

**Report of Fatality  
Shuttle Car Accident  
Underground Coal Mine  
June 3, 2021**

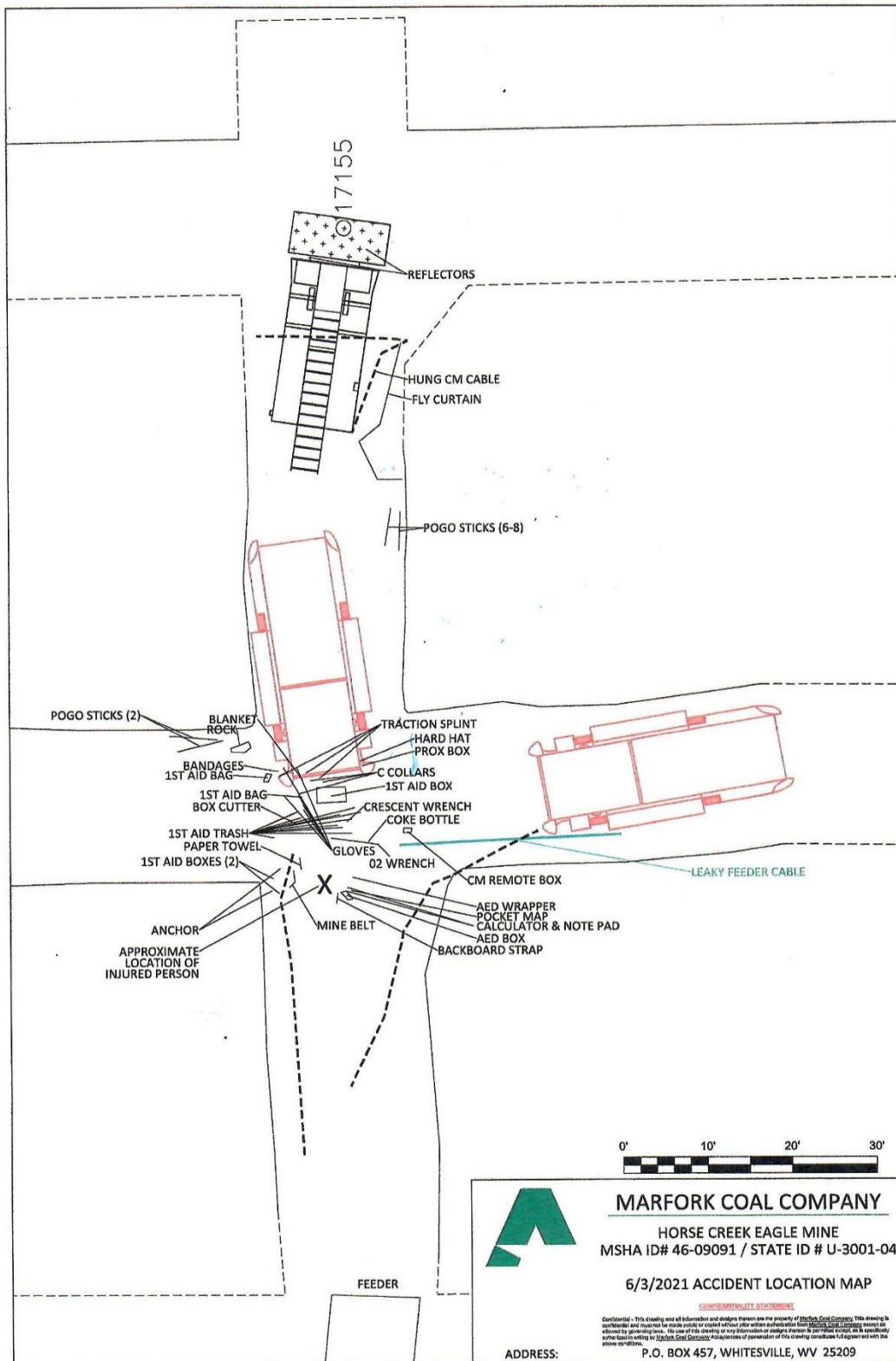
**Marfork Coal Company, LLC  
Horse Creek Eagle Mine  
Permit Number U00300104**

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

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## Survey Sketch Of Accident Scene

