



National Transportation Safety Board

Washington, D.C. 20594

February 21, 2017

James Clark Melillo
Kay Management Company
8720 Georgia Avenue, Suite 410,
Silver Spring, Maryland

James Clark Melillo:

Reference: NTSB Accident No. DCA16FP003, Silver Spring, MD.
Your Interview conducted on August 20, 2016.

Enclosed is a copy of the transcript of your interview that was conducted as a part of the on-going investigation of the above referenced accident. Please review the transcript for accuracy and make any necessary editorial changes on the attached transcripts. Please put your initials next to each suggested change. After your review, please sign the attached endorsement and return it with the marked copy of the transcript to the following address on or before February 28, 2017:

Kalu Kelly Emeaba
National Transportation Safety Board (RPH-20)
490 L'Enfant Plaza East, S.W.
Washington, DC 20594.

Or if you desire e-mail your comments to: [REDACTED]

Please note that this transcript should be treated as confidential at this time. This transcript is for your use only, and is not for release. If you have any questions, please contact Investigator-in-Charge. Thank you for your assistance and cooperation.

Sincerely,

Electronic Signature

Ravindra M. Chhatre
Investigator-in-Charge
[REDACTED]

Enclosure

National Transportation Safety Board
Office of Railroad, Pipeline, and Hazardous Materials Investigations
490 L'Enfant Plaza East, S.W.
Washington, D.C. 20594

Reference: NTSB Accident No. DCA16FP003, Silver Spring, MD.
Your Interview conducted on August 20, 2016.

I have reviewed my interview transcript from the above referenced accident and:

- (A) I have no comments to make.
- (B) My comments are submitted herewith.
- (C) My comments are marked on the attached copy.


James Clark Melillo, President Kay Management Co., Inc.

02/22/2017
Date

NATIONAL TRANSPORTATION SAFETY BOARD

-----:

IN RE: :

:

THE EXPLOSION OF APARTMENT : NTSB Accident No.

BUILDING 8701 OF FLOWER : DCA16FP003

BRANCH APARTMENTS IN SILVER:

SPRING, MARYLAND ON :

AUGUST 10, 2016 :

:

-----:

INTERVIEW OF: JAMES CLARK MELILLO

Saturday,
August 20, 2016

Kay Management Office
Silver Spring, Maryland

BEFORE

RAVI CHHATRE, NTSB
RACHAEL GUNARATNAM, NTSB
KALU KELLY EMEABA, NTSB
LT. WILLIAM OLIN, Montgomery County
RASHMIKANT AMROLIWALA, State of Maryland
Public Service Commission
DOUGLAS STAEBLER, Washington Gas
STEVE PRICE, Washington Gas

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provided by the National Transportation Safety Board.

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APPEARANCES:

On behalf of the Interviewee:

MARK PALMER, ESQ.
Bacon Thornton & Palmer LLP
6411 Ivy Lane
Suite 500
Greenbelt, Maryland 20706

[REDACTED]
[REDACTED]

1 P-R-O-C-E-E-D-I-N-G-S

2 (Time not given)

3 MR. CHHATRE: Good morning. Today is
4 Saturday, August 28th, 2016. We are currently at the
5 ^aKey Management Office in Silver Spring, Maryland. We
6 are meeting in regards to the investigation of
7 explosion of Apartment Building 8701 in the Flower
8 Branch apartment complex in Silver Spring, Maryland,
9 that occurred on August 10, 2016.

10 The NTSB investigation number for this
11 accident is DCA16FP003. My name is Ravi Chhatre. I am
12 with National Transportation Safety Board located in
13 Washington, D.C., and I am investigator in charge of
14 this accident.

15 I would like to start by notifying everyone
16 present in this room that we are recording this
17 interview for transcription at a later date. All
18 parties will have a chance to review the transcripts if
19 and when they are completed.

20 Also, I would like to inform Mr. Clark
21 Melillo that you are permitted to have one other person
22 present with you during the interview. This is a
23 person of your choice, your supervisor, friend, family
24 member, or if you choose, no one at all.

25 Please state for the record your full name,

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1 spelling of your name, contact information such as work
2 phone, email address, and mailing address, and who you
3 have chosen to be present with you during your
4 interview.

5 MR. MELILLO: My full name is James Clark
6 Melillo, M-E-L-I-L-L-O. My work address is 8720
7 Georgia Avenue, Suite 410, Silver Spring, Maryland. My
8 phone number is [REDACTED]. My email address is
9 clark, [REDACTED].
10 Joining me is my attorney, Mark.

11 MR. CHHATRE: Thank you very much. Now I
12 would like to go around the room and have each person
13 introduce themselves. Please state your name, spelling
14 of your name, your title, and the organization that you
15 represent, and your contact information, such as work
16 phone, email address, and mailing address. Starting
17 from my left.

18 MS. GUNARATNAM: My name is Rachael
19 Gunaratnam, R-A-C-H-A-E-L G-U-N-A-R-A-T-N-A-M, NTSB
20 hazmat investigator. My number is [REDACTED].

21 MR. EMEABA: I am Kalu Kelly Emeaba, K-A-L-U
22 K-E-L-L-Y E-M-E-A-B-A. I'm an NTSB investigator. My
23 phone number is [REDACTED].

24 LT. OLIN: Lt. Olin, William Olin, O-L-I-N.
25 Fire and explosive investigator for Montgomery County,

1 Maryland. My address is 100 Edison Park Drive,
2 Gaithersburg, Maryland 20877. My phone number,
3 ([REDACTED]). And my email address is [REDACTED]

4 [REDACTED]
5 MR. PALMER: My name is Mark Palmer, P-A-L-
6 M-E-R, first name, M-A-R-K. My address is 6411 Ivy, I-
7 V-Y, Lane, Suite 500, Greenbelt, Maryland 20706. My
8 telephone number is [REDACTED]. And my email
9 address is [REDACTED],

10 T as in Thomas, [REDACTED].

11 MR. AMROLIWALA: My name is Rashmikant
12 Amroliwala. The first name is R-A-S-H-M-I-K-A-N-T.
13 Last name is A-M-R-O-L-I-W-A-L-A. I work with the
14 State of Maryland Public Service Commission. My
15 department is the Pipeline Safety Department. My phone
16 number is [REDACTED].

17 MR. PRICE: I'm Steve Price. I'm the
18 division head of system operations at Washington Gas
19 Light Company. My telephone number is [REDACTED].
20 My office address is 6801 Industrial Road, Springfield,
21 Virginia, email [REDACTED].

22 MR. CHHATRE: Thank you very much. Mr.
23 Clark, if you will just tell me just general background
24 about the ownership of the complex. How does the whole
25 system work, what your responsibilities are?

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1 MR. MELILLO: The property is privately
2 owned. And we are the management company.

3 MR. CHHATRE: And what are your
4 responsibilities as the management company?

5 MR. MELILLO: We take care of the day-to-
6 day, everyday operations of the property from soup to
7 nuts, everything to do with the property.

8 MR. CHHATRE: So that includes maintenance?

9 MR. MELILLO: Maintenance, utilities,
10 upkeep.

11 MR. CHHATRE: So in terms of maintenance,
12 all the appliances belong to the company or just
13 individual renters' property?

14 MR. MELILLO: All the appliances belong to
15 the company.

16 MR. CHHATRE: So now if there is any other
17 complaint, would they be calling the company or the
18 (inaudible) gas company?

19 MR. MELILLO: They would typically call, if
20 it's in their apartment, they would typically call the
21 management office, the local office, the onsite office.
22 If it's after hours, they would probably call 911.

