WEST VIRGINIA MINE HEALTH & SAFETY ADMINISTRATION

IN RE:

THE INVESTIGATION OF THE APRIL 5, 2010, MINE EXPLOSION AT THE UPPER BIG BRANCH MINE

The interview of KENNY WOODRUM taken upon oral examination, pursuant to notice and pursuant to the Federal Rules of Civil Procedure, before Nichelle N. Drake, Professional Reporter and Notary Public in and for the State of West Virginia, Thursday, February 10, 2010, at the National Mine Health & Safety Academy, 1301 Airport Road, Beaver, West Virginia.

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J. Davitt McAteer

Also Present:
Norman Page
Tim Watkins

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MR. KOERBER: My name is Barry Koerber. I'm the assistant attorney general assigned to the West Virginia Office of Miners Health, Safety & Training UBB accident investigation. Today is February the 10th, 2011; and it's shortly after nine o'clock. I'm going to ask that the other members of the interviewing teams here at the table identify themselves and who they're with beginning with the person to my left.

MR. TUCKER: Bill Tucker with the Office of Miners Health Safety & Training.

MR. SCOTT: John Scott with the Office of Miners Health Safety & Training.

MR. MAGGARD: Jasey Maggard with MSHA.

MR. CRIPPS: Dean Cripps with MSHA.

MS. HAMPTON: Pollyanna Hampton with the Federal Department of Labor.

MR. McATEER: Davitt McAteer with the Governor's Investigative Team.

MR. KOERBER: And we have two other people in the room. I'd ask that they identify themselves for the record and who they're with.

MR. WATKINS: Tim Watkins with MSHA.

MR. PAGE: Norman Page with MSHA.

MR. KOERBER: Sir, the -- We have a court reporter here like we did before. She'll be taking down everything that's said. Please answer verbally, like a yes and no and not a uh-huh or uh-uh and please allow the question to be asked before you begin to answer and I'm going to ask all the interviewers to please allow you to finish your answer before they ask the next question so we don't have people talking over one another.

If it comes down to using the map, we're going to ask you to either mark or specifically identify where you're pointing because pointing to a map does not come out on a transcript.

Johnny Jackson & Associates is the firm with which our court reporter works. Johnny Jackson & Associates is a court reporter firm in Charleston, West Virginia. I'm going to give you their business card here among some other things as well. They're operating under a three day turnaround as far as taking what is said today and putting it to paper. Being that today is Thursday, three business days from today would put us to Tuesday night. So come Wednesday morning or any time thereafter, if you desire to call and schedule

an appointment with them where you would go into their office, they'd put you in a conference room and you could sit down and read your transcript. And they'll give you a separate sheet of paper called an errata sheet where you can put down any errors that you find in the transcript that she does on the errata sheet and state what the correct answer is. That is something that you can do. That is something that you do not have to do, but the transcript won't be ready until Wednesday morning of next week, and I'm going to give you their card here in a minute with some other stuff.

If at any time you want to take a break for any reason just say so and we'll take a break. Okay?

THE WITNESS: All right.

MR. KOERBER: Sometimes we have water. If we do, you are welcome to the water in the refrigerator. We are requesting that you do not discuss your interview with anybody outside of this interview to protect the integrity of the interview process.

Polly, do you want to say something for the record?

MS. HAMPTON: Yes. I'd just like to mention that before we got started today I handed you a letter on behalf of the MSHA accident investigation team and did you get a chance to review that letter?

THE WITNESS: Yes, I did.

MS. HAMPTON: Did you have any questions for me before we get started here?

THE WITNESS: No.

MS. HAMPTON: And, again, I want to mention that contact information for the accident investigation team for MSHA is contained in that letter; and if you think of anything after you leave here today that you would like to share with us or anything else that you think might be relevant, please don't hesitate to contact us.

MR. KOERBER: Would you swear in the witness, please.

KENNY WOODRUM, DEPONENT, SWORN

MR. KOERBER: Sir, would you please state your name and spell your last name.

THE WITNESS: Kenny Woodrum, W-O-O-D-R-U-M.

MR. KOERBER: And what is your current

address and telephone phone number?

THE WITNESS: (b) (7)(C)

MR. KOERBER: And your telephone number?

THE WITNESS: (b) (7)(C)

MR. KOERBER: And as of April 5, 2010, what was your job title at UBB?

THE WITNESS: Head gate operator.

MR. KOERBER: Sir, are you appearing here today as a result of receiving a subpoena?

THE WITNESS: Yes.

MR. KOERBER: This is a copy of that subpoena that I am going to make a copy of as soon as we get through with this preliminary stuff to be marked as Exhibit No. 1. This is to you. It's a copy of what you got.

This you have not seen. This is the affidavit of service showing that the process servicer served you on the 5th day of February, 2011. This will be Exhibit 2. I'm going to make a copy just as soon as I turn the interview over to the interviewers and admit that into the record.

Sir, do you have an attorney or personal representative that you are expecting to be here

with you today?

THE WITNESS: No, I do not.

MR. KOERBER: I'm also going to give you a memorandum which contains the address of the West Virginia Board of Appeals. The Board of Appeals is an administrative body charged with hearing among other things cases involving discrimination against coal miners. West Virginia Code Section 22A-1-22 prohibits anyone from discriminating against a coal miner for participating in an interview such as this. If at some later time you feel that you have been discriminated against since you've been here today or here before, this is where you lodge your complaint. The complaint is not anything formal. A handwritten letter explaining what happened to you will be sufficient. I would caution you, though, that you only have 30 days under the statute from the day that the discriminatory action occurs to file your claim with the board. Okay?

THE WITNESS: Okay.

MR. KOERBER: I'm also going to give you a copy of -- a business card for Mr. Bill Tucker, who is our lead accident investigator for the UBB investigation. If anything would come up later on

that you think the investigation teams need to be aware of, any information that you might gather later, please feel free to call Mr. Tucker.

THE WITNESS: Okay.

MR. KOERBER: And this is the Johnny Jackson card I told you about earlier.

And with that, I'm going to turn the interview over to Jasey to begin asking some questions.

EXAMINATION

BY MR. MAGGARD:

Q. Kenny, thanks for coming today.

A. Yeah.

Q. Just for the record, where are you currently working at?

A. Revolution Mines for Black Castle. That's who I'm under, Black Castle.

Q. And when did you start there?

A. December 7th.

Q. Okay. And prior to December 7th and from April 5th to December 7th, where were you working?

A. I worked at Revolution for a period of time after the explosion, and then I went back to Performance Coal after UBB Mine. I was still under

Performance Coal.

Q. Okay. Thank you. What I -- How I kind of want to start this out is tell us about a normal day for a head gate operator. Tell about, you know, when you get to the longwall section what do you start doing on a normal day?

A. On a normal day, you arrive on the section. At the man trip, usually the boss will go over a safety talk with us, whatever happened on the evening shift or the day before or sometimes he'll have a letter from the company that they'll go over and talk to the men on safety. After that, we'll proceed to an area of the toolboxes or tool carts and drop our buckets off or they will, the ones that operate the shear and the jack setter and electricians. And I take my box, my lunch box, on over to the head gate area because I don't leave that area usually. I go down and get everything set up, make sure the belts starting up or it's already running and wait to hear on the Comtrol phone to go ahead and start up after checking all the areas out, all the ribs and timbers and, like I said, the belt, make sure it's running. If it's not running, I'm calling to find out what's up with

the belt. Once they are in position on the face, sometimes it takes them maybe five, ten minutes to get -- depends on where the shear stopped the evening before. It could be on the tail or it could be on mid-face. Most of the time evening shift will try to make it out to the head so the hoot owl can service the machine and have it ready in the morning. Once they start wanting -- their element, their position on the face, they'll go ahead and tell me to fire it up and I start the longwall and make sure the water and everything is running.

Q. When you go by the toolbox -- Say when you get over to this stage loader area and the rest of the crew walks down the face, about how long is it for -- you know, say it takes them five or ten minutes to get there and they tell you they're -- they're ready. How long does it take to start up? I mean, is it --

A. On a normal day, it probably takes two minutes to get the wall started, the -- take the water pressure to get to the tail drive motors and on the couplings that drives the face unit and stuff, the chain. Sometimes it takes time to get

that water pressure. It's got to be in sequence. The tail drive motor and the two head drive motors that's usually the holdup there. Sometimes you might have to stop it and start it back because it's a thousand foot of pressure has to go from -- over a thousand, from about where my handles are that turns the water off, the pressure has to build up all the way down to the cross face.

Q. Okay. So the conveyor motors have an individual valve you can turn on and off or --

A. Yeah, they do on the board but they usually stay open. We just turn them on and off down at the glut they called it, just one or two valves. One I think for the shear or the main water line. The main water line, there are two valves on it.

Q. So let me see if I can help with this. There's two lines that come from the mule train and it goes to two valves?

A. There's four on the glut board --

Q. Okay. That --

A. -- they go through. They just -- two of them turns it off completely.

Q. Are those two valves where the line is

coming from the mule train?

A. Yes.

Q. Okay. Very good. So probably if they were -- Let's say they were right at close to the head. It was day shift. They worked on it on third shift, you know, done maintenance. Where would that shear normally be sitting at?

A. I'm thinking right around 13 shield to -- between 13 and 21, maybe something in that neighborhood. When we set bits, I carry them to the pontoons. And put them on like 8 and 9 shield so that would be right across from the drum when they stopped and about 20 shields.

