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INTERVIEW OF:

KARL HAMRE

TAKEN NOVEMBER 18, 1997 AT 1:00 P.M.

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INTERVIEW OF KARL HAMRE, taken pursuant to agreement of and between parties at, Koch Industries, Inc., P.O. Box 64596, St. Paul, Minnesota, at approximately 1:00 p.m. on Tuesday, November 18, 1997 before Milo Ballingrud, Notary Public, County of Hennepin, State of Minnesota.

**APPEARANCES:**

Present from the Minnesota Pollution Control Agency:

DON L. KRIENS, P.E.

MARY L. HAYES

GREGORY BERGER

Present from Koch Industries:

JAMES K. VOYLES, Attorney at Law

Present from the law firm Green Espel:

SUSAN K. WIENS, Attorney at Law

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1 BY MR. BERGER:

2 Q. Karl, I have just a little introduction piece I  
3 need to read first. As you are probably aware,  
4 the Minnesota Pollution Control Agency is  
5 conducting a civil investigation that is  
6 focusing on Koch Refinery operations and on a  
7 number of environmental related issues that came  
8 to the attention of the MPCA back in April of  
9 this year.

10 We are seeking your cooperation at this  
11 time in obtaining some information through these  
12 interviews regarding the situation, and we would  
13 like your cooperation at this time to answer  
14 these questions. We want you to know that this  
15 is totally voluntary on your part, you are not  
16 required to answer these questions if you choose  
17 not to. The information we obtain from this  
18 investigation may be used in an administrative,  
19 civil or criminal enforcement action against  
20 Koch Refining Company in the future. We want to  
21 emphasize that this investigation at this time  
22 is not directly or singling out any particular  
23 employee at Koch Refinery, it's looking at the  
24 total operations at Koch Refinery operations.  
25 Do you have any questions about that?

- 1       A.    No.
- 2       Q.    Karl, would you please state your full name and  
3            then give us a brief history of your work  
4            experience here at Koch? And towards the end  
5            kind of be real specific with your current  
6            duties.
- 7       A.    Okay. My name is Karl Hamre. I've been working  
8            in the waste water treatment plant the last two  
9            years and also in the boiler house. I would  
10          rotate back and forth between one and the other.  
11          Ten years before that I was working in the  
12          platformer as a gas oil hydro treater in the 37  
13          and 38 unit. They made -- refined crude oil  
14          before that FCC so they could make gasoline.  
15          The 37 unit would actually make the high octane  
16          gas with it out of the naphtha, hydro treat it.
- 17      Q.    And again, when did you first start here?
- 18      A.    I started here in 1985, August of '85.
- 19      Q.    And the last two years at the waste water  
20            treatment plant and the boiler house, rotating  
21            between them?
- 22      A.    Yes. September of '95 I went to the boiler  
23            house, water plant.
- 24      Q.    Okay. I think the first issue we'll talk about  
25            is the boiler house. We have received some

1 information that indicates there has been some  
2 spills and releases of some mercury at the  
3 boiler house. Are you aware of any spills or  
4 releases of mercury at the boiler house in your  
5 two years there?

6 A. No, I haven't seen anything. I've seen them  
7 collect it in the panel there, but that's all  
8 I've seen. Hazmat came up and put it in a  
9 bottle.

10 Q. Could you describe that a little bit more in  
11 detail, what's that's about?

12 A. I saw them coming in there and picking it up and  
13 putting it in a little bottle, container and  
14 leave after they cleaned it up. It was just at  
15 the very end.

16 Q. Would you describe that again? Was this a  
17 control panel and there was a leak?

18 A. It wasn't a leak, it was after a repair there  
19 was some mercury there and they cleaned it up.

20 Q. There was mercury on the floor?

21 A. On the cement floor, yeah.

22 Q. And they came in with a clean up kit and cleaned  
23 it up?

24 A. Yes.

25 MS. HAYES: Was that in the boiler

1 house, Karl?

2 THE WITNESS: Yes. Otherwise that's  
3 the only time I remember seeing any -- I heard  
4 about, you know, it has been leaking and they  
5 cleaned them up after a turnaround or something  
6 down there.

