
INTERVIEW OF:

CHRIS RAPP

TAKEN NOVEMBER 6, 1997 AT 4:05 P.M.

MILO BALLINGRUD
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INTERVIEW OF CHRIS RAPP, taken pursuant to agreement of and between parties at, Koch Industries, Inc., P.O. Box 64596, St. Paul, Minnesota, at approximately 4:05 p.m. on Thursday, November 6, 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 MR. BERGER: Chris, as you are
2 aware, the Minnesota Pollution Control Agency
3 is conducting a civil investigation that is
4 focus on Koch Refinery operations and a
5 variety of pollution, environmental related
6 situations regarding those operations. We are
7 seeking your cooperation in obtaining
8 information about those operations in this
9 interview.

10 We want you to know that you are not
11 obligated to answer these questions if you
12 don't want to, it's totally voluntary on your
13 part. The information obtained in this
14 investigation may be used in civil, criminal
15 or administrative action against Koch
16 Refining. The MPCA is free to choose these
17 actions, and if we choose one it doesn't
18 preclude us from choosing another one at a
19 time future.

20 And we want you to be aware that this
21 investigation is of Koch Refining Company, it
22 is not of any specific individual at Koch at
23 this time.

24 THE WITNESS: Okay.

25 MS. HAYES: Any questions?

1 THE WITNESS: No.

2 BY MR. KRIENS:

3 Q. Chris, my name is Don Kriens from the MPCA.

4 Could you give us a brief history of your
5 employment with Koch, what you've done?

6 A. Sure. 1992, June of '92, I started here as an
7 industrial hygiene intern, and I spent six
8 months pretty much performing industrial
9 hygiene technician duties. In January of 1993
10 I was hired full time and was put into a
11 position of assistant fire and safety marshal.
12 My focus in that job was primarily with
13 personnel safety, a lot of day-to-day contact
14 with the employees in the plant, supporting
15 them in doing their job safely.

16 I also had some emergency response
17 responsibilities, which the percent of my time
18 was much less. I mean, we didn't have
19 emergencies, you know, all the time, but yet
20 that was an important part of our duties.

21 In June of '96 I started working with an
22 individual in Wichita more focused on property
23 protection, fire protection, emergency
24 response planning and preparedness, things
25 like that. More of a-risk related focus

1 rather than personnel safety. And that's what
2 I've been doing up until this point.

3 Q. Is that in the safety department?

4 A. Yeah. I'm still a member of the safety
5 department, just a little bit different focus.

6 Q. What is the person in Wichita?

7 A. Tracy Klem.

8 Q. Okay. I know the reason we have you on the
9 list is because in April of this year when we
10 were out doing our inspection we were at the
11 north end of the plant, as you mentioned, and
12 were inquiring about the use of the hydrant
13 system to dispose of waste water, and via --
14 dispose of storage pond waste water via the
15 hydrant system. And just prior to that, in
16 fact, we were at the north B5 pond and we were
17 asking the Koch environmental staff about that
18 practice. And at that time they said they
19 didn't know if any other discharges had
20 occurred other than the one on January 4.
21 This was in April of '97. And so we went to
22 the location of the January 4 one to view
23 where that had taken place. That was where
24 2.88 million gallons was flushed out via
25 hydrant. Our understanding from the

1 environmental department at that time was that
2 the safety took care of that issue. And
3 that's what we've been investigating. Since
4 then they've said you take care of that, so we
5 asked that the safety department come on-site,
6 which they did. I believe at that time it was
7 Gary Ista and yourself. I don't know if you
8 recall that, but --

9 A. Yeah. It was a long time ago, but I recall.

10 Q. And then we got into -- at that time we didn't
11 ask about the number of times it occurred, we
12 were wondering if that was an unusual practice
13 to discharge the hydrants during the winter.
14 You or Gary, or both of you, I don't recall,
15 and it's not in my notes, mentioned, and I
16 believe it was Gary, said that that was
17 unusual to flush a hydrant during the winter
18 because normally hydrants weren't flushed
19 during the winter. And so I wanted to get
20 into the topic of the use of the hydrant
21 system to discharge waste water via that storm
22 water system.

23 Do you know of or were you involved with
24 any other situations where the hydrants were
25 used to discharge waste water?