Q. Okay. So you'd set bits either at eight or nine or twenty?

A. Both places.

Q. Okay. Very good. If it was on the head, they would get to the shear, you know, quickly?

A. Right.

Q. So you got less time -- you could start up pretty fast that way?

A. Yeah.

Q. And how long --

A. There's a man door up above. I wouldn't

go to the last open break like the shear operators and jack setters and stuff would. I'd go across the man door, come down behind the head gate operation. And that'd put me there first instead of walking all the way down to the last open break and back up maybe 100, 150 foot.

Q. Okay. So you get to -- Is the first thing you do is turn the water on or what do you do at the gate box?

A. Depends on where I'm sitting when I hear them. I might be adjusting the tail piece if the belt is just now starting up or something to that nature, make sure the belt's right; and if I walk by and hear them on the Comtrol fire it up or whatever, I'll go by the handles, open them up, go on ahead and hit the longwall reset button and then system start.

Q. Do you have -- do you do any kind of pre-operational check walk? Say they're walking down the face for a ways, do you like check the E-stops?

A. I check the E-stops from time to time. The main one, it kicks power out to the mule train, the two main E-stops; and we got wrote up on that

one time.

Q. How long ago was that that you got wrote up on that?

A. Probably two to three months.

Q. Okay. Now, let's -- When was the last time that you remember checking those E-stops?

A. The E-stops, I tried checking them -- they have a ring off because it rings off to let everybody know that the system is getting ready to start, and I got in the habit of just hitting, not the big E-stop, but the system E-stop. I'd hit it.

Q. What about the other one?

A. The big ones?

Q. Yeah.

A. They said that the hoot owl would take care of pre-op.

Q. So -- When did they say that the hoot owl would start taking care of that?

A. After we got wrote up on that.

Q. Okay. So do you -- do you have any idea that those E-stops would trip power back at the power center for the head gate box?

A. Sometimes they'd trip it all the way out to the power center. That's out the mouth of the

section. And that's what they told me that they had a -- I don't know if it was an agreement or that the guy would do this. So then when hoot owl was coming off the section, they would stop at the mule train and set everything back up.

Q. Okay. Do you ever recall them having problems getting the power to set up to the head gate box at any point in time, several months prior to the explosion, up to the explosion?

A. Yeah, I think the control power line or something where it plugged into the side of the box or the end of the box was a culprit.

Q. Okay. Was it on your shift or another shift?

A. Well, we rotate shifts and I think we did have part of the problem sometimes.

Q. Okay. And who would have been the person that would have been fixing that problem?

A. It would have been one of the electricians.

Q. Okay. Who's the electricians on your shift?

A. On my shift at the time was Tommy Estep. It's getting away from me today. I can't remember.

Q. That's okay.

A. But we've changed crews from time to time, so the electricians aren't going to be the same.

Q. Okay.

A. Same way with my bosses, they aren't the same either.

Q. Okay. Now, as far as water to those conveyor drives, was it important that, you know, when the pan was down to shut the water off, would that cause any start-up problems or could you just leave it running up, you know, other than, you know, getting things wet around the shear and in the pan? But could you -- was there any problems with start-up by leaving water onto the couplings of the drive?

A. Normally, no. Sometimes they could flood the couplings. If the solenoid, back of the high and low would stick or something of that nature, little bit of seepage would go through, it would cause a hard start.

Q. Okay. These high and low solenoids, where are they located at?

A. About 40 foot out by the gate box control.

Q. Okay. And do you know how they operate

when they swap over from high flow to low flow?

A. Amperage.

Q. Okay. So if the amperage goes high on the motors, does it switch to high flow or low flow?

A. Switches to high flow I would have to say.

Q. Okay. Just curious.

A. Yeah.

Q. I think the last time we talked -- I wasn't here, but you said that you monitored the display, the methane monitor display --

A. On the tail.

Q. -- for the tail sensor. And that display is beside the head gate box is that --

A. That's correct, right beside my phone. There's, I believe, a little shelf built sticking out from the box and the phones are in between the gate box and the read out.

Q. Okay. Do you recall probably during -- sometime along that panel seeing a half to 0.7 percent, if I recall right, from the last time you were here. Is that -- Do you know where the shear is at when that level of methane was detected?

A. No, I don't. Normally when it started cutting out on the tail, you could watch it go

maybe a tenth, like 0.1, 0.2. And I could look on the other screen, on the CIU boxes, that monitor there, you could tell where the shears -- where the shields were being pulled in and stuff. You could go out probably 20 shields from that and tell exactly where the shears were cutting at. So if it was showing at number 50 shield or 45 shields pulled in, they're getting close to the tail. At that time, my theory all the time was that the air would go between the jacks there or something and leave the head wall of the coal that's being cut -- not being ventilated because the air is going in between the jacks, the leg jacks.

Q. Okay. So if they were cutting out on the tail, I think you're talking -- when you said the CIU box, you're talking about the shield control computer --

A. Yeah, support system.

Q. -- display?

When they cut out, you're seeing that they're moving jacks at 145 or 150 first. Is that what you're saying or --

A. No. The shield will show that -- the computer will show the position of the shield as

being pushed out and that's a pan line being pushed all the way against the face of the coal. So then they'll have the little short lines which means that the shield's ram jack is not being pushed yet and that's an area where they can still have the shear.

Q. Had you ever seen them have problems with the methane monitor sensor line or sensor during your shift --

A. During my shift?

Q. -- on this panel?

A. On this panel yes, I have.

Q. Was it the sensor or cable they had problems with?

A. I believe it was the cable.

Q. Okay. And at what location do you think they had problems with the cable?

A. The best I can remember it was probably down around 50, 50 break, something like that. That's where we had the roof fall, and I think we were hitting some water before that. There was a swag or something down on the line and --

Q. So that would have probably been somewhere around December, January?

A. Yeah, January, December.

Q. Now, where at, at what point along the face was the problems with the cable? What shield?

A. Seems like it was around 100 to 120.

Q. Okay. So was that cable, did it have to be spliced at that point?

A. I don't know.

Q. Okay. After that was fixed, was there any checks done as far as checking with calibration, gas on the sensor? Do you recall that?

A. I don't recall that.

Q. So you never got to see it trip out power across the face. They never tested it?

A. Not that I know of.

Q. Okay. But do you know what it was showing on the display when it had -- when the sensor had a problem?

A. I'm forgetting the exact numbers. Seems like it was 8.6 or the malfunction light would show up.

Q. Maybe like an FF code instead of an A?

A. I don't know of any code, but it would show like a -- I think a 6.8 or 6.7 and the malfunction light.

Q. Okay. So was there any -- at that point when you seen this 6.8, did they -- was anybody opening up the display or doing anything in the gate box or was it -- they just working on the sensor line on it?

A. That may have been the time where the water was coming back in onto this swag or something, and they may have been into the display.

Q. Okay. I guess -- Do you know what they did inside the display?

A. Sometimes you could bridge it out in the display.

Q. Okay. And had you ever seen them bridge it out in the display?

A. I have seen them bridge it out before.

Q. On this panel?

A. Yeah. It was on this panel, but I don't know if this was the time that -- I have seen the box open when I'd come in in the morning, and I told them, a couple of electricians about it; but at that time, the belt -- there was a problem with the belt outby and we hadn't even started up; and they'd been working on it that night, and somebody didn't put the cover back on the box. And Tommy I

think was the one that came over and put the cover back on.

Q. Okay. When he come to put the cover back on, did you find any jumper wires on it or anything?

A. No.

Q. You said you'd take bits down to the nine shield and twenty shield. Do you ever have to take water sprays down to those locations?

A. There's usually a bucket underneath the head drive.

Q. Who makes sure that bucket has sprays in it?

A. That would be the electricians.

Q. And when they ask you to bring bits to the nine and twenty shield, do they ever ask you to bring water sprays for them?

A. I've had to go out to the toolbox, tool cart to get them.

Q. Is that when there's none at the conveyor drive?

A. Yeah.

Q. Have you ever had a -- ever had an instance when there wasn't any water sprays at all

and they needed some on the face?

A. We've -- I think we had to take them out and clean them.

Q. And when they --

A. I don't know if that's on this panel or previous panels that we've run before at other mines.

Q. Have you ever helped them set bits or water sprays or --

A. I've helped set bits before.

Q. Have you -- You said that they were -- sometimes they'd get plugged or the sprays would. Was that a problem on the shear? Was there a lot of them getting plugged from time to time? Clogged I guess I should say.

A. On the initial start up, it would be because the drums a lot of times would have rust and maybe your lines would be contaminated. Maybe even sometimes water going up to the wall would be contaminated.

Q. And where was -- Let me ask you some questions about the water to the wall. What kind of problems was -- had they had in the past? Where was that water coming from? And just tell me what

you know about the water going to the wall.

A. At one time, we were getting river water out of Coal River I guess; and if it rained or had hard rain, the water in the river would be muddy and murky. A couple days later we'd have trouble with our shields moving slow and have to change the filters for shield emulsion.

MR. McATEER: Why don't we take a break.

(Off the record.)

BY MR. MAGGARD:

Q. We were talking about the water supply and you were talking about the river water. Can you start back where you left off, please?

A. It may have been a year or two before. Well, it would be three years before when we were using pretty much straight river water at UBB. And at this panel here we ran two inch water line I guess pretty much from UBB side all the way up to the longwall face. And it had pumps at certain locations. I think 78, 79 break we had an auxiliary pump setting there we were tying in with a two inch water line and called it well water.

Q. Okay. Was that well water for the emulsion system or --

A. I believe it was.

Q. Okay. So let me ask you, the water that went to the conveyor drives and the shear, all your other water was that still river water they used?

A. Pretty much.

Q. Okay. Could you -- could you tell me -- did you ever have to go down and change filters at the water cart on the mule train?

