

Appendix R

Bill Evans, Bellingham - Interview Transcript

Pipeline Rupture and Fire
Bellingham, Washington
June 10, 1999
DCA-99-MP-008

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UNITED STATES OF AMERICA)
NATIONAL TRANSPORTATION SAFETY BOARD)
RE OLYMPIC PIPE LINE COMPANY:)
Pipe Line Rupture and Fire,)
June 10, 1999)
Bellingham, Washington)
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DCA-99-WP-008

ORIGINAL

TRANSCRIPT OF PROCEEDINGS

July 8, 1999

Bellingham, Washington

ALLEN R. EMERSON AND ASSOCIATES
1226 McGarigle
Sedro Woolley, WA 98284
(360) 856-2618

1 Interview under oath of a witness in the above-entitled
2 matter taken on behalf of the National Transportation Safety
3 Board in the board room of the Best Western Lakeway Inn,
4 City of Bellingham, County of Whatcom, State of Washington,
5 before Allen R. Emerson and Associates, commencing at the
6 hour of 10:40 a.m., July 8, 1999.

7 WHEREUPON, the following proceedings were had to-wit:

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July 8, 1999

1 APPEARANCES:

2 ALLAN C. BESHORE, P.E,
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16 WITNESS: BILL EVANS

17 C O N T E N T S

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19 QUESTIONING BY:	PAGE
20 Mr. Beshore	4
21 Mr. Beu	16
22 Mr. Holcomb	18
23 Mr. Smyth	22
24 Mr. Beshore	25
25 Mr. Holcomb	32

1 Whereupon,

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BILL EVANS

3 was called as a witness and, having been first duly sworn,
4 was interviewed as follows:

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EXAMINATION

6 MR. BESHORE: We're on the record then. My name
7 is Allen Beshore. I'm the lead investigator with the
8 National Transportation Safety Board investigating this
9 pipeline fire and rupture that occurred three weeks ago
10 there in Bellingham.

11 Just want to thank you for coming over here today
12 and talking with us and answering some questions we might
13 have. We have some other agencies that are participating
14 with us in the investigation and some other companies. So
15 I'm going to ask them to introduce themselves and who they
16 work for so you'll know, if they have any questions, you'll
17 know who they are.

18 MR. BEU: Doug Beu, operations manager for Olympic
19 Pipe Line.

20 MR. HOLCOMB: Ron Holcomb with the Department of
21 Ecology. I'm the lead investigator for Ecology on this
22 incident.

23 MR. SMYTH: Geoffrey Smyth, Public Works
24 Department.

25

BY MR. BESHORE:

July 8, 1999

1 Q. If you could just state your name and address for the
2 record, if you would.

3 A. My name is Bill Evans. I'm the chief operator of the
4 City's Water Treatment Plant. I live at 4962 Everson
5 Goshen Road, Bellingham, Washington.

6 Q. How long have you been employed by the City?
7 I've worked for the City for 20 years. The last 12
8 have been at the Water Treatment Plant.

9 Q. And how long have you been chief operator?

10 A. Twelve years.

11 Q. Okay. So ever since you have been over at the plant.
12 We're interested, I guess, in talking to you about
13 among other things primarily construction that
14 occurred on the water treatment plant back in the
15 middle 90s, I guess. So you were chief operator at
16 that point in time?

17 A. Yes, I was.

18 Q. I don't know how best to approach, maybe just ask you
19 to kind of go back and run through the project as
20 best you can recollect at this point and just kind
21 of -- then we'll probably go with questions from
22 there.

23 A. Well, I believe the actual construction for that,
24 there were several projects there. There was the
25 reservoir and that started in '93 where they cleared

1 the trees and started building the reservoir. And
2 then sometime in I think February of '94, IMCO got
3 the project for the pump station and connecting all
4 the pipe work and doing some modifications at the
5 water treatment plant. And that started around
6 February.

7 And the first thing they kind of did was they
8 had to reroute or dig in a new line. Currently it
9 came out of the plant and went down and connected up
10 to the 16-inch. They had to reroute that because
11 they had to connect up the 72-inch pipe leaving our
12 plant, Clearwell, up to the new reservoir. And that
13 new pipe was directly in its path. So they had to
14 reroute that.

