

**Report of Fatality
Underground Coal Mine
November 23, 2020**

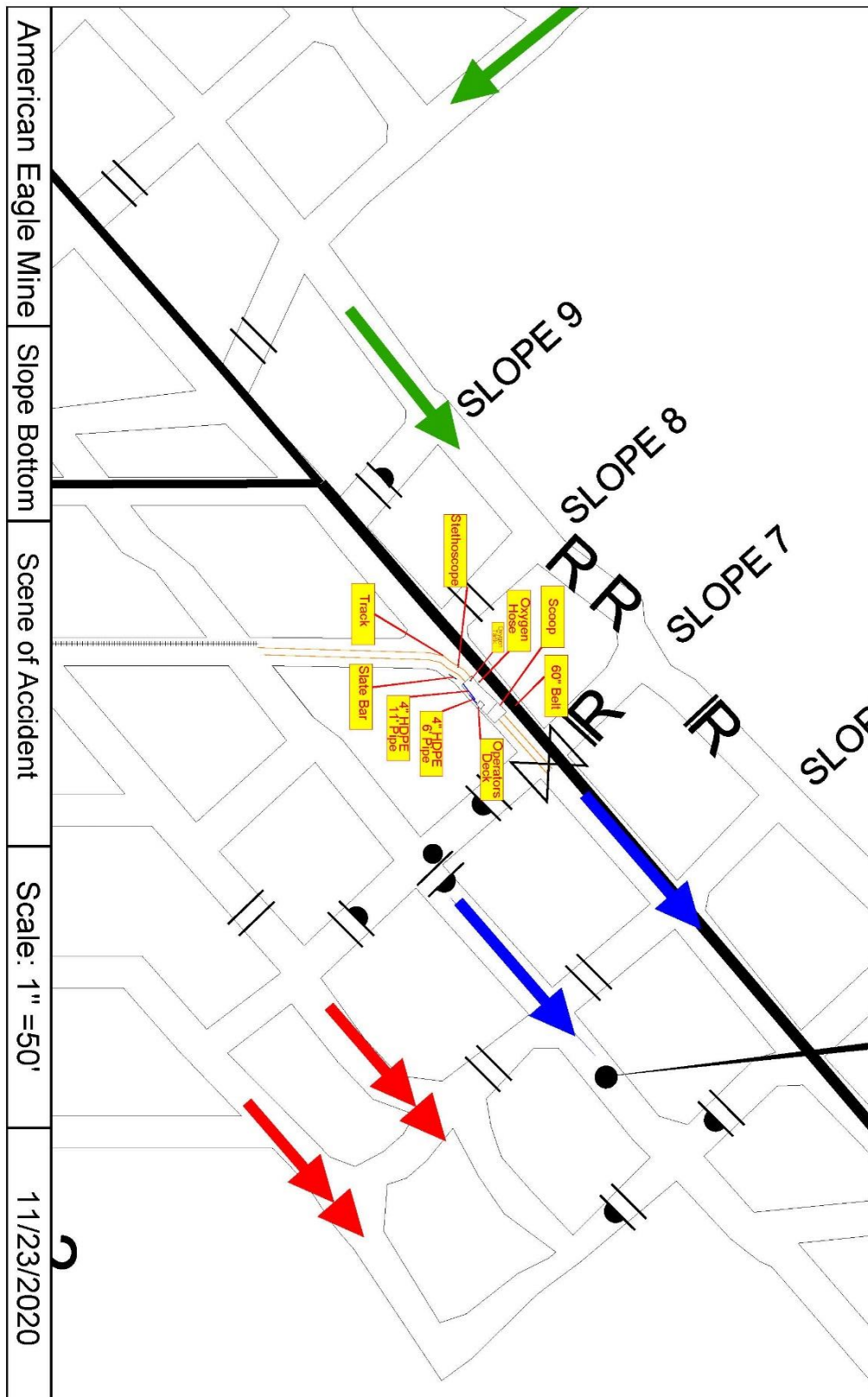
**Panther Creek Mining, LLC
American Eagle Mine
Permit Number U00000391H**

