

UNITED STATES OF AMERICA

NATIONAL TRANSPORTATION SAFETY BOARD

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Investigation of: *

PIPELINE LEAK OFF THE LOUISIANA *
COAST IN THE GULF OF MEXICO *
ON NOVEMBER 16, 2023 *

Accident No.: PLD24FR001

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Interview of: CHRIS BIERLY, Pipeline Controller Lead
Lighthouse Midstream Services

Third Coast Operations Center
Houston, Texas

Sunday,
November 19, 2023

APPEARANCES:

DR. STEPHEN JENNER, Ph.D., Investigator
National Transportation Safety Board

KAREN BUTLER, Operations Supervisor
Pipeline and Hazardous Materials Safety Administration
(PHMSA)

BUDDY GRAY, President
Lighthouse Midstream Services

JOSEPH EISERT, ESQ.
King & Spalding, LLP
(On behalf of MPOG and Mr. Bierly)

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I N T E R V I E W

(10:45 a.m.)

1 DR. JENNER: All right. We are on the record. Good morning.
2
3 Today is November 19th, 2023; the time is 10:45 a.m. Central Time.
4
5 My name is Stephen Jenner and I'm an investigator with the
6
7 National Transportation Safety Board. We are at the Third Coast
8
9 Operations Center in Houston, Texas, and today we are conducting
10
11 an interview regarding a pipeline incident in the Gulf of Mexico
12
13 around November 16th, 2023.

14 First thing I'll do is we'll go around the room and introduce
15
16 yourselves with your name, spelling, and title. Again, I'm
17
18 Stephen Jenner, S-t-e-p-h-e-n, J-e-n-n-e-r. I'm an investigator
19
20 with the NTSB. I'll go to my right.

21 MS. BUTLER: Karen Butler, K-a-r-e-n, B-u-t-l-e-r. I'm an
22
23 operations supervisor with PHMSA, and that's the Pipeline and
24
25 Hazardous Materials Safety Administration.

MR. EISERT: My name is Joe Eisert. Last name is
E-i-s-e-r-t. I'm a lawyer at the law firm of King & Spalding,
LLP, and I'm here on behalf of MPOG.

MR. GRAY: I'm Buddy Gray, B-u-d-d-y, G-r-a-y. I'm president
of Lighthouse Midstream Services, which oversees the control room.

MR. BIERLY: Chris Bierly, C-h-r-i-s, B-i-e-r-l-y, pipeline
controller lead.

DR. JENNER: Okay. And who do you work for, Chris?

MR. BIERLY: Lighthouse Midstream Services.

1 DR. JENNER: And do you have representation here today?

2 MR. BIERLY: Joe.

3 DR. JENNER: Joe, you're acknowledging you're the
4 representative for Chris?

5 MR. EISERT: Yes.

6 INTERVIEW OF CHRIS BIERLY

7 BY DR. JENNER:

8 Q. Okay. Thank you for being here today. Let's just start off
9 and, if you would, tell us about your background and training and
10 experience in the pipeline industry. And if you want to go back
11 when you first entered the industry, and if you can mention some
12 years if you've been at other companies, and work your way up till
13 today.

14 A. I started in 2002 as a truck driver and -- a tanker truck
15 driver into terminals, fuel terminals. And after about 12 years,
16 I moved into the operations role at Magellan Midstream. I was an
17 operator there for 3 years, and then from there I moved up to the
18 control center in their Tulsa location and I was a controller
19 there for about 5 years. From there, I took another position with
20 the same company in Galena Park, Texas, as a op supervisor. I was
21 there for approximately 3 years, 3 to 4. And from there, I went
22 to another location of a company called Texas International
23 Terminals as the liquid tank farm superintendent. And from there,
24 I am here today.

25 Q. And when did you start here?

1 A. October of 2022. I believe that's right. I'm not 100
2 percent on the dates, but --

3 Q. Okay. So just over 1 year here?

4 A. Just a little bit over a year now.

5 Q. Okay.

6 A. Yes, sir.

7 Q. In what capacity did you start here?

8 A. Controller.

9 Q. Okay. And you are currently a controller lead?

10 A. Yes, sir.

11 Q. And when did you become a controller lead?

12 A. Approximately 6 months ago.

13 Q. So how does one transition from a controller to a controller
14 lead? Is there training that goes on, that's required?

15 A. Yes.

16 Q. Okay. If you could just discuss that?

17 A. I was approached and asked if I would want to be a controller
18 lead. I said yes. I went through the training of day-to-day
19 roles and responsibilities that a controller lead would do. And
20 it's always a never ending cycle of learning and training, just --
21 you don't stop.

22 Q. Got it. So what are your primary duties and responsibilities
23 as a controller lead?

24 A. Make sure everything's right on the system: make sure our
25 imbalances are right; make sure everything looks right, we're

1 operating efficiently and effectively, safely; making sure that
2 the other controllers, if they need any help with anything, that
3 I'm there to support them 100 percent; anything I can help out
4 with my supervisor if he needs assistance with anything; special
5 projects; filling in as necessary for vacation or leave.

6 Q. Filling in as a controller?

7 A. Yes, sir.

8 Q. Okay.

9 A. Yes, sir. Writing reports.

10 Q. So when you fill in, are you qualified on one desk versus the
11 other?

12 A. Yes, only one desk, OCC-2.

13 Q. Okay. So during your -- during the day, are you -- do you
14 spend most of your time at a control, at one of the desks for the
15 station?

16 A. I have my own desk, yes.

17 Q. Okay. So I saw -- I think there are like four. I got a
18 brief --

19 A. Yes.

20 Q. And you're sitting at one of the --

21 A. Yes.

22 Q. Okay. So you're -- are you sort of monitoring the system as
23 the controller's putting in inputs?

24 A. Yes.

25 Q. Okay. So you're checking if things are normal and right.

1 What are some instances where things are -- need your
2 intervention?

3 A. If a nomination changes and maybe it's -- I see it come out,
4 I'll see a nomination change, I'll make sure the controller knows
5 it, just because he does have a lot going on. So I'll tell him.

6 Q. Okay.

7 A. If I see any kind of abnormal operation or -- not abnormal,
8 but anything out of the ordinary.

9 Q. Okay. Is there a controller lead manning the station full
10 time, day and night?

11 A. No. I mean, yes and no. I mean, we're there Monday through
12 Friday, but we are responsible to take calls on call if a
13 controller needs help or assistance. And the weekends we do -- we
14 will check in on the system two, three, four times a day,
15 sometimes more, on Saturdays and Sundays.

16 Q. How do you do that?

17 A. Remotely.

18 Q. You have a -- do you call in and ask or do you --

19 A. If needed, I'll call in, but I have a computer.

20 Q. Oh, you have a computer?

21 A. Yes.

22 Q. Oh, okay.

23 A. I can look at the system from home.

24 Q. Oh, okay. Okay. Thank you.

25 A. And that is another role and responsibility, making sure that

1 we're doing everything right.