A. I didn't. I'd tell them they need to. I'd do a back flush on the monorail, and I forget the type filters they call there; but there's some filters there, you can do a back flush, and it will run the system back out and clean the contaminants that got stopped right there in the lines. It would dump them out on the ground, and it would let your pressure go on down to your shields.

Q. Okay. Who would be the one that would know when to change the filters on the --

A. The electricians.

Q. Okay. Do you know if they were having to change a lot of filters prior to April 5th?

A. Not at this time, no. Probably a month before, pretty regular.

Q. What was coming out of a lot of those

filters?

A. I don't know.

Q. Were they using socks or -- to go over the, go up over the baskets for the filters or do you recall?

A. Yes.

Q. Do you ever recall if they quit using socks?

A. No.

Q. Just used a metal basket?

A. I do not recall that.

Q. Okay. You -- During your work down on the head gate, had you ever seen the methane monitor warning light come on for the tail sensor at any time?

A. No.

Q. Is that -- Have you ever had them test the methane monitor sensor and seen that light maybe during an inspection or anything like that?

A. I've seen it to where it'd go up and kick off at one percent.

Q. Is that light pretty visible from your location down there when you're doing work around the head gate?

A. It shuts everything off.

Q. Okay.

A. If I'm not mistaken, one percent, it shuts all lights and all power off.

Q. Okay. And have you seen it do that on this panel, I mean as far as them testing at all?

A. It seems like I have, but I cannot recall exactly. I know the test unit, the sniffer, the cup that goes over the sniffer and the bottle gas, that unit has been up on the monorail after hoot owl has worked on it and repaired it.

Q. Okay. When you're down at the head gate, are you down there by yourself for a long period of time?

A. Yes.

Q. Okay. And how often will you see like the boss, the foreman on the longwall come by you?

A. I'd probably see him like once an hour or something like that. Not necessarily coming out by me, but I've seen him come across the head drive unit. I watch him go in and out a lot of times.

Q. Have you ever seen him come down and take air readings?

A. Yes.

Q. Where would he take air readings at? Do you remember?

A. It depends on where we're at on the block of coal, how far we are from the last open, had to use belt air.

Q. So would he get like intake plus belt air, get both of them?

A. Yes, I'm assuming. I assume he got the intake in the last open -- belt air in the last open --

Q. But you did see him --

A. Right.

Q. -- pretty much daily come to the belt entry and take an air reading with an anemometer?

A. Yes. At one time, they was questioning about having air. And he said, "We have enough air. I just got done checking it," because I had a lot of air come up the belt, had like 10,000. I had another boss come behind us complaining a little bit about us, said you're trying to freeze me to death out here. He went and checked and he went outby doing something. I don't know what he did but he rectified the problem, I guess what I assumed to be the problem.

Q. But when you were down -- I think the last time you mentioned you never had a methane detector --

A. No.

Q. -- that you used?

A. Personally, no.

Q. As far as you had two electricians, where would they normally keep their self during the day?

A. I don't know.

Q. Say for example nothing much is going wrong with anything, where would they stay?

A. They could be repairing shields, working on water leaks, maybe working on something over at the toolboxes. It could just -- it could vary.

Q. Okay.

A. I'd let them go down and check the mule train, check the pressure; and I'm not sure what all they do cover.

Q. On a normal day like you go to the head gate box, the guys are going down the face, who usually goes down the face, you know, on a normal day to get things started?

A. The boss goes, the two shear operators and the jack setter.

Q. Okay. Does the electricians normally go down the face every day?

A. Yes.

Q. I mean, do they go down at the beginning of the shift?

A. It might not be right at the beginning, but it's not long after the start up.

Q. After they've started running?

A. Right. They'll talk maybe to the hoot owl and see what's going on and they'd say what the problems are and then point it out. They might have a shield broke loose from the pan line, and they can run down to that point or back to that point or something and work on it.

Q. So, I mean, you're over there next to that conveyor drive pretty often. Do they come to get water sprays from that area pretty regularly?

A. I'm not sure. I mean, I just see them. I don't know exactly where they are after from time to time.

Q. Had you ever experienced any loss of pressure up there on the water system, weeks, months, prior to the accident?

A. Yes. Yeah, if there was a six inch water

line break out by us or something of that nature yeah. I could watch my -- Sometimes the face chain would start slowing down. I got a gauge where I can tell my pressures. It usually ran three-fifty to four hundred, four and a quarter.

Q. Okay.

A. If it dropped down around two, pretty much knew it was getting ready to stop.

Q. So you've seen three-fifty to four and a quarter. Can you tell me where that gauge is at that you looked at on the water pressure?

A. It would be by my -- where the on and off -- where you flip the two levers, the water station on the monorail.

Q. Okay.

A. We would have it piped up and that would be off that two inch valve where we pipe it up and bring it up. I would have it with the gauge facing back towards the gate box so you could see it.

Q. Was there any other gauges up there that you could look at like on the cooling water that you could see the pressure up that would -- you would look at every now and then?

A. On the solenoid station, there's some

gauges back there; but you usually couldn't read them.

Q. Okay. Could you -- Had you ever been down to the mule train and looked at any of those pressure gauges down there?

A. I've looked at it but not while we're running. If we're running, I'm usually at the gate box.

Q. Let's say you're not running. Have you noticed what kind of pressure they had say on the filters, coming in on the filters?

A. It's about the same, 400, 500 pounds.

Q. So --

A. We rotate shifts. We have three crews, and every nine days you rotate to go to evening shift or day shift; and if day shift was running, it was like the hot seat, you'd be coming up by the mule train and everything and they'd be still yet loading. And you would get to look at them, the gauges. That's basically the only way I could see.

Q. Okay. When those lines were -- that had broken and burst, do you know why they did or where it was at?

A. Down by the -- all I know it was out by

the mother drive on the belt system. There was a couple of nineties they put up and they would blow out kind of regular.

Q. Other than that part of the line breaking, was there any other -- was anything like the loss of water at the tank or problems at the river that ever caused y'all to have to shut down?

A. There was a pump out -- I believe it's out toward the way the belt used to go and drop out by the silo. Seemed like there was a pump down in that area that everybody kind of forgot about. It had stopped up and the filters and stuff had stopped up on it.

Q. Okay.

A. I think that's the south side. I'm not sure.

Q. Okay. So usually a -- You come in on the evening shift. You usually don't -- you probably don't have any down time at all when you hot seat, do you?

A. No.

Q. It's just take over the remote and go I guess --

A. Yes.

Q. -- is that what you said?

A. Yeah. I go and I converse with the head gate operator and see what he's had to deal with, any kind of problems or anything, how the belts are doing; and I maybe ask where the shears are located and he'll tell me.

Q. Okay. Tell me -- tell me about -- you have to do call outs --

A. Yes.

Q. -- to the surface. Tell us how you know where the shears are at along the -- along the face and how you keep up with that, where they're at, just how do you do that portion of your job?

A. Okay. If the boss is not located by a phone or something when I holler and ask him time for a call out, I'll try to cover for him the best I can. Like if the last call out is on the tail, if we had one pass and made it to the tail, I look at the shields and the shield positions and they'll have where I'd estimate that the shields being pulled in at mid-face and stuff, I'd call a 1.5 with no down time.

Q. Okay. Now, let's say they had down time, something broke down. What -- what -- I guess

that's a point of time that you got a call out right away; is that correct?

A. Depends on the down time.

Q. Okay. Give us an example of something you know that would break that you've had problems with prior to April 5th that you've had to call out? What happened?

A. If it's a hose or something that they're -- maybe a ranging arm hose been down 15 minutes on it, I'll wait to the 30 minute call out period and call that out. If it's a ranging arm jack, that's probably going to take probably a couple hours to change out, if you have on one the section. And it depends on where it's at, if it's on the tail, then you've got the whole length of the face to drag the jack to, so that could be three or four hours to change that out.

Q. So do you give them -- I guess you talk to the boss or the electricians and relay some kind of estimated time frame that --

A. Right.

Q. -- it would take to fix it, fix whatever the problem is?

A. Right.

Q. Okay. And if it's something that's going to take a couple hours or longer, is there anyone that would normally come in from outside that would work on it or look at what's happening?

A. It depends on the trouble again. If it inside the unit itself, the janey (phonetic) units or the computer on the shear, I guess, if it's a problem and you're troubleshooting it, Danny Lafferty would sometimes come in. And then sometimes they would look the book up, joy book, troubleshoot it outside and tell them what to check.

Q. Would anybody else come in, I mean, like Jack Roles?

A. Jack Roles, correct.

Q. Would he come pretty often if they broke down?

A. A lot of times he would be outby maybe working, maybe down here on the pull out area or something of that nature; and if he heard it or near the phone, I'll hear him calling to ask the dispatchers what our last call out was or what the wall run.

Q. Did he come up and watch the wall run very

often?

A. There at last, not as much as when we was at Logan's Fork.

Q. Did Danny Lafferty, did he come in and watch the wall run a whole lot?

A. Seen him usually when there was some kind of problem.

Q. As far as guys on the face with methane spotters, who on your crew had them?

A. I think Chad Brown had one. That's a tail end shear operator and the boss.

Q. Chad Brown, was that Kevin Brown?

A. Yeah.

Q. Was I -- I thought he was -- Okay. He was on your crew?

A. Yes.

Q. Okay. Who else was on the crew?

A. Stowers -- There's been so many. I'm trying to think who the other head gate -- or who the other shear operator was. We've been through -- no, that was Davis.

Q. Let's say you were -- I'm sorry. I jump all over the place because I forget what to ask. Let's say you were over there at the head gate and

you seen the pan line stop. What do you do?

