

US EPA ARCHIVE DOCUMENT

1
2 UNITED STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF NEW YORK

4 - - - - -x
5 RUSSELL-STANLEY HOLDINGS, INC.,

6 Plaintiff,

7 -against-

No. 01 Civ. 8218 (WK)

8
9 VINCENT J. BUONANNO,

10 Defendant.
11 - - - - -x

12 780 Third Avenue

13 New York, New York

14 March 28, 2003

15 10:06 a.m.

16 DEPOSITION of VINCENT J.

17 BUONANNO, the Defendant in the
18 above-entitled action, held at the above
19 time and place, taken before Barbara P.
20 Goldsmith, a Shorthand Reporter and Notary
21 Public of the State of New York, pursuant
22 to the Federal Rules of Civil Procedure,
23 and stipulations between Counsel.
24
25

VERITEXT

212-267-6868

516-608-2400



SDMS Doc ID 521769

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1
2 APPEARANCES:
3
4 ROBINSON & COLE, LLP
5 Attorneys for Plaintiff
6 780 Third Avenue
7 New York, New York 10017
8 BY: JOSEPH L. CLASEN, ESQ.
9
10 EDWARDS & ANGELL, LLP
11 Attorneys for Defendant
12 One Bank Boston Plaza
13 Providence, Rhode Island
14 02903-2499
15 BY: DEMING E. SHERMAN, ESQ.
16
17 Also Present:
18 ANNEMARIE CARNEY
19
20
21
22
23
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25

3
1
2 STIPULATIONS
3 IT IS HEREBY STIPULATED AND AGREED, by
4 and among counsel for the respective
5 parties hereto, that the filing, sealing
6 and certification of the within deposition
7 shall be and the same are hereby waived;
8 IT IS FURTHER STIPULATED AND AGREED
9 that all objections, except as to form of
10 the question, shall be reserved to the
11 time of the trial;
12 IT IS FURTHER STIPULATED AND AGREED
13 that the within deposition may be signed
14 before any Notary Public with the same
15 force and effect as if signed and sworn to
16 before the Court.
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4
1
2 MR. CLASEN: Do you want him to
3 read and sign?
4 MR. SHERMAN: Yes.
5 MR. CLASEN: All objections
6 except as to form are reserved to
7 trial?
8 MR. SHERMAN: Yes.
9 VINCENT J. BUONANNO,
10 having been first duly sworn by a
11 Notary Public of the State of New
12 York, upon being examined, testified
13 as follows:
14 EXAMINATION BY
15 MR. CLASEN:
16 Q. What is your name?
17 A. Vincent J. Buonanno.
18 Q. Where do you reside?
19 A. [REDACTED]
20 [REDACTED]
21 Q. Good morning, Mr. Buonanno.
22 A. Good morning.
23 Q. Let me show you what's been
24 marked previously as Plaintiff's Exhibit
25 9. It's the stock purchase agreement

5
1 V.J. BUONANNO
2 dated as of July 21, 1998. And in
3 particular I'm going to direct your
4 attention to the disclosure statement
5 section 2.17 which begins on the number
6 Bates stamped VJB 00843.
7 MR. CLASEN: I have a copy for
8 you, sir. That's just the previous
9 page.
10 MR. SHERMAN: Okay.
11 Q. Now, the second page of the
12 disclosure statement, the one that's Bates
13 stamped VJB 00844, have you ever seen this
14 before?
15 A. Yes.
16 Q. Do you know who prepared it?
17 A. No.
18 Q. Did you play any role in
19 determining which properties were to be
20 put on this list?
21 MR. SHERMAN: Objection. It's
22 not all properties. It's items.
23 MR. CLASEN: I stand corrected.
24 Let me rephrase the question.
25 Q. Did you play any role in

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1 V.J. BUONANNO
 2 determining which items should be listed
 3 in this disclosure statement that we're
 4 looking at right now?
 5 A. I would have instructed them to
 6 give the information.
 7 Q. Who would you have instructed?
 8 A. Managers at New England
 9 Container.
 10 Q. Which managers?
 11 A. Gene D'Onofrio and/or Dick
 12 Costa.
 13 Q. And to whom were they going to
 14 give the information?
 15 A. I don't know.
 16 Q. Because I think you said before
 17 you would have instructed them. "Them" is
 18 either Gene D'Onofrio and/or Dick Costa to
 19 give them the information.
 20 A. To the buyers' representatives.
 21 Q. Was this schedule prepared by
 22 your attorneys, actually typed out, if you
 23 know?
 24 A. I don't know.
 25 Q. Did you see this schedule before

7

1 V.J. BUONANNO
 2 you executed the stock purchase agreement,
 3 Plaintiff's Exhibit 9?
 4 A. I don't recall.
 5 Q. Did you have any conversations
 6 with Mr. D'Onofrio regarding this listing
 7 that you see here?
 8 A. I don't recollect any.
 9 Q. Did you tell Mr. D'Onofrio to
 10 prepare a list of properties that should
 11 be on this list?
 12 A. I think more generally we would
 13 have been required to provide
 14 environmental records and this would have
 15 been a record that was asked for.
 16 Q. Do you remember speaking about
 17 preparing this list or providing this
 18 information --
 19 A. No.
 20 Q. -- to Mr. D'Onofrio?
 21 A. No.
 22 Q. How about with Mr. Costa?
 23 A. No, I don't.
 24 Q. Do you know the first item --
 25 pardon -- I stand corrected. We have on

8

1 V.J. BUONANNO
 2 this list Western Sand and Gravel. Do you
 3 see that?
 4 A. Yes.
 5 Q. First of all, what is Western
 6 Sand and Gravel?
 7 A. Western Sand and Gravel was a
 8 former state supervised landfill that
 9 became a superfund site.
 10 Q. Why is it on the list?
 11 A. I believe that waste removal
 12 operators who serviced our companies were
 13 made potentially responsible parties
 14 there.
 15 Q. Now, when you say your company,
 16 you said your company, right, you just
 17 referred to a second ago?
 18 A. New England Container.
 19 Q. Okay, good. Now, when did the
 20 waste disposal company service New England
 21 Container that are involved in Western
 22 Sand and Gravel?
 23 A. I don't know the years.
 24 Q. Do you know from what sites that
 25 New England Container were operating where

9

1 V.J. BUONANNO
 2 they were servicing?
 3 A. Smithfield probably.
 4 Q. I missed that. I'm sorry.
 5 A. Smithfield, Rhode Island.
 6 Q. Any others?
 7 A. I don't think so.
 8 Q. Who were the waste disposal
 9 companies that were involved in Western
 10 Sand and Gravel?
 11 A. I don't know.
 12 Q. Do you remember any of their
 13 names?
 14 A. I don't recollect any.
 15 Q. What waste were they disposing
 16 of at New England Container?
 17 A. Perhaps solid waste, perhaps
 18 ash.
 19 Q. And you don't know for what
 20 period these waste disposal companies --
 21 A. I don't.
 22 Q. The Drum Service of Florida,
 23 could you describe what that is for us,
 24 please? These are items on the list.
 25 Some are companies, some are properties.

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1 V.J. BUONANNO

2 Go ahead.

3 A. Drum Service of Florida was a

4 drum reconditioning company in Florida

5 with whom we did business.

6 Q. When did NEC do business with

7 them?

8 A. Perhaps in the period between

9 '70 -- 1970 and 1980.

10 Q. And what business did NEC

11 conduct with them?

12 A. New England Container sold

13 reconditioned steel drums to Drum Service.

14 Q. Why is this item on the list?

15 A. I believe that in a superfund

16 action, any company which had done any

17 business with Drum Service of Florida was

18 contacted for potential liability.

19 Q. When was NEC contacted with

20 respect to Drum Service?

21 A. I don't know.

22 Q. Were you aware of the fact that

23 they had been contacted?

24 A. Yes.

25 Q. Was the contact made directly to

11

1 V.J. BUONANNO

2 you?

3 A. No.

4 Q. To whom was it made?

5 A. To our company.

6 Q. Company is only people. Who at

7 NEC was contacted, if you know?

8 A. Most likely -- I don't recall

9 the correspondence, but as president, it

10 was likely that it was me.

11 Q. Do you remember what decade you

12 were contacted by Drum Service of Florida?

13 A. It would have to be

14 post-superfund. So I would guess the

15 decade of the 1980s.

16 Q. In the 1990s, was there any

17 activity with respect to the Drum Service

18 of Florida matter?

19 A. I don't recollect any.

20 Q. The last you had heard of it,

21 was there was some contact you had

22 received in the 1980s?

23 A. Yes. That's what I recall.

24 Q. Okay. And again, why was this

25 on the list?

12

1 V.J. BUONANNO

2 A. It was on the list as a provider

3 of any environmental matters that were

4 open issues, I believe.

5 Q. What do you mean by open issues?

6 A. Any contacts made with our

7 company about environmental concerns.

8 Q. And by open, you mean what?

9 A. Perhaps unresolved. I'm not

10 sure.

11 Q. What business was actually

12 conducted by NEC at this site in Florida?

13 A. We never conducted business in

14 Florida. We sold reconditioned,

15 reprocessed steel drums to them which they

16 sold to their customers.

17 Q. I was confused only by the

18 language which said "business conducted by

19 NEC at this customer site." That's

20 perhaps where I got confused.

21 A. That's misleading language.

22 Containers sold, that means conducting

23 business.

24 Q. The next on the list is Central

25 Steel Drum. What's that about?

13

1 V.J. BUONANNO

2 A. Central Steel Drum was a drum

3 reconditioning company which had

4 environmental problems and all companies

5 which had done business with it were

6 contacted for potential issues.

7 Q. What business had NEC done with

8 Central Steel Drum?

9 A. We had sold reconditioned drums

10 to Central Steel Drum.

11 Q. And similar to the one before

12 it, that's what you meant by business

13 conducted --

14 A. Yes.

15 Q. -- at customer site?

16 A. Yes.

17 Q. When had you received the

18 inquiry from the EPA regarding Central

19 Steel Drum?

20 A. I would guess the decade of the

21 nineties.

22 MR. SHERMAN: Don't guess. Just

23 give your best recollection.

24 Q. Yes, but if you can approximate,

25 approximate. If you can't, you can't.

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1 V.J. BUONANNO
2 Do you remember, was it within a
3 year or two of signing the stock
4 repurchase agreement or was it before
5 then?
6 A. I don't recall.
7 Q. What was the nature of the
8 inquiry?
9 A. I don't remember it.
10 Q. Was it made to you or was it
11 made to someone else at NEC?
12 A. I would guess, I mean, I don't
13 know.
14 Q. And why again is Central Steel
15 Drum on this list?
16 A. Central Steel Drum had
17 environmental problems, and companies
18 which did business with them were
19 contacted.
20 Q. Other than being contacted, was
21 there any other information you had
22 regarding NEC's potential involvement in
23 the Central Steel Drum matter before you
24 signed the stock repurchase agreement?
25 A. I don't recall any contact.

15

1 V.J. BUONANNO
2 Q. Gallop Quarry, what is that all
3 about?
4 A. I don't know.
5 Q. Was Gallop Quarry a location
6 where NEC operated at any point in time?
7 A. I have no recollection of it at
8 any time.
9 Q. Do you know if it was a customer
10 of NEC, Gallop Quarry?
11 A. It could have been.
12 Q. Do you have any idea why this is
13 on the list?
14 A. I don't.
15 Q. Did you speak with anyone at
16 Edwards & Angell about this list before it
17 was provided?
18 A. I'm sure that I read it.
19 Q. But the question was a little
20 broader. Do you remember speaking with
21 anyone from Edwards & Angell about the
22 list before it was provided?
23 A. I don't remember that.
24 Q. Since you don't know anything
25 about Gallop Quarry, you don't know why

16

1 V.J. BUONANNO
2 it's on the list?
3 A. I can't recall.
4 Q. All right. Bayonne Barrel, what
5 is that about?
6 A. Bayonne Barrel was a company
7 which we did business with and which had
8 environmental issues.
9 Q. What were those environmental
10 issues?
11 A. The Bayonne Barrel site in New
12 Jersey was cited for environmental
13 cleanup.
14 Q. Do you know what time period
15 that was when they were cited?
16 A. The 1980s.
17 Q. Did you receive an inquiry from
18 the EPA regarding Bayonne Barrel?
19 A. I can't recall.
20 Q. After the eighties decade, do
21 you remember any other contact from
22 anybody regarding Bayonne Barrel prior to
23 the stock repurchase agreement?
24 A. The general response of the
25 company where we sold reconditioned drums

17

1 V.J. BUONANNO
2 to people was to respond that we were
3 not -- we had no environmental
4 responsibility at their site. So I
5 believe that was the standard response to
6 these kinds of inquiries.
7 Q. Was there any contact, though,
8 in the nineties regarding Bayonne Barrel
9 that you remember?
10 A. I don't recall it.
11 Q. So you think it was sometime in
12 the eighties that you got some kind of
13 inquiry from the EPA?
14 A. I'm not clear about the year.
15 Q. Years are hard and decades can
16 be harder. As I get older, it's harder.
17 It didn't used to be so hard to pin it
18 down.
19 A. I agree.
20 Q. What happened to Bayonne Barrel;
21 did it have to pay any money or anything?
22 A. I don't think so. Bayonne
23 Barrel went out of business.
24 Q. And the EPA never further
25 pursued it with the company?

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1 V.J. BUONANNO
 2 A. No, I don't think so.
 3 Q. And it was NEC's position that
 4 NEC didn't have any responsibility because
 5 of what, what was the reason?
 6 A. Because we never contributed to
 7 their pollution problems.
 8 Q. All you did was sell them
 9 reconditioned drums; is that correct? You
 10 have to say it.
 11 MR. SHERMAN: You have to
 12 answer.
 13 MR. CLASEN: Read him back the
 14 question.
 15 (The requested portion of the
 16 record was read.)
 17 A. No. We also had a period in the
 18 1980s when we when we bought drums from
 19 them and we assisted them in operations,
 20 but we -- but the cleanup operation was --
 21 I can't remember the years. I don't know.
 22 Q. How did you assist them in their
 23 operations?
 24 A. We had a period when we located
 25 a manager there to recondition drums, to

1 V.J. BUONANNO
 2 manage the reconditioning operations for a
 3 period of weeks, while we were considering
 4 the acquisition of the company.
 5 Q. And why, again, is Bayonne
 6 Barrel on the list?
 7 A. Bayonne Barrel is on the list
 8 because we sold containers to Bayonne
 9 Barrel and in environmental cleanups
 10 companies are contacted that sold
 11 containers.
 12 Q. Next one is State of Rhode
 13 Island DEM 12/29/93. What is that about?
 14 A. I believe it's about VOC
 15 emissions.
 16 Q. And more precisely what about
 17 the VOC emissions, where were they
 18 occurring?
 19 A. Reconditioning plants coat steel
 20 drums when they recondition and can create
 21 air emissions from coating operations.
 22 New England Container was involved in
 23 standard regulatory review of our VOC
 24 emissions limitations.
 25 Q. From what I can tell from

1 V.J. BUONANNO
 2 reading this, there was a notice of
 3 violation issued to New England Container.
 4 A. Yes.
 5 Q. For what site?
 6 A. For Smithfield, Rhode Island.
 7 Q. For what period of time, the
 8 current operations in '93?
 9 A. The operations in '93 it must
 10 have been.
 11 Q. I notice it says here, "decision
 12 reversed. No further action." Do you
 13 know what that means?
 14 A. Yes. I remember that the State
 15 of Rhode Island DEM gave us a notice of
 16 violation that we exceeded emissions and
 17 it was later found out to be in error and
 18 so they reversed their decision.
 19 Q. Do you remember approximately
 20 when they reversed their decision?
 21 A. I don't, but this is the notice
 22 of violation. I don't know how long it
 23 took for them to reverse it.
 24 Q. As of July 21, 1998, they had
 25 reversed their decision though, right?

1 V.J. BUONANNO
 2 A. Yes.
 3 Q. Do you know how many years
 4 before that they had done that?
 5 A. A number of years.
 6 Q. Why is this one on the list?
 7 A. I assume because we were asked
 8 to put all environmental issues in this
 9 report.
 10 Q. Now, the next one is State of
 11 Rhode Island DEM. It says 242897 and
 12 61897. What is that item about?
 13 A. It appears to be a complaint of
 14 excess visible emissions and objectionable
 15 odors.
 16 Q. Do you remember what actually
 17 happened here?
 18 A. I do not.
 19 Q. Do you know which site it was
 20 involved with?
 21 A. It would have been Smithfield.
 22 Q. And do you know what emissions
 23 we're talking about and the odors?
 24 A. I don't.
 25 Q. It says, "no further action."

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1 V.J. BUONANNO
2 Do you know what's meant by that?
3 A. It means that a report -- a
4 complaint had been made and investigated
5 and the state had determined that no
6 further action was required.
7 Q. Do you know when the state made
8 that determination?
9 A. No idea.
10 Q. I take it it was before July of
11 '98?
12 A. I don't know.
13 Q. You don't know. Okay. Why is
14 this on the list?
15 A. Perhaps it wasn't resolved.
16 Q. City of Richmond Department of
17 Public Utilities Division of Waste Water
18 Treatment. That's the next item listed.
19 What's that about?
20 A. We acquired and operated a drum
21 reconditioning plant in Richmond, Virginia
22 which was given a notice of violation of
23 noncompliance with discharged limits.
24 Q. Do you remember when that
25 occurred, when you got the notice of the

23

1 V.J. BUONANNO
2 violation?
3 A. In the 1990s.
4 Q. And I see your tank farm
5 installation schedule to remedy the
6 situation. What is meant by that?
7 A. It's meant that the remedy was a
8 solution such as this which was scheduled
9 to remedy the situation. Apparently, it
10 wasn't complete, which is why it's here.
11 Q. Why is it on the list?
12 A. Because it was an environmental
13 issue that we were asked to provide a list
14 of.
15 Q. Now, the Centerdale matter, is
16 that a place where NEC operated?
17 A. Yes.
18 Q. You are familiar with the site?
19 A. Yes.
20 Q. Why isn't it on the list?
21 A. There were no environmental
22 issues with Centerdale.
23 Q. If, subsequent to July of '98
24 and I was asking why it wasn't on the list
25 as of this day, obviously, subsequent to

24

1 V.J. BUONANNO
2 July '98, did you become aware that there
3 were certain actions taken by EPA and
4 others with respect to Centerdale?
5 A. In 1999.
6 Q. That's subsequent to '98.
7 Including '99, 2000, 2001 subsequent to
8 today.
9 A. Yes, I did.
10 Q. Subsequent to the date of this
11 which is Exhibit 9, the agreement?
12 A. Yes.
13 Q. You became aware of certain
14 things, right?
15 A. Yes.
16 Q. If you knew then what you know
17 today, would you have put it on the list?
18 MR. SHERMAN: Objection.
19 THE WITNESS: Can I answer it?
20 A. Yes.
21 Q. What is it that you know today
22 that would have caused you to put it on
23 the list?
24 A. I know that New England
25 Container was notified as a potential

25

1 V.J. BUONANNO
2 responsible party.
3 Q. Anything else that you know
4 today that you didn't know then that would
5 have led you to put it on the list?
6 A. No.
7 Q. Had you known that the property
8 was listed on any superfund sites, circled
9 lists or anything like that, would that
10 have led you to put it on the list?
11 MR. SHERMAN: Had he known at
12 the time you mean?
13 MR. CLASEN: Yes.
14 Q. Had you known in July of '98.
15 A. Yes.
16 Q. What's -- let me follow up a
17 little bit on the preparation of this list
18 before we get away from it. You mentioned
19 that either Mr. Costa or Mr. D'Onofrio
20 were probably the point people putting
21 together this information, correct?
22 A. Correct.
23 Q. What was Mr. Costa's role in
24 1998 at NEC?
25 A. Mr. Costa was manager of

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1 V.J. BUONANNO
 2 operations.
 3 Q. And as manager of the operation,
 4 what did he do?
 5 A. His responsibility was
 6 everything related to production,
 7 machinery and equipment, environmental
 8 compliance, production, personnel.
 9 Q. For how long had he held that
 10 position as of July '98?
 11 A. For about 20 years.
 12 Q. Did he start with the company at
 13 that time, about 20 years before that?
 14 A. Correct.
 15 Q. And he basically held the same
 16 position for about 20 years?
 17 A. Yes.
 18 Q. So that's about 1978 when he
 19 started?
 20 A. Maybe a little before that.
 21 Q. Do you know if he knew about any
 22 of the operations of the company before
 23 that were -- strike that, terribly
 24 phrased.
 25 Do you know if he had any

27

1 V.J. BUONANNO
 2 knowledge about the company's operations
 3 for the period before he became employed
 4 at NEC?
 5 A. I don't know.
 6 Q. How about Mr. D'Onofrio, when
 7 did he start with the company?
 8 A. He started in about 1996, I
 9 believe.
 10 Q. What was his position in July of
 11 '98?
 12 A. Chief financial officer.
 13 Q. And why did you, if you did,
 14 it's the and/or, but if you did ask him to
 15 be involved in preparing this list, why
 16 would you have asked him to do it?
 17 A. His responsibility as chief
 18 financial officer was to manage all of the
 19 document records of the company. So
 20 although he did not have responsibilities
 21 in this area, he had record keeping
 22 supervision of all our files, government
 23 files, financial files, personnel files.
 24 And he was the point man in assembling the
 25 files for the acquisition.

28

1 V.J. BUONANNO
 2 Q. And he started with the company
 3 in '96?
 4 A. About.
 5 Q. Do you know what involvement he
 6 had with the company's operations before
 7 he started?
 8 A. No.
 9 Q. Who held Mr. Costa's job
 10 immediately before Mr. Costa started with
 11 NEC?
 12 A. I can't recall the previous
 13 plant manager's name.
 14 Q. Now, one of the things you said
 15 Mr. Costa was in charge of was
 16 environmental compliance?
 17 A. Yes.
 18 Q. And I take it he was in charge
 19 of environmental compliance at least from
 20 when he started to at least the
 21 acquisition?
 22 A. Perhaps that responsibility came
 23 later.
 24 Q. Who had the responsibility
 25 before him? Obviously I'm talking about

29

1 V.J. BUONANNO
 2 immediately before.
 3 MR. SHERMAN: This is about
 4 environmental compliance?
 5 MR. CLASEN: Yes.
 6 A. I don't recall.
 7 Q. Do you remember when he got that
 8 responsibility, "he" being Mr. Costa and
 9 the responsibility being for environmental
 10 compliance?
 11 A. In the 1980s I would assume.
 12 Q. Was there someone in charge of
 13 environmental compliance before Mr. Costa?
 14 A. No.
 15 Q. We cleared that up. Okay.
 16 Did you ever have any role in
 17 environmental compliance?
 18 A. As president of the company, I
 19 had responsibility for it.
 20 Q. And what responsibility was
 21 that?
 22 A. To make sure that my managers
 23 and our operations were in compliance with
 24 environmental laws.
 25 Q. And before you had someone

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1 V.J. BUONANNO
 2 actually in charge of environmental
 3 compliance, how did you handle making sure
 4 the company was in compliance with the
 5 environmental laws?
 6 A. It would likely have been a
 7 shared responsibility of many people in a
 8 small company.
 9 Q. Who would these people be; who
 10 were these people?
 11 A. Production foremen, maintenance
 12 chiefs, yard foremen.
 13 Q. In 1998, where were the
 14 operations of NEC located?
 15 A. Smithfield, Rhode Island,
 16 Baltimore, Maryland and Richmond,
 17 Virginia.
 18 Q. And for how long had they been
 19 operating out of Smithfield?
 20 A. Since 1969 or '70.
 21 Q. And the operations of Smithfield
 22 before 1969 were being performed at
 23 Centerdale?
 24 A. Yes.
 25 Q. For how long was the company

1 V.J. BUONANNO
 2 operating at Centerdale?
 3 A. Since about 1950.
 4 Q. When did it cease operations at
 5 Centerdale?
 6 A. 1969 or '70.
 7 Q. Was there an overlap where you
 8 were operating in both facilities?
 9 A. Yes.
 10 Q. For how long were you
 11 operating -- and by both facilities I'm
 12 talking about Smithfield and Centerdale.
 13 How long was there an overlap?
 14 A. A period of months.
 15 Q. And why was there an overlap?
 16 A. There was a machine required at
 17 Smithfield that had not yet been
 18 completed.
 19 Q. That was what?
 20 A. A drum furnace.
 21 Q. So for a period of time those
 22 operations continued at Centerdale?
 23 A. Yes.
 24 Q. What exactly are the furnaces
 25 that you described?

1 V.J. BUONANNO
 2 A. A drum reclamation furnace is a
 3 defined piece of drum reconditioning
 4 equipment which takes an empty container
 5 and exposes it to open gas flame, which
 6 removes the paint coatings and some final
 7 residues which may adhere to the
 8 container, and then to advance the
 9 container on a conveyor to steel drum shot
 10 blasting.
 11 Q. It's just part of the process?
 12 A. Right. It's just one machine.
 13 Q. That part was still done at
 14 Centerdale?
 15 A. Yes.
 16 Q. For the overlap?
 17 A. Yes.
 18 Q. At some point in time, the
 19 machine was operating?
 20 A. Some period of months.
 21 Q. In Smithfield?
 22 A. Correct.
 23 Q. Now, how long have you been with
 24 the company?
 25 A. Since 1967.

1 V.J. BUONANNO
 2 Q. Now, prior to 1967, did you ever
 3 work at all for a company?
 4 A. Yes, I did.
 5 Q. In fact, why don't we just get a
 6 couple of the relationships. When you
 7 started in 1967, who owned NEC?
 8 A. NEC was owned by Bernard --
 9 well, my father in partnership with Metro
 10 Atlantic Chemical.
 11 Q. And Metro Atlantic was owned by?
 12 A. A group of businessmen.
 13 Q. Who were the group of
 14 businessmen?
 15 A. I don't know all their names,
 16 but one of them was Joseph Buonanno, my
 17 uncle, another was Hugh Bonino, another
 18 was -- I don't know the other names.
 19 Q. Now, just so I'm -- I've got
 20 your uncle and your father and you. Any
 21 other Buonannos working at Metro Atlantic
 22 or NEC?
 23 A. My uncle's son, Jay Buonanno,
 24 worked at Metro Atlantic.
 25 Q. Your cousin?

