

WV Miners' Health, Safety and Training

January 22, 2003

Fatal Shaft Explosion Report Investigation
McElroy Coal Company
McElroy Mine
Permit No. U-33-83

Central Cambria Drilling Company
Contractor No. C-618

Region One – Fairmont Office
205 Marion Square
Fairmont, WV 26554
Brian Mills, Inspector-At-Large

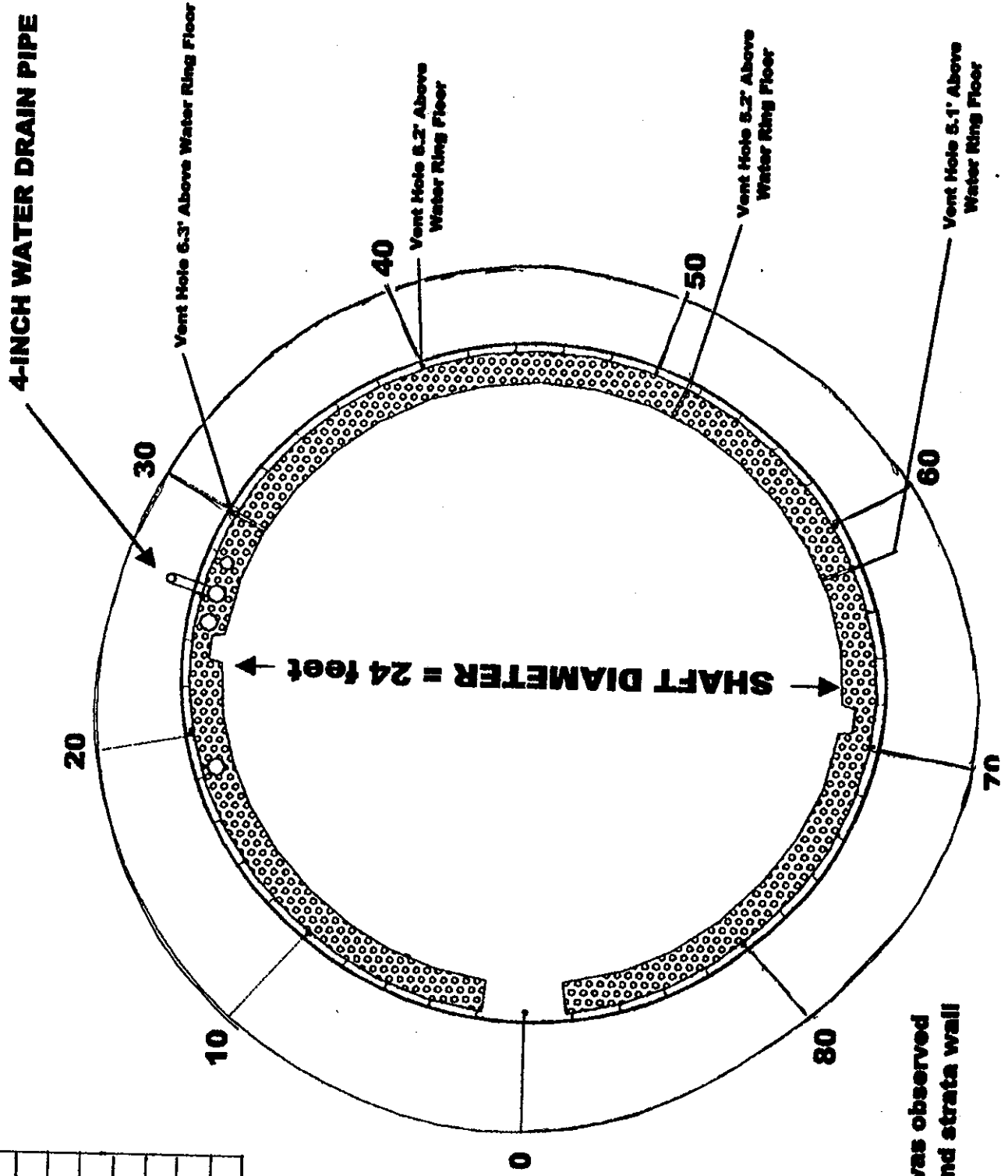
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MCELROY MINE CENTRAL CAMBRIA SHAFT