2 Q. So are you considered on duty on the weekends or you just
3 sort of check in --

4 A. Just check in.

5 Q. Okay. Will you get calls when you're off duty from
6 controllers here if they have an issue they want to discuss?

7 A. Sometimes.

8 Q. Okay. What might be a situation where they give you a call?

9 A. If there's a -- if they're confused about like a nomination
10 or if something comes up where they haven't done a certain
11 operation in a long time or -- if something changes, a new MOC
12 comes out and they don't quite understand the MOC, and I'm the one
13 who wrote the MOC so I'll explain what's going on.

14 Q. Okay. And you're able to do it remotely? There's no
15 limitations you have --

16 A. Uh-uh.

17 Q. -- by doing it remotely?

18 A. No.

19 Q. Okay.

20 A. I do it remotely. If I had to come in, I could, but I
21 haven't had to do that yet.

22 Q. Okay. Good. Thanks for your background there.

23 So I understand that on the morning of Thursday, the 16th,
24 that you came on duty and started to address an issue that was
25 ongoing.

1 A. Um-hum.

2 Q. If you can tell me about your day, when you arrived and who
3 you spoke to even before your shift and to start your shift.

4 So --

5 A. So when I got here -- I normally will park in the garage, and
6 when I got here I noticed Cesar's car was there and Jaime's car
7 was there. And I was about to close the door and Cesar came out
8 and says, hey, I'm leaving. So I talked to him for a second there
9 and he says, hey, I had a hard time with MPOG last night and
10 you'll see what's going on when you get in there. And that was
11 pretty much the gist of that conversation.

12 Then I walked in and I looked at the system and noticed that
13 we had zero flow at our Crescent location. I talked to the
14 controller that was already there. Now, he had only been there
15 from when Cesar took -- maybe 10 minutes, because Cesar was still
16 giving turnover to him --

17 Q. And who's the --

18 A. -- a little after time.

19 Q. I'm sorry. Who is the name of the --

20 A. Jaime.

21 Q. Jaime. Okay.

22 A. And so I said, have you seen this? And he says, yeah, Cesar
23 told me all about it and the technician out there said it's okay
24 to keep going because it's a transmitter issue. I said, well,
25 that's not acceptable. I said is there a -- are we checking every

1 hour? And he said they didn't have any flow. So I called
2 Crescent and I asked them, do you have a flow? Are you seeing
3 anything from us? I said, if you're seeing anything from us, I
4 have to document it every hour and put it on our internal comms
5 form.

6 He gave me a number that was like 1400 and the temperature.
7 And I hung up and I looked at the screen and it dawned on me, I'm
8 like, wait a second, that's definitely not right, because we're
9 doing 3,000; 1400 is half. I called him right back. I said,
10 where is that 1400? He said, that's not from you guys. We're not
11 seeing anything from you guys. I said okay.

12 And when that happened, I believe that Ernie called, and he's
13 the technician that was out there. I'm not sure if he called or
14 we called, but there was a call that he was on and he wanted us to
15 close the valves at Main Pass 69. And he wanted us to close all
16 the valves to build pressure because he thought the meter or the
17 transmitter was off. I said I can close three, I'm not closing
18 all. And he says, well, let's just start with the first one. We
19 tried to close the valve, it wouldn't take the close demands. He
20 said, did you try doing the open/close thing, which is basically
21 you put an open to it, then put a close to it, and it typically --
22 and it works. That didn't work.

23 We got off the phone. I called Dan. I said, Dan, we have no
24 flow here at Crescent. And Dan said, what are you talking about?
25 I said the flow at Crescent has been zero. He says -- he was very

1 shocked, said, what do you mean there's no flow? And I said it
2 doesn't look like we've had flow in there since around midnight.
3 And I said, I need to shut this down and I'm notifying you,
4 telling you that we have to shut this down. And says, good, shut
5 it down; I'll start making calls, you start making -- do what you
6 got to -- call the platforms now. So we did. And then we shut it
7 down.

8 I did call Ernie, I think, after that and told him, hey, we
9 are shutting this down. And he says, well, I guess I'm calling my
10 bosses then. I said, that's fine, but I got to, I got to shut it
11 down. And then we -- me and Jaime decided he was going to start
12 on one side, I'd start on the other side and we'd work our way in
13 calling platforms, the most -- highest producers first and then --
14 the producers that weren't coming into the system, they were left
15 last on the list because they don't produce. They weren't moving
16 anything. And that's what we did.

17 We filled out our forms for Third Coast, a incident form.
18 And then I talked to Dan another time in there and told him
19 everything was down. I'm pretty sure he -- he told me the time.
20 I don't know what time it was, but he notified Gary. I believe
21 that's it. I made a log of it. My memory is -- I'm better with a
22 log.

23 Q. Okay. You're free to refer to any of the documents in front
24 of you if that will help you as well. Okay. So you walked into
25 here, this facility, around 6 o'clock?

1 A. Time 5:50.

2 Q. Okay. At that time I understand that the shift turnover was
3 still ongoing?

4 A. Yes. It was -- I wasn't in there when they had their
5 turnover. When I was about to close the garage door, that's when
6 Cesar came out.

7 Q. I see.

8 A. He said, no, leave it open, I'm still here. I was a little
9 surprised why Cesar's car was there because his car is usually not
10 there. Turnover doesn't take an hour or 45 minutes. It usually
11 takes 30 minutes.

12 Q. Right.

13 A. So typically it's not that long, so he must have been talking
14 a while.

15 Q. So when you first walked into the control center itself, what
16 time was that?

17 A. Probably 5:50.

18 Q. Oh, it -- oh, 5:50 --

19 A. 5:50, 5:52 maybe.

20 Q. Yeah. Yeah, that's fine. Oh, so Cesar had left by 5:50
21 then?

22 A. It had to be around there. I usually get here at the same
23 time every day. I'm a creature of habit.

24 Q. Got it. Were you -- did you have an opportunity when you
25 first got yourself involved in this to review any type of notes to

1 see what happened in the previous 12 hours?

2 A. I did. I looked -- I did look at the logger and what Cesar
3 had wrote for the past few hours. I pulled up trends, pressures,
4 flows at numerous locations. Me and Jaime pretty much did that
5 together. And it was just weird. It was a weird trend, something
6 I had never been -- seen before. But yeah, we did all that.

7 Q. So, and I don't want to put words in your mouth here, but
8 your decision to shut down, was that based on you identified a
9 definite issue or you just weren't comfortable with what you were
10 seeing?

11 A. At that point identified it was a red flag for sure.

12 Q. Okay. And again, what parameters dictated that it was a red
13 flag for you?

14 A. The first one was no flow.

15 Q. Okay. Okay. What's another red flag for you?

16 A. How the flow went down from midnight forward. Or from -- I'm
17 sorry -- from like 7 o'clock forward. And then it was -- another
18 one would be ins and outs for receipts and deliveries. They
19 started separating somewhere around, I want to say, 7:25.

