

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of:

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HOUSE EXPLOSION IN FIRESTONE,
COLORADO, APRIL 17, 2017

* Accident No.: DCA17FP005

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Interview of: DAVID PUCCETTI

Frederick-Firestone Fire Protection
District Business & Education
Center
Longmont, Colorado

May 10, 2017

APPEARANCES:

RAVI CHHATRE, Investigator in Charge
National Transportation Safety Board

JOSEPH GRATCOFSKY, General Engineer
Pipeline and Hazardous Materials Safety Administration
(PHMSA)

GBENGA AJIBOYA, General Engineer
Pipeline and Hazardous Materials Safety Administration
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DAVID McBRIDE, Vice President of Health, Safety &
Environment
Anadarko Petroleum Corporation

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Colorado Oil and Gas Conservation Commission

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<u>ITEM</u>	<u>I N D E X</u>	<u>PAGE</u>
Interview of David Puccetti:		
By Mr. Chhatre		7
By Mr. McBride		122
By Mr. Leonard		130
By Mr. Chhatre		133
By Mr. McBride		142

I N T E R V I E W

1
2 MR. CHHATRE: Good afternoon. Today is Wednesday, May 10,
3 2017. We are currently at Frederick-Firestone Fire Protection
4 District's Business and Education Center, located at Kosmerl
5 Place, Longmont, Colorado. We are meeting regarding the
6 investigation of explosion of a house located at 6312 Twilight
7 Avenue, Firestone, Colorado that occurred on April 17, 2017.

8 My name is Ravi Chhatre. I'm with the National
9 Transportation Safety Board located in Washington, DC and I am
10 Investigator in Charge of this accident. The National
11 Transportation Safety Board investigation number for this accident
12 is DCA17FP005.

13 I would like to start by notifying everyone present in this
14 room that we are recording this interview, and we may transcribe
15 it at a later date. Transcripts will be provided directly to the
16 interviewee for review in identifying any typographical errors.
17 The transcripts may be posted in NTSB's public docket.

18 Also, I would like to inform Fire Marshal David Puccetti --
19 Puccetti --

20 MR. PUC CETTI: Puccetti.

21 MR. CHHATRE: -- that you are permitted to have one other
22 person present with you during the interview. This could be a
23 person of your choice -- your supervisor, friend, family member
24 or, if you choose, no one at all. Please state for the record
25 your full name, spelling of your name, organization you work for

1 and your title, your business contact information such as email
2 address, postal address, telephone number, and whom you have
3 chosen to be present with you during your interview?

4 MR. PUCETTI: Okay. David, middle initial is P, last name's
5 Puccetti. It's P-U-C-C-E-T-T-I. I work for the Frederick-
6 Firestone Fire Protection District at the stated address of [REDACTED]
7 [REDACTED]. My position at the
8 district is Division Chief Fire Marshal. My contact information,
9 office is [REDACTED]. My email is [REDACTED].

10 MR. CHHATRE: Thank you very much for that.

11 Now, I would like to go around and have each person introduce
12 themselves. Please state your name, spelling of your name, your
13 title and the organization you represent and your business contact
14 information starting from my left.

15 MR. GRATCOFSKY: My name's Joseph Gratcofsky. I'm with the
16 Department of Transportation, Pipeline and Hazardous Material
17 Safety Administration. I'm a general engineer and inspector with
18 them. My last name is G-R-A-T-C-O-F-S-K-Y. Phone number is [REDACTED]
19 [REDACTED]. My email is [REDACTED].

20 MR. AJIBOYA: My name is Gbenga Ajiboya, G-B-E-N-G-A A-J-I-B-
21 O-Y-A. I'm with PHMSA and DOT. I'm here on training with Joseph.
22 My email address is [REDACTED]. My phone number is
23 [REDACTED]. I'm an engineer and I'm working also as an
24 inspector.

25 MS. DUKE: Kelley Duke, D-U-K-E is my last name. K-E-L-L-E-Y

1 is my first. I'm an attorney at the Ireland Stapleton Pryor and
2 Pascoe in Denver. I represent the Frederick-Firestone Fire
3 Protection District. My phone number is [REDACTED]. My email
4 is [REDACTED].

5 MR. McBRIDE: I'm David McBride, M-C-B-R-I-D-E. I'm Vice
6 President of Health, Safety and Environment for Anadarko Petroleum
7 Corporation. My email address is [REDACTED]. My
8 phone number is [REDACTED].

9 MR. CHHATRE: Thank you for that. So Mr. Puccetti, we will
10 go through the questions one person at a time. And if you do not
11 understand a question or you don't understand what we are saying,
12 please us to repeat as many times as you want.

13 MR. PUC CETTI: Okay.

14 MR. CHHATRE: If you -- what we are looking for is the
15 factual answers. If you do not know the answers say "I don't
16 know" is a fine response. If you are to make an educated guess
17 based on your experience, please qualify that by saying I do not
18 know, but I guess, or I take -- and that's fine, too.

19 MR. PUC CETTI: Okay.

20 MR. CHHATRE: If you need a break, tell us. We'll take a
21 break. We can take coffee breaks, smoke break, restroom break.
22 If you are just tired and need to relax -- I know you have been
23 putting in long hours -- so we can take just a few minutes rest
24 break also.

25 MR. PUC CETTI: Okay.

INTERVIEW OF DAVID PUC CETTI

BY MR. CHHATRE:

Q. With that, for the record, just give us some background, your formal or informal education, how long you have been with the fire department?

A. I've been in emergency services since 1977. I worked as the State of Colorado's Search and Rescue Coordinator, worked on general aviation crashes, recovery and location. I did that as a volunteer until about 1982. 1982 I actually entered a -- excuse me -- back in 1977 at the same time I entered a formal pipefitter indentured apprenticeship program. I completed that 5 years later as a journeyman pipefitter welder.

At the same time, I kept up with the volunteer experience of the search and rescue coordinator for the State of Colorado until I got married in 1982, and then my wife did not like me being gone all hours of the night and day and leaving, so I actually resigned my position. I became a volunteer firefighter for the Arvada Fire Protection District. I began that in 1987. I stayed with them until 2005.

At the same time I was employed out at Rockwell International for the Rocky Flats nuclear weapons plant that was out there. I worked as a maintenance pipefitter out there from 1983 to 1989. 1989, I entered the fire service as a career position with the Rocky Flats Fire Protection District, where I served 3 years as a fire prevention specialist. And then I applied to become a

1 suppression firefighter, emergency medical technician. I worked
2 in that position until 2000 where I was then hired by the Arvada
3 Fire Protection District as a career captain, where I kept my
4 career until 2005. During that time I was a captain of the fire
5 station I was a hazmat specialist technician with Jeff Co. Hazmat.
6 Did a variety of training and education in hazardous materials.
7 In 2005 I actually -- excuse me, let me back up. In 2003 I
8 actually became a part-time fire inspector for Frederick-Firestone
9 Fire Protection District.

10 In 2005 I was offered a position as the operations chief at
11 my current position of Frederick-Firestone Fire Protection
12 District and in 2006 we hired a new chief, Fire Chief Poszywak,
13 and he felt it was more necessary to have a fire marshal division
14 chief than there was for an operations chief. At that point I
15 started to redirect my career. I went through a whole new
16 definition of education where I went through inspector, ICC
17 inspector through the International Code Council. I went through
18 the State of Colorado where I'm a certified inspector plans
19 examiner. I continue with my education and become a Fire Officer
20 I, an instructor trainer for the State of Colorado through the
21 Fire Service, but I also became a Terrorism Liaison Officer
22 through the State of Colorado through the CIAC. At that time I
23 also continued my education where I become a national certified
24 fire investigation, explosive investigator for the National
25 Association of Fire Investigators, and I've continued with that,

1 those credentialing through the State of Colorado, ICC and NAFI to
2 my current position.

3 Q. Thank you very much, very, very impressive background. Going
4 back to the day of the accident, can you just walk me through?
5 And before that tell me what are your normal work hours?

6 A. On this particular day I was off on a flex date. Again,
7 because I'm getting ready to put my mother in assisted living,
8 been dealing with a lot of health problems with my mother so I
9 actually had taken the day off and had taken a tour of the
10 facility she's currently in. My normal work hours are 7:00 to
11 4:30. This particular day I was off, and I received a telephone
12 call about 6:00 p.m. from Fire Chief Poszywak indicating that I
13 was needed to come back into work because we had had a home
14 explosion with two parties missing at the listed address of 6312
15 Twilight Avenue.

16 Q. So you got a phone call at 6:00 p.m. What time you arrived
17 at the accident scene?

18 A. I got there at approximately 8:00 p.m.

19 Q. so just walk me through from 8:00 p.m. until, I guess, for
20 the next few days.

21 A. Well, that, I mean, I -- timeframe's going to be tough to
22 break that down. I mean, specific questions would be better
23 because there's a gamut of time. Specifically the first night I
24 was there I can get to that, and then I'm going to need more
25 clarification of what you're looking for for --

1 Q. Sure, absolutely.

2 A. -- that.

3 Q. And again, like I say, just walk me through the story like
4 I'm going to see the accident scene --

5 A. Sure.

6 Q. -- through your eyes.

7 A. So per our standard protocol that when we get there through -
8 - and again, with the investigations that I'm involved with first
9 thing I did is check -- we check in for safety so we have an
10 accountability system. So I checked in with the officer that was
11 in charge, and that was Battalion Chief Mike Reasoner --

12 Q. Okay.

13 A. -- and Chief Poszywak, so again, we check in with them, a
14 very chaotic scene, lots of people, lots of activity. The home
15 was in the smoldering phase when I got there, so the home itself
16 was -- there was still some active fire but the main body of the
17 fire was already somewhat extinguished. At the same time I
18 checked in with Firestone Police Department to find out where we
19 were at on consent. I was informed at that point that we were --
20 they were working on a search and seizure warrant. That was
21 Pattie Dixon, Detective Dixon.

22 Q. Okay. So when you arrived how many other people from the
23 fire department were on scene?

24 A. Oh, again, it was a full complement of response. It was our
25 station three folks. We had folks there from Mountain View. We

1 had folks there from Longmont Fire. And so I mean, I can't give
2 you a recollection of exact number of people. We had Mountain
3 View Fire and Rescue there. Platteville-Gilcrest Fire Rescue was
4 there, Longmont Fire Rescue. Our agency was there.

5 Q. Okay.

6 A. And that's what was involved at that time.

7 Q. Okay.

8 A. Black Hills Energy was there.

9 Q. Okay. And when you arrived were you given a specific
10 assignment as to what to do or?

11 A. Again, I checked in. All the operations -- so again, we
12 break incidents into two areas. One is fire department operations
13 and the other one that is in investigations. So we really try to
14 stay out of both roles so I was given the responsibility of
15 starting to organize the fire investigation.

16 Q. Okay. Okay. So as much as you recall, and, you know, you
17 can jump back and forth in time while you testify, just tell me,
18 so you arrived. You checked in. Who was the incident commander
19 at that time?

20 A. It was Battalion Chief Mike Reasoner.

21 Q. How do you spell it?

22 A. It's M-I-K-E R-E-S-O-N-E-R (sic).

23 Q. R-E-S-N-O-E-R (sic).

24 A. And he was the duty battalion chief that day.

25 Q. Okay. And you said Mike Hill was --

1 A. Reasoner.

2 Q. Reasoner, okay. Reasoner, okay. So you were asked to look
3 into the investigation fire -- of the fire?

4 A. Yes.

5 Q. And what does that involve particularly?

6 A. Again, I start setting incident priorities for the
7 investigation. Number one would be scene security, and that was
8 already completed by Firestone Police Department.

9 Q. Okay.

10 A. The other thing is is the -- we always ask, even though we're
11 on indigent (ph.) circumstances, so when someone calls 911 we have
12 the right to be there legally to investigate the fire. We always
13 start with a volunteer consent to search. We did not do this in
14 this case. Again, because understanding that under normal fire
15 investigations when we have a serious bodily injury and/or a
16 unwitnessed death it's automatically a law enforcement item. So
17 again, with the police department being there, Brian Scott (ph.)
18 was there and so he was my direct contact. He was the supervisor
19 for Firestone Police Department that night. And so I started
20 working directly with Brian to make sure that we were starting to
21 move forward and that we had -- even though we had consent to be
22 there we always want to make sure legally that we have either
23 voluntary consent or we have -- we're covered by law enforcement.
24 And that's why the warrant was established.

25 Q. Okay.

1 A. Again, it wasn't granted so it was still in -- so we really,
2 again, as far as actually getting in and physically doing anything
3 we didn't actually physically get into the scene because we
4 weren't covered by the warrant except for victim location or
5 rescue. Those are the only other times that we would actually do
6 anything. We knew that we had two parties missing so we had the
7 right to go look for those two individuals. But that's the only -
8 - physically any activity we took that evening.

9 Q. And going back, how did you know that two parties are
10 missing?

11 A. Again, reports from the family --

12 Q. Okay.

13 A. -- reports from the neighbors that there was -- that there
14 had been two individuals working in the basement. We knew that
15 there had already been a female party that had been rescued and
16 taken to the hospital. And we know that there was a young boy
17 that also had been removed from the home and had been taken for
18 treatment at the same hospital.

19 Q. Okay. Did you talk to any family members at that time?

20 A. No.

21 Q. So just walk me through, I mean, the building's destroyed,
22 smoldering. What activities are you doing that day?

23 A. So the next thing that we did is a gentleman that I work with
24 is Colorado Bureau of Investigation was also on scene. Name's
25 Jerry Means, J-E-R-R-Y M-E-A-N-S. Jerry and I have had a -- we

1 worked together 10 years at Rocky Flats, so we have a very good
2 working relationship. We work with CBI. It's very, very -- CBI
3 gets called on almost any serious bodily injury fire or a fire
4 death and so I made contact with Jerry right away. Jerry was
5 taking pictures and started to take measurements of where we had
6 explosion debris.

7 Q. Okay. And Jerry works for the --

8 A. Colorado Bureau of Investigation.

9 Q. Okay.

10 A. He's a special agent in charge of arson investigation. He's
11 a canine handler.

12 Q. Okay. And so you worked with him doing what? What did you
13 do?

14 A. Again, he originally started takin measurements and taking
15 photographs. And we had a discussion on what our involvement was
16 going to be with Firestone. Again, certainly we're working under
17 the law enforcement umbrella so the discussions were with Brian
18 Scott and what our roles were going to be. They had an officer
19 there that did have a -- Firestone has a drone and he was actively
20 flying the drone. And it was just about sunset so we asked them
21 to continue with the aerial photography.

22 Q. Okay.

23 A. -- which to this point we have not obtained the photographs.

24 Q. Okay. Now, you said some -- so Firestone, so you did it --
25 okay, walk me through as to how the Firestone is different than

1 Firestone -- just give me some organizational to it. I'm still a
2 little confused on that.

3 A. Sure. So we have two entities that we work with in the tri-
4 town area. So the tri-town is known as Frederick, Firestone and
5 Dacono. Those are the three towns that are here.

6 Q. Okay.

7 A. There's two fire districts that protect those communities.
8 We have an intergovernmental agreement with Frederick and
9 Firestone to provide emergency services, fire emergency services
10 to those two communities. Dacono is covered also by a fire
11 protection district, but it's the Mountain View Fire Protection
12 District.

13 Q. Okay.

14 A. So the only area we have any jurisdiction is within our
15 district. We also have some areas of Weld County that are
16 unincorporated that are in our district. But we really only have
17 jurisdictional authority within our district boundaries, and
18 that's within Frederick and Firestone.

19 Q. Okay.

20 A. Frederick is a separate town, as is Firestone, and we have
21 Gas with both communities to provide those services. So the
22 police department is a city fire -- or excuse me, is a city police
23 department. The fire districts are through special protection
24 districts that are offered through the State of Colorado by -- wat
25 am I trying to think of -- it just popped out of my head. It's a

1 charter organization through the State of Colorado.

2 Q. Okay. So police are different for each city, Firestone and
3 Frederick.

4 A. Correct.

5 Q. But the fire department, a mutual understanding or mutual
6 agreement or what -- cooperative agreement that those two
7 districts have only one firefighting unit?

8 A. Right. We have -- so we have Frederick and Firestone.
9 Mountain View has the City of Dacono.

10 Q. Right. Okay. So that night from, I guess, 8 o'clock until
11 what time you went home?

12 A. I left about 1:30.

13 Q. Okay. And what had happened up until that? At 1:30 when you
14 left what was -- what was either being done or was done?

15 A. The scene was secured and there was on entry in or out.

16 Q. Okay.

17 A. Again, we asked for full security of the scene, which
18 Firestone Police Department did maintain under chain of custody,
19 and no one was allowed in or out of the site until we removed --
20 returned the following morning.

21 Q. And was the fire put out by that time?

22 A. No. There was a lot of -- there was other activity that took
23 place between 8:00 and 1:30.

24 Q. Okay.

25 A. There was also another investigator that was on scene with

1 us, and that was Doug Prunk. He was the other investigator that
2 was with me that's employed through our district.

3 Q. Okay. So was anybody left at the scene after -- at the time
4 you left at 1:30? Were anybody of the fire department was on the
5 scene?

6 A. No.

7 Q. So the scene was secured and everybody left?

8 A. Yes.

9 Q. Okay. What happened next day?

10 A. Well, I'm going to back up a little bit because we have a
11 block of information --

12 Q. Sure.

13 A. -- from 8 o'clock until 1:30.

14 Q. Okay.

15 A. It wasn't like that there wasn't anything going on. So
16 again, we had a lot of family members starting to show up at the
17 particular scent. And so we went over and had a conversation with
18 the family. It was around, probably around 9:00, 9:30, to confirm
19 that there were two vehicles out in front of the house. One was
20 Mark Martinez's and the other belonged to Joey Irwin.

21 Q. Okay. Can you spell their names?

22 A. Joey is J-O-E-Y I-R-W-I-N. The other gentleman is Mark, M-A-
23 R-K, Martinez, M-A-R-T-I-N-E-Z.

24 Q. Okay.

25 A. And so at that point we know -- we knew in fact that they had

1 been on the telephone earlier in the day talking to those two
2 gentlemen. There was witnesses that Erin (ph.), who was actually
3 injured there, she knew that both men were in the basement, so we
4 knew in fact that we had two missing individuals. At the same
5 time this was going on I had made contact with Black Hills Energy,
6 and Black Hills Energy was there. They're the domestic gas
7 suppliers for that subdivision.

8 Q. So when you arrived around 8:00, 8:30-ish, was Black Hills
9 already on the scene?

10 A. Yes.

11 Q. Do you know who invited them or who informed them?

12 A. They were contacted by -- it's a common practice for us
13 whenever we have a potential gas explosion. They automatically
14 deploy. They're on a call-down list. It's part of our scene
15 safety notification. We notify United Power. We notify Black
16 Hills Energy, who are all the utilities and domestic companies
17 responsible. So they're on our first ring-down list. Okay. They
18 were notified by command.

19 Q. Okay. And then the incident commander will request that?

20 A. Yes.

21 Q. Okay.

22 A. So they requested to come up -- they come up and spoke with
23 me and asked if they could do site probing --

24 Q. Mm-hm.

25 A. -- for natural gas. They asked if they could test the line

1 from the house to the street, which we agreed that they would --
2 allowed to do. So they had a whole crew there. They had a crew
3 of about four people there so they started bore holing around the
4 natural gas lines, which it was reported back to me that there was
5 no domestic gas in the area.

6 Q. Okay.

7 A. The gas meter was sheared off during the explosion. It was
8 laying just east of the driveway underneath a wall, of wall
9 debris.

10 Q. Okay. And who has the meter?

11 A. Who currently has the meter? It was taken by Black Hills
12 Energy.

13 Q. Okay.

14 A. -- through chain of command, or through the -- excuse me --
15 through chain of custody.

16 Q. Mm-hmm.

17 A. They were signed off, again, through the Firestone Police
18 Department that they took possession of it. It was secured,
19 tagged and logged and was taken to Advanced Engineering Institute,
20 AEI, in Inglewood where all -- any gas meter that is either
21 damaged or involved in an explosion or a fire are -- this is
22 common practice from Black Hills to be released to take it. And
23 they take it to AEI to have the meter tested.