15 And then they started building the Clearwell
16 outlet structure which is an interconnect between the
17 72 and the existing plant. So they built that. And
18 then they kind of moved into that to start excavating
19 for the pump station itself.

20 And then while that was going on they were
21 doing some modifications in the plant, doing some
22 work on the soda ash system and chlorine equipment
23 while they were building the pump station.

24 And then they kind of laid all the
25 interconnecting lines, because the reservoir project

1 just stepped out to 72-inch and 60-inch. And IMCO's
2 responsibility was to go from there, carry all the
3 pipe work in front of the plant to the pump station
4 and then connect it up to our existing distribution
5 piping.

6 So they excavated from the reservoir all the
7 way around to our old distribution piping right by
8 Whatcom Creek and to put all that piping in. They
9 installed the 72-inch, 60-inch. There's a 36-inch
10 bypass and then all the interconnecting electrical
11 sample lines. All the sample lines, the power,
12 electrical power between the vaults, chlorine lines,
13 various things we need to operate plant and to
14 operate the pumping station, the electrical conduits,
15 stuff like that. I don't know how detailed you want
16 to go.

17 Q. We'll generate questions based on your discussion
18 there. So was IMCO then the one -- was part of that
19 work tied in as that 24-inch outlet of the pump
20 station into the existing station?

21 A. Yeah. All the -- like I said, they built the
22 whole -- their project was to build, to connect the
23 reservoir with our distribution system, build a new
24 pump station, which meant installing the five or the
25 four pumps, all the suction and discharge lines for

1 those pumps, connect it up to our high pressure
2 16-inch main that was currently there, yeah.

3 Q. When you say "reservoir," you're talking about the
4 tank?

5 A. Yeah, the big --

6 Q. The big tank.

7 A. Right. Baugh Construction built that. B-a-u-g-h
8 Construction.

9 Q. So IMCO was the general contractor that did all that
10 piping work?

11 A. Right.

12 Q. Do you know if they subbed out any of the excavation
13 part of it or do you recall?

14 A. I don't recall. The project was -- the City had
15 Barrett Consulting. They did all the design and they
16 actually hired a resident on-site inspector. So I
17 would occasionally walk around out and just see what
18 was going on, but officially it was Barrett had a
19 site inspector, Tom Franklin, there that was doing
20 most of the work. And I did attend the meetings.

21 They had weekly meetings to find out what
22 their schedule was and things like that. But I'm not
23 sure. I couldn't say positively whether the
24 excavator operators were IMCO or not. I kind of had
25 a feeling they were but I can't say that for sure. I

1 couldn't say for sure that they were.

2 Q. Did you have any interaction with anybody from
3 Olympic during that process?

4 A. You know since I found out I was going to be doing
5 this I was trying to recall whether I actually met an
6 Olympic Pipe Line person. I had met them. I have a
7 card in my file, Ken Roberts. And at the initial
8 project we all handed out business cards to everybody
9 for communication.

10 But, you know, I can't recall meeting and I
11 probably have, but I can't recall meeting somebody
12 from Olympic there. I'm sure he was there because I
13 know there was somebody resident there, just from my
14 dealings with Tom Franklin. And I may have talked to
15 him, because at one point I knew, because I asked one
16 of the persons there, whether it was during the
17 project or before or after, because they stopped by
18 occasionally to look at the line there to see how the
19 growth is on the line. And I just asked him some
20 questions about the pipeline.

21 Like I knew there was 1200 PSI. The guy told
22 me there was like 1200 PSI going through there and he
23 kind of explained to me how the fuels and diesel fuel
24 and all that. I thought it was interesting how the
25 plug flowed kind of through the pipe. So I knew all

1 that and I got that from an Olympic Pipe Line person.
2 Whether it was during that project or before or after
3 I'm not sure.

4 And the other dealings I had with them was
5 when the project was done. An Olympic guy showed up
6 and we were talking about putting a gate in that
7 fence so they could get a tractor in there to cut the
8 brush down. And that was one of the things I was
9 supposed to do but never got around to doing it.

