EXAMINATION UNDER OATH

OF

MICHAEL R. WILLIAMS

Taken pursuant to Notice by Autumn D. Furby-Pritt, a Court Reporter and Notary Public in and for the State of West Virginia, at Department of Environmental Protection, 1101 George Kostas Drive, Logan, West Virginia, on Monday, March 27, 2006, at 10:01 a.m.

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ALSO PRESENT:
DANNY COOK
MICHAEL FINNIE
DENNIS A. BEITER
RONALD W. STAHLHUT
CHARLES W. POGUE
C.A. PHILLIPS
BETH SPENCE
DERRICK TJERNLUND

I N D E X

EXHIBIT PAGE

NUMBER	DESCRIPTION	PAGE IDENTIFIED
A	Partial Copy of UD15328-202-D394	22
B	Fully Copy of UD15328-202-D394	24
C	Photo of Takeup Unit	41
D	Photo of Carriage	

P R O C E E D I N G S

MR. STAHLHUT:

My name is Ron Stahlhut. I represent the Mine Safety and Health Administration, which is an Agency of the United States Department of Labor. I am a member of MSHA's accident investigation team that is

charged with investigating the accident that occurred at Aracoma Coal Company, Incorporated, Aracoma Alma Number One Mine, on January 19th, 2006.

This is a joint accident investigation that MSHA is conducting with the State of West Virginia. I will be asking the questions for MSHA in today's interview. With me here today are members ---other members of MSHA's

team and the State's team. MSHA's team includes various specialists and members of the Solicitor's Office. At this time, I would like to ask each member of MSHA's team to identify themselves for the record.

MR. BEITER:

My name's Dennis Beiter. I work for MSHA in Tech Support Group out of Triadelphia, West Virginia.

MR. WEBB:

Anthony Webb, MSHA District 6, Pikeville, Kentucky.

MR. POGUE:

Charlie Pogue, MSHA out of Hunker, Pennsylvania.

MR. FINNIE:

Mike Finnie, MSHA, Madisonville, Kentucky.

ATTORNEY BARISH:

My name is Dan Barish,

an attorney in the Solicitor's Office in Arlington, Virginia.

MR. TJERNLUND:

Derrick Tjernlund, MSHA Tech Support, Triadelphia.

MR. STAHLHUT:

And like I said, I'm Ron Stahlhut and I'm out of Vincennes, Indiana. And here today --- here with me today, representing the State of West Virginia is Danny Cook, and he will be asking the questions for the State. And at this time, I would like Danny to

introduce the members of the State's team. And he's got a statement for you as well, I think.

MR. COOK:

I suppose I'll read this statement first. The West Virginia Office of Miners' Health, Safety &

Training is conducting this interview session jointly with MSHA. And we are in agreement with the procedures outlined by Mr. Stahlhut. However, let me make it clear that the Director reserves the right, if necessary, to call or subpoena witnesses or require the production of any record, document, photograph or other relevant materials necessary to conduct this investigation. My name's Danny Cook and I'm an electrical inspector out of the Danville office.

MR. TUCKER:

How you doing today?

MR. WILLIAMS:

Just fine.

MR. TUCKER:

My name's Bill Tucker. I'm the Assistant Inspector at Large out of the Oak Hill office and that's in Region

Four.

MR. PHILLIPS:

Good morning. My name's C.A. Phillips. I'm the Deputy Director with the Office of Miners' Health, Safety & Training in Charleston, West Virginia

MS. SPENCE:

I'm Beth Spence with the Governor's Office.

MR. STAHLHUT:

This investigation is being conducted by MSHA and the State of West Virginia to gather information to determine the cause of the accident and to help prevent this from happening in the future. These interviews are an important part of the

investigation. After the investigation is completed, MSHA will issue a written report detailing the nature

and causes of the accident. MSHA accident reports are made available to the public in hope that greater awareness about the causes of the accidents can reduce their occurrence in the future. Information obtained through witness interviews is frequently included in these reports. Your statement may also be used in other enforcement proceedings.

I would like to thank you in advance for your appearance here. We appreciate your assistance in this investigation. We appreciate --- the willingness of miners and mine operators to work with us is critical to our success in making the nation's mines safer.

This interview with

Mike Williams is being

conducted under 103 --- Section 103(a) of the Federal Mine Safety & Health Act of 1977 as part of an investigation by the Mine Safety & Health Administration into the conditions, events and circumstances surrounding the fatalities that occurred at the Aracoma Alma Mine Number One located at Route 17 North, Bandmill Hollow Road, Stollings, West Virginia, 25646.

This interview is being conducted at the Department of Environmental Protection in Logan, West Virginia, on March 27th at 10:05 a.m.

Mr. Williams, the interview will begin by asking you a series of questions. Feel free at any time to clarify any statements that you make in response to the

questions. After you have finished --- after we have finished asking questions, you will have an opportunity to make a statement of your own and to provide us with any other information that you believe may be important.

You are permitted to have a representative with you during this interview, and you may consult with your representative at any time. You may designate any person to be your representative. Following the questions by MSHA and the State, this representative will be given the opportunity to ask questions for the purpose of clarification on areas already discussed.

Your statement is completely voluntary. You may refuse to answer any question

and you may end your interview at any time. If you do not understand a question, tell me

and I will rephrase the question. If you need a break for any reason, please let me know and we'll take a break. You may request the opportunity to make a confidential statement, which we will hold --- withhold from the public to the extent allowed by law. Should you desire to give a confidential statement, you should advise me before I begin your interview so that I can reschedule your interview in order to properly consider your request. Do you request a confidential ---?

MR. WILLIAMS:

No, I don't.

MR. STAHLHUT:

Okay. A court reporter

will record your interview and will later produce a written transcript of the interview. I ask that you state all of your answers verbally because

the court reporter cannot record your gestures like nodding of your head.

If any part of your statement is based on --- is based not on your own firsthand information but on information that you have learned from someone else, --- including any information that you learned from someone else, go ahead and state that. We may not ask the right questions to learn the information that you have, do not feel limited by the precise questions. In other words, you can expand further if you need to, to explain the question.

MR. STAHLHUT:

Okay.

MR. STAHLHUT:

If you have any information about the subject area of a question, please provide us with that information. Do you have any

questions on the manner in which the interview will be conducted?

MR. WILLIAMS:

No, I don't.

MR. STAHLHUT:

The court reporter, will you please swear Mr. Williams in?

MICHAEL R. WILLIAMS, HAVING FIRST BEEN DULY SWORN, TESTIFIED AS FOLLOWS:

BY MR. STAHLHUT:

Q. Please state your full name, address ---.

A. Michael ---

Q. Okay. Go ahead.

A. Michael Ray Williams.

Q. Your address?

[redacted]

Q. And could you spell your last name for the record?

A. W-I-L-L-I-A-M-S.
Q. Are you appearing voluntarily for this interview?
A. Yes, I am.
Q. Has anyone made any promises to you for giving this statement or offered you any rewards in exchange for making your statement?
A. No, they haven't.
Q. Has anyone threatened you or warned you not to provide this statement?
A. No, they haven't.
Q. Do you understand that you may refuse to answer any question or

terminate the interview at any time?
A. Yes, I do.
Q. Do you have a representative with you?
A. Yes, I do.
Q. All right. Would you please identify your representative?
A. Phil Carroll.
ATTORNEY CARROLL:
Phil Carroll, C-A-R-R-O-L-L.
MR. STAHLHUT:
What's your position?

ATTORNEY CARROLL:

I'm an attorney.

MR. STAHLHUT:

Attorney, okay. Okay.

BY MR. STAHLHUT:

Q. We'll proceed with the questions if you don't have any ---.

A. Okay.

Q. How long have you worked for Continental Conveyor & Equipment Company?

A. Going on eight years.

Q. What is your job title?

A. I'm a tech, service tech.

Q. What are your responsibilities in this capacity? You know, give me an idea what do you normally do as a service tech?

A. Millwright, align motors with reducers, align motors with pulleys.

Q. Okay. What previous experience have you had? Have you worked for any other companies or have you had any other ---?

A. I worked for Massey for ten years. I worked for other coal companies for ten. I have 20 years

underground experience outside of Continental.
Q. Okay. What areas of work did you perform in those other capacities?
A. Shuttle car operator, pin machine, scoop.
Q. Okay.
A. I move crew.
Q. Have you worked on the

conveyor belts and takeups at Aracoma Number One Mine?
A. Yes, I have. Not --- to clarify myself, not labor-wise. Suggesting hose hookups. I've done alignments on a head --- on the conveyor belt, on the head.
Q. On the head?
A. On the head, yeah. Not the conveyor.
Q. Okay. What was the last day you were at the Aracoma Mine, do you remember?
A. January the 19th.
Q. You were at the mine on January 19th?
A. That's correct.
Q. And what were you doing on

that day?
A. I was on Ten headgate aligning a 750 horsepower DC motor with a reducer and a pulley.
Q. Okay. Have you worked on other belt drives and takeups at the Aracoma Mine?

A. Yes, I have.
Q. Okay. And which --- do you remember which specific ones?
A. No.
Q. Okay. I guess specifically, have you worked on the takeup and belt drive that was at the mother drive that was at the Nine headgate panel where the fire occurred? Have you worked on that one?
A. I aligned the motor, the 750 horsepower DC motor.
Q. Okay. Are you familiar with any problems with the belt takeups at the Aracoma Mine?
A. Not a problem with it. Had some questions about it but it wasn't a problem. About their --- one of the storage units, one of the drop-off carriages would just coast

back a little bit and I give them a remedy to fix that.
Q. What was that remedy?
A. Take and extend the bolt --- would it be possible that I could

show you to give you a better illustration? It's something that a picture's worth a thousand words.
Q. Let's use this --- maybe this --- well, let's see that one.
A. It would.
Q. Will this one --- here ---
A. This will work.
Q. --- let's use ---. Will that one work?
A. Yes, it will.
Q. Okay.

MR. STAHLHUT:

This is --- going to be Exhibit A Williams for the record. And it's a partial copy of the drawing number UD15328 on sheet two of two. And it's from document number D394 from our records.

(Williams Exhibit A marked for identification.)

A. I was asked what to do in the situation where a carriage would drop

back a little bit. Here on the lower part of the carriage, there's a piece of angle underneath the carriage to keep it from coming off. There's two bolts that holds this angle on. Continental makes the two bolts small enough to allow the wheel to roll with the two bolts in there. The fix is to extend one of the bolts causing the bolt to go into the wheel to stop the carriage from moving. There's another --- there is a half-moon plate that you can pull a pin in the middle, out a half-moon plate in which has you --- it serves the same purpose. It begins to be skidders that prevents the carriage from moving.