24 Q. Okay. This is Inglewood --

25 A. Inglewood, Colorado.

1 Q. Okay. And AEI stands for?

2 A. Advanced Engineering Institute.

3 Q. Advanced Engineering Institute, okay. So now Inglewood has
4 it in their -- Inglewood has it in -- AEI has it --

5 A. Yes, they --

6 Q. -- in their possession?

7 A. -- have it contained in their warehouse under chain of
8 custody.

9 Q. Okay. And what else was removed on that day, the very first
10 day besides the gas meter?

11 A. Nothing.

12 Q. Okay.

13 A. So at this point it was about 9:30, 10 o'clock at night.
14 Earlier in the night because of the amount of heat around the
15 foundation we weren't able to even get close to where we would
16 actually stand because of the heat that was coming off of that.
17 The whole entire time, again, once the fire was suppressed we
18 continued to cool the debris. We had a two-story house that was
19 completely laying in the foundation. Extremely hard to extinguish
20 firefighting, so we knew we were getting a lot of pressure from
21 the family at this point about the two men that were still located
22 in the home so there was a decision made that myself, Doug Prunk
23 and Jerry Means that we would get high intensity flashlights and
24 we would scan what we could the debris without actually having to
25 go down into the foundation.

1 And so we started scanning the scene, again, systematic
2 approach where we walked in from a certain area. We had no known
3 last locations where they were. We do know that they were in the
4 basement around the utilities. Had no idea where the utilities
5 were in the home so we walked from the north to the south. Most
6 of the debris from the south side of the house was clear or burned
7 away. We started to scan the debris. Jerry Means had identified
8 what was possibly one of the victims in the southeast window well,
9 so everybody kind of gathered and kind of trained their lights on
10 there. We brought more individuals in and we were pretty sure
11 that that was one of the victims.

12 Again, so we actually got a ladder. It was safe for us to
13 enter the structure, at least the foundation. Our captain, one of
14 our captains, our training captain Josh Verable, J-O-S-H V-E-R-E-
15 A-B-L-E, was allowed to go down into the basement where he
16 confirmed that we did have one victim in the southeast window
17 well. There was no attempt to remove the individual at this time.
18 We were able to go ahead -- we took the ladder out. We had
19 committed early on in the investigation with the family as soon as
20 we had located someone we would let them know who -- what was
21 going on, so I actually made a phone call to Jeff Martinez, J-E-F-
22 F- M-A-R-T-I-N-E-Z, who was representing the Martinez family, and
23 let him know that we did locate one of the victims.

24 We could not make a positive identification. We couldn't
25 even identify who it was. So at that point it was decided -- this

1 was about 10:30 -- there was no further activity taken in the
2 immediate area of the foundation. We did have fire that kept
3 popping up in the middle of the debris pile. It was kind of a
4 bluish-yellow and every time we would put it out it would
5 reappear. So at this point we really didn't know what we had
6 going on. We didn't know the makeup of the plumbing. We didn't
7 know the makeup of what was down there, but again, we had a fire
8 we couldn't extinguish. And it just kept reappearing.

9 At this point, myself, Jerry Means, Doug Prunk, we had a
10 conversation. We started -- and fire investigators are very
11 analytical in that, you know, we originally started looking at
12 this as a natural gas explosion. We have no natural gas, no
13 leaks. The automatic valve shut the underground main off so
14 there's an automatic valve that's down in the street. We get
15 over-pressurization it automatically -- we have a quick release of
16 gas it automatically shuts off the natural gas. We did not have a
17 natural gas fire. When I arrived, again, the meter was completely
18 sheared off and there was no gas flowing.

19 By this time we had talked to Black Hills. They were not
20 finding any evidence of natural gas whatsoever, either at the --
21 and the line had tested secure. So the meter line leading from
22 the house to the street was pressure tested and it was proved to
23 be non-leaking. It was -- it was confirmed it did not have any
24 leaks.

25 Q. And do we know at what time?

1 A. It was around 11 --

2 Q. Okay.

3 A. -- 10, 11 o'clock at night. And so that point it was decided
4 that we were going to start looking at other sources in the area.
5 To kind of back up a little -- or to kind of go forward a little
6 bit more, I sit on the Planning Commission for Firestone and so
7 there's new apartment construction going to the south of this and
8 there was some concerns with the homeowners from Oak Meadows
9 Boulevard, the newer homes, that there was a lot of construction
10 debris, a lot of things happening with the construction site that
11 they wanted an additional fence put in. And so the Town of
12 Firestone had agreed to put another cedar fence against the
13 homeowner's fence, which was about 18 inches apart. We know that
14 we in fact had a fence company out there that had been drilling
15 fence posts up to this week, and there was evidence out there.
16 There was a skid steer with a drill bit on it. There was fencing
17 along there.

18 Again, because we couldn't identify natural gas the next
19 thought process is we had identified the well to the east. Chief
20 Prunk and I had a discussion. He said I'm going to start working
21 the -- that side of it to find out what were going on again, with
22 the idea of thinking that we didn't know what the pressure was in
23 that line at that time. Again, the next logical step for us was
24 that they had been boring fence, or at least, you know, postholes
25 for this fencing. We thought maybe they had nipped a line and

1 that we had had that. So he made the call to Anadarko. We have a
2 1-800 number that we can call most of the operators in the area.
3 All we have to do is give them the well information and they can
4 tell us who owns the well. I don't know who made that phone call.
5 It was either -- it was either Doug or the incident commander,
6 Mike Reasoner.

7 And then this was a period of about a half hour. Doug came
8 back to me and let me know that they had shut in the well. At
9 this time they had had a well operator, the on-call individual for
10 Anadarko. It was Bret Schissler. And that's B-R-E-T S-C-H-I-S-S-
11 L-E-R. He was the on-call person. He took the call and showed up
12 at the scene. There was another operator that was a leasing
13 operator who actually did the well route that comes around. He
14 actually -- they went and physically shut in the well. The well
15 was also shut in according -- and this is the information from
16 Doug is the 2-inch line behind the house was also shut in and that
17 they were going to start doing testing on that particular line.

18 At this time we had no evidence of any type of other gas
19 leaking. The young man from Black Hills Energy, I believe his
20 name was Drew (ph.), and I don't have his last name, he continued
21 to do bore samples on the south side of the structure and was --
22 started getting positive methane results from the south side of
23 the house. About the same time, and this was close to around 1
24 o'clock, we got information that Anadarko had shut the well in,
25 had tested the line. Normally operates around 200 psi and that

1 was from the operator that they had tested it at 500 pounds for 15
2 minutes and there were no leaks. And that -- and this was the
3 well that -- this was the current processing line, the new
4 processing line.

5 So we were able to -- so we were able to prove that that line
6 in fact was -- the integrity of that line was still operating.
7 Anadarko let us know back that they had shut in the well. They
8 had shut in the battery and that we didn't have any leaks from
9 that 2-inch line.

10 We continued to do bore samples and they were just doing
11 probing samples, knowing that we came back with methane in the
12 dirt. A locator was requested to come out and locate the lines.
13 They located the 2-inch line. At the time that the locate was
14 there they were locating lines that were running east to west and
15 during their locating they come upon another line that was running
16 from south to north and it was going directly up against the
17 foundation of the house that had the explosion.

18 Q. Under the 2-inch line?

19 A. There was -- we don't know at this point. We didn't know
20 what they -- what they --

21 Q. Okay.

22 A. -- were. They had not been unearthed. We had -- we just
23 knew that we had -- there was two lines -- there was two locates
24 on that particular area that they had been on. And it only went
25 for like a foot and stopped. So they couldn't get the locate up

1 against the foundation at all. It just would not register. And
2 so it was really suspect of where were these two other lines were
3 and where they were going, we had no idea.

4 By this tie it was getting extremely late, everybody was
5 tired. We had started letting crews go. People hadn't eaten.
6 People hadn't eaten, hadn't had any type of hydration. It becomes
7 a safety issue for us. We know we'd already located a victim. We
8 had to talk to the family about that and then once -- and you can
9 imagine once we found the one victim they wanted us to search for
10 the second victim, which was because of the debris that was in
11 there was physically impossible.

12 So myself, Doug Prunk, Colorado Bureau of Investigation,
13 Brian Scott, by that time, his boss had shown up, Bryce Borders.
14 It's B-R-Y-C-E B-O-R-D-E-R-S. Bryce and I had a conversation of
15 what we were -- where we were going to go and what we were going
16 to do. We still -- the warrant had not been signed and approved
17 so we were still -- we couldn't go any farther. I did not want to
18 go any farther without that warrant so the decision was made to
19 terminate the investigation for that night. We secured the scene.
20 That was at 1:30. We left and the Firestone officers were in
21 control of the scene.

22 Q. The gentleman's name, you said Bryce? What was the last
23 name?

24 A. Bryce Borders.

25 Q. And he's --

1 A. He's the commander. He's just under the police chief for
2 Firestone Police Department.

3 Q. Okay. Okay. Now, the house. House is facing north?

4 A. The front of the house was facing north.

5 Q. Okay. So then the well would be to the southwest side?

6 A. Southeast.

7 Q. Southeast side, okay. Any other government agencies showed p
8 that night when you were there?

9 A. Well, we --

10 Q. Anadarko, (indiscernible) or --

11 A. No. Anadarko did show that night after we got done with
12 Anadarko they, again, talking to Bret, and they tested their
13 process lines, they were at the point where they were about ready
14 to leave until we let them know that we had located these two
15 other lines or this other line running north to south. And then
16 it became -- they became very concerned what that line was. And
17 so we all agreed with Anadarko, with the Firestone Police
18 Department, our agency, Black Hills, everybody that was already
19 on-site that we would convene at 7 o'clock the next morning at the
20 site.

21 Q. Okay. So all the lines were left intact at that time?

22 A. Yes.

23 Q. Okay. So what happens next day?

24 A. The next day we got there at 7 o'clock. Again, Firestone --

25 Q. And that would be the 18th, the 18th. That will be the 18th

1 of April, 1-8?

2 A. Yes, the 18th of April.

3 Q. Okay.

4 A. So we get there at 7 o'clock and the sheriff's department,
5 the Weld County Sheriff's Department had brought down their
6 command van.

7 Q. Okay.

8 A. And so we set up a mobile command post and we had a meeting
9 in the morning. It was with myself, Doug Prunk, Colorado Bureau
10 of Investigation, Bryce Borders. There was, of course a deputy
11 and I didn't get the deputy's name that was controlling the
12 vehicle, operating the vehicle for us. And so we had sat down and
13 set our priorities for the -- my priorities for the day, which at
14 this point we were still -- we had had interaction. We had about
15 -- it's 7 o'clock in the morning. We had probably 30 family
16 members, 30 to 40 family members that were gathering at the site.
17 We went over and had a quick meeting with them and their concern
18 was is how soon we were going to remove the one victim and locate
19 the other victim. That was our priority for the entire day.
20 Okay?

21 Doug and I had had a quick meeting, started talking about
22 what we were going to do with those, to locate those lines. It
23 was decided that we would go ahead and split the investigation.
24 He was assigned as the investigator taking care of the pipeline
25 side and I was just the overall fire investigator for the entire

1 incident.

2 Q. Okay.

3 A. Just due to -- I was just doing the coordination.

4 Q. Okay. So then you kind of became the incident commander at
5 that time, at 7 o'clock in the morning?

6 A. Yeah. I mean, we really don't call it incident command.

7 Q. Okay.

8 A. We really -- again, it was just the investigator in charge
9 working under, again, the Firestone Police Department, again
10 understanding that this is still a law enforcement issue and we're
11 the liaison to the --

12 Q. At that time, okay.

13 A. -- fire -- to the police department. Okay? So again,
14 because we're working under, you know, again, potentially if there
15 had been any criminal activity involved it was still a law
16 enforcement issue.

17 Q. Okay.

18 A. So Pattie Dixon was at part of that meeting in the morning.
19 We were able to talk about the warrant, where we were at with the
20 warrant. She had written it that evening, had submitted it to the
21 Judge, and the DA did grant the warrant. So now we were able to
22 start our part of the investigation. Firestone had their drone
23 out there again that morning doing initial photography. We did --
24 we have not received any of that, any of those aerial photography
25 at all to date from that. We again decided that we had to get

1 into the debris to actually locate the other victim, so we had to
2 call -- we had a discussion about how we were going to do that so
3 we actually made the decision to call a local operator that would
4 bring in a track hoe with a thumb so it's got a bucket on it and
5 it's got a thumb that can grab debris. It took about 2½ hours, 3
6 hours to get that piece of equipment there. We actually walked
7 around the scene, myself, CBI, Pattie Dixon and we actually talked
8 about where we -- what we were going to do and where we were going
9 to do it.

10 At the same time we got a phone call from Jeff Martinez.
11 There was a family that lives 2 blocks to the north that had
12 exactly the same home, and so we thought there would be a benefit
13 to go visit the home to find out the layout of the basement. So
14 we actually went over and we did visit the home. It's kind of a
15 Jack-and-Jill-type style, so it was exact the same home. We were
16 able to take a couple sketches and some photographs of the
17 basement, knowing where the furnace was, the hot water heater, the
18 sump pump, the windows, kind of the layout of that basement and
19 the stairwell. And so we had a general idea of kind of where we
20 needed to go look.

21 So -- my phone just keeps blowing up. When the track hoe got
22 there, again, we talked to the operator about what we were going
23 to do and so when we start working in a fire scene and we're very
24 meticulous, especially with either a victim that's still not there
25 and we have to do what we call layering. So you can go in with a

1 bucket and just start grabbing. Jerry was put in charge of
2 working with the operator. Jerry Means was put in charge of
3 working with the operator. I'd actually made a phone call to have
4 another investigator come out because I wanted more than just two
5 sets of eyes on it to make sure we weren't missing anything. So
6 we called Bernie (sic) Cavilo, and Bernie is B-E-R-I-E, Cavilo is
7 C-A-V-I-L-O from Front Range Fire. He's also a certified fire
8 investigator so he was -- also came out to the scene to assist us.
9 When they got there we briefed Bernie on what we were doing. He
10 was spotted on the east wall, Jerry was working with the operator.
11 I was on the west wall, and we started to layer to the debris
12 pile. And --

13 Q. And this is for clarification. When you say operator, whom
14 you are -- are you looking at -- who's operating?

15 A. The track hoe operator.

16 Q. The track hoe operator, okay.

17 A. Okay?

18 Q. I mean, so that operator can be misleading. It can be a gas
19 company operator.

20 A. Yeah, I'm sorry. It was the track hoe operator. So at this
21 point we had everybody gathered up. We had talked to the Weld
22 County coroner. She actually asked us to remove the one victim
23 before we started actually working in the debris, so everything
24 was pretty much stopped at that point. We actually informed the
25 family that we were going to go ahead and remove the one victim.

1 We put together a team of firefighters. We actually did a safety
2 review plan. Actually gathered all the equipment. We waited for
3 the coroner to come out. She gave us direction on how she wanted
4 things documented, how she wanted the victim removed and then
5 signed the legal paperwork for the removal.

6 We removed the victim from the southeast window well; was
7 unrecognizable. There was no identification even attempted at
8 that point. So the victim was removed and handed over to the Weld
9 County coroner and she left.

10 At that point, we actually went with the crime scene
11 photographer that was there. We took a lot of photographs,
12 documented the location where he was at, position, location, and
13 then we went back to work on the debris pile. This was about
14 10:30, 11 o'clock in the morning.

15 Q. Okay. So victim is out around 10:30, around that time?
16 Okay? So tell us, when you say warrant, what does that mean?

17 A. Pardon me?

18 Q. What does warrant mean?

19 A. Watering?

20 Q. No, water -- warrant. You said you have to obtain some sort
21 of a document from the court?

22 MS. DUKE: A warrant.

23 MR. CHHATRE: Maybe I'm not using the right work.

24 MS. DUKE: Warrant, the warrant?

25 BY MR. CHHATRE:

1 Q. (Indiscernible) the warrant, yeah.

2 A. So again, because this is a law enforcement issue, normally
3 under what we call an origin -- this is an origin -- so we're
4 there to do an origin and cause investigation. We're there not --
5 we're not -- none of us are law enforcement offices and we don't
6 have any legal -- even though the state gives us legal authority
7 to operate as a peace officer on a fire scene, none of us have the
8 experience or the knowledge or the responsibility to do the law
9 enforcement work.

10 Q. Okay.

11 A. So again, we liaison with Pattie Dixon and Brian Scott with
12 the Firestone Police Department, making sure that they're okay for
13 everything that we're doing. So again, we're under their
14 direction, their control and we're talking constantly about what
15 we're doing. And so we also -- the decision was made early on
16 that any victim witness information would be done by Pattie Dixon.
17 She's a detective. She does a lot of more interviewing than we
18 do. They also have a crime scene analyst that's there and a
19 certified photographer, and so it was decided early on that we
20 would have the Firestone Police Department take all the
21 photographs and do witness interviews.

22 Q. Okay.

23 A. So Chris Ros, C-H-R-I-S R-O-S was the crime scene
24 photographer that was there, and he conducted all of the
25 photography for the entire incident, up to date.

1 Q. Okay. So the first victim is, I guess, is taken by the
2 coroner for testing or whatever the coroner wants to do. What did
3 you do after that?

4 A. So it was decided after that -- again, we met with the family
5 again to let them know what had happened and what we had found and
6 what we had done. Of course there were a lot of questions on, you
7 know, could you identify the individual, the build and everything
8 else? None of that information is released. So we decided at
9 this point that we needed to start to remove the debris. By this
10 time we had stopped for a rest break and get some water and making
11 sure that we still had our plan together.

12 The weather that day was about in the '80s so it started to
13 get extremely warm. We still had some smoldering debris, so we
14 had to have crews come in and wet down the debris to continue to
15 work in the area safely.

16 So we started working with the operator again, and when I --
17 the operator is the track hoe operator. Jerry was directing the
18 track hoe operator. We knew one area we wanted to stay away from
19 was the south -- it would be the northeast wall of where we had
20 seen a part of a hot water heater against the wall. And we knew
21 we'd have -- there was a screw jack sticking out right out of the
22 center of the basement. We wanted to stay out of that area
23 because we knew those were areas of concern. We wanted to make
24 sure we didn't get in and destroy any evidence, so it was our
25 number priority here, again, is removal of the victim again, so we

1 preserved as much as we could in the evidence preservation. So we
2 started working the debris pile where we would come in with the
3 track hoe and just take off the very first layer of whatever
4 debris there was, so it was the roof, part of the first floor. So
5 as we started to work closer to the -- started getting closer to
6 the basement -- did you have a question?

7 Q. No. I'm just trying to analyze the sequence is what I'm
8 trying to do.

9 A. So as we're moving debris we -- again, we have to be very
10 careful where we put debris because we knew later on that there
11 was -- going to be examined by other investigators and other
12 attorneys. So we picked a spot east of the site to be able to put
13 the debris. As we were removing debris we started looking for
14 anything that would be suspect for us. We did see a piece of inch
15 and a quarter gas pipe that we were able to easily remove. We
16 took it and laid it over on the grass. We stopped there. Chris
17 went over. He photographed and he measured and he tagged it. We
18 knew that it was going to become a piece of evidence that the
19 Firestone Police Department would take. So we stopped and did
20 that process.

21 Again, I'm going very quickly in my descriptions, but all of
22 these -- this whole process takes an hour to complete. So by this
23 time we're late in the day already. It's probably around 2
24 o'clock. And so we go back and we start removing more debris. We
25 saw some piping that was hung up in the debris pile that we

1 couldn't get to without having to destroy more of the evidence.
2 And we actually laid it. We knew it would be secured. We laid it
3 down on the ground and just put -- there was other debris stacked
4 on top of it and next to it knowing that nobody was going to get
5 in and disturb that debris that we would process later on.

6 So as we kept getting closer and closer to the bottom of the
7 floor, the beam that was supporting the home, we saw the beam.
8 One of the other investigators, Bernie Cavilo, was standing there
9 and told us to stop. He thought he'd saw a boot. So we stopped
10 at that point and pulled the machine out. We called our crew
11 back, our fire -- the same fire crew that had done the recovery.
12 We made sure that it was safe for them to be in there. We
13 actually put a ladder down in there. They were able to go hand
14 dig the -- around the beam and that's where we located Mark
15 Martinez. He was --

16 Q. And he was -- he was able to be positively identified at the
17 scene?

18 A. No.

19 Q. Okay.

20 A. So sorry, I need to back up. It was victim number one was in
21 the window well, victim number two --

22 Q. Right.

23 A. -- was underneath the beam near the screw jack.

24 Q. Okay.

25 A. No, we were not able to make positive identification.

1 Q. But later on it turned out to be Mark Martinez.

2 A. Again, that was from the coroner, not from us.

3 Q. Sure.

4 A. He was positively identified by the Weld County coroner.

5 Q. Okay.

6 A. So at this point we had to actually use some cribbing because
7 victim number two was trapped underneath the beam. And so we were
8 able to -- we had to shore that up. We had to lift it and shore
9 it up. We were able to remove him to get him to a point where he
10 was free. We again called the coroner. Again, we had to wait
11 another additional -- it was about another additional hour of
12 waiting to go ahead and remove this individual. The coroner
13 showed up. She came back. She actually -- or we did the same
14 thing. We removed the individual, handed them off to the coroner
15 and she left the scene.