10 Q. Do you know who that was?

11 A. I'm not sure. It might have been the Ken Roberts,
12 because I don't know when I got the card, where it
13 was, because they had a pager number written down on
14 that card. Whether I got that at that time or
15 whether it was during the project I'm not sure.

16 Q. When you were talking about at the end of the
17 project --

18 A. Well, when the whole thing was gone and the
19 contractor was gone.

20 Q. When would that be?

21 A. I'd have to say it was maybe a year afterwards or so,
22 because the grass and everything was growing back up
23 and the project was kind of settled then.

24 Q. When did the project end, what year or time frame?
25 Do you recall?

1 A. I'm thinking around '95 sometime, because that's when
2 the reservoir went on line, which meant all the
3 piping had to be connected and the pump station was
4 working.

5 Q. Spring, summer, fall, do you remember what month it
6 might have been?

7 A. I'd have to see for sure. I did keep a logbook.
8 I've kept a logbook since I've been there mainly for
9 my own records, because every year I write an annual
10 report about what took place over the year. And so
11 I've got it all wrote down in logbooks and I could
12 probably tell you more specifically.

13 Q. Have you had a chance to look through your
14 logbooks, --

15 A. I looked through them this morning.

16 Q. -- some of your notes. And did you find anything
17 that might be helpful to us?

18 A. Well, I was looking through there this morning just
19 to see if there was any word that I put down. And
20 these are kind of brief things that kind of jog my
21 memory. They're not really that detailed. I was
22 looking through there to see anything about Olympic
23 and I didn't see anything in there.

24 There's a lot about construction and broken
25 mains and things like that that happen during a

1 construction project and things that went wrong,
2 things like that. Nothing that would indicate some,
3 maybe some problems with the pipeline itself. Again,
4 these were just my observations.

5 If there was things like contractor, you
6 know, hitting pipes or something, they were over
7 excavating, you know, I wasn't privy to that
8 information unless Tom Franklin told me or I happened
9 to be there watching it at the time.

10 Q. Since you've been out there at the plant do you
11 recall Olympic ever doing excavating work on the
12 site?

13 A. Prior to the construction or after?

14 Q. Anytime in the 12 years since you've been there.

15 A. They've been out locating it for other people like
16 phone companies and things like that. But they've
17 never -- once the site was all closed up the only
18 time it was ever dug up again was on a punch list
19 item. One of the valves wasn't closing on a 36-inch
20 line. I think IMCO came back and dug that up. But
21 that wasn't anywhere near where the pipe ruptured.
22 That was further down the line. It was still in the
23 area but --

24 Q. That wasn't that valve that was right near the
25 rupture, that was a 36-inch line somewhere else?

1 A. Yeah, just maybe 50 feet down the line, I guess, and
2 off to the side. It was a bypass around, a 36-inch
3 pipe has around a 60-inch. So it would have been on
4 the other side away from the Olympic pipe. They had
5 to dig a pretty big hole to get down to that valve,
6 but there wasn't any other pipes exposed that I saw.
7 That's the only other dig that I recall.

8 There's been a couple other digs further down
9 towards the reservoir that we've done repairing pipes
10 and stuff like that. But that was down a quarter,
11 towards the reservoir more.

12 Q. That was since the '94 project was completed?

13 A. Yes. It was probably last year.

14 Q. To your knowledge Olympic hasn't brought any
15 equipment in there and done any excavating and done
16 anything to their pipe --

17 A. No.

18 Q. -- since that time frame. Other than this valve
19 excavation and a couple repairs that were down
20 towards the reservoir you guys haven't done any
21 additional excavation activity?

22 A. We have done -- we did an excavation on the -- well,
23 where the pipe crosses this creek there and then
24 makes a turn. There's a chainlink fence there and
25 there's a couple valves right there. One of the

1 valves was hardly operating so our water distribution
2 crew came over and dug that up to repair that.

3 Q. That was over on the side of the yard towards the
4 creek?

5 A. Where it comes across the creek and makes that turn
6 it's somewhere right in there. Where that chainlink
7 fence is we dug right there.

8 Q. Okay. You're talking about the pipe that turns.
9 You're talking about the gasoline pipeline, Olympic's
10 pipeline?