The fix that I give them, if they extend the bolts, sleeving the angle under it, they extend a bolt into the wheel, it locks the wheels up. You do one for each side. Now it's brakes. If you ever get into a place to where you no longer need the

carriage, you know, you want it to be real easy to move. Real, real easy to move. Then you just back your bolt off instead of pulling the pin, jacking that up, changing it and putting a skidder in.

BY MR. STAHLHUT:

Q. Okay.

A. A real simple fix.

Q. Okay. Let me see if I follow you correctly. One of the ways is you put a skidder, you raise it up and actually put a block in the carriage wheel, the V-grooved wheel?

A. You take the V-grooved wheel completely out. You put in a --- it's like a half-moon V-grooved wheel that is fixed as a permanent skidder. You no longer change it to being a wheel unless you take it out and put the wheel back in.

Q. Okay.

A. This allows you to have the wheel and the option of stopping it, just by extending the bolt.

Q. Okay. And these bolts, when they're extended in there or when

they're installed, are they installed on the --- to the inby ---

A. That's correct.

Q. --- to the center of the belt or to the center of the takeup?

ATTORNEY CARROLL:

Excuse me, Mike. You're going to need to let him finish asking his question before you answer it; okay?

A. Okay.

ATTORNEY CARROLL:

It's hard on the court reporter if you all are talking over each other.

A. All right.

BY MR. STAHLHUT:

Q. Okay. My question here was, to clarify it, once you put this bolt in that we're referring to that was installed on the bracket where it extends in and contacts the V-grooved roller; right?

A. Correct.

Q. Does it contact the roller or does it contact the rail?

A. The roller.

Q. The roller. So can you indicate here with a marker where this --- if this is the takeup roller, where this --- where this bolt would be installed? Just circle it if you want to or point --- put an arrow to it.

A. Okay.

WITNESS COMPLIES

A. This is the bottom of the V-grooved wheel here, and just at the bottom of the V-grooved wheel is a bolt. There should be two of them that holds this angle plate on. I asked that they extend the lower bolt and make it 'til it goes into the wheel.

BY MR. STAHLHUT:

Q. Okay. Is this the actual drawing of the carriage roller or is this something we need to clarify?

Let me rephrase the question.

Let's just ---.

MR. STAHLHUT:

We're putting this into evidence here. And you --- there may be a difference of opinion where you may not have

the right plan. This would be Exhibit B Williams. And this is a full copy of the first document that was noted as Exhibit A.

(Williams Exhibit B marked for identification.)

BY MR. STAHLHUT:

Q. Where we're referring to in Exhibit A is this cross section, this section BB. And section BB is indicated in the middle of this drawing right here. Is this --- that you were referring to earlier, is this the hold-down for the moveable --- portable dolly with the three big stationary rollers that moves or is

it for the drop-off roller?

A. Drop-off.

Q. It is for the drop-off roller?

A. Yes.

Q. Okay. Because it --- I guess my next question is, it shows the bolts below the level of the roller here. That's why I was confused. That's why I wanted to bring it ---.

A. Okay. No. It's --- I mean, the bolts that I'm aware of is the bolts that are above a carriage that goes into the wheel.
Q. Okay. That's why I was asking you ---
A. Yeah.
Q. --- because the arrows on this section are showing it toward this moveable takeup that the winch hooks to here and the drop-off rollers are indicated to the right of that.
A. The situation they had was with the drop-off carriages. I never knowed of any situation they had with this.

Q. Okay. Have you been to the specific location there at the Nine headgate?
A. Before --- after the fire? Yes.
Q. Before the --- before the fire ---
A. Yes.
Q. --- or before January 19th? So you had --- you were at the actual installation?
A. Yes.

Q. Okay. Why would these --- well, okay. Why would these --- why would these remedies be needed on these drop-off rollers? Why would that bolt need to be extended?
A. Sometimes the installation, the way it's installed, they may --- from this point here to this point where the carriage goes back from the from to the rear, the elevation, it may be such --- just small enough to cause the carriage, because it's gravity, it's like setting your car

on a small incline in neutral, you know, just --- it will drop off. And it's real easy, it will coast back a little bit. And that would be the reason that I would recommend them to put the bolts --- to extend the bolts on the wheels.
Q. You stated earlier that you were at the Ninth East headgate, the mother drive, where the fire occurred in the takeup here. Is this --- is this takeup installed on a hill or a grade?
A. I don't remember the exact

angle or grade or anything of that sort. I just --- when I was asked, I told them what kind of fix.

Q. Okay. Would there be a maximum grade or slope that Continental would recommend that this takeup be installed on?

A. If there is, I'm not aware of any at all.

Q. Okay. Do you know if this print that's Exhibit B that's the

complete diagram for the --- for the carriage --- or the takeup assembly? Does this --- does this accurately depict the underground setup there at Aracoma Mine for the Ninth East headgate to the best of your knowledge?

A. It looks like it, but I couldn't say definitely.

Q. Okay. Referring back to the bolts that you installed in the wheels on the drop-off rollers, do those act as a brake by actually the bolt physically pushing against the wheel?

A. Yes. You have to remove the existing bolts because they're not

long enough to go into the wheel. That was the purpose of having them short. And then they'll recommend that you purchase longer ones that intentionally go in and work as a brake to stop it from moving.

Q. Okay. How do you go about adjusting this braking effect?

A. It's fixed. You take the bolt out. You put another bolt in until it's pushed all the way into the wheel and you have a lockup nut on the inby side, and you lock the bolt down.

Q. Okay. If --- what effect would it have if, say, you didn't get it locked down tight enough or you had it misadjusted? What, in your opinion, would the effect of that be?

A. If you didn't lock it down, it would probably roll.

Q. Okay.

A. If it rolled before and you didn't lock it down, it would probably roll. It depends on how much it rolled before, I guess.

Q. All right.

A. Yeah.
Q. So the bolt actually --- in essence, does it stop the wheel from moving?
A. That's correct.
Q. Okay. And then does the wheel

slide?
A. That's correct.
Q. Okay. When did you become aware of these --- this problem with the --- when you made the recommendation to add these bolts? Do you have any idea?
A. I never actually was aware of a problem until one of the men who actually installs it, Hagy, the best I recollect, Donald Hagy, had asked me about the fix, what they should do, and that was my recommendation.
Q. Okay. Do you have any idea of a time frame? Or was it on the Ninth East headgate or was it on --- was it on this particular installation where the fire occurred? Was it on some other installation? Or do you --- do you know?
A. I don't know. I don't know. I don't know.

Q. Would this locking bolt with this wheel lock, would it cause the wheel to a flat spot or cause a flat

spot or a problem with the wheel overtime if you used this locking bolt?
A. It's steel against steel. Over a period of probably five years, you would probably have a flat spot there, estimate.
Q. Yeah. Do you have any idea --- or what would you say would be the effect of this flat spot? Would it have any effect on anything in your opinion?
A. As long as the wheel is locked up, it's still going to present drag.
Q. When they rob --- commonly refer to robbing belt out of the storage unit, when they take belt out of the storage unit and they collapse the storage unit back up, would you have to do anything with this bolt prior to taking it out?
A. No. Do you mean prior to removing the belt? Is this clarifying ---

Q. Right.

A. --- what you're asking?
Q. Yes.
A. Prior to removing the belt from the storage unit, would you have to do anything to the bolt that you put in to prevent the drop-off carriage from moving?
Q. Right.
A. No.
Q. So they stay locked ---
A. That's correct.
Q. --- from the time you put them in there --- from then on?
A. The fix is the same as if you remove the wheel and put the half-moon device in there. It's not to be changed until you decide you want to change it.
Q. So it remains as basically a sliding wheel ---
A. That's correct.
Q. --- from the time it was installed?

ATTORNEY CARROLL:

Mike, you're going to

need to let him finish his

question before you start
answering. Okay?
BY MR. STAHLHUT:
Q. Backing up, I guess, to some of my original questions and we'll get back to this. You had stated that you did work for Massey at some point in time. Did you ever work for Massey as a contractor?
A. No.
Q. Okay. And did you work for Massey at the Aracoma Mine?
A. No.
Q. Okay. When was the last time you were at the Nine headgate, the mother drive, where the fire occurred? Do you recall when you were at that particular takeup last?
A. I was under the belt on the 19th only passing through, but to actually be at the takeup, I have no recollection on the time.
Q. Okay. Is there a proper width or a recommended width --- a proper

width for the belt that's used in the takeup unit for the storage unit for the belt installation here at the

Ninth headgate that you're aware of?
A. I'm not familiar with it.
Q. Okay. I guess to further explain that question, if you see --- if the belt's got frayed edges and it's been rubbing against the frame in that takeup, would --- could that be a result of a belt being too wide for the installation?
A. It's possible.
Q. Does Continental sell conveyor belt?
A. No.
Q. Does anyone else from Continental work on these conveyor belts or --- at Aracoma Mine, to your knowledge?
A. To clarify yourself, in what aspect?
Q. Okay. I guess the first question, in any aspect? In other words, does anyone else work on the

mine --- the belts at Aracoma Mine, the belt installations, other than you for Continental?
A. My boss on startup will come in from time to time if they're asked. If they ask him on a

situation that they may have. That's about it.
Q. Okay. Who is your boss?
A. David Nance.
Q. Okay. And when he's asked to come in, do you have any idea what --- what is he requested to do or what does he normally do when he's come in on startup?
A. Lots of times they have units that's been sitting dormant for a period of time and they may have a input card or a processor that's not functioning right. And he'll come in and they might change a processor out or an input card, something of that effect.
Q. All right. Do you work on any electrical problems on the belt or

are you --- do you do any of that type of work?
A. I'm not an electrician. I can talk to the guys and give them the best of my knowledge, but I don't do electrical work.
Q. Have you been trained on Continental's electrical

installations?
A. No.
Q. I mean, their setups? No?
A. No.
Q. So your boss will probably be the one then that might do that if requested or ---?
A. He would --- you know, I'm not for sure about his electrical, you know, documents or anything of that sort. But you know, he would recommend we change this piece, this, as a process of elimination due to the part being sitting dormant for so long.
Q. Okay. For this setup, was there a maximum for this setup at the

Ninth East headgate where the fire occurred on the longwall mother drive belt? This belt takeup area, was there a maximum belt width for this installation that you're aware of?
A. No, I'm not aware of it. If I can possibly elaborate to commonsense, you don't put a 20-inch tire on a 17-inch rim.
Q. Right.
A. But other than that, I'm not

aware of any certain width.
Q. Do you have any --- was there a maximum width that you're ---?
A. Not aware of.
Q. Okay. I didn't know if there was a tolerance or anything like that of a certain width of belt they could put in there. On the movable carriage, this installation right here, are there hold-downs to the inby end of this carriage, to your knowledge?
A. I'm not familiar with it.
Q. You're not familiar with it?