16 Q. Okay.

17 A. So at this point it was extremely late in the day. And so we
18 started to stop and we had met our goal for finding both victims
19 and we still had two pets, two large dogs that were still missing
20 that were in the home. At that point we felt it wasn't a benefit
21 to continue to search for the animals, that we had to leave
22 everything the way it was, virtually intact for any other further
23 investigation with private investigators or for anyone else that
24 needed to go in the basement. So the focus changed from working
25 now down into the foundation to now finding out where those two

1 lines were going on the side of the house.

2 So at this point LT Environmental was called out. They were
3 actually out there supporting Black Hills Energy. The decision
4 was made with the police department to use the same environmental
5 testing group so things didn't get convoluted and mixed up. So
6 Jeremy (ph.), and I can't remember his last name either, it was
7 Jeremy. He was the technician that came out and started taking
8 samples.

9 At the same time, Doug had got ahold of Anadarko and they had
10 made a decision that they were going to call out a Hydro Knife,
11 which is a vac truck with a water jet on the end of it that sucks
12 up the dirt and sludge, because we knew that we'd have vapor in
13 the ground and we wanted to make sure we didn't have an ignition
14 of that particular area because we were getting high levels of
15 methane on the bore testing.

16 And so at that point Doug took over that part of it. I
17 observed some of it, but I was going back and forth between the
18 police department, between CBI, between Black Hills, between the
19 environmental testing folks, so I can't speak on the activity that
20 was taking place with trying to find out what those lines were.

21 Q. But you said 1-inch line was cut on day one around midnight
22 time? Is it one -- or was it the second day? I'm really
23 confused. You said you took a piece of pipe out and laid it down.

24 A. that was the inch and a quarter gas pipe, the domestic gas
25 pipe --

1 Q. Domestic gas pipe, okay all right.

2 A. -- that was found in the debris pile.

3 Q. (Indiscernible) that.

4 A. Yeah. We -- so by this time they -- it was extremely late in
5 the day. Anadarko had got the vac truck out there and they
6 started the -- they started to exhume or started removing -- to
7 digging the ditch to locate whatever was underground. And I'm not
8 -- I'm not clear on exactly when we located it. Doug would be the
9 best one to ask that, but we did -- they did locate the lines.
10 They located two 2-inch lines and one 1-inch line. It was
11 approximately about 8 feet down in the dirt and at that point they
12 knew that we had lines running from that location towards the
13 foundation.

14 Q. Okay. And how far away from the foundation those lines were?

15 A. I have no idea. At this point I had no idea.

16 Q. Okay.

17 A. We had -- we had just went down right where the -- so where
18 the locate it showed the line is where we first started digging.

19 Q. So you saw the lines on day 2?

20 A. Yeah.

21 Q. Or you did not see the lines?

22 A. We did.

23 Q. Okay.

24 A. And at that point we worked -- it was about 10:30 at night.

25 The vac truck was full and we decided that it was probably a good

1 place to stop. Everybody agreed. Bret was there. Bret Schissler
2 was there, Anadarko was there. Black Hills was not there. The
3 testing company was still there so we stopped for that evening.
4 We put a fence around the area that was dug up and left it.

5 Q. Okay. So 10:30-ish the day was called, called off, day 2.

6 A. Yes.

7 Q. Okay. Okay. Let's go on to day 3.

8 A. So day 3, again, we kind of started our same day the same way
9 we started the command van, kind of grouped up. CBI, ourselves,
10 Pattie Dixon, I believe Chief Montgomery had come out. This was
11 Wednesday morning. Chief Montgomery had come out. Bryce Borders
12 had come out. Mike Leonard at this point from COGCC was there,
13 and actually Mike had showed up Tuesday also from COGCC.

14 Q. And what was the last name?

15 A. And that's -- Mike, first -- M-I-K-E, Leonard, L-E-O-N-A-R-D.

16 Q. Okay.

17 A. And he's an investigator for COGCC, which is Colorado Oil and
18 Gas Conservation Commission.

19 Q. Okay.

20 A. And he started working with Doug and started working with
21 Bret on the well, and I cannot comment on what their conversation
22 was. I have no idea, but Mike and Doug started working together
23 and Mike started attending all the morning briefings and Doug
24 started to put together what they were going to do then to
25 continue to dig up or excavate to find the end of -- where the end

1 of the lines were.

2 Throughout the day I kind of -- in the early morning I kind
3 of bounced in and out of the scene to see kind of that there was.
4 I was informed that morning by the coroner that the medical
5 examiner was going to be doing the autopsies of both victims. I
6 was requested to attend both of those. Those -- they started at
7 noon and I was in the full attendance for both autopsies, along
8 with Pattie Dixon, Chris Ros and the coroner.

9 And that ran from about noon I believe I left at about 4
10 o'clock. I had had enough for the day, so I had stopped and had
11 dinner and went home.

12 Q. At 4 o'clock on day 3.

13 A. Four o'clock on day 3.

14 Q. Okay.

15 A. I'd had my -- emotionally I'd had enough.

16 Q. Sure.

17 A. Doug continued at the scene, so you'd have to talk to Doug to
18 find out what was going beyond that. Again, it kind of -- I
19 stopped. The next thing we're moving maybe -- they called me
20 later in the night and made a decision that they had located those
21 lines and they were continuing to dig but they -- again, they
22 filled up another vac truck and so they had stopped. I believe
23 they stopped somewhere around 7:00 or 8 o'clock that night. And
24 then the decision was to come back again the next day and
25 continue.

1 Q. Okay.

2 A. Okay? I believe that was Thursday. Again, we -- Thursday
3 morning again we regrouped at the command van again and set our
4 priorities. The meeting was attended by the same folks, Mike
5 Leonard, myself, Doug Prunk, Pattie Dixon, Chris Ros. We started
6 having a lot of media, and you can imagine 2 or 3 days before the
7 media started really getting involved with this, so we had a media
8 staging area west of the incident. And then our command van was
9 kept to the east of the incident so we didn't have to deal with a
10 lot of that.

11 At that point, a lot of work and we started getting a lot of
12 calls about when we were actually going to allow private
13 investigators into the scene, when we were going to start exhuming
14 any evidence. Again, because we're still under the control of the
15 warrant I wasn't comfortable at this point until we knew where
16 those lines were going and we would get continuity with what we
17 knew at the -- from the well to the lines. So everything at the
18 fire scene at that point pretty much became nonexistent. And
19 everything was focused on really operating within that pipeline
20 area.

21 So again, I actually physically left the scene, came bac to
22 my office here, sat down and briefed the chief where we were at on
23 the investigation. We started getting a lot of information back
24 from Anadarko about some of the soil sampling that was there.
25 We'd actually received a -- from working with Pattie Dixon, Black

1 Hills Energy actually had the daily use logs for the house, but
2 just like anything else, it's a residential record. Cannot be
3 released without a warrant or a search order or a search and
4 seizure order. So we had to go back to the Judge and Pattie had
5 to write another -- and I'm drawing a blank what I -- it's not
6 another warrant. It's a -- what am I trying to -- I might have to
7 take a break here pretty soon.

8 Q. Okay.

9 A. She was actually -- she got a subpoena to get the records.
10 So the subpoena was finished on day 4. We actually received the
11 subpoena late in the -- the subpoena late in the day. It was sent
12 over to Black Hills and they sent me the records of the gas meter
13 from that particular residence. They sent us an interpretation
14 note of what it was. We received those records. There's a part
15 of a gas meter that's called an ERT, which is electronic reporting
16 terminal that every gas meter has. They showed us the hourly
17 ratings from a month out from that ERT beginning the first of
18 April running through the 18th. And there was no natural gas flow
19 from that domestic line from the 16th of April until the meter was
20 removed on the 18th when they actually took control of the meter
21 and actually -- because it was reporting so there was no natural
22 gas flow from the 16th of April though the 18th where the meter
23 was just bumped. So there was no natural gas flowing at all into
24 that residence.

25 Q. So the meter -- the one that got damaged and was bent, no gas

1 was coming out?

2 A. No gas.

3 Q. Right.

4 A. There was no gas usage from 2:30 the prior day on that ERT.

5 Q. Okay.

6 A. And that ERT was functional and we had records all the way up
7 from the 1st of April all the way through and every day --

8 Q. The 16th.

9 A. -- every day it was showing normal usage from heat, hot water
10 heating. The day of the 16th at 2:30 there was no gas used in the
11 residence at all until the meter was removed. And that was
12 grafted. That was documented and again, received through
13 subpoena. So we knew at that point we had no natural gas flowing
14 in the house.

15 Q. Okay.

16 A. And then --

17 Q. And this all is happening on Thursday?

18 A. To my best recollection yes.

19 Q. Sure.

20 A. Yes.

21 Q. Yeah.

22 A. I mean, again, timeframe's probably not as --

23 Q. I understand.

24 A. -- and again, I'm bringing all this from 3 weeks ago.

25 Q. Absolutely.

1 A. But we did receive that from Black Hills. Again, it was
2 under a subpoena through the Firestone Police Department, and
3 those records were received, interpreted and so this again started
4 to take -- again, through fire investigations one of the things
5 that we do is through the systematic approach is we look at
6 everything under a hypothesis. And so we have to develop
7 different hypotheses on what -- and we start to prove or disprove
8 the hypotheses. This was pretty much a good indicator that we did
9 not have natural gas flowing into the residence.

10 We know that the -- we know from a photograph that the gas
11 main was on at the time of the explosion.

12 Q. The gas main was on?

13 A. On. The gas cock was in the open position, and that was
14 stated by CBI in their photographs.

15 Q. Okay.

16 A. We know that the gas cock was in the open position. We know
17 that the automatic valve had shut off the flow of domestic gas
18 when the meter was sheared. And now we had documented records
19 from the electronic monitoring device that there was no natural
20 gas flow in the house since April 16th at 2:30, which was almost
21 16 hours prior to the explosion.

22 Q. Mm-hmm.

23 A. So at this point, again, I started kind of bouncing in and
24 out of the actual scene. I had talked with Doug. LT
25 Environmental had been there, had started doing environmental

1 monitoring. They monitored the south window well in the -- you
2 know, there's several words for it, but the French drain. You
3 know, there's a lot of perimeter drains. There's a lot of
4 description, but it's the drain that goes around the foundation
5 that is put in at the recommendation of the company that's soil
6 testing to ensure that we don't get water in the foundations in
7 the homes. Each window well has a, if you will, has a vent stack
8 that's covered up with dirt. It's covered up with a cap and a
9 cotton filter.

10 There were samples taken by LT Environmental around the
11 entire French drain, and we were positive for at least methane gas
12 in that French drain. And the house to the immediate west, which
13 was 6310 Twilight Avenue, those residents were not allowed to
14 return to their home even after -- they left right after the
15 explosion and to date have not been allowed to return except to
16 take out personal effects. That home is no longer occupiable.

17 Q. LT Environment, you said LT?

18 A. LT Environmental.

19 Q. LT Environmental.

20 A. Yeah.

21 Q. Who hired them?

22 A. Black Hills Energy originally.

23 Q. Okay.

24 A. And then Anadarko agreed that since they were doing all the
25 original monitoring to stay with one technician and one company to

1 keep things as simple as they could.

2 Q. Okay.

3 A. So LT Environmental had done all the testing. Dr. Gintautas
4 Peter Gintautas with COGCC was also brought out. He's a
5 geologist, and please don't ask me how to spell it. His first
6 name is Peter.

7 Q. Peter, okay.

8 A. Can you -- one of you gentlemen might be able to spell his
9 last name? But he's a geologist that was brought out by COGCC and
10 requested by Mike Leonard to come out and start looking at the
11 site for geological possibilities of how we had gas moving through
12 the subsurface of the structures. We knew, in fact, that we had
13 had -- at this point we'd had enough bore samples that we knew we
14 had some type of a gas product south of the -- of 6312 and we also
15 had methane gas in the dirt south of 6310 Twilight.

16 Q. Okay. Now, when you arrived on the scene, or on the
17 subsequent days, do you smell any gas odor?

18 A. No.

19 Q. Did anybody say they smelled any gas odor?

20 A. No. And we did take testing -- LTE took original samples.
21 One of the tests that Black Hills does is they do a mercaptan test
22 on their -- so they sampled their line. We had LT Environmental
23 came out. AEI also did sampling for Black Hills, which is, again,
24 Advanced Engineering Institute. They came out at the request of
25 Black Hills, took samples of the gas. So in that testing they do

1 methane tests. They do a purity test. They do methane tests to
2 make sure they're having their -- all the sampling that was taken
3 off of the well and soil sampling were all tested for mercaptan,
4 which are sulfur-based. And there were no -- of all the test
5 results came back there was no methane.

6 Q. And the testing was done by?

7 A. LT Environmental.

8 Q. LT Environmental, okay, not by Black Hills. But LT
9 Environmental was working for Black Hills, so --

10 A. Right, and --

11 Q. -- essentially Black Hills was doing it.

12 A. And by Dr. Gintautas, too, also.

13 Q. Okay, the geologist. (Indiscernible) in geology department
14 was doing it? Okay.

15 A. Okay.

16 Q. Now, you can take a few minutes' break.

17 A. Yeah, I'd love to take a break. My phone --

18 Q. Okay.

19 A. -- my personal phone's been blowing up.

20 Q. Sure.

21 A. I'm kind of worried about my mom.

22 Q. Okay.

23 MS. DUKE: Okay.

24 MR. CHHATRE: Off the record.

25 (Off the record.)

1 (On the record.)

2 BY MR. CHHATRE:

3 Q. Back on the record. Dave's interview, part two. Go ahead,
4 Dave. We were talking about the geologist taking some samples?

5 A. Yes. So what day are we on? What day are you showing we're
6 on?

7 Q. We were on Thursday.

8 A. Okay. Again, I might be ahead of myself on some timeframes.

9 Q. That's okay.

10 A. I actually was off on Friday. It's my normal flex day off.

11 Q. Okay.

12 A. And I didn't come back and -- I was off Friday, Saturday and
13 Sunday. I did do a little bit of work on Sunday, but it was just
14 coming in, just checking emails. I'm basically do most of it from
15 home --

16 Q. Okay.

17 A. -- just looking at emails and --

18 Q. So let me back up a little bit. This is Ravi, NTSB,
19 continuing. On Thursday, what other major event did you recall
20 happened, that you can recall on the investigation side?

21 A. Again, we started prepping to look into these lines. And
22 again --

23 Q. So you --

24 A. -- the only involvement I had was updates from Doug.

25 Q. Okay.

1 A. Again, I wasn't involved in any of the planning.

2 Q. Sure.

3 A. I wasn't involved in any of the actual --

4 Q. Okay.

5 A. Again, it was just a -- we did a briefing every day about
6 4:00, 4:30 with the chief and then phone calls or face-to-face,
7 most of it was face-to-face. And so again, we started having a
8 lot of inquiries and so I was dealing with a lot of the inquiries
9 from COGCC, from Anadarko, from Black Hills, just a lot of
10 information coming back and forth on testing. I really -- again,
11 we were not at the site. We really left the site pretty much
12 alone.

13 One other thing that we started looking at is the house next
14 door, 6310 Twilight. And so we just started to have some -- focus
15 in on that, some sampling.

16 Q. Okay.

17 A. We did have crews there every single day taking air samples
18 in the house to make sure we didn't have another situation.

19 Q. And that is the fire department crews or the (indiscernible)?

20 A. Yes. It was the fire department crews.

21 Q. So tell me, initially a lot of agencies showed up on the day
22 one --

23 A. Mm-hmm.

24 Q. -- on the 17th, right?

25 A. Yes.

1 Q. On the 16th was it?

2 A. Yes.

3 Q. Now, when did all these people went home? Because from what
4 I'm gathering now there are no other fire department personnel
5 were on scene?

6 A. No.

7 Q. Because was it (indiscernible) you and Doug?

8 A. All of the other fire department personnel were released the
9 first night of the fire, Longmont, Mountain View, they were all
10 released. Platteville because, again, it was contained. We did
11 have a crew there every single day just making sure we were
12 watching for hot spots, because we -- up until about this second
13 day we just had debris that continued to smolder and so we had to
14 get in there and make sure that again for the news media they were
15 very interested in why we couldn't put out the fire. Again, we
16 had a whole entire house sitting in a foundation and you can't get
17 in there and stir it up, if you will, and so it just continued to
18 smolder. So we had light puffs of smoke coming out and we were
19 able to -- we had crews there almost all the time for safety for
20 us. We always like to have a crew there for safety.

21 Q. And --

22 A. They bring us water. They -- you know, we keep --

23 Q. How many people in a crew? Is it four people or?

24 A. Two.

25 Q. Two, okay. So two firefighters were on scene from --

1 A. Two firefighters, yeah.

2 Q. -- the second day onwards.

3 A. Yeah. We've been consistent having the same crew. The crew
4 that was there was Jason Burant, J-A-S-O-N --

5 Q. Okay.

6 A. -- B-U-R-A-N-T.

7 Q. B-U-R-A-N-T, okay.

8 A. And Trevor, T-R-E-V-O-R, Williamson, W-I-L-L-I-A-M-S-O-N.

9 Q. Okay. Now, was somebody watching at night also? It was a
10 24-hour crew or?

11 A. Again, we had -- we had the police officers were there 24/7.

12 Q. Okay. But the fire department crew was only 8:00 to 4:30?

13 A. No, they were there 12-hour days most times.

14 Q. Okay. And the main function is to watch for the flare-ups?

15 A. Again, it's safety for us. Again, you know, we had a crew
16 with Doug. The same crew was working over there. And again,
17 we're working in an environment where we know that we have some
18 level of gas in the dirt. We just don't know what, and so we have
19 to have a crew there. And that's by our policy and procedure.

20 Q. Mm-hmm. So you guys had indicated a ground rating between 12
21 and 10?

22 A. Yes. We're taking one reading a day.

23 Q. Okay. And were the readings declining by Thursday or they
24 are not?

25 A. We did not -- again, when we talk about ambient air, there

1 was no ambient air readings in the basement, zero percent. In the
2 6310 Twilight Avenue, but in the French drain there was high
3 levels of methane.

4 Q. Okay.

5 A. At least -- and I can't say -- I shouldn't say just methane.
6 Whatever gases are present there --

7 Q. Correct. Sure.

8 A. -- we had -- we were at 100 percent LEL.

9 Q. But the gauge only gives you methane. That's why you're
10 calling --

11 A. No. We have four gas meters that are -- that are calibrated
12 to pentane. I believe it's pentane.

13 Q. So which --

14 A. Or it's -- I -- again, I'm not sure what the gases are that
15 it's calibrated to right now, but it's the lowest explosive limit
16 gas that it is. It might be methane.

17 Q. But there are four gases like --

18 A. It's a four-gas meter.

19 Q. -- methane, what (indiscernible), carbon monoxide or the --

20 A. They do hydrogen sulfite.

21 Q. Okay.

22 A. Oxygen, LEL --

23 Q. Okay.

24 A. -- and carbon monoxide.

25 Q. Right, okay. But --

- 1 A. So it's a go/no-go meter.
- 2 Q. Okay.
- 3 A. But every time we took a reading it was -- we were at 100
4 percent LEL.
- 5 Q. Okay.
- 6 A. And that was in -- that was at 6310 Twilight.
- 7 Q. Okay. House next door.
- 8 A. House next door.
- 9 Q. And that's in the basement or --
- 10 A. It was in the -- it's in the perimeter drain, French drain.
- 11 Q. Okay, French drains, okay. But nothing inside the house?
- 12 A. No.
- 13 Q. So on Thursday, besides -- really nothing -- nothing
14 significant happened on Thursday per se? You are monitoring the
15 house. You are taking readings?
- 16 A. Right.
- 17 Q. You are (indiscernible).
- 18 A. We're continuing to prepare to remove and look for those
19 additional lines.
- 20 Q. Okay. But the appliances were gone by then or the appliances
21 were still in the basement?
- 22 A. No, everything was still in the basement.
- 23 Q. In the basement, okay.
- 24 A. We didn't actually remove anything.
- 25 Q. So when did the excavation happen to locate those lines and

1 the --

2 A. Oh --

3 Q. -- when was the work --

4 A. -- you're going to have to check with Doug because I don't
5 have --

6 Q. Okay.

7 A. -- exact dates and times when it was removed --

8 Q. Okay, that's fine.

9 A. -- like he does. Again, there was so much that happened
10 between that Monday when I came back which I believe was -- would
11 have been the 24th. Again, Pattie having to get the subpoena for
12 the records --

13 Q. Okay.

14 A. -- for Black Hills, again, we had a lot of -- there was a lot
15 of inquiries going back and forth with Anadarko.

16 Q. Okay.

17 A. A lot of information going back and forth with Bret
18 Schissler, with Mike Leonard from COGCC --

19 Q. Okay.

20 A. -- continuing with the police department. A lot of media at
21 this point, media inquiries were -- myself and Chief Poszywak were
22 dealing with a lot of the information was coming back here. Soil
23 reports were coming in. All that insurance was -- continued to
24 come in. And I was getting -- again, when I would get to the site
25 that was to meet with Doug and talk about where we were. And we

1 started to involve -- early part of the week we had to involve the
2 Town of Firestone, which was to look at the house at 6310 Twilight
3 because it was -- it's uninhabitable because of that gas that's in
4 the French drains. We would not allow the families to come back
5 in there with the soil contamination that we know that we had
6 around the area. Again, the decision was made to notify the Town
7 of Firestone and they use a contract building department. It's
8 Safebuilt of Colorado.