**Region IV Office
337 Industrial Drive
Oak Hill, West Virginia 25901
McKennis Browning, Inspector-at Large**

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DRAWINGS

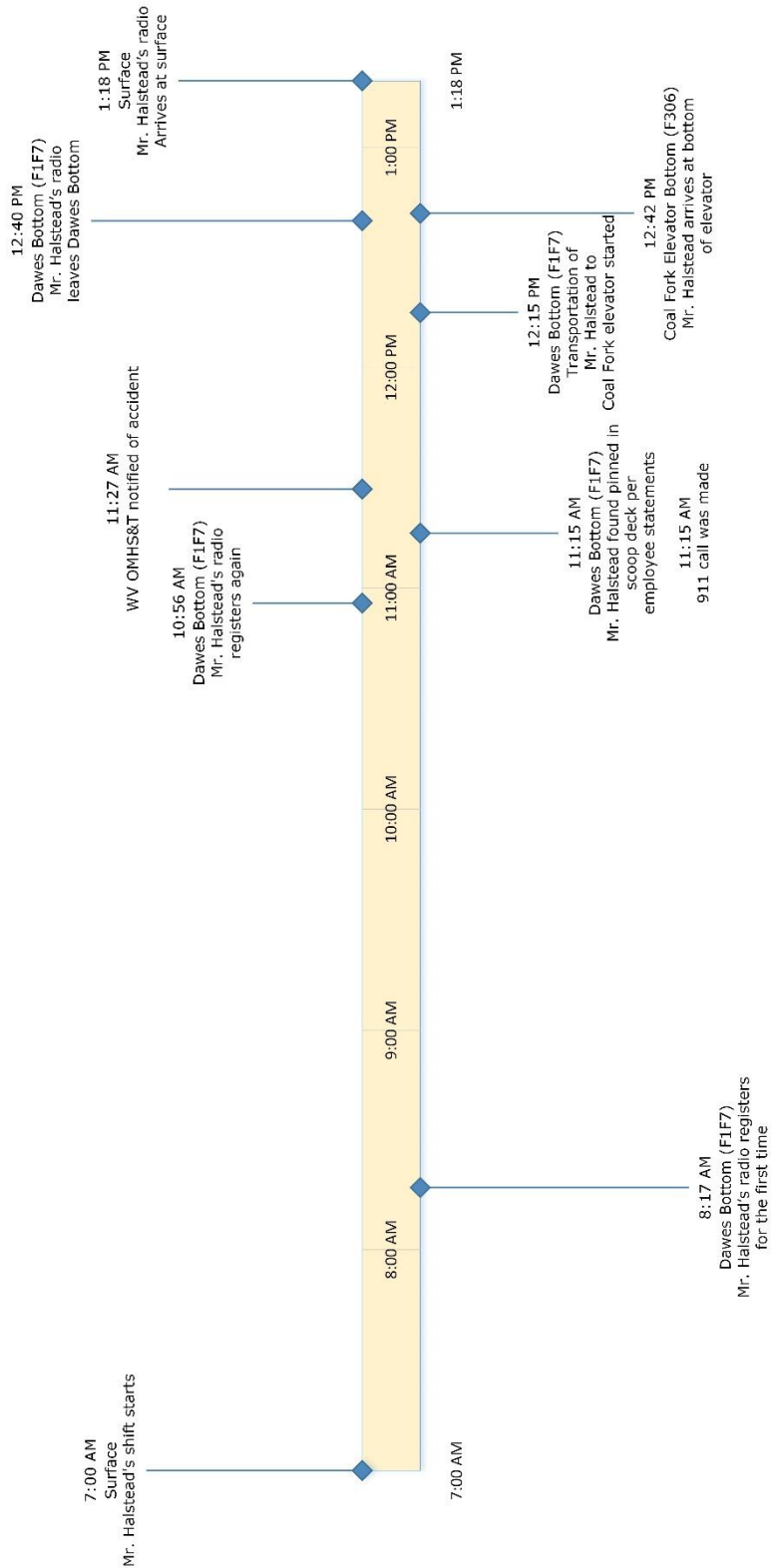


PHOTO



TIMELINE

Timeline November 23, 2020



**Report of Investigation
Underground Coal Mine Fatality
Panther Creek Mining, LLC
American Eagle Mine, Permit Number U00000391H**

GENERAL INFORMATION

This report is based on an investigation conducted in accordance with Chapter 22A, Article 1, Section 14 of the Mining Laws of the State of West Virginia.

The Panther Creek Mining, LLC, American Eagle Mine is located at 200 Remington Coal Lane near Dawes West Virginia in Kanawha County. This underground mine has one working continuous miner section and one longwall section mining in the Eagle Seam. The coal seam is approximately fifty (50) inches thick with an average mining height of five- and one-half feet (5.5) to six (6) feet. The mine has one hundred fifty-four (154) employees and operates five (5) days per week. Normally, the day and evening shifts are production shifts with the midnight shift conducting maintenance activities and performing section belt and power moves.

Taylor Halstead, an employee of Panther Creek Mining, LLC American Eagle Mine was fatally injured in an accident at approximately 11:15 A.M. on November 23, 2020. Mr. Halstead was operating the 537 Scoop (Company Number 537 Serial No. 4880-10) on the slope bottom of the Dawes Portal between number seven and number eight crosscut in the track/belt entry when he was pinned in the scoop deck by a piece of four (4) inch driscoplex 6300 waterline pipe.

