
West Virginia Office of Miners' Health, Safety and Training

March 10, 2012

Report of Investigation
Underground Coal Mine Fatality
(Rib Roll)

Kingston Resources, Inc.
Kingston No. 2 Mine
Permit Number U-3006-01

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

TABLE OF CONTENTS

SKETCHES	1 - 3
GENERAL INFORMATION	4
DESCRIPTION	4 – 6
FINDINGS OF FACT	7
CONCLUSTION	7
ENFORCEMENT ACTION	8 – 12
RECOMMENDATIONS	12
ACKNOWLEDGEMENT	13
APPENDIX	14

CIDEN AREA AS OF 10/12

10-10-10

1/10/10/4

J/Jif;f\$JIIW-IJIMP.

fLOCKIJIMENSIONS

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ROCK A 15,25' N 1" x 2JII

Rf)(JJB 16,2JU .M 2" N 1f

RtIJCK" C ,J'Jg.M./J'JY

!!(J)JX . IJ 3'7JIIU N 1.75' x .75'

ROOF BOLT ROW WITH REFLECTORS

CONTROL BOX

REGENERATOR FILTER

UNDER CONTROL BOX BATTERY

SAFETY GLASSES

RESPIRATOR

ROCK FRAGMENT AREA

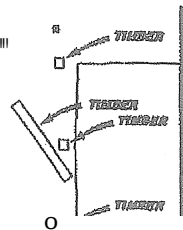
ROOF BOLT AND PLATE

ROOF BOLT AND PLATE

ROOF BOLTS NOT SHOWN IN THIS AREA

ROOF BOLTS NOT SHOWN IN THIS AREA

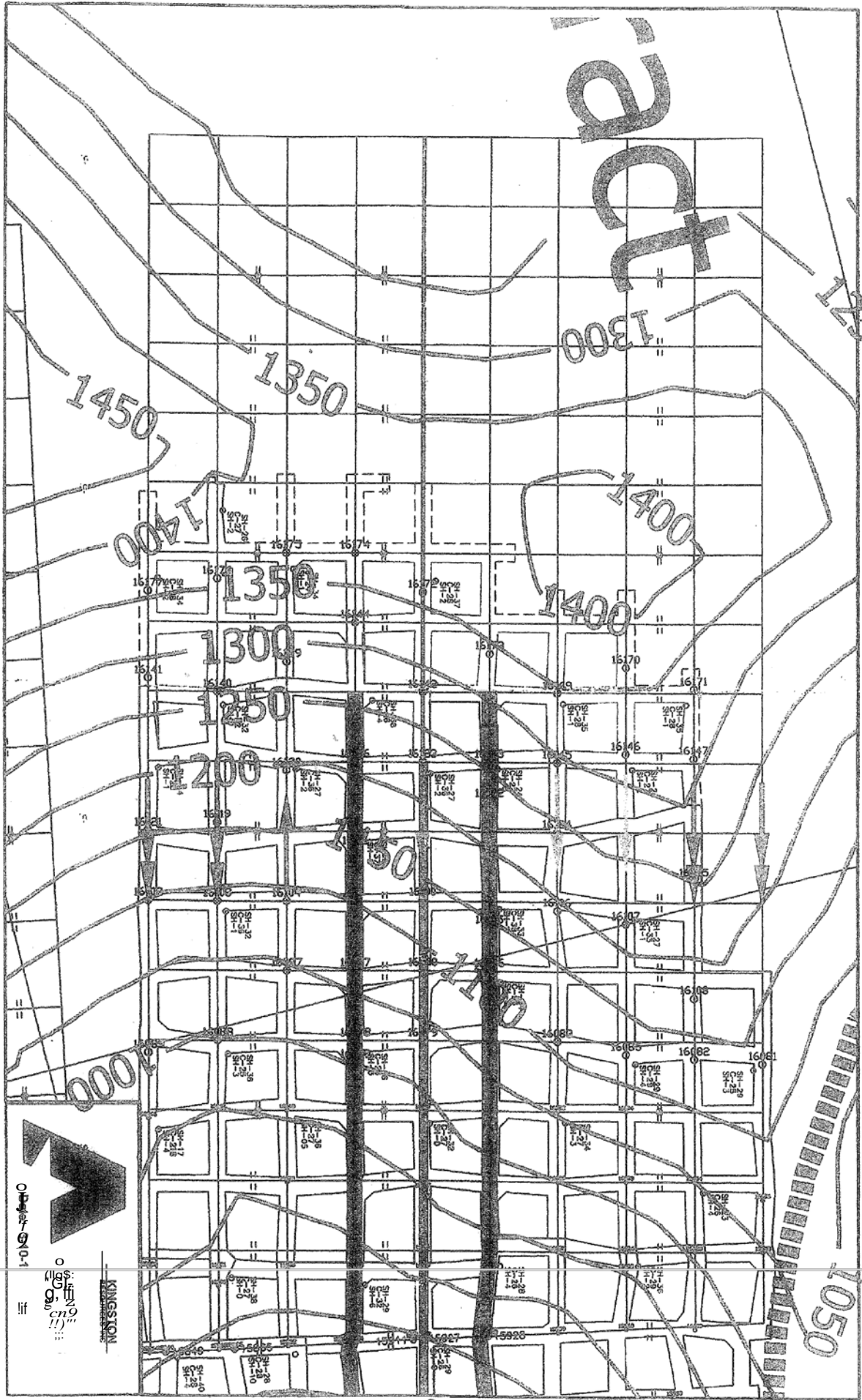
ROOF BOLTS NOT SHOWN IN THIS AREA



(ALL DIMENSIONS ARE MEASURED BUT APPROXIMATED)

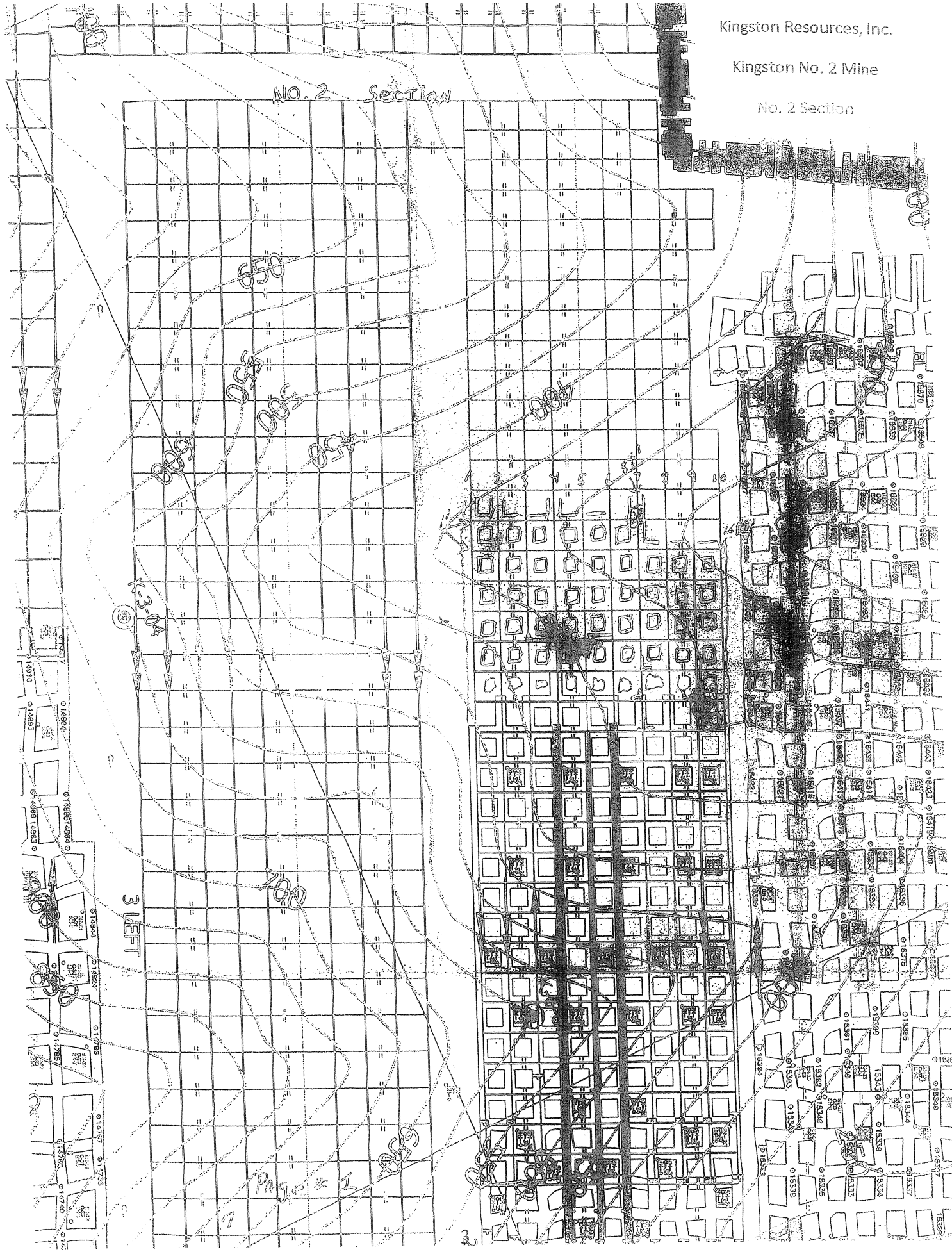
KI!NFJ!J'f'J'N!
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Date: 4-17-12