23 MR. CHHATRE: Okay. And who is responsible
24 for the apartment complex involved in the accident?
25 Who is responsible to handle the calls coming from the

1 --

2 MR. MELILLO: There's a community manager
3 that oversees the entire staff. There's a staff of
4 folks there.

5 MR. CHHATRE: Okay. So there's a community
6 manager and him or her --

7 MR. MELILLO: Assistant manager, a handful
8 of maintenance folks, three, four, five. I don't know
9 the exact quantity.

10 MR. CHHATRE: Right. And who's the
11 community manager for the incident location?

12 MR. MELILLO: Mayra, M-A-Y-R-A, Pinto.

13 MR. CHHATRE: P-I-N-T-O?

14 MR. MELILLO: Yes, sir.

15 MR. CHHATRE: Okay. So is your involvement
16 -- are you familiar with the ground zero building,
17 8701, of any layout of that, of the --

18 MR. MELILLO: I have familiarity with the
19 building.

20 MR. CHHATRE: Can you tell us how old the
21 building is, who built it, any plans on the building?

22 MR. MELILLO: I would need to step away for
23 a second to get that information. I don't have it on
24 hand.

25 MR. CHHATRE: Okay. You can provide us --

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1 MR. MELILLO: I can provide you that
2 information.

3 MR. CHHATRE: Okay.

4 MR. MELILLO: Plans, I'm not sure. We
5 bought this property. We did not ~~buy~~^{build} it, so we only
6 have whatever plans we retrieved from the previous
7 owner.

8 MR. CHHATRE: Okay. But you may have some?

9 MR. MELILLO: We may have some.

10 MR. CHHATRE: Okay. Do you know what year
11 the building was constructed? If you don't, you can --

12 MR. MELILLO: I'm afraid to say.

13 MR. CHHATRE: If you can get that
14 information to us, that will work quite well.

15 MR. MELILLO: I can, definitely. I can get
16 it to you. Yes.

17 MR. CHHATRE: Okay.

18 MR. MELILLO: With 36 properties, I don't
19 remember the dates.

20 MR. CHHATRE: No, I understand.

21 MR. MELILLO: Yes.

22 MR. CHHATRE: It is better to get the
23 documentation rather than guessing.

24 MR. MELILLO: Right. I'd rather give you
25 the correct answer.

1 MR. CHHATRE: Now, in terms of the 8701
2 property, would Mayra Pinto will be right for us to
3 find the history of the appliances, when there are any
4 problems with it, when they were processed, when
5 they're replaced? Or you will be the right person?

6 MR. MELILLO: They can come through our
7 office. We would have documentation for appliances and
8 when they were installed.

9 MR. CHHATRE: Okay. And will Mr., is it
10 Mr., Mayra?

11 MR. MELILLO: Ms.

12 MR. CHHATRE: Ms., okay. Would Ms. Pinto
13 have that information, or can we get it from her?

14 MR. MELILLO: She would have it too.

15 MR. CHHATRE: Okay.

16 MR. MELILLO: She would have access to it as
17 well.

18 MR. CHHATRE: Okay.

19 MR. MELILLO: All that documentation is
20 computer stored.

21 MR. CHHATRE: Okay. Can we get a repair
22 history for the building 8701, anything that's replaced
23 in the apartment? I think there are 14 units in that
24 building. Is that correct?

25 MR. MELILLO: That's correct. Over what

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1 date range?

2 MR. CHHATRE: If we can get maybe last year
3 or so, from the beginning. And if we can give you
4 more, that is fine. But I don't want to burden you
5 with too much information up front. If we find
6 something, then we might come back again.

7 MR. MELILLO: Right.

8 MR. CHHATRE: But in last year would be
9 good.

10 MR. MELILLO: We have a work order system,
11 and everything is tracked on the computer. So we can
12 print that out for you.

13 MR. CHHATRE: Okay. Do you know if the
14 water heater in that building was replaced recently?

15 MR. MELILLO: I do not. We should be able
16 to find that out as well.

17 MR. CHHATRE: But that will be, the water
18 heater also will be in that computer with the other
19 appliances?

20 MR. CHHATRE: Including other appliances,
21 yes.

22 MR. CHHATRE: Do you have any past gas odor
23 complaints in that building that you are aware of?

24 MR. MELILLO: There were two, one in January
25 and one in May.

1 MR. CHHATRE: Of this year?

2 MR. MELILLO: Of this year. Both of them
3 revolved around the stove. And by the time the
4 technician got there, the odor had dissipated.

5 MR. CHHATRE: Okay. So it could be still in
6 one of the apartments?

7 MR. MELILLO: Yes. Through the work order
8 system, the reports I'll give you, you'll see those
9 two.

10 MR. CHHATRE: Okay, great.

11 MR. MELILLO: And you'll get the exact
12 address.

13 MR. CHHATRE: And those complaints came to
14 the --

15 MR. MELILLO: Management office.

16 MR. CHHATRE: Manager's office.

17 MR. MELILLO: Yes.

18 MR. CHHATRE: And did the manager's office
19 call the gas company? Do you know anything about it?
20 Or they just --

21 MR. MELILLO: They did not. They sent a
22 technician to investigate.

23 MR. CHHATRE: Okay. Did you have any -- or
24 do you know if those complaints were repeated, once
25 that odor came, no odor?

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1 MR. MELILLO: They were not.

2 MR. CHHATRE: But no repairs were done I
3 guess, basically, on those, no repairs were done on
4 those complaints?

5 MR. MELILLO: No repairs were done.

6 MR. CHHATRE: Now, the repair history will
7 have all that information, I mean, if they --

8 MR. MELILLO: Yes.

9 MR. CHHATRE: -- were repaired then it will
10 say --

11 MR. MELILLO: Right.

12 MR. CHHATRE: -- gas odor dissipated, no
13 further action. What about the water heater? Do you
14 know anything about the water heater offhand?

15 MR. MELILLO: I do not. I've not had a
16 chance to look into those for the water heater.

17 MR. CHHATRE: Okay. And typically, how many
18 technicians are (inaudible) in response to these
19 complaints, gas odor complaints, I guess repair
20 complaints, something still is not working, for
21 example, they will be calling --

22 MR. MELILLO: Mayra.

23 MR. CHHATRE: Mayra, and then she will a
24 technician?

25 MR. MELILLO: Yes, sir.

1 MR. CHHATRE: Okay. And were there any
2 repairs? Well, you did say you will have it, if there
3 are any repairs done to the water heater.

4 MR. MELILLO: Right, that would be on there
5 as well.

6 MR. CHHATRE: And would you be doing the
7 repairs for the water heater in-house, or will you be
8 calling somebody from outside?

9 MR. MELILLO: Most of the time, water
10 heaters, there are very few repairs you can make. We
11 hire a contractor.

12 MR. CHHATRE: Okay. So on your repair
13 history, will that contractor's information also be
14 there, if there were any repairs done?

15 MR. MELILLO: It will indicate who. We have
16 to dig into it further to get you that exact
17 information. We only use one contractor to replace
18 water heaters.

19 MR. CHHATRE: Wonderful. What I would like
20 is if you can, with all the other, my wish list, if you
21 can find out if any repair work, maintenance work was
22 done on the water heater.

23 MR. MELILLO: The water heater could easily
24 be ten years old with no maintenance done on it.

25 MR. CHHATRE: Well, I understand it. But I

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1 want to know if anything was done --

2 MR. MELILLO: Yes.

3 MR. CHHATRE: -- in the last -- I would say
4 I would just go maybe a year again on that.

5 MR. MELILLO: Right, no problem.

6 MR. CHHATRE: And if you'd find up to two
7 years, that would be wonderful. But I do have a
8 minimum of one year for the last repair work.