7 MR. BERGER: Okay. Anymore  
8 questions on boiler house, the mercury?

9 BY MR. KRIENS:

10 Q. Are these leaks by a sump or drains or anything  
11 like that?

12 A. No. Right inside the panel itself, it's all  
13 enclosed.

14 Q. In a cabinet panel?

15 A. Yes.

16 MR. KRIENS: Okay.

17 BY MR. BERGER:

18 Q. The next issue we want to talk about is one that  
19 was asked of a number of staff here, and this is  
20 in regards to the oily water sewer system.  
21 Could you explain to me drawing on your two  
22 years in the waste water treatment plant and  
23 also your experience as an operator in the 37,  
24 38 units what you believe the purpose of the  
25 oily water sewer system here at Koch is for?

- 1       A.    It's for everything except for, you know, clean  
2            water and everything.  Dumped everything down  
3            there, naphtha, gas oils.
- 4       Q.    When you talk about naphtha and gas oil and  
5            things like that, are you talking about waste  
6            water that is contaminated with this material or  
7            are you talking about --
- 8       A.    No, no, just the gas oil and the product from  
9            the hydro treater and the naphtha unit.  We have  
10            shutdowns, we dump everything down to the sewer  
11            system, oily water sewer.
- 12      Q.    Is that what you were -- how did you know to do  
13            that?  Who directed you to do that or why  
14            weren't there other procedures used to contain  
15            this material?
- 16      A.    Normally it was just down the oily water sewers  
17            because they were -- we had to make sure it  
18            didn't go into the clean water sewer.  They were  
19            specific about that, keep it out of the clean  
20            water sewer if at all possible, which we tried,  
21            and put it right in the oily water sewer.
- 22      Q.    And this in general had to do with maintenance  
23            stuff?
- 24      A.    Yeah, it's usually like a pump, you have to shut  
25            down a pump and drain it to the oily water sewer



1           or like a turnaround where you drain everything  
2           out and steam it out, clean out preparation for  
3           maintenance.

4       Q.   How is it done? Was a valve just opened with a  
5           hose connected and the hose was put into the  
6           oily water sewer? Could you explain to me the  
7           actual physical way this was done when these  
8           materials were drained?

9       A.   Some of the pumps, most of the pumps in fact,  
10          had a lot of -- had pumping going right to the  
11          oily water sewer themselves. Some of the lines  
12          at low points and that we would have to hook up  
13          steam hoses -- hydrocarbon hoses rather, and  
14          drain them from there into the sewer.

15      Q.   This also includes vessels, too?

16      A.   Yes.

17      Q.   We're talking here again about pure naphtha  
18          methanol, methanol?

19      A.   Yeah, and, you know, a lot of benzene and  
20          naphtha, too.

21      Q.   Could this also include gasoline or fractions of  
22          gasoline?

23      A.   Yes.

24      Q.   That's what naphtha is.

25      A.   Right.

- 1 Q. How about things like fuel oil and straight oil,  
2 are you familiar those types of material?
- 3 A. Yeah. We would dump them down the oily water  
4 sewer, too.
- 5 Q. And again, this is straight oil?
- 6 A. Yeah, like lubricating oil, you know, where the  
7 barrel was almost empty or just about. We just  
8 finished it off, tried to get as much as you can  
9 in a container and then tip it over that oily  
10 water sewer and get it all out of there so they  
11 could take it. It had to be completely drained  
12 before they could take it.
- 13 Q. Can you give me a range of the amounts that were  
14 dumped or released? Was it from 2 gallons to a  
15 hundred gallons or --
- 16 A. Of the oil you mean?
- 17 Q. Well, of anything.
- 18 A. Eventually several hundred gallons of the gas  
19 oil and everything else, you know. The vessels  
20 would have a lot of room in there and you would  
21 have to drain it out the bottom. I would say  
22 several hundred gallons some days, yes.
- 23 Q. As a waste water treatment plant operator, are  
24 you notified that this is happening? Do you  
25 want to be notified?