A. Line off, water off usually is the first thing they holler about it.

Q. So you mean line off --

A. The line goes down, turn the water off.

Q. So you would turn those two valves we was talking about --

A. Right.

Q. -- earlier. Okay. Have you ever had -- What types of instances would you pull the shear disconnects for the shear? And I understand, you know, that that box is at your location, right?

A. Uh-huh.

Q. Could you tell us where that box is at?

A. That box is approximately 10 to 15 foot from the main gate box outby.

Q. Outby. Okay. When would you turn -- open those blades?

A. If they were having a problem with the shear.

Q. Have you had to do that recently or is that something that's kind of unusual?

A. Yes, I've had to do it.

Q. Could you give us an example of a time

that you had to do it?

A. Off the top of my head, I can't think of when. There was a cable problem I think if I remember.

Q. So did you open it for the cable problem or who -- who would do that?

A. Well, I'd open it and the electrician would be coming out and he would lock and tag it out.

Q. How often does the electrician use that disconnect during --

A. A lot of times when they're working on the problem.

MR. MAGGARD: I'm going to let one of -- One you of guys want to go? I'm going to take a break myself and think a little bit. Thank you.

EXAMINATION

BY MR. SCOTT:

Q. I appreciate you coming.

Did you ever use -- You talked about the big -- big E-stop, the E-stop that basically killed everything back to the main power center.

A. Taped to the starter box.

Q. Taped to the starter box. Did you ever

use that -- I mean, when they told you to shut the shear off or kill the power on the shear or something, you'd normally just pull the disconnect there at the head gate and not push the E-stop?

A. Right. When I first started the head gate, I hit that big red E-stop button and because my stage loader locked up and before it blew the couplings, that was the first button I had come to and I hit it. I kind of learned better not to do it anymore especially when they had to walk -- and I think it did take it all the way out the mouth of the section that night. That was 10 years ago.

Q. So normally if somebody would holler on the phone and say, hey, we got a problem with this shear, it was normal just to go over and --

A. Hit the shear button.

Q. -- and then pull the disconnects on the shear?

A. Right. And they would come and lock it out or get the electrician and he would stop by and lock it down and go on down and troubleshoot.

Q. And Jasey mentioned something about where -- you said the pan off, water off. Did they have to -- Say, if they didn't holler and say Hey,

cut the water off and you saw the pan line stopped, would you normally cut the water off or did you wait for them to holler if the chain quit running?

A. Normally turn it off. It depends where they was at. If they was down on the tail and maybe taking a look at the bits or something or something -- I don't know why they would turn the chain off, but sometimes I would wait. Sometimes I would forget, and they would be real quick to remind me.

Q. They would remind you to turn it off?

A. Yes. Because that was your shield water too and the shield water tip sprays so they were maybe getting wet or maybe needed to look at something. I don't know.

MR. SCOTT: Okay.

EXAMINATION

BY MR. TUCKER:

Q. I've just got a couple.

A. Okay.

Q. What was the last shift you worked?

A. Saturday before the explosion Monday, Saturday evening.

Q. And what direction was the belt air

traveling --

A. It was coming --

Q. -- on your last shift?

A. It was coming in. The belt air was coming up the belt towards the tail piece.

Q. Did it seem any different? Did it seem about what you would normally expect, less or more?

A. It was kind of more.

Q. Did you happen to notice any odd smells a week or so prior to the --

A. I have not, no.

Q. No problem with eye irritation or anything like that?

A. No.

MR. TUCKER: That's all.

EXAMINATION

BY MR. McATEER:

Q. Mr. Woodrum, thank you again for coming in. The water questions, when you said that the water at the last air before the explosion, the water was still pretty much river water?

A. I'm thinking that's the way it was set up.

Q. Okay.

A. I do know we set -- rolled out two inch

line, but I think that's for the shield emulsion water.

Q. And when was that? Do you recall?

A. That was probably four months prior.

Q. Okay. So that would have been December thereabouts?

A. Maybe even further back.

Q. Okay.

A. We had been started running and stuff.

Q. So you started in September?

A. Yeah. And it could even have been November.

Q. So just following the sequence, in September the panel starts, the wall's back from Logan's Fork and you're using river water almost entirely?

A. Yes.

Q. And then there comes a time when there's a problem with that?

A. Right.

Q. And then that -- just two inch line is added in, let's say, November, December for the emulsion or sometime around that period of time?

A. Yes.

Q. But still the main water supply line is still coming from the river?

A. It's the same water line that they had going to the belt heads into the mine section. I think six inch water line.

Q. And it on occasion had problems when it particularly had fall, winter rain?

A. Right. It could be one or two days. If it rained real hard over like Saturday or something of that nature or maybe our schedule time back was Monday, you could just about guarantee the shields would be slow moving.

Q. Okay. And what kind of -- what kind of clogging would there be?

A. Well, it would just be in the filters, the socks usually. We had to change the socks on this panel here. The socks would have to be changed maybe every 20, 30 minutes. That's how severe it would become.

Q. And would this affect the regularity with which the crew could operate the shield, operate the longwall?

A. Yes.

Q. Okay.

A. The jack setter would be one of the first to holler.

Q. The gauge that you had access to, you said that that gauge was at 350 up to 425?

A. Yeah, that's our normal. It could have been 350, maybe even 500. I've seen them at 600 and they go regulate.

Q. And if -- if the clogging occurs, what would the gauge read then?

A. The gauge would read about the same because the fresh water pump they called it that was putting the water to me, that would be about the same.

Q. Okay. Now, you said there were two problem areas, one was where the two nineties were?

A. Yes.

Q. And what would be the nature of the problem?

A. I guess the pressure we'd have would hammer and that's where the, you know -- if you turned the longwall up and start it up, you had a lot of flow. You shut it down and the fresh water pump stops pumping and then you got this backlog going back and it would hammer and pop the elbows.

Q. You mean the hammer by the shaking kind of thing that you hear?

A. Right.

Q. And then the elbows would actually pop and they have to go back and put them back together?

A. Correct.

Q. And then this -- would that -- would that be when there'd been a rain event?

A. Not necessarily when it rained.

Q. And then there was a pump you mentioned that they put in that was forgotten. I'm trying to find the notes where you talked about that.

A. It would have been in for I guess years.

Q. Okay.

A. And I don't know if the fire boss or somebody had that knowledge in that position to take care of that, maintain that pump; and we were having water problems and that's where they found it.

Q. And what do you mean that's where they found it? How did they find it? What did they find?

A. They started checking. I guess they were calling out of the -- where you get pump out of the

river and that one would be running and then the water to the mines, the whole mines, would not be coming in.

Q. So the pump would not function because it got clogged and now the whole system is broken down?

A. Yes.

Q. Was that pump replaced or do you know what -- how they fixed it?

A. I'm not sure how they did it or they had a strainer, filter or something that they cleaned on it. I think that's what it was, the filter on that particular pump.

Q. Uh-huh. And were these sock filters --

A. I'm not sure. That side of the mines, I'm not that familiar with.

Q. Where would that pump have been located if you can recall?

A. It's where the belt used to go out and dump in our silo.

Q. Okay.

A. That side of the mines.

Q. Okay.

A. I'm not familiar with hardly any of it. I

knew it was inside four or five breaks maybe or something like that.

Q. Okay. Now, you've made the calls, call outs, if I can ask a couple questions about the call out. How often would you call?

A. At last, it was every 30 minutes.

Q. And before last?

A. We got by with an hour. That didn't satisfy them I don't guess, so it started out every two hours on normal productions.

Q. We're talking about the period from September when this wall starts up through April and can you try to track down with me when you started with two hours and then when it changed to an hour?

A. When we started out, it was two hours.

Q. Okay.

A. It didn't last about a week.

Q. Okay.

A. When I was at Revolution, I was down there a little while. I guess I was a rent-a-miner. I guess we were put down there to help them a little bit, and some of them came up and helped us when we was setting up. I went down and head gated for

them, and they were put on this hour call out. And everybody was complaining about it, said, We can't get anything done because we have to call out all the time, bosses included, having to relay messages to their head gate men. And I said, "Yeah, it could be worse. You might as well start calling out every 30 minutes." And sure enough it came that way.

Q. Careful what you wish for.

A. Yeah.

Q. And when did that 30 minute rule come into play?

A. For Revolution, it ways probably August. I think that's when I was down there.

Q. At Upper Big Branch?

A. At Upper Big Branch, it came in effect maybe September, end of September, first of October.

Q. Now, when you said rent-a-miner, you don't mean that you were a contractor?

A. No.

Q. Now, the -- when you made the call, the boss would call you from the face and tell you; is that right?

A. A lot of times I'd have to call him and ask him when I'm sitting there the timing.

Q. Right.

A. Because if it's not long that I miss that 30 minute call out, somebody outside is calling me and asking me. I said before I get my call I'm going to call somebody else.

Q. May as well. And who did you call?

A. Outside.

Q. Uh-huh.

A. Dispatcher usually.

Q. Who is that?

A. Greg Clay on day shift.

Q. Did you ever call anybody but the dispatcher?

A. I've called my reports out and other people have taken them.

Q. Okay. What happened to those reports?

A. They -- When I would call out?

Q. Yeah.

A. They would take the reports, and they would fax them to four or five different fax numbers I guess. I think two fax numbers at least.

Q. And whose numbers were those?

A. I'm not sure, but they said they went to Blankenship.

Q. Anybody else?

A. Yeah. I'm sorry about names. His second in command.

Q. Chris Adkins?

A. Chris Adkins.

Q. How about Chris Blanchard?

A. Greg Clay said that one time on a call out and we were down or something that Blanchard is not going to be happy with this or something like that, so I guess he did give them to him.