9 Q. Okay.

10 A. And the chief building inspector is Barry, B-A-R-R-Y, Kramer,
11 K-R-A-M-E-R.

12 Q. Okay.

13 A. He's the chief building official that I spoke with.

14 Q. Okay.

15 A. -- about what the Town of Firestone and what Safebuilt wanted
16 to do with the property.

17 Q. So and their function was to identify the building is safe to
18 inhabit or what?

19 A. They needed to come out and look at it. We had not had a
20 structural evaluation done on the home from the explosion. And so
21 when I talked to Barry I let him know that that needed to be done.
22 There was some discussions about if the home was inhabitable,
23 noninhabitable. We give them the information. We don't make that
24 decision if it's inhabitable or uninhabitable. Again, with gas in
25 the French drain and gas around the perimeter of the home, the

1 decision was made by Firestone and the town of -- and Safebuilt, I
2 believe, to not to allow the residents to come back into the home.

3 Q. Okay.

4 A. They did -- they were allowed to come back in and remove some
5 of their personal effects, keys, cellphones, computers.

6 Q. Is that home condemned for a total loss or what is the
7 current status?

8 A. You know, I -- I don't have an exact record of what -- if it
9 was not or was condemned. The process -- that process you could
10 ask Barry Kramer that --

11 Q. Okay.

12 A. -- and he would let you know if the house has either been
13 condemned or not condemned.

14 Q. And Mr. Kramer was hired by the city --

15 A. Yeah, they're --

16 Q. -- of firestone?

17 A. -- they're actually by contract. They've been their
18 homebuilder -- their inspection for commercial and residential for
19 quite some time.

20 Q. For the City of --

21 A. Firestone.

22 Q. -- Firestone.

23 A. Yes. That's their contract building department.

24 Q. Okay. And how do I get Mr. Kramer's contact information?

25 A. I can give you his phone number.

1 Q. Please.

2 A. [REDACTED] --

3 Q. Okay.

4 A. Is that okay?

5 Q. Yeah.

6 A. [REDACTED].

7 Q. Okay.

8 A. Extension [REDACTED].

9 Q. [REDACTED], extension [REDACTED]?

10 A. Right.

11 Q. Okay. Great.

12 MS. DUKE: Steel trap mind.

13 MR. PUCETTI: I get that a lot.

14 MR. CHHATRE: I'm impressed.

15 MS. DUKE: I mean, I was, too. That's why I laughed.

16 MR. PUCETTI: We do a lot of work with our community. It's

17 very important for us to have a relationship, so --

18 BY MR. CHHATRE:

19 Q. So between Friday -- so Friday, Saturday, Sunday, you had --

20 A. I was off.

21 Q. -- out of -- you were off. And who took over your

22 responsibilities?

23 A. Nobody. We locked -- again, as I wasn't available so no

24 activity took place on Friday, Saturday or Sunday.

25 Q. Okay.

1 A. And that was the agreement with the Firestone Police
2 Department if, again, we weren't going to have people working --

3 Q. Sure.

4 A. -- different shifts. And --

5 Q. Oh, in a way that's good because then I don't have to
6 interview somebody else.

7 A. Right. So we -- that particular Friday that I was off, Doug
8 may have had to do some external operations with piping. That
9 continued, but as far as the actual my part of the scene, the fire
10 scene was locked down. Doug did work that day because he's
11 normally working. I don't have any idea what he did on that
12 Friday.

13 Q. Sure. So on Monday you came back.

14 A. I did.

15 Q. And exactly what date?

16 A. Let's see, that would have been 22nd, 22nd -- so I was off -
17 - so 21st, 22nd, it would have been the 24th, April 24th.

18 Q. Okay. So what happened on Monday?

19 A. Again, we met for a briefing at 7 o'clock with Doug, myself,
20 again, the same group that was together with the detective. We
21 knew at this point that we were going to go way beyond the 10-day
22 limit on the warrant, so Pattie had to extend the warrant. So I
23 worked with her on -- and again, originally the warrant was denied
24 under just not an understanding what the DA had. It was suspended
25 temporarily until we sat down and looked at the language with

1 Pattie and then we actually -- they wrote it because we were not
2 done with origin and cause the DA was looking at it from a
3 different area. We were actually -- we hadn't -- being as we
4 hadn't gotten into the fire scene we had not looked at any of the
5 evidence in the foundation so they actually extended the warrant.
6 I believe that was on the -- that was either the Tuesday or
7 Wednesday that they extended it after she had went back and told
8 them we still weren't completed with origin and cause.

9 At this point Doug and I had had a conversation again, and
10 this was Monday, Tuesday, Wednesday, and so we knew that we were
11 going to have to go into the greenbelt to be able to do more
12 digging. We knew also that we were going to have to go into the
13 construction scene next door to continue to dig to find the lines
14 and where they were going. And again, I'm -- timeline-wise I
15 can't give you exact --

16 Q. That's fine.

17 A. -- dates and --

18 Q. That's fine.

19 A. -- you know, minutes and so in the first part of the week we
20 had to get consent to search because, again, it was not covered by
21 the warrant. So I had to contact Bruce Nickerson with the Town of
22 Firestone. He's the -- and it's B-R-U-C-E.

23 Q. Uh-huh.

24 A. N-I-C-K-E-R-S-O-N. And he --

25 Q. And he's with the --

1 A. -- he's the town manager.

2 Q. Yeah, yeah, we met him.

3 A. You met Bruce yesterday.

4 Q. Mm-hmm.

5 A. And he gave us consent to go into the greenbelt to be able to
6 continue to dig. We can't do that legally. They basically could
7 have told us no, we don't have right to, but they did. They gave
8 us consent. We're still under that consent order.

9 Q. Okay. And greenbelt is who?

10 A. The Town of Firestone and it is the property just south of
11 both the explosion site of 6312 and 6310.

12 Q. The new construction that is going on?

13 A. No. This is the greenbelt, the drainage that runs right
14 behind the homes.

15 Q. Okay.

16 A. And then there's a greenbelt there that's got a bike path and
17 then it goes to M. Timm Corporation, so I had to also contact Bill
18 Timm, who's the CEO and President of M. Timm Corporation --

19 Q. Okay.

20 A. -- to get a consent to search for that property because we
21 had to cut their parking lot and do some more excavation to find
22 out where the rest of the lines were going. At that point, and I
23 believe this was Monday or Tuesday, maybe even a little bit later
24 than that, I went back out to the scene because we had exhumed the
25 end of the lines. We had found where the end of the lines were.

1 We had found that had been opened up.

2 Q. So tell me which lines that were --

3 A. The lines that were leading up towards the foundation.

4 Q. Okay.

5 A. And so the decision was made that we needed to test the 1-
6 inch line. We had actually verified with Anadarko, Doug had
7 verified with Anadarko that the two lines that were in the ditch
8 on top of the 1-inch had been still cut off. The ones that were
9 there were cut off clean. They were not plugged, but at back at
10 the wellsite and the battery to the west that the 2-inch lines
11 were disconnected. So we knew that they were disconnected. We
12 could physically -- Doug could -- I could see one at the east well
13 site. Doug could see the one at the west well site. We knew that
14 those were totally disconnected. So there was no -- those were
15 not hooked up to any source whatsoever.

16 Q. Could you see the 1-inch line with those two --

17 A. Yes.

18 Q. -- (indiscernible) lines?

19 A. The 1-inch line was laying below the two, 2-inch lines.
20 Again, the thing that we started to look here, for again for
21 hypotheses, is that we needed to find out if we had continuity
22 from the well to the end of that 1-inch line. So the decision was
23 made with Anadarko with Bret Schissler that we would cut part of
24 that 1-inch line, get it up there to where we could operate with
25 it because earlier in the night that we -- the night before when

1 we were digging, and again, I don't remember which night this was,
2 but as we continued to use the Hydro Knife we kept having dirt
3 collapse in --

4 Q. Oh, collapsing on you.

5 A. -- because of the -- because of the saturation of product in
6 the ground and of the soil, the sandy soil. So the decision was
7 made that we were going to go ahead and we were going to go ahead
8 and open trench those lines to where we could go down and operate.
9 So Anadarko had brought a piece of equipment in and we had
10 actually exhumed that entire -- we cut it -- cut the sides back
11 where it was safe enough to be in there. We actually grabbed the
12 1-inch line. We brought it to the surface. We took about a -- it
13 was about an 18-inch piece of pipe, cut it off.

14 Q. When you say you brought line to the surface, meaning you
15 bend the line or you --

16 A. No, we just grabbed it and just picked up and brought it up
17 to the surface.

18 Q. So that it's going to bend now.

19 A. Mm-hmm.

20 Q. Okay.

21 A. So it's not broke. It's just a bend.

22 Q. Sure.

23 A. So talking with the crime scene analyst, all the ends were
24 photographed. We went ahead and marked it with orange paint and
25 we went ahead and made our cut. We kept the saw blade. We kept

1 the hacksaw blade that we used so we could match the cuts of the
2 blade everything up. All of that was packaged under crime scene
3 analysis requirements. All of that was tagged, photographed and
4 given to the crime scene analyst who was there that took --

5 Q. For the city.

6 A. For the city. So at that point --

7 Q. And who was that person was?

8 A. That was Chris Ros.

9 Q. Okay.

10 A. Firestone Police Officer Chris Ros.

11 Q. So Chris is the one who takes photographs and aerial pictures
12 and all that, right?

13 A. He's our crime scene analyst, yes.

14 Q. Okay.

15 A. Again, because we're still operating under the --

16 Q. Sure.

17 A. -- potential that we're still operating under a potential
18 crime scene. So again --

19 Q. When did the consulting company for the insurance show up on
20 scene?

21 A. It's a week later.

22 Q. Okay. All right.

23 A. From what I can --

24 Q. So I (indiscernible) --

25 A. We actually started having attorneys show up. There was a

1 gentleman there from Anadarko that was a certified fire
2 investigator, stress management. I have his name, but his name
3 was Rich. We had several people start to kind of show up. COGCC
4 started to show up. We had Dr. Gintautas back a couple times.
5 Mike Leonard was there throughout the entire process of the
6 piping. I spent about a day and a half with Doug at this point
7 when we started to really look. And one of the big things that I
8 wanted is I wanted continuity from the well to the house. So one
9 of the big things that we did with the agreements with Anadarko is
10 that once we pulled that line to the surface because of the safety
11 of everybody working around there, we knew the 2-inch lines were
12 disconnected so we went ahead and backfilled with the 1-inch line
13 about 5 foot of it sticking out of the air.

14 Q. So 2-inch lines were not cut?

15 A. Yes, the 2-inch lines were cut.

16 Q. No, I mean, not by you for any sampling?

17 A. No. We took no --

18 Q. They were cut but they are left buried (indiscernible)?

19 A. They were left exactly how they are and they were reburied.

20 Q. Okay.

21 A. Okay?

22 Q. But you took pictures of the ends?

23 A. Oh, absolutely.

24 Q. Okay.

25 A. Yeah, we --

1 Q. But they're not cut, okay.

2 A. When I said we, again, everybody that was represented there
3 from Anadarko took pictures. Mike Leonard took pictures.

4 (Indiscernible) Environmental took pictures. LTE took pictures.

5 Q. And (Indiscernible) Environmental is a consultant of?

6 A. LT was the environmental consultant. They took photographs
7 and samples.

8 Q. Okay.

9 A. And so those lines were -- because of the safety because we
10 had kept having the ditch collapse in, you know, one thing we'll
11 be really careful with is is that fire departments are no
12 different than contractors. We're still compliant with OSHA and
13 so we still have to do our -- we have to be very careful with our
14 ditches. And so we're following protocol for making sure if we're
15 doing any digging we can't get down and operating, so we knew we
16 had to get down into this line to be able to cut it and cap it.
17 So we had to actually have stair stepping done. We cut about a
18 24-inch swath -- or about a 24-foot swath to get down to where we
19 could operate and we dug back away from it. Because the soil was
20 so unstable the decision was made with everybody in agreement that
21 we would go ahead and re-bury the 2-inch and we would leave the 1-
22 inch up for testing.

23 So at that point, there was discussion between Mike Leonard,
24 between Anadarko, because again, we're not the subject matter
25 experts of any of this processing. So again, we were out of our

1 realm so we used Anadarko and Bret Schissler was our main contact
2 for everything we did on-site with Anadarko.

3 Q. Bret -- what is the name?

4 A. Bret.

5 Q. Uh-huh, B-R-E-T-T?

6 A. B-R-E-T.

7 Q. Uh-huh.

8 A. Schissler, S-C-H-I-S-S-L-E-R.

9 Q. S-S-O-U-R, something like that.

10 A. S-C-H-I-S-S-L-E-R.

11 Q. L-E-R, okay.

12 A. And again, we didn't do anything beyond what we wanted with
13 certain --

14 Q. But Bret works for Anadarko?

15 A. He works -- he was the original on-call operator supervisor
16 hat was there --

17 Q. Okay.

18 A. -- from the night of the fire all the way entire -- until the
19 line was actually tested and removed.

20 Q. Okay.

21 A. So this 1-inch line is there so the big thing for me and for
22 Doug was we needed to make sure that we had continuity from the
23 well to where that 1-inch line was at. So the decision was made -
24 - we still had the vac truck there -- that we wanted to put vacuum
25 on the line and we wanted to test the line back at the well.

1 So I'm going to back up a little bit on kind of where we're
2 at with the story and tell you kind of a little bit about what
3 happened at the well. So when Anadarko came back with a well the
4 next day, this is Tuesday after the fire, we wanted to make sure
5 we had a pretty good idea that that well process gas was coming
6 through that 1-inch line down into that other line. So Anadarko -
7 - it was still connected to the well. We had taken photographs
8 the night before. Doug had taken photographs, Anadarko, so we
9 have photographs prior to all of that being disconnected. And so
10 all the 1-inch line is still connected to the main well process.
11 The 2-inch line next to it is capped.

12 But Anadarko wanted to make sure that that 2-inch line was
13 safe, so what they had done there was a pipe nipple on top of the
14 2-inch with a flange. They removed the 2-inch nipple. There's a
15 plug valve there that was frozen in the closed position. They
16 were concerned that they still had pressure on that line so they
17 drilled the valve out, put a block stop valve on top of it with a
18 gauge and then rethreaded all that back together to make sure that
19 there was no pressure on the 2-inch line. So that was part of a
20 safety thing that was done the morning of right after the fire.
21 That was that Tuesday.

22 The other line, Bret Schissler had come out to shut in the
23 well. They had done lockout, tag out on two valves. There was
24 off of the valve assembly there were three lines that came off the
25 head pressure of the well. Two of them were a quarter-inch line;

1 one was a three-eighths line. The three-eighths line went into
2 the 1-inch line that went underground. That was the line that we
3 were concerned about.

4 So it took 2 to 3 days for us to completely decide up until
5 this -- up until about Wednesday what we wanted to do with this
6 line. So the decision was made that once we had cleared these
7 lines and we kind of knew where it was going that we wanted to run
8 both a vacuum test and a pressure test.

9 Q. Okay.

10 A. Now, talking with Bret and with my background in pipefitting,
11 and we did not know the age of this line, and this 1-inch line is
12 a poly line. It's a plastic line. We didn't know the integrity.
13 We didn't know how old it was. We wanted to be very careful what
14 we did. So we didn't want to pressure test it first to be able to
15 find out, you know, if the line integrity was there so what we did
16 is we went to the well. It was disconnected.

17 We actually put a -- taped a baggie on the end of the 1-inch
18 line that was there and went back to where we had exhumed. The
19 line was in the ground sticking up out of there and the vac truck
20 was still there and we had actually had hooked the vac truck up to
21 the 1-inch line and they barely put -- I don't even think they put
22 a half-inch of mercury or even a half inch of pull on it and it
23 sucked the bag right up to the line. So we knew we had continuity
24 from that line sticking up out of the ground to where it was
25 connected to the well.

1 So the decision was made then that we knew that we had
2 continuity there and we wanted to pressure test it to make sure
3 that we didn't have any leaks from the wellhead, the actual head
4 coming to the well shaft in the casing and up to the point where
5 it went to the line. So what we did is we brought a test manifold
6 out. The test manifold was put in line with the well with
7 nitrogen.

8 Q. Mm-hmm.

9 A. And they actually plugged the other line. So when the 1-inch
10 line was brought up immediately we put in a serrated fitting with
11 two clamps with a -- with a block valve and a gauge on there so we
12 knew exactly what we were doing so we could control any pressures.
13 So this whole (indiscernible) was done and this was all done by
14 staff from Anadarko. All we did was observe. Again, because
15 we're not subject matter experts on wells --

16 Q. Sure.

17 A. -- and on piping. So what I wanted to do is make sure that
18 we had vacuum continuity so we had that. Wanted to make sure that
19 we had continuity in the well for pressure testing, so there was a
20 big discussion about pressures and how much and we were very
21 concerned because now this becomes evidence. This entire line is
22 evidence from the well all the way back -- from the wellhead all
23 the way back to the open line.

24 So it was decided that we were going to test it between 3 to
25 5 pounds of pressure. Bret gave that to their staff. Again, we

1 did a job safety analysis in both the -- where the ditch was,
2 where the line was excavated, again, according to Anadarko safety
3 protocols, with everybody having, you know, proper clothing,
4 safety air monitoring, radios, everything. Same thing at the
5 well. We did a JSA at the well and all of this takes -- and you
6 were there. I mean, it took us, what, 6 hours to get to that
7 point?

8 Q. Mm-hmm.

9 A. And so the story that I'm going through is not timeline.
10 It's the story of what we actually did --

11 Q. Sure.

12 A. -- with the line. So we got to the point where we actually
13 put pressure -- the nitrogen on and then we had a leak at one of
14 the unions. And so we had to stop. We had to go back and replace
15 a fitting on the test manifold that he'd brought out. And then we
16 got everything to seal and we held the line at 5 pounds of
17 pressure for about 7, 8 minutes. So we knew that we didn't have
18 any leaks. Now, that was from the 1-inch line that was in the
19 wellhead to the end of the line.

20 Q. Now, when you did the pressure test, how was the end that was
21 cut in the ground protected? How -- what was on that end?

22 A. We took a -- it's a serrated fitting so if you look at it
23 it's kind of a -- if you look at your garden hose and you buy a
24 fitting to repair it it's serrated where you can push it into the
25 pipe and then you put two clamps on it. And then they put a -- we

1 put a valve and it's called a block valve. The oil industry uses
2 that a little bit more than some different valves. It's called a
3 block valve. It holds higher pressures.

4 And so we put a block valve with a gauge on top so we could
5 control the gauge pressures to see what we could put in and not
6 put in on it. And we're very, very -- slowly and did this
7 methodically because we didn't want to destroy any evidence.

8 Q. What about the pipe end? How that was protected? So you
9 have -- you have pipe which is bent up, if you would, and this end
10 was cut.

