

IN RE: CRANDALL CANYON
MINE INVESTIGATION INTERVIEWS

INTERVIEW
OF
JEFF WAGGETT

INTERVIEWERS:
JOE PAVLOVICH, ERNEST TEASTER

DATE:
NOVEMBER 8, 2007

1 BY MR. PAVLOVICH:

2 Q. Well, just to explain, and I think you probably already know this because
3 we've talked to you quite a bit since we've been coming up here. But Ernie and I,
4 we're both retired MSHA people, and we were asked to come back to do this
5 independent review of the events at Crandall Canyon, and so we agreed to do that
6 and we're trying to interview as many people that were at the site, and we'll also be
7 conducting interviews with people prior to the original event. And let me read this
8 opening statement to you.

9 A. Sure.

10 Q. The Secretary of Labor has assigned this group the task of evaluating MSHA's
11 performance during the period proceeding the August 6th, 2007 coal bounce at
12 Crandall Canyon Mine and the subsequent rescue effort. We will also be evaluating
13 issues that were raised during this time period regarding Bob Murray and his
14 interaction with MSHA. This is not an investigation, review of any individual person,
15 it's an administrative review of MSHA's actions as an agency. This evaluation will be
16 presented to the secretary in near future and it is intended that the results of the
17 evaluation will be made public.

18 This interview is being conducted to gather information for this assignment.
19 We also intend to interview a number of other MSHA employees so that we may
20 obtain unbiased information from all persons to be interviewed. We ask that you not
21 discuss the interview with anyone until all the interviews are completed. Are you a
22 bargaining unit person or ---?

23 A. Yes, I am.

24 Q. Okay. So you were notified you had a right to representation?

25 A. Yeah.

- 1 Q. You've elected not to?
- 2 A. Right.
- 3 Q. And I'll also let you know, Jeff, we're taping the interview. Is that okay with
4 you?
- 5 A. That's fine.
- 6 Q. Okay. All right. Can you state your full name?
- 7 A. Jeffrey Neil Waggett.
- 8 Q. Okay. And what's your current job title, Jeff?
- 9 A. Civil Engineer with mine ventilation division tech support.
- 10 Q. Okay. And who's your supervisor?
- 11 A. Currently, Rich Stoltz
- 12 Q. Rich Stoltz.
- 13 A. And John Urosek. I'm also kind of on the detail with the mine emergency
14 operations, the new division that John Urosek heads up for ---.
- 15 Q. Okay.
- 16 A. So it's kind of like a dual thing, I guess, right now.
- 17 Q. So you're in the ventilation group officially, but you're working for John ---
- 18 A. Right.
- 19 Q. --- on the seal ---
- 20 A. Yeah.
- 21 Q. --- approvals and that sort of thing?
- 22 A. Right.
- 23 Q. Okay. How long have you been employed with MSHA?
- 24 A. A little over four years. My service date is 9/21/03.
- 25 Q. Okay. And you also responded to the Crandall Canyon accident as a member

1 of the MSHA MEU team; is that correct?

2 A. Yeah.

3 Q. Okay.

4 A. Kind of unofficially, but yeah.

5 Q. Kind of three-fold.

6 A. Right.

7 Q. You were MEU and ventilation?

8 A. Right.

9 Q. How were you notified of the accident at Crandall Canyon?

10 A. Well, heavens, we had mine rescue practice that day. I was benching my
11 apparatus and Virgil came in and said, hey, we're on standby. We have a problem out
12 in Utah, and then about two minutes later, Kim Diederich and Don Solkowski
13 (phonetic) came in and got me and said, hey, we're heading to Utah.

14 Q. Okay.

15 A. That was probably 8:30 in the morningish, 8:30.

16 Q. Okay. And that was the morning of the accident?

17 A. That was the morning of the accident.

18 Q. So it would have been 8/6?

19 A. Uh-huh (yes).

20 Q. Okay. So what were you assigned to do?

21 A. Originally, just drive two vehicles out there. We drove our pickup truck and
22 the ventilation IR truck, and that was originally, and then once we got out there we'd
23 have other duties when we got out there.

24 Q. Okay.

25 A. When we came out.

1 Q. How long did it take you all to drive out? What day did you get to the mine?

2 Let's put it that way.

3 A. That was a Monday?

4 Q. That was a Monday that you left, yeah.

5 A. We got ---.

6 Q. I have your notes here. Does that help?

7 A. We got to the mine Thursday morning, but we got to Price Wednesday
8 evening and unloaded our equipment at Price Field office Wednesday evening.

9 Q. So you took a CG out there?

10 A. Yeah.

11 Q. Okay.

12 A. Yeah. We took our gas chromatograph out for PTAD and bottles of gas and
13 tubing, all kinds of stuff. We had to unload our pickup truck when we got there.

14 Q. Okay. So when did you first get to the mine? Was it Thursday morning then?

15 A. Thursday morning.

16 Q. And what was the role that you were assigned to do?

17 A. Well, that morning we --- Kim Diederich and I got there and we met up with
18 Charlie Campbell, and he kind of gave us an overview of what was going on. You
19 know, they were taking gas readings up where they were mining and stuff like that and
20 just kind of basic overview. Everything was kind of looking okay at that point from
21 what I understood, and they were getting ready to punch through the holes on the
22 mountain. And this two-inch hole was supposed to go through at midnight or 11
23 o'clock p.m. that night.

24 Q. That night? Okay.

25 A. And so shortly after that, Tim and I went up the mountain ---.

- 1 Q. So basically, Charlie Campbell said here's what you guys will be doing?
- 2 A. Yeah.
- 3 Q. Chuck Campbell gave you your duties?
- 4 A. Kind of our guidance.
- 5 Q. Were you there to replace Chuck or ---?
- 6 A. Yeah, we replaced Chuck Campbell and George All (phonetic).
- 7 Q. George All?
- 8 A. Yeah.
- 9 Q. And did they then leave or did they just get other duties?
- 10 A. Yeah, George left the night before. He flew home.
- 11 Q. He did leave.
- 12 A. And then Charlie left that afternoon.
- 13 Q. Okay. So when did you guys go up on the mountain?
- 14 A. What time did we head up there? We headed up there like late morning. We
- 15 probably got there around 2:00 p.m.
- 16 Q. You took your pickup truck up and ---?
- 17 A. Yeah.
- 18 Q. Okay.
- 19 A. I think we took a pump and some tubing with us just in case we needed it.
- 20 Q. Were you ever in the command center?
- 21 A. Briefly.
- 22 Q. I guess the Blue Goose?
- 23 A. In and out, more or less.
- 24 Q. But that first day when you reported, was
- 25 that ---?

1 A. We walked in and then kind of walked back out type of thing.

2 Q. Okay.

3 A. We were in there for a few minutes and ---.

4 Q. Okay. Was there much going on in there when you walked in?

5 A. Not really. Not that morning. More just answering the phones and stuff at the
6 table. They were taking their notes from inside and ---.

7 Q. Did you understand who was in charge for MSHA on site?

8 A. At that point, I think I saw Kevin. I think I saw Stickler, so I assumed they
9 were in charge.

10 Q. Okay. So you would assume Kevin and Stickler?

11 A. Yeah. When I'd see them, I'd assume they were in charge, so ---.

12 Q. Do you know how the organizational structure of MSHA was set up during the
13 rescue attempt?

14 A. Not really familiar with it. I knew who I was under and that's all I was really
15 concerned with at the time.

16 Q. Okay. So when you got up on the mountain, what did you do that first day?

17 A. First, we went up there and started taking our depth readings because the
18 radios didn't work that great and they were having a hard time. There was either an
19 MEU person up on top of the mountain radioing back the depth of each hole every --- I
20 think it's every half hour or something like that, every hour. And they were having a
21 hard time communicating. So what we would do is, Kim and I would be down there
22 with the drillers with them while the other person was up on top of the mountain trying
23 to radio down or call down ---.