A. No.
Q. Okay.
MR. STAHLHUT:
This exhibit here will be, what, C or D?
MR. COOK:
C.
MR. STAHLHUT:
C.
(Williams Exhibit C marked for identification.)
BY MR. STAHLHUT:

Q. This is a picture of this takeup unit that I was asking you a question about and I'm just going to further ask it and see if you seen one of these before.

MR. STAHLHUT:

This Exhibit C is Aracoma MMR059.JPG, a picture from our files. And it will be Exhibit C Williams.

BY MR. STAHLHUT:

Q. The hold-down I was talking

to, the picture here shows the hold-down that would be the hold-down for this roller on this moveable takeup that's pictured on the drawing as Exhibit B here --- on Exhibit B Williams. And this is a picture where it shows this hold-down and the bolt hole and the partial bolt to the left here. And as you stated before, does this bring back any memory? You said you were not familiar with it, but I would further ask the question with a picture. Sometimes ---.

A. I'm really not familiar with it. I don't know.

Q. I guess to --- if the ---

further to ask the question, ---
A. Okay.
Q. --- or further ask anyway, if --- the hold-downs on this takeup, the moveable dolly for the takeup unit that's the portion hooked to the winch that's on Exhibit B here, if these hold-downs were gone on the inby end and this was on a grade,

could this cause this carriage to rear up and cause it to cock or misalign or cause any kind of problems in your opinion? Or are you familiar with it?
A. If I was to speculate, it would be outside of that which I really know. So I really don't know.
Q. Okay. Could you speculate or would you be willing to, to what effect, in your experience it would have?
A. To try to think it all out with the weight that this is in comparison to this, it's more than likely that it wouldn't derail, but anything's possible.
Q. Right. I guess to further

complicate it, if this was on a grade --- if the takeup was on a grade and you've got the winch pulling from this end and it's tied --- if the hold-downs on this end --- or specifically, you know, if the hold-downs were not on this end,

could it have an effect on the belt drive in your opinion?

A. Yes.

Q. Who would --- if there was a problem like this or something, who would normally within your company --- if the company requested it, the mining company that owns the takeup, who would normally service the installations like this for Continental if they were asked? Or would you do that kind of work? Or would there be someone else in your company that would do that kind of work?

A. It would be the mine personnel themselves, such as Don Hagy or one that was working on it. We would recommend you do this or you do that. And there's no --- we have no idea whether they do what we ask them to.

Q. Right. Who would recommend that? Who would it be within your company that would make those recommendations?

A. They would probably call me or call Dave and we would suggest.
Q. Okay. Go ahead.
A. Go ahead, Ron.
Q. Have you had any requests in that nature?
A. On this particular unit? I don't recall having any. On the units on the drop-off carriages, don't recall if it was on that unit or not. But I do remember talking to Hagy about extending the bolts.
Q. Okay. And that was the only thing you remember in regard to the takeups that you've made a recommendation to the company about?
A. Correct.
Q. Do you remember when?
A. No.
Q. Was it before Christmas or do you recall?
A. I really don't --- don't recall. I really don't. I don't

even know how long the unit was in service. I don't recall.

Q. Okay. Has anyone, in general, have they asked you questions or complained about alignment or alignment issues with the belt or the belts rubbing structure, frame, takeup? Have you had any kind of alignment questions from the mine on it?
A. I don't recall. Ron, lots of times if they have an issue with an alignment, they'll align it themselves by turning the rollers.
Q. Right.
A. So they don't need to call me and say we've got this problem, we've got one that is alignment. The reason that they ask about a drop-off carriage or a situation where they needed some fix, they didn't know what to do. That was a fix.
Q. Okay. We talked about --- and you mentioned that with these hold-downs missing that the unit might --- couldn't --- could derail or misalign. Would it --- could it

cause a misalignment specifically, I'm asking I guess?

A. If that part, this part here, if it's connected to this and this part's got a belt going around it here, and if you cock this, you'll run the belt line off.

Q. Okay.

MR. STAHLHUT:

And Mr. Williams is referring to the Exhibit B where the movable portion of the dolly on the print is --- this is Exhibit B, is off in alignment from the stationary portion of the takeup here.

A. That's correct.

MR. STAHLHUT:

And that it could cause misalignment on the belt, in fact, to try to clarify the record there.

BY MR. STAHLHUT:

Q. Go ahead.

A. Ron, it's as simple as having

a tie rod in on a car, if you lose one side, commonsense tells you, the

car is going to go wherever it wants to go.
Q. Okay. Have you ever experienced any of these movable dollies anywhere in your work with Continental that has --- with the hold-downs missing that's caused a misalignment problem at a mine anywhere?
A. Don't recall.
Q. Does your company provide a manual with general installation procedures for the coal company to install the belt drives?
A. I don't recall. The best of my knowledge would be a chart like this.
Q. A chart like that?
A. Yeah. Just a print.
Q. I think we've asked this question, but I'm going to re-ask it again. But what is --- is there a maximum belt width that's recommended

for this particular storage unit that's on Exhibit B here that was at the Ninth East mains mother drive? Like is it a maximum of a five-foot belt width, six-foot belt width or

seven-foot belt width?
A. If there is, I'm not aware of it.
Q. Okay.
A. To clarify this, sometimes they'll put a smaller belt on the larger structure using it for temporary. So I can't say. You know, we don't own the belt, we don't say do or don't do.
Q. Does a smaller belt --- can it cause alignments when it's designed for a wider belt? Can it cause a problem?
A. I don't know.
Q. Okay. When you went through this area on the 19th, did you notice anything unusual, any smell? Did you hear anything? Did you see anything on that particular day when you went

through there to go to the other area of the mine that you were going to?
A. The day that I went under the belt, I did not. I was in a personnel carrier, manbus, diesel, with a canopy over me, and I never even got out and opened the doors at

the airlock. We had other men who opened them, allowed us to go through. So the answer is no.

Q. And you didn't see any kind of haze or anything in the air if you looked out of the mantrip or anything?

A. No.

Q. No? Okay. Is --- this unit that was in place at the mother drive, was it --- was it recommended for use with a six-foot wide belt?

A. I don't know.

Q. Who would know?

A. Dave Nance would know.

Q. Okay. Did the company --- when you made the recommendation for the drop-off carriage rollers on the

longwall belt, did the company use this recommendation? Did they install these bolts?

A. I don't know.

Q. Okay. So I guess my next question, did you get any feedback?

A. No.

Q. You don't know because you ---?

A. Yeah, I didn't get no

feedback.
Q. Okay. I guess we've observed some fraying along the edges of the belt. What would cause the fraying along the edges of a belt?
A. Even outby the storage unit, somewhere between the tailpiece and the drive, the whole belt itself, could possibly be running off at an angle, getting into a dropped bracket. That would cause frailing (sic) along the sides of the belt.
Q. If you saw this occurring on a belt, would this be a reason that --- would it be a situation that would be

something you would recommend they remove it from service or correct the condition?
A. Correct the condition.
Q. Have you --- in your experience, when you've seen these conditions where the belt's rubbing and stuff and caused this fraying or caused rubbing and friction, does that pose a particular hazard that you recall?
A. I don't recall.

Q. Okay.
A. It's recommended, you know, that they would change and fix the problem. The reason being if the belt runs into a return roller drop bracket, over a period of time, depending on the severity of it running into it, it will cut away the drop bracket and cause the return roller to drop. So it's natural they would want to fix the problem. So what we tell them --- you know, you need to line your belt up or it's ---

you run into a drop bracket and they would correct the problem.
Q. What about using a belt --- say this installation was installed and they installed a belt that had frayed edges on a new installation, would that have an effect on the installation?
A. No. Re-used belts is oftentimes used.
Q. How long would it --- you mentioned that if the belt's misaligned ---. How long would it take to cut through a bottom bracket, in your estimation? Do you have any

idea?
A. Just estimating? Three weeks, four, estimate, depending on the severity. If it's just touching every now and then, it may never though the whole --- it may rub the paint off.
Q. Okay. If it was badly misaligned where it was rubbing it continually, you know, where that

friction was there constantly.
A. It would --- three or four weeks, it would probably rub it.
Q. Would that produce any smoke or anything from the belt, to your knowledge?
A. Not to my knowledge that it would. Not to my knowledge, it would produce any smoke. It's going to wear your paint off your return roll bracket. And because the belt's moving, you got fresh belt on steel, you're subject to remove the steel, not the belt.
Q. In your experience, would there be a smell or something that you would detect this friction?

Would there be something that you would ---?
A. Not to my knowledge.
Q. Okay. Would you recommend vulcanizing the edge of the belts that have been frayed if it was severely frayed along the edge of the belt on the installation?

A. You would have to clarify it. I don't understand it.
Q. Okay. Let me rephrase it. Okay. Number one, if a company had a belt that was frayed along the edge, to your knowledge, are they ever vulcanized or are the edges ever repaired?
A. Not to my knowledge. And unless they would cut the belt down and use it on another application --- completely cut it down, remove the belt, cut the sides off and use it on another application.
Q. If you cut the belt, the sides off, and made it, say, from a six-foot to a 48-inch belt, would they reseal or re-vulcanize the edges of that belt ---
A. No.

Q. --- to your knowledge?
A. Not to my knowledge.
Q. Is --- this installation that was at the Ninth East mains head drive area, the takeup, is this the

model and unit size that would be normally used for a six-foot belt?
A. I don't know. But I would only be speculating to tell you that it's a longwall. They're going to go with the widest belt possible and from five to six foot. But I don't know if that was it or not, even the width of that belt.
Q. Well, do you know if this was designed for use for the six-foot belt?
A. I don't know.
Q. Going back to these carriage rollers or drop-off rollers, what would be the result in the installation at the mother drive area, the specific circumstances there where it's on somewhat of a grade and everything and that they reported a roll back problem --- what would be the effect on the belt

alignment if they didn't use the recommendations you presented with the longer bolts to lock the rollers

in place? What effect would that have on the belt?

A. The carriages, the drop-off brackets are designed to drop off at particular points due to these. They unlatch them, cause them to drop off at different areas. The purpose of that is to keep your belt away from each other. If you've got three of them that comes in one area, then your belt has a tendency to come together, because you've got nothing to hold the belt away from each other. Not that it would be an issue. But it's better if they've got them dropping off to where they should be dropping off at. That's the purpose of using the bolts to stop it, if they're not dropping off where they should be, because they're not staying there. They should be dropping off but they're drifting away from where they should be.

Q. When this spacing --- say, it does extend or spread farther apart

between the rollers than the recommended distance or the rollers drift off and the belts are rubbing together and --- what kind of hazard would that create?

