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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

RUSSELL-STANLEY HOLDINGS, INC.:

Plaintiff, :

VS. : CA. No.: 01 CV 8218 (WK)

VINCENT J. BUONANNO, :
Defendant. :

DEPOSITION UNDER OATH of Raymond Nadeau, taken on behalf of the Plaintiff, before Michele Kelly Gaudet, Notary Public, in and for the State of Rhode Island at the law office of Partridge, Snow and Hahn, 180 South Main Street, Providence, Rhode Island on October 1, 2002 at 10:00 A.M.

PRESENT:

FOR THE PLAINTIFF. . . .ROBINSON & COLE, LLP
BY: ATTORNEY JOHN STEINMETZ
ONE BOSTON PLACE
BOSTON, MA 02108-4404

FOR THE DEFENDANT. . . .EDWARDS & ANGELL
BY: ATTORNEY DEMING SHERMAN
ATTORNEY ANNEMARIE CARNEY
2700 HOSPITAL TRUST TOWER
PROVIDENCE, RI 02903

ALSO PRESENT:

VINCENT J. BUONANNO

ALLIED COURT REPORTERS, INC.
115 PHENIX AVENUE
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1 (COMMENCED AT 10:00 A.M.)
2 RAYMOND NADEAU
3 Being duly sworn, deposes and testifies as follows:
4 THE REPORTER: State and spell your full
5 name for the record, please.
6 THE WITNESS: Raymond Nadeau,
7 R-A-Y-M-O-N-D, N-A-D-E-A-U.
8 EXAMINATION BY MR. STEINMETZ
9 MR. STEINMETZ: Good morning, Mr. Nadeau.
10 My name is John Steinmetz. I'm going to start by
11 showing you what's been marked as Exhibit 1.
12 (PLAINTIFF'S EXHIBIT 1 MARKED FOR
13 IDENTIFICATION)
14 Q. Do you recognize that document?
15 A. Yes, I got it in my pocket.
16 Q. Could you tell me what Exhibit Number 1 is?
17 A. Subpoena.
18 Q. And did you receive that subpoena?
19 A. Yes. Last week.
20 Q. Is that the reason you're here today?
21 A. That's the only reason I'm here. Other than
22 that, I wouldn't be here.
23 Q. Have you ever been deposed before?
24 A. Who?

1 Q. Have you ever been at a setting like this before?
2 A. No. I mind my own business and stay
3 home.
4 MR. STEINMETZ: The way this will work,
5 I'm going to ask you questions; Attorney Sherman
6 will ask you questions, too. The court reporter is
7 going to take down my questions and your answers,
8 and you'll be sent a copy of it. After you receive
9 a copy of it, within 30 days, if there are any
10 errors, you can change it. For example, if
11 something you said was not taken down properly by
12 the court reporter, you can note that. If you want
13 to take a break at any time, please let me know, and
14 we'll take a break. Please try to remember to
15 answer verbally, because the court reporter can't
16 take down any gestures. If I ask you a question
17 that's not clear to you, can you please let me know
18 and I'll rephrase it.
19 THE WITNESS: Yes.
20 Q. Mr. Nadeau, are you represented by an attorney
21 today?
22 A. No.
23 Q. Can you state your full name for the record, please?
24 A. Raymond Nadeau.

1 Q. And what's your address?
2 A. [redacted]
3
4 Q. How long have you lived in Rhode Island?
5 A. All my life.
6 Q. When were you born?
7 A. [redacted]
8 Q. Can you briefly describe your education, please?
9 A. Eighth grade. I'm illiterate. I'm uneducated.
10 Q. Can you read, Mr. Nadeau?
11 A. Yes, I can read. I can write, add, subtract.
12 I know right from wrong.
13 Q. Can you describe the jobs that you've had since the
14 eighth grade?
15 A. That's going back a long way. I worked at New
16 England Container, I worked at the Chain Craft
17 Jewelry, Dick's Power Equipment, V.J. Paolino
18 Construction, Gil's Power Mower, lawn mower service.
19 I worked for the Town of Glocester, which I just
20 retired from two or three years ago.
21 Q. Are you now retired?
22 A. Yes. Well, I'm working part time.
23 Q. What are you doing part time?
24 A. Machine shop. Lone Star Machine Shop.

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1 Q. Mr. Nadeau, just briefly, can you describe your
2 position at Chain Craft Jewelry?
3 A. Chain curber. I was a chain curber.
4 Q. You were a chain curber; what's that?
5 A. You know how the chain was twisted, I did that.
6 Q. When did you have that job?
7 A. When I was 16 or 17.
8 Q. How long did you have that job for?
9 A. Eight or nine months.
10 Q. What job did you have at Dick's Power Equipment?
11 A. Repairing lawn mowers, tractors, chainsaws,
12 snowblowers, whatever.
13 Q. When did you have that job?
14 A. Same time I worked for New England Container.
15 I used to leave his shop and go up there and work
16 until ten o'clock at night. I worked two jobs. Got
17 to feed the kids.
18 Q. What was your position there?
19 A. Mechanic.
20 Q. At V.J. Paolino Construction?
21 A. Truck driver.
22 Q. When did you do that?
23 A. From '69 to '79 or '80, something like that. I
24 can't remember.

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1 Q. What's your best recollection?
2 A. '79 or '80. Somewhere around there. I don't
3 know.
4 Q. What did you do at Gil's Power Mower?
5 A. Mechanic.
6 Q. When were you there?
7 A. I can't remember that. I worked in winters
8 there, these places, when I got laid off
9 construction, because they shut down for the
10 winter.
11 Q. Was that before working at New England Container?
12 A. No, after.
13 Q. What role did you have working for Glocester?
14 A. Highway work, you know, laborer. Drove a
15 truck, plowed snow, cleaned drains, put pipe in the
16 ground. We did everything.
17 Q. What years did you work at New England Container?
18 A. I think it was '56, I think I started there.
19 You might have a record of that. I think I left in
20 '69, because that's when I left construction. I
21 think right after I left there.
22 Q. Today I may refer to New England Container as NECC
23 at times.
24 A. Yes.

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1 Q. Have you heard of it as NECC before?
2 A. No. I probably have.
3 Q. But just so the record is clear, if I refer to NECC,
4 I'm talking about New England Container.
5 A. Okay.
6 Q. From 1956 to 1969, were you full time at New England
7 Container?
8 A. Yes.
9 Q. What was the position that you first held at New
10 England Container?
11 A. I guess I was working the back of the burner
12 burning the drums, putting them through the burner.
13 Q. What was your job title?
14 A. Everything. Wherever they put you, that was
15 your job title. You go here. I had to go there.
16 They showed you how to do everything.
17 Q. So, you did everything?
18 A. I was a jack of all trades, master of none.
19 Q. Can you go through a list of types of jobs you had
20 at New England Container?
21 A. Yes. I unloaded trucks. I unloaded trucks. I
22 was a painter for a while. I worked the burner for
23 a while. I ran the sandblaster for a while, and I
24 ran a cover machine for a while. I did everything

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1 that was in the place; and I ended up, I was a truck
2 driver when I left there.
3 Q. Where was New England Container located when you
4 worked there?
5 A. Centerdale, Smith Street.
6 Q. When did you start working as a truck driver at New
7 England Container?
8 A. About seven years after I started, give or take
9 a year or two.
10 Q. So, during the first seven years, you weren't
11 driving a truck, correct?
12 A. No, in the yard I was, just delivering up to
13 Metro, but I never went out on the road. Maybe I
14 went out on the road with the guy helping to unload
15 the truck. When the other driver quit, I took the
16 job, gave me the job.
17 Q. Is it fair to say during the first seven years, you
18 spent --
19 A. In the plant.
20 Q. -- all your time in the plant?
21 A. Yes.
22 Q. How many hours did you work a week?
23 A. From 40 to 65.
24 Q. How many days a week did you work?

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1 A. Five and a half.
2 Q. Is that Monday through Friday and half day on
3 Saturday?
4 A. Yes.
5 Q. Now, you mentioned one of your jobs was unloading
6 trucks, is that right?
7 A. Yes.
8 Q. Could you tell me how that worked?
9 A. The guy backed the truck down the alley, and we
10 just took, he handed us the drums, and we stacked
11 them two high on the ground, and we counted them,
12 went in to the boss and told him how many we had,
13 and he wrote it down.
14 Q. How would you stack the barrels?
15 A. One on top of the other, two high, and then the
16 closed ones we laid down, pyramid them five high.
17 Because if you laid the open ones down, if there's
18 anything in it, it would leak on the ground, so we
19 stood them up.
20 Q. Let me just to make sure the record is clear. If a
21 barrel didn't have a cover, what did you do with
22 those barrels?
23 A. We stood them up two high.
24 Q. When you say, "two high," was that one on top of the

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1 another?
2 A. Yes. With the bottom on the top and the top on
3 the top of the bottom.
4 Q. If the barrels had a cover, how would you stack the
5 barrels?
6 A. You just asked me that, didn't you?
7 Q. Let me ask it a little different. The barrels, I
8 thought I asked if --
9 A. If they didn't have a cover, we stood it right
10 on top of one that had a cover.
11 Q. On top of one that had a cover?
12 A. Yes.
13 Q. Now, I think you said that you pyramided?
14 A. That was the tight drums; the closed-head
15 drums, like an oil drum, there's no cover. It's
16 just got two plugs, one on each side. We laid them
17 down after we inspected them. They were stacked
18 just like the other ones, and we used to look in
19 them and see if they were lined or unlined. And we
20 stacked the lined ones over here and unlined ones
21 over here.
22 Q. What were those called again?
23 A. Tights or oil drums, whatever you want to call
24 them.

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1 Q. When the drums arrived, did you check to see if
2 there was any residue in the drums?
3 A. We just took them and stacked them up.
4 Q. So, is the answer no?
5 A. If they were heavy, we didn't take them. Made
6 the guy take them back. Or if they had holes in
7 them, we made the guy take them back, too.
8 Q. So, is it fair to say when a barrel arrived, if it
9 was heavy, you didn't take it?
10 A. No.
11 Q. But you didn't check -- the barrels you did take,
12 you didn't check to see if there was residue in
13 those?
14 A. Every drum had residue, from a coating to a
15 couple of inches, because they were used drums, so
16 there was something in them.
17 Q. What types of residue were in the drums?
18 A. When is the last day we had a hurricane? I
19 can't remember that. It's been 40 years since I
20 worked there. There was a lot of plastic bags and
21 rubber gaskets that we took out of them, and we
22 burned them. They were put in an incinerator.
23 Whatever was in them got burned.
24 Q. Was there ever liquid residue?

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1 A. Yes. Yes.
2 Q. Was there any sludge?
3 A. Yes.
4 Q. In the barrels?
5 A. Yeah.
6 Q. Is that yes?
7 A. Yes. Yes.
8 Q. How often was there liquid residue in a barrel?
9 A. I couldn't tell you, honestly. I couldn't tell
10 you. Some truckloads came in, the drums had nothing
11 in them. They were clean. The people they bought
12 them off had washed them out and brought them
13 clean. We just had to put them through the
14 incinerator and sandblast them.
15 Q. Would you say that more than half of the drums had
16 liquid in them?
17 MR. SHERMAN: Objection.
18 A. I don't know. I didn't count.
19 Q. Is it more than one in ten?
20 MR. SHERMAN: Objection.
21 A. I don't know. To be honest with you, I don't
22 know. I can't remember a lot of this stuff. I'm
23 lucky I remember what I'm telling you.
24 Q. How often did drums have sludge in them?

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1 A. You already asked me that.
2 Q. I think my question asked you about having liquid?
3 A. You said sludge, too. You double talking me
4 here?
5 Q. Yes, I'll try to --
6 A. Try it. I'm not an idiot. I wasn't born
7 yesterday.
8 Q. I'm trying to make my questions clear. What I try
9 to do, Mr. Nadeau, is break it up into liquid and
10 sludge. If I wasn't clear, I'll try to clarify
11 that. What happened next if the drums were -- after
12 the drums were unloaded from the trucks and stacked?
13 A. We burned them, put them in an incinerator.
14 You asked me that, too, already, didn't you?
15 Q. Before putting the drums in the incinerator, was
16 anything done to take the liquid or sludge out of
17 the barrel?
18 A. If there was plastic bags, we took the plastic
19 bags out and threw them in an old drum.
20 Q. Was there anything done with respect to the liquid
21 or sludge in the drums before they were put in the
22 incinerator?
23 A. Put in the incinerator and got burned. If
24 there was flammable stuff, we lit a match and lit it

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1 on the ground. Well, the drum. Burn the drum and
2 put the rest in the incinerator to get the rest out
3 so it wouldn't blow up in the incinerator.
4 Q. Were drums placed on a conveyor belt to go through
5 the incinerator?
6 A. Yes.
7 Q. How were they placed on the conveyor belt?
8 A. Upside down.
9 Q. If there was liquid or sludge in the drums, would it
10 then --
11 A. What didn't get burned, the chain would drag
12 into a pit.
13 Q. What chain?
14 A. The conveyor chain that took the drum, went
15 around like this and come back underneath, and
16 whatever fell on the bottom just scraped it into a
17 pit.
18 Q. Was that the purpose of the pit?
19 A. Yes. The pit had water in it, so if there was
20 any fire that come back, it would put out.
21 Q. Were you involved in cleaning the pit?
22 A. Yes.
23 Q. How did you do that?
24 A. Shovel.

