
INTERVIEW OF:

DON PERRON

TAKEN NOVEMBER 18, 1997 AT 11:00 A.M.

MILO BALLINGRUD
EAGLE REPORTING SERVICES
2104 Glenhurst Road
Minneapolis, Minnesota 55416
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INTERVIEW OF DON PERRON, taken pursuant to agreement of and between parties at, Koch Industries, Inc., P.O. Box 64596, St. Paul, Minnesota, at approximately 11:00 a.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

I N D E X

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1 BY MR. BERGER:

2 Q. Don, my name is Greg Berger and I represent the
3 hazardous waste division at the Minnesota
4 Pollution Control Agency. I'm going to read to
5 you a little introduction part that I read to
6 all personnel participating in these interviews.

7 A. All right.

8 Q. As you are aware, the Minnesota Pollution
9 Control Agency is conducting a civil
10 investigation that is focusing on Koch Refinery
11 operations and on a number of pollution,
12 environmental related issues or situations that
13 we became aware of back in April of this year.
14 We are at this time asking your cooperation in
15 answering some questions about those issues. We
16 want you to know that this is totally voluntary
17 on your part, you do not have to answer these
18 questions if you don't want to.

19 A. Okay, I understand that.

20 Q. The information we obtain in this investigation
21 may be used in administrative, criminal or civil
22 enforcement action against Koch Refining
23 Company. This investigation is not at this time
24 focusing on any individuals at Koch Refining.

25 A. Okay, I understand that.

1 Q. Don, what we would like you to do when we turn
2 on the tape here is state your name and then
3 give us a short history of your duties and
4 responsibilities here at Koch Refining. And be
5 pretty specific. If you've been here a while
6 maybe very specific for your last couple years.

7 A. You want me to start from the beginning?

8 Q. Yes.

9 A. My name is Donald Perron, I was hired by Koch
10 Refinery in January of '92. At that time I
11 started working at the coke loading facility on
12 the west side of the refinery. I worked there
13 for approximately two years, and they decided
14 that it was overstaffed so I was transferred to
15 the labor group, permanent labor group. And
16 shortly after I was put in the permanent labor
17 group they decided to take the responsibilities
18 of the hazardous waste, what Graus was doing,
19 Graus Construction had the hazmat
20 responsibilities at that time. So they formed a
21 group of four people, I was one of those four,
22 and gave us the responsibility of more or less
23 keeping the refinery clean.

24 Some of the responsibilities were washing
25 out barrels of whatever chemicals was brought

1 down to the wash pads. These barrels would be
2 crushed and thrown into steel bins, so we had to
3 wash them out before they could get thrown in
4 the steel bins. And it was just kind of a
5 housekeeping type of situation really.

6 Q. And that's your current position?

7 A. No, I am sorry. After I think I worked with the
8 hazmat group for about a year, maybe a little
9 over a year, year and a half, they -- I was put
10 back into the permanent labor group, and since
11 then have been primarily working with
12 pipefitters and pump mechanics, the craft
13 people.

14 BY MS. HAYES:

15 Q. You started in '92?

16 A. That's correct.

17 Q. And you were in loading?

18 A. It was a coke loading group, yeah.

19 Q. And you were there about two years?

20 A. About two years, right.

21 Q. And then you were in this hazmat group for
22 about --

23 A. About a year, maybe a year and a half.

24 Q. And until you were in your current capacity, you
25 have been there ever since?

1 A. Correct.

2 Q. Would that have been about '94, '95?

3 A. About that. I would say it would be in '95,
4 somewhere in there as an approximation.

5 Q. So you were in hazmat from about '93 to '95?

6 A. About that.

7 BY MR. BERGER:

8 Q. In your duties, and I think this would mostly be
9 in your hazmat duties, could you explain those
10 more in detail? Did you come in contact with
11 some of the hazardous waste that Koch Refinery
12 generates here? Did you drum up that material
13 and move that around and that type of thing?

14 A. Yes, I did.

15 Q. In your duties did you come in contact with or
16 work with any spent catalysts that Koch Refining
17 uses here at the refinery?

18 A. As far as coming in contact with, yeah, I would
19 say so. What the procedure was pretty much was
20 it would get -- the catalyst that is, would get
21 put into the containers usually right at the
22 reactor site, and then the containers would be
23 brought to the pad and we would label them with
24 the appropriate labels on them before they got
25 trucked out.