20 Q. And when did you get a chance to review that logger to show
21 that data?

22 A. Prior to shutting down.

23 Q. Okay. So were you actually looking at it or was Jaime just
24 telling you these things or was it a combination?

25 A. No, I looked.

1 Q. Okay. In terms of the process for shutting things down and
2 making calls and everything that needs to be done, how did that
3 go?

4 A. Say that -- I'm sorry. Can you repeat --

5 Q. Sure. Sure. So now there's a process you have to go
6 through, you made the decision shut in things and so you have to
7 make calls. Were people answering the phone on the other end?

8 A. Yes.

9 Q. Okay.

10 A. Yes.

11 Q. You had to do some inputs from SCADA in order to do that
12 process or are you just making calls and they're doing things out
13 in the field?

14 A. I'm making calls and then noting it on the logger, what time
15 I made the call, documenting everything we do and what time we did
16 it.

17 Q. Right. In terms of like SCADA inputs, is there anything that
18 Jaime has to do in order for the shut-in process?

19 A. No.

20 Q. So it's all happening, it's all about --

21 A. Well, there is something. There was something. Once they
22 all shut down, there's three valves at the pig trap at Main Pass,
23 A1, A2, and 3. He would have to close that, but we can't do that
24 until the pipeline shuts down, until all the platforms shut in.
25 Because if you do that sooner, then you're closing against a

1 closed valve --

2 Q. Yeah.

3 A. -- you're going to cause another situation.

4 Q. Do you know what time everything was shut down to allow Jaime
5 to start closing the valves?

6 A. I want to say less than an hour.

7 Q. Okay. And as far as -- I think I asked you this, but as far
8 as closing valves, did that go as expected?

9 A. One of them showed closed and then went undefined, it
10 showed -- it read.

11 Q. Do you know which one that was?

12 A. A1. I believe it's A1. I'm sitting here re-thinking
13 myself --

14 Q. Right.

15 A. -- now, questioning myself, and I wish I had a screen in
16 front of me. But it's the first valve on the left side of the
17 screen is the one.

18 Q. Okay. Appreciate that. And we understand you're working
19 from memory here --

20 A. Yeah.

21 Q. -- so, you know, if you're off by a number, that's okay, too.

22 So we're here, we have the opportunity here or -- for better
23 or for worse, that we're looking back on an event and as opposed
24 to those who are real-time dealing with it. So if you've had time
25 to reflect on, you know, what happened from the start of the

1 previous shift at 6 p.m. until the time of the shutdown and things
2 like that, were the red flags -- so you had opportunity to see
3 what actions were taken and what calls were made, right?

4 Should -- can you comment if anything could've been done
5 differently in terms of searching out other type of data or
6 speaking to someone else? You know, what -- could anything have
7 been done differently to detect the problem earlier in your mind?

8 A. Hypothetically, I mean, if I was on shift, you're asking?

9 Q. Um-hum.

10 A. I would have shut it down.

11 Q. At what point would you have shut it down?

12 A. As soon as I saw a difference. As soon as I saw the first
13 red flag. That's what we get paid to do.

14 Q. Shutting down is a big deal, right? I understand that, so --

15 A. It is. It is a big deal.

16 Q. Okay. Would you have -- before making that decision to shut
17 down, would you have done that on your own, talked to a
18 supervisor, talked to technicians? How would --

19 A. Of course you talk to people. You talk to the field people,
20 you talk to your supervisor. You give the data that you get from
21 the techs to the supervisor. At the end of the day, it is the
22 controller's responsibility and the controller's call.

23 Q. I appreciate that.

24 A. It's always safer to shut it down and be wrong than let it
25 go.

1 DR. JENNER: Thank you. I think that's the questions that I
2 have right now. If you need a break, we can take a break or we
3 can continue.

4 MR. BIERLY: I'm good.

5 DR. JENNER: Okay. All right. Karen?

6 BY MS. BUTLER:

7 Q. So have you ever been part of a spill or close call --

8 A. Yes.

9 Q. -- in your prior -- can you give us a little bit of that
10 history or just -- and it doesn't mean -- I'm not asking you to
11 relive difficult details. If it was just an issue that taught you
12 something, that helps you think shut down, we want to understand
13 that.

14 A. As a controller, you want information? Or do you want it
15 as --

16 Q. Yes. Yes.

17 A. Okay.

18 Q. And it could be as a supervisor of controllers or whatever,
19 you know, if you had some lead role before.

20 A. I mean, there's been -- I couldn't count how many times,
21 there's been so many different times in the past.

22 Q. Okay.

23 A. I'm trying to think off the top of my head. As a controller
24 it's been a while, but -- I know we had an issue when I was a
25 supervisor in Glen Park.

1 Q. Okay.

2 A. And it was about 4 -- between 4 and 5 in the morning. We all
3 had radios, those two-way radios, and I heard the guy on the dock
4 call the ship, hey, I need you tighten your lines. And we were
5 loading the ship with product. And then like another minute goes
6 and the lines are getting looser and he's trying to say that to
7 the guy on the ship. For some reason, all the lines went taut --
8 not taut, went loose --

9 Q. Gotcha.

10 A. -- and the ship started pulling away from the dock and we
11 were still hooked up to arms. And then one of the arms broke off
12 and the other arm is holding and product was everywhere, product's
13 everywhere. We initiated our emergency response procedures. I
14 went out there. We started -- we had a scribe, we had people
15 making phone calls, getting boom, getting the boats ready, getting
16 everything we possibly could get ready and making sure everybody
17 was safe. It was still dark out, so it wasn't like we could see
18 anything. We were fortunate enough to have boom that we could run
19 across the outside. I started going inside to make notifications
20 to my supervisor, notifications to the NRC, and then notifying our
21 internal phone call, our internal number, calls we had to make.
22 And then just calling the calvary. OSRO came out, incident
23 responder.

24 Q. Okay.

25 A. It's a -- whenever you're in the middle of something like

1 that, you're going everywhere. You got -- my phone was dead by
2 noon because I had taken so many calls. It's just very --

3 Q. Um-hum. So is there a takeaway from that that you think you
4 carry into the control room?

5 A. Everything that you do is (indiscernible) on safety. The
6 guy, he just happened to be at the right place. I mean, he was
7 doing his job. He just took over his shift change. He went --
8 the first thing you're supposed to do is you check your lines on
9 the ships to make sure -- because you got to tell these guys,
10 remind them, hey, tighten the lines, tighten the lines. Because
11 as you're loading a ship, the ship's coming down and the lines are
12 getting looser, so you need to make sure to keep them tight.
13 Just -- the takeaway is always that you do a thorough turnover,
14 you do a thorough check, make sure you're doing your job. You
15 should take 2 or 3 hours every day before actually getting into
16 your stuff, reviewing what the person did before you.

