tuesday,  
August 8, 2017

## APPEARANCES:

ROGER EVANS, Investigator in Charge  
National Transportation Safety Board

MICHAEL HOEPF, Chairman, Human Performance Group  
National Transportation Safety Board

TODD STANSBURY, Principal Engineer  
Minnesota Office of Pipeline Safety

SHANE JONES, Area Manager  
CenterPoint Energy

DAVID SCHULTZ, Chief Executive Officer  
Master Mechanical, Incorporated

DANIEL BOWLES, Executive Director of Finance &  
Operations  
Minnehaha Academy

GREG PETERS, Esq.  
Seaton, Peters & Revnew  
(On behalf of Mr. Pond)

<u>ITEM</u>	<u>I N D E X</u>	<u>PAGE</u>
Interview of James Pond:		
By Mr. Evans		5
By Mr. Jones		21
By Mr. Stansbury		22
By Mr. Hoepf		22
By Mr. Evans		26

I N T E R V I E W

(4:02 p.m.)

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2  
3 MR. EVANS: Good afternoon. Today is August 8th. It is now  
4 4:02 p.m. My name is Roger Evans. I'm an investigator with the  
5 National Transportation Safety Board out of Washington, D.C. We  
6 are in the Minneapolis Fire Department Station #21 in Minneapolis,  
7 Minnesota. This interview is being conducted as part of the  
8 investigation into the Minnehaha Academy School explosion that  
9 occurred on August 2nd, here in Minneapolis. Case number is --  
10 for the NTSB is DCA17MP007<sup>1</sup>.

11 This interview is being recorded and may be transcribed on a  
12 later date. A copy of the transcript will be provided to the  
13 interviewee for review prior to being entered into the public  
14 docket.

15 Mr. Jim Pond, you're permitted to have one other person  
16 present during the interview. This is a person of your choice: a  
17 supervisor, a friend, family member, or nobody at all.

18 Please state, for the record, the spelling of your name --  
19 your name and spelling of your name, the company you work for,  
20 your job title, and who you have chosen to represent you today.

21 MR. POND: It's James Pond, P-O-N-D. I work for Master  
22 Mechanical, Incorporated. The person who is representing me is  
23 Greg Peters, P-E-T-E-R-S.

24 MR. EVANS: Thanks. And for the record, can you spell your

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<sup>1</sup> Corrected Accident Number

1 name yourself and, also, the spelling of the firm?

2 MR. PETERS: Yes. Greg Peters, G-R-E-G, P-E-T-E-R-S, Seaton  
3 Peters & Revnew, S-E-A-T-O-N, P-E-T-E-R-S, R-E-V-N-E-W.

4 MR. EVANS: Thank you. I'd like to go around the room and  
5 have each person introduce themselves, spell their name, and state  
6 their affiliation and job title.

7 MR. HOEPF: Mike Hoepf, H-O-E-P-F, NTSB, Human Performance.

8 MR. STANSBURY: Todd Stansbury, S-T-A-N-S-B-U-R-Y, Pipeline  
9 Safety, Minnesota, Principal Engineer.

10 MR. BOWLES: Dan Bowles, B-E -- B-O-W-L-E-S, Executive  
11 Director of Finance & Operations at Minnehaha Academy.

12 MR. JONES: Shane, S-H-A-N-E, Jones, Area Manager at  
13 CenterPoint Energy.

14 MR. SCHULTZ: David Schultz, S-C-H-U-L-T-Z, CEO, Master  
15 Mechanical.

16 MR. EVANS: Thank you. And thank you, Jim, for -- we can  
17 call you Jim? Do you go by that?

18 MR. POND: Oh, absolutely.

19 MR. EVANS: Okay, great.

20 INTERVIEW OF JIM POND

21 BY MR. EVANS:

22 Q. Thank you for appearing in front of us today. We'd like to,  
23 before we begin, ask any questions, if you can give us some  
24 background information about your time at this company, who you  
25 worked for previously, what your educational background is, who

1 reports to you, who you report to, and let's just to start with  
2 that.