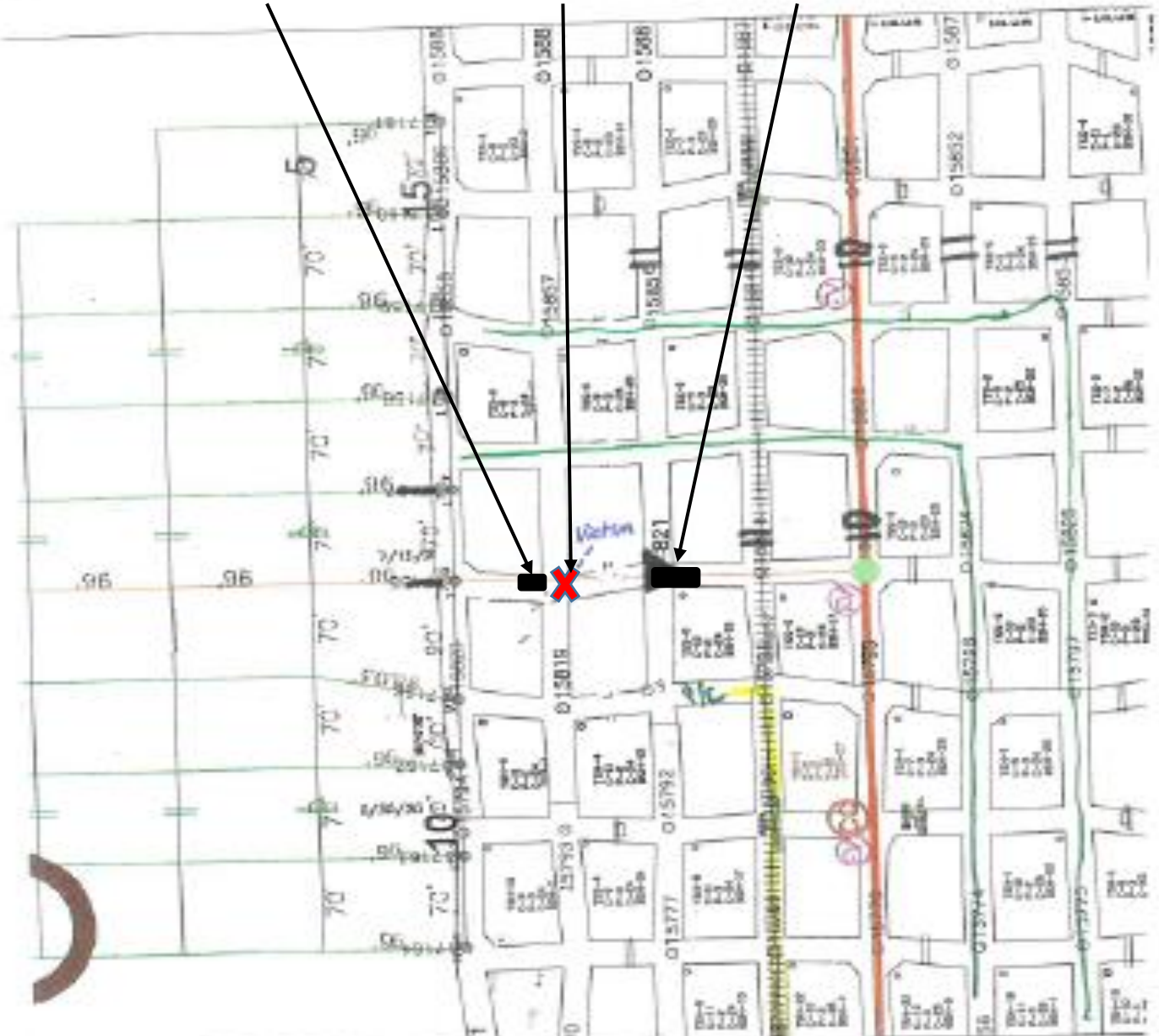


### Section Map

#2 Shuttle Car

Victim Location

Feeder



Day Shift -Call Out Times  
(Footage and Downtime)  
7:30 AM - On Coal  
9:00 AM  
11:00 AM  
1:00 PM  
NOTE: Tick Marks on 10'

2nd Shift -Call Out Times  
(Footage and Downtime)  
4:30 PM - On Coal  
6:00 PM  
8:00 PM  
10:00 PM

DRAWN	
6/2/21	KT
REVISED	
APPROVED	
DATE	NAME



**MARFORK COAL COMPA**  
HORSE CREEK EAGLE MINE  
MSHA ID# 46-09091 / STATE ID # U-3  
UNIT #2  
SECTION MAP

Disclaimer: This drawing is not intended to be used for any purpose other than that for which it was prepared. The user of this drawing is responsible for verifying the accuracy of the information shown on this drawing.