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1 V.J. BUONANNO
 2 A. Yes, but not at New England
 3 Container.
 4 Q. How long did he work there?
 5 A. Perhaps 20 years.
 6 Q. Do you know what period?
 7 A. 1960s to 1980s.
 8 Q. So we've got your father, your
 9 uncle, your cousin and you. Any other
 10 Buonannos?
 11 A. We're not in the same company.
 12 Q. No, no, at the Centerdale
 13 center.
 14 A. That needs to be clarified.
 15 Q. You want to clarify it for us?
 16 A. Sure. I worked at NEC and my
 17 father was part owner of it, but the
 18 company had a general manager.
 19 Q. Did your dad work for NEC?
 20 A. He took a salary from it, had
 21 some responsibilities there as a part
 22 owner.
 23 Q. But where was his principal
 24 work?
 25 A. Metro Atlantic.

35

1 V.J. BUONANNO
 2 Q. And that was for as long as you
 3 could remember --
 4 A. Yes.
 5 Q. -- or did that change?
 6 A. As long as I could remember.
 7 Q. How old are you?
 8 A. I'm 60.
 9 Q. Sixty, okay. And how long?
 10 A. How long what?
 11 Q. I was going to say how long can
 12 you remember.
 13 MR. SHERMAN: Don't answer.
 14 Q. I don't want that question
 15 coming back at me either.
 16 Metro Atlantic, let's talk a
 17 little bit about that for a second. Who
 18 was running the day-to-day operations of
 19 Metro Atlantic?
 20 MR. SHERMAN: At what period of
 21 time are we talking about?
 22 MR. CLASEN: Let's say in the
 23 sixties.
 24 A. My father, Bernard and Joseph
 25 Buonanno.

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1 V.J. BUONANNO
 2 Q. Now, your cousin Jay, that's his
 3 name?
 4 A. Yes.
 5 Q. What was he doing in the
 6 sixties?
 7 A. He was a salesman.
 8 Q. Salesman. Did he subsequently
 9 take a different role at Metro Atlantic?
 10 A. Not that I know of.
 11 Q. When did he stop being with
 12 Metro Atlantic?
 13 A. I don't recall.
 14 Q. What is he doing today; do you
 15 know?
 16 A. He's retired.
 17 Q. Are you close with your cousin
 18 or during this period were you close?
 19 A. Not particularly.
 20 Q. I'm not trying to pry.
 21 A. Sure.
 22 Q. I'm just trying to figure out
 23 what you know about him.
 24 A. He's a retired salesman.
 25 Q. Now, your uncle and your dad

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1 V.J. BUONANNO
 2 were running the Metro Atlantic facility.
 3 You didn't give me a name, but who in the
 4 sixties was running New England Container?
 5 A. John Mikucki.
 6 Q. For how long had he been running
 7 NEC?
 8 A. M-i-k-u-c-k-i.
 9 Q. For how long had he been running
 10 NEC?
 11 A. Perhaps since 19 -- since the
 12 1950s. I don't recall the exact dates.
 13 Q. And thereafter, when did he
 14 cease running NEC?
 15 A. He remained until the move to
 16 Smithfield.
 17 Q. And then what happened to
 18 Mr. Mikucki?
 19 A. He left our plant.
 20 Q. And that was in the '69, '70
 21 time frame?
 22 A. I believe so.
 23 Q. Now, in 1967 when you started
 24 working full-time -- it's full-time that
 25 you started working, correct?

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1 V.J. BUONANNO
2 A. Correct.
3 Q. How many employees did NEC have?
4 A. Perhaps 15.
5 Q. Now, the 15 employees -- and I'm
6 not going to ask you all the names -- but
7 how did they break out into who was doing
8 what? By that I mean a couple of
9 salesman, administrative people, guys
10 doing reconditioning, if you can break it
11 down for the 15 guys like that.
12 A. The manager, perhaps 12
13 laborers, perhaps three truck drivers.
14 Q. Now, the manager is Mikucki,
15 right?
16 A. Yes.
17 Q. And the 12 laborers, the other
18 people are actually doing the
19 reconditioning, doing the reconditioning
20 process?
21 A. Yes.
22 Q. And the truck drivers, they were
23 doing the deliveries back and forth of the
24 containers?
25 A. Yes.

39

1 V.J. BUONANNO
2 Q. Anybody else working there?
3 A. I can't recall anybody else. A
4 secretary, a mechanic. I can't recall
5 anybody else.
6 Q. Prior to 1967, you worked
7 full-time. You mentioned occasionally you
8 worked part-time at NEC, right?
9 A. Yes.
10 Q. When did you first start working
11 part-time?
12 A. I'm not certain, but I think
13 1960.
14 Q. When you started in '97 --
15 pardon me -- in '67, how old were you
16 then?
17 A. In '67 I was 23.
18 Q. So, and you think you may have
19 first started working part-time in 1960?
20 A. I guess I was 24.
21 Q. Twenty-four. Seventeen?
22 A. Yes.
23 Q. And what was the nature of this,
24 was this working during the summers?
25 A. In the sixties?

40

1 V.J. BUONANNO
2 Q. In the sixties.
3 A. In the sixties I was a summer
4 worker, yes.
5 Q. Did you work during breaks
6 during the school year also?
7 A. In summer and some breaks.
8 Q. During that period of time, was
9 that basically your summer job?
10 A. Yes.
11 Q. And you started when you were
12 17; is that about right?
13 A. Yes.
14 Q. When you started when you were
15 17, what were you doing?
16 A. I was loading drums from trucks
17 and unloading drums from trucks and I was
18 driving a truck.
19 Q. Working outside basically?
20 A. Working outside.
21 Q. In the summer that's not a bad
22 job. You get a tan.
23 A. It's hard work.
24 Q. I believe it. I had a similar
25 job myself, not tanks, but stainless

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1 V.J. BUONANNO
2 steel.
3 Were you living at home at the
4 time?
5 A. I was.
6 Q. Were you living at home the
7 whole time?
8 A. Yes.
9 Q. Until 19 -- when did you move
10 away from home?
11 A. When I went to work in 1967,
12 except for being away at college.
13 Q. Right. I'm assuming you went to
14 Brown?
15 A. Yes.
16 Q. I'm just trying to -- you were
17 living at home when you were in Rhode
18 Island when you were not in school?
19 A. Right.
20 Q. Your dad was living there, I
21 assume?
22 A. Father and mother.
23 Q. Now, the summer job, was the
24 summer job pretty much the same the
25 summer -- and we'll call it break job --

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1 V.J. BUONANNO
 2 pretty much the same the whole time
 3 period?
 4 A. Yes.
 5 Q. You drive the trucks and you do
 6 some deliveries and you load them and
 7 unload them. How about doing any of the
 8 cleaning and reconditioning, did you get
 9 involved in that at all?
 10 A. I worked occasionally in the
 11 shop a little bit.
 12 Q. Now, who was -- the foreman is
 13 Mikucki also?
 14 A. John Mikucki.
 15 Q. He was doing everything?
 16 A. Small place.
 17 Q. When he took his vacations, who
 18 took over for him?
 19 A. I have no idea.
 20 Q. During the summer, did he take
 21 vacations; do you remember?
 22 A. I don't recall anyone taking a
 23 vacation in those days.
 24 Q. Come on. It's not that long
 25 ago.

1 V.J. BUONANNO
 2 A. I don't recall him being away.
 3 Q. So you don't know who would have
 4 been the second in command? Let me put it
 5 that way.
 6 A. Perhaps a truck driver, Earl
 7 Taylor.
 8 Q. Now, let me just understand what
 9 the operations in the sixties was when you
 10 were doing this part-time at New England
 11 Container. Could you tell me basically
 12 what you remember of their operations?
 13 A. Well, the company reconditioned
 14 drums which means that it went out and
 15 collected drums on trucks from customers,
 16 and delivered clean drums to customers and
 17 most of the raw material to process the
 18 drums came from the same people that we
 19 sold the drums to. So it was a cycle,
 20 delivering and picking up at the same
 21 time.
 22 Q. When you say the raw material,
 23 you mean the --
 24 A. The drum.
 25 Q. -- the uncleaned drums and then

1 V.J. BUONANNO
 2 you delivered the clean drums?
 3 A. That's right.
 4 Q. Back to the same people?
 5 A. Yes.
 6 Q. Or reconditioned?
 7 A. Right, reconditioned drums,
 8 right.
 9 Q. Who was the principal customer
 10 of --
 11 A. Metro Atlantic.
 12 Q. I want to say principal. Did
 13 you have a feel for what the volume was
 14 for Metro Atlantic versus the other
 15 customers?
 16 A. More than half.
 17 Q. What was Metro Atlantic doing in
 18 the sixties?
 19 A. They were producing textile
 20 chemicals.
 21 Q. What sort of textile chemicals?
 22 A. They made liquids to wash
 23 fabrics and they made liquids to treat
 24 fabrics, to soften them or to stiffen them
 25 or to waterproof them.

1 V.J. BUONANNO
 2 Q. Did you know what type of
 3 chemicals these were?
 4 A. No.
 5 Q. What were they used for, they
 6 were used to soften, stuff like that?
 7 A. Yes.
 8 Q. This is what your dad -- this is
 9 what he was really involved in?
 10 A. That's right.
 11 Q. Did you talk shop at home very
 12 much?
 13 A. No, we didn't.
 14 Q. Hopefully you at least knew what
 15 your father did?
 16 A. Sure.
 17 Q. And something about these
 18 operations?
 19 A. Sure.
 20 Q. As a kid, and as a kid now I'm
 21 thinking pre-1960, had you ever visited
 22 the operation of Metro Atlantic or New
 23 England Container?
 24 A. Well, before 1960, I wasn't 17
 25 years old. I may have gone with my father

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1 V.J. BUONANNO
 2 to the office once or twice as a kid.
 3 Q. What did you know, before you
 4 started actually in NEC, about the
 5 operations of NEC or Metro Atlantic?
 6 A. I knew nothing about Metro
 7 Atlantic. But I knew about NEC because I
 8 worked there in the summer of 1960 and
 9 '61. So when I started my job in 1967, I
 10 knew something about it.
 11 Q. Because you had been there since
 12 1960?
 13 A. No. I had been there
 14 intermittently.
 15 Q. I know it wasn't full-time. You
 16 had a part-time summer job and during
 17 vacations?
 18 A. Yes.
 19 Q. Why was it that you worked for
 20 New England Container instead of Metro
 21 Atlantic during the summers?
 22 A. It was a company my father owned
 23 part of.
 24 Q. Didn't your dad own Metro
 25 Atlantic?

47

1 V.J. BUONANNO
 2 A. No, no ownership.
 3 Q. No ownership there at any time?
 4 A. No.
 5 Q. Now, other than Metro Atlantic,
 6 and now I'm just talking about the
 7 pre-1967 time frame, do you remember any
 8 other customers of New England Container
 9 that you were picking up drums to and
 10 delivering drums to?
 11 A. Yes.
 12 Q. And who were they?
 13 A. I remember Crown Chemical.
 14 Q. Anybody else?
 15 A. Original Bradford.
 16 Q. I'm sorry?
 17 A. Soap company. Original Bradford
 18 Soap.
 19 Q. Okay.
 20 A. American Hoechst.
 21 Q. Okay.
 22 A. And I remember Eastern Color &
 23 Chemical.
 24 Q. Eastern Color & Chemical or
 25 printing?

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1 V.J. BUONANNO
 2 A. Coloring chemical.
 3 Q. Okay. Anybody else?
 4 A. Rhode Island Chemical. That's
 5 what I could remember.
 6 Q. Again, this is just that
 7 pre-1967 period. What was Cron Chemical,
 8 where were they located; do you know?
 9 A. They were in Providence.
 10 Q. Do you know what -- were you
 11 reconditioning tanks for them?
 12 A. Drums.
 13 Q. Drums. Pardon me.
 14 A. They made textile chemicals.
 15 Q. What type of textile chemicals?
 16 A. Similar to New England -- to
 17 Metro Atlantic.
 18 Q. Do you know what sort of volume
 19 of business?
 20 A. No, I have no idea.
 21 Q. Do you remember in the summers
 22 how often you'd go there?
 23 A. Oh, volume of drum business?
 24 Q. Yes.
 25 A. Perhaps we'd deliver them a

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1 V.J. BUONANNO
 2 hundred drums in a week.
 3 Q. And was it the same deal, you
 4 would be picking up the drums that needed
 5 to be reconditioned and --
 6 A. Yes.
 7 Q. With respect to volume, I'm
 8 going to ask you the same questions. I
 9 assume you didn't know the finances in the
 10 1960s?
 11 A. I did not.
 12 Q. You were a young man having a
 13 summer job and doing what you could,
 14 correct?
 15 A. Correct.
 16 Q. The next one you mentioned was
 17 Original Bradford?
 18 A. Yes.
 19 Q. What was the nature of the work
 20 NEC was doing for them?
 21 A. We supplied them with steel
 22 drums which they filled with liquid-soaps.
 23 Q. Did you recondition their drums,
 24 too?
 25 A. And we received empty containers

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1 V.J. BUONANNO

2 from them.

3 Q. What type of liquid soap; do you

4 know?

5 A. Soaps used in many cleaning

6 operations, including textile washing.

7 Q. Anything else you remember about

8 them?

9 A. No, I don't.

10 Q. What was the volume of that?

11 A. Perhaps we made 50 drums a week

12 for them.

13 Q. The next one was American

14 Hoechst and what was the nature of NEC's

15 business with them in the sixties?

16 A. We sold them drums which they

17 used for powders to transport within their

18 company.

19 Q. What type of powders?

20 A. Dye stuff powders.

21 Q. What is a dye stuff powder?

22 A. It's a powder that you make dyes

23 with.

24 Q. To dye what, like clothes?

25 A. Clothes, colors.

51

1 V.J. BUONANNO

2 Q. Colors, okay. The next one was

3 Eastern Color & Chemical.

4 A. Yes.

5 Q. What was the nature of NEC's

6 operations with them?

7 A. We sold steel drums from them --

8 to them and we bought empty containers

9 from them and they made colors and

10 chemicals.

11 Q. What type of chemicals?

12 A. I don't know.

13 Q. Were these colors for what,

14 printing?

15 A. Printing, textile printing

16 mostly.

17 Q. What's textile printing?

18 A. (Indicating).

19 Q. Like your tie you're referring

20 to which has a pattern on it?

21 A. Yes.

22 Q. It's like really you have to

23 give more of a description. I forgot to

24 ask you this one before. American

25 Hoechst, what was the volume with them?

52

1 V.J. BUONANNO

2 A. Perhaps 200 containers per week.

3 Q. And Eastern Color, what was the

4 volume for them?

5 A. I don't recollect.

6 Q. Was that a big customer or

7 relatively small customer, if you can

8 remember? Just in the sixties we're

9 talking about.

10 A. The whole operation was small.

11 Q. The whole operation of New

12 England Container you mean?

13 A. Yes.

14 Q. Let me do Rhode Island Chemical

15 and we'll talk about the operation. What

16 about Rhode Island Chemicals, what was the

17 volume of business NEC did with them in

18 the 1960s time frame?

19 A. I only remember their name and

20 the location, but I don't remember what

21 their operations were.

22 Q. Where was the location?

23 A. In Woonsocket, Rhode Island.

24 Q. What do you remember about the

25 volume, if you know anything about that?

53

1 V.J. BUONANNO

2 A. I remember it was a small

3 company.

4 Q. Describe for me the general and

5 then we'll give into the specifics of the

6 operation of NEC in the '60 to '67 time

7 frame. That tried to be a question.

8 A. We received empty containers

9 from our own trucks and we processed them

10 through a series of sequential steps,

11 cleaning, metal working, straightening of

12 dents, and finishing, which is painting,

13 baking; three processes, cleaning, metal

14 working and finishing.

15 Q. Now, and again, let's talk about

16 the pre-'67 time frame. NEC would

17 actually purchase these containers,

18 right --

19 A. Yes.

20 Q. -- the drums?

21 And after they finished the

22 process, they would actually sell them,

23 usually back to the same person they

24 bought them from?

25 A. Yes.

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1 V.J. BUONANNO
 2 Q. That makes it nice and easy.
 3 Now, what was the general volume
 4 of business for NEC in these days?
 5 MR. SHERMAN: You're talking
 6 about pre-1967?
 7 MR. CLASEN: Yes, pre-1967.
 8 MR. SHERMAN: Total volume of.
 9 Q. When you talk about volume, it's
 10 not going to be number of tanks or drums,
 11 the number of drums you sold, however you
 12 can quantify that question.
 13 MR. SHERMAN: To the extent that
 14 you can recall.
 15 A. To the extent that I can recall,
 16 since I was working weeks at a time, not
 17 years, I recall that we would produce
 18 perhaps a thousand drums a week.
 19 Q. Let's describe the process, if
 20 you could, that you just generally gave
 21 us. Again, this is in that '60 to '67
 22 time frame.
 23 MR. SHERMAN: Before we get to
 24 that, would you mind if we took a five
 25 minute break?

1 V.J. BUONANNO
 2 MR. CLASEN: Sure. Any time you
 3 want a break.
 4 (Whereupon, a recess was taken
 5 at 11:01 a.m. and the Deposition
 6 continued at 11:07 a.m.)
 7 (The requested portion of the
 8 record was read.)
 9 Q. Again, the question is -- all
 10 these questions are going to deal with
 11 that '60 to '67 time frame. We'll take
 12 them one step at a time. You mentioned
 13 the first thing was the cleaning process.
 14 What did that involve?
 15 A. We cleaned containers by furnace
 16 treating them.
 17 Q. Let me ask you to be more
 18 specific. You're one of the guys that
 19 drove over to Metro and the other places.
 20 You picked up the drums, you put them on
 21 the truck, you drove them back to New
 22 England Container. You're with me so far?
 23 A. Yes.
 24 Q. You get back there. What do you
 25 do next? You're the one actually

1 V.J. BUONANNO
 2 unloading them in the beginning?
 3 A. Probably. The truck driver
 4 would roll them to a yard man.
 5 Q. I'm talking about the summer
 6 jobs.
 7 A. Yes.
 8 Q. So the truck guy would move them
 9 to the yard man?
 10 A. He rolled them over and stood
 11 them up in an area waiting for the
 12 furnace.
 13 Q. What happened next?
 14 A. Then the container was fed into
 15 the furnace.
 16 Q. When you got these containers,
 17 they didn't have lids on them anymore, or
 18 did they?
 19 A. They did have lids on them.
 20 Q. So somebody had to take the lid
 21 off, right?
 22 A. Yes.
 23 Q. So they took the lids off. Then
 24 what did they do next?
 25 A. They fed them into the furnace.

1 V.J. BUONANNO
 2 Q. Now, when they rolled them down,
 3 the guy unloaded them. He unloaded them
 4 to where at the site?
 5 A. To an area near the furnace.
 6 Q. And he rolls it down off the
 7 truck and then stands it upright; is that
 8 correct?
 9 A. Yes.
 10 Q. Then somebody -- whose job was
 11 it to take the lids off?
 12 A. The yard man.
 13 Q. Did you ever have that job
 14 taking the lids off?
 15 A. I think I took off lids.
 16 Q. Now, the lids get taken off.
 17 The drum is still standing upright?
 18 A. Yes.
 19 Q. And it's somewhere near the
 20 furnace at this point in time?
 21 A. Yes.
 22 Q. How close to the furnace?
 23 A. About 10 feet.
 24 Q. So it has to get 10 feet to the
 25 furnace?

1 V.J. BUONANNO
 2 A. Yes.
 3 Q. How does it get there?
 4 A. You can roll a drum. You can
 5 roll a drum on its edge.
 6 Q. So you lean it down just a
 7 little bit so you can get it rolling and
 8 then you roll it?
 9 A. Correct.
 10 Q. Did you ever do that?
 11 A. Yes.
 12 Q. And again, it's the same time
 13 frame we're talking about. So you roll it
 14 to -- now you roll it to the edge of the
 15 furnace?
 16 A. Yes.
 17 Q. Then what happens next?
 18 A. Then you would place it on the
 19 container conveyer.
 20 Q. You have to flip it over?
 21 A. Yes.
 22 Q. And you put it on some sort of
 23 conveyer belt?
 24 A. Yes.
 25 Q. Is that what it rides on?

1 V.J. BUONANNO
 2 A. It rides through the furnace.
 3 Q. So now, these are all empty
 4 tanks, right?
 5 A. Yes.
 6 MR. SHERMAN: Drums.
 7 MR. CLASEN: Drums, drums. I'm
 8 sorry. I meant drums and I'm probably
 9 going to say it, but I did this tanks
 10 all day. Tanks equal drums, if I
 11 misspeak again, but I appreciate you
 12 letting me know.
 13 Q. When I say empty, they had
 14 nothing in them or they had very little in
 15 them?
 16 A. Very little or nothing.
 17 Q. Very little or nothing. You
 18 didn't get them when they had a couple of
 19 inches in them, right?
 20 A. No.
 21 Q. When you say very little, what
 22 are you talking about?
 23 A. Visible residues, powders,
 24 sticky materials that adhere to the
 25 interiors.

1 V.J. BUONANNO
 2 Q. Or a little bit at the bottom?
 3 A. For example, glues that would
 4 not pour out to the end and were still
 5 settling, some were on the bottom.
 6 Q. Some residues on the bottom?
 7 A. Yes.
 8 Q. Did you ever flip over a glass,
 9 you empty it down, you stand it up,
 10 there's a little bit on the bottom because
 11 it runs down the side again?
 12 A. Exactly.
 13 Q. Somebody takes a container,
 14 flips it over and puts it on the conveyer?
 15 A. Yes.
 16 Q. You occasionally did that
 17 yourself?
 18 A. Yes.
 19 Q. Now, the conveyer takes it
 20 through the furnace; is that the next
 21 step?
 22 A. Yes.
 23 Q. Describe what the furnace
 24 operation was back at this period.
 25 A. Well, the furnace was a unit

1 V.J. BUONANNO
 2 about 15 feet long with a chain conveyer
 3 which carried the drum through the
 4 furnace. The container was inverted. The
 5 drum was upside down and the blast of the
 6 fire came from the sides, the gas fired
 7 furnace burners.
 8 Q. It was actually blasts of heat?
 9 A. Yes.
 10 Q. Not flames, heat?
 11 A. Flames.
 12 Q. Oh, really. Was it open at both
 13 ends so you could actually see this
 14 happening when you were working there?
 15 A. Somewhat.
 16 Q. So you put the tank -- the drum
 17 on a conveyer belt and then just a blast
 18 of fire would come out?
 19 A. A small blast furnace it was not
 20 a major blast furnace.
 21 Q. Small blast would come out and
 22 heat it up?
 23 A. Yes.
 24 Q. To do what?
 25 A. To remove the paint.

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1 V.J. BUONANNO

2 Q. On the outside of the drum?

3 A. Correct, while it rode along on

4 the conveyer and the -- that's it.

5 Q. The purpose of this blast is to

6 remove the outside paint?

7 A. Yes.

8 Q. So these things, when you got

9 them, you purchased them, you being NEC,

10 they were painted?

11 A. Almost every drum had labels

12 also which needed to be burned off.

13 Q. These were like sticky labels

14 that went on?

15 A. Descriptive labels, company

16 names.

17 Q. And you also had to remove them.

18 They were usually all paint, some color or

19 something?

20 A. Yes.

21 Q. How do you clean the insides,

22 was that further down the line?

23 A. Further down the line.

24 Q. The first thing was a blast of

25 heat comes from the outside and dissolves

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1 V.J. BUONANNO

2 all the paint that's on the thing?

3 A. Yes.

4 Q. What's underneath the conveyer

5 belt?

6 A. Open conveyer. The conveyer is

7 an open chain and there is ash which fell

8 from the drums which gets returned by the

9 conveyer to the entrance.

10 Q. Oh, there's no -- it doesn't

11 fall down at all, it just falls down on

12 the conveyer?

13 A. It falls down on a return

14 conveyer.

15 Q. When you say return conveyer,

16 how does it actually do that?

17 A. Well, if there is a conveyer

18 riding this way, there's a part coming

19 back.

20 Q. When it goes like that, doesn't

21 it drop everything off it?

22 A. It goes along the floor of the

23 furnace and returns the ash to the

24 entrance.

25 Q. When it gets returned, I'm

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1 V.J. BUONANNO

2 assuming this ash is going to be picked up

3 a little along the way?

4 A. Yes.

5 Q. I don't want to jump ahead.

6 After the flash comes and burns off the

7 outside paint and labels, what happens

8 next in this system?

9 A. The drum is fed off into another

10 conveyer and is on its way to another

11 operation.

12 Q. So I should do the ash next.

13 What happens with the paint, all this

14 junk?

15 MR. SHERMAN: You do whatever

16 order you wish.

17 MR. CLASEN: I dry to do the

18 order of the operations so we can

19 figure out how this actually works.

20 Q. You were there. I wasn't. The

21 paint and this ash comes down. The ash

22 comes back along the conveyer and comes to

23 the starting point. What happens to it

24 then?

25 A. It drops into a pit.

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1 V.J. BUONANNO

2 Q. It drops into a pit that's right

3 there?

4 A. Yes.

5 Q. Now, we'll get back to that pit.

6 The drum, the drum now moves to another

7 conveyer?

8 A. Transfers to another conveyer.

9 Q. And where does it go next?

10 A. It goes to a steel shot blaster.

11 Q. And what is a steel shot

12 blaster?

13 A. The steel shot blaster has a

14 series of steel pellets, pellets which is

15 impelled through motors to blast a surface

16 and clean it, much like sandblasting, but

17 with steel shot, steel pellets instead of

18 sand.

19 Q. Now, is that blasting, is it

20 blasting it up into the drum?

21 A. Inside and outside.

22 Q. And outside, too?

23 A. Yes.

24 Q. The heat doesn't totally clean

25 it, you still have to blast the outside?

