

**National Transportation Safety Board
Internal Inspection Factual .
Bellingham, Washington
Accident DCA99-MP008**

Appendix 11

Testimony of Jim Cargo 10/05/00

NATIONAL TRANSPORTATION SAFETY BOARD

In the Matter of:
●
*
NATIONAL TRANSPORTATION *
SAFETY BOARD INVESTIGATION *
of the PIPELINE ACCIDENT *
OCCURRING IN BELLINGHAM, *
WASHINGTON, -ON JUNE 10, 1999 *

Thursday,
October 5, 2000

INTERVIEW OF:

JIM CARGO .

The above-entitled matter came on for
hearing, pursuant to notice at 8:00 a.m.

BEFORE: ALLEN BESHORE,
NTSB

ALSO PRESENT FOR NTSB:

CLIFF ZIMMERMAN
ERIC SAGER
JAMES CASH

ALSO PRESENT:

PATTI IMHOF
ALAN ZARKY
RICHARD HANSEN
DIONE MAZZOLINI
ANTHONY BARBER
LINDA PILKEY-JARVIS
MICHAEL MARTIN
JON R. ZULAUF
GEOFFREY M. SMYTH
ROBERT MAHLER

I N D E X

WITNESS :

Jim Cargo

E X H I B I T S

NUMBER	IDENTIFIED	RECEIVED
Cargo 1	81	
Cargo 2	81	
Cargo 3	81	

P R O C E E D I N G S

(11:30 a.m.)

MR. BESHORE: On the record.

Mr. Cargo, my name is Allen Beshore, and I am the lead investigator with NTSB, National Transportation Safety Board, into our investigation in the pipeline rupture and fire that occurred in Bellingham, Washington on June 10, 1999. So, I want to thank you for coming in today and answering our questions today.

And I am going to start off and ask you a few questions and then when I run out of questions, or when I need to stop and **go** through my notes, then I am going to ask these folks to **go** around the table and they will be asking you some follow up questions.

So I want them to go around and identify themselves and tell you who they are affiliated with.

MR. SCHALL: I am Jerry Schall, B.P. Pipeline.

MR. PARRISH: Johnny Parrish with Daniel, formerly --

MS. IMHOF: I am Patti Imhof, IMCO General Construction.

MR. KATCHMARZ: I am Peter Katchmarz with Office of Pipeline Safety, U.S. D.O.T.

1 MR. SMYTH: Geoffrey Smyth, City of
2 Bellingham.

3 MS. PILKEY-JARVIS: I am Linda Pilkey-Jarvis,
4 Department of Ecology.

5 MR. BARBER: Tony Barber, U.S. EPA.

6 MR. SAGER: Eric Sager, NTSB.

7 MR. BESHORE: Jim, you have a representative
8 here with you today.

9 MR. MARTIN: Michael Martin, appearing here
10 with Mr. Cargo

11 EXAMINATION JIM CARGO

12 BY MR. BESHORE:

13 Q If you could just state your full name?

14 A Jim Wayne Cargo.

15 Q And if you could briefly describe your
16 educational background for us?

17 A High school, barely.

18 Q And if you could tell us a little bit about
19 your history and your roles with Olympic Pipeline?

20 A Olympic Pipeline, about **27** years ago, I
21 guess, hired on. In fact it was December **4**, 1973. And
22 I was a laborer or utility man, I think they might have
23 called the title back then. That is what I started out
24 as.

25 Q Okay. **And** can you go through the rest, what

1 happened after that?

2 **A** Well, then I started going to welding schools
3 and stuff and become a utility welder, which is a step
4 up from a laborer, I guess. And then I started doing a
5 little bit of inspection and stuff. And I was a
6 utility welder, I don't know how long, probably 10
7 years or so. I think it was six years ago, it will be
8 six years, let's say March or something like that, they
9 made me construction supervisor.

10 **Q** Have you ever been an equipment operator in
11 that tenure of history?

12 **A** Oh, nothing more than a formal, we have got a
13 tracker there and I am not saying I haven't jumped on a
14 little 450 dozer, but people making fun of me, if you
15 are going to ridicule, I will get off of it, you know,
16 everybody likes to play with the backhoe once in
17 =awhile, but digging around pipe, no.

18 **Q** Let's, so that would have been, let's see six
19 years ago coming up would have been '95. And before
20 that you were, what was your role right before that,
21 say in '93, '94?

22 **A** I believe I was a utility welder.

23 **Q** Utility welder at that point. Had you ever
24 been down to the water treatment plant before the
25 accident on June 10th of '99?

1 A Oh, yes.

2 Q Do you recall what took you down to that
3 location?

4 A One of the first times I went down, I noticed
5 that the kids were throwing rocks and was knocking the
6 wrap off the pipe. And I think it was Butch Mooney and
7 I went out there and we had Midmountain make us up a
8 roller, so we would just be out there, so we put pipe
9 wrap, you know, put the 1170 primer and rewrapped the
10 pipe. Or maybe we just put mask, I don't know, but we
11 did repair the coating, maybe it was just mask we put
12 on there.

13 Q Is that in there where the pipe was exposed
14 across the creek?

15 A Yes, that is our exposed pipe.

16 Q Okay. When would that have been?

17 A Oh, just guessing now, I would say '84.

18 Q And since then --

19 A I went up there one time and we used to have
20 barb wire around the birdcage up there and the barb
21 wire, kids had cut it once in awhile. And put barb
22 wire and after the explosion and stuff, we went up and
23 we have a regular cattle guard that keeps kids off of
24 the barb wire,

25 Q Birdcage, the terminology.

1 A . Oh, you just put four or five strains of barb
2 wiring, you know, you get, I think we had welded it on
3 steel fence posts, you know, when you go in directions,
4 you know, four directions and just wrap wire around and
5 stuff to keep it from --

6 Q Okay. So, that was still at this crossing
7 on the creek?

8 A Yes. From climbing out there, and maybe
9 falling off.

10 Q Okay. Do you recall any other work down in
11 that --

12 A Oh, yeah, yeah. We put on a -- sleeve and
13 put on a mod and a -- a short piece of pipe.

14 Q Do you recall, well, let's just get a little
15 more detail. Do you recall when the sleeve was put on?

16 A No, but I would have records of it, you know,
17 .I would hate to guess.

18 Q Do you recall the circumstances of why, why
19 the sleeve was put on?

20 A Yeah, contractors, both times had hit us.

21 Q So both times were the result of some kind of
22 pipe, damage to the pipe by somebody.

23 A Yes.

24 Q Was this in the '80s, was this in the --

25 A I would say it was in the later '80s.

1 Q Any others, anything else you recall in
2 there? You don't recall anything until you went down in
3 there after the accident?

4 A Oh, just before the accident, I had kids down
5 there mowing, they were weed eating and stuff.

6 Q Okay. Down in --

7 A It was on actually the, I call **it** the north,
8 the north seg of the pipe span, and they were weed
9 eating, whatever that first road is, out there. They
10 come down the hill and the next day they was going to
11 weed eat right there where the explosion was, maybe not
12 right there. Maybe that wasn't all ~~that~~ bushy, but
13 from there on **up** to our water valve site, you know,
14 because **it** was, **it** was pretty bushy and stuff.

15 Q **So**, they were scheduled to be in there just
16 right in that --

17 A Oh, yeah, in fact, they left that day, from,
18 from weed eating and stuff, and they were on their way
19 home and stuff when, you know, they seen all the smoke
20 and everything. **So**, they were --

21 Q Okay. So what **is** construction supervisor
22 responsible for?

23 **4** Lining up crew.

24 Q To include crews doing obviously weed eating,
25 but what other kinds of work would the crews be

1 responsible for?

2 A Any kind.

3 Q Including excavating the pipe?

4 A Oh, yes.

5 Q Any other maintenance activities --

6 A Well, you know, I wasn't in charge of all of
7 the operators and stuff on the crossings and stuff like
8 that, so, I guess it was anything --

9 (Tape change.)

10 BY MR. BESHORE:

11 Q Painting, for example?

12 A Oh, yeah.

13 Q Were you familiar with internal inspection
14 runs that were done in '96 or '973

15 A Yeah.

16 Q Did you have any responsibilities during
17 those internal inspection rounds?

18 A To assign who goes out on them, and stuff.

19 Q So, some of your people helped in tracking
20 them, launching them, that kind of thing?

21 A All of them, and I had, myself, before I was
22 a supervisor, I would go out and dig them up.

23 Q Well, after those runs were done, did you
24 have any involvement in evaluating the results of
25 those? How about excavating the pipeline to either

1 inspect or repair?

2 A When I was a supervisor?

3 Q Well --

4 A I mean, I wasn't usually with the guys when I
5 was a supervisor. And I do it myself, yeah, it is your
6 responsibility that you don't hit the pipe, and go
7 ahead and find the coating, and we would all carry our,
8 my coglometers and stuff, and you go ahead and take
9 your, your pick gauge or whatever and call it into
10 Engineering. They would make the decision whether you
11 slab it or cut it outpr, you know, back --

12 Q Okay. But, .in '96 and '97 you were the
13 construction supervisor, right?

14 A I would think so, yeah.

15 Q Did you schedule any of your crews --

16 A Maybe even '95.

17 Q Did you schedule any of your crew people to
18 go out and do excavations as a result of those internal
19 inspection runs?

20 A Yes. Steve Rakmith.

.21 Q And he worked directly for you?

22 A Yeah.

23 Q And did you guys have a scheduled, on that
24 schedule, did that include a location of the anomaly at
25 the water treatment plant?

1 A Right.

2 Q Did you assign Steve to work on that project?

3 A He sure did.

4 Q And what was his role in terms of the
5 project, working with the Engineering group?

6 A Well, if he couldn't get ahold of me or
7 something, you know, he could report directly to the
8 Engineering. I mean, I was his boss, but they were the
9 ones that was, you know, that would call the shots,
10 whether --

11 Q Now, if the excavation and all that was done,
12 ~~was~~ that done by a contractor?

13 A Yeah.

14 Q Okay. so, that contractor was assigned to
15 Steve, is that accurate?

16 A We, I don't think we ever, I could be wrong,
17 but I don't think we ever had equipment with Steve. I
18 mean, you would go ahead, you know, without having a
19 225 track hoe and a bunch of laborers and stuff. I
20 mean, you go out beforehand and you go ahead and locate
21 them and mark them out and stuff, beforehand. That is
22 what, I think he was probably by himself, when he went
23 out there to look at that dig site and it was under
24 water.

25 Q Okay. so, Steve went to the water treatment

1 plant, looked at the area, but then you say it was wet.

2 A Yes.

3 Q Did he ever go back?

4 A No, I don't think **so**.

5 Q What, how would that information get relayed
6 back to whoever was doing the scheduling?

7 A Well, he could have told me or he could have
8 told Engineering or whatever, but I was aware that it
9 was wet, and so we will get it at a later date. And
10 that is, you know, and I wondered that, too, if, I
11 would like to think that it wasn't the worse case
12 scenario, like it wasn't a mandatory, it was one that
13 was, well, it is close to a river or something, **so**
14 let's **go** ahead and check it just in case or something.
15 But, as **far as** I know, he never did go back there and
16 get dug up. And I am not **so** sure that Steve may have
17 even been in the right location, anyway, because I was
18 thinking that he was at, in Hannah Creek down there,
19 where it, and that is what the water was, what I was
20 thinking in my mind. **So**, well, this one here might be
21 seep permits or something and might take, you know, I
22 don't know.

23 Q Okay. You know he did go out there and he
24 had looked at the site over. Now, I want to make sure
25 I understand then, did he report back to Engineering

1 that it was all wet in that area or did he report back
2 to you?

3 A I know he at least reported back to me,
4 because I could remember him telling, and of course, it
5 is my responsibility to, we don't have this one. But,
6 as far as me keeping records or the notes of what had
7 been gotten and what hadn't been gotten, I usually have
8 a pretty good memory anyway, and I don't, if we had
9 went back in there, especially in a creek, I would have
10 probably remembered it.

11 Q Okay. Did you report that information back
12 then to somebody in the Engineering group?

13 A Oh, yeah.

14 Q Now, I guess, was it up to you to reschedule
15 that activity or was, what was the Engineering group's
16 response?

17 A Get it next summer, you know.

18 Q Okay. So, you talked to, who would that
19 have been in Engineering?

20 A I would think Richard.

21 Q Richard --

22 A Yes.

23 Q And he said, get it next summer.

24 A Yes.

25 Q Do you remember what time of year this was?

1 A It was in the winter time, it was wet. Of
2 course, that area is wet anyway right down at the
3 bottom of that hill, down there where Hannah Creek runs
4 through there, even in the summer, I would be a little
5 bit leery of getting equipment, you know, without
6 working off maps and stuff like that.

7 Q Do you remember the winter of what year?

8 A I sure couldn't, but that would be pretty
9 easy to find, I suppose.

10 Q So, was it your understanding then that next
11 year you were suppose to schedule this activity based
12 on that conversation?

13 A That we would get to it later on the next
14 summer.

15 Q So, you were, your understanding was that
16 Richard would come back to you with some kind of a
17 schedule then?

18 A Yeah.

19 Q To do that. You didn't feel like it was your
20 responsibility to reschedule this activity?

21 A Well, I could hit Richard up, I suppose, you
22 know, and maybe I 'did. Maybe, I don't know.

23 Q So, you don't recall any further conversation
24 between Richard and you, hey, did we ever do that?

25 A Maybe, maybe it was discussed, I don't know.

1 Maybe it was discussed.

2 Q Do you have any, did you review the internal
3 inspection reports firsthand to know what type of an
4 anomaly we were, you guys were talking about?