Q. Did you ever have occasion to call out with safety problems?

A. Probably have.

Q. Do you have any recollection of examples of those?

A. I'm not sure if this panel was where the ventilation would have lost their air maybe. I'm not sure if that was during this time period or not.

Q. Okay. Now, you have spoken about -- maybe you didn't. Was there a period of time when there came water on the wall itself, when you were in a

swag?

A. Yes.

Q. And do you remember when that was just roughly?

A. January.

Q. Uh-huh.

A. Maybe February.

Q. And did that impact to your knowledge the ventilation system at all?

A. I don't know.

Q. Okay.

A. I know --

Q. How was --

A. -- I know they took pumps and went behind the wall from time to time.

Q. Who would do that?

A. Harold Lilly was one. Jack Roles had been back there working.

Q. And what fixed the water problem?

A. I guess them hooking pumps up and pumping it out.

Q. And where would they pump it to?

A. Well, they had a series of pumps on them behind.

Q. Right.

A. And sometimes they would pump them on down like over a hill or into the swag of the other pump to where they could get ahold of it.

Q. Was there complaining about the water on the wall to make work difficult?

A. Yes.

Q. Have any impact on the electrical system to your knowledge?

A. Yes.

Q. And how was that?

A. Well, that one particular time where the shear, the methane monitor on the tail had to be worked on I guess where the cable was pinched or something in that swag where the water was at, I don't know if it got water moisture in it.

Q. That's when it hit the 6.8 your recollection is?

A. I think so. I think that's about the time that that happened.

Q. And you recalled that during that period of time that you had this -- this read out of 6.8 that there had been some work done, at least some work done on that box. I missed where that box was

you were testifying about.

A. It's right beside the gate box area probably about two foot in by that gate box.

Q. Uh-huh.

A. And my phone would sit in between the read out and the gate box.

Q. So it's a methane monitor --

A. Read out.

Q. -- read out. Okay. Now, the work was not -- Was the work done on that box or was the work done --

A. Well, the work would be done on the line. But if they needed to get the shear out of the swag or the water coming in and maybe really getting into components of the shear, they would bridge that out so the shear would run.

Q. And you said that was in January, February period?

A. Probably so.

Q. Is there any other time that you recollect that there was a bridging out of this?

A. Not on this panel, not that I can think of on this panel.

Q. Were there other panels where they were

bridged out?

A. Logan's Fork.

Q. And what happened at Logan's Fork?

A. That was hard on all equipment.

Q. Just the general mining operations or the --

A. Yes.

Q. And who would do the bridging out?

A. The electricians would normally do the bridging out.

Q. So in this instance, it might be Tommy Estep?

A. Could have been, yes.

Q. Okay. Just to -- For my -- and this is my lack of knowledge. There has been testimony, you as well as others, about changing out and there's testimony that the change out occurs on the face. But you're saying it's not necessarily all the time, that there's some different ways to change out between the crews.

A. Well, like the hoot owl --

Q. Right.

A. -- wouldn't. Sometimes they could be walking down --

Q. Okay.

A. -- to get on a man trip. They would have their jobs completed. There it is, ready to go. We'd meet them at the mule train or at the toolbox center at the mouth of the face and we would just go on in and work. If it was evening shift and day shift changing out, normally that was on the face.

Q. Okay. That's helpful to me. Thank you. And that was in order to ensure that the production stayed --

A. Consistent.

Q. There wasn't any gap.

A. Right.

Q. Right.

A. There was a time period, I don't remember, first of the year where the evening shift would call in and wasn't supposed to be hot seating. They would call in at the mouth of the longwall section. The head gate man called down and tell them the evening shift is coming and we're supposed to meet down at the mule train.

Q. Okay.

A. Due to the emergency ride situation, not having two emergency rides and then to accommodate

both crews.

Q. The prohibition or the restriction was that you didn't have enough emergency rides so the hot seat change out was prohibited and you would have to theoretically then change out at the --

A. Man trip --

Q. -- man trip.

A. -- mule train.

Q. And was that due to inspectors?

A. Yes.

Q. Federal or state?

A. I'm not sure. I'm not sure which law that fell under.

Q. And when was that?

A. That's probably February.

Q. Okay. But by April, that was not the case?

A. No.

Q. Is it your understanding that that was not the case because it was a change in the rule, the law, or was it your understanding that it was a change in the company's response to that?

A. I guess it would be the company's response to the rules.

Q. So as an actual matter, they were still required but it just wasn't happening?

A. Correct.

MR. McATEER: Okay. That's all the questions I have at this time. Thank you, Mr. Woodrum.

EXAMINATION

BY MR. CRIPPS:

Q. I've got a few for you, Woody, if you don't mind.

First off, the 30 minute call out that you talked about --

A. Correct.

Q. -- on the evening shift and on the weekends, who did you --

A. The dispatcher.

Q. The dispatcher. Do you know who that would be?

A. It could range. I'm not sure of their names right now. Greg Clay would be the day shift and he just worked usually five to six days a week.

Q. Okay.

A. And that would be the one that the longwall called to.

Q. Okay.

A. Miners section would have to call the dispatcher. Greg Clay was the person that paged them.

Q. But he worked just day shift?

A. Yes.

Q. So when you was on the second shift, who would you talk to?

A. Whoever the dispatcher fell to and I can't remember their names right now.

Q. Okay.

A. I remember one. I can't think of his name right now. I'm sorry.

MR. McATEER: Any nicknames?

THE WITNESS: Mon.

MR. McATEER: Mon.

THE WITNESS: Uh-huh.

MR. McATEER: Okay.

Q. Do you know on second shift and on weekends when you made your 30 minute call out, did they fax that report somewhere?

A. Supposed to. As far as me knowing that particular thing, I don't know.

Q. Do you know if they even wrote the

information down or made a record of it?

A. I'm not -- I'm not sure. They were supposed to.

Q. Okay. Okay. I want to talk a little bit about the water lines, the water, because I'm a little bit confused here so I want to try and clear it up. As I understand, coming to the longwall section, you have two lines, a six inch line and a two inch water line.

A. That's correct.

Q. Those are over both water lines. The six inch line, where does it go to once it gets to the longwall?

A. Mule train.

Q. Okay. So it goes to the mule train. Where at on the mule train?

A. I think it went to the sun flow pumps they called it.

Q. And are the sun flow pumps the pumps that supply the water pressure up to the face?

A. Yes.

Q. Are there filters on those sun flow pumps?

A. I think so.

Q. Okay. How does the water get from the sun

flow pumps up to the face?

A. Through the monorail.

Q. Okay. Is there two, two inch lines on the monorail?

A. Yes.

Q. And those two inch lines, where do they go to up at the head gate?

A. At the head gate?

Q. Yes.

A. They go into the glut.

Q. So those are the lines that go into the glut and those are the lines that have the valves on them --

A. Yes.

Q. -- that you talked about earlier.

And so when you need to shut the water off on the face, those are the two valves that you operate?

A. Well, there's four valves. Two on the inby side. One of them would be the shield water and one would be the shear. The two coming into it would be the main feed lines, and you just turn them on or off. And on the backside, you'd have like your coolant waters that would be T-ed off

(phonetic). Those two lines, they feed the shear and the shield water; but on the backside they'd be T-ed off (phonetic) back here and you'd have maybe six other valves or -- on the back that feed your coolant water to the stage loader motors and also to your face chain motors and to your pressure.

Q. And then the gauge that you talked about earlier that would show the -- I think you said 350 to 425 psi, those lines is where the gauge was connected to, that was the pressure it was measuring?

A. Right. The two feed lines coming into the glut they called it.

Q. So that was the water line that also supplied the water to the couplings on the head gate drive motors and the tailgate drive motors?

A. Yes.

Q. Okay. And so you mentioned earlier that you know filters were getting clogged up because the conveyor might start slowing down; is that correct?

A. Yes.

Q. And so when the conveyor started slowing down, what filters were getting clogged?

A. The ones at the -- I think coming into the sun flow pump.

Q. So that would be the filters on the sun flow --

A. They may be on another line coming up to the solenoid box, solenoids, that run your face chain. There may be another line. I don't know if it T-ed off (phonetic) them because we could run -- I'm pretty sure they were another line come to that solenoid block that was outby that ran the face chain motors only.

Q. Okay.

A. Now that I think about it because there were times that I had not turned my water valves on and you could still start the face chain.

Q. So the face chain will run with those two water valves turned off?

A. Yeah. I didn't like to do it because it created a lot of pressure and you could blow the line on the monorail going down to the mule train.

Q. Explain that to me.

A. If you had your valves off and that sun flow pump would kick on and all it went to was the face chain motor, the couplings, they'd create

maybe even 900 pound pressure and those are rough on your couplings, on the monorail where the staple lock fittings -- all the fittings on that water line was.

Q. Those two valves, were they -- if the shear had been operating and all the water was on, was they difficult to turn off?

A. No.

Q. It was pretty easy?

A. Yes.

Q. Would you --

A. Well, they would be -- I mean you'd -- you'd have to put a little effort into shutting them off.

Q. Okay. Did you shut the sun flow pumps off before turning those valves off?

A. Yes.

Q. Did you do that every time?

A. Tried to.

Q. Tried to. Why was that?

A. So I wouldn't blow the couplings on the line outby. Because when I turn these valves off, then you create all that pressure with nowhere for the pressure to go up towards the face if the line

was off because your solenoids would shut down. If one of them were leaking, it would blow the couplings; but usually you would sit there and watch your gauge. It would be up to 900 pound pressure. That's a lot of pressure in between your hoses of your valve back to the sun flow pump.