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1 V.J. BUONANNO
 2 A. Because after furnacing a drum,
 3 the drum now is ash laden, it has ash,
 4 carbonaceous residue, it's powdery, and
 5 blast cleans it to a clean steel surface.
 6 Q. Now, the little metal is like
 7 BBs?
 8 A. Yeah, they're a pellet made from
 9 a scrap of steel.
 10 Q. They stood up at this thing and
 11 fall down on the conveyer belt?
 12 A. They go back to a collection
 13 area and get reused. So they're
 14 constantly recycling the same shot and
 15 filter material out of the dirt.
 16 Q. I mean the blast comes down with
 17 these pellets, they have to fall down?
 18 A. They do.
 19 Q. Where do they fall down?
 20 A. It's an engineering concept of
 21 blasting at a diagonal so the surfaces are
 22 clean and the stuff will bounce back into
 23 a collection area. The same pellet will
 24 go to a ricocheting and is used again as a
 25 fountain -- as water in a fountain is.

1 V.J. BUONANNO
 2 Q. These pellets go into a
 3 collection area. There must be ash and
 4 stuff.
 5 A. There's ash and stuff and they
 6 go through a series of screens which
 7 filter out residue from good pellets.
 8 Q. And where does that happen?
 9 A. It happens within the machine.
 10 Q. And the good pellets, they just
 11 go back into the hopper?
 12 A. Yes.
 13 Q. And the residue and ash?
 14 A. Goes into the dust collector.
 15 Q. Where is the dust collector?
 16 A. The dust collector is adjacent
 17 to the drum blaster.
 18 Q. What is a dust collector?
 19 A. A dust collector is the
 20 collector of the dust which has been
 21 filtered out through the screens which
 22 separates the solid pellets from the ash.
 23 Q. I'm not -- I want to be more
 24 specific. I figured a dust collector was
 25 going to be collecting dust. I meant

1 V.J. BUONANNO
 2 physically what does it look like? That
 3 was my fault.
 4 A. Shot collection residue is a
 5 black carbonaceous dust. It looks like
 6 soot.
 7 Q. And it goes -- and this dust
 8 collector is a big drum?
 9 A. It's a big box with a funnel on
 10 the bottom.
 11 Q. And this stuff goes into the box
 12 and then at the funnel, the funnel is a
 13 way to empty the box?
 14 A. Correct.
 15 Q. What does it get emptied into?
 16 A. It would be emptied into a
 17 dumpster bin.
 18 Q. Were you ever the one emptying
 19 this stuff in the sixties?
 20 A. I don't recall.
 21 Q. What are -- the guys, the people
 22 working on this, I take it they're all
 23 men?
 24 A. Yes.
 25 Q. What were the guys on the line

1 V.J. BUONANNO
 2 doing during this process that you've
 3 described to date? I got somebody
 4 flipping it over occasionally, you do that
 5 and get blasted with the heat and get shot
 6 with the BBs?
 7 A. The shot blaster in that period
 8 was manually fed and unloaded. So a man
 9 needed to put the drum in and another man
 10 took the drum out.
 11 Q. Did you ever do that during that
 12 time period?
 13 A. I have done it.
 14 Q. Again, that time period.
 15 A. Yes.
 16 Q. How about the heating back there
 17 when the flames are hitting this thing,
 18 does a human play any role in that
 19 process?
 20 A. He feeds the container into the
 21 furnace.
 22 Q. And then takes it out?
 23 A. No. It transfers it
 24 automatically.
 25 Q. Now, after the shot blaster,

1 V.J. BUONANNO
 2 what happens to the container next?
 3 A. The container moves to a series
 4 of metal working machines which roll out
 5 dents.
 6 Q. This is the second stage that
 7 you mentioned --
 8 A. Uh-huh.
 9 Q. -- of the process?
 10 A. Metal working.
 11 Q. Metal working, yes. And this is
 12 because some of the tanks -- some of the
 13 drums have dents and have been banged
 14 around a bit?
 15 A. Correct.
 16 Q. How does this process work?
 17 A. Through machines which you
 18 expand the drum to concentricity or roll
 19 out little dents through bared rolling,
 20 bearing rollers.
 21 Q. I got to believe this process
 22 sometimes, of the heat, the blasting, and
 23 now rolling, some of the drums are going
 24 to get ruined or punch holes or something.
 25 A. Correct.

1 V.J. BUONANNO
 2 Q. What happens then?
 3 A. Drums that are ruined are
 4 scrapped.
 5 Q. Are some of them identified as
 6 being ruined earlier in the process or is
 7 it --
 8 A. Decisions on a drum not being
 9 acceptable were generally made after leak
 10 detection.
 11 Q. When you were the one you picked
 12 up some drums at Metro Atlantic, would you
 13 have look at some of them and say, hey,
 14 they got a hole in it already?
 15 A. Yes.
 16 Q. What happened then?
 17 A. It was all furnaced and blasted,
 18 every container, because we shipped all
 19 blasted containers to the scrap yard.
 20 Q. So even if it's got a hole, you
 21 got to clean it?
 22 A. It's easier to clean it and send
 23 everything to leak detection. Many drums
 24 that looked bad could be brought back and
 25 dedented.

1 V.J. BUONANNO
 2 Q. How about holes, do you patch
 3 holes?
 4 A. We sometimes patched holes in
 5 the 1960s. There were people that could
 6 weld a piece of metal that would repair
 7 it.
 8 Q. Were you involved in that?
 9 A. No.
 10 Q. That would be a welder doing
 11 that?
 12 A. Yes.
 13 Q. Did they have a welding machine
 14 or was that just a guy sitting there with
 15 a mask?
 16 A. I can't remember how they did
 17 it.
 18 Q. The finishing process, that's
 19 the third part of the process?
 20 A. Yes.
 21 Q. How was that done in the
 22 sixties?
 23 A. After the drum was leak
 24 detected, then the drum was fed into a
 25 spray booth, which spun the drum around at

1 V.J. BUONANNO
 2 high speed and a man with a spray gun
 3 sprayed the drum with the color of the
 4 customer.
 5 Q. Did you ever do that job?
 6 A. No.
 7 Q. It seems like a fun job.
 8 A. It is, but you have to be good.
 9 Q. It's probably not a summer job
 10 at that point in time.
 11 How was the leak detection done?
 12 A. Leak detection in the 1960s was
 13 done by water immersion of a container,
 14 pushing the drum down into a bath of water
 15 to see if water would enter it under
 16 pressure.
 17 Q. Actually, did somebody actually
 18 take the thing and push it down in the
 19 water?
 20 A. No. There was a rudimentary
 21 plunger which pushed the drum under water,
 22 you know, a tank.
 23 Q. And somebody would visually
 24 watch it and see if water --
 25 A. Was seeping through it.

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1 V.J. BUONANNO
 2 Q. -- was seeping through it.
 3 After it was finished, which is
 4 the spray painting, does it need a new lid
 5 now or do you recondition lids, too?
 6 A. The lids were metal working
 7 machines. There was a lid straightener
 8 and roller and a drum body straightener
 9 and roller and a lid blaster before that.
 10 Q. The lids do not go through the
 11 same machines; there's a whole different
 12 series for the lids?
 13 A. Same machine.
 14 Q. But same process?
 15 A. Same process.
 16 Q. Removing the painting?
 17 A. Yes.
 18 Q. After they've been painted, they
 19 come out, what happens next?
 20 A. The lid is put back on and a
 21 closing ring is put on to hold it on.
 22 Q. Those are new rings, you don't
 23 reuse the rings?
 24 A. Sometimes we'd reuse the rings,
 25 new and reused rings.

1 V.J. BUONANNO
 2 Q. That's just the rings to hold
 3 the lids on?
 4 A. Called a closing ring.
 5 Q. What happens to the drum next?
 6 A. The drum was stored on our
 7 warehouse floor.
 8 Q. Until it was ready to be
 9 redelivered?
 10 A. After it was painted, it was
 11 baked in a small oven, yeah, to bake on
 12 the coating so it would harden.
 13 Q. For how long?
 14 A. Perhaps three or four minutes.
 15 Q. It was just you put it on a
 16 conveyer belt through a hot oven?
 17 A. Conveyer belt through a hot
 18 oven.
 19 Q. How about were you putting on
 20 labels and things like that for the
 21 customers?
 22 A. No, we were not.
 23 Q. How about logos, did they get
 24 printed on?
 25 A. No, we didn't do that.

1 V.J. BUONANNO
 2 Q. So it was just one color?
 3 A. Color, company color, and they
 4 put the company labels on the drum.
 5 Q. And then they get put someplace
 6 for storage until they're ready to get
 7 redelivered?
 8 A. Yes.
 9 Q. You did this, loaded them back
 10 to the customers?
 11 A. Yes.
 12 Q. Then that completes the process.
 13 Back along the way, the ash that comes out
 14 after the pelleting, you mentioned that
 15 goes back to the collector?
 16 A. Yes.
 17 Q. That gets put back into the
 18 dumpster?
 19 A. Right.
 20 Q. This is what kind of dumpster?
 21 A. That would be removed by a solid
 22 waste removal company.
 23 Q. Who was the solid waste removal
 24 company back in this period?
 25 A. I remember a company called

1 V.J. BUONANNO
 2 Truck away.
 3 Q. Were you ever the one unloading
 4 this collector?
 5 A. It would be removed
 6 automatically by a truck. A bin like that
 7 was loaded automatically into the truck of
 8 the waste removal company.
 9 Q. It didn't go from the collector,
 10 it went from the -- directly from the
 11 collector?
 12 A. On wheels and that could be
 13 wheeled over to a truck which removed it
 14 automatically like a garbage truck, solid
 15 waste.
 16 Q. Back to the beginning of the
 17 process. There's that pit --
 18 A. Yes.
 19 Q. -- I take it, which is the same
 20 spot where you or somebody else would flip
 21 over the container at the same time?
 22 A. Yes.
 23 Q. So if there was any dribble, it
 24 went into that pit?
 25 A. Yes.

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1 V.J. BUONANNO
 2 Q. Describe what the pit looks
 3 like. I don't have that.
 4 A. The pit is a ground level cement
 5 enclosed box with perhaps, at that time,
 6 four feet by three feet wide, at the
 7 entrance of the furnace.
 8 Q. Four feet by three feet wide?
 9 A. Maybe two feet deep.
 10 Q. All concrete?
 11 A. Yes.
 12 Q. Now, the stuff that goes in
 13 there, who gets that out of there?
 14 A. That would be removed by either
 15 cesspool sucking if it were a liquid, or
 16 it would be removed by -- occasionally
 17 would become shoveled completely out if it
 18 was -- it tended to have a combination of
 19 liquids and solids and the liquids would
 20 be sucked up by a waste removal company
 21 who sucked up liquids and the solids would
 22 be removed and shoveled into a bin.
 23 Q. Who did this?
 24 A. From time to time, the bin would
 25 be shoveled clean because it would develop

1 V.J. BUONANNO
 2 a residue of solids.
 3 Q. Did you ever have to shovel the
 4 bin?
 5 A. I'm sure I shoveled the bin.
 6 Q. You were the boss's son. I'm
 7 sure you shoveled the bin.
 8 MR. SHERMAN: Just object to the
 9 form of the question.
 10 Q. When you shoveled the bin out,
 11 what did you do with the stuff?
 12 A. You shoveled it into a dumpster
 13 bin.
 14 Q. Was it the same waste disposal
 15 company that was doing the other ash?
 16 A. I believe so. It was a solid
 17 waste removal company which was a common
 18 phenomenon, garbage removal.
 19 Q. And the sucking, who did the
 20 sucking? I may have asked you.
 21 A. A cesspool company, a cesspool
 22 sucking truck.
 23 Q. That was different from the
 24 other waste removal company?
 25 A. Yes.

1 V.J. BUONANNO
 2 Q. Was it, the cesspool company,
 3 actually a guy that cleans out your
 4 cesspools?
 5 A. Yes.
 6 Q. Actually would come and do this?
 7 A. Yes.
 8 Q. Where did they put the stuff
 9 after they sucked it out?
 10 A. I don't know.
 11 Q. Now, again, this is, again, that
 12 '60 to '67 time frame. Where on the --
 13 could you describe for me the Centerdale
 14 Manor property?
 15 A. Do you have a map?
 16 Q. I do.
 17 A. Is that a better way to do that?
 18 I don't mind talking with my hands.
 19 Q. Let me get you a map, see if
 20 that will help.
 21 (Whereupon, a recess was taken
 22 at 11:29 a.m. and the Deposition
 23 continued at 11:32 a.m.)
 24 Q. Now, when you were or anybody
 25 else you saw was shoveling all this junk

1 V.J. BUONANNO
 2 out of the pit, just the pit, did any of
 3 this kind of slop over the side?
 4 A. I don't recollect that.
 5 Q. Did you ever hear anything like
 6 that happening?
 7 A. No.
 8 Q. Did you ever hear -- this is
 9 just from your summer, summer break at
 10 work that we'll talk about. Did you ever
 11 see any of the guys that were sucking the
 12 stuff out, did it ever spill a little bit?
 13 A. I have no recollection of that.
 14 Q. Do you remember any tanks
 15 being -- the drums, pardon me, somebody
 16 flipped them over too quick and some of it
 17 got on the ground?
 18 A. No.
 19 Q. Do you remember anybody telling
 20 you that?
 21 A. No.
 22 Q. How about the trucks they came
 23 in on, do you remember any of these tanks,
 24 these drums, any of the contents spilling
 25 on any of the trucks?

1 V.J. BUONANNO
 2 A. I don't recall spilling.
 3 Q. What sort of protective gear did
 4 you have when you were working on these in
 5 the '60 to '67 time frame?
 6 A. We wore gloves.
 7 Q. What type of gloves?
 8 A. We wore leather work gloves.
 9 Q. They were just work gloves to
 10 keep your hands from getting scratched up?
 11 A. Yes.
 12 Q. Any other protection you had?
 13 A. No.
 14 Q. You must have had steel tipped
 15 shoes?
 16 A. Perhaps in that time we did.
 17 Q. But nothing to keep you from the
 18 chemicals?
 19 A. No.
 20 Q. Any masks or anything of that
 21 nature?
 22 A. No, we had no masks or any of
 23 that.
 24 Q. When this stuff was getting
 25 flames, were there any fumes?

1 V.J. BUONANNO
 2 MR. SHERMAN: When the stuff, I
 3 object to the form of that question.
 4 Q. When the drums were undergoing
 5 the heating process to burn off the paint,
 6 do you remember any smoke or fumes being
 7 generated?
 8 A. Close by there may have been
 9 some odors of prior residues.
 10 Q. How about in the pelleting
 11 process or the BBs, was there ash floating
 12 around?
 13 A. It was dusty.
 14 Q. What were the -- what was the
 15 process that was put into play at that
 16 time to collect the dust that was floating
 17 around, if any?
 18 A. It settled on the floor and we
 19 swept the floors.
 20 Q. What did you do with the ash
 21 when you swept the floor?
 22 A. Put them in the dust collectors,
 23 if I can recall.
 24 Q. You did this actually back in
 25 the sixties?

1 V.J. BUONANNO
 2 A. I don't remember doing that.
 3 Q. You don't remember sweeping the
 4 floors, you remember other people doing
 5 it?
 6 A. Yes.
 7 Q. In fact, what part of the
 8 processing you just described for us did
 9 you not do during the '60 to '67 time
 10 frame?
 11 A. I don't think I operated the
 12 furnace, I don't think I operated the
 13 blaster.
 14 Q. That you mentioned.
 15 A. Yes. I didn't run the metal
 16 working machinery, which was the most
 17 skilled work, and I didn't spray.
 18 Q. Anything else you remember, any
 19 part of the process you didn't do other
 20 than what you just told us?
 21 A. I was mostly a drum handler and
 22 truck driver.
 23 Q. You did most of the lifting work
 24 back and forth over the summer?
 25 A. Yes.

1 V.J. BUONANNO
 2 Q. And it was a total of 15 or so
 3 employees during this period of time?
 4 A. I believe.
 5 Q. Could you remember any of the
 6 workers' names?
 7 A. Yes.
 8 Q. What were some of their names?
 9 A. I remember Tom Taylor. I
 10 remember Earl Taylor. I think it was
 11 Thomas E. Taylor. Earl Taylor he was
 12 called. I remember Zealous Brown,
 13 Z-e-a-l-o-u-s. I remember Mitchell Jolly.
 14 I remember Joe Cifelli.
 15 Q. How do you spell Cifelli?
 16 A. C-i-f-e-l-l-i. I remember Ray
 17 Nadeau. I remember John Mikucki. I
 18 remember Roy Bruins.
 19 Q. Anybody else?
 20 A. That's all.
 21 Q. How many of these people are
 22 still around?
 23 A. I believe John Mikucki is alive.
 24 And I know that Joe Cifelli and Ray Nadeau
 25 are alive.

1 V.J. BUONANNO
 2 Q. Mr. Mikucki, when was the last
 3 time you spoke to him?
 4 A. Twenty years, at least.
 5 Q. Do you know where he lives?
 6 A. I don't. In Rhode Island, I
 7 believe.
 8 Q. I'm just curious how you knew he
 9 was still alive. How do you know he's
 10 still alive?
 11 A. There was -- we were asked to --
 12 someone asked us about his whereabouts
 13 before and I think we attempted to find
 14 out where he lived.
 15 Q. Who is the "we" you're referring
 16 to?
 17 A. I think that perhaps our
 18 lawyers.
 19 Q. It wasn't you?
 20 A. No. I've never spoken to him.
 21 Q. I just didn't know if the "we"
 22 was a royal we or a group of people.
 23 Joe Cifelli, when was the last
 24 time you spoke to him?
 25 A. I spoke to him about two months

1 V.J. BUONANNO
 2 ago.
 3 Q. And where was this, how was this
 4 discussion; was it by phone or in person?
 5 A. No. I saw him in person at his
 6 deposition.
 7 Q. Prior to --
 8 MR. SHERMAN: Just for the
 9 record, I think that was a little more
 10 than two months ago, but the date of
 11 his deposition is whenever it was.
 12 MR. CLASEN: That's fine.
 13 Q. I'm not worried about that. It
 14 was at his deposition, right?
 15 A. Right.
 16 Q. Between the date of his
 17 deposition and today, have you ever spoken
 18 to him?
 19 A. Yes.
 20 Q. Prior to his deposition, when
 21 was the last time you had spoken with him?
 22 A. I would say I had not seen or
 23 spoken to him for 30 years.
 24 Q. Did you speak to him before he
 25 started his deposition?

1 V.J. BUONANNO
 2 A. No.
 3 Q. After his deposition, did you
 4 speak to him?
 5 A. I exchanged pleasantries and he
 6 asked about my father's health.
 7 Q. Ray Nadeau, when was the last
 8 time you spoke to him?
 9 A. At his deposition.
 10 Q. Have you spoken to him since his
 11 deposition?
 12 A. No.
 13 Q. Did you speak to him after his
 14 deposition?
 15 A. No.
 16 Q. Before his deposition, did you
 17 speak to him?
 18 A. I had not spoken to him for 30
 19 years, seen or spoken to him prior to the
 20 deposition.
 21 Q. Do you know if anybody else had
 22 spoken to Ray Nadeau prior to his
 23 deposition? It's just a yes or no. If
 24 it's your lawyers, I don't want to hear
 25 about it. But anyone else?

1 V.J. BUONANNO
 2 A. I have no knowledge of anyone
 3 speaking to him.
 4 Q. By the way, if my questions --
 5 if your lawyers told you, any of your
 6 lawyers, I'm not asking you that. I'm not
 7 trying to get attorney/client privilege.
 8 How about Joe Cifelli, do you
 9 know if anybody else has spoken to him?
 10 A. No, I have no idea.
 11 Q. Other than these two gentleman,
 12 have you spoken to any people who used to
 13 work for NEC in the sixties, in the past
 14 10 years?
 15 A. No, I don't -- I haven't spoken
 16 to anyone in the past 10 years that worked
 17 there when I was there then.
 18 Q. When you were there then, you
 19 mean back in the sixties?
 20 A. No.
 21 Q. None of these people that we
 22 talked about have you spoken with in the
 23 last 10 years?
 24 MR. SHERMAN: You mean other
 25 than the people he testified to?

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1 V.J. BUONANNO
 2 MR. CLASEN: Yes.
 3 A. No, I cannot recollect any
 4 encounter with any of them.
 5 Q. Now, in '67 you started working
 6 full-time with NEC?
 7 A. Yes.
 8 Q. Let me do a little background
 9 before then. You graduated high school
 10 and then you went straight into college?
 11 A. Yes.
 12 Q. Where did you go to college?
 13 A. Brown.
 14 Q. For how long?
 15 A. Four years.
 16 Q. From when to when?
 17 A. '62 to '66.
 18 Q. When you graduated in '66, what
 19 did you do?
 20 A. I went into the military.
 21 Q. How long were you in the
 22 military?
 23 A. Eight months active duty.
 24 Q. Then what, you went on reserve?
 25 A. Then I went on reserve status

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1 V.J. BUONANNO
 2 and went to work in March '67.
 3 Q. You worked at New England
 4 Container from March of '67 until when?
 5 A. Full-time until 1990 with a
 6 period in the 1980s when I was away for --
 7 away for part of the time for two years.
 8 Q. Do you remember what years?
 9 A. Between 1980 and '82 I spent a
 10 great deal of time away.
 11 Q. Away from New England Container?
 12 A. I was at Temple Steel Company
 13 during a period there assisting, but I was
 14 working at two places for a while.
 15 MR. CLASEN: Off the record.
 16 (Discussion held off the
 17 record.)
 18 A. I worked at New England
 19 Container from 1967 full-time until 1990.
 20 Q. With a little period that you
 21 did something else, right?
 22 A. Yes.
 23 Q. From '67 until '69, what were
 24 you doing at NEC?
 25 A. I was a container salesman and

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1 V.J. BUONANNO
 2 buyer.
 3 Q. Now, who did that before you
 4 did?
 5 A. I don't believe anyone ever did
 6 it before.
 7 Q. Now, why were you hired for this
 8 job?
 9 A. Well, it was clear that Metro
 10 Atlantic was in the process of exiting the
 11 textile chemical business in New England.
 12 And its operations in the south were
 13 growing more important than New England.
 14 And my father and I thought since we were
 15 losing our chief customer, that we needed
 16 to sell to new customers if we were to
 17 have a company which could continue.
 18 Q. So I take it this is a
 19 conversation that you had with your dad
 20 back in '67?
 21 A. Yes.
 22 Q. Let me flush this out a little
 23 bit. What was happening here at Metro
 24 Atlantic?
 25 A. Metro Atlantic was a textile

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1 V.J. BUONANNO
 2 chemical company which was operating in
 3 the New England textile industry which was
 4 a diminishing marketplace and which was
 5 growing in the southeastern United States.
 6 Q. And it looked like they were
 7 going to be moving their whole operation
 8 somewhere else?
 9 A. Yes.
 10 Q. You did pick-ups and deliveries
 11 at Metro Atlantic from '60 to '67?
 12 A. Yes.
 13 Q. When you went there, what did
 14 you see about their operations, if
 15 anything?
 16 A. Well, it was an old 19th century
 17 mill, really, and it had doors where
 18 containers were received and doors where
 19 containers were generated and emptied and
 20 essentially I went to the doors to deliver
 21 them and I went to the doors to pick them
 22 up which were garage door type entrances.
 23 Q. Did you see what they were doing
 24 at Metro Atlantic?
 25 A. I occasionally could look in and

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1 V.J. BUONANNO
 2 see reactors which are tanks where they
 3 were blending chemicals which they
 4 received from other vendors, liquids that
 5 they blended together to make chemicals.
 6 Q. And this was a real old plant
 7 they had?
 8 A. Yes.
 9 Q. What about the outside of the
 10 plant, was it just surrounded by a parking
 11 lot?
 12 A. It was a masonry building,
 13 fieldstone building surrounded by a
 14 parking lot.
 15 Q. Were they storing anything on
 16 the outside of the building?
 17 A. They had some trucks, they had
 18 some outdoor tanks, they had -- mostly
 19 everything was internal.
 20 Q. How about drums, did they store
 21 any drums outside?
 22 A. They had some empty containers
 23 outside their building, yes.
 24 Q. What else was out there?
 25 A. That's all I could recall.

1 V.J. BUONANNO
 2 Q. We moved to that '60 to '67 time
 3 frame?
 4 A. Yes.
 5 Q. When you were working in the
 6 summers from '60 to '67, your dad was
 7 working right over at Metro Atlantic?
 8 A. Right.
 9 MR. SHERMAN: Objection. I
 10 don't think he testified every summer
 11 he worked.
 12 Q. How many summers did you work?
 13 A. I worked perhaps three summers,
 14 '60, '61, and '62, or '59, '60, and '61.
 15 Perhaps three summers.
 16 Q. How about when you were in
 17 college, did you work there during
 18 summers?
 19 A. I did other things in the
 20 summers.
 21 Q. How about during breaks in
 22 college, did you work there?
 23 A. Occasionally during break, I'd
 24 drive a truck during break.
 25 Q. Those were your three summers in

1 V.J. BUONANNO
 2 high school?
 3 A. Yes, in high school.
 4 Q. Not the first year in college?
 5 A. No.
 6 Q. So it was probably the years
 7 between sophomore year and junior year and
 8 between junior year and senior year,
 9 correct?
 10 A. Yes.
 11 Q. Thereafter, the remaining
 12 summers you worked somewhere else?
 13 A. Yes.
 14 Q. But during some of the breaks,
 15 college breaks you worked at the facility,
 16 correct?
 17 A. Occasionally for a week I would
 18 be a truck driver.
 19 Q. Did you do any of the other
 20 stuff you did?
 21 A. No.
 22 Q. So it was just these three
 23 years, summers back in, you think it was
 24 '59, '60, '61 somewhere?
 25 A. Somewhere.