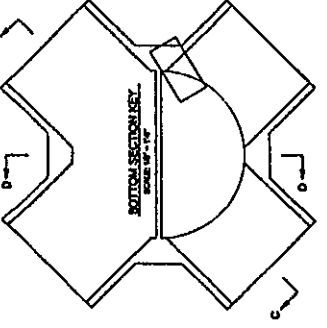
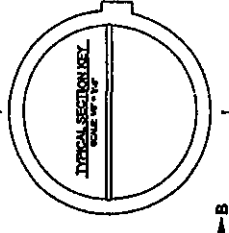
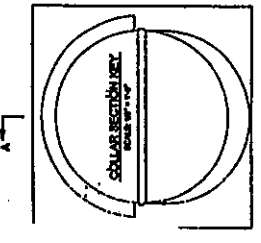
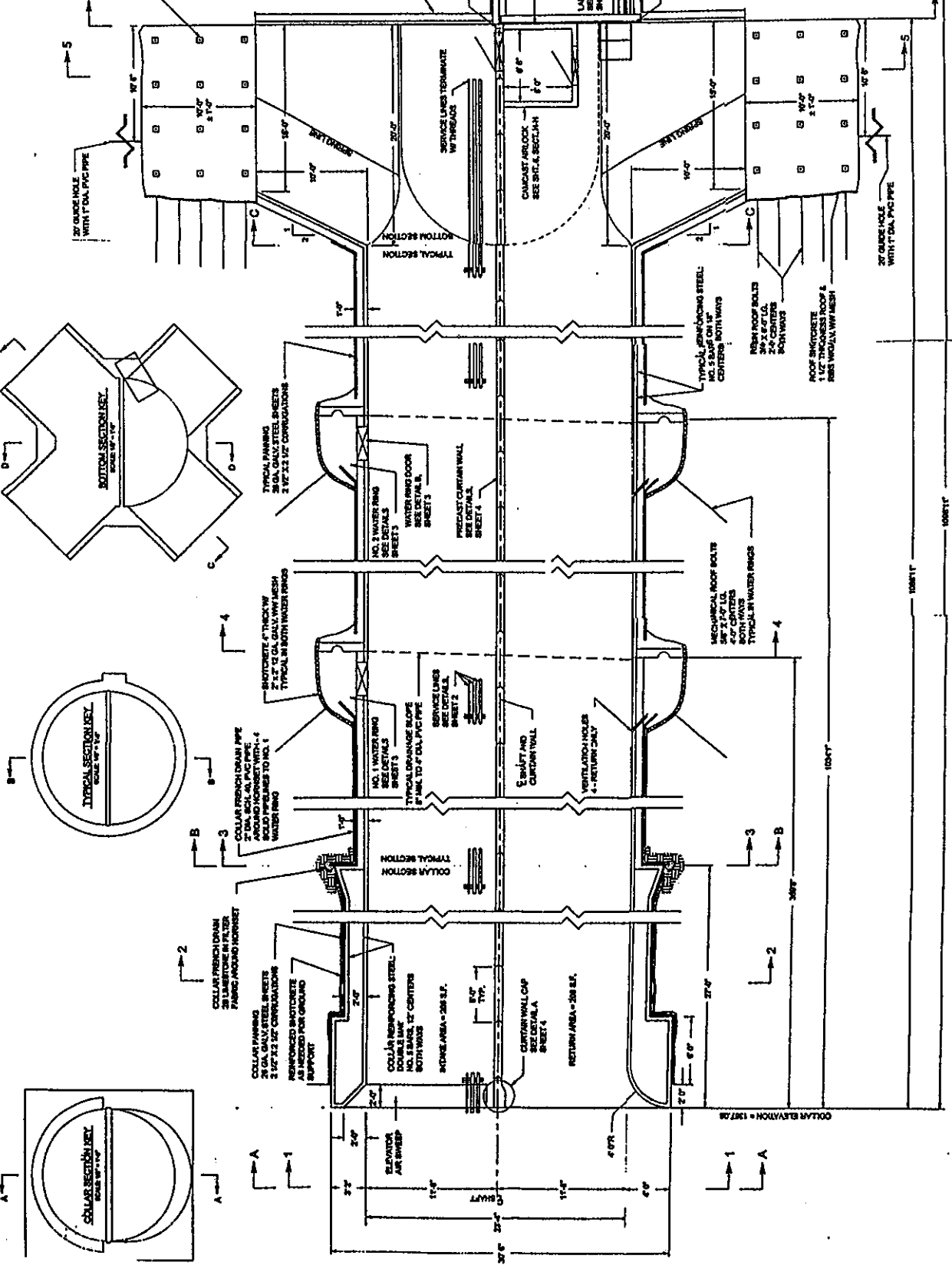
REFERENCE DISTANCES
MEASURED CLOCKWISE
FROM MIDDLE OF OPENING