P.O. BOX 457, WHITESVILLE, WV 259

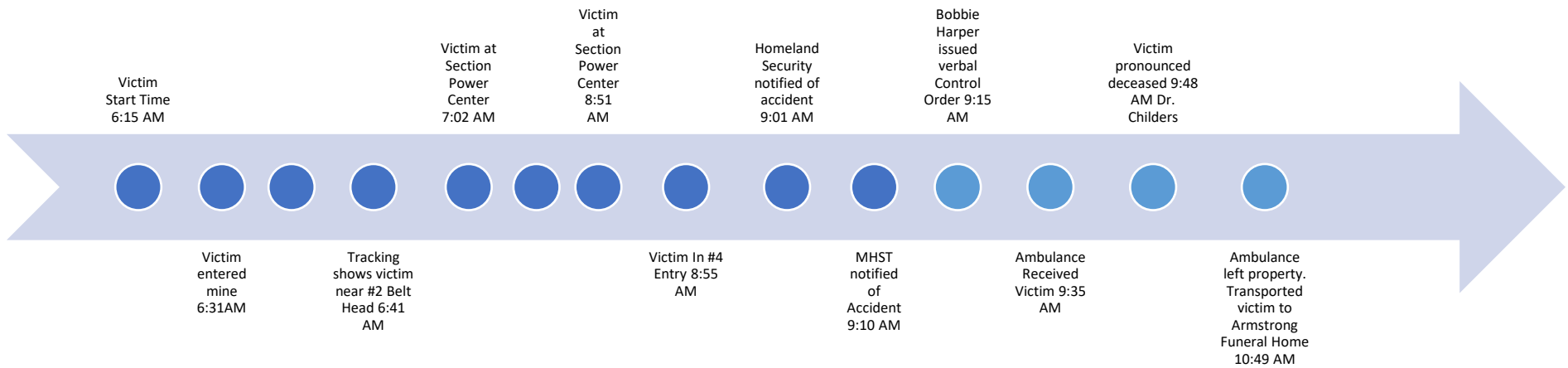
ADDRESS: 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100  
ft DATUM: NAD 27'

# June 3, 2021

## Marfork Coal Company, LLC

### Horse Creek Eagle Mine

# Accident Timeline



## Report of Fatality

### Shuttle Car Accident Investigation Marfork Coal Company, LLC Horse Creek Eagle Mine WV Permit Number U00300104

#### General Information

This report is based on an investigation conducted in accordance with Title 36, Series 19, Section 7.1 of the West Virginia Code of State Rules.

Marfork Coal Company, LLC was permitted to operate the Horse Creek Eagle Mine on June 30, 2006. The mine employs (115) people on three shifts. The mine utilizes a continuous miner system on two sections to produce coal from the Eagle Seam. Both sections are super sections equipped with two continuous miners and four shuttle cars utilized as haulage equipment. The miner sections work three shifts, two production shifts and one maintenance shift. The miner sections work a traditional schedule consisting of five and six working days a week. The Mine produces approximately 280,000 tons of coal annually.

Mr. Nicholas David Adkins, a certified foreman, from Racine, WV, started his employment at the Horse Creek Eagle Mine in June 2006. Mr. Adkins had sixteen years and ten months mining experience and possessed the following West Virginia issued certifications: Underground Miner, Underground Mine Foreman and EMT-M.

At 9:00 a.m. on Thursday June 3, 2021 Mr. Adkins was working as the Section Foreman for the right side on the Number 2 Section when he was struck by a Joy shuttle car causing fatal injuries.

Brandon McCoy, the day shift dispatcher received a call from underground that someone was injured at approximately 9:00 a.m. and that an ambulance was needed. Mr. McCoy immediately called 911. The 911 call center notified Homeland Security (W.V. Operations) at approximately 9:01 a.m. Bobbie Harper, Region 4 Assistant Inspector at Large received the call at 9:10 a.m. Bobbie Harper contacted the Horse Creek Eagle Mine at 9:15 a.m. and issued a verbal control order, pursuant to Title 36, Series 19, Section 7.1. Bobbie Harper immediately dispatched the following inspectors to the mine site: Preston Toney, Jeff Davis, Gene Stewart, Josh Williams, and Scottie Kinder where they were joined by Eugene White/WV Office of Miners' Health, Safety and Training Director, John Kinder/WV Office of Miners' Health, Safety and Training Deputy Director and Bobbie Harper/WV Office of Miners' Health, Safety and Training Assistant Inspector at Large for Region 4. The West Virginia Office of Miners' Health, Safety and Training personnel immediately started a joint investigation with the Mine Safety and Health Administration along with Mine Management.

