

**WEST VIRGINIA OFFICE OF MINERS' HEALTH, SAFETY AND
TRAINING**

REPORT OF FATALITY

Rubber Tire Haulage Equipment

March 22, 2023

**Century Mining, LLC, Longview Mine
PERMIT NO. U00201512**

REGION ONE

14 COMMERCE DRIVE, SUITE ONE

WESTOVER, WEST VIRGINIA 26501

EDWARD PEDDICORD, INSPECTOR-AT-LARGE

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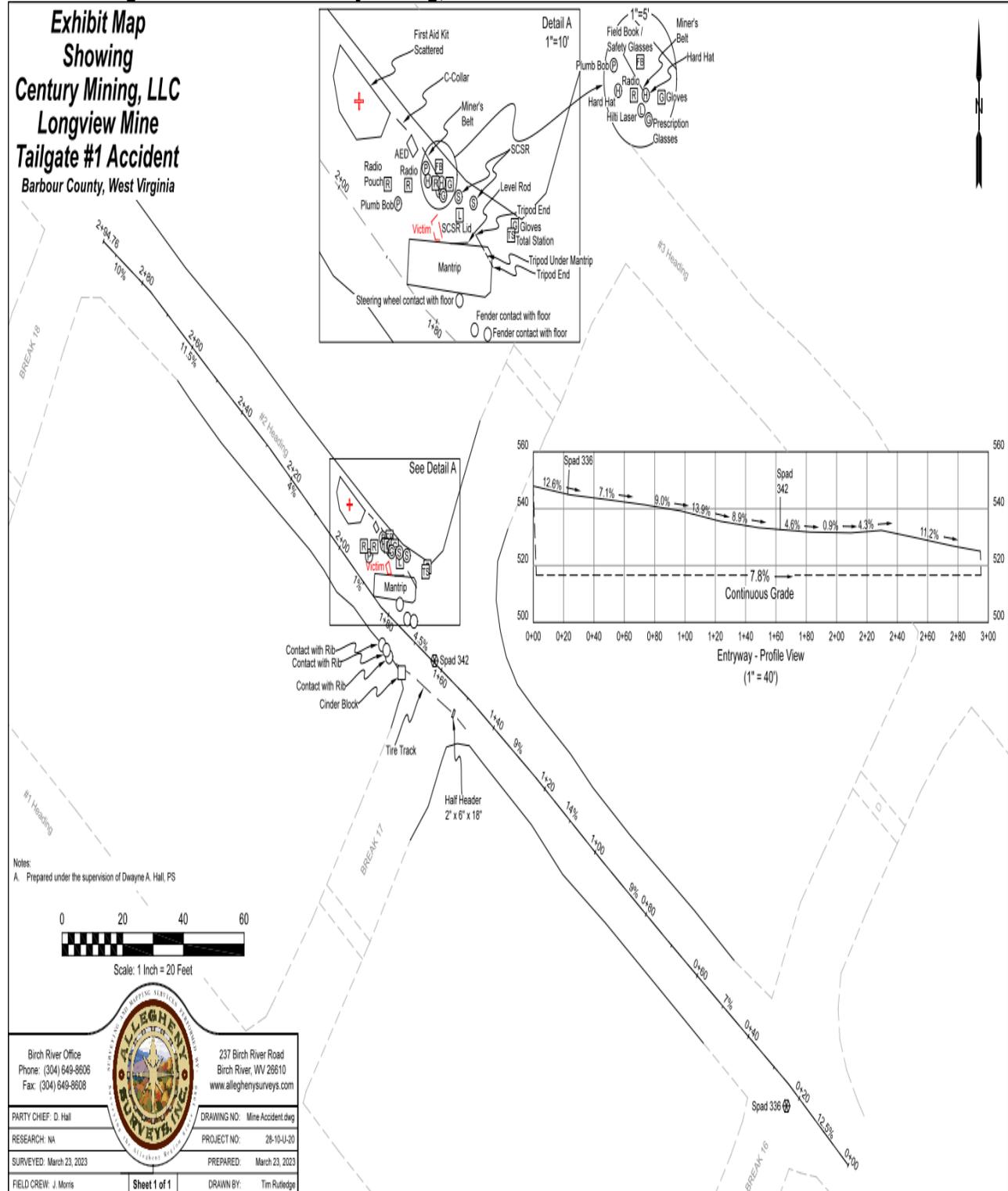
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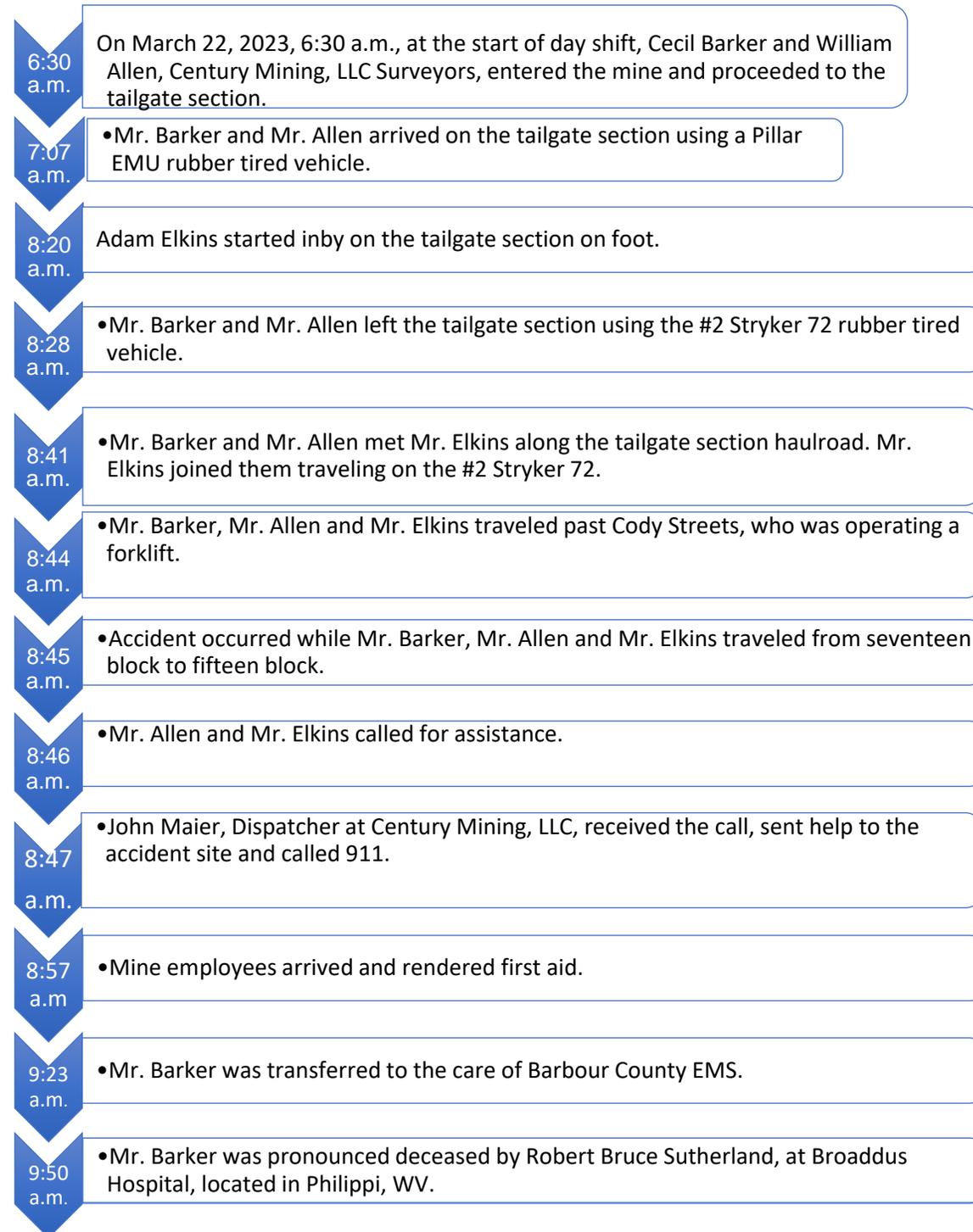
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Photo of the accident scene located at tailgate section #2 entry, 17 block.

