

0001

1 STATEMENT UNDER OATH
2 OF
3 JOHN HALL
4

5
6 Taken pursuant to Notice by Miranda
7 D. Elkins, a Court Reporter and
8 Notary Public in and for the State of
9 West Virginia, at the U.S. Bankruptcy
10 Court, 324 West Main Street,
11 Clarksburg, West Virginia, on Friday,
12 March 24, 2006, at 1:31 p.m.
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1 A P P E A R A N C E S
2

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23
24
25

0003

1 A P P E A R A N C E S (cont.)
2

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P R O C E E D I N G S

1
2 -----
3 MR. O'DONNELL:
4 My name is Joe
5 O'Donnell. I'm an accident
6 investigator with the Mine
7 Safety and Health
8 Administration, an agency of
9 the United States Department
10 of Labor. With me is Bob
11 Wilson from the Solicitor's
12 Office, Mike Rutledge and Dave
13 Stuart with the West Virginia
14 Office of Miners' Health &
15 Safety & Training.
16 I've been assigned to
17 conduct an investigation into
18 the accident that occurred at
19 the Sago Mine on January the
20 2nd, 2006, in which 12 miners
21 died and one was injured. The
22 investigation is being
23 conducted by MSHA and the West
24 Virginia Office of Miners'
25 Health, Safety & Training to

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1 gather information to
2 determine the cause of the
3 accident. And these
4 interviews are an important
5 part of that investigation.
6 At this time, the
7 accident investigation team
8 intends to interview a number
9 of people to discuss anything
10 that may be relevant to the
11 cause of the accident. After
12 the investigation is

13 completed, MSHA will issue a
14 written report detailing the
15 nature and causes of the
16 accident. MSHA accident
17 reports are made available to
18 the public in the hope that
19 greater awareness about the
20 causes of accidents can reduce
21 their occurrence in the
22 future.

23 Information obtained
24 through witness interviews is
25 frequently included in these

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1 reports. Your statement may
2 also be used in other
3 enforcement proceedings.
4 I'd like to thank you
5 in advance for your appearance
6 here. We appreciate your
7 assistance in this
8 investigation. The
9 willingness of miners, mine
10 operators and state agencies
11 to work with us is critical in
12 our goal of making the
13 nation's mines safer. We
14 understand the difficulty for
15 you in discussing the events
16 that took place, and we
17 greatly appreciate your
18 efforts to help us understand
19 what happened.

20 This interview with Mr.
21 John Hall is being conducted
22 under Section 103(a) of the
23 Federal Mine Safety & Health
24 Act of 1977 as part of an
25 investigation by the Mine

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1 Safety and Health
2 Administration and the West
3 Virginia Office of Miners'
4 Health, Safety & Training into
5 the conditions, events and
6 circumstances surrounding the
7 fatalities that occurred at
8 the Sago Mine owned by
9 International Coal Group in
10 Buckhannon, West Virginia on
11 January the 2nd, 2006.

12 This interview is being
13 conducted at the U.S.
14 Bankruptcy Court in
15 Clarksburg, West Virginia on
16 March 24th, 2006. Questioning
17 will be conducted by

18 representatives of MSHA and
19 the Office of Miners' Health,
20 Safety & Training.

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

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

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

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

0011

1 A court reporter will
2 record your interview and will
3 later produce a written
4 transcript of the interview.
5 Please try and respond to all
6 questions verbally since the
7 court reporter cannot record
8 nonverbal responses and also,
9 try to keep your voice up.
10 Copies of the written
11 transcripts will be available
12 at a later time.

13 If any part of your
14 statement is based not on your
15 own firsthand knowledge, but
16 on information that you
17 learned from someone else,
18 please let us know. Please
19 answer each question as fully
20 as you can, including any
21 information that you've
22 learned from someone else. We

23 may not ask the right
24 questions to learn the
25 information that you have, so

0012

1 do not feel limited by the
2 precise question asked. If
3 you have information about the
4 subject area of a question,
5 please provide us with that
6 information.

7 At this time, Mr.
8 Rutledge, do you have
9 anything that you'd like to
10 add on behalf of the State of
11 West Virginia?

