

STATEMENT UNDER OATH  
OF  
CHESTER RUNYON

Taken pursuant to Notice by Miranda  
D. Elkins, a Court Reporter and  
Notary Public in and for the State of  
West Virginia, at the MSHA Bridgeport  
Field Office, 105 Platinum Drive,  
Suite B, Bridgeport, West Virginia,  
on Monday, February 20, 2006, at  
11:58 a.m.

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## 1                   A P P E A R A N C E S

2

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A P P E A R A N C E S (continued)

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P R O C E E D I N G S

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MR. O'DONNELL:

My name is Joe O'Donnell. I am an accident investigator with the Mine Safety and Health Administration, an agency of the United States Department of Labor. With me is Tim Williams, from the Solicitor's Office, John Collins and Dave Stuart with the West Virginia Office of Miners' Health, Safety & Training.

I've been assigned to conduct an investigation into the accident that occurred at the Sago Mine on January 2nd, 2006, in which 12 miners died and one was injured. The investigation is being conducted by MSHA and the West Virginia Office of Miners' Health, Safety & Training to

1           gather information to  
2           determine the cause of the  
3           accident. And these  
4           interviews are an important  
5           part of the investigation.

6                         At this time, the  
7           accident investigation team  
8           intends to interview a number  
9           of people to discuss anything  
10          that may be relevant to the  
11          cause of the accident. After  
12          the investigation is  
13          completed, MSHA will issue a  
14          written report detailing the  
15          nature and cause of the  
16          accident. The MSHA accident  
17          reports are made available to  
18          the public in the hope that  
19          greater awareness about the  
20          causes of accidents can reduce  
21          their occurrence in the  
22          future. Information obtained  
23          through witness interviews is  
24          frequently included in these  
25          reports. Your statement may

1           also be used in other  
2           enforcement proceedings.

3                       I would like to thank  
4           you in advance for your  
5           appearance here. We  
6           appreciate your assistance in  
7           this investigation. The  
8           willingness of miners and mine  
9           operators to work with us is  
10          critical in our goal to making  
11          the nation's mines safer. We  
12          understand the difficulty for  
13          you in discussing the events  
14          that took place and we greatly  
15          appreciate your efforts to  
16          help us understand what  
17          happened.

18                      This interview with Mr.  
19          Runyon is being conducted  
20          under Section 103(a) of the  
21          Federal Mine, Health and  
22          Safety Act of 1977 as part of  
23          an investigation by the Mine  
24          Safety and Health  
25          Administration and the West



1 Virginia Office of Miners'  
2 Health, Safety & Training into  
3 the conditions, events and  
4 circumstances surrounding the  
5 fatalities that occurred at  
6 the Sago Mine owned by  
7 International Coal Group in  
8 Buckhannon, West Virginia on  
9 January 2nd, 2006. This  
10 interview is being conducted  
11 at the Mine Safety and Health  
12 Administration Field Office,  
13 Bridgeport, West Virginia, on  
14 February 20th, 2006.

15 Questioning will be  
16 conducted by representatives  
17 of MSHA and the Office of  
18 Miners' Health, Safety &  
19 Training.

20 Mr. Runyon, the  
21 interview will begin by my  
22 asking you a series of  
23 questions. If you do not  
24 understand a question, please  
25 ask me to rephrase it. Feel

1 free at any time to clarify  
2 any statements that you make  
3 in response to the questions.  
4 After we have finished asking  
5 questions, you will also have  
6 an opportunity to make a  
7 statement and provide us with  
8 other information that you  
9 believe may be important.

10 If at any time after  
11 the interview you recall any  
12 information that you believe  
13 may be useful in the  
14 investigation, please contact  
15 Mr. Richard Gates at the phone  
16 number and e-mail address  
17 provided to you.

18 Your statement is  
19 completely voluntary. You may  
20 refuse to answer any question  
21 and you may terminate your  
22 interview at any time. If you  
23 need a break for any reason,  
24 please let me know.

25 A court reporter will

1 record your interview. Then  
2 will later produce a written  
3 transcript of the interview.  
4 Please try and respond to all  
5 questions verbally since the  
6 court reporter cannot record  
7 non-verbal responses.

8 Also try to keep your  
9 voice up. Copies of the  
10 written transcripts will be  
11 available at a later time.

12 If any part of your  
13 statement is based not on your  
14 own first-hand knowledge, but  
15 on information that you  
16 learned from someone else,  
17 please let us know. Please  
18 answer each question as fully  
19 as you can, including any  
20 information you have learned  
21 from someone else. We may not  
22 ask the right question to  
23 learn the information that you  
24 have, so don't feel limited by  
25 the precise question asked.

1           If you have information about  
2           the subject area of a  
3           question, please provide us  
4           with that information.

5                         At this time, Mr.  
6           Collins, do you have anything  
7           you would like to add on  
8           behalf of the Office of  
9           Miners' Health, Safety &  
10          Training?