CAD drawing obtained from Century Mining, LLC





GENERAL INFORMATION

Century Mining, LLC, Longview Mine, Permit No. U00201512, is located in Volga, Barbour County, West Virginia. The Longview Mine produces three thousand, four hundred, seventy-three (3,473) raw tons per day and annual production year-to-date is two hundred eighty-one thousand three hundred sixty (281,360) tons from two (2) miner units. Coal is transported from the working sections by conveyor belts to the slope belt and then by overland belts to the preparation plant. The Longview Mine employs two hundred thirty (230) employees and operates three (3) shifts per day. The Lower Kittanning coal seam is accessed by the Peel Tree Road Portal and the mine slope. Longview Mine utilizes diesel/battery track mounted and rubber-tired battery powered haulage equipment.

On March 22, 2023, at approximately 8:45 a.m., Cecil L. Barker, Jr., 62 years of age, received fatal injuries while he was located in the tailgate section, #2 entry, seventeen (17) block on day shift. The #2 entry is the roadway, haulage and primary escapeway for the tailgate section. Mr. Barker was an employee of Century Mining, LLC.

On March 22, 2023, at 8:55 a.m., John Maier, Dispatcher, called 911 for assistance. At this time, the West Virginia Division of Homeland Security Mine and Industrial Accident Rapid Response System was notified of the accident. John Meadows, Assistant Inspector-at-Large of the Region One West Virginia Office of Miners' Health, Safety & Training, was then notified that an accident had occurred at the Longview Mine. Mr. Meadows notified Edward Peddicord, Inspector-at-Large of the Region One West Virginia Office of Miners' Health, Safety & Training; James Bowman, Electrical Inspector; John Sparks and Tadd Rankin, District Mine Inspectors, of the accident. Mr. Bowman issued a verbal order at 9:15 a.m., to Dan Curry, Safety Manager of Longview Mine. A joint investigation with the Mine Safety and Health Administration and Century Mining, LLC began immediately.

DESCRIPTION

On March 22, 2023, 6:30 a.m., at the start of day shift, Mr. Barker and William Allen, Century Mining, LLC, Surveyors, entered the mine and proceeded to the tailgate section, via Pillar EMU four (4) person, personnel carrier, to install survey spads. Once on the section, Mr. Barker and Mr. Allen installed the required survey spads. After completing this task, Mr. Barker and Mr. Allen were preparing to leave the section when they were informed to switch personnel carriers from the rubber-tired Pillar EMU vehicle they used to travel to the section. The Pillar EMU was needed to transport the bull crew (mid-shift general labor crew) working on the section to the end of the main line track located at the mouth of the section for shift change. Mr. Barker and Mr. Allen were instructed to use the #2 Stryker 72, a two-passenger rubber-tired personnel carrier. Mr. Allen looked at the rubber-tired ride before loading tools and equipment. After loading the #2 Stryker 72, Mr. Allen and Mr. Barker started traveling outby with Mr. Allen operating the ride.

The start of Adam Elkins, Century Mining, LLC, Engineer, shift was delayed due to a meeting that was scheduled, but later cancelled. Mr. Elkins was traveling on foot, inby in the #2 entry, to the tailgate section, when he encountered Mr. Allen and Mr. Barker at thirty-two (32) block traveling outby on the #2 Stryker 72.