Q. So when the face was ready to start up and they called to start and wanted water on the shears --

A. Right.

Q. -- did you open the two valves?

A. Yes.

Q. Then did you start the pumps?

A. It was automatic. The sun flow would start out when you'd hit system start. It'd go down through the sequence there; and whenever the face chain would start up, the sun flow would kick in.

Q. Okay. Now, the two inch line, I'm going to jump back outby now.

A. Okay.

Q. The two inch line coming into the longwall, what did that water supply?

A. The emulsion tank.

Q. So that line went to the emulsion tank. Did it go directly to the emulsion tank?

A. I'm not sure. I can only assume on that.

Q. Are you familiar -- is the emulsion tank -- how is the emulsion produced up on the longwall?

A. You have an oil tank. You have a mixer tank that is pumped over into what they call the mixer tank, and it's 97 percent water I think on average, 3 percent oil. That's what operates your shields.

Q. Okay. Then the -- How does that emulsion get from that tank up to the face?

A. You've got four pumps.

Q. Okay.

A. Usually three of them is running.

Q. And that's also hosed on the monorail?

A. Yes.

Q. You mentioned that you would back flush your lines.

A. Correct.

Q. When you're talking about backflushing, what lines are you actually backflushing?

A. The emulsion lines.

Q. So it's the emulsion lines that's being

back flushed. And those emulsion lines go where?

A. They go onto the shields, No. 1 shield.

Q. Okay. So when -- when the shields start moving slow that you talked about earlier, is that because the emulsion filters have got stopped up?

A. Usually, there's some more filters I think down at the mule train that the -- that are back flushed that I take care of and also cause them to move slow.

Q. All right. So if you back flush it and the pressure still doesn't come up, is that when they change the filters?

A. I'll get ahold of the electrician and say I took care of this out here. It's somewhere else.

Q. So all the sock filters we was talking about, the sock filters are in the emulsion line out at the pump car?

A. I think. I assume they are.

Q. Okay.

A. I'm not sure, but they are water -- fresh water or the others water socks also --

Q. Okay.

A. -- like for the six inch river water.

Q. Okay. So there's -- Is it fair to say

there's multiple sets of filters --

A. Yes.

Q. -- at the mule train?

A. Yes.

Q. Okay. Okay. Let me -- When the face is running, is it pretty noisy up at the head gate?

A. Yes.

Q. You wear hearing protection?

A. Correct.

Q. Is it difficult to hear the phones when the face is running?

A. If you're away from them, 20 to 25 foot, there's a chance you could miss a call from outside.

Q. Okay.

A. We do have one at the gate box Comtrol phone. It's the master control unit I think. It goes directly in the gate box, and it starts feeding; and we have one at the tail piece and one at the crusher and you have one at the shields I think every 16 or every 12 shields you have the Comtrol phone.

Q. So the Comtrol phone they're along the face?

A. Right.
Q. Can someone talk from down the face then all the way to the surface?
A. No.
Q. So you can't talk from the face outside; is that correct?
A. That's correct.
Q. If the -- if you have a walkie-talkie down the face, will they work to the outside?
A. Probably not.
Q. Do you know if they used them on the face?
A. I think they tried our phones that we had --
Q. Uh-huh.
A. -- and they did not pick up on that leaky feeder, but maybe just around the corner just a little bit. There's also another trouble of the frequency interfering with the miner at one of the other mines, so they would not let them go down the face.
MR. KOERBER: Let's go off the record.
(Off the record.)
BY MR. CRIPPS:
Q. Okay. Did we finish talking about the

water and emulsion?

A. Probably not.

Q. I think we talked about that enough.

Okay. Let me move on. Have you been up to the head gate into the longwall since the explosion?

A. Yes, I have.

Q. Have you actually looked at the location of the shields and the pan line at the head gate?

A. Yes.

Q. Did you notice anything -- what's the word -- unusual about the condition of the face, location of the pan, location of the shields?

A. Some of the shields are down on the pan --

Q. Okay.

A. -- collapsed.

Q. Did it appear like the pan line was pushed over against the face?

A. It appeared that way.

Q. If the pan line wasn't, because I don't think it was when I've been there, it appeared to me like the shields had never been pulled and the pan hasn't been pushed, what would that indicate to you if that was the case?

A. Sometimes they'll lead the head back a little bit to line the face up if the tail is dragging back behind to give it time to catch up. So when the shear cuts out, the next time it might not be tied against the face. You'll get a four or three and a half, four feet, wherever the shear drum cuts. You might just get two foot, so that will let the face line up better.

Q. Okay. The last shift you worked and even since you've been up there after the explosion, how was the stage loader lined up in the entry? Do you recall?

A. Stage loader was right even with the last open break or I mean the -- the face was.

Q. The stage loader, was it centered in the belt entry or was it moved to one side of the entry? Do you recall?

A. The last time I worked it was centered.

Q. Okay. Since we've been up there and I looked at it, it appears that the stage loader is well towards the coal block.

A. (Nods head.)

Q. What would cause that?

A. It could even be the force of the blast.

Q. To move it over?

A. (Nods head.)

Q. If the stage loader is too far towards the coal block, how would you remedy that on a normal production?

A. You let the face from 50 shield to probably No. 1 shield lay back. Like you say, not push it tight against the face, leave it laid back a little bit and let the tail swing around and catch up.

Q. Okay. And what -- When you push the pan, would that then cause it to move back towards the center of the entry?

A. Yes, keep walking to the head side.

Q. Okay. I want to go back. Jasey was asking you about the E-stop switch on the head gate controller.

A. That's correct.

Q. You said you got wrote up on the E-stop. What did you mean by that?

A. I had an inspector. I don't know if it was state or federal, but he took out his small book and had it highlighted that the E-stops are my responsibility to check out, operator's

responsibility.

Q. So you got wrote up because you wasn't checking it or because it didn't work right?

A. No, because I wasn't checking it. I told him I did not do that. He asked me and I said no.

Q. Do you know if that E-stop, if it worked or didn't work?

A. Yeah, it worked.

Q. It did work?

A. Yes.

Q. When was the last time you know for sure that it worked?

A. That was probably in February, January, February.

Q. Okay. And how do you --

A. That's when -- when I proved it worked the next day.

Q. That was about the time you got wrote up?

A. Yes. Yes.

Q. And so you actually pushed it and tested it. And when you pushed it, what happened?

A. They had to go to the power center and set it back up.

Q. Did -- What happened on the face?

A. Everything went black.

Q. Okay. Did the lights go off?

A. Yes.

Q. Did the dump bell for the hydraulics --

A. Yes.

Q. So to your knowledge, all power to the face shut off?

A. To my knowledge, yes.

Q. Any time between then and the explosion, perhaps even just a couple weeks before the explosion on your shift, do you recall seeing anybody getting in that head gate box?

A. I do not recall that.

Q. Specifically do you recall Tommy Estep being inside of that box?

A. Not inside the gate box.

Q. Did you hear anybody have any knowledge or reason to believe that that E-stop would not work if it was pushed?

A. No.

Q. Okay. So you don't know if there was a diode put inside of that box to defeat that switch?

A. I do not know.

Q. Have you talked to anybody that's been up

there with us on the investigation about that diode?

A. No.

Q. Was you aware that there was a diode in there?

A. No.

Q. So you was not aware that that E-stop would not function?

A. No.

MR. CRIPPS: That's all I've got. No, I don't. I'm sorry. I found another one here I want to ask you about.

THE WITNESS: Okay.

BY MR. CRIPPS:

Q. I was reading the transcript of your previous interview, and in there you said that you had heard from somebody that there may have been a ventilation change done on the Sunday, Easter Sunday, which would be the day before the explosion.

A. Right.

Q. In that interview, you said you didn't know who would have done that --

A. That's correct.

Q. -- change; is that correct?

A. Uh-huh.

Q. Since that interview, have you heard or learned any new information about that?

A. No, I haven't.

Q. So --

A. I mean, just the regular same stuff that that's what had been said, there was a vent change made that Sunday. I don't know.

Q. Any names about who may have done the vent change?

A. When you talk about ventilation change, it fell back to Chris Blanchard is the name that was usually kicked around with it. I don't know if he did that personally or not.

Q. Okay. But nobody's told you anything more since the last interview?

A. No.

Q. Okay.

A. No.

Q. Okay. When you start the conveyor that the shears idle, the conveyors off, the shear operators call the start up. Is that basically how it works?

A. Yes.

Q. What is the actual process to start up -- start up the face?

A. The actual --

Q. Do you have to push 10 buttons?

A. No. No, sir. There's 10 there that you could push, probably more; but you push the longwall fault reset. That clears the system of any faults. You go over to the other panel box and the second one down, there's system start.

Q. And then when you push the system start, what's the sequence of events?

A. The alarm goes off to let everybody know through the Comtrol phones that the system is getting ready to start up and probably five rings, beep, beep, beep. They go off and then the crusher starts. The crusher starts and gets up power. I guess maybe two to five seconds, the stage loader chain starts; and after that, the tail drive motor I think starts next and then one head drive motor and then two head drive motor, I think is the way it is; and then that's when the sun flow pump kicks in and gives water pressure to the coupling on the face chain.

Q. Okay. Do you have to reset anything to the shear?

A. No.

Q. Okay.

A. The system starts -- the longwall fault reset should reset everything and that's -- that should clear everything up on the box.

Q. If you're -- if the pan line is running, the face is running, the belt goes off --

A. Okay.

Q. -- does the conveyor automatically shut down?

A. Yes.

Q. If that's the case, do you go and shut the water off --

A. Yes.

Q. -- or do you wait for the shear operator to call and tell you to shut it off?

A. If my belt goes off, I shut the water off myself and inform them of what's up.

Q. When the face is running, if they holler at you on the Comtrol phones, can you hear them from pretty much anywhere you would be working around the head gate?

