

West Virginia Office of Miners' Health, Safety and Training

August 29, 2004

Fatal Electrical Accident Investigation Report  
Williams Electric Company, Inc. of West Virginia  
Permit No. C-1315  
Contractor at  
Hobet Mining, Inc.  
Jule Fork Permit  
Permit No. S-5029-91

Region Three – Danville Office  
137 Peach Court, Suite 2  
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Harry Linville, Inspector-at-Large

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**GENERAL INFORMATION**

A fatal electrical accident occurred at approximately 11:45a.m. on Sunday, August 29, 2004 at the Hobet Mining, Inc. Jule Fork Permit. Michael J. Copley, a 37 year-old electrical contractor with three (3) years experience was electrocuted while attempting repairs on a high voltage power line. Mr. Copley passed away on Monday, August 30, 2004. Williams Electric, Inc. of West Virginia had employed Mr. Copley as a lineman since February 2004. Mr. Copley resided in Fort Gay, West Virginia.

Hobet maintenance foreman, Daniel Morgan at 1:10 p.m. the same day notified the Office of Miners' Health, Safety and Training. A joint investigation with the Mine Safety and Health Administration (MSHA) was started immediately.

The Jule Fork mine is located near Madison, West Virginia with mining permitted in Boone and Lincoln counties. The operation employs 306 people and works 3 shifts. Production through the end of August 2004 is 2,907,059 tons.

The business address for Williams Electric, Inc. of West Virginia is listed as P. O. Box 203, Rush, Kentucky.

**DESCRIPTION**

Jule Fork mine water trucks are routinely filled at a location known as Berry Branch. Two 480-volt AC water pumps are utilized to fill the water trucks. Power for the pumps is provided by 12,470 volts phase-to-phase overhead power lines extending from a sub-station at the Pit 18 truck dump. On Saturday, August 28, 2004 at approximately 8:30-9:00 a.m. production supervisor, James Caldwell, reported to maintenance supervisor, Lanny Lansden, that power had been lost at the pump location. Caldwell had learned of the problem the day before and had reported it to electrical superintendent, Byron Brook, who was leaving on vacation.

Lansden asked electrician, Allen Pack, to check out the problem. Master electrician, John Harden also went to the pumping location a short time later to check out the problem. Harden reported to Lanny Lansden that the pump motor was single phasing. Harden had discovered the single phasing by checking the pump with a meter. Harden was asked to continue troubleshooting. Electrician, Gary Elliot also joined Harden around 12:30 p.m., and the two men began traveling the high voltage power line in an attempt to locate the problem. Harden and Elliot eventually found a problem at approximately 5:30 p.m. at a location known as the Pit 18 dump pole where the high voltage power lines cross the main haul road and conveyor belt and extend in the direction of the pumping location. The location is also known as the Water Tree or Berry Branch line. The men determined that a fuse link had burned in two and was no longer functioning on the pole.

Harden reported the problem to Lansden and indicated that the high voltage people would be needed to correct the problem. Independent contractors routinely did high voltage power line work. Lansden called warehouse clerk, Ricky Hackney, and instructed him to call an independent contractor to make the needed repairs. Hackney contacted Jerry Wilkinson, an engineer with Williams Electric, Inc. of West Virginia at approximately 6:00 p.m. on Saturday evening and provided a purchase order number to facilitate the work. Wilkinson then contacted Williams Electric supervisor, Harry Smith, who eventually contacted foreman, Bryan Compton, at approximately 8:00 a.m. on Sunday morning, August 29. Compton was advised that there was a problem on the Berry Branch line at the Jule Fork mine and was instructed to get someone to help him do the necessary work. Compton contacted Michael J. Copley and proceeded to the Jule Fork mine.

Compton and Copley arrived at the main Hobet gate on Route 119 at approximately 11:00 a.m. They proceeded along the main haul road until they encountered preparation plant superintendent, Robert DeHart. Compton asked DeHart what they were supposed to do. DeHart was unaware of a problem and asked them to wait while he went to the preparation plant to use a phone in order to find out. DeHart called warehouse clerk, Rick Hackney, who advised him that the Water Tree pumps were down. DeHart then relayed the information to Compton and Copley and asked them to let him know before de-energizing electrical power. DeHart was supervising a splice that was being made in the main conveyor belt.