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1 Q. How often did you clean the pit?
2 A. Maybe once a week. Probably got a couple of
3 drums out of it.
4 Q. The material that you were cleaning the pit was
5 material that had come out of the drums?
6 A. It was everything. Whatever that was in the
7 drums that didn't burn, went into the pit. It was
8 mostly sludge.
9 Q. Would you clean the pit alone?
10 A. No.
11 Q. How many people?
12 A. Two guys clean it.
13 Q. Two guys to clean the pit?
14 A. Yes.
15 Q. What are the names of some of the people you cleaned
16 the pit with?
17 A. They're dead. The guys that worked with me are
18 dead. Earl Taylor. He's dead.
19 Q. Did you ever clean the pit with Joseph Cifelli?
20 A. Yes. Yes.
21 Q. How many times did you clean the pit with Joseph
22 Cifelli?
23 A. I can't remember.
24 Q. More than ten?

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1 A. Yes. Almost fourteen years. I should hope it
2 would be more than ten.
3 Q. More than a hundred?
4 A. No, because I would when -- they didn't get
5 that new burner until a couple of years after I
6 worked there.
7 Q. So, other than Joseph Cifelli and Earl Taylor, can
8 you remember anyone else who cleaned the pit with
9 you?
10 A. Jesse Burlingame. He's dead. The turnover in
11 that place was terrific. I didn't know half the
12 guys' names that worked there half the time.
13 Q. Was that one of your jobs every week, to clean the
14 pit?
15 A. No.
16 Q. Did people --
17 A. They would just, the boss would say, "Go clean
18 the pit," or, "You, go clean the pit." It wasn't
19 your job. It was everybody's job.
20 Q. When you say the boss told you to clean the pit, who
21 was that?
22 A. John McCuckie.
23 Q. Anyone else ever tell people to clean the pit?
24 A. No. He was the boss. Did what the boss told

Page 18

1 us. Like you do, if your boss tells you. They're
2 paying you.
3 Q. Did Bernard Buonanno ever tell you to clean out the
4 pit?
5 A. I never worked for Bernie. Oh, Bernie is the
6 father. He was up front. He stayed up front at
7 Metro.
8 Q. Did Vincent Buonanno ever tell you to clean out the
9 pit?
10 A. No, never worked with him. He worked summers
11 there a few weeks every summer.
12 Q. Did Vincent Buonanno ever clean out the pit?
13 A. Not that I can remember. Not that I saw.
14 Q. Was he there when people cleaned out the pit?
15 A. I have no idea. He was with me sometimes on
16 the truck picking up drums. I can only remember him
17 working there two or three summers.
18 Q. What was Vincent Buonanno's job when he worked there
19 for the summers?
20 A. Whatever the boss told him to do. John
21 McCuckie was his boss, because his father told him,
22 "You tell him what to do." Am I right?
23 Q. Did he do whatever needed to get done?
24 A. Yes, he did what he was told. He was a good

Page 19

1 boy.
2 Q. After you cleaned out the pit?
3 A. Yes.
4 Q. I think you said you shoveled the pit, is that
5 right?
6 A. Yes, raked and shoveled it. Any way we could
7 get the stuff out of it.
8 Q. Would you put everything in a pile that was in the
9 pit?
10 A. Put it in a drum.
11 Q. You said there were about two drums a week?
12 A. Yes.
13 Q. What happened then with the material that you had
14 put in the drums from the pit?
15 A. Take it down the back and dump it.
16 Q. When you say, "take it down the back and dump it,"
17 where are you referring to?
18 A. Way down in the back there was a river on both
19 sides, and it came to a point, and that was the
20 dump. That's where you threw stuff. That was
21 Metro's dump.
22 Q. Who was responsible for taking the material from the
23 pit and dumping it out?
24 A. Whoever the boss told.

Page 20

1 Q. Did he ever tell you to do it?
2 A. Yes.
3 Q. How many people typically would work to take the
4 barrels to be dumped out?
5 A. A couple, because they were heavy.
6 Q. Was it typically at least two people?
7 A. Yes.
8 Q. Could you tell me the names of the people that would
9 take the barrels to the area to be dumped?
10 A. Whoever worked there. Whoever the boss told to
11 do it, did it.
12 Q. Was there anyone who didn't do it?
13 A. Not that I know of, unless there was an old
14 guy. What the heck was his name, was it Wilfred
15 Geroux, the guy that went -- some old guy. He was
16 too old.
17 Q. But everybody who was physically able to would be
18 asked to do it?
19 A. Yes.
20 Q. Did Joseph Cifelli ever dump out the barrels
21 containing the material from the pit?
22 A. Yes.
23 Q. How often did Mr. Cifelli dump out the barrels with
24 the material from the pit?

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1 A. Your guess is as good as mine. Stuff like
2 that, I never kept track of.
3 Q. Is it something that would just alternate?
4 A. It was part of the job, just something you
5 did. When you were told to do it, you did it.
6 Q. And everybody who worked there, did they know it was
7 part of the job?
8 A. I guess. I don't know what they thought. I
9 can't get into their heads.
10 Q. Was that the process for cleaning out the pit during
11 the entire time you worked for New England
12 Container?
13 A. Yeah.
14 Q. Is that "yes," sir?
15 A. Yes.
16 Q. I apologize, I just want to make sure the record is
17 clear.
18 A. Yes.
19 Q. Did you ever work with Vincent Buonanno to bring the
20 barrels with the material from the pit to the area
21 to be dumped?
22 A. He never done that.
23 Q. Vincent Buonanno was not involved?
24 A. Not in dumping, no.

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1 Q. Was he --
2 A. He was there on vacation making money for
3 school. That's all. He just --
4 Q. Was he involved in supervising the dumping?
5 A. No, he wasn't a supervisor. He was a worker
6 like the rest of us.
7 Q. What role did Vincent Buonanno have with respect to
8 cleaning out the pit?
9 A. I never seen him do it.
10 Q. Was he there when you cleaned the pit out?
11 A. I don't think so.
12 Q. Did you ever talk to Vincent Buonanno about cleaning
13 out the pit?
14 A. No.
15 Q. Now, you said the area where the material was
16 brought was away from the plant, is that right?
17 A. Yes.
18 Q. How far from the plant was it?
19 A. Quite a ways. Where the two rivers met. I
20 don't know if it was four or five or six hundred
21 feet. It was quite a ways away.
22 Q. How often did you go down to that area?
23 A. Probably once a month.
24 Q. Did you ever go down to that area with Joseph

Page 23

1 Cifelli?
2 A. Yes. Probably did.
3 Q. Do you remember going down with him?
4 A. I think, yes, I think I did. To be honest with
5 you, I think I did.
6 Q. How many times?
7 A. I wouldn't know.
8 Q. How would you get down there?
9 A. With a truck. Used to borrow one of Metro's
10 trucks with the hydraulic tailgate, because we
11 couldn't pick the drums up. They weighed about 500
12 pounds apiece.
13 Q. Now, you mentioned that Vincent Buonanno worked at
14 New England Container during the summers, right?
15 A. Yes.
16 Q. How many summers did he work there?
17 A. I can't -- I really don't know.
18 Q. Was it more than two?
19 A. Yes. Yes.
20 Q. Was it more than three?
21 A. Three or four, as far as I can remember. I
22 don't know for sure. I don't know the right number
23 for sure.
24 Q. And when Vincent Buonanno worked at New England

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1 Container during the summer, was he at the plant?
2 A. Yes. Where else would he be?
3 Q. How many months did he work during the summer?
4 A. Three or four weeks, as far as I can remember.
5 That's all I can remember is three or four weeks out
6 of the summer.
7 Q. Do you remember how many days he was there a week?
8 A. No.
9 Q. Do you remember what specific jobs he would do?
10 A. No. No. I told you, loaded the truck,
11 unloaded truck. He fed the barrels to the guy
12 painting them or went out on delivery.
13 Q. Did he clean up around the plant?
14 A. I don't know. I don't think the boss gave him
15 too dirty a job, because he'd get some flack from
16 his father.
17 Q. What jobs, if any, did you work on specifically with
18 Vincent Buonanno?
19 A. Actually, the only time he really worked with
20 me was in the winter, pick up drums, helped me load
21 the truck.
22 Q. Did you discuss with Vincent Buonanno the fact that
23 there was some sludge or liquid in some of the drums?
24 A. No.

Page 25

1 Q. Was someone assigned to train Vincent Buonanno as to
2 how the business worked?
3 A. Just did what the boss told him.
4 Q. And that was Mr. McCuckie?
5 A. Yes.
6 Q. In the area where you dumped out the barrels, were
7 you ever there when Vincent Buonanno was there?
8 A. No.
9 Q. What did you call the area where you dumped out the
10 barrels?
11 A. The dump.
12 Q. You called it the dump?
13 A. Yes.
14 Q. Did you ever talk to Vincent Buonanno about the dump?
15 A. No.
16 Q. Did anybody?
17 A. I don't know what anybody talked to him about.
18 Q. You never saw Vincent Buonanno at the dump?
19 A. No.
20 Q. How big was the plant where New England Container
21 was located?
22 A. It wasn't very big. Small.
23 Q. When someone started new, how long would it take
24 them to learn the business?

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1 A. Some guys never learned. They'd work an hour
2 and leave and tell them, "keep my pay, I don't even
3 want it." That's how bad -- it was bad in there.
4 It was dark. Cold in the winter. Hot in the
5 summer.
6 Q. If someone there was there for three or four weeks
7 full time, would they have a pretty good idea of how
8 things operated?
9 MR. SHERMAN: Objection.
10 A. No. No. Because they'd take you off the
11 street, put you over here, and you stayed there.
12 Q. Could you walk around the plant?
13 A. Yes.
14 Q. Did people ever walk around the plant?
15 A. Yes. Get a drink. Go to the bathroom.
16 Q. Were there ever trucks that came to pick up the
17 material from the pit?
18 A. Come again?
19 Q. Were there ever trucks that came to pick up the
20 material from the pit?
21 A. No, not that I know of. After I left, they
22 could have. I don't know.
23 Q. But not when you were there?
24 A. No.

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1 Q. I just want to make sure my question was clear. Is
2 it your testimony that during the time that you
3 worked at New England Container, there were no
4 trucks that came and picked up the waste from the
5 pit?
6 A. I think it was covered over a few times, but I
7 never seen nothing hauled out of there.
8 Q. When you say, "it was covered over," what do you
9 mean by that?
10 A. There was a construction company that rented
11 part of the building. They had a bulldozer. I
12 think they bulldozed it over every now and then.
13 Q. Bulldozed over what?
14 A. The stuff that was down there. Pushed it back.
15 Q. Was down where?
16 A. Down where we dumped.
17 Q. When was that?
18 A. I don't know. I couldn't tell you what year.
19 I couldn't tell what you day. I think I seen him do
20 it once when I was there. And they moved out.
21 Q. Is it shortly before you left or?
22 A. No, when I first started there.
23 Q. Were you ever at the dump with Bernard Buonanno?
24 A. No. I think you asked me that, too.

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1 Q. If I did, I apologize. I don't remember asking that
2 one. Was there a time when Vincent Buonanno took
3 over New England Container?
4 A. Not while I was there, no. He was still going
5 to school, I think, when I left there. I think he
6 was still going to college.
7 Q. So, is it fair to say, you just remember Vincent
8 Buonanno working there?
9 A. Just the boss's son getting dirty. That's what
10 it amounted to.
11 Q. Learning the business?
12 A. Yes. I guess. Earning spending money.
13 Q. When you worked at New England Container, were there
14 any efforts made to hide from the employees the fact
15 that the waste from the pit was being brought to
16 what you referred to as "the dump"?
17 MR. SHERMAN: Objection.
18 A. Come again?
19 Q. Sure. When you worked at New England Container, was
20 there any effort to hide from any of the employees,
21 the manner in which the material from the pit was
22 being disposed of?
23 MR. SHERMAN: Objection.
24 A. No.