11 A. Pipeline.

12 Q. Where it comes across the creek there?

13 A. Right.

14 Q. And you've got a pipe right in there and you dug --

15 A. Well, there's a 48-inch that comes across there and
16 then on that 48 there's an 8-inch that goes out into
17 the creek. And we dug that pedestal up right there
18 because it was kind of, the settling of it was making
19 it kind of difficult to open. So our water
20 distribution crew came in and dug that up right there
21 and repaired that.

22 MR. BESHORE: Off the record for a second.

23 (Whereupon a short recess was taken.)

24 MR. BESHORE: Back on the record. I apologize for
25 the interruption.

1 BY MR. BESHORE:

2 Q. So when you were out there during this construction
3 process did you ever like see Olympic's pipeline in
4 there?

5 A. You know, I took pictures during the whole process.
6 And I don't recall ever seeing that exposed. Like I
7 said, I wasn't out there all the time. Tom Franklin
8 was kind of the head inspector. I was basically the
9 only supervisor out there because that's my office.
10 So there might have been occasion where it was
11 uncovered and I didn't -- you know, I wasn't out
12 there at the time. So I couldn't say for sure.

13 Q. But you don't remember seeing it uncovered when you
14 were out?

15 A. No, I don't. I don't remember seeing it exposed.

16 Q. You don't remember any conversations or anything like
17 that that might have had to do with repairs or damage
18 or anything like that?

19 A. No, I don't.

20 Q. During that process?

21 A. No.

22 Q. And in the meetings there was never mention of it
23 that you recall or anything associated with the
24 Olympic's pipeline or do you remember anything at any
25 of their meetings?

1 A. I don't recall anything coming up with Olympic Pipe
2 Line, not to say there wasn't something brought up
3 between Tom or IMCO or whatever. But I couldn't say
4 right now. I do have a file on that I kept, as
5 whatever was on the project I kind of threw in this
6 file, which I guess there's a lady from Olympic
7 coming in tomorrow to look at all that stuff. I
8 haven't looked through it since this has come about.
9 So I'm not sure. But right now I don't have any
10 recollection of anything coming up about Olympic Pipe
11 Line.

12 Q. So nothing stands out?

13 A. Yeah, nothing would stand out.

14 MR. BESHORE: All right. I'm going to turn
15 this over and see if Doug has any questions and let
16 him ask a couple and I'll collect my thoughts.

17 EXAMINATION

18 BY MR. BEU:

19 Q. I've got a couple I guess. I've got some paperwork
20 that you may not have seen, inspection reports. From
21 back in July 7 of '94, it talked about problems arose
22 when the hole fatigue was not positioned properly,
23 and tap into the 16-inch today, but rescheduled
24 tomorrow. Do you know what was the problem with the
25 positioning of the hole fatigue?

1 A. I'm assuming the "T" is that 24-inch coming out of
2 the pump station. That's the only "T" -- there might
3 be a "T" where the suction line off the 60, but
4 that's --

5 MR. BESHORE: This says to tap into the
6 16-inch, so we're talking about that same T.

7 THE WITNESS: Gosh, you know, I don't recall
8 having any -- like I said, I wasn't out there looking
9 over their shoulder a lot. So I couldn't say what
10 problems they were having. I will add that during
11 the whole project there were numerous problems with,
12 you know, pipes and various things getting to work
13 like they're supposed to like probably a normal
14 construction project.

15 I know they were going from 24 to 16, so
16 maybe there were some problems with getting -- this
17 is just my own opinion -- getting the parts to line
18 up correctly or whatever.

19 BY MR. BEU:

20 Q. Let me see. Some of the hole dug for today's work
21 was backfilled and the area excavated to fit the "T"
22 in the CDF placement. Do you know what they're
23 talking about?

24 A. Yeah, I mean I know what they're talking about,
25 but whether -- I don't recall having any kind of

1 conversation or listening to what they were talking
2 about.

3 Q. I guess on another page, this is on July 8th, would
4 have been the next day.

5 A. Are these notes?

6 Q. Yeah, these are notes from Tom.

7 A. Tom Franklin? Okay.

8 Q. It said I asked Greg to accomplish repair of the
9 16-inch near the 16-48 inch tie-in that was damaged
10 in late May.