11 A. Yes.

12 Q. So you pressure tested this line.

13 A. All the way back to the well.

14 Q. So how this end here was covered up right there?

15 A. That's where we --

16 Q. What --

17 A. -- that's where we put the serrated fitting --

18 Q. Inside?

19 A. -- inside, clamped it and then put a block valve. And then
20 on top of that was a gauge with a reducing bushing.

21 Q. Okay. So that end -- the cut end is not compromised --

22 A. No.

23 Q. -- by any metal or anything like that?

24 A. No. It's still there exactly the way we left it.

25 Q. Okay.

1 A. And then this went back to the well and it's the end of the
2 well assembly.

3 G. And let me -- let me get clarified here. Now, you had three
4 lines coming in, right, two 2-inch lines from two different
5 locations --

6 A. Yes.

7 Q. -- and a 1-inch line comes here.

8 A. Yes.

9 Q. Right? This is 1-inch, and this is 2-inch lines.

10 A. Except they're -- except these 2-inch lines are on top and
11 the 1-inch line is on the bottom.

12 Q. Sure. I understand.

13 A. Right.

14 Q. And all three were cut --

15 A. Yes.

16 Q. -- when you saw them?

17 A. Yes.

18 Q. Now, where -- when you looked at them were they all cut at
19 the same location or --

20 A. Yes.

21 Q. -- they were cut off -- randomly cut?

22 A. No, they're all straight cuts --

23 Q. Same location?

24 A. -- same way.

25 Q. Okay. And you bent -- so did you bend the line first or did

1 you bend --

2 A. We didn't bend it. We didn't' bend it. So what we did is
3 that, again, it's poly pipe, and that's one of the big concerns
4 that I had is that we started grabbing onto this and start pulling
5 on it that we were going to actually cause a kink in the line and
6 bend it, which would have been devastating. So we exhumed it back
7 farther to be able to bring the line up to a nice arc so we didn't
8 put any pressure on the line and then we backfilled around the
9 line to where the line was arced up very clearly --

10 Q. Okay.

11 A. -- and just barely sticking up in the air.

12 Q. So now, but still the only (indiscernible). No cuts were
13 made on this line yet?

14 A. No.

15 Q. Even until you did cut that?

16 A. We cut an 18-inch piece out of that.

17 Q. So when was that then? Was it before the pressure test or
18 after the pressure test?

19 A. It was done immediately when we found the lines. When we
20 found the line it was open. Once we -- again, once when we can
21 safely get down into the ditch to do it, we actually brought the
22 line up. We didn't even bring it all the way up. We actually
23 measured it. We marked it with orange paint. We actually got
24 down in and cut it with a hacksaw. The hacksaw blade was removed
25 and put in with all the evidence, the pipe, so we know that we can

1 match the ends up --

2 Q. Okay.

3 A. -- and match the hacksaw for any marks to that particular
4 pipe, according, again, to the crime scene --

5 Q. Sure.

6 A. -- information.

7 Q So the cut that you guys made it's clearly identified on that
8 line?

9 A. Yes.

10 Q. So you made the cut?

11 A. The paint is still there. All the pieces of the plastic and
12 all the burs are still there. We didn't de-bur anything.

13 Q. So once we take that pipe back in the lab it will tell people
14 that, look, this is the end that was cut off before the accident.

15 A. Yeah.

16 Q. This is the end cut that's found.

17 A. Yeah, that was in the dirt.

18 Q. As found in the dirt, right. And when you pressure test
19 followed after the cut is made?

20 A. Yes. Yes.

21 Q. Okay, so not (indiscernible). Okay.

22 A. And so one end of that pipe will have orange paint on it.

23 Q. Okay.

24 A. It'll be covered up with evidence tape.

25 Q. So the end with a red mark and orange tape?

- 1 A. Evidence tape.
- 2 Q. Evidence tape, okay.
- 3 A. Yellow and black evidence tape.
- 4 Q. Okay. And that is the one that you guys cut?
- 5 A. That's the one we cut.
- 6 Q. Okay.
- 7
- 8 A. And it was given to Firestone Police Department for chain of
9 custody.
- 10 Q. So then the red paint and the -- which tape is it?
- 11 A. It's a --
- 12 Q. Evidence tape, evidence tape.
- 13 A. Again, secured evidence tape --
- 14 Q. Yep, yep.
- 15 A. -- that's kept by the police department.
- 16 Q. Yep.
- 17 A. And crime scene evidence we don't keep it.
- 18 Q. Sure.
- 19 A. We don't store it. We --
- 20 Q. But that is the end that was cut after locating the line?
- 21 A. -- don't cut. We don't keep it. We don't apply it. It's
22 all done by that crime scene analyst.
- 23 Q. Yeah. I just want to make a note saying that is the end cut
24 by investigators.
- 25 A. Yes, that's fine.

1 Q. Okay.

2 A. Actually it was cut by Anadarko.

3 Q. Right, but I'm still (indiscernible) pending in this
4 investigation, right?

5 A. Right. We didn't -- we didn't cut it. It was cut by
6 Anadarko --

7 Q. Okay.

8 A. -- by one of their laborers.

9 Q. Okay. All right. Then I'm good, so go ahead and tell me
10 what happened?

11 A. So once we got the pressure test done, we knew we had
12 continuity from the well to the end of the line that was up
13 against the foundation, okay? Those lines were about 4 feet from
14 the foundation of the house that had the explosion, 6312. They
15 were down about 8 to 10 feet. They were open to the environment
16 and they were straight cut.

17 Q. Four feet from building?

18 A. From the edge of the foundation, the south wall, to --

19 Q. Off which building?

20 A. Off 6312.

21 Q. 6312, okay.

22 A. And then they were, again, straight cut. All three of them
23 were straight cut and none of -- they were not plugged. They were
24 not taped. They weren't -- they were open to the environment.

25 Q. Okay.

1 A. So at that point we left for the day. It was, again, getting
2 pretty late. Everybody was ready to go home. Everybody decided
3 it was time to stop for the day and then we left. And this was
4 the middle of about -- it was probably about Wednesday or
5 Thursday, again, when all of this was done.

6 So the next focus was -- is the actual well site itself.

7 Q. Mm-hmm.

8 A. And I, again, we took control of the well the next day --

9 Q. Of the accident?

10 A. -- after the fire. The well was not secured with a lock. It
11 was open. The gate was open. We actually had contacted the young
12 man. We actually did an onsite interview with the operator that
13 came and did the shut in to the well. And this was -- and again,
14 this was -- I believe this was Drew, and I don't know what the
15 name of his company is. Anadarko can let you know who was the
16 leasee (sic).

17 Q. So Drew is the one who checked the well?

18 A. He's the young man that came out that night, so again,
19 Anadarko can control those wells both through telemetry
20 automatically or they can do them manually.

21 Q. Right.

22 A. And so they actually shut down the well by telemetry the
23 night of the fire, and then they also sent out their regular lease
24 operator, who's the gentleman -- the company that goes around and
25 tests them every day, looks at them, makes sure things are

1 working. They actually sent that young man out that was assigned
2 to that well route and he's the one that actually did the physical
3 shut in of the well that night.

4 We brought him back out that next week. Pattie Dixon and I
5 decided that we wanted to interview him not in an environment
6 where he was uncomfortable, but to bring him actually back to the
7 well site and have him describe exactly to us what he had done
8 that night. And so he was brought back. We did another JSA, a
9 safety analysis. We had everybody present from COGCC, the
10 Firestone Police Department, myself, Doug Prunk, Pattie Dixon,
11 Chris Ros, some consultants from Anadarko, some consultants from
12 Black Energy. There was 15 or 20 -- probably 10 or 15 people
13 there.

14 Q. Did you have a sign-up sheet? So you know -- you have a
15 document that shows who was present?

16 A. I believe that Firestone does. I don't. I don't. And so
17 again, not everybody entered the particular area. They were just
18 for observation, so we asked, I believe it was Drew, we asked him
19 what he did? He walked in and he showed us exactly what the two
20 valves that were -- that he closed. The 1-inch so -- the 1-inch
21 line that this three-eighths line runs into, it's got a quarter
22 turn ball valve about a foot above the dirt. He walked over to us
23 and said, yes, this valve was open, this valve was open, and I
24 closed them.

25 And so that gave us our statement of what we needed to -- the

1 position of the valve at the time of the fire and explosion, that
2 1-inch ball was in the open position.

3 Q. Okay. But when he went that day to close these valves, I
4 mean, shut the well, nobody was -- nobody accompanied him at that
5 time? Is that correct?

6 A. I guess I'm confused. I don't --

7 Q. No. When Anadarko said that they would shut the valve, I
8 mean, shut the well, and this young, young gentleman --

9 A. He was by himself.

10 Q. -- did that --

11 A. He was --

12 Q. So he was by himself and nobody --

13 A. -- that was the --

14 Q. -- witnessed what he was doing at that time?

15 A. That was the night of the explosion.

16 Q. I understand.

17 A. He was by himself.

18 Q. I'm not saying why. I mean, that's what --

19 A. No, no, no, no. He was by himself and then he -- I think he
20 reported to -- I shouldn't say I think. I know that he reported
21 to Bret Schissler --

22 Q. Okay.

23 A. -- to let them know the well was shut in.

24 Q. And whom he -- whom did he tell?

25 A. Bret Schissler.

1 Q. Okay, yeah, you gave me that.

2 A. Same Bret.

3 Q. Yeah.

4 A. So after that interview, the well was secured. We put our
5 lock back on it for chain of custody. We took -- we had control
6 of the well from Tuesday morning after the explosion.

7 After we did that, again, we regrouped in the command post
8 and there was a decision was made that we'd already had the -- so
9 we had two pieces of evidence at this point. We had the pipe that
10 we had cut off that afternoon and tested so that was already in
11 custody. That was with the police department. And then we had
12 the inch and a quarter piece of pipe that also had been marked and
13 taken into custody and taken by Firestone and locked up in their
14 evidence lockers. And so that -- those were the only two pieces
15 of evidence that --

16 Q. Which -- can you repeat that? Which two pieces?

17 A. We had the inch and a quarter gas line, the domestic gas line
18 that was identified when we started doing the removal of the
19 victims.

20 Q. By the Black Hill -- Black Hills Energy's pipe. Was that --

21 A. No, it's not Black Hills Energy pipe. It's the domestic line
22 that supplied gas off the domestic meter to the --

23 Q. Okay, so it's the meter to the building, right.

24 A. -- to the -- it was the meter pipe. It was the domestic gas
25 line, inch and a quarter domestic gas line.

1 Q. Okay. And that one -- that you cut on the first or second
2 day.

3 A. We didn't cut it out. We pulled it out of the debris pile.

4 Q. Debris, okay.

5 A. And we just laid it out.

6 Q. On the ground you said you had --

7 A. We taked it out. We took it out. We tagged it. We
8 photographed it. We logged it, and we gave it -- and then
9 Firestone took possession.

10 Q. So that's one of the (indiscernible) of customer piping.

11 A. Yes, customer piping.

12 Q. And now the 1-inch pipe that came from -- from where?

13 A. So then they have the -- then they have the piece of 1-inch
14 pipe and that's the only thing that at this point had any evidence
15 it had been taken from the scene at all.

16 Q. Right.

17 A. So again, we reconvened a meeting. This was probably on
18 Wednesday or Thursday. I can't -- I'm not -- I can't recall
19 exactly what date it was, but then the decision was made that we
20 wanted to take the assembly from the wellhead, which was -- and
21 there's a particular name for it. I know it as a reducing
22 regulator from my pipefitting days. So what it does is the
23 wellhead pressure side is one side. It reduces pressure down and
24 I think the well pressure, the one Anadarko gave us was between
25 400 and 600 pounds. This regulator steps the pressure down from

1 the well side pressure down to between zero and 80 pounds. When
2 we'd actually re-interviewed Drew, he told us that that is always
3 set -- it was always set at 50 pounds.

4 Q. Okay.

5 A And so from there it went into a three-way valve, which that
6 three-way valve is the one that had the three-eighths line going
7 from there into the 1-inch line. And the two quarter-inch lines
8 back to the telemetry for the automatic part of the well.

9 Q. And refresh my memory again, Drew? Who does he work for?

10 A. He was the lease operator from Anadarko.

11 Q. Okay.

12 A. And I believe that this was leased and then I think he was
13 also an employee of Anadarko at one point or still is.

14 Q. Okay.

15 A. And he's the one that did the manual shut in the night of the
16 fire and explosion.

17 Q. Drew did?

18 A. Drew did.

19 Q. Okay.

20 A. And so the decision was made that we needed to go in and
21 remove from -- I'm going to start from the 1-inch line side, we
22 needed -- wanted to take the 1-inch ball valve, and the position
23 was found, the 90 degree elbow. The three-way valve where the
24 three-eighths line came into the side, the other two quarter-inch
25 lines that ran back to the automatic portion of the well, and so

1 we got with Anadarko and Bret and made the decision where would be
2 the best place to do that?

3 So on Friday the decision was made to do that. Again,
4 everybody was brought back to the site. All the representatives
5 for Anadarko, the police department, the fire department, and then
6 that was actually -- they had an operator there. Bret was
7 actually the operator who cut the line. Again, the 1-inch line.
8 We marked it with orange paint. We actually took a pipe cutter.
9 Bret cut it out. We kept the pipe cutter, the pipe wheel. We
10 actually took the entire rigid cutter so we could match up the cut
11 and grooves from the pipe cutter. That was all taken into custody
12 with the piping assembly.

13 So we took from below the 1-inch valve, quarter-inch ball
14 valve all the way up to the 90, all the way back to the two -- to
15 the three-way valve to the pressure reducing regulator, and then
16 that was pulled off at the wellhead. And Anadarko had a fitting
17 where they rethreaded that on, put another block valve on there
18 with a gauge so they could take care of what they needed with
19 there.

20 That was all photographed, marked, tagged. All the valves
21 were actually taped in positions that they were found.

22 Q. So these were found on the day you took the evidence or on
23 the day of the accident?

24 A. No. The day of --

25 Q. Was it --

1 A. -- the accident, after the accident was done we took control
2 of the well with our own lock and chain.

3 Q. Okay.

4 A. So we had chain of custody so we knew nobody was in there.
5 The only one that could have gotten in there was --

6 Q. Except -- except I guess Bret or Drew who went in and shut the
7 well off?

8 A. No, that was Drew the night of the fire.

9 Q. Okay.

10 A. Now, Bret -- there was -- after that Tuesday morning when we
11 put our lock on that, nobody else had access without either myself
12 or Doug being present.

13 Q. Okay. But when you said as the valves were, I'm just trying
14 to find out, as the valves were on the day of the accident,
15 meaning whether each valve is open or you took the evidence in
16 position with the 1-inch valve closed?

17 A. Right. So when we got there the valves were in the closed
18 positions.

19 Q. Okay. So that's how the (indiscernible).

20 A. And Bret actually -- what's required in a well at any time
21 you shut a valve like that and it's under a situation is there is
22 a lockout, tag out requirement. Bret actually completed the
23 lockout, tag out of both valves. And so we had valves that were
24 tagged out at -- that were tagged out with locks and locked in
25 place.

1 Q. So it showed that the valves initially were open and then --
2 A. Right.
3 Q. -- okay. That's what I was trying to get.
4 A. And so then we cut the line out. Bret was there. They
5 rethreaded the 1-inch line, put another block valve on top of it
6 with another gauge and another flange to ensure that we had -- the
7 vent line was closed off.
8 Q. So just for clarification again, and because there are so
9 many names and -- Bret Schissler --
10 A. Schissler.
11 Q. -- Schissler. He -- did he close the well on the day of the
12 accident or --
13 A. No, that was Drew.
14 Q. That was Drew. That's what I thought, okay, yeah. That's
15 why I don't doubt it. I just want to make sure.
16 A. That was Drew.
17 Q. Okay.
18 A. Right.
19 Q. So he shut the valve off in -- so what does Bret -- what did
20 Bret do?
21 A. So Bret is the -- again, is the production supervisor that
22 was on call. So he took the call when we called Anadarko. He
23 stayed with the entire incident from the night of the explosion
24 all the way through until all the lines were exposed and tested.
25 So he was always our contact for Anadarko. So anything that we

1 needed from Anadarko, we went directly to Bret and he was there
2 during the lines being uncovered. He was there during all the
3 testing. He was there during the removal of the piping assembly.
4 He was there when the 1-inch pipe was removed. He was there when
5 any soil testing was done.

6 Q. So he did the pressure test and I mean he was involved in
7 that vacuum you put on and the --

8 A. Yes.

9 Q. -- pressure test you guys did at psi on that. Okay.

10 MR. GRATCOFSKY: I think a little bit of the -- this is
11 Joseph Gratcofsky. I think a little bit of the confusion was
12 you'd mentioned Bret did the lockout, tag out.

13 MR. PUCETTI: Yeah, he did.

14 MR. GRATCOFSKY: When was that?

15 MR. PUCETTI: He did that the -- I'm just thinking. He did
16 that the night of the -- of the well -- of the explosion and the
17 fire. He locked out and tagged out the valve that night.

18 BY MR. CHHATRE:

19 Q. So Drew shut the valve, but Bret did the lockout, tag out?

20 A. Yeah, Drew shut the valves, okay, understanding that both
21 Drew and Bret were there and running back and forth.

22 Q. Okay

23 A. So you've got to understand that the well is -- the well and
24 battery are probably three-quarters of a mile difference so they
25 were both going between the well battery and the well to shut it

1 in. Okay? I don't know what happened at the well battery because
2 I was not there.

3 Q. Sure.

4 A. Doug was not there. We have no idea what happened at the
5 well battery, but we were there and talked to Drew and to Bret and
6 Bret -- the next morning we got there Bret says, okay, I've
7 initiated a lockout, tag out, which is required by their
8 procedures through state and through Anadarko's policies for
9 shutting in a well and especially if it's involved in an accident.
10 And so they did a lockout, tag out. And then Drew's the one that
11 actually shut, physically shut the valves.

12 Q. On the day of the accident?

13 A. The day of the accident and Bret was the one that actually
14 did the lockout, tag out.

15 Q. Okay. Again on the day of the accident?

16 A. On the day of the accident.

17 Q. Yeah. Okay. Now I understand because I got -- I was
18 (indiscernible) getting confused a little there. Okay.

19 A. Sorry.

20 Q. Okay. So so far -- now, well, how big is that well assembly
21 that you -- the components you took?

22 A. Probably the entire thing is about -- probably about 24
23 inches long and about 18 inches, so it's on a 90 degree elbow, so
24 we took a part of the -- we took the three-eighths line, we took
25 parts of the two quarter-inch stainless lines. We took the

1 reducing regulator, the three-way valve, the 90 degree elbow, the
2 1-inch quarter turn ball valve and about 4 to 6 inches of pipe
3 below that.

4 Q. So that's your third piece of evidence?

5 A. Yes.

6 Q. Okay.

7 A. And this is -- by the time we got all this done it was
8 Friday. Well, actually it was Thursday when we did part of that.
9 So that -- we knew at that part we had what we wanted and then
10 from the rest of this I'm going to have to actually defer to Doug
11 because as we -- we knew now that we had another line going from
12 the house back to the well battery, that 1-inch line. And so they
13 got with Bret with everybody else that was present. And I was not
14 involved in that process whatsoever. Doug's the one that's going
15 to have to tell you what they did from cutting up the parking lot,
16 going behind the garages all the way down to the line running to
17 the west to Oak Meadows Boulevard and then the rest of that
18 testing.

19 At that point, because of what was going on politically, what
20 was going on with the family, what was going on with the media is
21 I had to come back in and brief the chief, because we were getting
22 a lot of pressure from Anadarko about doing press releases. This
23 is about the time that they decided to go ahead and put the
24 information out about shutting in the 3,000 wells, which we were
25 very adamant not to do because we were worried it was going to

1 compromise our investigation. This is when I started working with
2 Matt Lepore from COGCC and we were getting a lot of pressure both
3 from the state and from Anadarko to do this press release. And I
4 believe that press release was somewhere in Wednesday or --
5 between Wednesday and Friday. We're getting a lot of pressure
6 from both Anadarko from the attorneys and from COGCC that they
7 wanted to take some preventative action on releasing public
8 information on kind of what they -- nothing about the
9 investigation. That was very adamant. I began working with John
10 Walsh (ph.) and Matt Lepore. They were very adamant about that
11 they weren't going to put anything out about the investigation,
12 but again, what they were going to do for a press releases and
13 information out to the public, which we were adamantly against
14 because we didn't want to compromise the investigation at this
15 point.

16 We're getting a lot of pressure from politically and folks in
17 the neighborhood. Again, this still was perceived -- not
18 perceived by us, perceived by the public that this was a hot water
19 heater explosion and all these homes that were in the area had
20 been built within the last 2 to 3 years. So there was a lot of
21 public sentiment about -- there was no information released on
22 origin and cause because I wasn't there yet. And so I wanted to
23 make sure that we get that -- and none of that information went
24 out. We wanted to make sure that Anadarko, the State of Colorado,
25 everybody had a fairly good idea what was going on, but we were

1 under a gag order for information because the origin and cause
2 investigation was not done. So we were very concerned about any
3 public release of information.

