I understand that this statement will be held in confidence until such time as I may be called to testify in a court proceeding, at which time it may be produced upon demand of opposing counsel. Additionally, this statement may be made available to other agencies if it will assist them in the performance of their statutory functions. Upon the closing of this case, this statement may be subject to disclosure only in accordance with applicable statute(s) and agency policy.

I hereby depose and say: On the day of the incident I was aware of the magazine that came into the yard. I did not know exactly what it was. The truck and trailer got its heavy weight and then pulled around to where I was standing. I asked him what it was and what was in the large steel box (magazine). The yard owner told me that.
but was told by a farm owner that it sat on a farm and was used as a trashy stand for several years. He told me that it was locked and could not get inside the box to know its contents. Prior to me asking George to cut the locks off the box he had been working on cutting a machine bucket up with the torch. When I asked George to cut the locks I knew that he was wearing glasses, boots, tinted glasses, gloves. I do not recall seeing him wearing any other PPE at that time. I watched the trailer dump the machine off of the dump trailer. It was laying on its side so that George could cut off the bottom lock.

I then went over to address an issue I had with a customer when the explosion happened. I went to see the incident location and then went into the office to be sure that someone called 911.
I purchased PPE (personal protective equipment) for George to use while he cut metal with a torch. I did not enforce the use of the additional equipment while using the torch. George would wear the leather chaps and sleeves in the winter time. George did not wear a face shield while he cut with a torch.

Since the incident, we have adopted a procedure on receiving materials at the location. I provided the OSHA officer a copy of the document.
I have read and understand the statement on this form, all of the attached pages, and these facts are true and correct to the best of my knowledge and belief. If I fail to make a false statement or misrepresentation in this statement, I make it a criminal offense to knowingly make a false statement or misrepresentation in this statement.
I, Chad Hutter, reside in the City of [Redacted] County of [Redacted] State of [Redacted] ZIP Code [Redacted]. My telephone is Area Code [Redacted].

I have been employed by Kantner Iron & Steel, INC. located at 3825 Whistler Rd, Stroudsburg PA 18360. My job classification is (was) YARD MANAGER.

I understand that this statement will be held in confidence until such time as I may be called to testify in a court proceeding, at which time it may be produced upon demand of opposing counsel. Additionally, this statement may be made available to other agencies if it will assist them in the performance of their statutory functions. Upon the closing of this case, this statement may be subject to disclosure only in accordance with applicable statute(s) and agency policy.

I hereby depose and say: This Statement is a continuation of my previous statement in regard to the events that led to a fatal incident involving George Rimmey. On the day of the incident I was operating a 250 EXCAVATOR. I was prompted to get out of the EXCAVATOR because of the large steel box that was caught in...
Into the yard, I wanted to know what was inside the box. It did not matter who it was that brought the box in. I just wanted to know what was inside the box. I got down out of the machine and went to the rear of the yard. George was working on something when I approached the passenger of the truck. I can't recall his name. The box was on a pull behind dump trailer. George saw me looking at the box. He stopped what he was doing and walked over to join the conversation between myself and the passenger. I asked the passenger of the truck where the box was from. What it was? He stated that he got the box from a farm that he was cleaning out. That it was at the farm for 25-30 years. He did not say what the box was. He was unsure of its contents. He shook...
Statement (Continuation)

Statement of

I was locked in that he could not get into the box to see what was in it if anything. I asked George if he could burn the locks off. I mentioned that there could be wood in it because of a previous occasion I had with a smaller box of similar design that contained wood. George mentioned to me that there was probably wood inside the metal box. I wanted to see if there was wood inside the box, so that we could deduct the weight of the wood from the scrap steel price we were going to pay the customer. I thought the box was the kind of box that would contain wood. The reason the box would be lined with wood was so that if something would fall over inside the box during transportation or movement it would not cause a spark in the box and create an explosion.
Statement (Affirmation)

Statement of ___________________________________________________ 

The Reason I know this is New because I examined the box closely after the explosion.

I have read and had the opportunity to correct this statement consisting of 4 handwritten pages, and these facts are true and correct to the best of my knowledge and belief. Public Law 91–596, Paragraph 17(g) makes it a criminal offense to knowingly make a false statement or misrepresentation in this statement.

OSHA
10-13-2011
EX:7(c)

**Statement**

1. **CAROLYN EVERETT** & **CARL BURTON** reside in the City of ****
   
   (Number) (Street) 
   
   of **** County of ****
   
   State of **** ZIP Code ****
   
   My telephone is Area Code ****: Cell ****
   
   I have been employed by **SOLE PROPRIETOR** located at **GARY SARVER - SARVER SPECIAL SERVICES**
   
   (Number) (Street) (City) (State) (ZIP) 
   
   office telephone, Area Code ****: Cell ****. My job classification is (was) ****

I understand that this statement will be held in confidence until such time as I may be called to testify in a court proceeding, at which time it may be produced upon demand of opposing counsel. Additionally, this statement may be made available to other agencies if it will assist them in the performance of their statutory functions. Upon the closing of this case, this statement may be subject to disclosure only in accordance with applicable statute(s) and agency policy.

I hereby depose and say: **The people that own the farm are in the 70's. They don't live at the farm. They use the farm on the weekends.**

**The barn was getting in bad shape.**

**AD GARY SARVER FROM SARVER SPECIAL SERVICES BOUGHT THE BARN FROM THE MORRIS'S.**

**The barn had a lot of scrap. We said we would give them **** for the barn.**

E4:1 95
we took out a Road trip for the fuel. I would give the slip & money to the Morris's. The check was written into Cardyn's name. We deposited the check from Kantner & gave the Morris's cash for the scrap. The box that taken for scrap was the last load of scrap from the Barn area. Previous to the incident there were 5 loads. There were 6 loads total. The box set along the road goes up to the farm. It was on the left side. I was under the impression that it was used as a haybin. That is what Ann Morris told Carl Burton. When I was picking up the last load Milton & Ann & Carl Gradson were there. Ann told us that she talked to her son & her son said that it was good to be scrapped & that there was nothing in it. She talked to her son twice prior to us finding it out of the Barn area. The son told his mom 3 or 2 times that the box was...
Statement (Continuation)

- I arrived at Kautner with the scrap. I stopped
  and spoke with the Kautner Yard Manager and
  George. George said that the box was an
  old dynamite box. He said this to George, the Yard Manager. George asked if there was
  anything in it. George said that it could have
  been a wooden box. The Yard Manager, Chap Hutter,
  told George to cut off the lock. George
  did not hesitate to cut off the first lock.
  George then told me to dump it over there.
  So that he could get to the second lock.
  We dumped it and the Yard Manager left.
  George had the 2nd lock cut off and was
  stepping away from it when it exploded.
  Chap wanted to know how much wood was
  in the steel box. Chap wanted to know
  how much money to deduct from the
  scrap because of the wood weight. John
  was not there at the time of the
  incident.

- Ann Mom's states after the explosion that the area...
Statement (Affirmation)

Registered with the ATF & that's why it needed to be so far away from the house. She also said it was used to store black powder. Carl was standing within approx. 8 feet of the box when it exploded.

I have read and had the opportunity to correct this statement consisting of _______ handwritten pages, and these facts are true and correct to the best of my knowledge and belief. Public Law 91-596, Paragraph 17(g) makes it a criminal offense to knowingly make a false statement or misrepresentation in this statement.

Signature: ___________________________ Date: ___________________________

Address: ___________________________ City, State, ZIP Code: ___________________________

Phone Number: ___________________________