

**QUEENSLAND COAL MINING BOARD OF INQUIRY**

*Coal Mining Safety and Health Act 1999*

*Board of Inquiry Notice (No 01) 2020*

**RECORD OF INTERVIEW****Adam Kenneth Maggs**

At: Department of Natural Resources, Mines and Energy,  
Level 5, 44 Nelson Street, Mackay, QLD

On Monday, 8 June 2020 at 10.04am

Conducted by: Mr John Tolhurst,  
Principal Investigations Officer,  
Department of Natural Resources,  
Mines and Energy  
Mr Steven Stook,  
Mining Inspector,  
Department of Natural Resources,  
Mines and Energy

Also present: Mr Andrew Rich, Solicitor,  
Slater & Gordon Lawyers

1 MR TOLHURST: This is a record of interview being  
2 conducted at the office of the Department of Natural  
3 Resources, Mines and Energy situated at level 5,  
4 44 Nelson Street, Mackay, on Monday, 8 June 2020.  
5

6 Persons present for this interview are John Tolhurst,  
7 Steven Stook, Adam Maggs and Mr Andrew Rich.  
8

9 Adam, the time by my watch is 10.04am. Do you agree  
10 with that?  
11

12 MR MAGGS: Yes.  
13

14 MR TOLHURST: For the purposes of voice identification  
15 during this interview, I'm just going to ask each person  
16 present to state their full names and their position,  
17 starting with myself. Adam, my full name is John Patrick  
18 Tolhurst. I'm a principal investigations officer with the  
19 Department of Natural Resources, Mines and Energy. For the  
20 purpose of the interview, I am just showing Adam my  
21 identification, but, more importantly, in that fine print  
22 on the back is my authorisation as an authorised officer  
23 under the Coal Mining Safety and Health Act 1999. Do you  
24 agree with that?  
25

26 MR MAGGS: Yes, I do.  
27

28 MR TOLHURST: Are you happy with that, Andrew?  
29

30 MR RICH: Yes, thanks, John. Yes.  
31

32 MR STOOK: My name is Steven Rudolf Stook. I'm an  
33 inspector of mines with the Department of Natural  
34 Resources, Mines and Energy. I have my ID card on my desk.  
35 If you would like me to provide that as evidence, I can go  
36 and get that.  
37

38 MR RICH: We probably should, to do everything properly,  
39 shouldn't we?  
40

41 MR STOOK: Yes.  
42

43 MR TOLHURST: Okay, hang on. The time is 10.05. I will  
44 just suspend the interview while you get that, Steven.  
45

46 **SHORT ADJOURNMENT**  
47

1 MR TOLHURST: The time is now 10.07am, just recommencing  
2 the interview after Inspector of Mines Stook left the room  
3 to get his identification.  
4

5 During that two-minute break, Adam, do you agree that  
6 we didn't talk about this matter at all?  
7

8 MR MAGGS: Correct.  
9

10 MR TOLHURST: Okay, thank you. That's Inspector Stook's  
11 identification.  
12

13 MR MAGGS: Yes.  
14

15 MR RICH: Yes.  
16

17 MR TOLHURST: Just your full name?  
18

19 MR MAGGS: Adam Kenneth Maggs. Anglo American I work for,  
20 and I'm a longwall deputy.  
21

22 MR RICH: Andrew Rich. I'm a solicitor with Slater &  
23 Gordon Lawyers and I'm representing Mr Maggs today.  
24

25 MR TOLHURST: Thank you. Adam, is there any other person  
26 in this room who has not identified themselves?  
27

28 MR MAGGS: No.  
29

30 MR TOLHURST: Adam, as you're aware, we're conducting an  
31 investigation in relation to an incident or a serious  
32 accident that occurred at the Grosvenor Coal Mine on 6 May  
33 2020 whereby five coal mine workers received serious  
34 injuries at longwall 104. I intend on asking you some  
35 questions about that matter here today. Do you understand  
36 that?  
37

38 MR MAGGS: Yes.  
39

40 MR TOLHURST: My intention is to speak to you about the  
41 matter in the form of an electronically recorded interview.  
42 By that, I mean I will be recording our conversations and  
43 any statements that you make here today by the device on  
44 the table in front of you. Do you understand that?  
45

46 MR MAGGS: Yes.  
47

1 MR TOLHURST: You will be later supplied with a copy of  
2 today's interview as well as a transcript. Do you  
3 understand that?

4  
5 MR MAGGS: Yes.

6  
7 MR TOLHURST: For the purpose of clarity and later  
8 identification of who is speaking on the tape, I would ask  
9 that rather than gesture or nod your head to a question,  
10 should you wish to make a comment, that you do so by  
11 speaking clearly and not talk while someone else is  
12 talking. If there's something you wish to say, you will be  
13 given every opportunity to do so. Do you understand that?

14  
15 MR MAGGS: Yes.

16  
17 MR TOLHURST: As an authorised officer under the Coal  
18 Mining Safety and Health Act 1999, I may require a person  
19 to attend before me to answer questions. On this occasion,  
20 you may be able to provide answers to questions to  
21 ascertain whether this Act has been complied with. Can  
22 I confirm if you received a notice requiring you to attend  
23 today?

24  
25 MR MAGGS: Yes.

26  
27 MR TOLHURST: Can I confirm how you received that notice?

28  
29 MR MAGGS: Via Andrew Rich and via email.

30  
31 MR TOLHURST: Thank you. Can I confirm that you  
32 understand the contents of that notice?

33  
34 MR MAGGS: Yes.

35  
36 MR TOLHURST: And did you attend today because of that  
37 notice?

38  
39 MR MAGGS: Yes.

40  
41 MR TOLHURST: Just for the purpose of the interview, I'm  
42 just going to show Adam Maggs my copy of that notice, both  
43 sides. Is that the same notice you received?

44  
45 MR MAGGS: Yes, yes.

46  
47 MR TOLHURST: Thank you. Are you happy with that, Andrew?

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MR RICH: Yes.

MR TOLHURST: As a result of that, Adam, I therefore formally require you to answer questions put to you regarding this matter here today. I make this requirement under the provisions of section 157 of the Coal Mining Safety and Health Act 1999.

I further warn you pursuant to section 158 of the Coal Mining Safety and Health Act 1999 that it is an offence to fail to comply with this requirement unless you have reasonable excuse to do so. An example provided under the Act of a reasonable excuse is if complying with the requirement might tend to incriminate you or make you liable for penalty.

However, that particular excuse does not apply if the requirement relates to a serious accident, of which this is, as defined under the Act. Do you understand this requirement?

MR MAGGS: Yes.

MR TOLHURST: I also warn you that under sections 179 and 180 of the Coal Mining Safety and Health Act 1999, it is an offence to provide false or misleading information or documents to an officer. Do you understand this requirement?

MR MAGGS: Yes.

MR TOLHURST: Do you need any further time to discuss these requirements with Mr Rich?

MR MAGGS: No.

MR TOLHURST: You've told me that your full name is Adam Kenneth Maggs?

MR MAGGS: Yes, correct.

MR TOLHURST: And, again, your present occupation?

MR MAGGS: Is a longwall deputy, production, Grosvenor mine, employed by Anglo American.

1 MR TOLHURST: Adam, have you consumed any alcohol or  
2 intoxicating substances today?  
3  
4 MR MAGGS: No.  
5  
6 MR TOLHURST: Have you taken or should you have taken any  
7 drugs or medication today?  
8  
9 MR MAGGS: No.  
10  
11 MR TOLHURST: Is there anything preventing you from ably  
12 partaking in this interview?  
13  
14 MR MAGGS: No.  
15  
16 MR TOLHURST: Mr Rich, I understand you're here as a legal  
17 representative to Mr Maggs?  
18  
19 MR RICH: Yes.  
20  
21 MR TOLHURST: Throughout the interview, you will be  
22 permitted to advise your client and call brief adjournments  
23 to talk to your client in private. However, I ask that you  
24 do not answer questions addressed to your client. At the  
25 close of the interview, I will give you the opportunity to  
26 place on record any statement in relation to this matter.  
27 Do you understand this?  
28  
29 MR RICH: Yes.  
30  
31 MR TOLHURST: Have you had sufficient time to discuss this  
32 matter with Mr Maggs?  
33  
34 MR RICH: I have.  
35  
36 MR TOLHURST: Are you satisfied he understands the  
37 section 157 notice?  
38  
39 MR RICH: I am.  
40  
41 MR TOLHURST: Are you satisfied he understands the  
42 provisions of sections 157, 158 and 159 of the Coal Mining  
43 Safety and Health Act?  
44  
45 MR RICH: He understands the effect of them, yes.  
46  
47 MR TOLHURST: And are you satisfied he understands the

1 provisions of sections 179 and 180 of the Coal Mining  
2 Safety and Health Act?

3  
4 MR RICH: Yes.

5  
6 MR TOLHURST: Thank you. Adam, before we go into the  
7 questions, again I would just like to remind you that  
8 although you are compelled to be here today, the department  
9 fully understands the incident and the emotion that goes  
10 with that and what you may have witnessed and what you've  
11 been going through the last three to four weeks.

12  
13 Again, at any time you wish to have a break, by all  
14 means ask for that break. And at any time you don't think  
15 you can continue with this interview, please let us know  
16 and we're happy to reschedule the remainder of the  
17 interview at a later time.

18  
19 MR MAGGS: Thank you.

20  
21 MR TOLHURST: Adam, before I go into the questions, can  
22 you just provide a brief overview of your experience in the  
23 coal mining industry?

24  
25 MR MAGGS: Yes. So I have 18 years' experience in coal  
26 mining. I started off in Lithgow, New South Wales. I was  
27 a contractor there for General Underground Services. We  
28 did some belt installations, secondary support, a couple of  
29 longwall moves down there.

30  
31 That was probably two years down in Lithgow, and then  
32 we had the chance to come up here to Queensland with the  
33 same company, General Underground Services, and do some  
34 longwall moves out at Newlands Southern. I did two out  
35 there. I was still working for GUS Mining, is what they  
36 were called, and I got a temporary development job in  
37 Oaky North, spent about eight months there in development  
38 with - as a contractor while they were going through  
39 negotiations for the union.

40  
41 I then, after that, finished - I got offered  
42 a full-time job there at Oaky North and knocked it back to  
43 take up a supervisor's role with GUS at Oaky 1. I spent  
44 two years there. I was a project manager for GUS and also  
45 a supervisor in longwall secondary support, face roads and  
46 just some general outbye work.

1 I spent two years there and then I got a job at  
2 Carborough Downs when it opened. So I spent 10 years at  
3 Carborough Downs. My roles there were development. I went  
4 into a development panel - well, ended up being miner  
5 driver for a few years there. I went into the longwall for  
6 a little bit and shearer driver, and then I got selected to  
7 go into the deputy program there.

8  
9 I went into the deputy program there, and the first  
10 six to ever do it at Carborough, went through that, spent  
11 eight months, 12 months there and got my deputy  
12 certificate, went into a deputy's role there, in bord and  
13 pillar panel there, development. I spent a little bit of  
14 time in the gateroads as well.

15  
16 Then they started bringing up - or asking for ERZ  
17 leads, lead job there, which is sort of an under-manager  
18 role that they brought in there. I took on that role.  
19 I did that for 18 months and then left Carborough Downs.

20  
21 I went to heavy - I forget his name - HD Mining did  
22 a longwall move at Oaky 1, and did a week with Rob Knowles  
23 at Grasstree, just as a contract area, sort of, there while  
24 I was waiting for the job process at Grosvenor to overtake.

25  
26 I started at Grosvenor six years ago. I went into  
27 a bull gang job straightaway there as a deputy, spent  
28 probably six to eight months in the bull gang there, first  
29 tailgate, number one tailgate, with the ED machines and  
30 that. I then went to outbye for a little bit and then got  
31 a production job with the gateroads and the mains.

32  
33 I had a development crew there for probably two years,  
34 two to three years, had a good crew, and then I was also  
35 doing relief under-manager work as well there. I went to  
36 outbye for six months. You know, outbye can be a little  
37 bit boring sometimes, and I wanted a panel, so I got the  
38 opportunity to go in the wall, and I've been in the wall  
39 for probably the last two, two and a half years.

40  
41 MR TOLHURST: Thank you for that. With regards to the  
42 incident that occurred on 6 May 2020 at the Grosvenor mine,  
43 did you provide a statement?

44  
45 MR MAGGS: Yes.

46  
47 MR TOLHURST: Just for the purpose of the interview,



1 I have a three-page double-sided statement here, dated  
2 6 May 2020, and the name of it's Adam Maggs. I'm just  
3 going to title this document 1. What can you tell me about  
4 that document?

5  
6 MR MAGGS: Yes, so the debrief officer was Neal Bryant.  
7 When I got out of the pit that day, I went into an office  
8 by ourselves and we did this statement or debrief. We came  
9 up - I was struggling at the time, I will be honest. You  
10 know, we went into that, but we also did a video statement.  
11 So not everything's in there, but that statement --

12  
13 MR TOLHURST: No, that's fine. That is your statement?