24 Q. So you were head radio communication to the guy up top?

25 A. Right.

1 Q. And who was that? Do you remember?

2 A. It changed all the time.

3 Q. One of the local guys from Price or something?

4 A. For a while it was MEU personnel, mine emergency unit, and then it came
5 local guys from Price. It was kind of like a mix.

6 Q. So you guys pretty much stayed right there by the hole while they were drilling
7 and took measurements every hour?

8 A. Right. Every hour, every half hour, you know, when they'd stop, and different
9 things.

10 Q. Did you ever know of any of them having trouble with steel binding in the hole
11 or anything because of ground movement?

12 A. Uh-uh (no).

13 Q. No?

14 A. Even the two-inch hole seemed like it went pretty well.

15 Q. Okay. So when was the first time you were able to sample on the number one
16 hole?

17 A. It's in my notes.

18 Q. Even before then, let me ask you something. You've got some notations here
19 in your notes that says the parts have arrived.

20 A. Yeah.

21 Q. We're going to order blank gallons of oil and the truck won't start.

22 A. Okay.

23 Q. Can you explain those a little bit?

24 A. Absolutely. The parts have arrived is when the two-inch hole punched through
25 to mine level.

1 Q. Okay. So when the two-inch hole punched through, that means the parts
2 have arrived?

3 A. Yeah, and that was at 2155.

4 Q. Okay.

5 A. Or 9:55 p.m. and it was at 1,876 feet.

6 Q. Okay.

7 A. And these are just other notations I was doing at the time for ---.

8 Q. It looks like you're figuring diameter.

9 A. Just figuring ---.

10 Q. You got Pi written then.

11 A. Yeah. And then we are going to order so many gallons of oil. That was
12 assuming after we sounded on the pipe if we got any response back or with the
13 microphone, if we had people alive, the gallons of oil was the number of people alive.

14 Q. Okay.

15 A. And the truck won't start was if we didn't get any response back.

16 Q. Okay.

17 A. That was kind of the ---

18 Q. Code words.

19 A. --- code words that we used so that nobody could pick up, because some of
20 the times we're using FM radios and we just didn't want anybody to pick it up.

21 Q. Okay. So the number one hole punched through at ---?

22 A. 9:55.

23 Q. Okay, 2155. And what did you do then?

24 A. First thing they did was pull off the actual rig --- not the rig, but the actual
25 head off the drill rig, the motor part of it.

1 Q. Okay.

2 A. And then they put the mic down in that one. It started down at 10:01 p.m.

3 Q. Did you tap on the steel at all?

4 A. Yeah, they tapped on the steel within this time frame.

5 Q. Okay.

6 A. That was the 30 minutes. They're supposed to wait 30 minutes. It didn't go
7 quite 30 minutes to drop the mic, just because they tapped on the steel a few times
8 and there was nothing.

9 Q. Okay.

10 A. And the decision came up, put the mic down in the hole.

11 Q. So were you guys helping with that, or ---?

12 A. Yeah, we helped put the mic down. It was, I guess, regular people were there
13 with the mic and everything. It was their mic, from what I understand. And we started
14 putting the mic down at 10:01, and it was down 1,000 feet at a quarter after 10:00, and
15 then I think it was --- what does that say? 10:33 it was at the bottom.

16 Q. Okay.

17 A. And then they started talking through the mic for whatever it was, a half hour
18 or whatever, or 20 minutes. It was something like that.

19 Q. Okay. Just seeing if they would get a response?

20 A. Right.

21 Q. And they got no response?

22 A. No response.

23 Q. Okay. So then what was your next action

24 or ---?

25 A. Then we started taking air samples after we pulled the mic out and everything,

1 listening. And we started sampling for 30 minutes at 11:10. We knew it would take
2 about 30 minutes to evacuate the pipe of all the air that was in there, installing fresh
3 air.

4 Q. And you were using the pump?

5 A. Thomas pump, and it's capable of pulling 20 inches of water.

6 Q. Is it a battery operated pump?

7 A. No, it's DC --- or AC. We had a generator.

8 Q. Oh, you had a generator with you?

9 A. Yeah.

10 Q. Okay.

11 A. During this whole time, we were running through town. We had to go buy a
12 generator and we had to ---

13 Q. Okay.

14 A. --- get things ready so we were able to draw a sample whenever they said go.
15 So we were ---.

16 Q. Good. Okay.

17 A. We were ready to go.

18 Q. So you plumbed up the pipe, let it evacuate the pipe for 30 minutes, and
19 you're drawing through the drill steel; right?

20 A. We're drawing through the drill steel and then into our Thomas pump and then
21 out to our handhelds.

22 Q. Handhelds?

23 A. Right.

24 Q. So what was your first reading that you got?

25 A. Fresh air. It was 20.9 percent oxygen, parts per million CO and no methane.

1 Q. And you were with Kim?

2 A. Yeah, we were together at this point.

3 Q. So what did you and Kim think about those samples?

4 A. We figured we'd have less oxygen than that, but we kept pulling on it for
5 awhile knowing that it's going to take a half hour to evacuate the pipes. So we waited
6 our half hour, taking readings every five minutes. And the oxygen started to drop off a
7 little bit but not significantly, only a couple tenths, and we just thought we'd see a
8 greater decrease than that, but we --- after an hour, they called down and wanted our
9 readings and we gave them what we had. But we weren't confident in the numbers
10 and we told them, we said, you know, there's something not quite right here. We just
11 weren't ---.

12 MR. TEASTER:

13 Who did you call?

14 A. The guy on the hill, whoever that was at the time. I don't remember the name.

15 MR. TEASTER:

16 You didn't call the command center. You called somebody on
17 the hill?

18 A. Yeah, the person on the hill was responsible for calling down to the command
19 center and they came and they called down to whoever at the command center.

20 MR. TEASTER:

21 What time would that have been, based on your notes?

22 A. It would have been right around 12:00 a.m. or 12:05. You know, it was right
23 around these last couple samples here, because we kept pulling for a little while
24 longer after we gave those results, but then they wanted to put the mic down again, I
25 think. I think they wanted to put the mic down the hole again. And we went and pulled

1 off our pipe and we realized we created a vacuum in the drill steel.

2 BY MR. PAVLOVICH:

3 Q. Okay.

4 A. And then that's when we were certain that our ratings were probably not good.

5 Q. Okay. Then how did you realize you had a vacuum when you ---?

6 A. Because it was just sucking air like real hard and then we tried just to do a U
7 tube and figure out how much it was --- what vacuum we did put on the pipe and it was
8 huge, so we realized that there must have been a blockage in the pipe.

9 Q. Okay. So what did they do with that?

10 A. At that point, we did make sure the guy on the hill called down that --- no, it
11 was Kim talked to Jeff Kravitz, I think and said, hey, we're not confident at all in those
12 numbers and we think we got a plug in the pipe or in the drill head and then they
13 flushed it with water and then we sampled again and we started sampling about 10
14 after 1:00.

15 MR. TEASTER:

16 Did you ever stick the mic back down the hole?

17 A. Not at that point. That was the goal, but when we realized that, we just went
18 straight in with the tubing again.

19 MR. TEASTER:

20 In all probability then, based on the pipe being clogged when
21 you started to take your gas sample, that that mic did not reach inside the mine or
22 didn't get outside that pipe ---

23 A. Well ---.

24 MR. TEASTER:

25 --- or steel?

1 A. There's only four eighth-inch holes in the bit itself, so those four holes being
2 clogged, I don't know if they would have made an effect on the microphone.