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1 Q. Was it done during the day?
2 MR. SHERMAN: Objection.
3 A. Yes.
4 Q. So, it's fair to say, it was done in the open of the
5 other employees?
6 MR. SHERMAN: Objection.
7 A. I guess.
8 Q. When you say you guess?
9 A. It was legal then. There was nothing to hide.
10 Q. And there was no efforts to hide, is that correct?
11 MR. SHERMAN: Objection.
12 A. Why? Why would you hide it? Nobody thought
13 they was doing nothing wrong. Why would they hide
14 it?
15 Q. So, your answer is it wasn't hid?
16 MR. SHERMAN: Objection.
17 A. It wasn't what?
18 Q. It wasn't -- there weren't efforts made to hide it,
19 is that right?
20 MR. SHERMAN: Objection.
21 A. Not to my knowledge.
22 Q. You were never told not to tell other employees?
23 A. No. Not tell them nothing. I was never told
24 to tell anybody nothing. I was just told what to

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1 do.
2 Q. And you were never told not to tell other employees
3 how you were disposing of the waste, correct?
4 A. No. No. Correct.
5 Q. Is there any reason Vincent Buonanno would not have
6 been told of the manner in which the waste from the
7 pit was being disposed of?
8 MR. SHERMAN: Objection.
9 A. I don't know. I don't know what anybody told
10 him. I don't know.
11 Q. But you were never told not to tell him?
12 A. No. Nobody ever told me nothing. Just told me
13 what to do, and I did it. Like somebody trying to
14 beat a dead dog here.
15 Q. Did the barrels ever leak?
16 A. Yes.
17 Q. How often?
18 A. I don't know. No idea.
19 Q. How do you know the barrels leaked?
20 A. You could see them leak.
21 Q. How would you see the barrels leak?
22 A. How would you see it raining out? You're
23 educated, ain't you? How would you tell if a barrel
24 leaked? I think you're pulling my strings here,

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1 bud.
2 Q. I'm not, I'm just trying to --
3 A. You're talking nonsense for an educated man.
4 You're not talking too smart to me. You're not too
5 smart. I can see this shit you're pulling here.
6 Q. Let me just ask you maybe a more specific question.
7 Where would you see the barrels leaking, would there
8 be residue on the ground?
9 A. Where else is it going to go? See.
10 Q. Were there puddles of material near the drums?
11 A. If there was a lot in it and a lot leaked, of
12 course, but we got them when they was empty.
13 Q. How often were there puddles of materials that had
14 leaked from the drums?
15 A. I don't know. No idea.
16 Q. Was it frequent?
17 A. I don't -- not that I know of, no.
18 Q. What would you do if a barrel was leaking?
19 A. We'd throw it aside and mark "leak" on it,
20 "leaker."
21 Q. Were there inspections done?
22 A. Yes. Inside. After the drum was processed, it
23 was checked for leaks.
24 Q. Let's talk about before it was processed; was there

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1 a process done to see if the drum was leaking?
2 A. If we spotted them on the truck, they stayed on
3 the truck, and we wouldn't take them.
4 Q. But once the barrels got off the truck --
5 THE WITNESS: Can I tell you about the
6 leaks now for a minute?
7 MR. STEINMETZ: Yes, please.
8 A. Most of the leaks came down from Metro, and
9 they used to mark in yellow "leak" on it. Their
10 drum was already empty, but it leaked up in their
11 plant, and they used to bring them down to us. But
12 they were empty when they brought them down there.
13 Q. Other than the drums that Metro Atlantic marked
14 "leak," was there any process to determine whether
15 any of the drums that had been stacked were leaking?
16 A. No. Like I told you, you could see it on the
17 truck if they were leaking. If they were leaking on
18 the truck, we didn't take them. We had strict
19 orders, don't take leaky drums off trucks. Don't
20 take drums with holes in them.
21 Q. Did you ever miss any drums with leaks?
22 A. Could have.
23 Q. Do you know if you did?
24 A. I don't remember. No. Could have.

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1 Q. Was anyone at New England Container assigned the job
2 of marking drums with the word "leak" or "leaker"
3 before they were processed?
4 A. No. No.
5 Q. At any time did Vincent Buonanno have the job of
6 unloading barrels from the trucks?
7 A. I guess he did.
8 Q. Did he ever do that with you?
9 A. No.
10 Q. Did you see him do it?
11 A. Not that I can remember.
12 Q. You don't remember seeing him do it?
13 A. Not really. Like I said, if I wasn't on the
14 truck, I was inside painting.
15 Q. Did you ever have meetings to discuss how the
16 operations were run?
17 A. No.
18 Q. Is it possible that Vincent Buonanno took over
19 running New England Container during the last few
20 years you were there?
21 A. No. Like I told you, he was still going to
22 school when I left. What he did after I left, I
23 don't know.
24 Q. Did Vincent Buonanno ever work in the area of the

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1 pit?
2 A. I don't know.
3 Q. Did you ever work with him in that area?
4 MR. SHERMAN: Objection. You asked the
5 question several times.
6 A. I don't know. He's beating a dead dog.
7 Q. Who did John McCuckie report to?
8 A. His father, I guess, Mr. Buonanno.
9 Q. Is that Bernard Buonanno?
10 A. Yes.
11 Q. Who did Vincent Buonanno report to?
12 A. John McCuckie when he came down there.
13 Q. Mr. Nadeau, when did you meet with Ms. Carney?
14 A. Last week.
15 Q. How long did you meet with her for?
16 A. An hour.
17 Q. Where was that?
18 A. My house.
19 Q. Did you discuss any documents?
20 A. No.
21 Q. What did you discuss?
22 A. She just wanted to know what my job was down
23 there.
24 Q. Did you discuss your testimony today?

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1 A. No.
2 Q. Did you discuss what questions you'd be asked?
3 A. No.
4 Q. Did you discuss Vincent Buonanno's position with
5 respect to disposal of waste at New England
6 Container?
7 A. All I asked her was what was this all about.
8 Q. And what were you told?
9 A. That somebody was trying to sue him.
10 Q. Were you told anything else?
11 A. No. We just talked about Vinny.
12 Q. Excuse me?
13 A. We just talked about Vinny, what kind of jobs,
14 asked me how the working conditions were down
15 there. I told her they were bad. It was dirty,
16 cold, wet, warm.
17 Q. Anything else that you discussed?
18 A. No.
19 Q. Did you discuss with Ms. Carney the disposal of
20 waste from the pit?
21 A. No. She never asked me.
22 Q. Did Ms. Carney tell you her position with respect to
23 a lawsuit?
24 A. She just told me she was his lawyer, one of his

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1 lawyers; that's all.
2 Q. Did she tell you what Vincent Buonanno was saying in
3 response to the suit?
4 A. No, she just wanted to hear what I had to say,
5 and I didn't have nothing to say.
6 Q. But you talked for about an hour?
7 A. Just about, I guess.
8 Q. Did Vincent Buonanno's work at New England Container
9 come up at all in your discussion with Ms. Carney?
10 A. Just what I told you, he worked there for the
11 summers.
12 MR. STEINMETZ: Off the record.
13 (OFF THE RECORD)
14 (PLAINTIFF'S EXHIBIT 2 MARKED FOR
15 IDENTIFICATION)
16 Q. Mr. Nadeau, I'm going to show you what's marked as
17 Exhibit 2; please take your time and review that
18 document and let me know when you've had a chance to
19 do that.
20 (WITNESS PERUSES DOCUMENT)
21 A. Doesn't look familiar. Doesn't look familiar.
22 Q. You don't recognize this document?
23 A. I suppose it's New England Container, but I
24 can't tell you where it is. Unless this is Route 44

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1 here. Is this Route 44?
2 Q. I'm going to point to an area on Exhibit 2; could
3 you tell me, do you know if this building here is
4 New England Container?
5 A. Is this Metro here? If this is Metro, that's
6 New England Container down there. Yes. I thought
7 this was Smith Street, 44. I'm not sure. Yes, it
8 was down. That's right, too.
9 Q. I'm going to hand you a red pen, Mr. Nadeau; can you
10 mark the building that you indicated would be New
11 England Container?
12 A. Right here.
13 Q. Can you circle that, please?
14 A. I did.
15 Q. Now, looking at Exhibit 2 in the area that you
16 circled, can you tell me the different parts of the
17 plant?
18 A. Oh, jeez. I think this building here is where
19 I painted them in and where they were shipped out
20 of. I think the finished product was in this
21 building here. I painted them, and they got loaded.
22 Q. Can you put an "F.P." on that for finished product.
23 (WITNESS COMPLIED)
24 Q. Is this part of the New England Container, too?

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1 A. No.
2 Q. I'm going to ask you whether, do you know? I'm just
3 asking your best recollection of the area?
4 A. The incinerator was back in here somewhere,
5 back here.
6 Q. I'm going to give you a darker pen so it shows up a
7 little bit better, Mr. Nadeau.
8 A. Maybe over here.
9 Q. Can you mark with an "I" where you believe the
10 incinerator was?
11 A. I think it was right here. I'm not sure,
12 because it went into the building.
13 Q. Are there any other parts of the plant that you
14 recognize? Is it possible that this structure over
15 here is also New England Container?
16 A. Could be.
17 Q. You just can't tell?
18 A. Wherever Metro ended, there was a gap in
19 between the buildings, and then it was New England
20 Container from there down.
21 Q. Assuming that Metro ended the end of this building
22 here?
23 A. Right down here.
24 Q. Yes. Would that be New England Container starting?

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1 A. Wherever Metro stopped, that's where New
2 England started.
3 Q. Can you break up for me the different areas of the
4 plant?
5 A. Pretty compact. This looks like drums packed
6 here. Everything was just in this little area right
7 here, I think (Indicating).
8 Q. Let's break it down. Let's first talk about outside
9 the building; are there different designations for
10 areas at New England Container outside the building,
11 outside the plant?
12 A. Outside was just drums. Just drums. That's
13 where they stored the drums there when they come off
14 the truck. That's where they were outside.
15 Q. Approximately how big was that area?
16 A. No idea. Footagewise, I couldn't tell you. I
17 really don't know.
18 Q. And let's talk about the plant itself, the building,
19 how many rooms were there in the plant?
20 A. The first building was one level. Then where
21 the sandblaster was was another level. And then
22 there was another room below that which was a lower
23 level where they washed out the closed drums.
24 Q. So, is that three areas?

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1 A. Yes.
2 Q. The first building, you said there was one level,
3 and what was that area used for?
4 A. Part of it was the office, and the oven was
5 there that baked the lining in the drums, and the
6 paint booth is there, too.
7 Q. And that was all on one open floor?
8 A. Yes.
9 Q. There was no different -- I just want to make sure I
10 understand, were there separate rooms or all open?
11 A. There was poles to hold the roof up, but it was
12 a big open area.
13 Q. Was the office separated by walls?
14 A. Yes, there were two offices. There was a front
15 office, and his father's office was in the back.
16 Q. But other than the offices, was everything else open?
17 A. Yes.
18 Q. Now, you talked about a second level with a
19 sandblaster, was the second building part of the
20 same building?
21 A. Yes, it was attached. You went upstairs and
22 there it was.
23 Q. What was done on the second level other than
24 sandblasting or is that it?

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1 A. A cover machine was up there to repair the
2 covers. There was a dedenting machine that took the
3 dents out of the barrels. And the drums come in off
4 the incinerator into that part of the building.
5 Q. So, the incinerator was connected to that part of
6 the building?
7 A. Yes, it was outside. Just the conveyor belt
8 came into the building. It was quite a ways from
9 the building, but just that conveyor in between.
10 Q. So, after the drums went through the furnace, they'd
11 cool off then go into the building?
12 A. Yes.
13 Q. At that point the residue had been burned out?
14 A. Yes, just ashes.
15 Q. Was the pit area where the furnace was, it was an
16 area that was outside?
17 A. Yes, out in the open.
18 Q. Now, you talked about a lower level to wash out
19 drums?
20 A. Yes.
21 Q. Was that in the same building?
22 A. It was attached. Another door where you went
23 through and you walked out onto a rack where they
24 store drums.

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1 Q. The drums were stored and washed there?
2 A. Yes, they were closed-head ones.
3 Q. Was anything else done in that area?
4 A. No, not while I was there.
5 Q. Of the areas you've just discussed, what areas did
6 Vincent Buonanno work in when he was working during
7 the summer?
8 A. He could have worked in all of them. I don't
9 know.
10 Q. Do you believe he worked in all of them?
11 A. I can't remember, to be honest with you. I
12 just don't know.
13 Q. Would it be unusual that he didn't work in all of
14 them?
15 MR. SHERMAN: Objection.
16 A. I don't know.
17 Q. How many people typically worked in the pit area?
18 A. One, the guy that fed the burner.
19 Q. How many burners were there?
20 A. What do you mean?
21 Q. How many furnaces were there?
22 A. One.
23 Q. Were there ever two?
24 A. No, just one.

