

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

* * * * *

Investigation of: *

NATURAL GAS BUILDING EXPLOSION & *

FIRE NEAR WEST READING, *

PENNSYLVANIA, ON MARCH 24, 2023 *

Accident No.: PLD23LR002

* * * * *

Interview of: MAX BAXTER, Truck Driver



New Holland, Pennsylvania

Tuesday,
April 4, 2023

APPEARANCES:

SHERYL HARLEY, Investigator
National Transportation Safety Board

I N D E X

ITEM

PAGE

Interview of Max Baxter:

By Ms. Harley

4

I N T E R V I E W

(10:55 a.m.)

1
2
3 MS. HARLEY: Okay. Just to get started. Once again, my name
4 is Sheryl Harley. I'm with the National Transportation Safety
5 Board, and I'm here today to talk to you about the explosion that
6 occurred at Palmer's that occurred on Friday, the 24th, at about
7 4:50 p.m.

8 Today's date is 4/4 of 2023, and it's 10:55 a.m. And I am
9 located at [REDACTED], and this is in New Holland,
10 Pennsylvania. And I am speaking to -- can you identify yourself
11 for the record please, sir?

12 MR. BAXTER: Mark Baxter.

INTERVIEW OF MAX BAXTER

13
14 BY MS. HARLEY:

15 Q. Okay. So, Mr. Baxter, as I said before, we're kind of
16 looking into what happened on that day. So what I'm going to ask
17 you to do is just kind of walk me through your day and then up to
18 the accident and keep on, keep on talking as much as you can
19 remember.

20 A. Well, I loaded at Palmer's other chocolate plant in
21 Wyomissing and went over to West Reading, arrived there
22 approximately 4:10 p.m. The unloader seen me there. So he got
23 out and hooked the hoses up and everything and started unloading
24 right away. I got back in my truck, was sitting there for a
25 little bit, and my truck started to leak a little bit of oil

1 earlier in the week. So I thought I smelled hot oil on the side
2 of the engine. I got out, sniffing around the front wheel where
3 -- the side it was leaking, and it wasn't that. So I started to
4 walk around the front of my truck and, Mike, the mechanic and Sue,
5 the plant manager, were standing up at the corner of Building 2
6 looking around. And Mike yelled to me, do you smell that down
7 there? So I started walking up to them and said, smell what? He
8 said, don't you smell that? I said, well, what I smell up here is
9 different than down at my truck. And he said, that's smells like
10 raw sewage. I said, that's not sewage. He says, methane. I
11 said, no, I know methane. It's not methane. He said, what is it?
12 I said, I don't know. It's something I never smelled before. And
13 it's breezy there all the time. So I didn't get a real, real -- I
14 didn't get a real strong whiff of it.

15 So Mike and Sue went down into the basement of Building 2,
16 and Amy, the other girl that was killed, she come out the front
17 door, walked there at the building and said right there's the
18 problem. But I don't know anything. I work in the office, and
19 she went back in the building.

20 Well, right there at the corner of the Building 2, there is
21 -- I don't know if it's a gas meter or regulator, something for
22 the gas line. It was spraying gas out of it. Well, I turned and
23 walked back towards my truck, and I heard somebody, and I just
24 turned around and the explosion happened. It blew me up against
25 the side of the building, and then I was buried in brick and

1 buried in probably 4 to 5 feet of brick.

2 Q. Okay. So I'm going to start back a little bit. So you
3 arrived at 4:10. And then --

4 A. Approximately.

5 Q. Right. And then you said the unloaders from Building 1. Is
6 that --

7 A. The same people unload Building 1 and Building 2.

8 Q. Oh, okay. And they're the ones who hook the truck to the
9 building?

10 A. Building -- it's hooked up to Building 1.

11 Q. Okay. Where did the -- once they hooked it up to Building 1,
12 where did the loader go?

13 A. They go back inside because they take a sample, and they have
14 to test it, do paperwork, put the stuff in the computer. So he
15 was inside, and as far as I know the whole time.