12 MR. RUTLEDGE:

13 Yeah, John. I have to
14 tell you that the West
15 Virginia Office of Miners'
16 Health, Safety and Training is
17 conducting this interview
18 session jointly with MSHA. We
19 are in agreement with the
20 procedures outlined by Mr.
21 O'Donnell for the interviews
22 that will be conducted today.
23 The Director, of course, does
24 retain the right or reserve
25 the right, if necessary, to

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1 call or subpoena witnesses or
2 require the production of any
3 record, document, photograph
4 of other relevant materials
5 necessary to conduct this
6 investigation. You know the
7 chain of contact if you have
8 any questions. Thanks.

9 MR. O'DONNELL:

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

14 MR. HALL:

15 Yes, I'm aware.

16 MR. O'DONNELL:

17 Do you have a
18 representative with you today?

19 MR. HALL:

20 No, I do not.

21 MR. O'DONNELL:

22 Okay. Would you please
23 swear in Mr. Hall?

24 -----
25 JOHN HALL, HAVING FIRST BEEN DULY

0014

1 SWORN, TESTIFIED AS FOLLOWS:

2 -----

3 BY MR. O'DONNELL:

4 Q. Please state your full name
5 and spell your last name for us.

6 A. John Michael Hall, H-A-L-L.

7 Q. And your address and telephone
8 number, please.

9 A. [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 Q. Are you appearing here today
14 voluntarily?

15 A. Yes, I am.

16 Q. And Mr. Hall, what's your
17 present position?

18 A. I work for the State of West
19 Virginia as an electrical inspector.

20 Q. And how long have you worked
21 at that position?

22 A. Since November of 2003,
23 approximately two and a half years.

24 Q. And who is your immediate
25 supervisor?

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1 A. It'd be Brian Mills.

2 Q. Brian Mills, okay. Just
3 explain --- just, if you would,
4 please, tell us from the time that
5 you were notified of the explosion at
6 Sago, what your role was through the
7 --- January 3rd.

8 A. Monday, of course, was the
9 2nd. At approximately 9:30, Jeff
10 Bennett phoned me on a cell phone and
11 made me aware of what had gone on at
12 Sago, and he told me that the mine
13 rescue team was being called to
14 gather there and respond to a
15 situation. So of course, I
16 immediately started packing some
17 clothes. Probably within 15 minutes
18 I was en route.

19 So I drove to Sago Mine site,
20 which I had never been to before, but
21 Jeff had briefly given me some
22 instructions on how to get there, so
23 it was pretty easily found. I
24 arrived at the mine at approximately
25 11 o'clock, maybe a little bit after

0016

1 11:00 and went into the parking lot.
2 And I immediately went into the
3 inside of the office in there, which
4 I seen Brian Mills and Mark Wilfong
5 and they pretty much briefed me,
6 updated me, shown me the map of the

7 mine. I had never been to the mine
8 before, so I really wasn't aware of
9 anything about the mine. So they
10 gave me a briefing on the situation,
11 what they knew so far and what had
12 --- what events had happened that
13 they know of, you know, to be true so
14 far.

15 And at that point, they had
16 asked me to look over the electrical
17 maps and some of the electrical books
18 to see that we had an accurate map of
19 the electrical installations and go
20 over it with one of the Sago Mine's
21 employees. Actually, one of the
22 electricians confirmed that this is
23 where this pump's at, this is where
24 this power center's at, things of
25 that sort, so that we made sure that

0017

1 we had an accurate map so that the
2 rescue teams going in there, you
3 know, were aware of exactly what we
4 were going to find.

5 I was told by Mr. Rutledge ---
6 well, once I was told that the mine
7 rescue truck arrived, which was
8 probably about two o'clock, once it
9 arrived I immediately went out to the
10 mine rescue truck and it was decided
11 then that I would be one of the first
12 teams to go in, or with one of the
13 first teams, myself and Barry
14 Fletcher.

15 So we started working on our
16 apparatuses while some of the other
17 rescue team members were setting the
18 truck up, things of that sort, so we
19 were preparing them to go
20 underground, testing them, things of
21 that sort, and dressed ready to go
22 for that. And at that point, we were
23 --- you know, it probably takes about
24 a half hour to get a machine, you
25 know, benched and ready to go

0018

1 underground. And at that point, we
2 were pretty much ready to roll and
3 told that, you know, that we were
4 going to start the rescue part. At
5 that --- you know, they kept bringing
6 in samples of air samples, things of
7 that, until the decision was made.