North Arrow
Scale 1:50,000
KINGSTON

NO. 2 Section



**Report of Investigation
Underground Coal Mine Fatality
Kingston Resources, Inc.
Kingston No.2 Mine Permit Number U-3006-01**

GENERAL INFORMATION

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

Jeremy Sigler, an employee of Kingston Resources, Inc., Kingston No. 2 mine, WV Permit Number U-3006-01, was fatally injured in an accident which occurred at approximately 6:10 p.m., on March 10, 2012. Mr. Sigler was a production supervisor on the No. 1 section at the Kingston No. 2 mine, who was operating the continuous mining machine on the left side (004) section, No.2 entry, when he was struck with a piece of falling mine rib.

The Raleigh County 911 Emergency Service was notified of the accident at 6:18p.m. and the Mine and Industrial Accident Emergency Operations Center was notified of the accident at 6:47 p.m. by Russell Mitchem, communication and tracking person employed at the mine for the oncoming shift. The West Virginia Office of Miners' Health, Safety and Training was notified of the accident by the Mine and Industrial Accident Emergency Operations Center at 6:50 p.m. A joint investigation with the Mine Safety and Health Administration was started immediately.

DESCRIPTION

The Kingston Resources, Inc., Kingston No. 2 Mine is located on Resource Drive, County Route No.1 near Mossy in Fayette County, West Virginia. This underground mine has two (2) working sections mining in the Douglas coal seam. This coal seam is approximately 32 inches in height. The mine is staffed by 95 employees and operates five (5) days a week and every other Saturday. The day and evening shifts are primarily coal producing shifts. Maintenance activities, section belt installations, and power moves, etc., are routinely performed on the midnight shift.

On March 10, 2012, the employees on the evening shift of the Kingston No. 2 mine began work at 1:30 p.m., one hour prior to the normal 2:30 p.m. starting time. The No. 1 section production coal crew entered the mine by rail transport and the twelve employees traveled to the end of the track on the No. 1 section. The twelve employees were:

- Jeremy Sigler, section foreman, (EMT)
- John Sweeney, left side continuous miner operator
- Dave Hayhurst, right side continuous miner operator
- Sam Hayhurst, left side roof bolter operator
- Larry Wilcox, left side roof bolter operator
- Robert Workman, right side roof bolter operator
- Stephen F. Helmeczi, right side roof bolter operator
- Gary Williams, II, left side shuttle car operator
- Charlie Dunbar, left side shuttle car operator
- Larry E. Cox, right side shuttle car operator
- Fred Ford, right side shuttle car operator
- David Combs, electrician.

A roof control contact was reported to have been conducted at the end of the No. 1 section track by Mr. Sigler prior to the crew boarding the Mac 12 rubber-tired, battery-powered personnel carrier and then proceeding to the No. 1 section at approximately 1:55 p.m. Travel time from the surface to the No. 1 section is approximately 45 minutes. The crew for the No. 1 section at the Kingston No. 2 mine was short two (2) coworkers on March 10, 2012 due to absenteeism at the beginning of the shift. One of the two absent coworkers arrived at 2:30 p.m. and proceeded to work outby assisting Christopher Patrick cleaning conveyor belts off of the sections.