A. I don't foresee any of a hazard that it would cause from the two belts coming together because there's no weight on these belts. They're just --- you've got a belt rubbing together, but the further that you're away from a point of alignment, the more difficult it would be to keep it in line. If I've got a roller that I'm depending on to line the belt and it's 40 foot back, it's going to be harder to line this roller than if I had everything dropping off like it's supposed to.

Q. Okay. So let me clarify or see if I understand ---

A. Okay.

Q. --- what you said. Instead of the belt's rubbing together being a hazard, it would be more of a hazard

that it would cause a misalignment if

this distance between the drop-off rollers is increased; is that correct?
A. To the best of my opinion, I would think that'd be more --- that would be better explained that way. If I've got four drop-off carriages and I'm trying to line a belt going into a fixed point, and I've got them all piled up here, then I've got this distance, 40, 50, don't know what the distance may be, then it would be harder because you're relying on this one drop-off to determine where this belt's going.
Q. Okay. Why would the drop-off rollers drift? What would cause them to drift?
A. It could be a small decline. Because there's an assumption that they drifted or they asked for a fix, it tells me that it was --- this was elevated in comparison to the fixed, so when the drop-off carriages were

to drop off here, so on, it would drift back. And it doesn't have to be a severe. You know, there's --- it doesn't have to be severe. Like I

say, again, a car in neutral on a small decline will drift if there's not much friction.

Q. Okay. Let me --- let me see if I understand ---

A. Okay.

Q. --- what you said here and let me see the way I understand it, see if I'm correct. You're saying that if this portion, the moveable carriage portion of the takeup assembly, was at a higher elevation than these rollers --- is this what you're saying? Did I follow you right, that this could cause a problem?

A. It would cause your drop-off carriages to drift towards the elevation.

Q. Okay.

A. Now, providing it was set up

like you're showing me here with these drop-offs at the angle which each one of those drop-offs are, it tells me that's where it's supposed to trip at, it will trip here, it will trip here and it would trip ---

the last one should trip here. If you're telling me that it comes back --- if it drifted away, then they're going to pile up here. If the elevation is down, they're not going to go backwards, so it wouldn't be an issue of it going back this way.

Q. So the horizontal rail that everything runs on, if it's on an angle, then this could cause these drop-off rollers to drift one way or another depending on the ---?

A. That's correct.

Q. Okay. If you've got a misalignment out here on this portable takeup dolly, the moveable dolly, and if it's misaligned or if these hold-downs, like we discussed earlier, were missing and caused it

to cock up and to cock sideways or something, would this cause the winch to knock? To cause it to produce an overcurrent situation where it would cause this winch to knock, the winch breaker to knock on the control unit?

A. I don't know.

Q. Okay. Do you have any idea who would know?

A. Probably an electrician at the mines.
Q. Okay. If you've got one of these drop-off rollers and does this --- first of all, let me back up.
A. Okay.
Q. Let me rephrase the question here. On this Exhibit B here, you're showing eight drop-off rollers on this print that is Exhibit B Williams. Is that the normal installation and do you know if that was the normal --- if that was the number of drop-off rollers that this mine used?
A. Don't know.

Q. Okay. My next question is if one of these drop-off rollers --- and we know they used a number of drop-off rollers in this installation. If one of these drop-off and one latch fails to hook and causes it to cock, will that cause a problem?
A. I don't know. It would probably depend on the severity of its latch. If it didn't latch, if it

--- if it didn't unlatch and they had bolts preventing it from rolling backwards, it will stop where it --- I'm trying my best to explain --- if it didn't move, it wouldn't be out of line. Am I wrong to clarify the question again? You're saying if one did unlatch, the other did not unlatch?

Q. Right.

A. Being drug on up towards, it's going to cock. If one unlatches and the other doesn't unlatch, it will cock.

Q. Right.

A. Now, what angle? No idea. More than likely, if it didn't unlatch, it's going to be drug up with the unit until the next unlatching, be dragged by one side, but I don't know what angle or what the severity of it would be.

Q. To clarify it here on the --- we're referring to these trip latch lever posts, I think, ---

A. That's correct.

Q. --- which would cause them to latch or unlatch. And there is one

on each side directly across from the other on each rail, each one is on a rail; is that correct?
A. That's correct.
Q. Okay. And so if one of these was missing, would that be one reason that one of the latches --- that it would not unlatch?
A. That's correct.
Q. I guess backing up to the bolts that you recommended to stop

the drop-off dollies from drifting, would that be a recommended remedy for anywhere that the rails were on a grade or a steeper grade that would cause them to drift?
A. Yes.
Q. So it would be more or less for all elevation differences if there was an elevation difference that ---?
A. If you had a situation where one of the drop-off brackets at any elevation was moving, I would recommend you put the bolts in.
Q. Is it possible that that fix may not be sufficient to correct the

problem if there was enough of a grade or something there?
A. Very doubtfully.
Q. In the installation up there in --- at the mother drive area, the structure had some angle braces over to the rib that were --- that went over to the rib that were from the rib to these horizontal rails on the

left-hand side. What would be the purpose of those horizontal braces over to the rib?
A. Horizontal braces.
Q. If you're looking down on it here in the top portion of this thing and these are your horizontal rails and on this left-hand side, they had some angle braces over to the rib, what would be the purpose of those angle braces to the solid coal rib there?
A. To put guarding on.
Q. Okay. It probably --- the intention of them, I don't think --- in my opinion wasn't guarding. But was it --- would you put angle braces to these rails to keep them from shifting from off center or bowing or

coming out of alignment?
A. I have seen them in the past. Different mines do such. That's not a recommended --- or a procedure that is correct. That's --- that's not a --- not the correct way to do it if

they had them like that.
Q. Right. So how --- what would be the correct way to do it then?
A. You put anchors, fly anchors, down in the ground, fly pins.
Q. Okay. And would that be indicated --- would this be a location here ---
A. That would be a good location.
Q. --- where you would anchor them to the floor?
A. That's right.
Q. Would that be a ---
A. Yes.
Q. --- location there? Would you circle that and just put possible anchorage to floor --- or correct anchorage to the floor, something like that?
A. It's important you go both directions.

Q. Okay. I'm going to write under ---
A. Okay.
Q. --- correct anchorage if

that's okay with you?
A. All right.
Q. Does that depict what you've ---
A. Yes.
Q. --- indicated here? That was a mistake trying to write that upside down. Did you observe the anchorage of the unit up there at the Nine East headgate where the fire occurred?
A. Not that I'm aware of.
Q. Okay. Have you heard --- have you ever heard of using a chain ratchet to fix the dollies if they drop off or cock and to straighten them up or anything?
A. Yes.
Q. Does this correct the problem if they do that?
A. No. You've fixed what --- you've fixed the problem but you never --- you fixed what happened, but you never fixed what caused what happened. You with me?

Q. Right. If this did happen,

what would you recommend if they had to take a chain ratchet in there and straighten the dolly up for some reason? What would you recommend?
A. I'd have to try to figure out what caused it to trip --- to cock.
Q. Right.
A. So it would be different ---.
Q. To determine the cause; is that correct?
A. Correct.
Q. Is there a tolerance? We mentioned these trip lever posts. Is there a specific tolerance as far as being there's one on each side on --- in each rail? Is there a tolerance? Do they have to be within plus or minus any inches or anything specific to where they're straight across from each other? Is there a tolerance or a recommendation of where those drop-off posts are located?
A. Straight across from each other?
Q. Uh-huh (yes). Is there a

tolerance, you know, plus or minus an inch or ---

A. No.

Q. --- any tolerance like that you know of?

A. No, not that I'm aware of. There is a place that you can put this drop-off bracket in which is fixed directly across from the other one, so it doesn't allow for there to be any --- if one dropped off a second before the other, it's no factor.

Q. Okay. How would it affect it if you got two rails running parallel, if you misaligned --- if you started this one off alignment a little bit with this one, is this structure physically connected together as it's put in or is it bolted or is to remain perpendicular with each rail? Is there --- how is it constructed here to keep the rails parallel with each other when you install it?

A. I'm not aware of how the mines started and left, so I can't really answer that. I'm not aware of how

they started and left it. If they cut one rail off shorter than the other, which they shouldn't have cut it period. But that's going to cause you to be cocked.

Q. If you had the belt rubbing in this takeup, in this takeup structure area, would you have a specific recommendation on how you would train that belt? How would you recommend to the company that they would train that belt to get it to quit rubbing if the installation was rubbing?

A. I don't --- if you're outby, I would train it with one of your return roller drop brackets, take them one forward or one backwards. But I don't have a recommendation in the storage unit.

Q. What would cause it to be running and misalign in that storage area if ---?

A. It could be a numbers of things. Don't know.

Q. Okay. Is there a specific grease recommended for the rollers and the bearings on a belt

installation?
A. If there is, I'm not aware of it.
Q. Okay. So if the miner's using a Chevron grease, you would say it was probably acceptable then?
A. That would --- I probably would.
Q. What recommendation would you have on the frequency of greasing the rollers. Let's say the drop-off rollers first.
A. Okay. It would probably be due to the environment that they was exposed to. If it's a real sloppy belt and it's got a lot of water, then I would prefer --- myself, I would think that you would do it more often, although I have no control of when they do it. But I could say,

you know, I think you ought to do this on a regular basis because you're exposed to a lot of water, muck. If it's a nice clean unit, your --- everything's norm, then probably weekly.
Q. Weekly?
A. That's just roughly.

Q. That was with the drop-off rollers. Let's just back up to say the pillar box bearings brings on the stationary and the portable carriages depicted on Exhibit B, what recommendation would you make there?
A. It would probably be to the same environment. You know, if they were using a lot of --- if it was exposed to a lot of water, muck, it'd be frequent. If not, probably weekly.
Q. Weekly. So by frequent, what do you mean there? You say weekly if it was a clean environment. If it was a dirty work case scenario environment?

A. Every day.
Q. Every day, okay. What about the belt structure rollers, the top rollers and the trough rollers on inby the takeup unit, what kind of frequency would you recommend on greasing of those?
A. I don't think that there is a --- some of them, I don't think there's grease plugs on, some of them

there is. So I don't know which one they have to recommend one way or the other.
Q. Okay. Are the ones without grease plugs, are they a seal bearing? Are they --- so they ---?
A. That's correct.
Q. So you don't recommend any kind of lubrication on those if it's a seal bearing; is that correct?
A. That's correct.
Q. And if they have a grease fitting, more than likely, they would be at some interval that you would --- where you would lubricate those

bearings; is that correct?
A. That's correct. You would --- only assuming. In some cases, they never grease them once they're installed, they never touch them again.
Q. Can these bearings be overgreased?
A. If they can, I'm not aware of it.
Q. We discussed this earlier, but if these rollers were spread apart and --- for, say, a distance, quite a

distance, say, 30 feet just for hypothetically, and the belts were rubbing together. Would the belts running in opposite directions and friction together, could that cause heating or a problem, other than the misalignment problem with two belts running in opposite directions, to your --- to your experience?
A. I don't think so. They're not together long enough to cause a problem.

