

Report of Fatality
Belt Conveyor
Underground Coal Mine
October 23, 2017

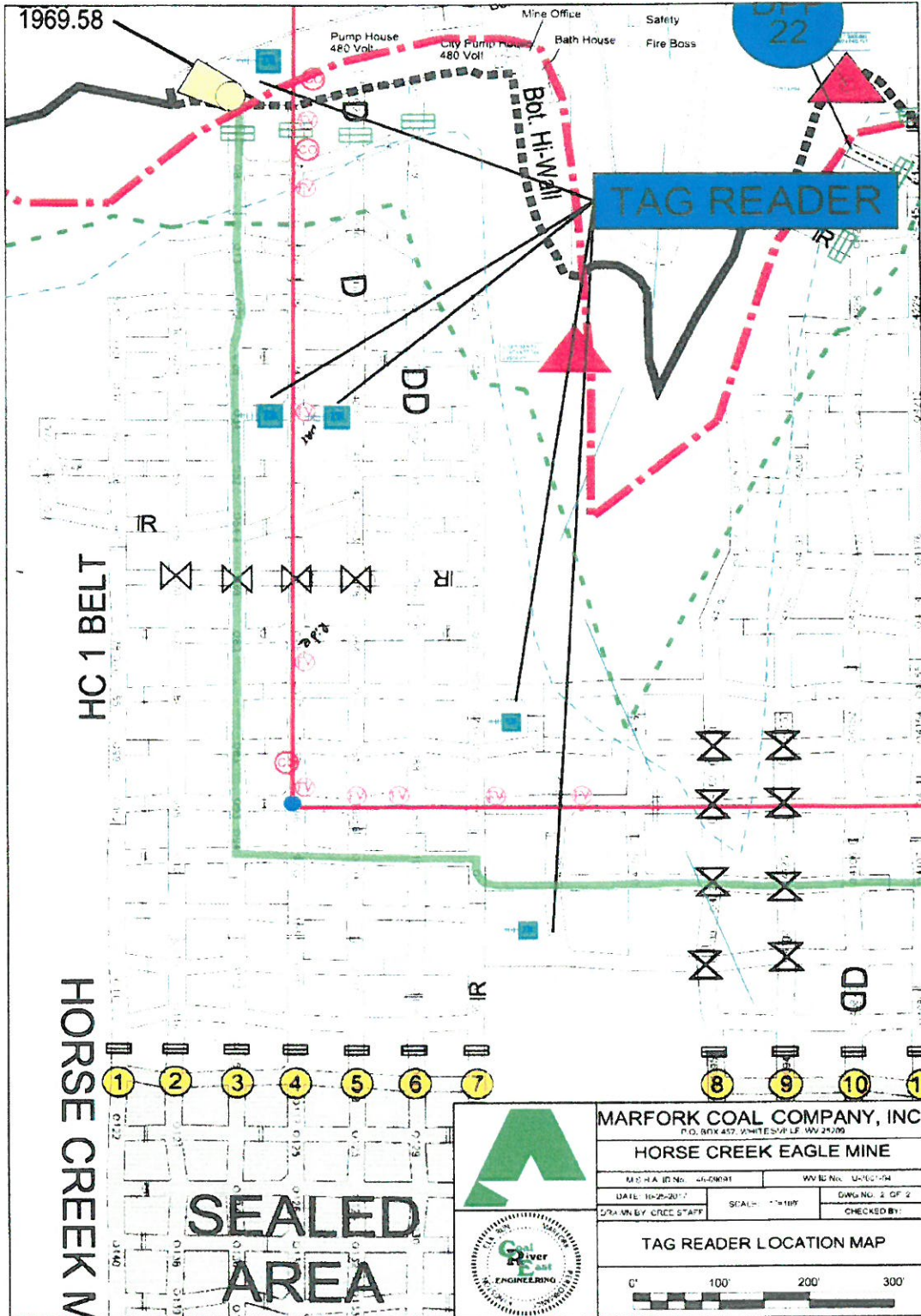
Marfork Coal Company, LLC
Horse Creek Eagle Mine
Permit Number U00300104