Reference Distance	Width	Height
0	4.45	7.5
10	4.3	8.0
20	3.4	7.15
30	2.8	6.8
40	3.2	6.5
50	2.8	6.8
60	2.8	6.8
70	3.5	7.2
80	3.4	6.7



Note: A 5-inch to 6-inch gap was observed between shaft wall tin lining and strata wall

- NOTES: 1. ALL CONCRETE EXCEPT CURTAIN WALL - 3000 PSI
IN 28 DAYS. CURTAIN WALLS - 5000 PSI IN 28 DAYS
2. ALL REINFORCING STEEL - A603
3. OVERLAP FOR LADDERS, NO. 4 @ 20" O.C.
4. REMOVABLE PUMP ON 7" DIAM. CONCRETE LINE
SECTION IN C-C FOR CLARITY.
5. IN THE RETURN ONLY, A RAMP IS DEVELOPED TO
ALLOW ALL SHAPES FOR 10' UP, RAMP UP EXTENSIVE
BELOW BOTTOM OF RETURN SHAP.



WEED HOLE, 2\"/>

COLLAR ELEVATION = 1387.08

GENERAL INFORMATION

On January 22, 2003, at approximately 1:00 a.m., an explosion occurred at the McElroy Coal Company, McElroy Mine, 5 South #2 shaft sinking operation. There were six contractor employees from Central Cambria Drilling Company at work, in the shaft, at the time of the accident. Three were fatally injured and two others received serious injuries. One employee was able to escape the shaft by his own efforts. The shaft-sinking operation is located on Nauvoo Ridge near Cameron, in south central Marshall County, West Virginia.

At 2:15 a.m., Colin Simmons, District Mine Inspector with the West Virginia Office of Miner's Health, Safety and Training's Region One, was notified of the accident by William Blackwell, Safety Supervisor for the McElroy Coal Company. Simmons proceeded immediately to the McElroy Mine Blake's Ridge Portal; where he met Consol Project Engineer Michelle O'Neil. They both proceeded to the shaft site.

Victim Information

The three fatally injured contractor employees were: Harry P. Roush, III, classified Lead Miner, age 23, of Colver, Pennsylvania, eight months experience; Richard E. Mount, classified Driller, age 37, of Shadyside, Ohio, two and one half weeks experience; and David W. Abel, classified Mechanic, age 47, of Belmont, Ohio, two months shaft/slope experience. Mr. Abel had approximately sixteen years prior surface and underground mining experience and possessed certifications in the State of Ohio.

Benjamin L. Bair classified Driller, age 23, of Pentress, West Virginia, with seven months shaft work experience was critically injured. Richard F. Brumley classified Night Walker, (Shift Boss), age 51, of Waynesburg, Pennsylvania, with approximately twenty nine years experience in shaft work was seriously injured. Life Flight transported these injured employees to Mercy Hospital in Pittsburgh, Pennsylvania. Aaron S. Meyer classified Driller, age 24, of Cameron, West Virginia, ten months shaft work experience was also injured and transported to the Reynolds Memorial Hospital in Glendale, West Virginia via Tri State Ambulance. He was treated and released.

DESCRIPTION

McElroy Coal Company – Consol Energy, Inc.

Consolidation Coal Company, Ohio Valley Division, opened McElroy Mine in 1969. After being closed for a few years during the 1980's, the mine was reopened in May 1988 by the McElroy Coal Company, a subsidiary of Consol Energy, Inc. with the home office located in Pittsburgh, Pennsylvania. The mine currently employs approximately six hundred (600) employees on three shifts with the main portal located at Blake's Ridge in Marshall County. The McElroy Coal Company, McElroy Mine is a slope

and shaft mine, which produces coal in the Pittsburgh seam and is located near Glen Easton. Mining is conducted with one longwall unit and six continuous miner units. Employees and supplies are transported by rail. Coal is removed from the mine by conveyor belt.

