

West Virginia Office of Miners' Health, Safety & Training

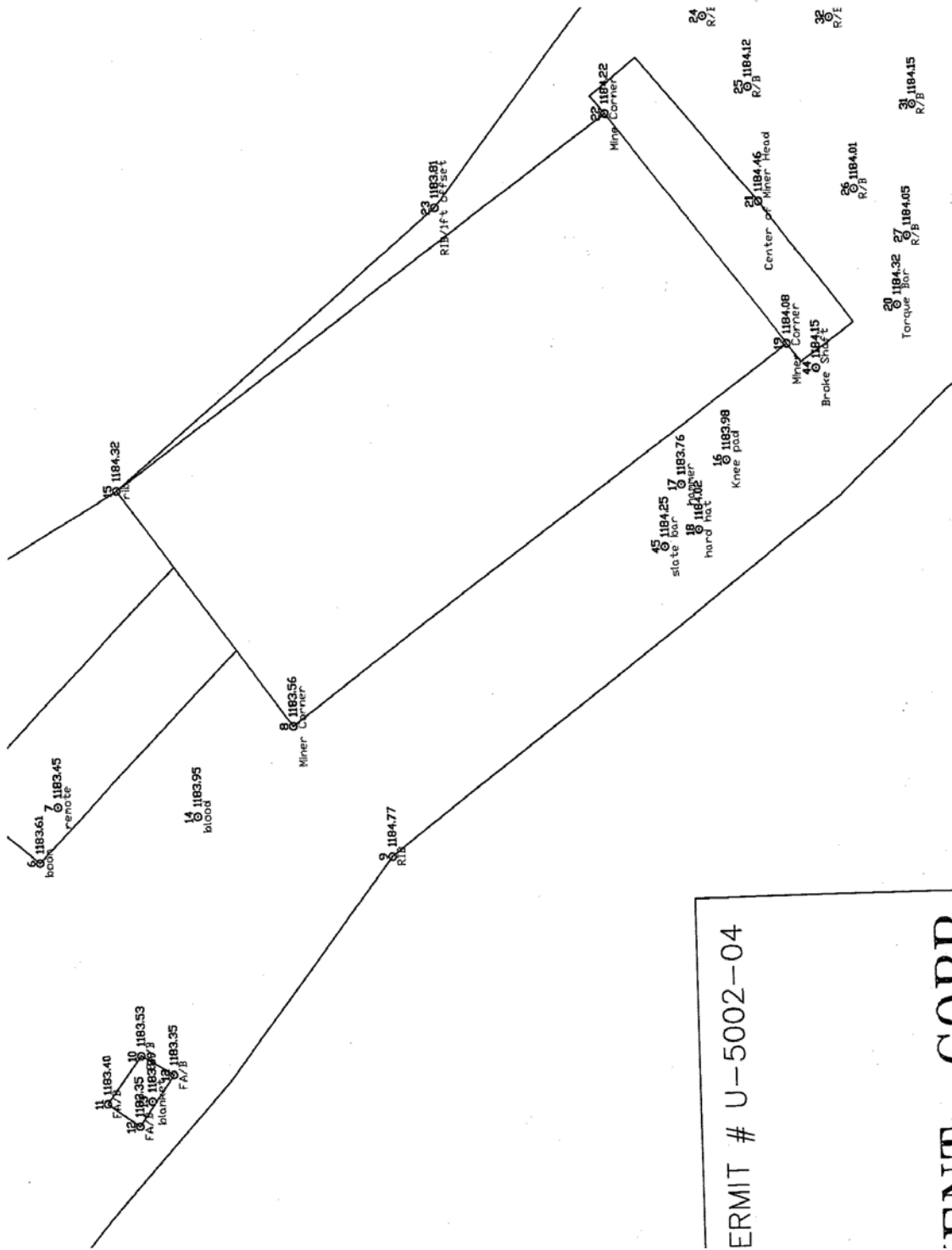
August 4, 2007

Fatal Underground Machinery Investigation Report
Rockhouse Creek Development Corp.
No. 8
Permit No. U-5002-04

Region Three – Danville Office
137 Peach Court, Suite 2
Danville, WV 25053
Eugene White, Inspector-at-Large

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ERMIT # U-5002-04

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GENERAL INFORMATION

A fatal accident occurred at the Rockhouse Creek Development Corp., No. 8 Mine, located near Gilbert, WV, at approximately 6:15 pm on Saturday, August 4, 2007. Mr. Stevie J. Browning, Jr., a 25 year old section foreman with 7 years mining experience and 6 months experience at this mine, received injuries which resulted in his death on August 6, 2007.

Mr. Browning was assisting in making repairs to the No. 2 Joy 14/15 continuous mining machine, serial number 5948. Mr. Browning was treated at the scene by an emergency medical technician and transported to the surface. From the surface he was transported by Stafford Ambulance Service to Gilbert High School, and then flown by Health-Net to St. Mary's Hospital in Huntington, W.V.