Region Four Office
550 Industrial Park Drive
Oak Hill, West Virginia 25901
McKennis P. Browning, Inspector-at-Large

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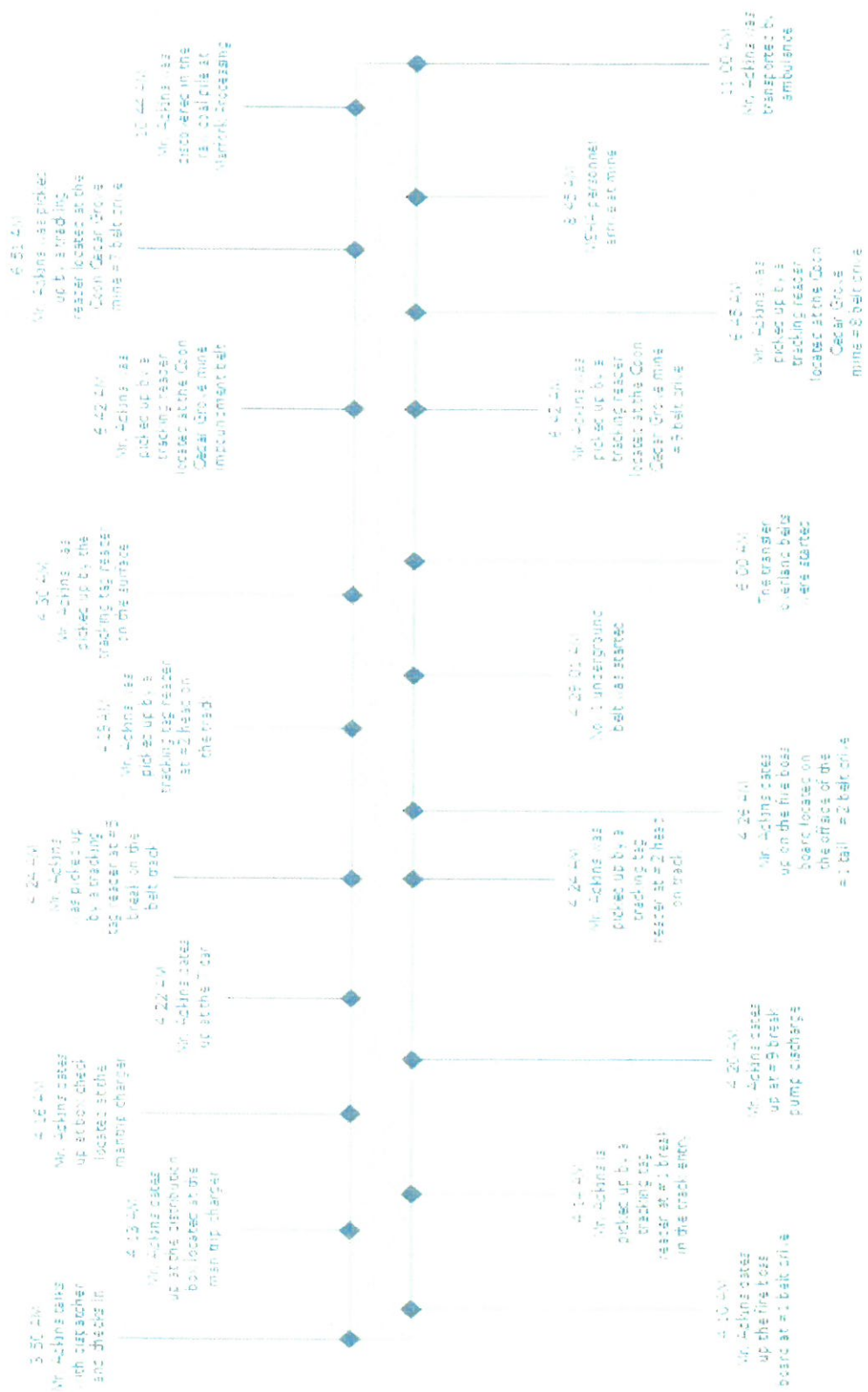
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MINE MAP AND MAP WITH LOCATION READERS



Adkins Fatality Timeline October 23, 2017

TIMELINE



**REPORT OF FATALITY
BELT CONVEYOR ACCIDENT INVESTIGATION
MARFORK COAL COMPANY, LLC
HORSE CREEK EAGLE MINE
WV PERMIT NUMBER U00300104**

DESCRIPTION

A fatal accident occurred at approximately 4:29 a.m. on October 23, 2017 at the Marfork Coal Company, LLC., Marfork Horse Creek Eagle Mine located 1.5 miles up Horse Creek road off Route 3. The accident occurred at the number one (1) tail piece / number two (2) head area where Mr. Adkins ended up on the number one (1) conveyor belt and was carried to the raw coal stock pile at Marfork Processing Plant.

