
WEST VIRGINIA OFFICE OF MINERS' HEALTH, SAFETY & TRAINING

OCTOBER 19, 2008

**FATAL HAULAGE RELATED REPORT INVESTIGATION
MCELROY COAL COMPANY
MCELROY MINE
PERMIT NO. U-3383**

**REGION ONE – WESTOVER OFFICE
14 COMMERCE DRIVE, SUITE 101
WESTOVER, WV 26501**

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GENERAL INFORMATION

A fatal haulage related accident occurred at approximately 12:10 p.m. on October 19, 2008 at the McElroy Coal Company, McElroy Mine. The accident occurred near the Portal Jeep Switch along the Fish Creek Supply Track. The victim was disconnecting a drawbar between a dolly and a 27 ton locomotive. Mr. Victor Goudy, age 58, was fatally injured while standing between a trip of dollies and the locomotive, when the most inby dolly was struck by another 27 ton locomotive. The victim and the dollies were pushed into the outby locomotive.

The Region One, Office of Miners' Health, Safety and Training was notified by Homeland Security at 12:29 p.m. of a very serious accident at the McElroy Mine. At 12:38 p.m., Homeland Security again reported that Life Flight, requested earlier, had been canceled and the Medical Examiner and Sheriff Deputies were enroute. A joint investigation with the Mine Safety and Health Administration, the Mine Workers of America, and mine management commenced immediately.

DESCRIPTION

The McElroy Coal Company's, McElroy Mine is a slope and multi shaft mine. It produces coal in the Pittsburgh seam and is located near Moundsville, in Marshall County. Mining is conducted with two longwall units and five continuous miner units. Employees and supplies are transported by rail. Coal is removed from the working sections via a conveyor belt to the preparation plant, located on the surface.

On Sunday, October 19, 2008, the dayshift rockdust crew entered the mine at approximately 8:00 a.m. The crew consisted of Mr. Victor Goudy (victim) and Mr. Gerald Loudon, Mr. Frank Zamski and Mr. Mike Sadaly. They were instructed to rockdust in the 4-A section. The two rockdust crews were doubled up because of the extensive amount of hose that would need to be laid and a shortage of locomotives at the Blake's Ridge Portal. The rockdusters were not able to leave the Blake's Ridge Portal area because of trolley wire repairs being made between Blake's Ridge and the 4-A section.

Mr. Andrew Simpson, Acting Shift Foreman for the Blake's Ridge Portal that Sunday, was advised that approximately 700 feet of main line belt was torn on the #2 belt in 5 North. He would have to arrange for replacement belting, from the surface supply yard, to be delivered to 5 North. There were three dollies parked in 4 North but no locomotives. A call was made to Mr. Don Beyser, acting dispatcher, to have Mr. Loudon and Mr. Goudy exit the mine at Blake's Ridge; and to go overland to the Fish Creek Portal to get the needed locomotives.

Mr. Simpson made a call to Mr. Chris Sterling, who was the Belt Foreman working in the Fish Creek Portal area. He wanted to know if any of the personnel working at that portal could bring the locomotives to 4 North. Mr. Sterling informed him that Mr. Fulks and Mr. Coulson were working at Fish Creek Portal and could bring the locomotives to 4 North. Mr. Louden and Mr. Goudy went back into the mine to wait for the locomotives, so they could take the dollies for the conveyor belting. They went to the 4 North area and found the number 48 locomotive. After connecting the dollies to the locomotive, they asked if they could proceed to the Fish Creek Portal. They were instructed to wait for the other two locomotives.

