October 20, 2007

Report of a Fatal Power Haulage
(Underground Coal Mine)

Carter Roag Coal Company
Pleasant Hill Mine
Permit No. U-1043-91B

Region One
205 Marion Square
Fairmont, WV 26554
Alan Lander, Inspector-at-Large
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Victim Information

Name: Howard T. Harris
Address: Buckhannon, West Virginia 26201
Telephone No.: 
Age: 54 years old
SSN: 
Total Mining Experience: 21 years
Experience At This Mine: 2 weeks
Average Number Of Days Worked Per Week: 5 to 6 days
Average Number Of Hours Worked Per Week: 45 Per Day: 9
Length Of Shifts At This Mine: 9 hours
Travel Time To / From Work: 1 hour
Occupation At Time Of Accident: Electrician
Regular Occupation: Electrician
Coal Miner's Certification: Underground Miner Certification issued 11-3-78
Other Certifications: 
- Ug. Mine Foreman Certification issued 1-19-95
- Electrical Certification issued 7-15-05
- Shot Firer Certification issued 8-9-94

Victim's Training Record

Newly Employed Experienced Miner Training: October 8, 2007
Mine Information

Company - Carter Roag Coal Company

Mine Name - Pleasant Hill  Permit Number - U-1043-91B

Address - HC 58 Box 200, Mill Creek, West Virginia 26280

County - Randolph  Phone Number - 304-338-4128

Location - Long Run  Working Status - Active

Union - Non-Union  X

Permit Issued - December 22, 2004

Daily Production -  Annual Production To Date - 666,842

Total Employees - 109  Number of Shifts - 3

Coal Seam Name and Thickness - Sewell Seam

Accident Incident Rate - 1.19  Lost Time Accidents - 1

Type of Haulage - Bridge / Belt

WVOMHST Inspector - George Smallridge

Date of Last Inspection - Last Regular Inspection completed on September 24, 2007

Notified By - Homeland Security  Date and Time - 10-20-07 at 6:48 p.m.

CMSP - Anniversary Date - 12-6-07  Contact Person - Don Jones
GENERAL INFORMATION

A fatal haulage related accident occurred at approximately 6:15 P.M. on October 20, 2007 at the Carter Roag Coal Company, Pleasant Hill Mine. The accident occurred on the 1 Right, A Panel section, in the number four entry along the LoLo belt. Mr. Howard T. Harris, age 54, was fatally injured when he became caught beneath the dolly on the LoLo belt. He was attempting to retrieve his electrical tester from his battery ride located in the number three entry.

Mr. John Meadows, Assistant Inspector At Large for Region Ones' Office of Miners' Health, Safety and Training, was notified by Homeland Security at 6:48 p.m. Mr. Bill Currence, Safety Director, was contacted at the mine and a verbal order was issued to control the area until an investigation was completed. Mr. George Smallridge, District Mine Inspector, went immediately to the mine to insure the section was secured. A joint investigation was started by OMHS&T, the Mine Safety and Health Administration, and mine management on Sunday October 21, 2007.

DESCRIPTION

The Carter Roag Coal Company, Pleasant Hill Mine is a drift mine. It produces coal in the Sewell seam and is located near Long Run, in Randolph County. Mining is conducted with three continuous miner units. Employees and supplies are transported by rubber tire, battery type, equipment. Coal is removed from the working sections via a conveyor belt.

On Saturday, October 20, 2007, the afternoon shift production crew, for the 1 Right A Panel section, entered the mine at approximately 4:00 P.M. The production crew was under the supervision of Mr. Luke Pugh. The crew traveled underground and arrived on the section at approximately 4:15 P.M. The crew was to finish the cut in the face of number six entry and then turn the crosscut, from number six to number seven entry at spad marker 4006. The 1 Right A Panel section is a remote controlled miner section with a mobile bridge system being used to transport the coal to the section conveyor belt. This section is the only section at the mine that utilizes this type of haulage.