1 A. I was involved a number of times where we used
2 the hydrants to flow water out of our fire
3 water ponds, which, you know, we have two
4 ponds, one on the south end and one on the
5 north end, that we refer to as our fire water
6 ponds. And yes, there have been times when we
7 have flowed hydrants, flowed trucks, set up
8 equipment and flowed water from hydrants
9 besides that particular time.

10 Q. To what areas?

11 A. There are times when we can shoot it right
12 back into the pond, there are times when we
13 have flowed the water out onto the ground on
14 the west side of the plant, on the north side
15 of -- I'm sorry, the south side of the plant.

16 Usually when we set up a truck or
17 equipment and flow water either training or
18 flushing, especially out on the periphery, we
19 try to do it someplace where it isn't going to
20 make a mess. You know, mud or ice if it's
21 cold out and whatever. So a lot times those
22 are areas that we go out to flow stuff.

23 Q. So these are onto land areas?

24 A. Yeah, grass and --

25 Q. Do you know -- now, you mentioned you do it

- 1 for certain reasons or -- I'm just talking
2 about specifically for the purpose of
3 releasing waste water from the pond, not for
4 purposes of training or anything.
- 5 A. Okay. As far as the ponds are concerned, I
6 refer to them as fire water ponds. We
7 maintain the levels in those ponds, and if
8 we're running out of room and there's a chance
9 of them overflowing and washing the whole pond
10 out we have gotten rid of some water, some
11 fire water, to maintain the level in those
12 ponds.
- 13 Q. Do you know how many times you've done that?
- 14 A. I can only think of one or two that we
15 specifically did that.
- 16 Q. And those would be?
- 17 A. Time frame?
- 18 Q. Yeah.
- 19 A. I would say late spring, March.
- 20 Q. Of this year?
- 21 A. Yeah. To the best of my recollection it was
22 that time.
- 23 Q. Would both of those have occurred in March do
24 you think or do you know?
- 25 A. It's difficult for me to say.

1 MS. HAYES: Maybe February and March
2 possibly?

3 THE WITNESS: Yeah, maybe something
4 like that, very possible.

5 BY MR. KRIENS:

6 Q. You mentioned you discharged the water to
7 lower the pond levels, was that the reason?

8 A. Yeah, because we did not want them to wash out
9 and possibly loose our pond and then have no
10 fire water for emergencies.

11 Q. Right. And why were the ponds high at those
12 times, do you know?

13 A. I'm not particularly sure why. There were
14 times when we would have a lot of rains and
15 the ponds come up from the storm water. That
16 was not something I guess that I questioned.
17 The ponds -- levels would come up, and to
18 avoid overflowing -- and when I say this, to
19 avoid overflowing, I'm talking we come within
20 a couple inches of the top. You know, if we
21 had nine inches or a foot to work with we
22 would work with that, but if it would come up
23 to less than three inches essentially we would
24 get rid of some water so we wouldn't have a
25 wash out and so forth.

- 1 Q. Were those ponds to your knowledge ever
2 monitored for any parameters prior to release
3 of the water?
- 4 A. From our involvement, you know, we flowed
5 water so that we didn't overflow. Later,
6 after some of this information started coming
7 out, I learned that there were measurements
8 being made for some contaminants for something
9 that prevented us from going to the river. It
10 wasn't anything that I had an interest in
11 getting involved with or really had time to
12 get involved with. So not until later did I
13 become aware of reasons that, you know, we
14 were filling up as much as we were.
- 15 Q. Was there any communication between the
16 environmental or operations, I guess your
17 department, the operations department, to you
18 and your department regarding the condition of
19 those ponds, whether they should be released
20 via the hydrants or not at that time?
- 21 A. Whether we should or not?
- 22 Q. Right.
- 23 A. No. We did have -- during a couple of those
24 times we were told we shouldn't be flowing
25 more than a certain amount.