4 Q. Okay. Now, you said you were against shutting down the 3,000
5 wells?

6 A. I was not against shutting them down, no, absolutely not.
7 What I was against is any public information going out about any
8 part of the investigation, any prevent -- again, when you start
9 telling people you're going to shut down 3,000 wells, and it's --
10 I'm not saying it's a right or wrong thing to do, but again,
11 there's a lot of media coverage on this and there's a lot of fear
12 factor within the public.

13 Q. Okay.

14 A. We've just got to be very careful.

15 Q. Okay.

16 A. So the timing was not good.

17 Q. Okay. Let's take a few minutes' break.

18 A. Okay.

19 (Off the record.)

20 (On the record.)

21 MR. CHHATRE: Back on the record. Dave's interview part
22 three. I'm sorry. Go ahead.

23 BY MR. CHHATRE:

24 Q. And you said John Walsh, you mentioned John Walsh's name?

25 A. He's the attorney for Anadarko.

1 Q. Yeah. That's why -- I just wanted to make sure because I met
2 -- I think I talked to him and met him.

3 A. Okay.

4 Q. Okay. Okay. So we ended up on Friday that weekend. What
5 happened next?

6 A. Well, Thursday, and I like I said, Thursday and Friday of
7 that week I was actually pulled into the office. We started, you
8 know, communicating with I think it was Thursday night Matt Lepore
9 had called me on the way home and he was asking me a lot of
10 questions about what our process was, kind of where we were of how
11 close we were to origin and cause.

12 Q. And who was calling you that?

13 A. Matt Lepore. He's the director for COGCC.

14 Q. Okay, uh-huh.

15 A. And then he was getting -- he was getting pressure from the
16 governor's office from Anadarko to allow this press release to go
17 out. Again, I reported to my boss, you know, where we were at
18 because we weren't at origin and cause. And then I was working
19 with him on information. We had numerous phone calls with both
20 John Walsh, with Matt Lepore and then -- and I'm not entirely sure
21 what date the press release went out with Anadarko. I couldn't
22 look -- couldn't tell you specifically what date it was. I know
23 it was that week of the 27th, 28th.

24 Again, there was a lot of afternoon meetings that I was
25 involved with with the Town of Firestone, with the chief, which

1 really pulled me away from the site. I was still getting
2 afternoon briefings from Doug, briefed about 4 o'clock in the
3 afternoon that he had uncovered a tee in the 1-inch line that was
4 running from where the 1-inch line was up against the foundation
5 to the west out to the battery. And what their plans were at that
6 point with Bret and Anadarko was to, again, get in and check for
7 continuity of that line from the battery back to where that tee
8 was at.

9 And again, I'm not going to speculate on what was done and
10 when it was.

11 Q. Sure.

12 A. Really you need to talk to Doug about that.

13 Q. Yeah. Okay.

14 A. So we're back on Monday the 1st. Again, a lot of
15 preparation, a lot of planning, a lot of meetings, a lot of phone
16 conversations. Again, the press release had been put out by
17 Anadarko. There was a lot of work with the Town of Firestone,
18 their legal department because the district had made the decision
19 that we were going to start working towards origin and cause.

20 So on the 1st the chief asked me -- there was one component
21 that I wanted to test so I was 100 percent sure that we had the
22 line open from the well through the 1-inch line from the wellhead
23 to the line up against the foundation. We knew we had continuity
24 from the standpoint that we had we know that we had whatever was
25 coming up out of the well we had the product at the end of that 1-

1 inch line because of soil sampling. And because of bore testing
2 we knew that we'd had product in the ground. We still had -- we
3 had continually tested and sampled the perimeter drain at 6312.
4 We knew that we still had fugitive gas at that point in the
5 perimeter drain. And part of my hypothesis was I wasn't happy
6 until I could get to the sump pump because I wanted to test the
7 sump pump.

8 So the sump pump really, and by definition the perimeter
9 drains and the French drains are where the sump pumps end up
10 around the foundations that allow groundwater to flow into the
11 sump pump where there's a float in the sump pump that comes on and
12 pumps the water out to the gutter in front of the home.

13 So the only part that I wasn't 100 percent sure yet is that
14 we did have product in the sump pump. We knew that we had product
15 in the perimeter drain, French drain, and so the decision was made
16 to bring the excavator back out on the 2nd. So we made those
17 arrangements to come back out -- oh, excuse me. It was -- no, it
18 was on the 1st, I'm sorry. It was on the 1st we made the -- to
19 get the excavator back out there. CBI came back out. We had all
20 the representatives at this point. We had put everybody -- John
21 Walsh had put everybody on notice so we had -- I can't even
22 remember all the people that were there. I've got a -- I've got
23 documentation who was there --

24 q. Okay.

25 A. -- but I can't remember --

1 Q. Sure, that's fine.

2 A. -- the names that were there. Jerry Means came out. Doug
3 was actually out there with me. We had looked at a building
4 drawing from -- that was provided to us from Safebuilt of where we
5 thought the sump pump was going to be. We started to excavate.
6 We stayed away from the hot water heater, the furnace areas. We
7 originally thought the sump pump was in the northwest corner of
8 the foundation and so we started to take the excavator. Again,
9 we're still missing the two animals, so we were very careful where
10 we were going to go with that.

11 During that process we just moved a debris pile from one area
12 to another part of the foundation. It was never taken out of the
13 foundation. We got it down and physically hand dug -- I got down
14 physically and hand dug the debris once we could get to an area
15 where it was removable by hand. We did not find the French drain,
16 but we found the pump line that comes off the top of the center of
17 the French drain that was running from east to west. So we knew
18 then where the French drain was. We knew that the drain was over
19 in the northeast corner of the foundation.

20 At that point, we did to addition -- initial sampling, so the
21 whole time that we're layering this off, LTE is there. Jeremy is
22 there from LTE and every layer that we're doing we're doing gas
23 tests and we're doing air sampling to make sure that we don't have
24 -- again, this a safety concern for us because we don't know where
25 we're going to end up hitting methane pockets. At this point

1 COGCC was very concerned. Dr. Gintautas was concerned that we had
2 methane pockets around that foundation. And when I say methane
3 pockets, we had gas. I should -- and I probably shouldn't say
4 methane, but we had gas pockets that were there that we were
5 concerned about that could still be there. And once we uncovered
6 them we were going to give them their -- with the oxygen they
7 needed that we could have a possible situation.

8 So we air monitored. Every layer we took off we would stop
9 and we would monitor the air to make sure we didn't have any
10 flammable gas.

11 Q. And LTE was doing the monitoring?

12 A. LTE was doing an entire -- we called Jeremy back out. The
13 same technician did all of our air monitoring. While we were
14 there once we cleared out and found the actual pump line, we had
15 Jeremy take samples of the riser stack that came into the window
16 well and we still had 100 percent LEL in the French drain.

17 Q. After so many days?

18 A. After so many days.

19 q. Okay.

20 A. So at that point we knew -- we knew where the line was
21 running so we knew where we had to go. So we started to move the
22 debris and pile it again with the track hoe and Jerry Means doing
23 the spotting, we moved the debris away from the northeast corner
24 over to the northwest corner. We never took any of the debris out
25 of the foundation because we knew it would want to be look at

1 later.

2 We got to the point where we could hand dig it. We actually
3 found -- again, once we -- so part of the stairway had collapsed
4 and created a void space. And when I talk about a void space I'm
5 just talking about a space that's maybe one or 2 inches. And so
6 we were able to pick up part of the subfloor. When we did that we
7 had Jeremy sensing under there because we wanted to make sure. We
8 knew that the French drains, the perimeter drains had gas in them.
9 We wanted to make sure that we weren't going to hit a pocket of
10 gas when we lifted that subfloor off there. We're all -- and this
11 was -- I was a little nervous just because of what we'd had happen
12 in the past. So we started doing sampling and didn't have any --
13 we didn't find any measurable measures of gas underneath that
14 subfloor.

15 So we lifted the subfloor up out of the way. We cleared the
16 debris. I was down on my hands and knees for about an hour, hour
17 and a half and we started sifting through debris and knew the sump
18 pump was there. So we did find the one-way valve that's off the
19 sump pump. We found the 90 degree elbow. We found part of --
20 some of the clamps. We found the 2 by 6 piece of wood that was
21 nailed to the north wall that the electrical was connected to.
22 And at this point we found the electrical cord. It was undamaged
23 from the sump pump and the debris.

24 And so I knew at this point we were where we needed to be so
25 it was -- at this point I have a little tool that I use. It looks

1 like a three-pronged hand gardening tool. And so with gloves and
2 on hands and knees, I spent the next hour and a half carefully
3 removing the debris away from the sump pump. While we were doing
4 that there were pieces of evidence that we find -- that we found
5 piping, that one-way valve. We would stop. We'd photograph it.
6 We'd look at it, examine it. Again, that was both myself, Jerry
7 Means, the CBI investigator from CBI, Doug, and so we all -- and
8 so pictures were taken by Chris Ros. These were all set aside.

9 We did not -- we didn't attempt to take them apart. We
10 didn't attempt to clean them. We didn't attempt to do anything
11 more than just what we could hand remove and then set them off to
12 the side for further analysis. Once we got -- and every part --
13 every time we would uncover a little bit of area of the sump pump
14 we would stop and sample the air just to make sure we didn't have
15 any gas coming out. The sump pump the lid was at about a 30
16 degree angle. The top of the sump pump was melted off. Just the
17 top lid was -- just had a little melted hole in it. The pipe
18 coming out of the sump pump, which would have been off of the
19 drain was burned away and melted. There was only about an 8 or
20 10-inch piece sticking up through the sump lid.

21 So it was the decision was made that, again, I was -- still
22 what I was after was to find out what was going on in the actual
23 perimeter drain. So with common practices anytime we move
24 anything we mark it, so we got indelible ink or we got a white
25 pen. We -- because again, I wanted to make sure before we remove

1 that lid that we had it identified to be able to put it back
2 together. So common practice is is you marked it before you move
3 it. We photographed it before we marked it. We photographed it
4 when we marked it, and very, very gingerly I lifted the lid about
5 an inch off of the pit. Jeremy took air samples. There -- Dr.
6 Gintautas was there. They took samples to make sure we didn't
7 have any gas at that level, again being very concerned, you know,
8 about our safety and what we had there.

9 We actually physically removed the lid. I set it off to the
10 side and we photographed it. Dr. Gintautas was very -- Anadarko
11 and COGCC, it was about probably half filled with water, which is
12 with all the rain that we'd had and firefighting water and --

13 Q. In the sump pump?

14 A. In the sump pump. There was water in the sump pump. It did
15 not cover the 4-inch lines that were coming into the sump pump.
16 So we had one line, so when you're standing -- if you're standing
17 looking directly down on the sump pump, I'm facing north, we have
18 one line that comes from the west to the east that comes in the
19 sump pump. We have another line that goes from south to north.
20 So Dr. Gintautas requested that he get in there first and take a
21 water sample, because we wanted the water sample tested to find
22 out of what contamination we had in the water.

23 We've had the results of those samples. I've not had the
24 opportunity to review them. It's not my expertise.

25 Q. Again, it's the evidence.

1 A. Any physical evidence except for what I had for that piece of
2 pipe, the 1-inch domestic gas and that inch and a quarter domestic
3 gas line. That piping assembly from the well. We were getting a
4 lot of pressure from the private investigators to get in there and
5 start looking at the appliances that they were concerned about. I
6 was adamant that we weren't going to turn the scene over until I
7 was able to get in there to look at those appliances to actually -
8 - so all of these were still covered with debris. We had not
9 removed -- everything was -- so we stayed away from that part of
10 the basement specifically because we knew there'd be a lot of
11 people that were interested in those appliances.

12 At that point we had a conversation with John Walsh. I had a
13 conversation with Chris Warren, who is the chief investigator for
14 Case Forensics.

15 q. Hold on, Chris --

16 A Chris Warren, W-A-R-R-E-N.

17 Q. Mm-hmm. Ad he was?

18 A. He was the investigator that was hired -- so Anadarko hired
19 Case Forensics.

20 q. Oh, okay.

21 a. And excuse me, let me back up. Travelers Insurance hired
22 Case Forensics.

23 Q. Hold on.

24 A. I'm sorry?

25 Q. Travelers Insurance.

1 A. And so Travelers is the insuree. They're the one -- the
2 insurance company that has the property at 6312.

3 Q. Okay. So Chris Warren is the investigator that was hired by
4 Travelers Insurance.

5 A. Yes.

6 Q. And which company he works for?

7 A. He worked for Case Forensics.

8 Q. Case Forensics, okay. Okay. So Case Forensics is hired by
9 Travelers and Chris being an employee --

10 A. Right. And then Chris Warren reports -- oh, I've got another
11 name for you -- Bruce, B-R-U-C-E, Bernstein, B-E-R-N-S-T-E-I-N.

12 Q. Okay.

13 A. And he is the Travelers large loss.

14 Q. Travelers what?

15 A. He's the large loss claim, fire --

16 Q. Oh, large loss claim, so okay.

17 A. He's a fire investigator also.

18 q. Okay.

19 A. And he's the one that actually is in charge of what happens
20 with Travelers and he's the one that hired Case Forensics.

21 Q. So Bruce Bernstein is the Travelers large loss claims
22 investigator?

23 A. Okay.

24 Q. Okay. Okay. So I'm sorry we -- so what (indiscernible)?

25 A. So at this point I had a meeting with Chris with John Walsh

1 by phone. And we're getting a lot of pressure from private
2 investigators to be able to get in there without us. We would not
3 let that happen because, again, we had not -- we had completed our
4 origin and cause up to where one of our hypotheses were. Part of
5 our hypothesis still included we needed to look at the appliances
6 to make sure that we had the position of the valves on the heaters,
7 the gas line integrities that were running to the different
8 appliances to make sure we identified every single appliance in
9 the home structure and so a lot of labor work was decided. Again,
10 we had to rehire the track hoe and the track hoe operator and
11 thorough the entire incident the same track hoe, track hoe
12 operator was involved so we never had anybody different. And we
13 did that for a reason of continuity again so we're not having to
14 deal with subpoenas for different track hoe operators. And so the
15 same spotter and operators were there throughout the entire
16 incident for the track hoe.

17 So on the third we put together -- I put together a briefing
18 letter and Travelers had asked for a objective process on what we
19 were going to physically do. And so I think that's when Kelley
20 and I sat down and we started looking at what that objective
21 letter was. So any time you're going to actually -- any
22 investigator besides a public investigator, most insurance
23 companies want a policy or they want a procedure or an objective
24 letter, exactly what you're going to do. So I had to write the
25 objective letter, which I've got copies for you. And what it is

1 is a step-by-step process on how we're going to process the fire
2 scene. So I shared it with all the public and -- with all the
3 private investigators at this point.

4 Q. So you are required by cities to --

5 A. No. This was a request by the insurance company. Again, one
6 thing that we wanted to make sure we did on this is that through
7 the entire investigation we have cooperation through Anadarko. We
8 had cooperation thorough Black Hills. We had cooperation through
9 COGCC. Everybody was cooperative. Not one time have we had a
10 cross word with anybody. And so we wanted to make sure that we
11 maintained that relationship with the private investigators.

12 I've worked with Chris Warren in the past. We've attended a
13 lot of trainings together. We've done a lot of just work and
14 analysis on different projects. I wanted to make sure that we
15 kept that continuity together, so Travelers was really pushing
16 Chris because they were -- everybody was very concerned about us
17 going into that basement now that we had origin and cause and that
18 we were going to start to destroy evidence, we come into
19 subrogation issues.

20 Something that we're very -- we are very aware of we
21 discussed with our investigators and we discussed it with our
22 legal team, about subrogation. And so we wrote this process or
23 objective letter on how we were actually going to process the
24 scene. I had to put together a site survey, a site safety plan.
25 Again, it's required by -- once -- while we're doing origin and

1 cause as a public investigator we fall within our own policies and
2 procedures that we follow, but as soon as we start inviting people
3 from other organizations that are going to be working near that
4 scene we have to put together a site safety plan. So I had to put
5 together a site safety plan for the 4th and the 5th. I had to get
6 Jerry Means from CBI involved again because he was going to come
7 help us as an investigator.

8 So all this came together on the 3rd. The letter went out
9 late in the afternoon on the 3rd to -- I sent it over to Bruce
10 Bernstein. I sent it over to John Walsh and give everybody that,
11 if you will, the term is to put everybody on notice that whoever
12 wanted to be at that particular event could come but they had to
13 have the property safety attire. They had to go through our
14 safety briefing --

15 Q. Briefing.

16 A. -- in the morning, which we set an assembly area. We had two
17 safety officers. Nobody was allowed to work on the site without
18 hardhats, safety glasses, vests, safety shoes, proper respiratory
19 protection. So it's, again, it's a large process to get everybody
20 to come in and do it safely. So we assembled everybody on the
21 morning of the 4th. So we started again, so again, with this
22 entire scene when we had as much debris as we had, we didn't want
23 to continue to move it from one corner to the other. And so with
24 everybody's permission that was there all the representatives of
25 all the legal staff and the insurance company, we knew that we'd

1 have process piping in the debris pile laying east of the site.
2 So we went ahead and instead of working right in the foundation,
3 we went ahead and started working in the debris pile to the east
4 where we identified more of the inch and a quarter gas line that
5 went from the meter to the basement.

6 And so we removed that debris. We removed that piping. It
7 was photographed. It was tagged. It was set off to the side to
8 be collected as evidence in a secure area. At the same time, we
9 were starting to look at some other possibilities of other
10 appliances in the vicinity of the explosion. We knew that we had
11 a gas fireplace. We knew where it was when -- the first day we
12 started the excavation.

13 When the house basically exploded, the south wall had fallen
14 on top of the barbeque and severed he half-inch gas line. We knew
15 where the barbeque was so we went and we took all the debris off
16 the barbeque. We collected it. We verified that it in fact was a
17 natural gas appliance, a barbeque. It was tagged, photographed,
18 measured. Everything possible was picked up was set over in an
19 area for evidence to be secured behind a locked fence. And so
20 that was set off to the side to be able to be taken care of.

21 Once that was done then we started to get down into the
22 actual portion of the -- let me back up. We had found a half-inch
23 -- a piece of half-inch gas pipe running from the back yard on the
24 south side down into the foundation. So we kind of left that
25 alone until we could get in to the foundation.

1 So we got into the foundation. We started uncovering all the
2 debris. We located the 50-gallon hot water heater. We located
3 the furnace. We located the 40-gallon hot water heater. We
4 located the fireplace insert that was on the -- I believe it was
5 on the first floor. And then we found another, what we believe
6 was another gas fireplace insert.

7 Q. And all this is being done with all the insurance company
8 people and everybody being present?

9 A. Yes. So again, we set a time stop at 4 o'clock that day so
10 everybody could get back and report to who they needed to talk to.
11 So at 4 o'clock that day we stopped. We didn't remove any more
12 evidence from the -- and so let me back up a little bit, too. The
13 gas pipe was identified but was not removed -- I'm sorry. The
14 barbeque was located but left in the debris pile. That was
15 actually already removed on Friday the 4th.

16 And so we left everything as was. We didn't remove any
17 evidence whatsoever. We talked with Chris Warren from Case
18 Forensics because we knew we needed a truck. So we had to order a
19 truck for U-Haul to bring into the site the next day. And at this
20 time we had a lot of environmental people showing up that were
21 ordered by other attorneys and everything else. And we turned all
22 these people away because we still had control of the scene and
23 would not allow anybody else in there until we'd actually done
24 what we needed to do to remove from the scene. So at that point
25 then that's when we had stopped on, I believe it was -- what was

1 the May -- that was May 4th that we stopped.

2 Q. Mm-hmm. Okay.

3 A. Is this a good time to stop?

4 Q. Yes, I think we can -- we should stop.

5 A. So again --

6 Q. Off the record.

7 (Off the record.)

8 (On the record.)

9 MR. CHHATRE: On the record. Dave's interview, part four.

10 BY MR. CHHATRE:

11 Q. Good morning, sir, how are you?

12 A. Good morning, how are you?

13 Q. All right. So let's -- first we'll continue where we left.
14 You were telling me on May 2nd when you had Chris Warren,
15 investigator, that you were talking to him?