9 MR. MELILLO: I'm going to need a copy of
10 wish list.

11 MR. CHHATRE: Yes. No, I'm writing it down.
12 And I'm --

13 (Simultaneous speaking)

14 MR. MELILLO: Okay.

15 MR. CHHATRE: So what we'll do is, after the
16 completion of the interview, we'll all collectively
17 make sure that the whole list is completed when we give
18 it to you.

19 MR. MELILLO: Okay.

20 MR. CHHATRE: Now, this boring or whatever
21 test you mentioned --

22 MR. MELILLO: Yes.

23 MR. CHHATRE: -- how you became aware of it?

24 MR. MELILLO: I am directly involved with
25 the activities of the Purple Line. We have five

1 properties that are being affected by this project.

2 MR. CHHATRE: Okay. And do you remember
3 when those people came in to do the boring work at the
4 --

5 MR. MELILLO: It was definitely the week or
6 the Monday prior to this event. And maybe it was
7 earlier.

8 MR. CHHATRE: The event was Wednesday,
9 right?

10 MR. MELILLO: Right. They've been out there
11 Monday.

12 MR. CHHATRE: So that Monday.

13 MR. MELILLO: Yes. They've been out there
14 before then as well.

15 MR. CHHATRE: And would the property
16 manager, is that the correct title, property manager --

17 MR. MELILLO: Community manager.

18 MR. CHHATRE: Community manager. Would the
19 community manager be informed of that activity, or it
20 will not be?

21 MR. MELILLO: She was. And we were informed
22 as well.

23 MR. CHHATRE: Okay. And was anybody from
24 the maintenance staff was present when the work was
25 being done?

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1 MR. MELILLO: They did not shadow the
2 contractors. They did not stay with them, no.

3 MR. CHHATRE: Okay. I mean, somebody has to
4 show them or guide them to the property?

5 MR. MELILLO: No. They were not escorted,
6 they were all in the grassy areas, parking lots. There
7 were no escorts.

8 MR. CHHATRE: And were there any odor
9 complaints after the work was done on the outside or
10 inside?

11 MR. MELILLO: None that we received.

12 MR. CHHATRE: Okay.

13 MR. MELILLO: It's safe to say everybody is
14 aware of the complaint on July 25th, where the
15 Montgomery County Fire and Rescue investigator
16 responded to the call, and they found nothing.

17 MR. CHHATRE: That was July 25th?

18 MR. MELILLO: July 25th, the evening. I
19 don't know what time.

20 MR. CHHATRE: But that was the outside or
21 inside? You like --

22 MR. MELILLO: They went through the building
23 as well. What I heard from news reports, they went
24 through the building.

25 MR. CHHATRE: Okay.

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1 MR. MELILLO: I don't know the details of
2 that call.

3 MR. CHHATRE: But that was (inaudible), we
4 already -- I'm going to give you --

5 MR. MELILLO: You've got that information.

6 MR. CHHATRE: Well, do you know if anybody
7 from your building made that call about a gas odor? Or
8 do you know who made that call to fire department?

9 MR. MELILLO: I only know what I've seen in
10 the news.

11 MR. CHHATRE: Okay. All right. We can find
12 that out. Now, anything you would like to add that I
13 have not asked that you know or you believe might have
14 impact on this accident?

15 MR. MELILLO: For the record, I called you
16 guys. We're very cooperative and want to work with you
17 guys 100 percent.

18 MR. CHHATRE: Yes. I mean, I had an email
19 from you.

20 MR. MELILLO: Right, right. You know, it
21 was after I called you it was, like, that ain't going
22 to happen. So we are very, very interested to get to
23 the bottom of this right away. We have no interest in
24 appointing blame at anybody, but we want to know that
25 our buildings are safe.

1 So one of the other issues, one of the other
2 things I want to share with you is the condition of the
3 room prior to, just days prior to the accident.

4 MR. CHHATRE: Yes.

5 MR. MELILLO: I met with our maintenance
6 supervisor, who kind of oversees the maintenance for
7 our entire portfolio, yesterday morning.

8 MR. CHHATRE: Okay.

9 MR. MELILLO: And I asked him to describe
10 the room to me. He described the room as being
11 immaculate, spotless, which is coincidentally how
12 Washington Gas's onsite guy described a similar room to
13 me. His words were pristine.

14 He said there was no equipment, nothing
15 within 15 feet of the meters. That as you walked in,
16 he thought there were two shelves on the left side, and
17 maybe there were two snow blowers in there. But other
18 than that, there was nothing else in the room. He was
19 there on Monday.

20 MR. CHHATRE: Okay.

21 MR. MELILLO: There were absolutely no gas
22 odors. That room, that whole ground floor is connected
23 all the way through to our office hallways, and doors,
24 and stuff. If there were any gas odors down there, our
25 maintenance folks would have known it.

1 And they would have reacted accordingly. If
2 they couldn't fix it, they would have called a plumber.
3 They would have valved stuff off. They would have
4 taken the appropriate emergency precautions.

5 Nobody works in a room with the smell of
6 gas. It's got ^{an} ~~the~~ odorizer in it. It's horrible. So
7 it's not just the maintenance folks, it's also the
8 office folks that are all connected to that stuff.

9 MR. CHHATRE: Okay.

10 MR. MELILLO: So I'm sure -- the other issue
11 is the rumors, the vast number of rumors out there
12 about the smells of gas and so many of them being
13 reported. As I've mentioned to you, we've had three
14 calls on that corner of the property for the smell of
15 gas. We took two, we know that Montgomery County Fire
16 and Rescue took one.

17 MR. CHHATRE: Do they know that, after the
18 incident or before?

19 MR. MELILLO: No, no. No, before. Before
20 the incident, yes.

21 MR. CHHATRE: Okay.

22 MR. MELILLO: Yes, I just want to dispel the
23 vast number of reports out there of smells of gas that
24 went unreported. And there just are none.

25 MR. CHHATRE: Okay, total three, you guys

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1 handled two --

2 MR. MELILLO: We handled two, Montgomery
3 County --

4 MR. CHHATRE: Okay.

5 MR. MELILLO: We recently went through, oh,
6 where is my --

7 MR. CHHATRE: And before I pass over --

8 MR. MELILLO: We've also gone through a
9 complete fire safety inspection earlier this spring,
10 which is done with a third party, and zero deficiencies
11 were recorded.

12 Montgomery County Fire did their own
13 inspection in March. And there were approximately six
14 deficiencies. The way they grouped them, I'm not real
15 sure. But we got confirmation in May that all
16 deficiencies were corrected.

17 MR. CHHATRE: Okay. Now, just couple of
18 questions on -- you have safety inspection, third
19 party.

20 MR. MELILLO: Yes.

21 MR. CHHATRE: I made a note in my wish list
22 to get a copy of that.

23 MR. MELILLO: I bet you did, okay.

24 MR. CHHATRE: And what we would like to do,
25 and I just want to, before we even mention it, we'd

1 like to talk to your maintenance person. If there's
2 more than one, we'd like to talk to both of them, or
3 three of them,
4 whatever, and your manager, as a follow-up to this
5 interview.

6 MR. MELILLO: Right.

7 MR. CHHATRE: So if you can talk with them
8 and see when they will be available.

9 MR. MELILLO: Can we get them together at
10 one time so --

11 MR. CHHATRE: We can get them, but we
12 interview one at a time.

13 MR. MELILLO: Yes, I understand. Yes, yes.

14 MR. CHHATRE: Absolutely.

15 MR. MELILLO: We have a time where it's
16 incredibly busy right now.

17 MR. CHHATRE: No, I understand. So that why
18 I'm asking you what would be a good time for us to talk
19 to them, earlier the better. Because we consider a
20 piece of the perishable (phonetic) information. Before
21 the wide media coverage, we want to make sure.