8 At approximately 5:30, maybe
9 the first team went underground,
10 which was --- Mr. Fletcher was our
11 State person that went with that

12 team. Robinson Run Team --- there's
13 two Robinson Run Teams. He went with
14 the first team. I went in with the
15 second team, which was about an hour
16 later.

17 So at about 6:30, I think is
18 about what time I went underground.
19 Our assignment when we were briefed
20 before going underground was to ---
21 we were going to go into the first
22 power box. It was decided that there
23 was a pumping return that had to be
24 maintained and run as soon as
25 possible. If not, it would disrupt

0019

1 any kind of ventilation. So we were
2 to go in there, check all --- explore
3 all the areas around the power box
4 and the pump. We were to disconnect
5 power going in by from that and when
6 that was established, we went up and
7 energized that box and started that
8 pump, and then proceeded on exploring
9 on in.

10 I probably worked that evening
11 'til, I'm going to say, midnight, one
12 o'clock. I don't know exactly what
13 time I got out of the mine. And
14 probably about one o'clock, I was
15 relieved by other teams that were
16 advancing. At that time, we were
17 along Three belt, I think is where we
18 were, about the time that I came
19 outside, yeah. So I probably got
20 outside about one o'clock. I
21 probably left the mine site that
22 morning at about 3:00. I stayed with
23 the hotel in Weston.

24 I returned to the mine on
25 Tuesday morning. 10:30, 11:00

0020

1 o'clock a.m. I was told, I would ---
2 they showed us a schedule that I was
3 scheduled to go in with one of the
4 afternoon shift crews. So I arrived
5 at the mine at about probably at
6 10:30 or 11:00. I went over the
7 apparatus, things of that sort, just
8 prepared everything for when I was to
9 go underground.

10 Approximately about two
11 o'clock, I think going underground.
12 I went underground with Enlow Fork
13 Team, one of Consol's mine rescue
14 teams. We were briefed before going
15 underground where the fresh air base
16 was, what events they found, you

17 know, things that had happened
18 throughout the night. Went
19 underground at about two o'clock and
20 was at the fresh air base.
21 And I think it was the Bailey
22 Team was exploring and the federal
23 inspector, Ron Hicks was his name, I
24 heard him holler back to the fresh
25 air base, which the fresh air base

0021

1 was only probably three blocks away
2 from where --- maybe four blocks away
3 from where he was. He said that we
4 have found an item and we need to get
5 a state inspector up here to look at
6 this, see what we're ---. So he
7 wanted --- so I went up. They knew
8 that I had, before going underground,
9 I had made --- myself and Barry
10 Fletcher, we had made some tags that
11 we were going to put on the victims
12 they found and identify the person
13 with the place of where it was found
14 in case, you know, if we could move
15 the body out of the way. We were
16 told to tag the body and the area
17 right next to it, whether it be a
18 roof bolt or spad or whatever. When
19 we find someone and document it on a
20 map exactly where it was at, to, you
21 know, disturb it as little as
22 possible.

23 And so Mr. Hicks had hollered
24 and told --- I heard him say that,
25 you know, that there's --- that they

0022

1 had found a victim. So I walked ---
2 proceeded up to that area, which like
3 I say, was three or four blocks. And
4 we seen one of the employees that was
5 laying face up on the ground in the
6 track entry.

7 How much of a description do
8 you want of what I seen? You know, I
9 put a tag on him, felt that he was
10 cold and stiff. There was no signs
11 of any kind of life within. And at
12 that point, I put the tags that we
13 had planned on and I think I even
14 took a piece of chalk and marked on
15 the rib an arrow in case we was to
16 move. I knew it was a place where
17 the rescue teams was going to have to
18 walk past here as we advanced looking
19 on for the other employees of the
20 coal mine. And so myself and Barry
21 Fletcher actually took a piece of

22 line curtain that was laying a block
23 back and brought it up and covered
24 the gentleman. And we went on
25 exploring. That's pretty much what