The Mac 12 personnel carrier arrived at the No. 1 section at approximately 2:30 p.m. and Mr. Sigler traveled to the working faces to make examinations. After the completion of the examinations, the crew preceded to the faces. The left side (004) continuous miner operator was operating the section scoop, and Mr. Sigler proceeded to operate the left (004) side continuous miner in the No. 4 right crosscut, completing the extraction connecting the No. 4 crosscut to No.5 entry. Mr. Sigler proceeded to move the continuous miner from No.4 entry to the No.2 entry where he began the extraction process from the No.2 face, which was approximately 45 feet inby the No. 2 intersection and 75 feet inby survey spad No. 16176. The left side of the No. 2 face had been advanced 37 feet inby the last row of permanent roof supports. The right side of the No. 2 face was being mined and had been advanced 30 feet inby the last row of permanent supports.

At approximately 6:10 p.m. Mr. Sigler loaded the No. 2 shuttle car from the left side (curtain side) of the No. 2 entry and instructed Mr. C. Dunbar, the shuttle car operator, to go to the dumping point while he (Mr. Sigler) moved the continuous mining machine to the right side of the cut in the No. 2 entry. Shortly thereafter, one to two minutes, Mr. Robert Workman was delivering continuous miner bits to the left side (004) mining machine at which time he discovered Mr. Sigler lying on his right side on the mine floor, unresponsive, with dislodged mine rib lying on the mine floor beside him. Robert Workman, after discovering Mr. Sigler, sent Sam Hayhurst, to call outside for an ambulance, at approximately 6:18p.m. Mr. Hayhurst told Larry Cox, to get the personnel carrier. First aid supplies were retrieved from the section power center by Robert Workman during this time and taken to the No. 2 entry.

The E.M.T. on the No. 2 section, Daniel Bragg, was notified by the No. 2 section electrician that Mr. Sigler had been injured and needed medical attention (Mr. Sigler was the E.M.T. on No. 1 section). Gary Williams and Charles Dunbar administered first aid and C.P.R., and then with the help of David Combs, John Sweeney, David Hayhurst, Fred Ford and Larry Cox, they prepared Mr. Sigler for transportation on the personnel carrier to the surface, via the primary escape way. Chris Patrick and Gary Williams were transporting Mr. Sigler to the surface when they were joined by Gary Lawson, evening shift mine foreman, and Gary Bragg, No. 2 section foreman and E.M.T, at the No. 2 belt drive area, and continued to the surface. The victim arrived on the surface at approximately 7:00p.m. Mr. Sigler was transported to Raleigh General Hospital by ambulance where he was pronounced dead.

FINDING OF FACTS

1. Jeremy Sigler was employed as the section foreman on the No. 1 section at the Kingston No. 2 mine.
2. Jeremy Sigler was operating the left side (004) continuous miner on the No. 1 section at the Kingston No. 2 mine approximately 75 feet inby survey spad no. 16176.
3. The left side of the No. 2 entry face had been advanced 37 feet inby the last full row of permanent roof support. The right side of the No. 2 entry face was advanced approximately 30 feet inby the last full row of permanent support, where the extraction process was taking place when the right rib rolled out causing fatal injuries to Mr. Sigler.
4. The coal seam thickness on the No. 1 section is approximately 32 inches. The overall height on this section in the area of the accident is approximately 65 inches.
5. The average amount of overburden inby the section dumping point on the No. 1 section is approximately 1,325 feet.
6. This fatal accident was caused by material that fell from the right side mine rib in the No. 2 entry on the No. 1 section.
7. The continuous miner had been advanced 37 feet inby the last full row of permanent roof support on the left side of the No. 2 face in violation of the approved roof control plan which specifies 35 feet maximum cut depth for the MMU 004 continuous miner on the No. 1 section.
8. The continuous mining machine had been advanced 37 feet on the left side and 30 feet on the right side of the No. 2 face inby the last full row of permanent roof support in violation of the methane dust control plan which specifies maximum 20 feet for the No. 1 section (004).
9. The Kingston No.2 mine had an approved deep cut plan for the No.1 section MMU 004 continuous miner but has never applied for a deep cut methane dust control plan from the WV OMHST. The last methane dust control plan was submitted on March 31, 2010.
10. Numerous loose ribs were present at various locations on #1 section.

CONCLUSION

Mr. Jeremy Sigler was fatally injured when he was struck by a piece of falling mine rib.