At approximately 10:30 a.m. the numbers 92 and 47 locomotives requested clearance from Fish Creek Portal to 4 North. Their instructions were that once they were at 4 North, they would follow the number 48 locomotive and three dollies back to the Fish Creek Portal. The number 47 motor would remain with the trip. At approximately 11:25 a.m., the two locomotives arrived at 4 North and the number 48 locomotive requested clearance to the Fish Creek Portal Bottom. The number 47 locomotive, operated by Mr. William Coulson, and the number 92 locomotive, operated by Mr. Darnell Fulks, followed approximately four minutes behind the trip. They were instructed by the dispatcher to stop at the number 5 Main Line Belt Drive to meet Mr. Alfred Ratcliffe, Dayshift – Shift Foreman, for the Fish Creek Portal. After a brief stop at the number 5 Drive, the 47 locomotive preceded toward the Fish Creek Portal, while the 92 locomotive waited for Mr. Ratcliffe. At approximately noon, the 48 locomotive and dollies called cleared in the C-1 switch for the Fish Creek Portal. They proceeded through the radius turn and Mr. Goudy instructed Mr. Louden to stop at the Portal Jeep Switch. Mr. Goudy got off the 48 locomotive, placed a skid under the dolly, and proceeded to disconnect the drawbar between the locomotive and the dollies. After he had removed the pin and dropped the drawbar, the dollies drifted approximately five to ten feet back into the mine. He heard the other locomotive approaching. Mr. Goudy began to signal with his cap light toward the approaching locomotive. Since the crew of the number 48 locomotive had not reported their location, Mr. Coulson was unaware of where they had stopped. He had maneuvered the 47 locomotive through the radius curve and turned off the headlights. He stated that he thought he saw the lights of the supply slope. Mr. Goudy assuming that the locomotive operator had observed his signals, squatted down, straddle the drawbar, and began to remove the pin on the dolly. The number 47 locomotive collided with the most inby dolly and pushed the three dollies toward the number 48 locomotive, pinning the victim. Mr. Coulson ran up to the 48 locomotive and asked if “Vic was OK?” Mr. Louden replied “No”. After seeing the location of Mr. Goudy, Mr. Coulson ran back to his locomotive and pulled the dollies back into the mine approximately ten feet. The front automatic coupler on the 47 locomotive had wedged itself on top of the dolly. He then ran back to aid the victim. Both Mr. Louden and Mr. Coulson began to summon help over the mine radio and telephone. Mr. Ratcliffe (an EMT) riding on the number 92 locomotive with Mr. Fulks, arrived at the accident scene. Mr. Ratcliffe sent Fulks, Coulson and Louden outside to get the stretcher and to bring a mantrip off the Fish Creek bottom over to the Portal Jeep

Switch to transport Mr. Goudy to the elevator. Mr. Ratcliffe called Mr. Mark Courtney, Asst. Superintendent, and apprised him of the accident. Mr. Courtney instructed Mr. Brad Racer to inform the agencies that they had a serious accident. Mr. Chris Sterling, Belt Foreman and EMT, heard the call for help while he was working at the Main Line number 3 beltline. He got on his jeep and proceeded to the scene of the accident to assist Mr. Ratcliffe in treating Mr. Goudy. Mr. Robert Gallentine, Master Mechanic was working at the number one belt drive when he heard the call for help. He took the first aid box from the number 2 belt starter and responded to the accident site. After being apprised of no mantrip on the Fish Creek Bottom to transport Mr. Goudy, Mr. Gallentine obtained a large four wheeled cart for the transport. Mr. Fulks, Coulson and Louden returned as Mr. Goudy was being loaded onto the cart. Mr. Sterling pulled, while Mr. Gallentine pushed, the cart to the elevator. Mr. Goudy had a faint pulse and shallow breathing.

At approximately 12:10 p.m., Tri-State Ambulance Service received the call to respond to a serious accident at the Fish Creek Portal. The Marshall County 911 Center was notified of the accident at 12:34 p.m. Mr. Goudy was removed from the mine at approximately 12:35 p.m. to the awaiting ambulance responders. At 12:36 p.m., the 911 Center received a call from Med Com stating that the Life Flight helicopter, which had been requested, was enroute and needed landing coordinates. At 12:38 p.m. a call was sent to the 911 Center to abort the Life Flight and request the Medical Examiner. At 12:46 p.m., Mr. Goudy was pronounced dead by Dr. Phillips via conversation between the ambulance crew and Med Com.

FINDINGS OF FACT

- 1) Mr. Goudy and Mr. Louden were working at the Blake's Ridge Portal and assigned to rockdust the 4 A section
- 2) Mr. Fulks and Mr. Coulson were working at the Fish Creek Portal and assigned work in that area of the mine.
- 3) Approximately 700 feet of conveyor belt was discovered torn on the 5 North #2 belt and would need to be replaced.
- 4) Management knew of three dollies parked in 4 North but no locomotives.
- 5) Mr. Goudy and Mr. Louden were re-assigned the task of delivering the new conveyor belt to 5 North.
- 6) Mr. Fulks and Mr. Coulson were instructed to deliver 2 locomotives to 4 North. They delivered the numbers 47 and 92, (27 ton locomotives).
- 7) Mr. Louden and Mr. Goudy found the number 48 locomotive parked in 4 North and connected the three dollies to that locomotive.
- 8) After the 92 and 47 locomotives cleared 4 North, they were instructed to follow the 48 locomotive and dollies back to Fish Creek Portal. They told the 48 locomotive crew that they would meet them back at Fish Creek.