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1 we had done. We looked around the
2 there, try not to disturb anything
3 and went on to look exploring.
4 At that point, I went with the
5 Enlow Fork Team. We explored the
6 areas around the seals, which was a
7 suspect place anyway. So we had
8 confirmed that all nine or ten seals
9 had been destroyed and confirmed
10 where they were, you know, spad wise
11 that we knew we were in the right
12 place. And we were told to, after
13 that, to proceed up the track entry.
14 We went around to where the
15 overcast had been blowed out and was
16 approximately about Number, I'm going
17 to say, Ten block maybe, we could see
18 the mantrip up ahead of us. It was
19 probably at Eight block. We could
20 see two blocks ahead. You could see
21 the mantrip parked on the track. Of
22 course, we called fresh air base and
23 told them, they called outside and
24 they said go see what you can see,
25 you know. So we proceeded to there

0024

1 and when we got to the mantrip, we
2 found no persons onboard. There was
3 a dinner bucket on the mantrip. We
4 did look inside the bucket to see if
5 there was any kind of a note or
6 anything there to tell us anything
7 that would be of any help to us.
8 Could find nothing, put the lid back
9 on the bucket. Asked --- I think
10 fresh air base told us we could go
11 like two more blocks inby just to
12 look and we were looking for
13 footprints, anything like that.
14 We went inby two blocks and
15 then were told to go back out the
16 intake escapeway. So we proceeded
17 over into the intake and walked back
18 outside maybe one block, because I
19 think at Eleven block is where we
20 actually seen the packaging for the
21 12 self-rescuers. We called out and
22 told them that we had found the
23 packaging for them. They want us to
24 recount, make sure how many packaging
25 we found, tops and bottoms of these

0025

1 SCSR-100s. There was 12 in 12 little
2 piles. We looked --- told to pay
3 attention to footprints and things of
4 that. At that point, we --- it
5 looked like there was footprints
6 toward the outside, so we were
7 instructed to come back out that
8 intake escapeway and look really
9 close at some things, because we
10 really hadn't tied that last part in
11 yet anyway. So we came back, clear
12 back, through there to the --- and
13 tied it clear back into the fresh air
14 base. Time-wise on these, I don't
15 really know what time of the evening
16 it was. You know, I think we found
17 Mr. Helms at 5:30 or something like
18 that. So you know, this was probably
19 --- probably a couple hours had
20 passed since then by the time we
21 looked for the seal areas.

22 We went back to the fresh air
23 base and at that point, I'm pretty
24 sure with oxygen checks that were
25 told to change out teams, because we

0026

1 were --- there was --- you know, you
2 always go by the low man, so there
3 was a couple apparatuses that were
4 low enough that they thought to
5 explore any further toward the face,
6 that it needed to be the other team.
7 So at that point, it was pretty much
8 the backup team back down at the
9 fresh air base and another team had
10 went inside inby the area from where
11 the bus was.

12 So I think I went with that
13 team back up though I did, because my
14 bottle wasn't --- I went back up with
15 that team and explored probably
16 another six blocks inby this portal
17 bus, something like that, probably
18 like at 16 block, something like
19 that. I had been to the track, was
20 supposed to have been 24, something
21 like that. But I went as far as ---
22 that's as far as inby on the Two Left
23 section that I had ever --- in fact,
24 had ever been. I never went any
25 further after that.

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1 At that point with the
2 apparatuses, we come back out the
3 fresh air base and traded out teams.
4 Approximately, I want to say, 10:30,
5 something like that, because I then

6 proceeded to the outside, you know,
7 ride the mantrip out. I got on the
8 surface at about 11:30. So that's as
9 far as --- you know, at that point, I
10 was just exhausted and I think I left
11 the mine site not 'til the following
12 morning. Of course, at that ---
13 about 20 minutes later is when I had
14 heard that they had found the bodies
15 and --- you know, so we stuck around
16 there to see if they was going to
17 need any help for anything else, you
18 know. And I stayed at the mine site
19 until they were all brought outside.

20 Q. Okay. Thanks. When you were
21 over in the intake escapeway and
22 found the area where the
23 self-rescuers were --- obviously were
24 donned, ---

25 A. Yes, sir.

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1 Q. --- how far out the intake
2 escapeway did you go? And what
3 caused you to stop?