11                         MR. COLLINS:

12                         Yes. Mr. Runyon, the  
13          West Virginia Office of  
14          Miners' Health, Safety &  
15          Training is conducting these  
16          interview sessions jointly  
17          with MSHA and are in agreement  
18          with the procedures outlined  
19          by Mr. O'Donnell for these  
20          interviews. But the Director  
21          reserves the right, if  
22          necessary, to call or subpoena  
23          witnesses or require the  
24          production of any records,  
25          documents, photographs or

1 other relevant material  
2 necessary to conduct this  
3 investigation. And also,  
4 after the interview, if you  
5 have additional questions or  
6 wish to provide additional  
7 information, here's a card  
8 from Mr. Brian Mills. Thank  
9 you.

10 MR. O'DONNELL:

11 Mr. Runyon, are you  
12 aware that you may have a  
13 personal representative  
14 present during the taking of  
15 this statement?

16 MR. RUNYON:

17 Yes, I am.

18 MR. O'DONNELL:

19 Do you have a  
20 representative here with you  
21 today?

22 MR. RUNYON:

23 Yes, I do.

24 MR. O'DONNELL:

25 And who is that?

1                   MR. RUNYON:

2                   Joe Yuhas.

3                   MR. O'DONNELL:

4                   Has anyone suggested  
5                   that you use this  
6                   representative?

7                   MR. RUNYON:

8                   No.

9                   MR. O'DONNELL:

10                  Are you aware that your  
11                  representative may have a  
12                  conflict of interest in  
13                  representing you while being  
14                  provided by someone else, such  
15                  as the company?

16                  MR. RUNYON:

17                  Yes.

18                  MR. O'DONNELL:

19                  Have you been pressured  
20                  in any way to accept this  
21                  person as your representative?

22                  MR. RUNYON:

23                  No.

24                  MR. O'DONNELL:

25                  With this

1           understanding, do you still  
2           choose this person as your  
3           representative?

4                   MR. RUNYON:

5                   Yes, I do.

6                   MR. O'DONNELL:

7                   Do you have any  
8           questions in regard to the  
9           manner in which this interview  
10          will be conducted?

11                   MR. RUNYON:

12                   No.

13                   MR. O'DONNELL:

14                   Will you please swear  
15          in Mr. Runyon?

16          -----

17          CHESTER RUNYON, HAVING FIRST BEEN  
18          DULY SWORN, TESTIFIED AS FOLLOWS:

19          -----

20          BY MR. O'DONNELL:

21          Q.           Would you please state your  
22          full name and spell your last name?

23          A.           Chester Runyon, R-U-N-Y-O-N.

24          Q.           And your address and phone  
25          number?

1 A. Route 1, Box 142, French  
2 Creek, West Virginia, 304-924-9381.

3 Q. Are you appearing here  
4 voluntarily?

5 A. Yes, I am.

6 Q. And how many years of mining  
7 experience do you have?

8 A. Approximately 40 years.

9 Q. And I'm not going to ask you  
10 to describe all 40 years, but could  
11 you just give us a brief rundown on  
12 the last several years?

13 A. The last several years, I've  
14 worked outside the mines, hauling the  
15 coal, end loaders, backhoes, loaders.  
16 The last two years I've been back  
17 underground.

18 Q. So when did you start at Sago?

19 A. April 15th two years ago.

20 Q. Two years ago?

21 A. Yeah.

22 Q. What's your present position?

23 A. Motorman, supply motorman.

24 Q. How long have you done that at  
25 Sago?



1 A. Probably eight months.

2 Q. What did you do before that?

3 A. I was a scoop operator in the  
4 section.

5 Q. Was this your job title on  
6 January the 2nd?

7 A. Yes. Yes, it was. Motorman.

8 Q. Were you scheduled to work the  
9 day of the accident?

10 A. No.

11 Q. What was the last day that you  
12 worked?

13 A. The day before.

14 Q. Which would have been?

15 A. January 1st.

16 Q. What are your normal job  
17 duties, Chester?

18 A. I haul supplies in the mines,  
19 rock dust the tracks, belts and all  
20 the track.

21 Q. Do you have any mining  
22 certificates?

23 A. Yes, I have a miner's  
24 certificate from years ago. I don't  
25 remember all of them. I got

1 everything that come along.

2 Q. All in West Virginia?

3 A. Yeah.

4 Q. Anything in any other state?

5 A. Well, I had Kentucky, a  
6 miner's certificate, ---

7 Q. Okay.

8 A. --- and electrician, and so  
9 on.

10 Q. Who's your supervisor?

11 A. Lonnie Short.

12 Q. Lonnie Short. Do you  
13 typically work the weekends?

14 A. Yes.

15 Q. Just your last day that you  
16 worked, could you just give us a  
17 rundown of what your activities were  
18 that day?