17 Q. Okay.

18 A. These guys ought to know that, (indiscernible) doing.

19 Q. Have you shared your story with the other controllers as a
20 lesson learned or anything?

21 A. Maybe. I don't know.

22 Q. Okay.

23 A. I do talk a lot sometimes. I don't know.

24 Q. Fair enough. Okay. So from that point, we'll go back to our
25 incident here and how you came in and started working on it right

1 away. You mentioned red flag zero flow.

2 A. Um-hum.

3 Q. Was there anything else that when you were looking at the
4 trends you remember? You said it was a weird trend. Can you give
5 me a little more -- were you looking at flow being weird,
6 pressure?

7 A. When I was looking -- so I pulled up the pressures, I pulled
8 up the flows. The time, the time was weird because like it's 7-
9 something, 7:30ish. You could start seeing it was dropping off
10 little by little and it was still the same. The 3,000 was still
11 the same, but the pressures are dropping. And to drop -- for 5
12 hours it was strange, it was weird, very indicative of an issue.
13 And then, like I said, zero flow was the number one red flag.

14 Q. So --

15 A. And the guy on Crescent, he couldn't give me any numbers. If
16 he was able to give me numbers, it would've been -- we have the
17 document to prove, hey, we're taking what we're giving and
18 everything is balanced. Once he couldn't do that, that was an --
19 there was no other choice.

20 Q. Okay. Can you remember who you talked to at Crescent?

21 A. You would say that. I think Kevin. I can't -- I'll be
22 honest with you, I can't remember.

23 Q. Yeah. Okay.

24 A. I think I -- I know it's noted on the logger. I did write
25 it.

1 Q. Okay.

2 A. That's the one thing I've learned is your write down
3 everything and every time, because you get in situations like this
4 and I can't answer your questions.

5 Q. That's okay. So on -- just backing up just a little bit to
6 make sure I've got some notes right from what you were telling me.
7 Is the 7:30ish, that's Central Time --

8 A. Yeah.

9 Q. -- that you were seeing -- yeah. Okay. And when that was --
10 when you were looking at that and you start to see this 5-hour
11 deviation, is it 5 hours that's deviating with flow and pressure
12 or were you seeing flow act a little different than pressure? Do
13 you remember?

14 A. I could see the trend in my head.

15 Q. Uh-huh.

16 A. And I know the flow went down.

17 Q. Okay. Okay.

18 A. At Crescent. I know Crescent's flow went down and it was
19 just over that long period of time.

20 Q. Okay.

21 A. We don't have -- we do have a pressure transmitter over
22 there. I just can't remember if that was on that same trends.

23 Q. Okay.

24 A. But I watched over the -- it just, like I said, it just went
25 down for so long and then went to zero. When it went to zero,

1 that's scary.

2 Q. So it was more flows that triggered you than pressures?

3 A. It was a combination, really, but --

4 Q. Okay. Well, as it would be, yeah. I gotcha.

5 A. I mean, you can't just do one or the other just --

6 Q. I just wondered when you looked at it was the red flag in
7 pressure?

8 A. Because I know Crescent's pressure does deviate all the time.
9 Like they sometimes will have 200 barrels an hour, sometimes -- or
10 their flow. I'm sorry.

11 Q. That's okay.

12 A. I normally don't mix it up. But sometimes it'll go at 200,
13 sometimes it'll be 7. It just changes, so you got to look at
14 both. And when I did, theirs was pretty much -- it didn't change.

15 Q. Okay.

16 A. So when you see something else change and there's no cause
17 for it, there's another -- there's something wrong.

18 Q. Okay. So what you really were seeing is an abnormal pattern
19 on the flow --

20 A. Yes.

21 Q. -- because of what you're used to seeing it oscillate between
22 or move between?

23 A. Yes. You can't explain that. That's not something that a
24 technician can --

25 Q. On pressures, is there anything that you remember specific to

1 the pressure trend?

2 A. Nothing I can think of. I don't -- I mean, like I said, it
3 was about 5 hours of down.

4 Q. Okay. So was it down and up? Do you remember?

5 A. Yes and no. I mean, there was some spikes here and there,
6 but if you look at the overall trend, it's going down. It's
7 clearly going down.

8 Q. All right. Thank you for helping me with that.

9 I want to shift to the imbalance for a little bit. Do you
10 remember anything about the amount of imbalance when you saw
11 it --

12 A. Yes.

13 Q. -- started working on it? Okay. What can you --

14 A. When I took shift it was like 25- or 26,000 off.

15 Q. Okay. What's a typical amount from your history of running
16 the line?

17 A. Nowhere near that.

18 Q. Can you give me a ballpark --

19 A. Maybe, maybe --

20 Q. Fair enough.

21 A. -- maybe 100. I don't know, maybe a couple hundred, few
22 hundred. It changes because when a platform starts they don't
23 always receive at the same level. So, I mean, once it's balanced
24 you shouldn't be anything, right? You should be close to zero.

25 Q. Gotcha.

1 A. When you do your imbalance every 3 hours it's a zero. You're
2 looking for zero, and if it's something way off, there's a
3 problem.

4 Q. And to make sure I understood that number, like the 25,000 to
5 26,000, is that barrels per hour? What are we -- what's the
6 barrels --

7 A. Overall.

8 Q. Just barrels?

9 A. Over the night.

10 Q. Difference in barrels?

11 A. Yes.

12 Q. Okay. Thanks.

13 A. That would've been the other red flag, another one.

14 Q. All right. All right. Was there anything else -- we've
15 talked about imbalance and we've talked about -- and did you see
16 that imbalance on a screen or on a report or --

17 A. It's on the top left of the screen.

18 Q. Okay.

19 A. Of the overview screen.

20 Q. Since the incident occurred have you been involved with any
21 of the follow-up from it like trying to figure out exactly when
22 something happened or go back and look at even more detail or --

23 A. Of course. Looked at all of that.

24 Q. Okay. Is there anything else in hindsight that it's clearer
25 to you than it was then?

1 A. No. No. It's very difficult to read, honestly. It's like
2 you think it happened at this time and you're like, well, did it
3 happen over there but then it popped back up? It's like -- again,
4 with Crescent, you just never know what Shell's going to do, if
5 they change a valve, if they change a tank. It's a very difficult
6 read for anybody.

7 Q. So Crescent feeds to Shell?

8 A. Yes.

9 Q. Is that the --

10 A. That's the way I understood it.

11 Q. Okay.

12 A. And you just -- like I said, it's a difficult read.

13 Q. There's one thing that's troubled me that I can't quite get
14 my head around and it's because I'm not looking at the PLC
15 programming. So for 69, valves at 69, is there anything that
16 would automatically close on a loss of flow?

