

STATEMENT UNDER OATH

OF

LONNIE SHORT

Taken pursuant to Notice by Miranda
D. Elkins, a Court Reporter and
Notary Public in and for the State of
West Virginia, at the MSHA Bridgeport
Field Office, 105 Platinum Drive,
Suite B, Bridgeport, West Virginia,
on Monday, February 20, 2006, at
9:04 a.m.

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A P P E A R A N C E S

JOSEPH R. O'DONNELL, JR.

Supervisory Coal Mine S&H Inspector

U.S. Department of Labor

Mine Safety & Health Administration

District 11

3867 Pine Lane, Suite 205

Bessemer, AL 35022

JOHN COLLINS

West Virginia Miners' Health, Safety

& Training

One South Tenney Drive

Buckhannon, WV 26201

DAVE STUART

1507 Stonehenge Road

Charleston, WV 25214

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

5

6 TIMOTHY S. WILLIAMS, ESQUIRE

7 U.S. Department of Labor

8 Office of the Solicitor

9 Mine Safety and Health Division

10 1100 Wilson Boulevard

11 Room 2211

12 Arlington, VA 22209-2296

13 COUNSEL FOR MSHA

14

15

16 MARCO M. RAJKOVICH, JR., ESQUIRE

17 Rajkovich, Williams, Kilpatrick &

18 True, PLLC

19 2333 Alumni Park Plaza

20 Suite 310

21 Lexington, KY 40517

22 COUNSEL FOR MR. SHORT

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P R O C E E D I N G S

MR. O'DONNELL:

My name is Joe
O'Donnell. I am an accident
investigator with the Mine
Safety and Health
Administration, an agency of
the United States Department
of Labor. With me is Tim

1 Williams from the Solicitor's
2 Office, John Collins and Dave
3 Stuart with the West Virginia
4 Office of Miners' Health,
5 Safety & Training.

6 I've been assigned to
7 conduct an investigation into
8 the accident that occurred at
9 the Sago Mine on January the
10 2nd, 2006 in which 12 miners
11 died and one was injured. The
12 investigation is being
13 conducted by MSHA and the West
14 Virginia Office of Miners'
15 Health, Safety & Training to
16 gather information to
17 determine the cause of the
18 accident. And these
19 interviews are an important
20 part of the investigation.

21 At this time, the
22 accident investigation team

1 intends to interview a number
2 of people to discuss anything
3 that may be relevant to the
4 cause of the accident. After
5 the investigation is
6 completed, MSHA will issue a
7 written report detailing the
8 nature and causes of the
9 accident. MSHA accident
10 reports are made available to
11 the public in the hope that
12 greater awareness about the
13 causes of accidents can reduce
14 their occurrence in the
15 future. Information obtained
16 through witness interviews is
17 frequently included in these
18 reports. Your statement may
19 also be used in other
20 enforcement proceedings.

21 I would like to thank
22 you in advance for your

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

14 This interview with Mr.
15 Lonnie Short is being
16 conducted under Section 103(a)
17 of the Federal Mine, Safety
18 and Health Act of 1977 as part
19 of an investigation by the
20 Mine Safety and Health
21 Administration and the West
22 Virginia Office of Miners'

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

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

19 Mr. Short, the
20 interview will begin by my
21 asking you a series of
22 questions. If you don't

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

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

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

1 and you may end your interview
2 at any time. If you need a
3 break for any reason, please
4 let me know.

5 A court reporter will
6 record your interview and will
7 later produce a written
8 transcript of the interview.
9 Please try and respond to all
10 questions verbally since the
11 court reporter cannot record
12 non-verbal responses. Also
13 try to keep your voice up.
14 Copies of the written
15 transcripts will be available
16 at a later time.

17 If any part of your
18 statement is based not on your
19 own firsthand knowledge, but
20 on information that you
21 learned from someone else,
22 please let us know. Please

1 answer each question as fully
2 as you can, including any
3 information you have learned
4 from someone else. We may not
5 ask the right question to
6 learn the information that you
7 have, so don't feel limited by
8 the precise questions asked.
9 If you have information about
10 the subject area of a
11 question, please provide us
12 with that information.