19 A. There was only three of us  
20 working that day. We came out and I  
21 was sitting around the lamp house  
22 drinking coffee while they fire  
23 bossed. And then we started  
24 ballasting track and hauled ballast  
25 out all day. Late in the day, Lonnie

1 was wanting to check out a pump. And  
2 he asked me and the other motorman to  
3 go up with him at Two Left to check  
4 the pumps and see why it wasn't  
5 pumping. We went up and cleaned out  
6 around the pump and pumped the water  
7 out and shut it off and left.

8 Q. And that was it for the day?  
9 Did you go outside after that?

10 A. Yeah.

11 Q. About how long did you work  
12 that day?

13 A. Probably eight or nine, maybe  
14 ten hours. I don't know.

15 Q. When you were in Second Left,  
16 do you recall anything in the section  
17 like position of equipment or ---?

18 A. Oh, yeah, some.

19 Q. What?

20 A. I went down the belt line and  
21 actually Harold and Lonnie walked  
22 ahead of me while I was securing the  
23 motor and stuff at the end of the  
24 track. I went up by the power  
25 center. I thought they were saying

1 the water hole was right directly  
2 behind the feeders. And I went in  
3 behind the feeder and they was over  
4 in the next block right there. I was  
5 running around and the shuttle car  
6 was sitting right there. The shuttle  
7 car --- one on the other side when I  
8 came around the block. I seen a  
9 miner --- one of the miners sitting  
10 up above inby there.

11 Q. That being Number Five entry?

12 A. Yeah.

13 Q. What about the Damascus  
14 personnel carrier, do you remember  
15 seeing it anywhere, the four-wheeler?

16 A. It was right in the track in  
17 there. The little mantrip, the  
18 battery-operated mantrip?

19 Q. Yes.

20 A. Yeah. It was sitting in the  
21 track entry back there.

22 Q. How close to the end of the  
23 track?

24 A. Oh, I couldn't say. It wasn't  
25 very far away from it, you know.

1 Q. So it was parked down by the  
2 supplies then?

3 A. Inby the supplies, yeah.

4 MR. O'DONNELL:

5 We have a map of the  
6 section. It's right under my  
7 briefcase. This is a map of  
8 the Second Left section,  
9 Chester. We'll mark this  
10 Exhibit One.

11 (Runyon Exhibit One  
12 marked for  
13 identification.)

14 BY MR. O'DONNELL:

15 Q. And if you can, with this pen,  
16 would you please mark the power box,  
17 and the end of the supply track to  
18 where that shuttle car is, all your  
19 equipment there.

20 A. Let's see, the power center is  
21 right here.

22 Q. You're marking it in Number  
23 Five?

24 A. Yeah. And there was a shuttle  
25 car sitting here.

1 Q. Which would be in Number Four.

2 A. And I can't remember right  
3 clearly.

4 Q. Well, if you can't, that's  
5 fine.

6 A. I'm thinking the shuttle car  
7 was sitting here.

8 Q. Okay. That would be in Number  
9 Five?

10 A. Yeah.

11 Q. Do you recall ---?

12 A. The track ended back probably  
13 along here somewhere.

14 Q. And that's in Number Five?

15 A. Number Five. There was a load  
16 of rails right here. There was an  
17 empty car here and there was a supply  
18 car here. It was blocked and ---.

19 Q. Here meaning in Number Five  
20 entry ---.

21 A. Yeah. It's on the track.

22 Q. On the track?

23 A. Yeah.

24 Q. What about the Damascus?

25 A. It was sitting either here or

1 here, one of them.

2 Q. Okay. Here or here, which is  
3 crosscut 21 or 22?

4 A. I remember going back through  
5 the investigation here that it was  
6 moved from where it was at the day it  
7 was sitting there, the day before.

8 Q. It was?

9 A. Yeah. It was --- it seemed  
10 like it pulled in, in toward here.

11 Q. Which would be crosscut 21,  
12 between ---

13 A. Yeah.

14 Q. --- number Four and Five? So  
15 you remembered it was moved?

16 A. It had been moved from where  
17 it was at on Sunday.

18 Q. Now, was it close to where it  
19 was at?

20 A. Yeah, it was probably 25 or 30  
21 feet away. It looked to me like  
22 somebody just got on it and drove it  
23 into the rib and out of the way. I  
24 know that it had been moved from  
25 Sunday because it was sitting there

1 and the section had been freshly rock  
2 dusted Saturday. And when we went  
3 back, you could see the tracks in the  
4 dust where it had been pulled. If I  
5 ain't mistaken, there was a lifter  
6 box or cribs or something right in  
7 front of where it was sitting at. It  
8 was sitting here.

9 Q. So it looked to you like it  
10 was just moved out of the way?

11 A. That's what it looked like, it  
12 had been moved out of the way. It  
13 didn't look to me like anybody tried  
14 to ride it or anything.