14  
15 MR MAGGS: Yes, that is, yes.

16  
17 MR TOLHURST: Okay, no worries, thank you. And also in  
18 your role as a longwall deputy for production, do you  
19 prepare daily stat reports?

20  
21 MR MAGGS: I do.

22  
23 MR TOLHURST: For the purpose of the interview, I'm just  
24 going to show Adam four stat reports I have here, dated  
25 6 May, 5 May, 4 May and 3 May 2020, and I'll just label  
26 these as document 2, document 3, document 4 and document 5.  
27 Each of them are two pages, and each of them have  
28 a signature of Adam Maggs on the second page. I don't need  
29 the details of the report, but can you just confirm that  
30 they are, or not, the stat reports prepared by yourself?

31  
32 MR MAGGS: Yes, I can confirm.

33  
34 MR TOLHURST: Okay, thanks, Adam. Are you happy with  
35 that, Andrew?

36  
37 MR RICH: Yes.

38  
39 MR TOLHURST: We may refer to these during the interview  
40 from our questions, but they're also here for you to be  
41 able to refer to during the interview for the purpose of  
42 refreshing your memory of the activities that occurred on  
43 or around about that date.

44  
45 MR MAGGS: Yes.

46  
47 MR TOLHURST: Adam, can you just provide an overview of

1 the role and responsibilities of your position as  
2 a longwall deputy?  
3

4 MR MAGGS: Yes. I'm a longwall deputy. I'm a production  
5 deputy. My roles include inspection, inspection regime.  
6 We all know what is in the inspection regime, you know, gas  
7 management, strata, and so on. Also, man management --  
8

9 MR TOLHURST: Sorry, what's that?  
10

11 MR MAGGS: Man management as well. I've got a crew of  
12 12 blokes. So I've got four tradies, I've got two floaters  
13 and I've got six operators. So my roles are production,  
14 production only. We do maintenance one hour a shift, you  
15 know, or we do have a maintenance role.  
16

17 MR TOLHURST: What crew do you work with?  
18

19 MR MAGGS: A crew.  
20

21 MR TOLHURST: How long have you been with A crew?  
22

23 MR MAGGS: Probably just on two years.  
24

25 MR TOLHURST: What shift were you working on 6 May?  
26

27 MR MAGGS: It was afternoon shift.  
28

29 MR TOLHURST: What are the hours of an afternoon shift?  
30

31 MR MAGGS: So, hours of the boys are from 9.30 to 9.30.  
32 I usually get there an hour, hour and a half early.  
33

34 MR TOLHURST: So, what, would you be 8.30 to 10.30 or --  
35

36 MR MAGGS: No, 8.30 to probably quarter to 10.  
37

38 MR TOLHURST: What roster do you work?  
39

40 MR MAGGS: Seven and 7, alternate rotation, so afternoon  
41 and nights.  
42

43 MR TOLHURST: The swing that you were on on 6 May, what  
44 shift into that swing was it?  
45

46 MR MAGGS: It was the last shift.  
47

1 MR TOLHURST: And do you do a handover at the start and  
2 end of each shift?

3

4 MR MAGGS: It's hard to do a handover at the start with  
5 the offgoing deputy from night shift, because we don't  
6 overlap, due to the bull gang deputy. So I do a debrief  
7 with the bull gang deputy when we get down there, but  
8 I also sign and go over the stat reports and previous  
9 reports before I go down of the night shift and do  
10 a debrief with the under-manager.

11

12 MR TOLHURST: With regards to you commencing your shift on  
13 6 May, you mentioned there's no formal handover, but you do  
14 have a debrief and read the stat reports when you commence.  
15 Was there anything of any note in that process with regards  
16 to longwall 104 on 6 May?

17

18 MR MAGGS: "Note", meaning?

19

20 MR TOLHURST: Of concern or of interest.

21

22 MR MAGGS: So we were - we did have a cavity that we were  
23 managing for two days leading up to that, two or three days  
24 leading up to it, around that 144 to 149 chock. It was  
25 noted in there.

26

27 It was also noted about the 145 and 146 chocks being  
28 tipped down. It was also noted in there that, you know, we  
29 had a fault that we'd been managing also around that  
30 112 mark. It had about a 3 metre downthrow and it was  
31 coming from maingate across to the tailgate slowly.

32

33 Also that day, we had no access over the tailgate  
34 drive. We hadn't had it for probably 24 to 48 hours  
35 leading up to that, due to - the cavity wasn't protruding  
36 into the roadway, but there was a lot of weight out on the  
37 standing support and they were mushrooming and that a bit.  
38 And, you know, it's just - we just made it clear that we  
39 weren't accessing out there at the time, due to a bit of  
40 weight around that area.

41

42 MR TOLHURST: Any questions you want to ask about that at  
43 this stage?

44

45 MR STOOK: No, no.

46

47 MR TOLHURST: Do you recall who was working with you on

1           6 May?  
2  
3           MR MAGGS:    Through my shift?  
4  
5           MR TOLHURST:  Your shift.  
6  
7           MR MAGGS:    So my crew?  
8  
9           MR TOLHURST:  Yes, your crew.  
10  
11          MR MAGGS:                    Injured Coal Mine Worker 1  
12   Injured Coal Mine Worker 4  
13   Injured Coal Mine Worker 2  
14   Injured Coal Mine Worker 5  
15   I had Beau Lacy - he  
16           was, again, a floater for the week because I was missing  
17           one of my shearer drivers, Josh Sloan, so he was a person  
18           that had come in just for the week.  I'd previously had  
19           him.  I also had Matt Gunn, electrician.  Jackson Hayes,  
20           electrician.  Tommy Barry, fitter - he was also a stand-in  
21           because my other fitter was doing some jobs on the surface.  
22           And Josh Underdown.  
23  
24          MR TOLHURST:  What position did Josh have?  
25  
26          MR MAGGS:    He was a fitter, too, sorry.  
27  
28          MR TOLHURST:  No-one else on your crew?  
29  
30          MR MAGGS:    That was it for my crew, yes.  
31  
32          MR TOLHURST:  Adam, can you step us through, I guess, your  
33           movements from when you arrived underground and what you  
34           may have undertaken up until the time of the incident?  
35  
36          MR MAGGS:    Yes, so step by step?  
37  
38          MR TOLHURST:  Yes.  
39  
40          MR MAGGS:    Yes.  I arrived underground most probably  
41           around 10-ish.  We got to the crib room.  I debriefed the  
42           boys.  So, you know, we spoke about it upstairs, about the  
43           cavity management that day and that, and I just fully went  
44           back through, you know, what we were at with the 144 to 149  
45           cavity, where the fault was on the face, the two chocks  
46           being tipped down at the time were 145 and 146, and what  
47           the face was doing, what the gas was doing, so, you know,

1 reading the last reports and that.

2

3

4 I then went through a plan with them. So the plan  
5 was - you know, what I'd been told from upstairs was we  
6 weren't in a position to pump at the time, due to the - you  
7 know, the cavity was only in a level 2. It was only over  
8 five chocks. There was no tip to face. It was all tight.  
9 There was no need to pump. We couldn't pump while we had  
10 those tips down, anyway. Pulling up for 24 hours, you  
11 know, losing the tailgate - they were considerations. So  
12 our thought process was to go through to 149, open it up  
13 and get those 145 and 146 up in the air.

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So I spoke about that. The boys were clear on that. They agreed on that. They were happy with that. They actually had no questions. I just mentioned to them again about, you know, keeping the face tight, cavity management, what we do every day with tight - if we need to double-chock, we'll double-chock. If we need to pull up, we'll pull up. We'll check gases and different things like that.

I also mentioned about not being able to get over the top of the tailgate drive. I couldn't get over there at the time. I did also mention about our maintaining Venturis and butchers doors at the time.

And then we went in - I asked if there were any questions. They asked about, you know, me pack then. We get a longwall pack, so they asked if there was any toolbox talks or any - that day, I didn't receive any toolbox talks. There was nothing in the pack. There was no horizons or anything to plan or cut through. So then I said --

MR TOLHURST: Sorry, would there normally be something like that supplied in the packs?

MR MAGGS: Toolbox talks usually come in every day. There was nothing in there that day. There may have been no toolbox talks.

MR TOLHURST: Who prepares those kits or that pack?

MR MAGGS: The longwall coordinator. So there was nothing in the work pack for the operators. There is the work orders that the tradies get, so there's electrical work

1 orders and also mechanical work orders, and then also work  
2 orders for myself. So I handed them to the tradies, asked,  
3 "Any questions?" I actually asked Injured Coal Mine Worker 1, the  
4 shearer driver, if he was happy with that plan again.  
5 I sort of double-checked with him. We spent 10 minutes,  
6 15 minutes there, and he was happy with the plan.  
7

8 What I usually do then is I usually walk the belt road  
9 in. So I usually walk the belt road, and the boys usually  
10 take the Driftrunner down to the last open cut-through. So  
11 they went their merry way down in the Driftrunner, and  
12 I walked the belt road.  
13

14 I walked in that way, checking the belt, doing my  
15 stat. I took a vent reading at - it was around 33 to 34.  
16 I checked wet and dry, walked down that way. The boys are  
17 always usually in front of me getting to the face, because  
18 that bull gang deputy and that's on the face then.  
19

20 I get to the DCB area. I always jump up on the DCB  
21 and I put my jacket up there and check Citect. I check  
22 pressures on your face, you know, check your chocks, just  
23 different gas readings in the tailgate, specially with not  
24 being able to get out there. So I checked our gas, our  
25 maingate sensors, spent probably 10 minutes there.  
26

27 I went over a bit of downtime. We've got a downtime  
28 slot there. I went over the downtime slot and had a bit of  
29 a look at that and worked out what time night shift got  
30 going on production that night and had a look where the  
31 shearer was and what they were doing. I also correlated  
32 with their bull gang electrician and fitter at the time,  
33 because I could see they were all down. They spoke about  
34 they'd just done a lump breaker shear shaft, so that's why  
35 they were down at the time.  
36

37 The longwall coordinator was on the face at the time  
38 then, and so was the deputy, the bull gang deputy. They  
39 were down at the tailgate, they were around the shearer and  
40 that at the time. So I checked over that. I took some  
41 readings into my notepad and different things like that.  
42

43 And then I usually get off the DCB and I'll check my  
44 creep, my creep. I'll check my chainages. I'll pull back  
45 the maingate bag and have a look down there, walk along the  
46 face and I'll do a face inspection, you know, fire  
47 extinguishers, the works, Venturis, the face, map the face

1 and that, and just do a full walk straight down.  
2  
3 MR STOOK: What did you see when you pulled back the  
4 maingate bag?  
5  
6 MR MAGGS: Yes, so that maingate roadway has been, yes,  
7 well in line with 36 cut-through then. 36 cut-through was  
8 still standing. And, you know, I'll be honest with you  
9 right now, our maingate roadway and tailgate roadway had  
10 been standing. They've stood. You could see as far as you  
11 could see with that maingate roadway.  
12  
13 MR STOOK: Yes.  
14  
15 MR MAGGS: The cairns didn't even have weight on them,  
16 really. They had a little bit around that 36 cut-through.  
17 The goaf was tight up behind one - not fully tight, but you  
18 could see it was goafed up behind the shields. It was just  
19 that roadway. (Phone rang). Sorry about that.  
20  
21 MR STOOK: That's been one of our, I guess, ambiguous  
22 things that we've seen in all the information so far. Just  
23 for clarification, when you say the roadway was standing,  
24 that's basically just around the cairns, but everything  
25 else is in, or was it open for the width of the roadway?  
26  
27 MR MAGGS: The width of the roadway as far as you could  
28 see.  
29  
30 MR STOOK: As far as you could see?  
31  
32 MR MAGGS: Yes. And, you know, that was pretty - that's  
33 pretty standard with this block.  
34  
35 MR STOOK: Yes, yes.  
36  
37 MR MAGGS: And same with the tailgate.  
38  
39 MR STOOK: Is it standard for other blocks?  
40  
41 MR MAGGS: Yes and - yes and no. The maingate, you know,  
42 it would come in halfway to your rib line, to your block -  
43 to your pillar side rib line in the maingate. But  
44 tailgate, no, not necessarily. Like, you know, it would  
45 follow us. You know, if we'd cut cairns out and different  
46 things like that, it would come right up to the back of our  
47 149 and that. And, you know, it didn't this time. A lot

1 of the time, the boys were, you know, sometimes taking  
2 cairns and that out, and it'd hold up.

3

4 MR STOOK: In your statement, it talks about the goaf was  
5 right up to 149; right?

6

7 MR MAGGS: Yes.

8

9 MR STOOK: That would just be the outbye side of the goaf,  
10 not the actual roadway itself?

11

12 MR MAGGS: Not the roadway, so the goaf, the goaf. So  
13 when we're talking about that, when I said it's tight up  
14 against the back side, the goaf was tight to behind the  
15 shields. So both roadways, you know, standing.