ENFORCEMENT ACTION

A non-assessed control order was issued in accordance with Chapter 22A, Article 2, Section 68 of the West Virginia Mining Laws in order to preserve the scene of the accident and to complete an investigation.

The WV Office of Miners' Health, Safety and Training issued 44 notices of violation under case number 172-0084-2012. Five (5) notices of individual personnel assessments and one (1) special assessment were issued during this investigation. The following notices of violation were issued to Kingston Resources, Inc., Kingston No. 2 Mine Permit Number U-3006-01.

Notice of Special Assessment: Case number 172-0083-2012

Notice of Violation: 110206 Chapter 22(A), Section 1, Article 21(b)(2)(a) Mine ribs are not being effectively supported or otherwise controlled to protect persons from hazards related to falls of the roof, face, or ribs and coal or rock outbursts in the #2 entry of the #1 coal producing section. This violates a health or safety provision or safety rule and is of a serious nature and involves a fatality.

Notice of Violation: 116348 Title 36, Series 10, Section 3.1. Loose brows observed at various locations along No. 7 conveyor belt, at previous feeder locations.

Notice of violation: 116347 Title 3, Series 10, Section 3.1. Loose broken ribs observed in various locations, in the No. 6 travel way entry for the No. 2 section.

Notice of Violation: 116346 Title 36, Series 10, Section 3.1. The coal ribs have been undercut at both outby comers at the feeder location in No. 5 entry on the No. 2 section.

Notice of Violation: 116345 Chapter 22(A), Article 2, Section 24(A). All entries and crosscuts have accumulations of loose coal and need additional rock dusting inby the loading point of the No. 2 section.

Notice of Violation: 116344 Title 36, Series 10, Section 3.1. The ribs have visible cracks between the No. 3 to No. 4 entry in the crosscut, at survey spad no. 16167, also in the crosscut between the No. 3 and No. 4 entries on the No. 2 section.

Notice of Violation: 116343 Title 36, Series 10, Section 3.1. Loose broken ribs were observed in the No. 7 travel way entry in various locations for a distance of approximately 600 hundred feet on the No. 2 section.

Notice of Violation: 116342 Chapter 22(A), Article 2, Section 25(A). The approved roof control plan is not being complied with 20 feet inby survey spad 16167 in the No. 3 entry on the No. 2 section. The entry width exceeds 21 feet in this area.

Notice of Violation: 116341 Title 36 Series 10, Section 3.1. Loose broken ribs exist on the comer, one break outby survey spad No. 16180 in the No.2 entry on the No. 2 section.

Notice of Violation: 116340 Chapter 22(A), Article 2, Section 24(C). Adequate rock dust is not being provided on the mine roof in various locations on the No. 2 section.

Notice of Violation: 116339 Chapter 22(A), Article 2, Section 4(A). Adequate ventilation is not being provided in the last open crosscut on the No. 2 section. Only 5,382 CFM could be measured.

Notice of Violation: 116338 Chapter 22(A), Article 2, Section 4(A). Adequate ventilation is not being provided at the end of the line curtain 65 feet inby the last open crosscut in the No. 2 face on the No.2 section.

Notice of Violation: 116337 Chapter 22(A), Article 2, Section 4(A). Adequate ventilation is not being provided at the end of the line curtain 84 feet inby the last open crosscut in the No. 7 entry on the No.2 section.

Notice of Violation: 116336 Title 36, Series 10, Section 5.3(1). Outby survey spad no. 16178, in the No.7 entry on the No. 2 section, rock has fallen from around and above a fully grouted resin roof bolt rendering it ineffective.

Notice of Violation: 116335 Title 36, Series 10, Section 3.1. Visible cracks were observed in the mine ribs in two different areas of the crosscut between the No. 2 to No. 3 entry in the last open crosscut on the No. 1 section.

Notice of Violation: 116334 Title 36, Series 10, Section 3.1. Outby survey spad no. 16175, in the No. 3 entry on the No. 1 section, there are visible cracks in the coal and rock rib on the left side of the entry for a distance of 24 feet.

Notice of Violation: 116333 Title 36, Series 10, Section 3.1. Visible cracks in the coal and rock ribs were observed in the crosscut between No. 1 to No. 2 entries in the second crosscut outby the face on the No. 1 section.