13 At this time, Mr.
14 Collins, do you have anything
15 that you would like to add on
16 behalf of the State of West
17 Virginia?

18 MR. COLLINS:

19 Yes. Mr. Short, the
20 West Virginia Office of
21 Miners' Health, Safety &
22 Training is conducting this

1 interview session jointly with
2 MSHA and are in agreement with
3 the procedures outlined by Mr.
4 O'Donnell for these interviews
5 that will be conducted here
6 today. But the Director
7 reserves the right, if
8 necessary, to call or subpoena
9 witnesses or require the
10 production of any records,
11 documents, photographs or
12 other relevant materials
13 necessary to conduct this
14 investigation. And I would
15 like to provide you with a
16 name and number if you have
17 additional comments or
18 questions. Thank you, Mr.
19 Short.

20 MR. O'DONNELL:

21 Mr. Short, are you
22 aware that you may have a

1 personal representative
2 present during the taking of
3 this statement?

4 MR. SHORT:

5 Yeah.

6 MR. O'DONNELL:

7 And do you have a
8 representative here today?

9 MR. SHORT:

10 Marco.

11 MR. O'DONNELL:

12 Has anyone suggested to
13 you that you use this
14 representative?

15 MR. SHORT:

16 No.

17 MR. O'DONNELL:

18 Are you aware that your
19 representative may have a
20 conflict of interest in
21 representing you while being
22 provided by someone else, such

1 as the company?

2 MR. SHORT:

3 Yeah.

4 MR. O'DONNELL:

5 Have you been pressured
6 in any way to accept this
7 person as your representative?

8 Mr. SHORT:

9 No.

10 MR. O'DONNELL:

11 Do you have any
12 questions regarding the manner
13 in which this interview will
14 be conducted?

15 MR. SHORT:

16 No.

17 MR. O'DONNELL:

18 Will you please swear
19 in Mr. Short?

20 -----

21 LONNIE SHORT, HAVING FIRST BEEN DULY
22 SWORN, TESTIFIED AS FOLLOWS:

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ATTORNEY RAJKOVICH:

Just for --- to begin,
I'm assuming everybody in the
room is part of the
investigative team; is that
correct?

MR. O'DONNELL:

Yes, they are.

ATTORNEY RAJKOVICH:

Okay.

MR. O'DONNELL:

Okay.

BY MR. O'DONNELL:

Q. Please state your full name
and spell your last name.

A. Lonnie Howard Short,
S-H-O-R-T.

Q. And would you please give us
your address and telephone number?

A. [REDACTED]
[REDACTED]

1 Q. Phone number?

2 A. [REDACTED]

3 Q. And are you appearing here
4 today voluntarily?

5 A. Yeah.

6 Q. How many years mining
7 experience do you have?

8 A. Since '80.

9 Q. And give us a brief
10 description of your coal mine
11 employment history.

12 A. I've always worked the face
13 area, section boss probably ten
14 years, shift foreman. That's pretty
15 close.

16 Q. Okay. How much time --- how
17 long did you --- have you spent at
18 Sago Mine?

19 A. Probably a year and a half.

20 Q. A year and a half. And what's
21 your present position there, Lonnie?

22 A. Weekend shift foreman.

1 Q. Have you had that position
2 since you've been there?

3 A. I was a boss for about half
4 that amount of time.

5 Q. And what did you do before
6 that?

7 A. Section bossed over at Spruce.

8 Q. Okay. So you were at Sago
9 Mine for a year and a half and you
10 said half the time at Sago you were a
11 boss?

12 A. Yeah.

13 Q. So what did you do the rest of
14 the time?

15 A. Shift foreman weekend.

16 Q. Okay. Have you held any other
17 positions at that mine?

18 A. Uh-uh (no).

19 Q. Okay.

20 ATTORNEY WILLIAMS:

21 Could you say yes or
22 no.

1 A. No.

2 ATTORNEY WILLIAMS:

3 She can't translate
4 nods of the head.

5 BY MR. O'DONNELL:

6 Q. Okay. And was that your
7 position on January the 2nd, ---

8 A. Yeah.

9 Q. --- 2006? Do you have any
10 mining certificates?

11 A. Just the underground foreman,
12 miner's card.

13 Q. West Virginia?

14 A. Yep.

15 Q. And any other states?

16 A. No.

17 Q. And who is your immediate
18 supervisor?

19 A. Either Jeff Toler or Carl
20 Crumrine.

21 Q. And have they been your
22 supervisor since you've been there?

1 A. No.

2 Q. Who was?

3 A. I've had probably five
4 superintendents.

5 Q. Okay. And what's your work
6 schedule?

7 A. Friday, Saturday and Sunday.

8 Q. And how many hours a day do
9 you work?

10 A. Right now, we're on two 13 and
11 a halves and 13.

12 Q. Did you work the holiday
13 before the accident?

14 A. Yep.

15 Q. And what days did you work?

16 A. All three.

17 Q. All three days. What kind of
18 work did you do during that time?

19 A. We loaded coal Friday.

20 Q. Okay.

21 A. Bolted on One Left Saturday,
22 ballast track on Sunday.

1 Q. Did you work on the day of the
2 accident?

3 A. No.

4 Q. You weren't even on mine
5 property?

6 A. No.

7 Q. Okay. During that time that
8 you worked on Sunday, what --- just
9 tell me what your activities were.
10 You said you were plowing ballast?

11 A. Yeah, I had two motormen
12 ballasting track and me and the
13 electrician fixed communication that
14 morning, fixed pump at 28 block on
15 Three belt, and got a pump running on
16 Two Left.

17 Q. Did you do any pre-shifts that
18 day?

19 A. No.

20 Q. Who did the pre-shifts?

21 A. My motorman.

22 Q. Who would that be?

1 A. Harold Baisden.

2 Q. And what exactly did he
3 pre-shift?

4 A. The track.

5 Q. All the track in the mine?

6 A. Yeah.

7 Q. And did he go any further than
8 the ends of the track?

9 A. I'm not sure if he went to the
10 power center or not.

11 Q. Okay. So you did go into the
12 Second Left section?

13 A. I did by myself.

14 Q. Okay. Did you go to the faces
15 by any chance?

16 A. No.

17 Q. How far did you go into the
18 section?

19 A. On break in by the power entry,
20 ---

21 Q. Do you ---.

22 A. --- power center.

1 Q. Okay. Do you remember the
2 location of any equipment?

3 A. There was one buggy there with
4 the nose of it in the water hole, one
5 break inby the power center.

6 Q. Okay. Do you remember where
7 the Damascus was parked?

8 A. No.

9 Q. Is the buggy the only piece of
10 equipment you recall?

11 A. Yeah, it arrived straight from
12 the power center.

13 Q. Okay. What about the end of
14 the track, was there anything at the
15 end of the track?

16 A. Probably a couple flat cars.

17 Q. And do you remember what's in
18 them?

19 A. I can't recall.

20 Q. Okay.

21 A. Supplies.

22 Q. What about --- do you remember

1 the location of any curtains in the
2 section?

3 A. Do what? Run it one more
4 time.

5 Q. The curtains, any of the
6 ventilation controls?

7 A. Probably in by me, there was a
8 set of flys.

9 Q. Which would be ---?

10 A. This in the power entry.

11 Q. That would be Number?

12 A. Six maybe.

13 Q. Number Six?

14 A. Or Five.

15 Q. Okay.

16 A. And toward the intake is a
17 curtain hung on top to my right.

18 Q. Which would be over in Number?

19 A. Probably between Seven and
20 Eight.

21 Q. Between Seven and Eight. Do
22 you remember anything out of the

1 ordinary in the section or in the
2 mine, period, that day?

3 A. No.

4 Q. Okay. About how long were you
5 in Second Left working on the pump?

6 A. Half hour.

7 Q. A half an hour. And who was
8 with you?

9 A. It was stopped up, I couldn't
10 get it, so I went down and got my two
11 motormen to help me.

12 Q. Okay. Did you do a
13 supplemental exam?

14 A. I took gas tests.

15 Q. And what were your findings?

16 A. None.

17 Q. Do you know if the power was
18 off that day? If any power was off,
19 what was energized and what wasn't
20 energized?