22 MR. MELILLO: Right. Can they do those
23 interviews, and I'm asking my attorney, can they do
24 those interviews on site? Do you want to be present?

25 MR. PALMER: I'd like to be present.

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1 MR. MELILLO: Okay.

2 MR. CHHATRE: We have no problem with that.
3 We can even do that tomorrow if you need to. We can do
4 it, I mean, if you just let me know beforehand.

5 MR. MELILLO: Can we do it starting Monday?

6 MR. CHHATRE: Monday is going to be a really
7 busy day for us, because we are going to try to get the
8 piping out from there.

9 MR. MELILLO: Okay.

10 MR. CHHATRE: But if that's the only day we
11 can do it, we'll try to accommodate. I would prefer
12 another day. In fact -- I mean you can get back to me
13 on that one. I don't really need a decision right now.
14 I just need to know, just give me at least a day's
15 advance notice.

16 MR. MELILLO: Okay.

17 MR. CHHATRE: And the people we will need
18 are community manager from the apartment complex --

19 MR. MELILLO: Yes.

20 MR. CHHATRE: -- with the ground zero
21 building, and any and all maintenance crews.

22 MR. MELILLO: Maintenance folks, yes.

23 MR. CHHATRE: And now, if the building has
24 to be painted, who makes that decision?

25 MR. MELILLO: If it has to be painted? It's

1 a joint decision. Sometimes a resident may tell us,
2 hey, there's an issue with the paint. The manager does
3 inspections. She decides to paint something, sometimes
4 the main office, the corporate office here, we go
5 through and say, hey, we want to paint this entire --
6 so it's a joint effort.

7 MR. CHHATRE: Okay. So it's, like, it's not
8 dollar dependent, like, after this dollar value they
9 can make the decision not to -- beyond dollar value
10 they have to come to you?

11 MR. MELILLO: It's fluid. We all work
12 together --

13 MR. CHHATRE: It's all --

14 MR. MELILLO: -- to take care of the
15 building?

16 Yes, yes.

17 MR. CHHATRE: What about the building
18 itself, like, your offices in that complex, the
19 maintenance room, whatever is done, "painted out?"

20 MR. MELILLO: Coincidentally, our office was
21 in Building 8701. If you're standing in front of the
22 building, at the entrance, our office was in the bottom
23 right corner.

24 MR. CHHATRE: Right.

25 MR. MELILLO: And the front right corner was

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1 the maintenance shop. And the front left corner is the
2 gas meter room, and a couple of storage items, and in
3 the back left corner was an apartment.

4 MR. CHHATRE: Okay. So if the area that is
5 not rented out, like, meter room, lobby, or maintenance
6 room, or office, how often do you paint them? And if
7 somebody's going to paint those, would they require
8 your approval, or the manager can do that?

9 MR. MELILLO: The manager can do that.

10 MR. CHHATRE: Okay.

11 MR. MELILLO: Yes.

12 MR. CHHATRE: And that's all I have. Thank
13 you so much. And I'll pass it on to Rachael.

14 MS. GUNARATNAM: Is the door to the basement
15 locked? Who has access to that?

16 MR. MELILLO: The maintenance folks do. So
17 it's probably locked when they're not there after
18 hours. I don't know if it's locked during the day
19 though. They go in and out. Whatever supplies they
20 have are right there.

21 MS. GUNARATNAM: Did the maintenance
22 supervisor say what else would have been stored, like,
23 actual -- you talked about appliances, the snow
24 blowers, but any other storage items, like --

25 MR. MELILLO: No. I didn't get any other

1 details. He's been out there on Monday, the
2 supervisor. He was the overall supervisor for the
3 company. So he's just going by recollection. But the
4 onsite maintenance supervisor, he can tell you exactly,
5 in much more detail, what was in there.

6 MS. GUNARATNAM: And is he a Kay Management
7 employee, maintenance employee?

8 MR. MELILLO: They work for the -- that's a
9 very great question. They actually work for the
10 ownership of the property. We're just the management
11 company.

12 MS. GUNARATNAM: So when do you, for gas
13 odor complaints, when do you decide to call the gas
14 company versus -- do you always call the gas company or
15 --

16 MR. MELILLO: No. We probably rarely call
17 the gas company ourselves unless we believe it's not on
18 our property. If it's on our property we call, if we
19 can't handle it directly, we call a plumber.

20 MS. GUNARATNAM: Oh, okay.

21 MR. MELILLO: Because that plumbing
22 contractor, they're the ones that are licensed and
23 approved to work on gas lines. We are not. For
24 example, any time a stove is changed, it actually
25 requires a permit. And we have a licensed contractor

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1 change the stove. We're not allowed to touch those gas
2 lines.

3 MS. GUNARATNAM: Who is your, or did you
4 already ask this, the licensed --

5 MR. MELILLO: He did not.

6 MS. GUNARATNAM: Oh, who is your licensed
7 contractor?

8 MR. MELILLO: Associated Plumbing
9 Incorporated. They pull a permit for every single
10 stove we replace, or if we just pull it out to renovate
11 the apartment and put it back in, in its apartment.

12 MS. GUNARATNAM: Would they also deal with
13 the water heater?

14 MR. MELILLO: They would. They replace
15 water heaters for us. It's very seldom they require
16 repairs. They're such simple pieces of equipment. But
17 we'll check our records. If there have been any
18 repairs, we'll find it.

19 MS. GUNARATNAM: Okay. Do you guys do any
20 kind of walk throughs, inspection type things, on a
21 regular basis?

22 MR. MELILLO: At a minimum, we go through
23 the apartments twice a year to replace smoke detectors,
24 excuse me, to check smoke detectors, to replace filters
25 on the air conditioning equipment. We also do water

1 conservation at that time, check for any dripping
2 faucets and stuff like that.

3 In addition to that, each fall we go through
4 and do a CO inspection, carbon monoxide. We check
5 every single furnace with a meter for excessive CO.
6 And there's a process for that where we check the
7 space, the flue, and stuff like that.

8 MS. GUNARATNAM: Is this a documented
9 procedure you're talking about that --

10 MR. MELILLO: Highly documented.

11 MS. GUNARATNAM: Do you know the name of
12 that procedure?

13 MR. MELILLO: I know it's a procedure. It's
14 the CO check we do every year, yes.

15 MS. GUNARATNAM: Would you like a copy of
16 that, Ravi?

17 MR. CHHATRE: Yes, please.

18 MS. GUNARATNAM: If we could get a copy of
19 that then.

20 MR. CHHATRE: I'm doing my wish list here,
21 so --

22 MR. MELILLO: Okay.

23 MS. GUNARATNAM: So you check the CO furnace
24 (phonetic), CO levels. Get a copy of that. Do you do
25 anything with the gas meters or look through, you know,

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1 do you ever check --

2 MR. MELILLO: No, we don't. There's no
3 moving parts open for us to check there.

4 MS. GUNARATNAM: Who's your independent
5 contractor for the fire inspection?

6 MR. MELILLO: Alarm System Testing
7 Incorporated, ASTI.

8 MS. GUNARATNAM: Okay, I think that's all I
9 have right now.

10 MR. CHHATRE: Okay, Kelly?

11 MR. EMEABA: Good morning. This is Kalu
12 Kelly Emeaba. Just a few questions. When you have new
13 tenants that are admitted, what information regarding
14 the gas pipeline and use is furnished to them, when you
15 have new tenants?

16 MR. MELILLO: Right, right. I don't think
17 we tell them anything about the gas pipeline. We don't
18 furnish them any information on the gas pipeline.