David Stout, day shift communication person, called in a missing miner report at 7:10 a.m. on October 23, 2017 to Assistant Inspector-at-Large, Steve Lafferty. WVOMHS&T inspectors were promptly dispatched to the mine site where David Boggs, District Inspector, was already on mine property. A joint investigation with the Mine Safety and Health Administration was started shortly thereafter.

GENERAL INFORMATION

This report is based on an investigation conducted in accordance with Chapter 22A, Article 1, Section 14 of the Code of the State of West Virginia.

Marfork Coal Company, LLC, Horse Creek Eagle Mine is located 1.5 miles up Horse Creek Road off Route 3 in Raleigh county. This mine was issued a permit on June 30, 2006. This mine employs one hundred and forty (140) employees which include salary personnel. This mine operates three (3) shifts, the day and evening shifts produce coal while the midnight shift is primarily maintenance. This mine has two (2) active working sections with four (4) units producing coal with Joy continuous miners, Fletcher roof bolters, Joy shuttle cars, and battery powered scoops. There are fifteen (15) conveyor belt lines throughout the mine. The main transportation of employees is by rail with some rubber tired vehicles.

FATAL ACCIDENT INVESTIGATION

On October 23, 2017, Mr. James Adkins started his shift at 4:00 a.m. as the pre-shift examiner on the Horse Creek Eagle Mine conveyor belt system. Mr. Adkins' normal shift began at 7:00 a.m. and ran until 3:00 p.m. Mr. Adkins had been starting at 4:00 a.m. for several weeks to assist the midnight shift in their pre-shift examinations. The area Mr. Adkins was assigned for the midnight shift examinations was the same area he examined during his normal 7:00 a.m. to 3:00 p.m. shift.

As indicated by the mine tracking system and various date boards, Mr. Adkins traveled into the mine along the number one (1) belt conveyor system to the number two (2) belt conveyor drive. Mr. Adkins' initials as well as the date and time were present on the offside Fireboss board at the number one (1) belt conveyor tailpiece (number two (2) belt conveyor drive) at 4:26 a.m. The number one (1) belt conveyor system and the number two (2) belt conveyor were started at 4:29 a.m. as indicated by the electronic belt boss system. The mine tracking system showed Mr. Adkins at the number two (2) belt conveyor drive at 4:29 a.m. The last location as indicated by the mine tracking system shows Mr. Adkins at the mine portal twelve (12) breaks out by the number one (1) belt conveyor tailpiece at 4:30 a.m. Sometime between 4:29 a.m. and 4:30 a.m., Mr. Adkins either fell onto the belt or was on the belt when it began to move.

At approximately 6:50 a.m. it was discovered that Mr. Adkins had not come out of the mine as usual to fill out his pre-shift examination report. A search was started and Mr. Adkins' rubber tired personnel carrier was discovered at the number nine (9) crosscut on the number one (1) conveyor belt. Mr. Adkins' hard hat was discovered at the number five (5) crosscut on the number one (1) conveyor belt. Mr. Adkins' cap light was found along the number twelve (12) overland conveyor belt system which was started at approximately 6:00 a.m.

The search continued, finding Mr. Adkins' coat and self-contained self-rescuer near the counterweight of the Coon Cedar Grove number one (1) belt; a methane detector and two (2) gloves were found at the Marfork Processing Plant in the number three (3) raw coal stockpile and Mr. Adkins was located covered in coal. Mr. Adkins received fatal injuries while being transported on multiple conveyor belts from Horse Creek Eagle Mine to the Marfork Processing Plant. The Whitesville Fire Department ambulance service transported Mr. Adkins to the State Medical Examiner Office. Mr. Adkins was pronounced dead at 11:05 a.m. by Doctor Tallman.