16

17 MR STOOK: Okay, yes.

18

19 MR MAGGS: Yes.

20

21 MR STOOK: And the 149 relative to the road, how far does  
22 it sit into the road - maybe a metre, is it, or --

23

24 MR MAGGS: It sort of - it changes with the creep, as you  
25 know.

26

27 MR STOOK: Yes.

28

29 MR MAGGS: That day, it was probably anything from around  
30 100 to 200mm into the roadway.

31

32 MR STOOK: Yes, okay, yes.

33

34 MR MAGGS: Yes. So, you know, that's pretty standard with  
35 your creep being good.

36

37 MR STOOK: Yes, yes.

38

39 MR MAGGS: If your creeps are good in the maingate and -  
40 it was pretty standard. But that also depends on your  
41 drivage of your development, too, so - but, yes, it was  
42 only sitting 100 to 200mm into the tailgate roadway.

43

44 MR TOLHURST: All good, mate?

45

46 MR STOOK: Yes, yes.

47



1 MR MAGGS: Yes. So, yes, then I went across the face.  
2 I was checking my extinguishers, rear walkway. So rear  
3 walkway that day, the most I could find in CH4 was about  
4 1.2 to 1.3.

5  
6 MR STOOK: That was the mid-face, yes.

7  
8 MR MAGGS: That was mid-face, yes. I was finding about  
9 0.9 around the maingate.

10  
11 MR STOOK: Is that strange?

12  
13 MR MAGGS: No, no, not for - not for this block.

14  
15 MR STOOK: Yes, yes.

16  
17 MR MAGGS: You know, we had it higher. General body that  
18 day was - I was struggling to get 0.5 across the face in  
19 general body.

20  
21 The most I could find in CO in the rear walkway was  
22 three parts that day, three to four parts. The face looked  
23 pretty good. We were down to 90 chock until we hit that -  
24 you know, the downthrow fault. It was good. It was  
25 standing up. There was no dramas.

26  
27 We had a big roll, seam roll, around that fault, which  
28 we'd been managing well. That fault was at around 110 to  
29 112 that last day. We probably had anything from about a  
30 2.8 to 3 metre downthrow around that area. That's probably  
31 where I was getting the highest general body, that 0.6.

32  
33 MR STOOK: With that roll, was there a drivage plan that  
34 you were following, because you weren't going along with  
35 the roll - that's too steep a transition, right, so where  
36 did you decide to cut into the roll and then back out of  
37 it?

38  
39 MR MAGGS: We didn't have a plan. There was a horizon  
40 plan each day, but we correlated between the top of the  
41 seam at around 90 and then around probably 115. We rolled  
42 it into that area. If we had've chased that, we would have  
43 been --

44  
45 MR STOOK: I know, yes.

46  
47 MR MAGGS: -- yes, into the floor and that.

1  
2 MR STOOK: Into the floor, yes.  
3  
4 MR MAGGS: Yes, so --  
5  
6 MR STOOK: So on the face, then, you can see the tonstein  
7 band that's up in the roof there, through your grade, and  
8 so therefore the Goonyella Middle seam, L seam, I think -  
9 the one that's just below you?  
10  
11 MR MAGGS: Below.  
12  
13 MR STOOK: That was in the face as well - yes?  
14  
15 MR MAGGS: Yes.  
16  
17 MR STOOK: See anything different about gas coming over  
18 that seam?  
19  
20 MR MAGGS: Did I see anything different?  
21  
22 MR STOOK: Yes, like, was there more gas coming through  
23 there, because that's not a targeted drainage horizon, is  
24 it?  
25  
26 MR MAGGS: No.  
27  
28 MR STOOK: So was there floor gas coming through more than  
29 usual?  
30  
31 MR MAGGS: Yes, more than usual - I will say that, you  
32 know, probably the week and the tour before, when we've had  
33 this fault on the face, you know, averages of goaf of  
34 general body have been up than normal average.  
35  
36 MR STOOK: Yes.  
37  
38 MR MAGGS: We run at anything from around 0.2 to 0.3  
39 general body on the face. We were getting anything up to  
40 about 1.1 leading up to that day.  
41  
42 MR STOOK: Around that area?  
43  
44 MR MAGGS: Yes. Nothing real much higher in general body,  
45 but, yes, gas averages were up, and it was around that  
46 fault area. From - you know, from 90 back to the maingate,  
47 no, there was nothing. But, you know, your fault, we had

1 a little bit more coming out.

2

3

4

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47

Roof conditions around that area - pretty good. We were chasing it and that. We'd had some problems a couple of days before that, where we'd pumped around that area, but it was pretty good. I walked through there. I was happy with what they'd done, night shift and the day before, in managing that. We were having no problems in that area.

Went through then, got to probably around 130. There was a heap of boys there. There was a bull gang crew.

MR TOLHURST: So who was there?

MR MAGGS: So there was Jamie Dowd. Mace Kingston, the fitter. Rowan someone - I forget his last name, sorry.

MR TOLHURST: That's all right.

MR MAGGS: Anthony - I forget - I think it's Allen. And Tarna, Tarna - sorry, on the last name. And Darryl Wilson. The three fitters were doing the lump breaker shear shaft at the time. Also, Sam Priest was there, the bull gang deputy. And Mick Burgess, Cadbury - he's the longwall coordinator. And also my operators, all my operators were there before I'd got there.

So there was a few boys around that area, and I sort of looked around and I asked the boys, I asked the fitters how the shear shaft was going, and they said they weren't far off finishing that.

I'd seen Injured Coal Mine Workers 1 & 3 talking to Jamie - he's a shearer driver. I didn't have too much of a conversation with Jamie. I sort of just said to Jamie, I said, "How's it going?" I said, "What are we doing? Has anything changed?" And he said, "Look, we're persevering, we're trying to get around that 145, 146 area, but we've done the lump breaker shear shaft." And I said, "Yep, righto."

And then I made my way to Sam and Mick. They were a little bit further down. You know, there was a lot of spoil around that area, around that tailgate area, just build-up. We'd been cleaning and working with that area, but, as you probably both know, it doesn't take long before you get a little bit of spoil coming over the top there and

1 you can go backwards quicker than you're going forward, in  
2 a way.

3  
4 I talked to Mick then. I told him about - I'd spoken  
5 to the under-manager upstairs about the plan we were going  
6 to come up with and his thoughts on pumping and what we  
7 were going to do. He agreed still we weren't going to pump  
8 due to those 145 and 146 chocks being down. He said, you  
9 know, the same thing I spoke about earlier with that  
10 roadway in the tailgate. If it stood for too long, we're  
11 a chance of losing that roadway with ventilation and  
12 different things like that. And if we pumped, it's not  
13 going to help those 145 and 146 chocks. They could get  
14 a little bit more pressure on them and weight on them and  
15 come down a bit more.

16  
17 So we agreed on what we were going to do there, that  
18 we were going to try and get in there, manage that cavity,  
19 get into the tailgate, come back out and get those 145 and  
20 146 chocks up and reassess it then.

21  
22 I agreed with him on that. Sam Priest - we sort of  
23 did a bit of a changeover there, a debrief. He told me  
24 he'd been down to the bank crew at 36 cut-through and the  
25 travel road and spoke to them. He does the morning  
26 inspection there, and he told me not too much has changed,  
27 what I just told you, you know. The gas was a lot lower  
28 that day. General body was anything from 0.4 to 0.5 lower.  
29 The back rear walkway was a bit lower that day.

30  
31 MR STOOK: And that's normal for the amount of time that  
32 you didn't produce as well?

33  
34 MR MAGGS: That's right, yes.

35  
36 MR STOOK: So the base had been standing for a bit,  
37 relatively speaking?

38  
39 MR MAGGS: Yes. From the days before, with the pumping,  
40 yes, yes, you're dead right. He said that we still had no  
41 access over the tailgate drive, there was still some weight  
42 there and that, and he was happy with the plan. He said to  
43 me, "Is there anything else you want us to do?", and  
44 I said, "No, no, we'll take over from there." That's  
45 pretty common, what we do then. You know, bull gang goes  
46 for crib around then, and we take over.

47

1           So I spoke to Mick. I agreed on that. Mick Burgess  
2 stayed with us. The shear shaft was done. I then  
3 proceeded into the tailgate, the tailgate drive area.  
4 I did my usual checks there, so I looked at the cavity.  
5 Tip to face was good, and it was tight. It was high, but  
6 it was tight. 145, 146 was down. Venturi was running.  
7 Venturi was earthed. Butchers doors were up. Checked the  
8 rear walkways. The most I could get in there was 0.8, 0.9  
9 in the rear walkways.

10  
11           The only thing I did find in there was the tailgate  
12 phone was a bit shitty. It wasn't working real good. It  
13 had had a fair bit of poll around them, and it had  
14 a Propsetter next to it and that. So I did mention that to  
15 my electrician, for him to have a look at that later on,  
16 when he got a chance.

17  
18           I jumped up onto the drive then, checked for some  
19 layering and that around that area. Couldn't get any  
20 layering. I checked again in around behind the rear  
21 walkways. No layering. Like I said, it was down. All the  
22 butchers doors were up and that. Nothing looked too much  
23 different, but there was a lot of spoil in there, as  
24 I said.

25  
26           I did poke my head out and had a look at that tailgate  
27 to see how much difference it was from the day before. As  
28 I said, the standing support had some mushrooming around  
29 it, it had some weight on it. It was bulging the block  
30 side rib a little bit, but that's nothing uncommon.

31  
32           There was a Sherwood curtain there. The Sherwood  
33 curtain had been in for about a week. It had some spoil  
34 around it. It was up from about 30 metres outbye, 30 to  
35 40 metres outbye. But where the face was, there was a fair  
36 bit of spoil up on it, and it was pulled off the roof a bit  
37 there, so it was probably pulled off anywhere from half  
38 a metre to a metre in that face area.

39  
40           I noticed that. I sort of looked back down, poked my  
41 head out and looked down that rear - the tailgate roadway.  
42 It was standing. As I said, the goaf was tight.

43  
44           MR STOOK:   How far back do you reckon it was standing?

45  
46           MR MAGGS:   The roadway?  
47

1 MR STOOK: Yes.  
2  
3 MR MAGGS: A long way. It's hard to say, Steve, I'll be  
4 honest. It stood up for a long time.  
5  
6 MR STOOK: Mmm, because you can't see it now.  
7  
8 MR MAGGS: Mmm.  
9  
10 MR STOOK: Yes.  
11  
12 MR MAGGS: Yes. It had - from the day before, it had come  
13 in a little bit from that 149. Like, in line with that 149  
14 to where our cairn line was, it had come in a little bit.  
15 But I think that's - actually, I know that's just spoil  
16 coming in from your goaf. The roadway wasn't in. That  
17 cavity wasn't propagating out into any of the roadway. It  
18 was good. There was hardly any weight on that around that  
19 149 to roadway.  
20  
21 MR STOOK: Yes, yes.  
22  
23 MR MAGGS: So I was happy. I was happy with the plan that  
24 we'd come up with. I was confident in that plan that we'd  
25 come up with. I checked that 149 sensor at the time and  
26 correlated it with my detector. At that time I think  
27 I only got - I think it was about - the first one I got was  
28 about 0.4, 0.4 over 8, or something like that, and that's  
29 fairly low for what that one was - been doing.  
30  
31 MR TOLHURST: How did that compare to the tailgate sensor?  
32  
33 MR MAGGS: To, sorry, the?  
34  
35 MR TOLHURST: So you said --  
36  
37 MR MAGGS: To my gas --  
38  
39 MR TOLHURST: Yes.  
40  
41 MR MAGGS: There's a bit of difference between the sensors  
42 and our gas detectors, you know. It's been a little bit -  
43 but it was only about 0.1, 0.15 between them. And, you  
44 know, that 149 sensor was continually fluctuating. It does  
45 that in the air it's at. So, you know, there were no  
46 discrepancies there or anything like that. I was pretty  
47 happy with that.

1  
2 I jumped off the tailgate drive then, just verified my  
3 mini-gas to my sensors and my tailgate drive and that  
4 there. They were all good, you know, 0.1, around that  
5 area, difference.

6  
7 I then went back to Mick Burgess, the coordinator, and  
8 I spoke to him, and I totally agreed with him, I agreed  
9 with the plan that he had in place, the plan they'd come up  
10 with, and I was happy with it.

11  
12 I then correlated with the boys. So I got my crew in.  
13 I said, "Look, the plan hasn't changed." I then told them  
14 what gas I'd found inbye. I told them that the gas was  
15 down a little bit, as it had been the days before. I told  
16 them - I gave them my readings. I gave them the  
17 ventilation. I told them that the Venturis and all that  
18 were on, the tailgate was good.

