IN THE MATTER OF:

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

SUBPOENA

TO: Tommy Estep

(b) (7)(C)

You are hereby COMMANDED, pursuant to W. Va. Code Section 22A-2-66(d), to appear and give testimony regarding the above referenced investigation on March 1, 2011 at 1:00 p.m. in classroom 121 at the Mine Academy located at 1301 Airport Road, Beaver, West Virginia 25813. The West Virginia Office of Miners' Health, Safety and Training, the Mine Safety and Health Administration, and the Governor's Independent Investigation Team will participate in the interview.

Given under my hand this 22nd day of February, 2011.

(b) (7)(C)

C.A. Phillips, Acting Director
STATE OF WEST VIRGINIA
Earl Ray Tomlin, Governor

WV Office of Miners’ Health, Safety & Training
C.A. Phillips, Acting Director

AFFIDAVIT OF SERVICE

IN THE MATTER OF:

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

STATE OF WEST VIRGINIA,
COUNTY OF KANAWHA, to-wit:

I, Robert J. MacDonald, being first duly sworn, do testify and aver as follows:

1. That I am a credible person over the age of 21 years.

2. That on the 23rd day of February, 2011, I personally served (b) (7) (C) who is over the age of sixteen and resides with Tommy Estep, with a Subpoena at (b) (7) (C)

Further your affiant says not.

(b) (7)(C)

Robert J. MacDonald

Taken, subscribed and sworn to by Robert J. MacDonald, this the 25th day of February, 2011.

My commission expires: December 25, 2011
### Longwall Production Report

**Coal Section**

<table>
<thead>
<tr>
<th>HEAD</th>
<th>44 Shield</th>
<th>88 Shield</th>
<th>12 Shield</th>
<th>TAIL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Supplies Needed**

- **Bits**
- **Insert**, **Timbers**, **Cable**
- **Wedges**
- **460 Oil**, **TRANS FLUID**, **HYD. OIL**
- **Grease**
- **Other**

**Exhibit**

- SHEAR CUT OUT
  - HEAD TAIL
  - 1/4 1/2
  - FULL FULL

**Section Details**

- **Foreman**: M. Medley
- **Med. Foreman**: T. Estep
- **Shift**: Day
- **Date**: 4-3-10
- **CRN**
  - Chain Tension
- **Man-hours**:
  - GOB
  - 11
  - Total

**Travel In/Out**

- **Travel In**: 35
- **Travel Out**: 30

**Header**

- **Start**: 3:00
- **Arrive Section**: 3:30
- **Start Production**: 4:15
- **End Production**: 11:00
- **Depart Section**: 11:30
- **Depart Portal**: 3:00
- **Arrive Outside**: 12:00

**Time Details**

<table>
<thead>
<tr>
<th>PASS</th>
<th>TIME</th>
<th>Task Details</th>
<th>START</th>
<th>FINISH</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>4:15</td>
<td>Bits</td>
<td>1:15</td>
<td>4:15</td>
</tr>
<tr>
<td>1</td>
<td>4:15</td>
<td>Rock off HD</td>
<td>1:15</td>
<td>4:15</td>
</tr>
<tr>
<td>1</td>
<td>4:15</td>
<td>Head End Cutter shaft</td>
<td>1:15</td>
<td>4:15</td>
</tr>
</tbody>
</table>