- 1       A.    Yeah, we want to be notified.  Sometimes it  
2            isn't, but who is going to know about it, you  
3            know.  Normally they know now to call us.  It  
4            makes it a lot easier for us to treat what's  
5            coming down if we know what's coming.
- 6       Q.    What's your feeling about this?  Did you think  
7            it was okay to do?  Did you have any second  
8            thoughts when this was happening, releasing this  
9            stuff to the sewer?  Did you think it was a  
10           normal part of how you were --
- 11      A.    Yes, that's what I was taught how to do it and  
12            that's how we did it.
- 13      Q.    Could these materials have easily been pumped to  
14            drums or rerouted to a tank or say have some  
15            type of vac truck or some truck come in and have  
16            these hooked up and taken and containerized that  
17            way?
- 18                   MR. KRIENS:     In the slop oil?
- 19                   MR. BERGER:     Right, and put back  
20           into the system somewhere.
- 21                   THE WITNESS:    Some of it probably  
22           could have, yeah, but like I said, you opened it  
23           up and steamed it out.  We tried to get as low  
24           as possible with it.
- 25      BY MR. BERGER:

- 1 Q. What do you mean you tried to get at low as  
2 possible?
- 3 A. As low as possible in the vessel. Drain out as  
4 much as you can.
- 5 BY MR. KRIENS:
- 6 Q. Where would you drain it out to? Does that go  
7 to the slop oil?
- 8 A. No, oily water sewer. Which would eventually --  
9 yeah, I suppose a lot of it goes to slop oil,  
10 yeah.
- 11 Q. So you drain it out into the oily water sewer  
12 and then after that steam clean or whatever,  
13 continuing into the oily water sewer?
- 14 A. Yes. I suppose sometimes a vac truck could be  
15 used, but we never used one.
- 16 Q. We were wondering not necessarily about -- well,  
17 all of it, but not necessarily the steam  
18 cleaning, but if it would be feasible or any  
19 attempts would be made to drain it out into some  
20 truck or vessel and then take it to the slop oil  
21 recovery?
- 22 A. No, we never even talked about it. We thought  
23 it was normal procedure.
- 24 Q. When you mention naphtha, was the naphtha  
25 something that was commonly put down there or

1           was that an unusual case, the naphtha, benzene  
2           or --

3       A.   That was common because they would ship us  
4           naphtha and we refine it to make the high grade  
5           gasoline.

6       Q.   Right, that's what I would think. Wouldn't it  
7           be a good practice to try and retain that, I  
8           would assume, and recover it and put it back in  
9           so you can refine it? But in some cases is it  
10          correct that was just dumped down the sewer  
11          because it was the practice apparently?

12      A.   Uh-huh (nods head).

13      BY MR. BERGER:

14      Q.   Could you tell us about high pH materials, hot  
15           caustics, and low pH materials, acids, being  
16           released to the oily water sewer? Could you  
17           tell me first how this material is generated,  
18           you know, why -- what process was used and why  
19           was it there I guess?

20      A.   I don't really know about why a lot of it was  
21           there, but it came from other units. They tell  
22           us we've got a bunch of 2pH coming down, a  
23           couple hundred gallons of 2pH coming or a couple  
24           hundred gallons of high pH or something like  
25           that. They might have cleaned something out or

1 something, I don't know what it was, but they  
2 would tell us something was coming down the  
3 sewer here. He would tell them to take it easy,  
4 go nice and slow if it was a lot. It depends on  
5 how our flow was through the plant.

6 Q. There are, I believe, what's called  
7 neutralization pits in the area, somewhere close  
8 to the operating units or vessels. Is the  
9 purpose of those to neutralize this material  
10 before it's released to the oily water sewer,  
11 are you aware?

12 A. No, I'm not really aware of that part of it. I  
13 never used it when I was up in the other unit,  
14 they just send us the material, it comes down to  
15 the API and we try to treat it as we can.

16 MR. BERGER: I guess that's all I  
17 have on that, unless you guys have anything  
18 else.

19 MS. HAYES: I don't.

20 MR. BERGER: Well, let's stop for a  
21 second.

22 (Brief break was taken.)

23 BY MR. BERGER:

24 Q. Karl, I have a waste water treatment plant daily  
25 log or audit from 4/21 and 22 of '96. The

1 operators were Stevens and Aalto and the number  
2 of the log is 330. It reads in the second  
3 sentence caustic and then dash tank 304 to B5,  
4 dumping -- poly dumping 500 gallons per minute  
5 to NOWS. Then a little further down it states  
6 pumping is done with tank dumps, now sending H2O  
7 from tank (indicating). It's number 330.