Consol project engineer, Michelle O'Neil was assigned to the 5 South #2 Intake / Return Shaft construction project. The contract to construct this shaft was awarded to Central Cambria Drilling Company. Ms. O'Neil's duties were to follow the progress of the construction to insure compliance with the contractual obligations. She last visited the shaft construction site on Monday, January 20, 2003. When completed, the dual compartment intake and return shaft will provide ventilation for the McElroy Mine's 5 South Mains. The mine entries were approximately 1200 feet away from the point where the mine will intersect the shaft. The projected completion date is late May 2003.

Central Cambria Drilling Company

Central Cambria Drilling Company was contracted on October 5, 2001 by the McElroy Coal Company to construct the 5 South #2 Shaft. The contractual agreement states that the Central Cambria Drilling Company shall furnish all labor, supervision, material supplies, tools, utilities, transportation, plant, equipment, and facilities required and shall perform and complete all work for the construction of the shaft. It also specifies the contractor's work will include pressure grout and conventionally sink one (1) twenty-four (24) foot diameter concrete lined intake / return airshaft.

The Central Cambria Drilling Company home office is located at 173 Municipal Road in Ebensburg, Pennsylvania. The company employs approximately 40 people. Jack Williamson is the company vice-president. The general superintendent at the McElroy shaft sinking operation is Earl Rummel. The McElroy shaft sinking operation is currently Central Cambria's only ongoing operation. Central Cambria Drilling Company has been in the shaft and slope construction business since February 5, 1973 and has been registered as an independent contractor with the state of West Virginia since November 16, 1994.

The Shaft Construction Site

Prior to Central Cambria Drilling Company setting up, two additional independent contractors performed site preparation, and pressure grouted the proposed shaft location. Laurita Excavating, Inc. prepared the site, and Dunkin Brothers Drilling Company drilled and pressure grouted the shaft location.

The #2 Intake / Return Air Shaft is located on Nauvoo Ridge off Bowers Hill Road in south central Marshall County, near Cameron, West Virginia. Central Cambria Drilling Company began work at the site in March 2002. The McElroy Coal Company, discontinued construction during the months of July and August of 2002. Central

Cambria Drilling Company currently has 37 employees at the site, operating two twelve-hour shifts, seven days per week. Shift change is at 8 a.m. and 8 p.m. Four Crews are scheduled on a three days work and three days off, followed by three days work and four days off rotation. Eight (8) employees were working at the site at the time of the disaster.

The shaft construction basic work cycle begins with the drilling of vertical holes to a depth of ten (10) feet. Explosives are then loaded into the holes and detonated. An Eimco mucking machine is used to load the material into a bucket in order to remove it to the surface. After excavating twenty-five (25) feet, ten (10) inches of material, forms are then set in place to facilitate the pouring of a concrete shaft liner. Once the concrete cures the process is repeated. Two Timberland Derricks were utilized on the surface to transport men, supplies and material into and out of the shaft.

Construction of the shaft had been extended to a depth of approximately 950 feet at the time of this accident. The first of two (2) water rings was constructed at a depth of 270 down from the surface, and was completed on May 20, 2002. A second water ring was nearing completion at the time of this accident. The second water ring was located at a depth of 942 feet just above the existing work platform located approximately 8 feet above the shaft bottom. Water rings are constructed to facilitate drainage on the exterior side of the concrete shaft wall lining. The water ring locations were determined by Consol Energy Representative, Michelle O'Neil and Central Camberia Drilling Company's General Superintendent, Earl Rummel. O'Neil made the determination for the location of the first water ring while Rummel chose the second site.

The number one water ring was normally set at this distance to control surface water. Additional water rings are constructed as water is encountered during the construction of the shaft. The water rings are excavated back into the strata, behind the shaft wall, approximately four feet. The height on the inside of the water ring varied from six and one half (6 ½) feet on the return side to seven and one half (7 ½) feet at the door location. A one-foot deep trench was made in the water ring floor to direct water to the dewatering pipes. The roof and ribs were gunnited and secured by wire mesh. A form was then erected to form the backside of the shaft wall, and to keep concrete from filling the water ring. This form was created by setting vertical steel beams, backed by panning tin (corrugated sheets of steel); and held in place by steel cables. A doorframe was set into the shaft wall form to serve as the future access door to the water ring. The concrete was then poured into the shaft form. The shaft wall is eight to twelve (8 to 12) inches thick.