A. If I were down at the solenoid block or where the push-pull device is at and that's probably 75 foot away from the gate box, that would be hard. I don't go down there very often. I might be getting ready to move my sequence switch for the belt. The sequence switch, as long as it's running and touching the belt, if it falls off or something like that, the sequence switch, the wall shuts down. That's safety for the wall so you don't overload and just keep running, running and running and the belts aren't running.

Q. The head gate box you're talking about, the start buttons, when you operate the start buttons to start the wall, you're standing between the monorail and the belt; is that correct?

A. Yes.

Q. Okay. How much of your shift would you say that you actually spend right there at that control box?

A. Right at the control box, probably 75 percent of the time right there.

Q. Okay. Standing right at the controls?

A. Yes.

Q. The other 25 present, what do you do?

A. Might be checking to see if I can get ready to move my sequence switch on outby. As we keep mining down and retreating, you keep moving your sequence switch out, you know, up to the head drive. I might do a call out and run up the head drive and get bits on the line, and maybe down at the tail piece waiting for a push. When they push the stage loader and stuff down, I usually sit there and try and guide it with the steering jacks to make sure it's lined up on the belt. And a lot of times it will go underneath the monorail, the stage loader, and you want to kind of keep away from going underneath and over to the rib.

Q. You pull any shields?

A. No. I have but I don't.

Q. Who takes care of the head gate shields?

A. That's the jack setter and sometimes the boss or electrician may pull one in for them.

Q. Okay.

A. The first three shields.

MR. CRIPPS: Okay.

EXAMINATION

BY MR. SCOTT:

Q. I've just got a couple real quick.

Do you recall having any problems with the Comtrol system? Was that a pretty reliable system or did they have a lot of problems with it?

A. Sometimes we'll have problems with it, and you'll have to terminate it, different locks and you'll have to move the terminator from the tail. I think that's one maybe -- maybe 160. I'm not sure. I'm not that familiar with where the terminator is at, might have to move it back up the line maybe so they can talk and get the shear, one runs on the head and take a line down and replace it.

Q. Okay. Now, you said that basically you got in trouble one time for not checking the E-stop.

A. Correct.

Q. And you said you checked it the next day, and you said you pushed it and it tripped all the power; and you said previously that you didn't -- the reason you weren't doing that now, that the midnight shift was doing it was because it sometimes tripped all the way down to the mouth of the section. When you tripped that the next day, do you remember if it tripped to the mouth of the

section or just to the mule train?

A. The mule train.

Q. Just to the mule train.

EXAMINATION

BY MR. TUCKER:

Q. Was that the last time you personally checked that, what you're speaking of?

A. Yes.

Q. Just to follow-up one second on Mr. McAteer's questioning on hot seating --

A. Uh-huh.

Q. -- did anything change on your rides that they provided when you went back to hot seating? Did they just make the decision on the emergency ride?

A. No, we still had the same one -- I forget the numbers of it. Just one emergency ride.

Q. Okay. And if outside needs to get ahold of you, how do they go about that if you can't hear them on the phone? Do they have another system in place to contact you?

A. They had a light system, put a light on the phone that would flash like a strobe light type deal; and it was usually set where you could see it

about anywhere in the belt entry.

Q. Was it pretty reliable? Did it seem to work?

A. It seemed to work pretty good, yeah.

Q. The last shift you worked, as far as you know, was it working?

A. As far as I know. I don't recall being lighted.

Q. Being activated?

A. (Nods head.)

MR. TUCKER: Okay. That's all I have.

EXAMINATION

BY MR. SCOTT:

Q. The methane monitor you said that specifically -- you're thinking from the -- the wall was going through a swag or you probably had trouble with the cable going down to the tail. I don't know if you actually saw it, but you thought that maybe somebody had junkered something down in the read out to, what, move the -- maybe move the shear out of the water hole to keep it from not -- Did they do that to continue production or to just move it to where they could repair it or something or you don't know?

A. I don't know. In that instance, I can't recall if they just did it to move up to the top of the hill to get it out of the water or not.

Q. Do you ever recall anyone bridging it out to continue running --

A. Yeah, I've seen it done that way.

Q. -- at UBB.

A. I don't know on this panel or not; but at the other location, it was kind of a common thing because I don't know if it was rock that the shear was cutting; but it was pretty severe on the equipment. You had the ears being broke off the ranging arm jacks or the shear itself was cracked, if that gives you any indication of the severity of the mining system.

Q. But you don't recall anything on this particular panel?

A. Not on this particular panel, no. At one time, the wires were out. I think Delbert Bailey was checking the CO monitors at the tail or something like that and it looked like somebody had been into it, and he told them to go get Tommy and I went and got Tommy. At the same time, the belt wasn't running; so we did not start up until Tommy

come around and fixed that, and I wasn't there to watch that. I don't know if I was getting bits on the line or what, but I can't recall what happened. It was running, working. When we came back, the lid was on it.

Q. The other locations, could that have been just Logan's Fork or would that have been maybe the other panels at UBB the previous year?

A. It could have been the other panels at UBB also.

EXAMINATION

BY MR. McATEER:

Q. I have a few questions and I'll try not to duplicate them because I was out of the room. If this has been asked and answered, just tell me that.

You testified now that at Logan's Fork at least that there was, if I -- and I'm trying to follow you, because of the severity of the rock in the roof that there was a bridging out in order to keep the shear operating.

A. Sometimes, yes.

Q. But the --

A. We were under the -- I was under the

impression that the law or the -- what was told to me to be law was that you could run 24 hours with this bridged out. That would get you back to the head until maintenance crew could come in and fix it.

Q. Okay.

A. And usually it would be running the next shift. Not usually, it would always be running the next shift, the time you come in.

Q. But are you -- are you equating the difficulty with the hard rock, the sandstone and the methane detector being bridged -- kicking on?

A. Well, you have a thousand foot face and thousand foot cable and all this vibration and jumping around from the shear trying to bow down and keep its height and that nature that the equipment was subject to failure.

Q. Okay. That makes more sense.

Now, you've talked about the -- the start up process. Now, let me ask you a hypothetical question. If during the shift the longwall shear was down for repairs --

A. Okay.

Q. -- would you have left your station near

the phones?

A. On certain instances, yes.

Q. Well, what would those be?

A. Possibly to get something down to the tool cart.

Q. Okay.

A. Sometimes I inform them even outside, if it's someplace I was going to be going for five, ten minutes --

Q. Sure.

A. -- I'd let them know I was going to be a away from the phone. I'd let them know down at the face --

Q. Right.

A. -- they would holler and say, we need this tram shaft or something. I wouldn't be expected to carry it all the way down to the shear, the shear at 160. I would take it to the last open break No. 1 shield or five or six shield; and then I would go back to my --

Q. Right. But in the event of a -- of a break in production where there's work being done to try to get the wall back in place, back in operation, your ordinary place would be at the

phones --

A. At the gate box.

Q. -- to be able to start it up what they've got to fix.

A. Right.

Q. I mean, so it wouldn't be an ordinary thing where you might walk away if the wall's running and you might get away from the phone; but if this was the event of the day, you would stay pretty much close, you and other people like you, would stay pretty much close to that phone to be able to start it up.

A. Correct.

Q. Okay. How would you -- If the call came out to shut things down in an emergency, how would that have happened? What would you do? How would you translate the call? Let's say they called back and said, Woody, we've got a problem. What do we do now?

A. I'd stay there for further instructions.

Q. But they're on the wall and they're saying we've got a problem. We've got something. What's your first thinking of what you would actually do? What would you cut off or would you cut things off?

A. I would cut the water off. And, like, if they told me to pull the disconnects, I'd pull the disconnects and wait and see what else was going to take place.

Q. When you say you would pull -- you'd cut the water and you'd pull the disconnects, would that be when they'd ask you to pull power? If they said pull power, what would you do?

A. I'd probably ask them on a shear or what power.

Q. Okay. What if they just said pull all the power, pull -- cut the water?

A. I'd probably hit the E-stop button --

Q. Okay.

A. -- and cut the water off.

Q. Okay. Would you pull the disconnects, cut the disconnects?

A. Wouldn't have to.

Q. Because the E-stop has been hit?

A. Right.

Q. Any particular --

A. That's for me.

Q. Sure. I understand. But there would be -- would there be any -- When they would call

out or when one would call out, would there be occasion to specifically mention the disconnects?

A. If they got the cable?

Q. Right.

A. Or maybe pulled the cable out of the shear or out the stop, yeah.

MR. McATEER: Okay. Okay. Thank you, sir. I appreciate it.

EXAMINATION

BY MR. MAGGARD:

Q. Okay. Let's stay on that topic for a second. Let's say they say kill the power and you hit the E-stop but your lights don't go out, and your PLC display is still on, what would you be thinking? What would you think about doing next?

A. I don't know. I haven't been faced with that. I would be hollering for the electrician for sure.

Q. Let's -- let me switch gears a little bit.

A. Now, there's two E-stop buttons.

Q. Okay.

A. There's one on the -- I think the first panel where the system starts at and then there's

one over at the other one. And I think the other one is the one that knocks it out all the way down to the mouth of the section. I'm not sure which one I hit that day; but 10 years ago when I did start up and had that trouble at one time in my training period -- but I didn't want to do it again because we were down more so -- I think then just about everybody had to go to the mouth of the section and get ahold of the belt men and what have you to turn the power, then if they went ahead and blowed the couplings on the stage loader motor -- but that's some lessons that you learn I guess.

Q. Okay. Let's say you get there on the stage shift and they've cycled power on and off from the mule train from the power center, do you see -- what do you see on the display for the -- off the panel view?