19  
20 I actually only said to the electrician that the only  
21 thing I could find was that the phone was - it was just  
22 cutting in and out. It was switching in and out with your  
23 dial tones and that, so I said, "Could you have a look at  
24 that?" I said, "Just leave it for now. Let's get in and  
25 try and do it", and I said, "We'll have a look at that if  
26 we go down again with some downtime", because he didn't  
27 have another handset on him. So I said, "Just leave it  
28 until we go down again, but prep for that."

29  
30 We all agreed with that, started morning. So we spent  
31 probably - well, stop/start. We had some belt problems  
32 outbye. We were stop/start, stop/start. The boys sort of  
33 sat around that 143, 144. The rocks just kept coming in.  
34 You know, that's what we had, it was just continually that  
35 slow process of cavity management.

36  
37 MR STOOK: Were they small or --

38  
39 MR MAGGS: They ranged from big, very big, to sand. We  
40 had the - you know that area where you get that --

41  
42 MR STOOK: Rubbly?

43  
44 MR MAGGS: Yes, rubbly, pulsating stuff, and then you'd  
45 get the big one that would come down and sit on that chock.  
46 They'd yield a little bit and that. But we stuffed around  
47 there --

1  
2 MR STOOK: How was 149 load-wise? I mean, was that,  
3 relatively speaking, not as high under load as the chocks  
4 that are further outbye?  
5  
6 MR MAGGS: 149, when I looked at the tailgate, when I came  
7 past the DCB, we had a fair bit of pressure on 149.  
8  
9 MR STOOK: Did you?  
10  
11 MR MAGGS: Yes. So the arse end of it had some pressure  
12 there. Like I said to you, there wasn't too much weight  
13 around that roadway, the tailgate roadway. It was sitting  
14 pretty good. There was some pressure and that, but 144 to  
15 148, we had no pressure.  
16  
17 MR STOOK: No pressure?  
18  
19 MR MAGGS: There was nothing above it, you know, that  
20 area, the tips and that. We persevered. We sat there. By  
21 that stage, Neal, the under-manager, had got down to us as  
22 well, and he sat with me all day. We correlated between  
23 each other what we were doing. It was just stop/start. It  
24 was annoying, in a way, with the belt stoppages and that,  
25 because --  
26  
27 MR STOOK: When you say that you felt that some of the  
28 caving was coming from high, how do you mean? Does it mean  
29 that you heard the impact was a lot noisier than normal, or  
30 did you hear material detach, a couple of seconds later  
31 contact, or --  
32  
33 MR MAGGS: You could hear your rubble and your rocks  
34 coming from high. And the other thing I noticed, when we  
35 say - we had no tip to face. This rock was coming straight  
36 down. If you visualise it and that, it wasn't rolling. It  
37 wasn't rolling off the front of the chocks or anything like  
38 that. It was falling straight.  
39  
40 MR STOOK: Yes, yes.  
41  
42 MR MAGGS: And you know yourself, like, you know, if -  
43 usually with a cavity, it'll roll from behind us and that,  
44 but it was coming from straight, and the face stood up.  
45  
46 MR STOOK: Yes, yes.  
47



1 MR MAGGS: So it came from there. We pursued and we  
2 spoke - me and Nealo kept --

3  
4 MR STOOK: Was it unusual then?

5  
6 MR MAGGS: That it was coming from high and straight down?

7  
8 MR STOOK: Yes, yes.

9  
10 MR MAGGS: Not necessarily, no. I'd seen it before with  
11 cavities and that. And do you know, the thing I wasn't  
12 concerned about at all was, you know, we were still in  
13 a level 2 TARP. We had no tip to face. It was only over  
14 four to five chocks. We were maintaining it. It was just  
15 we wanted to get that - but it just kept coming, the rock  
16 just kept coming.

17  
18 You know, we chomped away. It would come in bounds.  
19 It would choke off and we'd sort of have to chop that big  
20 rock up and sort of get past it. We pursued with that for  
21 probably two, two and a half hours. That got to around  
22 that 12.30 mark and we did another lump breaker shaft, and  
23 we didn't seem to be going too far without that lump  
24 breaker. It was getting caught up underneath that and  
25 building up, and you were getting that - the budgie feeder,  
26 if you know what I mean, with that.

27  
28 So we decided we had to change that lump breaker shaft  
29 again. So we pulled back to around that 120 mark, decided  
30 on changing that lump breaker shaft, and me and Nealo -  
31 each time that belt changed, stopped, I'd be going in there  
32 and checking for gases. I'd jump up and just make sure.  
33 But when we got to that 12.30 mark and we sort of hadn't  
34 got too far, we had a bit of a talk, and I came up with  
35 a plan that we'd get some Propsetters ready for that 145  
36 and 146. We had none left.

37  
38 So I jumped up there onto the tailgate drive and  
39 I took a couple of measurements for that 145 and 146 on  
40 what we needed. I wanted them cut upstairs before they  
41 brought them down, so my plan was to get them down while we  
42 were still bugging around and just have them ready there  
43 if we needed them.

44  
45 I then checked with my probe, and that, what kind of  
46 gases we had around the chain and different things like  
47 that, and we had nothing, 0.2, 0.3, you know, there was

1 just nothing there. I checked our 149 sensor again.  
2 I jumped off, and by that stage the fitters were working on  
3 the shearer. I had the leccy, he was stuffing around with  
4 the phone. I jumped off the phone and I said to Nealo,  
5 I said, "You know, what's your thought" - the  
6 under-manager, I said, "What's your thoughts on - you know,  
7 we put DSI on standby. Our thought is we put 200 cubes of  
8 Carbofill up in that roof. What's it going to do? Is it  
9 going to give us a chance to have a go at it, or is a rock  
10 going to come from this height and just smash straight  
11 through it, or do we keep going?"  
12

13 We both agreed on it. I said also we'll get some  
14 Propsetters down from upstairs, get them ready in that last  
15 open cut-through, and just be ready, have everything in  
16 place if we needed to. He agreed. Cadbury had left  
17 a couple of hours before that, Mick Burgess had gone  
18 upstairs.  
19

20 I said to Nealo - we had no tailgate phone at that  
21 stage. They were mucking around with it. I said, "We'll  
22 go back along to mid-face. We'll ring Cadbury up upstairs,  
23 get him to put DSI on standby, so get him to come down and  
24 get them to come down, start setting up in 35 cut-through."  
25 That usually takes two to three hours for them to set up.  
26 That'll give us a bit more of a chance to continue  
27 persuading, like, having a go at that cavity. If we do  
28 decide down the track in three hours' time, they're ready  
29 to go, they've pushed the button and we're into it, we're  
30 pumping. We also had the rock props there, the  
31 Propsetters. They'd be ready to go if we needed them, if  
32 we got through.  
33

34 So I rung Cadbury up and told him. He agreed with the  
35 plan. He said, "Good, happy with that. You know, "You  
36 ring Sam Priest" - he was in the crib room - "and get him  
37 to organise the bull gang to organise the Propsetters",  
38 that kind of stuff.  
39

40 Cadbury was happy with that, got off the phone, and  
41 Nealo and myself agreed on that. So we gave ourselves - by  
42 that time, it was around 1 o'clock. We gave ourselves  
43 a couple of hours for DSI to set up and that and go from  
44 there.  
45

46 We then both jumped in the back rear walkways, just  
47 had a bit of a look, checked again, stuffed around in the

1 back with inspections, checked for some layering and that.  
2 Couldn't find - 1.2, 1.3, you know.

3  
4 MR STOOK: Yes, yes.

5  
6 MR MAGGS: I went back up to that 80, 90 area where that  
7 Venturi was running, made sure it was going, and had a bit  
8 of a visual look around that fault, and nothing was -  
9 nothing had changed or anything like that.

10  
11 So I went back down to the tailgate, pulled the boys  
12 in, so pulled my crew in, so there was - at that time,  
13 there was - everyone was down there. The fitters were  
14 working on the lump breaker shear shaft. They were just  
15 about finished. And the leccies were stuffing around with  
16 the phone - one of the leccies, Gunny, and the rest of --

17  
18 MR STOOK: When you say "fitters", that was Mace as well?  
19 Was he --

20  
21 MR MAGGS: No, no, Mace wasn't there. No, it was just  
22 my - Tommy Barry and also Josh Underdown.

23  
24 MR STOOK: Yes, yes.

25  
26 MR MAGGS: The other boys were - the operators were  
27 actually throwing rocks, so they were just filling in a bit  
28 of time, just throwing some piles around that tailgate  
29 area, around 146 area. They were throwing some spoil over  
30 into the chain.

31  
32 I pulled them all in, told them that the plan we had -  
33 you know, they were going well. I said, "What me and Nealo  
34 have correlated upstairs is we've put DSI on standby.  
35 We're getting them down into the last open cut-through just  
36 to set up, if we need to, in the next couple of hours."  
37 I said, "That'll give us a couple more hours to go in."

38  
39 I spoke to the boys about the job they were doing and  
40 that and what gas I had still, you know, the gas was down.  
41 I also had some rock props coming down. I actually asked  
42 **Injured Coal Mine Workers 2 & 5** to go to the last open cut-through to  
43 collect some standpipes.

44  
45 MR STOOK: Just to get ready?

46  
47 MR MAGGS: Just to get ready, yes, just so they were on

1 the face. The quicker thing for us to do is for my boys -  
2 you know, if we pulled up, my boys to put the standpipes up  
3 while DSI got their pumps and that ready.  
4

5 I always do that. My boys - I think they're more  
6 competent and quicker in putting them up and that. So  
7 I got them to bring them back down the face. We probably  
8 had about eight of the boys, when we were ready to go  
9 again, standing around down that area and that, and  
10 I actually said to Nealo, I said, "You know, we're on top  
11 of each other a little bit here at the moment. I'm going  
12 to send the boys to crib and up to hosing." I just said,  
13 "Whoever's - out of **Injured Coal Mine Workers 1, 4 & 3** and that, stay  
14 down here", and I said, "The rest of us", I said, "just  
15 sort of - we're on top of each other, and Beau."  
16

17 The boys left. There was only four of us down there,  
18 and things went to plan after that. **Injured Coal Mine Worker 1** went straight  
19 in. It was - lump breaker going. We got in, into that  
20 149, back out. Nothing was above the chocks. It had come  
21 down, and we got back and we parked it up at 120, that 120  
22 area, 115 area, the turn-around area where the snake was.  
23 Nealo and I just looked at each other and, you know, it was  
24 good.  
25

26 The boys went in then and pushed the tailgate, got  
27 that 145 up, got that 146 up. Everything was tight.  
28 Everything was up. That was around that - about quarter  
29 past 2 to 2.30 time. We thought we had another - we had to  
30 come back in again, we thought, for our second thing -  
31 second cut in, but the boys then realised that we had our  
32 reverse snake there, it was in, and I also noticed that,  
33 too.  
34

35 Nealo left then. Nealo tapped the boys, and  
36 I actually slapped **Injured Coal Mine Worker 1** on the back, and **Injured Coal Mine Worker 4**, and I said,  
37 "What they did, they were getting in", and, you know, the  
38 chocking and that was nothing unusual for my boys, I'll be  
39 honest. They're good at their job, and I slapped them on  
40 the back and I said, "Good work, boys." I said, "We're out  
41 of there", and that, and they were confident with that.  
42

43 But in talking about that, that 115 or 120 to 140, you  
44 know, it had been open, because we'd been in that tailgate  
45 for so long with that snake area. So in our terms, it was  
46 starting to unzip a little bit. That beam that we've got  
47 from our cut height, our roof cut height, to our roof

1 height was starting to unstitch a little bit and just  
2 deteriorate a little bit.

3  
4 MR STOOK: What is that usually, about 0.8 of a metre, is  
5 it, that curl beam?

6  
7 MR MAGGS: Yes, it's about 0.8, 0.7. You know, that's  
8 what we had. But it had just been left open for too long.  
9 That's the way it was. We'd been in there for too long,  
10 and it was starting to deteriorate, but it wasn't up to top  
11 of the coal seam yet. It was just flaking and that.

12  
13 I said to the boys, "We'll come back in, we'll have  
14 a nibble at that", and I said, "and then come back out and  
15 we'll double-chock that 120 to 140", I said, "just to close  
16 it up", and I said, "and then we'll go to the maingate and  
17 we'll go from there."

18  
19 That's where - you know, we got to that around 2.30  
20 mark. I then said to the boys they'll then crib change in.  
21 So, you know, I've never usually got five down around that  
22 shearer at that time. I know this is unfortunate to say,  
23 but, you know, 10 minutes a day these five boys are there  
24 changing over that shearer, and this is when the incident  
25 happened.

26  
27 But we spoke about that, and we spoke, you know,  
28 "Double-Chock this area. We'll go back to the maingate,  
29 and that's where it is." That tailgate phone still wasn't  
30 fixed. He needed a new handset, and Gunny said he'd bring  
31 that back down after crib.