1 V.J. BUONANNO
 2 Q. We can do the math and see when
 3 you went to high school.
 4 A. Right.
 5 Q. But it was those three summers
 6 we're talking about?
 7 A. Yes.
 8 Q. When you were working those
 9 summers, and I guess when you were working
 10 on the breaks your dad was working at
 11 Metro Atlantic?
 12 A. Yes.
 13 Q. Did you ever go over to the
 14 plant to visit?
 15 A. He had an office which was above
 16 the plant which was not in the middle of
 17 the operation. I walked into his office.
 18 Q. His office was upstairs?
 19 A. His office was in front on Smith
 20 Street and all the buildings went back,
 21 the processing buildings, and he was in an
 22 office.
 23 Q. The office was in the front of
 24 the facility, not the back of the
 25 facility. Now, besides basically, I

1 V.J. BUONANNO
 2 guess, it was economic concerns that was
 3 causing Metro Atlantic to close?
 4 A. Yes.
 5 Q. Even the facility in Rhode
 6 Island?
 7 A. Yes.
 8 Q. Were there any other reasons why
 9 in '67 you started full-time?
 10 A. There was the possibility of
 11 their acquisition by someone else.
 12 Q. Them being acquired?
 13 A. Them being acquired.
 14 Q. Who was that?
 15 A. I don't know who the discussion
 16 was about, but they were eventually
 17 acquired.
 18 Q. Now, do you know when they were
 19 eventually acquired?
 20 A. My recollection is that it was
 21 between 1967 and '69, in that time frame.
 22 Q. Well, in that time frame, '67 to
 23 '69, you're working at the Centerdale site
 24 as a salesperson?
 25 A. Right.

1 V.J. BUONANNO
 2 Q. And you think it was sometime in
 3 that time frame that the facility got
 4 sold. When it got sold, what happened to
 5 your dad and your uncle --
 6 A. Well --
 7 Q. -- and your cousin Jay?
 8 A. I -- my father was still working
 9 there during the period that it was
 10 winding down, and operations were winding
 11 down between 1969 -- '67 and '70 he
 12 remained, I believe he remained assisting
 13 them.
 14 Q. In winding down their operation?
 15 A. In winding down operations, yes.
 16 Q. What were they doing in the
 17 sense of winding down?
 18 A. When they were acquired, they
 19 began a process of consolidating
 20 operations into different locations, and I
 21 don't know the details of those
 22 consolidations.
 23 Q. When your dad -- when did your
 24 dad leave Metro Atlantic?
 25 A. Between '67 and '69.

1 V.J. BUONANNO
 2 Q. Did he come back to NEC and work
 3 there?
 4 A. He did come back to New England
 5 Container, what was -- he remained in his
 6 office in Metro Atlantic and so I'm not
 7 clear the exact date that he was working
 8 for one company and not working for the
 9 other. I don't know.
 10 Q. When you were working in the
 11 summers, whatever those three summers
 12 were, and the breaks, what role was your
 13 dad playing at NEC?
 14 A. Oh, nothing that I can
 15 recollect.
 16 Q. That you can tell except for,
 17 like, he opened it.
 18 A. Yes.
 19 Q. But Mikucki was pretty much
 20 running the whole shebang?
 21 A. Correct.
 22 Q. When you started being a
 23 salesman there, who did you report to?
 24 A. I suppose John Mikucki,
 25 partially, because he had to process the

1 V.J. BUONANNO
 2 drums that I sold.
 3 Q. Right.
 4 A. And use the drums that we
 5 bought. I can't recall if I had a
 6 reporting relationship.
 7 Q. Yes, I'm guessing that, too.
 8 How about with your dad, you must have
 9 been telling your dad?
 10 A. Sure, of course.
 11 Q. Because I guess the game plan
 12 was -- and this is '67, right?
 13 A. Yes.
 14 Q. NEC's customer is leaving.
 15 A. Yes.
 16 Q. Biggest customer by far is
 17 leaving.
 18 A. Yes.
 19 Q. You either got to find new
 20 customers to build the business or NEC is
 21 going the way Metro Atlantic was going at
 22 that time.
 23 A. Correct.
 24 Q. Whereas before sales was not a
 25 big issue, nobody was a salesman?

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1 V.J. BUONANNO
 2 A. Correct.
 3 Q. Certainly you needed to sell,
 4 you didn't have a captive customer
 5 anymore, right?
 6 A. Yes.
 7 Q. So in that time period that
 8 became pretty much the most important
 9 thing for this company, right?
 10 A. It was an important activity.
 11 The other important activity was to look
 12 for a new location.
 13 Q. Why did you want --
 14 A. Because it was clear that if
 15 Metro Atlantic left, we wouldn't have a
 16 customer if they moved south and we
 17 wouldn't have a location.
 18 Q. And that was because?
 19 A. We were just tenants on the
 20 property.
 21 Q. On a piece, you were just a
 22 tenant on a piece of the Centerdale
 23 property?
 24 A. We were just a tenant on a piece
 25 of the Centerdale property.

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1 V.J. BUONANNO
 2 Q. Who owned the whole property?
 3 A. I believe Metro Atlantic did.
 4 Q. When it was your uncle and some
 5 other people --
 6 A. His partners.
 7 Q. -- did you have any discussions
 8 with your uncle before you decided to
 9 become a salesman for NEC?
 10 A. Never.
 11 Q. What was your relationship with
 12 your uncle in that time period?
 13 A. A warm family relationship with
 14 no business content to it.
 15 Q. Your uncle is still alive, isn't
 16 he?
 17 A. He's not.
 18 Q. I'm sorry. I didn't know.
 19 Sorry about that.
 20 In '67 to '69, again, this is
 21 while you're at Centerdale still, did you
 22 obtain new customers?
 23 A. Yes.
 24 Q. Who were they?
 25 A. I can't recollect particular

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1 V.J. BUONANNO
 2 customers. We --
 3 Q. You must remember, this is a
 4 brand new thing.
 5 A. Yes, I do remember. Ciba Geigy.
 6 Q. I take it you obtained -- you
 7 were the one that got them?
 8 A. I was involved in that, right.
 9 Q. Who else was involved besides
 10 you?
 11 A. I was, myself, I sold and bought
 12 containers.
 13 Q. When you say you were involved,
 14 I got the impression other people were
 15 involved or it was just modesty. You were
 16 the one that got them.
 17 A. Right.
 18 Q. What sort of -- you were doing
 19 reconditioning drums for Ciba Geigy?
 20 A. Right.
 21 Q. What was in the drums previously
 22 that you were reconditioning for them?
 23 A. Ciba Geigy were producers of
 24 powder, powdered products. I believe they
 25 went into the textile industry.

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1 V.J. BUONANNO
 2 Q. What was the powdered product
 3 that they were doing?
 4 A. I have no idea.
 5 Q. When you sold them drums, how
 6 did you find out about that in order to
 7 get them as a customer?
 8 A. Well, it was normal, if you were
 9 in the container business, you were always
 10 reading the labels of people who were
 11 shipping containers. So if you operated
 12 in New England, it was an easy matter to
 13 see the billboards of these companies that
 14 were drum users or generators. So you
 15 would go to people that you knew used
 16 drums.
 17 Q. And did they tell you what --
 18 they must have told you what was in their
 19 drums?
 20 A. Sometimes they did.
 21 Q. It was important to know, wasn't
 22 it --
 23 A. Yes, sure.
 24 Q. -- what was in the drum?
 25 A. Sure.

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1 V.J. BUONANNO
 2 Q. So when you say sometimes,
 3 didn't they tell you or you asked?
 4 A. In the case of Ciba Geigy, for
 5 example, they used their drums completely
 6 for internal transfer of the products
 7 between processes. So they used us as
 8 kind of a laundry. We would supply them
 9 drums and they would give us back drums
 10 that they had used internally within their
 11 manufacturing processes that were empty
 12 but dirty.
 13 Q. And you'd clean them, redo the
 14 whole thing?
 15 A. Return them.
 16 Q. Were you doing the same thing,
 17 buying it from them and selling it back?
 18 A. Sometimes we just charged a
 19 service. We mostly bought and sold.
 20 Q. Do you remember what the time
 21 frame of -- these questions are all from
 22 '67 when you started as a salesman to '69,
 23 '70, whenever it was that you moved out of
 24 Centerdale, do you remember what the
 25 volume of business was with Ciba Geigy?

1 V.J. BUONANNO
 2 A. I think it was as much as 800,
 3 900 drums per week.
 4 Q. During this period, are you
 5 getting paid on a commission or just a
 6 straight salary?
 7 A. I was getting paid a straight
 8 salary.
 9 Q. You had good salesman sense?
 10 A. Right.
 11 Q. By the way, did you own any
 12 portion --
 13 A. No.
 14 Q. -- of NEC during that period of
 15 time?
 16 A. No.
 17 Q. So your dad was the only person
 18 who owned it?
 19 A. Correct, my dad and partners
 20 from Metro Atlantic.
 21 Q. Let me read you some names and
 22 give me a list of people who may or may
 23 not have been customers of NEC. And we'll
 24 go through the list first, see who you
 25 know and then we'll go through what period

1 V.J. BUONANNO
 2 of time. All these questions are were
 3 they a customer from NEC from whatever you
 4 remember in the past up to '69, '70.
 5 A. Just the Centerdale period.
 6 Q. Just the Centerdale period. A
 7 Harrison & Company?
 8 A. Yes.
 9 Q. We'll come back to it. Alltex
 10 Specialties.
 11 A. I don't recall.
 12 Q. American Hoechst we already did,
 13 but we're going to come back to them
 14 because we only did them for a period.
 15 American Mineral Spirits.
 16 A. Yes.
 17 Q. Bates Manufacturing?
 18 A. I don't recall.
 19 Q. Bercen Chemical?
 20 A. Yes.
 21 Q. Brown & Sharpe Manufacturing
 22 Company?
 23 A. Yes.
 24 Q. Cal Chemical?
 25 A. Yes.

1 V.J. BUONANNO
 2 Q. Cardinal Chemical?
 3 A. Yes.
 4 Q. Chemical Coating?
 5 A. I don't recall that.
 6 Q. Ciba Geigy we already did.
 7 Cloro-Bac Products.
 8 A. I don't recollect them.
 9 Q. Clover Chemical.
 10 A. Yes.
 11 Q. CNC?
 12 A. I don't think in that period.
 13 Q. It's just the Centerdale period
 14 we're calling it.
 15 A. This is difficult to sort out
 16 from 30 years in the business the ones
 17 that were present during those years, so I
 18 can't -- I can't -- I'm trying to recall
 19 ones that would have been there in the
 20 sixties.
 21 Q. So there you can't remember?
 22 A. Right.
 23 Q. We'll take only the ones you
 24 remember. Colfax Packing.
 25 A. No.

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1 V.J. BUONANNO
 2 Q. Colonial Chemical?
 3 A. I don't recall.
 4 Q. Cranston Print Works Company?
 5 A. Yes.
 6 Q. Obviously you dealt with
 7 Crown-Metro. Duoset.
 8 A. I can't recall.
 9 Q. And if you know, if it's a
 10 pronunciation thing, it's spelled
 11 D-u-o-s-e-t. If I'm mispronouncing it, I
 12 apologize. Duro Finishing.
 13 A. Yes.
 14 Q. Dytex Chemicals?
 15 A. I don't believe so.
 16 Q. Eastern Color Chemical we
 17 already did, but we didn't do it for the
 18 whole period. We'll get back to it.
 19 Eastern Smelting & Refining
 20 Company.
 21 A. I don't believe so.
 22 Q. Efros Barrel?
 23 A. I'm saying yes. No customers
 24 that we did business with in later years.
 25 But is that clear?

1 V.J. BUONANNO
 2 Q. It is clear that you recognize
 3 some of these names, but you're not sure
 4 they were a customer during this period.
 5 We only want to deal with ones you know
 6 were customers during this period.
 7 A. Yes.
 8 Q. Esso Oil?
 9 A. No.
 10 Q. Farrell Barrel?
 11 A. No.
 12 Q. French Worsted.
 13 A. French Worsted?
 14 Q. Yes.
 15 A. I don't recall in that period.
 16 Q. Gannon.
 17 A. I don't believe so.
 18 Q. George Mann & Co.
 19 A. I don't think so.
 20 Q. Giffordline Chemical Co.
 21 A. No.
 22 Q. Gould Paper.
 23 A. I don't recall them.
 24 Q. Greenville Finishing.
 25 A. Yes.

1 V.J. BUONANNO
 2 Q. Industrial Solvents.
 3 A. No.
 4 Q. Kraus Chemical Company?
 5 A. No.
 6 Q. Lubrix Products, Inc.
 7 A. I don't recall.
 8 Q. Malden Mills.
 9 A. I don't recall them.
 10 Q. Mancor Chemical Co.
 11 A. I don't recall.
 12 Q. Matthew Barrel.
 13 A. Yes.
 14 Q. Narragansett Wire.
 15 A. I don't think so.
 16 Q. Organic Chemical or Organic
 17 Dyestuffs.
 18 A. I don't recall.
 19 Q. Original Bradford Soap Works is
 20 the one we mentioned before.
 21 A. Yes.
 22 Q. You did them in the early
 23 sixties.
 24 Otis Air Base.
 25 A. I don't recall.

1 V.J. BUONANNO
 2 Q. Paragon Chemical Company.
 3 A. I can't recollect.
 4 Q. Philipp Brothers Chemical.
 5 A. I don't recall.
 6 Q. Plymouth Rubber.
 7 A. I don't believe so.
 8 Q. Putnam Hertzell.
 9 A. H-e-r-z-I. I don't know.
 10 Q. Is it Quonset Naval Base?
 11 A. Yes.
 12 Q. And the answer is yes also?
 13 A. Yes.
 14 Q. Rhode Island Chemical Company.
 15 A. Yes.
 16 Q. Raymond Barrel.
 17 A. Yes.
 18 Q. Rockville Finishing.
 19 A. I don't recall.
 20 Q. Ronnoco.
 21 A. I don't recall them.
 22 Q. Seratex.
 23 A. I don't recall them.
 24 Q. Synthron, Inc.
 25 A. I don't know if we sold them in

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1 V.J. BUONANNO
 2 that period.
 3 Q. Tanner.
 4 A. Cannon?
 5 Q. Tanner, T-a-n-n-e-r.
 6 A. I don't know if we sold them in
 7 that period.
 8 Q. T.H. Baylis.
 9 A. I believe we sold them in that
 10 period.
 11 Q. Teknor Apex.
 12 A. I can't recall if we sold them
 13 in that period.
 14 Q. Thompson Chemical Company.
 15 A. I can't recall if we sold them
 16 in that period.
 17 Q. U.S. Oil Co.
 18 A. I don't know.
 19 Q. Universal Chemicals Corp.
 20 A. I don't know.
 21 Q. Valley Lace.
 22 A. I don't know.
 23 Q. Warwick Chemical Company.
 24 A. I believe so.
 25 Q. Wayland Chemical Co.

1 V.J. BUONANNO
 2 A. I don't know.
 3 Q. Wilson Chemical?
 4 A. I don't know them.
 5 Q. Woburn Barrel.
 6 A. I believe so.
 7 Q. Woonsocket Color & Chemical.
 8 A. I don't know.
 9 Q. And Worcester Textile.
 10 A. I believe so.
 11 Q. Let me go back through these if
 12 we could. A. Harrison and Co., what was
 13 the nature of their operation? Let me
 14 step back. I'm assuming all of these,
 15 when we go through them, that the nature
 16 of your business relations with NEC was
 17 you were purchasing containers or drums
 18 from them, doing the refinishing that you
 19 just mentioned and giving it back to them
 20 either as a purchase and a resale, or, as
 21 you mentioned with Ciba Geigy, sometimes
 22 you did it for a fee. If the nature of
 23 the business relationship --
 24 A. That's the case with all of
 25 them. Does that save time?

1 V.J. BUONANNO
 2 Q. It does save time.
 3 A. That's the case with all of
 4 them. We either bought drums from them or
 5 sold drums to them; there were no other
 6 business relationships.
 7 Q. A. Harrison, what was the nature
 8 of their business?
 9 A. We sold them drums for their
 10 business.
 11 Q. What was their business?
 12 A. They were in the chemical
 13 business.
 14 Q. What type of chemicals?
 15 A. I don't know.
 16 Q. Do you know anything about the
 17 chemicals that they were producing for any
 18 purpose; was it dyeing textiles or
 19 something else?
 20 A. The preponderance of chemical
 21 operations in those days in New England
 22 were textile chemical people.
 23 Q. I'm assuming that also, but with
 24 respect to A. Harrison.
 25 A. I don't know. Textile

1 V.J. BUONANNO
 2 chemicals, I believe.
 3 Q. American Hoechst we already got
 4 them as a customer prior to '67. From '69
 5 on, were they also a customer?
 6 A. From '69 on they were also a
 7 customer.
 8 Q. What was the volume with them?
 9 A. Perhaps 200 or 300 drums a week.
 10 Q. With A. Harrison and Co., what
 11 was their volume and for what period of
 12 time?
 13 A. Very small. I can recall
 14 infrequent usage. I don't know.
 15 Q. Do you remember for what period
 16 of time?
 17 A. No, I have no idea.
 18 Q. With each one of those, I'm
 19 going to ask you basically what was the
 20 nature of the business to the extent you
 21 know. Two, what was the volume of the
 22 business and through what time period.
 23 American Mineral Spirits.
 24 A. Chemicals.
 25 Q. What was the volume?

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1 V.J. BUONANNO
 2 A. I don't recall.
 3 Q. Period of time?
 4 A. Late sixties.
 5 Q. We know the period of time for
 6 all of them is when you had Centerdale.
 7 A. Right.
 8 Q. But more precisely if you can.
 9 Bercen Chemical?
 10 A. Chemicals.
 11 Q. What was its volume?
 12 A. Small.
 13 Q. Period?
 14 A. Late sixties.
 15 Q. When you say chemicals, if you
 16 remember anything more about the chemicals
 17 you knew, please, I'm not going to follow
 18 up and say what type of chemicals. If you
 19 know it was textiles chemicals, be more
 20 specific. Can we agree on that?
 21 A. Yes, but I don't know what
 22 Bercen did.
 23 Q. Brown & Sharpe Manufacturing
 24 Co., what was the nature of the business?
 25 A. They were a machine shop,

1 V.J. BUONANNO
 2 Clover Chemical.
 3 A. Yes.
 4 Q. What was the nature of their
 5 business?
 6 A. Small, no recollection of
 7 volume, don't know the product.
 8 Q. Don't know the product at all.
 9 I mean, it's Cardinal Chemical. I'm
 10 assuming it was a chemical company.
 11 A. Yes.
 12 Q. You think it was?
 13 A. Good guess.
 14 Q. Maybe. Cranston Print Works,
 15 what was the nature of their business; in
 16 other words, what's in the tanks or the
 17 drums -- pardon me -- that you're
 18 reconditioning for them?
 19 A. I believe Cranston Print Works
 20 drums was a source of containers. We
 21 bought containers from them that had
 22 textile chemicals in them because they
 23 were a customer of many textile companies.
 24 Q. And what was the volume of
 25 business with them?

1 V.J. BUONANNO
 2 machine tools.
 3 Q. And what sort of things did they
 4 put in their containers?
 5 A. I guess we provided them
 6 containers for scrap metals.
 7 Q. And what was their volume?
 8 A. Small. I don't recollect.
 9 Q. And the period of time?
 10 A. Late sixties.
 11 Q. Brown, that was Brown & Sharpe
 12 we just did. Cal Chemical.
 13 A. Textile chemicals, late sixties.
 14 Q. And the volume?
 15 A. No recollection.
 16 Q. Cardinal Chemical.
 17 A. Late sixties, textile chemicals,
 18 no recollection.
 19 Q. Of the volume?
 20 A. Yes.
 21 Q. Ciba Geigy we did. They were a
 22 significant customer?
 23 A. Yes.
 24 Q. And you picked them up when you
 25 were the sales guy.

1 V.J. BUONANNO
 2 A. Perhaps we picked up -- I can't
 3 recall.
 4 Q. And the period?
 5 A. Late sixties.
 6 Q. And so when we say late sixties,
 7 most of these were people you picked up?
 8 MR. SHERMAN: Objection. That's
 9 not what he said.
 10 A. I have no idea.
 11 MR. SHERMAN: You just asked him
 12 if they were customers.
 13 MR. CLASEN: I understand. It's
 14 a question.
 15 Q. I raised my voice. I said most
 16 of these were customers and your answer is
 17 you --
 18 A. I can't recall whose they were,
 19 if they were preexisting. I don't know.
 20 Q. Crown Metro continued to be a
 21 customer right up to the very end?
 22 MR. SHERMAN: Objection to the
 23 form of the question.
 24 A. Crown Atlantic merged and they
 25 were customers to the end.

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1 V.J. BUONANNO

2 Q. To the end. From the '67 to '69

3 period, how did their volume change?

4 A. I can't recall.

5 Q. Keep going through the list

6 here, but when you, you being NEC, moved

7 your operations out of Centerdale, at that

8 time period, what percentage of the

9 business was still with Metro Atlantic?

10 A. I just can't recall 30 years

11 ago.

12 Q. They pretty much had slowed down

13 working at Centerdale at that point?

14 A. Yes.

15 Q. So it must have dropped

16 dramatically?

17 A. But Metro Atlantic moved their

18 operations to another consolidated Rhode

19 Island location. They did not exit.

20 After their merger with Crown Atlantic,

21 they merged their locations. I don't know

22 the volumes, but they were still using

23 drums.

24 Q. Duro Finishing, what was the

25 nature of their business?

123

1 V.J. BUONANNO

2 A. Duro Finishing was with a drum

3 generator, they were textile finishers.

4 We received textile drums from them which

5 they used to finish textiles and we bought

6 the drums from them.

7 Q. What was in their drums?

8 A. Empty containers that came from

9 Metro Atlantic Crown textiles.

10 Q. During what period of time were

11 they a customer?

12 A. Late sixties.

13 Q. Do you remember the role -- do

14 you remember anything about Duro Finishing

15 volume?

16 A. No. We're using the word,

17 customer, advisedly here. Some of them

18 were generators of drums, they were

19 sources of raw material. Duro was a

20 source, we bought drums from them and we

21 didn't sell -- you are creating a list of

22 customers and suppliers.

23 Q. Why don't we go back to who you

24 know is a customer and who is a supplier.

25 And some of them were both, right?

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1 V.J. BUONANNO

2 A. Right.

3 Q. Eastern Color is only a

4 supplier?

5 A. Customer and supplier.

6 Q. Customer and supplier. Duro

7 Finishing.

8 A. Supplier.

9 Q. Crown Metro is both, right?

10 A. Yes.

11 Q. Cranston Print Works.

12 A. Both.

13 Q. Clover Chemical.

14 A. Customer.

15 Q. Ciba Geigy.

16 A. C&S, customer and supplier.

17 Q. Cardinal Chemical.

18 A. Customer.

19 Q. Cal Chemical.

20 A. Customer.

21 Q. Brown & Sharpe.

22 A. Customer.

23 Q. Bercen-Chemical.

24 A. Customer.

25 Q. American Mineral Spirits.

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1 V.J. BUONANNO

2 A. Customer and supplier.

3 Q. American Hoechst.

4 A. Customer and supplier.

5 Q. And A. Harrison.

6 A. Customer and supplier.

7 Q. And if they're only a customer,

8 that means they don't supply you with any

9 drums?

10 A. That's right.

11 Q. You're giving them ones that you

12 bought from others?

13 A. They fill the drums and they

14 ship it someplace else and they don't

15 generate drums.

16 Q. Efros Barrel, first of all, were

17 they customer, supplier, both?

18 A. Both.

19 Q. What sort of chemicals were in

20 their drums?

21 A. A variety of chemicals. I don't

22 recall.

23 Q. Do you remember anything about

24 the variety?

25 A. No. They were distributors of

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1 V.J. BUONANNO
 2 drums, so they had a variety of customers.
 3 I have no way of knowing what their
 4 customers were because they distributed
 5 them after they bought them from us. They
 6 were middle men.
 7 Q. When you typically got drums
 8 back from people, did you have any idea
 9 what had been in them?
 10 A. Not exactly.
 11 Q. What do you mean by not exactly?
 12 A. We knew that they were, most of
 13 them, textile chemicals. Sometimes they
 14 were obviously paint. Sometimes they were
 15 chocolate syrup. Sometimes they were
 16 perfume, sometimes they were powder.
 17 Q. And sometimes you didn't know
 18 what it was?
 19 A. Yes.
 20 Q. And in those days, when you
 21 bought them, there was no requirement for
 22 the people to tell you what had been in
 23 them?
 24 A. No.
 25 Q. And some of whom you kind of

1 V.J. BUONANNO
 2 Q. What types of textile chemicals?
 3 A. I have no idea.
 4 Q. What sort of volume of business
 5 did you do with them?
 6 A. This is really
 7 inconsequential --
 8 Q. Small --
 9 A. -- numbers.
 10 Q. -- with them?
 11 A. 100 containers per month, maybe.
 12 Q. A hundred a month. During what
 13 time period, that you remember?
 14 A. Late sixties.
 15 Q. Matthew Barrel, customer or
 16 supplier?
 17 A. Middle men, customer and
 18 supplier.
 19 Q. And so as a middle man, did you
 20 know what was in their containers?
 21 A. I generally knew that they had a
 22 textile chemical trade.
 23 Q. What was the volume of business
 24 with them?
 25 A. I don't recall. Small.

1 V.J. BUONANNO
 2 knew because they were actually utilizing
 3 the products in their own operations and
 4 the others that we mentioned before, they
 5 were just the middle man, you did not
 6 know?
 7 A. Yes.
 8 Q. Efros Barrel, were they customer
 9 or supplier?
 10 A. Both.
 11 Q. What was the nature of their
 12 business; do you know?
 13 A. They were middle men.
 14 Q. They were the middle men?
 15 A. Yes.
 16 Q. Do you remember the volume?
 17 A. No.
 18 Q. Time period?
 19 A. Late sixties.
 20 Q. Greenville Finishing, supplier
 21 or customer?
 22 A. Supplier only.
 23 Q. Supplier only. What was in
 24 their drums?
 25 A. Textile chemicals.