21 A. I had the pump running.

22 Q. Okay. So you had --- to the

1 boxes?

2 A. Yeah. I had the pump running.
3 We knocked it when we left on the
4 pump.

5 Q. Knocked it at the pump or the
6 box?

7 A. The breaker at the box, power
8 center.

9 Q. At the power center, okay.
10 About how long was your shift that
11 day?

12 A. Maybe six hours, seven.

13 Q. You say Friday was a coal day?

14 A. Yep.

15 Q. Where were you at --- Friday
16 was the last production day?

17 A. Yeah.

18 Q. And what section did you work
19 in?

20 A. All over, I was both sections.

21 Q. So you went into both
22 sections. Do you recall ---?

1 A. I tried to every day.

2 Q. Okay. Do you recall going
3 into the Second Left?

4 A. I'm not for sure, but I was
5 there. I always go to both sections
6 every day.

7 Q. Did you watch them mine?

8 A. Yeah.

9 Q. Then did you notice how much
10 methane was registered on a miner?

11 A. I've never seen more than .02,
12 something like that.

13 Q. While they were --- while they
14 were cutting?

15 A. Yeah. .2, two-tenths.

16 Q. Did you ever work in the old
17 Two Left section ---

18 A. Yeah.

19 Q. --- inby where the seals ---?

20 A. I was up there.

21 Q. Do you remember --- how much
22 of it do you --- how much were you

1 present --- how much of the mining
2 activity were you there for?

3 A. Every weekend we was there.

4 Q. So you --- from the mains when
5 it necked off to the left, you were
6 there the whole time?

7 A. Yep.

8 Q. So you were familiar with the
9 section?

10 A. Yep.

11 Q. Do you remember any abnormal
12 roof conditions?

13 A. We just had a lot of bad top.

14 Q. I have a picture here. It's
15 an area that was in the --- in fact,
16 I'm going to show you on the map here
17 where this is and if you can remember
18 --- this is Exhibit One. This
19 picture was taken in this area, 4010;
20 okay? Right here. So it would be
21 when you first necked off the
22 section. And here is a picture,

1 we'll call this Exhibit Two. This
2 was a picture of after the explosion
3 of some streaks in the roof. Do you
4 remember seeing anything like that
5 when you were mining?

6 (Short Exhibit One
7 marked for
8 identification.)

9 A. No.

10 BY MR. O'DONNELL:

11 Q. Have you seen anything like
12 that in the mine since you've been
13 working in the mine?

14 A. Not like that.

15 Q. What was it like?

16 A. What do you mean the top or
17 ---?

18 Q. Yeah. You said not like this.
19 But ---?

20 A. Most of it's where places fell
21 out or smooth.

22 Q. But I mean, stuff like this.

1 ATTORNEY WILLIAMS:

2 Meaning the lines, Joe?

3 MR. O'DONNELL:

4 Yes, the lines, marks
5 in the roof.

6 A. No.

7 BY MR. O'DONNELL:

8 Q. Never saw fossils or ---?

9 A. There's fossils there, like
10 leaves and stuff.

11 Q. But no straight lines?

12 A. Not that I recall like that.

13 ATTORNEY RAJKOVICH:

14 Can I interject
15 something, the picture looks
16 blue. Do you know what the
17 original color was of those
18 marks? Just to see if he's
19 seen anything like that
20 before.

21 MR. O'DONNELL:

22 It was just dark.

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ATTORNEY RAJKOVICH:

You can't tell.

MR. O'DONNELL:

I think it was slightly
blue, but not as profound as
that.