3 A. Okay. I went to Dudley Industrial Institute for sheet metal  
4 HVAC in the mid '70s. I got in the trades in the late '70s. I  
5 worked through my apprenticeship, which I worked for multiple  
6 shops. In the late '80s, I came to Master. I've been there ever  
7 since. I've turned out -- before Master -- I came to Master as a  
8 journeyman, became a foreman. Ten years ago, I became the field  
9 superintendent for the sheet metal, and in 2014, I got the safety  
10 coordinator title.

11 Q. I'm sorry, I missed that last part. How many years have you  
12 been safety coordinator?

13 A. Since 2014. Four years.

14 Q. Okay.

15 A. Sheet metal workers pretty much come to me with issues. I  
16 enforce the safety program for all piping, plumbing and sheet  
17 metal. So if there's a safety question, the piping and plumbing  
18 guys will contact me.

19 Q. Okay.

20 A. If I don't have the answer, I will go to my sources. We have  
21 -- Dwight Jordan is a risk manager for us. He's with -- Dwight  
22 Jordan is J-O-R-D-A-N. He's with Strecker Cobb -- Cobb Strecker.  
23 He's a risk manager.

24 Q. And when you say Strecker Cobb, that means he's a  
25 subcontractor?

1 A. Yes.

2 UNIDENTIFIED SPEAKER: Is that Cobb Strecker?

3 MR. EVANS: Cobb Strecker.

4 MR. POND: I also will go to Sandra Staddart,  
5 S-T-A-D-D-A-R-T. She's our risk manager with Traveler's.

6 BY MR. EVANS:

7 Q. And just describe for us your interaction with Mr. Jordan and  
8 Ms. Staddart.

9 A. Oh. Dwight took me on about 10 years ago when I got the  
10 field superintendent job. I was a permanent member of the safety  
11 committee at that point, and then coming out of the field, this is  
12 new for me. So I got introduced to Dwight Jordan, and he has  
13 pretty much brought me to where I am today as far as my take on  
14 safety.

15 Q. And was this, like, a paid consultant where you bring him  
16 in --

17 A. Yes.

18 Q. -- and he teaches -- does he -- do you know if he's a  
19 certified safety professional?

20 A. Yes, I believe he is.

21 Q. And how about Sandra?

22 A. Yes.

23 Q. Okay. So when they -- as you say, they taught you everything  
24 you that you know.

25 A. Uh-huh.

1 Q. Which is great.

2 A. Well, I have field practical experience.

3 Q. Right.

4 A. Being in the trade for 40 years, what they had to do was  
5 fine-tune it.

6 Q. Right. So did they come in with a textbook program that was  
7 computerized, or do you know?

8 A. No. It's --

9 Q. Custom built for you?

10 A. No. It's practical experience. It's a lot of site audits.  
11 It's OSHA initiatives. It's where the industry is going. It's  
12 more hands on.

13 Q. Uh-huh. So describe for us a safety initiative that you've  
14 undertaken as of late that has been quite successful, let's say,  
15 in the company.

16 A. The silica exposure plan of OSHA's new silica standard. We  
17 wrote the program. We did the training on the program. We bought  
18 the equipment for the program. That's probably my best work so  
19 far.

20 Q. Okay. Do you have nitrogen in the building? Oxygen tanks?

21 A. Yes.

22 Q. Do you have a special program for nitrogen?

23 A. Well, we have gasses in the building, okay? I'm not positive  
24 that we have nitrogen.

25 Q. Do you teach that nitrogen is a silent killer and that it



1 depletes oxygen and all? Is that part of your training that you  
2 impart?

3 A. No. I don't believe we have nitrogen in the building. I'm  
4 not -- I know we have gas cylinders I know we keep separated. I  
5 know we keep them in the areas locked up. The piping department  
6 isn't mine. I'm the sheet metal department.

7 Q. Okay. So when you learn of these new programs, do you go out  
8 and train the employees on these programs, and --

9 A. Yes.

10 Q. -- PowerPoint presentations, videos, quizzes, all that kind  
11 of stuff?

12 A. I'm only a competent person most training. If it's complex  
13 training, I'll bring outside contractors like Minnesota Safety  
14 Council, on lockout/tagout, confined space, those type of things.

15 Q. So if you go to a site and they're going to practice  
16 lockout/tagout, would you use your program or the customer's  
17 program?