1 V.J. BUONANNO
 2 Q. The time period?
 3 A. Late sixties.
 4 Q. A small volume is something
 5 different for everybody. When you're
 6 talking about small, a hundred a month?
 7 A. It could be a hundred a month,
 8 it could be 50 a month. Significant is
 9 someone who might take a hundred to two or
 10 three hundred a week.
 11 Q. Organic Bradford Soap Works.
 12 A. Original. We did that.
 13 Q. We did them up to '67. Did they
 14 continue from '67 to '69?
 15 A. Yes.
 16 Q. And same sort of chemicals?
 17 A. They were soaps. Some textile
 18 soaps, but soaps for other usages also.
 19 Q. How about their volume during
 20 this period of --
 21 A. I have no recollection.
 22 Q. Were they a customer and a
 23 supplier?
 24 A. Yes.
 25 Q. Quonset Naval Base, customer and

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1 V.J. BUONANNO
 2 supplier?
 3 A. Quonset was a supplier of empty
 4 military drums, lubricating oils.
 5 Q. And that was what was in there,
 6 I take it?
 7 A. Yes.
 8 Q. What was that volume at that
 9 period of time?
 10 A. No recollection.
 11 Q. Of either; that's correct?
 12 A. I don't know.
 13 Q. Rhode Island, RI Chemical
 14 Company.
 15 A. Textile chemicals.
 16 Q. Were they supplier or customer?
 17 A. Both, small.
 18 Q. 100 a month or something like
 19 that?
 20 A. Less, tiny.
 21 Q. How about time period?
 22 A. Late sixties.
 23 Q. What did Rhode Island Chemical
 24 Company do?
 25 A. I have no idea.

1 V.J. BUONANNO
 2 Q. Is this one of the ones you
 3 obtained, if you remember?
 4 A. I think I may have sold it.
 5 Q. Raymond Barrel?
 6 A. Middle men, customer and
 7 supplier.
 8 Q. What was the volume with them?
 9 A. Small.
 10 Q. Did you know what was in their
 11 barrels?
 12 A. No.
 13 Q. Generally textiles though?
 14 A. Textile chemicals mostly,
 15 paints. It was a lot of paint business in
 16 New England.
 17 Q. And for what period of time?
 18 A. Late sixties.
 19 Q. Raymond Barrel, what were they;
 20 customer, supplier?
 21 A. Customer, supplier. I think
 22 that they were out of business by the time
 23 I got to work. I don't recollect them in
 24 business when I came to work there as a
 25 salesman.

1 V.J. BUONANNO
 2 Q. So they were the ones that were
 3 in the pre-1967 time period?
 4 A. Yeah. I just remember the name,
 5 yes.
 6 Q. What was in their drums; do you
 7 know?
 8 A. A variety of industrial liquids.
 9 Q. Of what nature?
 10 A. Textile chemicals, soaps, there
 11 were a lot of syrups and lards.
 12 Q. Nothing else you remember?
 13 A. No.
 14 Q. What sort of volume of business
 15 was done with them?
 16 A. Raymond Barrel?
 17 Q. Yes.
 18 A. No idea.
 19 Q. T.H. Baylis.
 20 A. Yes.
 21 Q. By the way, T.H. Baylis was just
 22 a customer?
 23 A. Yes.
 24 Q. Do you know anything about the
 25 nature of their operations?

1 V.J. BUONANNO
 2 A. They were chemical distributors.
 3 They didn't manufacture.
 4 Q. They didn't manufacture, they
 5 just distributed the chemicals? You're
 6 nodding yes to both of those.
 7 A. They distributed chemicals.
 8 They did not manufacture chemicals.
 9 Q. Warwick Chemical Company,
 10 customer or supplier?
 11 A. Customer and supplier.
 12 Q. What was the nature of the
 13 materials in their drums?
 14 A. I don't know what they produced.
 15 Q. Do you know anything about the
 16 chemicals?
 17 A. No.
 18 Q. What was the time period you
 19 dealt with them?
 20 A. Late sixties.
 21 Q. What was the volume of business
 22 with them?
 23 A. Perhaps a hundred drums per
 24 week.
 25 Q. So they were a significant

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1 V.J. BUONANNO
2 customer?
3 A. Yes.
4 Q. Woburn Barrel.
5 A. They were middle men, customers
6 and suppliers.
7 Q. What was in their drums, textile
8 products?
9 A. A variety of industrial liquids.
10 Q. Of what nature?
11 A. I don't know.
12 Q. Any idea what the industrial
13 liquids that were in there?
14 A. I don't know.
15 Q. And for what period of time and
16 what volume?
17 A. Small volume, late sixties.
18 Q. Worcester textile, first of all,
19 are they a customer?
20 A. Suppliers only.
21 Q. What was in their drums?
22 A. Textile chemicals.
23 Q. For what period of time?
24 A. I think the late sixties.
25 Q. And what was the volume with

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1 V.J. BUONANNO
2 them?
3 A. Small volume.
4 Q. Who were the significant
5 customers of New England Container in the
6 '67-'69 time frame?
7 A. Metro Atlantic, Crown Metro,
8 Warwick Chemical, Ciba Geigy, T.H. Baylis,
9 perhaps -- that's all I can recall.
10 Q. In the '67 to '69 time frame?
11 A. Eastern Color & Chemical you can
12 add to that list.
13 Q. Anybody else you remember?
14 A. No.
15 Q. Significant again was?
16 A. Did I say American Hoechst and
17 Ciba Geigy.
18 Q. I remember Ciba Geigy.
19 A. Warwick Chemical, Baylis. You
20 need to add American Hoechst.
21 Q. Anybody else?
22 A. I can't.
23 Q. We just went through a whole
24 list of customers. Are there any other
25 customers or suppliers that you are aware

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1 V.J. BUONANNO
2 of for NEC during the Centerdale period
3 that I might have missed?
4 MR. SHERMAN: Here you're
5 talking about the entire 1960s.
6 MR. CLASEN: I think the
7 Centerdale period was any time they
8 were operating there. He could
9 certainly learn things today.
10 MR. SHERMAN: Just so we're
11 clear what period you're talking
12 about.
13 A. I can't recall any other names
14 from that period.
15 Q. When you were selling this
16 stuff, who was deciding what price to sell
17 it?
18 A. I was in consultation with John
19 Mikucki.
20 Q. And the purchase prices, who was
21 fixing those?
22 A. The same thing. We never fixed
23 them. We set them.
24 Q. The statute of limitations has
25 run on this staff.

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1 V.J. BUONANNO
2 A. Apparently not.
3 Q. You were doing the sales. What
4 else were you doing during the '67 to '69
5 time frame?
6 A. I was interested in relocating
7 and looking for a new plant. So I began
8 to spend more and more time looking for
9 new property and building a new
10 reconditioning plant.
11 Q. Why were you doing that?
12 A. Because, as I said before, I
13 thought our days were limited in
14 Centerdale and I thought we needed to
15 build a new role.
16 Q. In '67 through '69, what were
17 you doing?
18 A. Selling drums, planning a new
19 location and then supervising the
20 construction of that new location.
21 MR. SHERMAN: Could we take a
22 break for a few minutes.
23 (Whereupon, after a luncheon
24 recess was taken, the following was
25 had:)

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V.J. BUONANNO

AFTERNOON SESSION

BY MR. CLASEN:

- Q. When you were a salesman from '67 to '69, you were based on the Centerdale site?
- A. Yes.
- Q. How often were you on site, how often were you off site?
- A. Mostly I was on the road.
- Q. When you say on the road, what do you mean?
- A. Driving around New England looking for drums to buy and sell.
- Q. How much time during that period did you spend looking for a new site?
- A. As time went by, I was more and more involved in the new plant project. So I would say in the beginning year '67, I spent 80 percent of my time selling drums, I became, by the end of that period of '69, 80 percent of my time was being spent in developing a new plant.

V.J. BUONANNO

- Q. Were you the primary person in charge of the new plant project?
- A. Yes.
- Q. Now, when did you locate the Smithfield facility?
- A. I think that we actually transacted on the land in 1968. But I'm not certain. That would be a matter of record.
- Q. Have there ever been environmental problems on the Smithfield property?
- A. Yes.
- Q. How many?
- A. There has been an occasional operational problem and the unresolved ones were listed in the agreement. Those regarding volatile or organic compounds were a problem. There was an occasional -- there was a noise or odor problem that was mentioned that happened and probably there may be other problems that were resolved, but I don't have any recollection of anything serious.

V.J. BUONANNO

- Q. What were the operational problems you referred to a minute ago?
- A. Operational problems.
- MR. CLASEN: Read back his answer.
- (The requested portion of the record was read.)
- A. What would qualify as an operational problem is some aspect of the reconditioning process which generated problems such as paint, volatile organic compound emissions.
- Q. Just so we're clear here, you're looking at what we identified as Plaintiff's Exhibit 9 in the previous deposition. We're looking at the environmental disclosure schedule. Other than what's on here, were there any other operational problems that constituted an environmental issue at the Smithfield location? Because you mentioned some of them were not resolved. What were the other ones?
- A. I believe we had an earlier

V.J. BUONANNO

- problem of particulate emissions from our furnace.
- Q. What is a particulate emission?
- A. It's the amount of particles in the emissions in the stack. Percent of particles in the emissions in the stack.
- Q. When was the Smithfield site constructed?
- A. Between 1968 and '70.
- Q. Is that a more modern facility an Centerdale?
- A. Yes, modern and larger.
- Q. The Centerdale operation was constructed when? And that's the NEC portion?
- A. Yes. I believe a portion of it was a barn that might have dated to the beginning of the 20th century and the additional wings on it, which were prior to any period I was there, were probably added in the 1950s.
- Q. And machinery?
- A. Pardon?
- Q. And in the machinery used?

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1 V.J. BUONANNO
 2 A. Machinery that was new.
 3 Q. The Smithfield was all new?
 4 A. All new.
 5 Q. All new machinery?
 6 A. Yes.
 7 Q. And much more state of the art
 8 machinery?
 9 A. Yes.
 10 Q. And especially with respect to
 11 environmental considerations, I take it?
 12 A. It was a new building, it was a
 13 new facility built in 1970 with the best
 14 available technology.
 15 Q. At that time?
 16 A. At that time.
 17 Q. What other operational problems
 18 in the environmental area occurred at the
 19 Smithfield property?
 20 A. I think we had a requirement to
 21 contain our paint storage area for reasons
 22 of fire danger because of the paints and
 23 solvents that were used in the drum
 24 coating operation and we may have -- there
 25 may be somewhere in the records a consent

1 V.J. BUONANNO
 2 decree that we were asked to improve the
 3 paint storage facility, and we did so. So
 4 it was resolved at the time. Rain water,
 5 groundwater on the property. I don't
 6 believe there was anything in the way of a
 7 consent decree and I don't know if it was
 8 even an order of violation, but because
 9 there was nothing unresolved, it doesn't
 10 show up in that area. But it would be
 11 considered an operational detail,
 12 something that we had to do a better job.
 13 Q. What was the rain water issue
 14 you just referred to?
 15 A. I think that when you have a
 16 large blacktop parking area, you have a,
 17 you know, you create a volume of water
 18 moving off your property that you may have
 19 to control the volume of water depending
 20 upon whether you put it in the sewer or
 21 connect it in some way.
 22 Q. But how many occasions since you
 23 moved into Smithfield have you had
 24 communication with the EPA regarding
 25 Smithfield?

1 V.J. BUONANNO
 2 A. Well, EPA is -- when you say the
 3 EPA, you're speaking about the federal
 4 Environmental Protective Agency.
 5 Q. Yes.
 6 A. I don't think -- I think always
 7 all the regulatory activity by the EPA was
 8 managed by our department of environmental
 9 management and therefore, I can think of
 10 very few examples of direct EPA
 11 involvement in our operations.
 12 Q. What are the relatively few
 13 examples you can think of?
 14 A. Notifications which came in of
 15 other -- of superfund sites which had been
 16 created in businesses that we had done
 17 business with and the ones that were
 18 unresolved are mentioned in the agreement
 19 here of things that were unresolved.
 20 There may have been other ones that were
 21 closed out or resolved, but I can't
 22 remember. So those would have been direct
 23 EPA communications.
 24 I don't have any recollection of
 25 being contacted by the EPA. I believe the

1 V.J. BUONANNO
 2 volatile organic solvent thing was a DEM
 3 matter, not EPA, but it's possible that
 4 the EPA had some consultant or some
 5 oversight of the VOC issue.
 6 Q. When you say oversight of the
 7 VOC issue?
 8 A. Rhode Island as opposed to the
 9 federal one.
 10 Q. Let's go to the Rhode Island
 11 people. How frequently did you have
 12 contact with them about Smithfield?
 13 A. Infrequent.
 14 Q. On how many total occasions?
 15 A. Well, in my years of being
 16 full-time on site from 1969 or '70 until I
 17 left in 1990, I can think of four or five
 18 occasions.
 19 Q. You left in 1990 to go to do
 20 what?
 21 A. To go work at Temple Steel
 22 Company in Chicago.
 23 Q. And for how long were you
 24 working there from 1990?
 25 A. I was there all the time. I

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1 V.J. BUONANNO
2 became a full-time employee of Temple
3 Steel Company in 1990 where I still am.
4 Q. Who was managing NEC from 1990
5 to 1998?
6 A. A group of managers which I
7 appointed, but I remained the CEO.
8 Q. Who were the group of managers
9 you appointed?
10 A. Three key employees were Dick
11 Costa, Tom Losia, he's -- I named him as a
12 sales manager before, Gene D'Onofrio. I
13 then hired in about 1994, I think, Gerald
14 Dischino to become president and I became
15 CEO, but he was president.
16 MR. SHERMAN: I think it was
17 '67.
18 THE WITNESS: I mean '97.
19 MR. SHERMAN: '97. I think it's
20 been testified by Mr. Dischino he came
21 about 1997.
22 Q. You're going to get the
23 transcript.
24 MR. SHERMAN: We'll just clear
25 it up now. I don't think there's a

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1 V.J. BUONANNO
2 dispute.
3 A. I think it was '97.
4 MR. CLASEN: Nor do I think it's
5 terribly important whether it's '96 or
6 '97.
7 MR. SHERMAN: For the sake of
8 accuracy.
9 Q. Let's see what you remember and
10 if you made a mistake on memory, and it's
11 going to happen, you can correct the
12 transcript.
13 Mr. Mikucki stopped working for
14 NEC when?
15 A. When we left the location in
16 Centerdale.
17 Q. Who took over as head of the
18 operations at that point in time?
19 A. We hired a series of foremen for
20 our start-up in the early seventies and we
21 actually had several, and I can't remember
22 the early foremen. The first, Tom Losia,
23 was involved in early management for the
24 operation in '72 or '73. Dick Costa came
25 along, and I'm not sure of my records

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1 V.J. BUONANNO
2 here, but he obviously was a successful
3 one after a number of unsuccessful ones
4 and he probably arrived in '74 and I may
5 have earlier said '75 in that area.
6 Q. Don't worry about this. We
7 don't want to speak to you on this. You
8 can change '74 to '75. All you can do is
9 remember the best you can on the dates.
10 Why did Mr. Mikucki no longer
11 become employed by NEC?
12 A. I think that it was perhaps a
13 mutual sense that he was not suitable for
14 the next stage of our company.
15 Q. Mutual between?
16 A. I can't resist telling the story
17 of mine, telling him he lost his job that
18 it was a mutual agreement with the
19 company, but we thought of it first. I
20 think it was a mutual agreement, but we
21 thought of it first.
22 Q. By "we" it was you and your dad?
23 A. Yes.
24 Q. Up to the time he left, he was
25 basically doing what he was doing before?

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1 V.J. BUONANNO
2 A. Yes.
3 Q. Which was really running the
4 operational day-to-day?
5 A. That's right.
6 Q. How often did he report to your
7 father back in the sixties, if you know?
8 Before '67, if you know.
9 A. I don't know, but you must
10 understand that this was an operation that
11 was so small and so repetitive and so much
12 connected with just delivering drums of
13 the property back and forth that there was
14 very little need for consultation.
15 Q. Who handled the accounting for
16 the company, the day-to-day accounting,
17 bookkeeping?
18 A. There was a bookkeeping
19 secretary, different ones who worked in
20 the office down there who filled out an
21 invoice when a truck was leaving with a
22 delivery, filled out a receiving slip when
23 containers came in, and wrote the payroll
24 checks. That was it.
25 Q. Pretty much all the accounting

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1 V.J. BUONANNO
 2 that was required here?
 3 A. We did need to produce financial
 4 statements. That was done by an outside
 5 accountant.
 6 Q. Who was he?
 7 A. Called Radcliff & Company.
 8 Q. Now, how did the operations
 9 change from when you moved to Smithfield
 10 besides a bigger facility? I mean,
 11 Mikucki was out.
 12 A. Essentially it was built to
 13 produce a multiple of the production of
 14 Centerdale. Centerdale was probably
 15 limited to a production daily volume of
 16 200 to 300 drums in a day. We built a
 17 plant that could produce 1,500 drums in a
 18 day. So it was a whole different
 19 dimension.
 20 Q. How many of the employees went
 21 from the old site to the new site besides,
 22 we know, Mr. Mikucki did not?
 23 A. I can recall perhaps 10.
 24 Q. Ten out of the 15 that were
 25 there?

1 V.J. BUONANNO
 2 A. Perhaps.
 3 Q. What happened to the rest of
 4 them?
 5 A. I think differences in travel.
 6 They may have been local Centerdale people
 7 that walked to work. I don't know.
 8 Q. At this Smithfield site, when
 9 the Smithfield operation started, how many
 10 people were employed there?
 11 A. I think at the beginning about
 12 25 or 30.
 13 Q. So it jumped up fairly
 14 significantly out of the box?
 15 A. Yes.
 16 Q. Was there a volume of business
 17 to justify it at that point in time?
 18 A. We were beginning to grow new
 19 accounts because we had a big new
 20 investment.
 21 Q. When you say big new investment,
 22 you're talking about the new facility?
 23 A. Yes.
 24 Q. Who put up the money?
 25 A. We borrowed the money, all of

1 V.J. BUONANNO
 2 it, a hundred percent of it.
 3 Q. When you say "we," you and your
 4 father?
 5 A. Yes.
 6 Q. You got the title, I guess, of
 7 vice president first?
 8 A. Yes.
 9 Q. That was in 1973?
 10 A. About that area.
 11 Q. Who were the vice presidents
 12 before that?
 13 A. There weren't any vice
 14 presidents probably.
 15 Q. Besides that title, what else
 16 new came with this position?
 17 A. It was the factotum
 18 responsibility in a small business of
 19 everything, sell drums, buy drums, go out
 20 in the shop, get the truck, maybe load the
 21 truck, maybe answer the phone, take an
 22 order, whip up the troops; whatever it
 23 took.
 24 Q. You were still doing that when
 25 you became vice president?

1 V.J. BUONANNO
 2 A. Yes.
 3 Q. Ultimately you became president;
 4 is that correct?
 5 A. Yes.
 6 Q. When was that?
 7 A. I'm not certain. Perhaps around
 8 1978 or nine.
 9 Q. In the '67 to '73 time period,
 10 were there actually formal officers in the
 11 company, that you were aware of?
 12 A. I think by law we had to
 13 register our corporate minutes and I would
 14 not want to hazard a guess as to what was
 15 written down, but it was likely that my
 16 father's name and a lawyer's name and
 17 perhaps a bookkeeper's name, treasurer,
 18 was on there.
 19 Q. Right. But your dad never
 20 really did anything, I think you said
 21 before, on the day-to-day operation?
 22 A. He was not involved in the
 23 day-to-day operation.
 24 Q. Now, you lived in Rhode Island
 25 until 1990 --

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1 V.J. BUONANNO
 2 A. Yes.
 3 Q. -- is that correct?
 4 A. Yes.
 5 Q. And whereabouts in Rhode Island
 6 did you live?
 7 A. I lived all my life on the east
 8 side of Providence.
 9 Q. All of your life until then?
 10 A. Yes.
 11 Q. Until 1990?
 12 A. Until 1990.
 13 Q. Did you read the newspaper?
 14 A. Yes.
 15 Q. A local paper?
 16 A. I read local and national
 17 papers.
 18 Q. Did you see any stories about
 19 Centerdale in the newspapers --
 20 MR. SHERMAN: Objection.
 21 Q. -- in the eighties ?
 22 MR. SHERMAN: All right,
 23 withdraw the objection. There was no
 24 time frame.
 25 MR. CLASEN: I thought I'd blurt

1 V.J. BUONANNO
 2 it out in the end.
 3 MR. SHERMAN: After my
 4 objection. Why don't we try the
 5 question again.
 6 Q. Do you remember reading any
 7 newspaper articles about the Centerdale
 8 site in the 1980s?
 9 A. I can't clearly recollect.
 10 Q. Do you have any vague
 11 recollection of reading such news?
 12 A. Because I have read papers since
 13 that time, in connection with this case,
 14 I'm confused about what I may have read
 15 then or read later. But in any case, the
 16 Centerdale property changed hands and I
 17 think I was aware that there had been a
 18 fire on the property.
 19 Q. We'll get to the fire in a
 20 minute. Besides the fire, do you remember
 21 reading anything else about the Centerdale
 22 property in newspapers in the eighties?
 23 A. I don't.
 24 Q. How about, there was a river
 25 running by the Centerdale property, right?

1 V.J. BUONANNO
 2 A. Right.
 3 Q. What's the name of that?
 4 A. The Woonasquatucket.
 5 Q. Do you remember reading about
 6 any problems, environmental problems about
 7 that river?
 8 A. I don't.
 9 Q. Do you remember hearing about
 10 any problems with that river?
 11 A. I don't.
 12 Q. How about in the nineties, up to
 13 July of '98, do you remember hearing from
 14 anybody about environmental problems with
 15 the river?
 16 A. I don't.
 17 Q. Did anybody ever tell you that
 18 there were serious environmental problems
 19 being reviewed by the EPA or Rhode Island?
 20 A. I don't, and of course I didn't
 21 live there in the 1990s.
 22 Q. In the nineties, though, you
 23 were still -- what is it?
 24 A. The CEO and owner.
 25 Q. CEO and owner. I take it you

1 V.J. BUONANNO
 2 occasionally came by to see how the guys
 3 were doing?
 4 A. Yes.
 5 Q. Had fairly frequent
 6 conversations about the operation with
 7 them?
 8 A. Yes.
 9 Q. How often did you come to the
 10 area then?
 11 A. I came once a month.
 12 Q. Were your parents still
 13 living --
 14 A. Yes.
 15 Q. -- in the area still?
 16 A. They were.
 17 Q. So you had other reasons to
 18 come, hopefully --
 19 A. Yes.
 20 Q. -- during that period of time?
 21 A. Family reasons.
 22 Q. Did any of these people tell you
 23 that they had heard stories about problems
 24 with the river?
 25 A. No.

1 V.J. BUONANNO
 2 Q. And again, this is the nineties
 3 we're talking about here.
 4 A. Yes.
 5 Q. How about in the eighties, did
 6 anybody tell you about problems with the
 7 river in the eighties?
 8 A. No, they didn't.
 9 Q. Were you aware of the fact that
 10 people were dumping stuff in the river?
 11 By stuff, I mean things that were
 12 ultimately found to be environmental
 13 hazards?
 14 MR. SHERMAN: You mean in the
 15 1980s?
 16 MR. CLASEN: Whenever.
 17 A. Whenever. Well, the
 18 Woonasquatucket River goes through several
 19 towns and villages, including Providence,
 20 and it's one of the historic mill rivers
 21 in America. And so there's been activity
 22 on the river since the 18th century and I
 23 would say that I have always had a general
 24 knowledge that things probably were
 25 discharged by somebody into that river.

1 V.J. BUONANNO
 2 And it was also used for water power
 3 because people had, you know, power
 4 generation equipment.
 5 Q. After the operations at NEC
 6 stopped at Centerdale, did you ever go
 7 back to that site at any time?
 8 A. I went back one time.
 9 Q. When was that?
 10 A. After the site was being
 11 prepared for a new construction.
 12 Q. And when was that; do you
 13 remember, approximately?
 14 A. I can't remember. It must be in
 15 the 1980s.
 16 Q. And when you say being prepared
 17 for construction, referring to what, the
 18 building of the apartments?
 19 A. Right, for some development.
 20 Q. Now, what was the occasion that
 21 you went back?
 22 A. Well, Centerdale was just a few
 23 miles from Smithfield. And depending on
 24 which way you go to Providence, you can
 25 come around it and go by it. I remember

1 V.J. BUONANNO
 2 driving by it and looking at the site of
 3 this mill complex that had been there
 4 forever now being a football field.
 5 Q. Had you heard about the
 6 development before that?
 7 A. I don't recollect. I knew that
 8 the former owners of Metro Atlantic had
 9 kept the property and that the buyers of
 10 Metro Atlantic did not retain the
 11 property. And that real estate company
 12 included my uncle and I knew that they
 13 sought to develop it. That's all I knew.
 14 Q. How did they try to develop it;
 15 do you know?
 16 A. I don't know.
 17 Q. I mean, do you have any general
 18 idea?
 19 A. Well, I know that they
 20 eventually sold it for housing for the
 21 elderly.
 22 Q. And when did you come to realize
 23 that?
 24 A. I think that that would be
 25 something that might just be generally

1 V.J. BUONANNO
 2 known by hearsay in Providence, that
 3 someone was building housing for the
 4 elderly, a project there.
 5 Q. Do you remember any
 6 conversations you had with your uncle
 7 about his efforts to develop the property?
 8 A. No, I never did.
 9 Q. Never at any time?
 10 A. Never at any time. My uncle
 11 died, you know, I'm not sure when he died,
 12 but we never talked about it. Maybe in
 13 the late eighties he died.
 14 Q. Just everyone knew in the area
 15 about this housing project going up,
 16 right?
 17 A. I assume in that area, not in my
 18 area, but, you know, Centerdale.
 19 Q. Your area being East Broward?
 20 A. Smithfield or East Providence.
 21 Q. When Metro Atlantic ceased their
 22 operation roughly at the same time
 23 period --
 24 A. Yes.
 25 Q. -- when they left, what was left

1 V.J. BUONANNO
 2 at their site, if you know?
 3 A. All the buildings.
 4 Q. What else?
 5 A. Well, I had no involvement in
 6 their operations. So I don't know what
 7 they did. But I assume they continued
 8 right --
 9 MR. SHERMAN: Don't assume.
 10 Only what you know.
 11 A. I don't know what was left, but
 12 buildings and trucks is my recollection.
 13 Q. Were there any drums left at the
 14 site, that you are aware of?
 15 A. Yes.
 16 Q. How many?
 17 A. I would say hundreds.
 18 Q. How do you know they were left
 19 there?
 20 A. I know because they were --
 21 because I know that when we vacated, we
 22 took everything out of there which we were
 23 required to, which would have been all of
 24 our inventory of finished drums and raw
 25 drums. And we didn't take those drums

1 V.J. BUONANNO
 2 because they weren't our property.
 3 Q. Were the drums located on the --
 4 A. They were located on the --
 5 Q. -- New England site?
 6 A. No, not on the New England site;
 7 on part of the Metro Atlantic property.
 8 Q. What was left on the New England
 9 site?
 10 A. Nothing but the buildings.
 11 Q. But the buildings and what
 12 happened, for example, with the pit that
 13 was all scrubbed and cleaned?
 14 A. I assume that it was excavated
 15 out when they prepared the property for
 16 redevelopment.
 17 Q. But when you left, what
 18 happened?
 19 A. I don't know what happened to
 20 it.
 21 Q. Were you helping with the move,
 22 were you helping overseeing the move
 23 between the two facilities?
 24 A. No, I didn't. Of course I was
 25 involved in getting the people over there

1 V.J. BUONANNO
 2 and moving the truck loads of drums and we
 3 retained some machinery that they brought
 4 to the new plant. So we had riggers for
 5 the machinery and brought it over to
 6 Smithfield, metal working equipment and
 7 some spray equipment and other things that
 8 we weren't going to use, but needed to
 9 move out of the buildings.
 10 Q. Whose job was it to close the
 11 Centerdale facility down?
 12 A. I don't recall. There wasn't
 13 much there.
 14 Q. You had to take all the stuff
 15 out of there?
 16 A. Containers had to go out on
 17 trucks. That was the biggest stuff we
 18 had. The building wasn't ours, the boiler
 19 wasn't ours.
 20 Q. What about machinery?
 21 A. We moved it.
 22 Q. Was moved or --
 23 A. We always moved it with riggers.
 24 We had some Providence riggers.
 25 Q. And then you had that pit where

1 V.J. BUONANNO
 2 stuff collected. What happened to that?
 3 A. I'm sure it was drained and
 4 emptied.
 5 Q. How do you know that?
 6 A. Because it was always cleaned at
 7 the end of a week or the end of a month.
 8 Q. So you're sure it was done
 9 before you left?
 10 A. I'm sure it would be cleaned.
 11 Q. Whose job would it have been to
 12 make that happen?
 13 A. I don't know who the furnace
 14 operator was then.
 15 Q. Did you go back through the
 16 facility to do a walk through to make sure
 17 everything was pulled out, everything was
 18 handled?
 19 A. During the construction of the
 20 new plant, I certainly went back to
 21 Centerdale a number of times.
 22 Q. But it was still operating?
 23 A. It was still operating. As it
 24 slowly closed down, I viewed the
 25 operation. I visited a number of times.