## Description

The production crew that works on the number one section started the shift at 6:15 a.m. on June 3, 2021. Tracking logs indicate the crew entered the mine portal at 6:31 a.m. According to tracking logs the production crew arrived at the section power center at 7:02 a.m. According to tracking logs Mr. Adkins was around the section power center at 8:51 a.m. and in number four entry adjacent to where the accident occurred at 8:55 a.m. According to testimony Mr. Adkins was crossing the intersection where the center shuttle cars were changing out in the number five entry inby the feeder when the accident occurred at approximately 9:00 a.m.

At the time the accident occurred Mr. Adkins was traveling across the section to meet with Chris Curry the left side section foreman, so that together they could call out their production report. Mr. Curry was traveling through the crosscut between number six and number five entry when he observed the Number 2 shuttle car striking Mr. Adkins. The number two shuttle car was in the number five entry waiting for the other shuttle car to leave the feeder. Then the number two shuttle car started towards the feeder striking Mr. Adkins. Mr. Curry immediately yelled and flagged Tom Page who was the shuttle car operator to de-energize the shuttle car. Immediately after getting the shuttle car stopped Mr. Curry instructed Mr. Page to raise the shuttle car boom to free Mr. Adkins from being pinned. After the boom was raised and Mr. Adkins was no longer pinned, Mr. Curry instructed Mr. Page to tram the shuttle car inby to create space so they could administer first aid to Mr. Adkins. Mr. Curry and Mr. Page immediately initiated first aid treatment on Mr. Adkins. Mr. Curry, a certified EMT-M started CPR immediately and was assisted a few minutes later by Chris Boulet who is also a certified EMT-M. After initial first aid treatment Mr. Adkins was loaded into the bucket of a scoop (Serial Number T339-465R) and transported to the track. Upon arriving at the track Mr. Adkins was loaded into a Brookville rail mounted mantrip and transported to the surface. Chris Curry and Chris Boulet continued first aid treatment including CPR during the trip to the surface. After initiating CPR when they got Mr. Adkins free it was continued during transport by means of the scoop and rail mounted mantrip until care was transferred to Whitesville Ambulance Service at approximately 9:35 a.m. Whitesville Ambulance Service discontinued CPR at 9:48 a.m. Medic Ranson consults regional command and receives a Cease Efforts Order from Dr. Childers of Raleigh General. John Cox, Medical Examiner was notified. Mr. Cox reports that the West Virginia State Medical Examiner's Office will have jurisdiction over the case. Mr. Cox requested for EMS to transport Mr. Adkins to Armstrong Funeral Home to await transport.

## Finding of Facts

1. Mr. Adkins was a WV Certified Mine Foreman. Certification number 4035-12. Issued on October 9, 2012. Record of last continuing education was on March 23, 2021.
2. Records indicate Mr. Adkins attended mine site-specific annual refresher training on March 13, 2021.
3. Mr. Adkins had sixteen years and ten months mining experience.
4. Mr. Adkins had been employed at this mine for fourteen years.
5. The number two section had been moved and was starting new entries on the day the accident occurred.
6. The accident occurred in number five entry at the intersection between Station Spad 15821 and Station Spad 17155.
7. The intersection where the accident occurred was the change out point for the two center shuttle cars.
8. The shuttle car involved in the accident had properly functioning cameras installed that allowed the operator to view the roadway on both ends of the shuttle car.
9. According to testimony the last radio communication the section employees heard was Mr. Adkins talking to Mr. Curry as they were planning to meet. As Mr. Curry was walking towards the number five entry he observed the shuttle car strike Mr. Adkins.

## Conclusion

The victim was in route to meet with Mr. Curry when he crossed the intersection in the number five entry where he was struck by the number two shuttle car. The injuries Mr. Adkins sustained resulted in fatal injuries.

## Enforcement Actions

The following enforcement actions were taken as a result of the investigation.

A non-assessed control order was issued in accordance with Title 36, Series 19, Section 7.1 of the West Virginia Mining Rules and Regulations to preserve evidence following the accident.

One Special Assessment was issued. The operator failed to follow the approved roof control plan Page 7, Paragraph 39 which states "Persons approaching a shuttle car or scoop in operation must have positive communication with equipment operator before placing themselves between the equipment and a pinch point or within the pivot radius of the equipment. Except for when the shuttle car is at the miner, the shuttle car or scoop should remain stationary while persons are



between the equipment and a pinch point. This violates a health or safety provision or safety rule, is of serious nature and involved a fatality.