**Comments or Remarks**

Set Additional support & set up things outside.
<table>
<thead>
<tr>
<th>Equipment</th>
<th>Job Description</th>
<th>Estimated Time</th>
<th>Comments/Initials</th>
</tr>
</thead>
<tbody>
<tr>
<td>Face Conveyor</td>
<td>Utilize the brethy gauge to check the brethy trough to insure brethy will clear. If not wide enough, repair and record locations where repairs were made. Hang gauge at #5 shield when complete. (On-Shift)</td>
<td>20 minutes</td>
<td>OK</td>
</tr>
<tr>
<td>General Longwall</td>
<td>Check oxygen and acetylene tanks. Record the number of empty oxygen tanks ______, full oxygen tanks ______, empty acetylene tanks ______, full acetylene tanks ______. (On-Shift)</td>
<td>10 minutes</td>
<td>OK</td>
</tr>
<tr>
<td>Monorail</td>
<td>Check cooling water manifold board confirm all flows are at least 8 gallons per minute, head#1, head#2, tail, crusher, stageloader #1 and stageloader #2 (On-Shift)</td>
<td>5 minutes</td>
<td>OK</td>
</tr>
<tr>
<td>Power Center</td>
<td>Verify that chirp alert is working at power center and splice box (On-Shift)</td>
<td>5 minutes</td>
<td>OK</td>
</tr>
<tr>
<td>Raw Oil Tanker</td>
<td>Check oil level and record inches of oil, inches, record name of foreman notified if less than 12 inches of raw oil in tank, name (On-Shift)</td>
<td>5 minutes</td>
<td></td>
</tr>
<tr>
<td>Shafts</td>
<td>Check cowl blade bolts, replace if more than one is missing (Pre-shift)</td>
<td>5 minutes</td>
<td></td>
</tr>
</tbody>
</table>

Extra Notes:
changed on shift on head end
head end cowl needs changed out, tail end cowl slipping
went on a little early to get everything locked up outside for holiday, water turned off at mouth

3/24/2010
<table>
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<th>Job Description</th>
<th>Estimated Time</th>
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<tr>
<td>Face Conveyor</td>
<td>Utilize the bretby gauge to check the bretby trough to insure bretby will clear. If not wide enough, repair and record locations where repairs were made. Hang gauge at #5 shield when complete. (On-Shift)</td>
<td>20 minutes</td>
<td>(b) (7)(C)</td>
</tr>
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<td></td>
<td>Check slim line in cable handler, especially near couplings looking for fatigue do to movement, replace as needed. (On-Shift)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Did you put ACT in manual mode on your shift, if so explain why. Did you put yellow handle detent valve in and set to 1500 PSI? (On-Shift)</td>
<td>20 minutes</td>
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<td></td>
<td>Check push-pull for leaks, repair as needed (On-Shift)</td>
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<tr>
<td>Shearer</td>
<td>Check cowl blade bolts, replace if more than one is missing (Pre-shift)</td>
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Added 5 gal oil to TE ranging arm. Had no water on either drum, cleaned several and stopped right back up, removed 5 on each end. An like that rest of shift to try and flush drums.

file://C:Documents and Settings\jwestfall\Local Settings\Temporary Internet Files\OLK11\UBB Longwall... 2/24/2010
UBB LONGWALL 30 MINUTE REPORT

7:30  
.2 passes  
no downtime  
shearer at 115 running

8:00  
.8 passes  
no downtime  
shearer at 40  
going to head 15 fpm running

8:30  
.8 PASSES  
NO DOWNTIME  
shearer on head  
12 FPM  
go to tail  
SHEDDING SHEDDING  
SHEARER ON HEAD  
DOWN  
EST 2:10

9:00  
.8 PASSES  
10M-BITS & SERVICE  
SHEARER AT 15  
go to tail 20 FPM running

9:30  
.2 PASSES  
SHEARER AT 15  
going to tail  
19 FPM  
running

10:00  
1.4 PASSES  
NO DOWNTIME  
shearer at 115  
going to tail 20 FPM running

10:30  
1.8 PASSES  
NO DOWNTIME  
shearer on tail  
12 FPM running

11:00  
1.8 PASSES  
20M-HOSE ON 126 SHELD  
replaced  
shearer on tail running

11:30  
2.8 PASSES  
27M-CUTTING BOTTOM ON TAIL  
going to head  
shearer on tail running

12:00  
2.5 PASSES  
29M-BITS  
shearer at 140  
going to head  
19 FPM running

12:30  
2.5 PASSES  
29M-BITS  
shearer at 125  
going to head  
19 FPM running

1:00  
2.6 PASSES  
29M-BITS  
shearer at 125  
going to head  
7 FPM running

1:30  
2.6 PASSES  
5M-BITS  
EST 1:45  
shearer on head  
16 FPM running

2:00  
3.2 PASSES  
NO DOWNTIME  
shearer at 145  
going to tail 16 FPM running

2:30  
3.8 PASSES  
10M-Ellis 2  
skirtboard in rockbox  
EST 2:10  
shearer cut out on tail  
10 FPM running