BY MR. O'DONNELL:

Q. Okay. What was the roof like
in the area, was it scaly or ---?

A. I mean, we had a lot of bad
top up there. We set brow bolts ---
I mean, brow extenders, or whatever
they call them.

Q. Yeah.

A. Cable bolt intersections and
at last, I think we screened every
entry, but I'm not sure.

Q. And why did you guys pull out
of there?

A. It's all water and bad top.
We was cable bolting every
intersection, 12 and 14s, 10s. Tens,

1 12s, 14s cable bolts.

2 Q. Now, after you were out of
3 that area and into the other section,
4 seals were built. Were you --- did
5 you ever examine or were you ever
6 around the area when the seals were
7 being built?

8 A. No.

9 Q. No you didn't examine them?

10 A. No.

11 Q. And what about during their
12 construction?

13 A. I was in holding the block in.
14 I know it took a bunch of Omega
15 block.

16 Q. And what was your involvement
17 with that?

18 A. Was hauling them in, getting
19 them off a flat car.

20 Q. Unloading them from the flat
21 car to the seal area?

22 A. No. We just unloaded them and

1 put them --- whenever we unload them
2 all, we put them down Number Seven
3 and Number Eight.

4 Q. So you just spotted them off
5 the track?

6 A. Just got rid of them.

7 Q. Okay. But as far as the area
8 preparation or construction?

9 A. No. They did it through the
10 week. I don't have no outby crews at
11 all.

12 Q. Okay. You're saying they. Do
13 you know who they were?

14 A. Probably their outby crew
15 through the week.

16 Q. You say that you worked on the
17 trolley phone.

18 A. I had to stop at --- it's
19 either one break outby Two Right or
20 Two. If there's a wreck or fire, you
21 got to set a breaker up, because it
22 wasn't working when I go to work that

1 morning, the trolley phone was.

2 Q. How did you know it wasn't
3 working?

4 A. Harold called me and told me,
5 said they didn't have --- had the
6 mine phone, but didn't have no
7 trolley.

8 Q. Okay.

9 A. And they never knowed the
10 breaker was there so I got with them
11 and showed them. It's like a 110
12 breaker.

13 Q. You took who with you?

14 A. I showed both the motormen on
15 the way out ---

16 Q. Okay.

17 A. --- where it was at.

18 Q. And did you have any problems
19 with the trolley phone after that?

20 A. No.

21 Q. And that --- was that the last
22 time you were in the mine?

1 A. Yep.

2 MR. O'DONNELL:

3 John?

4 MR. COLLINS:

5 To this point or

6 anything or ---?

7 MR. O'DONNELL:

8 Up to this point or

9 anything.

10 MR. COLLINS:

11 Okay.

12 BY MR. COLLINS:

13 Q. Mr. Short, on the weekend that
14 you worked prior to the explosion,
15 were you in the area of the Two Left
16 seals?

17 A. Yes, as close as I was to the
18 track at the curve, Two Left switch.

19 Q. And did you say you've never
20 been to the seals since they were
21 completed?

22 A. No.

1 Q. What about the ventilation
2 change that was made for those seals,
3 were you a part of that?

4 A. No.

5 Q. Do you know how the seals were
6 ventilated?

7 A. On a map I do.

8 Q. Did anyone express to you any
9 problems with the ventilation of the
10 seals?

11 A. No.

12 Q. Did anyone say anything to you
13 about how much methane was behind the
14 seals or at the seals?

15 A. I never really heard nothing
16 about them after. I asked them how
17 they ventilated them and they showed
18 me on the map.

19 Q. Do you know at the end of the
20 Four track if they were in the
21 process of constructing a new
22 underground shop?

1 A. I put an I-beam up.

2 Q. So you're pretty familiar with
3 that area?

4 A. Yeah.

5 Q. Was there any electrical
6 equipment, such as pumps, welders,
7 chargers being operated in the air
8 split that was ventilating the seals?

9 A. Maybe a scoop charger. In the
10 intake?

11 Q. That would have been in the
12 intake Number ---.

13 A. If that's what you're asking
14 me. But I'm not sure because ---.

15 Q. Okay. That intake is Seven,
16 Eight and Nine entry?

17 A. Should be. I don't know if
18 we've run Eight up through there or
19 Nine entries for sure.

20 Q. Do you know of a ventilation
21 change that was made to Number Seven
22 and Number Eight entry of the mains

1 just inby that shop, proposed shop?