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1 Q. Did the burner ever change or was it always the same
2 one?
3 A. When I first went to work there, it was a
4 cinderblock one, then they bought the new one.
5 Q. Was the cinderblock in the same location as the new
6 one?
7 A. No. It was in the back. The new one was put
8 on the side.
9 Q. Did they both operate at the same time?
10 A. No.
11 Q. The new one took over for the cinderblock?
12 A. Yes.
13 Q. Now, you say the first one was cinderblock; why do
14 you say that?
15 A. Because it was. It was made out of block.
16 Q. What part was?
17 A. The burner. The furnace, it was made out of
18 block. It had two railroad tire tracks going
19 through it with two torches blowing fire through
20 them, and you'd roll them through there, and they
21 got burned.
22 Q. Were there any restrictions on employees going into
23 any areas of the plant?
24 A. Not that I know of. I went wherever I wanted

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1 to go. Nobody stopped me. If I wanted to go talk
2 to his father, I'd just walk in and talked to his
3 father.
4 Q. How often did you talk to Bernard Buonanno?
5 A. Every time I wanted a raise.
6 Q. Any other time?
7 A. A few times I'd be loading the truck, and he'd
8 come out and talk with me. He jumped on the truck
9 one day to see if he could stack them three high,
10 and he almost hit me in the head with a barrel, and
11 I got off the truck and said, "You load them,
12 Mr. Buonanno. You ain't killing me," and he got
13 off, and I went and finished it. He used to joke
14 with us all the time about being a boxer, his
15 father. His father was a nice man.
16 Q. Did you ever talk with Vincent Buonanno about
17 possible contamination at the plant?
18 A. No. Why would I do that? He was just a
19 working kid working after school. He was nothing to
20 me, just the boss's son. Nice kid to work with.
21 Q. Looking at Exhibit 2, can you point out the area
22 that you referred to earlier was the dump?
23 A. This is the river right here, where the river
24 came down in here.

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1 Q. Did you ever go down in that area with Vincent
2 Buonanno?
3 A. You asked me that before. I told you no. When
4 are you going to stop asking me the same questions?
5 Are you going to keep asking me the same questions?
6 I'm leaving. I don't need this.
7 Q. I'm not trying to ask you the same questions.
8 A. I don't need this horse shit, to tell you the
9 truth.
10 Q. I'm trying to move forward.
11 A. You're moving backwards asking me the same
12 questions. I don't want to be here to begin with.
13 If you got something to say, say it. Don't beat
14 around the bush. I don't like trick questions.
15 I'll plead the Fifth if you keep it up.
16 MR. STEINMETZ: Mark that Exhibit 3,
17 please.
18 (PLAINTIFF'S EXHIBIT 3 MARKED FOR
19 IDENTIFICATION)
20 Q. Mr. Nadeau, I'm showing you what's been marked as
21 Exhibit Number 3; do you recognize that document?
22 A. My name is on it.
23 Q. Please take your time and read it.
24 (WITNESS PERUSES DOCUMENT)

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1 A. The guy has bad handwriting. I can't read half
2 of this. Can't make out half these words. Any way
3 you can get this thing printed? I can't make out
4 half this stuff.
5 Q. Well, let's look at the last page.
6 A. I can't understand the writing.
7 Q. Let's look at the last page. Is that your signature
8 on the last page?
9 A. Yes.
10 Q. Do you remember signing this document?
11 A. If my signature is on it, I must have.
12 Q. Did you read it before you signed it?
13 A. I must have told the guy everything that's on
14 here. How else would it be on here? But I can't
15 read the guy's writing.
16 Q. Could you read it when you signed it?
17 A. I was told -- as I was telling him, he was
18 writing it, and then he asked me to sign the paper.
19 Q. Did you confirm what was in here?
20 A. I guess so.
21 Q. Do you believe what's in this document is accurate?
22 A. If I signed it, yes. I got no reason to lie.
23 I got nothing to lie about. I don't lie. I want to
24 tell the truth here, because a lie gets you in

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1 trouble. You can't take back a lie. I can't make
2 out half these words here. Writes like a doctor.
3 Yes, I told the guy all about these places where we
4 delivered drums and picked up drums and dealers that
5 come in. I told him that stuff.
6 Q. Who was the person that you were speaking about?
7 A. There was four people that came to my house. I
8 don't know which guy it was. The first guy that
9 came, I think his name was Blake, and I can't
10 remember. There was four or five guys that came in.
11 Q. Where was he from?
12 A. I have no idea.
13 Q. He didn't tell you?
14 A. He just told me he was investigating for Super
15 Fund.
16 Q. Did he tell you who he worked for?
17 A. Probably did. I got his card at home. If I
18 had known, I would have took his card with me.
19 Q. Do you know if he worked for government?
20 A. The last guy did. He was a colored guy.
21 Q. Did this guy work for the government?
22 A. All I know, he told me he was an investigator.
23 I don't know who he was working for. Should have
24 got amnesia when he came to my house. I wouldn't be

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1 sitting here now.
2 Q. Look at item number ten.
3 A. Where is that?
4 Q. That is on, I believe, the fourth page.
5 A. The guy writes like a chicken.
6 Q. Do you see on item ten where it lists, starting with
7 number one, a number of companies?
8 A. I got the wrong page, I guess. Ten. DyTex.
9 Am I on the right page or wrong page?
10 Q. Let me just turn to the right page. Turning to this
11 page here, under item 10, there's a number of
12 companies listed?
13 A. Yes.
14 Q. Do you see that?
15 A. Yes.
16 Q. Let's go through these; do you remember if you told
17 somebody that these were companies that had barrels
18 sent to New England Container?
19 A. Yes. We used to pick up there. We used to
20 deliver there and pick up there. We took them clean
21 ones and took their dirty ones.
22 Q. And is that true with respect to each of the
23 companies listed on this page and the next page?
24 A. Yes, I told them all these companies here. I

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1 made deliveries to all these companies. There's
2 probably some companies I delivered to I can't
3 remember the names of.
4 Q. Sitting here today, can you remember any additional
5 companies?
6 A. No. As a matter of fact, I wish I didn't
7 remember these.
8 Q. Now, turn to the next page. Were those also
9 companies that --
10 A. Yes. Otis Air Force Base, yes. I called down
11 to Quonset, too. I don't know if that's on here.
12 Quonset Point. As a matter of fact, I think I
13 hauled 2,500 barrels out of Otis Air Force Base, and
14 I think I hauled 2,400 out of Quonset. And I told
15 the guy they had turbine oil in them for the jets.
16 So, why don't they go sue the government for letting
17 that stuff in the drums we took back? Why don't
18 they go after these guys?
19 Q. Now, Mr. Nadeau, you talked about sandblasting;
20 could you tell me about that process?
21 A. It was steel pellets. Used to wheel through it
22 on the drums and just cleaned them off. It brought
23 it right down to the raw steel.
24 Q. Was there any waste created as a result of that

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1 process?
2 A. The powder, heavy, heavy dense powder.
3 Q. And what was done with that material?
4 A. That was dumped down in the back.
5 Q. Who did that?
6 A. Whoever had that job that day. Whoever the
7 boss felt like telling to do that.
8 Q. Did you ever do that job?
9 A. No. I cleaned the thing out and put it in drum
10 but never took it down back.
11 Q. Do you remember who did?
12 A. I don't know.
13 Q. Did Joseph Cifelli do that?
14 A. I don't know. He cleaned it out, too. We all
15 took our turns cleaning out this big hopper, big
16 dust collector.
17 Q. Did Vincent Buonanno ever clean out the dust?
18 A. I never seen him.
19 Q. Did he have any responsibility with respect to waste
20 created in that area?
21 A. No. No. His responsibility was to come in
22 there and work his eight hours and go home.
23 Q. Is that what he worked, eight hours?
24 A. Yes.

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1 Q. Five days a week?
2 A. I don't know if he worked five days every
3 week. I don't know. I can't remember. He probably
4 did. I don't know.
5 MR. STEINMETZ: Let's take a break, and
6 I'll go through my notes.
7 (OFF THE RECORD)
8 Q. Mr. Nadeau, were there any fires at New England
9 Container when you were there?
10 A. Yes.
11 Q. How often?
12 A. I don't know. A couple of times a month. I
13 don't know. Once a week. A couple of times a
14 month. I don't know. There was always something
15 catching fire from the incinerator.
16 Q. What types of fires? Were all the fires in the area
17 of the incinerator?
18 A. Yes.
19 Q. They weren't anywhere else?
20 A. No.
21 Q. How did the fires start?
22 A. Sparks. The old burner, we had a torch we used
23 to burn covers, and sparks used to fly. Probably
24 did it, too.

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1 Q. What would catch on fire?
2 A. Plastic bags.
3 Q. Anything else?
4 A. No, not that I know of.
5 Q. Did the ground ever catch on fire?
6 A. Yes.
7 Q. How often was that?
8 A. Whenever there was a fire, I guess.
9 Q. And what would burn on the ground, were there
10 chemicals on the ground that would burn?
11 A. Probably.
12 Q. How did you know that?
13 A. I don't know. Unless a barrel got tipped over
14 and something came out of it, leaked out of it.
15 Q. I'd like to you turn back to Exhibit Number 3 and
16 turn to the second page, and I'm going to look at
17 the end of the first full sentence at the end of the
18 carryover paragraph, the last sentence says, "There
19 were spills and leaks onto the ground from the
20 barrels." Do you see that?
21 A. Yes.
22 Q. Is that accurate?
23 A. If I said so, it must be, yes.
24 Q. Now, earlier today you talked about rejecting

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1 barrels with leaks?
2 A. Yes.
3 Q. But were there other barrels that you did accept
4 that leaked onto the ground?
5 A. I didn't accept them all. I don't know what
6 the other guys took. I can't say what they took. I
7 know what I took.
8 Q. What do you remember about there being spills and
9 leaks onto the ground from the barrels?
10 A. I don't know. If the drum got knocked over and
11 something was in it, it would come out.
12 Q. How often would that happen?
13 A. I don't know. I couldn't tell you.
14 Q. Would it happen more than once a month?
15 A. I don't know.
16 Q. Did you ever --
17 A. Like I told you, I wasn't there all the time.
18 I worked here today, there tomorrow, the next day.
19 Q. Did you ever have to buy new clothes because you got
20 chemicals on your clothes?
21 A. No. We had uniforms. Supplied us with
22 uniforms.
23 Q. Did you have to change uniforms because of chemicals
24 on your uniform?

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1 A. Once or twice a year they changed them anyway,
2 from summer to winter they changed them.
3 Q. How often did they have to be cleaned?
4 A. Every week. You didn't wear them for six
5 months.
6 Q. What about shoes?
7 A. You bought your own.
8 Q. You bought your own?
9 A. Yes.
10 Q. How often did you have to change your shoes?
11 A. Once a year. I think his father supplied us
12 with boots. I'm not sure. I think he gave us boots
13 to wear.
14 Q. Did you ever have to change your boots because you
15 got chemicals on them?
16 A. No.
17 Q. Now, you talked earlier about a Metro Atlantic truck
18 used to bring the waste materials from the pit to
19 the area you called the dump, right?
20 A. Yes.
21 Q. Was that truck borrowed from Metro Atlantic?
22 A. Yes.
23 Q. How did that work, did someone from Metro Atlantic
24 drive it over?

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1 A. No, we went and got it. They parked them over
2 there anyway, and if they weren't making deliveries
3 with it, we'd use it.
4 Q. Looking at Exhibit 2, can you tell where Metro
5 parked its trucks?
6 A. Is that the one they call the Texas Tower?
7 From there down, we all parked in here. And they
8 parked their trucks down there. Sometimes they'd
9 park them up front, too.
10 Q. Can you mark using this pen, can you put a "T" for
11 where the trucks were.
12 (WITNESS COMPLIED)
13 Q. Would a Metro Atlantic employee drive?
14 A. No.
15 Q. And by that, you mean New England Container
16 employees?
17 A. Yes.
18 Q. Were there certain employees that would drive down
19 to the dump?
20 A. Whoever was dumping that day, yes, would take
21 it down.
22 Q. Do you remember the names of the employees that
23 would drive?
24 A. I did it. Joe Cifelli must have done it. Earl

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1 Taylor must have done it.
2 Q. Do you remember Joe Cifelli driving the truck to the
3 dump?
4 A. No. Don't remember him doing it, but we all
5 had our turns.
6 Q. You're pretty confident he did?
7 A. Most of the time there were only five guys
8 there, and the guys that did most of the dirt work
9 was me, Joe Cifelli, and Earl Taylor.
10 Q. When you were down at this area you called a dump,
11 would you see people from Metro Atlantic down there?
12 A. No, but we used to see them go down there.
13 Q. How often would you see them go down there?
14 A. Quite a bit. They dumped 95 percent of the
15 stuff down there from Metro. They dumped 95 percent
16 of the stuff down there. I told that to the other
17 guy, too.
18 Q. What makes you say that?
19 A. Because they did. I seen him.
20 Q. What makes you use the number "95 percent"?
21 A. Because that's how much material they dumped
22 down there. They had these presses that made a
23 sludge, looked like mud, black mud they'd dump down
24 there.