The previous crew had experienced problems with the continuous miner knocking power. The afternoon shift was apprised of the problem. After arriving on the section, Mr. Pugh held a safety meeting with the crew. The crew members then proceeded to make preparations to mine coal. Mr. Harris found and repaired a problem in the power cable to the continuous miner. While the victim finished the cable repair, Mr. Randall Mullens, Electrical Supervisor, tightened the conveyor chain on the number three bridge. Both men then met at the power center in the number five entry. They were making preparations to change a jack on a battery scoop. While sitting at the power center, Mr. Kelvin Sumnerfield, continuous miner operator, notified Mr. Harris on the radio that the continuous miner was knocking power again. He had just completed the A-cut in the crosscut from six to seven; and was making preparations to start the B-cut.
The continuous miner was sitting in the number six entry. Mr. Mullens went to the continuous miner to diagnose the problem. After observing the miner knock power again, he examined the length of the miner cable back to the power center. While at the power center the power to the continuous miner knocked again. He instructed Mr. Harris not to reset the breaker to the continuous miner. He also instructed Mr. Summerfield to knock the power at the continuous miner. Mr. Harris removed the miner cable from the power center and summoned Mr. Steve Smith, Laborer, to bring his battery ride over to the number five entry. The victim had left his tools and Simpson Model 260 electrical tester on his battery ride in a crosscut off the number three entry. Mr. Smith asked the bridge operators to back up the bridge unit so he could take the battery ride over to the power center. Mr. Harris and Mr. Mullins waited for the delivery of his tools and meter. After a few minutes, Mr. Harris told Mr. Mullins that he was going to get the meter himself. Mr. Mullins stayed at the power center. The four mobile bridge unit conveyor chains were not running at this time. However, the LoLo belt was in operation. Mr. Butch Davis, number four bridge operator, sounded two beeps on the horn to back up the bridge units. Mr. Mike Matlick, the number two bridge operator, stated that he moved his tram lever and the bridge went side ways. Mr. Bob Fredrick, the number one bridge operator, heard Mr. Harris yell and then saw him under the dolly. He immediately hit the panic switch and called on the pagers that someone was under the dolly. Mr. Frederick traveled approximately twenty-five (25) feet to de-energize the LoLo belt. The only control switch was located on the mobile bridge side of the belt. Several lifting jacks were retrieved from the mobile rides on the section. These were used to raise the dolly and extricate the victim from under the dolly.

Once freed from the dolly, Mr. Rick Gear and Mr. Frederick, both EMT-Ms, immediately began CPR and continued such, while the victim was placed on a stretcher and then onto a battery ride. Once the mantrip reached the surface they continued approximately four tenths of a mile down the county road to the mine office. They were met by Randolph County EMS. Mr. Harris was pronounced dead at 6:59 PM on the mine site by paramedic Tayna Wadsworth. He was then transported to Davis Memorial Hospital in Elkins, West Virginia.

FINDINGS OF FACT

1) Mr. Howard T. Harris, a 54 year coal miner, had 21 years mining experience.

2) Mr. Harris had been employed at the Pleasant Hill Mine for two weeks as an electrician.

3) The LoLo belt structure is approximately 350 feet in length, 18 inches high, and 48 inches wide (rail to rail).

4) The height between the top of the LoLo belt and the bottom edge of the dolly is 4 inches.

5) The belt speed is approximately 600 feet per minute.
6) The height of the entry at the accident scene is 57 inches.

7) The section is a 7 entry system with a mobile bridge system. A DBT-O continuous miner is utilized on the section.

8) The last quarterly inspection of the mine by WVOMHS&T was completed on September 24, 2007.

9) The last annual electrical inspection by WVOMHS&T was completed on July 20, 2007.

10) An electrical inspection at the accident site was conducted on October 22, 2007. Test was preformed on the mobile bridge circuit breaker. The breaker had no defects. Test for stray voltages were conducted on the metallic frames of the mobile bridge conveyor and LoLo belt structure. No problems were detected. The remote belt switch at this location was tested and found to be working properly.

11) Mr. Harris was trouble shooting the continuous miner for power related problems.

12) Mr. Harris needed his tools and electrical tester (Simpson Model 260) located on his ride in the number three entry

13) The mobile bridge unit is located in the number four entry.

14) The section power center is located in the number five entry.

15) Mr. Harris had become impatient while waiting on his electrical tester.

16) He traveled through the crosscut into the number four, belt entry.