- 9) Upon arriving back at Fish Creek Portal, Mr. Coulson and Mr. Fulks were to resume their earlier assigned duties.
- 10) After calling clear in the C-1 Switch, Mr. Goudy instructed Mr. Louden to stop the locomotive at the Portal Mantrip Switch. This was approximately 750 feet from the bottom of the supply slope.
- 11) The 47 and 92 locomotives were following approximately four minutes behind the trip of dollies.
- 12) Mr. Coulson, operating the number 47 locomotive, stopped briefly at the number 5 belt drive, to tell Mr. Joe Stora, that the number 92 locomotive would pick up Mr. Ratcliffe. The number 92 locomotive was trailing the number 47 locomotive.
- 13) The 48 locomotive crew did not communicate their stopped location to the other two locomotive operators.
- 14) After disconnecting the dollies from the number 48 locomotive, the locomotive would be switched out and the dollies would be connected to the number 47 locomotive and pushed to the bottom of the slope. They were to be taken out of the mine and loaded with approximately 700 feet of conveyor belting.
- 15) Once loaded and dropped back into the mine, the 47 locomotive and 48 locomotive would deliver the belting to the 5 North #2 belt.
- 16) Mr. Goudy had exited the locomotive and removed the pin on the locomotive end of the draw bar.
- 17) Mr. Goudy was standing between the track rails and straddled the drawbar when he heard the locomotive coming through the radius turn
- 18) Mr. Goudy signaled with his cap light to alert the approaching locomotive.
- 19) Mr. Coulson, operating the number 47 locomotive, reported he did not see any signals but turned off his headlights because he thought he saw the lights of the supply slope.
- 20) Mr. Goudy squatted back down to remove the pin on the dolly end.
- 21) The 47 locomotive collided with the most inby dolly and pushed the three dollies into the 48 locomotive.
- 22) The victim was caught between the number 48 (27 ton) locomotive and a rail mounted dolly.
- 23) The height in the entry is 8.3 feet; entry width is 15.4 feet
- 24) Mr. Goudy received his annual retraining on January 9, 2008. He had received new task training for operating a 27 ton locomotive on August 29, 2008.
- 25) Mr. Coulson had received his annual refresher training on June 11, 2008. He had received new task training for operating a 27 ton locomotive on November 9, 2007.

CONCLUSION

While attempting to disconnect a trip of dollies from the number 48 locomotive, the victim was pinned between the 27 ton locomotive and a dolly, when the rear of the trip was struck by the number 47 locomotive.

RECOMMENDATIONS

Mine management shall submit to the West Virginia Office of Miners' Health, Safety and Training a modification to their Comprehensive Mine Safety Program to address the safe operating procedures for supply trips.

A safety meeting was held with all mine personnel to discuss the accident and procedures to prevent a recurrence.

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

A violation of the West Virginia Code 22A-2-10 was issued:
"It was revealed during the investigation of a fatal accident at the mine on October 19, 2008, that a conspicuous light or approved trip reflector was not provided on the rear of the trip of dollies. The trip was moved from 4 North to Fish Creek Portal bottom area by the number 48 locomotive. This was a distance of approximately 27, 574 feet. This violation was a contributing violation to the accident.

Two non-contributing violations were issued during the investigation.

ACKNOWLEDGEMENT

The West Virginia Office of Miners' Health, Safety and Training gratefully acknowledges the cooperation of the employees and management of McElroy Coal Company, the United Mine Workers of America and the Mine Safety and Health Administration during this investigation.

MINE INFORMATION

COMPANY McElroy Coal Company

MINE NAME McElroy Mine

WV PERMIT U-33-83 MSHA I.D. 46-01437

ADDRESS R.D.1 Box 67A, Glen Easton, WV 26039

COUNTY Marshall County

LOCATION Fish Creek Portal

UNION X NON-UNION _____

TOTAL EMPLOYEES 856 NUMBER OF SHIFTS 3

WV OMHST INSPECTOR Colin D. Simmons

DATE OF LAST INSPECTION Current

NOTIFIED BY _____

CMSP – ANNIVERSARY DATE April 28, 2009

CMSP – CONTACT PERSON Jack Price