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1 Q. How frequently would you see trucks from Metro
2 Atlantic going down to the area that you called a
3 dump?
4 A. Once or twice a week, at least. I think they
5 cleaned the presses once or twice a week, and that's
6 where they dumped the barrels.
7 Q. And would they use the same truck?
8 A. Well, they had more than one truck.
9 Q. What type of truck was it?
10 A. International. I forget the size of it. It
11 was a closed-in truck. It had the door that opened
12 up in the back.
13 Q. How big of a truck was it?
14 A. I don't know if it was a five ton or two ton.
15 I can't remember.
16 Q. Do you know how wide that would be?
17 A. Eight feet, at least. I think it held either
18 three or four drums across.
19 Q. Was there any problem driving the truck down the
20 path?
21 A. No.
22 Q. There was enough room?
23 A. It was a road down there. It was a dirt road,
24 but it was a road.

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1 Q. How often would New England Container go down to the
2 dump area?
3 A. Not too often, because we never had that much
4 stuff. Like I said, we burned most of that stuff.
5 Most of our stuff was burned.
6 Q. I think you said you cleaned the --
7 A. The gaskets and plastic bags, that got dumped
8 down there, because that stuff just melted. It
9 didn't burn.
10 Q. I think you said you cleaned the pit once a week, is
11 that right?
12 A. That got dumped down there, right.
13 Q. Once you cleaned the pit, would that get dumped down
14 there?
15 A. Yes. Maybe not that day. Had to wait until we
16 could get the truck.
17 Q. Now, we talked about Vincent and Bernard Buonanno,
18 and I'm going to ask you a different question. Were
19 there any members of the Buonanno family that would
20 help you bring materials to this dump area?
21 A. No. I think you already asked me that. I got
22 a bad memory, but not that bad.
23 Q. Were there ever any explosions at the plant?
24 A. Yes. Sure.

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1 Q. How often were there explosions?
2 A. I don't know. I couldn't tell you.
3 Q. Do you remember more than five?
4 THE WITNESS: All the time I was there?
5 MR. STEINMETZ: Yes.
6 A. I don't know. I couldn't tell you how many.
7 There probably was -- I couldn't -- to be honest
8 with you, I really don't remember.
9 Q. What caused the explosions?
10 A. Stuff in the drums. If the pit caught on fire,
11 sometimes that would explode, the pit.
12 Q. Do you remember any explosions or fires when Vincent
13 Buonanno was working during the summer?
14 A. No.
15 Q. Now, you indicated Vincent Buonanno worked about
16 three or four summers; were those the last three or
17 four summers you worked at New England Container?
18 A. I think so. I'm not sure.
19 Q. Now, you mentioned that at some point you started
20 driving a truck?
21 A. I did.
22 Q. For New England Container?
23 A. Yes.
24 Q. That was about seven years after you started?

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1 A. Yes.
2 Q. Now, once you started driving the truck, how much,
3 what percentage of your time did you spend driving a
4 truck and what percentage of your time did you spend
5 at the plant?
6 A. Most of the time I was on the road.
7 Q. When you weren't on the road, what were you doing at
8 the plant?
9 A. Out in the yard checking drums or stacking them
10 and getting orders ready to go out for the next day.
11 Q. What other types of stuff were you doing?
12 A. Painting. If the painter didn't come in that
13 day, I'd paint, then I'd load it on the truck and go
14 deliver.
15 Q. Were you still cleaning out the pit?
16 A. No.
17 Q. Who was doing that?
18 A. No idea.
19 Q. When you were a truck driver, what responsibilities
20 did you have for bringing materials to the dump
21 area?
22 A. Nobody had any responsibilities for doing
23 that. I told you, I didn't, I was out of there. I
24 was on the road.

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1 Q. But would you still pitch in and help out?
2 A. Yes. Wherever they needed help, when I come
3 back, wherever they needed help, that's where they'd
4 send me; but most of the time I was on the road.
5 They had enough deliveries they kept me going.
6 Q. Did you come to the plant each morning?
7 A. Yes.
8 Q. Pick up barrels from the plant?
9 A. Yes. Load the truck.
10 Q. Unload barrels?
11 A. Yes.
12 Q. Were you still involved with painting?
13 A. Now and then, yes.
14 Q. Sandblasting?
15 A. No.
16 MR. STEINMETZ: I don't have any further
17 questions now. I may have some follow-up questions
18 after Attorney Sherman has a chance to ask you some
19 questions.
20 THE WITNESS: No problem. I've got
21 nothing to hide. No problem.
22 EXAMINATION BY MR. SHERMAN
23 Q. Mr. Nadeau, as you know, my name is Deming Sherman,
24 and I represent Vincent Buonanno in this case.

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1 A. Yes.
2 Q. You have referred a few times to a company called
3 Metro Atlantic?
4 A. Yes.
5 Q. Could you tell me what type of a company that was?
6 A. Chemical.
7 Q. And was that company in operation during the time
8 that you worked at New England Container?
9 A. Yes. It was there when I quit.
10 Q. And what types of chemicals do they make, to your
11 knowledge?
12 A. They made a metal stripper, they made something
13 that went in toothpaste. Most of the stuff was for
14 cloth, I think. I'm not sure.
15 Q. For textiles?
16 A. Yes. Formaldehyde. They had formaldehyde
17 there. As a matter of fact, a tanker truck pumped
18 chemical into the wrong top and blew the top off the
19 tank, and then they had to paint six or seven houses
20 in the town. Looked like Agent Orange in the town.
21 Q. Is this something that happened at Metro Atlantic?
22 A. Yes.
23 Q. Do you remember when that happened?
24 A. No. I was on the truck. As a matter of fact,

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1 I was on Mineral Spring Avenue -- what the heck is
2 the name of the street Fatima Hospital is on -- I
3 was at that red light and seen it. It looked like
4 an atomic bomb going off, and I said, "Look, there
5 goes the chemical plant. It blew up."
6 Q. You said Metro Chemical had a landfill south of the
7 New England Container plant?
8 A. That's where they dumped all their stuff.
9 Q. Do you know how long that was there?
10 A. It was there when I got there and when I left.
11 Q. And you got there in 1956?
12 A. Yes.
13 Q. Do you remember that the area where the landfill was
14 located was a marshy area?
15 A. There was water on both sides. You could only
16 get down so far.
17 Q. Because the two rivers converged at that point?
18 MR. STEINMETZ: Objection.
19 A. Yes.
20 Q. Do you remember that the area was wet or marshy all
21 the time?
22 A. Yes.
23 Q. Do you remember whether there were any paths in that
24 area?

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1 A. Just that one road going through it.
2 Q. Approximately how wide was that road?
3 A. Wide enough for a truck.
4 Q. What type of a road was it?
5 A. Dirt.
6 Q. Now, I believe you said that you worked at New
7 England Container from 1956 until about 1969?
8 A. Yes.
9 Q. And during the last seven years or so, you were a
10 truck driver, is that correct?
11 A. Yes.
12 Q. And during that period of time that you were a truck
13 driver, tell me what your daily routine was?
14 MR. STEINMETZ: Objection.
15 A. Come in in the morning, see if there's any
16 deliveries, load the truck and go deliver them.
17 Q. And did you bring drums back to the plant?
18 A. Yes. If they had any empties, I'd bring them
19 back.
20 Q. And you delivered to customers around Providence and
21 New England?
22 A. Rhode Island, yes.
23 Q. Did you pick up drums from Metro Atlantic at all?
24 A. No. They brought their own down. When they

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1 went out and delivered their chemicals, they took
2 dirty drums back, and we bought them all.
3 Q. So, some of the drums processed by New England
4 Container came from Metro Atlantic?
5 A. Yes.
6 Q. Typically, when you were a truck driver, what was
7 your hourly, the number of hours you worked per day?
8 A. Sometimes I'd have to work overtime. They'd
9 send me out at two or three o'clock with a delivery
10 and wouldn't get back until four, five, six at
11 night.
12 Q. What were your beginning hours, typically, when did
13 you begin?
14 A. 7:00 or 7:30, I think.
15 Q. And typically, when you were driving your truck
16 during that time, were you away from the New England
17 Container plant most of that time?
18 MR. STEINMETZ: Objection.
19 A. Yes.
20 Q. And you were away from the New England Container
21 plant, because you were making deliveries or picking
22 up drums, correct?
23 A. Yes.
24 Q. And sometimes you would have overtime because you'd

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1 get a late notice of a delivery you had to make,
2 correct?
3 A. Well, they had an order to get out in the
4 morning and asked me if I wanted to work overtime to
5 help get it ready, so I'd stay and get it ready.
6 Q. So, if you were working overtime, you were also away
7 from the New England Container plant?
8 A. Yes.
9 Q. So, tell me on a percentage basis, how much time,
10 when you were a truck driver now, how much time you
11 were away from the plant as opposed to how much time
12 you were actually at the plant?
13 MR. STEINMETZ: Objection.
14 MR. SHERMAN: Roughly.
15 A. Six hours a day.
16 Q. Six hours a day?
17 A. Yes. Sometimes ten.
18 Q. Sometimes ten. So, a pretty good portion of your
19 time as a truck driver was spent on the road?
20 MR. STEINMETZ: Objection.
21 A. Yes.
22 Q. Now, you testified that from time to time, you took
23 some drums of sludge down to this landfill, and my
24 question is did you do that at all during the period

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1 that you were a truck driver?
2 A. No, I didn't. No.
3 Q. So, if you did it, it was during the time that you
4 were a laborer in the plant, correct?
5 MR. STEINMETZ: Objection.
6 A. Yes.
7 Q. And you were a laborer in the plant from about 1956
8 until about 1962 or '63, something like that?
9 A. Yes.
10 Q. So, it was during that period of time that you
11 remember taking a couple of drums a week down to
12 this landfill, is that correct?
13 A. Yes.
14 Q. Now, can you tell me what you mean by the word
15 "sludge"?
16 A. Like mud. Sludge.
17 Q. Something that's somewhere between a liquid and a
18 solid?
19 A. Yes, it's wet. It's heavy wet.
20 Q. Now, you were asked a couple of times about plastic
21 bags that you disposed of?
22 A. Yes.
23 Q. Where did these plastic bags come from?
24 A. There was a liner in the drum.

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1 Q. In every drum?
2 A. No.
3 Q. Some drums?
4 A. Some drums. Certain chemicals, because it had
5 a reaction to the metal, I guess. I don't know.
6 Q. So, at what point would you observe a liner and then
7 do something with it?
8 A. We took it out. If it had one in it, we took
9 it out and threw it in the pile.
10 Q. So, this would be at the point the drum was
11 delivered to New England Container plant and you
12 inspected it and saw a plastic bag?
13 A. Yes.
14 Q. And at that point, you'd take the plastic bag out
15 and do something with it?
16 A. Yes.
17 Q. What did you do with it?
18 A. We threw them away.
19 Q. Where did you throw them away?
20 A. Ended up down in the dump.
21 Q. Where did you throw them?
22 A. We had old barrels and threw them in old
23 barrels.
24 Q. So, you put them in old barrels?

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1 A. Yes.
2 Q. Now, again, was this during the time you were a
3 laborer?
4 A. Yes.
5 Q. I'm going to distinguish my questions so we
6 understand what we're talking about. When I say you
7 were a laborer, that was between the period '56 and
8 '62 or '63, and the other period was when you were a
9 truck driver?
10 A. Yes.
11 Q. So, when you were a laborer, that's when you would
12 dispose of these plastic bags, correct?
13 A. Yes.
14 Q. And so these plastic bags were put in a drum, and
15 they were taken at some point to this landfill?
16 A. Yes.
17 Q. You also refer to gaskets?
18 A. That was for the cover, rubber gasket. So when
19 the cover is on the drum, it doesn't leak.
20 Q. First of all, tell me what a gasket is?
21 A. It's made out of rubber, square, half-inch
22 square. Big, round as the drum.
23 Q. It seals?
24 A. It seals the cover to the drum. A seal.