17 A. If there's no flow, the valve should close automatically.

18 Q. Is there a value that it should close at, like if it's below
19 200, 300?

20 A. I don't know the actual number at Main Pass, but I know when
21 flow goes to zero -- it's around zero, if it's not zero. It might
22 be zero --

23 Q. Okay.

24 A. -- those valves typically will.

25 Q. Is that the A1, A2, A3 valves or is that only valves on the

1 meter run?

2 A. I want to say it's MOVs. I've never had it happen.

3 Q. Okay.

4 A. So that's the other -- I've never seen it like happen.

5 Q. Okay.

6 A. So keep that in mind, please.

7 Q. When you look through the logs, do you see an indication that
8 it did happen?

9 A. That the MOVs went closed?

10 Q. Yes.

11 A. No. I know there was part that I want to say Cesar tried to
12 open and close certain ones. He physically put commands to them
13 from what he wrote, but that's the only thing as far as anything
14 getting closed.

15 Q. There was a reset function on the high shutdown, if you want
16 to look at the log. At least we think it's a reset function. And
17 I wonder you've looked at that enough to know if that was part of
18 the toggling process, that he was trying to force something?

19 A. Which line are you --

20 Q. So we'll just see if we've got that.

21 A. I'm assuming it's the one that you got marked off here?

22 Q. Maybe. You can -- there's a high element, yeah, around --
23 what is that? I guess 6:02 Central Time on the 15th, it says 910
24 reset command.

25 A. Well, let me see. So 6:02 --

1 Q. Central is what I'm looking at, on 11/15. So it's this line
2 right here. This is Central Time.

3 A. Um-hum.

4 Q. 6:02. Looking at this reset. When I scroll over to the
5 right here, I'm looking at this 910 reset command. And it looks
6 like it went from zero to 1, so it looks to me like he set the
7 reset, he tripped it.

8 A. Right. I don't know what that is. I'll be honest with you.
9 I don't know what --

10 Q. Okay.

11 DR. JENNER: You two were just referencing Document 5.

12 UNIDENTIFIED SPEAKER: That's Document 5?

13 DR. JENNER: Yes.

14 MR. BIERLY: I'm not sure where that reset would be with what
15 he did (indiscernible)

16 BY MS. BUTLER:

17 Q. Okay. Thank you for just clarifying.

18 A. Yeah, I wouldn't --

19 Q. We were confused by that also.

20 A. I'm even -- I'm confused by that, honestly. I mean, I might
21 know -- if they were to show me what he did, I could probably see
22 it and understand it, but off this document I don't know what it
23 would be.

24 Q. Okay. And the only reason I went back through that is if you
25 had determined that in your review, you know, after the fact, I

1 wanted to have the advantage of what you had learned from that.

2 A. Yeah. No, I didn't see that.

3 Q. Okay. All right. All right, that helps me with that
4 element.

5 MS. BUTLER: And did you need anything, gentlemen? I want to
6 make sure I didn't --

7 UNIDENTIFIED SPEAKER: He was asking -- we're trying to get a
8 SCADA data request. It was formatting, SCBs versus Excel. So --

9 MS. BUTLER: Oh, okay. Thank you.

10 UNIDENTIFIED SPEAKER: But yeah, yeah.

11 MS. BUTLER: Thank you for clarifying that. I didn't want to
12 move on if I had caused something unknowingly.

13 UNIDENTIFIED SPEAKER: No. We're just trying to be
14 responsible on the other side.

15 MS. BUTLER: Thank you. Thank you so much.

16 BY MS. BUTLER:

17 Q. So, and when we talked about the fact at the end when we know
18 we're going to shut down -- this is the day of the event, you're
19 on shift, you guys made the decision to shut down, they started to
20 try and execute close commands and it didn't go through, but then
21 you talked about closing pig valves.

22 A. Yes.

23 Q. And then we talked about the A1 --

24 A. Yeah, that's --

25 Q. -- other numbers, A1, A2, A3. On those particular valves,

1 and you said something went undefined? Or maybe I --

2 A. Yeah, it showed closed first.

3 Q. Okay. Showed closed.

4 A. And then it came up as undefined.

5 Q. Closed first, okay, and then undefined. Okay. All right.

6 Okay. Is that something you've seen before?

7 A. Yes.

8 Q. What -- do you know anything about what causes that?

9 A. That's a PLC thing, I believe. That's something out in the
10 field where, 9 out of 10 times, it's about the traveling of the
11 valves. So the valve travels, and if it goes a little further
12 past its point, it'll show undefined. It doesn't mean it's not
13 closed. It just means it's not in the parameter of where the
14 valve seating is. So wherever it seats, it's got to be here. And
15 if it goes like a centimeter past it, it'll come up as undefined.

16 Q. Okay. So shifting back a little bit to the timeline. So if
17 you want to look through -- I believe it's Document 1 on the daily
18 log. Did you think it odd or had no thought about it at all,
19 maybe even, when we called EverLine, meaning Lighthouse -- not me,
20 but Lighthouse called EverLine and asked for information regarding
21 69 and they say that they're matching. So that made sense to me
22 that you would be checking your meters to make sure indications
23 were the same. But then further on down, we call them again and
24 they ask that the tech go out on the platform. I think it's
25 around -- further down like 0051 or something. That's not the

1 right time, but it's in close proximity, like 1:30, I think, in
2 the morning. We know we had zero flow --

3 A. Yes.

4 Q. -- at midnight, and at 1:30 we've contacted EverLine --

5 A. Called EverLine, yeah.

6 Q. -- right? And then evidently it takes their tech a little
7 while to get out or to get information back. And then at 0155 is
8 where I'm --

9 A. Yes. I see that. Well, so just because it says he didn't
10 see any problems, it just wasn't a problem there. I don't know
11 what his platform looks like in person, because we don't see it.

12 Q. Okay.

13 A. I don't know if he has a meter there that he can look at. We
14 don't get -- we don't call them for meter numbers.

15 Q. Okay.

16 A. They only work on stuff like if a generator goes out or if
17 the power goes out and we talk to them. But -- yeah.

18 Q. So we really don't know anything about what he would have
19 looked at or checked or anything like that?

20 A. I can't -- I don't know what he did, but, you know, basically
21 looking at piping I'm assuming.

22 Q. Okay.

23 A. I can't tell you what he was doing though.

24 Q. Okay. So he might have just said that back to you and you,
25 as a controller, would have just written that down and moved on

1 because you don't know what that means? Is that fair?

2 A. If he said that to me, I would've probably went a little
3 further, but yeah.

4 Q. Okay. When you say that, follow-up questions?

5 A. Yes.

6 Q. That's what you meant? Okay.

7 A. Because if he sees a meter, that's the person we would put
8 our number on.

9 Q. Okay. In your conversations after the fact about the
10 incident, and you made a comment that you told Dan, if I got this
11 right, that the meter flow at 69 was zero --

12 A. Yes.

13 Q. -- and he seemed shocked.

14 A. He was completely shocked.

15 Q. So when you've had follow-up conversations about that, has he
16 relayed why that was so shocking to him, other than just
17 experience that it should never be zero?