3 BY MR. PAVLOVICH:

4 Q. But you still got the bit on the pipe, the drill bit?

5 A. Yeah. And then there was just four eighth-inch holes in that bit for water and
6 that's ---.

7 Q. And they were plugged?

8 A. That's what we're assuming, because the mic, the first time, went clear down.
9 Like, they could feel it hitting the drill, the actual bit itself, ---

10 Q. Right.

11 A. --- but they couldn't tell anything else.

12 Q. Okay. So then after you flushed the hole out, you collected another sample,
13 and your first sample at that time was what?

14 A. Fresh air. 20.6 oxygen ---.

15 Q. It was still fresh air even after ---?

16 A. Yeah, because we had to evacuate the pipe again.

17 Q. Okay. Once you ran the pump 30 minutes or whatever to evacuate, what was
18 the ---?

19 A. 7.2 percent oxygen, zero methane and 236 parts per million CO.

20 Q. Okay. Were you pretty confident in those readings?

21 A. Yeah, awfully confident in those readings.

22 Q. Okay. You felt that's what you were really getting out of the mine, then, ---

23 A. Yeah.

24 Q. --- based on what you had?

25 A. Right.

1 Q. And so what did that lead you to believe?

2 A. We weren't sure at that time whether or not, you know, we had a breach from
3 the gobs next door or anything like that, you know. There was ---.

4 MR. TEASTER:

5 Have you been briefed much? I mean, when you first got
6 there, did anybody pull out a map like this and kind of show you what's going on?

7 A. Yeah. We kind of knew where the area was and there was some thoughts that
8 it breached the gob area north of them or south of them.

9 BY MR. PAVLOVICH:

10 Q. Okay.

11 A. We weren't really ---.

12 Q. One or the other.

13 A. We knew that they got chased out when they breached the seal up here.

14 Q. Okay. So someone had briefed you on that already?

15 A. Yeah.

16 Q. When they breached these seals here, that they were getting pretty much ---?

17 A. Yeah.

18 Q. Did you know what reading they had gotten there?

19 A. We knew it was low oxygen, and that's all we knew at the time.

20 Q. Okay.

21 A. We didn't know how low. We had high nitrogen when we did the bag samples
22 for these, and that was kind of weird. We had like 90 percent nitrogen.

23 Q. Where did that come from?

24 A. No idea. And that's where we were. We were wondering what was up in here
25 bag sample-wise, but they got chased out of there pretty quick. They weren't in there

1 very long from what I understand, and so they didn't get a chance to pop any bottles or
2 collect any bag samples, so --- you know, that nitrogen, if it was the same up here and
3 the same here, you know, you might be able to assume that you had a breach, but ---.

4 Q. Because the high nitrogen would be unusual?

5 A. Right.

6 Q. So who did you report that low reading to then? Kravitz or ---?

7 A. Yeah, I think Kravitz was on the scene by that time and Kim would have
8 reported to Kravitz.

9 Q. Okay. Do you know then, did they call it into the command center?

10 A. Yeah, I'm sure they radioed it down.

11 Q. And that would have been about what time?

12 A. That was a quarter 'til 2:00 or so. I mean, as soon as we got this one, at 1:45
13 we let them know that we had it ---

14 Q. Uh-huh (yes).

15 A. --- and then we kept pulling on it to make sure that we weren't, you know, just
16 getting a slug of something bad, but ---.

17 Q. Okay. So you kept testing it?

18 A. Yeah. We tested it for another half hour.

19 Q. Okay. So these were the last three samples you collected?

20 A. Right. And we also took bags of syringes at the time, too, to be analyzed by
21 the GC when we got back into town ---

22 Q. Okay.

23 A. --- at Price.

24 Q. All right. So those bags --- I mean, there wasn't somebody shuttling bags
25 back and forth every hour or anything? You waited until your shift was over to take

1 them back to town?

2 A. Yeah, we just took them back with us to Price.

3 We used syringes at that time just because that's what we normally use.

4 Q. Okay.

5 A. Because you can use syringes as long as you get it analyzed within 24 hours.

6 Q. Oh, okay.

7 A. We do that a lot.

8 Q. Okay.

9 A. So Kim and I, when we went back from town, I think it was five o'clock or so or
10 6:00 in the morning. We called and woke up whoever at the hotel that was from
11 PTAD and they came out
12 and ---.

13 Q. And run the analysis for you?

14 A. Yeah.

15 Q. Do you know how they were reporting back to the mine?

16 A. I'm not sure.

17 Q. Okay.

18 A. If they were calling or printing out sheets and sending them up with somebody.
19 I'm not sure exactly how they were doing it.

20 Q. Okay. What did you do on your next shift? Did you mostly stay outside and
21 do sampling?

22 A. Next shift, that was what day? Next shift the eight-inch hole went through the
23 next shift; right? Yes, I'm fairly certain. I'm getting my days mixed up. I'm fairly
24 certain the next day in the morning we stopped by Price field office, because we were
25 curious about what the samples actually said, and that's when we found out we had a

1 higher nitrogen content than we would have expected.

2 Q. Okay.

3 A. You know? And then we ---.

4 Q. Did you also then ask somebody what the analysis was of these seals?

5 A. Well, when we were at the Price field office, you know, nobody was there
6 except the PTAD people, and they informed us that no bags or nothing or syringes or
7 anything was taken at that point.

8 Q. Oh they weren't?

9 A. From what they told us. They never analyzed any. Now, whether or not they
10 were taken when they were first back here or not, we're not sure. We just don't know.

11 Q. Okay. So you think that at seven percent that somebody detected back there
12 was on the handheld? You don't think there was a bag collected on the first entry in
13 there?

14 A. That's what I'm assuming, it was on a handheld.

15 Q. Okay.

16 A. And then we found that they had a low oxygen but not quite as much carbon
17 monoxide, just in --- you know, like, okay, well, what was the nitrogen content, just to
18 let us know if it was the same error or not.

19 Q. But they didn't have a reading for you?

20 A. From what we could find, no.

21 Q. Okay. Did you ever see a reading for it later?

22 A. Not when they went in the first time. I went in there the second time, I got
23 one.

24 Q. Okay. So you did go underground later?

25 A. Yeah.

1 Q. Okay. So when you went up on the bore hole Number Two ---

2 A. Uh-huh (yes).

3 Q. --- the next day came to, what did you all do with it?

4 A. Oh, my. We got up there probably around noon. They were supposed to
5 break through early and then we just kept trying to keep track of what they were doing,
6 the same with the depths and different things and radioing back and forth. A lot of
7 things, just waiting for them to mainly punch through. They were supposed to punch
8 through and then they didn't punch through and then they didn't. The camera guy
9 started showing up, and I know they were talking about putting a camera down the
10 two-inch hole and different things like that were going on that day. Things like that ---.

11

12 Q. Did they ever punch it through on that shift or not?

13 A. Yeah, they punched it through that night.

14 Q. Okay. Were you still there?

15 A. I was still there. It was late that night, probably 2:00 or 3:00 in the morning.

16 Q. Okay. So did you sample that hole, too?

17 A. No, we were still sampling the two-inch hole and those readings, after we got
18 these ones, we continued to sample it, and it was the --- we trained the guys that were
19 supposed to be on top of the hill to pull these samples and record them and send them
20 down to the command center.

21 Q. Was you continuing to sample Number One, was it pretty much always the
22 same?

23 A. Yeah, it stayed basically the same until at one time that we stopped sampling.
24 We stopped sampling at one time. I can't quite read my notes there, but it looks like
25 we stopped sampling before they punched through the eight-inch and started blowing

1 air down that hole. They put a compressor on it and started blowing air down it.

2 Q. So you start blowing air down the Number One hole?

3 A. Number One hole. And then it says in my notes at 2:35 a.m., that would have
4 been the night they punched through the eight-inch hole that that they --- that we
5 started sampling again out of the
6 two-inch hole at 2:35 a.m. That would have been early Wednesday morning or Friday
7 morning.