Notice of Violation: 116332 Title 36, Series 10, Section 3.1. Visible cracks exist in the coal and rock rib on the right side from the last open crosscut inby for 31 feet in the No. 1 entry on the No. 1 section.

Notice of Violation: 116331 Chapter 22(A), Article 2, Section 4(A). Adequate ventilation is not being provided at the end of the line curtain in the No. 1 face that has been advanced 39 feet inby the last open crosscut on the No. 2 section.

Notice of Violation: 116330 Chapter 22(A), Article 2, Section 4 (A). Adequate ventilation is not being provided at the end of the line curtain 59 feet inby the last open crosscut in the No.1 face on the No. 1 section.

Notice of Violation: 110205 Title 36, Series 10, Section 3.1. Mine ribs are not being controlled or supported on the No. 1 section in that several very unsafe rock ribs are present in the No. 7 and No. 8 entries and in the last open break of No. 8 to No. 9 entry.

Notice of Violation: 110204 Title 36, Series 10, Section 3.1. Mine ribs are not being controlled or supported on the No. 1 section in that several very unsafe rock ribs are present in the No. 6 entry and the No. 6 to No. 5 crosscut.

Notice of Violation: 110203 Title 36, Series 10, Section 3.1. Mine ribs are not being controlled or supported on the No. 1 section in that several very large and unsafe rock ribs are present for two breaks in the No. 4 entry and the No. 4 right crosscut.

Notice of Violation: 110202 Title 36, Series 10, Section 3.1. Mine ribs are not being controlled or supported on the No. 1 section in that several very large and unsafe rock ribs are present for two breaks in the No. 5 entry and the No. 5 to No. 6 crosscuts.

Notice of Violation: 110201 Chapter 22, Article 2, Section 39(f)(i)(g). No dates, times or initials could be found along the No. 2G and the No. 2H conveyor belts.

Notice of Violation: 110200 Title 36, Series 10, Section 3.1. Mine ribs are not being controlled or supported in that several large and unsafe rock ribs are present along the No. 2G conveyor belt survey spad no. 15648 and survey spad no. 15615.

Notice of Violation: 116329 Title 36, Series 10, Section 3.1. Mine ribs are not being controlled or supported in that there are large unsafe rock ribs present at survey spad no. 15856 on the No. 2G conveyor belt.

Notice of Violation: 116328 Title 36, Series 10, Section 3.1. Mine ribs are not being controlled or supported in that there are large unsafe rock ribs present at survey spad no. 15927 and one (1) break in by survey spad no. 15904 on No. 2H conveyor belt.

Notice of Violation: 116327 Title 36, Series 10, Section 3.1. Mine ribs are not being controlled or supported in that three (3) large unsafe rock ribs are present one break out by the section feeder at survey spad 16079 and survey spad 16027 on the No. 2H conveyor belt.

Notice of Violation: 116326 Title 36 Series 10, Section 3.1. Mine ribs are not being controlled or supported in that two (2) unsafe rock ribs are present at survey spad no. 16022 in the primary travel way for the No. 1 section.

Notice of Violation: 116325 Title 36, Series 10, Section 3.1. Mine ribs are not being controlled or supported in that several unsafe rock ribs are present one (1) break in by survey spad no. 14440 to survey spad no. 15701 in the primary travel way for the No. 1 section.

Notice of Violation: 116324 Title 36, Series 10, Section 3.1. Mine ribs are not being controlled or supported in that several large unsafe rock ribs are present approximately three (3) breaks inby survey spad no. 14422 in the primary travel way for the No. 1 section.

Notice of Violation: 116323 Title 36, Series 10, Section 3.1. Mine ribs are not being controlled or supported in that large unsafe rock ribs are present approximately five (5) breaks inby spad no. 13459 and three (3) breaks outby in the primary travel way for the No. 1 section.

Notice of Violation: 116322 Title 36, Series 10, Section 3.1. Mine ribs are not being controlled or supported in that large unsafe rock ribs are present three (3) breaks inby the overcast and two (2) breaks inby the No. 2F power center along the roadway for the No. 1 section.

Notice of Violation: 116321 Title 36, Series 10, Section 3.1. Mine ribs are not being controlled or supported in that a large unsafe rock rib is present 100 feet inby No. 2E belt drive on the travelway for the No. 1 section.