18 A. Not really, no.

19 Q. Okay.

20 A. Other than like, like he didn't know that it was at zero
21 until we told him.

22 Q. Okay. All right. Anything -- did he discuss with you prior
23 calls --

24 A. No.

25 Q. -- that he had received a callout from --

1 A. No. He did talk about talking with Cesar that night, but --

2 Q. Didn't relay the details of that call?

3 A. Didn't really get into critical details, no. It was kind of
4 a crazy day.

5 Q. Okay.

6 MS. BUTLER: All right. I think that's all I needed right
7 now.

8 DR. JENNER: Great. Thank you.

9 Any questions?

10 MR. GRAY: Nothing from me. I've covered the stuff that I
11 had written down, so --

12 DR. JENNER: Okay. Thank you. Thank you, Buddy.

13 We just may go around, a second round, which is much quicker.
14 Do you need a break or do you want to push through?

15 MR. BIERLY: No, I'm good.

16 DR. JENNER: Okay.

17 UNIDENTIFIED SPEAKER: Do you need a break?

18 DR. JENNER: No, I'm good. Thank you.

19 UNIDENTIFIED SPEAKER: I need a nap, but I don't need a
20 break.

21 BY DR. JENNER:

22 Q. Thank you. If you can just describe the process every -- is
23 it every 3 hours or every 4 hours that you need to check for
24 imbalance?

25 A. I think it's every 4 hours. You do it three times a shift.

1 Q. Okay.

2 A. So it's at 6:30, 10:30, and 2:30.

3 Q. Okay. What -- if you can just walk me through the process to
4 do that? How do you do that?

5 A. Well, first, you pull your screen up on your logger. There's
6 three horizontal lines you click on. And then it comes up --
7 first is MPOG, Echo Canyon, and then Tiger Shoals. And so you put
8 your ins and your outs on each line and then it shows the delta
9 next to it. And as long as you're within a decent tolerance,
10 there's no like big, huge number that stands out -- why it is a
11 1,000 barrels off or something crazy --

12 Q. Right.

13 A. -- you're going to -- so basically balancing your lines back
14 to make sure everything's right.

15 Q. Okay. So you're looking at one screen that has data. You're
16 taking that data and inputting it, you're manually inputting it --

17 A. Yes, sir.

18 Q. -- and then you're getting a number.

19 A. And if there is anything different, like let's say there is
20 150 barrels, you look at your screen and you're like, oh, that
21 platform just kicked on, that's why they're not reading the whole
22 thing at the same time, it's going to take another 10 or 15
23 minutes or 20 minutes to balance out, and you move on.

24 Q. And what sort of deviation would, outside of zero -- what
25 sort of numbers are we talking about that would make you want to

- 1 pursue a little more information? You know, is it 100 barrels --
- 2 A. If there's anything over 100 --
- 3 Q. -- 1,000? Okay.
- 4 A. Anything over 100, I'm wondering why.
- 5 Q. Okay. And that's you, over 100 is -- how are people -- are
- 6 other people also thinking in terms of 100?
- 7 A. I believe so.
- 8 Q. Okay.
- 9 A. I don't know what they do, though, but I believe -- I mean, I
- 10 just want to make sure my line's balanced.
- 11 Q. Right. Do you recall any type of training that you give or
- 12 that you received or give for --
- 13 A. I know when I first started Dan went through it with me.
- 14 Q. Okay. And did the number of 100 stand out to you?
- 15 A. I don't know if that was his number or mine. Like I said, I
- 16 just want to make sure everything's right and tight and just --
- 17 and if it's not, find out what the reasoning was.
- 18 Q. Okay. And that process that you look at the screen, you get
- 19 some numbers, you input it, you get an output -- it sounds pretty
- 20 quick?
- 21 A. Yes.
- 22 Q. In about?
- 23 A. Five minutes.
- 24 Q. Five minutes to do?
- 25 A. Yeah.

- 1 Q. Okay. Why does it take 5 minutes? Why not 1 minute?
- 2 A. It shouldn't take 1 minute. You've got to be looking at your
3 stuff.
- 4 Q. Okay.
- 5 A. You have to look at your screens.
- 6 Q. Right.
- 7 A. And verify everything is done.
- 8 Q. Okay.
- 9 A. So when you put your first set of numbers in, you look at
10 your screens making sure everything looks right. Second set of
11 numbers in, you look at your screen and make sure, then -- I say 5
12 minutes, but it could be 3½.
- 13 Q. Okay. I'm just trying to get a ballpark here.
- 14 A. Generally, I'd say 5.
- 15 Q. All right. Thank you.
- 16 A. Takes more than that, we have an issue.
- 17 Q. In your role, I assume you've been on the same shift as Cesar
18 since your time here?
- 19 A. What do you mean?
- 20 Q. When Cesar was a controller and you are in your current
21 position, you're on -- you were both working the same shift?
- 22 A. Oh, yeah. He's a -- there's four day shifts.
- 23 Q. Right.
- 24 A. We see each other.
- 25 Q. Right. How would you regard him as a pipeline controller?

1 A. He's great.

2 Q. Okay. When you're on duty, would he consult you? Would he
3 ask you some questions if necessary?

4 A. Sometimes.

5 Q. Okay. And --

6 A. Sometimes.

7 Q. I may have asked you earlier, but what's a typical question
8 that he may ask you?

9 A. A lot of times the questions are with changes, the screens,
10 changes to alarm parameters. If there was something like the new
11 systems we just got, which was -- a new customer we got, sometimes
12 they might not -- they might be questioning how to batch a batch
13 or how to fix a batch or how to create a batch or how to build a
14 line fill. And so I'll go back there and we'll do the math, and
15 we'll say, okay, we'll build -- it's on the wall back there. I
16 put it up there so they understand what batch is where and when
17 they come in.

18 Q. Right. Now you've just been here a year, and from the people
19 we talk to it sounds like some shifts things are, you know, a very
20 modest workload and some are busy, just depending. When it gets
21 at its busiest, do you think that is -- are you concerned with
22 work overload for a controller, that it gets too busy --

23 A. No.

24 Q. -- at times? No?

25 A. No, not at all.

1 Q. Okay.

2 A. It's nothing we can't handle. Absolutely. I've worked in
3 other control rooms that were just as busy if not busier.

4 Q. Um-hum. Right. Appreciate that.

5 Have you seen where controllers will use -- two controllers,
6 you know, working at the same time, though it's different desks,
7 are one maybe assisting another when things get busy?

