

WEST VIRGINIA OFFICE OF MINERS' HEALTH, SAFETY AND TRAINING

**REPORT OF FATALITY
MOBILE EQUIPMENT
FEBRUARY 27, 2020**

**PHOENIX FED. NO. 2 MINING LLC.
FEDERAL NO. 2 MINE
PERMIT NO. D00004563B**

**REGION ONE
14 COMMERCE DRIVE, SUITE ONE
WESTOVER, WEST VIRGINIA 26501
EDWARD PEDDICORD, INSPECTOR-AT-LARGE**

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GENERAL INFORMATION

The Phoenix Fed. NO. 2 Mining LLC., Federal NO. 2 Mine, Permit No. D00004563B, is located near Fairview, West Virginia. The mine is not producing coal, the power to the underground mine was de-energized on February 6, 2018. This operation has eight (8) employees on three (3) shifts and they maintain the surface area of this underground operation. Diesel Performance, Contractor ID# C-00009417, located in Fairview, West Virginia, provides contract mechanical services to the mining industry. Country Roads Transport LLC., located in Morgantown, West Virginia, was contracted by Lotus Transport (through Truckstop.com) to transport mining equipment.

DESCRIPTION

On February 27, 2020, at approximately 12:30 p.m., James David Campbell, 50 years of age, was fatally injured while assisting with the positioning of a lowboy/I-beam trailer. The lowboy/trailer was being positioned to load an inoperable 773D Caterpillar rock truck for removal from the mine.

On February 27, 2020, at 1:03 p.m., David Workman Sr., General Manager of the Federal NO. 2 Mine, called the Region One Office of West Virginia Miners' Health, Safety and Training to report a serious accident. Mr. Workman stated that an individual had been run over on mine property by a lowboy/trailer. John Meadows, Assistant Inspector-At-Large of the Region One Office, instructed Michael Southern, Surface Mine Inspector, to go directly to the Federal NO.2 Mine. A joint investigation with the Mine Safety and Health Administration, Phoenix Federal NO.2 Mining LLC., and the United Mine Workers of America began immediately.

On February 27, 2020, at approximately 11:20 a.m., Jeremy Doss and Mr. Campbell, Country Roads Transport LLC., employees arrived at the Federal NO. 2 Mine. Mr. Doss was operating a Kenworth tractor pulling the lowboy/trailer which was going to be used to transport a 773D Caterpillar truck. Mr. Campbell drove the flag/escort pickup to this location. Cory King and Howard Shriver, Diesel Performance employees, were present to position and load the truck onto the lowboy/trailer. Country Roads Transport LLC., employees were met at the mine office and escorted one (1) mile on the mine access road by the Diesel Performance employees to the refuse area. Once at the refuse site, a brief meeting was conducted between the contractors on the loading procedures of the truck.

Mr. King and Mr. Shriver are mechanics and their presence was needed to prepare the inoperable truck for loading. The truck's planetary and rear tires on the driver's side had been removed. The bucket of the 988 Caterpillar front-end loader was positioned at the rear of the truck's bed to raise and maneuver the truck over and up on the lowboy/trailer. Once the lowboy/trailer was positioned in front of the Caterpillar truck, the Kenworth tractor would detach from the trailer and move out of the way to allow access to load the Caterpillar truck over/up on the trailer using the Caterpillar front-end loader.

Mr. Campbell was located on the passenger side near the front axle of the lowboy/trailer. Mr. Campbell was attempting to assist with positioning of the lowboy/trailer. Mr. King and Mr. Shriver were on the same side of the lowboy/trailer, approximately ten (10) feet from Mr. Campbell. Mr. Shriver was removing crib blocks from this location under the direction of Mr. King.

Mr. Doss backed the Kenworth truck and lowboy/trailer into the loading/staging area, then pulled forward slowly to align the truck with the lowboy/trailer. Mr. Campbell used a hand motion to indicate his desire for the truck to move forward. Moving forward the lowboy/trailer struck the victim with the front axle, dual tandem tires that extend out 27.5 inches from the inside frame/beam of the lowboy/trailer.