DeHart stated that Compton told him he knew where the Water Tree or Berry Branch line was located and that he was going to drive the line to look for the problem site. Compton stated that he and Copley located the problem site at the location where the Water Tree or Berry Branch line crossed the main haulage road.

After parking their truck nearby, Compton stated that he used an insulated "hot stick" to disconnect the three "cut-outs" or disconnects on the pole before Copley climbed the pole to do the actual repair work. Pulling the "cut-outs" de-energized the power below that point on the pole. Compton stated that both men were aware that the top part of the line on the pole was still energized and that Copley's intentions were to work below the "cut-outs". Compton remained on the ground while Copley made the repairs.

Compton stated that he had turned away from the pole to walk toward the truck when he heard an "electric arc". Compton turned to see Copley slumped back and then he began to slide down the pole. Compton stated that he began CPR as soon as Copley reached the ground. Compton continued CPR until he flagged security guard, Dale Hager, who happened to be passing by. Hager stated that he arrived at the accident site at approximately 11:50 a.m. Security guard, Ralph Coffey, was following Hager and arrived shortly thereafter. Coffey remained at the scene to assist while Hager drove to the Mud Fork warehouse to get EMT Ricky Hackney. Security guard, Sharon Fannin, also an EMT, heard Hager call for assistance on a CB radio at approximately 11:52 a.m. as she was arriving at the main Jule Fork office. Fannin proceeded to the guard station located near Route 119 to lead the ambulance to the accident site. Healthnet eventually transported Mr. Copley to CAMC, General Division. Mr. Copley passed away the following day, August 30, 2004.

### FINDINGS OF FACT

1. Michael J. Copley made contact with 7,200 volts single-phase power while repairing a power conductor on the bottom side of a disconnect. The repair work was complete at the time of the accident.
2. A toxicology report from the West Virginia Office of the Chief Medical Examiner was negative. The victim had electrical burns on the right index and middle fingers along with the fleshy area of the right thumb.
3. Mr. Copley did not have an electrical certification issued by the Office of Miners' Health, Safety and Training or the Fire Marshall's Office.
4. Foreman, Bryan Compton had an electrical certification issued by the Office of Miners' Health, Safety and Training on January 4, 2002.
5. Bryan Compton stated that he used a "hot-stick" to pull disconnects on the pole where the repair work was to be done. While this de-energized the power on the bottom side of the disconnects where Copley was to work, the incoming high voltage lines approximately 11 inches above where Copley was to be working remained energized.
6. A substation was located less than a mile from this location. All incoming power lines at the accident site could have been de-energized and locked out at this location. This option was not utilized.
7. Mr. Copley was not wearing approved, insulated gloves or any other type of approved, insulated clothing and/or equipment.

### CONCLUSION

Michael J. Copley was electrocuted when he made contact with 7,200 volts single-phase power while repairing a power conductor on the bottom side of a disconnect. Incoming power lines approximately 11 inches above had not been de-energized.

### ENFORCEMENT ACTIONS

A total of four (4) notices of violation were cited to Williams Electric, Inc. of West Virginia during this investigation. Three (3) of the violations are considered to have contributed to this occurrence. A petition seeking the withdrawal of the electrical certification held by Bryan Compton will also be filed.

**Title 56, Series 3, Section 37.1(a):** A non-qualified person attempted repair work on a high voltage power line. A Williams Electric, Inc. supervisor, Bryan Compton, was present while Michael Copley attempted to make repairs to a high voltage power line that had not been properly de-energized and grounded. Mr. Copley made contact with an energized high

voltage conductor and was electrocuted. Mr. Copley did not possess an electrician's certification issued by the WV Office of Miners' Health, Safety and Training.

**Title 56, Series 3, Section 37.9(a):** Repair work was attempted on a high voltage power line that had not been properly de-energized and grounded. Williams Electric, Inc. supervisor, Bryan Compton, was present as the work was attempted by Michael Copley. There had been no determination by the mine operator that such repairs on an energized circuit were necessary in accordance with WV Administrative Regulations, Title 56, Series 3, Section 37.9(e). Mr. Copley made contact with an energized conductor and was electrocuted.