18 A. They would use the customer's program because only certain  
19 individuals are trained in lockout/tagout at Master Mechanical.

20 Q. Okay. So do you have all the, you know, the basic things in  
21 safe work practices like, you know, hearing protection --

22 A. Uh-huh.

23 Q. -- hard hat?

24 A. A hundred percent glove policy. We have a respirator  
25 program, which I run. Most of our piping guys, I'd say 80 percent

1 of them, are trained in lockout/tagout, confined space. I have  
2 about 12 of 80 tinnners trained -- certified in confined space.  
3 Two shop guys trained in lockout/tagout, and those are done by  
4 outside -- that's done by Minnesota Safety Council by certified  
5 trainers.

6 Q. Do you have anybody with beards in your organization?

7 A. Yes, we do.

8 Q. Are they certified respiratory protection as well?

9 A. I give them a annual medical questionnaire. I have them do  
10 the fit form, and I put them under the hood for the fit test. We  
11 do not have a 100 percent shaving policy they do not pass the  
12 respiratory program under the hood test.

13 Q. Okay. Just curious how you do that.

14 A. I -- we don't have 100 percent shave policy, so this is -- it  
15 falls under PPE and --

16 Q. I was at one place and they had -- this is funny. A guy told  
17 me his wife wouldn't let him shave because he was too ugly without  
18 his beard. I'll never forget that. Nothing wrong with a little  
19 humor in there, Ms. Transcriber.

20 Okay. So just a -- kind of a softy feely kind of question.  
21 Do you sincerely feel, at this company, that they have a really  
22 good culture of safety into the whole company?

23 A. Uh-huh. I do believe that. I take my job serious. And when  
24 Dave told me I'm safety coordinator, I take that job very serious  
25 and I'm -- I realize that I did have gaps, but Master's got a very

1 good safety program. I think our numbers show that.

2 Q. Uh-huh. Do you have the self-reporting kind of thing, like  
3 near misses and all that kind of stuff? Like, I almost cut my  
4 finger off today, and they share that with their peers. Do you  
5 have something like that?

6 A. We don't actually document it, but we do learn from each  
7 other's mistakes.

8 Q. Okay. Have you had to advise the CEO that you need to get  
9 rid of this guy because he's just -- he's not safe, and he's --  
10 and have you done that in the past?

11 A. I will generally get rid of him and then tell Dave that I've  
12 got rid of him. I don't -- Dave changed our disciplinary program,  
13 that if I find that we have a total disregard for safety, I have  
14 the ability to remove that employee from employment.

15 Q. Okay. That's good. And have you had to do that recently?

16 A. Yes, I have done that in the last probably 4 months. Two  
17 people have showed a total disregard for fall protection on the  
18 jobsite, two tinnners, and I let them both go on the spot. I wrote  
19 them up, and I terminated them.

20 Q. Do you guys use fall protection on JLGs?

21 A. Scissor lifts.

22 Q. Man lifts?

23 A. Man lifts, no; boom lifts, absolutely.

24 Q. Okay. Just curious. Do you baseline test for like, you  
25 know, hearing?

1 A. No.

2 Q. You don't? How about respiratory protection? How often do  
3 you recertify?

4 A. Oh, that's every year. Every year we give out the  
5 questionnaire. We mail it to their homes. It gets mailed back to  
6 the clinic. We do the spiro exams, if needed. Then that's my  
7 chance to do my annual reviews with all the guys. When I fit test  
8 form them and put them under the hood, I get a chance to talk  
9 about Aware, Right to Know, GHS, fall protection. Because if we  
10 don't consistently remind them of these things, things fall off  
11 the radar screen.

12 Q. Do you have a FRC policy?

13 A. What is FRC?

14 Q. Fire retardant clothing.

15 A. Oh, yes, we do. We have arc flash. Our service guys went in  
16 for that last year. And they went for the training with Minnesota  
17 Safety Council, and they got all the gear they needed.

18 Q. So do you have a checklist of companies that require FRCs  
19 when you go on site that they are properly equipped?

20 A. Like customers of ours?

21 Q. Yes.

22 A. Cargill does. GE Osmonics does. I don't have a list. I  
23 just felt it was important that they got arc flash training and  
24 the gear that -- to keep them safe.