32  
33 I said to Beau - myself and Beau Lacy, I said, "We'll  
34 go to the maingate. I'll ring Cadbury upstairs, Mick  
35 Burgess upstairs, and, you know, that's - I'll let him know  
36 that we've got through, we've got them chocks up, the face  
37 looks tight, we're through it, we're going to do an extra  
38 shear, and we'll reassess it when we get back." That was  
39 everything up to the incident.

40  
41 MR TOLHURST: So where did you make that call from?

42  
43 MR MAGGS: The call to Cadbury?

44  
45 MR TOLHURST: Yes.

46  
47 MR MAGGS: I then made my way to the maingate from that

1 120 while the boys started to double-chock, so the only  
2 ones left down the face then were the five boys, so ■  
3 **Injured Coal Mine Workers 5, 4, 1, 3 & 2.**  
4

5 We walked to the maingate. The boys - we actually did  
6 a lump breaker shaft again in that time, right at the end  
7 there, when we got around that 148, 149, but I made that  
8 decision to wait until we got to the maingate. And we had  
9 to do FI checks and, you know, our hour of power. I said,  
10 "Wait until we close this face up, get back to that  
11 maingate and we'll do the whole lot then." So I actually  
12 stopped Mace, Tommy Barry, and I think it was a Joy fitter  
13 with them at the time.  
14

15 MR TOLHURST: What was his name?  
16

17 MR MAGGS: I can't think of his - sorry, I can't recall  
18 it, to be honest with you. I can't think of it. I would  
19 know it if I seen it, straightaway.  
20

21 Stopped them at around 10, 12 chock and said, "Look,  
22 boys, this is what we're doing. We're coming to the  
23 maingate. I've closed it up. Just wait until we get up  
24 here until we do the lump breaker shaft and all that."  
25

26 So they had a few checks and that to do there. I went  
27 to the DCB then, so the maingate DCB area then, hopped up  
28 on top there and I used the maingate phone there. I wanted  
29 to have a look at the pressures, as well, of the chocks  
30 around that area, if 149 and that had got any. I made that  
31 phone call to Cadbury. He didn't answer. As soon as  
32 I hung that phone up, that's when the first --  
33

34 MR TOLHURST: Wave?  
35

36 MR MAGGS: Wave, yes.  
37

38 MR TOLHURST: Thanks, Adam, for up to that stage. How are  
39 you going?  
40

41 MR MAGGS: Yes, I'm good.  
42

43 MR TOLHURST: Do you want to have a break?  
44

45 MR MAGGS: No, no, I'm good.  
46

47 MR TOLHURST: Okay.

1  
2 MR MAGGS: Yes.  
3  
4 MR TOLHURST: Just a couple of things I just want to ask  
5 you about what you've mentioned. I didn't want to  
6 interrupt you. You mentioned you were down at the  
7 tailgate, tailgate drive, and a Venturi was operating?  
8  
9 MR MAGGS: Mmm.  
10  
11 MR TOLHURST: Was there just the one Venturi?  
12  
13 MR MAGGS: Yes, there was just the one operating. So  
14 there were two hung there from the week before. We only  
15 had one operational all week. It was earthed. It was  
16 running all week.  
17  
18 MR TOLHURST: And you mentioned up around about 80 to  
19 90 chock, there was another Venturi?  
20  
21 MR MAGGS: Yes.  
22  
23 MR TOLHURST: Was there only one?  
24  
25 MR MAGGS: Yes.  
26  
27 MR TOLHURST: That's all I had just to clarify with that.  
28  
29 MR STOOK: All the butchers flaps were basically in place  
30 as normal?  
31  
32 MR MAGGS: Yes.  
33  
34 MR STOOK: The Sherwood curtain had been squared off with  
35 the longwall block?  
36  
37 MR MAGGS: Yes.  
38  
39 MR STOOK: Normally you tie that in to your side shield  
40 or --  
41  
42 MR MAGGS: Sorry, no, it was in line with that 149 chock,  
43 and it was hanging on the cairns. So we'd braced that to  
44 the cairns and ran that right the way down to the cairns,  
45 and it was probably 30 metres down, and then we sort of had  
46 it a metre off the block brick, just so you can get that  
47 dilution rate in around that area. It was good, but, like

1 I said, around that - it was hanging off the roof a little  
2 bit around that area, due to spoil being through there and  
3 that shearer tapping it a little bit and pulling it off the  
4 roof there.  
5  
6 MR TOLHURST: Adam, you said you were obviously at the  
7 DCB, you tried to contact Mick Burgess up on top, when you  
8 felt that first pressure wave?  
9  
10 MR MAGGS: Mmm.  
11  
12 MR TOLHURST: So can you explain what you felt, what you  
13 heard at that point?  
14  
15 MR MAGGS: Yes. So, yes, the first one - I'd only just  
16 hung the phone up, just hung it up, and it was a pressure  
17 bump and a big pressure bump. Like, it was an event. It  
18 was a huge event. It was something I'd never felt before.  
19  
20 MR STOOK: You've been there for, what, two years; right?  
21  
22 MR MAGGS: In the wall.  
23  
24 MR STOOK: In the wall?  
25  
26 MR MAGGS: Yes.  
27  
28 MR STOOK: And you've been on the start of 104, start-up  
29 of 104 as well?  
30  
31 MR MAGGS: Yes, yes.  
32  
33 MR STOOK: So compared to coming away from install face  
34 and getting past the square, this event was unique?  
35  
36 MR MAGGS: Yes, definitely.  
37  
38 MR STOOK: Never felt anything like it?  
39  
40 MR MAGGS: Never felt anything like it, no. The thump of  
41 it and the reversing ventilation - so the ventilation  
42 reversed straightaway. I looked straight down at 1, 2, 3,  
43 4 chock and that maingate bag, and it just billowed over  
44 the top of that, the dust and the ventilation, and that bag  
45 was just fluttering, the dust that come over the top of  
46 that area and reversed from there, it was - it was a goaf  
47 event.



1  
2 I actually thought, to start with - and this is what  
3 I said to the boys on the face, "We've just lost  
4 36 cut-through." I thought the 36 cut-through, the one we  
5 were in line with there - I thought it had come in and we'd  
6 lost that area. I thought we'd had a fall around that  
7 area, and I said that to the boys. I had my MX6 in my  
8 hand. So the face had reversed. Like I just said then,  
9 over the top of that 1, 2, 3 was just something I'd never  
10 seen, and it twists my guts now thinking about, you know,  
11 the --

12  
13 MR STOOK: Yes, yes, and that's why you thought it might  
14 have been 36, because it was closer by. It's pretty hard  
15 to imagine something happening on the face reversing the  
16 ventilation?

17  
18 MR MAGGS: That's right, that's right. And just what  
19 I seen come over the top around that 1, 2, 3 chock, you  
20 know, that's what made me think that it was around that  
21 initial area and goaf area, with that maingate bag flapping  
22 so hard, it was really flapping and that. I said to the  
23 boys, I said to Johnny Badke there, Beau, and I said to  
24 Jackson, I said, "We've just lost 36 cut-through. I think  
25 that's fallen in around them."

26  
27 Visibility was zero because of the reverse  
28 ventilation. I grabbed my MX6 out. I've got to be honest  
29 with you now, I thought it was quite strange, for something  
30 like that - and this is another reason I thought it was  
31 around that area, was I didn't have nothing on it. There  
32 was no gas or anything at that time. You know, it didn't -  
33 it wasn't registering too much.

34  
35 I then asked Beau. Beau's a trainee deputy as well.  
36 He had an ALTAIR with him as well, so I actually grabbed  
37 his ALTAIR as well, to correlate between two gas detectors,  
38 and they were pretty similar. I was getting down the DCB  
39 stairs - ladder then, at the time. So I was halfway down  
40 that ladder, it was probably 10 to 15 seconds later. As  
41 I said to you, visibility was zero. I could hardly see  
42 there. And the second one, and it was just a lot more  
43 violent, a lot bigger. We're talking six, seven times,  
44 eight times, a lot more pressure and shock.

45  
46 I was getting down that DCB ladder, and it braced me,  
47 if you know what I mean. Like, the force of it braced me

1 up against that ladder. A couple of boys on the DCB, they  
2 hit the deck. Still again, you know, I still felt that it  
3 was a goaf - a goaf event. The force and that of around  
4 that 1, 4 and maingate area, and that maingate bag sort of  
5 fluttered. There was a bit that flapped past and that, and  
6 I still had feelings that it was definitely something  
7 around that goaf or that roadway or something like that.  
8 I still wasn't thinking of the tailgate.  
9

10 But we'd lost power on that second one. The gas  
11 detectors were going off their heads. I had about 13 to  
12 14 per cent O2, quick, but, you know, spike. CO was going  
13 off. I'll be honest, I can't remember what - I didn't even  
14 see what it was up to. I was getting down the ladder then,  
15 and visibility was zero. I was bumping up against the rib,  
16 the DCB, trying to get down to that - peek through that  
17 maingate bag.  
18

19 MR STOOK: Would you expect that amount of force, say for  
20 example, for the first one, to have been a consequence of  
21 that tailgate roadway finally coming in, for however long  
22 it was standing up for?  
23

24 MR MAGGS: The tailgate?  
25

26 MR STOOK: Yes. It doesn't seem like it could be.  
27

28 MR MAGGS: No. I'm a long way away from that tailgate  
29 roadway.  
30

31 MR STOOK: Yes.  
32

33 MR MAGGS: I think it's something bigger, myself.  
34 I really think it's a - you know, if - my initial thinkings  
35 of it now, and knowing of it, I really think we've had  
36 a huge goaf fall, you know, or that whole roadway's come  
37 in, anything from that tailgate right the way - if we've  
38 got a ring main effect or something of that.  
39

40 MR STOOK: Yes, yes.  
41

42 MR MAGGS: Because I poked my head through - once I got to  
43 that maingate area, that one chock and that, you know, we  
44 were right in line with that 36 cut-through, visibility was  
45 still zero. I couldn't see there, but I could see two bits  
46 of tape of the cairns that were in 36 cut-through. At that  
47 stage I knew 36 cut-through hadn't come in.

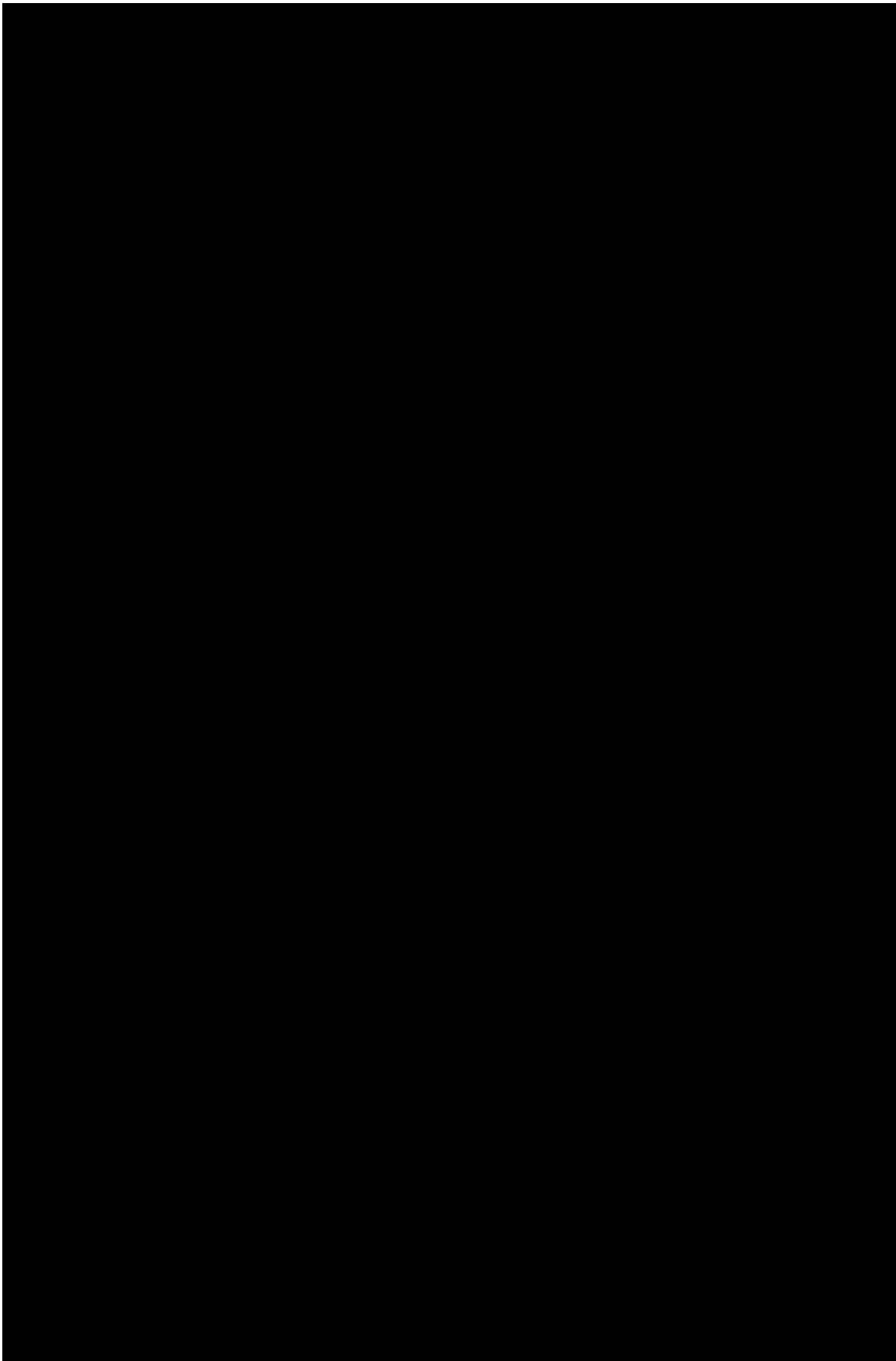
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2 But in correlating that, at the same time, that's when  
3 I heard the boys on the DAC. [REDACTED]  
4 [REDACTED]  
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13 [REDACTED]  
14 [REDACTED]  
15 [REDACTED]  
16 [REDACTED]  
17 [REDACTED] And I just  
18 had my gas detectors, I had two gas detectors there, and  
19 I was just correlating what we had at the time. We were  
20 still in a - there was no gas there then. There was no gas  
21 at all. It had spiked and gone.  
22