3:00  
3.8 PASSES  
10M-Ellis 2  
skirtboard in rockbox  
shearer cut out on tail  
10 FPM running

3:30  
FINAL  
4 PASSES

Final Report  
Head Start: 52 + 08  
Head Finish: 53 + 11  
Tail Start: 52 + 88  
Tail Finish: 52 + 02

CONFIDENTIAL
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<td>Check oxygen and acetylene tanks. Record the number of empty oxygen tanks ____, full oxygen tanks ____, empty acetylene tanks ____ , full acetylene tanks ____ (On-Shift) 10 minutes</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Longwall Scoop</td>
<td>Complete permissability examination on scoop and record in examination book. (On-Shift) 30 minutes</td>
<td></td>
<td></td>
</tr>
<tr>
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</tr>
<tr>
<td>--------------------------</td>
<td>-----------------------------------------------------------</td>
<td>----------------</td>
<td>-------------------</td>
</tr>
<tr>
<td>Longwall Scoop</td>
<td>Complete weekly electrical examination on scoop charger and record in examination book. (On-Shift)</td>
<td>30 minutes</td>
<td>(b) (7)(C)</td>
</tr>
<tr>
<td>Shearer</td>
<td>Check cowl blade bolts, replace if more than one is missing (Pre-shift)</td>
<td>5 minutes</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Check ranging arm covers, replace missing covers. (On-Shift)</td>
<td>5 minutes</td>
<td></td>
</tr>
<tr>
<td>Sunflow High Pressure Water Pumps</td>
<td>Verify that both UVR ready lights are on, if not determine why. (On-Shift)</td>
<td>5 minutes</td>
<td></td>
</tr>
<tr>
<td>Water Stations</td>
<td>Check for water leaks. (On-Shift)</td>
<td>5 minutes</td>
<td></td>
</tr>
</tbody>
</table>

Reviewing Manager:  

replaced ram in 35 shield  
replaced last 50 ft of water line in britby  
also loosened clamp and pulled slack out of shears cable, put all caps back on,  
day shift needs to take in new terminators.  
For gate box to have an extra to trouble shoot, needed it last night was not one there.
**Longwall Production Report**

<table>
<thead>
<tr>
<th>COAL SECTION</th>
<th>HEAD</th>
<th>44 SHIELD</th>
<th>88 SHIELD</th>
<th>132 SHIELD</th>
<th>TAIL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**SHIFT**
- **Date:** 4-2-10
- **Crew:** C
- **Manhours:**
  - **Total:** [Hours]

| PASSES | START | TIME | 0 | 20 | 40 | 60 | 80 | 100 | 120 | 140 | 160 | 180 | 200 | 220 | 240 | 260 | 280 | 300 | 320 | 340 | 360 | 380 | 400 | TOTAL |
|--------|-------|------|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|------|
| 3      | 3:50  | 4:15 | 1 |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 137 |
| 1      | 5:15  | 9:38 | 1 |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 4:16 |
| 1      | 11:34 |     | 1 |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 1255|

** mythical values **
- **TOTAL BELT DOWN TIME:**
- **TOTAL FT RETRIEVE:**
- **CLEAN TONS:**
- **RAW TONS:**
- **POWER TRAIN AT OUT #:**
- **HEADGATE TIMBERS:**
- **INTAKE CRIBS:**
- **DESIGNATED SCALER:**
- **RAW OIL LEVEL IN TANKER:**
- **HEAD START:**
- **HEAD FINISH:**
- **TAIL START:**
- **TAIL FINISH:**

**4.3**

**Unit Codes**
- **Unit Code**
- **Category Code**
- **Comment Codes**

**COMMENTS OR REMARKS**
- **Total:** 272
- **Note:** Use another Prod. Report if additional lines are needed.