16 A. Yes.

17 Q. Just continue after that. I think you mentioned another
18 name, Bruce Bernstein?

19 A. Yes. He was a Travelers investigator that was asked -- that
20 was assigned the case by Travelers.

21 Q. Okay. And that is by the homeowners?

22 A. The home at 6312 was insured by Travelers.

23 Q. Mm-hmm.

24 A. So when the claim was filed the claim was assigned to Mr.
25 Bernstein.

1 Q. Okay. Walk me through, because the owners are injured,
2 right, I mean, are deceased. So what -- how does that fly? How
3 did Travelers know what happened here and --

4 A. Again --

5 Q. I mean, I don't understand who filed a claim. That's what
6 I'm trying to understand.

7 A. I don't know who contacted for the claim.

8 Q. Okay.

9 A. I don't know who filed for the claim.

10 Q. Okay. Okay. So Travelers came and you -- tell me what's
11 going to happen next after you are done there?

12 A. I guess I don't -- done?

13 Q. No, after you are done with you work with the house now,
14 what's -- are you going to release it to the owners or Travelers
15 or -- well, I'm not going to debate -- I'm not taking possession
16 now, right? I mean, I'm done?

17 A. Well, once we're done it'll be returned to the homeowner, but
18 again, she's incapacitated to make legal decisions.

19 Q. Exactly, uh-huh.

20 A. So it would be released to a legal person who's been
21 identified as a temporary power of attorney, which is her mother.

22 Q. Okay. So they release it to mother and then -- so how did --
23 so what was Travelers' involvement in this accident so far? What
24 they have done that you know?

25 A. They've hired their investigators to come represent their

1 interest in the fire.

2 Q. Okay. And those are?

3 A. The only one that I'm aware of is Case Forensics.

4 Q. Okay.

5 A. And that was Chris Warren.

6 Q. Okay. But they have not -- they have not collected any
7 evidence on their own? Evidence still is controlled by the fire
8 department?

9 A. By the Firestone Police Department, yes.

10 Q. Okay. So all the evidence -- really all the evidence are
11 shipped to some other outside consulting company? Is that the --

12 A. The actual physical evidence that was -- that we removed in
13 Firestone (indiscernible) on the afternoon of the 3rd, like we
14 discussed yesterday is the major components that wanted to be
15 removed were uncovered. Chris Warren brought out a 3D camera --

16 Q. Okay.

17 A. -- and it was 3D photographed, measured, documented.

18 Q. Okay.

19 A. And so that on the 3rd that ended the day. We returned the
20 morning of the 4th. Again, we did our morning safety briefing
21 with everyone there. Did quick introductions and then we went to
22 work of removing the evidence that we had identified that we
23 wanted removed.

24 Q. And that will be the wellhead and the --

25 A. No. No.

1 Q. Okay.

2 A. No, the piping was removed prior to this. This was just what
3 was in the basement.

4 Q. Okay.

5 A. The first thing that was removed was the 40-gallon hot water
6 heater.

7 Q. Okay.

8 A. It was examined in place, photographed in place, documented
9 in place.

10 Q. Okay.

11 A. Again, we do a thing in investigations where everything is
12 dug out by hand, so it was -- it took quite a bit of time to do
13 that, to actually uncover each item. So again, the 40-gallon hot
14 water heater was not connected. It had been disconnected and it
15 was laying in the debris pile south of the screw jack. So that
16 was the first item that was removed.

17 The next item that was removed and identified was a -- we
18 started to find some of the process piping or not the process
19 piping, excuse me, the domestic line piping.

20 Q. In-house piping.

21 A. The in-house piping.

22 Q. Okay.

23 A. So as we started to uncover and get towards the basement we
24 started finding the half-inch line. We found the inch and a
25 quarter line. And so we started marking those in place and

1 leaving them in place. And the next piece that was removed was
2 the fireplace insert. So again, it was documented where it was
3 at, measured, photographed.

4 Q. Could you describe that fire pipe insert or how does that
5 component look like?

6 A. It's just a typical fireplace insert, a gas fireplace insert.

7 Q. You mean the gas just comes into the pipe (indiscernible)
8 itself or?

9 A. Yes. There's a half-inch connection --

10 Q. Okay.

11 A. -- on the site.

12 Q. Okay.

13 A. And it's, you know, typically on the first or second floor,
14 so it was located, documented. It was removed and put over on the
15 east side with the rest of the evidence.

16 Q. Do you remember if it is open or closed or -- the -- I guess
17 the on/off?

18 A. We did not -- did not find the gas cock on that --

19 Q. Okay.

20 A. -- particular fireplace.

21 Q. Insert, okay.

22 A. I didn't -- we didn't find it.

23 Q. Okay.

24 A. So it was removed. Again, at this point we started -- there
25 was domestic line piping, the service line piping was coming down

1 the wall. We found it in the wall in a tee and so we started to
2 remove the wall around the piping. All the piping was intact
3 except where the half-inch gas line had sheared off the tee from
4 the fireplace insert.

5 Q. Okay.

6 A. Again, this pipe was all marked with orange paint. The
7 location was marked, documented, photographed, measured. At that
8 point we decided that because the beam was running -- again, where
9 the beam had come down on the house we had to remove the beam.
10 And so we actually got the track hoe operator and a chain and we
11 had rigged that and removed the beam because we had to get to some
12 more of the piping that was under a lot of the debris. When we
13 removed the beam we started to do a little hand digging and we did
14 locate one of the animals so we had to stop. Called animal
15 control. The animal was removed and given to the animal control
16 officer.

17 We continued down to work and the next part that was removed
18 was the furnace. We did find the electrical connection of the
19 furnace. We did find the gas line to the furnace and the gas cock
20 was on the on position. It was in line with what the pipe was in
21 and it was on.

22 Q. Okay.

23 A. That was removed, again, by the -- with the -- using the
24 track hoe by strapping. It was photographed, measured,
25 documented, sent over with the rest of the evidence. And while we

1 were working around the furnace we -- there were hand tools that
2 were found, pipe wrenches, three pipe wrenches, screwdriver sets,
3 pipe dope that were actually taken out and documented,
4 photographed, measured where they were and set along with the
5 evidence.

6 The next part that we looked at was the 55-gallon -- or the
7 50-gallon hot water heater. It again was examined in place and we
8 did find the piping that ran to the heater. It was right in line.
9 It was not connected. It had been snapped off during the
10 explosion. The gas cock and the supply piping from the main was
11 still all intact and the gas cock was in the off position.

12 Q. Okay. Okay. And all these appliances are stored someplace
13 or where are they?

14 A. Excuse me. Let me turn this down. Again, all of the -- the
15 evidence was set on the grass to be tagged, measured, again,
16 documented all in one place. All the evidence was gathered until
17 we were completely done working inside of the basement. At that -
18 - again, when all of this evidence was set off to the side, we
19 decided that we wanted to retrace all the gas line that was in the
20 house so all the gas line was replaced where we could. And we
21 found every connection, every piece of piping that we needed and
22 we reconstructed it. We put it back in the place where it was.
23 We went ahead and marked it with orange paint, photographed and
24 measured it and so we found the half-inch gas line that was going
25 to the gas barbeque on the patio. We found the quick connection

1 and the gas cock on there and it was in the on position. The gas
2 cock was in the on position.

3 We traced all the lines back, put everything back there,
4 photographed. We did take orange paint and we marked where the
5 furnace was, where the hot water heater was, both the 50 and the
6 40-gallon. And again, then it -- we were -- we went down in there
7 with the 3D camera and the measuring tool and everything was
8 remeasured and redocumented to where that was with all the orange
9 paint.

10 And that was accomplished in the afternoon.

11 Q. And you have those photographed, right? When you laid the
12 pipe down do you have a photograph of that?

13 A. I do not. Case Forensics still has all the -- we've not
14 requested any of the measurements or the photographs from Case
15 Forensics. Case still has all those photographs.

16 Q. Okay. Can you request those on our behalf?

17 A. I can. We're going to have to --

18 Q. Certainly I can do that, but I'm assuming that since you're
19 handling that --

20 A. No, I need to do it, but I need to do -- I need to make sure
21 to check with Kelley. We've got to do it under an arson immunity
22 letter. They will not release it without an arson immunity
23 letter.

24 Q. Okay. Are you in touch with Eric (ph.)?

25 MS. DUKE: Okay.

1 MR. CHHATRE: Okay.

2 UNKNOWN MALE SPEAKER: I've got the letter.

3 MS. DUKE: Yeah.

4 MR. CHHATRE: Okay. That is something we really need to --

5 MS. DUKE: I am not in touch with them, but I can get in
6 touch with them pretty quickly.

7 MR. CHHATRE: Yeah, because we need -- we really need that
8 like yesterday. I want to make sure that that --

9 MS. DUKE: And can you remind me --

10 MR. CHHATRE: -- (indiscernible) immunity thing.

11 MS. DUKE: Remind me again who does Case work -- they work
12 for Travelers, correct?

13 MR. PUCETTI: Case -- they work for Travelers.

14 MS. DUKE: Yeah.

15 MR. PUCETTI: And I already talked to Chris about getting
16 them.

17 MS. DUKE: Okay.

18 MR. PUCETTI: And he told me once they get the arson
19 immunity letter --

20 MS. DUKE: Great. We can probably get that out today.

21 MR. CHHATRE: Yeah. I mean, if there are any issues let me
22 know and they can talk to Ed (ph.) --

23 MS. DUKE: Sure.

24 MR. CHHATRE: -- and we would be happy to issue a subpoena.

25 MS. DUKE: Okay.

1 MR. CHHATRE: I mean, I don't like to get a response saying
2 we need to seek somebody else's permission.

3 MS. DUKE: Yeah.

4 MR. CHHATRE: Do you -- where you don't really
5 (indiscernible) to them?

6 MS. DUKE: No. We'll find -- I'll find out today whether
7 they're willing to hand it over today based on this letter --

8 MR. CHHATRE: Okay.

9 MS. DUKE: -- and if not we'll have get a subpoena.

10 MR. CHHATRE: Great. Thanks.

11 MS. DUKE: Okay.

12 BY MR. CHHATRE:

13 Q. Okay.

14 A. So again all the evidence was set off to the side. At this
15 point, again, Chris Ros, who was the Firestone crime scene
16 analyst, he measured and marked every -- all the valves that were
17 sheet -- were heat -- were wrapped with cellophane, or they were
18 wrapped in the position that they were found. All the fittings
19 were wrapped. Everything was measured. Everything was
20 photographed. Case Forensics did rent a U-Haul truck so all the
21 evidence was placed in the U-Haul truck and it was, again, chain
22 of custody. Everything was documented with the Firestone Police
23 Department. Every piece of evidence was there. It was
24 documented. Chain of custody was signed and then everything was
25 taken to the secured warehouse at Case Forensics in Inglewood.

1 Q. Okay. Okay. What happened next?

2 A. At that point I left for the day.

3 Q. Okay.

4 A. And that was on Friday. On Saturday I received a phone call
5 late in the afternoon -- or excuse me, let me back up. I was --
6 the chief had called me to let me know that afternoon that there
7 was a -- I had received a phone call from the U.S. Chemical Safety
8 Board.

9 Q. Okay.

10 A. And so I had went ahead and contacted Mr. -- was it Wingard
11 (ph.)? And we set a meeting up for -- he'd actually come out in
12 the afternoon to meet me about 1 o'clock and I had many brief
13 waits.

14 Q. On Saturday?

15 A. No, on Friday afternoon.

16 Q. Okay, on Friday afternoon.

17 A. And we set an appointment for I believe it was 9:00 or 10
18 o'clock on Monday --

19 Q. Okay.

20 A. -- to meet with his team.

21 Q. Right.

22 A. At that time we were informed that the NTSB was also possibly
23 going to get involved and he basically made the decision that it
24 would be one of the two entities.

25 Q. Right.

1 A. -- that it would either be the NTSB or the U.S. Chemical
2 Safety Board that would be involved, but not both.

3 Q. Right.

4 A. And then Saturday I received a phone call from Jerry Means
5 with CBI, and he forwarded me your contact information.

6 Q. Okay.

7 A. Ad I believe it was about 10:30 in the morning that you and I
8 had the phone conversation that you --

9 Q. Was it in the morning or in the evening? I don't remember.

10 A. It was in the morning.

11 Q. Okay.

12 A. It was in the morning. And then that you and I and we'd set
13 a time. We --

14 Q. We had a long discussion on Saturday.

15 A. We did. We had a very long discussion on Saturday. So I
16 think you were trying to determine when you were going to fly out
17 if we were going to meet either in the morning on Monday or in the
18 afternoon.

19 Q. Right.

20 A. And then when I came in on Monday I had received the
21 information from -- that we would be meeting at 9 o'clock.

22 Q. Yeah. And the initial plan was for me to travel Monday.

23 A. Right.

24 Q. But then with all the things happening at a fast pace and,
25 you know, behind schedules, it was then decided that I will travel

1 Sunday. So that's why I was here first thing Monday morning.

2 A. So --

3 Q. Okay.

4 A. -- and then from that point forward --

5 Q. Yes.

6 A. -- again, we met on Monday. You clearly explained what we
7 were doing. We did a site tour. Came back and met with my chief,
8 and I guess the rest is history.

9 Q. Yes. Okay. So which of the -- do your findings -- what is -
10 - have you issued or prepared a report, any notes that you can
11 share with us? Or if not, then when can you finish it before we
12 can share it?

13 A. Um --

14 Q. And I'm fine either way.

15 A. At this point, we -- I have a datasheet that I've kept. And
16 again, it's we have not started any final reports. I've not even
17 had the time to even categorize my emails, the sample information,
18 any of that just because of the -- of the time that this
19 particular investigation has taken. So we have -- I still have to
20 sit down and categorize all the samples and datas that we've
21 received. The next step would be to have those analyzed and you
22 said you had a person that would be able to help with that?

23 Q. Yes.

24 A. We still have one interview to complete and that's with the
25 female party that was injured --

1 Q. Okay.

2 A. -- Erin Martinez. And to actually --

3 Q. She's the co-owner of the --

4 A. She's the -- she was the homeowner. She's the -- yeah --

5 Q. Okay. Yeah.

6 A. -- as Mark's wife. For an exact timeframe of when the report
7 will be done, I don't have an exact date.

8 Q. I understand. I understand.

9 A. There's still a lot of information to collect.

10 Q. Absolutely. With that interview, when she's ready to talk,
11 comfortable enough to talk let me know, because I would -- we'd
12 like to be present.

13 A. Right. It did --

14 Q. I mean --

15 A. -- my understanding is you wanted to talk to her first?

16 Q. No, I mean, well, you are a party to the investigation.
17 We'll all talk together if we --

18 A. Okay.

19 Q. -- if we can.

20 A. Okay.

21 MR. CHHATRE: She's kind of an exception because she may be
22 in the hospital and maybe recuperating, so trying to get an
23 entourage of five, six people --

24 MS. DUKE: Yeah, that's right.

25 MR. CHHATRE: -- in kind of, you know, the -- so what we'll

1 do in this case interview the NTSB and the fire department with --
2 we'll go.

3 MR. PUCCETTI: And the police department.

4 MR. CHHATRE: Yes. I mean, to me I (indiscernible) the city.

5 MR. PUCCETTI: Yes, right.

6 MR. CHHATRE: But want to keep the number of people minimal
7 in regard with (indiscernible) with all the parties. We can even
8 take their questions with us or anybody else's with us, so give us
9 your questions when that happens and we can ask on their behalf.
10 But now, if for some reason the -- you guys feel that you need to
11 talk to her like in an emergency situation because we do not know
12 how to help, then let me know.

13 MR. PUCCETTI: Sure. And I --

14 MR. CHHATRE: I'm not going to stop you in that case.

15 MR. PUCCETTI: No.

16 MR. CHHATRE: (Indiscernible) to her, but then we can get our
17 questions to your or something like that.

18 MS. DUKE: Yeah.

19 MR. PUCCETTI: And so we've left it up to the family contact
20 to let us know.

21 MR. CHHATRE: Sure.

22 MR. PUCCETTI: And then once -- I'm going to have them give
23 us a couple dates and then and times and then we'll go to
24 University and speak with her.

25 MR. CHHATRE: Okay. But again, we just want to make sure

1 that she's healthy enough to talk to us.

2 MR. PUC CETTI: Right. And my understanding is there's days
3 where she's -- where she'll be able to speak to us and there's
4 days because of medication that she would not -- we would not want
5 to --

6 MR. CHHATRE: Exactly.

7 MR. PUC CETTI: -- we would not want to interview her when
8 she's under the influence of narcotics or pain medication.

9 MR. CHHATRE: Yeah. Yes. Yes. Okay. Anything more you
10 want to add before I let you go to someone else?

11 MR. PUC CETTI: No.

12 MR. CHHATRE: Did I -- did I forget to ask anything or --

13 MR. PUC CETTI: No.

14 MR. CHHATRE: -- anything that you can -- that will help us
15 but I didn't ask you?

16 MR. PUC CETTI: No, I think we've been pretty thorough.

17 MR. CHHATRE: Okay. Great, okay. Thanks. Joseph, any
18 questions?

19 MR. GRATCOFSKY: I don't think I have anything further.

20 MR. CHHATRE: Okay.

21 MR. AJIBOYA: I don't have anything for him.

22 MR. CHHATRE: How about Anadarko?

23 BY MR. McBRIDE:

24 Q. Yeah, I think I have just a few things. This is David
25 McBride with Anadarko. First, I have to appreciate everything you

1 guys have done, you know, in response to this and all the work
2 that's taken place since the incident and everything. Did you --
3 you didn't do any work as far as prior to the incident to have
4 anything, any knowledge about the events leading up to the
5 explosion as far as what was going on in the basement with the hot
6 water heaters and things like that? Or is that --

7 A. And specific, to be specific, I guess?

8 Q. Well, just kind of what was going on with the hot water
9 switch outs and things like that? You know, there was a lot of
10 discussion about what was happening with the hot water heaters or
11 --

12 A. Yes.

13 Q. -- whether there was enough function and things like that?

14 A. Again, we had talked to Beau Retada (ph.), can't say his name
15 this morning. Retado (ph.). He's actually Erin's brother. And
16 the weekend of Easter, and we actually have -- we've -- talking to
17 the family. We've talked to the Martinez's. We've got statements
18 from the Oapkis (ph.). They started having problems with the 40-
19 gallon hot water heater Easter weekend. There was a problem where
20 the water was boiling in the hot water heater to the point where
21 it got so hot it was melting the insulation on the wall.

22 The T&P valve, temperature and pressure relief valve was
23 constantly flowing water out of the heater, so they actually
24 thought that there was a problem with the heater so they took the
25 heater out of service and removed it then went and purchased a --

1 the weekend before the explosion they went and purchased the 50-
2 gallon hot water heater, installed it. Again, Mark installed it
3 with the help of his brother-in-law, who's a master plumber. It
4 operated fine for a couple days, started having the same symptoms
5 as the 40-gallon, boiling the water, run away information. And
6 they basically took it out of service and they were going to start
7 looking at some of the other reasons, possibilities again. And
8 they did. They weren't clear on what those other possibilities
9 were.

10 We don't -- we do know that Mark had talked to his supervisor
11 that afternoon and Joey had gotten off work early to go over to
12 help Mark troubleshoot what was going on. We have no idea what
13 was going on with that, and then the explosion occurred.

14 q. Okay. Okay, because there was some rumor or something that
15 he was working at a bar or something and got an urgent call to
16 leave and visit and it was just okay, just got off of work early
17 and came over there.

18 A. I didn't -- I -- the only thing I got from his supervisor was
19 is that joey was leaving early to go --

20 Q. Yeah.

21 A. -- over and assist Mark.

22 Q. Okay. And I appreciate that, thanks.

23 A. Sure.

24 Q. So trying to (indiscernible). And just a question, I'm not
25 familiar with modern appliances and how they operate on their own,

1 but you mentioned the gas cock at the meter was still on, so there
2 was the potential or capability of gas to be delivered through the
3 meter into the home. Is that correct?

4 A. That's correct.

5 Q. Okay. And then the gas cock to the water heater was off so
6 there was no potential for gas to flow into the water heater
7 itself?

8 A. Correct.

9 Q. Okay. But the water was it disconnected at that time do you
10 think or was it --

11 A. No.

12 Q. It was still --

13 A. It was connected.

14 Q. -- connected but it was off.

15 A. It was off.

16 Q. The furnace connection was open?

17 A. Yes.

18 Q. And the fireplace connection you couldn't find.

19 A. Couldn't find it.

20 Q. Okay. And then the barbeque was open but --

21 a. Off.