5 A It was probably brought up in a discussion,
6 you know, not, not a hundred percent of the time, you
7 know, give them a dig sheet and if we were digging up,
8 like let's say ones were the worse ones, and the twos
9 was at least, or if they were going A, B, C, they were
10 grading them with the different pig runs and stuff, so,
11 you know.

12 Q Do you remember what grade this one was? Did
13 you remember seeing the dig sheet?

14 A Oh, yeah, because one of you guys showed it
15 to me, or maybe it was the, I don't know who it was,
16 but.

17 Q Do you remember seeing it before that?

18 A I wouldn't think so, you know, I mean, you
19 see hundreds, hundreds or whatever, you know, there is
20 a lot of them.

21 Q I guess I am just trying to understand
22 exactly what the process is. I mean, did Engineering
23 Group assign you a, you know, a packet or a, you know,
24 14 dig sheets and so we are going to dig these out.

25 A Oh, yes, sometimes one or two, sometimes more

1 than 14.

2 Q And then once you were assigned those
3 excavations, then was it up to your department to
4 schedule --

5 A I would jot on them or something, or call it
6 on or something. I never had the originals. It would
7 be copies and stuff.

8 Q But, was it up to your group then to schedule
9 the work and do it, or --

10 A Well, you could, you know, you could say,
11 hey, Richard, let's dig this one up and Richard, he
12 was, he was, you know, if I wanted to dig one up, he
13 would say, okay, go ahead, you know.

14 Q Okay. All right. Let me change gears just a
15 little bit here and talk about Bayview Terminal. Did
16 you have any responsibilities for the installation of
17 the Bayview, or the design of it?

18 A Not the design of it, but there, again, who
19 do you want to be the welding inspector, something like
20 that.

21 Q Okay. So, they asked you --

22 A What mechanic maybe, would be a good
23 mechanic, you know.

24 Q So, did you assign the inspection personnel
25 into the project?

1 A Oh, we are not a real big company. It was
2 probably a no brainer, really. I would have, you know,
3 the people that did do, I mean, I think Jeff Barry was
4 on electrical, and Ron Greenwich was the mechanical,
5 and Butch was on welder. We had a contractor for
6 welding inspector there, too.

7 Q Okay. Did your people do any of the actual
8 construction work?

9 A No, inspecting, inspecting, but as far as the
10 actual. I think Ron might have, he likes to get dirty
11 and greasy once in awhile, and he might have helped
12 guide back a nut or a bolt or something, you know.

13 Q Ron Greenwich?

14 A Yes. And Jeff Barry, he is pretty
15 aggressive, too. I am not saying he didn't crimple
16 wire or something, but you know, he was pretty busy to
17 be doing the physical type work. They are there mainly
18 to inspect, over, oversee.

19 Q Okay. In terms of once Bayview was on line,
20 do you recall any concerns that people expressed about
21 the operations of the facility?

22 A Well, no more than what I did, I suppose,
23 that many flanges and gaskets, and stuff, you know, I
24 mean, you have a lot of people there when you started
25 up in case you do have problems and stuff. But --

1 Q Were you concerned with the mechanical
' 2 problems or operational problems?

3 A No, just, just my background, gaskets
4 leaking.

5 Q So, you were --

6 A I had never seen a weld leak, I wasn't
7 worried about welds leaking, not that they don't, but I
8 have never seen it.

9 Q So, you were worried more about a flange
10 leaking, not necessarily --

11 A A flange, yes, or packing on a valve or
12 something that has never been used before, and you
13 know, just normal stuff.

14 Q Now, did Ron report to you, Ron Greenwich?

15 A Yeah.

16 Q Did he --

17 A You know, since Bayview started and yeah.

18 Q Up until June of '99?

19 A No, it was like up until last May, April or
20 May or something like that.

21 Q But, that was after the time that Bayview was
22 commissioned and then up until the time of the
23 accident, Ron was reporting to you?

24 A Yeah.

25 Q Okay.

1 **A** Well, actually, you see, Craig Hammett, he
2 was actually, not that Ron didn't still report to me,
3 but I very seldom seen him, I mean, him and Craig was,
4 you know, he was dealing with Craig and them more than,
5 and the say way with Jeff, I would talk to Jeff more,
6 you know, before Bayview started than afterwards and
7 stuff.

8 **Q** Okay. **So**, did Ron ever, Ron Greenwich ever
9 express to you any concerns about relief valves at
10 Bayview?

11 **A** I don' t remember. I don' t remember him
12 saying nothing about valves. Somebody was talking
13 about when they would start up or it would shut down,
14 or something, that the, you could hear the pipes
15 clanking or something. This was after it started up,
16 of course, and I had heard that. I had never witnessed
17 it, but I guess that had happened.

18 **Q** **You** had heard that as a concern, somebody
19 said something about it being noisy?

20 **A** **Yes.**

21 **Q** But, you don' t recall Ron working on the
22 relief valves?

23 **A** It seemed like we have always been working on
24 the relief valves and check valves and control valves
25 and stuff, but nothing out of the ordinary.

1 Q Now, I am thinking specifically about
2 Bayview, since it was installed, up until the time of
3 the accident. And you apparently at that point weren't
4 really the supervising any of this daily activities --

5 A Oh, no, no, I wasn't.

6 Q It was more or less assigned to a role as an
7 inspector.

8 A Yes, on that project, Craig had more, you
9 know, the most control I would think within Olympic.

10 Q So, he was reporting to Craig basically, .on
11 loan.

12 A Yeah.

13 Q Was that the way it was all the way up to the
14 point of the accident in June? Or had he started
15 reporting back to you?

16 A I don't know how long the thing been pumping
17 before we had that blow up. I think he, I think he was
18 starting to may have been reporting back to me.

19 Q My understanding is that it was commissioned
20 somewhere in December of '98, if that helps you with
21 your time frame.

22 A Well, he was then reporting to me.

23 Q Reporting back to you.

24 A Probably. Except for maybe the Bayview jobs,
25 maybe he was going strictly with Craig and everybody

1 was keeping a pretty close eye on that. Yeah.

2 Q All right. Well, let's talk about when he is
3 reporting to you. Would people call him direct and
4 say, hey, Ron, I need you to check this out?

5 A What mechanical?

6 Q Yeah, mechanical, valve or something.

7 A Oh, sometimes, yeah, sometimes they would,
8 sometimes they wouldn't. Sometimes they would call me
9 and I would get ahold of Ron.

10 Q Did you know what Ron was doing most of the
11 time?

12 A Yeah, we would have the weekly reports or
13 something, I would like to talk to him once a week
14 anyway.

15 Q How many people reported to you in this time
16 frame, do you know?

17 A Fifteen I would think, sometimes 16 or 17.
18 And of course, each one of them might have 10 or 15
19 people working for them, or sometimes maybe one or two
20 or sometimes 20 or 30, you know, like in the
21 construction, you know, reroute of something going
22 somewhere else.

23 Q And where was your, where were you physically
24 located?

25 A Renton.

1 Q Now was Ron physically located in Renton,
2 too, was that his reporting location?

3 A Oh, no, no, he lives up, he didn' t always,
4 well, he lived, he lived up north when he was an
5 operator, and then he came back down to Renton. Lived
6 down there to train as a mechanic. And then they moved
7 him back up, back up to Allen Station.

8 Q So, his ..

9 A Camilla Island, I think.

10 Q So, he was reporting to the Allen Station,
11 that was his home base, I guess.

12 A Yes. Right.

13 Q So, you didn't see him on a daily basis.

14 A Oh, no, I mean, sometimes, I might go three
15 or four weeks without seeing him.

16 Q But, 'you wanted to at least talk to him on a
17 =weeklybasis, get an idea for what he was up to.

18 A Right. Or somebody **says** something, hey, have
19 we looked at this, or have we done this and that, and I
20 would call Ron and say, hey, **so** and so says, you know,
21 and it might be, it might be Allen Station or Cherry
22 Point, Ferndale, was his reporting areas, you know, not
23 that he wouldn't go down to Renton once in awhile to
24 help somebody help out or even Portland.

25 Q **So**, now, if people had problems, well, if

1 somebody had an operational concern or an issue that
2 arose at Bayview, did they call you at all?

3 A If it was an emergency, they would probably
4 call Ron. See, I ain't no mechanic, I was their
5 supervisor, and so, like if there **is** a couple of
6 mechanics that kind of get in a little contest, you
7 see, and so then I would have to decide and if I wasn't
8 sure, then I could go like to the engineer, whoever, or
9 if it is an electrical problem, because I was also in
10 charge of electricians. And you know, if there was
11 questions on their time sheets or their expense reports
12 or any kind of a, I don't know what to call it other
13 than pissing contests, and that is what I , that is why
14 I was their Supervisor, you know, mainly more than,
15 because I don't know that much about electronics or
16 nothing, so, I would have to decide if there was a
17 problem, I would have to talk to an outside electrician
18 or talk to the other electricians and then go ahead and
19 report back to, you know, the manager or whoever that
20 would make that decision.

21 Q I guess, what I am trying to get is the sense
22 of whether the Bayview Terminal had actually gone from
23 the construction phase to now your group is in charge
24 of maintaining this thing, and basically hand it off to
25 you, internally to Olympic to maintain it now it has

1 been built.

2 A Oh, I think it was, it was probably my
3 responsibility even through the construction and stuff,
4 you know, I mean, I had never seen a tank being built
5 before, but if there something wrong, then you are
6 responsible for it.

7 Q Okay.

8 A And that is why you make a little bit more
9 money for that responsibility. That is how that is
10 suppose to work, right.

11 Q All right. So, it would have been your
12 responsibility then even during the construction phase,
13 you feel like, in terms of -- So, I guess what I am
14 asking is, my question is really, there wasn't such a
15 thing as it is now through the construction phase, we
16 have accepted the construction from the contractor
17 • and now --

18 A And now it is every day maintenance, so you
19 can have it back type deal.

20 Q Right.

21 A Yeah, and I suppose it was.

22 Q Okay. **So**, that process had been completed
23 and --

24 A I suppose it was. And if there was something
25 wrong with it, check valves, it was something so

1 minimal that, I mean, it wasn't just normal stuff that
2 needs twinked or something, you know. I don't never
3 remember people yelling, man, I have never seen nothing
4 like that before, you know.

5 Q But, you don't recall any specific concerns
6 either Ron had or that were expressed to you by anybody
7 else about relief valves, whether they functioned
8 properly?

9 A No, nothing, nothing. No. I mean, it just,
10 no. On this pipeline, I mean, there are four or five
11 things that you hear everyday that there is, hey, what
12 about this, what about that, you know, I mean, but
13 nothing sticks in my head that that was --

14 Q Okay. Were you around in the water
15 treatment plant area during any of the Dakin-Yew water
16 plant --

17 A In any of the what?

18 Q The modifications to that water plant back in
19 '93 and '94, do you recall ever being down in there
20 during that construction? Would you be aware of that
21 project?

22 A I know there was construction going on when I
23 put those slabs and pumps on, I know there was
24 equipment running around and holes dug and stuff, yeah,
25 you bet you.

1 Q And let me go back to internal inspection,
2 internal inspections again, just because I want to make
3 sure I understand in my mind what, what exactly we are
4 talking about here. Because I **am** still kind of curious
5 as to the scheduling aspects of doing these
6 excavations, whether there was a listing that was
7 prepared, that was then rescheduled and **it** sounds like
8 from what I heard from you before is that **it** is, there
9 is no clear responsibility on whose doing the
10 scheduling.

11 A Oh, I, on the scheduling, Richard would say
12 what we had to dig up and say, let's dig these and he
13 would schedule those dig ups. Now, I would phone back
14 in if we wouldn't get any, and Richard was pretty good
15 at, hey, what happened here, if you didn't, I mean, he
16 would get with you, you know, and why **it** never got dug
17 up, you know, I would have to take some of the
18 responsibility for that, too. **It** can't all fall on
19 Engineering, I suppose.

20 Q But, you don't know why **it** never got
21 rescheduled?

22 A I would like to think that **it** wasn't a worse
23 case deal. And I would think that **it** wouldn't, because
24 if **it** was, I would have stayed on top of **it** more
25 myself, I think.

1 Q Well, do you recall having any follow up
2 conversation with Richard, where he said, no, we are
3 not going to worry about it at this point in time. It
4 is not that bad. Do you recall that?

5 A No.

6 Q Okay. . So ..

7 A I -- I don't know. I don't think so.

8 Q Okay.

9 A But; that is a week, I mean, I --

10 Q Well, you don't recall ..

11 A I don't recall.

12 Q Any follow up.

13 A Yes.

14 Q And it was never rescheduled to your
15 knowledge for another ..

16 A But, if we had of, if we had dug up or Steve,
17 I think, unless I misunderstood, I never, I don't
18 remeasure over the guy, you know, well, I measured down
19 here, down at the bottom of the hill and it is wet and
20 swampy and have a creek running through, you know, and
21 that is where I was figuring it was Hannah Creek down
22 in there. But, if I had grabbed the tape and if I had
23 measured it, I think I would have ended up some place
24 different.