1 Q. What are these catalysts like? After they're
2 spent are they a solid material, a liquid or do
3 you know what the physical state of these
4 materials was?

5 A. I think pretty they're much solids. A lot of it
6 that I've seen is a real fine substance.

7 Q. Like a powder or a dust?

8 A. Yeah, that's been my experience.

9 Q. How are these catalysts labeled? Were they
10 labeled hazardous wastes, were they labeled
11 non-hazardous or both, can you generally give me
12 an idea of how they were labeled and handled?

13 A. I think they were labeled hazardous wastes, yes.
14 We would have stickers for them, you know, so
15 they would be readily identified. Somebody
16 outside of the plant had to identify what was in
17 them. Usually my understanding was that the
18 catalyst would be returned to the manufacturer
19 and they would -- what's the word I'm looking
20 for? Clean it and all that so it could be used
21 again.

22 Q. Recycle?

23 A. Yeah.

24 Q. You did this work where? Specifically where
25 would you do the labeling and drumming up?

- 1 A. Down at the lower and upper wash pads.
- 2 Q. Where were the drums then after this material
- 3 was drummed up? Where would they go from there?
- 4 A. Usually they get loaded right onto the truck
- 5 right there.
- 6 Q. Right there and shipped off?
- 7 A. Uh-huh.
- 8 Q. Were there any other ways of handling waste,
- 9 spent catalysts, that you're aware of other than
- 10 the drumming up and shipping off site?
- 11 A. No. These drums, I might add, are -- you know,
- 12 they're about six feet high and four feet
- 13 square. They -- usually Cat Tech was the
- 14 company that handled all that, and they would
- 15 get it all contained and brought down there and
- 16 we would manifest it, sticker it and out the
- 17 gate it would go.
- 18 Q. Were catalysts ever mixed with any other
- 19 materials on site, generated on site?
- 20 A. Not that I'm aware of, no.
- 21 Q. We received information that indicates that
- 22 spend catalysts were mixed with road tar or
- 23 asphalt at this facility and then that material
- 24 was spread on roads here at Koch Refining. Are
- 25 you aware of that situation?

1 A. No.

2 Q. You never heard of that?

3 A. No, I never have.

4 Q. Who else did you work with during this time when
5 you were working with these catalysts and
6 drumming it up, who else was on your team?

7 A. The core group, and I say the core group because
8 there was some other people that came in and out
9 of the group, but the core group was Howard
10 Thompson, Terry Legel, myself and I believe
11 Keith Eriau.

12 Q. Terry what?

13 A. Legel.

14 Q. And the last one?

15 A. Keith Eriau.

16 Q. Did you work with Ray Cradle at all?

17 A. For a short time, yes, I did.

18 MR. BERGER: Nothing else on that
19 issue.

20 BY MR. KRIENS:

21 Q. To follow up on Ray Cradle, did you work with
22 him on the hazmat group?

23 A. Both the hazmat and the coke loading facility.

24 Q. So does hazmat respond to spills throughout the
25 plant, the refinery site?

- 1 A. Uh-huh.
- 2 Q. To clean them up and so on?
- 3 A. Uh-huh.
- 4 Q. Just to follow up on an allegation we received
- 5 at the MPCA concerning spills and cleanups of
- 6 those spills, did anybody at Koch ask that you
- 7 or your group limit calling a spill to less than
- 8 five gallons when, in fact, it was likely to be
- 9 greater than five gallons or you discovered it
- 10 to be greater than that?
- 11 A. Our responsibility was just to clean it up, it
- 12 wasn't to make any determination on amounts,
- 13 anything like that.
- 14 Q. How was that done? Who determined the amount of
- 15 the spill?
- 16 A. I would assume it was the environmental group.
- 17 Q. So whoever discovered a spill notified them and
- 18 they would look at it --
- 19 A. Then it went down the chain from there. It was
- 20 always our immediate supervisor, and for a while
- 21 it was -- our boss was the pipefitter boss, and
- 22 he would just kind of have the group under his
- 23 jurisdiction, so he would just get the word and
- 24 pass it down to us.
- 25 Q. And then when you received the word it was to go

1 in and do the cleanup and take care of that end
2 of it?

3 A. Right, uh-huh.

4 MR. KRIENS: Thank you.

5 MR. BERGER: That's it.

6 MS. HAYES: I guess that's all we
7 have, Don. Thank you very much.

8 (Whereupon, the interview concluded at
9 11:40 a.m.)

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STATE OF MINNESOTA)
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 DON PERRON, 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.