Mr. Elkins joined by sitting in the passenger seat. Mr. Allen was operating the #2 Stryker 72 personnel carrier and Mr. Barker was sitting on the top of the hinged electric motor cover, behind the provided seating. Mr. Barker's feet were located under the seats of the personnel carrier and they proceeded traveling outby. While traveling upgrade from sixteen (16) block to fifteen (15) block, Mr. Elkins accidentally depressed the emergency stop button located between the seats on the motor cover. Mr. Elkins stated he accidentally depressed the emergency stop button with his shoulder, de-energizing the #2 Stryker's electrical system, including the dynamic brake.

The #2 Stryker 72 started to roll backward slowly down grade gaining speed as it descended the grade. Mr. Allen applied the foot brake, but the brakes were not operational and did not stop the #2 Stryker 72. Mr. Allen applied the parking brake by pushing the handle down. The parking brake was not operational and did not stop the #2 Stryker 72 from traveling backward. The rear, passenger side of the personnel carrier contacted the right rib, just inby the seventeen (17) block crosscut in the #2 entry. When the #2 Stryker 72 contacted the rib, it traveled up the rib and overturned trapping Mr. Allen and Mr. Barker. Mr. Elkins was ejected from the #2 Stryker 72.

Mr. Allen freed himself and crawled from under the #2 Stryker 72 then located Mr. Barker and Mr. Elkins. Mr. Barker was entrapped under the #2 Stryker 72. Mr. Allen and Mr. Elkins called on the radio for help. Mr. Allen checked Mr. Barker for a pulse, but no pulse was detected. Mr. Allen started CPR. Brandal Carr; Tailgate Electrician, Jason Tenney; Tailgate Foreman, Gordon McGee; Bull Crew, Shon Sublett; Outby Foreman and Jacob Godfrey; Bull Crew arrived at the accident scene to provide aid. Mr. Sublett, Mr. Carr, Mr. McGee, Mr. Tenney and Mr. Godfrey lifted the rear of the #2 Stryker 72 while Mr. Allen pulled Mr. Barker from under the #2 Stryker 72. The entrapment required two lifts to fully free Mr. Barker, who had been entrapped for approximately fifteen minutes under the #2 Stryker 72. After Mr. Barker was freed from under the #2 Stryker 72, an AED was placed on him. Mr. Barker was loaded onto a backboard, then onto the emergency Pillar EMU vehicle for transport to the diesel rail mantrip located at the mouth of the tailgate section, approximately two- thousand, two hundred (2,200) feet from the accident scene.

Once at the diesel mantrip, Mr. Barker was placed in the diesel mantrip while CPR and AED procedures continued as they traveled to the Peel Tree Shaft elevator bottom. Arriving at the elevator, Mr. Barker was placed in the elevator and transported to the surface. Once on the surface, Mr. Barker's care was transferred to Barbour County EMS. Barbour County EMS transported Mr. Barker to Broaddus Hospital, Philippi, WV, at which time he was pronounced deceased by Robert Bruce Sutherland at 9:50 a.m.