19 MR. EMEABA: Okay. Do you give them any
20 information concerning the use of gas within the
21 apartments?

22 MR. MELILLO: None that I'm aware of, no.

23 MR. EMEABA: And when there are -- what
24 information do you give to your tenant if they express
25 or have any complaint of gas odor?

1 MR. MELILLO: To call the office.

2 MR. EMEABA: To call the office?

3 MR. MELILLO: Right. If it's after hours,
4 and it's an emergency, the recording will tell them to
5 call 911.

6 MR. EMEABA: Okay. Do your customers pay
7 for any of the maintenance regarding any of the
8 appliances, or if there is odor, call them for gas
9 odor?

10 MR. MELILLO: They do not pay for the
11 maintenance of any of the appliances, no.

12 MR. EMEABA: And when Kay Management
13 receives complaints of gas odor from your customers,
14 what do you do?

15 MR. MELILLO: We send a technician to
16 investigate the complaint.

17 MR. EMEABA: After the complaints are made,
18 can you lead me through how -- are they followed-up
19 from the management to see what the technician has done
20 and how it went? Are there feedbacks?

21 MR. MELILLO: The technician will report
22 back to close the work order. A work order is
23 initiated. Whenever a complaint or a request for
24 maintenance is received, a work order is initiated.

25 To close that work order, the technician has

1 to report back the status of the work order. Maybe
2 there are materials that needed to be ordered, and it's
3 ongoing. The maintenance technician would have to
4 report that to keep the order open. But if there are
5 no further actions required, he'd report back that
6 condition, and the work order is closed.

7 MR. EMEABA: Okay. Please, can you walk us
8 through or walk me through? Your technicians that
9 report the gas odors or complaints, especially gas odor
10 in the apartments, how are they trained to do the
11 function they do?

12 MR. MELILLO: I can't answer that question
13 specifically. You'd have to ask, we'd have to ask the
14 maintenance supervisor and probably the community
15 manager.

16 MR. EMEABA: Okay. And if I can understand
17 what you said earlier, those individuals, both the
18 maintenance personnel and other, they work for the
19 property owner. Is that what you said?

20 MR. MELILLO: It's a complicated
21 relationship. Yes, they do, yes.

22 MR. EMEABA: Can you explain to us
23 how --

24 MR. MELILLO: There is an ownership of the
25 property.

1 MR. EMEABA: Yes.

2 MR. MELILLO: It's all their money that pays
3 those guys. We are the management company. We govern
4 their actions and direct them in their daily
5 proceedings. But the actual financial relationship is
6 different.

7 MR. EMEABA: Okay. So by virtue, as you
8 say, you govern their action.

9 MR. MELILLO: We do.

10 MR. EMEABA: Okay. Do you have interest, do
11 you verify to see if those who have been engaged by the
12 property owners --

13 MR. MELILLO: Yes.

14 MR. EMEABA: -- can actually perform the
15 work that they are doing?

16 MR. MELILLO: We do conduct training for
17 them, we have a very good training program, and teach
18 them how to work on appliances, electrical outlets,
19 plumbing. We teach them all different things to make
20 sure that they're okay to work on equipment.

21 So there are certain things that they can
22 do, that they have skills to do. But there are also
23 things that they can't. As I mentioned before, they
24 can't change a pipeline, a gas pipeline. That's out of
25 -- and they know that. That's written policy.

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1 They're not allowed to change the flex line
2 that connects the stove, for example, or the lines that
3 go to the HVAC equipment. They have limited abilities
4 in what they can do to that equipment. If it's out of
5 their skill level, we call a contractor.

6 MR. EMEABA: Okay. And in the process of
7 responding for gas odor calls from the apartments, do
8 your employee technicians -- what kind of equipment do
9 you expect them to work with?

10 MR. MELILLO: I expect them to work with a
11 gas detector. We call them sniffers. I expect them to
12 take a gas detector with them to verify the complaint.

13 MR. EMEABA: Do you know anything about how
14 those equipments are used and how they are maintained?

15 MR. MELILLO: I do not, no. I don't have
16 any first hand experience using them.

17 MR. EMEABA: Okay. So do you know if any of
18 such equipment they use in monitoring for gas or, you
19 know, in monitoring for gas odor, calls are calibrated
20 or whatever? Do they need any equipment on this
21 calibration or not?

22 MR. MELILLO: I do not know. I'm not
23 familiar with the piece of equipment other than its
24 existence. I do know, for the CO detectors, that those
25 are calibrated annually just prior to the next

1 inspection.

2 MR. EMEABA: Okay. Are you aware if each of
3 these technicians have their respective equipment, and
4 you call it a sniffer, or do you have one that
5 everybody shares?

6 MR. MELILLO: Most likely it's one that
7 everybody shares.

8 MR. EMEABA: How many is currently, do you
9 know, you have in your -- for this apartment branch?

10 MR. MELILLO: I do not know. I don't know
11 the inventory of the equipment at each one of the
12 properties.

13 MR. EMEABA: All right, thank you. That's
14 it for now.

15 MR. MELILLO: Thank you, Kelly.

16 LT. OLIN: I think you were looking at my
17 list. This is Bill Olin. In the HV, or excuse me, in
18 the meter room, we located and pulled out HVAC
19 compressors and furnaces. Is that -- that was fair, in
20 a storage --

21 MR. MELILLO: Okay.

22 LT. OLIN: Are those, and I take it from
23 what you've said before, like, the heater would be
24 installed by a contractor.

25 MR. MELILLO: Yes.

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1 LT. OLIN: Is that correct?

2 MR. MELILLO: Yes.

3 LT. OLIN: Can you just sort of tell us, I
4 mean, are they down there for a financial reason, like,
5 you get a better price buying them --

6 MR. MELILLO: Bulk.

7 LT. OLIN: -- bulk, or no?

8 MR. MELILLO: No, no. So that they're
9 available.

10 LT. OLIN: Okay.

11 MR. MELILLO: So if someone calls, and
12 particularly for a heating complaint, the unit's
13 readily available. We wouldn't have to go pick one up
14 or order one. Yes, those are just spares ready to go.

15 LT. OLIN: And then those would be installed
16 by, the furnace would be installed by --

17 MR. MELILLO: No.

18 LT. OLIN: -- Associate Plumbing?

19 MR. MELILLO: No.

20 LT. OLIN: No?

21 MR. MELILLO: No. I know I didn't say that.
22 The furnace would be installed, most likely, by an
23 organization, a contractor, but one of two, either
24 Teco, T-E-C-O, or Integrity Services. They both do the
25 --

1 LT. OLIN: Put in furnaces.

2 MR. MELILLO: Put in furnaces and air
3 conditioners, condensers.

4 LT. OLIN: And they do the compressors as
5 well?

6 MR. MELILLO: Yes.

7 LT. OLIN: Okay.

8 MR. MELILLO: It is a complete HVAC system.

9 LT. OLIN: Do you have any HVAC engineers on
10 staff?

11 MR. MELILLO: They're technicians. They can
12 do limited work.

13 LT. OLIN: Top off refrigerant, stuff --

14 MR. MELILLO: They do, some do top off
15 refrigerant. It varies throughout our portfolio. They
16 can do some minimal trouble shooting, maybe a
17 thermostat issue, a loose wire, stuff like that. But,
18 yes, top off refrigerant, not uncommon.

19 LT. OLIN: You stated that the fire rescue
20 code enforcement came out and found some deficiencies.
21 Did they issue a notice of violation?