8 Q. Friday morning. So they were blowing air down the two-inch hole, but then
9 you just stopped when the eight-inch hole went through and you sampled on the two-
10 inch hole again?

11 A. We stopped before the eight-inch hole punched through and then they started
12 blowing air down the two-inch hole for a period of time before, during and after they
13 punched through with the eight-inch hole, and then after that we started sampling the
14 two-inch hole again.

15 Q. On the two-inch hole again?

16 A. Yeah.

17 Q. So they moved the compressor off?

18 A. Right, because it was just a matter of changing out lines.

19 Q. Did they put it on the eight-inch hole then?

20 A. The compressors?

21 Q. Yeah.

22 A. Shortly after --- I mean, of course, they shut down everything and did the
23 sounding and ran a camera --- they ran a camera down that night. Kim and I left at
24 that point.

25 Q. You didn't see the results of the camera?

1 A. No, we were tired and we left.

2 Q. Okay.

3 A. We were ---.

4 Q. You never did draw a sample out of the eight-inch hole?

5 A. No.

6 Q. Okay.

7 A. I mean, our little pump would take hours to evacuate an eight-inch hole, and it
8 just wouldn't be feasible.

9 Q. With the volume you'd have to run ---?

10 A. Right. I mean, we had to calculate it out. It would take five or six hours to
11 evacuate it once, and it just wasn't ---.

12 Q. Okay.

13 MR. TEASTER:

14 Jeff, backing up to that Number One hole, when you got that
15 initial reading of 20.9, ---

16 A. Uh-huh (yes).

17 MR. TEASTER:

18 --- do you know if those numbers were ever communicated to
19 the command center?

20 A. I'm sure they were communicated to the command center. If they weren't, I'd
21 be surprised.

22 MR. TEASTER:

23 Do you know when or how they were?

24 A. Probably --- I could give you a rough time. It probably would be around
25 midnight or 12:05 or 12:10, in that area.

1 MR. TEASTER:

2 And that would have been based on your relaying information
3 to Jeff or to ---?

4 A. The guy on the hill, one or the other.

5 MR. TEASTER:

6 The guy on the hill.

7 A. I think at that point it was the guy on the hill, and Jeff Kravitz came up after
8 those readings but before the other ones, but I'm not positive what time he got up
9 there, because he came up in a helicopter that night.

10 UNIDENTIFIED SPEAKER:

11 Was the guy on the hill an MSHA person?

12 A. Yes.

13 UNIDENTIFIED SPEAKER:

14 Okay.

15 A. It was either an inspector or MEU person. I'm not sure at that point which it
16 was.

17 MR. TEASTER:

18 Did that inspector come down around where the drill site was,
19 where you guys were ---?

20 A. Yeah, we were sampling and doing it every five minutes. You're sitting there
21 doing nothing else but watching it, and he came down and asked us, hey, they want
22 readings so we gave them what we had at the time.

23 BY MR. PAVLOVICH:

24 Q. And that was the 20 percent?

25 A. Yeah, it was 20.6 or whatever it was, but it was still ---.

1 Q. So he called those back in then, you're sure?

2 A. I'm assuming that he was the one that called them back in.

3 Q. Okay.

4 UNIDENTIFIED SPEAKER:

5 Based on information, as I understand it, the command center
6 was notified at approximately 11:15 p.m. of that 20-plus percent oxygen?

7 A. The only way --- I mean, they knew that we were started sampling 11:15. I
8 mean, we gave the guy the list that we had at the time, and they could have just
9 pulled the first one off because they were all the same. It said 11:15.

10 MR. PAVLOVICH:

11 Okay.

12 UNIDENTIFIED SPEAKER:

13 So you took the first reading at 11:15?

14 A. We took the first reading at 11:15 and then we gave whoever --- came down
15 there, we wrote out a chart the same as ours and we gave it to him and that's what he
16 radioed in. So they probably just pulled the first reading that we gave them that said
17 11:15.

18 BY MR. PAVLOVICH:

19 Q. Okay. And you said the first rating was 11:15?

20 A. Right.

21 UNIDENTIFIED SPEAKER:

22 Thank you.

23 BY MR. PAVLOVICH:

24 Q. Did you go underground?

25 A. Yeah.

1 Q. And what day did you go underground?

2 A. It would have been Friday morning. Friday morningish sometime.

3 Q. So this was Thursday when you did this?

4 A. This was ---.

5 Q. This was Thursday when you collected ---?

6 A. Thursday night, that would have been Saturday morning I went underground.

7 Q. Okay. Saturday morning you went underground.

8 A. Yeah, my days ran together out there.

9 Q. And who instructed you to go underground?

10 A. Kind of like the command center. I went under as an MEU person.

11 Q. Okay.

12 A. We were ---.

13 Q. Were they sending a team in?

14 A. Yeah, the mine submitted a plan to go back in the sealed area here and set up
15 sampling lines and pressure differential. We did some pressure drops across it and
16 then two other sampling lines, I think at the Number Five and Number Nine seal that
17 set of seals I think. I think that was the numbers. So I went in there and that's where I
18 went under the ground for that.

19 Q. Okay. So what team went? Do you remember?

20 A. It was me, Virgil Brown, Rodney Adamson --- what's his name? He's from out
21 there, Price guy. No, not Price guy.

22 Q. Larry Ramey, maybe?

23 A. No, Larry didn't go. No, Larry went, too.

24 UNIDENTIFIED SPEAKER:

25 Ryan Adam?

1 A. No.

2 UNIDENTIFIED SPEAKER:

3 Peter Saint?

4 A. Peter Saint. And then we had a couple other mine rescue team members
5 from their mine rescue team that were out there.

6 BY MR. PAVLOVICH:

7 Q. Okay.

8 A. You know, because we had to carry --- I think we took five or six rolls of tubing
9 in with us.

10 Q. So there was a company team that went, too?

11 A. Yeah.

12 Q. Not just MSHA?

13 A. At least a group of them. At least three or four.

14 Q. Maybe not as a team, but as a group?

15 A. Yeah. Right.

16 Q. Did you wear apparatus to go there?

17 A. We didn't wear apparatus until we went into the seal. Like right before we
18 went into the seal we donned and went in.

19 Q. Then when you got in the seal, you established your sampling lines?

20 A. Yeah, we set up our sampling tubing and ran them back out.

21 Q. And how many locations there were you sampling from?

22 A. We did at least four, maybe six.

23 Q. Would you run them all through the same hole and then in the different areas
24 inside the seals?

25 A. Well, just inside the first seal is the only one we went in by.

- 1 Q. Okay.
- 2 A. We also set up sample tubing at Number Five and Number Nine seal.
- 3 Q. Did they have pipes on them?
- 4 A. No, we set them up outside the seal itself. They just wanted to see if there
- 5 was any leakage coming through them.
- 6 Q. Oh, okay.
- 7 A. Just kind of like what they wanted ---.
- 8 Q. So the only one you're actually sampling from inby the seals was Number
- 9 One?
- 10 A. Was Number One. The one they breeched the first day.
- 11 Q. The rest of them, you just set it up outside the seal?
- 12 A. Right.
- 13 Q. Was they pretty much fresh air there?
- 14 A. Yeah, out by the seals, they were pretty much fresh air.
- 15 Q. Okay.
- 16 A. And as soon as we went inby, of course, it was down to seven percent oxygen
- 17 or whatever.
- 18 Q. Pretty consistent with what you found in ---?
- 19 A. Yeah, and I pulled syringes when I was here and everything. Those were
- 20 analyzed.
- 21 Q. What did they show? Do you remember?
- 22 A. Almost the same exact air as what was ---.
- 23 Q. Even the nitrogen?
- 24 A. Even the nitrogen was high. It was 89 percent or something ---
- 25 Q. Okay.