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1 Q. That would be something on the drum that would come
2 into New England Container chemical plant?
3 A. Yes, every drum that had chemicals had one open
4 head.
5 Q. What did you do with the gaskets?
6 A. They'd get thrown away with the plastic bag.
7 Q. Did you have a dumpster?
8 A. No. They didn't have dumpsters back then.
9 Q. Do you ever remember seeing a dumpster on the
10 premises of New England Container?
11 A. Not while I was there.
12 Q. Just talking about when you were there?
13 A. No.
14 Q. Either when you were there as a laborer or when you
15 were there as a truck driver?
16 A. No.
17 Q. You don't ever remember seeing a dumpster?
18 A. No.
19 Q. How was ordinary trash disposed of, like cardboard
20 or paper or other types of trash?
21 A. Burned. Paper we burned. That's how we
22 started the fires in the barrels. If they had
23 lacquer in them, instead of putting it in the
24 furnace so it wouldn't blow up, take it aside and

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1 throw the paper in, throw it on the ground and throw
2 them in the incinerator after.
3 Q. Was there any cardboard or wood ever disposed of?
4 A. Probably.
5 Q. And you don't remember a dumpster at all?
6 A. No.
7 Q. What about ash from the furnace, do you remember
8 that there was any ash that was created as a result
9 of processing of the drums?
10 A. Yes.
11 Q. What happened to that?
12 A. That got thrown down the back, to the -- that
13 got put in drums.
14 Q. And then from time to time, the drums were taken to
15 the landfill?
16 A. Yes.
17 Q. Did you ever do that yourself?
18 A. Probably.
19 Q. Do you remember?
20 A. I probably did, but I don't. I must have, if I
21 worked there. I must have. I just can't remember.
22 Q. Now, you were asked if you ever remembered a truck
23 that came to the New England Container premises and
24 cleaned out the pit you testified about; do you ever

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1 remember such a truck?
2 MR. STEINMETZ: Objection. Asked and
3 answered.
4 A. No.
5 Q. Never?
6 A. Like I said, after I left there, I don't know
7 what happened.
8 Q. Now, I understand that after you left, you wouldn't
9 know, but I'm talking about when you were there?
10 A. No. We cleaned the pit out by hand.
11 Q. During the period that you were a truck driver, did
12 you see the pit cleaned out by hand?
13 MR. STEINMETZ: Objection.
14 A. No.
15 Q. So, you wouldn't have seen how the pit got cleaned
16 out during that period, would you?
17 A. No. If I wasn't there, I couldn't tell.
18 Q. You weren't there, you were out on the road,
19 correct?
20 A. Yes.
21 Q. So, it's possible, at least during that period, a
22 truck could have come to the New England Container
23 property and cleaned out the pit, is that possible?
24 MR. STEINMETZ: Objection.

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1 A. Yes.
2 Q. And you wouldn't necessarily know, because you were
3 out on the road?
4 MR. STEINMETZ: Objection.
5 A. I wasn't there.
6 Q. That was your job, and you were good at it, you
7 were a good truck driver?
8 A. I guess. I didn't get in any accidents.
9 Q. Well, they kept you on there for a long time?
10 A. They couldn't get any help to stay there. I
11 had three little kids. I had to work.
12 Q. Yes. Okay. Now, let's go back to when you were a
13 laborer and drums came into the plant on a truck,
14 and the first thing that happened is they were
15 unloaded, correct?
16 A. Correct.
17 Q. And the next thing that happened is they were
18 counted, correct?
19 A. Yes.
20 Q. And they were also inspected, correct?
21 A. Yes.
22 Q. Did you participate in the inspections?
23 A. Yes.
24 Q. And if a drum was real heavy, you didn't accept it?

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1 MR. STEINMETZ: Objection.
2 A. We were told not to take them off the truck.
3 Q. And that's because if it was heavy, it contained
4 something, correct?
5 A. Yes. It had waste in it.
6 Q. And you would send it back to wherever it came from?
7 A. Yes.
8 Q. Now, if you saw a drum that was leaking, what did do
9 you with it?
10 A. Told the guy to keep it.
11 Q. I'm sorry?
12 A. Told the guy to keep it. Don't take it off the
13 truck.
14 Q. So, a leaking drum would be sent back, too?
15 A. Yes.
16 Q. So, the only drums you would accept would be drums
17 that weren't leaking?
18 A. Yes.
19 Q. Weren't heavy?
20 A. Yes. And weren't rotted. We had to inspect
21 them and make sure the bottoms weren't rotted.
22 Q. In other words, drums you could recondition?
23 A. Yes.
24 Q. Now, some of those drums had covers on them,

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1 correct?
2 A. Correct.
3 Q. And some of them didn't, correct?
4 A. Correct.
5 Q. Now, with respect to the ones that didn't have
6 covers on them, did you inspect the insides?
7 A. Yes.
8 Q. And when you looked inside, and if you saw some
9 liquid residue, what did you do?
10 A. They all had a little bit in them.
11 Q. Did you empty them out?
12 A. Could have been water. No, we didn't empty
13 them out.
14 Q. You didn't empty them into the pit?
15 A. When they got burned, they got tipped upside
16 down.
17 Q. I understand that. Let's say they had a couple of
18 inches of residue or sludge or liquid or whatever
19 and you call it, didn't you go over and empty it
20 into it pit so you'd empty out the drum?
21 MR. STEINMETZ: Objection.
22 A. No. If it was flammable, we burned it. Like I
23 said, a piece of paper and burned it.
24 Q. That would be one way of cleaning it out?

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1 A. That is how we eliminated it.
2 Q. What if it wasn't flammable?
3 A. It ended up in the pit.
4 Q. So, you did empty it in the pit, is that what you're
5 telling me about?
6 MR. STEINMETZ: Objection.
7 A. It eventually ended up in the pit. We didn't
8 pour it into the pit. The chain dragged it into the
9 pit.
10 Q. You don't pour it on the ground?
11 A. No, because we had to walk on it.
12 Q. You didn't want to walk on anything you poured onto
13 the ground?
14 A. No, you don't know what it would do to your
15 feet.
16 Q. So, it was a safety issue, as far as you're
17 concerned?
18 A. Yes.
19 Q. Now, the drums that were covered that had a cover
20 on, those were stored, as I understand, on their
21 sides and put in a pyramid?
22 A. That's the tight drum, yes.
23 Q. So-called tight drum?
24 A. Yes.

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1 Q. Is there a difference between a covered drum and a
2 tight drum?
3 A. Yes.
4 Q. What's the difference?
5 A. The open head got a cover and tight has a
6 little bung hole and bung hole and cover. You can't
7 take it out.
8 Q. So, those drums, the tight drums, you stored on
9 their sides?
10 A. There's no way they leaked.
11 Q. They didn't leak?
12 A. No.
13 Q. They were stored in a pyramid?
14 A. We inspected them first before we stacked them.
15 Q. What do you mean?
16 A. We used to light them, took the plug out and
17 used a light or used the sunlight. Some were lined
18 and unlined. We had to separate them. If they were
19 rusty, we put them in another pile and bent in the
20 bung, and it got converted and made an open head
21 drum out of it, and that went in the incinerator.
22 Q. So, one category was so-called tight drums, and
23 those had the two bung holes?
24 A. Yes.

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1 Q. And you inspected those first to make sure there
2 wasn't anything inside?
3 MR. STEINMETZ: Objection.
4 A. Yes.
5 Q. And then you stacked them?
6 A. Yes.
7 Q. And then they would be processed at some point?
8 A. Yes.
9 Q. Now the next category of drums would be drums that
10 had a cover on them?
11 A. Yes. Open head.
12 Q. And tell me how you inspected those drums and what
13 you did with those drums?
14 A. We just looked at the outside, checked the
15 bottoms. You could see some that didn't have the
16 cover on them, you could see the date, and if the
17 date was too old, we didn't take them. Send them
18 back.
19 Q. What do you mean if the date was too old?
20 A. If the drum was ten years old, what good is it?
21 It goes in the sandblaster, it would burn a hole in
22 it.
23 Q. So, you'd send that back to the customer?
24 A. Yes.

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1 Q. So, these are drums that are actually open at one
2 end so you could look inside and see what was open?
3 A. Yes, if they had a cover and ring on, we
4 wouldn't take it off.
5 Q. So, that would be a third category, cover and drum
6 on it and gasket and maybe a bag?
7 A. Yes.
8 Q. So, did you take the cover off to look what was
9 inside?
10 A. No.
11 Q. What did you do with those types of drums?
12 A. We just, when we got ready to burn them, take
13 the cover off and take the bag and threw it in with
14 the rest of them.
15 Q. So, you didn't take the bag out until you were ready
16 to process the drums?
17 A. Yes.
18 Q. Now, with respect to the tight drums, you said you
19 never saw any of those leaking, correct?
20 A. Yes.
21 Q. With respect to the open head drums, did you ever
22 see any of those leaking when they were in the
23 premises of New England Container?
24 MR. STEINMETZ: Objection.

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1 A. No.
2 Q. If they were leaking, you'd send them back?
3 A. Right.
4 Q. They'd never get off the truck?
5 A. No.
6 Q. And with respect to the drums that had a cover on
7 them, did you ever see any of those that were
8 leaking?
9 MR. STEINMETZ: Objection.
10 A. No.
11 Q. And if they were leaking, again, you would have sent
12 those drums back?
13 A. Send them back, yes.
14 Q. So, the only drums, therefore, that you accepted and
15 that were stored outside the plant?
16 A. Yes.
17 Q. Were drums that weren't leaking, right?
18 A. Yes. Right.
19 Q. And so, if they weren't leaking, then there wouldn't
20 have been any pools of water or pools of liquid that
21 contain anything from the drums, right?
22 MR. STEINMETZ: Objection.
23 A. No.
24 Q. Am I correct?

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1 A. Right.
2 Q. You have to answer yes or no.
3 A. Okay. I'm a head shaker.
4 Q. Now, I've been asking you questions about the drums
5 that you saw when you were a laborer?
6 A. Yes.
7 Q. And the procedures that you followed; when you
8 became a truck driver, to your knowledge, were those
9 same procedures followed?
10 A. Yes.
11 Q. And occasionally --
12 A. Them where the rules.
13 Q. Those where the rules. Incidentally, who laid down
14 the rules?
15 A. John McCuckie.
16 Q. Who was your boss?
17 A. He was our boss.
18 Q. He was the foreman?
19 A. Yes.
20 Q. He was the one who told you what to do?
21 A. Yes.
22 Q. Did you take any orders from anybody else?
23 MR. STEINMETZ: Objection.
24 A. Except his father. If his father came out and

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1 told me to do something, I'd do it.
2 Q. Under what circumstances did you take any orders
3 from Mr. Bernard Buonanno?
4 A. None, actually. He'd tell John.
5 Q. He never gave direct orders to you?
6 A. He came down and looked around, and if he
7 thought you were goofing off, he'd tell John, and
8 John would put the whip to you.
9 Q. Did he ever tell John you were goofing off?
10 A. No. I'm a hard worker.
11 Q. You had a house and kids?
12 A. I had two jobs.
13 Q. You had two jobs?
14 A. Yes. I needed my job.
15 Q. So when you took your orders from John?
16 A. John, yes.
17 Q. Was he your boss or foreman during the whole time
18 you worked there?
19 A. No.
20 Q. Was there any other boss or foreman?
21 A. Yes. I think it was the last year I worked
22 there. You know him, Vinny, I don't know this guy's
23 name.
24 Q. It wasn't Vincent?

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1 A. He went to college with you right after John
2 got done.
3 Q. Just tell me what you can remember.
4 A. He just took over John's position, that's all.
5 Q. Did John retire?
6 A. No. They canned him, I guess.
7 Q. Do you know?
8 A. I don't know why. Just one day he was gone.
9 Q. He was gone one day?
10 A. Yes.
11 Q. For whatever reason.
12 A. It wasn't my business.
13 Q. So, you had, for about a year, there was someone
14 else who was your foreman or boss, correct?
15 A. Yes.
16 Q. And then you left?
17 A. Around there. Around a year. Maybe less. It
18 could be less. I didn't like the guy anyway.
19 Q. And then you left at some point?
20 A. Yes.
21 Q. You never took any orders from Vinny Buonanno, did
22 you?
23 MR. STEINMETZ: Objection.
24 A. No. He was a worker when he worked there like

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1 the rest of us.
2 Q. Do you remember any specific orders you took from
3 Bernie Buonanno, his father?
4 A. The only things he told me is, "Hurry up back,
5 we got more orders to take out." As a matter of
6 fact, he used to follow me to some of the places to
7 make sure I hurried up back.
8 Q. He was anxious to keep the business moving?
9 A. Yes. He had a business to run.
10 Q. Did Bernie Buonanno have anything to do with Metro
11 Atlantic?
12 A. Yes. I don't know if he was a manager or what
13 he was up there.
14 Q. Spent a lot of time up there?
15 A. That's how I got hired, through him. He was up
16 at Metro's office. He was up there.
17 Q. You interviewed with Bernie Buonanno at his office
18 at Metro Atlantic?
19 A. Yes. He could put me to work in the barrel
20 shop or Metro.
21 Q. Where did he put you to work?
22 A. He put me to work in the barrel shop, because
23 he needed help down there.
24 Q. How often did you see Bernie Buonanno?