16 Q. Okay. And to be clear, what's actually going from your truck
17 into there is chocolate?

18 A. Correct.

19 Q. Okay. All right. Okay. So, while you were sitting in the
20 alley, before all this happened, did you happen to see a vehicle
21 turn -- try to drive down the alley or turn into the alley?

22 A. Cars always do.

23 Q. Um-hum.

24 A. Cars, pickups, try and squeeze through.

25 Q. Okay. Did you see one car that had to turn around, that

1 stopped in front of you and then had to turn around and go out?

2 A. I didn't notice one. There's cars do. Some of them pull up
3 and sit there and wait to see if they -- think about it, see if
4 they want to try and go through but I didn't take notice of one.

5 Q. Okay. So then you said that as you were sitting in your
6 truck, and you were looking -- the truck is on Cherry Street, and
7 it would be facing west. Is that correct?

8 A. Yeah, towards 2nd Avenue.

9 Q. Towards 2nd. And up at the corner you saw Mike --

10 A. Mike.

11 Q. -- and you saw Sue --

12 A. Right.

13 Q. -- the plant manager. Was there anybody else with them?

14 A. A couple of girls that work in Building 2 that run the line.
15 I mean I don't know what all of them do. They were in and out of
16 the building --

17 Q. Okay.

18 A. -- which isn't unusual --

19 Q. Okay.

20 A. -- but I didn't know what was going on. They just asked if I
21 smelled that.

22 Q. Okay.

23 A. And at that point, I still didn't know what except seeing --
24 now I know it was gas spraying out of there.

25 Q. Okay. So you said that Mike and Sue had gone into

1 Building 2.

2 A. Yes.

3 Q. So they went in that door that's on Cherry Street which is
4 into the basement.

5 A. Right.

6 Q. Is that correct?

7 A. Right.

8 Q. Okay. And you said that Amy had come out of the front door.

9 A. The front of Building 1.

10 Q. Okay. So at that particular point, Amy says to you that
11 that's where the problem is?

12 A. Correct.

13 Q. Okay. And is she pointing at something or --

14 A. Well, that -- that's what I said. I don't know whether it's
15 a regulator or meter on the side of Building 2, there was gas
16 spraying out of it. She said, right there's the problem.

17 Q. And you actually saw gas spraying out of it?

18 A. Yes.

19 Q. Okay. So can you describe -- when you say spray, can you
20 describe it to me?

21 A. Like a can of Freon or something just open it and just -- it
22 looked like steam --

23 Q. Okay.

24 A. -- coming out.

25 Q. Okay. All right. And by this time, Mike and Sue are

1 actually inside of Building No. 2. Is that correct?

2 A. Correct.

3 Q. Okay. And you were standing out with Amy, and then she turns
4 to go back into the building.

5 A. Yeah.

6 Q. And then you walk back towards your truck?

7 A. Yeah, from the front of my truck to where this gas line was,
8 it's probably 30, 35 feet maybe. So I was probably halfway in
9 between there or maybe a little bit closer, my truck wouldn't have
10 exploded.

11 Q. Okay. And, you were thrown up against the side of
12 Building 1.

13 A. Right.

14 Q. Okay. All right. Do you have some sense of -- you said you
15 were buried under about 4 or 5 feet of brick. Do you have some
16 sense how long it took the fire department -- how did you get out?
17 Let me ask you that.

18 A. As soon as I got knocked to the ground, and the bricks feel
19 on me, I started to yell, and it's just like another little poof,
20 and I felt more bricks falling. I started to yell again, and
21 somebody said, I hear you, I hear you. Well, then it got quiet
22 for a minute and then, keep yelling so we can find you, keep
23 yelling. So I kept yelling, and three different times I got a
24 cool feeling coming underneath the brick. Well, I guess it was
25 gas because it lit on fire then all three times. And then they

1 kept yelling, keep yelling. Then I could feel they sprayed water
2 on the pile of bricks because I got soaking wet.