**Title 56, Series 3, Section 37.9(e):** Williams Electric, Inc. employee, Michael Copley, was not wearing protective rubber gloves, sleeves and climber guards while attempting repairs on an energized high voltage power line. Williams Electric, Inc. supervisor, Bryan Compton, was present when this occurred. Mr. Copley made contact with an energized conductor and was electrocuted.

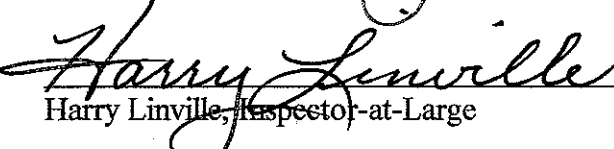
**RECOMMENDATIONS**


See attachment.

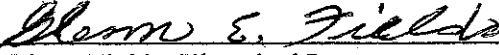
**ACKNOWLEDGMENT**

The Office of Miners' Health, Safety and Training gratefully acknowledges the cooperation of the employees and management of Hobet Mining, Inc., Williams Electric, Inc. of West Virginia, the United Mine Workers of America, and the Mine Safety and Health Administration during this investigation.

  
Terry Farley, Health and Safety Administrator 10-19-04  
Date

  
Harry Linville, Inspector-at-Large 10-12-04  
Date

  
Randall Bailey, Surface Inspector 10-12-04  
Date

  
Glenn Fields, Electrical Inspector 10-12-04  
Date

## **APPENDIX**

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

## MINE INFORMATION

COMPANY Hobet Mining, Inc.

MINE NAME Jule Fork Permit

WV PERMIT S-5020-91

ADDRESS P. O. Box 305, Madison, West Virginia 25130

COUNTY Boone/Lincoln PHONE NUMBER (304) 369-6780

DATE PERMIT ISSUED October 10, 1991

WORKING STATUS Active

LOCATION Off Route 119 near Danville, West Virginia

UNION X NON-UNION \_\_\_\_\_

DAILY PRODUCTION 16,800 tons ANNUAL PRODUCTION TO DATE 2,907,059 tons

TOTAL EMPLOYEES 306

NUMBER OF SHIFTS 3

COAL SEAM NAME AND THICKNESS Multiple

ACCIDENT INCIDENT RATE 0.42 LOST TIME ACCIDENTS 1

TYPE OF HAULAGE Truck and beltline

WVOMHST INSPECTOR Randall Bailey

DATE OF LAST INSPECTION August 18, 2004

NOTIFIED BY Daniel Morgan

NOTIFICATION TIME 1:10 p.m., August 29, 2004

CMSP -- ANNIVERSARY DATE February 1, 2005

CMSP -- CONTACT PERSON Dennis Wellman



## CONTRACTOR INFORMATION

CONTRACTOR Williams Electric, Inc. of West Virginia

MINE NAME Hobet Mining, Inc., Jule Fork Permit

WV PERMIT NO. C-1315

MAILING ADDRESS P. O. Box 203, Rush, Kentucky 41168

COUNTY Boyd PHONE NUMBER (606) 928-7791

TYPE OF WORK PERFORMED Electrical high voltage power line

WORKING STATUS Active

LOCATION Various mining operations in southern West Virginia

UNION NA NON-UNION NA

TOTAL EMPLOYEES 18

NUMBER OF SHIFTS 1

ACCIDENT FREQUENCY RATE NA LOST TIME ACCIDENTS NA

WVOMHST INSPECTOR Various

DATE OF LAST INSPECTION \_\_\_\_\_

NOTIFIED BY Daniel Morgan, Hobet Mining, Inc.

CMSP – ANNIVERSARY DATE May 17, 2005

CMSP – CONTACT PERSON Shannon Welles

VICTIM INFORMATION

NAME Michael J. Copley

ADDRESS Private information - NA

TELEPHONE NO. NA AGE 37 SOCIAL SECURITY NO. NA

TOTAL MINING EXPERIENCE 3 yrs. EXPERIENCE AT THIS MINE approx. 6 mos.

AVERAGE NUMBER OF DAYS WORKED PER WEEK NA

AVERAGE NUMBER OF HOURS WORKED PER WEEK NA PER DAY NA

LENGTH OF SHIFTS AT THIS MINE NA TRAVEL TIME TO/FROM WORK NA

OCCUPATION AT TIME OF ACCIDENT Lineman

REGULAR OCCUPATION Lineman

COAL MINER'S CERTIFICATION None

OTHER CERTIFICATIONS None

SPOUSE'S NAME Angie

DEPENDENTS NA

DATE OF ACCIDENT: 29<sup>th</sup> DAY OF August 2004

AT 11:45 O'CLOCK a.m.