25 Q. You've done work for Cargill?

1 A. Yes.

2 Q. Do you do work a lot -- a lot of work for Cargill?

3 A. Yes. It's our best customer.

4 Q. Oh. Have you been -- how many safety ones have you been  
5 through with those guys?

6 A. Oh, once a week when we're on site. Jeff over at -- Jeff  
7 Marriott over at Cargill headquarters.

8 Q. Do they come in your office and kind of do a wall-to-wall  
9 ever?

10 A. Oh, no, they've never been to our office, but he'd be very  
11 welcome because our shop is very good. We're -- we've got a very  
12 good safety program.

13 Q. So what types of scopes of work do you do for Cargill?

14 A. HVC piping, plumbing, and service.

15 Q. Okay. Do you guys have insulators as well?

16 A. No.

17 Q. You do steam tracing on the pipe that's -- heat pipes, steam  
18 tracer --

19 A. That's not my -- I don't -- I'm a sheet metal worker.

20 Q. Okay, okay. The way that you -- I mean, it sounds like you  
21 got a lot going on safety, which sounds really good. I mean, I  
22 know all about Cargill.

23 A. It's not easy to be there.

24 Q. Extremely difficult to be at Cargill. And I know they're  
25 very -- and you don't want to make a mistake at Cargill or you'll

1 never be there again. So -- I know that for a fact. So with your  
2 system in place for, let's say, the annual -- do you have any way  
3 to state that a person's good for that year for his training?  
4 A. I have a paper trail that I keep. Alicia scans all the --  
5 Q. And who's -- what's Alicia's last name?  
6 A. Janesak (ph.). Sound it out.  
7 Q. Yeah. I'll be glad to.  
8 A. I believe she scans -- I don't know what she does. She has  
9 an electronic trail, but I'm not up to speed on it. I have a  
10 paper trail.  
11 Q. Okay. So are you confident that everyone in your employment  
12 and everyone over there, you can -- if -- is the Labor &  
13 Industries in this -- what's it called?  
14 A. OSHA.  
15 Q. Is it -- this is a State Plan state, right?  
16 A. Yes.  
17 Q. So when they show up -- have they showed up at your place and  
18 do an audit?  
19 A. No, they haven't.  
20 Q. For an audit?  
21 A. No.  
22 Q. Okay. If they were to show up, would you be able to pull  
23 records to show that everyone's had all the programs, written  
24 programs and --  
25 A. Yes. My filing system's getting better. I'm a sheet metal

1 worker, okay? I'm very good at 2017. Gone back and looked at my  
2 records earlier, I have some improving to do. So I am conscious  
3 of keeping documentation because I know how important it is.

4 Q. Uh-huh.

5 A. I can tell you the four guys I haven't fit for respirators  
6 this year yet.

7 Q. Oh, okay.

8 A. Okay.

9 Q. Okay, good. So do you have machine guardian issues and --

10 A. No.

11 Q. I mean, have you ever had a machine guardian injury? Has  
12 OSHA ever been out to your place to inspect after you've had an  
13 injury?

14 A. No, they haven't. OSHA's never been on site.

15 Q. Okay. So the person named Logan Kass, okay? What do you  
16 know about his safety record?

17 A. I know I've orientated him twice. I know the second time we  
18 did the orientation, he aced the test without any documentation.  
19 I just gave it to him and he aced it. On the test, we talk about  
20 GHS. We talk about Aware. The new test has confined space on it,  
21 three elements to identify confined space, which all tradesmen are  
22 supposed to know. I'm not sure he did that one. But from what  
23 I've seen from Logan, he was a very brave young man.

24 Q. So you say two times. Does this mean last summer and this  
25 summer?

1 A. I don't -- I think that he's possibly worked here for 3  
2 years, three different times. I missed this year's orientation.  
3 He came on site. He went to Council Bluffs site. I missed him.