15 Q. Okay.

16 A. And there was a scoop sitting  
17 right here, too.

18 Q. That's Number Five entry also?

19 A. Yeah.

20 Q. Behind the power box?

21 A. Back behind the power box.

22 And there was a rock duster and the  
23 bucket of it.

24 MR. O'DONNELL:

25 We're going to mark



1                   this power box.

2           A.           It would have been in this  
3 entry right here, where the scoop  
4 would have been sitting.

5 BY MR. O'DONNELL:

6           Q.           What would be?

7           A.           The scoop was sitting right  
8 here in the bucket outby direction.

9                                   MR. O'DONNELL:

10                                   Okay. Which is Number  
11 Five entry. We're going to  
12 mark this, the personnel  
13 carrier as crosscut 21.

14           A.           It could have been in 20.

15 BY MR. O'DONNELL:

16           Q.           It could be 20?

17           A.           Yeah. I'm just trying to go  
18 by memory.

19           Q.           So we're going to put Damascus  
20 --- we're going to put it in 21  
21 crosscut, between Number ---

22           A.           Yeah.

23           Q.           --- Five and Six?

24           A.           After I think about it, it's  
25 just about got to be back here

1       because this was an open break for  
2       the scoop to come in and out to the  
3       charger.

4       Q.       Okay.   So we'll cross that one  
5       out, ---

6       A.       Yeah.

7       Q.       --- and put it back here at  
8       20.

9       A.       Yeah.   Put the end of the  
10      track along here.

11      Q.       And we're marking the end of  
12      the track, between 19 and 20 crosscut  
13      of Number Five?

14      A.       Yeah.   The best I can  
15      remember.

16      Q.       Do you remember any of the  
17      curtains in the section?

18      A.       Yeah, I sure do.

19      Q.       Could you please draw them on  
20      the map?

21      A.       I didn't go over in here.  
22      That's where I come out.   This way.  
23      Check curtain here.

24      Q.       Could you mark it as a check  
25      curtain then?   Just put a C in it.

1       There you go.   And that's at 24  
2       crosscut, between ---

3       A.           Four and Five.

4       Q.           --- Four and Five?

5       A.           Yeah.   There was a check  
6       curtain here.

7       Q.           That's in 24 crosscut, between  
8       Seven and Eight.   Where was the water  
9       hole you were working at?

10      A.           I think right here is where  
11      the water was at.

12      Q.           The water was at ---

13      A.           Yeah.

14      Q.           --- survey station 4279?

15      A.           Yeah, it was in the  
16      intersection there.   There was a sump  
17      over here.

18      Q.           Sump meaning the neck off of  
19      Eight, Eight towards Nine?

20      A.           Yeah.   It would have been  
21      Nine.   There was a fresh sump that  
22      they just cut over.   And we put the  
23      line --- the row's already there, but  
24      we were working on the line and  
25      unstopped it and ran into that sump.

1 Q. Okay.

2 A. It seemed like there was a  
3 check curtain right here. I'm not  
4 real sure.

5 Q. If you don't know, that's  
6 fine.

7 A. Yeah. I'm not really sure. I  
8 remember looking around and talking.  
9 Me and Lonnie and Harold was talking  
10 while the pump was pumping the water.  
11 And I made the comment, I never seen  
12 a section look so good. It looked  
13 like a fresh snow everywhere. The  
14 curtains was standing almost longway  
15 from the bottom, standing out through  
16 there.

17 Q. So you say they rock dusted  
18 it ---

19 A. Saturday.

20 Q. --- Saturday? Okay.

21 A. Either Friday or Saturday.  
22 I'm pretty sure it was Saturday.

23 Q. And did you ever work in that  
24 section?

25 A. Not this section here.

1 Q. What section did you work in?

2 A. I worked in the old Two Left  
3 up there.

4 Q. The old Two Left meaning up  
5 inby the seal area?

6 A. Inby, yeah. Inby the seals.  
7 When we drove right up through there  
8 I worked on the mains.

9 Q. So you worked that whole area  
10 then?

11 A. Yeah.

12 Q. When you were in that area, do  
13 you remember anything unusual in the  
14 roof?

15 A. No.

16 (Runyon Two marked for  
17 identification.)

18 BY MR. O'DONNELL:

19 Q. I have a picture of an area.  
20 I'm going to point to it on the map  
21 here. It's survey station 4010,  
22 which is right here, right where the  
23 section necked off. Did you ever see  
24 these marks in the roof there ---?

25 A. Not until we went up there

1 with the investigation.

2 Q. You didn't see it when you  
3 were working up in that area?

4 A. No.

5 Q. Have you ever seen anything  
6 like that?

7 A. Never in my life. I've seen  
8 fossils in the roof and everything  
9 else, but I've never seen anything  
10 with a direct straight line like that  
11 is, not for that length anyway.

12 Q. Okay. Do you remember if ---  
13 were you involved in the recovery of  
14 any of the equipment up there in that  
15 area, when they pulled out?