25 Q Do the pipe actually cross Hannah Creek?

1 A I think that **is** Hannah Creek where **it** comes
2 down off the hill and comes around.

3 Q It doesn't --

4 A I mean --

5 Q -- actual cross.

6 A Yeah, I mean, the swamp runs into, I mean,
7 there is water that flows across there. **It is** not a
8 creek as such, but **it** helps make that Hannah Creek, you
9 know, or a small portion of Hannah Creek.

10 Q That would have made **it** even more difficult
11 to do, being in the creek.

12 **Who** did you report to, Jim?

13 A I reported to, we have had a few change outs
14 there. It was Lonnie Neus, when I was with Texaco.
15 Shell **it** might have been ~~Jimmy~~ Prince. No, I wasn't a
16 supervisor when Shell was, they was thinking about
17 making me one, but I wasn't quite yet. **So**, **it** was
18 Lonnie Neus and then there was Doug Beau with Texaco,
19 and then when Echelon took over, Craig Hammett was ~~my~~
20 boss.

21 Q Okay. **So**, prior to the accident in June you
22 were reporting to Craig?

23 A No, Doug Beau.

24 Q At that point in time you were reporting to
25 Doug.

1 A Yes, yes.

2 Q Would that have been the same reporting
3 structure in late '97, '98 when we were potentially
4 excavating here as the result of the anomaly?

5 A That there I think Lonnie Neus was.

6 Q Lonnie was still there **at** that point.

7 A I don' t know.

8 Q You don' t recall?

9 A Ninety seven or '98, yeah.

10 Q Okay. I **am** talking late, well --

11 A Ninety six, I think Lonnie was there four
12 **YEARS** or five, something.

13 Q Well, you said some time during the winter,
14 but you didn't remember **what** year for the first
15 scheduling of that potentially excavating --

16 A Oh, oh, back then?

17 Q Yes.

18 A That would be Lonnie Neus, because I think he
19 was the one that, yeah, that was Lonnie.

20 Q Was that before Craig Hammett was there?

21 A I think Lonnie Neus, yeah, **it** was.

22 Q Would that have been before Doug Beau was
23 there?

24 A Yeah.

25 Q What was --

1 A Yeah, Doug took Lonnie's place, when Lonnie
2 moved out, Doug took his place.

3 Q And then Lonnie reported to Frank --

4 A Yeah, so did Doug.

5 Q Okay. Now how as Lonnie to work for?

6 A I liked working for him.

7 Q Pretty knowledgeable?

8 A A lot of things, pretty good with his math
9 and stuff.

10 Q What you had going on out on the pipeline?

11 A On the landslide and stuff, because that was
12 the big thing before the explosions, you know, we have
13 had these hundred year floods two or three times a year
14 for about three years. And he was real instrumental,
15 Lonnie was, in like getting GEO engineers out and doing
16 landslide matrix work and stuff like, and putting on
17 classes to the operators, when they are walking the
18 line, they could tell if something was just surface
19 crack or went deep or, you know.

20 Q How about **Doug** Beau?

21 A Doug was more in Operations end of it, like
22 skater programs and stuff like that and computers and
23 whiz an,; stuff like that.

24 Q Did he have much to do with your activities
25 or did he let you pretty much do your thing?

1 A Both of them did.

2 Q Both of them pretty much let you do your
3 thing, okay.

4 How was morale in your group prior to the
5 accident?

6 A Pretty good.

7 Q How as your morale?

8 A Not too good.

9 Q Why was that?

10 A Because I was working many hours overtime **as**
11 they was and you don't get paid overtime, you know, so,
12 they would laugh and joke. But, I knew that when I
13 took the **job** over, too, because I always made more
14 money than my boss did, or pretty close to it. And I
15 was just kidding about, you know, and my morale was
16 pretty good really.

17 Q Well, I meant ..

18 A I mean you worked Christmases and
19 Thankgivings, when the pipeline slid there at Spirit
20 Lake Road and stuff, we all pitched in and drew straws
21 and see who had to work Christmas and who had to work
22 Thanksgiving and sometimes you had to work both of
23 them. Yeah, **working** seven days a week as many as hours
24 as we do, 30, **40** hours straight, the morale was down.

25 Q Okay. **So**, you had too much work and that

1 was effecting your morale?

2 A Oh, yeah.

3 Q Would that be one of the reasons that this
4 excavation never got rescheduled?

5 A I don't know what set precedence, you know, I
6 mean, I would take assignments mostly from the
7 Engineering, you know.

8 Q I guess if you were sitting around and didn't
9 have anything to do, you might be looking for some more
10 activity, is that --

11 A Oh, yeah, you never have to look for work, it
12 finds you.

13 Q Were you the one that trained your people or
14 how did that work?

15 A I trained more people when I was a laborer
16 than when I was a supervisor, because you are working
17 right with them. **As** soon as you are a supervisor, you
18 are not around them that much, except to see how their
19 jobs are going, you might, you try to get like halfway
20 in on a project. **And** then when it is done, before you
21 pay the bill, it is my responsibility, you know, to
22 make sure it is within the AFE or whatever, there is a
23 \$300,000.00 job, ~~and~~ you don't want to surprise them
24 that it **is** a half million dollars all of sudden, so, it
25 is --

1 Q In terms of as a supervisor, then, training
2 you would assign a new employee, for example, to
3 somebody else --

4 A Yes, to --

5 Q -- to show this guy around.

6 A Yeah.

7 Q **So**, there was basically not any real formal
8 classroom training. It was on the **job** training.

9 A On the **job** training, yeah.

10 Q Did you have specific, well --

11 A I am talking about your normal maintenance
12 stuff like hot tapping, you know, I would train almost
13 all the people hot tapping, pulling corrosion, stuff
14 that are, I used to do the valve maintenance on the
15 main line block valves and stuff, and I would train
16 people like that. But, once you are a supervisor, then
17 you assign that to train the new hires and stuff.

18 Q Okay.

19 A And we would have a lot of training, you
20 know, safety classes and stuff, you know, classroom
21 type and HAZMAT and cards and, you know, stuff like
22 that, yeah. It is not that we never had training.

23 Q All right.. And just so I am clear again on
24 the scheduling of these anomaly excavations, you didn't
25 prioritize those for excavation. That was done, okay.

1 A Oh, no.

2 Q Okay.

3 A But, out of common courtesy, you know, **it**
4 would be my responsibility, **I** feel, if something fell
5 between, you know, it don't hurt to remind engineer and
6 say, hey, what about this one here that was going to
7 get, you know.

8 **MR. BESHORE:** Okay. All right. I think,
9 Jerry, do you have any questions?

10 **MR. SCHALL:** I am still a little confused
11 around we got, how we get anomaly scheduled. The
12 engineers, as I understood, what I heard, okay.
13 Engineers did all the log work, they analyzed all the
14 details, they created dig sheets. And then they gave
15 the dig sheets to you and your team.

16 **THE WITNESS:** Yes.

17 **MR. SCHALL:** And then your team was charged
18 with going out with excavations and you did the
19 excavations.

20 **THE WITNESS:** And then calling them back and
21 they would log them, of what took place and stuff.

22 **MR. SCHALL:** How did the paperwork flow? They
23 gave you the dig sheets and the?;what happened?

24 **THE WITNESS:** And then you would go out and
25 inspect them, call in the results of whether it was

1 corrosion or a dent or nothing, and then they would
2 tell you whether fix it or repair it and then if you
3 did, you know, I mean, then they would check it off, it
4 was repaired or wasn't even worth slabbing or you know.

5 MR. SCHALL: Just clarification, Jim, is that
6 inspection of the pipe, not inspection of the site?

7 THE WITNESS: The pipe.

8 MR. SCHALL: So, you wouldn't inspect the site
9 to see if you could dig it up or not?

10 THE WITNESS: Oh, yeah, beforehand. Yeah,
11 beforehand.

12 MR. SCHALL: Beforehand.

13 THE WITNESS: Yes.

14 MR. SCHALL: I just wanted to clarify that.
15 And then request a change report, is that
16 what you call it?

17 THE WITNESS: Diagram change.

18 MR. SCHALL: Diagram change.

19 THE WITNESS: Yes.

20 MR. SCHALL: Who prepared that then, one of
21 your people?

22 THE WITNESS: Yeah, whoever done the work,
23 diagram a change.

24 MR. SCHALL: Okay.

25 THE WITNESS: And the exposed pipe report.

1 That is two different reports. And a welding report if
2 you had that.

3 MR. SCHALL: A welding report.

4 THE WITNESS: Yeah.

5 MR. SCHALL: What kind of welding report?

6 THE WITNESS: Well, if you are going to make a
7 weld and you know, you have reports on that, and
8 reports on if you had it x-rayed and reports of ..

9 MR. SCHALL: Okay.

10 THE WITNESS: Hyper tested --

11 MR. SCHALL: Is there a separate report when
12 you weld?

13 THE WITNESS: Oh, yeah.

14 MR. SCHALL: Sleeve --

15 THE WITNESS: Well, there **is** a sleeve weld
16 report and there is butt weld, you know, it is all on
17 the same **form**, you have got to put down what kind of
18 weld that you made.

19 MR. SCHALL: So, Richard's responsibility, I
20 guess, based on what you told me, was go out and
21 identify the site, figure out where the anomaly was.

22 THE WITNESS: Oh, no, no, that, he would find
23 out where the anomaly was in the office on **the** prints
24 and draw up the prints and we would go out and field,
25 that would be our responsibility to find it.

1 MR. SCHALL: Physically in the field.

2 THE WITNESS: Yeah, physically, right.

3 MR. SCHALL: And then the crew and you
4 excavated whatever it was --

5 THE WITNESS: Yes, just look at the site. It
6 wouldn't be a crew, it would be just one man to go out,
7 and oh, yeah, you know, there, it is next to a house,
8 you know, we are going to have to talk to the people,
9 we are going to have to support their foundation or
10 something, you know, if it is wet or something where
11 you have got to go 20 feet both ways in order to get
12 Cown, you know, maybe get a probe bar and see how deep
13 the pipe is, and you know, so, you go out beforehand,
14 without the contractors or nothing and have those
15 people standing around.

16 MR. SCHALL: And then you came back with the
17 'contract crew, though?

18 THE WITNESS: Yes.

19 MR. SCHALL: To actually do the excavation or
20 the inspection and repair, right.

21 THE WITNESS: Not the inspection. I mean --

22 MR. SCHALL: Well, you can't inspect it until
23 you excavate it, right?

24 THE WITNESS: Yeah, I mean, they are to
25 inspect, you know, we would look at the pipe, of

1 course, not the contractor.

2 MR. SCHALL: Yes.

3 THE WITNESS: And of course, this day and age
4 we have contractors that inspect the pipe. **We** don't
5 even do that anymore. Which is good.

6 MR. SCHALL: Okay. The other thing I was
7 confused about is Ron Greenwich, he was working for you
8 during the construction and commissioning of Bayview?

9 THE WITNESS: Yes, and even afterwards, up
10 until last May, let's say, whenever, whenever Craig
11 became my boss, he no longer reported to me, he
12 reported to Craig.

13 MR. SCHALL: Okay. And about when was that?

14 THE WITNESS: Last May, sometime.

15 MR. SCHALL: **2000?**

16 THE WITNESS: Yeah.

17 MR. SCHALL: Okay.

18 THE WITNESS: It might have been April, I
19 don't know.

20 MR. SCHALL: Okay.

21 THE WITNESS: It was suppose to be January 1st
22 or something, but I was still signing his time sheets
23 and doing his expenses.

24 MR. SCHALL: **You** mentioned specifically that
25 Ron was always working on control valves, and leak

1 valves at Bayview, did I understand that correctly?

2 THE WITNESS: He was always working on them?

3 MR. SCHALL: That was your --

4 THE WITNESS: Yeah, oh, I am sorry. No more
5 than any other station, you know, it don't, I don't
6 recollect, you know, we have got more valves there to
7 work on then we do the other stations. Look how big
8 that place is, you know, I mean.

9 MR. SCHALL: So, it wasn't --

10 THE WITNESS: Yeah, no, no more than any other
11 place.

12 MR. SCHALL: Okay. That is all I have.

13 Thanks.

14 MR. BESHORE: Johnny?

15 MR. PARRISH: I don't have anything.

16 MR. BESHORE: Patti?

17 MS. IMHOF: Yes, I do.

18 Jim, you have been with Olympic for 27 years,
19 is that correct?

20 THE WITNESS: Yes, 26 and a half, Olympic is
21 gone now, so I have to quit counting.

22 MS. IMHOF: When you have been working for
23 Olympic during those 26 and a half years, have you ever
24 had training that included -- assessment?

25 THE WITNESS: Sounds fancy. I suppose I had,

1 Mobil had their models, their little sayings like to it
2 right the first time, and Shell had, you know, take the
3 quality approach, and Echelon had, you know, and they
4 all tried to say the same thing, only using different,
5 big three dollar words and stuff.

6 MS. IMHOF: Did you feel like they meant it?
7 That that was ..

8 THE WITNESS: Oh, yeah. Yeah, they meant it.
9 All these oil companies, they mean it when they, yeah,
10 they will ask you a question and stuff, and you have,
11 like when you evaluate your employees, you know, for
12 like merit raises, and stuff and you have goals, this
13 and that, yeah, they take it seriously, all.

14 MS. IMHOF: So, they make it real clear that
15 if you had a wrong path or a right path, I mean, you .
16 knew what was expected.

