

September 26,2007

BREATH

Hello, My name is Wendy Black, I like to thank you for giving me the opportunity to speak to you today. First I would like to tell you a few things about my husband Dale Black, he was a terrific father of two beautiful children Ashley 22 and Corey 17. Dale love to 4 wheeler ride, boat, hunt, fish, and spent valuable time with his family and friends.

Dale Bird Black was killed on August 16, 2007 at the Crandall Canyon mine, while trying to rescue the six trapped miners; Brandon Phillips, Don Erickson, Manning Sanchez, Luis Hernandez, Carlos Payan, and Kerry Allred.

Dale had 24 years of experience in the mine. Twenty of those years were spent at Genwal. He started at Genwal in March of 1984. That is when Genwal was just reopening. He learned to

run every piece of equipment in the mine, including the roof bolter and the miner. Dale became a production boss in 1993 and also two years as a long wall supervisor. Three and a half years of his experience was spent at West Ridge where he helped portal in three portals develop new sections and mains. He willing went back to Genwal because of the H₂S (Hydrogen sulphide) at West Ridge. He went back to Genwal as a Section Foreman. All the men loved working with Bird they always told me so.

I have never known my husband to be afraid to go to work... But the last part of his life he was. He actually told me he was and why on August 5th, while we were getting ready to go to bed . He said " they had been hitting the rector scale at work." I asked him what he meant by this and he said," that they were having big bounces at the mine that were registering on the rector

2

scale.” So, I feel in my heart that he was worried enough about this that he was letting me know what was going on. This was the night before the first collapse. He also said that the crew members had been discussing the bounces and they were worried.

On August 6th Dale had went to work for his last day shift before his days off. And he drove up to a cop at the entrance of the mine. That’s how he found out about the collapse. Right away he was helping to get those men out. I found out around 8:00AM that something had happened at Genwal and I instantly called the mine conspect , and they assured me that Dale was alright. I didn’t hear from him until about 10:00 PM, when he arrived home. I was so relieved when I seen him and that he was Ok , just really tired and worried about the men and how they were going to get them out. Every morning from then on

32

Dale was up and ready to leave at 4:15AM. Dale and Petie rode to work together everyday of the rescue because there was so many people trying to help up there.

I never knew when Dale would get home from the rescue, sometimes 8:00PM, sometimes 10:00PM I was just glad when he finally would come home. For the entire rescue he would get between 4 to 5 hours of sleep , before he was back up at the mine trying to help in someway. I know how hard it was for all those rescue crews to continue to go to work in there everyday. Knowing what they knew as experienced miners, but they still never gave up hope. On Sunday, August 12th , I sat up with Dale because he couldn't sleep. There was a meteor shower that night, so we sat outside. He began to cry, and told me about a lot of things that had been happening at the mine. For instance how mine manager Gary Peacock came up to Dale and said, you

4

know that I will be taking this to my grave." Gary knows that I know what he said to Dale, because the day after Dale died I told him that I knew what he had said. And I Told him that I guess it was Dale that took what you had done to the grave. His expression was stunned silence. On another instance on August 5th on day shift before the initial collapse, Dale was trying to have his miner operator pull back, when shift foreman Jesse Gordon came in and asked Dale "WHAT ARE YOU DOING" Dale said he told him that it was to risky, and he was pulling out. Gordon told Dale, "YOU CAN'T LEAVE ALL THAT COAL , HIT IT HARDER ON THE BOTTOM ."

Dale said he wished he would have yell and argued louder push his point. He wanted them to move out further to about section 121 but he was not being heard. I feel this has something to do with the initial collapse on August 6th.

4

The last Day of Dale life August 16th he didn't take his lunch bucket to work with him, which did everyday even during all of this, and also was the only day that he drove by himself. Why?

I have so many unanswered questions about the rescue, like

Who was in Charge at the time of the RESCUE?

Who approved this mining plan? And who was to oversee this plan and that it was being followed correctly?

And who in their right mind would send rescuers underground while the mine was still bouncing, then drill from the top when they had no idea what this would do to the stability of the mine, while the miners were underground mining.

I would like to know how a K Order (imminent danger or closure order) be modified 15 times as they proceeded into the mine? To my understanding from fellow workers the plan was that only the minium amount of workers would be in there while

6

the miner was running. When they finally got the miner up and ready to go, Bob Murray and the media came in. The underground MSHA worker that was with the miner, told the operator not to start the miner until the plan was being followed. And another MSHA worker Ted Farmer overrode the plan and told them to proceed.

My husband felt that he had to be there because these trapped miners were his friend , his family in a way. Dale was always first man in last man out. He had told me about the letters and picture that the families had put up at the mine, the one he remembered the most said "PLEASE BRING MY DADDY HOME." This gave Dale the courage and determination to go back into that hell hole.

I want to know, if there are rules and regulations made to protect the miners, then who is held accountable to make sure these rules

7

and regulations are being followed.

At least have one person with enough back bone to say

NO MORE!

MSHA has ONE job. MINE SAFETY HEALTH
ADMINISTRATION.

It would have taken just one MSHA man doing his job to have
saved my husband's life. Which one of them wasn't doing their
job?

Now... explain to me how^{do} you investigate yourselves?

Thank you

8