The West Virginia Office of Miners' Health, Safety and Training was notified at 6:42 pm by Homeland Security. Mr. Eugene White, Inspector-at-Large for Region 3 office, contacted the mine by telephone and verbally issued a control order. Mr. White dispatched Mr. James Dingess, electrical inspector, and Mr. Mike Pauley, district inspector, to the mine to investigate the accident. A joint investigation by the State and the Federal Mine Safety and Health Administration was started immediately.

DESCRIPTION

Mr. Stevie J. Browning, Jr., section foreman on the mains section of Rockhouse Creek Development Corp., No. 8 Mine, began his shift at 2:30 pm on August 4, 2007. The entire crew traveled from the portal to the section, where they began loading in the no. 5 entry. Once mining was completed in the no. 5 entry, the crew proceeded to move the continuous miner to the no. 8 entry. Once the continuous miner was repositioned, mining began in the face of the no. 8 entry. The crew had loaded one shuttle car when both cutter motor torque shafts broke.

John Kennedy, continuous miner operator, sent Wendell Adkins, shuttle car operator, to find the section electrician. Mr. Adkins traveled to the section power center where he found Chad Daniels, chief electrician. Mr. Daniels procured two torque shafts and he and Mr. Adkins returned to the continuous miner to begin repairs.

The main breaker on the continuous miner was placed in the off position, and then Mr. Daniels began changing the operator's side (right side) torque shaft. He removed the broken shaft and then inserted the new torque shaft in place. The shaft needed about 1.5 inches to be fully engaged. Using his hammer, Mr. Daniels tapped on the shaft but it would not engage any further. Mr. Daniels then attempted to remove the shaft, but could not get it to come out.

Mr. Daniels decided to change the off-side (left side) shaft and then return to complete the operator's side. Mr. Daniels changed the off-side shaft without encountering any difficulties. Mr. Daniels then returned to complete the shaft on the operator's side.

Mr. Daniels finished the offside torque shaft. Mr. Browning returned to the continuous miner and he and Mr. Daniels attempted to use a puller and a slate bar to remove the operator's side torque shaft, but it would not come out.

John Kennedy, miner operator, suggested to Mr. Daniels and Mr. Browning that they should engage the cutter motor for a split second to see if that would free the shaft. They all agreed to try, so Mr. Daniels and Mr. Browning moved to the front of the continuous miner, while Mr. Kennedy moved to the rear of the continuous miner and reset the breaker. Mr. Kennedy started the continuous miner and slightly bumped the cutter motor and then immediately shut the machine back off. The torque shaft came out about four inches and was spinning in the collar of the opening in the cutter motor.

Mr. Browning returned to the area of the cutter motor and pulled the rotating shaft out with his hammer. It appears that the shaft inner spline engaged with the cutter motor spline and began a circular whipping motion. The shaft struck Mr. Browning on the head in the vicinity of his temple. Mr. Browning was treated at the scene and then transported to the surface. Stafford Ambulance Service transported Mr. Browning to the Gilbert High School football field, where he was flown by Health Net to St. Mary's Hospital, in Huntington, WV.

STATEMENTS OF FACT

1. The Joy continuous mining machine was mining in the mains section in the face of no. 8 entry, while loading the first shuttle car, both cutter motor torque shafts broke.
2. Mr. Chad Daniels, chief electrician, replaced the broken torque shafts, beginning with the operators side, experienced difficulties, then replaced the offside shaft before returning to complete the operator's side.
3. The torque shafts are forty-three inches in length. The pinion gear end of the shaft is one and a half inches in diameter, while the motor end of the shaft is two inches in diameter. The torque shaft involved in the accident was bent.
4. The torque shaft, for the operators side, would not fully engage into the machine and could not be extracted with a puller and slate bar.
5. Mr. Kennedy, Mr. Daniels and Mr. Browning discussed and agreed to bump the cutter motor in an attempt to free the shaft.
6. The cutter motor was bumped and the machine immediately shut off. Mr. Browning moved to the area of the shaft and used a hammer to pull the shaft out. The shaft began a circular, whipping motion, striking Mr. Browning on the head.

CONCLUSION

Mr. Stevie J. Browning, Jr. was replacing a torque shaft for a Joy 14/15 continuous mining machine when he was fatally injured. One end of the torque shaft came out of the speed reducer and the other end remained attached to the cutter motor, causing the torque shaft to whirl around striking Mr. Browning.

ENFORCEMENT ACTION

The Office of Miners' Health, Safety & Training issued a control order under 22A-2-66. The order applied to the Mains section of Rockhouse Creek Development Corp., No. 8 Mine. The control order was issued for the protection of other employees and to control and preserve the scene of the accident pending the investigation.

The following are listed as non-contributing violations:

Violation 1

Chapter 22A, Article 2, Section 4(a).

The active mains section was not properly maintained in that when checked with an anemometer the vanes would not turn in the number 3 and 4 entries. No CH₄ was detected. The violation could not be abated on this date due to a control order

Violation 2

Chapter 22A, Article 2, Section 40(70)

The 1250 KVA transformer located on the #3 and #4 mains has a circuit #4, 995-volts 800-amps Inst 1500-3000. This circuit is supplying power to #5948 Joy miner. The cable on this miner is a 2/0 which is recommended for 1500-amps short circuit protection. The breaker is set on #6 on breaker which is setting for 2625-amps. This setting is too high for a 2/0 cable.