1 Q. And that would probably be in the spring
2 when -- well, let me set the perspective.

3 In January we learned of one that Koch
4 reported to us that was 2.88 million gallons
5 because a person in the environmental
6 department, Heather Faragher, determined that
7 they exceeded a reportable quantity that --
8 for ammonia, they determined was in excess of
9 the allowable limit of a hundred pounds. And
10 that's how we learned of it at that time. Our
11 understanding is Koch then developed a policy
12 in which they limited the amount that could be
13 done, discharged to land areas based on that
14 reportable quantity. We, however, had talked
15 to Koch in January and told them that they
16 certainly could not do this in the future and
17 that it was in violation of state rules and
18 that they would have to request approval from
19 us to do so in the future. I guess they
20 didn't decide to do that, they went ahead and
21 did it anyway.

22 Do you know of discharges then in
23 February, this would be February 25, 26 and
24 27, of about a million -- a little over a
25 million gallons accumulative for those three

1 days was flushed onto land? And this, I
2 think, was in the west tank farm.

3 MS. WIENS: What dates?

4 MR. KRIENS: February 25, 26 and 27.

5 MS. WIENS: Do you have the logs to
6 show him?

7 MR. KRIENS: Yes, I'll get them.

8 BY MR. KRIENS:

9 Q. This one is the 27th, and here is the 25th
10 (indicating).

11 A. (Views document) Yeah, this was in February.

12 Q. The 25th it looks like there's 285,000 gallons
13 approximately.

14 A. Yeah.

15 Q. And then the 26th about another 285,000, and
16 then the 27th about 450,000 at the south flare
17 area. Do you know anything about those? Or
18 are your --

19 A. Those are all during day shift. I guess at
20 the time I may have been aware that it was
21 going on. I don't know that I was directly
22 involved with going out and setting these up
23 at all. I can't tell you. I recall once or
24 twice being involved directly. These three, I
25 can't tell if I was on this one, this one or

1 this one (indicating).

2 Q. Okay. Are you aware that during this time and
3 prior to this time the flow to the river was
4 decreased from the waste water plant, which
5 actually would have caused a backup into the
6 fire water pond?

7 A. I guess I had made that assumption myself. I
8 had never bothered to actually go ahead and
9 find out why the ponds were coming up. The
10 procedure that I go through, I guess, would
11 be, number one, communicate with waste water
12 and find out, you know, if they can help us
13 with adjusting the level of the pond at all,
14 and if not then it's up to us to prevent that
15 from going over so we don't loose our fire
16 water protection. And so I guess from my
17 point of view it was no, there was no way for
18 them to help us with this level in the pond,
19 and so we flowed water, which we -- I mean, we
20 do when we flush and training and everything
21 else.

22 Q. Okay. Did you -- were you aware of the fact
23 that they were having a lot of difficulty
24 meeting ammonia in that month, February of
25 '97, the ammonia permit level?

1 A. I don't remember when I became aware it was
2 actually an ammonia problem. It was at some
3 point after the issue had been raised. Like I
4 say, I can't tell you if this -- my memory
5 doesn't serve me to tell you if that was
6 before this or after it or what. At some
7 point I became aware that was the issue, but
8 during the flowing, again, you know, we would
9 flow this with the intention of preserving our
10 fire water ponds. If I had known at that
11 time, it was out of my realm of control or
12 even interest, you know. It was something
13 that someone else had a responsibility for, I
14 didn't concern myself with it.

15 Q. Do you know, did the environmental department
16 ever meet with you or people in your
17 department such as Gary Ista or anyone else to
18 discuss this issue of flowing hydrants on
19 ground to dispose of water?

20 A. Yeah, at some point that did become a big
21 issue. In other words, it got a lot of
22 attention here. And we were told to stop
23 flowing hydrants to any place that could not
24 be captured by a storm drain that would go to
25 the waste water treatment plant. And so

1 actually up to this point up to today we have
2 not done any flowing of water to any place
3 that could not be contained and put in a storm
4 sewer.

5 Q. Have you been able to manage inventory okay by
6 doing that?

7 A. Yeah, we haven't had any problem with the
8 inventory to any degree lately.

9 Q. Let's say -- well, go ahead.

10 A. I was just going to say now in the last few
11 months I've been less and less involved. On a
12 couple of these I believe I was actually on a
13 shift, as an example, a night shift, where I
14 was filling in for some -- we were short on
15 people. It's been a few months now since I've
16 even been involved with the shift work at all,
17 so I've been more removed lately and I'm not
18 aware what the levels have been doing, like
19 through the summer with the rains and things
20 like that. To the best of my knowledge I
21 don't know of any problems with levels.