11 A. All right. That was IMCO was digging out there and
12 they broke our 16-inch main towards the creek over
13 there.

14 Q. So damage was to your 16-inch water line, not 60?

15 A. Right.

16 Q. Because it says 60-inch line. I don't know.

17 A. Is your line a 16-inch?

18 Q. Yeah.

19 A. Okay. I thought it was 18.

20 Q. No, it's 16.

21 MR. BEU: That's all the questions I have.

22 WITNESS: That was in my logbook. That was
23 May 28th when that happened.

24 BY MR. HOLCOMB:

25 Q. Ron Holcomb from Department of Ecology. Could you go

1 over again how you did have a Ken Roberts' card from
2 Olympic and when, approximate time when you may have
3 received that card or --

4 A. Well, like I said, I'm not sure. I've been there 12
5 years and I have had Olympic people to come by to mow
6 the grass where their pipe goes every so often. And
7 so I've met them through the years. And if I got --
8 I'm not sure whether I got that card the first time
9 during the project, at the end.

10 There's a pager number on there which kind of
11 alludes to the fact that I got that during the
12 project because it might be important to get ahold of
13 them. That's why they gave me the pager number.
14 That's my speculation. I don't know for sure. It
15 was handwritten to the card.

16 Q. This explains you weren't monitoring the excavation
17 project. But you don't have any recollections of the
18 times that you did go out there, you know, seeing an
19 Olympic person there whenever you were out there?

20 A. Yeah, I can't say for sure. I would imagine -- I
21 knew there was a person on-site, but I can't recall
22 seeing him. I'm sure when the excavation was going
23 on he might have been standing there, but I can't say
24 for sure.

25 Q. So if they came to the site during the construction,

1 I mean, they didn't come and check with you at the
2 office or anything? I mean, people would just go
3 right to the work station?

4 A. Right. There was a shack set up there and Tom
5 Franklin kind of worked out of his car so, yeah. I
6 mean, I really wasn't the official contact person for
7 the project so. Tom Franklin was.

8 Q. Was somebody else in the City that --

9 A. I think from the City I was the representative there
10 because I was there. But the normal channels I was
11 to go to Tom Franklin and then it would go through
12 IMCO. Because if I wanted to make a recommendation
13 on changing something, that was my path of
14 communication.

15 Q. Okay. You'd also indicated though that Olympic had
16 done on a number of locations done this pipe
17 locations for utility work?

18 A. Right.

19 Q. And any of those in the vicinity of where the problem
20 was or where would those have been done?

21 A. Well, locates like for the phone company, you know,
22 they located their pipe, put the little flags in all
23 the way across the dig area, all that gravel area all
24 the way across to the fence. That's all I recall.

25 Q. And then the work that's associated with that by the

1 phone company or --

2 A. Well, I guess if you're looking for back in those
3 periods it was probably the initial location of the
4 pipe prior to the project.

5 Q. Okay. I get you. But nothing afterwards?

6 A. Well, they did it here. Well, the flags -- I can't
7 recall because there was an occasion after the
8 project they came and put flags in again. And those
9 flags are still, were still there today. But I can't
10 recall what that location was for. The phone
11 company's been wanting to do some work through there
12 because they've had a bad phone line. So I don't
13 know if that's why the flags showed up.

14 Q. I was going to ask Bill about this document. I just
15 want to verify that. I assume that that is a copy of
16 your card?

17 A. My business card.

18 Q. Would that have changed over the years? Do you have
19 an idea when that card might have been? Is that
20 recent?

21 A. No, I've got a box of 500 cards. I'm still working
22 on it. I couldn't tell whether that -- I mean,
23 that's my card today as it was back to those days.

24 Q. Do you recall a visit from an Olympic Pipe Line
25 employee sometime, I don't know, '96, '97, which

1 would have been after the project?

2 A. I did get a visit from an Olympic person and, again,
3 the only thing I can remember we were talking about
4 was about the fence and the gate going through there
5 and having to mow the brush down on their pipeline.
6 The fence line needed a gate to be installed so that
7 they would get their mowing equipment in there. That
8 was after the project and that could have been a
9 couple years after that. Whether they talked about
10 some other items I'm not sure. I can't recall.