After curing and removal of the forms four one and three-quarter inch (1-3/4 inch) holes were drilled on an angle down into the water ring. These holes are installed on the return side of the shaft and are intended to intersect at the top of the water ring. The placement of these holes is intended to provide ventilation for the water ring by letting methane escape up the shaft. Then, the form containing the doorframe is pulled from the shaft. A pneumatic chipping hammer is frequently used to remove any concrete residue from the doorframe. (The pneumatic chipping hammer was used in this case.) A pole ax or

rock bar is used to knock a hole through the panning tin to permit a methane check in the water ring. A cutting torch is then used to cut away the remaining panning tin from the doorframe to create the water ring door. This procedure involving the use of a pole ax and cutting torch was established by Central Cambria Drilling and had been used for several years according to interviews with management personnel.

Blowing type ventilation was provided to the shaft bottom by a sixty horsepower fan and eighteen- inch steel tubing (thirty-foot lengths). Twenty-foot lengths of flex tubing were added during excavation to keep the ventilation to within forty feet, as prescribed by the ventilation plan. A variance approved by the West Virginia Coal Mine Safety and Technical Review Committee, required a minimum of 6000 cubic feet per minute of air at the shaft bottom. The Office of Miner's Health, Safety and Training had approved a permit allowing the ventilation fan to be stopped for a maximum of 15 minutes when lining up forms; during installation of ventilation tubing; plumbing of the shaft; during idle shifts; and times when no workers are in the shaft.

Events Preceding The Accident

The shift began on Tuesday, January 21, 2003 at 8 p.m. Supervisor, Richard Brumley, lead miner, Harry Roush III, driller, Benjamin Bair, and driller, Richard Mount entered the shaft shortly after 8 p.m. They were lowered to the shaft bottom in a bucket attached to the number one hoist, operated by Denver L. Jordan. These men were to remove concrete forms during the first part of the shift. Driller, Aaron Meyer, mechanic, David W. Abel, and topman Jack Cain remained on the surface at the start of the shift with Jordan.

Meyer stated that he worked to prepare to oil and clean forms for approximately one and a half to two hours (1 ½ to 2 hours). Meyer also stated that Brumley returned to the surface at about this point to do paperwork. According to Meyer, Brumley again went to the shaft bottom after a third ring was pulled from the shaft. It was Meyer's understanding that ventilation holes were to be drilled into the water ring located at the shaft bottom platform level. After removing another set of forms, Brumley returned to the surface. When arriving on top at approximately 12:10 AM he told Meyer to prepare to enter the shaft. According to Meyer and Cain, Brumley also said that he found some methane when he tested one of the newly drilled ventilation holes.

At approximately 12:30 AM, Brumley, Meyer and Abel, entered the shaft. They took with them a pneumatic chipper to remove concrete from around a door opening, which had been formed in the water ring. Oxygen and acetylene tanks and a cutting torch to cut away the panning tin behind the door were lowered in the bucket. Based on testimony from Aaron Meyer a pole ax was used to cut a hole in the panning tin. Meyer estimated the size of the hole to be approximately one foot vertically by three inches horizontally. According to Meyer, foreman Brumley made the examination for methane at

or just inside the hole in the panning tin. Meyer also stated that Brumley said that his methane test reading was 0.2%. Brumley then instructed the mechanic (Abel) to cut the tin. According to Meyer, Abel began cutting through the tin and the explosion occurred. The explosion occurred at approximately 1:00 AM. According to Meyer, flames burst from the door opening, across the diameter of the shaft, and wrapped around both sides.

Events Following The Accident

Meyer stated that he covered his face and dropped to the platform in an attempt to protect himself. He removed his hands from his face after feeling no more heat from the explosion. He stated that he walked toward the center of the shaft and found Brumley trying to sit up. He attempted to help Brumley move toward the bucket but was unable to move him. Meyer stated that "there was no air from the fan", and he signaled to the surface by utilizing the pull cord. (A pull cord connected to a bell on the surface is extended to the shaft bottom. Workers on the shaft bottom use the bell and a system of signals to notify the hoist operator to perform specified tasks.) Meyer stated that he pulled the cord seven (7) times which is the pre-determined signal for the hoist operator or others on the surface to start the fan. Meyer then used the phone at the shaft bottom platform bottom to call for assistance. Jordan and Cain both stated that the fan was running at the time of the explosion.

Jordan stated that he was facing the direction of the shaft opening at the time of the explosion. He said that it sounded very much like blasting when done on the shaft bottom during the construction cycle. Jordan and Cain, both attempted to call the crewmembers at the shaft bottom.