4 Q. Okay. Do you work in Council Bluffs as well?

5 A. Yep.

6 Q. The power plant?

7 A. No. Postal -- it was a postal job.

8 Q. Oh, okay, okay. Let's talk about Logan for a second here.  
9 Logan, we understand -- well, we don't understand yet. Maybe you  
10 help us understand this. We spoke with Logan, and I think -- not  
11 that he was misinformed; I think he just didn't know about his  
12 status as being either a union person or a non-union person. He  
13 called himself a helper.

14 A. Uh-huh.

15 Q. We asked him about being -- if he was an apprentice, and he  
16 kept on basically slanting towards helper. He thought he may be a  
17 union guy, but he kind of didn't know.

18 A. That would be a question for Pat Boland, B-O-L-A-N-D. He  
19 runs the piping and plumbing crews.

20 Q. But you don't have any idea what Logan's status is as far  
21 as --

22 A. I believe he's a helper.

23 Q. A helper?

24 A. Uh-huh.

25 Q. And when someone is classified a helper at your place, do



1 they get the full run of safety just like a journeyman?

2 A. Yes. If -- everybody goes through new employee orientation,  
3 whether they are a rehire or a new employee.

4 Q. Okay. So --

5 A. Or they have a gap.

6 Q. So you would have taken -- if he's been -- I guess he's a  
7 junior in college or something.

8 A. Uh-huh.

9 Q. So those summers he comes in, he gets reoriented?

10 A. Uh-huh.

11 Q. So you would say he's -- I mean, obviously he's an  
12 engineering student. I know he's got to be kind of bright to cut  
13 that mustard.

14 A. Uh-huh.

15 Q. Would he -- do you have any idea in your mind that he is not,  
16 you know, aware of all the safety rules and understands them and  
17 all that good stuff?

18 A. I would -- for any young apprentice, for any pre-apprentice,  
19 they're only going to be as safe as the journeyman they're working  
20 for. And this is where the whole culture of the company -- if  
21 your foreman and journeymen are unsafe, the young man's going to  
22 be unsafe.

23 Q. How would you say his father, as far as --

24 A. Oh, Steve Kass is a class act. I've audited -- I've site  
25 audited Steve Kass. I've been on his jobs. He doesn't -- he's a

1 top-shelf guy.

2 Q. When you say you've been on his jobs, are those jobs within  
3 the building or are those jobs --

4 A. Off site. I -- the last time I remember seeing Steve Kass  
5 was at Cargill at Plymouth. That's the last time I saw Steve  
6 Kass, on a site audit. That I can recall.

7 Q. That site audit, was that a Cargill --

8 A. No. It was just one of mine. I have my own site audits. I  
9 don't necessarily have to -- I do 10 to 15 site audits a week.

10 Q. Off site?

11 A. That's my primary job.

12 Q. You go away from the scene and -- away from your office --

13 A. Oh, absolutely.

14 Q. -- and out on the sites?

15 A. Yes.

16 Q. How long does a site audit take?

17 A. A small job, 15, 20 minutes, half an hour; a big job, I can  
18 be there for an hour and a half. When I would site audit  
19 Cargill's headquarters, I'd be there for an hour. And we had  
20 piping, plumbing, and sheet metal there.

21 Q. Minnetonka office? That --

22 A. Yes, the headquarters.

23 Q. Okay. Have you ever done audit of a in/out meter  
24 replacement?

25 A. No, that's piping.

1 Q. Is there anyone in your division or at -- under your  
2 tutelage, let's say, that does piping parts?

3 A. I would -- well, if anybody would, it'd probably be Pat  
4 Boland.

5 Q. Do you know that Pat Boland's ever done any of those audits  
6 before?

7 A. I do not.

8 Q. If we were to do a doc request to say, show us every audit  
9 you've done in the last 2 years, we'd be able to get hard copies  
10 to support that?

11 A. Uh-huh.

12 Q. But you wouldn't have that for piping?

13 A. Well, my site audits overlap with their crews. I -- when I  
14 do a site audit, I'm looking at safe work practices, okay? I'm  
15 looking at fall protection. I'm looking at gloves. I'm looking  
16 at hard hats, okay? I could look at a sheet metal job and say  
17 this is not right, but the only thing I would know on a piping job  
18 would be does the threader have a bad cord or is some of your  
19 controls not right, or -- mine is more safe work practices versus  
20 the technical part of the industry. I'm a sheet metal worker.