8 MS. WIENS: Is that something you've  
9 seen, Karl?

10 THE WITNESS: No.

11 BY MR. BERGER:

12 Q. Can you tell me what you think is going on  
13 there?

14 A. Apparently cleaning out a tanker maybe or  
15 whatever is in that 304 tank. Should have been  
16 to the non-oily water sewer.

17 Q. Do you know what tank 304 is used for, what it  
18 stores?

19 A. I'm not real sure, no.

20 Q. Do you know what it's near, what units it's near  
21 or anything about it?

22 A. Well, if they say a poly unit it's probably a  
23 small tank in the poly unit, that's what I would  
24 guess. I don't know specifically where that  
25 tank is or what it's used for.

1 BY MS. HAYES:

2 Q. What are some of the responsibilities in terms  
3 of stuff in the poly unit, do you know, Karl?

4 A. Not too much. In that area is acid and  
5 everything else. I stay away from it. I don't  
6 know much about it. I've been there a couple  
7 times on turnaround, pulling blinds, that's  
8 about it.

9 BY MR. BERGER:

10 Q. Another issue that I wanted to touch on briefly,  
11 Karl, is in regards to shipments from off site,  
12 and I mean from outside of the Koch Refining  
13 facility here in Rosemount, to Koch here. There  
14 is a memo here with regards to Otto Avenue site  
15 or facility in St. Paul. Well, it just says  
16 Otto Avenue. Do you know where Otto Avenue is  
17 and what that's about.

18 A. No.

19 Q. This memo is dated March 11, 1996, it's from  
20 Heather Faragher to Eric Askeland and it's  
21 number 2326. The subject is hazardous waste  
22 stuff. The fourth item on the memo reads like  
23 this: What is the operator's liability,  
24 responsibility concerning the signing of  
25 hazardous waste manifests. The ones from Otto



1 Avenue were from state of Minnesota? That's a  
2 question, the ones from Otto Avenue were from  
3 the state of Minnesota? This brought up  
4 specific questions from operators with regard to  
5 signing these forms and their liability  
6 (indicating). Did you have any concerns about  
7 signing hazardous waste manifests described in  
8 that memo?

9 MS. WIENS: Do you know anything  
10 about what that memo is talking about before you  
11 answer that question?

12 THE WITNESS: Not really. I don't  
13 remember any hazardous waste, anything I've had  
14 to sign with that.

15 BY MR. BERGER:

16 Q. It has not been an issue that has --

17 A. No. In fact, I might not have been there at the  
18 time. I might have been in the boiler house. I  
19 was doing a lot of training at that time, I was  
20 back and forth.

21 Q. Okay. Related to that is a waste water  
22 treatment daily audit log from 9/8/95, there's  
23 no number on this one. The log states -- and  
24 you're not on this log, Karl.

25 A. I started about that date down there.

- 1 Q. It states environmental contacted us to sign  
2 manifest for pipeline truck to unload high  
3 benzene materials to tank 63. There's a second  
4 sentence there but it doesn't really pertain  
5 that much.
- 6 A. Uh-huh.
- 7 Q. Again, do you know anything about that, what  
8 that may be about?
- 9 A. No, not what this is about. I know where they  
10 send it, tank 63, which was where they would  
11 send anything like that. Anything with any  
12 vapor in it has to go to tank 63 because it can  
13 hold high toxic or anything with benzene in it.
- 14 Q. I see, okay.
- 15 A. But otherwise I don't -- this might have been  
16 about the same day I started down there. That  
17 was about the 5th of September, so I -- I think  
18 that was basically training anyway.
- 19 Q. So tank 63, what kind of tank is it? Is there a  
20 name for it or what --
- 21 A. Slop tank.
- 22 Q. It's a slop tank, okay. With a lot of materials  
23 like this that goes --
- 24 A. Yeah. The slop system dumps into tank 63.

25

MR. BERGER: That's all.

1 BY MR. KRIENS:

2 Q. Karl, when you mention slop, if you have excess  
3 naphtha or something like that, benzene, could  
4 that go into that tank, too? Is it designed to  
5 accommodate that, do you know?

6 A. Yes.

7 Q. Because it takes all types of slop?

8 A. Uh-huh. Sometimes you don't know what's going  
9 in there. It's sent from the other unit.  
10 Basically it's a holding tank.