3 Q. Okay.

4 A. And then they had to bust brick up because I guess there was
5 a big section. Well, they were hammering on it right on my head.

6 Q. Ahh.

7 A. So they got one arm and one leg out, and put a strap under my
8 arms, and said we're going to drag you out of here, because one
9 arm and leg were still buried.

10 Q. Okay.

11 A. And I asked -- when they got me out of there and started
12 moving me towards the ambulance, I asked them how long I was in
13 there, and he said 20 some minutes.

14 Q. Okay. All right. So I'm going to go back. You said you
15 felt something cool, and you thought it was gas.

16 A. Well, it must have been gas because then it lit.

17 Q. And then it --

18 A. And I could feel my skin burn but I couldn't even move
19 anything.

20 Q. Okay.

21 A. And I could hear the skin crackling, well, burning.

22 Q. Okay.

23 A. So it had to be gas.

24 Q. Okay. All right. So, how many times have you actually
25 delivered to Palmers.

1 A. Well, I'm there every day.

2 Q. You're there every day.

3 A. At times, two, three times a day.

4 Q. Okay.

5 A. For probably guessing the last 15 years.

6 Q. Fifteen years. Okay. And this day was no different than --
7 it's the same process. You pull up, the loaders come out and hook
8 up for you, and nothing seemed to have been different on this day.

9 A. Everything seemed normal.

10 Q. Okay. You said that there were other people there. Some of
11 the girls that you say were in Building 2. Did you see them go
12 back into the building?

13 A. They were in and out.

14 Q. They were going in and out.

15 A. Now, when it exploded, I don't know where they were because I
16 wasn't paying that much attention because they come out there on
17 their break to get some fresh air. They always do, all the
18 shifts. So -- or they walk over to Building 1 and get supplies or
19 take samples of the candy over to the quality control. So it's
20 not unusual to see them out there.

21 Q. Okay. When the explosion happened, were you facing your
22 truck?

23 A. No, I was facing 2nd Avenue. Like I said, I heard something,
24 somebody, and I just turned around, and that's when it exploded.

25 Q. Heard something or someone, okay. I know this may be a

1 strange or a difficult question. Did you have some sense of how
2 the explosion happened? Did you see anything, you know, like a
3 flash or anything to your right or to your left?

4 A. I said the easiest way to explain it is happened just like
5 you see on TV. There's a big fire ball and more of a pow than a
6 bang. And then by the time I hit the ground, then I could feel
7 the brick coming down on top of me. I could see smoke until I got
8 covered.

9 Q. And that actually came from -- if you were looking from 2nd,
10 it came from the right towards -- from Building 2.

11 A. Correct.

12 Q. Okay. And to your knowledge, at that particular point, Amy
13 had reentered Building 2?

14 A. Well, she wasn't in Building 2. She was in Building 1.

15 Q. Um-hum.

16 A. That's where her office is.

17 Q. All right.

18 A. She came out and looked and went back. Once she turned the
19 corner, I couldn't see if she went inside or just in front of the
20 building, but from other people, they said she was leaving to go
21 home. Well, she has to walk down between the buildings to get to
22 her car. So I don't know if she just came out of the building,
23 just started to turn, because I didn't see her come back out.

24 Q. All right. Then you were transported to Reading Hospital?

25 A. Yes.

1 Q. Okay. Were you sent to another hospital or --

2 A. No.

3 Q. -- were you just treated at Reading?

4 A. Just Reading.

5 Q. Okay. And how long were you at Reading?

6 A. From Friday to Monday.

7 Q. Friday to Monday.

8 A. They were debating even Monday morning whether to send me to
9 Lehigh Valley burn unit or not.

10 Q. Okay. So going back to the odor you smelled at the truck,
11 you said that it was different than the odor you smelled when you
12 walked towards 2nd Street, towards the top of the hill.