22 Q. When you talk about these meetings, did that
23 occur this spring, is that the time frame
24 you're talking about, when this all came up?

25 A. It seems to me (nods head). I was not

1 specifically in attendance at those meetings,
2 but I did see information passed by my desk
3 that pretty much was a result of that
4 discussion.

5 Q. So water has been able to be managed by
6 discharging through the normal route during
7 this summer, is that correct? Has there been
8 spraying on land this summer to dispose of
9 water?

10 A. No, there hasn't been flowing water out to
11 land.

12 Q. So the system has been able to be managed
13 going it's permitted and normal route through
14 the waste water and polishing ponds and so on
15 I assume?

16 A. Yeah.

17 MS. WIENS: Do you know what he
18 means?

19 THE WITNESS: Yeah, I would assume
20 so. I guess all I can say is to the best of
21 my knowledge I guess that's what's happening.

22 BY MR. KRIENS:

23 Q. Or at least it hasn't been -- the only other
24 alternative that we're aware of was dispose of
25 it on land, and that hasn't been occurring

1 this summer?

2 A. Not to my knowledge.

3 Q. So is it generally the case that you have a
4 more difficult time during the warm months
5 because of rainfall to manage these ponds?
6 Are you going to have greater -- let's say in
7 July we had a once in a hundred year rainfall,
8 or maybe it wasn't that, but it was an
9 extraordinary rainfall for a few different
10 occasions close together. My understanding is
11 that it went out through the normal route
12 during these periods.

13 A. I guess, yeah, I would agree with that. I've
14 not been aware of any problems. We did have
15 rain, things like that.

16 Q. Do you know, in this winter period, let's say
17 in January and February, and you mentioned you
18 knew maybe a couple it sounds like, in March,
19 would there be any reason other than the
20 backup of water where it would have needed to
21 be discharged on land to manage those
22 inventories?

23 A. There are reasons other than just managing
24 inventory. Like I say, usually that's an
25 extreme.

- 1 Q. I'm just talking about -- I'm just talking
2 about the rainfall hydraulics. Was rainfall
3 real high during these February and January
4 periods or March?
- 5 A. No.
- 6 Q. To cause the high inventory problem?
- 7 A. No. I mean, it was cold. There was plenty of
8 precipitation but I wouldn't say that it was
9 melting or causing problems.
- 10 Q. Causing a build up in the ponds from natural
11 events?
- 12 A. Right.
- 13 Q. Okay. Do you know anything about a hydrant
14 release in November 3 and 4 of 1996?
- 15 A. Off hand I'll not sure what you're talking
16 about, but there may be something that jogs my
17 memory.
- 18 Q. I'll run through it real quickly. October 24
19 of '96 Heather Faragher, who is an
20 environmental engineer, sent a memo to various
21 people in waste water and others involved or
22 connected with environment activities, a memo
23 describing a Bioassay that was going to be
24 conducted November 4. And at that time they
25 had some difficulty in high ammonia loadings

1 to the waste water plant. And they were
2 running some special samples. They determined
3 that the ammonia was high in what's called the
4 S7, which is the sump where the affluent from
5 the activator sludge plant, the waste water
6 plant. And then they -- I'm just kind of
7 paraphrasing what went on.

8 They cut the flow to the river to 1.7
9 units, which is equivalent to about a million
10 gallons or so. Normally the flow is 3.5
11 million gallons. At the same time it's
12 obvious that people were aware that a toxicity
13 testing was occurring on November 4, which was
14 a Monday, to begin Monday morning. Then on
15 November 3 an operating log states that
16 safety -- and I'm quoting it, to open three
17 hydrants in west tank farm on ground to help
18 get rid of water.

19 A. Which operating log was that?

20 Q. It's a waste water treatment plant log, not a
21 safety log, I'm sorry (indicating). I'll get
22 the safety log, too. Do you know anything
23 about that one (indicating)?