Q. Okay. On this winch, you've got a winch that's pulling this moveable carriage here and on this winch installation, there's a brake on that winch; is that correct?
A. That is correct.
Q. Does that brake have any kind of a wear indicator or anything that would show that if the winch power was lost or the belt shut off and not running, that that brake will hold in that instance to your knowledge?
A. Not to my knowledge that it has a wear indicator, but if the brake's not holding, then we need to

find out why.
Q. All right. If the belt was running and the winch was not holding, would the brake be set at that point in time if the belt's running?
A. No.
Q. Okay. So the brake would only sit when you turned the belt off; is that correct?

A. That's correct.
Q. So when you turned the belt off, and the winch was not holding, what kind of effect could that have in your estimations?
A. Usually if the brake shuts down, just prior to the belt kicking off, the belt --- the brake locks up. And you'll hear the power unit shut down. If the brakes not holding, it will (makes sound) and release itself real slowly, telling me that something's wrong with the brake.
Q. What would happen if the brake --- the brake was not holding and, say, one of your drop-off carriages is just past one of these drop-offs, could it damage the drop-off posts or

anything as it's drifting backwards?
A. I can't see that it would because the drop-off posts are designed to strike about right here (indicating) to unlatch your drop-off carriages, which when it's unlatched, it should be setting here. It

unlatches and comes back to here. So if it comes all the way back, it should in unison pick each one of them up. Okay.
Q. And what he's indicating here that the movable dolly would come in a backwards direction toward the inby side of the takeup unit and that as it goes down the rail, it would go by these without causing damage.
A. Correct.
MR. STAHLHUT:
Can we go off the record here for a minute?
OFF RECORD DISCUSSION
BY MR. STAHLHUT:
Q. Going back to the width of the --- the recommended width of the belt. This print here depicts a 60-inch belt, this Exhibit B, if I'm

not mistaken here. Would that be the --- let's see, I read it here a minute ago and looking upside down, yeah. A belt storage unit 60-inch, would that be the recommended maximum

width for a belt installation when you were using this print?
A. I would say so.
Q. Okay. And what would be your recommendation if you were asked --- we had a 48-inch belt we're going to put on this belt. What would your --- and the coal company asked you, would there be a problem with this. What would your recommendation be if they want to use a 48-inch belt on this particular 60-inch storage unit?
A. I would have to refer them to someone else who was more knowledgeable about it.
Q. Okay.
A. I, myself, can't see it present a problem, but I'd refer them to someone else.
Q. Okay.
A. And that's a lot of different issues, your dumping point, how much you're dumping on it, all that.

Q. Okay. As we discussed before, if these hold-down brackets were

missing like I indicated earlier, we discussed this, on the portable dolly unit, the portable unit that's hooked to the winch, would this allow the --- could this allow the unit to raise up enough that it --- could it miss the drop-off posts as these drop-off carriage rollers come by it, in your estimation?

A. You're saying this unit here?

Q. Right. It if could cock up enough that it would cause these drop-off rollers to miss the trip latch post.

MR. STAHLHUT:

Let's go off the record for just a minute.

OFF RECORD DISCUSSION

BY MR. STAHLHUT:

Q. I'll ask it again.

A. Okay.

Q. If the hold-down bracket on the individual dolly was missing, as indicated here by the diagram here on section BB where the angle was ---

this angle was missing, could it cause --- could it cock up or cause it to miss the support post lever that trips the --- that unlatches that drop-off dolly?

A. No.

Q. Okay. Why not in your estimation?

A. It has nothing to do with the height of that carriage sitting on top of the rail if that brackets not there. That bracket is a safety bracket, preventing it from cocking, coming off.

Q. What's a --- is there any kind of normal operating temperature for the rollers on the dolly that you're aware of, any bearing temperatures or anything like that?

A. I'm not aware of any. If it's hot to touch, you probably got a problem.

Q. So if --- getting back to these drop-off rollers, if this bracket was missing, would you think

that would cause it to make it cock easier to cause a misalignment of the

roller if this bracket allowed it to come up in any way?

A. If it came off of the rail --- it would cause it to misalign, if it came up and come off of the rail, providing that the mine's never reinstalled the angle bracket. And I have no knowledge whether they did or they didn't.

Q. Okay. We talked about bearing temperatures a little more and through some of the testimony and stuff, we've heard a lot about different people taking belt temperatures on --- bearing temperatures on the belts and different locations throughout the mine. Is that something the mine's done or is that a recommendation from Continental or does Continental recommend any sort of a bearing temperature that would be a maximum or anything?

A. I'm not aware of Continental recommending any temperature. The reasoning that usually a mine will check a roller, they have comparisons

between each bearing. They'll shoot different bearings and it may spike it 80, 90 degrees. One spike's at 150, that could be a problem roller, a bearing. So you would address that bearing. That's nothing that we recommend. It's a good procedure.

Q. Is it normal in your experience for coal companies to take bearing temperatures on their belt installations on a regular basis?

A. I'm sorry, I'd appreciate you asking me again.

Q. Okay. Does --- is that --- in your experience you've worked with several different companies, coal companies, et cetera.

A. That's correct.

Q. Are there other companies that take bearing temperatures on the belts on a routine basis?

A. Yes, there is.

Q. In your --- the Vector winch unit that controls the --- that supplies the force on the winch rope that pulls, you know, pulls the carriage, it's got a 150 horsepower motor, if I'm correct, and it's got a

cooling motor on top of the Vector winch. What is the purpose of that cooling motor?

A. It causes air to travel around the motor, itself, to keep the motor cool, the main motor cool.

Q. Okay. Why would it need a cooling motor?

A. It's like a residual. The motor, itself, that's on there is not all the time running. It's creating heat as it holds, so your fan on top of it causes the air to circulate around it and keep it cool to what temperature heat, I'm not aware of, but it know it's warmer to the point you would put a fan on top of it to keep it cool.

Q. Is this motor that's on the winch, does it hold a constant --- is it supplying a constant torque? Is it --- on the winch cable?

A. Correct.

Q. Okay. Now, I don't know how familiar you are with this, but I'm going to ask you the question. Do you know --- how familiar are you

with electrical systems on the belt takeup, first of all?

A. Minimal.

Q. Minimal?

A. Minimal.

Q. Okay. Why would that cooling motor need to be ground monitored? Do you have any idea on that?

A. No idea.

Q. Okay. Is there a maximum or a minimum temperature that --- the control boxes, like the control box for the belt, the control box for the winch, is there a maximum operating temperature, ambient temperature, that those would need to be in?

A. If there's a max, I'm not aware of it.

Q. Okay. Are you aware of any problems with --- at the Aracoma Mine on this belt installation of where they received an over-temperature indication on the starter boxes?

A. I'm not aware of it. If they did, I'm not aware.

Q. So they didn't ask you any questions about an over-temperature indication then?

A. No.
Q. Do you know if they asked anyone else for Continental about that same problem?
A. I've only heard but I don't know.
Q. What did you hear then?
A. Just --- it would be just talk-talk. I really --- I don't know.
Q. Okay. Are you aware --- has there been any overheating problems on this longwall Nine headgate belt

installation that you're aware of, be it motors or electrical heating any way that you've become aware of?
A. Not that I'm aware of. They wouldn't have told me nothing.
Q. Okay. And who would have worked on the electrical problems with the Aracoma Mine for Continental if there's an electrical problem and they requested the information --- or requested assistance from Continental? Who would ---?
A. Probably been one of their electricians underground with, more

than likely, Dave Nance.
Q. Okay. And what's Dave Nance's position with Continental?
A. He's my boss.
Q. Okay.
A. He's a sales.
Q. Sales rep?
A. Yes.
Q. Now, do the sales rep --- are they normally the ones that do the electrical work for Continental?

A. No.
Q. Does he have a background in the electrical as well as the sales end of it?
A. I don't know his credentials.
Q. Okay. Do you know --- have you heard --- if you were going to work on an electrical problem, did --- does Continental have qualified electricians or do they --- in normal operating or do they work under the supervision of a qualified electrician from the mine?
A. They'd have to work under the supervision of a qualified electrician from the mines.
Q. Why would --- or why would you

think that the ground monitor for the --- for a Number One drive motor, what would be a reason that you would jumper a ground monitor for a drive motor on a drive, specifically like this takeup or this belt unit here? Would there be a reason why you would jumper a ground monitor out?

A. I'm not familiar enough with the unit to even tell you what the ground monitor is.
Q. Okay. That's fair. Do you ever consult with your Continental corporate office of your engineering staff or anything if the mine presents you with problems? Do you confer with them on recommended fixes or how you would answer certain questions or anything like that?
A. Yes.
Q. What kind of things would you refer to them then, I guess?
A. I'm trying to think of something that would be in the scope of that which we're talking about. Probably even the bolts that was installed on the --- if they were

installed on the drop carriages would be something that I would refer to them about and they would recommend, more than likely, they would order the half-moon permanent fix devices. And a quick fix, a good permanent

quick fix is to extend the bolts to lock the wheels.

Q. So the permanent fixture would be the half-moon ---

A. Correct.

Q. --- slide-in?

A. A reversible until you change it back out.

Q. Okay. When you recommended this fix, did you confer with the people at Continental on this extending the bolts?

A. I don't recall.

Q. Are you familiar with this installation at the mine that it's on a pretty steep incline into the mine?

A. No.

Q. You're not aware of the hill that's there?

A. No.

Q. Okay. Normally when a belt like that is installed on a pretty

good hill or incline, would there be a maximum grade or would there be a specific size or horsepower that

would be recommended to operate on a steep grade or anything, to your knowledge?
A. Not to my knowledge. To clarify, if --- you're talking about the storage unit or the drives? The storage unit, I don't know how that would affect what horsepower takeup motor. I'm not aware how that would affect it.
Q. I was referring more to the drives.
A. The drive, if you was on a steep incline, they would refer to more horsepower. If it was going outside, you could probably get away with less.
Q. Have you consulted Continental about using the longer bolts instead of the half-moon rollers or a recommendation for that? Did you --- I think I asked that question. But did you consult with them or not?
A. I don't recall.