22 MR. MELILLO: Sure.

23 LT. OLIN: And who has that notice of
24 violation, you or --

25 MR. MELILLO: I have a copy of it.

1 LT. OLIN: All right.

2 MR. MELILLO: Yes.

3 LT. OLIN: Okay. Apartments don't have CO
4 detectors in them, or they do?

5 MR. MELILLO: They do not yet.

6 LT. OLIN: They do not, okay. And smoke
7 detectors, electric or battery?

8 MR. MELILLO: The code requirement, they're

9 --

10 LT. OLIN: Battery? I think your --

11 MR. MELILLO: Ask Eric, who's coming in
12 next. Eric takes care of, Eric takes care of smoke
13 detectors. It varies from jurisdiction to
14 jurisdiction.

15 LT. OLIN: Okay. That's all I've got.

16 MR. EMEABA: You state your name before --

17 MR. AMROLIWALA: Okay. Here you say that --

18 MR. EMEABA: State your name.

19 MR. AMROLIWALA: Rashmikan Amroliwala,
20 Maryland Public Service Commission. My first question
21 over here is prior to explosion on Monday, some people,
22 they came there in that area. And they were doing some
23 work. Actually, can you describe what they were doing
24 over there?

25 MR. MELILLO: The only description I know is

1 the test bores in preparation for the upcoming project,
2 test boring. I couldn't tell you beyond that what that
3 included.

4 MR. AMROLIWALA: Okay. But the test boring,
5 the contractor, can you just provide us the information
6 for the contractor, what they were doing over there?

7 MR. MELILLO: I can provide you information
8 for SHA, State Highway Administration. So it's not a
9 contractor working for us. They're contracted with the
10 State Highway Administration/MTA. I don't know the
11 hierarchy. I can give you our point of contact for
12 SHA.

13 MR. AMROLIWALA: Okay. So for that
14 contractor, once we get the information, we need to get
15 Miss Utility ticket information. Because when someone
16 is working in that particular area, they should have
17 the Miss Utility information --

18 MR. MELILLO: Most of them.

19 MR. AMROLIWALA: -- marking all the markings
20 for the gas pipeline, and all of the utilities are
21 required to mark.

22 MR. MELILLO: Yes, sir.

23 MR. AMROLIWALA: So that's how I need the
24 information for that contract.

25 MR. MELILLO: I'm hoping we'll have one wish

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1 list. I'll get it to ~~Robbie~~, and he'll distribute it.

2 MR. CHHATRE: Yes. I'm preparing my wish
3 list. I'm going to share it with everybody so you
4 don't get eight documents --

5 MR. MELILLO: Thanks.

6 MR. CHHATRE: Okay. And that's why I'm
7 constantly --

8 MR. MELILLO: Thank you.

9 MR. AMROLIWALA: Next question is there were
10 three calls prior to explosion. One call was attended
11 by the Montgomery County Fire Department. And the rest
12 two calls that are attended by your maintenance people.

13 MR. MELILLO: Yes.

14 MR. AMROLIWALA: Can you just describe what
15 the calls were and what the maintenance people worked
16 over there?

17 MR. MELILLO: I can describe for you second
18 hand, looking at the reports, what I saw. The calls
19 were for a smell of gas inside the apartment. The
20 maintenance technician responded. And by the time he
21 got there, if there was any gas, it had dissipated.

22 You understand with our stoves, some of our
23 stoves actually still have standing pilot lights. They
24 haven't all been converted over to electronic ignition.
25 If you've lived in a house with a gas stove, it may

1 produce odor sometimes. So other than that, maybe, you
2 know, I don't know what could have happened. But there
3 was no gas when he got there.

4 MR. AMROLIWALA: So for both the calls, the
5 same information was said.

6 MR. MELILLO: Right, for all three calls,
7 there was no gas found.

8 MR. AMROLIWALA: The Associated Plumbing
9 contractor which you are using for your normal
10 maintenance activities by the Kay Management Company,
11 do they work for the gas pipeline repair or any kind of
12 activities for that, Associated Plumbing contractor?

13 MR. MELILLO: If there is any need for a gas
14 pipeline repairs, and they belong to us, they would do
15 that work.

16 MR. AMROLIWALA: Do you know that the
17 contractor is qualified to do the gas pipeline repair
18 job? Is there any qualification? Are you --

19 MR. MELILLO: I know that they are qualified
20 to do that. To be a licensed plumber, they are
21 qualified to do that. And the sheer nature that they
22 pull a permit, and the permit is approved, indicates to
23 me that they are an approved contractor.

24 MR. AMROLIWALA: If possible, can you just
25 forward that information, the qualifications,

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1 certificate, that what kind of contract is --

2 MR. MELILLO: You'd need to contact them to
3 get that information. I don't have that information
4 myself. Add it to your wish list.

5 MR. AMROLIWALA: I already have. When the
6 question came I have. The maintenance employees with
7 Kay Management at the property --

8 MR. MELILLO: Yes.

9 MR. AMROLIWALA: -- is there any training
10 program for the maintenance employees? You say that
11 there is a training program.

12 MR. MELILLO: Yes.

13 MR. AMROLIWALA: Do you keep any records
14 that these are the people conducted for this kind of
15 training, like, where they were -- you talk about the
16 property, the lines, the repairing, maintenance. Any
17 more --

18 MR. MELILLO: Well, we keep limited records
19 on that. We keep limited records on that, yes.

20 MR. AMROLIWALA: Do you distribute any
21 notice to the tenants concerning the gas pipeline
22 information, like, if they smell the gas, what they
23 need to do? If they need to call maintenance, after
24 they would call 911.

25 And the routine maintenance activities, if

1 they need any information, like, they don't need to
2 turn off the light, or they don't need to take a phone
3 call, or something, any general information, do you
4 provide to your tenants?

5 MR. MELILLO: We'd have to ask the community
6 manager, Mayra Pinto.

7 MR. AMROLIWALA: Since how long the Kay
8 Management is managing that property, the Flower
9 Apartments, since how many years?

10 MR. MELILLO: I would have check our
11 management agreement. I do not know offhand. I've
12 been here for 16 years. It's longer than that. I
13 don't know when we -- I don't know the date we acquired
14 the property or probably the same time we took on the
15 management contract. But I can get that information
16 for you.

17 MR. AMROLIWALA: All right.

18 MR. PRICE: Hi, Steve Price. The practice
19 of, I'll call it practice, of calling in gas odors to
20 the maintenance office, or after hours to 911, is that
21 a practice throughout all of your properties?

22 MR. MELILLO: It's the same general
23 procedure, yes. Additionally, there's an on-call
24 person. So if they call after hours, at all of our
25 properties, we have an on-call person who's standing by

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1 ready to respond to any complaints or issues.

2 MR. PRICE: Does that on-call person live on
3 the property?

4 MR. MELILLO: Not always.

5 MR. PRICE: Do you know who that is for --
6 this is called the Flower Branch?

7 MR. MELILLO: Flower Branch. They rotate.
8 The maintenance staff rotates taking calls.

9 MR. PRICE: Okay. So they're part of the
10 maintenance staff.

11 MR. MELILLO: They're part of the regular
12 staff, right. Right, it's a rotation.

13 MR. PRICE: How long, roughly, has that
14 practice been in place of calling the maintenance
15 office, or 911, and not Washington Gas for odor calls?

16 MR. MELILLO: It's probably always been that
17 way. I don't know that there's -- I can't say for sure
18 that there's been an exact procedure for calling
19 Washington Gas for a gas leak.

20 MR. PRICE: And I think RK (phonetic) asked
21 about, you know, written instructions to tenants. Is
22 that practice documented in any way?