11 Q. So you don't recall a visit from an Olympic employee
12 that might have come with anything regarding their
13 pipe and possible problems with the pipe and where,
14 where that might be located in relation to other
15 water lines or anything like that?

16 A. I don't recall anything about that, no.

17 Q. I guess the last question I have is, in your dealings
18 with Tom there, Franklin, on the site, did he ever
19 express to you any information regarding concern that
20 there had been a problem nicking or coming in contact
21 with the Olympic pipe during the project?

22 A. Not to my knowledge.

23 MR. HOLCOMB: That's all.

24 MR. BESHORE: Any questions, Geoff?

25 BY MR. SMYTH:

1 Q. In your weekly minutes that were published you said
2 you attended weekly meetings?

3 A. Right.

4 Q. So one of the meetings there was discussions about,
5 if this is back when John Hatch was working with Tom
6 Franklin, whether or not John had contacted the
7 Olympic people and how their position was regarding
8 the excavation around their pipeline. And you
9 mentioned talking to a gentleman named Scott from
10 Olympic Pipe Line. Do you recall that meeting in May
11 of '94, if that actually happened, and what can you
12 tell us happened?

13 A. Yeah, I don't recall anything about that Geoff. The
14 only thing I wrote down in my logbook in May was the
15 two main breaks, the one 16-inch and the other
16 8-inch. That's all I wrote down in my logbook.

17 Q. Could you maybe just give another quick little
18 synopsis though on your understanding of the
19 relationship between IMCO and Barrett and the City?

20 A. Well, at first it started off very good. We had a
21 partnering meeting, trying to get this partnership
22 between all the parties. But towards the end there
23 between Tom Franklin and IMCO it was shouting
24 matches. I remember them out there arguing over
25 something and screaming at each other. So I think as

1 the project wore on the friction got more and more.

2 Q. And involvement in the City was limited. I mean,
3 what was the City's role? What was your role? What
4 was Huang's role, Huang Wang, the engineer?

5 A. Well, the City hired Barrett Consulting as our
6 consulting engineering and they also hired an on-site
7 inspector. So the City was kind of really on the
8 outside. I was there and kind of the City liaison
9 between Barrett and the engineering department. But
10 Huang would only come up occasionally if there was a
11 problem and at some point even Tom Rosenberg showed
12 up at a meeting.

13 And we were discussing certain aspects. I
14 can't even recall what they were about the project.
15 I know there was -- there was a lot of problems with
16 the way IMCO was doing things, you know, just -- we
17 had some questions about their ability on some of the
18 things that they did. But, again, that was all
19 channeled through Barrett. They were the actual
20 contact person with IMCO.

21 If I had a problem with the way something was
22 being done, I would go to Tom and say, "Tom, it says
23 here in the specs that they need to do this." And
24 Tom would take that to IMCO, or both of us would walk
25 there.

1 But Tom wouldn't come to me and say IMCO
2 over-excavated the hole or something and there were
3 some problems there unless I asked him or happened to
4 have been there asking what's going on. Other than
5 that I didn't get all the little details of things
6 like that.

7 Q. Can you remember anyone else from the City that might
8 have been present during the "T" excavation or the
9 excavation for the "T" that might have been present,
10 someone maybe from the operations?

11 A. There may have been somebody from the water
12 distribution crew, because that is their part of
13 their -- anything that has to do with the
14 distribution system, water, our water crew, Clayton
15 or Leonard. I'm not sure. They may have been there
16 because we needed to isolate that section of pipe in
17 order for them to tie into it.

18 MR. SMYTH: That's all I have.

19 MR. BESHORE: Again, I apologize for the
20 interruption. I had to step out there for a minute.

21 BY MR. BESHORE:

22 Q. I just wanted to go back. I may ask something you
23 had talked about already. But the problems on the
24 project were there any, did any lawsuits come about
25 as a result of that?