17 THE WITNESS: Oh, yes. Yeah. Like near
18 misses and stuff like that, yeah. Of course, it is
19 getting more popular, every four or five years you
20 notice it getting more and more and more, and one hour
21 response time, you know what I am saying.

22 MS. IMHOF: So, talk about more today than it
23 was 25 years ago.

24 THE WITNESS: Yeah, and it is going to, it i s
25 going to be worse next year than this year as far as

1 the book works and the classrooms and the meetings,
2 yeah. Yeah. It is going to be a whole bunch of little
3 . Petes running around there in five years. And I think
4 that is great.

5 MS. IMHOF: You mean you think it is driven by
6 the Petes of the world?

7 THE WITNESS: Yeah, yeah, and it will be. And
8 I hope he --

9 MR. KATCHMARZ: DOT you are talking about,
10 right, DOT.

11 MS. IMHOF: Yes.

12 THE WITNESS: Yeah, yeah, yeah.

13 THE WITNESS: OSHA, and DOE and DOT, and you
14 know, it would be nice if everybody have crew cab
15 trucks and you have everybody,, you have three or four
16 people in the front and three and four people in the
17 .back, and when you **go** out and do a job, and then they
18 will facilitate that and say, hey, this here, like that
19 there, and they will catch stuff, I mean, it is going
20 to be good. And people like me will make more and more
21 money because you will have more and more schooling to
22 **do** that. But, the price of everything is going to go
23 up, but, you know.

24 MS. IMHOF: Okay.

25 THE WITNESS: Yeah.

1 MS. IMHOF: How about stress management, has
2 that been part of the training --

3 THE WITNESS: Oh, yeah, yeah. They will have
4 in classes and stuff, and if you can make it, you can
5 go to them. But, you know --

6 MS. IMHOF: I was just wondering because it
7 sounds like you have had some stress in your work load
8 and the number of hours you are working there.

9 THE WITNESS: Yes. Yeah.

10 MS. IMHOF: Do those classes help you manage
11 your stress better?

12 THE WITNESS: It don't hurt to talk about it.

13 MS. IMHOF: Yes.

14 THE WITNESS: You know, yeah, they and it is
15 offered, you know, like if it is a DOT thing or
16 something, that would be mandatory, stress, if you make
17 it, go ahead and show up.

18 MS. IMHOF: Okay. Is Olympic Pipeline -- Oh,
19 excuse me.

20 THE WITNESS: If it is not-mandatory, how many
21 hours you work, you know, you can only work so many
22 hours.

23 MR. KATCHMARZ: Only if you are driving a
24 truck.

25 THE WITNESS: Yeah, only if you are driving a

1 truck, yeah.

2 MS. IMHOF: Or flying an airplane.

3 THE WITNESS: Yeah.

4 MS. IMHOF: Is Olympic Pipeline a drug free
5 work place?

6 THE WITNESS: Oh, yes.

7 MS. IMHOF: So that would be another training
8 that you had complete training on that policy.

9 THE WITNESS: Oh, yeah. There are steps you
10 have got to do when you pass out the samples and stuff.
11 Oh, yeah.

12 MS. IMHOF: And in your role as supervisor of
13 the construction crew, did you participate in safety
14 meetings, or did you maybe --

15 THE WITNESS: Oh, Shell had them once a week
16 on Mondays and Echelon, I think they were on Mondays,
17 =too, and B.P., there are weekly safety meetings on
18 Mondays, and everybody takes a turn and that is the way
19 B.P. is so far, you know, not every, you don't have a
20 safety person giving the safety meeting, you know, on
21 the bigger ones, yeah, you will have an all day, where
22 the safety people do, but on your tailgate meetings and
23 stuff like that, yeah, it is the employees and stuff
24 that do them, put on the safety meetings.

25 MS. IMHOF: So, it is more focused on what, on

1 the work you are exposed to or what potential --

2 THE WITNESS: Yes. We have some pretty good
3 safety meetings. Of course, you have the mandatory
4 safety meetings, those are usually with a safety
5 person.

6 MS. IMHOF: Okay. Thank you, Jim.

7 MR. KATCHMARZ: Jim, I am going to go over
8 some of the stuff because I am really still not real
9 clear on this whole pig dig thing.

10 THE WITNESS: Okay.

11 MR. KATCHMARZ: You first off said that you
12 were familiar with them running smart pigs.

13 THE WITNESS: Oh, yeah.

14 MR. KATCHMARZ: In '96 and '97.

15 THE WITNESS: Well, more years than that.

16 MR. KATCHMARZ: Yeah, I know, but we are
17 talking specifically about '96 and '97.

18 THE WITNESS: Okay.

19 MR. KATCHMARZ: Do you know why they were
20 running those smart pigs? What caused them to run
21 those smart pigs?

22 THE WITNESS: Oh, I don't know if it was
23 required or not, is why they were running them. We was
24 running them before smart pigs was required. I mean,
25 we were way ahead of them, at the time, really, I

1 think. And why they run them, if it was a requirement
2 or whether they did it just for giggles or what, I
3 don't know.

4 MR. KATCHMARZ: Okay. Can I, can I suggest
5 something to you and just tell me if you know anything
6 about it? There was a release in '96 at the Eby Slew,
7 Ebby Slew.

8 THE WITNESS: Right.

9 MR. KATCHMARZ: Do you know of any
10 requirements subsequent to that to run any pigs?

11 THE WITNESS: After that, because of the --

12 MR. KATCHMARZ: Because of that incident?

13 THE WITNESS: Because of that? No, but it
14 would make, if I wasn't, I think we probably would have
15 anyway, just to see what the other side of the slew
16 looked like.

17 MR. KATCHMARZ: Okay.

18 THE WITNESS: Any other slew on the south.

19 MR. KATCHMARZ: Okay. Now, going back to the
20 sequence of events for these, for these pig digs. The
21 way I understand it is, is that Richard Clausen would
22 be back at the office, he would make up dig sheets off
23 of the alignment sheets, he would overlay the defects
24 on the alignment sheets and then fax those or mail
25 those or carry those out to you in the field.

THE WITNESS : In the office or **out** in the field.

MR. KATCHMARZ: Okay. Somehow or another he would **get** a copy of **them** to you.

THE WITNESS : Yes.

MR. KATCHMARZ : And then you would **go out** and either schedule your people or personally **go out** and say, okay, **this** is the **area** for **this** one, **this** is the **area** for the next one. Are there any times that you can **think** of that you did not dig an anomaly that was put on the dig sheet and given **to** you? Other than **this** one at the treatment plant.

THE WITNESS : Like I **say** ones are the worse cases, **a** number one. **Let's** say a class **two** is a little bit lesser. And we have had in the past where a **two** is bad **as** a one, maybe, and **so** then we might **dig** up a **three**. **And** then **all of** a sudden, you know, then they do **start**, where, you know, **so** you **might** have maybe, and of course, you **might** only have **10** ones, and then you will have **20 twos**, and then maybe 300 **threes** or, you know, it seems like you had more of them, you know. **And so**, you **go ahead** and you **dig** up **so many of** these other, **so** you might say, well, let's **go ahead** and here is **20** of these number **threes**, **go ahead** and pick a couple out and we will **see** what they look like. **You**

1 might dig up three or four or whatever it is, and that
2 wasn't up to me, all dug, they would stop and I am
3 going to get this one, no, we don't need to, you know.
4 So, they would, so I would take the rest of that stack
5 back in there, a whole bunch of them sometimes.

6 MR. KATCHMARZ: Alignment sheets, similar to
7 something like this?

8 THE WITNESS: Oh --

9 MR. KATCHMARZ: Or dig sheets, I mean, not
10 alignment sheets. Were all of these anomalies one,
11 twos and threes put on these kind of a dig sheet and
12 given to you like that or would just the --

13 THE WITNESS: No.

14 MR. KATCHMARZ: Just the ones and the twos.
15 The ones they really wanted to you dig.

16 THE WITNESS: Yes.

17 MR. KATCHMARZ: They would go through and do
18 this dig sheet.

19 THE WITNESS: Yes.

20 MR. KATCHMARZ: That is what I want to
21 clarify. I am asking the question.

22 THE WITNESS: Oh, okay. Well, on the threes,
23, like let's say if they wasn't that bad, Richard would
24 do two or three of them, you know, and go ahead and so,
25 you go ahead and you get to these and say, okay, I am

1 ready for some more, no, we ain't going to do anymore.
2 Now, maybe he had the sheets, you know, but I know that
3 there is a bunch on the list. If the threes or the
4 fours or whatever it was started getting good, you
5 know, I mean --

6 MR. KATCHMARZ: Small.

7 THE WITNESS: Yeah.

8 MR. KATCHMARZ: Non repairable.

9 THE WITNESS: Yes; and so there is, so I know
10 there is a whole bunch of them little ones that we
11 maybe never even had a sheet written up on.

12 MR. KATCHMARZ: Okay. That is my question.
13 Now on the higher priority ones, the ones you are
14 calling the ones and twos, he would make a sheet, go
15 through the trouble of making a dig sheet and getting
16 it to you in the field. Of any of those dig sheets,
17 can you remember any of that you did not dig up? Other
18 than the one here at this --

19 THE WITNESS: No, but I know there are other
20 ones that are there, that we have never checked, you
21 know, maybe don't have a dig sheet on it, but there is,
22 you know --

23 MR. KATCHMARZ: Okay. But, then that --

24 THE WITNESS: -- have lists of --

25 MR. KATCHMARZ: But, that is not your call.

1 It is his call to make the dig sheets, I guess, if he
2 wants to dig up that anomaly.

3 THE WITNESS: Right, right.

4 MR. KATCHMARZ: Okay.

5 THE WITNESS: Yeah, usually if he would make
6 up the dig sheets, I would, I would think that we would
7 dig.

8 MR. KATCHMARZ: Okay. And I am just trying
9 to get this clear here. Okay. So, he would make up a
10 dig sheet, send it to you and you would do the dig, and
11 return, and return the information to him with
12 excavation log and the diagram of change. At any time
13 that you can remember did Richard come out for these
14 digs?

15 THE WITNESS: Oh, yeah.

16 MR. KATCHMARZ: Okay. Did Richard ever come
17 out prior to the digs?

18 THE WITNESS: I am not saying he didn't. I
19 can't place any, but I can think of quite a few digs
20 that I have seen there and, hey, Richard, you know,
21 this one here is kind of a long, it is kind of hard,
22 you know, like that there, and so he will bring stuff
23 in, with Craig, Craig would come out there sometimes,
24 to see the river, was the latest, they both came out.

25 MR. KATCHMARZ: Okay. Have you ever heard

1 the term "wrinkle bend"?

2 THE WITNESS: Like up at Ebby Slew?

3 MR. KATCHMARZ: Possible wrinkle bend, like
4 from a pig or a dig sheet? Or at Ebby's Slew?

5 THE WITNESS: Yeah, that is what I would call
6 it. I know what a wrinkle bend is.

7 MR. KATCHMARZ: Was that the --

8 THE WITNESS: A wrinkle bend -- Usually you
9 have corrosion or dents or --

10 MR. KATCHMARZ: And that would be written
11 right on the dig sheet?

12 THE WITNESS: Yes.

13 MR. KATCHMARZ: What they thought it was.

14 THE WITNESS: Yes.

15 MR. KATCHMARZ: Okay.

16 THE WITNESS: Of course, over the years, you
17 know, they got better and stuff, too, these dig sheets,
18 because you have more and more -- I don't think they
19 used to tell you what, o'clock, you know, what position
20 that it was even in, you know, you know. But, we still
21 do knock off all the way around pipe.

22 MR. KATCHMARZ: Sure. Okay. For this
23 particular dig sheet down at the Dakin-Yew pump
24 station, the first person out would have been Steve
25 Rakmith?

1 THE WITNESS: Rakwith.

2 MR. KATCHMARZ: And he is the preliminary go
3 down and look at the site and see what we need to do,
4 to do the dig, what equipment we need?

5 THE WITNESS: On that particular one, Steve
6 was the first.

7 MR. KATCHMARZ: Okay. And who did he talk to
8 after he had been down there?

9 THE WITNESS: I know he talked to me.

10 MR. KATCHMARZ: Okay. And what did he say to
11 you when he called you?

12 THE WITNESS: It is too wet to get in there,
13 you know, it is under water.

14 MR. KATCHMARZ: Okay. And then, and then
15 what did you do with that information?

16 THE WITNESS: Tell Richard that there was
17 water.

18 MR. KATCHMARZ: Okay. And just one more
19 time, specifically, what did Richard say?

20 THE WITNESS: Next summer, when it gets drier,
21 he probably didn't even say summer, but when it gets
22 drier, which will be later on. I, I, on that dig sheet
23 it will probably tell you the date, but it seems like
24 it was in rainy season.

25 MR. KATCHMARZ: Okay.

1 THE WITNESS: Which would be winter to me
2 because hell, who knows, around here it could be July
3 could be, but I know it was a wet time and we were
4 having a lot of rain.

5 MR. KATCHMARZ: Okay. Can I, can you take a
6 look at this? It is marked page 82, Confidential, Do
7 not Copy. And the reason I asked you one or two of
8 those questions before, if you look on the left side at
9 the bottom, it says, 'did not inspect this location.
10 Tuboscope possible Mill/Mechanical 23 percent minimum
11 risk in parenthesis, Enduro .45 sharp (less than
12 repairable.)"