1 A. --- to that nature.

2 Q. And so where did you run your sampling tubing to to draw samples from?

3 A. We came back --- where are we here? I always use crosscut numbers. The
4 seal was between 118 and 119 crosscut, using these numbers, and we brought our
5 tubing back to 116, if I'm not mistaken, and that would be the fifth entry over, and then
6 we ran it to the third entry and then brought it up towards 119 crosscut, I believe, is
7 right where we had it set up.

8 Q. Okay.

9 A. And then we had two pumps set up, 120 crosscut. We had two or three
10 Thomas pumps set up there to draw the samples and a tubing back, because we had
11 to keep those on the intake and then ---.

12 Q. Were they run off one 110 or ---?

13 A. They were run off 110. And then we brought the sampling lines back through
14 the door --- or back through the door with the stop --- or a stopping with a door in it and
15 brought them back out to between 118 and 119 crosscut in the third entry.

16 Q. So then after that, who primarily was taking the samples out of those lines?
17 Do you know?

18 A. I'm not sure at that point whatever came of the samples of that. I never heard
19 again what happened. We also put a conspect censor in there that was set up to do, I
20 think CO, but there was something with it that it would only go up to 50 parts per
21 million. They actually had to go back in here the next day and change it out with 500
22 parts per million sensors.

23 Q. Okay.

24 A. So it went back in here again. I think it was the next day.

25 Q. While you were in there, did you hear bumping at all?

1 A. Oh, yeah, it bumped a few times.

2 Q. Did material come off the ribs?

3 A. Once I'm sure of that it was a pretty good one and stuff came off the ribs.

4 Q. Did you actually see stuff flying off?

5 A. Oh, yeah. Yes.

6 Q. It actually flew off?

7 A. It flew off the ribs. And I mean, there was a lot of thumping, too. I mean, just
8 a lot of roof noise, which you're kind of used to, but there was one or two really good
9 bumps that stuff flew off the ribs.

10 Q. Could you feel it vibrating?

11 A. Yeah. And it was pretty interesting because the PED system that they had,
12 we had a couple of the miners with us would come up and then at those larger ones,
13 they'd actually specify to the guys, hey, there was a bump at such and such time.

14 Q. Oh, really?

15 A. Yeah.

16 UNIDENTIFIED SPEAKER:

17 How would that have worked? I'm not familiar with that.

18 A. The PED system is a one-way communication and it's kind of like --- it's on
19 their cap lamp battery and on the top it has a little display, and it's only one way from
20 the outside in and it was just ---

21 UNIDENTIFIED SPEAKER:

22 So the outside sent that in?

23 A. Yeah, whether or not somebody called from the section outside and said hey,
24 we had a bump at this time, and then they radio it to everybody just to let everybody
25 know that, hey, outside's aware of what's going on.

1 MR. PAVLOVICH:

2 Oh, okay.

3 UNIDENTIFIED SPEAKER:

4 Do you know about what time that bump occurred?

5 A. Heavens.

6 UNIDENTIFIED SPEAKER:

7 Can you give me an approximate, maybe?

8 A. I had notes from when I was underground, too, and I'm not sure where they
9 are.

10 UNIDENTIFIED SPEAKER:

11 We don't have them?

12 UNIDENTIFIED SPEAKER:

13 That's all we got.

14 A. That's all you got? Because I think I had some stuff written about when I went
15 under air and stuff, but the time 4:45 or so sticks in my head, about 4:42.

16 UNIDENTIFIED SPEAKER:

17 So it was late afternoon on Saturday?

18 A. Yeah. It was either 2:42 or something like that, or 4:42. I can't remember if
19 that was in --- if they used military time or not on those PED systems.

20 BY MR. PAVLOVICH:

21 Q. Let's see. There was one here that looks like John Hickson wrote big bump at
22 1:17. And 2:26, ping in roof, 1425, small bump near Crosscut 124.

23 A. It might have been 1452. That would be 2:52. I just put it out in military time
24 a lot of time. That makes sense.

25 Q. Okay. How long were you guys in there that night?

1 A. We didn't come out until probably 6:00 or 8:00 p.m.

2 Q. Okay. So you did feel several bounces?

3 A. Yeah, I mean --- and there was just a lot of working, too. I mean, the roof was
4 working pretty hard, but ---.

5 Q. Okay. Were they up loading in Number One entry at that time?

6 A. Yeah.

7 Q. Okay. So did you see the installation of
8 the ---

9 A. No, I didn't.

10 Q. --- jacks or anything?

11 A. No, I didn't make it up to the face. I went up a little ways, but I saw the jacks
12 and the screen and stuff on the sides.

13 Q. Crosscut 120 was about as far as you got to?

14 A. Yeah. I might have went up to 121 or so, but not any further than that that
15 night.

16 Q. Okay. Have you ever been in a mine that's bumping?

17 A. Nope.

18 Q. First experience. Pretty scary?

19 A. I guess a little bit, but I figure ---

20 Q. Understandably so.

21 A. --- I figure, you know.

22 UNIDENTIFIED SPEAKER:

23 Jeff, are you aware of anyone going under apparatus
24 encountering any problems?

25 A. Not when I was up there.

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UNIDENTIFIED SPEAKER:

Not while you were there?

A. No. I benched all five apparatuses MSHA took, so I was confident that they were all fine. And then, you know, each guy went over his again, but ---.

UNIDENTIFIED SPEAKER:

Are you aware of anybody that was outby those seals having encountered any difficulty with low oxygen air coming out of the sealed area?

A. Not to my knowledge. When we breeched the seal it was almost neutral. I smoked it and I did get --- it was going in, I think. It was intake. Yeah. I think the air was coming out just ever so slightly, ever so slightly. And that's when we were told to seal back up, if it's intaking, leave it open. If it's coming out, then seal it back up so we sealed it back up.

BY MR. PAVLOVICH:

Q. So they said that if the seal was intaking, leave the hole open?

A. Yeah, to get fresh air back to them if it's possible.

Q. Okay. How long would that take? You'd be sweeping all that bad air first though.

A. You would think, but it's ---.

MR. TEASTER:

What influence --- if that bump caused a breech in some fashion between the west mains and south barrier ---

A. Uh-huh (yes).

MR. TEASTER:

--- what effect would that have on the seal, whether it was

1 intaking or outputting?

2 A. On the south barrier, I don't know ---.

3 MR. TEASTER:

4 No, I'm talking about the west main seal where you said it was
5 going in sometimes and coming out some.

6 A. Yeah.

7 MR. TEASTER:

8 But what, if any --- if you had a breech up there would have
9 on that breathing?

10 A. Heavens, I'm not sure. I mean, it was moving ever so slightly. We were
11 concerned about the barometer, I guess, more than anything, because the way it
12 fluctuates out there we had the barometer charted and every day it went up and
13 everyday it came down. Up and down, up and down.

14 BY MR. PAVLOVICH:

15 Q. So it was constantly ---?

16 A. It was constantly moving. And when I happened to be under there it was just
17 ever --- I mean, I had to smoke it to see any air movement.

18 MR. TEASTER:

19 Okay.

20 A. But I'm not sure what effect that this would have on this back here so ---.

21 UNIDENTIFIED SPEAKER:

22 Did it happen to bump at all while you guys were behind those
23 seals, Jeff?

24 A. Not when we were behind them.

25 UNIDENTIFIED SPEAKER:

1 Just when you were out in the ---?

2 A. Just when we were out in here.

3 UNIDENTIFIED SPEAKER:

4 Setting up the pumps?

5 A. Yeah, around 117.

6 BY MR. PAVLOVICH:

7 Q. Okay, Was that the only day you were underground?

8 A. Yeah.

9 Q. Okay. Just one time?

10 A. Yeah.

11 Q. And what were the rest of your duties?

12 A. What day was that? That was Saturday. Okay. I remember when I came
13 home.

14 Q. Did you stay out a few more days and collect samples or ---?

15 A. I was out there a few more days just collecting samples, and the day that I left
16 I think is when they were drilling on the third hole. They were probably halfway done
17 with the third hole, so I'm not sure what day that was.