- 1 A. Not that I can recall.
- 2 Q. So you didn't see the contract or --
- 3 A. No. We were glad the project was over.
- 4 Q. A lot of headaches associated with the project
5 itself?
- 6 A. Yeah. I mean IMCO, we had quite a lengthy punch list
7 and they came back and they pretty much fixed it all.
- 8 Q. Would you hirer them again on a project?
- 9 A. No.
- 10 Q. Did they do most of the work themselves or did they
11 sub a lot? Did they do piping work themselves or did
12 they sub a lot of that out?
- 13 A. The only thing that I think they subbed out was the
14 electrical. I think they had people on-site to do
15 all like the PBC plumbing, and they even had people
16 on-site doing some of the concrete work. I think it
17 was pretty much in-house people that did the whole
18 thing.
- 19 Q. So they're generally a mechanical, contractor-type
20 outfit. Would they have been the ones that did like
21 the concrete thrust blocks and those other things,
22 their own people?
- 23 A. I'm assuming it was their people. I couldn't tell
24 you for sure, just the way the whole project was most
25 of all. Whether they were getting plumbers and

1 things out of the union hall I'm not sure. They
2 might have been doing that, too. And pretty much the
3 concrete work, they had -- I even can't remember,
4 Ferndale or Ready Mix or something out there.

5 In one case they tried to do it themselves in
6 the soda ash room. They didn't want to pay for a
7 concrete finisher and the guy, a carpenter, was in
8 there trying to get that floor finished. And they
9 had to come back and grind it down because it would
10 set up on them. It was a mess.

11 Q. But you don't remember any trucks or anything that
12 were parked there from other contracting outfits that
13 come to mind, just aside from the electrical?

14 A. No. All I recall is pretty much IMCO trucks.

15 Q. And just going back I just want to be clear on
16 conversations you had with Olympic. But you don't
17 recall anything that had to do with them proposing to
18 come in and do any excavation or any mention of a
19 project that they might want to do that might impact
20 your facility there? Anything like that come to
21 mind?

22 A. I don't recall them ever saying anything about going
23 in there and excavating or them having any problems
24 with their pipe. I would have keyed on the fact that
25 they wanted to excavate out there, because the phone

1 company here recently wanted to excavate out there
2 and put in a new phone line. I just got my road all
3 fixed and they were going to be tearing that all up.
4 So I don't recall anything about that or even
5 mentioning something about that.

6 Q. Okay. And I apologize again, but you were talking
7 about the phone company doing some work in there.
8 Did I miss out on --

9 A. Well, for the last couple of months they've been
10 showing up there and walking around the plant and I
11 went up to them and asked them, "What's going on?"
12 And they said they've been having problems. There's
13 like a 600 pair cable that was being flipped back and
14 forth while the excavation was going on, pretty good
15 size phone line. And they're having problems in that
16 phone line, which I'm not surprised as many times as
17 that thing's been thrown back and forth during the
18 project.

19 They want to come in and replace that line
20 and so they had a lot of locates. And the Olympic
21 Pipe Line guy came out at that time, but the flags
22 were still in the ground from the last time they were
23 out. So they didn't need to do anything again. And
24 then we were out there locating the pipes, too. I
25 wasn't sure when they were going to come back and

1 dig.

2 Q. And they haven't done that yet?

3 A. No.

4 Q. So there hadn't been any excavation?

5 A. They haven't started yet probably.

6 Q. Since your project was done they haven't come in and
7 done any?

8 A. No.

9 Q. What kind of a coating do you put on that? Do you
10 remember if they put on the new water pipe as far
11 as --

12 A. Some kind of white. I don't know if you call it tar,
13 some kind of heavy-duty white tape. I've got some at
14 the plant there. It's kind of like tar-ish but with
15 a white coating on it.

16 Q. Is that on the 72-inch?

17 A. Right.

18 Q. What about the 24-inch, do you remember if they put
19 any kind of a coating on that?

20 A. I don't think so. I think it's just duct wire and,
21 well, I can't be positive on that. I'm not sure
22 whether they wrap that or not with the same stuff.

23 Q. But you don't remember using any kind of a plastic
24 product or anything like that, do you recall?

25 A. I don't recall.

1 Q. Painting anything on or brushing anything?

2 A. Let me think here. I don't recall them doing
3 anything to it. I just assumed it was -- I think
4 they did wrap some of the pipe in some plastic bag
5 type material. And whether they put that on there
6 I'm not sure.