21 Q. So has Cargill ever thrown any of your guys off the site and  
22 said, this guy can't come back anymore?

23 A. I don't believe so.

24 Q. Okay. The jobs that are -- so let me get this straight. So  
25 if, like at Cargill, you might be doing piping and sheet metal?

1 A. Uh-huh.

2 Q. So you might be able to support a doc request that is for  
3 piping if it was like at Cargill because you're doing sheet metal  
4 and piping, right?

5 A. What's a doc request?

6 Q. Document request.

7 UNIDENTIFIED SPEAKER: Information request.

8 MR. EVANS: Information request.

9 MR. POND: I would go --

10 UNIDENTIFIED SPEAKER: In your files.

11 MR. POND: Okay. It depends. If it's a safety issue, yes,  
12 for piping. If it's technical information, I would be very  
13 careful. It would have to go from a project manager or from that  
14 department, probably Pat Boland.

15 BY MR. EVANS:

16 Q. Okay. So you've never transferred the audit -- oh, I should  
17 ask it this way. Have you transferred the audit skill set that  
18 you have to anybody in the piping arena?

19 A. I know Pat has done write-ups on people -- Boland. When I do  
20 site audits at Cargill, and we have all three trades, and I walk  
21 by the piping guys, I make sure their tanks are tied off. I'm --  
22 I make sure that things look right.

23 Q. Uh-huh.

24 A. Okay? I make sure they have safe work practices. Was that  
25 the question?

1 Q. Well, I'm actually just trying to figure out if you've been  
2 part of this -- what you're doing is great. There's nothing wrong  
3 with what you're doing. But what I'm not hearing is that you  
4 perform what you do with the guys who are doing these, you know,  
5 meter jobs, that that same safety culture that you have with the  
6 Cargills of the world and your customers doesn't appear to be in  
7 place with the CenterPoint companies of the world.

8 A. Only because on my site audits I try to tackle the bigger  
9 jobs. The meter change-outs are probably day jobs, 2-day jobs. I  
10 don't --

11 Q. Good. That's the answer I was looking for. Thank you very  
12 much.

13 MR. EVANS: That's all I have.

14 MR. JONES: Can I see the permit? This is Shane Jones. Can  
15 I see the permit for a second? Or the bid, excuse me.

16 MR. EVANS: Okay.

17 BY MR. JONES:

18 Q. On the back of the bid, reading here, there's a list of  
19 duties that aren't covered. One of those duties is talking about  
20 the removal of old meters. Are you aware of any jurisdictional  
21 lines on piping? I know you're sheet metal, but coming from a  
22 safety side, are you aware of any jurisdictional lines on the  
23 piping on either side of the meter?

24 A. No.

25 Q. Thank you.

1 MR. EVANS: Anything else?

2 MR. JONES: No.

3 UNIDENTIFIED SPEAKER: No questions.

4 MR. STANSBURY: Yeah. This is Todd from MNOPS.

5 BY MR. STANSBURY:

6 Q. I -- when you guys -- and maybe this is a question for just  
7 Pat, but -- so when you go and you're going to work a CenterPoint  
8 job, has there ever been any, say, gas safety training, dangers of  
9 natural gas, either your own in-house training or through a gas  
10 operator like CenterPoint? Is there of that, to your knowledge?

11 A. Not to my knowledge, but what -- the training would probably  
12 come from the local unions and through apprenticeship programs.

13 Q. Okay.

14 A. I'm sure -- I would assume that is covered. These guys are  
15 licensed when they turn out. All these guys are licensed  
16 pipefitters.

17 Q. Yeah.

18 A. Okay. That's about all I, that's about all I know about the  
19 piping department, is that they're licensed piping guys.

20 Q. Okay.

21 A. Okay?

22 MR. STANSBURY: All right. Fair enough. That's all I got.

23 MR. EVANS: Mike.

24 MR. HOEPF: Thanks.

25 BY MR. HOEPF:

1 Q. Hey, Jim. Mike, NTSB. I want to apologize if I'm kind of  
2 being redundant on this issue, but I think it's something that  
3 Roger's kind of dialed in that seems like it might be something of  
4 interest in your safety management system. From what I'm hearing,  
5 it sounds like you're a very committed safety person, very, you  
6 know, knowledgeable, take a lot of pride in your work. You're a  
7 sheet metal worker though.