13 A. Right.

14 Q. Is that correct?

15 A. If anybody's been around cars or trucks, you get an oil leak,
16 you know how the oil smells.

17 Q. Um-hum.

18 A. And it just started a little bit. So I was maybe it got a
19 little worse. Being right up against the wall, you're going to
20 smell it more.

21 Q. Um-hum.

22 A. That's why I got out, and it's like that's not what I smell.
23 I should say it's not oil.

24 Q. Um-hum.

25 A. But like different people have said since, you don't know

1 what natural gas smelled like? I said, no, because I've never
2 been around it. Propane, methane, yeah. Drive past the landfill
3 and smell methane. And we have propane heat here. And we had
4 camper propane bottles to grill, but I've never been around
5 anything natural gas

6 Q. Okay. So who thought originally it smelled like raw sewage?

7 A. Mike.

8 Q. Mike. And then he also proffered that he thought it smelled
9 -- it was methane?

10 A. Right.

11 Q. Okay. All right. Did you -- now, Sue's office is in
12 Building 1. Is that correct?

13 A. Correct.

14 Q. Okay. Did you see her come out or were they already there?

15 A. Well, when I got out of my truck, they were already up there.

16 Q. Okay.

17 A. So I don't know. Because my truck's parked uphill, unless I
18 really sit up, you don't even see them.

19 Q. Okay.

20 A. They could have been there 5 minutes. They could have been
21 there 30 seconds. I don't know.

22 Q. So from the time that your truck pulled up, until the time
23 you got out, how long do you think that was?

24 A. Well, I got back in my truck because I just texted my wife
25 that I just started to unload. Let me see what time it was.

- 1 4:20, I just started unloading.
- 2 Q. Okay.
- 3 A. So probably in my truck, 15, 20 minutes.
- 4 Q. Okay.
- 5 A. Whatever time it exploded.
- 6 Q. Okay. So you were in the truck about 15, 20 minutes, when
7 you got out, and then you walked up and talked to Mike.
- 8 A. I didn't go right up to them.
- 9 Q. Right.
- 10 A. Probably 10, 15 feet away from them.
- 11 Q. Okay. All right. Okay. So, from the time that you turned
12 around, started walking back to your truck, and then you heard
13 something behind you, would it be fair to say it was only a couple
14 of minutes?
- 15 A. Yeah.
- 16 Q. Okay. So, Mike and Sue were inside Building 2. Did they see
17 the gas spurting out of that meter --
- 18 A. They had to because they were both standing right there.
- 19 Q. Okay. And, did they give you any instructions, like tell you
20 to shut your truck off or move your truck?
- 21 A. My truck was shut off.
- 22 Q. Okay.
- 23 A. So.
- 24 Q. Okay.
- 25 A. I'm assuming they just came out trying to figure out what's

1 going on. That's --

2 Q. Okay.

3 A. -- just me guessing.

4 Q. All right. And those were the only three individuals that
5 you actually saw, I mean outside the girls that were going in and
6 out.

7 A. Yeah, that I spoke to.

8 Q. Yeah.

9 A. So, yeah, I seen the other girls in and out which like I said
10 that's not unusual.

11 Q. Do you remember if there was anyone else out there at the
12 time?

13 A. I seen some guy walk around, but not somebody that works
14 there. There are people walking up and down that street all the
15 time.

16 Q. Okay. Is there anything that you think that I should have
17 asked you but I didn't ask you?

18 A. The only thing I know that might give you a little help,
19 where that gas thing is on the wall, like say this is the
20 building --

21 Q. Um-hum.

22 A. -- they had these big steel I-beams up the side of the
23 building that held the safety harness track. Well, that's what I
24 say. I don't know if it's a meter, a regulator, whatever it is,
25 in between the first and second pole. And they had like

1 guardrails going across so nobody hit it.