16 A. When they pulled out?

17 Q. Okay. So you don't know if  
18 any other --- any equipment was left  
19 there?

20 A. Well, I don't think it was.  
21 We went back and recovered the belt  
22 structures and stuff like that along  
23 the track and hauled it back down the  
24 track and put it off and crosscut  
25 some.

1 Q. Were there any pumps in the  
2 area?

3 A. There's a pump up there. I've  
4 never been to it.

5 Q. Do you recall if that was  
6 recovered?

7 A. Hearsay is that it was ---  
8 they tried to pull it up and it  
9 wouldn't ---. I wasn't in that ---.

10 Q. They tried to what?

11 A. I said they tried to pull it  
12 out and they couldn't pull it. It  
13 was too far in the water to recover  
14 it.

15 Q. That's what you heard?

16 A. That's what I heard. I don't  
17 know what ---.

18 Q. Do you know if they yanked the  
19 cable too, cut the cable?

20 A. I heard they tried to pull it  
21 with the cable, you know. And they  
22 pulled the cable in two. And I heard  
23 they cut the cable in two.

24 Q. Do you know if they removed  
25 the cable?

1 A. No.

2 Q. You didn't know or you didn't  
3 hear or ---?

4 A. I didn't hear. And I --- no,  
5 I don't know because I wasn't there.

6 Q. You also said that you  
7 delivered rock dust?

8 A. Right.

9 Q. Now, did you ever deliver any  
10 rock dust to the old seal area?

11 A. To the end of the track.

12 Q. To the end of the track. How  
13 much rock dust did you drop off?

14 A. Loads and loads. In fact, the  
15 one time we took 36 bags of the bulk  
16 bags.

17 Q. Thirty-six (36) bulk bags.  
18 Now, how big is a bulk bag?

19 A. They're ton bags, 2,000-pound  
20 bags.

21 Q. They're 2,000-pound bags and  
22 you hauled how many?

23 A. Thirty-six (36) the one  
24 weekend that we worked.

25 Q. And where did you put those?



1 A. At the end of the track.

2 Q. And the end of the track  
3 you're saying is where?

4 A. They unload them off the car  
5 at the end of the track and they took  
6 them around towards the seals.

7 Q. Towards the seal area of  
8 Second Left?

9 A. Right.

10 Q. And that dust was used  
11 specifically in that area?

12 A. Supposed to.

13 Q. Okay.

14 A. That's where I took it to. I  
15 don't know whether it was or not.

16 Q. So you know of 37 loads, any  
17 more?

18 A. We took several pallets of bag  
19 dust up there.

20 Q. Okay.

21 A. I couldn't give you a clue as  
22 to how many. I know every trip we  
23 took in --- if we took block in, we'd  
24 have six lifts of blocks and the two  
25 ends of the car would have a pallet

1 of dust on it to go with it.

2 Q. When you unloaded the stuff,  
3 as a supply man, did you just push  
4 cars in or did you actually do the  
5 unloading?

6 A. I pushed the cars in and  
7 hooked the chains or cables for them  
8 to pull them off with the scoop.

9 Q. What about the seal area?  
10 Were you up there when they were  
11 building any seals?

12 A. No.

13 Q. Did you see them being built  
14 at all?

15 A. No.

16 Q. Did you ever examine the area?

17 A. No.

18 Q. That covers that.

19 A. I don't think I was ever past  
20 the end of the track once they  
21 started mining into the Two Left  
22 there, the main Two Left.

23 Q. Okay. Was there anybody in  
24 the section when you went up to fix  
25 the pump?

1 A. No.

2 Q. You said that you went with  
3 Mr. Short?

4 A. Yeah, Lonnie Short and Harold  
5 Baisden, the other motormen. Short  
6 met us at the end of the track there.  
7 Him and Mike Webb was working on a  
8 skirt --- on a belt head down at Five  
9 block. And we went out and Lonnie  
10 said that he'd wait for us up there  
11 on the track if we'd go down there  
12 and help him with that.

13 Q. Okay. So all three of you met  
14 there and then traveled in together?

15 A. Yeah.

16 Q. Was there any problem that day  
17 with your trolley phone?

18 A. At one time there was. It  
19 wasn't working in by the maintenance  
20 shanty. The next to the last load of  
21 ballast that we hauled, Lonnie showed  
22 us how to fix the breaker on it, to  
23 reset on a G05 receptacle.

24 Q. And did you test it after  
25 that?

1       A.           Yeah.  I talked to the  
2       dispatcher from Two Left.  I heard  
3       him when we was starting out.  When  
4       you're moving you get a lot of static  
5       and stuff sometimes.  When we got up  
6       to the switch and I stopped at the  
7       switch, I hooked my antenna on the  
8       wire to make sure, you know, they  
9       would.