11 MR. KRIENS: All right.

12 BY MS. HAYES:

13 Q. Karl, I wanted to talk to you a little bit about  
14 the B5 pond overflowing.

15 A. Okay.

16 Q. Your initials are on two waste water logs from  
17 January 15, '97 and February 12, '97. The  
18 numbers are 997 and 1272.

19 It happens that you -- it looks like you  
20 were on shift for events such as the B5  
21 overflowing on the north end it appears. That's  
22 what it says on the first one, B5 is overflowing  
23 north end, called Heather. We should increase  
24 flow enough to stop overflow and divert Nows  
25 into API flow. Polishing pond is 2.6 NGD. Take

- 1 a look at those, if you would (indicating).
- 2 A. Uh-huh (views document).
- 3 Q. Those happened now almost going on a year ago.
- 4 Do you recall those incidents, Karl?
- 5 A. I remember a couple times when it has overflowed
- 6 when I've been on, yeah.
- 7 Q. And how did you discover those?
- 8 A. Usually we have to go by the north end or we
- 9 would see it. You go around and check the north
- 10 end and make sure it's okay, there's no
- 11 overflows.
- 12 Q. So that was part of the routine that you would
- 13 do when you went out on your rounds?
- 14 A. Uh-huh (nodding).
- 15 Q. So did you do that once per shift or more often
- 16 than that?
- 17 A. A lot of times on the day shift you really
- 18 didn't have to go way back there because you
- 19 could see, but on night shift we had to.
- 20 Q. So you could kind of see it from where you were
- 21 operating?
- 22 A. Day shift, yeah. Night shift you would have to
- 23 go back there and turn the spotlight on to see
- 24 if -- you just look and make sure you could see
- 25 the cement or the wall and if you could see then

- 1           you know it's not overflowing.
- 2       Q.    Oh, okay.  So are these day or night?  I didn't
- 3           pay attention to the times on these.
- 4       A.    The day shift, 0700.  It's the day shift on
- 5           these.
- 6       Q.    Okay.  Do you recall walking out and actually
- 7           seeing them or seeing them from the -- the
- 8           overflow from the building?
- 9       A.    Yeah, you could look right over the cement wall.
- 10       Have you been down there?  You can see it from
- 11       there.
- 12       Q.    Uh-huh.  Did it ever happen that it was
- 13           overflowing and you were there, though, right at
- 14           the time?
- 15       A.    Yes.
- 16       Q.    Do you recall in those cases whether the -- what
- 17           the quality of the water was like that was going
- 18           over the side?
- 19       A.    From what I saw --
- 20       Q.    It was oily?
- 21       A.    Not really, no, it was pretty clear.
- 22       Q.    Okay.  You didn't witness anything like that?
- 23       A.    No, I haven't.  Not on that particular time
- 24           anyway.  I have seen oil on there, but that
- 25           wasn't overflowing and then the pond itself.

1 Q. How many times did you see an overflow of B5?

2 A. Overflow?

3 Q. Uh-huh.

4 A. Maybe twice.

5 Q. Okay. You must have been aware of the problem  
6 where the oily water sewer was overflowing into  
7 the non-oily water sewer, especially by tank  
8 500, and those problems?

9 A. Yeah.

10 Q. I guess it's our feeling that it's possible that  
11 that causes then the oil to end up on the B5.  
12 Does that seem reasonable to you?

13 A. Yeah, I suppose it could. It all depends on how  
14 much overflowed up on top there.

15 Q. How often did you see oil on B5 on the north  
16 pond?

17 A. I don't know, maybe two, three times.

18 Q. I have a log here from -- I think the date on  
19 this is July 3, '96, but it's hard to tell  
20 whether it's April, July or September. I don't  
21 know if that's a four, seven or nine. The  
22 number on this is 539.

23 You were on shift again on this  
24 particular date. And on this one there's a note  
25 that the polishing pond was overflowing and then

1           a dash and Graus. I assume that means call  
2           Graus probably. That's my assumption, but maybe  
3           you can interpret that for me (indicating).

4       A.   Is this Graus? It could be, or grass. I don't  
5           know.

6       Q.   Up above there's a reference to Graus, so --

7       A.   Oh, okay. I don't know what the other ones are.

8       Q.   Do you recall this incident where the polishing  
9           pond is overflowing and that was documented in  
10          the log when you were on shift?