Mr. King, located nearby, observed Mr. Campbell being ran over by the tires. Mr. King went to Mr. Campbell to attempt to pull him free, but this attempt failed. Mr. King then immediately ran up to the passenger side, then around the front of the Kenworth truck and pounded on the driver's door to gain Mr. Doss attention. Mr. King informed Mr. Doss that the lowboy/trailer was on top of Mr. Campbell. Mr. King suggested that he should back the lowboy/trailer to free Mr. Campbell. Mr. Doss put the truck in reverse and backed the lowboy/trailer to free Mr. Campbell.

Workers immediately went to Mr. Campbell's aid and 911 was notified at 12:32 p.m., to request their assistance. Workers assisted Mr. Campbell by covering him with blankets, administering first aid and communicating with him. Mr. Campbell was conscience and conversing with the workers.

Monongalia County EMS arrived at the accident scene at 12:45 p.m. Monongalia County EMS left the accident scene at 1:07 p.m. transporting Mr. Campbell to Ruby Memorial Hospital in Morgantown, West Virginia, where he passed away later that day.

FINDINGS OF FACTS

1. Mr. Campbell was an employee of Country Roads Transport LLC., for approximately three (3) years. His position was Maintenance Manager.
2. Mr. Doss was an employee of Country Roads Transport LLC., for approximately three (3) months. His position was Truck Driver and he possesses a current CDL driver's license in West Virginia.
3. This was the first time that Mr. Campbell and Mr. Doss had worked together at the Phoenix Fed. NO. 2 Mining LLC., Federal NO. 2 Mine.
4. Mr. Campbell and Mr. Doss do not possess any mining certifications with the West Virginia Office of Miners' Health, Safety and Training.
5. Country Roads Transport LLC., does not possess a contractor's identification number from the West Virginia Office of Miners' Health, Safety and Training.
6. Country Roads Transport LLC., has previously transported mining equipment from this mine site.
7. Trion Equipment Sales LLC. located in Old Forge, Pennsylvania, purchased the Caterpillar 773D truck from Phoenix Federal NO.2 Mining LLC., on January 18, 2020.
8. Trion Equipment Sales LLC., contracted Diesel Performance to prepare the mining equipment for transportation.
9. Diesel Performance prepared ten (10) other pieces of mining equipment for transportation previously on the mine site.
10. The Kenworth tractor was manufactured in October, of 2009.
11. The Talbert 50-ton capacity, four (4) axle, lowboy/trailer has a GVWR of 21,800 lbs., and was manufactured in June of 1988.
12. Charles Brian Craig was the Superintendent at Phoenix Fed. NO. 2 Mining LLC., Federal NO. 2 Mine.
13. Mr. Craig holds an EMT-M Certification # EMT-M2926.
14. On the day of the accident, the weather was cold, 30 degrees, cloudy and windy with occasional snow showers.
15. During a formal interview, Mr. Doss, Truck Driver, stated that he was unaware that Mr. Campbell was attempting to spot/position the trailer, nor did he see Mr. Campbell in the rearview mirrors.
16. During the onsite inspection of the truck, it was discovered that the truck's back-up alarm was not operational nor was the steering wheel signal horn. No other safety defects were detected.
17. The employer did not immediately drug and alcohol test a person involved in the fatal accident.

18. When the driver drove the truck forward, the front dual wheels of the lowboy/trailer struck and ran over the victim. The truck continued forward until an individual ran along the side and around the front of the truck. He then pounded on the driver side door to gain the driver attention.

19. The truck is equipped with adequate mirrors but is not equipped with any other safety devices such as blind area viewers, cameras, proximity devices, etc.

20. The trailer traveled forward a total of **eight (8) feet** before coming to a stop with the tires of the trailer on the victim. (I—|) (see photo below)

21. The measurement from the front axle of the Talbert trailer to the truck mirrors is **fifty-two (52) feet**.

(I—|) (see photo below)



CONCLUSION

Mr. Campbell received fatal injuries when he was assisting in the positioning of a lowboy/trailer on February 27, 2020. Mr. Campbell was located on the passenger side, near the dual tandem front axle, beside the trailer frame rail of the lowboy/trailer. Mr. Campbell was struck and the lower part of his body was run over by the dual tandem tires on the front axle of the trailer while the truck moved forward.