8 A. I'm a sheet metal worker.

9 Q. Would you say that your expertise is generally about sheet  
10 metal stuff?

11 A. Yes.

12 Q. And not so much about pipefitting stuff?

13 A. Exactly.

14 Q. And in your honest opinion, do you think there is maybe some  
15 better room for auditing pipefitting stuff?

16 MR. EVANS: You don't have to state an opinion if you don't  
17 want to.

18 BY MR. HOEPF:

19 Q. You don't have to.

20 A. I don't want to say that, that's --

21 Q. Don't let me, don't let me put --

22 A. I don't want to touch that one.

23 Q. Don't let me put you into a hole. Don't let me put you into  
24 a corner here. But when we're talking about -- would it be fair  
25 to say that the odds of you auditing a small pipefitting job are

1 pretty small?

2 A. Very small.

3 Q. All right.

4 A. I know Pat has very hands-on on those projects. I know Pat  
5 is a licensed piping -- he's a master pipefitter. I know -- I  
6 know he goes and does the recon for the project managers on what's  
7 needed. He's the gas professional. For me to wade in that  
8 pool --

9 Q. I totally understand. So let's just talk a little more  
10 generally about your job. So you're a safety coordinator and  
11 you're also the --

12 A. Field superintendent.

13 Q. Field superintendent, okay. So on a given day -- I mean, or  
14 a given week, let's say about 40 hours a week, how much you might  
15 -- how much you break down your time, I mean?

16 A. I would say 90 percent safety.

17 Q. Okay.

18 A. Between tasks this morning, my last stop was dropping off  
19 fall protection on the job for the detox center in Hennepin  
20 County. My job is primarily safety. With the crews, we have a  
21 good culture. On safety, I do site audits with Dwight Jordan. I  
22 do site audits with Sandra Staddart. They don't know when we're  
23 coming. I do site audits on their vans. My job is primarily  
24 safety, but I hire, I fire, I do employee orientations.

25 Q. Okay. Yeah, I wanted to ask you. So you said you had some



1 people pretty blatantly ignoring fall protection and you had to  
2 let them go. Was that on a site audit?

3 A. It was a site audit. I walked in. They were in the  
4 basement. One of the crew members had crawled out of the scissors  
5 lifts and was 15 feet up in the air between ducts clipping off a  
6 piece of ductwork, and her -- she was an apprentice. Her  
7 journeyman was on the lift. And I just called them both down and  
8 I told them that this is -- I'm going to get them written up and  
9 pack their tools. We're going to talk about this and then I --  
10 it's over. This was a total disregard for fall protection.

11 Q. Yeah. I mean, so it sounds like you kind of diversify your  
12 job, where you've got your training and then you've got your  
13 recertification and things, and then it sounds like you spend a  
14 lot of your other time doing audits, collecting data, and then  
15 acting on that data to promote safety.

16 A. Uh-huh.

17 Q. That sounds pretty good. When you're looking at risk, risk  
18 mitigation, have you ever looked at the risk of if somebody's  
19 under qualified doing a job?

20 A. I'm very careful on who goes to what jobs and what they're  
21 capable of doing, yes, on the sheet metal side of it. Pat runs  
22 the piping crews. Okay?

23 Q. Uh-huh.

24 A. I run the sheet metal crews. That's where my expertise are.  
25 Our mod numbers show that we work very safely.

1 Q. So would it be fair to say that you don't feel like you're  
2 overloaded, but rather, it's you got sheet metal; Pat's got  
3 pipefitting?

4 A. Yes.

5 Q. And --

6 A. He's the master at pipefitting. He's much more knowledgeable  
7 than I am in gas piping in his field. There's -- I work with his  
8 people on respirators and silica training and GHS and confined  
9 space, and I will -- him and I will work together with his  
10 confined space training, his lockout/tagout training. Our class  
11 for the service fitters, those are the programs we're trying to  
12 stay on top of. Then that's what my role is programmed, just  
13 not --

14 Q. Right, right. Yeah. Okay.

15 MR. HOEPF: I think that's all I got, thanks.

16 BY MR. EVANS:

17 Q. Okay. Do you folks have gas detection meters and --

18 A. Air monitors?

19 Q. Yeah.

20 A. Like --

21 Q. Well, gas, like LEL meters?

22 A. Is that the four-gas meter that we use for confined space?

23 Q. Lower explosive limit meter for gas detection so that you  
24 know that there's gas concentration that would result in an  
25 explosion.