FINDING OF FACTS

1. Mr. Barker was an employee of Century Mining, LLC, Longview Mine, for 10 months.
2. Mr. Barker's job title was Surveyor.
3. Mr. Barker had 18 years 11 months of mining experience.
4. Mr. Barker possessed a WVOMHS&T Underground Miner certificate #1-14782 received on 2/4/2005.
5. Mr. Barker possessed a WVOMHS&T Underground EMT-Mining certificate #1854 received on 12/13/2016.
6. Mr. Barker received annual miner retraining on 3/10/2023.
7. Mr. Allen possesses a WVOMHS&T Underground Miner certificate #1-25166 received on 6/7/2022.
8. Mr. Allen is an employee of Century Mining, LLC, Longview Mine for 10 months.
9. Mr. Allen's job title is Surveyor.
10. Mr. Allen received annual miner retraining on 3/17/2023.
11. Mr. Allen was operating the Grace Equipment Company Inc., #2 Stryker 72 rubber tired personnel carrier on March 22, 2023.
12. MSHA, 5000-23 task training documentation was not provided for Mr. Allen for the Grace Equipment Company Inc., #2 Stryker 72 rubber tired personnel carrier.
13. Mr. Elkins possesses a WVOMHS&T Underground Miner certificate #1-25161 received on 6/7/2022.
14. The Grace Equipment Company Inc., Stryker 72 is 72 VDC AC drive, two passenger personnel carrier and is not equipped with a canopy.
15. The accident occurred on the tailgate section haulage at 17 block.
16. The Grace Equipment Company Inc., Stryker 72 serial number SAC5015.
17. The Grace Equipment Company Inc., Stryker 72 is equipped with a 3500LB Front Axle without brakes.
18. The Grace Equipment Company Inc., Stryker 72 is equipped with a Newage 215 Series Axle with an internal wet braking system.
19. The Grace Equipment Company Inc., Stryker 72, is equipped with an HPEV AC-50, 72 VDC 10 HP motor.
20. The Grace Equipment Company Inc., Stryker 72 is equipped with a 1238E AC Drive Curtis Controller.
21. The Grace Equipment Company Inc., Stryker 72 is equipped with a 0-5K Line Master with Safety Interlock.
22. The Grace Equipment Company Inc., Stryker 72 is equipped with GC8 Die Hard Deep Cycle Batteries.
23. The Grace Equipment Company Inc., Stryker 72 weighs approximately 3,100 lbs.
24. Mr. Barker, Mr. Allen, and Mr. Elkins were traveling from 17 block to 15 block when the #2 Stryker 72 lost power and descended the grade.
25. The grade the #2 Stryker 72 was traveling on when the brakes failed was approximately 12%.
26. The grade of slope ranges from 7% to 14%.
27. The entry from 17 block to 15 block is dry.
28. The entry from 17 block to 15 block is approximately ten feet (10) in height and eighteen feet (18) width.
29. Evidence indicates through informal and formal interviews that the placement of the e-stop button allows it to be accidentally depressed by operators and passengers.

30. At the start of the investigation, no operator manuals for the Grace Equipment Company Inc., #2 Stryker 72 could be found on mine property by mine management.
31. The tailgate section has no rail system installed.
32. Formal interviewee Brandon Riley indicated that he operated the #2 Stryker 72, on March 22, 2023, at approximately 4:09 a.m., on the night shift prior to the accident. During operation of the #2 Stryker 72, the brakes were hard to push down and would not spring back when the pedal was released.
33. Mr. Riley is an employee of Century Mining, LLC, Longview Mine.
34. Mr. Riley's job title is Shuttle Car Operator.
35. Mr. Riley is not task trained on the #2 Stryker 72.
36. Mr. Riley has performed this task for nine (9) months.
37. Mr. Riley also stated that where he was trying to stop was on a little slant but not much at all, located at the section airlock doors.
38. Mr. Riley stated he parked the #2 Stryker 72 at the mouth of the section and traveled back to the section using a four passenger EMU. Upon arriving on the section, he notified Heather Vincent, Century Mining, LLC, CM Maintenance Supervisor on the tailgate section, about the brakes on the #2 Stryker 72 not working properly.
39. Mr. Riley stated that he did not have a danger tag to attach to the #2 Stryker 72 to remove it from service.
40. The #2 Stryker 72 was never removed from service.
41. Mr. Riley stated that he did not perform pre-operational checks on the personnel carriers before operating them.
42. Mr. Riley and Mr. Terry Taylor stated that, at the end of the shift, the crew utilized the Mac 10 personnel carrier, which has a 10-person seating capacity, on the ride from the tailgate section to the main line rail mantrip.
43. Mr. Riley and Mr. Taylor stated that there were eleven (11) to twelve (12) miners riding on the 10-person mantrip. Mr. Taylor stated that one miner was riding on top of another miner's lap on the way out that morning. The IWT tracking system indicates at 7:10 a.m. – 7:40 a.m. eleven (11) miners were traveling on the 10-person personnel carrier.
44. Mr. Taylor is an employee of Century Mining, LLC, Longview Mine.
45. Mr. Taylor's job title is Crew Leader.
46. Mr. Taylor has performed this task for seven (7) months.
47. Cody Street is an employee of Century Mining, LLC, Longview Mine.
48. Mr. Street's job title is outby Forklift Operator.
49. Mr. Street has performed this task for seven (7) months.
50. Mr. Street stated that he witnessed miners riding on the fenders of the personnel carriers due to inadequate seating.
51. Ms. Vincent is an employee of Century Mining, LLC, Longview Mine.
52. Ms. Vincent's job title is CM Maintenance Supervisor
53. Ms. Vincent has performed this task for two (2) months.
54. Ms. Vincent is not task trained on the #2 Stryker 72.
55. During formal interviews Ms. Vincent stated that Mr. Riley did not inform her of any brake issues on the #2 Stryker 72. Ms. Vincent stated that Mr. Riley told her he changed rides at the mouth of the section so Ms. Vincent would have a smoother riding ride.
56. Maintenance reports indicate on 1/17/2023, Century Mining, LLC maintenance workers changed the master cylinder on the #2 Stryker 72.
57. An onsite investigation of the #2 Stryker 72 was conducted on 3/30/2023 at the Century Mining, LLC mine site.
58. The electric motor brake will not engage if the motor is de-energized.