4 A. We had --- when we were at the
5 portal bus, of course, we looked for
6 self-rescuers and there was no sign
7 of anybody or anything, other than
8 the one dinner bucket that was left
9 behind. We were given permission to
10 go probably --- I think maybe it was
11 two blocks inby that area or a little
12 bit further maybe. And at that
13 point, we went as far as we were told
14 we were allowed to go and I don't
15 know if it was because of 1,000-foot
16 rule or communications, whichever it
17 was. But at that point, they wanted
18 us to tie --- I think it was to tie
19 in an area that we had not tied in
20 completely, because actually the
21 rescuer tops, I don't know that they
22 were actually in the intake
23 escapeway. I think they were in the
24 entry right next to it. It wasn't
25 the intake escapeway that was marked.

0029

1 There may have been two entries or
2 something there.

3 Q. Okay.

4 A. Because I'm trying to think
5 because some walls were disturbed and
6 stuff. It was the entry next to the
7 track, but --- it was the intake
8 escapeway but not the one I think
9 that had the reflectors in it. I
10 think it was a common entry with the

11 one with the reflectors. So we went
12 as far as --- we had permission to go
13 to, like, 12 block. And I think they
14 said, well, that's as far as we want
15 you to go right now, so we turned and
16 come back but they said on your way
17 back, we want you to come back down a
18 different entry.

19 Q. Okay.

20 A. And that's when we came on to
21 the tops and bottoms, packaging of
22 their self-rescuers.

23 Q. And from that evidence, you
24 believed that the miners traveled
25 outby or ---?

0030

1 A. This is an entry that you have
2 to walk on a weekly basis, so there
3 was several footprints.

4 Q. Okay.

5 A. There looked like there was
6 more fresh looking footprints heading
7 toward the outside than there was the
8 other way. And that was something we
9 discussed between the team members
10 there. You know, we were looking
11 really hard trying to determine and
12 we thought that it looked like there
13 was a lot more tracks going toward
14 the outside.

15 Q. Okay. So how far did you go
16 down that --- how far did you examine
17 the back wall?

18 A. Toward the outside?

19 Q. Yeah.

20 A. I think maybe clear back to
21 the fresh air base.

22 Q. Okay. So you just made that
23 loop down around?

24 A. Yes.

25 Q. That's correct.

0031

1 A. Yes. To the best of my
2 memory, yes, that's how we had done
3 it.

4 Q. At any time during your
5 exploration, were you --- did you
6 have to put your apparatus on?

7 A. Oh, yeah.

8 Q. I mean, ---.

9 A. You mean as far as donning the
10 ---?

11 Q. Uh-huh (yes).

12 A. Yes. Yes. When we were
13 exploring up around the --- I
14 probably put the face mask --- donned
15 the apparatus when we were around the

16 seal area, because of the CO content.
17 Q. Okay. So was --- at other
18 times when you were doing some
19 exploration work, did you have to
20 wear your apparatus?
21 A. No.
22 Q. So it was ---?
23 A. I was bare-faced until the
24 second day.
25 Q. Okay. Until you got to the

0032

1 seal area?
2 A. Yes, that's correct.
3 Q. And the reason why you had to
4 put your --- what type of apparatus
5 did you wear?
6 A. We got BG-4s.
7 Q. So what caused you to put your
8 BG-4 on? What was the ---
9 A. The levels?
10 Q. --- air quality?
11 A. It was CO content is what it
12 was, and I really don't recall ---
13 Q. Okay.
14 A. --- what the actual reading
15 was at that time. It's just that,
16 you know, we had CO levels that said
17 we had to put them on. You know, we
18 went really inby ventilation, you
19 know, and that's ---.
20 Q. Right. Now, when you came
21 back from that exploration and then
22 headed up the Two Left track, you
23 said you went back in again because
24 you weren't low on oxygen, you could
25 travel another number of blocks. Was

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1 any --- did you have to ---?
2 A. That was actually with a
3 different team. It wasn't with the
4 Enlow Fork Team.
5 Q. Okay.
6 A. Their apparatuses were reading
7 lower; okay? And I went back in with
8 --- and it was the Bailey Team, I'm
9 pretty sure, that explored on past
10 the portal bus.
11 Q. And did you have to put your
12 apparatus on ---
13 A. Yes.
14 Q. --- at that time?
15 A. Oh, yes.
16 Q. You did?
17 A. Yes.
18 Q. And it was because of the
19 increased levels of ---?
20 A. Yes. CO.