24 A. I can't -- no, there's not a picture in my
25 mind of that particular discharge that I can

- 1 recall.
- 2 Q. I have the flushing logs somewhere -- not the
3 flushing, the safety logs. The safety log for
4 November 3 doesn't make any statement to that
5 effect, but the safety log on November 4 says
6 that there's flowing water in west tank farm
7 west side of I Street. Does that mean -- what
8 does that mean to you?
- 9 A. That means as far west as you can drive in the
10 west tank farm west of the butane spheres.
- 11 Q. So way on the west side of the refinery?
- 12 A. Yeah, in an area that would not cause any
13 problems as far as mud, ice, whatever.
- 14 Q. So that's not to a pond, it's to a land area?
- 15 A. Yeah (nodding).
- 16 Q. Here is the November 3 log, and I don't see
17 anything remarkable on there (indicating).
- 18 A. No, this was all regular mechanical integrity
19 items.
- 20 Q. What does this one mean (indicating)? This is
21 the one I was talking about.
- 22 A. Flowing water in west tank farm west side of I
23 Street.
- 24 Q. That's the area to the far west?
- 25 A. Yeah. That would mean to me that there was

1 water flowing from a monitor, a hydrant
2 monitor.

3 Q. Out on the land area?

4 A. Yeah.

5 Q. Okay. Do you know -- would the people that
6 were involved with that, would they know about
7 how much and the duration and all that? They
8 didn't write it on here, and sometimes on
9 these they've written it on here, the volume.
10 They didn't do that on this one.

11 A. I would say that almost the entire time that
12 I've been here we have never been concerned
13 with the amount of water that we flow in
14 any -- I mean, for flushing, training or just,
15 you know, squirting water. At some point when
16 this started becoming an issue we were asked
17 to limit the amount that we flowed. That's
18 the only time I'm aware we started keeping
19 track of it, because someone told us --

20 Q. That would have been --

21 A. It became apparent to us we needed to watch
22 how much we flow.

23 Q. That would have been this spring you're
24 talking about there?

25 A. Yes.

1 Q. Typically when you do flow those for these
2 purposes, like flushing a hydrant, those types
3 of activities, is that normally a very long
4 duration?

5 A. When we do our normal flushing we will flush a
6 hydrant, 10, 15 minutes. Sometimes there's a
7 visual aspect to that where we will watch to
8 see if it clears up. If after 10, 15 minutes
9 it still is looking pretty gritty we'll maybe
10 let it flow a little bit longer. The idea is
11 to clean the pipe out, it's not a function of
12 time, it's kind of a performance test.

13 That's our form of flushing, and we do
14 that on a yearly basis to try and
15 systematically get every main underground, get
16 some water moving through it and flush it out.
17 If there are opportunities other than times of
18 the year to flow some water, it always helps
19 to have water moving through that system. You
20 know, periodically if there's an opportunity
21 to flow water we'll jump on it because it's
22 good for our fire mains.

23 Q. When you say flow water, flow it where,
24 internally to ponds or --

25 A. Well, in this case, you know, to the ground

1 even.

2 Q. Would it be typical to flow it to the ground
3 for 12, 24 hours out of one hydrant?

4 A. I would say there have been times in the past
5 where we've done six, eight hours out of a
6 hydrant. There's a few times where, depending
7 on the size of the main, we've opened a couple
8 to get enough water really rifling through
9 there.

10 Q. And those would be for what reasons, where you
11 would be running it for six, eight hours?

12 A. Give mains good flushes sometimes. We have
13 some mains out there in the periphery that
14 don't get a lot of water movement. The west
15 tank farm is a big one. We've noticed a lot
16 of scale and stuff out there every time we
17 flush, and even after flushing. Anytime we
18 open a hydrant to do anything with it there's
19 a lot of crap in the line. And so as far as
20 opportunity to flow long term, it's just more
21 stuff that we can move out of the line.
22 Specifically I guess we -- it's not part of
23 our formal flushing program, but there are
24 times we've done that I guess.