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1 A. Sometimes you wouldn't see him at all.
2 Q. Not very often?
3 A. Near the end there where he had his office down
4 there, I seen him every day. Every day he came in.
5 Q. When you say, "near the end," what do you mean?
6 A. Right before I quit.
7 Q. About a year or two before you quit, is that what
8 you mean?
9 A. Yes. When he left Metro, he came down and had
10 his main office in the barrel shop.
11 Q. I see.
12 A. That's when I seen him every day.
13 Q. Now, when he was at Metro, did you see him very
14 often?
15 A. No. The only time I'd see him is to go ask him
16 for a raise.
17 Q. Did he give it to you?
18 A. Yes. Gave me a couple of arguments but --
19 Q. Liked to take care of his people?
20 A. You want me to tell you the story I told her?
21 Q. I don't know.
22 A. I went two years without a raise, and I went in
23 his office and said, "It's been two years." He
24 said, "Time doesn't mean nothing." I said, "All

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1 right." A month after, I knocked on his door, and
2 he said, "What can I do for you?" "I got to talk to
3 you." He said, "What do you want?" "I want a
4 raise." I said, "You told me time didn't mean
5 nothing." He gave me -- I beat him out of another
6 two dollars a week.
7 Q. It made a difference, didn't it?
8 A. Yes. When you got little kids, it made a big
9 difference. Back then, two dollars was two dollars.
10 Now you can't buy a pack of cigarettes for that.
11 Q. Just going back, you saw Mr. Bernie Buonanno
12 occasionally?
13 MR. STEINMETZ: Objection.
14 A. Yes.
15 Q. While he was at Metro Atlantic, did Mr. Bernie
16 Buonanno ever tell you to take any of that sludge
17 from the pit down to the landfill?
18 MR. STEINMETZ: Objection.
19 A. All my orders came from John McCuckie, because
20 he was my boss.
21 Q. Did he ever tell you to clean out that pit?
22 A. Yes.
23 Q. No, I'm talking about Bernie Buonanno?
24 A. No.

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1 Q. So, whatever orders you got came from John McCuckie?
2 A. McCuskie, however you want to call it,
3 McCuckie. I forget how you say it. Big guy. You
4 didn't goof off with him there.
5 Q. You didn't goof off with Mr. McCuckie?
6 A. No.
7 Q. He was a task master, was he. Did you always get
8 along with Vinny Buonanno?
9 A. Sure.
10 Q. Tell me everything that you remember that you did
11 with Vinny Buonanno, just what you remember?
12 MR. STEINMETZ: Objection.
13 A. I don't know, to tell you the truth.
14 Q. I'm talking about --
15 A. We'd tell jokes, fooled around.
16 Q. You took a truck ride with him once, right?
17 A. Yes.
18 Q. Do you ever remember any other work that you did
19 with him?
20 A. No.
21 Q. Do you ever remember talking to Vinny Buonanno about
22 the business of New England Container?
23 MR. STEINMETZ: Objection.
24 A. No.

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1 Q. Do you ever remember talking to him about the
2 operations of New England Container?
3 A. No.
4 Q. Did you joke with him?
5 A. We'd get out on the truck, forget it. We got
6 out on the truck, we were away from there.
7 Q. You were away from there and talk about other things?
8 A. Yes. Everything.
9 Q. Sports?
10 A. Everything.
11 Q. Did you get along with him all right?
12 A. I got along with his brother, too, young
13 Bernie. He was a nice kid.
14 Q. Was Vinny a hard worker?
15 A. Yes.
16 Q. So, even though he was the boss's son, he worked
17 very hard?
18 A. If the boss said, "You and Vinny jump in the
19 river," we both jumped in the river. He wasn't
20 afraid to get dirty.
21 Q. What about Bernie, Bernie, Jr.?
22 A. He wasn't there that long. I don't remember
23 him.
24 Q. You don't remember him?

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1 A. No.
2 Q. Now, you remember Joe Cifelli?
3 A. Yes.
4 Q. Did you work with him?
5 A. Yes.
6 Q. He worked in the plant, right?
7 A. Yes.
8 Q. Did he work in the plant for all the time that you
9 were there?
10 A. No. He went driving a truck. He drove a
11 trailer truck.
12 Q. What is the difference between what he did and what
13 you did in terms of driving a truck?
14 A. He drove a trailer truck; I didn't.
15 Q. What does that mean?
16 A. He drove a trailer truck. I drove a straight
17 job. He drove a trailer truck.
18 Q. But did he deliver and pick up drums, also?
19 A. Yes.
20 Q. Just a different type of truck?
21 A. Yes. Held more drums.
22 Q. Now, you were asked if you ever cleaned out the pit
23 with Joe Cifelli?
24 A. Yes.

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1 Q. Do you remember when that was?
2 A. No.
3 Q. Was it when you were a laborer?
4 A. Yes.
5 Q. It wasn't when you were a truck driver?
6 MR. STEINMETZ: Objection.
7 A. No.
8 Q. And do you have a clear recollection of cleaning out
9 the pit with Joe Cifelli?
10 MR. STEINMETZ: Objection. Asked and
11 answered.
12 A. Yes.
13 Q. And you recall going with Mr. Cifelli down to this
14 landfill area?
15 A. Yes. More or less, yes.
16 Q. More or less; is it a clear recollection? A little
17 hazy?
18 A. Hazy.
19 Q. Hazy. Is it possible you didn't do that with him?
20 MR. STEINMETZ: Objection.
21 A. There was only, like I say, there was only a
22 few of us there. We had to work together.
23 Q. Is it possible that you just don't remember clearly
24 what happened during that period of time?

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1 MR. STEINMETZ: Objection.
2 A. No. Just bits and pieces I remember. Stuff
3 you try to forget, you don't want to remember down
4 there.
5 Q. So, you remember bits and pieces?
6 MR. STEINMETZ: Objection.
7 A. Yes.
8 Q. You don't remember everything?
9 MR. STEINMETZ: Objection.
10 A. No.
11 Q. Incidentally, you were asked about some explosions?
12 A. Yes.
13 Q. Tell me what type of explosions you were referring
14 to?
15 A. Something from the burner set them off.
16 Q. This wasn't something that exploded the whole
17 building, did it?
18 A. No, this was outside.
19 Q. Outside?
20 A. Yes.
21 Q. So, a small explosion?
22 A. Yes.
23 Q. Like a pop?
24 MR. STEINMETZ: Objection.

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1 A. One time I remember this kid Jesse, he's dead
2 now, he was dumping drums with alcohol in them on
3 the conveyor belt, and it went in the pit, and when
4 this thing raked the fire back, that's when it
5 went. You couldn't see the furnace, it was one big
6 ball of fire. That's all you could see. Nobody got
7 hurt.
8 Q. Did it burn down the furnace?
9 A. No, nothing. Just burnt up what was in the
10 pit. That's when the fire trucks come down and put
11 it out.
12 Q. What other explosion or explosions do you remember?
13 A. When Metro's tank blew up.
14 Q. Talking about at New England Container?
15 A. That is the only one.
16 Q. Just that one time?
17 A. Yes.
18 Q. Do you remember when that was?
19 A. No, I don't. I don't remember what year it
20 was. I remember it happening, but I don't remember
21 what day it was. I'm not too good on dates.
22 Q. Do you remember whether it was during the time that
23 you were a laborer as opposed to a truck driver?
24 A. I think it was.

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1 Q. And as far as you remember, the explosion and the
2 fire was confined to this pit area?
3 A. Yes.
4 Q. That's all?
5 A. Yes.
6 Q. Now, you also were asked about whether you
7 remembered any fires; tell me the fires you
8 remembered?
9 A. Like I say, from the drums.
10 Q. From the drums, meaning what?
11 A. Maybe the bags would catch on fire, the plastic
12 bags or something. I don't know.
13 Q. Were these fires that were contained inside a drum?
14 A. It would be on top of them, because the stuff
15 was piled on top of these drums, bags.
16 Q. I'm not sure I understand.
17 A. That's how full these things used to get. We
18 never had time to clean up, just had to keep going
19 and going.
20 Q. You're talking about the drums where you would stuff
21 the plastic bags?
22 A. Yes. Catch fire.
23 Q. That would catch fire; okay, I see. And how would
24 the fire or fires be put out?

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1 A. Fire trucks come in, or we'd grab a fire
2 extinguisher, and if we couldn't put it out, they'd
3 call the fire department.
4 Q. How often would that occur?
5 A. A couple of times a month, I guess.
6 Q. A couple of times a month?
7 A. Yes.
8 Q. Did you consider those fires serious?
9 MR. STEINMETZ: Objection.
10 A. No.
11 Q. Do you know how they started?
12 A. Sparks.
13 Q. Any other fires that you remember?
14 A. No.
15 Q. You were asked some questions about that affidavit
16 in front of you that Exhibit 3?
17 A. Yes.
18 Q. This document, if you look at the last page, you see
19 that it has a date on it of October 27, 2000; do you
20 see in the very last line --
21 THE WITNESS: The last page?
22 MR. SHERMAN: Yes.
23 THE WITNESS: Where I signed?
24 MR. SHERMAN: Yes.

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1 Q. -- is that your signature there?
2 A. Yes.
3 Q. "Raymond Nadeau?"
4 A. Yes.
5 Q. And if you come to the left side of the page and go
6 up a line, it says, "27th day of October 2000." Do
7 you see that?
8 A. Yes. Sure. Yes.
9 Q. And do you remember that that's when you signed this
10 affidavit?
11 A. Yes. It's been a couple of years, yes.
12 Q. And there's a name just under the date?
13 A. Yes.
14 Q. Looks like "Blake"?
15 A. Blake. He was the first guy that ever came to
16 my house.
17 Q. He was one of several that came to see you?
18 A. One of four or five.
19 Q. How long did they spend with you?
20 A. He was there quite a while. He did all this
21 down, took him a while to write it.
22 Q. Incidentally, this affidavit is not in your
23 handwriting, correct?
24 A. No. I didn't write nothing.

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1 Q. Do you know who wrote it?
2 A. Blake.
3 Q. It's in his writing?
4 A. I didn't write nothing. I just told the guy,
5 and I signed it.
6 Q. Did you sign it the same day that you were
7 interviewed?
8 A. Yes.
9 Q. Do you remember whether you read through the
10 affidavit before you signed it?
11 A. Yes. He was reading it to me, yes. "Okay, is
12 this what you said?" "Yes, I said that." You know.
13 Q. Now, at some time after this, did someone come and
14 visit you again?
15 A. Yes.
16 Q. Do you remember when that was?
17 A. No. I think there was four guys that came.
18 Q. Four guys?
19 A. Yes.
20 Q. Do you know where they came from?
21 A. I got their cards at home. I should have
22 brought them.
23 Q. Do you remember if they were from the government?
24 A. Yes. The last guy said he was.

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1 Q. Was Mr. Blake one of them?
2 A. No. He said he was a private investigator,
3 this Mr. Blake. That's what he told me.
4 Q. He told you he was a private investigator?
5 A. For the Super Fund.
6 Q. Do you understand that the Super Fund is a
7 government program?
8 A. Yes.
9 Q. Did you understand Mr. Blake was an investigator for
10 the government?
11 A. Yes.
12 Q. And then the second time some people came to visit
13 you, was Mr. Blake --
14 A. No. Another guy.
15 Q. Another guy. Another investigator for Super Fund?
16 A. I don't know. He's from Centerdale. I forget
17 his name.
18 Q. Do you remember signing?
19 A. Yes. Everything I told him I signed.
20 MR. SHERMAN: Let me show you another
21 document. Mark this as Exhibit A.
22 (DEFENDANT'S EXHIBIT A MARKED FOR
23 IDENTIFICATION)
24 Q. Why don't you take a look at that.