23 The power dropped off in that second one, and I just  
24 started running. I had a couple of boys behind me and  
25 I remember - I had a couple of boys behind me and I still  
26 had zero visibility, and I just started running for the  
27 tailgate. I was running for them boys.  
28

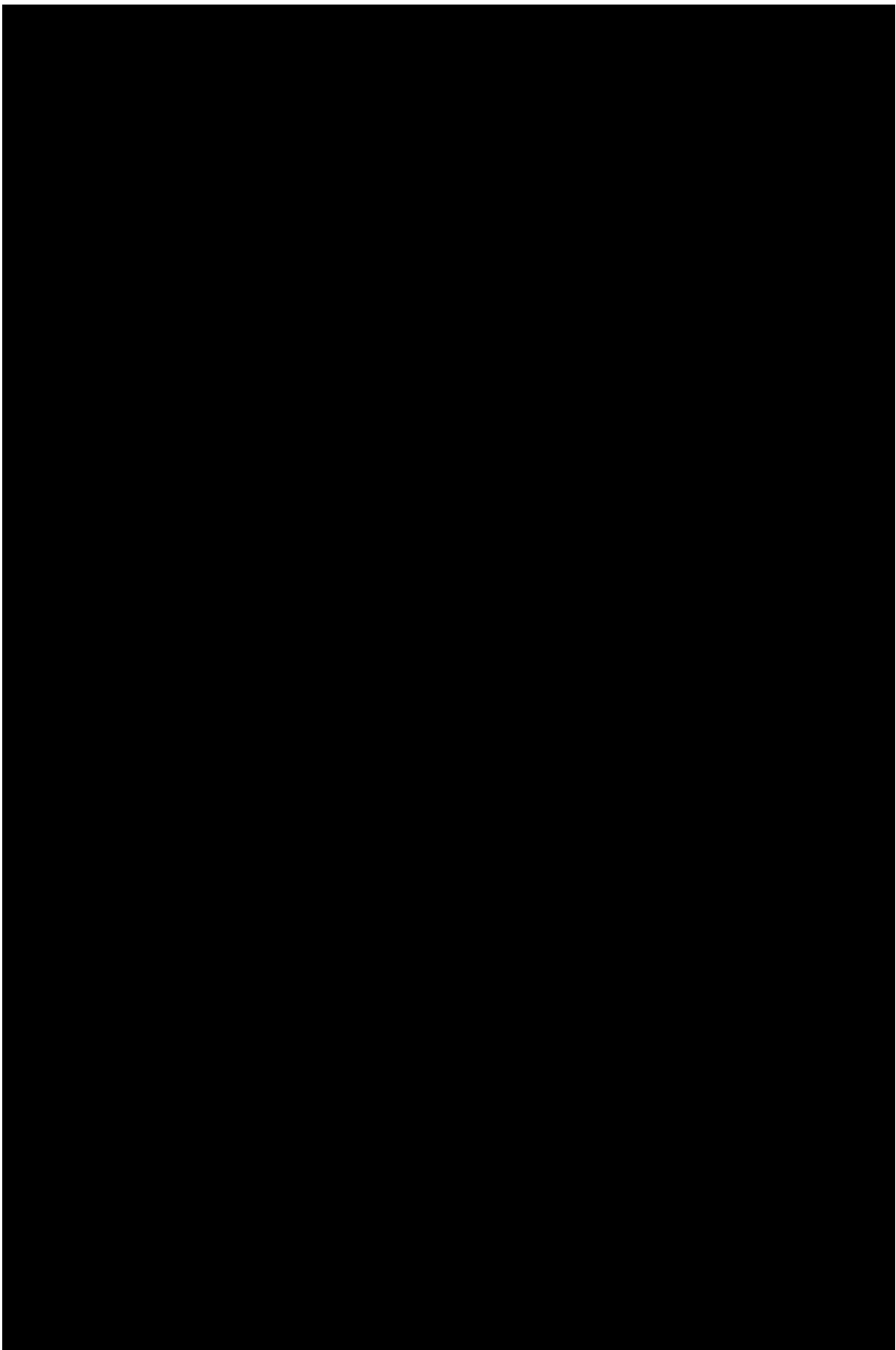
29 I got to around that 12 area, where we had a butchers  
30 flap up there. That butchers flap was still standing  
31 there. I hit that butchers flap. I didn't see it. Hit  
32 the deck. I was trying to grab around for my second  
33 detector. Found it, and I was looking again. All good.  
34 You know, the reason for that is our rescuers. If we got  
35 into an irrespirable atmosphere and that, then the boys  
36 behind me I had to let know and that. All fine. We had  
37 bugger all.  
38

39 I jumped up, got to the other side of that butchers  
40 flap, and all of a sudden it just cleared. That  
41 ventilation must have been going back the right way and it  
42 had cleared the face.  
43  
44 [REDACTED]  
45 [REDACTED]  
46 [REDACTED]  
47 [REDACTED]

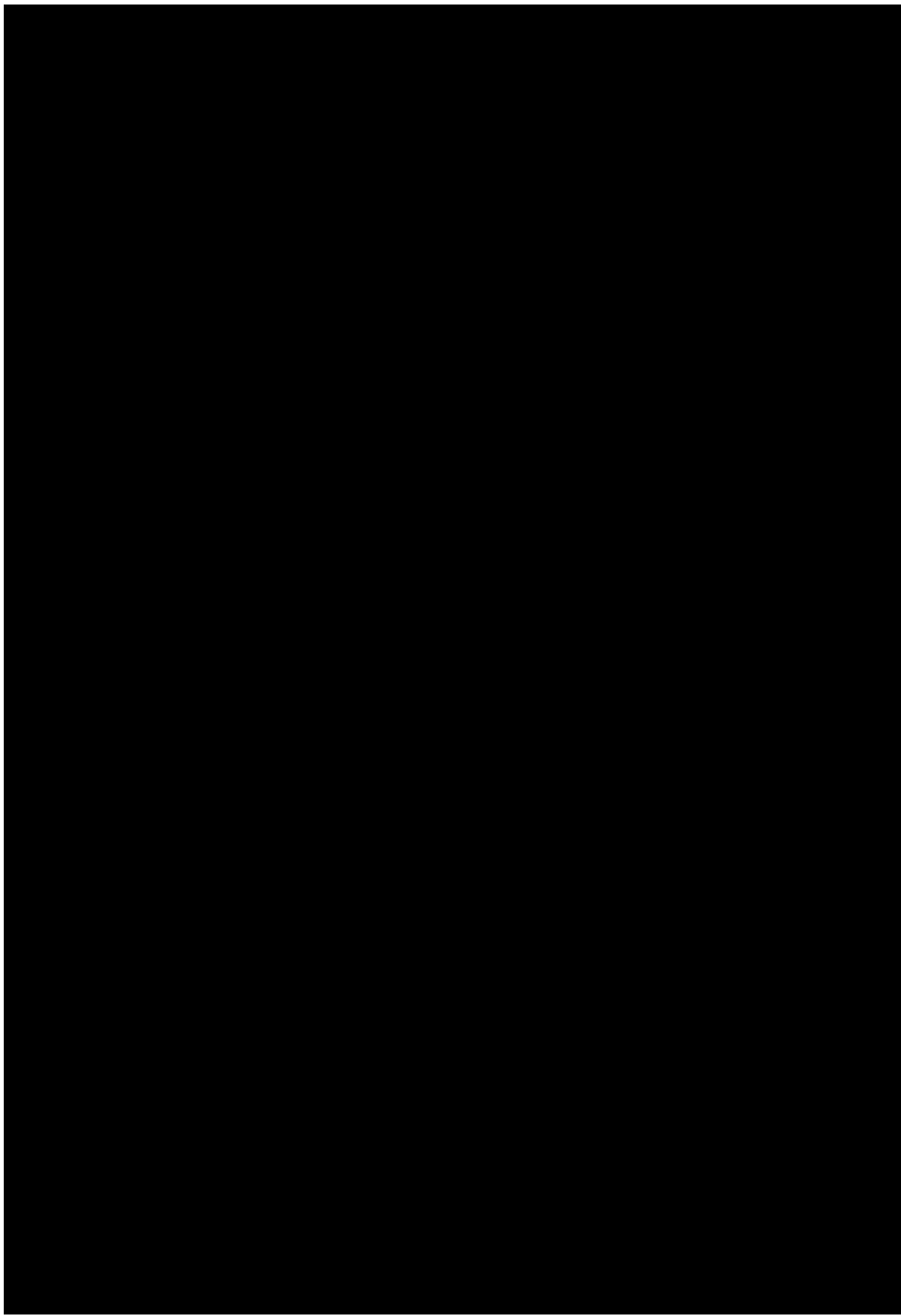
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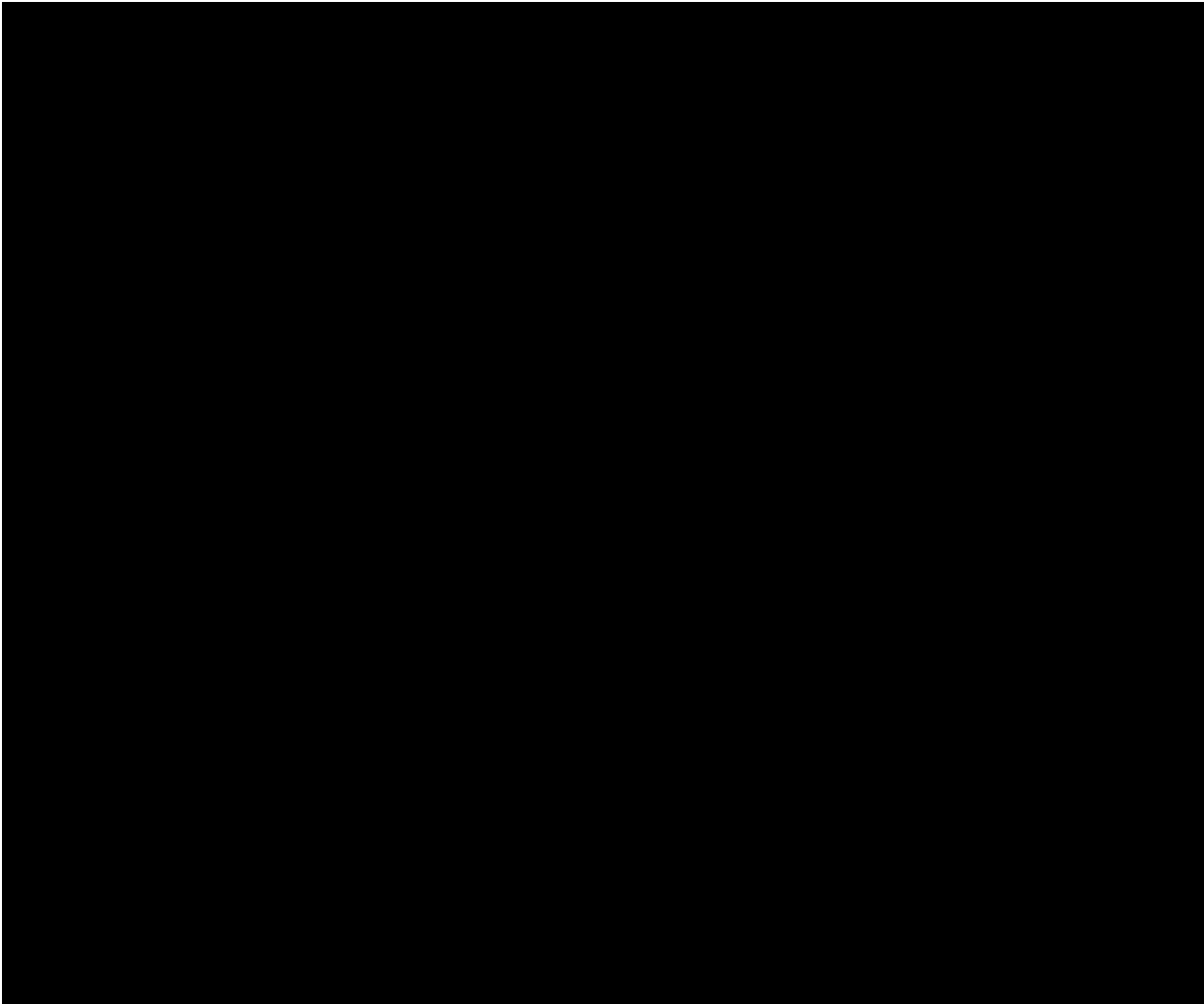
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MR TOLHURST: And obviously our investigation, we're trying to - as part of our investigation, we're covering off a number of factors, electrical, mechanical as well, so I've just got some questions about maybe some things that you may have seen during the day.