8 A. Yes. I've done it. Yeah.

9 Q. In what -- what are you asked to do to help out? Is it
10 making calls? Is it --

11 A. Yeah, making calls. Like to give an example with MPOG,
12 probably the last time it shut down -- I can't remember when it
13 was, it was probably over a year ago or just about -- I had the
14 other controller making calls to different platforms. And I -- it
15 just speeds up the process. So it's, hey, shut down; hey, shut
16 down. And they know those platforms because they're on their
17 screens as well. But -- yeah. Or take a phone call for them when
18 they're on their phone calls.

19 Q. Okay. Thank you. I'm going to change pace here a bit and
20 put on a different hat. I ask these questions of other controller
21 types and I'll ask it for you, for people who are working in this
22 capacity. Just a little bit about your health and schedule and
23 work and sleep schedule. So if it's okay, I'm going to ask you
24 about your overall health. How is it?

25 A. Yeah, it's good.

- 1 Q. Okay.
- 2 A. Pretty good.
- 3 Q. Okay.
- 4 A. I lost 60 pounds since starting here.
- 5 Q. You serious?
- 6 A. Absolutely.
- 7 Q. Good for you.
- 8 A. I love being here. My boss is right there.
- 9 Q. I understand.
- 10 A. No, it's -- no, the schedule fine. Everything else is great.
- 11 But yeah, I love being a controller. Like I said, I got more free
- 12 time compared to my last role. You know, I have a phone
- 13 (indiscernible).
- 14 Q. Got it. So when you -- in the last week, health-wise, were
- 15 you suffering from any colds or allergies or anything like that?
- 16 A. No.
- 17 Q. Okay. And any -- do you have any chronic conditions, high
- 18 blood pressure or dizziness or anything like that, that affects
- 19 performance?
- 20 A. No.
- 21 Q. Okay. Can you talk to me about your schedule from let's say
- 22 Tuesday till Thursday morning? What was your work schedule? What
- 23 times did you go on duty?
- 24 A. I'm there every day from like 5:50 to 4.
- 25 Q. Did you say you're Monday to Friday?

1 A. I was, yes.

2 Q. 5:50 a.m. to 4 -- you're 4 p.m.?

3 A. Yeah. I leave about 4 o'clock. And me and Robert, we swap
4 back forth. Like I'll take a half day Friday and he'll work, and
5 just rotate back and forth.

6 Q. Okay. So how late do controller leads work? Do they work in
7 the evenings?

8 A. If need be. I've never really had to stay too late. I've
9 stayed late to fill in if a controller needed to go home early.

10 Q. Right. But as a matter of routine, they're not scheduled to
11 work in the evenings?

12 A. No.

13 Q. Okay. In the other places that you worked, is that similar,
14 that the lead may not work in the evening or does work in the
15 evening?

16 A. At Magellan we had -- there was a rotation. Sometimes the
17 leads will be there at night, sometimes they wouldn't. It just
18 depended on -- there wasn't any real schedule to the person that
19 did it, but they would just pop in, hey, I'm working night this
20 week.

21 Q. Okay.

22 A. And normally there wasn't much to really do at night. But
23 there are nights where sometimes you wish you had somebody there.

24 Q. Under what conditions would you wish you had someone?

25 A. Under that condition that we're, you know, talking about.

1 That would've been a nice night to have somebody there.

2 Q. Okay. Now if you're -- you can still be a resource
3 remotely --

4 A. Um-hum.

5 Q. -- from what you described earlier. So if someone were to
6 call you, could you do everything you need to do remotely that you
7 could give --

8 A. I can't operate valves. But yes, anything other than
9 actually operating the systems. I can monitor it.

10 Q. Right. So technologically yes, but how about in terms of
11 phone calls or conversations you have with -- bouncing back and
12 forth with pipeline controllers?

13 A. What do you mean?

14 Q. If you need to talk to them, you're on the phone, you could
15 be on the phone as long as they need?

16 A. Yeah.

17 Q. Okay. And if you needed to call people out on the platforms,
18 could you do that?

19 A. Absolutely.

20 Q. Okay.

21 A. The numbers are all on the screens. I have a lot of them in
22 my phone, too.

23 Q. Okay. So when you said it would've been -- may have been
24 helpful if someone were here, a shift lead were here, would --

25 A. I mean, armchair quarterbacking, right? I mean, so --

- 1 Q. I'm saying so what --
- 2 A. It would've been great, but --
- 3 Q. What advantage could someone being here versus someone who's
4 remotely, what advantage could they have provided by being here?
- 5 A. As a second set of eyes. Just another set of eyes to look at
6 the screens and be like, hey. I mean, as a lead, your job to make
7 sure everything's running efficiently and spot stuff that's off.
- 8 Q. Okay. So let me just get back to your schedule, Monday to
9 Friday, 5:30 a.m. to 4 p.m. Let's just go to the day before, on
10 Wednesday, you worked till 4 p.m.?
- 11 A. Yes. I believe so.
- 12 Q. Okay. Roughly 4 p.m. What do you do -- I'm just trying to
13 get some details about what you do when you go home and when you
14 go to bed and when you wake up.
- 15 A. I drive home. I believe my wife cooked dinner that night.
16 And then I think I was in bed by 7 or 8, which is typical.
- 17 Q. And then what time --
- 18 A. Usually it's around -- usually it's around between 8 and 9.
19 Sorry.
- 20 Q. So you're going to bed 8 to 9 p.m. What time do you fall
21 asleep? Does it take a while?
- 22 A. About 5 minutes.
- 23 Q. Okay.
- 24 A. Frustrates my wife.
- 25 Q. And then what time do you wake up?

- 1 A. Four.
- 2 Q. And how long is your commute here?
- 3 A. Forty-four minutes.
- 4 Q. How did you feel waking up Wednesday morning? Did you feel
5 alert? Did you feel tired?
- 6 A. Fine.
- 7 Q. Okay.
- 8 A. I ran 4 miles.
- 9 Q. Oh, you wake up and you run?
- 10 A. Yeah.
- 11 Q. Wow.
- 12 A. Or I'll just go to the gym, one or the other.
- 13 Q. Got it. And your trip in, your commuting was okay, and when
14 you started your shift, did you -- how did you feel?
- 15 A. Good.
- 16 Q. Okay. Got it.
- 17 A. No issues.
- 18 Q. Terrific.
- 19 A. Like I said, I lost 60 pounds working here.
- 20 Q. I don't know if you're serious or kidding about that.
- 21 A. No, I'm being completely serious.
- 22 Q. Wow. Okay.
- 23 A. You can walk and stuff (indiscernible) time.
- 24 Q. Got it. Okay.
- 25 DR. JENNER: That's all I got. Thank you so much. We'll

1 just bounce it around one more quick time.

2 BY MS. BUTLER:

3 Q. Just to confirm a confirm a couple things. So you did not
4 get called --

5 A. No.

6 Q. -- on the night of the incident?

7 A. No.

8 Q. But Cesar had called you before with questions in the past?

9 A. Yeah.

10 Q. Okay.

11 A. Yeah. Historically, yes.

12 Q. Okay. And this may seem like a strange question, but just
13 work with me on it. So it's apparent that you got promoted or
14 made shift lead only having been here a short time and Cesar had
15 been here longer. Was there any issue with that promotion between
16 the two of you that you are aware of?