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1 A. I can read that.
2 (WITNESS PERUSES DOCUMENT)
3 MR. SHERMAN: You're all set?
4 MR. STEINMETZ: I'm all set.
5 Q. Mr. Nadeau, I've handed you a document that's been
6 marked Defendant's Exhibit A; do you recognize this?
7 A. Yes.
8 Q. Could you tell me what it is?
9 A. It's stuff I told the guy.
10 Q. I'm sorry?
11 A. It's stuff I told the guy that asked me.
12 Q. And the guy, if you turn to the second page, I see
13 there's a signature; is that your signature?
14 A. Yes.
15 Q. And it's dated April 24, 2002, is that correct?
16 A. Yes.
17 Q. Do you remember who it was that you talked to in
18 connection with this document?
19 A. I got his card at home. If I had his card, I
20 could tell you who he was, but I don't.
21 Q. And I notice that this is typewritten; could you
22 tell me how that happened?
23 A. He came back the first time -- the first time
24 the guy, whoever it was, it was written again, and

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1 then he'd come back with changes made, and I think
2 that's why I initial it here, and they redid it over
3 again and typed it up, and I signed it.
4 Q. So, there were two visits then in connection with
5 this document, or were there more than two?
6 A. There was more than two. Unless, if this was
7 the last one. The last guy came twice. I almost
8 threw him out of the yard. I told him, "Do not
9 bother me. Leave me alone. I told my story, now
10 leave me alone." But they want to haunt me. I
11 walked out of the house, and he said, "Just give me
12 a minute. Can you read that?" I said, "Okay." He
13 said, "I have to have this notarized, typed up and
14 notarized." He said, "Can I come back for you to
15 sign it?" I said, "Okay, this is the last time."
16 So he came back and said, "You don't have to have it
17 notarized, they said it was all right." So I just
18 signed it, and he took off. The last I seen of
19 him. He was the colored guy, the last guy.
20 Q. You don't remember his name?
21 A. No.
22 Q. But you understood he was an investigator?
23 A. Yes. I think he said he worked for the federal
24 government or FBI or somebody. I don't know. He

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1 was an ex-state trooper. That's what he told me.
2 Q. Did he say perhaps he worked for the EPA,
3 Environmental Protection Agency?
4 A. Could be. I don't remember trivial things like
5 that. It's important stuff for you guys, but to me,
6 it's not.
7 Q. I understand. Do you remember reading this before
8 you signed it?
9 A. Yes.
10 Q. Is it accurate?
11 A. Yes. Well, the part about Mr. Buonanno telling
12 me what to do ain't.
13 Q. That's not accurate?
14 MR. STEINMETZ: Objection.
15 A. No.
16 Q. You didn't tell that to the person?
17 A. I probably did -- no, I don't think I told him
18 that.
19 Q. So, those are not statements that you made to this
20 investigator, is that right?
21 MR. STEINMETZ: Objection.
22 Q. Just tell me?
23 A. I don't know. I don't remember.
24 Q. Well, let me specifically turn you to paragraph

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1 four. It's on the first page. Can you read that
2 paragraph and just tell me if it's accurate.
3 (WITNESS PERUSES DOCUMENT)
4 A. He wasn't there.
5 Q. Mr. Buonanno wasn't there, was he?
6 A. No.
7 Q. So, it's not accurate?
8 MR. STEINMETZ: Objection.
9 A. Mr. McCuckie was.
10 Q. Mr. McCuckie was the one who gave you the orders,
11 right?
12 A. And this other fellow.
13 Q. But not Mr. Bernie Buonanno?
14 A. He never come out and said, "You go do that."
15 He never did that. He gave his foreman orders to
16 tell us what to do.
17 Q. You don't know what he told his foreman?
18 A. I don't know what he told his people, no.
19 Q. You see down in the next paragraph down at the
20 bottom of the page, it says that you were instructed
21 by Mr. Buonanno about taking certain barrels to the
22 area south of the plant, you see that, that's not
23 correct, is it?
24 MR. STEINMETZ: Objection.

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1 A. No.
2 Q. Did you tell that to the investigator?
3 A. Maybe I said he was responsible. He never told
4 me.
5 Q. He never told you directly, did he?
6 A. The foreman told me.
7 Q. You got your orders from Mr. McCuckie?
8 A. Yes.
9 Q. So, anything in his affidavit that indicates that
10 you received orders from Mr. Buonanno directly is
11 wrong; is that right?
12 MR. STEINMETZ: Objection.
13 A. The only orders he gave me is, "Get these
14 things delivered and get back here. We got more
15 deliveries to make."
16 Q. That's all?
17 A. Yes. I probably would have told these guys
18 anything to get rid of them, just to get out of
19 there. They bothered me.
20 Q. Do you remember ever having any other meetings with
21 any investigator for the EPA?
22 A. There was another -- there was four guys.
23 Q. Let me just show you one other document, and maybe
24 you can remember this.

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1 (DEFENDANT'S EXHIBIT B MARKED FOR
2 IDENTIFICATION)
3 Q. Take a look at that, Mr. Nadeau, and I'll give you
4 a minute to review it.
5 (WITNESS PERUSES DOCUMENT)
6 Q. Are you all set?
7 A. Yes.
8 Q. Mr. Nadeau, do you recognize Exhibit C (sic) for
9 identification?
10 A. Yes.
11 Q. Could you tell me what it is?
12 A. The stuff I told.
13 MR. STEINMETZ: I misstated it. It should
14 be Exhibit B, Defendant's Exhibit B for
15 identification. I apologize.
16 Q. Do you recognize it?
17 A. Yes.
18 Q. Could you tell me what it is?
19 A. It's stuff I told the guy that came to my house.
20 Q. Is this the same guy?
21 A. This was another guy.
22 Q. Do you remember who it was?
23 A. No.
24 Q. If you look on the last page, you see there's a

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1 person's name?
2 A. I'm pretty sure I have his name somewhere.
3 Q. Do you have any idea who that is?
4 A. No. That's the guy that I talked to. I don't
5 know. Like I said, there was four or five guys that
6 came.
7 Q. When you say, "four or five guys that came," you
8 mean at different times or all at once?
9 A. Different times. Well, two guys came together
10 a couple of times, this one guy from Centerdale. He
11 was a pain. I wanted to throw him out of my yard.
12 I thought he was going to sue me.
13 Q. Do you remember who Mr. Israel was?
14 A. One guy came once. I don't.
15 Q. Do you know if Mr. Israel was also an investigator
16 for the government?
17 A. I think that's what he told me.
18 Q. And did he come and visit you and then prepare this
19 statement in a typewritten form, do you remember?
20 A. I don't remember if he had it with him or -- I
21 don't remember.
22 Q. Do you remember talking about it with him before you
23 signed it?
24 A. Yes. There's another thing in here that says

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1 about Mr. Buonanno giving the orders, but I don't
2 think I said that.
3 Q. You didn't say that?
4 A. No.
5 Q. So, that statement is wrong?
6 MR. STEINMETZ: Objection.
7 A. Wherever it says Mr. Buonanno told me to do
8 something is wrong. His foreman told me what to do.
9 MR. SHERMAN: No further questions. Thank
10 you, Mr. Nadeau.
11 FURTHER EXAMINATION BY MR. STEINMETZ
12 Q. Mr. Nadeau, turning to Defendant's Exhibit A, turn
13 to the last page. Do you see towards the bottom
14 where it says, "I declare under the penalty of
15 perjury that the foregoing is true and correct"?
16 A. Yes.
17 Q. And did you believe that to be true when you signed
18 it?
19 A. If I signed it, yes.
20 Q. And is that your signature on this document?
21 A. Yes.
22 Q. Did you read it before you signed it?
23 A. Yes, I did.
24 Q. Did you believe everything in the statement was true

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1 when you signed it?
2 A. Yes. I wouldn't have signed it if I didn't,
3 yes.
4 Q. Let's turn to Defendant's Exhibit B. Let's look at
5 the last page of this document. Do you see above
6 your signature where it says -- strike that. First,
7 let me ask you, is that your signature on this page?
8 A. Yes.
9 Q. And above your signature, it says, "Signed under the
10 pains and penalties of perjury this 14th day of
11 August 2002," do you see that?
12 A. Yes, I see that.
13 Q. You understood you were signing under the pains and
14 penalties of perjury before you signed it?
15 A. Yes.
16 Q. Did you read this document before you signed it?
17 A. Yes. I just breezed through it. I didn't study
18 it.
19 Q. Did you believe everything was true when you signed
20 it?
21 A. Yes.
22 Q. In here, it says that Item 4, you signed this
23 statement, says, "I personally received instructions
24 from Mr. Buonanno when I began working at NECC about

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1 the way such barrels or other groups of barrels
2 should be processed," right?
3 A. That, he never did.
4 Q. Well, you signed this document, did you?
5 A. I know I signed it. I don't remember telling
6 the guy that.
7 Q. Are you changing your story?
8 A. Yes. Like I said, he never told me what to
9 do. I always took orders from his boss.
10 Q. So, your testimony today is different from what you
11 signed under the pains and penalties of perjury?
12 A. I would have signed anything to get rid of them
13 guys, get them out of my house.
14 Q. Did you think it was true when you signed it?
15 A. Yes. Everything I thought, yes. I told them
16 the same thing, that Mr. Buonanno never gave me
17 orders.
18 Q. Did you tell them Mr. Buonanno was responsible for
19 the operation of the plant?
20 A. He has to be. He's the owner, right.
21 Q. Was he responsible for the way the barrels were
22 disposed of?
23 A. Must have. I wasn't.
24 Q. Did Mr. McCuckie take his orders from Mr. Buonanno?

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1 MR. SHERMAN: Objection.
2 A. I don't know. I have no idea.
3 Q. Do you know who Mr. McCuckie took his orders from?
4 A. No.
5 Q. Prior to today, did you talk with Ms. Carney about
6 Exhibit A or B?
7 A. To tell you the truth, I don't remember what we
8 talked about that day. To be honest with you, I can
9 remember something that happened 40 years ago, but I
10 can't remember what happened 40 minutes ago.
11 Q. You don't remember if you discussed these documents?
12 A. No. She didn't bring any documents with her.
13 Q. Did you discuss your testimony as to what you were
14 told to do by Mr. Bernard Buonanno?
15 A. I don't understand.
16 Q. During your meeting, did you discuss how you would
17 testify about any instructions you received from
18 Mr. Buonanno?
19 MR. SHERMAN: Objection.
20 A. I never got any from the him.
21 Q. Did you discuss that during your meeting with
22 Ms. Carney?
23 MR. SHERMAN: Objection.
24 A. I think I told her Vinny had nothing to do with

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1 the business when I worked there.
2 Q. Did she tell you that?
3 A. No, I told her that.
4 Q. You testified that Bernard Buonanno moved his office
5 to New England Container?
6 A. Yes.
7 Q. Is that Bernard Buonanno, Sr.?
8 A. Yes.
9 Q. And that's Vinny Buonanno's father?
10 A. Yes.
11 Q. And he did that a couple of years, last few years
12 you were at New England Container?
13 A. I don't know if it was one or two. It was near
14 the end before I quit, yes.
15 Q. Did Vincent Buonanno ever have an office at New
16 England Container?
17 A. No. He had nothing to do with the place. He
18 worked there in the summers. That's the only way I
19 ever knew the guy.
20 MR. STEINMETZ: I have no further
21 questions at this time, but I'm keeping the
22 deposition open in case there's further questions in
23 the future.
24 MR. SHERMAN: I have no further questions

1 at this point. I object to keeping the deposition
2 open, but we will address that at another date.
3 Thank you, Mr. Nadeau. I appreciate your time and
4 patience.
5 THE REPORTER: Would you like a copy of
6 the transcript?
7 MR. SHERMAN: Mini and e-mail.
8 (DEPOSITION ADJOURNED AT 1:00 P.M.)
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3 CERTIFICATE
4 I, Michele Kelly Gaudet, a Notary Public in and for
5 the State of Rhode Island, duly commissioned and
qualified to administer oaths, do hereby certify
6 that the foregoing deposition of Raymond Nadeau, a
Witness in the above-entitled cause, was taken
7 before me on behalf of the Plaintiff, at the offices
of Patridge, Snow and Hahn, 180 South Main Street,
8 Providence, Rhode Island on October 1, 2002 at
10:00 A.M. That previous to examination of said
9 witness, who was of lawful age, he was first sworn
by me and duly cautioned and sworn to testify the
10 truth, the whole truth, and nothing but the truth,
and that he thereupon testified as in the foregoing
11 manner as set out in the aforesaid transcript.

12 I further certify that the foregoing deposition was
taken down by me in machine shorthand and was later
13 transcribed and that the foregoing deposition is a
true and accurate record of the testimony of said
14 witness.

15 Pursuant to Rule 5(d) and 30(f) of the Federal Rules
of Civil Procedure, original transcripts shall not
16 be filed in court; therefore, the original is
delivered and retained by Plaintiff's attorney,
17 Mr. John Steinmetz.

18 I have enclosed with the deposition, a correction
and signature page, which must be signed before a
19 Notary Public.

20 IN WITNESS WHEREOF, I have hereunto set my hand this
2nd day of October 2002.
21

22 MICHELE KELLY GAUDET, RPR, NOTARY PUBLIC
CERTIFIED COURT REPORTER
23 MY NOTARY COMMISSION EXPIRES ON 7/2/2005
24

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