18 Q. Well, you left before the next big bump that killed ---?

19 A. Oh, yeah. Yeah, I came home two days before or a day before, something
20 like that.

21 Q. So like the 15th, maybe?

22 A. Yeah, was that on the ---?

23 Q. It was on the 16th.

24 A. It was on the 16th and the 15th was a Wednesday. I think I flew home on
25 Wednesday, but Tuesday was my last day at the mine, as it makes sense to me

1 because I had to drive to Salt Lake to fly home.

2 Q. Okay. I was going to say, you flew home. You didn't drive your truck back?

3 A. That's right.

4 Q. They left all that out there?

5 A. Yep.

6 Q. And did you fly back with Kim or ---?

7 A. No, I flew back on my own. Kim stayed out there another week or so.

8 Q. Did you ever use the SF6 gas?

9 A. Not to my knowledge.

10 Q. Okay. Did you have some with you?

11 A. Yeah. Well, that's what I did after that, going underground, was try to get stuff
12 together for the SF6 study that they were possibly going to do.

13 Q. So did you go back in the mine to do that or you did that that one day you
14 went in?

15 A. That's what we did the one day we went in.

16 Q. That was what the tubing was all about?

17 A. Yeah, that was for this up here. We were going monitor anyway, and it gives
18 us something to monitor back there but also for the SF6.

19 Q. Okay.

20 A. We scrounged for everything we need to do the SF6 study if we needed to,
21 ordered what we needed to order, and I think we helped unload the GC that had to
22 come from Price or from Denver. We sent somebody down. Somebody went back to
23 get the only GC that we have that does SF6.

24 Q. And that was in Denver?

25 A. Yeah.

- 1 Q. Okay.
- 2 A. Kanapple (phonetic), Steve.
- 3 Q. If you had used it, where were you thinking about putting it in?
- 4 A. There was talk ---.
- 5 Q. Was John Urosek kind of involved in that? I mean was he ---?
- 6 A. Not at that point. I don't think he was there yet.
- 7 Q. Oh, he wasn't there yet.
- 8 A. There was talk about dumping it down either the first or second bore hole is
- 9 kind of where they were ---?
- 10 Q. Okay. Seeing if you could pick it up ---?
- 11 A. Seeing if we could pick it up here at the seals. Right.
- 12 Q. Do you know why they never decided to use it?
- 13 A. No, I left, and ---.
- 14 Q. Left it there.
- 15 A. And Kim said that, to his knowledge, they never did it, so ---.
- 16 Q. Okay. But you know you didn't do it?
- 17 A. No, we didn't do it.
- 18 Q. Did you ever meet Mr. Murray while you were out there?
- 19 A. Just saw him.
- 20 Q. Okay. You didn't have any dealings with him at all?
- 21 A. No.
- 22 Q. Had you ever met him before?
- 23 A. Yeah.
- 24 Q. Where at?
- 25 A. High Quality Mine.

1 Q. High Quality?

2 A. Yeah.

3 Q. Where's that located?

4 A. What is that? Monongahela, Pennsylvania, maybe, I think is where he is at.

5 Q. It's where?

6 A. Monongahela, Pennsylvania. I think that's where that one's located.

7 UNIDENTIFIED SPEAKER:

8 Near the Maple Creek Mine?

9 A. Maple Creek Mines.

10 BY MR. PAVLOVICH:

11 Q. Okay. So why did you --- occasion to meet him there?

12 A. I worked at District Two at the time, and I was with an inspector.

13 Q. Okay. What did you do in District Two?

14 A. I worked for roof control and ground control and impoundments.

15 Q. You did?

16 A. Yeah.

17 Q. Okay.

18 A. And I also did a lot with ventilation work as well, so I was with those guys.

19 Q. So you were just traveling with an inspector?

20 A. Right.

21 Q. And what were the dealings with Mr. Murray that day?

22 A. Just met him, that was about it. That's all I ever really knew of him.

23 Q. Okay. The inspector didn't have any problems, or ---?

24 A. No.

25 Q. He just happened to be at the mine, ---

1 A. Yeah.

2 Q. --- Mr. Murray did?

3 A. Yeah. He didn't like the state more than he didn't like us, so it was kind of one
4 of them deals. We were okay.

5 Q. Okay.

6 UNIDENTIFIED SPEAKER:

7 You said he was glad to have you?

8 A. I wouldn't go that far.

9 BY MR. PAVLOVICH:

10 Q. Did you ever attend any of the family briefings?

11 A. No.

12 Q. How about press briefings, or ---?

13 A. No, I just watched them when we could, if we happened to be around
14 something that we could watch them, but ---

15 Q. Okay.

16 A. --- that was about it.

17 Q. Were you ever in the command center any other times?

18 A. In and out, briefly. Kim and I would be in there working on the computer. We
19 were trying to get our Excel spreadsheets up and going for all the gas readings and
20 stuff we had been taking.

21 Q. So that's where you did that work?

22 A. Yeah.

23 Q. But you never were involved in any decision making or anything like that?

24 A. No.

25 MR. TEASTER:

1 Q. Up on the mountain?

2 A. No, it was ---.

3 Q. Just around the surface area?

4 A. Yeah, the surface area of the mine there.

5 Q. So were you kind of talking to the guys that were going out and just trying to
6 find out what was going on underground?

7 A. Yeah, just anybody we could talk to we'd, you know --- I'd just talk to anybody
8 ---.

9 Q. But that was the only one that ever expressed any concern?

10 A. Yeah, that was the only one. And he was a younger guy, and I put a lot of it
11 onto him just not being used to things happening.

12 MR. TEASTER:

13 Do you think that the other people were used to that kind of
14 stuff?

15 A. I don't know how you could, but I mean ---.

16 MR. TEASTER:

17 You made the statement that ---.

18 A. The way the young guy I talked to, he talked to the older people at the mine,
19 and they said it's just something that happens, you know, bumps. They were used to
20 bumps the way he talked, and he said he wasn't used to them, but it's something that
21 happened out there, not on the magnitude that they had, but --- you know, there was
22 always something going on.

23 MR. TEASTER:

24 Did you have any concerns when you saw that area that they
25 were mining in when you looked at the mine map, those longwall panel's been

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UNIDENTIFIED SPEAKER Ex. (b)(6) and Ex. (b)(7)(C)

I guess you are aware, Jeff, that the press went underground?

A. Yeah.

UNIDENTIFIED SPEAKER Ex. (b)(6) and Ex. (b)(7)(C)

I guess I got two questions then. First of all, what were your thoughts on that?

A. I was surprised at whoever allowed them underground. I didn't know, at that point, where the authority came from so other than that I was just surprised that they went underground.

UNIDENTIFIED SPEAKER Ex. (b)(6) and Ex. (b)(7)(C)

Something that you hadn't seen before?

A. Yeah.

UNIDENTIFIED SPEAKER Ex. (b)(6) and Ex. (b)(7)(C)

Did anybody have any discussions that you overheard or were you involved in any discussions about the press going underground?

A. No, I just knew they were underground from what I saw on TV, and that was kind of it. You never heard anything --- the brief periods that I was in the command center, I never heard anything about it.

UNIDENTIFIED SPEAKER Ex. (b)(6) and Ex. (b)(7)(C)

When you guys found that low oxygen in that bore hole, what did that do to the --- what's the word I'm looking for?