17 A. He was pretty good about it. He was a lot better than I
18 thought he would be.

19 Q. Okay. All right.

20 A. Like our relationship was still professional. We never spoke
21 ill of each other. Everything was good. We -- he always kept it
22 professional.

23 Q. Okay. Kudos to both of you. So on the policy and procedures
24 side, is there a policy or a procedure that you're aware of that
25 if the imbalance gets to a certain amount you're supposed to shut

1 down right away?

2 A. I don't know if there is an actual number, but that's common
3 sense. I don't want to say it like that, but that's -- that's
4 what our job is. Like if there's something wrong, you have to --

5 Q. And as far as --

6 A. I know there's got to be something and I don't want to say
7 that there's not.

8 Q. Okay.

9 A. I'd have to go back in procedures, but, I mean, that's a --
10 it's one of those things like --

11 Q. It's -- fair enough. We'll make sure we get it a firm
12 answer.

13 A. Yeah.

14 Q. If nothing to comes to mind, nothing comes to mind, and it
15 might be there and it might not.

16 A. I want to say that there is something in writing, but I just
17 don't know where. I'm trying to think in my head of all these
18 procedures and just -- but it's more of a common sense like --

19 Q. Okay. So in regards to that imbalance number, it's our
20 understanding there's no alarming on the imbalance value; is that
21 correct?

22 A. As far as I know. I've never seen it go that far, so I don't
23 recall if there's an actual alarm for that, but that's because
24 I've never seen it happen.

25 Q. Okay.

- 1 A. I mean, it clearly -- I mean, you've seen it, obviously.
- 2 Q. So when it --
- 3 A. Never seen that before.
- 4 Q. When it goes to zero like that and you came in and would've
- 5 been looking at the volume, was it in red on the screen or in any
- 6 color that you remember?
- 7 A. I don't recall.
- 8 Q. Okay. All right. And --
- 9 A. I was kind of freaking out.
- 10 Q. Okay.
- 11 A. Sorry for my --
- 12 Q. Then the next aspect of this would be, because you have
- 13 worked at Magellan and you are familiar with leak detection
- 14 systems then, or you were at least exposed to them --
- 15 A. Very.
- 16 Q. -- do you have any thoughts on that?
- 17 A. On leak detections?
- 18 Q. Yes.
- 19 A. They're nice.
- 20 Q. Okay. And any thoughts on if it would be beneficial on this
- 21 system, since you've worked multiple systems?
- 22 A. It's a hard question because on the systems I used to run
- 23 were strictly batching. So you'd start a pipeline, you were in
- 24 control of the start, you were in control of the valves opening.
- 25 In these systems, I'm not quite sure -- I'm not an engineer or a

1 technician, but I don't know how it would work because your
2 parameters are usually tight. And so if you start a pump and your
3 valve isn't open and your pressures go up, you're outside your
4 parameters, you get the alarm. Here, it's more gathering, so they
5 start and stop on their own constantly. So I don't believe it
6 would be beneficial here. Unless there's some new technology that
7 I just don't know about.

8 Q. Okay. So based upon what you just said, does that mean we've
9 got a LACT unit at each of the rigs and can you -- do you call in
10 for that LACT unit?

11 A. What do you mean?

12 Q. So there is -- how you set it is your parameters are a type
13 they start and stop on the information or flow coming from the
14 unit, from the platform. It's something you don't control.

15 A. Um-hum.

16 Q. So when you look at getting a flow from that platform, is it
17 automatically coming into the SCADA system or do you have to call
18 out to get it?

19 A. Automatically.

20 Q. Like do you have to execute -- okay. Thank you.

21 A. As the flow comes down, they start and stop without talking
22 to us.

23 Q. Okay. That's what I was trying to --

24 A. Yeah. They don't --

25 Q. It could be a manual function in --

1 A. Yeah.

2 Q. -- some circumstance.

3 A. Leak detection's great for certain applications, but I do not
4 believe that there's anything that we can do better. At least I
5 don't know of something. I think it's -- I mean, that doesn't say
6 it doesn't exist.

7 Q. Okay. So on the CPM side, I just wanted to ask because I
8 knew Magellan had some pretty detailed and extensive support on
9 their CPM system.

10 A. A lot.

11 Q. Yeah.

12 MS. BUTLER: So I'm done.

13 DR. JENNER: All right. Buddy, any questions?

14 MR. GRAY: Karen mentioned something I was going to say, so
15 I'm good.

16 DR. JENNER: Okay. Joe, anything you need to clarify?

17 MR. EISERT: No.

18 DR. JENNER: Nothing there.

19 BY DR. JENNER:

20 Q. Thank you very much. And I'm going to ask you one last
21 question, just very open ended. I know you've given this a lot
22 thought and what we're trying to do here is see in what manner are
23 there any areas that we may be able to improve safety of the
24 industry. And so I'll just ask you do you think -- can you think,
25 reflecting on this, is there any type of technology or rules or

1 procedures or regulations, anything that you can think of, that
2 may help prevent this type of accident from happening again?

3 A. I'll be honest, the rules are there. They're -- everything's
4 in black and white. There's nothing, there's nothing -- I don't
5 know why what happened happened. Like I said before, we get paid
6 to shut it down. That's what -- a supervisor once told me that.
7 It made complete sense. Because you can monitor all day long.
8 It's great that you're doing it, but you are getting paid to shut
9 it down. And I think that's the part we need to drive home, that
10 it's okay to do it. It's stop work authority. It's everywhere,
11 and everybody knows it.

12 MS. BUTLER: Controller success, that's what we want.

13 MR. BIERLY: I've gone through this a million times.

14 BY DR. JENNER:

15 Q. Yeah, that's a very interesting statement, that you're
16 getting paid to shut this down. Do you think that message is
17 heard here among the controllers?

18 A. I believe so. I don't think that it couldn't be. I mean,
19 that's -- I don't know if anybody tells them that. I mean, I
20 don't know if I've ever told them that, but that's the way I've
21 always thought. That was like day 1 controller stuff.

22 Q. All right. Is there anything else? Terrific.

23 DR. JENNER: I appreciate you being here, and it is 11:50
24 a.m. and we'll go off the record.

25 (Whereupon, at 11:50 a.m., the interview was concluded.)

CERTIFICATE

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


IN THE MATTER OF: PIPELINE LEAK OFF THE LOUISIANA
COAST IN THE GULF OF MEXICO
ON NOVEMBER 16, 2023
Interview of Chris Bierly

ACCIDENT NO.: PLD24FR001

PLACE: Houston, Texas

DATE: November 19, 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.



Kay Maurer
Transcriber