17) He traveled past the dolly on the LoLo belt. The dolly is approximately 11 feet 4 inches in length.

18) A remote belt switch was located on the opposite (clearance side) side of the LoLo belt, approximately 20 feet, 8 inches inby the inby end of the dolly.

19) The four mobile bridge units were in the process to backing up to provide clearance for Mr. Harris' ride to be taken over to the power center in the number five entry.

20) A beeper system was being used as a communication system between the four (4) units in the mobile bridge system being operated at the time of the accident.

21) No one had seen Mr. Harris enter into the number four entry. There were no eye witnesses to the accident.
CONCLUSION

Mr. Howard T. Harris was fatally injured when he somehow became caught between the mobile bridge conveyor dolly and the LoLo belt. He was in the process of retrieving his electrical tester to trouble shoot the continuous miner.

RECOMMENDATIONS

Mine management shall submit to the West Virginia Office of Miners' Health, Safety and Training a modification to their Comprehensive Mine Safety Program. It is to address the safe operating procedures while working near the mobile bridge units and LoLo belt.

Mine Management shall hold safety meeting with all mine personnel working on the 1 Right A-Panel section, upon their return to work, to discuss the fatal accident and the addendum to the Comprehensive Mine Safety Program.

Both of the above items have been completed.

ENFORCEMENT ACTION

The following enforcement action was taken as a result of the investigation.

A non assessed control order was issued in accordance with West Virginia Administrative Regulation Title 36 Series 19 Section 7.1 on the 1 Right A-Panel section.

Three violations were issued that did not directly contribute to the cause of this accident.
Investigation / Interviews

The following persons traveled underground during an on-site investigation conducted on Sunday morning on October 21, 2007 at the Pleasant Hill Mine.

WV Office of Miners' Health, Safety & Training

Alan Lander
John Meadows
John Scott
George Smallridge

Inspector-at-Large
Assistant Inspector-at-Large
Electrical Inspector
District Inspector

Mine Safety & Health Administration

Joshua R. Brady
Jason Rinehart

Mechanical Engineer
Industrial Hygienist

Carter Roag Coal Company

Keith Hargrove
John Schroder
Brad Phillips
Ron Patterson
Eddie Taylor
Donald Jones
Richard Gear
Norman Hill
Michael Matlick

President and General Manager
Mine Manager
Mine Manager
Manager of Engineering
Maintenance Superintendent
Director of Emergency Response & Compliance
Evening Shift Mine Foreman
Mine Superintendent
Miners’ Representative

United Coal Company

Ken McCoy

Vice President in Charge of Operations

Kelly Surveying, C-6448

Kenny Kelly
Christopher Smith

Surveyor
Surveyor

Dinsmore & Shohl LLP

Robert H. Beatty Jr.

Company Legal Counsel
The following persons were present during interviews on October 22, 2007 at the Star Bridge Preparation Plant.

**WV Office of Miners' Health, Safety & Training**

- Alan Lander: Inspector-at-Large
- John Meadows: Assistant Inspector-at-Large
- George Smallridge: District Inspector

**Mine Safety & Health Administration**

- Joshua Brady: Mechanical Engineer
- William Lee Sperry: Electrical Inspector
- William Bauer: Underground Inspector

**Carter Roag Coal Company**

- Don Jones: Director Emergency Response & Compliance
- John Schroder: Mine Manager
- Michael Matlick: Bridge Operator/Miner's Representative

- Robert H. Beaty Jr.: Attorney, Dinsmore & Shohl LLP
- Brian D. Sullivan: Attorney, The United Company
- Gerry Sims: Court Recorder

**Persons Interviewed From Carter Roag Coal Company**

- John L. Schroder: Day Shift Mine Manager
- Michael S. Matlick: 2nd Shift #2 Bridge Operator
- Doyle Davis: 2nd Shift #4 Bridge Operator
- Robert L. Frederick: 2nd Shift #1 Bridge Operator
- Phillip L. Holcomb: 2nd Shift #3 Bridge Operator
- Steven D. Smith: 2nd Shift General Laborer
- Kevin Summerfield: 2nd Shift Miner Operator
- Randall V. Mullins, Jr.: 2nd Shift Maintenance Foreman
- Richard A. Gear: 2nd Shift Mine Foreman
- Luke W. Pugh: 2nd Shift Section Foreman
- Billy L. Currence: Day Shift Safety Director

**Person Interviewed from Lightning Contract Service Inc.**

- Clifton R. Kerns: Contract Roof Bolter
The following persons were present during the on-site electrical investigation conducted on October 22, 2007.