13 THE WITNESS: That is good.

14 MR. KATCHMARZ: Close parenthesis and then an
15 R.J.K. at the bottom.

16 THE WITNESS: Yes.

17 MR. KATCHMARZ: And --

18 THE WITNESS: But, you know, he would have
19 gotten that from me or Steve. I don't know --

20 MR. KATCHMARZ: Okay. That does not tell you
21 that he was actually physically out there at that site,
22 that note at the bottom?

23 THE WITNESS: Yeah; that don't mean that he
24 was out there, at that site.

25 MR. KATCHMARZ: Okay.

1 THE WITNESS: I mean --

2 MR. KATCHMARZ: I agree, I agree.

3 THE WITNESS: He is a very busy fellow.

-4 MR. KATCHMARZ: Yes.

5 THE WITNESS: He don't have time to go out.

6 MR. KATCHMARZ: Okay. It looks like there
7 was a sticky that was copied on here, it says, 'Put in
8 a one call before starting, backhoe, extend a hoe.' Does
9 that writing look familiar to you?

10 THE WITNESS: It looks like Stevie's writing
11 to me.

12 MR. KATCHMARZ: Okay. Does that imply in
13 your mind that he was ready to dig that area?

14 THE WITNESS: That was a reminder for himself,
15 I would think, to put in a one call before starting and
16 he would need a backhoe, you know, if they was going to
17 dig it. I mean, even during the summer time, a lot of
18 time you need an Extend a hoe and stuff. And he may
19 have been thinking, well, if we come by in summer, we
20 are going to have an extend a hoe.

21 MR. KATCHMARZ: Okay. And over there on the
22 right, under Bill Evans', the copy of Bill Evans' card,
23 it looks like and under the address and milepost 16,
24 there is a line and then under that it says, 'One call,
25 water lines on top of OPL.' Would Steve have known

1 that there were water lines on top of the Olympic
2 Pipeline in that area, do you think? I mean, is that,
3 that -- Do you know if a one call was already made for
4 this 'dig here?

5 THE WITNESS: I don't know.

6 MR. KATCHMARZ: Okay. Does he usually, when
7 he goes out, Jim, to do the preliminary view of the
8 area, does he locate the lines, I mean, the OPL line?
9 Will he take a locator out there and locate it, flag it
10 or --

11 THE WITNESS: That would be two to one, half,
12 I don't know, I think I -- There is one, way off down
13 the hill like that, I think you would have to locate
14 it, because it is, because there is PIs and stuff in
15 there and I think he would probably got his locator out
16 and get your tape, you know, and you would mark and
17 that is kind of a pain when you are by yourself. In
18 fact, it wasn't all that many years ago, we went to 300
19 foot tapes, so if you are by yourself, you have to go
20 back and forth. But, I would think that down in that
21 area, he probably would have located, was measuring.
22 Of course, we have got the measuring wheels now, too,
23 you know, when you go, and I would think that far away,
24 he probably used a measuring wheel.

25 MR. KATCHMARZ: Okay.

1 THE WITNESS: And I don't --

2 MR. KATCHMARZ: He was getting ready to dig.
3 So, he was doing the preliminary.

4 THE WITNESS: Yes, yes, he was getting ready
5 to dig and it looks like -- maybe there could be water
6 lines on top of OPL around there.

7 MR. KATCHMARZ: Okay. I guess I was just
8 wondering why he would know that without having made
9 the one call and having those marked. Well, I guess we
10 don't know if those were marked by the City Water
11 people or not.

12 Do you have any idea if this was the first
13 time that this dig sheet was made up for, if this
14 particular one was the, what appears to be maybe the
15 second time this dig sheet was made up? Do you
16 remember being asked to dig this twice instead of just
17 'once or do you only remember once?

18 THE WITNESS: Oh, no.

19 MR. KATCHMARZ: Okay. And the reason I am
20 asking now is that if you look at the top, something
21 has been crossed out and Enduro is written in and then
22 the date was crossed out and 1/97 was put in there.

23 THE WITNESS: And that is not Steve's.
24 handwriting.

25 MR. KATCHMARZ: I am sorry?

1 THE WITNESS: That is not Steve's handwriting.

2 MR. KATCHMARZ: Okay. And that is fine.

3 But, I am just looking on here and I see a lot t's
4 which would to me, I would think that those are
5 Tuboscope, so that might be the MFL run in '96? And
6 then the e's would be the Enduro. There is actually
7 one e. Be the Enduro run that was run in '97. So, I
8 am just wondering did they make up a dig sheet in 1996
9 after the Tuboscope run, you know, and then that one
10 wasn't dug and then they made up another one after the
11 Enduro run, and then it wasn't dug a second time. But,
12 as far as you understand, you were only given this dig
13 sheet once.

14 THE WITNESS: Yeah, I can remember Stevie
15 talking or hearing from Rich, I think I heard from
16 Steve, himself, really and that it was under water and
17 stuff.

18 MR. KATCHMARZ: Okay. But, he wouldn't have
19 called Richard. He called you.

20 THE WITNESS: I mean, it wasn't above Steve,
21 you know, if you can't get ahold of me, and hey, what
22 do you want to do, you know, like out there, and well,
23 let me talk to Richard. And if I wasn't there, maybe
24 he did call Richard on it and Richard told me and then
25 maybe, but I remember talking to Steve, I hear that was

1 too wet or something, you know, I do that I did
2 communicate about it and I knew about it, you know.

3 MR. KATCHMARZ: Okay. And in your, when you
4 look at these dig sheets, would you look at them in
5 great detail? I mean, if you saw three anomalies --

6 THE WITNESS: Oh, it was always kind of
7 interesting to see, like, possible mash or whatever and
8 stuff and it was kind of interesting and --

9 MR. KATCHMARZ: Had you ever seen one with
10 multiple indications real close?

11 MR. BESHORE: Is that a yes?

12 THE WITNESS: Yes. Yes, I am sorry.

13 MR. KATCHMARZ: Okay. Thank you. Okay.
14 But, I guess, Richard didn't seem real harried about
15 getting this done.

16 THE WITNESS: Real what?

17 MR. KATCHMARZ: Real excited about getting
18 this one done.

19 THE WITNESS: And it doesn't appear I did
20 either.

21 MR. KATCHMARZ: Okay.

22 THE WITNESS: Because Richard he was, you
23 know, I know that he was the type that say, hey, let's
24 dig this, okay, and he was all for whatever.

25 MR. KATCHMARZ: Okay. Jim, are you familiar

1 with the operation of relief valves?

2 THE WITNESS: No, sir.

3 MR. KATCHMARZ: Okay.

4 THE WITNESS: I mean, I know what their
5 function is, but I wouldn't, you wouldn't want me to
6 take one apart for any repair leaks.

7 MR. KATCHMARZ: Okay. Are you familiar with
8 set points on relief valves? Are you familiar with set
9 points on PLCs?

10 THE WITNESS: Oh, no, definitely not there.

11 MR. KATCHMARZ: Okay. So, you really don't
12 have anything to do with any of that kind of work.

13 THE WITNESS: PLCs, no.

14 MR. KATCHMARZ: Okay.

15 THE WITNESS: And I know what the set points
16 are on, yes, but I am not an expert on none of that
17 stuff.

18 MR. KATCHMARZ: Okay.

19 THE WITNESS: I ain't never worked on them.
20 None of them.

21 MR. KATCHMARZ: Would you think that an
22 individual working for you would take it upon himself
23 to go out and change a set point, you know, just on his
24 own volition? He thought it needed to be changed, so
25 he changed it?

1 THE WITNESS: Oh, oh, no, somebody would have
2 to report it, you know.

3 MR. KATCHMARZ: He would have go through
4 Engineering perhaps to get the' okay?

5 THE WITNESS: Oh, yeah. Yeah.

6 MR. KATCHMARZ: You are comfortable with the
7 fact that your guys, anybody working for you would not
8 have just gone out and just arbitrarily set a set point
9 higher, let's say, because they thought it should be
10 higher?

11 THE WITNESS: No.

12 MR. KATCHMARZ: Okay. okay, Jim, do you
13 regularly get e-mails?

14 THE WITNESS: Yes.

15 MR. KATCHMARZ: You do. Okay. Thank you.
16 Do you regularly send e-mails, communications by
17 e-mail?

18 THE WITNESS: Not too many, no. Not too many
19 at all.

20 MR. KATCHMARZ: Okay. Are you on the OPL
21 employee list?

22 THE WITNESS: Yes, sir.

23 MR. KATCHMARZ: Okay. If you received an
24 e-mail that said from one of your workers to all OPL
25 employees that said, hey, I have changed this set point

1 650 pounds to 700 pounds, Merry Christmas, I will see
2 you in January, would that have struck you as being
3 something that you would question?

4 THE WITNESS: Oh, yeah. Yeah.

5 MR. KATCHMARZ: You would question that?

6 THE WITNESS: I would --

7 MR. KATCHMARZ: How would you, how would you
8 question that?

9 THE WITNESS: I would talk to somebody about
10 it, you know.

11 MR. KATCHMARZ: Okay.

12 THE WITNESS: Yeah, thry --

13 MR. KATCHMARZ: Do you remember specifically
14 receiving an e-mail on December 18th from Ron Greenwich
15 to all OPL employees, saying just that, that I have
16 changed the set points on the valves at Bayview from
17 650 pounds to 700 pounds?

18 MR. BESHORE: Can we get a copy of that?

19 (Pause.)

20 MR. KATCHMARZ: I guess you can copies later.

21 (Pause.)

22 THE WITNESS: I must have read it.

23 MR. KATCHMARZ: Okay. I am just wondering if
24 you would have questioned that? Would anybody have
25 questioned that? I guess I can only ask you would you

1 have questioned that? I am sorry.

2 THE WITNESS: Maybe, I would have read it and
3 thought that he had it from Engineering or something,
4 to change it to that.

5 MR. KATCHMARZ: Okay. That is what I asked.
6 You are comfortable with the fact that he wouldn't just
7 go out and do that without some sort of previous
8 authorization or talking to the Engineering Department.
9 But, would that have, would that have drew up a flag in
10 your mind?

11 THE WITNESS: It may not have.

12 MR. KATCHMARZ: Okay.

13 THE WITNESS: It may not have because I don't
14 know what the settings are suppose to be, and so if it
15 as suppose to 800 pounds and maybe, well, I have got it
16 down to 700 pounds, maybe he had talked to an engineer
17 and say, yeah, I will go ahead and I will change that.

18 MR. KATCHMARZ: Okay. But, you weren't real
19 familiar with the **set** points at Bayview.

20 THE WITNESS: No.

21 MR. KATCHMARZ: Okay.

22 THE WITNESS: And so, I . . .

23 MR. KATCHMARZ: Okay. I thought you said you
24 were, you know, you had, you knew some set points. I
25 didn't know if you knew those or not.

1 THE WITNESS: Yeah, yeah.

2 MR. KATCHMARZ: Okay. All right. Thank you
3 very much.

4 MR. BESHORE: Geoff?

5 MR. SMYTH: Hi, **Jim**. I just have a couple of
6 things.

7 THE WITNESS: Sure.

8 MR. SMYTH: Could you explain your involvement
9 with the City of Bellingham? What kind of, has it been
10 a comfortable environment, working environment between
11 the two organizations as an employee for Olympic? I
12 mean, all through your tenure?

13 THE WITNESS: Yes, I mean, we got hit in that
14 area twice by contractors and stuff, and so, it is
15 automatically, oh, gee, the City of Bellingham, but.

16 MR. SMYTH: So, where was the two heads again.
17 'You mentioned those were in the '80s?

18 THE WITNESS: I would think so. I would think
19 **so**.

20 MR. SMYTH: And those two dig ups that you
21 mentioned to Allen that you did in the Mockin Creek
22 area prior **to** the Dakin-Yew.

23 THE WITNESS: **Oh**, yeah.

24 MR. SMYTH: Okay.

25 THE WITNESS: Yeah, one was a slab and one

1 was a puppet,

2 MR. SMYTH: And this puppet.

3 THE WITNESS: A short piece of pipe.

4 MR. SMYTH: Oh, okay.

5 THE WITNESS: I mean, it was damaged so bad we
6 couldn't slab it.

7 MR. SMYTH: Okay.

8 THE WITNESS: Since I have been there on two
9 different occasions, I know that one was like a 30 some
10 hour deal. It was a heck of drain.

11 MR. SMYTH: And where in relationship was that
12 in Mockin Creek?

13 THE WITNESS: Where we cross the creek,
14 heading south.

15 MR. SMYTH: Heading south.

16 THE WITNESS: Yeah, take a 90, go along, take
17 'that other 90, and right along in there, where your
18 road goes down the hill or used to go, maybe it does
19 still. I haven't been there in awhile.

20 MR. SMYTH: Okay.

21 THE WITNESS: But, you know, right along
22 there. It has been cut out with the new pipe that came
23 in there.

24 MR. SMYTH: Okay.

25 THE WITNESS: And they are laying around

1 somewhere.

2 MR. SMYTH: Did you have an access issues with
3 getting into the water treatment plant area that you
4 can remember? I mean, when that happened in the '80s,
5 were you immediately brought in?

6 THE WITNESS: Getting access?

7 MR. SMYTH: I mean, because it is behind, it
8 is behind a, the water treatment plant is locked.

9 THE WITNESS: Yes.

10 MR. SMYTH: So, if you want to come onto your
11 right of way there, did you have any problems getting
12 into the treatment plant, that the City ..