2 A. No.

3 Q. Mr. Short, you've worked at
4 the mine quite a bit and been pretty
5 involved in all aspects of the mine,
6 I know that. And do you have any
7 idea of what may have happened on
8 January the 2nd?

9 A. Just what I've heard.

10 Q. You had a knowledge of
11 methane?

12 A. Yeah.

13 Q. And the explosive range of
14 methane and that you're required to
15 have an ignition source. Do you have
16 any idea what the ignition source may
17 have been?

18 A. No.

19 Q. I think you told Mr. O'Donnell
20 earlier that you worked in the old
21 Two Left ---

22 A. Yeah.

1 Q. --- which is the area we
2 sealed. And you pulled out of there
3 because --- one of the reasons was a
4 lot of water.

5 A. A lot of running sap, the last
6 two months.

7 Q. And did --- was there a
8 de-watering pipe installed in the
9 face area of the old Two Left?

10 A. We had --- where we quit we
11 had three-inch, new three-inch pipe,
12 face Three.

13 Q. Face of Number Three.

14 A. It got so bad up there, we
15 kept dropping entries, so I don't
16 know. It may have been right in the
17 belt entry. It was either that or to
18 the Left One break.

19 Q. And was that pump maintained
20 as you retreated back off of that
21 section?

22 A. They was supposed to have

1 brought it out. Whenever we come
2 back on Friday, they done started out
3 of there and the cable and the
4 waterline was gone.

5 Q. The cable going to that pump
6 was gone?

7 A. Yeah.

8 Q. This is when you showed back
9 up on a Friday. Do you remember what
10 date that was?

11 A. No.

12 Q. Do you remember how far off
13 the section you had retreated or from
14 the faces outby you had retreated?

15 A. It was probably --- I think I
16 had to leave one break. It was
17 probably two breaks back.

18 Q. How do you know the pump cable
19 was retrieved or ---?

20 A. Because it hung up. The power
21 entry wasn't there no more.

22 Q. And so was this --- you

1 observed this when the section had
2 been moved out of the old Two Left
3 mains and back up into the Two north
4 mains?

5 A. No. Whenever we was coming
6 there, it was just gone, one belt
7 move at a time, one break mainly.

8 Q. So as far as you know then,
9 you did not maintain that pump?

10 A. It was gone.

11 Q. What about ventilation changes
12 to the old --- to old Two Right that
13 were made by John and by James Scott,
14 Chip --- Skip?

15 A. I know Skip.

16 Q. Skip.

17 A. I never knew his name.

18 Q. That was made about December
19 the 11th. Do you know anything about
20 that, Lonnie?

21 A. No. Is that on a weekend?

22 Q. No. I think that would be

1 made during the week probably.

2 A. I didn't know.

3 Q. So if they changed the
4 ventilation on Two Right, you didn't
5 know anything about it?

6 A. No.

7 Q. Do you know where I'm talking
8 about on Two Right, the little
9 section ---?

10 A. The one we started for Four or
11 Five.

12 Q. Uh-huh (yes). Do you know how
13 that's ventilated?

14 A. Not positive about it.

15 Q. The weekend you worked before
16 the explosion, Lonnie, did Carl
17 Crumrine discuss any ventilation
18 changes with you when you showed up
19 for work on Friday?

20 A. No. I don't even know if he
21 was there Friday, not for sure.

22 Q. Do you know of any equipment

1 that we may have left in old Two Left
2 or Two northeast mains from the seals
3 inby?

4 A. No.

5 MR. COLLINS:

6 I think that's all I
7 have right now, Lonnie. Thank
8 you.

9 BY MR. O'DONNELL:

10 Q. That was my next question and
11 you asked it. Is there anything
12 you'd like to add, anything that you
13 think may be pertinent to the
14 investigation?