FINDINGS OF FACT

1. James Adkins was an experienced miner with nineteen (19) years of total mining experience with one (1) year and eight (8) months at this mine.
2. James Adkins was a normal dayshift Fireboss working from 7:00 a.m. to 3:00 p.m., but had worked the last several weeks helping the midnight shift Fireboss and was working from 4:00 a.m. to 3:00 p.m.
3. During the investigation, it was discovered that the conveyor belts usually were started between 5:30 a.m. and 5:45 a.m. on regular days, but on this day the belts were started at 4:29 a.m. at the request of another miner.
4. The midnight dispatcher stated that he called over the mine communication system three (3) times before the belts were started.

5. At approximately 6:50 a.m. management realized that Mr. Adkins had not come out of the mines as usual to fill out his pre-shift report and a search for Mr. Adkins began at that time.
6. Mr. Adkins was found in the raw coal stockpile area at Marfork Processing Plant.
7. Sometime between 4:29 a.m. and 4:30 a.m., Mr. Adkins either fell onto the belt or was on the belt when it began to move.
8. Mr. Adkins received fatal injuries while being transported on multiple conveyor belts from Horse Creek Eagle Mine to the Marfork Processing Plant.
9. The 5A conveyor belt ran several times on October 23, 2017 after 2:20 a.m. for repairs without the 5A conveyor belt having a supplemental examination or a pre-shift examination conducted where three (3) miners were working.
10. A pre-shift examination or on-shift examination was not completed on the Horse Creek No. 1, No. 2, No. 3, or the No. 3A conveyor belt entries before the conveyor belts were started at 4:29 a.m. on October 23, 2017.

CONCLUSION

Mr. Adkins received fatal injuries while being transported on multiple conveyor belts from Horse Creek Eagle Mine to the Marfork Processing Plant. It is unknown how Mr. Adkins got on the conveyor belts as he was alone while fire bossing.

ENFORCEMENT ACTION

A non-assessed control order was issued in accordance with Chapter 22A, Article 2, Section 68 of the West Virginia Code to preserve the accident scene after the recovery of the victim and until the investigation of the accident site by WVOMHS&T personnel had been completed.

Two (2) regular assessed violations were issued as a result of this investigation of this accident.

1. Chapter 22A, Article 2, Section 39 (f) (2)

The operator has failed to comply with the above article of mining law in that evidence obtained during an investigation of a fatality at the Horse Creek Eagle Mine indicates that a pre-shift examination of the 5A belt conveyor entry was conducted on October 21, 2017 between 8:00 p.m. and 11:00 p.m. and the next pre-shift was conducted on October 23, 2017 between 4:00 a.m. and 7:00 a.m., evidence indicates by the Belt Boss electronic reporting that the 5A conveyor belt was run several time on October 23, 2017 after 2:20 a.m. for the purpose of belt repairs without the 5a conveyor belt entry having a supplemental examination or a pre-shift examination conducted where three (3) miners were working.

2. Chapter 22A, Article 2, Section 39 (f) (2)

The operator has failed to comply with the above article of mining law in that evidence obtained during an investigation of a fatality on October 23, 2017 at the Horse Creek Eagle Mine indicates that a pre-shift examination or on-shift examination was not completed on the Horse Creek No. 1, No. 2, No. 3, or the No. 3A conveyor belt entries before the conveyor belts were started at 4:29 a.m. on the date of 10/23/2017.

RECOMMENDATIONS

In accordance with Title 56, Series 8, Section 9.4 of the West Virginia Mining Laws, the comprehensive mine safety program for the Marfork Horse Creek Eagle Mine is to be modified to include beltline safety precautions and guidelines being submitted by the operator to prevent a reoccurrence. In addition, everyone at the mine is to be instructed on the modification. More user-friendly cross overs / cross unders will be used located in close proximity to any date board/Fireboss board and a means to alert miners of conveyor belts starting at the tail area.

ACKNOWLEDGEMENT

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

APPENDIX

- Mine Information Sheet
- Victim Information Sheet