UNIDENTIFIED SPEAKER:

Morale?

UNIDENTIFIED SPEAKER Ex. (b)(6) and Ex. (b)(7)(C)

The feelings in MSHA or just --- you know, when you get a

1 new bit of information ---

2 A. Yeah.

3 UNIDENTIFIED SPEAKER Ex. (b)(6) and Ex. (b)(7)(C)

4 --- how it kind of affects everybody's attitude?

5 A. Well, for us --- you know, you hope for the best still and hope that there's
6 either a pocket or they barricaded themselves or something. Yeah, it puts a little
7 damper on things, but --- you know, you still try to keep up hope, and that's the way
8 everybody else seemed to be.

9 UNIDENTIFIED SPEAKER Ex. (b)(6) and Ex. (b)(7)(C)

10 What did you think in your mind? Did you think those guys
11 may have survived the original bump?

12 A. At that point, I didn't know. In the back of my mind I'm hoping that they did,
13 but you also hear the devastation that it caused up where they were mining through it
14 and you're wondering, you know, how far did this go and --- you know, a lot of that kind
15 of thing runs through your mind.

16 UNIDENTIFIED SPEAKER Ex. (b)(6) and Ex. (b)(7)(C)

17 Did you ever overhear any discussions on the decision to use
18 that kind of roof support, the rock props?

19 A. No, I never --- I didn't hear any discussion roof support wise. When I went in
20 there, of course, you start going in and they had timbers and stuff then it finally went
21 to rock props with chain link fence behind them. So they did make a progression at
22 one point, but I don't know when or what the decision making was.

23 UNIDENTIFIED SPEAKER Ex. (b)(6) and Ex. (b)(7)(C)

24 Did you have any thoughts on what they were using based on
25 your --- you said you spent some time on roof control?

1 A. From what I understood, the roof was in good shape, so I didn't understand
2 why we were so concerned about supporting the roof as far as supporting the ribs
3 somehow, but I wasn't really sure on what avenue to take as far, you know, tunnel
4 liners or arches or whatever that direction.

5 BY MR. PAVLOVICH:

6 Q. How long have you been on the MEU team?

7 A. A year and a half, maybe.

8 Q. Okay. So have you responded to other events like this?

9 A. Not with the MEU. I was at Shoal Creek when they had an explosion. I've
10 been to a few different things, but not to a bump-type accident.

11 Q. Not to a bump, but ---?

12 A. No.

13 Q. But I mean, were you at QueCreek, or were you at ---?

14 A. I was at Aracoma.

15 Q. Aracoma?

16 A. Around Aracoma a good bit.

17 Q. Sago?

18 A. I wasn't in Sago or Darby.

19 Q. Okay. So Aracoma. Do you feel that the training you got with the MEU unit
20 prepares you for events like this?

21 A. I felt rather prepared. I wasn't at the least bit unnerved by ---

22 Q. Okay.

23 A. --- what I was doing.

24 Q. Okay.

25 A. I didn't feel that way at all.

1 Q. Can you describe --- I guess I'm still interested in these bumps, because
2 everybody that we've talked to basically, nobody's described ---

3 A. What I saw?

4 Q. --- how it bumped when you're down there. I mean, one guy said, I felt the
5 vibration on my feet and something, but can you kind of describe in detail when it
6 bumped the hardest what you saw?

7 A. When it bumped the hardest, what I saw was more of just, you know, you felt
8 a thump. It sounded different than just the like roof work and it was more just like a
9 loud noise, maybe a shotgun going off.

10 Q. Did it sound like it's in the pillar?

11 A. It sounded like it was all around you. It didn't matter, you know, it didn't sound
12 like it was in the pillars or in the roof. It just sounded like it was kind of all around you.

13 Q. Like a shotgun going off?

14 A. Yeah, I mean, it was that type of noise. It wasn't --- you know, roof workings
15 just popping and cracking and stuff. It wasn't like that. And then you'd hear that and
16 then stuff would fly off the ribs. The two that I know were bumps when I was down
17 there.

18 Q. And what kind of pieces of coal were coming off?

19 A. Probably the biggest I saw was softball sized, maybe. Maybe a little bigger.

20 Q. And did it like fly all the way to the other ---?

21 A. Not all the way across. There was one that shot pretty good, but ---.

22 Q. So if it hit you ---?

23 UNIDENTIFIED SPEAKER:

24 Holy cow. How far were you from that?

25 A. Twenty (20) feet.

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UNIDENTIFIED SPEAKER:

20 feet?

BY MR. PAVLOVICH:

Q. Were you like up in number 120 crosscut?

A. I could tell you exactly where I was. I was right here. I know exactly where I was on that one, because we ran tubing all back in here, and there was a couple that went on that I was around right in here.

Q. So they were outby even, not even where they were loading it, but ---

A. Where I was ---

Q. --- outby?

A. Yeah, they were 116, 117 crosscut in here. And the one that I remember probably the most vividly, I was right in here, I think. Here or here.

Q. So it would have been kind of like somebody lobbing the softball, or I mean, somebody whipping ---?

A. No, it came off with some velocity.

Q. It did?

A. It didn't just fall off.

Q. If you'd have been standing there and it hit you in the stomach, you would have ---?

A. It would've hurt. I mean, it wouldn't have ---.

Q. It wouldn't went through you or anything?

A. No, even if it would have hit you in the head, I don't think it would have really put you down. It would have just rung your bell a little bit, but nothing major. But it was definitely stuff shooting off the ribs.

1 MR. TEASTER:

2 Did the guys that were working up there, did you see them like
3 wearing flak jackets or ---

4 A. Not that I saw.

5 MR. TEASTER:

6 --- like shin guards or anything?

7 A. Not that I saw, but I'm not sure if they were, no.

8 UNIDENTIFIED SPEAKER:

9 When things like that happened, Jeff, did anybody say
10 anything, make any comments?

11 A. Well, the one time it happened, I was in between two people. There was
12 somebody up here and we were trying to establish radio communication, so I was in
13 between them. So I was the only one standing there at that point when that one ---
14 stuff came off the rib. But then we were kind of gathered in the --- I think this is the
15 117 intersection here. And we had another one. It was more of just like a chuckling,
16 like, huh, what was that, you know, type thing more than it was ---.

17 BY MR. PAVLOVICH:

18 Q. Was it pretty much the same? I mean, ---

19 A. Pretty much the same.

20 Q. --- like a shotgun going off?

21 A. Yeah. That's what I --- it sounded more like that than it did roof work. I don't
22 remember feeling that much in my feet.

23 Q. You've never heard anything like that in a mine, though, before; did you?

24 A. No. Even big roof falls.

25 Q. Because you've heard roof work?

1 A. Yeah. And I've been on retreat sections where, you know, roof's falling and
2 stuff, yeah.

3 Q. But it doesn't sound like a pillar fall ---

4 A. No.

5 Q. --- or anything or a rock falling ---

6 A. No.

7 Q. --- a roof breaking?

8 A. It was different. You know, it was a distinct sound.

9 Q. So you can definitely tell ---?

10 A. It was deeper. I mean, it was --- but it sounded --- it was a definite, you know,
11 noise that had a beginning and a --- you know, roof work, and it might just keep
12 working around a little bit and thumping a little bit, but it was just --- it had a noise, and
13 that was --- you know, the noise stopped. It wasn't like it kept going.

14 MR. TEASTER:

15 Kind of like a shotgun going off?

16 A. Yep. That's what I'd describe it as.

17 MR. TEASTER:

18 So you sat and watched it? You didn't have the tendency to
19 look in the other direction and start traveling in that direction?