Meyer requested they start spreading water over the shaft opening. He wanted the hoist bucket resting on the shaft bottom platform to be removed from the shaft, emptied, and returned along with Jack Cain. Oxygen and acetylene tanks were inside the bucket at the time of the explosion. Both of the tanks had been damaged in the explosion. The valve was blown off the oxygen tank and the acetylene tank was leaking. Meyer also requested they call 911. Hoist operator, Denver Jordan, then raised the bucket to the surface and called for emergency assistance.

When the bucket containing the oxygen and acetylene tanks arrived on the surface, both Jordan and Cain decided to change to the second hoist and bucket, which was ready for use. Jordan called to the shaft bottom to advise Meyer that the bucket was on the way down.

By the time the bucket was returned to the shaft platform bottom, Meyer had determined that Benjamin Bair was severely injured. He also determined that the explosion had killed David W. Abel, Richard E. Mount and Harry P. Roush, III instantly. Given the severity of the injuries to both Bair and Brumley, he was unable to load either into the bucket. Meyer then signaled Jordan, with the pull cord, and rode the bucket to the surface alone.

Shortly after Meyer's arrival on the surface, Meyer and Cain reentered the shaft taking a backboard. After returning to the shaft bottom platform, (according to Cain) Meyer was exhibiting signs of shock. They were unable to secure Bair on the backboard or get Brumley into the bucket. Both men returned to the surface where they encountered two Marshall County Deputy Sheriffs in the #2 Hoist house.

Marshall County Deputy Sheriffs Brent W. Wharry and Steven M. Cook stated that they arrived at the shaft construction site at 1:41 a.m. They had driven to the site from the Sheriff's headquarters located in Moundsville. Wharry stated that he observed smoke or dust coming from the shaft upon arrival. Wharry and Cook encountered Jack Cain and Roy Woods (a neighbor and not employed by Central Cambria Drilling). Wharry stated that Cain told him there were seriously injured men at the shaft bottom who needed assistance. Other emergency services personnel began to arrive at about the same time.

Wharry and Cook decided at Cain's insistence that immediate action was necessary. The three men then climbed into the hoist bucket and prepared to enter the shaft. As they were about to descend, Donald Kline, a paramedic with the Tri State Ambulance Service, joined them. The four men then entered the shaft at approximately 2:00 AM. Within a few minutes after arriving at the shaft bottom platform, Cain, Wharry, Cook and Kline were able to secure Bair to a backboard stretcher and assist Brumley in getting into the bucket. They returned to the surface where other emergency services personnel assisted Bair and Brumley.

Bair and Brumley were transported to Mercy Hospital in Pittsburgh by two Life Flight helicopters. Tri State Ambulance Service took Meyer to Reynolds Memorial Hospital in Glen Dale, West Virginia.

OMHST District Inspector, Colin Simmons, arrived at the shaft construction site at approximately 4:15 a.m. Simmons spoke with deputies, Wharry and Cook along with Central Cambria Drilling employees, Jack Cain and Denver Jordan shortly after his arrival. Marshall County coroner, Carol Robinson was also present when Simmons arrived. A control order was issued to preserve evidence at the site pending a full investigation into the accident.

After determining methane and oxygen levels in the shaft were safe, (this was completed by lowering the bucket, with detectors, down the shaft and back to the surface) Colin Simmons, WVOMHS&T; Dr. Carson, WV Medical Examiner's Office, Morgantown; Mitch Corley, Medical Examiner; Ron Tulanowski, MSHA; and Earl Rummel, General Superintendent of Central Cambria Drilling entered the shaft at 9:51 A.M. Their purpose was to inspect the accident site and recover the three victims. The victims were transported to Morgantown for an autopsy.

A joint investigation team comprised of the West Virginia Office of Miner's Health, Safety and Training, the federal Mine Safety and Health Administration, United

Mine Worker's of American and Local 1638, Consol Energy, Inc., and Central Cambria Drilling began an investigation into the accident.