15 ATTORNEY RAJKOVICH:

16 Could we take a little
17 break?

18 MR. O'DONNELL:

19 As soon as we're ---
20 yes, as soon as he answers.

21 ATTORNEY RAJKOVICH:

22 I mean, are you done?

1 MR. O'DONNELL:

2 Not yet, no.

3 ATTORNEY RAJKOVICH:

4 Okay.

5 A. Repeat again.

6 BY MR. O'DONNELL:

7 Q. I said is there anything you'd
8 like to bring up or add or ---?

9 A. No. I'm good so far.

10 MR. O'DONNELL:

11 All right. We'll take
12 a short break.

13 SHORT BREAK TAKEN

14 BY MR. O'DONNELL:

15 Q. Before we begin, Mr. Short, is
16 there anything you'd like to comment
17 on?

18 A. No. I'm good so far.

19 ATTORNEY RAJKOVICH:

20 Did you want to talk
21 about that charger?

22 A. If there was a charger in the

1 intake where you all asked me, I
2 ain't sure if that air ventilated
3 from seals or not. I'm not positive.

4 BY MR. O'DONNELL:

5 Q. Okay. Do you remember when
6 your last annual retraining class
7 was?

8 A. Sometime in the fall.

9 Q. Fall of 2005?

10 A. Yeah.

11 Q. And did you have any SCSR
12 training at that time?

13 A. Yeah.

14 Q. Did you have to put it on?

15 A. I'm pretty sure they made us
16 all do that before they'd let us go,
17 take it apart, put it on.

18 Q. Do you feel the training was
19 good?

20 A. Yeah.

21 Q. What do you think you'd like
22 to add to that training, if you

1 could?

2 A. I'd have to think about it.

3 Q. Have you ever been searched
4 for smoking articles?

5 A. Yes.

6 Q. And have you observed anyone
7 else smoking underground in the mine?

8 A. No.

9 Q. Have you ever found any
10 smoking articles in the mine ---

11 A. No.

12 Q. --- at Sago? Has anyone
13 offered you anything or made a
14 promise to you in exchange for your
15 appearing here today?

16 A. No.

17 Q. Do you have anything you'd
18 like to add that may be relevant to
19 the investigation?

20 A. No.

21 MR. O'DONNELL:

22 Mr. Collins, do you

1 have any follow-up questions?

2 MR. COLLINS:

3 I would just like to
4 offer you the opportunity,
5 Lonnie, if you have anything
6 you'd like to discuss
7 concerning this explosion or
8 if you have any information
9 that you'd like to provide us.

10 A. I don't know that I have any
11 that will help you or not.

12 BY MR. O'DONNELL:

13 Q. If you have information, just
14 say it.

15 A. I don't really have none.
16 Just what I've heard. You all have
17 heard the same thing from the men.

18 Q. What would that be?

19 A. They tell me that they think
20 lightning caused it. That's about
21 it.

22 Q. Okay.

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MR. O'DONNELL:

On behalf of MSHA, I want to thank you for appearing and answering questions today. Your cooperation is very important to the investigation as we work to determine the cause of the accident.

We ask that you not discuss your testimony with any person who may have already been interviewed or may be interviewed in the future. This will ensure that we obtain everyone's independent recollection of the events surrounding the accident. After questioning other witnesses, we may call you if we have any follow-up questions that we feel we may

1 need to ask you. If at any
2 time you have additional
3 information regarding the
4 accident that you'd like to
5 provide to us, please contact
6 us at the contact information
7 that we gave you earlier.

8 The Mine Act provides
9 certain protections to miners
10 who provide information to
11 MSHA, and as a result, are
12 treated adversely. If at any
13 time, you believe that you've
14 been treated unfairly because
15 of your cooperation in this
16 investigation, you should
17 notify us immediately.

18 If you wish, you may
19 now go back over any answer
20 you have given during the
21 interview and you may also
22 make a statement that you

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would like to make at this
time.

A. I don't have none.

MR. O'DONNELL:

Okay. We would like to
thank you for your
cooperation. Thank you.

* * * * *

SWORN STATEMENT

CONCLUDED AT 9:44 A.M.

* * * * *

Scale: 1" = 100'

Area Shown on Map
Scale: 1" = 50'