23 MR. MELILLO: I don't know. We'd have to
24 check with Mayra.

25 MR. PRICE: So Mayra would have --

1 MR. MELILLO: It would part of her package
2 that she hands out, that she gives to residents when
3 they move in.

4 MR. PRICE: And with respect to API's work
5 for, API is working directly for the management company

6 --

7 MR. MELILLO: Yes.

8 MR. PRICE: -- or the owner? The management
9 company.

10 MR. MELILLO: The management company.

11 MR. PRICE: And they would be the ones to do
12 any house line work on the gas --

13 MR. MELILLO: Yes.

14 MR. PRICE: -- line.

15 MR. MELILLO: Yes.

16 MR. PRICE: Do you know if any house line
17 work has been done at Flower Branch Apartments by API
18 in any time recent to the incident?

19 MR. MELILLO: I checked the two affected
20 buildings, 8701 and 8703, and I did not see any gas
21 repair work in any of the work orders.

22 MR. PRICE: And how far back did you go?

23 MR. MELILLO: I went to the beginning of the
24 year, January 2016.

25 MR. PRICE: The meter room access, is the

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1 meter room, I forget if this was asked, is it locked,
2 typically?

3 MR. MELILLO: It's locked after hours.
4 During the day, it's probably, maybe it is, maybe it
5 isn't. There's a lock on it. It's probably open most
6 of the day, when you check with Mayra and the
7 maintenance supervisor there.

8 MR. PRICE: You may not know this either,
9 but is there a log of accessing the meter room after
10 hours?

11 MR. MELILLO: No. Very unlikely. You can
12 ask Mayra. Very, very unlikely.

13 MR. PRICE: And I'd assume that the key
14 access is limited to the maintenance staff?

15 MR. MELILLO: To the maintenance staff, yes.

16 MR. PRICE: I don't think there were any
17 laundry facilities in 8701, correct?

18 MR. MELILLO: Right.

19 MR. PRICE: The question was asked about
20 fire department inspections and any notices of
21 violation. Are you aware of any WSSC inspections or
22 reviews of work done at Flower Branch?

23 MR. MELILLO: I am not aware of any.

24 MR. PRICE: The gas detector that you
25 referred to as a sniffer --

1 MR. MELILLO: Yes.

2 MR. PRICE: -- who would be the one to speak
3 to about that piece of equipment and how it's used?

4 MR. MELILLO: The maintenance supervisor.

5 MR. PRICE: And that person's name is? Do
6 you know?

7 MR. MELILLO: We've recently had a change.
8 I do not know. Raphael is the current employee, but
9 I'm not -- he has not been here that long.

10 MR. PRICE: How long has Raphael been here?

11 MR. MELILLO: I do not know. I have to
12 check employment records.

13 MR. PRICE: If there was work done on the
14 water heater for any reason, is that an API job or --

15 MR. MELILLO: Yes.

16 MR. PRICE: So your maintenance folks would
17 not do work on the water heater?

18 MR. MELILLO: They do not do work on water
19 heaters. They receive training on it, but they do not
20 work on it.

21 MR. PRICE: On the appliance repair work,
22 would all appliance repair work, will all appliance
23 checks or repair work be documented on a work order in
24 your understanding?

25 MR. MELILLO: Yes. There's a, yes, if

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1 someone calls and complains, there is some issue with
2 it, it'll be documented.

3 MR. PRICE: The two leaks, the two odor call
4 reports that you're aware of, do you know which
5 apartment or apartments they were associated with?

6 MR. MELILLO: I'll provide that information
7 with the work order history.

8 MR. PRICE: Do you know if they were the
9 same apartment or different?

10 MR. MELILLO: They were different.

11 MR. PRICE: Other questions, the fire safety
12 inspection that you had done this spring, I think you
13 indicated, was it --

14 MR. MELILLO: Yes.

15 MR. PRICE: Who is that third party?

16 MR. MELILLO: ASTI, Alarm System Testing
17 Incorporated.

18 MR. PRICE: And I may have misunderstood,
19 but the individual who you said was in the meter room
20 earlier that week, who was that?

21 MR. MELILLO: He's the maintenance
22 supervisor for the entire company. He oversees all of
23 our entire portfolio.

24 MR. PRICE: What is his name?

25 MR. MELILLO: His name is Chuck, C-H-U-C-K,

1 Stitt, S-T-I-T-T. Having said that, Chuck is very,
2 very ill and had to resign on Friday. He's had three
3 kidney transplants, and they're failing.

4 MR. PRICE: I'm sorry to hear that. Do you
5 know why he was at Flower Branch Apartments on that
6 Monday?

7 MR. MELILLO: I believe it was part of those
8 routine inspections or routine checks. He maintains
9 the maintenance shops. We have a very elaborate
10 program of keeping material or parts on hand. So he
11 does inspections of the shops to make sure that they're
12 in perfect shape, all the equipment's properly stored.

13 MR. PRICE: But he was the one who indicated
14 that, from his recollection, there were just two snow
15 blowers in there?

16 MR. MELILLO: From his recollection, right.
17 He said he wasn't there to count equipment or anything.
18 He was just kind of, you know, hey, now that I'm going
19 back and trying to remember what was in there, a couple
20 of shelves and snow blower equipment was all he could
21 recollect.

22 MR. PRICE: Are you aware of any work that
23 Washington Gas had done out on your meter racks in any
24 of your buildings in any time recent to --

25 MR. MELILLO: They don't necessarily tell

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1 us. We might get notice that they're coming. I know
2 that they've made changes out there. For example, that
3 meter rack had two regulators. And other buildings
4 where there were two regulators, they've been replaced
5 with one regulator.

6 I don't know the details of that. That's
7 Washington Gas's equipment. But you can see the tabs
8 for the other regulator. You can see the line on the
9 wall which hadn't received any paint. So it's been
10 fairly recent that, you know, within the past year,
11 years, that they've eliminated one regulator in some
12 buildings. I think we know from this building that
13 there were two regulators. So I don't know how that
14 equipment works to that detail.

15 MR. PRICE: Okay.

16 MR. MELILLO: But clearly, Washington Gas
17 has been out there.

18 MR. PRICE: You've been kind enough just to
19 identify certain records. Would all the records of
20 work, relevant work, done at those two apartments
21 either be onsite or in your computer system here?

22 MR. MELILLO: We store almost everything
23 electronically. So it's, yes, through a server that we
24 have access to.

25 MR. PRICE: Okay.

1 MR. MELILLO: They are --

2 MR. PRICE: Is there any other record that
3 isn't in that system that might be relevant to either
4 the house pipeline system or the gas appliances that we
5 haven't talked about?

6 MR. MELILLO: There's none that I can think
7 of other than, like I mentioned, if Washington Gas
8 comes and wants to do work on their equipment, we don't
9 necessarily document that in the documental work that
10 we do, either with our own staff or with the
11 contractors.

12 MR. PRICE: Thank you very much.

13 MR. CHHATRE: Let's go to real quick, a few
14 follow-up questions.

15 MR. MELILLO: Okay.

16 MR. CHHATRE: Clarification questions, if
17 you would. We will try to keep that to minimum. So
18 I'll just use my privilege, I guess. The typical work
19 hours for the maintenance folks, do we ask that to
20 Mayra, or you can tell us?

21 MR. MELILLO: Ask Mayra. 8:00 to 5:00, 9:00
22 to 6:00.

23 MR. CHHATRE: Okay. And the relationship is
24 still not really clear to me, you as the management
25 company, and the ownership is different. Who the

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1 owners will be, or how does that thing work?

2 MR. MELILLO: I can't give you a list of the
3 owners. I'd really rather defer to the attorney on
4 that one. But it's a group of people that have owned
5 the properties probably since day one, to some extent.