11      A.   Not this one, no, I don't. I remember I have  
12          come in to work and the pond has overflowed  
13          because of the rain, but this particular one,  
14          no, I don't.

15      Q.   All right. So you said you come in to work and  
16          the pond has overflowed, and does that mean you  
17          would drive by and notice it's overflowing?

18      A.   Uh-huh.

19      Q.   You talk about it when you get in to work or  
20          whatever?

21      A.   Yeah. Or on the shift change, if the pond  
22          overflows, you know, high water or a lot of rain  
23          that evening. That's only happened a couple  
24          times.

25      Q.   Okay.

1 MR. KRIENS: You're talking  
2 specifically about the polishing ponds when you  
3 say that, that it's overflowed?

4 THE WITNESS: Oh, I'm sorry, I was  
5 thinking about another pond.

6 BY MS. HAYES:

7 Q. What pond were you thinking of.

8 A. I was thinking about the coker pond. On the  
9 polishing pond, no, I don't remember that one  
10 overflowing.

11 Q. Not at all.

12 A. I remember it going from one tank to the other,  
13 through the piping, but that's about it.

14 Q. You don't remember this one though?

15 A. No, not this one.

16 Q. All right. Any other overflows that you're  
17 concerned about throughout the facility?

18 A. No. I was just thinking that one in the coker  
19 pond once in a while, that's the only one.

20 MS. HAYES: Thank you very much.  
21 That's all I have.

22 BY MR. KRIENS:

23 Q. When you have those -- when you observed the B5  
24 pond overflows, it is the normal procedure that  
25 the environmental department would be notified



1 of that?

2 A. It is now. When I first started there it  
3 wasn't.

4 Q. It wasn't part of it?

5 A. It was always kind of normal procedure.

6 Q. Pardon me?

7 A. What I heard is it used to overflow and nobody  
8 said nothing, nobody worried about it.

9 MS. HAYES: That was before you came  
10 to waste water?

11 THE WITNESS: No, that was right  
12 after I got there. Then Heather said that we  
13 can't have that.

14 BY MR. KRIENS:

15 Q. And prior to that it --

16 A. That what's I was told, you know, they said it  
17 was an overflow and we cut back and go from  
18 there.

19 MS. HAYES: Once it was discovered?

20 THE WITNESS: Right.

21 BY MR. KRIENS:

22 Q. Prior to you starting there in September of '95?

23 A. Right.

24 Q. Did anybody, do you know, attempt to sample the  
25 area of water that had over -- if it ponded up

1           on the north side of that pond did they sample  
2           the soil or any ponded water?

3       A.   Not that I know of, no. I didn't see anybody do  
4           it.

5       Q.   All right.

6       BY MS. HAYES:

7       Q.   Karl, you said it was normal procedure to do,  
8           and does that mean it was happening frequently?

9       A.   Not frequently, but I heard about it happening.  
10          You know, nobody said nothing about it because  
11          usually it was just clean water.

12       Q.   Oh, okay. So this was before the events where  
13          you were on these logs?

14       A.   Yes.

15       Q.   So probably was that that the fall of '96 or the  
16          fall of '95?

17                   MR. KRIENS:     '95.

18       BY MS. HAYES:

19       Q.   Okay. And you heard about it when you started  
20          in the fall of '95, it would go over in about  
21          that time and Heather said no, we can't just let  
22          it go over? Is that what you said?

23       A.   Yeah, it's my understanding she said we can't  
24          have that happen. That was the first I heard  
25          about it, and some of the other guys, too.

1 MS. HAYES: Okay.

2 BY MR. KRIENS:

3 Q. I want to follow up, Karl, on an allegation the  
4 MPCA received concerning spills and the  
5 reporting of spills. The question is did  
6 anybody at Koch, including the Koch management,  
7 advise you or anybody else that you know of to  
8 call a spill less than five gallons in order --  
9 even though it may have been greater than five  
10 gallons, which is the reporting limit requiring  
11 us to be notified, to call it less than five  
12 gallons? Do you know of any policy like that?

13 A. I heard of it, that they don't like it over five  
14 gallons, because like you said, it is  
15 reportable.

16 Q. When you say you've heard of that, you've heard  
17 it from other people that it was sort of an  
18 unwritten policy? Obviously not a written  
19 policy, I would assume, but sort of an unwritten  
20 type thing that people were supposed to follow?