A. They usually kept it on the amps for the shear and the face amps, stage loader and the face chain. The reason you keep it on the face chain is so you can tell if you get into water and on the couplings if they needed an adjustment on the solenoids flow, have enough flow back there. If you're within 10 or 12 amps with all three motors

running, that's a pretty good adjustment.

Q. When you see any kind of faults, how do you know you need to do a system reset?

A. I just gotten in the habit of always hitting the system reset. If there was a fault that didn't clear up, it would still show fault.

Q. Have you seen different types of faults when the power was cycled?

A. Usually in emulsion and sometimes in the power.

Q. Okay. On your call outs, say that something broke down, have you had any relayed threats that they'd better get that fixed or put a lot of pressure on the crew or --

A. I hadn't heard any relayed threats just out in the open like that but you can tell by the voices and stuff that they're a little upset if it took more time than normal to fix something. Take a typical problem, it might take 45 minutes to an hour.

Let's back up and say changing out a tram shaft. It depends where you're at on the face line too. If you're at mid-face, 30, 45 minutes. If you've got somebody that's maybe at the head drive

with one can start that way with the tools. If it takes you an hour to hour and a fifteen minutes, then they're wondering why you're still down on that, and it becomes out of the norm, why is it taking so long. I don't know. You're going to have to talk to the electrician or boss. I don't know. I'm out here.

Q. Have you ever had to call out relay pre-shift reports?

A. Have I ever, yes.

Q. And how often would you have to do that?

A. Maybe once or twice a month.

Q. Okay. I think the last time you was here you said that you had to work a lot of days off --

A. Yes.

Q. -- that they would call you back to do some kind of task.

A. Have you scheduled for --

Q. Yeah.

A. If you had three days off, you'd have to work one of them or maybe two.

Q. Did you ever do any rock dusting on those call backs?

A. Yes.

Q. And where would that be?

A. One particular time I recall is going down the belt line on this panel here. Probably 25 to 10 break, maybe something in that neighborhood, and a four-wheeler that had a cart with a duster on that me and Jack Roles did.

Q. Okay. How often was that -- that duster that had to be hooked up to a four-wheeler, how often was it used?

A. That was the only time I know of myself personally.

Q. And where is -- where do you recall that duster at?

A. I don't know where it's at now.

Q. Okay. Was it -- has that just been a couple occurrences that you had to come in and do some rock dusting or was that -- had that happened a lot that you had to?

A. Well, rock dusting, that -- for some reason, I don't know why. I was leaving early for some reason that day, and that was my ride out with Jack; and we stopped and worked probably about an hour to two hours and then went on outside.

Q. Okay. So that might have just been the

only time.

A. When the rock dust was there -- like a little storage through the man door and stuff probably had a whole pallet still get stacked there, and we backed up and loaded the cart up. And it was already loaded once, so that makes two times the cart was run that one particular day.

Q. The -- Was there a trickle duster on the ground mother drive that you recall?

A. I can't recall right now at this time.

Q. So you don't know when they normally would have ran the trickle duster or used it if they had one?

A. I'm not sure because we recently cleaned up. We were wrote up for the mother drive being dirty and stuff. I think it had a lot of mud and stuff, and we went down there with water hoses and washed around and cleaned it all out from the mother drive.

MR. MAGGARD: That's all I've got.

EXAMINATION

BY MR. TUCKER:

Q. One quick follow-up. You said a couple times a month maybe you'd call out the pre-shift

report?

A. Right.

Q. How would you know what to call out?

A. The boss would translate it to me and we'd be down at the face and call it out.

Q. He would just relay it through the phone system on the jack line and then call it --

A. Yes. That was -- that wasn't Kevin Medley, my boss. That was right at the fifth month. When the explosion happened, it would be -- I had two other bosses on that panel. Started up with Timmy Davis and I think it was Mark Stevens.

MR. TUCKER: Okay. Thank you.

EXAMINATION

BY MR. CRIPPS:

Q. Woody, the day of the explosion, in your previous interview, you talked about being underground when the explosion occurred. Prior to going underground on the 5th, do you recall what you did, say, 30 minutes before going underground, where you was at?

A. That's about the time I arrived, 30 minutes before going underground.

Q. What time would that have been?

A. That would have been about 2:30.

Q. Okay. And so when you arrived, what did you do?

A. I would go in and get my clothes changed and get my work clothes on, get my light, get my radio.

Q. Do -- do you go upstairs and meet with the longwall crew or Jack Roles or anybody?

A. Sometimes I go upstairs but not every time.

Q. Do you recall if you did that day?

A. Seems like I did.

Q. Do you know -- did Kevin Medley talk to the longwall? Did you hear that?

A. I may have. We were talking about being down or getting back to the head. They had been down about half the day. I think it was raining a lot.

Q. Who was you talking to about that?

A. That was just over the -- I don't know if Kevin was mentioning it to us or what, but they were trying to bring it back from the tail to the head. I don't know, for some more work or what.

Q. That was your understanding that that's

what was going on on the face at the time?

A. They had been down about more than half the day.

Q. Okay. And do you know -- did that come from the longwall crew or did that come from somebody else, that information?

A. That may have come from somebody else.

Q. Okay.

A. It might have come from -- could have been Danny Lafferty maybe. I'm not sure where -- where I picked that up.

Q. Okay.

A. But going in to get on the man trip passed the vice president now, Wayne Persinger. He may have commented, go down there and run me some coal, said they been down all day or something like that. We'd say we'll run what we can. That was our comments in passing.

Q. So what time did you actually leave the office there to go underground?

A. Probably -- it might have been five till 3:00 or right at 3:00.

Q. Okay. Do you know -- Did you see Kevin Medley talk to anybody on the longwall?

A. No, I did not see that.

Q. Okay. So you don't know if there was a call out from the longwall?

A. No, I do not know.

Q. When you left the building to go underground, was Kevin and the whole crew together?

A. We were kind of spread out. I mean, it wasn't like a whole group walking or single file. It was just everybody knew where to go at that time period.

Q. But Kevin was amongst you going underground?

A. Yes.

MR. CRIPPS: Okay. Okay. That's all I've got.

EXAMINATION

BY MR. McATEER:

Q. I have one or two. What color was the duster?

A. What color? I don't know. It was all covered in dust.

Q. Very good. If the first panel E-stop button failed and the lights didn't go off, besides the fact of thinking where's the electrician, what

else would you do?

A. I probably would hit that second one before I hollered for the electrician just to see if -- to see what's up with this thing.

MR. McATEER: Okay. Very good. That's all the questions I have. Thank you.

MR. KOERBER: Everybody done?

Kenny, at the beginning this interview, I had showed you the subpoena and affidavit of service and told you I was going to make a copy and have them admitted as Exhibit 1 and 2. I have done that, and that's what I'm going to do now.

(Exhibit Nos. 1 and 2 marked for identification.)

MR. KOERBER: Kenny, if you have anything you would like to add, clarify, ask a question, anything you want to say, the floor is yours.

THE WITNESS: Well, there is something I'd would like to clarify.

MR. KOERBER: Okay.

THE WITNESS: And it's because of my testimony last time. I was talking about our life line that's off the walls and somewhere in between this panel where we started up, we had to move the

life line over to the belt line as your secondary and your track as a primary. And I didn't quote that right. I was going all the way over to the intake all the way out.

MR. KOERBER: Okay. Just so everything is clear, how about re-quoting it the way you want to do it so it's right.

THE WITNESS: Okay. Normally your intake is your primary escapeway and your track is your secondary and upon this panel being pulled out and they projected to put this second miner section driving new tailgate entries back, they took our intake as a return air. So the air would go flowing back in behind the wall, so that made our track entry as primary escapeway and our belt line a secondary. And that has been bothering me for not quoting that right.

MR. KOERBER: Okay. No problem. Thank you for clarifying it. Is there anything else you would like to add, state, clarify? The floor is still yours.

THE WITNESS: The -- After being up there and seeing the devastation, I still feel like the ventilation was not right. If it was due to the --

having the miner section so close to the longwall panel coming out, I don't know; but it just wasn't right I don't feel.

MR. KOERBER: Okay. Is there anything that you have seen while you were up there that makes you believe that or just the feeling?

THE WITNESS: Well, the ten thousands of air coming down the belt line towards the head gate at one time, and Tim Davis did put his monitor out and checked it; and that's what he told me. He said you got ten thousands coming up the belt line. And whatever they did outby, I don't know if he found a door open or what; but he went and cured that problem, but two sections too close together to really be operating in my opinion.

MR. KOERBER: Do you have any questions? Anything else you would like to add, sir? The floor is still yours.

THE WITNESS: No, that's it.

MR. KOERBER: Thank you very much for coming. On behalf of all the teams, we thank you and we would go off the record now.

(The interview of KENNY WOODRUM was concluded.)

STATE OF WEST VIRGINIA, To-wit:

I, Nichelle N. Drake, a Notary Public and Professional Reporter within and for the State aforesaid, duly commissioned and qualified, do hereby certify that the interview of KENNY WOODRUM was duly taken by me and before me at the time and place specified in the caption hereof.

I do further certify that said proceedings were correctly taken by me in stenotype notes, that the same were accurately transcribed out in full and true record of the testimony given by said witness.

I further certify that I am neither attorney or counsel for, nor related to or employed by, any of the parties to the action in which these proceedings were had, and further I am not a relative or employee of any attorney or counsel employed by the parties hereto or financially interested in the action.

My commission expires the 19th day of July, 2019.

Given under my hand and seal this 14th day of February 2011.

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Nichelle N. Drake
Professional Reporter
Notary Public