13 THE WITNESS: No, you could always, I would
14 always climb over your gate and walk **down** and look at
15 the exposed pipe report. I mean, it wasn't a real
16 high, just a **pipe** gate or whatever, **you** just step over
17 'it.

18 MR. SMYTH: Right.

19 THE WITNESS: The other joggers and stuff get
20 down there.

21 MR. SMYTH: Okay. But, as far as you know,
22 if you needed to get in there to do some work by the
23 water treatment plant, the City of Bellingham didn't,
24 you know, stop you or there was no restrictions put on
25 you. It **was** your right of way, it was on our property,

1 but you know, we didn't offer you any --

2 THE WITNESS: In fact, I think we were ready
3 to mow there the next day and I am sure you guys would
4 have let us come in there to mow.

5 MR. SMYTH: Right. Okay. One of the reasons
6 I bring it up is because on this, on your dig line,
7 your dig information for that, does say it was a
8 difficult area to access. So, I am making sure that
9 that access is constructibility issue, not a, you know,
10 a property ownership issue, whether or not, you know,
11 the access coming onto our property is difficult or
12 whether or not moving pieces of equipment on the
13 property was difficult to do the work. That is what I
14 am trying to -- If you needed to get on site, you were
15 able.

16 THE WITNESS: Yeah.

17 MR. SMYTH: Okay.

18 THE WITNESS: You guys were always real
19 cordial, you know, you would drive up to the gates
20 sometime and say hi, if you wanted to walk **down** there,
21 or something.

22 MR. SMYTH: Okay. Did you have access to a
23 computer back in 1996, 1997, I mean, were you on the
24 e-mail, did you have your own personal computer?

25 THE WITNESS: Oh, yeah. Yeah.

1 MR. SMYTH: Did you have, and you said you
2 only got these dig up sheets --

3 THE WITNESS: I think we did. We didn't get
4 them on the computer.

5 MR. SMYTH: You didn't get these on the
6 computer. So, do you have any knowledge, if you could
7 take a look at the sheet, of what K:/smartpig/dig2
8 means? Would that be something if you had access to a
9 computer?

10 THE WITNESS: Where is it?

11 MR. SMYTH: Down in the left corner there.

12 THE WITNESS: I couldn't tell you what that
13 is.

14 MR. SMYTH: Okay. I mean, because it appears
15 to me that somewhere in the Olympic system that the K
16 would probably maybe indicate a K drive for a hard disk
17 or something, and the smart pig would be a directory
18 and it appears, it says dig2, so from not really being
19 familiar, it would appear to me that this is dig sheet
20 number two, meaning there would be a dig sheet number
21 one. I don't know, I just -- Is that something you
22 would be familiar with?

23 THE WITNESS: No.

24 MR. SMYTH: No, okay.

25 THE WITNESS: It seems, like if it was coming

1 from Ferndale where they had more, that would be, that
2 was our second dig up, it could be number 14 or who
3 knows.

4 **MR. SMYTH:** Okay. So, this may not
5 necessarily mean dig number two for this year or this
6 area, but it could, you don't know what dig two means.

7 **THE WITNESS:** No.

8 **MR. SMYTH:** Okay. And then the last question
9 is just clarification on Steve going out to the site,
10 and you really don't remember when that might have
11 been. Do you remember, was there an election going on
12 that year? Like a presidential election, do you
13 remember, the reason I bring that up, you know, I mean,
14 1996 presidential election. It is wet, it is the fall.
15 Does that ring a bell? Do you guys, it doesn't ring a
16 bell. So, you really don't know when he went out on
17 the site.

18 **THE WITNESS:** No.

19 **MR. SMYTH:** Okay. Okay. I have one more
20 question for you.

21 Okay. What is your understanding of the 16
22 inch, 20 inch tee and that was above the Olympic
23 pipeline near the ruptured section of the pipe? I
24 mean, did you hear about that prior to the explosion or
25 during the construction or were you aware of that piece

1 of waterline before the June 10th?

2 THE WITNESS: No, no, I didn't realize you
3 guys had stuff in there.

4 MR. SMYTH: Okay. Until after.

5 THE WITNESS: Yeah.

6 MR. SMYTH: Okay. That is all I have..

7 THE WITNESS: In fact, even when we had it
8 exposed, I didn't do too good, our contractor hit the
9 big one there.

10 MR. BESHORE: Linda, do you have any
11 questions?

12 MS. PILKEY-JARVIS: Yes, I do have a couple.
13 Do you know anything about how OPL budgeted
14 to perform excavations like this to safeguard their
15 lines?

16 THE WITNESS: How they would budget for the
17 'dig ups?

18 MS. PILKEY-JARVIS: Right.

19 THE WITNESS: No, and whoever done it was just
20 guessing, because you don't know if, the grade ones,
21 yeah, you probably look at all of them, but the grade
22 twos, you don't know, you might have to go to grade .
23 threes sometimes, you don't know before you get
24 started. So, I don't know how they would, you know, if
25 I was going to do it, you know, you know you are going

1 to spend a hundred thousand dollars, you know, I mean,
2 they might even have that budgeted to run in the smart
3 pigs, it might be for the smart pig and fixing, you
4 know, the whole, the whole -- I don't know. I really
5 don't.

6 MS. PILKEY-JARVIS: It sounds like what you
7 are suggesting is that a budget request is made after
8 the fact, maybe, so you have a budget, and you run a
9 smart pig, you look at what information that you had
10 from that inspection, and then you budget how much 'it
11 is going to cost, you budget and go request.

12 THE WITNESS: I don't know if they would do
13 that or not. I don't know. I don't think I would. I
14 would just go ahead and say, well, because you know
15 what the contractor is going to cost you, because you
16 do that up-front, hell, you might even be able to bid
17 that out, I don't know. And just go ahead and add a
18 couple of hundred thousand on to that, so you go ahead
19 and get started. I would. But, I don't know what they
20 do, to tell you the truth.

21 MS. PILKEY-JARVIS: Would it make sense to you
22 that maybe they just had an annual budget for this type
23 of work.

24 THE WITNESS: Oh, no, I don't think so. And
25 maybe they did, but I don't think so. In the future,

1 we may, you know, okay, we are going to take this and,
2 you know, in fact, it might be, it is dictated to us
3 right now, you know, okay, well, we have got to this
4 every three years and this one two months or whatever.

5 MS. PILKEY-JARVIS: Okay. Do you remember
6 when you guys first starting running those inspection
7 pigs?

8 THE WITNESS: I sure don't, but it was, I
9 think we were 'one of the, we were way ahead of
10 everybody else, because we did it before it was
11 required, you know, I think Mobil was here.

12 MS. PILKEY-JARVIS: On, you think so.

13 THE WITNESS: I think Mobil was here when we
14 first started.

15 MS. PILKEY-JARVIS: The reason why I asked
16 that is because you said that both times with kind of
17 'pride, that your company was that far ahead.

18 THE WITNESS: Yes.

19 MS. PILKEY-JARVIS: so, you know --

20 THE WITNESS: Or maybe they had been out for
21 years, but I had never heard of them. Hey, yeah, and
22 they wasn't too good, I don't think when they first
23 came out.

24 MS. PILKEY-JARVIS: I am trying to see if you
25 can sort of remember the different inspection runs that

1 have occurred. You know, we have talked about, on this
2 sheet of paper that, the dig sheet that you have looked
3 at, shows information about two separate runs that were
4 made, and they were made by two different companies. .
5 And I am just trying to understand if you, in your mind
6 you can distinctly remember the two different runs?

7 THE WITNESS: I can't.

8 MS. PILKEY-JARVIS: Because that would help us
9 understand what year it was and when Steve went out
10 and, you know, looked at the site to determine, you
11 know, to do this assessment about digging. It is
12 really important to try to pin that Lime down.

13 THE WITNESS: -- probably everybody in this
14 room, I am pretty sure it was in the winter.

15 MS. PILKEY-JARVIS: Winter time **of** what year?

16 THE WITNESS: Yeah. Yeah.

17 **MS. PILKEY-JARVIS:** That is why he asked you
18 the question about the election, because we are trying
19 to see if there is something that you can remember
20 about that year.

21 THE WITNESS: Yes.

22 **MS. PILKEY-JARVIS:** I mean, can you kind of
23 think about events that were occurring at that time,
24 just to help us try to understand if it was in winter
25 of 1996 or winter of 1997.

1 (Pause.)

2 THE WITNESS: I can't. No.

3 MS. PILKEY-JARVIS: Okay. Thanks for trying.

4 THE WITNESS: I would like to think that if we
5 run it during the summer, it would have been there in
6 the fall in a year or something or maybe we would run
7 it in winter, too, and went ahead and jump right on it.
8 I have never known us to wait a year.

9 MS. PILKEY-JARVIS: Okay.

10 THE WITNESS: To go out and start diggings.

11 MS. PILKEY-JARVIS: That is fair. Thanks.

12 You have talked a lot about how you, in your
13 mind, classifying the anomalies by how critical they
14 were, a one or a two, but it is not clear to me how
15 that information gets communicated to you. Is it
16 communicated on the dig sheet?

17 THE WITNESS: I think it is. I didn't -- I
18 don't --

19 Let's see.

20 (Pause.)

21 THE WITNESS: This one doesn't have -- two
22 welds four feet apart. I think that is how long that
23 pup was there at the --

24 MS. PILKEY-JARVIS: Well, instead of trying
25 to, you know, focus necessarily on this particular dig

1 sheet, why don't you just try to think about just
2 general, just normal times. How is it communicated to
3 you how critical an anomaly is, is it a one, or a two
4 or a three?

5 THE WITNESS: I thought I had seen it on the
6 dig sheets before.

7 MS. PILKEY-JARVIS: Okay.

8 THE WITNESS: But, I thought I had. Maybe,
9 maybe I hadn't, but there would -- But, this one here
10 is kind, it does have the 23 percent, you know, so, and
11 maybe Richard had charts in the past --

12 MS. PILKEY-JARVIS: Does that 23 percent mean
13 something to you?

14 THE WITNESS: Yeah, 23 percent, it is 23
15 percent of the pipe wall is gone.

16 MS. PILKEY-JARVIS: Does that make it a one or
17 a two or a three?

18 THE WITNESS: I couldn't tell you. Like I
19 say, I never got in, I know like if you see a backhoe
20 scratch or something, you know, you know it would be 12
21 and a half percent of the wall thickness of the pipe
22 and stuff like that. But, where you have got these
23 digs, if it is corrosion or something like that. it is
24 different --

25 MS. PILKEY-JARVIS: That is a fairly

1 knowledgeable answer. Did you, would you receive any
2 other information with the dig sheet that would, you
3 know, have the one or the two or the three, a
4 spreadsheet from Excel, a table?

5 THE WITNESS: We had no, this is all we would
6 need. We wouldn't need all that stuff, you know, a lot
7 of times you open the door it is raining and it beats
8 you to the job and gets all wet. Richard wouldn't give
9 **us** anything --

10 MS. PILKEY-JARVIS: When you typically went
11 and exposed something because you were looking at an
12 anomaly, how many feet of pipe would you expose?

13 THE WITNESS: Sometimes the whole joint, when
14 we first got going.

15 MS. PILKEY-JARVIS: How many feet would that
16 be?

17 THE WITNESS: Well, like in that Ferndale
18 Refinery, I think it is like 40 feet long, something
19 like that. And then other places there is like 60
20 feet, you know, there are 60 foot joints. And that is
21 when we first started. We were just, because they
22 wouldn't, they wouldn't guarantee nothing where about
23 in the pipe, so, you take that wrap and you knock the
24 whole thing off and you look at it, and stuff. You
25 don't see nothing.

1 MS. PILKEY-JARVIS: When you were answering
2 Allen's questions in the beginning, you talked about
3 being surprised when Steve went and found that portion
4 or that location on the line under water, and you said
5 something about SEPA and it may require a SEPA, what
6 did you mean by that?

7 THE WITNESS: Oh, if you are, just to see if
8 it is wetlands and stuff and it takes you, I had to do
9 one on my own place and it took me about six months. I
10 done a little bit nosing and stuff and didn't have a
11 permit or nothing, and they caught me, shut me down.
12 And the kids had the horses, and I wanted to make
13 arena, you know, where they could trot around there and
14 stuff and it cost me \$7,000.00, because I need to get
15 civil engineers and wetland geologists and stuff to say
16 whether it was or wasn't wetlands. And of course, my
17 wetlands, you also know it is not a wetlands and they
18 disagreed with me. I said, why didn't you tell me, I
19 said, I would believed you and you could have saved me,
20 you know, it was like \$3,000.00 for the wetland. A
21 civil engineer is about 2500 and you put your signs and
22 stuff, public notice sign and if your neighbors have
23 any complaints, then they can -- So I have got
24 wetlands. But, they let me keep the ring.

25 MS. PILKEY-JARVIS: How long ago did that

1 happen to you?

2 **THE WITNESS:** I think it was about six years
3 ago.

4 **MS. PILKEY-JARVIS:** So, so, if I understand
5 this correctly, you brought up **SEPA** because you were
6 thinking that if it was a wetland areas and Olympic
7 wanted to dig there, that there may be extra hoops and
8 a lot of bureaucracy that they had to go through in
9 order to be able to do that.

10 **THE WITNESS:** Well, with pipeline and stuff
11 you can speed things **up** sometimes if it is, you **know**,
12 an emergency, something like that.