21 Q. Okay. It was CO.
22 MR. O'DONNELL:
23 Mike?
24 MR. RUTLEDGE:
25 One second, please.

0034

1 BY MR. RUTLEDGE:
2 Q. John, when you went up the
3 track entry and found this portal ---
4 or the mantrip, what was your
5 estimation of where it was located,
6 at Ten block or 11 block or
7 something?
8 A. Ten block was what I --- I'm
9 thinking Ten block.
10 Q. Okay. And of course, you said
11 you looked it over for any evidence.
12 The only thing you found was a dinner
13 bucket?
14 A. A dinner bucket.
15 Q. Okay. Was that mantrip
16 covered in dust and dirt or whatever?
17 Did it look like it had been, you
18 know, into the smoke or dust or
19 anything like that or not?
20 A. Not very much, no.
21 Q. Okay. And was there any
22 evidence that that bus had been moved
23 after the explosion?
24 A. Yes.
25 Q. And what was that?

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1 A. At about Six block --- and
2 when we seen it, we didn't realize
3 what it was when we first went by it.
4 It was about Six block, there was a
5 pile of Omega blocks, of new blocks,
6 next to the track. At about Six
7 block I think it was. They were ---
8 come in a bundle, but they were next
9 to the track right there. And as we
10 were exploring down there, we got to
11 about Six block, there was some
12 laying in the middle of the track.
13 At about Six block, there was still
14 some black soot on the pavement,
15 quite a bit of it. And this Omega
16 block, there was a couple laying in
17 the middle of the track and it
18 actually had been slid, it looked
19 like, six, eight, ten feet. Like
20 something had pushed it, like plowed
21 the gravel --- that the ballast that
22 was put in between the rails in the
23 middle. So we seen that and as we
24 seen the bus, we tried to put two and
25 two together, you know. But it

0036

1 appeared that possibly the bus had
2 pushed up against that, because the
3 block had a dent in it and it had
4 plowed like a V down through there
5 and pushed it about six to ten feet
6 or something and come to stop, you
7 know, right there. And you know, we
8 --- you know, I assumed that maybe.
9 Q. And that was about Six block?
10 A. Yes, it was about Six block.
11 Q. But was there another State
12 person underground with you at the
13 time that you were describing these
14 activities?
15 A. Barry Fletcher may have been.
16 You'll have to ask him. I'm not sure
17 if he was with me right at that time
18 or I think maybe he was with me when
19 I went back up with the Bailey Team
20 after we explored beyond the bus.
21 Now, he may have seen these areas
22 that we walked past. That might be
23 something you want to ask --- you all
24 want to ask him or something.
25 Q. Okay. And you don't know what

0037

1 State person would have come on after
2 you did? When you came out, was
3 there somebody else ---
4 A. Yes.
5 Q. --- that was replacing you?
6 A. Yes. When I came out ---
7 Barry Fletcher and I both left at the
8 same time, there was --- Eugene White
9 and Bill Tucker were the two State
10 people that relieved Barry and I when
11 we went outside.
12 MR. RUTLEDGE:
13 That's all I have right
14 now. Thanks.
15 BY MR. O'DONNELL:
16 Q. John, did you at any time work
17 the command center?
18 A. No.
19 Q. Or were in the command center?
20 A. Well, by it.
21 Q. Okay.
22 A. But I was not a part of
23 anything there, no.
24 MR. O'DONNELL:
25 Do you want to take a

0038

1 short break?
2 SHORT BREAK TAKEN
3 BY MR. O'DONNELL:
4 Q. Let me just start by asking

5 you a little bit more about the
6 footprints. Now, the reason why ---
7 tell me how easy was it for you to
8 see? Was it because of rock dust in
9 the area? Was it because of soot?
10 What made you ---?