FINDINGS OF FACT

1. The explosion originated in water ring number 2 located at a depth of approximately 942 feet in the 5 South, #2 Shaft. The water ring was constructed around the shaft, and its measurements ranged from 2.8 to 4.45 feet in width by 6.5 to 7.5 feet high. Please see attachments for diagrams of the shaft and water ring.
2. A methane concentration within the explosive range accumulated within the confines of the number 2, water ring.
3. The methane was ignited by an oxygen and acetylene torch being used by mechanic, David Abel at the direction of foreman, Richard Brumley. The torch was being used to cut through panning tin used to build a form for the pouring of concrete. The panning tin was to be removed in order to complete construction of a door into the water ring.
4. Shaft construction plans indicated that four ventilation holes (1 ¾ inch in diameter) were to be drilled on the return side of the shaft into the water ring (side opposite the water ring door). The holes were to be drilled on a descending angle from the shaft into the water ring. This would enable methane liberation to flow from the water ring into the shaft.
5. Superintendent, Larry Whyte, stated that he had explained to oncoming foreman Richard Brumley as to how the ventilation holes should be drilled prior to the 8 p.m. shift on January 20, 2003. Mr. Whyte also stated that he cautioned Brumley about the possible presence of methane in the water ring.
6. The investigation revealed that the four ventilation holes drilled in the return side of the shaft and completed within an hour prior to the explosion were found as follows: (See Diagram) One hole was clean and opened. A second hole was full of debris and obstructed. The two other holes had not been drilled through the panning tin and were ineffective. No attempt was made to clear the ventilation holes before the explosion. A pneumatic tool airline was provided at the shaft bottom and could have been used to ventilate the water ring.
7. According to Jack Cain who was working on the surface at the time of the explosion, foreman, Richard Brumley returned to the surface approximately one hour prior to the explosion. Cain stated that Brumley told him that he had detected "a little methane" when he had tested at one of the ventilation holes. Hoist operator, Denver Jordan

stated that he heard Cain say that Brumley had told him that he had detected a 2% methane concentration at one of the ventilation holes.

8. A proper methane examination was not conducted prior to the utilization of torches to cut the panning tin from the doorframe to the #2 Water Ring. According to eyewitness, Aaron Meyer, foreman Richard Brumley made a methane test at or a few inches inside the opening in the panning tin covering the 30 inches by 30 inches water ring door formed in the concrete wall. According to Meyer, Brumley detected 0.2% of methane at this location. The doorframe's bottom was located one foot above the floor of the water ring, and the opening in the panning tin was described as approximately one foot vertically by three inches horizontally. Methane located at or near the top of the water ring would not be accurately measurable at that level. The water ring was seven and a half feet high at this location. The methane examination described by Meyer would have been at least four feet below the roof of the water ring, and could not have detected a higher concentration of methane nearer the top of the water ring.
9. Extendible probes were not provided at the site to enable workers to make a proper methane examination of the area near the top of the water ring where the highest concentration of methane will accumulate.
10. On March 18 and 19, 2003, two methane detectors recovered from foreman, Richard Brumley's jacket pocket after the explosion were tested at the MSHA Approval and Certification Center in Triadelphia, West Virginia. Both, the MSA Five Star multi gas detector and the CSE Model 102 methane detector were out of calibration and could not accurately record the percentage of methane present during the test.
11. Jack Cain and hoist operator, Denver Jordan were located in the #1 main hoist house on the surface at the time of the explosion. Both described the sound and vibration of the explosion as similar to that experienced when routine planned blasts are conducted. Both described seeing a cloud of dust rise from the shaft interior.
12. No training records could be provided for victim Richard E. Mount.
13. A Hartzel, 60 horsepower, series 56-33-BU2 fan was used to ventilate the shaft. Tests by the MSHA indicate that this fan could provide no more than 5000 CFM of air at the shaft bottom work area based on the shaft depth and ventilation duct size. Petition No. 77-01 issued by the West Virginia Coal Mine Safety and Technical Review Committee required 6000 CFM at the shaft bottom work area.
14. Pre-shift and On-shift reports for the shaft from January 17 through January 21 specify shaft bottom air readings ranging from 8,670 CFM to 8,770 CFM. The air readings were made by Central Cambria Drilling supervisors.

15. While evidence clearly indicates that required air readings recorded in the pre-shift/ on shift report were inaccurate, and the shaft bottom work area was not ventilated to the extent required, it is the opinion of the OMHST investigation team that this would not have directly contributed to this explosion. The absence of an attempt to ventilate the water ring and make a proper methane examination prior to the use of the acetylene cutting torch to remove the panning tin from the water ring doorframe were direct contributing factors.