2 Q. Um-hum.

3 A. Well, it was probably not this past winter but the winter
4 before, UGI had it dug up. They done something there because I
5 pulled up there and had to sit there and wait for them to finish
6 filling the hole in and put some blacktop in on it. All they're
7 going to do is drive right on it. I guess they do it all the
8 time. But then later on, when it's cold out, say it would snow
9 just a little bit or rain just a little bit, that second of
10 blacktop where they had up would steam and just that section of
11 blacktop, not all. And I thought, well, that's kind of strange
12 but I don't know.

13 Q. So let me get this straight. So right where that meter was,
14 approximately last winter or so --

15 A. Yeah.

16 Q. -- UGI was out there doing something.

17 A. I think they put a new whatever that is. I don't know. It's
18 -- they were doing something with that, meter, regulator, whatever
19 it is.

20 Q. Okay. And then what they ended up doing was just
21 blacktopping over it?

22 A. Well, they dumped dirt back in --

23 Q. Right.

24 A. -- and they just put some blacktop on because I had to sit
25 there and wait until they were finished.

1 Q. Okay.

2 A. Because when I would pull up to unload, my tires were sitting
3 on top of that blacktop.

4 Q. Um-hum.

5 A. And I always thought it was strange, when is it steam on
6 that.

7 Q. Okay. And you said that in the winter when it gets --

8 A. Let me shut the door. (Dog barking.)

9 Q. Okay. So how many times have you seen it do that do you
10 think?

11 A. If it would rain hard --

12 Q. Um-hum.

13 A. -- you wouldn't see it or inches of snow, you wouldn't see
14 it. It's just like when the ground had enough on to see it rained
15 or a coating of snow, where you could just see blacktop through it
16 a little bit, you would see that.

17 Q. Okay. And, you don't know what work they were actually doing
18 at that meter or regulator, whatever it was?

19 A. I don't know if they replaced it or if they just installed it
20 because those guardrail type things were never there before.

21 Q. Okay.

22 A. And after they done that, then they put them pieces of steel
23 up across there so nobody'd hit them.

24 Q. Okay.

25 A. Now, I never really paid that much attention. There could

1 have been something there before and they just changed it, and
2 they never had them guardrails, but after they did that, then they
3 put them steel pieces up.

4 Q. Okay. And you said that it was between the first and -- that
5 first and second --

6 A. Right.

7 Q. Okay. All right. Okay. Is there anything else that you
8 think I should know?

9 A. I can't think of anything else. Like I say, because every
10 day I'd pull up there. We'd hook up, and I'd just sit there and
11 wait.

12 Q. Do you have a sense of how many trucks actually do what you
13 do? I mean --

14 A. I do pretty much all their stuff. Now, there's other trucks
15 bring chocolate from other places.

16 Q. Um-hum.

17 A. But I'm mainly the one there. Sometimes they might get two,
18 maybe three at the most a week from somewhere else, but the
19 majority of it's me from their other plant.

20 Q. Okay. All right. So what I always tell people is that if
21 you think of anything later on, you have my card. Please feel
22 free to call me. I don't care how minor or silly you think it may
23 be. It may become important, and it might also give us, with what
24 you know and someone else knows --

25 A. Right.

1 Q. -- it might actually kind of help us.

2 A. Well, I've heard all this stuff TV that they smelled it for
3 weeks and this and that. And some go on, and most time I heard
4 something, nobody ever said a word about a smell of anything.

5 Q. Were you there the day before?

6 A. Yeah.

7 Q. You were there the day before?

8 A. Yeah.

9 Q. Around the same time?

10 A. Let's see. It would be the 23rd. The 23rd, I was at
11 Building 2 at 11:15 p.m. and then back at -- well, that would have
12 been the 22nd into the 23rd.

13 Q. Right.

14 A. And then the 23rd, I was there at 5:15 a.m. again, right back
15 across town and reloaded and come back over again.