Q. When you've been working at

the mine and when you was around this drive area, were you involved in the original installation of the Ninth East headgate? Did you align the motors or do any work in that area when this belt was installed?
A. I did align the motors.
Q. Okay. You did align the motors. While you were there, did you observe any part of the installation of the water sprinkler system over this belt drive, takeup unit area?
A. No.
Q. Okay. Another question, what type of oil is normally used in the hydraulic takeup units that are supplied with Continental belt drives?
A. Some cases, they put 68 weight, regular hydraulic oil. In some cases, they put fire resistant oil. I'm not aware of which was used in the application.
Q. Which cases would Continental

recommend which was used? Is there a

reason why one would be a fire-proof oil and one would be --- is there that you're aware of?
A. Only that we would recommend that they would use a fire-plus --- fire-proof --- would suggest that they would use a fire-proof because an underground application.
Q. So on a surface application, would they recommend fire-proof or regular oil, or do you know?
A. I would suggest either.
Q. Do you know what type of oil they used at Aracoma on their installations?
A. No.
Q. On that specific installation, would put it back to the Ninth East headgate?
A. I'm not familiar with any of the oils that they use in any of the takeup units.
Q. Okay.
A. One more thing.

Q. Sure.
A. You're talking about a takeup unit, there was not a hydraulic

takeup unit on this here.
Q. No, you're correct. On the unit, did --- the pinch rollers that they used to remove belt from this unit, was that part of Continental's --- did Continental supply the pinch roller unit that was used to squeeze the belt to pull belt off, to take belt out of the storage unit? Did they supply that unit?
A. That's correct.
Q. And did that --- that unit did have a hydraulic takeup for it; is that correct?
A. That's correct.
Q. Okay. And I was asking a general question, but I was getting specific there on that right now.
A. Okay.
Q. Continental does have other takeups that are still using the winch, do have hydraulic means to

tension the belt; is that correct.
A. That's correct.
Q. Okay. Next question here, and I'm going to try to explain this the best I can, we'll make it as clear as we can. Are you familiar with how

the belt at the Ninth East headgate was laced into the --- into the takeup unit at that particular installation?

A. No.

Q. Okay. Is it normal --- the drawings here, the print on Exhibit B here shows the belt as coming out of the bottom of this takeup unit here and then it comes in --- the belt comes in the top of this unit and comes out of the bottom of this unit, if I'm correct. Is that the recommended --- do you know if --- does it make a difference if instead of it coming in on the top and the belt coming out of the bottom, the bottom of the belt was traveling in this direction toward the drive,

along the horizontal rails as is exhibited on Exhibit B here? Does it make a difference if this belt come into the top and after it's laced through and come out the bottom going this way to the inby side or to the right-hand side of the print on Exhibit B if you're looking at the

correct orientation? Would the opposite lacing of this belt create a difference in this installation?

A. I don't know.

Q. Okay.

MR. STAHLHUT:

Do you want to ask some questions, Dan? I'll turn it over to Dan and let the State ask some questions here.

BY MR. COOK:

Q. Again, my name's Danny Cook and I ask you to be patient and I'll try not to be too redundant. I think --- the way I understood, you were at Ten headgate on the 19th; is that right?

A. That's correct.

Q. Okay. Do you know what time you all left Ten headgate to come outside? What time you came by Nine headgate?

A. The best of my knowledge would be around 3:15, estimate.

Q. Now, you had been at Ten or Nine headgate at some point but you didn't remember the date; is that correct?

A. We had traveled under Nine headgate belt line to get to Ten headgate, like a crossunder ---
Q. Right.
A. --- on the 19th and back out under the belt to get to the outside.
Q. But had you been to Nine headgate on any previous days?
A. I don't remember. I mean, I had lined up the drive at Nine headgate. I did the alignment on it.
Q. But you're not sure between the time you aligned it up and the 19th, if you were there on any days

other than that?
A. No.
Q. Okay. Could you tell us again, how Continental recommends for this unit to be anchored down?
A. I don't know that Continental has a certain recommendation, but that's what I, myself, would recommend. Now, the individuals who install it, you know, if they installed it with stiff jacks toward the walls, it's not something I would recommend.

Q. Okay. So you never actually looked at this unit to know how it was anchored down?
A. I can vaguely --- I cover about 50 different mines and I can vaguely remember looking but I have no --- I have no idea, no, of how it was anchored.
Q. I believe on this particular unit, they had welded legs up under it to try to compensate for some of the grade. Do you see any problem

with that?
A. No.
Q. Okay. As you have traveled around to different places here or been to different storage units for Alma Mines, have you ever noticed anything chained down that should have been welded down, anything on the storage units at all?
A. I don't recall. If I have, I don't recall.
Q. Okay. Would you explain to us how the drop-off carriage system works?
A. Whenever this unit, what unit you would call this, when this goes

forward, it drags all the drop-off carriages with it. As the takeup pulls this unit forward, dragging all the units, due to the elevation of the posts that are set up, determines on which one's going to drop. If I set this long post here, the longest post that I would have, if I set it here, then as soon as this unit

passes, it's going to drop them off behind it. The way it's to be installed is the smallest post will be set up here, next larger, next, next. So it would drop off each one in unison first, second, third, that way.

Q. Do you know the spacings on how far they should be dropped off?

A. No.

Q. Do you know how many drop-off carriages are normally used for each installation?

A. No. I don't know how many. It would be determined to the length of the storage unit, but I don't know.

Q. So you don't --- you wouldn't

know how many were being used at Nine headgate?
A. No.
Q. All right. The trip lever posts, could you tell me how those are installed on each unit --- on the storage unit?

A. They are dropped down into a hollow cavity and they're just standing up there. And their purpose is to lift about estimated five pounds. These are hollow steel posts, they're at an angle and the five pounds is when it crosses over the latch post, it unlatches to release the latches where the units are connected together. The latches are here (indicating).
Q. Okay. The trip lever posts, they come in different lengths; is that right?
A. That's correct.
Q. And are they made to where they're replaceable?
A. That's correct.
Q. What kind of things would cause them to need to replace those?
A. If they hauled them in and

they bent them up with a scoop or they ran over them, they would order some more posts prior to installation.

Q. Do you ever see any problems on these units that the posts get damaged in operation and have to be replaced?
A. In all the ones I've worked on, I can --- I've seen some posts that was broke. The reasoning why, I have no idea. I don't know even know if I've ever seen any at the Alma Mine that's been broke. But I have seen in the past, you know, a post broke. It may be put in half broke and then broke as it went by, not knowing why.
Q. What kind of problems do you see that could come up if you had missing or damaged trip lever posts?
A. If they wasn't there, they couldn't serve their purpose, so they wouldn't allow --- they wouldn't allow the units to trip.
Q. All right.
A. Okay. I was thinking how even

to help further explain that it wouldn't. If you were missing two,

then when you would drag, say, these here --- you were supposed to have one here and you came up and passed it, but there wasn't one there, so it couldn't drop. It would be carried up to this one and now you're going to drop off two at the same time.

Q. I know Ron talked to you earlier about what would happen if one side was unlatched and the other side remained latched. Do you see that being able to make the belt run out of alignment?

A. It would depend on a lot of different issues. There's always a possibility that it could and the possibility that it wouldn't. It would depend on if you cocked your drop-off carriage.

Q. If for some reason that a drop-off passed its drop-off point and went past the post that was intended to drop that off, how would it get back to its original area?

A. It would be pushed back by the

one that preceded it.
Q. Could it get past the post that should tripped it off?
A. I can't see it happening. I can't see that it would not unlatch. Anything's possible, but I can't see it not unlatching.
Q. Right. In an instance where you had a post missing on one side and a post unlatched one side but the post was missing on the other side, pulled that drop-off past its drop off point, then it would have to get some --- at some point or other, it would have to get back to its original position, wouldn't it?
A. That's correct. Rephrasing, you're saying if a post isn't there ---
Q. Uh-huh
A --- and you have a drop-off post that is there, you're still connected on one side ---
Q. Right.
A. --- but you haven't

disassembled it, you haven't unlatched it, you drug it across and

unlatched to unlatch the other side?
Q. Uh-huh (yes).
A. You're dragging it up through there with the one latch.
Q. Okay. What would have to be done to get it back to its original position?
A. Bring the unit back, set another latch up the post, pull it back forward again to get it to unlatch.
Q. Could the unit get --- the latch that tripped that --- the latch post that was standing, that tripped its lever, would it be able to get past that post?
A. I don't know. You normally --- I'm trying to see. You're dragging it up --- let's say, the offside didn't unlatch because there was no post there to make it unlatch, ---
Q. Right.

A. --- then you were supposed to unlatch on this side, but you didn't, so you drug it overtop of the latch pin. I would suggest you'd break your post when you come back down

through. Don't know.
Q. Okay. So you weren't at Nine headgate so you wouldn't have observed the condition of the trip lever latches or the post, ---
A. No.
Q. --- any of those two? Do you know of any other problems that --- with the drop-off carriages that you heard talked about?
A. Not that I'm aware of.
Q. Okay. I think Ron asked you about the main carriage. Do you know of any problems that they were having with it?
A. None that I'm aware of.
Q. Do you know of any problems with the carriage limit switch mounting or operation?
A. No. It would have been --- an

electrician would have installed it. You're talking about over-ride limit?
Q. Uh-huh (yes).
A. An electrician would have installed it. I'm not --- I'm not familiar.
Q. All right. On this print,

there's a note right here that the drop-offs were originally supplied with five-inch diameter rollers. Do you know if this particular unit had the five-inch diameter rollers or the six-inch diameter rollers?

A. Don't know.

Q. Do you know why they went from a five-inch to a six-inch diameter roller? Were they having bearing failures or ---?

A. I don't know.

Q. Okay.

A. To more clarify this, I can't tell you that those drop-off carriages actually came with this unit, because once we sell the unit, there's no telling where they get the

parts from. You know, if they --- if we sell it to this mine, they use it here and then they use it over here, and use it --- and I don't know that this was the case. But they could have possibly got another carriage unit from another mine and I don't know.

Q. All right. I know you're not an electrician but the --- according

to the print, the winch box has an enclosure thermostat that should be set at 100 degrees Fahrenheit. Are you aware of that?
A. No.
Q. You're not aware of any problems they had with the enclosure of the winch starter being so warm that it shut the winch off?
A. No. I'm not aware of a problem that they have --- had with the winch box shutting the unit down. And I don't even recall if it was this mine, but in the past, I have recalled knocking some dirt out of

some fan motors. So I --- you know, I don't know if it's any help to you at all.
Q. Okay. Had you ever been to the starter box for the winch for Nine headgate?
A. Yes.
Q. When you went to the starter box, did you have to go through a stopping, through a man door to get to that starter box? Was it enclosed?

A. I don't remember.
Q. Can the tension on the belt be adjusted?
A. Yes.
Q. Again, you wasn't at --- you wouldn't have any idea or have you heard of any problems where tension could have played a role in the problems?
A. I don't know.
Q. If a drop-off carriage was wrecked, could you continue running the belt?