CAUSE OF ACCIDENT: The victim was electrocuted while attempting to perform repairs on a high voltage power line pole.

DATE OF DEATH: 30<sup>th</sup> DAY OF August 2004

## INVESTIGATION

The following persons were present during the onsite investigation conducted on August 29, 2004.

### HOBET MINING, INC.

Mike Jarrell	President
Robert DeHart	Preparation Plant Superintendent
Daniel Morgan	Maintenance Foreman
Dennis Wellman	Safety Director

### WILLIAMS ELECTRIC, INC. OF WEST VIRGINIA

Harry Smith	Supervisor
Bryan Compton	Foreman

### MINE SAFETY AND HEALTH ADMINISTRATION

Jim Humphrey	Accident Investigator
Marcus A. Smith	Electrical Engineer

### OFFICE OF MINERS' HEALTH, SAFETY AND TRAINING

Doug Conaway	Director
Terry Farley	Health and Safety Administrator
Harry Linville	Inspector-at-Large
Randall Bailey	Surface Inspector
Glenn Fields	Electrical Inspector
Willie Barker	Safety Instructor

## INTERVIEWS

The following persons were present during interviews conducted on August 31, 2004.

### HOBET MINING, INC.

Mike Jarrell	President
Alvin L. Gleason	Human Resources Manager
Dennis Wellman	Safety Director
James Caldwell *	Production Supervisor
Lanny Lansden *	Maintenance Foreman
Daniel Morgan*	Maintenance Foreman
Ricky Hackney*	Warehouse Clerk, EMT
John Hardin*	Electrician
Gary Elliott *	Electrician

Dawn Gullett \*  
Mark Heath  
Debbie Booth  
Connie DeMuth

United Talent – Clerk  
Attorney  
Court Reporter  
Court Reporter

#### UNITED MINE WORKERS OF AMERICA

Kelly Elswick  
Ronald Pauley

Committeeman  
Committeeman

#### WILLIAMS ELECTRIC, INC. OF WEST VIRGINIA

Harry Smith \*  
Bryan Compton \*  
Jerry Wilkinson \*  
Kenneth E. Ayers

Supervisor  
Foreman  
Engineer  
C. W. Electric

#### UNLIMITED SECURITY

Ralph Coffey \*  
Dale Hager \*  
Sharon Fannin \*  
Stephanie Linville \*

Security Guard  
Security Guard  
Security Guard  
Security Guard

#### MINE SAFETY AND HEALTH ADMINISTRATION

Jim Humphrey  
Terry Price  
Jesse Cole  
Chris Weaver  
Marcus A. Smith  
Arlie Massey  
Preston White  
Elizabeth Lopes Beason

Accident Investigator  
Supervisor  
District Manager  
Assistant District Manager  
Electrical Engineer  
Technical Support  
Coal Mine Inspector  
SOL

#### OFFICE OF MINERS' HEALTH, SAFETY AND TRAINING

Terry Farley  
Randall Bailey  
Glenn Fields

Health and Safety Administrator  
Surface Inspector  
Electrical Inspector

\* (denotes those interviewed)

The following persons were present during interviews conducted on September 1, 2004.

HOBET MINING, INC.

Mike Jarrell	President
Alvin L. Gleason	Human Resources Manager
Dennis Wellman	Safety Director
Robert M. DeHart *	Preparation Plant Superintendent
Thomas M. Hagan *	Manager of Maintenance
Mark Heath	Attorney
Debbie Booth	Court Reporter

UNITED MINE WORKERS OF AMERICA

Kelly Elswick	Committeeman
Ronald Pauley	Committeeman

MINE SAFETY AND HEALTH ADMINISTRATION

Jim Humphrey	Accident Investigator
Terry Price	Supervisor
Chris Weaver	Assistant District Manager

OFFICE OF MINERS' HEALTH, SAFETY AND TRAINING

Terry Farley	Health and Safety Administrator
Glenn Fields	Electrical Inspector

\* (denotes those interviewed)