13 **MS. PILKEY-JARVIS:** Did you have a
14 conversation with others, for example, Richard or
15 anybody else about **SEPA**, or is that something you are
16 just thinking yourself.

17 **THE WITNESS:** Just I **am** thinking.

18 **MS. PILKEY-JARVIS:** Okay. **So, you** don't
19 think that ..

20 **THE WITNESS:** But, everybody thinks that when
21 you are thinking wetlands and stuff.

22 **MS. PILKEY-JARVIS:** Okay.

23 **THE WITNESS:** Yeah.

24 **MS. PILKEY-JARVIS:** Well, what I am trying to
25 ask is, is it possible that that was a reason that this

1 . particular site was not done, after an anomaly was
2 identified?

3 THE WITNESS: Not that as much, it was just
4 that it was wet and wouldn't be feasible. It is not
5 that you couldn't get a couple of very big pumps out
6 there and stuff, it is just that it not cost
7 prohibiting. Unless it was a bad, you know, a problem,
8 you know, I mean, you would have to shut the line down
9 or do something, I mean.

10 MS. PILKEY-JARVIS: But, you don't recall
11 conversations with others in the company about the SEPA
12 process in that particular site?

13 THE WITNESS: No.

14 MS. PILKEY-JARVIS: Okay. Thank you.

15 And that creek down there, and the fact that
16 it was swampy or wet when he went out there, that is
17 just a seasonal thing, am I correct in that?

18 THE WITNESS: I think it is, of course, we
19 changing around and stuff now, but it did used to be,
20 it would probably be damp even in the summer a little
21 bit.

22 MS. PILKEY-JARVIS: Okay.

23 THE WITNESS: But, nothing like that.

24 MS. PILKEY-JARVIS: There is another pipeline
25 company that operates pipeline out in there area,

1 Transmountain. Are you familiar with the way, with
2 both from Transmountain and --

3 THE WITNESS: We were cleaning that creek out
4 there a little bit and we had that spider coming up the
5 creek and I guess we didn't notify them and **so** they got
6 ahold **of** me and over the phone and it was rather irate
7 and stuff, I have had dealings with them.

8 MS. PILKEY-JARVIS: Okay.

9 THE WITNESS: And I can't say as I blame them,
10 but --

11 MS. PILKEY-JARVIS: Yes. And I was going to
12 ask you to sort of think about some Olympic policies
13 about excavation and ask you to compare them with
14 Transmountain, but it doesn't sound like you are
15 familiar enough with Transmountain.

16 THE WITNESS: The guys that work up there, I
17 am sure they can communicate with them, you know, they
18 live up there, live around them and stuff.

19 MS. PILKEY-JARVIS: Do you ever see the
20 Transmountain folks out there excavating and doing
21 things to safeguard their pipeline?

22 THE WITNESS: No, but we talked to here just
23 last spring, we wanted a four wheel driver where their
24 line crosses our line, and stuff, and oh, yeah, hey, go
25 for it.

1 (Tape ended.)

2 **MS. PILKEY-JARVIS:** Let me go back and ask you
3 one more question about budget and this will be my last
4 question.

5 Are you given an annual budget to operate
6 your department?

7 **THE WITNESS:** I don't figure out, the number
8 crunchers will put out how much gas I spent last year.
9 I don't keep track of how much we will **spend** on phones
10 and stuff. They will ask me stuff, like how much do
11 you want to spend on mowing this year and every year
12 that goes up and it has went up agnin this year. **But,**
13 **as --** I have never had no problems if I wanted to, said
14 what projects you got coming up and like when I was
15 with mechanics, you know, hey, let's get more, we need
16 more valves, hey, let's get a new pump, hey, we need
17 more spares for an emergency or let's get more spill
18 equipment or something, you know, and I have always had
19 good luck, I mean, if you want chrome bumpers or
20 something, or something like that or you want CD's in
21 your, **on** stuff like that, but if it is related, they
22 don't say, you know, none of the oil companies ever
23 have, especially safety and stuff like that.

24 **MS. PILKEY-JARVIS:** I wasn't **so** much trying to
25 understand whether you were frequently denied

1 purchasing as to try to understand the budget process.
2 So, what I heard you say just now is that somebody
3 handles budget issues, but you were asked for input in
4 forming the budget and then I assume when you want to
5 make purchases, there is paperwork and you --

6 THE WITNESS: Right.

7 MS. PILKEY-JARVIS: -- submit in a request
8 and somebody approves.

9 THE WITNESS: Yes, yeah.

10 MS. PILKEY-JARVIS: Okay.

11 THE WITNESS: Some things they ask me, and
12 other things ain't none of my business, like how much
13 are we going increase wages next year. Now, I, when it
14 comes time to give pay raises out and stuff, you know,
15 so I find out, but they don't tell me, hey, we are
16 going to go ahead and increase wage benefits, or
17 'whatever, you know. They don't ask me.

18 MS. PILKEY-JARVIS: Okay. That is all I
19 have. Thanks.

20 MR. BESHORE: Let's take a break.

21 (Whereupon, a short recess was taken.)

22 MR. BESHORE: On the record.

23 We are administratively here, I am going to
24 take care of a couple of things. I mark as Exhibit
25 Cargo 1, the Compulsion Order for Mr. Cargo here for

1 his testimony here today. I mark as Exhibit 2 the dig
2 sheet that we were discussing that was previously
3 described as page 82. And as Exhibit Cargo 3, the
4 email that was printed out and it was labeled 6318 in
5 our original document production.

6 (The documents referred to
7 were marked for identification
8 as Cargo Exhibit 1, 2 and 3.)

9 MR. BESHORE: Tony, did you have any
10 questions?

11 MR. BARBER: Probably just briefly one.

12 Jim, Ron Greenwich works you or worked for
13 you before the incident.

14 THE WITNESS: Right.

15 MR. BARBER: How long before the incident had
16 he worked for you? Just roughly.

17 THE WITNESS: Two and a half years. Right up
18 till last May.

19 MR. BARBER: Did you know him before that?

20 THE WITNESS: I have known Ron since I was 22,
21 23.

22 MR. BARBER: That is quite awhile.

23 THE WITNESS: Yeah, over 10 years.

24 MR. BARBER: Fair enough.

25 Is Ron an independent worker? Does he show a

1 lot of initiative and takes things on, or does he need
2 a lot of direction and motivation from supervisors?

3 **THE WITNESS:** He is not the best mechanic. He
4 is the not the best mechanic, but Ron is, when Ron
5 really excels is when there is an emergency, even if it
6 not for real, like a spill drill or if there really is
7 a seal that needs to be replaced or something. Yeah,
8 he is real good. I think he has probably got, he has
9 been doing it longer and well, now, Shelby Rogers is
10 down there, he probably has got as many years as a
11 mechanic as Ronnie does, but yeah, there are people
12 that come to him and ask questions and stuff that, I
13 don't think he would win a foot race against them, you
14 know.

15 **MR. BARBER:** Did it ever, did it ever, you
16 said a couple of times before that Ron was, he worked a
17 lot with Craig Hammett and Richard Clausen.

18 **THE WITNESS:** Yeah, I mean, if Ron come to me
19 with a question, you know, if I didn't understand it,
20 because I ain't no mechanic, you know, I would say, he
21 would say, now, Jim, this dah, dah, here is the
22 situation, do you want to make the decision. Do you
23 want me to talk to Craig about it? And if I wasn't
24 busy, I would go with him, just if I would learn, you
25 know, not to, like I had an opinion or something, YOU

1 know, just to see what Craig would say so I would
2 learn, you know.

3 MR. BARBER: So, did Ron kind of keep you
4 pretty well informed of what he was up to, what he was
5 doing?

6 THE WITNESS: Oh, yeah. Yeah.

7 MR. BARBER: Okay. I don't think I have any
8 more questions, Allen. Thank you.

9 MR. BESHORE: Eric, do you have any questions?

10 MR. SAGER: A couple.

11 The dig request that we were discussing
12 earlier, that you believed, I believe, in fact, I
13 believe your reaction **was** you had never seen one of
14 these go uncompleted for a year.

15 THE WITNESS: Yeah. I mean, apparently this
16 one did, you know.

17 MR. SAGER: What, in your opinion, needs or at
18 that time, needed to be done to prevent this from
19 happening in terms of management or process?

20 THE WITNESS: Either Richard or I to follow up
21 a little better on it, I suppose. Or Richard's boss.

22 MR. SAGER: What was needed to ensure that you
23 followed up on it?

24 THE WITNESS: To have someone look at the sign
25 off sheet, or whatever Richard used to make sure

1 something, that all the digs that was suppose to have
2 been dug, checked off, I guess.

3 MR. SAGER: Who would you recommend do that?

4 THE WITNESS: Engineering.

5 MR. SAGER: Any specific person?

6 THE WITNESS: But, but, I wouldn't hurt for
7 them to have had a little better support, maybe from
8 myself, you know, and other people.

9 MR. SAGER: Who in Engineering should have
10 signed off on it?

11 THE WITNESS: I would say Richard's boss.

12 MR. SAGER: Who was, by name?

13 THE WITNESS: Craig.

14 MR. SAGER: **How** could you have supported him
15 better?

16 THE WITNESS: Well, if it, you know, I
17 remember Steve saying it was too wet, and Richard say,
18 yeah, well, it is, you know, we will get it later, you
19 know, **so**, next year, whenever, or when summer comes
20 around or it got put on a back burner it sounds like to
21 me.

22 MR. SAGER: But, how could you have supported
23 him better? In terms of the ..

24 THE WITNESS: Say, hey, are we all done with
25 this particular pig run? Have we got everything all,

1 you know, and then maybe me to have kept the list, pad
2 somewhere or something.

3 MR. SAGER: For you to keep the list? .

4 THE WITNESS: To help, to help someone out who
5 was in charge of it. I think the person who is reading
6 them, you know, reading them, ought to be in charge of
7 signing them off.

8 MR. SAGER: And the person reading them would
9 be?

10 THE WITNESS: Richard.

11 MR. SAGER: Has there been any action like
12 that taken since the 10th of June?

13 THE WITNESS: We are in the process now of, we
14 have got all the records of all the smart pigs we have
15 run and I am sure that, I don't know whose in charge of
16 that, but see we just switched over to these, I don't
17 even know all the names. I just met you here today,
18 and so, you know.

19 MR. SAGER: So, you are not the person to ask?

20 THE WITNESS: I don't know.

21 MR. SAGER: You don't know if you are the
22 person to ask?

23 THE WITNESS: Oh, no, I don't know who is in
24 charge of making sure all the pig dig ups that need to
25 be done get done.

1 MR. SAGER: Do you know if there is any plans
2 to clarify that?

3 THE WITNESS: Oh, there is somebody in the
4 company that knows. I don't know who is the top dog
5 that is in charge of --

6 MR. SAGER: I understand. My question was do
7 you know if there are any plans to clarify this, so
8 that you would know who the top dog is?

9 THE WITNESS: Oh, yeah.

10 MR. SAGER: And those plans are to be
11 forthcoming?

12 THE WITNESS: Yeah, we ain't started this,
13 these dig ups yet. And I have heard that it is going
14 to be here in a couple of weeks, and I know that there
15 is going to be a meeting tomorrow on the people who are
16 going to be doing some of the work and stuff. And I
17 believe you will probably be one in charge. I was
18 talking to you just a little bit out there, but I don't
19 know that for a fact, that you are the main man.

20 MR. SAGER: I understand you have been with
21 the company for 27 years. Began as a --

22 THE WITNESS: Almost.

23 MR. SAGER: Began as a utility man in 1973.

24 THE WITNESS: Yes.

25 MR. SAGER: How many positions would you

1 estimate that you have had in those 27 or 26 years?

2 THE WITNESS: They may have called me a
3 laborer when I first hired on, but a utility man is the
4 same thing anyway. So, I don't know if you want to
5 count that as two or one, because I didn't get a
6 promotion when, if they did change that title. And I
7 think, I think I started off as a laborer. But, they
8 didn't like the sounds of that, so they changed me to
9 utility man. It made me feel better, but I didn't get
10 any more money. So, we will say that is two, and then
11 I was utility welder, and I was an assistant
12 construction foreman for a year or so in there, and
13 then I was construction supervisor.

14 MR. SAGER: And when were you a construction
15 supervisor, when did you become that?

16 THE WITNESS: I think it is coming up on five
17 years. Five years.

18 MR. SAGER: That is where you are now.

19 THE WITNESS: Yeah.

20 MR. SAGER: Okay.

21 THE WITNESS: No, I am sorry, that would be
22 six. I am an assistant team leader now that B.P. is
23 onboard, so my title got changed again. So, I am an
24 assistant team leader.

25 MR. SAGER: Okay. And that has been

1 following the incident on the 10th, that you became
2 assistant team leader?

3 THE WITNESS: Right.

4 MR. SAGER: Okay. That is all I have. Thank
5 you.

6 THE WITNESS: Okay.

7 MR. BESHORE: I have a clarification question.
8 Earlier you mentioned when the spider came down through
9 the right of way on the Transmountain, that is the
10 spider that was in there after the accident?

11 THE WITNESS: Right, doing the clean up and
12 stuff and they were moving the logs in place and stuff.

13 MR. BESHORE: I just wanted to clarify the
14 time frame for that.

15 Does anybody else have any follow up
16 questions for Mr. Cargo?

17 MR. KATCHMARZ: Yes, I have a question, Jim.
18 And it is, it goes to the supervisory staff, I guess,
19 and I am just going to ask it, just to get your
20 reaction to it, and a response obviously. Why did you
21 take Richard's word for not doing the dig?