1 A. You would have to ask Pat Boland.

2 Q. Okay. Do you know if you have a four-gas meter -- do you use  
3 bump gas and do you use --

4 A. Yes. Oh, yes. Um-hum.

5 Q. And you do a 30-day or something of --

6 A. Yep. I just picked one up this morning for a 186-day  
7 calibration. That's what they're supposed to be calibrated, every  
8 186 day. Every day when we use it, we have the bump test we do.

9 Q. Okay.

10 A. I have the bump test on my phone. I do believe, if I could  
11 find it, on how to -- send it to the guys so that if they have a  
12 question, "I can't get the test to work," here's a video to watch;  
13 do it.

14 Q. Right. Do you know if anyone in your company teaches  
15 ignition source recognition for gas LES -- LEL situations?

16 A. That would be a question for Pat Boland.

17 Q. Okay. How about, do you have a drug testing program?

18 A. Absolutely.

19 Q. What is the frequency of testing, random?

20 A. New employee. And I believe we have post-accident, which, in  
21 its own sense, is random. No, we don't do random. I think we  
22 talked about it, but that was going to cause us some problems.

23 And I don't --

24 Q. So are they drug-tested annually?

25 A. No.

1 Q. Do your employees know that -- what's the penalty for being  
2 -- for busting a drug test?

3 A. They're gone.

4 Q. Pardon me?

5 A. Oh. Well, if you are an employee, we would have to offer  
6 treatment. On a post-accident positive drug test, we would have  
7 to work with them in getting them fixed and treatment. I believe  
8 the firm we use is -- Works comes to mind, but I don't think  
9 that's right.

10 Q. Is that a Minnesota thing? Or is it --

11 A. Uh-huh.

12 Q. Okay. Interesting. Okay.

13 A. Or it's Team -- it's the Team program, that's the name. We  
14 enter them into this program.

15 Q. Okay. Do you have a safe driving program just for -- you  
16 know, for all your vehicles? I know you have a lot of vehicles.  
17 Do you have any sort of safe driving program with cones or --

18 A. Oh. Okay, so do we go to school? Or do -- what are we  
19 asking?

20 Q. No texting during driving; no phone calls --

21 A. Oh, yeah. No texting, no phone calls during driving. That's  
22 in our fleet handbook, yes.

23 Q. And what's the price they're paying for doing that? Is that  
24 a discipline or --

25 A. That would be a disciplinary action.

1 Q. Okay. Have you ever fired anybody over that?

2 A. No.

3 MR. EVANS: Okay. I think that's all I have.

4 Thank you so much. That's the end of the interview.

5 (Whereupon, the interview was concluded.)

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CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD


IN THE MATTER OF: MINNEHAHA ACADEMY SCHOOL EXPLOSION  
MINNEAPOLIS, MINNESOTA  
AUGUST 2, 2017  
Interview of James Pond

ACCIDENT NO.: DCA17MP007

PLACE: Minneapolis, Minnesota

DATE: August 8, 2017

was held according to the record, and that this is the original,  
complete, true and accurate transcript which has been transcribed  
to the best of my skill and ability.

  
\_\_\_\_\_  
Barbara Phelps  
Transcriber



# National Transportation Safety Board

Washington, D.C. 20594

Interviewee Name (please print): JAMES POND

Organization: MMI

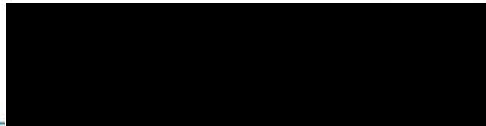
Date of Transcript Review: 10/27/17

I have reviewed my transcript(s) from the above referenced accident and...

I have no comments to make.

My comments are submitted herewith.

My comments are marked on the attached copy.



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