Violation 3

Chapter 22A, Article 2, Section 25(a)

The approved roof control plan was not being complied with in that the continuous miner operator did not assure that all persons were in a safe location before operating the continuous miner in the remote mode.
(Ref.) Item 13 of General Safety Precautions of the approved roof control plan.

RECOMMENDATIONS

The following process shall be followed when removing torque shafts on the continuous mining machine.

1. The continuous mining machine will be moved to an intersection when practicable.
2. All miners shall remain clear of the continuous mining machine during the cutting head torque shaft removal process except those directly involved in the process.
3. The company will follow torque shaft replacement as outlined in the maintenance manual outlined by the manufacturer.
4. The power must be de-energized at the power center and the trailing cable shall be disconnected before the torque shaft removal process begins.
5. Power will not be restored to the machine until the shaft removal/installation process is completed.

ACKNOWLEDGEMENT

The Office of Miners' Health, Safety & Training gratefully acknowledges the cooperation of the employees and management of Hampden Coal Company, Rockhouse Creek Development Corp., No. 8 Mine and the Mine Safety and Health Administration during this investigation.

Ron Wooten, Director

Terry Farley, Enforcement Administrator

Dennie Ballard, Assistant Inspector-at-Large

James Dingess, Electrical Inspector

Michael Pauley, District Inspector

APPENDIX

- Mine Information Sheet
- Victim Information Sheet
- Persons Present During Investigation
- Attachment

MINE INFORMATION

COMPANY Rockhouse Creek Development Corp.

MAIN No. 8

WV PERMIT NO. U-5002-04 MSHA PERMIT NO. 46-09018

ADDRESS P.O. BOX 1389, Gilbert, WV 25621

COUNTY Mingo PHONE NUMBER (304) 664-9860

DATE PERMIT ISSUED October 27, 2005

WORKING STATUS Active

LOCATION 3 miles from top of Horsepen Mtn. on US-52 North

UNION _____ NON-UNION X

DAILY PRODUCTION 1,000 tons ANNUAL PRODUCTION TO DATE 115,000 tons

TOTAL EMPLOYEES 132

NUMBER OF SHIFTS 3

COAL SEAM NAME AND THICKNESS #2 GAS, 36"

ACCIDENT INCIDENT RATE 18.03 LOST TIME INCIDENTS 6

TYPE OF HAULAGE Belt

WVOMST INSPECTOR Daniel Perry

DATE OF LAST INSPECTION June 4, 2007

NOTIFIED BY Oley Bishop

NOTIFICATION TIME 6:30 p.m., August 4, 2007

CMSP-ANNIVERSARY DATE November 2, 2007

CMSP-CONTACT PERSON Scott Mills

Investigation

The following persons were present during the on site investigation on August 4, 2007.

Rockhouse Creek Development Corp.

Randall Lester	Day Shift Mine Foreman
Ollie Bishop	Second Shift Mine Foreman
Tim Justice	Safety Consultant
Steve Meade	Day Shift Mine Foreman

Mine Safety and Health Administration

Dennis Holbrook	Accident Investigator
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Office of Miners' Health, Safety & Training

Eugene White	Inspector-at-Large
James Dingess	State Electrical Inspector
Mike Pauley	District Inspector

The following persons were present during the onsite investigation conducted on August 5, 2007:

Rockhouse Creek Development Corp.

Tim Justice	Safety Consultant
Dallas Mounts	Day Shift Electrician
James Osborne	3 rd Shift Chief Electrician
Steve Meade	Day Shift Mine Foreman
Randall Lester	Day Shift Mine Foreman

Mine Safety and Health Administration

Dennis Holbrook	Accident Investigator
Jim Honaker	Federal Electrical Inspector

Office of Miners' Health, Safety & Training

Terry Farley	Enforcement Administrator
Dennie Ballard	Assistant Inspector-at-Large
James Dingess	Electrical Inspector
Mike Pauley	District Inspector

Joy Manufacturing:

Danny Larochelle

The following persons were present during interviews conducted August 6, 2007.

Rockhouse Creek Development Corp.

Tim Justice	Safety Consultant
Scott Mills	Underground Manager
John B. Earles	International Res. Partners
Carol Ann Maruhich	Attorney
Charles E. Justice	Safety Consultant
Chad Daniels*	Chief Electrician
Wendell Adkins*	Shuttle Car Operator
Jonathon Kennedy*	Miner Operator
Dallas Mounts *	Day Shift Electrician
Jerry Walker*	Day Shift Miner Operator

* Denotes those interviewed

Mine Safety and Health Administration

Dennis Holbrook	Accident Investigator
Paul Faulks	Accident Investigator

Office of Miners' Health, Safety & Training

Ron Wooten	Director of OMHST
Terry Farley	Enforcement Administrator
Dennie Ballard	Assistant Inspector-at-Large
James Dingess	Electrical Inspector
Mike Pauley	District Inspect