20 MR. PAVLOVICH:

21 Like running you mean?

22 A. No, I was moving out of the way. When it happened, I was moving. I said,
23 I'm going to get out of here. But I wasn't like --- I wasn't, you know, ---.

24 UNIDENTIFIED SPEAKER:

25 You didn't panic? You weren't afraid of them?

1 A. No. I wasn't too worried. I mean, when it happened I was like --- when that
2 stuff came off, I was like --- well, I just don't want to be here, you know, so I started
3 moving back out to where everybody else was ---

4 UNIDENTIFIED SPEAKER:

5 Oh, okay.

6 A. --- and let these guys know in here that stuff was coming off the ribs a little bit.

7 MR. TEASTER:

8 Were you the closest to it, Jeff, when it went off, when the
9 bump occurred?

10 A. As far as I know. I was probably --- if I was here, the corner was right there. It
11 would have been almost at that corner.

12 BY MR. PAVLOVICH:

13 Q. And it just like come off one rib?

14 A. Yeah, just off the ---.

15 Q. It didn't come both ways?

16 A. No. It was just off the one side and it came onto the entries.

17 Q. Interesting.

18 UNIDENTIFIED SPEAKER:

19 I think that's all I have.

20 MR. PAVLOVICH:

21 Ex. (b)(6) and Ex. (b)(7)(C) you got some questions for Jeff?

22 UNIDENTIFIED SPEAKER Ex. (b)(6) and Ex. (b)(7)(C)

23 I have a couple questions. Jeff, you said that when you was
24 drilling down the hole, you was expecting to hit less than 20.9 percent.

25 A. Yeah.

1 UNIDENTIFIED SPEAKER Ex. (b)(6) and Ex. (b)(7)(C)

2 Was you expecting to hit like 18 or 19 percent or was you
3 expecting to hit 7 percent?

4 A. If we would have --- if we would have hit 15, 16, 17, 18 percent, we would
5 have said, hey, that's more like what we expect. I didn't expect to hit 7, to be quite
6 honest with me. I just --- you know, it's only been a couple hours. Where did the air
7 go? You know, where all --- you know, unless they had equipment running down
8 there. That could suck up all --- I mean, there's different scenarios that would, you
9 know, deplete the oxygen quicker.

10 UNIDENTIFIED SPEAKER Ex. (b)(6) and Ex. (b)(7)(C)

11 Well, did anyone --- did you hear any conversations or did you
12 guys expect --- was there anything said about, hey, this might have broke through or
13 been breached before the drill hole went through?

14 A. Yeah, they talked. And that's the reason I understand that they went through
15 here the first day, was wondering if there was a breach up here. And then if there
16 wasn't a breach, could they get to them this way. And that was the whole --- and we
17 heard that conversation, so we know that they were thinking that there could be. And
18 also that there was a pillar that shifted 15 --- or this barrier shifted 15 feet in here
19 somewhere. So when it shifted that way, you know, you could assume there could be
20 a ---.

21 UNIDENTIFIED SPEAKER Ex. (b)(6) and Ex. (b)(7)(C)

22 Do you know what their conversations about the breach might
23 have been?

24 A. I think it was more from a rescue standpoint and what was in there. And that
25 would --- you know, there's a large volume of air here and --- I mean, that would most

1 likely be enough to dilute whatever fresh air they had up here down to seven percent
2 oxygen, I guess. So that would --- after we sampled and knew --- you know, you could
3 assume that there had to be a large volume come from somewhere or they left diesel
4 machinery running, something. They did have diesels, so ---. I'm not sure.

5 BY MR. PAVLOVICH:

6 Q. Did they test for any diesel emissions at all in the bottles that you took or ---?

7 A. They run a string of stuff, and I don't know of an NO₂ is on there or not. I
8 assume it is. I assume they tested for it. I mean, we didn't have it on our handhelds,
9 but you'd have to look at the gas chromatograph sheets.

10 Q. You'd have to have NO₂ or something.

11 A. I mean, we had high nitrogen, and we're trying to figure out ways that you
12 could get high nitrogen, you know.

13 Q. That wouldn't be from the diesel exhaust, would it?

14 A. We were coming up with theories, but didn't know, you know. Trying to come
15 up with a theory but were unsure.

16 UNIDENTIFIED SPEAKER:

17 What theories did you come up with or consider?

18 A. Well, a possible theory was diesel puts off NO₂. And once oxygen gets low
19 enough, can it
20 re-ingest that NO₂ and burn off the oxygen and just emit nitrogen. We weren't sure.
21 That was the theory. But after we got the samples back from inside --- from over
22 here, after we went back into the breached seal and found that they had high nitrogen
23 back there, it was kind of like a moot point.

24 Q. Something natural that occurs in the gob?

25 A. In the coal, something or other.

1 UNIDENTIFIED SPEAKER Ex. (b)(6) and Ex. (b)(7)(C)

2 Did you have any problems working with mine management
3 or hear of anybody having problems working with mine management?

4 A. The only people we dealt with were on the mine level, and I think --- what's his
5 name? Bodee, Bodee ---.

6 UNIDENTIFIED SPEAKER:

7 Allred.

8 A. He was very easy to work with. And we worked with Dave Canning and
9 another gentleman up on the mountain, and they were both very accommodating.
10 Dave Canning was especially accommodating. If we needed something, it was there,
11 as far as power ---.

12 BY MR. PAVLOVICH:

13 Q. Was he a company person or ---?

14 A. Yeah. When we needed power, we got power. when we needed this ---.

15 MR. TEASTER:

16 Jeff, one thing not related directly to this accident, but you
17 said you worked in roof control for a while?

18 A. Uh-huh (yes).

19 MR. TEASTER:

20 If you had a roof control plan that stated that the pillars shall
21 nominally be 80 feet by 90 feet, what range of flexibility do you have in that 80 or 90
22 feet when you say that it should nominally be ---?

23 A. I'm not sure.

24 MR. PAVLOVICH:

25 What did you say it was, nominal dimensions of 80 and ---?

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MR. TEASTER:

Nominal dimensions of 80 by 90. Do you have any plans like that, number one?

A. I can't think of anything that would have been worded that way. Most people -- most plans that I ever saw were pretty well straightforward, our center to center will be this and that and ---.

MR. TEASTER:

So you have a feel for how the inspector would go out and enforce that position?

A. I think that's a hard one to enforce anyway for an inspector, just because, you know, it's hard to pull measurements underground, and on a map they could put anything. So you're taking --- almost taking somebody's word for it when they say, hey, our pillars are this by this, unless they look completely abnormal, I guess, to me, so ---.

MR. TEASTER:

Does the word nominal give you some leeway as to how much less it could be, or --- is there any parameters at all within the word nominal?

A. Not to me. Not to me. To me, you know, nominal dimensions I guess might mean --- heck, I don't know if I've ever really used it in any real --- where it had any meaning, I guess.

MR. TEASTER:

Okay. That's all I have. Thank you, sir.

MR. PAVLOVICH:

Jeff, I think that's pretty much all the questions we have. If anything comes up in the future and we need to ask you anything else, we'd

1 appreciate your help, and we'll get back in touch with you.

2 A. Not a problem.

3 MR. PAVLOVICH:

4 Do you think there's anything else that you remember from
5 being out there or from your time spent there that could --- would be of interest to us
6 or ---?

7 A. Not that I could think of right now.

8 MR. PAVLOVICH:

9 Well, if you do, you could get in touch with us and let us know.
10 We'd appreciate that. And we'd ask you again not to discuss your questions we asked
11 with anybody else until after we're done with the interviews.

12 A. That's not a problem.

13 MR. PAVLOVICH:

14 But we certainly appreciate you coming down. It's good to
15 see you again and good to talk to you.

16 MR. TEASTER:

17 We appreciate your efforts on the rescue team, too.

18 A. Not a problem.

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