22 Q. Oh, it was turned off?

23 A. The gas cock was on, the barbeque was off.

24 Q. The gas barbeque was off, okay. So for things that operate -
25 - did the (indiscernible) operate on a pilot or is it?

1 A. I would -- it would be conjecture for me to even say.

2 q. Okay.

3 a. I don't know.

4 Q. Okay.

5 A. For the barbeque no idea. I don't -- newer appliances I'm
6 not familiar with what Century Homes had installed in there as far
7 as the furnace --

8 Q. Yeah.

9 a. -- or the hot water heaters.

10 Q. Yeah.

11 A. Some of them were electronic ignition, some of them were on
12 pilot.

13 Q. Yeah, okay.

14 A. And then again, that's not my expertise.

15 Q. Yeah, that's just one of those questions because I know the
16 gas meter had no gas readings flowing through it for a day and a
17 half, so --

18 A. And that's zero readings. There was no gas period.

19 q. No gas, yeah. Okay. Do you have any idea or theories on why
20 the water heater would run so hot?

21 A. The theories are -- again, and it's not a theory, when we
22 were looking, as well as you know, is when part of the products
23 that were coming out of that well are two different types of
24 gases, one was methane. One was a propane product. Methane's
25 lighter than air specific gravity. Propane -- methane's going up

1 and out. Propane is a heavier gas that hangs near the floor and
2 so from the -- from what -- potentially what we had flowing in,
3 some along the ground, would have been propane on the ground and
4 methane in the air. And the propane would have traveled across
5 the floor and just migrating up through the sump and just filling
6 that basement with propane and other heavy gases.

7 Q. So your thinking is the methane would have flashed off and
8 would have escaped through where?

9 A. Again, theory would be part of the hypothesis is that we had
10 a heavier gas that ignited. Methane I -- again, methane being
11 lighter would have went to the ceiling.

12 Q. Okay.

13 A. As I mentioned back in the information, too, the 50-gallon
14 water heater, the bottom of the hot water heater had a kidney-
15 shaped pattern. So it would indicate a fugitive gas through the
16 fresh air intake.

17 Q. Okay.

18 A. It's not a pattern that's made by natural gas.

19 Q. And there were, like, two hot water heaters involved?

20 A. Yes.

21 Q. Okay. You mentioned on the air sampling around the sump, was
22 it -- did you guys use the four-gas monitor to do that
23 (indiscernible)?

24 A. No.

25 Q. What was that?

1 A. Again, the instrument you would have to check with LT
2 Environmental.

3 Q. Okay.

4 A. I believe it was a PID, which is a photoionizing detector --

5 Q. Okay.

6 A. -- and a -- again, I can't speak to the model or the type of
7 sensing device that they used but they'll have that information.

8 Q. But it doesn't speciate the gas?

9 A. Pardo me?

10 Q. It doesn't speciate the gas or --

11 A. I'm sorry. What do you mean speciate? Do you mean
12 specifics?

13 Q. The type of gas, gas content, methane, propane, ethane --

14 A. No.

15 Q. -- propane?

16 A. Not to my knowledge.

17 Q. You all did take a sample as well, right?

18 A. Yes, and COGCC and Dr. Gintautas were there to take a sample.

19 Q. Okay.

20 a. And it wasn't -- it was a lab sampling operations that I'm
21 not familiar with. It's a canister-type sample.

22 MR. GRATCOFSKY: Yes, it's a bag.

23 MR. PUCETTI: It's a bag.

24 MR. McBRIDE: Yeah, and I know split samples were taken. We
25 can ask Dr. Gintautas about that.

1 BY MR. McBRIDE:

2 Q. I just wrote a lot of notes. I'm trying to go back through
3 and make sure I got everything covered. Oh, there was a patio
4 cover, right?

5 MR. CHHATRE: Speak up.

6 Q. There was a patio cover in the back. Do you know when that
7 was moved? Was that during the excavation of the pipe or?

8 A. The patio -- now, I mean, there was a slab patio?

9 Q. Kind of a slab, yes, sir.

10 A. Cement slab? Yes. We ended up moving it to (indiscernible)
11 when we started using the Hydro Knife.

12 Q. Okay.

13 A. So we actually removed it with the track hoe.

14 Q. Okay. Yeah, I was just trying to make sure it was post all
15 the event and --

16 A. It was.

17 Q. Okay.

18 A. It was. We actually requested the -- we had to actually move
19 it to dig up against the foundation.

20 Q. Okay. And you also mentioned early on about there was a --
21 I'm trying to find the words used, but there was a yellowish-
22 bluish flame in the (indiscernible) in the center of the debris
23 pile in the house after the collapse --

24 A. The night of the fire, yes.

25 Q. -- the night of the fire?

1 A. Yes.

2 Q. That kept coming back?

3 A. Yes.

4 Q. Okay. And when did it finally extinguish?

5 A. When the well was shut in, about 10 minutes after the well
6 was shut in.

7 Q. Okay. So the well was shut in and then, again, it was only
8 like by 10 minutes that it just went out right after that?

9 A. But we were able to -- it didn't go out by itself. We ended
10 up extinguishing it and it did not come back to the same situation
11 that we had before. But yes, it was -- again, I -- what was there
12 was gone and we were able to extinguish the fire.

13 Q. Okay. Yeah, we had heard about that. I was just trying to
14 find out who had actually seen that, so it was you that it -- had
15 seen that.

16 A. I saw it.

17 Q. Okay.

18 A. Doug Prunk saw it.

19 Q. Okay.

20 A. Mike Reasoner saw it. Jerry Means saw it.

21 MR. McBRIDE: Okay. I think that's all I've got. Thank you
22 very much.

23 MR. LEONARD: If I can?

24 MR. CHHATRE: No, no, of course you can.

25 BY MR. LEONARD:

1 Q. Mike Leonard from the Oil and Gas Commission. Just to be
2 clear --

3 MR. CHHATRE: Spell it for the transcriber?

4 MR. LEONARD: Colorado -- I'm Mike Leonard for the Colorado
5 Oil and Gas Conservation Commission. Just so I'm clear, there was
6 the 40-gallon water heater was having a problem. They removed it.
7 They brought in the 55?

8 BY MR. LEONARD:

9 A. No, 50-gallon. I'm sorry, 50-gallon.

10 Q. The -- so there was two -- well, you said 40 in here. That's
11 okay. So the 50-gallon was having a problem --

12 A. As well as the 40-gallon. The 40 -- Easter weekend they were
13 having trouble with the original --

14 Q. With the --

15 A. -- 40-gallon heater.

16 Q. And that's the very first one that was put on the house?

17 A. That was the very first one that was put in the by the
18 builders.

19 Q. Okay. And they were having problems Easter weekend. Then
20 they replaced it with a 55 or they were in the process of --

21 A. A 50-gallon.

22 Q. A 50-gallon, okay. And they were in the process of replacing
23 that or they had replaced it?

24 A. No, it was put in service the weekend of the 15th.

25 Q. Okay. Sorry that I wasn't here for the early part.

1 A. No.

2 Q. The 15th, the 50-gallon one --

3 A. It was either put in -- it was put in the week of the -- I'll
4 put the week of the -- around -- between the 13th, 14th and 15th.

5 Q. Between the 13th and the 15th.

6 A. I know specifically know that was one of the questions that
7 we did have --

8 Q. Okay.

9 A. -- for Erin.

10 Q. So it was installed and it was working?

11 A. It worked okay for about a day, day and a half.

12 Q. Okay. And then it started boiling again just like the other
13 one?

14 A. Yes.

15 Q. Okay. And that's what they were doing -- assuming that they
16 were trying to troubleshoot that problem?

17 A. They were. They had shut the gas off to the hot water heater
18 and from our understanding from interviews is Mark and Joey were
19 going to get together and they had also called Mark's dad and then
20 they were trying to decide what they were going to do to alleviate
21 the problem.

22 q. Okay. And they shut it off. When -- do we know when they
23 shut it off?

24 A. I have no idea.

25 Q. Okay. No problem. Okay. It's my understand that there was

1 a sample of the consumer gas at the Black Hills gas taken?

2 a. That's correct.

3 q. Where are those? Do we know where those samples are?

4 A. I do not until I get in and look at everything that I have,
5 but I believe that you'd want to ask Black Hills where the samples
6 are.

7 q. Okay. And did -- I was told that LT Environmental took those
8 samples. Is that correct?

9 A. To my knowledge yes. LT Environmental did all the sampling
10 and besides Dr. -- except for Peter for --

11 q. For what Peter Gintautas took.

12 A. Gintautas did from COGCC. And we did that specifically so we
13 had consistency.

14 Q. Okay. I think that's all I have.

15 BY MR. CHHATRE:

16 Q. Ravi Chhatre, NTSB. Dave, a few -- just a few follow-up
17 questions here. You said the 40-gallon water heater, how many
18 years was it in service? Or maybe back up and tell me when the
19 house was built or when they occupied the house? Do we know?

20 A. I do not have the closing records. I don't know when the
21 home was closed on.

22 Q. Okay.

23 A. I know that the home was built in 2015.

24 Q. Okay.

25 a. We have -- I have construction records that show that the

1 foundations or footings were inspected on March 25th of 2015.

2 Q. Okay.

3 A. And but I do not have any closing records. I don't have any
4 of the other records of when the home was actually CO'd --

5 Q. Okay.

6 A. -- and when it was occupied.

7 Q. Okay. And does -- I guess those markings you described like
8 you said kind of two -- the shape was an unusual -- on the 40-
9 gallon previous heater that (indiscernible)?

10 A. No, it was on the 50-gallon, on the bottom of the 50-gallon.

11 Q. And how would you describe the markings?

12 A. The shape of a kidney bean.

13 q. Okay, a kidney bean, okay. And that was at the bottom
14 outside or --

15 A. Yes. It was on the bottom pan --

16 Q. Okay.

17 A. -- of the hot water heater.

18 Q. Okay. And with your years and years of expertise as a
19 firefighter and the fire department, (indiscernible) that the
20 natural gas would not make that kind of markings?

21 A. Correct. The burner's above that pan.

22 Q. Okay. So natural gas really out -- leave no markings on that
23 bottom of the water heater?

24 A. Correct.

25 Q. Okay. Did you use any markings on the 40-gallon?

1 A. No. Again, there was -- the damage to that heater was much
2 more extensive than to the 50-gallon, again, from the explosion
3 and from the debris falling and the fire.

4 Q. Okay. No, that's fine. I just want to make sure that I
5 wouldn't get confused --

6 A. Sure.

7 Q. -- on this one here. So the second water heater and the 40-
8 gallon was disconnected and kind of sitting in the basement at
9 some location? It's not functioning? It's not hooked up to
10 anything?

11 A. Correct.

12 Q. What we would like to do is establish a timeline and that's
13 where we need help from both police and fire. Do you -- who gets
14 the 911 call? How does that system work?

15 A. Again, all of that is recorded through the Weld County
16 Regional Communication Center.

17 q. Now, which county?

18 a. It's Weld County --

19 Q. Okay, Weld County, okay.

20 A. -- Regional --

21 Q. Okay.

22 A. -- Communication Center --

23 Q. Okay.

24 A. -- in Greeley, Colorado.

25 Q. Okay. Is the name -- spell the name of the city?

1 A. G-R-E-E-L-E-Y.

2 Q. Okay. And have you secured those records yet or not?

3 A. I have not. It's one of the -- it's in -- that's one of the
4 other items that we need --

5 Q. Is it your plan to do that?

6 A. Yes, it is.

7 q. And if not then I will request them, but if you are going to
8 get them then maybe you can send us a copy, too? We'll need --

9 A. Again, you're going to have to -- the NTSB will have to
10 request a copy. They'll give us one copy but we have to do an
11 open record -- we have to do a records request for the fire
12 district. The NTSB will have to -- because I cannot copy that
13 disk --

14 Q. Sure.

15 A. -- against --

16 Q. Give me the -- give me the contact information and I will be
17 happy to do it.

18 A. Okay.

19 Q. The 911 call, is it just one location and then they -- I
20 mean, walk me through how do they relay it to you?

21 A. So again, the regional communication center is operated,
22 staffed. It's a co-operative for both the sheriff, police and all
23 fire agencies in Weld County. It's a single point of resource.

24 Q. For the entire county?

25 A. For the entire county. And so when this -- when someone

1 calls 911 there's a call taker that takes the call, relays the
2 information to dispatch to a dispatcher. A dispatcher then
3 dispatches the appropriate agency and then there's a -- we're
4 assigned a -- we have a separate -- so we're assigned on a Weld
5 County dispatch fire frequency and then we have our separate
6 operating frequency that we operate on, which is fire ground 8.
7 And so that -- and then all of our operational information is done
8 on that one particular fire ground, separate from the Firestone
9 Police Department.

10 Q. Okay. So if I have a fire or emergency I call 911. It goes
11 to this one center?

12 A. Correct.

13 Q. And then they forward that call on your designated lines, I
14 guess --

15 A. Yes.

16 Q. -- for fire and police?

17 A. They actually dispatch in a common dispatch, fire dispatch
18 channel.

19 Q. Okay.

20 A. And then whatever the agency is they're assigned a fire
21 ground channel for fire ground operations.

22 q. Okay.

23 A. And that's where they remain for the entire incident. On an
24 incident of this size, they would then bring in an additional
25 supervisor and another dispatcher to make sure that they have at

1 least two to three people that are monitoring the call.

2 Q. Okay. So after the call comes in it goes simultaneously to
3 the police and fire and all the different agencies like ambulance
4 or a --

5 A. Yeah. We actually are also the ambulance provider. We're
6 both fire service and ambulance provider.

7 Q. Okay. And do you have a, I guess, not 911 number but a
8 common number that somebody can call that --

9 A. Yes. We have a --

10 Q. -- to contact the police department or the fire department?

11 A. We do. We have a regular business number.

12 Q. Okay. And do you get calls on those numbers, too?

13 A. For?

14 Q. Emergencies, like, my cat's on the tree or, you know, I was
15 (indiscernible).

16 A. We do occasionally get folks that will call in on the
17 business line.

18 Q. Okay.

19 A. But they're immediately directed to call 911.

20 Q. Okay. That what I was trying to find out.

21 A. Yes. It gets them into the system very quickly --

22 Q. Okay.

23 A. -- with 911.

24 Q. Okay. So in this case when did you guys get this
25 notification about the explosion?

1 A. Again, without having the dispatch records, I -- that's not
2 something I'm comfortable even answering.

3 Q. Okay.

4 A. I've not had an opportunity to even look at the dispatch
5 tapes. Again, I was down --

6 Q. I understand.

7 A. -- I was down in Golden --

8 Q. Sure.

9 A. -- when it came in, so I was --

10 Q. Sure, okay.

11 A. -- you know?

12 Q. And we'll get that once we get a disk, once we get --

13 A. Once we get the dispatch tapes everything is broke out by
14 times, response, first unit arrivals and all that.

15 Q. Okay. Just want to make sure I -- I think I want to
16 highlight some of this information requests that we are asking you
17 and (indiscernible) the Case Forensics, whatever, photographs they
18 have taken, we want to get a copy of those.

19 A. Yes.

20 Q. And I'm thinking out loud here, but the pipe goes from police
21 department and that has been given to which?

22 A. Everything has been turned over to Case Forensics.

23 Q. Case, okay, good. Okay.

24 A. The chain of custody has been maintained.

25 Q. Okay.

1 A. And so anything that Firestone would -- Firestone only had
2 two pieces of material --

3 Q. Okay.

4 A. -- and that was turned over with the rest of the evidence to
5 Case Forensics.

6 Q. Okay, okay. And that's all I have on my timeline.

7 MS. DUKE: I have a quick question. This is Kelley Duke.
8 Are -- just -- are we worried about them beginning testing Case
9 Forensics? I mean, are they moving forward in the process? Is
10 there anything we need to do to stop that from happening?

11 MR. CHHATRE: Well, everything is in the chain of custody so
12 nothing will happen unless --

13 MR. PUC CETTI: They can't test anything --

14 MS. DUKE: Okay.

15 MR. PUC CETTI: -- until we're present and the Firestone
16 Police Department is present.

17 MS. DUKE: Okay. I'm just confirming that.

18 MR. PUC CETTI: Yeah. No, it --

19 MS. DUKE: Because I haven't seen anything in writing about
20 that.

21 MR. PUC CETTI: No. It can't be. And none of that can be
22 done without us being present.

23 MS. DUKE: Okay.

24 MR. CHHATRE: So we'll just -- I mean, so are we sending out
25 other email just for the record, since we are on a recorded line

1 here, so let us know the plans on the testing really in advance
2 because in case our lab people want to be there. I just want to
3 make sure that we'll witness those. Of course the pipe we are
4 going to give it back.

5 MR. PUC CETTI: Well, that's the clarity that I need from the
6 NTSB --

7 MR. CHHATRE: Okay.

8 MR. PUC CETTI: -- is are you -- what do you want to test?
9 What are we not going to test?

10 MR. CHHATRE: Okay.

11 MR. PUC CETTI: Because once the incident is released by NTSB
12 then all parties that have interest in the hot water heater, the
13 gas piping would be put on notice to be present for that testing.

14 MR. CHHATRE: Sure. I can do that in writing, but right now
15 the urgent matter for me is to get that.

16 MR. PUC CETTI: Right.

17 MR. CHHATRE: Maybe you want to inform them not to touch that
18 1-inch pipe?

19 MR. PUC CETTI: They're already informed.

20 MR. CHHATRE: And that we were to get that back and any
21 equipment or any components you removed from the well, they should
22 not be doing anything to those either.

23 MR. PUC CETTI: Right.

24 MR. CHHATRE: I would prefer it -- do you have any safe chain
25 of custody here at your location?

1 MR. PUC CETTI: We do not.

2 MR. CHHATRE: Okay. What I'd like to do is I'll double-check
3 with that, but for the time being, just tell them not to do
4 anything with the well, the component they picked up from the
5 well.

6 MR. PUC CETTI: I'll tell them not to test anything that they
7 have them in their possession.

8 MR. CHHATRE: Yeah, yeah. But we'll decide that we want them
9 back or not or we can just let Case do it and we would miss it.
10 But those are the two items that I want to make sure that they
11 remain safe. I'm sorry, I've got to take this. Off the record.

12 (Off the record.)

13 (On the record.)

14 MR. CHHATRE: David (indiscernible) continuing.

15 BY MR. McBRIDE:

16 Q. Yeah, this is David McBride.

17 MR. CHHATRE: On the -- I'm sorry. On the record. Go ahead.

18 Q. Okay. This is David McBride. I had just a -- I had just a
19 couple of follow-up questions that I'd like to get your
20 professional judgment and opinion on. You know, one of the things
21 that we're aware of or we at least understand about this area, is
22 there's been cases where there's been some stray gas. It's called
23 stray gas, CBM gas, you know, in the area. We've had the flaming
24 capped taps and things from, you know, shallow gas, biogenic gas
25 in the area. Is there any potential that that could have been

1 either a contributing source or a source of gas that could have
2 gotten into the basement and caused -- been a contributing factor
3 in the cause of the explosion, in your professional judgment?

4 MR. CHHATRE: This is Ravi, NTSB. And Dave, what is being
5 asked of you is opinion. If you feel comfortable you can answer
6 that. If you don't feel comfortable, since these are not facts,
7 it's up to you.

8 A. Again, I don't have the expertise or the knowledge.

9 Q. Okay.

10 A. And specifically what you're asking, I know exactly what
11 you're asking. I would think that the best person to get ahold of
12 that would be a geological person that could identify exactly
13 where you're going and the information that you want to see if
14 that potential exists. I won't answer the question.

15 Q. Okay. Thank you very much, appreciate that. That's all.

16 MR. CHHATRE: Anybody has any follow-up questions?

17 UNKNOWN SPEAKER: No, I don't.

18 MR. CHHATRE: Okay. Thank you very much for helping us,
19 Dave. This probably is the record interview as in (indiscernible)
20 with NTSB. We never go -- we never go 2 days for any interview,
21 but thanks again for your help.

22 MR. PUCETTI: Sure.

23 MR. CHHATRE: Off the record.

24 (Whereupon, the interview was concluded.)

25

CERTIFICATE

This is to certify that the attached proceeding before the

NATIONAL TRANSPORTATION SAFETY BOARD

IN THE MATTER OF: HOUSE EXPLOSION IN FIRESTONE,
COLORADO, APRIL 17, 2017
Interview of David Puccetti

ACCIDENT NUMBER: DCA17FP005

PLACE: Longmont, Colorado

DATE: May 10, 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.



Teresa Holevas
Transcriber