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- 1 I don't know how many.
 2 Q. I'm asking when it was done.
 3 A. I visited after it was over to
 4 make sure everything was out.
 5 Q. You remember doing that?
 6 A. I do.
 7 Q. What do you remember doing?
 8 A. I have a recollection of looking
 9 at a ghost town. Everything there was
 10 taken out, our ovens, all of our drums,
 11 and the buildings were empty.
 12 Q. Now, the couple of hundred drums
 13 that you saw that was left by Metro
 14 Atlantic --
 15 A. Yes.
 16 Q. -- did you see any other drums
 17 left by Metro Atlantic?
 18 A. I didn't.
 19 Q. Did you ever learn that there
 20 were any drums buried under the Centerdale
 21 site?
 22 A. Not in that period.
 23 Q. Let me step back. There was no
 24 period. Did you ever learn there were
 25

V.J. BUONANNO

- 1 supervision of the RI DEM, recertified so
 2 that they were given permission to go
 3 ahead with the site. And I read all this
 4 in this series of articles that came out
 5 after the bombshell news of the EPA
 6 citation in Centerdale.
 7 Q. I take it these were people
 8 sending you these articles because you
 9 were not living there?
 10 A. I think these articles were in
 11 New England Container. I was so involved
 12 on the board of Russell-Stanley and I was
 13 passionately interested in what was going
 14 on with my old company and I had a serious
 15 indemnity that I would be responsible for
 16 what happened. So I was an avid student
 17 of everything written about it in the
 18 press and past history of what I could
 19 learn about it. I read the articles in
 20 The Journal very carefully and I had
 21 everything sent to me after the
 22 February -- whatever the date was.
 23 MR. SHERMAN: 1999.
 24 A. '99 EPA citation.
 25

V.J. BUONANNO

- 1 drums --
 2 A. Yes.
 3 Q. -- buried?
 4 A. Yes.
 5 Q. When did you first learn there
 6 were drums buried?
 7 A. I read during -- after the EPA
 8 case, after the February '99 case, there
 9 was a series of articles written about --
 10 in the Providence Journal, about the
 11 history of the site and The Journal pulled
 12 up all the history of the incidents that
 13 had happened on that site. And they
 14 referred to fires, which I wasn't aware of
 15 before, at the chemical company. They
 16 referred to once an explosion that I was
 17 not familiar with, before my time. And
 18 they referred to the fact that there had
 19 been drums discovered there when the
 20 housing plots were being excavated for
 21 development. And it reported that the
 22 Rhode Island DEM had been made aware of
 23 it, had been brought in by the developer,
 24 and that the drums were removed under the
 25

V.J. BUONANNO

- 1 Q. But were you getting the
 2 Providence newspapers?
 3 A. No, but I was having those
 4 delivered to me. I was having those
 5 articles delivered to me in Chicago.
 6 Q. Who was keeping articles?
 7 A. Gerald Dischino, who was then
 8 the point man and the person
 9 responsible -- he was in contact with
 10 developing and Russell-Stanley at that
 11 point.
 12 Q. So he knew you were now
 13 interested and he was sending these
 14 articles to you?
 15 A. Yes.
 16 Q. Did he ever send you articles
 17 before about the Centerdale property?
 18 A. What articles?
 19 Q. About fires being there.
 20 A. No. Those long predate his
 21 period.
 22 Q. They knew you were interested in
 23 this, the property?
 24 A. No, I had no interest in the
 25

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1 V.J. BUONANNO
 2 property. Neither I nor my father, after
 3 1970, when we vacated any ownership or
 4 liability or any connection with the
 5 property.
 6 Q. Do you know if there was a fire
 7 on the property in '72?
 8 A. I don't know -- but I have read
 9 there was a fire on that property, but I
 10 don't know the years.
 11 Q. A fire in the Metro Atlantic
 12 site?
 13 A. I read that there were fires in
 14 the building on the Metro Atlantic site in
 15 Centerdale.
 16 Q. That never came to your
 17 attention between 1972 and 1999?
 18 A. I have no recollection of that
 19 fire.
 20 Q. Your dad never mentioned the
 21 fact that his old office building burned
 22 down?
 23 A. It seems like I might have
 24 known, but I have -- no, I cannot remember
 25 the news of it, but I remember that -- I

1 V.J. BUONANNO
 2 remember that excavation and preparation
 3 went on to prepare it for sale. I don't
 4 know whether that followed the fire
 5 immediately or whatever. I read most of
 6 that history.
 7 Q. From?
 8 A. In February of 19 -- or March,
 9 April, May of 1999 when the history of the
 10 site became a series of newspaper
 11 articles, where the whole history from the
 12 beginning was written.
 13 Q. I understand that. I'm not
 14 really focusing on what you learned in
 15 March of '99. I'm trying to figure out
 16 what you knew before that period of time.
 17 A. Sure.
 18 Q. Why don't we start with '72
 19 again. In '72, there was a fire on the
 20 Metro Atlantic property. You learned that
 21 later?
 22 A. Yes. I don't know when I
 23 learned it. I don't know when I learned
 24 it.
 25 Q. Could you have learned about it

1 V.J. BUONANNO
 2 before?
 3 A. I could have.
 4 Q. The reason that I am asking
 5 this, this was property that was owned by
 6 your uncle. Your dad worked there how
 7 long?
 8 A. Thirty years.
 9 Q. It was right next to where you
 10 were working all those years. You
 11 mentioned a cordial relationship with your
 12 uncle, correct?
 13 A. Yes.
 14 Q. And a cordial relationship with
 15 your father. Let me ask you again. Do
 16 you remember that coming up in a
 17 conversation with either one of these
 18 gentlemen?
 19 A. I probably knew about the fire,
 20 but the fire was not of consequence to me.
 21 I had no operations there. I had no
 22 ownership there. The Metro Atlantic
 23 wasn't running there. There were no
 24 people there. So if there was a fire in a
 25 vacant New England industrial carcass,

1 V.J. BUONANNO
 2 this is not something that is a
 3 captivating moment in history.
 4 Q. I understand. Unfortunately,
 5 this is not just a carcass that you're
 6 unfamiliar with. This is a carcass where
 7 your father sweated for 30 years.
 8 A. This is getting poetic.
 9 MR. SHERMAN: I move to strike
 10 the speech.
 11 A. I'll be right back. Excuse me.
 12 (Whereupon, a recess was taken
 13 at 1:56 p.m. and the Deposition
 14 continued at 1:58 p.m.)
 15 Q. Let's start with an earlier
 16 fire. Do you remember getting a phone
 17 call in 1997 regarding the Centerdale
 18 site?
 19 A. No.
 20 MR. CLASEN: Could we mark this
 21 as Buonanno 1.
 22 (The inspection report was
 23 hereby marked as Buonanno Exhibit 1
 24 for identification, as of this date.)
 25 Q. Mr. Buonanno, let me show you

1 V.J. BUONANNO
 2 what we have marked as Buonanno Exhibit 1.
 3 Take a moment to read that.
 4 MR. CLASEN: Now, Buonanno 1 is
 5 a one page document. On the top of
 6 it, it says Rhode Island Department of
 7 Health Division of Air Pollution
 8 Control Inspection Report and it
 9 appears to be dated October 27, 1997.
 10 Q. Have you had a chance to review
 11 it, sir?
 12 A. Yes.
 13 Q. Does this refresh your
 14 recollection as to having gotten a call in
 15 1997 regarding --
 16 A. 1997 or '77?
 17 Q. -- 1977 regarding Centerdale?
 18 A. I don't remember this telephone
 19 call, but I believe this, that I was
 20 called.
 21 Q. Do you have any recollection of
 22 being told that there was a -- smoking
 23 barrels on the location at that time?
 24 A. I think I can recall that was a
 25 memo sent to me or -- what is this?

1 V.J. BUONANNO
 2 Q. It's nothing to you. It's
 3 something to refresh your recollection,
 4 sir.
 5 A. I can remember being called
 6 about the property and the containers on
 7 the property and saying that they weren't
 8 our property and that I would find out --
 9 I don't know what I said that, they
 10 weren't our property and it wasn't New
 11 England Containers' business.
 12 Q. Do you remember when,
 13 approximately, this call occurred --
 14 A. No, I don't.
 15 Q. -- having looked at this
 16 exhibit?
 17 A. Well, 1977, a few decades ago.
 18 I mean, you know, certainly I believe
 19 this.
 20 Q. When you say you believe this,
 21 you don't have any reason to doubt what's
 22 stated in Exhibit 1?
 23 A. Yes.
 24 Q. Now, you do have a recollection
 25 of having received the phone call about

1 V.J. BUONANNO
 2 barrels on the property; is that correct?
 3 A. This refreshes me about that
 4 call.
 5 Q. Now, sitting here today, you
 6 don't remember exactly when this call
 7 occurred --
 8 A. Yes.
 9 Q. -- or even approximately?
 10 A. Right.
 11 Q. Where were you when you got this
 12 call; do you remember?
 13 A. I have no idea.
 14 Q. Were you in Rhode Island?
 15 A. I mean, in 1977 I was still
 16 fully occupied in Smithfield.
 17 Q. Now, what do you remember about
 18 the phone call; what did they say to you?
 19 A. Reading this, my recollection is
 20 that someone called about smoking barrels.
 21 That's all I am reminded of, nothing else.
 22 Q. They said that there were
 23 smoking barrels on the site?
 24 A. Yes.
 25 MR. SHERMAN: He's asking you

1 V.J. BUONANNO
 2 what you recall, not what's on the
 3 page, just what you recall.
 4 A. I recall being told there were
 5 smoking barrels on the site.
 6 Q. Did you know where on the site
 7 they were referring; did they tell you, I
 8 mean?
 9 A. I can't recall what was said.
 10 Q. Other than what you've told us,
 11 can you recall anything else that was
 12 said?
 13 A. I can recall saying that they
 14 were -- it wasn't our property.
 15 Q. Did you tell them whose property
 16 it was?
 17 A. I recall saying that I would --
 18 that they should call Metro Atlantic.
 19 Q. Which at that point in time was
 20 operating where?
 21 A. They were still in operation in
 22 Providence, Rhode Island.
 23 Q. They had actually ceased at
 24 Centerdale, they were at another location?
 25 A. Right.

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1 V.J. BUONANNO
 2 Q. Did you give them a name of who
 3 to call there?
 4 A. I don't recall that.
 5 Q. But why did you give them Metro
 6 Atlantic's number; they didn't own the
 7 property, did they?
 8 A. I knew that the drums that were
 9 on that property belonged to the former
 10 owner of the chemical company. They
 11 weren't our drums. Metro Atlantic was the
 12 owner. If you ask me about the drums, I
 13 know that I've taken all the drums away
 14 from my property, so the remaining drums
 15 had to be their drums. So I told them
 16 Metro Atlantic.
 17 Q. This memo says, "Telephoned
 18 Vincent Buonanno who stated that they do
 19 not own the property now and would find
 20 out who does and call me." Do you
 21 remember that happening?
 22 A. I have no recollection of this
 23 30 year old five minute telephone call.
 24 Q. Do you remember reading anything
 25 in the newspapers about this fire at this

1 V.J. BUONANNO
 2 time?
 3 A. This fire?
 4 Q. Pardon me, smoking barrels.
 5 A. No. But I believe I read about
 6 it in the summary after this case.
 7 MR. SHERMAN: Just answer the
 8 question he's asking. If you recall,
 9 you recall.
 10 Q. At the time you don't remember
 11 reading anything about it?
 12 A. Right.
 13 Q. Subsequently you read about it?
 14 A. Yes.
 15 Q. What did you read about it?
 16 A. I read about it in the news
 17 reports of 1999, I believe, that there had
 18 been barrels on the property, left on the
 19 property. That's all I remember.
 20 Q. Did you talk to your father at
 21 all about this phone conversation you got?
 22 A. No.
 23 Q. How about your uncle?
 24 A. No.
 25 Q. And you don't remember what

1 V.J. BUONANNO
 2 happened, you don't remember anything that
 3 happened after your conversation with
 4 somebody about this, about what ultimately
 5 happened with the smoking barrels?
 6 A. I have no recollection of this
 7 unimportant matter.
 8 Q. Why did you think it was
 9 unimportant?
 10 A. Because it wasn't my property,
 11 it wasn't my operation, it wasn't my land,
 12 and it wasn't my drums.
 13 Q. By the land, you mean NEC never
 14 owned the land; is that correct?
 15 A. Correct.
 16 Q. You don't know where these
 17 smoking barrels actually physically were?
 18 A. Yes, I do. Yes, I did, and I
 19 pointed it out on maps before.
 20 Q. You told us before there were
 21 barrels left on the premises by Metro
 22 Atlantic, right?
 23 A. Uh-huh.
 24 Q. Is that correct?
 25 A. Yes.

1 V.J. BUONANNO
 2 Q. When the person called you on
 3 the phone, did they say the smoking
 4 barrels were the barrels that were left on
 5 the Metro Atlantic site that you referred
 6 to before; did they say that to you?
 7 A. I have no idea.
 8 Q. Were you just assuming it had to
 9 be those barrels?
 10 MR. SHERMAN: Objection. He's
 11 already answered the question. Go
 12 ahead.
 13 A. I don't follow your question.
 14 Q. There were barrels -- the phone
 15 call you got mentioned there were barrels
 16 smoking on the Centerdale property.
 17 A. Right.
 18 Q. Did that caller tell you
 19 anything else about those barrels that you
 20 remember?
 21 A. No.
 22 Q. Did the caller tell you where
 23 those barrels were physically located?
 24 A. On the property.
 25 Q. On the Centerdale property?

1 V.J. BUONANNO
 2 A. No.
 3 Q. Did the caller tell you anything
 4 about the barrels themselves?
 5 A. In truth, I have no recollection
 6 of this telephone conversation other than
 7 that I believe that I had it.
 8 Q. And you told them that -- do you
 9 remember even your response to this
 10 person?
 11 A. I'm sure that my response was
 12 the correct one, which was the drums are
 13 not my property and the land is not my
 14 property and the land never was my
 15 property.
 16 Q. Anything else you remember about
 17 your response?
 18 A. No.
 19 Q. You actually remember saying
 20 that or you're assuming you said that?
 21 A. It's the correct answer, so
 22 that's what I said.
 23 Q. And you know it wasn't your
 24 drums because you said you left no drums
 25 there?

1 V.J. BUONANNO
 2 A. Left no drums. When we left New
 3 England Container, we left zero drums.
 4 MR. CLASEN: Could you mark this
 5 as Buonanno 2, please.
 6 (Notice of violation was marked
 7 Buonanno Exhibit 2 for identification,
 8 as of this date.)
 9 Q. Have you had a chance to take a
 10 look at Buonanno 2?
 11 A. Have I what?
 12 Q. Have you had a chance to look at
 13 Exhibit 2?
 14 A. You mean to read the whole
 15 thing?
 16 Q. Yes, why don't you?
 17 A. Yes.
 18 Q. You've had a chance to read it,
 19 right?
 20 A. Yes.
 21 Q. Have you ever seen it before?
 22 A. I don't know if I saw that
 23 before.
 24 Q. Were you aware that this notice
 25 of violation of order had been issued?

1 V.J. BUONANNO
 2 A. I don't recollect it.
 3 Q. Prior to today, did you know
 4 that?
 5 A. I don't think I've read this
 6 before.
 7 Q. I'm not asking if you read that.
 8 I did ask that before, if you had seen it.
 9 If you hadn't seen it, you couldn't have
 10 read it. But the question is, did you
 11 know about the issuance of this violation
 12 of order before, before today?
 13 A. I have no recollection of it.
 14 Q. Joseph Buonanno is your uncle?
 15 A. Yes.
 16 Q. Did your uncle ever mention the
 17 fact --
 18 A. No.
 19 Q. -- that he had received this?
 20 A. No.
 21 Q. Did he ever mention that he had
 22 received anything from the Rhode Island
 23 Department of Environment Management about
 24 this property?
 25 A. I had no business discussions

1 V.J. BUONANNO
 2 with my uncle, Joe Buonanno, about any of
 3 these matters ever.
 4 Q. Now -- strike that. We've
 5 already spoken about this one conversation
 6 about smoking drums.
 7 A. Yes.
 8 Q. Do you remember having any other
 9 conversations with anybody else about
 10 Centerdale from 19 -- the Centerdale site,
 11 and when I'm going to say Centerdale, I
 12 mean anything about the Centerdale site
 13 from 1969 until 1998, July.
 14 A. Any conversation about the site?
 15 Q. Any conversation about the site.
 16 Fond memories, I wish I was back there.
 17 Do you remember Jack who used to walk on
 18 the grounds. Anything.
 19 A. I have no recollection of any
 20 substantive discussion of that site.
 21 Q. I'll bite. What's a
 22 nonsubstantive discussion?
 23 A. I used to work in Centerdale.
 24 That I would consider nonsubstantive. We
 25 used to be in Centerdale. We had a small

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1 V.J. BUONANNO
 2 plant there. That's all nonsubstantive.
 3 Q. Who did you have discussions
 4 like that with?
 5 A. Someone asked where did New
 6 England Container come from. We came from
 7 Centerdale.
 8 Q. Other than historical statements
 9 to people --
 10 A. Yes.
 11 Q. -- other than that, did you have
 12 any conversations with anyone about
 13 Centerdale from the time you left
 14 Centerdale in '70, approximately, to July
 15 of 1998 other than the one conversation
 16 you've identified here?
 17 A. I can't re -- I can't recollect
 18 any meeting or conversation.
 19 Q. With anybody?
 20 A. Of any substance.
 21 Q. And again, substantive we've
 22 defined as everything except historical
 23 background?
 24 A. Yes.
 25 Q. Did you ever learn about

1 V.J. BUONANNO
 2 anything that was happening on the
 3 Centerdale property from 1970 when you
 4 left to July of 1998 other than the phone
 5 call you had about the smoking barrels?
 6 A. I was aware of demolition there.
 7 I was aware of an attempt to market the
 8 property. I was aware of the smoking
 9 barrels.
 10 Q. That we already discussed, the
 11 smoking barrels.
 12 A. Exactly. I was aware of the
 13 smoking barrels. I was aware at some
 14 point of their sale of the property. I
 15 think I was aware of changes in ownership.
 16 I think that Joseph Buonanno and Edward
 17 Richie sold this property again or some
 18 portion of it and were maybe not the
 19 owners of it by the 1980s. But I don't
 20 remember any of it in substance.
 21 Q. How did you learn they were no
 22 longer the owners?
 23 A. Small town. I don't -- I don't
 24 know, but I thought that when I heard that
 25 the housing for the elderly was being

1 V.J. BUONANNO
 2 built, I heard that there was a property
 3 owner in it that was someone else. I
 4 don't know. I don't remember the
 5 substance. Someone else that bought into
 6 it, maybe the property developer. I don't
 7 know.
 8 Q. Did you know that in October and
 9 November of 1997 the Rhode Island
 10 Department of Health conducted several
 11 investigations at the property?
 12 A. No.
 13 Q. And that never came out in any
 14 discussions that you had with anybody in
 15 that time period?
 16 A. No.
 17 Q. Some of the people who worked in
 18 the new facility also had worked in the
 19 old facility, right?
 20 A. By 1997?
 21 Q. Yes, 1977. I meant 1977.
 22 A. You said --
 23 Q. I should go back. In October
 24 and November -- I keep doing 1997. In
 25 October and November of 1977, the Rhode

1 V.J. BUONANNO
 2 Island Department of Health had an
 3 investigation in response to complaints of
 4 odors and fumes at the property. Did you
 5 know that that occurred?
 6 A. No.
 7 Q. When did you first learn that
 8 occurred?
 9 A. I think I first read it in a
 10 history of articles about the site that
 11 was synthesized by the Providence Journal
 12 in 1979.
 13 Q. But in 1977 that didn't come to
 14 your attention?
 15 A. I have no recollection of it.
 16 Q. When you were in the process of
 17 selling NEC, when did you start -- I'm
 18 sorry. When did you start marketing NEC
 19 for sale?
 20 A. I would say I sold it in '98.
 21 It all happened very rapidly. I would say
 22 in the beginning of '98, January of '98.
 23 Q. And you wouldn't say it happened
 24 relatively quickly, it happened in a six
 25 to nine month span?

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1 V.J. BUONANNO
 2 A. Yes.
 3 Q. I take it there were several
 4 other potential purchasers for the
 5 property?
 6 A. Yes, one other major purchaser.
 7 Q. And some others just kicking
 8 tires?
 9 A. Yes.
 10 Q. Did any of them start doing due
 11 diligence?
 12 A. No.
 13 Q. Never got that far?
 14 A. No.
 15 Q. When it came to doing the sale,
 16 eventually you accepted Russell-Stanley?
 17 A. Yes.
 18 Q. And they were doing due
 19 diligence?
 20 A. Yes.
 21 Q. You were aware that they were
 22 asking questions about potential
 23 environmental issues?
 24 A. Yes.
 25 Q. And you said before you assigned

1 V.J. BUONANNO
 2 the task of preparing this list to
 3 Mr. Costa and Mr. D'Onofrio?
 4 A. Correct.
 5 Q. Neither one of them was at the
 6 company at Centerdale?
 7 A. Yes.
 8 Q. Who told them about what
 9 happened on Centerdale --
 10 MR. SHERMAN: Objection.
 11 Q. -- so they could determine
 12 whether or not to put it on the list?
 13 A. As I remember, the due diligence
 14 question of us, we were asked to supply
 15 all of the locations where New England
 16 Container had operated since its founding
 17 and all the unresolved environmental
 18 issues at the time of the transaction. So
 19 we supplied all of the locations, which
 20 were Centerdale, Smithfield, Baltimore and
 21 Richmond, and we supplied all of the list
 22 of the unresolved actions and those were
 23 the disclosure requirements of the
 24 transaction.
 25 MR. CLASEN: Could you read back

1 V.J. BUONANNO
 2 my question.
 3 (The requested portion of the
 4 record was read.)
 5 A. So within that outline, I would
 6 have, as sole stockholder, I would have
 7 instructed my key operatives, Jerry
 8 Dischino, Gene D'Onofrio and Dick Costa,
 9 to supply the potential buyers with the
 10 names and locations of all our operations.
 11 Q. Past and present?
 12 A. Past and present, all locations.
 13 All the environmental records of the
 14 company, which we did, and a list of all
 15 of the items that were unresolved.
 16 Q. First of all, how did they know
 17 all of the prior locations of the company?
 18 MR. SHERMAN: Objection.
 19 Q. If you know.
 20 A. I would imagine anyone who has
 21 worked for me, like Dick Costa for 25
 22 years or Gene D'Onofrio, somewhere in the
 23 past, 25 or 30 years ago, we used to be
 24 somewhere else.
 25 Q. How would they know the nature

1 V.J. BUONANNO
 2 of the operations in those other places?
 3 MR. SHERMAN: Objection.
 4 A. They wouldn't know the nature of
 5 the operation in those other places.
 6 Q. Could you take a look at Exhibit
 7 9 for me again. Take a look, if you
 8 could, at the page that starts VJB 00796.
 9 A. Yes.
 10 Q. Do you see paragraph 2.17,
 11 environmental matters?
 12 A. Yes.
 13 Q. Have you seen this paragraph
 14 before?
 15 A. Yes.
 16 Q. It continues, as you well
 17 know --
 18 A. Yes.
 19 Q. -- onto the next page. You were
 20 referring a few minutes ago to an
 21 obligation to list certain properties; is
 22 that correct?
 23 A. Yes.
 24 Q. And that list was prepared in
 25 order to satisfy 2.17, right?