10      Q.           Is it a pretty reliable  
11      system, or do you have problems with  
12      it?

13      A.           It's on and off.  Right now  
14      it's the best we ever had.

15      Q.           Do you know what would cause  
16      it to kick?

17      A.           No.

18      Q.           Have you had that problem  
19      before?

20      A.           Probably a couple --- three  
21      times somebody had, because we had to  
22      go down and set the little reset on  
23      the repeater.

24      Q.           Yes.

25      A.           When we left the mines, it was

1 working that day.

2 MR. O'DONNELL:

3 John, do you have any  
4 follow-up questions?

5 MR. COLLINS:

6 If I might, please.

7 BY MR. COLLINS:

8 Q. Mr. Runyon, did you say that  
9 you had a West Virginia miner's  
10 certificate, I believe you said?

11 A. Yeah.

12 Q. Then I missed the next part.  
13 You said you've had pretty well most  
14 of them?

15 A. Well, I've ---.

16 Q. Are you a certified West  
17 Virginia electrician, mine  
18 electrician?

19 A. I was. It's dead now.

20 Q. Okay. But you did have that  
21 card?

22 A. Yeah.

23 Q. West Virginia mine foreman?

24 A. No. I never was a foreman.

25 Q. Any other West Virginia

1       certifications?

2       A.        A shop foreman. I think that  
3       in the old days they had ventilation  
4       cards and belt cards.

5       Q.        I think Mr. O'Donnell covered  
6       very well about the seals, but I  
7       think you did say that you hauled the  
8       material in to build the seals?

9       A.        Yes, I did, a lot of it.

10      Q.        Did you haul --- are the  
11      blocks used for the seals, those were  
12      Omega blocks?

13      A.        Omega.

14      Q.        Are they different than normal  
15      Omega blocks?

16      A.        I don't know the difference in  
17      them. Everything we hauled was the  
18      same thing. It just said Omega  
19      blocks. And it had the big sticker  
20      and the plastic trowel on it.

21      Q.        And did you haul in wooden  
22      boards to be used with that?

23      A.        I don't remember hauling  
24      boards up there.

25      Q.        Wedges?

1 A. Wedges, no.

2 Q. Mortar?

3 A. Mortar.

4 Q. Was that mortar different than  
5 regular mortar?

6 A. Yeah. It was in a blue bag.  
7 They specified, give me the one with  
8 the blue bag to take up there.

9 Q. You're not sure about the  
10 blocks, but someone told you to take  
11 those blocks up to the seals; is  
12 that ---?

13 A. We'd take them to the end of  
14 the track and unload them. Skip  
15 Scott and his crew and Harmon and him  
16 was up there a few times.

17 Q. Then you said you took 36  
18 bags, I think you said, wasn't it?

19 A. Yeah.

20 Q. Thirty-six (36) bags of  
21 1,000-pound bags of rock dust to the  
22 end of the track around the seal  
23 area?

24 A. Yeah.

25 Q. You took that up there after

1 the track was pulled back to where it  
2 is now?

3 A. Right. They moved it right  
4 off the end of the track, there where  
5 it is now.

6 Q. Okay. So that was --- you  
7 unloaded that prior to the way the  
8 ventilation is --- or was at the time  
9 of the explosion?

10 A. Right.

11 Q. And how do you know there were  
12 36 bags of that?

13 A. Well, we hauled 12 on a car  
14 and we took three different cars up  
15 there.

16 Q. Okay. Now, these 1,000-pound  
17 bags of rock dust, they're used in a  
18 machine, a rock dust machine?

19 A. They put them in a scoop  
20 bucket with a swing duster.

21 Q. Did you do any of that?

22 A. No.

23 Q. Then I know also you've been  
24 involved in the investigation ---

25 A. Yeah.



1 Q. --- of this explosion?

2 A. Yes, I have.

3 Q. And you believe there was a  
4 methane explosion?

5 A. I know there was one.

6 Q. Do you have any other thing  
7 you'd like to offer us on the  
8 investigation, what you think  
9 occurred or ---?

10 A. I'm like everybody else, I'd  
11 just be guessing more than anything.

12 Q. But you're also the miner's  
13 rep; right?

14 A. Yeah.

15 Q. Has anyone come to you with  
16 any information of what may have been  
17 an ignition source?

18 A. No. Everybody's pretty much  
19 said the lightning caused it. They  
20 just don't know where or how it got  
21 in there. You know, all the men feel  
22 it was lightning.

23 Q. You didn't help with the  
24 seals. Did you help build any of the  
25 ventilation controls, ---

1 A. No.

2 Q. --- do changes to those, ---

3 A. No.

4 Q. --- change to ventilation? On  
5 Sunday, when you ballasted the track,  
6 were you ever in the area of where  
7 they're going to build the new  
8 shop, ---

9 A. Yeah.

10 Q. --- at the end of Four track?

11 A. Yeah.

12 Q. And what were you doing there?

13 A. We just went by. I wasn't  
14 ever in it. I wasn't over inside of  
15 it, but just driving --- drove by it.  
16 You can't keep from looking at it.  
17 Every time you go around the curve,  
18 it's right there in front of you. On  
19 Saturday --- no, on Friday, we  
20 delivered some sheet metal up there  
21 to it because they wanted to seal it  
22 off, part of it.