21 A. No. I would say if it was over five gallons we  
22 would report it, but some people would say they  
23 would like to have less. Nobody has actually  
24 told me, you know, if it's less than five  
25 gallons it's not reportable.

- 1 Q. But what I was getting at was if there is an  
2 effort that you know of for people to call it  
3 less than five gallons even though it was more  
4 than five?
- 5 A. Not to me, no. I've heard some mention it, some  
6 people maybe thought it was, but firsthand  
7 information, no, not from me. Nobody has ever  
8 told me nothing like that.
- 9 Q. Okay. Do you know about the use of the fire  
10 hydrant system to dispose of water from B5 or  
11 any other source, water that was backed up  
12 basically from the waste water plant, from S7,  
13 and disposed of from the hydrants onto land  
14 areas?
- 15 A. I heard about it, but I wasn't there when it  
16 happened.
- 17 Q. Do you know when these might have happened?
- 18 A. I think it was in the late spring.
- 19 Q. Of this year?
- 20 A. This year or last year. I think it might have  
21 been this year, yeah.
- 22 Q. Are these -- this just didn't occur while you  
23 were on duty at the time or at work at the time?
- 24 A. No, it didn't occur while I was there.
- 25 Q. Do you know if they occurred at night, during

- 1 the nighttime by any chance?
- 2 A. No. The only thing I remember is it had  
3 happened and I was gone. I think it was my long  
4 change and maybe I was gone for a while from my  
5 shift.
- 6 Q. You work different shifts, too, night and day  
7 and so on?
- 8 A. Yes.
- 9 Q. Was that the way they kind of worked, where you  
10 alternate?
- 11 A. Yes.
- 12 Q. Different people alternate different shifts?
- 13 A. Right. You worked like three day shifts in a  
14 row then you get a couple off, you work three  
15 nights and back and forth, 12 hour shifts.
- 16 Q. One other area. Do you know of any spills that  
17 occurred at the barge dock area from tanks and  
18 what was done regarding the cleanup on those  
19 spills?
- 20 A. The barge dock, no.
- 21 Q. Karl, do you know anything about this spring a  
22 centrifuge overflow out of the centrifuge area  
23 and a lot of material was drummed up. We did  
24 receive a report of part of that, we received a  
25 report on it. Do you know if that full amount

- 1           was reported or if there was an effort to  
2           diminish or report less than the amount that was  
3           actually spilled out on that one? Do you know  
4           anything about that spill?
- 5       A.    I think I know about that one. It was a couple  
6           that happened over there in fact.
- 7       Q.    Yeah, there was a couple. Can you tell us what  
8           you know about those?
- 9       A.    About the amount, no. It was a spill. In fact,  
10          I think one of them guys got written up for  
11          improper -- for walking around the bank of it by  
12          that sloop pond. But no, what the amount of it  
13          was, no.
- 14      Q.    Okay. Does Schlomka, Donny Schlomka, usually  
15          clean that type of material up? That's what I  
16          have in notes on it.
- 17      A.    Yeah, normally he is called to do it.
- 18      BY MS. HAYES:
- 19      Q.    Karl, I'll interject. Do you know anything  
20          about the sewer problem here, deterioration of  
21          the sewers? Have you heard anything about that  
22          or are you involved in anything on that at all?
- 23      A.    Well, the ones over by tank 205 and 206, yeah.
- 24      Q.    What about them?
- 25      A.    The bottoms had -- well, it was gone basically,

- 1 down to dirt.
- 2 Q. Uh-huh.
- 3 A. And they fixed them, put cement in them.
- 4 Q. Okay. Did you do any -- did they look into it
- 5 other than just the bottom part, do you know?
- 6 A. As far as I know just when they cemented it up.
- 7 Both the sewer drains that were down there, they
- 8 cemented around the side and inside the sewer
- 9 itself. You couldn't use it for a couple days.
- 10 Q. When did they do that?
- 11 A. I think it was last year maybe. Well, maybe it
- 12 was this summer here.
- 13 Q. And that's the extent of your knowledge about
- 14 the sewer issues or anything else?
- 15 A. Well, I would have to remember the one by the
- 16 API that had that broken pipe.
- 17 Q. What about that one?
- 18 A. The one by the API where they had to go dig in
- 19 there and repair that pipe on the east side of
- 20 the API. That's the only other one I remember
- 21 on the sewer system.
- 22 Q. What all do you know about that incident?
- 23 A. Not too much. I was doing a lot of training at
- 24 the time, and the one day I was down there I was
- 25 working inside, so I didn't really go over there

1           that much to see what they were doing in it.  
2           Just a repair of that pipe and replacing it.