16 Q. May I see that just for a second? I just wanted to -- okay.

17 A. Chicken scratch.

18 Q. The most important person who can read this is you. Okay.
19 So, this is, this is on the 22nd.

20 A. Yeah, the 22nd into the 23rd.

21 Q. And 23rd.

22 A. I got there at 11:15 p.m.

23 Q. 11:15, okay. All right.

24 A. I left at 1:45 a.m.

25 Q. Left at 1:45 a.m. Okay.

1 A. And then got back to Building 1 at 5:15 a.m.

2 Q. Okay.

3 A. And left at 7:15 a.m.

4 Q. And that was on the 23rd.

5 A. Right.

6 Q. Okay. All right.

7 A. And then -- I guess the next was the 24th.

8 Q. Next, the 24th. Was that the only run you did there on the
9 24th?

10 A. Yeah.

11 Q. Okay.

12 A. I got there approximately 4:05, 4:10, somewhere in that
13 neighborhood.

14 Q. Okay. All right. Okay. When you were actually pulled out
15 of all of the rubble, did you smell gas, any more gas?

16 A. I could smell the brick and stuff. I could still smell it
17 once in a while on my fingers because I had it in my ears, and I
18 had grit in my eyes because -- I mean in my mouth, everything was
19 just covered with it, clothes. It was kind of hard to smell like
20 a burnt brick basically.

21 Q. All right. Okay. Well, again, thank you very much. I'm --
22 I am so sorry you had to go through this, and I -- my condolences
23 if you were friends with the workers that were hurt or died.

24 A. Once I seen the pictures of them, I knew Mike, Sue and Amy,
25 but the other ones I saw -- seen there pretty much every day.

1 Q. Yeah.

2 A. I didn't actually talk with them because they were in the
3 plant. And Mike, he was back and forth, fixed stuff, truck
4 hooking up or unhooking stuff, talked to him a little bit. Sue,
5 sometimes would come out and ask question about product, blah,
6 blah, blah. And Amy, just from her going in and out. Most all of
7 them, since I'm there all the time, Mark Schlott, all of them
8 stopped, hey, how you doing? Nice day, blah, blah, blah and keep
9 going.

10 Q. So you see Sue going between the two buildings.

11 A. Um-hum.

12 Q. Okay. All right. And it's not unusual to see her moving
13 between Building 1 and Building 2?

14 A. No.

15 Q. Okay. All right. If they have a problem, she goes over
16 there and helps get it straightened out or --

17 A. Okay.

18 Q. All right. Well, again, I thank you very much. Do you have
19 any other questions for me?

20 A. I don't believe.

21 Q. Okay. So, just to let you know, Mr. Derrick Freckleton, he
22 should have talked to you.

23 A. I talked to him yesterday.

24 Q. Right. So he's already explained how the process works, and
25 if you have any questions, you can certainly reach out to him or

1 you have my cell number, you -- please feel free to reach out to
2 me.

3 A. Okay.

4 Q. Okay. All right. Thank you very much. And I think we're
5 done. And it's 11:21 a.m. Thank you.

6 A. Yep.

7 (Whereupon, at 11:21 a.m., the interview was concluded.)

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

CERTIFICATE

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

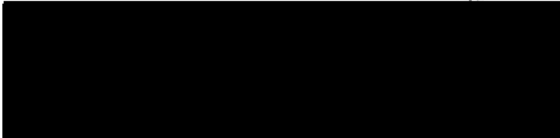
IN THE MATTER OF: NATURAL GAS BUILDING EXPLOSION &
 FIRE NEAR WEST READING,
 PENNSYLVANIA, ON MARCH 24, 2023
 Interview of Max Baxter

ACCIDENT NO.: PLD23LR002

PLACE: New Holland, Pennsylvania

DATE: April 4, 2023

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



Kathryn A. Mirfin
Transcriber