22 (Pause.)

23 MR. KATCHMARZ: Do you not understand the
24 question?

25 THE WITNESS: Yeah, I mean, you know, he was

1 told that it was under water, and stuff, and we will
2 get it later.

3 MR. KATCHMARZ: Okay. You took that as a
4 good enough answer.

5 THE WITNESS: Yes.

6 MR. KATCHMARZ: You felt like it was his call
7 to do the 'dig in the first place.

8 THE WITNESS: Oh, yeah. Yeah, Richard always,
9 it was his idea whether, you know, he had the education
10 and stuff for it, and I thought the guy was pretty good
11 at what he done, too, and I still do. But ..

12 MR. KATCHMARZ: Craig never got involved in
13 any of this, Craig Hammett?

14 THE WITNESS: Oh, yeah, I mean, not, not, I
15 don't think he was as sharp at it as what Richard was.
16 He was off building bridges and 'stuff or whatever he
17 'does, you know, and, you know, everybody has their own
18 little expertise or something. And like when, somebody
19 asked me if he ever come out to the field, you know,
20 Richard, and I say, even Craig would sometimes, you
21 know, if it was in question or something, yeah,
22 everybody took an interest then, you know, if you
23 called in and said, well, it is 30,000 deep and an inch
24 around, and it is a, or it is a corrosion or something,
25 and you are pretty descriptive of something, they would

1 say, okay, well, we will cut it out or we will slab it
2 or, you know, but, if you call them and say, boy, I
3 never seen one like this before. It is kind of
4 corrosion but or something or, you know, and mainly,
5 you know, dense or something like our little mites we
6 had at the time were only about that long, if the dent
7 was a little, how are you going to measure a dent if it
8 is so, you know, they would come out with a little
9 tools and stuff and for, you know, if you had to make a
10 longer, you know, or if it was close, you know, like a
11 12 and 1/2 percent, and you figure, well, it is like
12 maybe, it is like maybe nine or something, you know,
13 and well, you know, and sometimes they would say just
14 slab it anyway. Slab it anyway, you know. But,
15 sometimes, well, let me see that, you know, if it was
16 something kind of interesting. Well, I don't know if
17 it was a backhoe or a rock, or what the hell it was,
18 so, they would come out.

19 MR. KATCHMARZ: Okay. Have you seen a
20 difference, a change in your 27 years with the
21 different operators on --

22 THE WITNESS: Well --

23 MR. KATCHMARZ: Let me ask the question. On,
24 on the amount of direct supervision or direction from
25 the top down, has it gotten stricter, or more lax with

1 each subsequent, let's take Mobil to Shell, first?

2 THE WITNESS: I was kind of partial Mobil,
3 because I cut my teeth with them, you know, they kind
4 of raised me. And then Shell, they were there for only
5 two years. And --

6 MR. KATCHMARZ: Would you say your job is
7 more, more less strict now, there is not, I am talking
8 about prior to the accident?

9 THE WITNESS: Well, yeah, it is more strict.
10 I would think it is a little more strict.

11 MR. KATCHMARZ: I am talking about prior to
12 the accident, with Texaco and then Echelon.

THE WITNESS: Oh.

13 MR. KATCHMARZ: Was it more or less strict
14 than Mobil?

15 THE WITNESS: Oh, there is more strict in
16 Mobil, but if Mobil was still in business, they would
17 probably be just as, you know, I grew up with everybody
18 being stricter, you know, so, I suppose, you know, as
19 time went by, Mobil was stricter, too. But,
20 definitely, whoever is our next operator, gets to be
21 more and more strict, and I don't know if that is just
22 because time is going by or if they really, you know,
23 if they are not strict, I think' they are going to go
24 belly up, you know, no matter what --
25

1 MR. KATCHMARZ: But, in your opinion the
2 management structure was pretty strict under Texaco?

3 THE WITNESS: Not as much as Echelon, and I
4 think B.P. is going to be more than Echelon, of course,
5 I never got, you know, hell, Echelon was, what, five,
6 six months or something.

7 MR. KATCHMARZ: Okay. Thank you.

8 THE WITNESS: I think it is getting better as
9 time goes by.

10 MR. KATCHMARZ: Thank you, Jim.

11 THE WITNESS: No matter with what contractor
12 it is.

13 MR. BESHORE: Better in terms of things --

14 THE WITNESS: Just getting stricter and better
15 documentation and stuff, and well, the regulations is,
16 you know, it is not just the oil companies, maybe,
17 'maybe they don't do it on their own. Maybe it is
18 regulators and stuff that are requiring this stuff, **and**
19 so, they are, I mean, everybody is playing ball it
20 seems like.

21 MR. BESHORE: **And** you view that as a positive
22 development?

23 THE WITNESS: Oh, yeah. Oh, definitely.

24 MR. BESHORE: Okay. Well, I would just ask
25 you, Jim, if there is anything else that we haven't

1 asked you about that you are aware that, that you feel
2 like we need to be aware of to complete our
3 investigation?

4 THE WITNESS: No, I do tell you, if I knew
5 what the deal was, I mean, I would tell you. I don't,
6 I don't, I will be glad when they found out who, what,
7 why, where and when and go ahead and pay penalties and
8 throw people in jail if that is what everybody wants,
9 or you know', and it is, you know, it is --

10 MR. SAGER: That is not what we want.

11 THE WITNESS: What is that?

12 MR. SAGER: That is not what we want.

13 THE WITNESS: Oh. Oh.

14 MR. SAGER: We are not talking about --

15 THE WITNESS: Oh, nobody wants that, you know,
16 that only happens on rape convictions and murders and
17 stuff like that, you know, for stuff that is
18 premeditated and on purpose type stuff.

19 MR. BESHORE: So your point was you just hope
20 it gets behind us and things move forward.

21 THE WITNESS: Probably even more so than you
22 do, you know, and you, two, you know, I mean, you will
23 go to another problem, just like I will go to other
24 problems, but get a new problem.

25 MR. BESHORE: Okay. Anything else? Okay.

1 Thank you, Jim.

2 THE WITNESS: Thank you.

3 MR. BESHORE: Off the record.

4 (Whereupon, the interview was concluded.)

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REPORTER'S CERTIFICATE

This is to certify that the attached proceedings before: **NTSB**

In the Matter of:

PIPELINE ACCIDENT

were held as herein appears and that this is the original transcript thereof for the file of the Department, Commission, Administrative Law Judge or the Agency.

EXECUTIVE COURT REPORTERS, INC.
1320 Fenwick Lane, Suite 702
Silver Spring, MD 20910
(301) 565-0064

Official Reporter

Dated: **OCTOBER 2000**



National Transportation Safety Board

Washington, D.C. 20594

In the Matter of the National Transportation Safety Board Investigation of the Pipeline Accident Occurring in Bellingham, Washington, on June 10, 1999.

COMPULSION ORDER

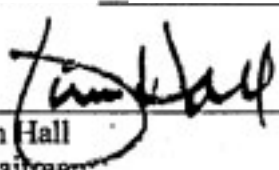
It appearing to the satisfaction of the Chairman of the National Transportation Safety Board:

1. That James Cargo has been called to testify or provide other information in **this** matter;
2. That James Cargo **has** refused or is likely to refuse to testify or provide other information, on the basis of his privilege against self-incrimination;
3. That in the judgment of the Chairman of the National Transportation Safety Board, the testimony or other information from James Cargo may be necessary to the public interest; and
4. That this order has been issued with the approval of the Attorney General or her designated representative, pursuant to **18** USC Section 6003 and **28** CFR Section **0.175**.

NOW, THEREFORE, IT IS **ORDERED**, pursuant to **18** USC Section 6002 and **6004**, that James Cargo appear and give testimony or provide other information which he has refused or is likely to refuse to provide or give on the basis of **his** privilege against self-incrimination as to all matters about which he may be questioned in **this** matter.

IT IS FURTHER **ORDERED** that in accordance with the provisions of **18** USC Section **6002**, James Cargo shall forever be immune from the use of such testimony or information or any information directly or indirectly derived from such testimony against him in any prosecution, penalty or forfeiture, either State or Federal or otherwise; but the witness shall not be exempt from prosecution for perjury, giving a false statement or contempt committed while giving testimony or producing evidence under this order.

Dated this _____ day of September, 2000.



Jim Hall
Chairman

Exhibit Cargo #1

OLYMPIC PIPE LINE COMPANY

LINALOG DIG INFORMATION

DIRECTIONS TO DIG SITE

Drawing # FE-1

Pipeline Segment FE-AL 16"

M.P. 16.0

Joint Length 23'

Detail:

Defect % 25
Defect Length 0.4'
(1'-6" from Weld)
AND POSSIBLE MASII

ENOURD 1/97
FROM ~~ENOURD RUN 050~~

Line Sheet S - 100 - 7

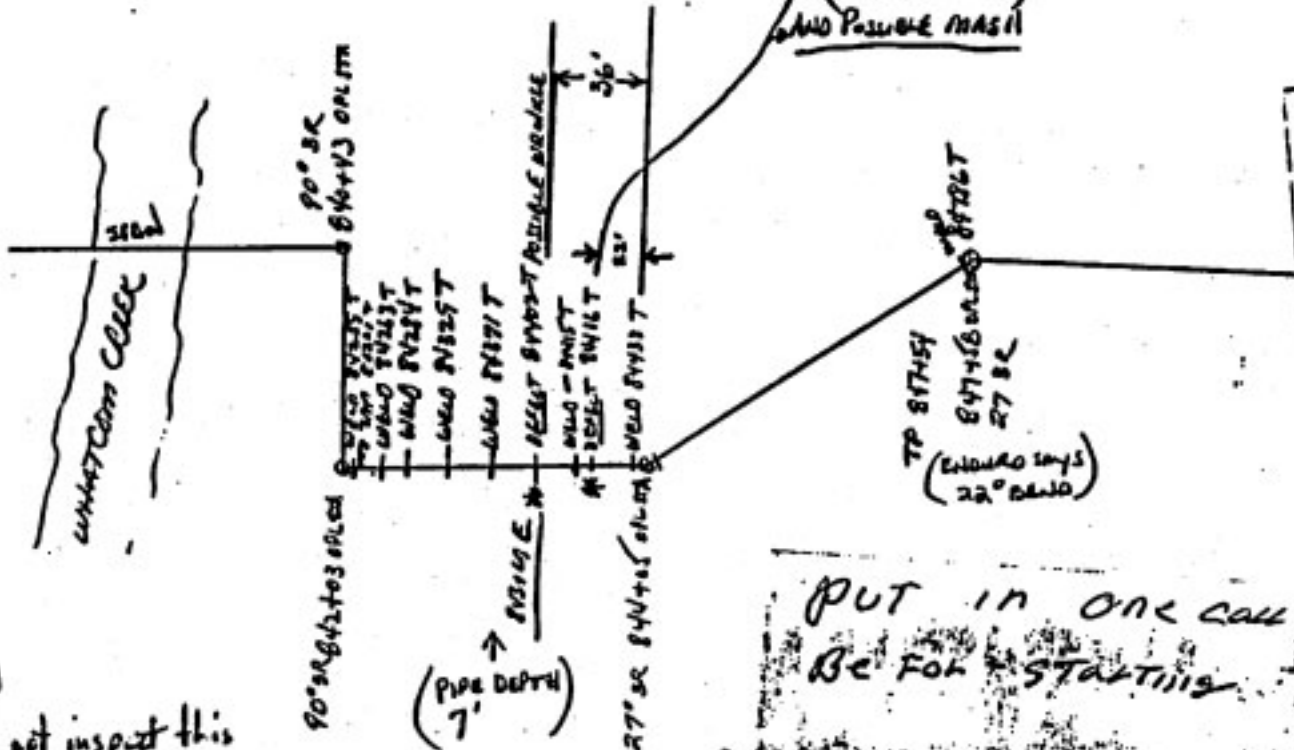
Position 1 O'clock

F 2 welds
4' apart

0000082

CONFIDENTIAL
DO NOT COPY
Abb

Exhibit Carso # 2



BILL L EVANS
Chief Operator
Water Treatment Plant
(202) 676-6562



City of
Bellingham
2221 Pacific St.
Bellingham, WA 98226

3801
Q&B Silver Beach
Water Plant
MP 16

ONE CALL
Water Lines ON
TOP OF ORL

PUT IN ONE CALL
BE FOR STARTING

Back Hoe
Extend a Hoe

4/97
Did not inspect this
location.
Tuboscope possible drill/mach 23% (min)
Enoura 4 is sharp (less than repairable)

RJK.
(Difficult to access)
K:10mrtplg/DIG2

AFE 9

From: [REDACTED]
To: [REDACTED]
Subject: [REDACTED]

The Bayview/Ferndale incoming surge relief and the Bayview/Ferndale outgoing surge relief are active and set to relieve at seven hundred pounds. This means that both sides (incoming and outgoing) pipelines are protected against any high surges. You may use one or both pumps as you wish at Bayview. On another subject, Ken Carlton will cover my area and take my call-outs and my on-call weekend while I am on vacation. I will return to work on Wednesday, Jan. 6th, 1999. Merry Christmas and Happy New Year to all my friends at Olympic.

0006318

ACB

~~CONFIDENTIAL
DO NOT COPY~~

Exhibit Cargo #3