3                   MS. HAYES:     Okay.

4           BY MR. BERGER:

5           Q.     Karl, are you aware of sinkholes forming in that  
6                   area where that broken pipe east of the API was  
7                   eventually found?

8           A.     Yeah, one time I remember seeing a sinkhole  
9                   there, where it caved in where that pipe had  
10                  broke. I think that's how we noticed it.

11          Q.     Were you aware of sinkholes forming in that area  
12                  before that break was actually found?

13          A.     No, to my knowledge, no.

14          Q.     Okay.

15          BY MR. KRIENS:

16          Q.     Generally, Karl, are there any environmental  
17                  practices or activities at the treatment plant  
18                  or in the refinery that you have encountered or  
19                  aware of that you would object to or find is  
20                  improper?

21                   MS. WIENS:     Do you know what he  
22                   means by improper or objectionable?

23                   THE WITNESS:    By what I think is  
24                   improper or what?

25                   MR. KRIENS:     Right.



1 MS. WIENS: Are you asking for his  
2 personal opinion?

3 MR. KRIENS: Yeah.

4 THE WITNESS: One thing that  
5 happened in December of last year, a spill in  
6 that S8 sump, the centrifuge area. We cleaned  
7 it up, I think it was about 50 to a hundred  
8 gallons reported as far as I know, and it was  
9 cleaned up. They put it into some barrels, and  
10 it was marked nonhazardous waste, and we asked  
11 them why was that, they said because it checked  
12 out not hazardous waste. It was kind of funny  
13 to me because it was the centrifuge area, it was  
14 hazardous waste. But they had checked the soil  
15 they said and said it was fine, so okay.

16 BY MR. KRIENS:

17 Q. This is the oil that was in the barrels?

18 A. Yes.

19 Q. When you say -- was there a spill there from the  
20 centrifuge there then?

21 A. Yes, it was from the --

22 Q. What caused that?

23 A. The level controller in the S8 sump didn't turn  
24 on both pumps like it was supposed to and it  
25 overflowed a little bit into this area there.

1           Some of it had gone out of the contained area.

2           Q.   When you say they said it was nonhazardous, who  
3           were they, I guess, in this case?

4           A.   Eric Askeland. We had questions about it, so he  
5           sent us a letter and said it was okay. I had  
6           questions about it at the time.

7           Q.   He told you it was tested to determine if it was  
8           hazardous or not, and he said it was okay?

9           A.   Uh-huh.

10                   MS. HAYES:   Do you know who cleaned  
11           that one up, Karl?

12                   THE WITNESS:   Our hazmat people.

13                   MS. HAYES:   Who asked the questions  
14           about that? You and some other operator?

15                   THE WITNESS:   Yeah, me and another  
16           operator. We just were kind of wondering  
17           because it was labeled nonhazardous.

18           BY MR. KRIENS:

19           Q.   Any other incidents that you recall or think of?

20           A.   No.

21                   MR. KRIENS:   Thank you. Anything  
22           else?

23                   MR. BERGER:   No.

24                   (Whereupon, the interview concluded at  
25           1:40 p.m.)

STATE OF MINNESOTA)

) Ss:

COUNTY OF HENNEPIN)

BE IT KNOWN, that I, MILO BALLINGRUD, Court Reporter, a Notary Public in and for the County of Hennepin, State of Minnesota, certify that the foregoing is a true record of the interview of KARL HAMRE, and reduced to writing in accordance with my stenographic notes made at said time and place.

I further certify that I am not a relative or employee or attorney or counsel of any of the parties or a relative or employee of such attorney or counsel;

That I am not financially interested in the action and have no contract with the parties, attorneys, or persons with an interest in the action that affects or has a substantial tendency to affect my impartiality;

IN WITNESS WHEREOF, I have hereunto set my hand on this 21st day of November, 1997.

  
\_\_\_\_\_  
MILO BALLINGRUD,  
Notary Public, Hennepin County, Minnesota  
My Commission Expires January 31, 2000.