A. I wouldn't. Whether they did or not, I don't know. Or whether they had one wrecked, I don't know. But I wouldn't.
Q. What kind of problems could that cause if you did continue to run the belt?
A. I'm thinking it would possibly cause a misalignment. Don't know that it would, but ---.
Q. Did you hear of any discussions about problems on the Nine headgate longwall belt while you were working on the Ten headgate belt?

A. Don't recall.
Q. When you came by Nine headgate on your way out on the 19th, do you recall if they were working on the belt?
A. Don't recall. I never --- I do recall not seeing anyone working on the belt, because I was in the mantrip and I never seen any lights of those that exited the mantrip to

open the doors.
Q. Do you recall if the belt was running ---
A. No.
Q. --- at that time? Were you aware of any problems at the Nine headgate that could have created any heat, just as far as what you heard people talk about?
A. Don't know of any. Myself, I don't know of any.
Q. Okay.

MR. COOK:

That's about all I've got.

BY MR. STAHLHUT:
Q. Okay. I got a question. Here

on the takeup unit, these drop-off rollers here on this print depicts three rollers here ---

A. Uh-huh (yes).

Q. --- is that correct? Do you know what was at the Nine headgate?

A. (Indicates no.)

Q. I'd like to have you ---.

ATTORNEY CARROLL:

What's your answer?

A. No. I don't know. I'm sorry.

BY MR. STAHLHUT:

Q. Why don't I just ---.

MR. STAHLHUT:

I want this picture here. I want to show him this picture. And this Aracoma picture --- this is Exhibit D Williams and it's Aracoma MMR060. It's a digital photograph picture of one of the carriage rollers.

(Williams Exhibit D marked for identification.)

BY MR. STAHLHUT:

Q. Does this carriage roller --- is this carriage roller --- does it

--- as best you can see here, does it depict the same rollers as here where it's got three rollers? Or does it look --- appear to be different?

A. From what I can see, it

appears there's only two rollers in this unit and you have a spreader bar ---

Q. Okay.

A. --- it appears on the bottom.

Q. That's what my impression was. I just wanted to know what you were seeing there. If I was seeing the same thing you were. That it is, then, different than what's depicted on this print here; is that correct?

A. That's what --- the best of my ability to look and see that you only have two rollers and a spreader bar on the bottom.

Q. Okay.

MR. STAHLHUT:

And here's another Exhibit. This is another picture of it to refer to. This is Exhibit E Williams. And this is Aracoma

MMR054.jpg. It's another digital picture that shows all the rollers stacked up in that

unit the way it was with the fire.

(Williams Exhibit E marked for identification.)

BY MR. STAHLHUT:

Q. But it may be a little better to judge the number of rollers there is what I'm asking there.

A. Still yet, I can only see two rollers.

Q. Right. Would there be a --- would lacing it in the opposite direction --- or would there be any reason that there would only be two rollers versus what the print showing the three rollers here, to your knowledge?

A. To my knowledge, I don t know, unless it would have been two lapse of belt versus three. I don't know.

Q. Okay. Does it appear that this type of dolly would be compatible with this unit, to your knowledge or is it something that's

been modified by the mine, or do you know?

A. I don't know.

Q. Okay. Do you know --- in your experience of working with the Continental equipment, are they normally supplied with three rollers like that or is that --- or is there different variations?

A. I don't know.

Q. Okay. Actually, I've got a few more questions here.

A. All right.

Q. We'll try to get through this. On the day --- do you know, were you on the mine at the 16th of January?

A. If I was, I'm not aware of it.

Q. Okay.

A. I don't recall.

Q. Okay. On the 19th when you were there, do you know if there was any belt removed from that storage on that day you were there on the 19th?

A. I'm not aware that there was.

Q. Okay. Do the trip levers

prevent the drop-off dollies from

moving backwards after the dolly unlatches, the trip lever posts?

A. No.

Q. Okay. What if a post is missing on one side? Are they fastened in --- first of all, let me back up and let's rephrase that first.

These drop-off posts, you said they dropped down into a hollow enclosure. Are they retained in that enclosure by any means?

A. If there is, I'm not aware of it.

Q. Okay. Then if one is missing for some reason, it's jerked out or whatever, what would happen if there's only one of them there?

A. One side would unlatch and the other side wouldn't.

Q. Okay. And would that cause a misalignment of the belt or could it cause a misalignment?

A. It's possible.

Q. Okay. Can the storage unit be installed with a winch on either end? Do you know?

A. The best of my knowledge, if

you put a winch on one end, you turn the whole unit around. That's the best of my knowledge.

Q. To the best of your knowledge. So if --- if we wanted to lace the belt in the opposite direction, then would Continental recommend that the winch --- that you would turn the whole thing around and not just reverse the direction of belt?

A. Don't know that Continental would recommend.

Q. Either way?

A. Either way.

Q. Okay. Could you visualize problems if you only partially installed it the way the drawing's intended where it was laced from the opposite direction, you know, entered the opposite direction?

A. I can't, but Don Hagy who

installs them on a frequent basis would be more apt to tell you one way or the other.

Q. Okay. When we referred back to the stiff legs over the rib to whatever the purpose they were used

here. And you said you would not recommend it, but you would recommend this anchorage here. Why would you not recommend anchorage --- or stiff legs over to ensure that it stayed stable with that? Was there a reason you would not recommend it?
A. I would suggest that if the stiff leg fell out, you know, there's all kind of different --- if they welded it, it may be okay. If it fell out, then you've got no more support. With fly pins, they're not going to fall out.
Q. Will these fly pins ---
getting back to these pins. These pins are anchored down into the mine floor; right?
A. That's correct.

Q. That's correct. Is this a ---
what kind of anchorage is that? Is it a --- are you familiar with what kind of anchorage is used when these are fastened down?
A. I don't really understand what you're trying to say.
Q. This is a bolt or some type of a mechanism that goes down in a hole

that's secured to the mine floor. Is it some kind of resin filled or is it some kind of an expansion shield that retains this thing in place or ---?
A. No. They're gravity dropped into the hole. The holes are drilled at a slight angle which would prevent --- they would have to remove 20 inches of rock to come out, to come forward, because they're at like a 22 and a half or so angle.
Q. Okay.
A. And you put a turn buckle onto it, you take the other one, roughly just estimate of 22 and a half, and you put another turn buckle on it, so

you're set --- to support it such as this at a total raise of 45.
Q. In that instance right there, if you had an accumulation of coal or something underneath the belt that was creating an upward force, could that cause these anchorage pins to lift up or disengage?
A. I can't see that it would.
Q. And why would that be?
A. At such force, you'd be

pulling up this direction, having to cause the fly pins to come forward to give them slack. I don't think you could take a piece of equipment and pick up on them and cause them to come loose in theory.

Q. Right. Because of the angle that the bolt's ---

A. Right.

Q. --- installed on? Were you there when they --- or did you observe how these were installed here? Were they in a vertical position or were they on an angle?

Do you know?

A. No, I don't know.

Q. Have you observed any of them installed at Aracoma Mine and were they installed this way on an angle or do you know?

A. I don't know.

Q. Okay. If one of these drop-off dollies come off of the rail, would it --- could it --- would it miss the latch post?

A. I don't know. It would depend on the severity of misalignment. And that latch plate is real wide, so I

suggest that more than likely it wouldn't if it was cocked. That it wouldn't miss its latch providing the latch post was there.

Q. Okay. What service would a coal company expect from your company when they purchase a new belt drive and/or takeup unit being installed underground?

A. If they needed me, they'd call me and I would suggest a tech, like

changing out a brake, but I don't install no carriages, no belt lines, no rollers. Anything that they can do themselves, is theirs.

Q. Okay. So if --- you wouldn't be --- the company wouldn't be involved in other portions that's not part of it, like a fire suppression system ---

A. No.

Q. --- or other things like that?

A. Right.

Q. Okay. What about guarding of belt drives and stuff like that, do you --- does Continental provide any of that or is that strictly --- does

the mine do all their own guarding --- provisions for guarding?

A. The mine does their own guarding. Some mines do it different than others. But they guard it. If it was an incident where I was to be there and I deemed that the way that they applied the guarding was hazardous or it wouldn't work, I'd

voice my opinion.

Q. And I guess the power supply for a belt drive, that would be the mine's responsibility or would that be Continental's on adequately sizing the transformer that supplies power to be adequately sized for the belt drive? Is that Continental? Do they make recommendations or does the mine do all that on their own? Do you know?

A. I don't know.

Q. Have you been underground at Aracoma since the mine fire?

A. Yes.

Q. What were you there for then or for what reason?

A. I was asked to come in and inspect a tailpiece bearing that

prior to the fire they had lost several bearings and so to give them the best of my knowledge of why I would think that something would go down or not go down, and it doesn't mean that it's fact, but if you've

got a bearing that's fouled on a tailpiece, if I remove all the bolts out of the whole tailpiece and happen to take chain ratchets --- of course, they remove the bolts, I tell them what to do. Take chain ratchets simultaneously pull the tail roller backwards. If the bearing is cocked, it will jump over to a neutral position, which tells me that it was installed wrong to start with. This particular one at Four tailpiece, I was asked by the chief electrician what my --- you know, to give him a remark of what I seen, what I thought. This one was installed correct. When I pulled it back, the tail roller, it came straight back, marking it. It came straight forward, which tells me that the bearing wasn't preloaded. Now, I

have no idea why the other ones had failed. I wasn't there. That was one installed correctly. That was the reason I was there after the fire

to look at Number Four tailpiece bearing.

Q. On this bearing here, does Continental bearings --- have you got one side that's floating and one side that's a fixed bearing? Or do you know?

A. That's correct.

Q. Which side is usually the fixed bearing, do you know?

A. No.

Q. So it could vary from however they're installed; is that correct?

A. That's correct.

Q. Was there any --- were you in the Nine headgate or Ten headgate area after the fire, do anything?

A. No.

Q. When you make recommendations, are they yours or are they yours and your company's or a combination of both, I guess I should say?

A. I would say that as high as 80 percent of them is mine, 20 percent's

the company's. To the best of my

knowledge, that's about as close as I can come.

Q. Okay. Have you heard what caused the fire at the mine on the 19th at Aracoma Mine?

A. Only people talking. Fact, no.

Q. Well, what did you hear? The people talking, did you hear anything there or anything in passing?

A. I heard a bearing went down. That's what I heard, that a bearing went down. The belt was crossing the bearing. The belt was then shut off and sat on the bearing and ignited.

Q. And which --- did they say specifically which bearing?

A. No.

Q. Do you know who you heard say this?

A. No.

Q. Okay. Have you heard any of any other fires on the belts at Aracoma Mine, any other installations?

A. I heard of a fire, but I don't know the detail about it. It was on a pinch roller pump, that's all I know.
Q. Do you have any idea what location this was in?
A. I don't know the location, no. I mean, if I told you, it'd only be speculating. I really don't know.
Q. Okay. So is there more than one location? Is there a pinch roller located at Aracoma Mine, other than the Nine headgate at the current time?
A. I don't know.
Q. Do you know if Continental supplied more than one, I guess?
A. I don't know.
Q. Okay. What kind of fire --- you said this was --- you heard this was on a pinch roller pump?
A. Pinch roller pump.
Q. You're talking about the pump on the hydraulic supply unit; is that correct?