7 Q. And then you said you had some additional notes that
8 you had taken that Olympic was going to be looking
9 through you said?

10 A. Tomorrow.

11 Q. You've had some opportunity to look through your
12 notes?

13 A. Right.

14 Q. If you could look through those notes, if there's
15 anything you believe would be of interest to us, I'd
16 ask for you to make a copy for us.

17 A. The one thing I might add here is when the project
18 was all finished I walked through the pipe lines, the
19 60 and the 72-inch, all the way from the reservoir.
20 And I did discover that there was a dent in our pipe
21 and a dent enough to knock the concrete off the
22 inside.

23 And so I did go to Tom Franklin on that. I
24 told him that, "Hey, you know, the pipe's been
25 damaged here." And they dug it up and there was a

1 rock sitting on there. So when they were doing the
2 excavation and the compacting of the earth again I
3 guess the rock dented our pipe.

4 Q. That was the top of the 72-inch?

5 A. The 60-inch.

6 Q. Okay. That was 60-inch. Is that the same type of
7 pipe as the 72 --

8 A. Right.

9 Q. -- that steel and concrete. Can you think of
10 anything else that we haven't talked about that might
11 be of interest to us?

12 A. I mean, again, looking at this same thing, looking
13 for reasons why this pipe may have busted, the
14 excavator with the hydraulic rammer that they were
15 using to compact all the thing was shaking my office.
16 It was doing a pretty good compaction there. That's
17 the only other comment I could think of that might
18 have some effect.

19 Q. Is that like one of those like hoe ram-type things?

20 A. Well, it was on -- the end of it was a hydraulic
21 thing on the end of an excavator arm and it would
22 vibrate the ground as the thing was being pushed
23 down.

24 Q. The end of a track hoe like they got out there now?

25 A. Yeah. That's what put a dent on our pipes.

1 (Witness excused at 11:10 o'clock a.m. on 7-8-99

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1 MR. BESHORE: Do you guys have anything else
2 to follow up on?

3 BY MR. HOLCOMB:

4 Q. Just one thing. We did receive a packet with some
5 colored pictures of the project.

6 A. Those were probably mine I assume. They're not?
7 Okay.

8 BY MR. SMYTH:

9 Q. The color photos that were submitted were from the
10 files from the Barrett Consulting Group. Some of
11 them are very similar to Bill's.

12 A. I had my own pictures.

13 Q. But your own photos didn't have the close-ups of the
14 three areas that we were interested in, the T area,
15 the 72 construction and in the suction line. He had
16 some photos that were taken farther back at a more
17 broad scope. And I didn't include those in those
18 submittals as Bill has them.

19 BY MR. HOLCOMB:

20 Q. Just so I'm clear, so the photos that we have were
21 taken by Tom?

22 A. Tom had a camera at the time. He was taking more
23 detailed pictures than I was.

24 MR. HOLCOMB: Thank you.

25 MR. BESHORE: Thank you. Off the record.

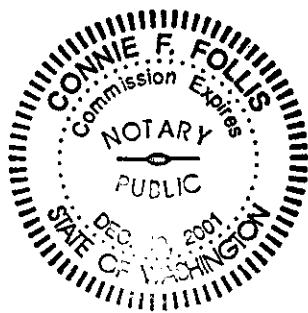
C E R T I F I C A T E

I, **CONNIE F. FOLLIS**, a duly authorized Notary Public in and for the State of Washington, residing at Oak Harbor do hereby certify:

That the foregoing verbatim report of proceedings were taken by me and completed on the 8th day of July 1999 and thereafter transcribed by me by means of computer-aided transcription; that the foregoing transcript is a full, true, and complete transcript of the proceedings ordered;

That I am not a relative, employee, attorney or counsel of any party to this action or relative or employee of any such attorney or counsel, and I am not financially interested in the said action or the outcome thereof;

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 14th day of July 1999.



Connie F. Follis
 Notary Public in and for the
 State of Washington, residing at
 Oak Harbor.
 CSR #: FOLLICF500QJ

July 8, 1999