MR RICH: Perhaps before you do, I was going to say, one thing that Adam wanted to talk about was about the tag board and the system they were using on their way out, which kind of follows from where we're at now.

MR TOLHURST: Sure.

MR RICH: I wonder whether or not you might want to talk about that now, before you go on with the general questions?

MR STOOK: Yes, we could go into that. Are you happy with that, before we start the questions?

1 MR TOLHURST: Yes, by all means, if you want to, yes.  
2  
3  
4  
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12  
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14  
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17  
18

19 I then went around to that single drivage. You know,  
20 when I went into that last open cut-through, it was just  
21 chaos. There was blokes everywhere. There was probably 10  
22 to 20 blokes running around. Some had seen the boys, some  
23 hadn't. I pushed them all into a Drifty. I don't know how  
24 many I had on that last Drifty, but I threw Injured Coal Mine  
Worker 2's  
25 helmet in the back there. They were yelling out to me, you  
26 know, "There's no-one inbye, there's no-one inbye", but  
27 I couldn't take that chance. I needed to know for myself  
28 and I had to check that tag board.  
29

30 So I went and checked that tag board. I then made  
31 another phone call upstairs and said, "Look, everyone's  
32 accounted for on the face and inbye at the single drivage."  
33

34 I've told Nealo and that then. They sort of wanted to  
35 go into that protocol, you know, the questions, you know,  
36 different answers. They asked me what my readings were on  
37 the gas detector and that, and I told them we had nothing  
38 at that stage. They said, "Where are you going to call  
39 from next?" I said, "The 104 tag board", so at the start  
40 of the panel.  
41

42 So I jumped on the front of the Drifty. At that  
43 stage, there were some boys starting to yell and there were  
44 some things going on, and I had to stay in my zone. I had  
45 to stay in - I just said, "Look, the injured are on their  
46 way out. We're evacuating." I didn't want to go into it  
47 too much. But this is where, Andrew - this is where



1 I think from this 34 cut-through and the tag board systems  
2 that we run on these days, my fear from there to that tag  
3 board was, have I left anyone behind?  
4

5 You know, I'm not going to know if I've left anyone  
6 behind until I get to that tag board, you know what I mean,  
7 unless we run into them. And that was just gut wrenching  
8 on that two and a half Ks out, you know, that, and not  
9 knowing if it was going to go again, another third blast,  
10 or something like that, or the pit. You know, the coal  
11 dust had picked up and that.  
12

13 But, you know, it just tore me to bits, that thought  
14 of leaving someone behind. That's just my role and that.  
15 And not knowing until I got out to that tag board - when we  
16 got out to that tag board, there was probably two  
17 Driftrunners worth there, and it was just chaos. I got out  
18 of there. There was blokes pulling tags off left, right  
19 and centre of the injured and all that.  
20

21 That was the only thing that was going to give me  
22 a true indication if I had left anyone inbye, and  
23 I snapped. You know, I snapped. I told everyone to, "Put  
24 the fucking tags back on the tag board, get your own tag  
25 and jump in a Drifty."  
26

27 That's when I - I still had eight unaccounted for.  
28 Four of them were the injured. I was 90 to 99 per cent  
29 sure that the other four were the four that took them out,  
30 but I wasn't going to take that risk. I sent the boys out  
31 then in the two Driftys, because Chris Aires had come in in  
32 another Drifty by himself, and I sent them out and said,  
33 "Make sure" - and they didn't want to leave me, but I said,  
34 "Go." Until I got confirmation that them eight at that tag  
35 board were upstairs and out of there, I wasn't leaving  
36 there.  
37

38 Airesy had three missing in the mains, and we got  
39 confirmation 10 minutes later, but just that - I think  
40 there's a real discrepancy we could probably maybe look at  
41 later on down the track in the way we use tag boards into  
42 an incident like this.  
43

44 There was a tag there that was left, there was  
45 actually nine, and I yelled out to the boys, "Who's this?"  
46 They said, "That tag's been underneath in the tokens for  
47 well over a week and a half now." You know, I wasn't sure

1 on that. But it's just something else in that situation,  
2 you know. I haven't spoken to management about this or  
3 anything like that. I just think it's a real discrepancy  
4 here, and, I don't know, I think we could look at that area  
5 between there.

6  
7 MR TOLHURST: A better system?

8  
9 MR MAGGS: Yes.

10  
11 MR STOOK: Yes, including personal location devices that  
12 are active all the time, as Beau suggests, on the face.

13  
14 MR MAGGS: Yes.

15  
16 MR RICH: It seemed people were taking tags everywhere.  
17 It just happened that Maggsy was firm enough to tell them  
18 to put them back, but a different person in a different  
19 situation might not have done that.

20  
21 MR TOLHURST: Lucky you were there and not following up  
22 the Driftys --

23  
24 MR RICH: That's true, too.

25  
26 MR TOLHURST: -- and the two Driftys had already been  
27 there and left, and you got there and those tags --

28  
29 MR RICH: That's right.

30  
31 MR MAGGS: Yes, you're right, yes. Different things like  
32 that, you know, even a little tag board on the face. I'll  
33 go into a situation a week ago - a couple of weeks before  
34 that, where someone from the dark side had left their tag  
35 on the face one, on the face little tag board, but it was  
36 two days before we got there, and it was still there.

37  
38 In that situation where I was coming off the face,  
39 I could have sent myself or blokes back down that face  
40 looking for that one bloke, when they hadn't been there for  
41 a couple of days. Just that whole tag board system, I just  
42 think, you know, that works and it doesn't work in some  
43 ways. I just did want to bring that up with you.

44  
45 MR TOLHURST: Yes, noted. Obviously there will be  
46 a number of recommendations that come out of the  
47 investigation, and I'm happy to put that forward.

1  
2 MR STOOK: I think if you escalate the importance of it,  
3 as well. Kind of like your locks, it's not something that  
4 you want to guess about. You want to be sure.

5  
6 MR TOLHURST: Adam, you've already mentioned some of the  
7 ventilation arrangements not just at the tailgate end but  
8 along the face, like Venturis and Sherwood curtains and  
9 butchers flaps. Are they standard for longwalls at  
10 Grosvenor?

11  
12 MR MAGGS: No. Are you asking if there's a plan or  
13 a procedure in place?

14  
15 MR TOLHURST: Is there a plan or a procedure?

16  
17 MR MAGGS: No, no. No.

18  
19 MR STOOK: How is that implemented? I've not actually  
20 seen anything like it in longwalls before. It just seems  
21 like there's quite a lot of additional face ventilation  
22 management that you have to have in place to manage the  
23 methane on that face, and it's just 104 that it was  
24 implemented.

25  
26 MR MAGGS: Yes, yes. So the exceedances around that  
27 149 sensor, I'm going to say, myself, Nealo, Brad Meldrum  
28 and that - we've been the only proactive people to put them  
29 in place. We've arranged for them, but there's no plans.

30  
31 MR TOLHURST: When you say you arranged for them, you  
32 arranged for the Venturis?

33  
34 MR MAGGS: They were the actions we put into place after  
35 a couple of exceedances and that around that goaf area, for  
36 butchers doors to hold that fringe back a little bit and  
37 that goaf stream back, and put a Venturi in around there,  
38 but there was no plan or no standard.

39  
40 MR TOLHURST: For you to implement that or to introduce  
41 that, who do you talk to or?

42  
43 MR MAGGS: That was the under-manager and myself, yes.

44  
45 MR STOOK: The VO just leaves face management up to you  
46 guys?  
47

1 MR MAGGS: The V0 instructed me on the Sunday to put in  
2 the 12 cut-through - the 12 shield one. That's all he's  
3 instructed. That's it, yes.

4  
5 MR STOOK: And that was in response to similar things, was  
6 it? So they were trying to push methane back into the goaf  
7 fringe rather than it coming out even at 12 cut-through, at  
8 number 12?

9  
10 MR MAGGS: Yes.

11  
12 MR STOOK: Geez. Why do you think that --

13  
14 MR MAGGS: Not pushing it back in. Reducing. Reducing  
15 the gas in the rear walkway. We're getting a higher flow  
16 of ventilation then.

17  
18 MR STOOK: Increasing the velocity around --

19  
20 MR MAGGS: Yes, around that rear walkway.

21  
22 MR STOOK: Why do you think that this fringe is so  
23 marginal all the time? It almost seems like you take the  
24 butchers flap away, that's it, you've got an exceedance  
25 coming your way. It just seems as if that whole system is  
26 primed. Even just recent events, for reasons that seemed  
27 logical, they had to turn all goaf drainage off; right?  
28 But that capacity, 1400 litres a second, reported straight  
29 into the tailgate return; right? So it just seems as if  
30 there's no flexibility either way: you either have to have  
31 your shit right or there's gas on face. Do you know what  
32 I mean?

33  
34 MR MAGGS: Yes.

35  
36 MR STOOK: And is that unique for 104, or was that the  
37 same at 103, 102?

38  
39 MR MAGGS: No. So 104, we have had a lot more slowdowns,  
40 a lot more stoppages and a lot more exceedances.

41  
42 MR STOOK: Yes, for the distance that you've retreated so  
43 far?

44  
45 MR MAGGS: Yes, for what we've retreated so far, a lot  
46 more than 103, 102.

47

1 MR TOLHURST: And that's due to gas exceedances?  
2  
3 MR MAGGS: Yes, yes.  
4  
5 MR STOOK: And the 103, 102 and 101 ran normal bleeder  
6 systems, in that they have upcast bleeder systems?  
7  
8 MR MAGGS: Yes.  
9  
10 MR STOOK: And they have the intake system that you've got  
11 there now?  
12  
13 MR MAGGS: That's right, yes.  
14  
15 MR TOLHURST: Excuse some of these questions. I have  
16 minimal mining background.  
17  
18 MR MAGGS: Yes.  
19  
20 MR TOLHURST: How are gas exceedances managed on the face?  
21  
22 MR MAGGS: Through us. Gas exceedance - I'll report them  
23 to - straightaway, we'll stop mining, report to our  
24 under-manager. Our under-manager then will report to the  
25 mine manager. The mine manager then reports to you guys.  
26 In that process, we'll do anything to dilute or do whatever  
27 we can at the time to get that gas down, and then we will  
28 wait for firm instructions from you guys and actions put in  
29 place, and put them in place before we start mining again.  
30  
31 MR TOLHURST: If a gas exceedance - talking about the  
32 shearer, for example, and the gas sensors that are on the  
33 shearer. I believe, is it 2 per cent when the shearer  
34 shuts down?  
35  
36 MR MAGGS: Yes.  
37  
38 MR TOLHURST: When the gas sensor obviously is activated,  
39 2 per cent or more, and the shearer shuts down, how is that  
40 reported? Is it the same process or is that a different  
41 process?  
42  
43 MR MAGGS: No, it's a different process. So it's only  
44 reported through stat reports and through our downtime  
45 logging. The control room also will downtime that - will  
46 log that, and under-managers' reports.  
47

1 MR STOOK: So do you have the ability to say to the  
2 under-manager, or whatever that escalation protocol is, to  
3 say, "We're struggling on the face. Is there anything you  
4 can do with the goaf drainage system to try and suck that  
5 goaf fringe back a bit more?"  
6

7 MR MAGGS: So myself and the under-manager are in  
8 correlation with the - you know, that's one question I will  
9 ask before going underground, "What are we doing? Are we  
10 coming up to a goaf well? What's this goaf well sucking at  
11 the time?"  
12