A. That's correct.
Q. Do you have any idea what time frame this was or when you heard

this?
A. No.
Q. The first time you heard it?
A. After the Aracoma fire, it was rumored that there was a fire on a pump and they'd speculate different things and it was only like standby or listening, eavesdropping and I don't know details.
Q. Okay. And by this, you're talking about the pump, you're talking about the hydraulic pump for the pinch roller that's --- the pump that supplied the hydraulics to the motor on the pinch roller; is that correct, from what you understand you heard?
A. That's correct.
Q. Any other fires you heard of in there or anything specific?
A. Not that I'm aware of.
Q. What kind of training has

Continental provided you for working on these belt drives? Have they provided any kind of formal training?
A. I spent estimated three weeks with Paul Coots (phonetic), which is

one of their tech men in Kentucky on alignments, which is what I do, alignments. I've been in Faulk for a week, Faulk School, and after the whole class, the best I can say is don't mess with it unless you know what you're doing. That's what it amounts to. And I assured my boss on the alignments if I didn't know what I was doing, I wouldn't leave it. You know, I'll tell you if I know what I'm doing and I can do it. You can be sure that it will be right. If not, I'll tell you. We'll bring in reinforcement.

Q. Had you received any training on these sliding dollies, any formal training on those?

A. No.

Q. Okay. And it's just basically

your own knowledge and what you've observed at the mine and what you've observed working on the job?

A. Correct. And the dollies, installing the dollies. When the rails are put up, they're pretty well self-explanatory. If you leave the latches on the bottom, you can't set

them on the rails because the latches will prevent you from setting them on the rails. You have to slide them on the end of the rails to bypass the latches.

Q. When you heard of the fire on the 19th, heard people talking about it, did they say was it --- was it a dolly bearing --- a drop-off roller bearing? Was it a fixed bearing? Was it on the mobile bearing? Do you have which bearing they were referring to?

A. No.

Q. As a representative of Continental, if there's less than eight of these drop-off rollers

installed --- the drop-off carriage rollers, what concern would you have if there was less than eight of them installed on a Continental takeup?

A. It would depend on the total length of the storage unit because six may be sufficient providing that the length was smaller than norm. If even eight --- you know, I don't know what they had, but if even eight was

in there and the length was twice as long, you're still going to have belt come together. So I can't ---.

Q. So if you had the normal that's recommended on --- I think this print here, of --- I think it says, what, 228 feet. If you had an installation that was 228 feet and you only had six rollers, would that be a concern or could that be a concern?

A. Don't know. I can't see that it would for that short a distance.

Q. Does the tension on the belt have an effect on the drop-off roller

operation?

A. The tension on the belt have --- affect the drop-off rollers installation? The more tension that you have on the belt, if I can say that, then the further back the carriage will be pulled, the more drop-offs you'll have. If you have less tension, your storage unit will stay here. They'll be set like that.

Q. Okay.

A. That's not what you're asking.

Q. Okay. There's a constant

tension on the winch; ---
A. That's correct.
Q. --- right? So it's pulling it a certain amount of torque at all times.
A. Uh-huh (yes).
Q. If this amount of torque is lessened to where you've got less pull --- if the winch rope has got less pull on it, it's pulling less, will that affect the drop-off rollers?

A. I can't see that it would affect them unless you had such a less pressure that it would cause the belt to go up and down between the rollers. By then, you would probably have slipped out on your head.
Q. Okay. So in your experience, if you don't have adequate tension here, your slip switch on your drive --- you're going to have slippage --- you're going to have slack in the drive or slippage in the drive, which would cause it to shut the belt down; is that correct?
A. That's correct, providing it's

hooked up.
Q. Right. Did you discuss the cause of the fire or has anyone discussed the cause of the fire with you since the accident? I think you said you heard it was a bearing so is there anything else you heard about causes of the fire or was that from more than one person or ---?
A. No, I have not heard anything

else.
Q. Okay.
A. The first pictures I've seen was here.
Q. Has the mine contacted you with any concerns about the storage unit at the Nine headgate after its return to service? Have they contacted you as a representative of Continental with any concerns with the storage unit since the fire about do we need to do something different or any concerns they have with the installation? Was there anything done wrong? You following my question here?
A. I understand you now. No.
Q. When you're installing these

or when you were doing work at the mine, do you regularly work with Don Hagy?
A. A lot of times I do. Not directly with him. They'll give me two guys, which would be from his crew. He'll be doing installation on

the line. I'll be aligning the motor.
Q. Okay. So your primary responsibility, from what I heard you say, is aligning --- aligning the motors is your main reason for being at the mine; is that correct?
A. That's correct.
Q. After when he's --- say he's --- you're up there along in the motor, does he ever --- has he ever called you down to say come take a look at my belt takeup unit to see that it's installed correctly or that I'm doing it in a proper way? Does he refer to you or ask you questions on that?
A. I can't recall him asking me, but if he did, I'd be more than willing to voice my opinion. But I

can't recall him asking me.
Q. From your working with him, does he seem pretty knowledgeable on the proper installation of the belts for Continental ---

A. Yes, he does.
Q. --- or Continental supplies? Okay.
A. You're talking about the belt line?
Q. Yeah, the installation.
A. The storage unit, yes.
Q. The storage unit, the drive, you know ---
A. Yes.
Q. --- all that?
A. Yes.

MR. STAHLHUT:

Dan, do you have any more questions?

MR. COOK:

I have a couple more.

BY MR. COOK:
Q. In your eight years of experience, is it typical to see a lot of grease buildup around the storage units or the drives?
A. It's typical to see grease

buildup under a bearing because they
normally don't know if they have

adequate amount enough until they've
purged it. And they'll purge it and
it will accumulate. If I see that,
I'll say they're greasing the
bearing. If I see it dry, then I
would assume they're not. So your
answer's yes.
Q. Is it typical to see grease
piled up in excess of six inches
along the storage unit where the
bearings travel?
A. I can refer to different parts
but not exactly the storage unit, so
I can't elaborate on that. I don't
know.
Q. In your experience also, once
a storage unit is installed, have you
seen them get out of alignment?
A. I have, yes. Not at Aracoma
that I remember. I'm not saying it
didn't, but not at Aracoma that I
remember. I'm just thinking of an
issue where I was at where one did.
So it tells me that --- yeah.
Q. In your --- if you were on a

service call and you went by a storage unit and you saw that four of the eight sets of trip levers were damaged, were missing, would that raise concerns with you?

A. It would if they was at the point to where they was utilizing the drop-off carriages if the belt wasn't being pulled up to even need those. If you've got four that's gone here, this belt's in operation, they're not going to reach that. So it wouldn't concern me.

Q. But if the belt --- if they did completely load up the storage unit, it would be a concern?

A. Yes.

Q. What would be the results if more belt was allowed to accumulate in the storage unit if the unit was at its capacity of belt?

A. It'd slip.

Q. Slip.

A. Yeah.

MR. COOK:

That's all I have, Ron.

MR. STAHLHUT:

Okay.

MR. STAHLHUT:

One thing before I forget, will you sign and date this map because we've indicated you made an indication on here, and on this one as well. I don't think --- the others we don't have anything on it, so ---.

A. The 27th?

MR. STAHLHUT:

Yes, the 27th.

WITNESS COMPLIES

BY MR. STAHLHUT:

Q. One last question. The storage area here where you was talking about anchorage for the takeup units, would it make a difference if there's a lot of water traveling through this area on the --- on these anchorage bolts? Even though they're at an angle if you

would constantly add water in a wet area, could that compromise the anchorage or the alignment of this belt takeup where water was

continually running through the area?
A. It would depend on what you anchored them into. If you anchored them into loose soft rock, fireclay, it could be a factor. If it were in sandstone, it wouldn't.
Q. Do you have any idea what their anchorage is in that area of the Ninth --- of the mother drive there?
A. I don't.
Q. Okay.
MR. STAHLHUT:
I don't have any further questions right now. So we'll --- do you have anything else?
MR. COOK:
No.
MR. STAHLHUT:
Okay. Let me read you

the closing statement here.
ATTORNEY CARROLL:
Before we're finished, would you give me just a minute to talk to him ---
MR. STAHLHUT:
Sure.

ATTORNEY CARROLL:

--- see if he wants to clarify anything.

MR. STAHLHUT:

And I'll give you another opportunity, too.

ATTORNEY CARROLL:

Okay.

MR. STAHLHUT:

That's in part of this statement, too.

ATTORNEY CARROLL:

Okay.

MR. STAHLHUT:

But go ahead if you want to talk to him.

ATTORNEY CARROLL:

Yeah.

MR. STAHLHUT:

Do you want to go off the record?

ATTORNEY CARROLL:

Yeah. Just let me ---.

OFF RECORD DISCUSSION

MR. STAHLHUT:

On behalf of MSHA, I wish to thank you for

appearing here today and answering our questions and sharing your information about the mine. Your cooperation is very important to us as we work to determine the cause of the accident. If you wish, you may go back now over any answer that you have given during this interview and you may also make a closing statement covering any additional points you believe should be raised.

A. No. I can't think of any.

MR. STAHLHUT:

Okay. We would ask that you do not discuss your interview today with any person who may have already been interviewed or who may be asked to be interviewed to give a statement in the future. This will ensure that we obtain any unbiased opinion, you know, and an independent memory of the events surrounding this

accident. After questioning other witnesses and obtaining additional information, we may be asking you back for further questions.

If at some later point in time you have additional information regarding the accident that you would like to provide us, please contact our team leader, which is Mr. Kenny Murray, or his staff assistant, which is Anthony

Webb. And Anthony is sitting here behind here. Kenny had to leave momentarily. He was here at the beginning.

The Mine Act also provides certain protection for individuals who participate in accident investigations, so if you feel like you've been treated unfairly or someone's discriminating against you, you can contact one of them and they will take care of it.

Again, I want to thank you for your help. And do you have any clarifications or anything you'd like to present?

A. I do not.

MR. STAHLHUT:

Okay. Dan?

MR. COOK:

Mike, we do appreciate you coming today on behalf of the State of West Virginia.

The State of West Virginia also offers a similar protection against being treated unfairly or discrimination because of your testimony. If you have any problems, you can contact C.A. Phillips, our Deputy Director, or Bill Tucker. And thank you again for coming today.

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EXAMINATION CONCLUDED AT 12:33 P.M.

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