ENFORCEMENT ACTION

Phoenix Fed. NO. 2 Mining LLC., Federal NO. 2 Mine Violations

A non-assessed order was issued in accordance with West Virginia Code Chapter 22A, Article 2 Section 68 to preserve evidence until an investigation by the Office of Miners' Health, Safety and Training is completed.

§36-19-4.2. Notification of Accidents and Occupational Injuries.

The operator failed to report in writing within 24 hours to the Director of the Office of Miners' Health, Safety and Training, of the fatality that occurred on February 27, 2020. The Director did not receive the report, in writing, until March 3, 2020.

§22A-2-63.(e)

The mine operator failed to require Country Roads Transport LLC., obtain a certificate of approval prior to performing work and services on mine property. The contractor has performed work on mine property previously. The company primarily transports mining equipment from the mine, however they have also assisted in dismantling and loading mining equipment.

§56-19-5.17. Duties of Employers.

The employer failed to require a person involved in a fatal accident to be drug and alcohol tested immediately after the accident. An accident occurred on February 27, 2020 at approximately 12:30 p.m., and the individual involved was not drug and alcohol tested until the morning of February 28, 2020.

§36-18-4.1. Responsibility for Care and Maintenance of Equipment.

The mine operator failed to maintain the back-up alarm on the Kenworth tractor in a safe operating condition. It is also noted that the steering horn failed to function when tested. The Kenworth tractor and lowboy/trailer were involved in a serious accident that resulted in a fatality on February 27, 2020.

§36-18-4.1. Responsibility for Care and Maintenance of Equipment.

During the investigation of a fatal accident that occurred on February 27, 2020, on site investigations, formal and informal interviews revealed that the operator was not exercising reasonable care of the Kenworth truck entrusted to him. When the driver drove the truck forward, the front dual tires of the lowboy/trailer struck and ran over the victim. The Kenworth truck proceeded forward until he was informed by an individual who had ran around and in front of the truck to get the drivers attention by pounding on the driver's side door to stop the truck. This a violation of a safety rule and is of a serious nature involving a fatality.

ACKNOWLEDGEMENT

The West Virginia Office of Miners' Health, Safety and Training gratefully acknowledges the cooperation of the management and employees of Phoenix Fed. NO.2 Mining LLC., Country Roads Transport LLC., Diesel Performance, the Mine Safety and Health Administration and the United Mine Workers of America during this investigation.

MINE INFORMATION

COMPANY NAME: Phoenix Fed. NO.2 Mining LLC.

MINE NAME: Federal NO. 2 Mine

W.V. PERMIT NUMBER: D00004563B MSHA PERMIT NUMBER: 46-01456

ADDRESS: 1044 Miracle Run Rd. Fairview, WV. 26570

COUNTY: Monongalia PHONE NUMBER: 304-449-9884

DATE STATE PERMIT ISSUED: 01/29/2019 WORKING STATUS: active/non-producing

LOCATION: Fed. NO.2 refuse site

UNION: Yes NON-UNION:

DAILY PRODUCTION: ANNUAL PRODUCTION TO DATE: 0

TOTAL EMPLOYEES: 8 NUMBER OF SHIFTS: 3

NUMBER OF EMPLOYEES PER SHIFT: day: 0(UG) afternoon: 0(UG) night: 0(UG)

NUMBER OF PRODUCTION SHIFTS: 0

COAL SEAM NAME AND THICKNESS: Pittsburgh No. 8 60-inches

ACCIDENT RATE: LOST TIME ACCIDENTS: 0

TYPE OF HAULAGE: Belt

WVMHS&T INSPECTOR: Ward Colvin

DATE OF LAST INSPECTION: 02/24/2020

NOTIFIED BY: Dave Workman Sr., General Manager

NOTIFICATION TIME: 1:03 p.m.

CMSP-CONTACT PERSON: Brian Craig