6 MR. CHHATRE: I mean, how does that work
7 with you? I mean, who pays the salary, for example,
8 for the staff at the apartment complex?

9 MR. MELILLO: The apartment complex
10 generates its own revenue. So we manage everything,
11 the money, the revenue that comes in. We take that, we
12 take the money that they make, and we pay the
13 employees.

14 MR. CHHATRE: So the salary is determined by
15 the owners of the property or by you?

16 MR. MELILLO: By us.

17 MR. CHHATRE: By you.

18 MR. MELILLO: Yes.

19 MR. CHHATRE: So you're really kind of
20 collect it, if I understand correctly, you collect the
21 rent.

22 MR. MELILLO: Yes. That process --

23 MR. CHHATRE: That money comes to you.

24 MR. MELILLO: Yes.

25 MR. CHHATRE: Then you take that kitty, pay

1 --

2 MR. MELILLO: All the bills.

3 MR. CHHATRE: -- all the staff.

4 MR. MELILLO: Yes.

5 MR. CHHATRE: And then whatever your

6 arrangement is with the owners --

7 MR. MELILLO: Right.

8 MR. CHHATRE: -- that financial is divided.

9 MR. MELILLO: Exactly, yes.

10 MR. CHHATRE: So hiring, firing, if you

11 would, decision is made by you.

12 MR. MELILLO: By us, yes.

13 MR. CHHATRE: That's all that we have.

14 MR. MELILLO: Okay.

15 MR. CHHATRE: Thanks. Do you have any

16 follow-up questions?

17 MS. GUNARATNAM: I had one follow-up

18 question. When Washington Gas is doing major work like

19 replacing a regulator, do you know if they notify you

20 guys, the management, like, the community manager?

21 MR. MELILLO: They would have to get into

22 the building.

23 MS. GUNARATNAM: Okay.

24 MR. MELILLO: Yes. They wouldn't need to

25 provide us really an advance notice, because they're

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1 not going into an apartment. By law, if you're going
2 into someone's apartment, you need to provide them with
3 at least 24 hours notice. Montgomery County might be
4 48, I'm not sure of the different jurisdictions. But,
5 yes, since they're not going into an apartment, they
6 could easily show up that day and say, hey, we need to
7 get in this meter room and do this.

8 MS. GUNARATNAM: And does your maintenance
9 people then stay with the gas company or not?

10 MR. MELILLO: They would not stay with the
11 gas company, no.

12 MS. GUNARATNAM: Okay.

13 MR. CHHATRE: Kelly?

14 MR. EMEABA: Yes, just two more questions.
15 This is Kalu Kelly Emeaba. Just on the record again,
16 when would you require your customers, tenants, to call
17 Washington Gas or any gas company?

18 MR. MELILLO: We do not require our tenants
19 to call Washington Gas Company. We would typically
20 make that determination. If there was a -- let me be
21 clear about that, if there is an odor of gas, we get
22 the call to go investigate, if we can't identify where
23 it's coming from, we would call a contractor. The
24 contractor would then come and make the repair or say
25 it's not your pipe, it's the gas company's pipe. And

1 they would make the repair. And we have had none of
2 those situations in 2016.

3 MR. EMEABA: Thank you. Now, second
4 question, do your customers, tenants, pay to you or to
5 Washington gas for their use of the gas supply?

6 MR. MELILLO: They pay Washington Gas.
7 These apartments are industry standard plus utilities.
8 So they pay for their gas, electricity, yes.

9 MR. EMEABA: Okay. Yes, now just one
10 question I wanted to know. Because there is what we
11 call master meter.

12 MR. MELILLO: It's not a master meter.

13 MR. EMEABA: Thank you. Based on what I saw
14 inside --

15 MR. MELILLO: Right, it's --

16 MR. EMEABA: I believe it's not what -- I
17 mean, master meter, as a result one will expect a
18 relationship with the gas company. That's what I'm
19 asking. As long as it's not a gas, I mean, a master
20 meter --

21 MR. MELILLO: It's not.

22 MR. EMEABA: -- there should be a
23 relationship between the Washington Gas and the
24 customers who pay them. That's just what I want to
25 know.

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1 MR. MELILLO: Each building has 14
2 apartments.

3 MR. EMEABA: Yes.

4 MR. MELILLO: Each apartment has a gas
5 meter.

6 MR. EMEABA: Correct.

7 MR. MELILLO: We have one additional meter
8 for the water heater. There's one central water heater
9 for each building.

10 MR. EMEABA: Which you pay for.

11 MR. MELILLO: Which we pay for. So there
12 are 15 meters in each building.

13 MR. EMEABA: Thank you so much. I'm done.

14 MR. CHHATRE: Any questions?

15 LT. OLIN: No, Bill Olin. I wanted to open
16 up the last time what I was asking, that indeed those
17 apartments are immaculate. The exemplar apartments
18 that I went through, I mean, they were extremely clean.
19 So I just wanted to let you know that. I mean, that
20 was --

21 MR. MELILLO: Thank you for saying that,
22 Bill.
23 Appreciate that.

24 MR. CHHATRE: Any more questions?

25 MR. PRICE: I'd like to ask one or two, if

1 you don't mind.

2 MR. CHHATRE: Sure, go ahead.

3 MR. PRICE: Do you have a human resources
4 department that handles human resource issues with your
5 maintenance or management personnel?

6 MR. MELILLO: We do not.

7 MR. PRICE: Who handles those issues if --

8 MR. MELILLO: It's handled through the
9 managers.

10 MR. PRICE: Through Mayra?

11 MR. MELILLO: Through Mayra, on up the
12 chain. Mayra has a regional property manager, Ruth
13 Jaholski (phonetic). Ruth Jaholski reports to a
14 director of property management, Peggy Obran
15 (phonetic). And Peggy reports to me.

16 MR. PRICE: Are you aware of any employee
17 issues, performance or discipline, with employees who
18 were onsite in and around the time of this incident?

19 MR. MELILLO: None.

20 MR. PRICE: Thanks.

21 MR. CHHATRE: Okay. Well, I truly want to
22 thank you for agreeing to talk to us. I appreciate it.

23 MR. MELILLO: We are aware of a disgruntled
24 resident that Montgomery County detectives, I believe,
25 have investigated. But you should probably ask them

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1 for details on it.

2 MR. CHHATRE: Okay. Thank you for that.

3 MR. PRICE: So is that at 8701 or 03?

4 MR. MELILLO: 03.

5 MR. PRICE: Well, what is your awareness of
6 it?

7 MR. MELILLO: We told him we were going to
8 give him a management notice, because our onsite, our
9 community police officer, a Montgomery County police
10 officer, advised us that he was conducting illegal
11 activities in his apartment. So he knew we were going
12 to give him a management notice. And he moved out just
13 prior to that.

14 Anything beyond that, you would need to
15 check with the Montgomery County Police Department.

16 LT. OLIN: We are aware of that.

17 MR. MELILLO: Yes.

18 MR. CHHATRE: Great, thanks. Again, thank
19 you so much for the help. Off the record.

20 (Whereupon, the above-entitled matter went
21 off the record.)

22

23

24

25

C E R T I F I C A T E

MATTER: Explosion of Apartment Bldg 8107
in Silver Spring, MD, August 10, 2016
Accident No. DCA16FP003
Interview of James Melillo

DATE: 08-20-16

I hereby certify that the attached transcription of page 1 to 57 inclusive are to the best of my professional ability a true, accurate, and complete record of the above referenced proceedings as contained on the provided audio recording; further that I am neither counsel for, nor related to, nor employed by any of the parties to this action in which this proceeding has taken place; and further that I am not financially nor otherwise interested in the outcome of the action.



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