Notice of Violation: 116320 Title 36, Series 10, Section 3.1. Mine ribs are not being controlled or supported in that several large unsafe ribs are present three (3) breaks outby No. 2C belt head and one (1) break inby No. 2C belt head on the man trip travel way for the No. 1 section.

Notice of Violation: 116319 Title 36, Series 10, Section 3.1. Mine ribs are not being controlled or supported in that a large unsafe rock rib is present 50 feet outby survey spad no. 12644 on the No.1 section man trip travel way.

Notice of Violation: 116318 Title 36, Series 10, Section 3.1. Mine ribs are not being controlled or supported in that a large unsafe rock rib is present 50 feet inby survey spad no. 2144 on the man trip travel way for the No.1 section.

Notice of Violation: 116317 Chapter 22(A), Article 2, Section 24(b). A large amount of dry roadway dust is present from the end of the track to the No. 1 section power center, which is approximately one mile.

Notice of Violation: 116349 Title 36, Series 10, Section 5.3(1). At survey spad no. 16096, in the No.7 travel way, entry rock has become dislodged from around a fully grouted resin roof bolt, rendering it ineffective.

Notice of Violation: 110207 Chapter 22(A), Article 2, Section 46(f). The compressed oxygen and acetylene tanks being stored at the No. 5 belt head supply hole at the track entry for No. 2 section are not being secured.

Notice of Violation: 110223 Chapter 22(A), Article 2, Section 27. A canopy is not provided for the No. 2 Bucyrus battery-operated scoop, located on the No. 1 section.

Notice of Violation: 110224 Chapter 22(A), Article 2, Section 20. An adequate fire boss examination was not conducted for the No. 1 coal section, No. 2G and No. 2H conveyor belts, and outby roadways for the No. 1 section on March 10, 2012 on the midnight shift and the day shift.

Notice of Violation: 110233 Chapter 22(A), Article 2, Section 25(A). The approved roof control plan is not being complied with for the MMU 004 on the No. 1 section, in that the left side of the No.2 face has been advanced 37 feet. Their plan specifies no more than 35 feet.

Notice of Violation: 110234 Title 36, Series 43, section 3.1. The methane dust control plan is not being complied with for the MMU 004 on the No.1 section in that the face of the No. 2 entry has been advanced 37 feet on the left side and 30 feet on the right side. Their plan, as submitted, is for 20 feet.

Notice of Individual personnel assessment: Case #172-0085-2012
Charged with not performing an adequate pre-shift examination.

Notice of Individual personnel assessment: Case #172-0086-2012
Charged with not performing an adequate pre-shift examination.

Notice of Individual personnel assessment: Case #172-0087-2012
Charged with not performing an adequate pre-shift examination.

Notice of individual personnel assessment: Case #172-0088-2012
Charged with not performing an adequate pre-shift examination.

Notice of Individual personnel assessment: Case #172-0089-2012
Charged with not performing an adequate pre-shift examination.

Recommendations

In accordance with Chapter 22A, Article 2, Section 25 of the West Virginia state mining laws, the roof control plan for the Kingston Resources, Inc., Kingston #2 Mine, Permit Number U-3006-01, shall be revised.

Appendix

- Mine Information Sheet
- Victim Information Sheet

MINE INFORMATION

COMPANY Kingston Resources, Inc.

MINE NAME Kingston No. 2 Mine

WV PERMIT U-003006-01

ADDRESS Route 1 Box 76-C Scarbro, West Virginia 25917

COUNTY Fayette

DATE PERMIT ISSUED January 30, 2002

LOCATION Resource Drive, County Route No. 1 near Mossy in Fayette County

UNION _____ NON-UNION Yes

DAILY PRODUCTION 8,700- Raw 2,200- Clean

ANNUAL PRODUCTION TO DATE 100,000 clean tons

TOTAL EMPLOYEES 95 NUMBER OF SHIFTS 3

NAME OF COAL BED Douglas

SEAM THICKNESS 32 inches

ACCIDENT INCIDENT RATE 5.04 LOST TIME ACCIDENTS 4

TYPE OF HAULAGE Conveyor

WV OMHST INSPECTOR Robert Hall

DATE OF LAST INSPECTION February 21, 2012

NOTIFIED BY Russell Mitchem

TIME OF NOTIFICATION 6:47 p.m.

CMSP – ANNIVERSARY DATE February 15, 2013

CMSP – CONTACT PERSON Philip Saunders