23 Q. On Sunday, when you were  
24 ballasting the track, did you ever,  
25 clear up into Two Right spur?

1 A. Clear - - - ?

2 Q. Did you ever get in there on  
3 Sunday, do you remember?

4 A. No, we wasn't in there.

5 Q. As you went by Two Right spur,  
6 did you observe any ventilation  
7 damage on Sunday?

8 A. No.

9 Q. Do you have anything else  
10 you'd like to offer us on what may  
11 have happened? Any ideas,  
12 suggestions?

13 A. Not really.

14 MR. COLLINS:

15 I think that's all we  
16 have right now, Joe.

17 BY MR. O'DONNELL:

18 Q. Chester, did you ever return  
19 back to the mine the day of the  
20 accident?

21 A. Yes, I did.

22 Q. And what time did you get back  
23 there?

24 A. Probably 7:50.

25 Q. In the morning?

1 A. Uh-huh (yes).

2 Q. Were you called out to the  
3 mine?

4 A. No. I'm a volunteer fireman  
5 and I was just called out through the  
6 fire department.

7 Q. As a response?

8 A. Yeah.

9 Q. Okay. Tell us about your role  
10 that day.

11 A. Well, mostly I was just around  
12 there. I made coffee for the  
13 victims' family and carried it around  
14 to them for a while. Actually, after  
15 that, I was on standby to take motors  
16 --- you know, take supplies in, go  
17 down and unload stuff to get ready to  
18 go. Basically, just stood and  
19 waited.

20 Q. What time did you leave that  
21 night?

22 A. I didn't.

23 Q. You stayed at the mine all  
24 night?

25 A. Yeah.

1 Q. Then into the next day, what  
2 was your job?

3 A. On standby, waiting, ---

4 Q. Okay.

5 A. --- helping them to go get  
6 boards.

7 Q. When did you leave the  
8 property?

9 A. Probably eight o'clock the  
10 next morning.

11 Q. That would be January the 3rd?

12 A. Yeah.

13 Q. When was the last time you had  
14 your annual retraining?

15 A. March or April of last year.

16 Q. And did you have hands-on SCSR  
17 training?

18 A. Yeah.

19 Q. Did you have to put it on?

20 A. Yeah.

21 Q. Do you feel the training was  
22 adequate?

23 A. I feel it was, yeah.

24 Q. Have you ever been searched  
25 for smoking materials?

1 A. Yeah.

2 Q. Did you ever see anyone  
3 smoking underground at this mine?

4 A. No. I've never seen anybody  
5 or I've never seen any smoking  
6 material at this mine.

7 Q. Has anyone offered you  
8 anything or made any promises to you  
9 in exchange for you appearing here  
10 today?

11 A. No.

12 Q. Do you have anything that  
13 you'd like to add that may be  
14 relevant to the investigation?

15 A. No.

16 MR. O'DONNELL:

17 For the record, we're  
18 going to put the picture of  
19 the area 4010 into the record  
20 as Exhibit Two.

21 On behalf of MSHA, I  
22 want to thank you for  
23 appearing and answering  
24 questions today. Your  
25 cooperation is very important

1           in the investigation as we  
2           work to determine the cause of  
3           the accident. We ask that you  
4           not discuss your testimony  
5           with any person who may have  
6           already been interviewed or  
7           who may be interviewed in the  
8           future. This will ensure that  
9           we obtain everyone's  
10          independent recollection of  
11          events surrounding the  
12          accident.

13                    After questioning other  
14          witnesses, we may call you if  
15          we have any other follow-up  
16          questions that we feel that we  
17          may need to ask you. If at  
18          any time you have additional  
19          information regarding the  
20          accident that you would like  
21          to provide us, please contact  
22          us at the contact information  
23          that we gave you earlier.

24                    The Mine Act provides  
25          certain protections to miners

1           who provide information to  
2           MSHA, and as a result are  
3           treated adversely. If at any  
4           time you believe you've been  
5           treated unfairly because of  
6           your cooperation in this  
7           investigation, you should  
8           immediately notify MSHA.

9                         If you wish, you may  
10           now go back over any answer  
11           you have given during this  
12           interview and you may also  
13           make a statement that you'd  
14           like to make.

15         A.         Well, about the only thing I  
16           got to say is, like I told you the  
17           other day, I just feel that the  
18           protocol really needs to be looked  
19           at, for rescue work. I think the  
20           protocol is what cost these men their  
21           lives. We all knew that there had  
22           been five people that went to 58  
23           block, and noticed no fire there.  
24           And MSHA and the state both knew that  
25           there was no methane coming out of



1 that mine to cause any danger. I  
2 just feel that they should have sent  
3 a rescue team on.