One violation was issued 22A-2-38(C). The violation was noncontributory to the accident.

## Recommendations

1. Marfork Coal Company will immediately provide a one-time two-hour training class at the Marfork Training Center to all Horse Creek Eagle employees. Please refer to the attached curriculum for a summary of training material. WVOMHST and MSHA will be notified prior to training to allow for monitoring the training.
2. Procedures for communication when approaching mobile equipment which will include the below.
  - a. Any individual, on foot, approaching a piece of mobile equipment shall get the operators attention, by light contact, eye contact, voice contact or radio contact. After contact is acknowledged, the mobile equipment operator(s) shall de-energize/turn-off the pump motor of the machine and signal the individual on foot to approach. The individual may proceed only after communication with the equipment operator is confirmed.
3. Use of personal strobes as outlined below.
  - a. All persons traveling underground shall wear an operative strobe light, continuously on, or pulsing. Strobe lights shall be attached to the individual's hard hat, suspenders, or outer clothing near the rear and at shoulder level. While riding mantrips, the strobe light may be turned off, and turned on as soon as the individual(s) exits the mantrip.
4. All shuttle car cameras shall be operational when equipment is being used. Cameras and camera monitors will be a required pre-operational check. In the event the cameras or the camera monitors are not working, the mobile equipment will be taken out of service until repairs can be made.
5. Shuttle car operators will be required to walk their travel routes at the beginning of shift and as haulage routes change during mining.
6. All shuttle cars on each working section at the Horse Creek Eagle Mine will be equipped with an MSHA approved Proximity Detection System.
  - a. Timeline for Purchase and Installation:
    - i. Ten days after approval of this plan, a Purchase Order will be issued for eight MSHA approved Proximity Detection Systems. These systems are to be installed on the eight shuttle cars in operation at the Horse Creek Eagle

- Mine. A copy of the purchase order will be provided along with the estimated delivery date provided by the manufacturer.
- ii. Installation of the first system will begin within ten days of taking delivery of the system.
  - iii. After installation of the first system, a timeline of installation will be provided for the remaining seven systems.
  - iv. Installation timeline may change dependent availability.
7. Once the MSHA approved Proximity Detection Systems are installed, they will be maintained and examined per the manufacturer's recommendation. In the event of a system malfunction, the shuttle car will be taken out of service until repairs are made.
  8. For the interim:
    - a. A strobe light will be located at the change out point for shuttle car haulage. As mining occurs and the change out points move, the shuttle car operators will relocate the strobe accordingly.
    - b. On initial startup, and after any complete stop, shuttle car operators will sound an audible alarm before moving the machine.
  9. When approved, this plan will be added to the mine's currently approved Comprehensive Mine Safety Plan.

## Acknowledgement

The West Virginia Office of Miners' Health, Safety and Training acknowledges the cooperation of employees and management of Marfork Coal Company LLC, Horse Creek Eagle Mine and the Mine Safety and Health Administration during this investigation.

## Appendix

- Mine Information Sheet
- Victim Information Sheet

## MINE INFORMATION

COMPANY Marfork Coal Company, LLC

MINE NAME Horse Creek Eagle Mine

WV PERMIT U 00300104

ADDRESS PO Box 457 Whitesville, WV 25209

COUNTY Raleigh

DATE PERMIT ISSUED 6/30/2006 WORKING STATUS Active

LOCATION Near Naoma , West Virginia

UNION \_\_\_\_\_ NON-UNION √

DAILY PRODUCTION 2,731 Clean Tons

ANNUAL PRODUCTION TO DATE 286,000 Clean Tons

TOTAL EMPLOYEES 115 NUMBER OF SHIFTS 3

NAME OF COAL BED Eagle Seam

SEAM THICKNESS 42 Inches

ACCIDENT INCIDENT RATE 1.67 LOST TIME ACCIDENTS 0

TYPE OF HAULAGE Shuttle Cars and Belt

WV OMHST INSPECTOR Gene Stewart

DATE OF LAST INSPECTION 5/12/2021

NOTIFIED BY Brandon McCoy/ Mine Dispatcher

TIME OF NOTIFICATION 9:01 A.M. on 6/3/2021

CMSP – ANNIVERSARY DATE N/A

CMSP – CONTACT PERSON Michael Vaught