25 Q. When is that usually done? I'm talking a time

- 1 of day and whenever, when it's usually done.
- 2 A. Usually it's done -- I shouldn't even say
- 3 usually done during the days because there
- 4 have been nights. The guys on night shift
- 5 decide to do it and it's done on night
- 6 sometimes. For the most part we try not to
- 7 make a mess with a lot of water. The winter
- 8 may not be a good time to do it. Generally
- 9 when the water can dissipate, you know, once
- 10 it's on the ground, either runoff or do
- 11 whatever.
- 12 Q. Soak in?
- 13 A. Yeah.
- 14 Q. When they say in this case safety to open
- 15 hydrant on west tank farm on ground to help
- 16 get rid of water, what is that type of
- 17 situation, the basis for that look like to
- 18 you? When they say to help get rid of water
- 19 does that mean flushing a hydrant or main or
- 20 what does that mean?
- 21 A. Meaning our ponds are going to overflow, which
- 22 is a bad thing.
- 23 Q. So you're going to get rid of water for that
- 24 purpose?
- 25 A. We want to maintain -- I mean, our ponds, we

1 like this much water in our ponds, and if it
2 gets up here we want to get it back down so we
3 don't have overflow (indicating). And that's
4 what that would mean to me.

5 Q. Okay. Was there any discussion -- I know you
6 weren't aware of this one, as you mentioned,
7 but was there discussion or did you hear
8 discussion about a Bioassay that was occurring
9 at any time?

10 A. No.

11 Q. Were you involved with any of that?

12 A. No, I wasn't aware of that.

13 Q. On the weekends does the -- this was a
14 weekend. Would the safety department be
15 involved with this particular hydrant release
16 or would it be the shifties?

17 A. Safety would have been involved with actually
18 opening, providing a service to get rid of
19 water. I'm trying to think back in November.
20 We started taking responsibility for the
21 levels in those ponds over a year ago. And
22 again, if the levels start coming up, number
23 one, usually it's waste water or the shifties,
24 somebody in operation will say hey, is there
25 anything we can do to help us, our pond levels

1 are coming up.

2 Q. So the waste water or the shifties would come
3 to you about the pond levels coming up?

4 A. We worked together on it. I mean, we realize
5 they had operation of our facility that was
6 supplying some of that to that pond and we
7 were really users of that pond, so, I mean, as
8 far as that went we saw them as someone that
9 could help us maintain a level if we saw it
10 getting out of hand. So yeah, shifties and
11 waste water operators would be people that we
12 would be in communication with over this
13 situation, levels coming up. Rather than just
14 go do this we would have communicated before
15 we just went out and done that to see if there
16 were other options.

17 Q. So that I understand you, did you say that the
18 waste water operations people and the shifties
19 may be involved in communicating with you the
20 need to --

21 A. Yeah, what can we do about the levels in this
22 pond. And if they didn't have the capability,
23 I mean, if their operations could not help us
24 get a hold of the level in this pond then we
25 would get rid of some water.

- 1 Q. So on the weekend, like on a Sunday, this was
2 a Sunday night through Monday morning, 7:00
3 p.m. through 7:00 a.m. Monday morning, is that
4 typically a shiftie decisional situation?
- 5 A. If the waste water operators couldn't make
6 that decision themselves I would assume so.
- 7 Q. What I meant to say, it's not a safety --
- 8 A. Exactly.
- 9 Q. -- decision in this case. Because of the time
10 frame there?
- 11 A. Yeah.
- 12 BY MS. HAYES:
- 13 Q. I'll ask a question. Chris, are you involved
14 then in any of the fire training exercises?
- 15 A. Yes.
- 16 Q. Okay. Where do you do the fire training,
17 where on the facility grounds do you do that?
- 18 A. We have a fire training grounds on the south
19 end of the plant.
- 20 Q. Okay. And do you normally, when you're using
21 the hydrants or the monitors, whatever you
22 want to call them, do you contain that, that
23 water after you're -- you know, from the
24 training?
- 25 A. Yes.

- 1 Q. Where?
- 2 A. We have a depression in the ground, is what it
3 actually is, and it's lined. It's a holding
4 pond essentially that all the water from the
5 training ground runs into.
- 6 Q. Are you aware of problems with that or the
7 integrity of that holding pond? I've seen
8 pictures, and I don't have them with me, I can
9 bring them, but I've seen pictures that show
10 that there's -- it looks like there's a hole
11 in the asphalt lining. Are you aware of that
12 problem?
- 13 A. I guess I know of some washing of the
14 material. I don't know, I can't tell you how
15 bad it was. My involvement with the training
16 down there, most of the time I would spend on
17 the training grounds, and this thing is back
18 behind a tank we practice on. I guess in my
19 passing through there I guess I would notice
20 some washing of the material, but I didn't
21 know how thick the base was or anything like
22 that. I didn't investigate.
- 23 Q. Where does that water come from? Where are
24 you getting the water for that kind of
25 training?