13 MR STOOK: Yes, yes.  
14

15 MR MAGGS: But, no, I'm not allowed to - I don't make any  
16 calls. I think it's past - that's a little bit beyond me,  
17 in knowing what's going on with them goaf wells.  
18

19 MR STOOK: Yes.  
20

21 MR MAGGS: But I am making sure that I'm knowing what  
22 they're pulling; if they're pulling, are they increasing or  
23 decreasing?  
24

25 MR STOOK: How far away you are from them?  
26

27 MR MAGGS: Yes, and how far away we are and that, and what  
28 the one behind us is directly doing. I do ask the control  
29 room operator to let me know if it's starting to slow down  
30 or if it's just on a continual 1000 litres a second. So  
31 I'm keeping scope of that, but we can't - I'm not making  
32 decisions on whether we're starting one or pulling one up.  
33

34 MR TOLHURST: When a gas sensor, whether it be at  
35 tailgate, on the shearer or up at maingate, is obviously -  
36 there's an exceedance and it shuts down working, or the  
37 works, what's the process in restarting? So if 2 per cent  
38 cuts it off, when do you get things up and running again?  
39

40 MR MAGGS: We've got a start-up plan and a stop plan from  
41 around this 115 into the tailgate. They've come up with  
42 some sums with where it correlates, and it makes  
43 measurements of what we can start up at or what we can go  
44 past 115 at. It adjusts itself at the time, and it just  
45 runs off the screen. So we're running off the screen. We  
46 can't sort of - we don't make that call. This gas strategy  
47 they've come up with, on the screen, it allows us to start

1 or not start. That's not deemed by us.  
2  
3 MR TOLHURST: So it's not something you can override?  
4  
5 MR MAGGS: I can't override that, no.  
6  
7 MR TOLHURST: It's built into the system?  
8  
9 MR MAGGS: Yes.  
10  
11 MR TOLHURST: So when it gets back down to 1.8 or when it  
12 gets down to 1.6, the system itself just allows you to?  
13  
14 MR MAGGS: Open it up, yes. And I will say, if it's 1.8 -  
15 lately we've been letting it get to about 1.6, 1.7 before  
16 we start up, because we know it'll give us a better run in,  
17 in and out.  
18  
19 MR STOOK: If it charges as quickly as it does, yes.  
20  
21 MR MAGGS: Yes.  
22  
23 MR TOLHURST: With regards to the AFC chain, what problems  
24 had there been with the AFC chain during your swing?  
25  
26 MR MAGGS: Yes, so the day before - it was actually the  
27 night before, two nights before, it would have been, the  
28 incident, night shift had a problem where an inspection  
29 plate had come off and had got caught in the maingate  
30 sprocket and damaged three flight bars and a bit of chain.  
31 So it was actually the - so Tuesday, we were down all  
32 shift. Boys were cutting chain, pulling that plate out of  
33 that bomb door at the maingate there and replacing flight  
34 bars and chain. We were down that whole shift.  
35  
36 MR TOLHURST: I'll take you back to the day of the  
37 incident and just leading up to the incident. When the  
38 shearer had been stopped, you said the shearer was brought  
39 back to about 120, 123 chock?  
40  
41 MR MAGGS: Yes.  
42  
43 MR TOLHURST: Was the chain still running or it had  
44 stopped as well?  
45  
46 MR MAGGS: The chain was still running because we were  
47 double-chocking at the time.

1  
2 MR STOOK: So it would have been running, then, after the  
3 first event?  
4  
5 MR MAGGS: It would have been, yes, yes, because we didn't  
6 drop power until that second one.  
7  
8 MR STOOK: Yes, yes.  
9  
10 MR TOLHURST: Are you able to comment on whether the chain  
11 was slapping around loose or tight?  
12  
13 MR MAGGS: No, sorry, I can't comment on that. To my  
14 view, there was nothing different with that chain. I did  
15 a chain - I looked at the chain, doing my face inspection,  
16 and I obviously looked at it while we were down in that  
17 tailgate area, and nothing was different. It wasn't  
18 slapping around or it wasn't loose or anything like that.  
19  
20 MR STOOK: Were there any tensioner issues? I mean,  
21 anecdotally we heard that it was on manual because the  
22 auto tensioner wasn't working properly, or --  
23  
24 MR MAGGS: Yes, I can't be certain on that.  
25  
26 MR STOOK: That's fine.  
27  
28 MR MAGGS: Yes.  
29  
30 MR TOLHURST: That's okay.  
31  
32 MR STOOK: Yes. I guess from our perspective, as John  
33 mentioned before, we need to, however improbable, look at  
34 all of the ignition sources as well as the sources of gas.  
35  
36 MR MAGGS: Yes.  
37  
38 MR STOOK: So that's why we're just asking these  
39 questions.  
40  
41 MR MAGGS: Yes.  
42  
43 MR STOOK: With regards to the shearer, then, it was  
44 completely immobilised? The heads weren't lifted up or  
45 able to creep down, or the heads were down, or --  
46  
47 MR MAGGS: The heads were sort of just mid-range. Yes,



1 they wouldn't have been able to creep down or anything like  
2 that.

3

4 MR STOOK: And the integrity of the longwall itself - did  
5 you have any issues with any of the supports, leg issues,  
6 activation issues, anything? I mean, it was a brand-new  
7 wall, I suppose, they'd just started off. There were no  
8 problems there? I mean, we hear about these Chinese  
9 hydraulic cylinders and stuff like that. But everything  
10 was working as it should?

11

12 MR MAGGS: Yes, everything was working as it should. We  
13 had a couple of flippers that - you know, we were in  
14 a hydraulic integrity TARP at the time, where we had a couple  
15 of flippers that weren't working at the time. But they  
16 were mid-face and that. We have had problems with those  
17 legs, but they were only O-ring problems. They're changing  
18 out the O-rings on the run. No, not really, no, nothing  
19 I can recall. The only thing I said was we had that 145,  
20 146 down, but we got them up.

21

22 MR TOLHURST: I've just got a couple more questions about  
23 the AFC. You may be able to answer them, you may not be  
24 able to, but are you aware, were the AFC top deck water  
25 sprayers running at the time?

26

27 MR MAGGS: Yes.

28

29 MR TOLHURST: They were. And were they all working, do  
30 you know?

31

32 MR MAGGS: Couldn't answer on all of them.

33

34 MR TOLHURST: How much water do they put on the AFC?

35

36 MR MAGGS: Can't answer, again.

37

38 MR TOLHURST: That's okay. Were the sprayers for the AFC  
39 return sprays on at the time?

40

41 MR MAGGS: Yes.

42

43 MR TOLHURST: Where does the water from the tailgate drive  
44 go to?

45

46 MR MAGGS: Back into the goaf. But at that time, we had  
47 so much spoil around that tailgate drive and all that, I'll

1 be honest, most of that water would have been in that  
2 bottom race and making its way through to where it could  
3 open up in that mid-face area.

4  
5 MR TOLHURST: No, that's fine.

6  
7 MR MAGGS: Yes.

8  
9 MR TOLHURST: Have you ever found CH4 blowers coming from  
10 the floor?

11  
12 MR MAGGS: Yes.

13  
14 MR TOLHURST: Are you able to provide any comment around  
15 that?

16  
17 MR MAGGS: They were quite common. Not so much blowers,  
18 but we had a little bit of floor heave. 103 block - we've  
19 had a little bit around there. You get your blowers and  
20 that, but, you know, your consistent bubbling of - when  
21 you've got a little bit of water around that pan line and  
22 that, especially around the maingate area and that. But  
23 I spoke about it earlier, our general body is never high.  
24 I can't even get off scale or anything, that type of stuff,  
25 if you put it down right at that bubble, it doesn't lift  
26 any increase in general body or anything like that.

27  
28 MR TOLHURST: You mentioned block 103. What about  
29 block 104?

30  
31 MR MAGGS: We haven't had much floor heave. We've had  
32 bugger all floor heave. We've had a little bit around that  
33 maingate, but - there was some bubbling and that, but  
34 I wouldn't really call them blowers. I'd call it migrating  
35 out of the floor. We did have some blowers in 103 where  
36 it'd knock the sensor straight out.

37  
38 MR STOOK: One of the things that we're trying to  
39 correlate here is that I think at about 3900 chainage on  
40 maingate, in development, maingate 104 development, they  
41 were doing pitting and all this kind of stuff, and there  
42 were some blowers coming in behind the miner. When you  
43 draw a straight line, if you could do that, it sort of  
44 aligns itself with the chainage that wall was at.

45  
46 In the hazard plan, it shows that 700 metres further  
47 outbye, there's a methane risk zone within the longwall,

1 and we're just trying to understand if you had the blowers  
2 at 3900 chainage, why isn't that a methane risk zone as  
3 well; right? But from all accounts, there wasn't anything  
4 unusual on the face with regards to that, anyway.

5  
6 MR MAGGS: No.

7  
8 MR TOLHURST: I've just got a couple more, Adam. Are you  
9 aware of any sparking issues on the AFC pan line during  
10 block 104?

11  
12 MR MAGGS: No.

13  
14 MR TOLHURST: Previous panels?

15  
16 MR MAGGS: No.

17  
18 MR TOLHURST: Have you ever seen the lump breaker creating  
19 any sparks?

20  
21 MR MAGGS: No.

22  
23 MR TOLHURST: What about the shearer drum picks, have you  
24 ever seen any sparking issues with those?

25  
26 MR MAGGS: I've seen them hit flippers a couple of times  
27 with a couple of operators, but no real sparking. It's  
28 just clipped them and knocked some picks off them, and I've  
29 only seen that a few times, too.

30  
31 MR TOLHURST: I've got no further questions. Have you got  
32 anything, Steve?

33  
34 MR STOOK: We're all trying to find out what's happened.  
35 Do you have any idea what may have contributed to the  
36 event, that may have caused the event? We're looking at  
37 electrics, we're looking at mechanicals, we're looking at  
38 spon com, we're looking at - we know that you've actually  
39 had a PUR campaign, as well, in consolidation, to try and  
40 identify whether or not the blend of herbs and spices was  
41 correct, just doing inventory control and stuff like that.  
42 But in your mind, is there anything that you could see --

43  
44 MR MAGGS: I'm going to be honest, it's probably a little  
45 bit out of my league for the ignition part, but all I am  
46 going to say is that first initial pressure bump and that  
47 has come from behind us, and it was out of the ordinary and

1 big. Something has happened behind us. I'm sure of that.  
2 And I've said it before, seeing that on the maingate and  
3 all that - the boys were still 200 metres down the road,  
4 down the face. What I seen at that maingate, I know that  
5 something big has happened in behind there. I can't  
6 comment on the ignition side or anything like that, but  
7 that first initial bump was something that happened behind  
8 us, yes. That's about all I can elaborate on with that.

9

10 MR STOOK: That's fine.

11

12 MR TOLHURST: That's fine, Adam, and I'll just follow up  
13 with one last question. Are you aware of anything else or  
14 any other information that may assist us in our  
15 investigation at this time?

16

17 MR MAGGS: No.

18

19 MR TOLHURST: Mr Rich, do you wish to place any comment on  
20 record?

21

22 MR RICH: No. Is there anything else you want to add?

23

24 MR MAGGS: No.

25

26 MR TOLHURST: Adam, has everything you told us here today  
27 been the truth?

28

29 MR MAGGS: Yes.

30

31 MR TOLHURST: And do you have any complaints on how this  
32 interview has been conducted?

33

34 MR MAGGS: Not at all.

35

36 MR TOLHURST: Before I terminate the interview, even  
37 though we have not referred to them, I did lodge them  
38 during the interview - I'm just going to ask and invite you  
39 to initial and date the backs of these documents. You are  
40 not making any admissions by doing so. You are simply  
41 adopting them as the records that I referred to during the  
42 interview. Are you happy with that, Andrew?

43

44 MR RICH: Yes.

45

46 MR MAGGS: Can I just have a look at this, because I only  
47 got this page. Now, I'm just wondering what this is.

1           There's nothing in --

2

3           MR TOLHURST:   No.  I am assuming - sorry, I won't assume.  
4           I am guessing that these are - it's normally a six-page  
5           document, but they've only filled in the first two.  So  
6           what happened was we made application under section 154 of  
7           our legislation for a copy of all witness statements that  
8           have been provided by coal mine workers at the Grosvenor  
9           mine.  This is the document that I was provided.

10

11          MR MAGGS:    Yes, I was just asking the question because  
12          that's what I thought - I only got that page myself, and  
13          I just wanted to see what else was in it.  Only initial?

14

15          MR TOLHURST:   And a date.  It's the 8th.

16

17          MR MAGGS:    8th of the?

18

19          MR TOLHURST:   6th.  Great, thanks, Adam.  The time by my  
20          watch is 11.51am.  Do you agree with that?

21

22          MR MAGGS:    Yes.

23

24          MR TOLHURST:   I will now terminate this interview.

25

26          **AT 11.51AM THE INTERVIEW CONCLUDED**

27

28

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