Philip Martin, the day shift dispatcher, received a call from underground that someone was injured at approximately 11:15 a.m. and that an ambulance was needed. Mr. Martin called 911. Mr. Martin informed the Kanawha County Ambulance Authority that he was unsure which portal they would bring the injured person out and they would need an ambulance at both the Dawes and Coal Fork portals. Mr. Martin then called Homeland Security (W.V. Operations Center), and the Mine Safety and Health Administration (M.S.H.A.). McKennis Browning, Region Four Inspector-at-Large, received a call from Homeland Security (W.V. Operations Center) at approximately 11:27 a.m. McKennis Browning contacted the American Eagle mine and issued a verbal control order, pursuant to Title 36, Series 19, Section 7.1. Miners' Health, Safety and Training inspectors Charlie Moles and Scotty Kinder were dispatched to the scene. They were joined by McKennis Browning, Region Four Inspector-at-Large and Bobbie Harper, Region Four Assistant Inspector-at-Large, along with Eugene White, Director of the Office of Miners' Health, Safety and Training and John Kinder, Deputy Director of the Office of Miners' Health, Safety, and Training. A joint investigation with the Mine Safety and Health Administration along with Management was started immediately.

DESCRIPTION

The American Eagle Mine day shift started at 7:00 a.m. on Monday, November 23, 2020 with several persons from various shifts working day shift during the holiday week. A safety meeting was held at the beginning of the shift. Mr. Halstead, along with other employees of the American Eagle Mine, were assigned to Jeff Edwards (Foreman) to perform work on the Dawes slope belt which was under violation by M.S.H.A. The employees were at various locations along the slope belt shoveling, replacing rollers, etc. Mr. Halstead was shoveling between crosscut forty-eight (48)

and crosscut twenty-six (26) with other employees. At approximately 10:30 a.m. Mr. Halstead departed on foot from the slope belt to the power center to retrieve his dinner bucket. As he traveled to get his dinner bucket, Mr. Halstead encountered Jeff Edwards (Foreman) and Casey Burkhammer (Apprentice Miner/EMT-M). The three men ate lunch at the power center located nearby where they discussed taking the 537 Scoop and load belt structure to be distributed along the slope belt. Jeff Edwards, Casey Burkhammer, and Mr. Halstead traveled to the 537 Scoop charging station located at slope crosscut six (6). The three men proceeded to take the 537 Scoop off charge.

After taking the 537 Scoop off charge, Mr. Halstead was to tram the scoop to the supply cars, while Jeff Edwards and Casey Burkhammer left Mr. Halstead and traveled on foot inby to the supply cars located in the track curve at slope crosscut eight (8) loaded with belt structure where they awaited the 537 Scoops arrival. After a few moments had passed and the 537 Scoop had not arrived, Jeff Edwards and Casey Burkhammer traveled around the track curve at slope crosscut eight (8) and saw the scoop in the track entry between slope crosscut seven (7) and slope crosscut eight (8) with the battery end inby. They approached the 537 Scoop, which was not running, and saw Mr. Halstead was pinned in the deck of the 537 Scoop by a piece of four (4) inch driscoplex 6300 waterline pipe, approximately seventeen (17) feet in length.

The investigation revealed that while Mr. Halstead trammed the scoop, the operator's side battery end tire ran over a seventeen (17) foot long piece of four (4) inch driscoplex 6300 waterline pipe. The pipe was laying parallel with the scoop's direction of travel. As the scoop's tire ran over the pipe, the outby end of the pipe began to rise, entering the operator's deck and pinning Mr. Halstead against the panic bar.

Casey Burkhammer (EMT-M) checked for vital signs and Jeff Edwards called for help. Jeff Edwards and Casey Burkhammer attempted to remove the four (4) inch driscoplex 6300 waterline pipe but were unsuccessful because the scoop tire was still on the pipe. As help began to arrive, Jason Dooley arrived with a battery grinder and with help from Eric Adkins, they cut the four (4) inch driscoplex 6300 waterline pipe and removed the pipe, freeing Mr. Halstead.

Mr. Halstead was placed on a back board and CPR was started. Mr. Halstead was transported by rail to the Coal Fork portal to the awaiting Kanawha County Ambulance Authority at 12:45 p.m. Mr. Halstead then was transported to CAMC General Hospital, where he was pronounced dead at 1:44 p.m.