1 A. From our fire water system.

2 Q. From the south pond?

3 A. It depends on which pumps were running. It
4 could be from the north basin or it could be
5 from the south basin.

6 Q. It would be either the north or south?

7 A. Right. That is the same fire water system as
8 for the rest of the plant.

9 MS. HAYES: Thank you.

10 BY MR. KRIENS:

11 Q. I went through the safety logs and just noted
12 what some of the things were on those logs,
13 and it looks like there's quite a bit of
14 understanding or perhaps communication between
15 the waste water plant and the safety people
16 that are on the shift involved, because they
17 often note -- you know, for example March 2,
18 '96, both fire lagoons getting full, bad
19 ammonia and TSS, TSS at the waste water plant.

20 MS. WIENS: Is that a waste water
21 treatment plant log?

22 BY MR. KRIENS:

23 Q. No, this is a safety log.

24 A. TSS, what is that?

25 Q. Total suspended solids. I'm just going to

1 jump ahead on some of those. It looks like
2 there's quite a bit of communication between
3 the two. For example, moving water into west
4 storm basin for waste water treatment plant
5 from hydrant. This is just transferring
6 between basins (indicating).

7 A. Uh-huh.

8 Q. There's a lot of description between the waste
9 water treatment plant and safety. For
10 example, January 3, '97, waste water treatment
11 plant has plenty of water, both basins full,
12 max going to river. Then January 6, waste
13 water treatment plant having limit problems
14 for probably the next 24 hours, picked up two
15 guns. I'm not sure what that means.

16 A. R2 guns with large nozzle.

17 Q. What does that mean, picked up two guns on
18 January 6?

19 A. If I read that in our log it would mean that
20 they picked it up. In other words, broke it
21 down and rolled up hose and put it away. When
22 you pick up equipment -- I mean, it's been put
23 out and you're taking it out of there.

24 Q. Would that have been for the January 4 use?

25 A. Is that right after?

- 1 Q. Yeah, it's right after, two days after.
- 2 A. Yeah, that's what I would assume.
- 3 Q. January 11, waste water treatment plant
- 4 called, high ammonia, needs to send water from
- 5 B5 to south pond. Was that fairly common,
- 6 that safety people would understand what was
- 7 going on in the waste water plant?
- 8 A. It's difficult for me to say. The notes that
- 9 were entered by our shift guys, our guys that
- 10 covered 24 hours, I don't know what level of
- 11 detail they got into with them.
- 12 Q. You're not one of the people -- are you not
- 13 one of the people that fills these out on the
- 14 shift and so on?
- 15 A. Not normally, no. There are a couple here,
- 16 and I'll show you. (Views document) Like here
- 17 is the 27th nights. Here's another one on the
- 18 26th night. This is during the period of time
- 19 when we were running short of people, and so I
- 20 did fill in some night shifts so to speak. I
- 21 had two guys, Steve and Jack Bisbey, who were
- 22 working with me that essentially went out and
- 23 took care of everything as far as the fire
- 24 water and those types of things. This is my
- 25 handwriting, I did jot the notes down

1 (indicating).

2 Q. Who were the common people that did this?

3 A. Jack Bisbey and Steve Lichtenberg.

4 Q. All right. I was trying to understand what
5 the relationship was there. It looks like
6 from that there was some understanding with
7 what went on in waste water treatment and
8 environment issues and the safety to some
9 extent.

10 A. Well, I guess if I had been the one
11 communicating on a regular basis I guess I
12 could understand why -- why can't you help us
13 out here, you know. And there may have been
14 some exchange of information to explain it.

15 MR. KRIENS: I think that's all.

16 MR. BERGER: I don't have anything.

17 (Whereupon, the interview concluded at
18 4:45 p.m.)

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STATE OF MINNESOTA)
COUNTY OF HENNEPIN)

Ss:

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 CHRIS RAPP, 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 11th day of November, 1997.

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