11 A. The area was wet and damp so
12 actual footprints was kind of hard to
13 see ---

14 Q. Okay.

15 A. --- because of the --- because
16 of it being actually some water
17 there. You know, the pumps had been
18 off for how long, you know, 40 hours
19 or whatever. And so we were trying
20 to determine really the edges of
21 these water spots where you can start
22 to see a little bit of mud to see
23 some footprints and it just appeared
24 that there was maybe several
25 different sizes or the amount of them

0039

1 looked like different footprints
2 maybe. But most coal miners wear the
3 same kind of boot. Different sizes,
4 but most of them wear the same kind
5 of boot, so really it was hard to
6 determine but it looked like a lot
7 more tracks when we were trying to
8 from the packaging that we found of
9 the SCSRs to look in that direction
10 and it was --- it was a call that
11 they asked our opinion, the fresh air
12 base did. And our opinion, and we
13 all pretty much agreed, that it
14 appeared just from the amount of
15 footprints that we could find. That
16 area was not sooted up, not that I
17 recall. You know, not like the black
18 soot that we seen down around --- you
19 know, down on the mains area there.
20 So no, it really wasn't --- it was
21 just the edge of the waterholes, kind
22 of where you could see footprints
23 really.

24 Q. Okay.

25 MR. O'DONNELL

0040

1 Mr. Rutledge?

2 BY MR. RUTLEDGE:

3 Q. John, what type of apparatus
4 did you say you were using?

5 A. BG-4s, Drager BG-4s.

6 Q. Drager BG-4, that's a positive
7 pressure ---

8 A. That's a positive pressure
9 apparatus.

10 Q. --- apparatus? And all of
11 your team members wear that same type
12 of apparatus?

13 A. That's correct.

14 Q. You also said you came outside
15 about 11:30?

16 A. Yes.

17 Q. Okay. And that shortly after
18 you came outside, you heard some
19 news; okay?

20 A. Yes.

21 Q. And what was that news that
22 you heard?

23 A. The news I heard was they had
24 found them and that they were alive.

25 Q. And that they were alive?

0041

1 A. Yeah.

2 Q. All right.

3 A. No kind of numbers, just that
4 they were alive.

5 Q. Okay. So nothing specific,
6 other than they had been found and
7 had been found alive?

8 A. That's correct, and I don't
9 know who said what. There was a lot
10 of people there, you just hear
11 voices. I just heard that comment
12 made and ---.

13 Q. Okay. And then sometime how
14 much later, you maybe heard that the
15 news was different?

16 A. Probably a half hour to 45
17 minutes later, I heard that that
18 wasn't the case, that there was only
19 one alive.

20 Q. There was only one survivor?

21 A. One survivor.

22 Q. Okay. And just to clarify,
23 you mentioned something earlier about
24 some tags. And just so that I'm sure
25 that I understand here, you had two

0042

1 tags, and if you found a person, that
2 one of those tags would go on the
3 person and then one on the location
4 of where that person ---

5 A. That's correct.

6 Q. --- had been found? Whether
7 they were ---

8 A. Whatever --- yes.

9 Q. --- condition they were in?

10 A. Whatever condition they were
11 in that's what I was to do.

12 MR. RUTLEDGE:

13 Okay. I don't have

14 anything further. Thank you.

15 MR. O'DONNELL:
16 On behalf of MSHA, I
17 want to thank you for
18 appearing and answering
19 questions today. Your
20 cooperation is very important
21 to the investigation as we
22 work to determine the cause of
23 the accident.
24 We ask that you not
25 discuss your testimony with

0043

1 any person who may have
2 already been interviewed, or
3 who may be interviewed in the
4 future. This will ensure that
5 we obtain everyone's
6 independent recollection of
7 the events surrounding the
8 accident.

9 After questioning other
10 witnesses, we may call you if
11 we have any other follow-up
12 questions. If at any time you
13 have any additional
14 information regarding the
15 accident that you would like
16 to provide us, please contact
17 us at the contact information
18 that was previously provided
19 to you.

20 If you wish, you may
21 now go back over any answer
22 you've given during this
23 interview, and you may also
24 make a statement.
25 A. No, sir. I have nothing else.

0044

1 MR. O'DONNELL:
2 Mr., Hall, thank you
3 very much for coming forward.
4

5 * * * * *
6 SWORN STATEMENT
7 CONCLUDED AT 2:08 P.M.
8 * * * * *
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