FINDING OF FACTS

1. Mr. Halstead was employed as a utility crew person at the American Eagle mine on the midnight shift.
2. Mr. Halstead had one (1) year and two (2) months of mining experience and twenty-eight (28) weeks of experience at this mine.
3. On the day of the accident, Mr. Halstead, Jeff Edwards, Casey Burkhammer, and other employees of the American Eagle Mine were assigned to perform various tasks on the slope belt.
4. A C.A.I. Industries Scoop (Company Number 537 Serial No. 4880-10) was in use for the purpose of delivering belt structure along the slope belt.
5. Taylor Halstead was operating the C.A.I. Industries Scoop (Company Number 537 Serial No. 4880-10) on November 23, 2020, when the accident occurred.

6. The scoop (Company Number 537 Serial No. 4880-10) was traveling inby in the belt/track entry batteries first, with the operator's deck on the rib side opposite the conveyor belt.
7. The area in which the scoop was traveling was dry and dusty with three hundred thousand (300,000) plus cubic feet per minute of air blowing outby against the direction of travel creating a dusty travel way.
8. The scoop tire ran over the pipe causing the pipe to raise and enter the operator's deck, pinning Mr. Halstead against the panic bar.
9. No task training records could be produced by the operator for Mr. Halstead.
10. Various personnel from different shifts and locations were assigned to perform work on the slope belt during the holiday week.
11. Mr. Halstead received treatment from on-site EMT-M personnel and was transported to the Coal Fork surface.
12. An inadequate pre-shift examination was conducted on the track entry from tailpiece of parallel C belt to slope crosscut No. 6.

CONCLUSION

Mr. Halstead was operating the scoop (Company No. 537 Serial No. 4880-10) in the belt/track entry between slope crosscut No. 7 and slope crosscut No. 8 on the Dawes slope bottom. Mr. Halstead was traveling inby, battery end of the scoop first, with the operator's deck located on the rib side away from the conveyor belt. The area was dry and dusty. The operator's side battery end tire traveled onto a seventeen (17) foot long four (4) inch driscoplex 6300 waterline pipe laying parallel with the direction of travel. As the scoop (Company Number 537 Serial No. 4880-10) continued along the for (4) inch driscoplex 6300 waterline pipe, the outby end of the four (4) inch driscoplex 6300 waterline pipe began to raise into the operator's deck pinning Taylor Halstead in his left side pushing him into the panic bar.

ENFORCEMENT ACTION

A non-assessed control order was issued in accordance with Title 36, Series 19, Section 7.1 of the West Virginia Mining Laws to preserve the scene of the accident and complete an investigation.

During this investigation, the Office of Miners' Health, Safety and Training issued fourteen (14) violations and one (1) individual personal assessment, along with the control order. Eight (8) violations were issued at the accident scene and six (6) violations were issued at other parts of the mine.

RECOMMENDATIONS

In accordance with Title 56, Series 8, Section 8.4 of the West Virginia Mining Laws, the comprehensive mine safety program for the Panther Creek Mining, LLC American Eagle Mine shall be modified to include the following:

1. The statement that all employees will be task trained prior to operating any piece of equipment or new task.
2. All fire bosses and foremen shall be retrained on making proper examinations, performing task training, and record keeping.
3. All trainers associated with Panther Creek Mining, LLC shall be retrained by an outside third party.

ACKNOWLEDGEMENT

The West Virginia Office of Miners' Health, Safety and Training gratefully acknowledges the cooperation of the employees and management of Panther Creek Mining, LLC and the Mine Safety and Health Administration during this investigation.

APPENDIX

- Mine Information Sheet
- Victim Information Sheet

MINE INFORMATION

COMPANY: Panther Creek Mining, LLC

MINE NAME: American Eagle Mine

WV PERMIT: U00000391H MSHA PERMIT NO.: 4605437

ADDRESS: PO Box 99, Dawes, WV 25054

COUNTY: Kanawha PHONE NO.: 681-221-8100

DATE PERMIT ISSUED: October 28, 2015

WORKING STATUS: Active

LOCATION: 200 Remington Coal Lane

UNION: _____ NON-UNION: Yes

DAILY PRODUCTION: 13,291 Raw Tons

TOTAL EMPLOYEES: 154

NUMBER OF SHIFTS: 3

COAL SEAM AND THICKNESS: Eagle Seam 50"

ACCIDENT INCIDENT RATE: 3.78 LOST TIME ACCIDENTS: 0

TYPE OF HAULAGE: Shuttle Car / Belt / Longwall

WV OMHST INSPECTOR: Charles Moles

DATE OF LAST INSPECTION: September 30, 2020

NOTIFIED BY : WVDHSEM

NOTIFICATION TIME: November 23, 2020 at 11:27 a.m.

CMSP – ANNIVERSARY DATE: N/A

CMSP – CONTACT PERSON: Ricky Estep