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1 V.J. BUONANNO
 2 A. Yes.
 3 Q. And you read 2.17 before, right?
 4 A. Right.
 5 Q. On several occasions, I would
 6 imagine, before today?
 7 A. Yes.
 8 Q. What do you understand 2.17 to
 9 require --
 10 MR. SHERMAN: Objection.
 11 Q. -- the disclosure of?
 12 MR. SHERMAN: Objection. Go
 13 ahead.
 14 Q. And the reason why I opened it
 15 up, if you want to read it again, read it
 16 again.
 17 A. Well, I would have to read the
 18 whole thing to respond to what this says,
 19 no?
 20 Q. That's fine. I'm asking what
 21 your understanding is.
 22 A. Do you want me to read it now?
 23 Q. Yes. Let me tell you what I
 24 want to know. You told us a few minutes
 25 ago what your understanding was as to what

1 V.J. BUONANNO
 2 you have to disclose. I'm asking you the
 3 same question. So you have a chance to
 4 reread it and refresh your recollection.
 5 Maybe the answer is identical or more
 6 lengthy. Because you didn't have a chance
 7 to read it before. With that said and
 8 done.
 9 A. Out loud?
 10 Q. Any way you want to read it. If
 11 you want to read it and say word for word
 12 that's your understanding, that's okay,
 13 too.
 14 A. Yes, I'm familiar with this. I
 15 understand this.
 16 Q. Based on that, what is your
 17 understanding you are supposed to
 18 disclose?
 19 MR. SHERMAN: Objection.
 20 A. I would have to read it all to
 21 say that. You want me to read it?
 22 Q. Why don't you take a look at the
 23 second page. Remember, this is saying --
 24 I'm focusing on VIII. See, at the bottom?
 25 A. Yes.

1 V.J. BUONANNO
 2 Q. Now, the way I read 2.17, other
 3 than what we've listed in this disclosure
 4 schedule we just looked at, there are no
 5 actions, activities, events, conditions or
 6 circumstances occurring or existing
 7 relating to the company's current
 8 operations or properties or to the seller
 9 or the senior managers' former operations
 10 or properties is including, without
 11 limitation, the release, threatened
 12 release emission discharge treatment,
 13 presence, storage or disposing of
 14 hazardous materials that or obligation of
 15 the company under or relating to any
 16 environmental issues.
 17 A. Yes, I understand that fully.
 18 Q. What did you understand that to
 19 require?
 20 A. I understood that to require any
 21 situation that I was aware of that could
 22 potentially or presently produce
 23 environment liability.
 24 Q. What investigation did you make,
 25 you personally make to determine whether

1 V.J. BUONANNO
 2 or not any of the prior properties that
 3 had been operated by NEC fit within that
 4 provision?
 5 A. Due diligence was done by the
 6 buyer.
 7 MR. CLASEN: Read back the
 8 question, please.
 9 Q. I'm not asking who did the due
 10 diligence. I'm asking what you did.
 11 (The requested portion of the
 12 record was read.)
 13 A. What I did was to be aware of
 14 and insure that the continuing operating
 15 procedures of New England Container with
 16 regard to environmental matters which
 17 were, by the way, regarded as among the
 18 very best in the country in the industry,
 19 were still being adhered to while I was
 20 away from active presence at the company.
 21 And so I had a -- I had the assurances by
 22 observations and visits to our plants that
 23 I knew that our companies were operating
 24 responsibly environmentally and that all
 25 our key managers at all the plants knew

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2 their obligations under the environmental
3 laws of their states, and federal laws.
4 Then, aside from that, I wanted
5 to make sure that I had pulled up any
6 unresolved environmental issues so those
7 would be disclosed. And that's how that
8 file brought forth by people, not all the
9 details I'm familiar with, but anything
10 that existed in any files which could
11 result in potential liability from a past
12 practice or past condition would be
13 reported.
14 So I would say that my
15 compliance with this very broad paragraph
16 was a combination not of using an outside
17 firm for due diligence, but my own expert
18 awareness of properly environmentally
19 sound practices in the reconditioning
20 industry combined with full disclosure of
21 all locations and full disclosure of any
22 open issues or violations.
23 Q. Let me ask you this, sir. In
24 1999 you read an article which explained
25 lots of stuff that happened at this

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1 V.J. BUONANNO
2 property, right?
3 A. Which property?
4 Q. Centerdale.
5 A. Yes.
6 Q. If you had known that in July of
7 1998, if you had read that article in July
8 of '98, would you have listed Centerdale?
9 MR. SHERMAN: Objection.
10 A. I don't believe it was relevant
11 to the container operations.
12 Q. You still would not have listed
13 it; is that what you're saying?
14 A. Yes. I don't believe it was
15 relevant to environmental practices. I
16 was aware of nothing in New England
17 Containers that I was not closely involved
18 with, that I knew nothing in its operation
19 or disclosure to lead to what happened in
20 the superfund flight in February '99.
21 Q. Sir, I'm not asking you what you
22 knew. I'm saying you mentioned you read
23 these articles. I think you acted
24 surprised when you read these articles; am
25 I correct?

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1 V.J. BUONANNO
2 A. Right.
3 Q. If you had read all those
4 articles in June of '98, would you have
5 listed the site on this disclosure
6 statement? That's what I'm asking.
7 MR. SHERMAN: Objection.
8 Q. And your answer, I think, is no;
9 is that correct?
10 MR. SHERMAN: Objection. Go
11 ahead.
12 A. Yes. My recollection of the
13 articles that I read is that I still -- I
14 still did not think from the specifically
15 New England Container property that there
16 was any -- that there was any potential
17 liability.
18 Q. Did you have any conversations
19 with anyone from Edwards & Angell about
20 Centerdale before July '98, here's what
21 the operation is on this property. Should
22 it be disclosed or not disclosed?
23 A. I disclosed to them --
24 Q. Listen to the question. I'm not
25 asking you what you disclosed.

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1 V.J. BUONANNO
2 (The requested portion of the
3 record was read.)
4 A. No.
5 Q. Did anyone ever ask, from
6 Edwards & Angell, did they ever ask you
7 whether or not there was anything on the
8 Centerdale property that required
9 disclosure?
10 A. I believe they did.
11 Q. Who asked?
12 A. I don't know. Someone preparing
13 the document.
14 Q. How did you respond?
15 A. I said I'm aware of nothing that
16 would represent something that needed to
17 be disclosed.
18 Q. Let me show you what's been
19 marked before as Plaintiff's Exhibit 10.
20 This is an article that appeared in the
21 July 3rd, 1998 Providence Journal
22 Bulletin.
23 A. Yes.
24 Q. Have you ever seen this before?
25 A. I have not.

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1 V.J. BUONANNO
 2 Q. Did you see it in July '98?
 3 A. No.
 4 Q. Were you back in Providence at
 5 this time period?
 6 A. I don't believe I was.
 7 Q. Did anybody bring it to your
 8 attention before the closing?
 9 A. No.
 10 Q. Had you read this article, would
 11 you have listed the property?
 12 MR. SHERMAN: Objection.
 13 A. No.
 14 MR. CLASEN: Mark this as 3.
 15 (Providence Journal Bulletin
 16 April 28, 1998 article was marked
 17 Buonanno Exhibit 3 for identification,
 18 as of this date.)
 19 Q. Let me show you what has been
 20 marked for identification as Buonanno 3.
 21 When you go on the computer nowadays, you
 22 can print out articles from newspapers.
 23 So it's not a photocopy of it, it's a
 24 printout from it. This was just an
 25 article that was in the Providence Journal

1 V.J. BUONANNO
 2 Bulletin on April 28, 1998.
 3 Have you ever seen this article
 4 before? When I say seen it before, I know
 5 you didn't see it in this form, but you
 6 may have seen the article.
 7 A. I have no recollection of ever
 8 reading this article.
 9 Q. Were you aware of the pollution
 10 of this river in '99 -- as of 1998?
 11 MR. SHERMAN: Objection to the
 12 form.
 13 A. I wasn't aware specifically of
 14 the pollution at the Woonasquatucket
 15 River. However, this --
 16 MR. SHERMAN: Just answer the
 17 question.
 18 Q. So the answer is you weren't
 19 aware of the pollution of this river?
 20 A. Yes.
 21 Q. In here it says, "For example,
 22 people who lived along the river recall
 23 how it changed from green to blue or red
 24 depending on the dye they were using that
 25 day." Do you remember that ever

1 V.J. BUONANNO
 2 happening?
 3 A. I really don't.
 4 Q. Do you remember -- it's a small
 5 town -- do you remember any discussions
 6 about pollution?
 7 A. I don't.
 8 Q. Do you remember people saying
 9 don't go fishing in that river?
 10 A. No. I'm not a fisherman.
 11 Q. I didn't ask you if you were a
 12 fisherman.
 13 A. That's why no one would have
 14 said it to me.
 15 Q. Do you remember anybody saying
 16 anything about the quality of the water in
 17 the river?
 18 A. I assumed as an industrial
 19 river --
 20 MR. SHERMAN: Just answer the
 21 question.
 22 A. That I didn't know the character
 23 of the river. I wouldn't vouch for it,
 24 but I don't know anything specifically
 25 about the water quality in the

1 V.J. BUONANNO
 2 Woonasquatucket.
 3 Q. Do you know if Metro Atlantic
 4 ever dumped any chemicals into the river?
 5 A. I don't know.
 6 Q. Do you know if they ever dumped
 7 any chemicals on their property?
 8 A. I'm not aware of any.
 9 Q. Do you know if they had any
 10 chemicals on their property that were
 11 dumped --
 12 A. I don't know of any.
 13 Q. -- at any time?
 14 A. I don't know of any.
 15 Q. Let me show you what has been
 16 marked as Plaintiff's Exhibit 10.
 17 MR. SHERMAN: I'm not familiar
 18 with it.
 19 MR. CLASEN: I have an extra
 20 copy.
 21 MR. SHERMAN: That's all right.
 22 I have it.
 23 Q. This is a letter from
 24 Mr. Buonanno dated April 9, 2001 to
 25 Mr. Felton. Have you had a chance to read

1 V.J. BUONANNO
 2 it, sir?
 3 A. Yes.
 4 Q. This is a letter you wrote,
 5 right?
 6 A. Right.
 7 Q. In or about April 9, 2001?
 8 A. Right.
 9 Q. There's a statement in here, oh,
 10 about three-fifths of the way down, which
 11 says, "I am confident and we have
 12 scientific reports of the belief that 100
 13 percent of the reason for the dioxin in
 14 the Woonasquatucket River is
 15 hexachlorophene." Do you see that?
 16 A. Yes.
 17 Q. Did you believe that to be true
 18 at the time you made that statement?
 19 A. At the time I wrote the letter,
 20 I did.
 21 Q. Where is the source of the
 22 hexachlorophene that you are referring to
 23 here?
 24 A. Metro Atlantic produced
 25 hexachlorophene in the Riverside

1 V.J. BUONANNO
 2 the river that there were discharges from
 3 the hexachlorophene made in the plant.
 4 That was circumstantial evidence. Excuse
 5 me.
 6 Q. Let me see if I understand this.
 7 They had hexachlorophene on their
 8 property?
 9 A. Yes.
 10 Q. You know that?
 11 A. That's right.
 12 Q. You've also testified that you
 13 have no knowledge of any chemicals spilled
 14 at all on the Metro Atlantic site; is that
 15 correct?
 16 A. Correct.
 17 Q. Have you ever subsequently
 18 learned that chemicals did spill on their
 19 site?
 20 A. I have reason to believe that
 21 they did.
 22 Q. What's your basis for the reason
 23 to believe that it did other than
 24 hexachlorophene turning up in the water?
 25 A. Well, I must repeat that dioxin

1 V.J. BUONANNO
 2 operation.
 3 Q. So the hexachlorophene that you
 4 are referring to, it came from Metro
 5 Atlantic --
 6 A. Yes.
 7 Q. -- is that correct?
 8 A. Yes.
 9 Q. How did it come from Metro
 10 Atlantic?
 11 A. The hexachlorophene?
 12 Q. Yes.
 13 A. The hexachlorophene was made
 14 there. It didn't come from there.
 15 Q. The hexachlorophene is now
 16 polluting both the land and the river; is
 17 that correct?
 18 MR. SHERMAN: Objection.
 19 Q. If you know.
 20 A. I'm not sure. The river, not
 21 that I'm aware of.
 22 Q. How did it get from the river,
 23 from the river to their place?
 24 A. I can only conclude from the
 25 fact that there was dioxin pollution in

1 V.J. BUONANNO
 2 has been scientifically linked to
 3 hexachlorophene production by many
 4 engineers, including the due diligence on
 5 this property. There's very strong
 6 evidence of its production. I also read
 7 after 1998 testimonies of former employees
 8 of Metro Atlantic, some of whom I never
 9 knew, who spoke of discharges into the
 10 river of hexachlorophene of Metro Atlantic
 11 that was totally unknown to me because
 12 that was a period of when I was in grammar
 13 school. They speak of these processes
 14 being done and discharging into the river
 15 at this time. When I read not only
 16 circumstantial evidence of it, but dumping
 17 into the river of hexachlorophene
 18 operations, I certainly believed that the
 19 reason for the dioxin was hexachlorophene
 20 and I tried to communicate that to the
 21 board at Russell-Stanley so they would
 22 properly defend themselves of the
 23 contamination of the river that they had
 24 nothing to do with.
 25 Q. You learned of this discharge

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1 V.J. BUONANNO
 2 after 1998?
 3 A. Yes.
 4 Q. And they occurred when you were
 5 in grammar school?
 6 A. Perhaps. They were operating --
 7 hexachlorophene, I guess, was made in the
 8 fifties and sixties. I'm not sure of the
 9 years, but in years when I was not on the
 10 property.
 11 Q. This was when your dad and your
 12 uncle were running Metro Atlantic --
 13 A. Correct.
 14 Q. -- that you now believe all
 15 these discharges occurred?
 16 A. I believe it was during the
 17 period when they had management
 18 responsibility.
 19 Q. And they were running the
 20 company?
 21 A. Yes.
 22 Q. They weren't middle managing or
 23 anything, they were running the company?
 24 A. That's correct.
 25 Q. And you never learned about

1 V.J. BUONANNO
 2 this --
 3 A. That's correct.
 4 Q. -- at any time in any shape or
 5 form?
 6 A. Never.
 7 Q. Did you see Ray Nadeau's
 8 affidavit?
 9 A. Yes.
 10 Q. He mentioned certain things
 11 happening at New England Container.
 12 A. Yes.
 13 Q. Do you have any knowledge of
 14 that?
 15 A. No; and I don't believe it.
 16 Q. Why don't you believe it?
 17 A. Because I don't believe his
 18 evidence is credible.
 19 Q. What do you know about
 20 Mr. Nadeau?
 21 A. He was a former truck driver for
 22 New England Container.
 23 Q. And how long did he work there?
 24 A. I don't know. Perhaps 10 years.
 25 Q. From when to when?

1 V.J. BUONANNO
 2 A. I don't remember.
 3 Q. Was he working when you were
 4 working there?
 5 A. He was, partially, in some of
 6 those years.
 7 Q. How many of those years was he
 8 working?
 9 A. I think he was working as a
 10 truck driver when I was working there as a
 11 part-timer and I think for a year or so
 12 when I came back full-time.
 13 Q. You're saying you believe his
 14 affidavit to be false?
 15 A. Some aspects of it.
 16 Q. The aspects which deal with the
 17 handling of the materials --
 18 A. Correct.
 19 Q. -- you believe those to be
 20 false?
 21 A. Yes.
 22 Q. Did you ever discuss that with
 23 your father, Mr. Nadeau's accusations?
 24 A. No.
 25 MR. CLASEN: Off the record.

1 V.J. BUONANNO
 2 (Discussion held off the
 3 record.)
 4 Q. Now, did you ever discuss with
 5 any of the former -- anybody who formerly
 6 worked at Metro Atlantic your belief that
 7 all the problems were caused by Metro
 8 Atlantic?
 9 A. Did I ever discuss with them?
 10 Q. Did you ever discuss with
 11 anybody who used to be affiliated with
 12 Metro Atlantic --
 13 A. No.
 14 Q. -- your belief that these
 15 problems were caused by Metro Atlantic?
 16 A. No.
 17 Q. Do you know whether or not the
 18 Centerdale site was on any environmental
 19 lists of any confined superfund, circled,
 20 anything of that?
 21 A. When?
 22 Q. As of 1998.
 23 A. No.
 24 Q. Did you check?
 25 A. No.

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1 V.J. BUONANNO
 2 Q. Did you ask anybody to check?
 3 A. No.
 4 Q. Did you subsequently learn it
 5 was on the list?
 6 A. Yes.
 7 Q. Did you subsequently learn why
 8 it was on the list?
 9 A. I believe it was on a list
 10 produced as an inventory of potential
 11 sites without any kind of overall list. I
 12 think I read at some point since the
 13 preparation of this case.
 14 Q. Did you tell Mr. Costa that
 15 there were no problems on the Centerdale
 16 site that were required to be listed in
 17 the schedule on the purchase of the
 18 agreement?
 19 A. I didn't know of any problems on
 20 the site.
 21 Q. No, but did you tell him there
 22 were no problems on the site?
 23 A. I don't recollect.
 24 Q. He and Mr. D'Onofrio were the
 25 ones who actually produced the list,

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1 V.J. BUONANNO
 2 right?
 3 A. Yes.
 4 Q. They are told, I guess, by
 5 others as well as they know what
 6 properties, they're told the properties
 7 could be?
 8 A. Yes.
 9 Q. And did they speak with you
 10 about those potential properties and say
 11 is this a property that should be
 12 disclosed or not?
 13 A. I think in this case it was very
 14 simple.
 15 Q. No, no.
 16 A. There were four locations and
 17 they were all disclosed. So there was no
 18 checklist to be done. Centerdale,
 19 Smithfield, Baltimore, Richmond are the
 20 only properties and we disclosed
 21 everything.
 22 Q. I mean disclosed in the schedule
 23 2.17 where Centerdale is not one of the
 24 listed properties.
 25 MR. SHERMAN: Objection. What's

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1 V.J. BUONANNO
 2 the question?
 3 A. Yes, what's the question?
 4 Q. Let's try it again. The
 5 question is, did you discuss with
 6 Mr. D'Onofrio and/or Mr. Costa which of
 7 the properties that NEC formally operated
 8 should be put on the list, the list being
 9 the list that's the schedule 2.17 list
 10 which contains the properties, properties
 11 and/or items?
 12 A. No. This isn't a list of
 13 properties, 2.17. This is the list of
 14 unresolved issues. The properties were
 15 disclosed to the due diligence and they
 16 had Centerdale, Smithfield, Richmond and
 17 Baltimore.
 18 Q. But they weren't disclosed as
 19 potential problems?
 20 A. They were disclosed for purposes
 21 of due diligence.
 22 Q. They were not disclosed as
 23 potential problems?
 24 A. Right.
 25 Q. How did Mr. Costa know about

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1 V.J. BUONANNO
 2 that?
 3 MR. SHERMAN: Objection.
 4 Q. He knows nothing about it. How
 5 does he know there is a potential problem
 6 about it?
 7 MR. SHERMAN: Objection.
 8 A. If he was told it was and he
 9 wasn't told there was a problem.
 10 Q. Who, other than you, was working
 11 at NEC at the time of the purchase in 1998
 12 who was in a position to tell Mr. Costa
 13 whether or not the Centerdale property was
 14 or was not a potential problem?
 15 A. I imagine my father only.
 16 Q. Now, did your dad speak with
 17 Mr. Costa --
 18 A. No.
 19 Q. -- in '98?
 20 A. No.
 21 Q. I didn't think so. Right. So
 22 there was nobody other than you who was in
 23 a position to tell Mr. Costa whether or
 24 not the Centerdale property was or was not
 25 a potential problem?

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 2 A. Correct.
 3 Q. Did he ask you was there
 4 anything on the Centerdale property that
 5 would require it to be listed on this
 6 schedule?
 7 A. No.
 8 Q. How about D'Onofrio, same
 9 question?
 10 A. No.
 11 MR. CLASEN: Could you mark this
 12 Exhibit 4.
 13 (The Supplemental Answers to
 14 Plaintiff's First Set of
 15 Interrogatories was hereby marked as
 16 Buonanno Exhibit 4 for identification,
 17 as of this date.)
 18 Q. Mr. Buonanno, let me show you
 19 what we have marked as Exhibit 4 at your
 20 deposition here. It's captioned
 21 Plaintiff's First Set of Interrogatories.
 22 Have you seen -- you've seen these before,
 23 right?
 24 A. Sure. Yes.
 25 Q. I just have a couple of

1 V.J. BUONANNO
 2 questions here. Now I know, we all know
 3 your attorneys helped prepare the
 4 interrogatories and much of the language
 5 in there would be theirs. So you may not
 6 know the answer to these questions. I'm
 7 not trying to play games. The first thing
 8 that's asked is, "I learned of adverse
 9 environmental conditions at the site,"
 10 which is a quote of ours. You're quoting
 11 our question. What did you understand
 12 that to mean, though?
 13 A. I meant I understand it to mean
 14 that the issues raised by the federal EPA
 15 in their charges were what I learned about
 16 in 1999.
 17 Q. It says when you learned about
 18 it, you consulted with D'Onofrio.
 19 A. Yes.
 20 Q. What did you consult with him
 21 about?
 22 A. I consulted with him about --
 23 Q. Just him, D'Onofrio. Do it one
 24 at a time.
 25 A. I don't know what I consulted

1 V.J. BUONANNO
 2 with him about.
 3 Q. How about Dischino?
 4 A. He was president of the company
 5 and he and D'Onofrio would have
 6 responsibility to make available to
 7 Russell-Stanley and New England
 8 Container's attorneys any information
 9 about the company that would be
 10 forthcoming. So I would have met with
 11 those people, Dischino, D'Onofrio and
 12 Costa, and they were told that we need to
 13 respond to this and they were my staff in
 14 Rhode Island.
 15 Q. What about Thomas Cleary, what
 16 did you consult with him about?
 17 A. I consulted with him about
 18 hexachlorophene.
 19 Q. Now, what did you and he talk
 20 about about hexachlorophene?
 21 A. Well, I was curious to find out,
 22 I had heard in an early discussion with
 23 Environ, who had been the environmental
 24 consultants to Russell-Stanley in our
 25 business, that I wanted to ask them what

1 V.J. BUONANNO
 2 might be the creators of dioxin. And so I
 3 called Frank Morazza of Environ and asked
 4 him and told him something about the
 5 textile chemical operation of Metro
 6 Atlantic. And then I told him that they
 7 also had one kind of wild card project or
 8 a couple of wild card chemical projects
 9 where they provided hexachlorophene. And
 10 he told me that was a historic producer of
 11 dioxin.
 12 Q. Was hexachlorophene ever used in
 13 the reconditioning of drums?
 14 A. No. There was no drumming
 15 activity, empty or full. And somehow we
 16 established that Tom Cleary had been
 17 involved. I don't know how we knew that.
 18 Perhaps Larry Bellow perhaps told us that
 19 Tom Cleary had been a chemical engineer
 20 who consulted in making these unfamiliar
 21 products for Metro Atlantic. And so I
 22 called Tom Cleary, who I had never met,
 23 and asked him about hexachlorophene and
 24 about dioxin.
 25 Q. By the way, when the notice came

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1 V.J. BUONANNO
2 in from the EPA to NEC, what became
3 your --
4 MR. SHERMAN: What notice?
5 MR. CLASEN: With respect to the
6 initial one, February '99.
7 MR. SHERMAN: Let's establish
8 the initial notice was a request for
9 information.
10 A. Well, I had no --
11 Q. Let me finish the question about
12 what your role was with NEC.
13 A. That's the question. I got it.
14 Q. Okay.
15 A. I was no longer an officer of
16 New England Container. I was now a board
17 member of Russell-Stanley and I had two
18 responsibilities. One was as an
19 indemnitor of Russell-Stanley, a very big
20 obligation, indeed, for two million
21 dollars, and I had a responsibility as --
22 a fiduciary responsibility to the board to
23 do the best thing for the company. That
24 was my role.
25 Q. Did you ultimately become the

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1 V.J. BUONANNO
2 point person to this company with respect
3 to the investigation of the EPA?
4 A. What is a point person?
5 Q. Good. You're asking me what I
6 meant by point person?
7 A. Yes.
8 Q. What was your role with respect
9 to, for example, assisting the outside
10 counsel for the company in connection with
11 the EPA investigation?
12 A. I was key to it because I knew
13 the most about the history.
14 Q. And as the key person, what was
15 your role?
16 A. I wanted to be briefed on every
17 word that I could that had been written
18 about the site, The Journal basically, any
19 letters, correspondence, any records at
20 New England Container and any testimonies
21 that showed up in the early investigations
22 of the EPA of different past employees who
23 were giving testimony. So my role was to
24 review the records of those people and the
25 credibility of them and to try to

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1 V.J. BUONANNO
2 understand the case in order to defend New
3 England Container. In which I had two
4 vested interests, Russell-Stanley and my
5 own.
6 Q. Who else on the board was
7 playing any role with respect to the
8 investigation?
9 A. No one.
10 Q. Were you reporting back to the
11 board about the investigation?
12 A. From time to time.
13 Q. What were you telling them?
14 A. I was telling them that, like
15 all superfund cases, that joint and
16 several liability was a very difficult
17 thing to escape. And that I felt truly
18 that New England Container could take a
19 position not to ever -- that I had no
20 evidence that New England Container had
21 ever discharged on this property and
22 therefore should take a strong position
23 that they should not agree to participate
24 in the cleanup; and I expressed to them
25 that that was a difficult role, but one

225

1 V.J. BUONANNO
2 that I thought was critically important.
3 And I brought to their attention that
4 early evidence being produced in the case
5 showed some substance to the
6 hexachlorophene theory which I had had
7 some assistance in by their consultant
8 Frank Morazza, who had given me some
9 source of optimism that we could identify
10 hexachlorophene as the culprit, which
11 would clearly move it away from New
12 England Container.
13 Those were the reports that I
14 made, in substance, to the board.
15 Q. Did the nature of your reports
16 ever change to the board?
17 A. I believe they changed when we
18 received an order to participate in a
19 remediation in which we had no choice but
20 to participate.
21 Q. Do you remember approximately
22 when it was?
23 A. Where it was?
24 Q. When, when.
25 A. I cannot recall these dates.