4 MR. O'DONNELL:

5 Anything else?

6 A. No. You know, Aracoma Mines,  
7 right behind this, had a raging fire  
8 in it and they sent 16 teams in it.  
9 I just can't understand why we didn't  
10 get a team in our mine quicker. And  
11 the listening device we're supposed  
12 to have, I'd like to know why we  
13 didn't have it.

14 MR. O'DONNELL:

15 Okay. Anything else?

16 A. That's it.

17 MR. O'DONNELL:

18 All right. Thank you  
19 for coming by.

20 \* \* \* \* \*

21 SWORN STATEMENT

22 CONCLUDED AT 12:35 P.M.

23 \* \* \* \* \*

24

25

TET  
Runyon  
1/16

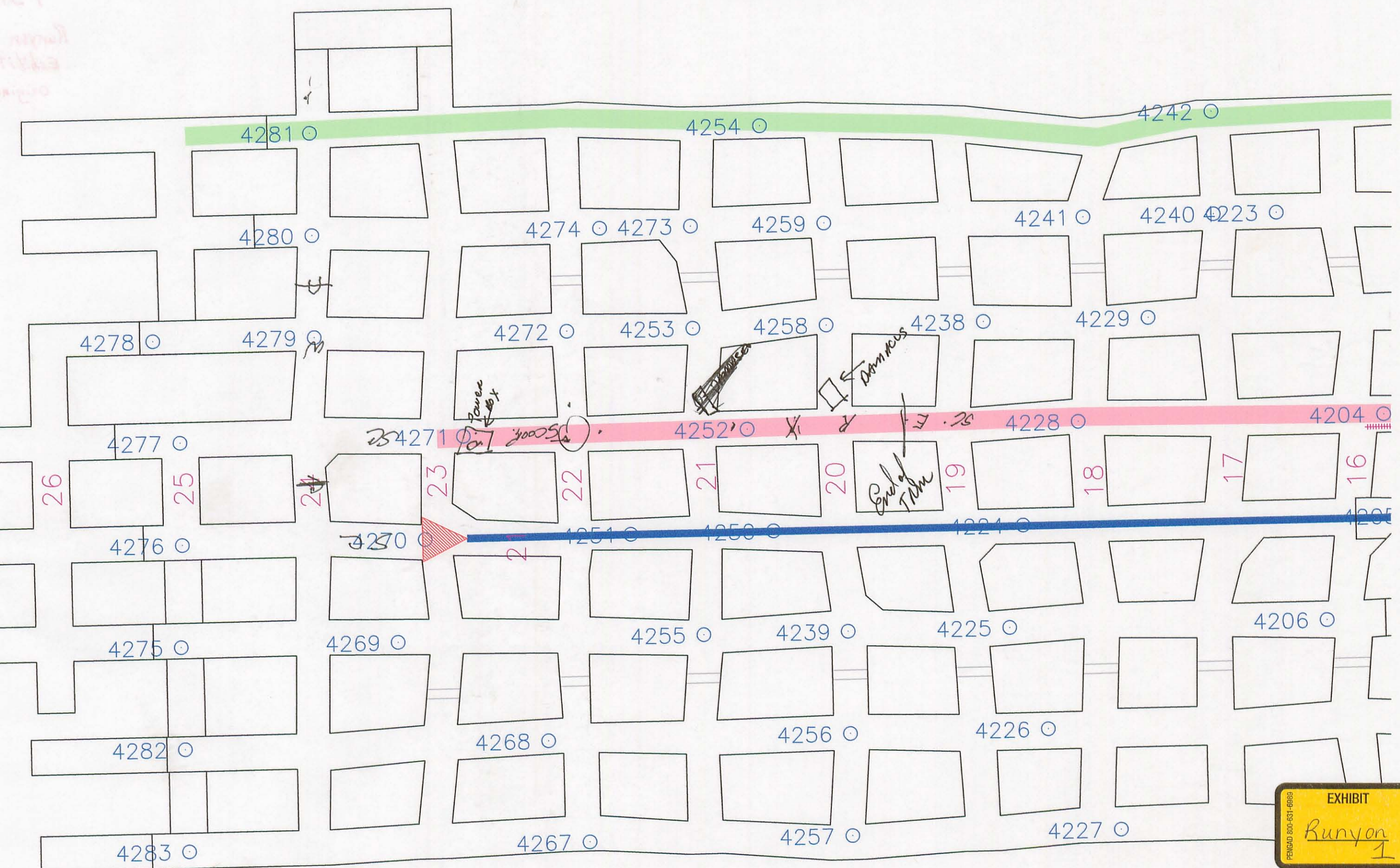


EXHIBIT  
Runyon  
1

Scale: 1" = 50' T37

(6)



T37