**West Virginia Office of Miners' Health, Safety & Training**

John Scott  
Electrical Inspector

Carter Roag Coal Company

Ed Taylor  
Maintenance Superintendent

Jeff Simmons  
Section Foreman

The following persons were present during an on-site electrical investigation conducted on October 23, 2007.

**West Virginia Miners' Health, Safety & Training**

John Scott  
Electrical Inspector

George Smallridge  
District Inspector

**Mine Safety & Health Administration**

Joshua Brady  
Mechanical Engineer

William Sperry  
Electrical Inspector

Carter Roag Coal Company

Ed Taylor  
Maintenance Superintendent

John Schroder  
Mine Manager

Keith Hargrove  
President / General Manager

United Coal Company

Mike Zerous  
President / CEO

Ed Topping  
Vice President of Maintenance
The following persons were present at the Mine Safety & Health Administration office on October 24, 2007 in Morgantown, West Virginia to formulate a plan to prevent a reoccurrence.

**West Virginia Office of Miners’ Health, Safety & Training**

- Alan Lander: Inspector-at-Large
- John Meadows: Assistant Inspector-at-Large
- John Scott: Electrical Inspector
- George Smallridge: District Inspector

**Mine Safety & Health Administration**

- Greg Fetty: Supervisor
- William Sperry: Electrical Inspector
- Joshua Brady: Mechanical Engineer
- Michael Hall: Supervisor

**United Coal Company**

- Michael Zerous: President / CEO
- Ken McCoy: Vice President of Operations
- Ed Toppings: Vice President of Maintenance

**Carter Roag Coal Company**

- Donald Jones: Director of Emergency Response and Compliance
- Keith Hargrove: President / General Manager
The following persons were underground at the #1 Right, A-Panel section mobile bridge system approximately 8:15 a.m. on October 25, 2007 to check compliance with the approved recommendations.

**West Virginia Office of Miners’ Health, Safety & Training**

John Meadows  
George Smallridge  
Assistant Inspector-at-Large  
District Inspector

**Mine Safety & Health Administration**

William Sperry  
Electrical Inspector

**Carter Rosg Coal Company**

Eddie Taylor  
Brad Phillips  
Maintenance Superintendent  
Mine Manager

**United Coal Company**

Ed Toppings  
Vice President of Maintenance
Recommendations

1. Mobile Bridge Operators will be trained and instructed not to leave the mobile bridge operator’s compartment while compartment is positioned directly along side of the LoLo structure and the belt is in motion.

2. Employees will be trained and instructed not to work or travel on the off side of the LoLo structure inby the dolly while the belt is in motion. Warning signs stating “Do Not Enter When Dolly Is Outby This Point And Belt Is In Motion” will be posted at the off side crosscuts of the LoLo structure and at the outby and inby end of the LoLo structure. Physical barriers will be installed in crosscuts accessing the off side of the LoLo structure.

3. To warn employees of a belt start up, an audible and visual alarm will be installed and maintained that will give an alarm prior to the LoLo belt start up.

4. Manual On.Off belt switches will be located as follows:

   *Within 10’ of the LoLo tail roller on the off side.

   * On both sides of the LoLo structure in a crosscut outby the LoLo structure tail roller. The controls will be positioned in a crosscut and marked with reflective material.

5. Section employees will be trained and instructed to look in all directions prior to starting the conveyor belt to determine if anyone is in the area between the tail piece and the dolly.

6. The items listed above will be in place prior to the start up of the mobile bridge unit. The items listed above will apply to any mobile bridge unit at the mine.

7. Any employee assigned to a mobile bridge section will be trained and instructed in these procedures. Record of this training will be documented on the 5000.23 Certificate of Training.

* The recommendations above will be added to the Comprehensive Mine Safety Program in Component #7.