59. The foot operated brake installed on the #2 Stryker 72, uses foot pressure to pressurize brake fluid in the master cylinder. The foot brake operates independently from the electric motor brake.
60. The master cylinder installed on the #2 Stryker 72 was found to be the wrong type due to the different oil fluid types required for the system.
61. The installed master cylinder requires dot 3 brake fluid, and the #2 Stryker 72 brake system requires mineral based oils.
62. The installed master cylinder has a severely damaged rubber piston cup and rubber seal, resulting in inadequate fluid pressure in the brake system.
63. The Bull Crew is a crew that performs multiple job tasks on and outby the section.

CONCLUSION

Mr. Barker was fatally injured after the rubber tire #2 Stryker 72 personnel carrier rolled backward down the #2 entry from #15 block to #17 block on the tailgate section where it contacted the rib and overturned entrapping Mr. Barker under the #2 Stryker 72 personnel carrier.

ENFORCEMENT ACTION

At the notification of the accident, one order was issued for the preservation of evidence following the accident for the tailgate section travel way from 15 block to 18 block and all equipment located in the listed area. The order was later modified to cover all rubber-tired personnel carriers until an inspection could be completed of them and all operators were trained and/or retrained on the different personnel carriers. On completion of the investigation, four (4) contributing special assessment violations, seven (7) non-contributing violations and two (2) notices of individual personal assessment (IPA) were issued.

ACKNOWLEDGEMENT

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

MINE INFORMATION

COMPANY Century Mining, LLC

MINE NAME Longview Mine

WV PERMIT U00201512 MSHA PERMIT NO. 46-09447

ADDRESS 7004 Buckhannon Road Volga, WV 26238

COUNTY Barbour PHONE NO. 304-457-7016

DATE PERMIT ISSUED 2/8/2019

WORKING STATUS Active

UNION _____ NON-UNION Yes

DAILY PRODUCTION 3,473 tons ANNUAL PRODUCTION TO DATE 281,360 tons

TOTAL EMPLOYEES 230 NUMBER OF SHIFTS 3

COAL SEAM NAME Lower Kittanning AND THICKNESS 72 inches

ACCIDENT INCIDENT RATE 1.34 LOST TIME ACCIDENTS 5

TYPE OF HAULAGE Track, Rubber Tired Equipment and Belt Conveyor System

WVOMHST INSPECTOR Allen Nestor

DATE OF LAST INSPECTION 3/14/2023

NOTIFIED BY Dan Curry

NOTIFICATION TIME 9:00 a.m.

CMSP – CONTACT PERSON Dan Curry