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1 V.J. BUONANNO
 2 Q. Do you remember if it was in
 3 2001, 2000, 1999?
 4 A. I find I would need some kind of
 5 a calendar of events of when the order
 6 came out to be refreshed. When the order
 7 was, when the board meetings were, I don't
 8 know.
 9 Q. What did you tell the board when
 10 the order came out? Because this is the
 11 first time you're changing -- you're
 12 telling me --
 13 A. I believe that my communications
 14 would have been to the president of the
 15 company who by that time was Dan Miller.
 16 Q. And what did you tell
 17 Mr. Miller?
 18 A. So he would have immediately
 19 received it when the order came in. Jerry
 20 Dischino was president of the company and
 21 he would have received that order and he
 22 would have been aware that the case had
 23 taken a turn into a different kind of
 24 gravity.
 25 Q. What did you tell him?

1 V.J. BUONANNO
 2 A. I told him that my attorney was
 3 very surprised, by our attorney Deming
 4 Sherman was, who said it was kind of an
 5 unprecedented Draconian action taken by
 6 the government that wasn't proven, but was
 7 reality.
 8 Q. How did he respond?
 9 A. How did who respond?
 10 Q. Mr. Miller.
 11 A. I have no recollection,
 12 obviously, other than disappointment.
 13 Q. Now, up to this point, up to the
 14 point in time that we've just had the
 15 conversation with Mr. Miller, were you
 16 paying money with respect to the
 17 indemnity?
 18 A. Yes.
 19 Q. When was the last time you paid
 20 any money with respect to your indemnity?
 21 A. I have no recollection. I paid
 22 all moneys owed under the indemnity from
 23 the beginning of the case. If they
 24 weren't in 30 days, they're in due time.
 25 But there was never any question of my

1 V.J. BUONANNO
 2 paying them.
 3 Q. When was the last time you paid
 4 any money pursuant to the indemnity?
 5 A. The last time was previous to
 6 the initiation of this suit.
 7 Q. And you've paid no money since
 8 the initiation of this lawsuit?
 9 A. Correct, right.
 10 Q. Why haven't you paid the money?
 11 A. Because I believe that the fraud
 12 case against me is unjustified and
 13 unwarranted.
 14 Q. Now, you also had a consulting
 15 agreement; is that correct?
 16 A. Yes.
 17 Q. And you received -- what was the
 18 total amount you have received?
 19 A. I was supposed to receive a
 20 million dollars.
 21 Q. How much to date have you
 22 received?
 23 A. \$750,000.
 24 Q. How much consulting work did you
 25 do pursuant to the consulting agreement?

1 V.J. BUONANNO
 2 A. Oh, I would say I was the person
 3 on the Board of Directors of the company
 4 that had the most expertise in container
 5 recycling, on the Russell-Stanley board,
 6 and I frequently spoke to Dan O'Connell of
 7 Vestar who was the lead investor. In
 8 addition to board meetings, I both wrote
 9 memos and visited Vestar to express my
 10 concerns about the incipient
 11 reconditioning operations of
 12 Russell-Stanley and where I thought what I
 13 felt we ought to do.
 14 Q. Do you remember what the terms
 15 of your consulting agreement were?
 16 A. No. Obviously, I sought advice
 17 on the environmental case, my advocacy on
 18 the New England Container, on the federal
 19 EPA would have been very much my
 20 responsibility as both a board member and
 21 a consultant.
 22 Q. Were you also paid separately to
 23 be a board member?
 24 A. Yes.
 25 Q. Mr. O'Connell, have you spoken

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1 V.J. BUONANNO
 2 to him about this lawsuit?
 3 A. Yes.
 4 Q. When was the last time you spoke
 5 to him?
 6 A. I spoke to him perhaps a month
 7 ago.
 8 Q. What did you and he speak about?
 9 A. I spoke to him about the --
 10 about what I saw as the very poor judgment
 11 of Russell-Stanley in allowing a free
 12 wheeling legal free-for-all to go on in
 13 this case. And I also spoke to him about
 14 my continuing feelings that by so doing,
 15 Russell was continuing to try to prove to
 16 the federal EPA that they believed that
 17 New England Container had been polluters,
 18 which of course I don't believe.
 19 Q. What's your relationship with
 20 Mr. O'Connell?
 21 A. I know him in business.
 22 Q. You have a friendship?
 23 A. We're friendly. We both went to
 24 the same school or college, not at the
 25 same time. And we're both members of a

1 V.J. BUONANNO
 2 board together.
 3 Q. Which board is that?
 4 A. Brown University Trustees.
 5 Q. Where you both went to?
 6 A. Right.
 7 Q. Did you speak with Mr. O'Connell
 8 prior to his deposition regarding this
 9 lawsuit?
 10 A. Yes.
 11 Q. What did you and he discuss?
 12 A. I discussed that I continued to
 13 think it was a regrettable situation. But
 14 I did not discuss anything else.
 15 Q. How frequently do you have
 16 conversations with Mr. O'Connell about any
 17 subjects?
 18 A. I would say once every few
 19 months, besides a business discussion
 20 about different matters. He has a holding
 21 company which operates industrial markets
 22 that are similar to mine at Temple Steel
 23 Company and so there's an ongoing
 24 curiosity that we have and mergers and
 25 acquisitions we have in our own field, and

1 V.J. BUONANNO
 2 we talk.
 3 Q. I should have asked you what
 4 Temple Steel Company does.
 5 A. Temple Steel Company is a
 6 producer of magnetic steel laminations for
 7 the electrical and electronic industries.
 8 Q. And it's based where?
 9 A. In Chicago.
 10 Q. Does it have operations anywhere
 11 else?
 12 A. Canada and Mexico.
 13 Q. And you have been primarily
 14 there since 1990 --
 15 A. Yes.
 16 Q. -- up to the present?
 17 A. Yes.
 18 MR. CLASEN: Let me mark this,
 19 if I could, as five.
 20 (Letter dated 7/20/99 was marked
 21 Buonanno Exhibit 5 for identification,
 22 as of this date.)
 23 Q. Have you had a chance to review
 24 Exhibit 5, sir?
 25 A. Yes.

1 V.J. BUONANNO
 2 Q. And do you recognize it?
 3 A. Yes.
 4 Q. What is it?
 5 A. It's the response to request for
 6 information.
 7 Q. It was a response that was
 8 directed to you personally?
 9 A. Yes.
 10 Q. You signed this --
 11 A. Yes.
 12 Q. -- on or about July 20, 1999?
 13 A. Yes, sir.
 14 Q. Is it true, to the best of your
 15 knowledge?
 16 A. Yes.
 17 Q. Now, there was also a response
 18 by New England Container, right?
 19 A. Yes.
 20 Q. Trust me. This isn't a trick.
 21 MR. CLASEN: Could you mark this
 22 as No. 6.
 23 (Letter dated 3/3/00 was marked
 24 Buonanno Exhibit 6 for identification,
 25 as of this date.)

1 V.J. BUONANNO
 2 Q. Mr. Buonanno, have you had a
 3 chance to review both Exhibits 5 and 6?
 4 A. Yes.
 5 Q. Look at page 7 of your response.
 6 A. This is me.
 7 MR. SHERMAN: No.
 8 A. Okay.
 9 Q. It says you were the source of
 10 much information contained in the response
 11 by New England Container. I'm
 12 paraphrasing, but that's what it says.
 13 I'm assuming virtually everything is in
 14 here?
 15 A. Just about.
 16 Q. Is there anything that isn't?
 17 That strikes me as the easiest way to
 18 handle it.
 19 A. This is all from me.
 20 Q. So "this" being the New England
 21 Container's response would also be your
 22 responses?
 23 A. It says New England Container's
 24 responses are primarily from me.
 25 MR. SHERMAN: The first one is

1 V.J. BUONANNO
 2 New England Container. The second one
 3 is individually yours.
 4 A. Yes.
 5 Q. Here is what I'm trying to do
 6 here. I've already got your sworn
 7 response on one of them. The other one,
 8 at least virtually all of the information,
 9 if not all, comes from you also. Rather
 10 than going line by line, I asked you the
 11 negative question, is there anything that
 12 does not come from you. Otherwise, we can
 13 assume that this is -- you are the source
 14 of that, it comes from you. I know it's a
 15 little complicated doing it from the
 16 negative.
 17 A. Yes.
 18 Q. So everything on New England
 19 Container is true and accurate, to the
 20 best of your knowledge?
 21 A. Yes.
 22 Q. And you are -- you were the
 23 source of that information?
 24 A. Yes.
 25 MR. CLASEN: Mark this as 7 and

1 V.J. BUONANNO
 2 this as 8.
 3 (Maps were marked Buonanno
 4 Exhibits 7 and 8 for identification,
 5 as of this date.)
 6 Q. What I want you to do,
 7 Mr. Buonanno, is these are maps. We
 8 marked two maps. The first map is 7 and
 9 the second map is 8. Do you recognize map
 10 No. 7?
 11 A. Yes.
 12 Q. I got a red pen. Take my red
 13 pen. First draw the area where New
 14 England Container was operating in red.
 15 A. (Marking.)
 16 Q. Now, where was Metro Atlantic --
 17 don't write yet. We have a color code
 18 here. Where was Metro Atlantic's
 19 operations?
 20 A. So we're not going to use red?
 21 Q. We have color copiers.
 22 A. New England Container -- I mean
 23 Metro Atlantic was essentially from here
 24 all the way to here.
 25 Q. You're saying right at the edge?

1 V.J. BUONANNO
 2 A. All the way to the rest of it.
 3 Q. Was their operations?
 4 A. That's right.
 5 Q. Now, there was a dump somewhere,
 6 right?
 7 A. I have been made aware that
 8 there was a dump somewhere. I never saw
 9 it.
 10 Q. Well, let me take this blue pen
 11 and circle where you now learned it
 12 existed is.
 13 A. Down here (marking).
 14 Q. Off the map?
 15 A. I don't know. It seemed to me
 16 that the property was much longer than
 17 this distance that you've got here, New
 18 England Container. This doesn't represent
 19 reality because there were a couple of
 20 dozen football fields. These might be the
 21 New England Container, this was all our
 22 world, and this was Metro all the way down
 23 here. I'm sorry about that.
 24 Q. So if I understand correctly,
 25 Metro Atlantic was actually the

1 V.J. BUONANNO
 2 surrounding facility?
 3 A. Yes.
 4 Q. This dump, when did you first
 5 learn of this dump?
 6 A. I learned about it in a test --
 7 in one of the testimonies and I don't know
 8 if it was a Metro employee or a New
 9 England Container employee. The New
 10 England Container employee, Ray Nadeau.
 11 Q. You were here three years
 12 part-time and full-time; did you ever see
 13 the dump?
 14 A. No, I did not.
 15 Q. Did your father?
 16 A. No.
 17 Q. Uncle?
 18 A. No.
 19 Q. Cousin?
 20 A. We never talked about dumps.
 21 Q. Exhibit 8, where is the
 22 Centerdale site on this?
 23 A. It will be tougher than you
 24 think. You got to get Smith Street which
 25 is crossing throughout there and here is

1 V.J. BUONANNO
 2 Waterman Avenue. I'd say this runs in
 3 this area. That runs across the river. I
 4 don't know. What is the scale of this
 5 thing, do you think?
 6 Q. It's the Environ map.
 7 A. 1,500 feet. Here you've got
 8 3,000 six, nine, 12,000 feet, 1,200, yeah,
 9 12,000 feet which is about, you know, two
 10 and a half miles of the river and this is
 11 a spot that is some five or 600 or 700
 12 feet long. I don't know where it is.
 13 Q. How close to the river was the
 14 Centerdale property that NEC was operating
 15 on?
 16 A. How close to the river?
 17 Q. Yes.
 18 A. This is the river.
 19 Q. Right.
 20 A. And this is a tail race which
 21 also eventually goes to the river. So we
 22 were that distance across from the river.
 23 Q. From the river, you were how
 24 many feet, your operation?
 25 A. I want to say that was a hundred

1 V.J. BUONANNO
 2 feet.
 3 Q. And the tail, by the little tail
 4 abutting it?
 5 A. Ten feet.
 6 Q. Metro Atlantic was operating
 7 right alongside of the river the whole
 8 way, too?
 9 A. Right, but this side, also, this
 10 is the parking lot, those are the
 11 buildings.
 12 Q. You're pointing to the top part
 13 of the page on the left-hand side, right?
 14 A. You know what's missing here?
 15 It showed up on a map we looked at
 16 yesterday is that this was the hex
 17 building.
 18 Q. You've just drawn on Exhibit 7 a
 19 building. What building was that?
 20 A. Hexachlorophene production.
 21 Q. How do you know that?
 22 A. Because it stood there in front
 23 of us. You walk out the building. You
 24 see the building.
 25 Q. And you knew they were producing

1 V.J. BUONANNO
 2 hexachlorophene?
 3 A. Something different, special
 4 product.
 5 Q. When did you first learn about
 6 this special product that was being
 7 produced there?
 8 A. I don't know. In the 1960s.
 9 Q. What did you know about it?
 10 A. That it was a different product
 11 from any of their traditional products, a
 12 non-textile chemical.
 13 Q. How did you learn this?
 14 A. I heard my father speak of that
 15 one.
 16 Q. I thought he didn't speak shop.
 17 A. He didn't very much.
 18 Q. But he spoke about the
 19 hexachlorophene?
 20 A. Yes.
 21 Q. What did he talk about the
 22 hexachlorophene?
 23 A. That it was sort of a bit of an
 24 issue because it was a new product that
 25 they never made before, and that they were

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1 V.J. BUONANNO
 2 completely dependent upon the advice of a
 3 chemical engineer who was a consultant,
 4 and I think there were some management
 5 issues that concerned my father about it.
 6 Q. What were the management issues?
 7 A. Whether it would ever succeed.
 8 It was a gambit. It was a risky, new
 9 business; and it didn't succeed.
 10 Q. The relationship here of your
 11 father to Metro Atlantic, he was just an
 12 employee there?
 13 A. Yes.
 14 Q. And that's true the whole time,
 15 right?
 16 A. Yes.
 17 Q. And you also had no ownership
 18 interest in the property?
 19 A. None.
 20 Q. In the real property itself,
 21 right?
 22 A. No interest, no interest.
 23 Q. The hexachlorophene that was
 24 being moved on Exhibit 7, is that where
 25 you think it spilled?

1 V.J. BUONANNO
 2 A. Yes.
 3 Q. What's the basis for you
 4 thinking it spilled?
 5 A. A testimony that I read from a
 6 former employee from Metro Atlantic.
 7 Q. Who was that; do you know?
 8 A. I don't know.
 9 Q. Did you know this employee?
 10 A. No.
 11 Q. You never met him?
 12 A. No.
 13 Q. You never talked to him on the
 14 phone?
 15 A. No.
 16 Q. Anything?
 17 A. No.
 18 Q. Ever?
 19 A. Never.
 20 Q. Someone mentioned something to
 21 me about Agent Orange. Was there any
 22 Agent Orange on this property, the
 23 Centerdale property?
 24 A. I'm not sure about the chemical
 25 compounds that were made in that building,

1 V.J. BUONANNO
 2 but apparently another product was made
 3 there, and I don't know what it was.
 4 Q. Was that building hooked up to
 5 the sewer system?
 6 A. I don't know.
 7 Q. What was the sewer system on the
 8 Centerdale property?
 9 A. Municipal sewer, town sewer
 10 system.
 11 Q. What was hooked up to the sewer
 12 system besides the bathroom facilities?
 13 A. Everything, as far as I know.
 14 Q. What about the drain?
 15 A. In Centerdale it was hooked up.
 16 I don't know about inside that building.
 17 MR. SHERMAN: You're talking
 18 about the container building?
 19 A. The container building. We were
 20 on a sewer building here. I don't know
 21 what they had.
 22 Q. Were the drains hooked up to the
 23 sewers?
 24 A. I don't know.
 25 MR. SHERMAN: You're talking

1 V.J. BUONANNO
 2 about New England Container or Metro
 3 Atlantic?
 4 A. What are you talking about?
 5 MR. CLASEN: No. I'm talking
 6 about New England Container.
 7 A. The drains were hooked up to the
 8 sewers.
 9 Q. All the drains?
 10 A. As far as I know.
 11 Q. Do you know where the sewage
 12 treatment plant was for these?
 13 A. No.
 14 Q. Did you ever learn where they
 15 were?
 16 A. No.
 17 Q. I missed the Agent Orange thing.
 18 I don't think I quite understood your
 19 response. What's your response?
 20 A. My response is I don't really
 21 know what they were doing there because I
 22 wasn't working for them and I am not a
 23 chemical engineer. I know they made a
 24 product called hexachlorophene which was a
 25 kind of well-known product because it was

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1 V.J. BUONANNO
 2 in toothpaste and skin products, but I
 3 also understand that they were making a
 4 defoliant. Whether that was part of the
 5 hexachlorophene, a by-product or another
 6 product in the same building, I don't
 7 know. But the defoliant, I think, was
 8 Agent Orange, and I don't know. This has
 9 been mentioned in other people's
 10 testimonies, I believe. I have only
 11 knowledge of it from that.
 12 Q. You knew nothing about it prior
 13 to 1999?
 14 A. No, never.
 15 Q. You did know the hex --
 16 A. I knew only that it was called
 17 the hex building.
 18 Q. You knew they were making
 19 hexachlorophene prior to 1999?
 20 A. Yes. I didn't know anything
 21 about the product.
 22 Q. What was his problem, what was
 23 your father's problem with hexachlorophene
 24 production?
 25 A. I think it was essentially a

1 V.J. BUONANNO
 2 venture capital deal outside of their
 3 traditional area, that his brother and the
 4 owners had decided to go into that he
 5 wasn't familiar with.
 6 Q. And he was against it or --
 7 A. Perhaps he was sceptical. I
 8 remember that. But I don't know.
 9 MR. CLASEN: I don't have any
 10 further questions.
 11 MR. SHERMAN: Just a few
 12 questions for Mr. Buonanno to clarify
 13 some questions that were asked
 14 previously.
 15 EXAMINATION BY
 16 MR. SHERMAN:
 17 Q. You were asked about certain
 18 customers of New England Container to whom
 19 you delivered drums and from which you had
 20 obtained drums to be processed.
 21 A. Right.
 22 Q. When you delivered drums to a
 23 customer and you picked up drums from that
 24 customer, would they be the same number
 25 the drums?

1 V.J. BUONANNO
 2 A. No, not at all.
 3 Q. Would you explain how that
 4 worked?
 5 A. Yes. Most customers who would
 6 take drums which they were going to fill
 7 their products in and they were buying it
 8 from us, had generated other empty drums
 9 making their product. But usually that
 10 was a multiple.
 11 For example, if we sold to
 12 Original Bradford 100 drums on the truck,
 13 they might have 15 or 20 for us. That
 14 means that the other raw materials they
 15 used came perhaps from tank trucks or from
 16 other sources of liquids other than the
 17 package of the steel drum. So therefore,
 18 we always sold more than we bought back
 19 from them.
 20 In some cases that I've pointed
 21 out, such as Ciba Geigy or Metro Atlantic,
 22 they were very much one to one generators,
 23 where you took out as many as you put in.
 24 So although we've discussed a
 25 long list of customers here, that is a

1 V.J. BUONANNO
 2 long list of people who took drums, but
 3 the number of people that generated drums
 4 would have been smaller and smaller
 5 quantities.
 6 Is that sufficient to confuse
 7 everything?
 8 MR. SHERMAN: I think I
 9 clarified it.
 10 Thank you. I have no further
 11 questions.
 12 BY MR. CLASEN:
 13 Q. Let me follow up on that.
 14 We went through each one of them
 15 on the list. Some consisted of being a
 16 supplier, some consisted of being a
 17 customer, some consisted of doing both.
 18 A. Yes.
 19 Q. Some buying, some selling.
 20 A. Yes.
 21 Q. We know what the list is. What
 22 you're telling me is volume numbers?
 23 A. I was telling you what they were
 24 always buying from us as a customer. I
 25 can't possibly recall, but I can tell you

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1 V.J. BUONANNO
 2 the ratio was typically many times more
 3 than what we would buy from the people.
 4 They would give us a smaller percentage.
 5 That's why we had people who only sold to
 6 us like Worcester Textiles because they
 7 were the ones that we would sell to other
 8 people.
 9 Q. Let's go through the list of
 10 people and see the volume you bought from
 11 them.
 12 A. I know that there is no possible
 13 way I can know what a 1963 truck took in
 14 and took out from a customer. But let's
 15 go ahead.
 16 Q. When I asked you these
 17 questions, some you couldn't tell.
 18 A. Just a guess.
 19 Q. Some you gave me numbers.
 20 A. Now we're asking for another
 21 level of recollection, not only a
 22 customer, but a truck that went to him for
 23 50 drums now to ask me what the truck came
 24 back with. That was like a pick-up
 25 service. So it's very difficult for me to

1 V.J. BUONANNO
 2 ascertain.
 3 Q. You mentioned that there were
 4 some significant customers?
 5 A. Yes.
 6 Q. Were they significant in the
 7 sense of selling?
 8 A. Both ways.
 9 Q. All of them were both ways
 10 significant?
 11 A. No. Significant two-way
 12 customers were Metro Atlantic, American
 13 Hoechst, Ciba Geigy.
 14 Q. Any others? Because you
 15 mentioned some more were significant
 16 customers.
 17 A. Warwick Chemical was a
 18 significant customer who sent very little
 19 back, as I remember.
 20 Q. What I'm looking for is the
 21 significant ones giving you containers.
 22 A. Just selling us containers, yes.
 23 Q. They could be significant in
 24 also buying them, but I also want them to
 25 be significant in giving you containers.

1 V.J. BUONANNO
 2 A. I told you significant in buying
 3 and selling. Significant in generation.
 4 Just generation was perhaps Worcester
 5 Textile, Duro Finishing, I think we said
 6 French Worsteds.
 7 Q. And Baylis I think we said it
 8 was.
 9 A. These were places from whom we
 10 just bought drums and we didn't sell them
 11 drums and they generated significant drums
 12 and we went and picked up drums there.
 13 Q. You did pick up significant
 14 drums?
 15 A. But didn't sell them anything.
 16 Q. Right. Okay. So just so we are
 17 where we are now. There were three
 18 significant ones who were selling to you
 19 drums, right?
 20 A. That we also sold to.
 21 Q. No, no, just --
 22 A. Three significant ones. Those
 23 are three that I can remember. I don't
 24 know where all our drums came from.
 25 Q. Do you remember any --

1 V.J. BUONANNO
 2 A. Forty years ago.
 3 Q. Do you remember any of the ones
 4 being significant sellers to you of drums?
 5 A. I cannot remember in 1962, 40
 6 years ago, who else sold us drums.
 7 Q. If I understand you correctly,
 8 typically with respect to the
 9 insignificant ones, they bought from you
 10 more drums --
 11 A. Yes.
 12 Q. -- than they gave back to you?
 13 A. Correct.
 14 Q. Mostly because drums went out to
 15 other people or were lost or whatever?
 16 A. Yes.
 17 Q. By a multiple of what,
 18 typically, is that for these customers?
 19 A. Three to one, four to one.
 20 Q. Was that true all the time?
 21 A. No.
 22 Q. Some of them were one to one
 23 back?
 24 A. Yes.
 25 Q. Like Metro Atlantic was pretty

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1 V.J. BUONANNO
2 much one to one?
3 A. One to one.
4 Q. Is that correct?
5 A. Yes.
6 Q. And the textiles ones, were they
7 pretty much one to one?
8 A. Tend to be, yes.
9 Q. How about the middle men, do
10 they tend to be one to one?
11 A. I don't know. I can't recollect
12 in that period.
13 Q. By the way, how much did these
14 containers cost in 1967?
15 A. We bought them for a dollar to
16 two dollars and sell them for six or seven
17 dollars in those years.
18 Q. What are they up to now?
19 A. Buy them for four or five
20 dollars and sell them for 12 dollars.
21 MR. CLASEN: I don't have any
22 further questions.
23
24 (Continued on the next page to
25 allow for signature line and jurat.)

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1 V.J. BUONANNO
2 MR. SHERMAN: Thank you. Great.
3 (Time noted: 3:35 p.m.)
4
5
6 VINCENT J. BUONANNO
7
8
9
10 Subscribed and sworn to
11 before me this _____
12 day of _____,
13 2003.
14
15
16 Notary Public
17
18
19
20
21
22
23
24
25

256

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1
2 CERTIFICATION
3
4 I, Barbara P. Goldsmith, a Notary
5 Public in and for the State of New York,
6 do hereby certify:
7 THAT the witness whose testimony is
8 hereinbefore set forth, was duly sworn by
9 me; and
10 THAT the within transcript is a true
11 record of the testimony given by said
12 witness. I further certify that I am not
13 related, either by blood or marriage, to
14 any of the parties to this action; and
15 THAT I am in no way interested in the
16 outcome of this matter.
17 IN WITNESS WHEREOF, I have hereunto
18 set my hand this 11th day of April 2003.
19
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21
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25

21
22
23
24
25

BARBARA P. GOLDSMITH

VERITEXT

212-267-6868

516-608-2400

1
2 UNITED STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF NEW YORK

4 - - - - -x
5 RUSSELL-STANLEY HOLDINGS, INC.,

6 Plaintiff,

7 -against-

No. 01 Civ. 8218 (WK)

8
9 VINCENT J. BUONANNO,

Defendant.

10 - - - - -x
11
12 780 Third Avenue
13 New York, New York
14 March 28, 2003
15 10:06 a.m.

16 DEPOSITION of VINCENT J.
17 BUONANNO, the Defendant in the
18 above-entitled action, held at the above
19 time and place, taken before Barbara P.
20 Goldsmith, a Shorthand Reporter and Notary
21 Public of the State of New York, pursuant
22 to the Federal Rules of Civil Procedure,
23 and stipulations between Counsel.
24
25

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