CONCLUSION

While working at the number two water ring at the 5 South, #2 Air Shaft bottom, Harry P. Roush, III, Richard E. Mount, and David W. Abel were fatally injured when a methane explosion occurred from within the water ring. The methane was ignited by an acetylene torch used to cut corrugated metal (panning tin) from a pre-formed door opening to the water ring. An adequate methane test was not made at an opening in the metal cover prior to igniting the acetylene torch.

ENFORCEMENT ACTION

During this investigation, seven violations were issued to Central Cambria Drilling Company. The following two were considered directly related to the cause of the accident.

Violation #1, Chapter 22A, Article 2, Section 13 and/or West Virginia Administrative Regulation Title 36, Series 1, Section 14 exist as follows: The investigation of a multiple fatal accident that occurred at the shaft site on January 22, 2003, revealed that the shaft was not ventilated adequately in that there was an explosive accumulation of methane in the No. 2 water ring. It was revealed during testimony that methane was detected at the exterior opening of a ventilation hole into the No. 2 water ring and no corrective action was taken.

Violation #2, Chapter 22A, Article 2, Section (78) (70c) and/or West Virginia Administrative Regulation Title 36, Series 1, Section 4.3.8 exists as follows: The investigation of a multiple fatal accident that occurred at the shaft site on January 22, 2003, revealed that a proper methane examination was not conducted as required in the approved permit to use cutting torches in the shaft. Testimony from an eyewitness revealed the only examination for methane at the explosion site was at or a few inches inside the opening in the panning tin at the No. 2 water ring entrance. This examination area was approximately four feet from the No. 2 water ring roof.

RECOMMENDATIONS

1. Central Cambria Drilling management shall have a safety meeting with all employees to discuss the fatal accident and review the proper methods of making methane checks in shafts and their associated water rings. Emphasis shall be placed on applicable state laws, which were cited.
2. Existing methods of ventilating water rings and removing metal concrete forms from pre-formed door openings will be changed. Pre-formed PVC pipe will be put in place prior to the concrete pour to eliminate the need to drill ventilation holes into the water ring. Removable, metal covers attached by bolts will be put in place where water ring doors will be located. This will eliminate the need to use a torch to remove the metal.

Other Actions

The permit allowing the use of welding torches and like equipment in the shaft has been rescinded.

Petition No. 77-01 issued by the West Virginia Coal Mine Safety and Technical Review Committee which allowed Central Cambria Drilling to reduce the minimum requirement of 9000 cubic feet of air per minute to 6000 cubic feet per minute at the working area has been rescinded.

The permit allowing the fan to be stopped while men are in the shaft was rescinded and revised before being reissued.

The Central Cambria Drilling Company Comprehensive Safety Program has been revised and approved.

ACKNOWLEDGEMENT

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



Terry Farley, Administrator

6-18-03
Date



Brian Mills, Inspector-At-Large

6/16/03
Date



Colin Simmons, District Mine Inspector

06-11-03
Date



Alan Lander, Safety Instructor

06/11/03
Date

APPENDIX

- **Contractor Information Sheet**
- **Mine Information Sheet**
- **Victim Information Sheet**
- **List of persons providing information or present during the investigation**

CONTRACTOR INFORMATION

COMPANY: Central Cambria Drilling Company

MINE NAME: McElroy Mine

CONTRACTOR NUMBER: C-618

ADDRESS: 137 Municipal Road, P. O. Box 207, Ebensburg, PA 15931

PHONE NUMBER: (814) 472-9671

LOCATION: 5 South #2 Airshaft

TOTAL EMPLOYEES: Thirty-one (31)

NUMBER OF SHIFTS: Two (2)

WV OMHST INSPECTOR: David Barlow

DATE OF LAST INSPECTION: October 24, 2002

CMSP – ANNIVERSARY DATE: May 29, 2004

CMSP – CONTACT PERSON: James R. Emerick

MINE INFORMATION

COMPANY: McElroy Coal Company

MINE NAME: McElroy Mine

WV PERMIT: U-33-83

ADDRESS: RD. 1, Box 67A, Glen Easton, WV 26039

COUNTY: Marshall County

LOCATION: Blakes Ridge – Route 2

UNION: X NON-UNION: _____

TOTAL EMPLOYEES: 507 NUMBER OF SHIFTS: 3

WV OMHST INSPECTOR: Colin D. Simmons

DATE OF LAST INSPECTION: December 18, 2002

NOTIFIED BY: William Blackwell

CMSP – ANNIVERSARY DATE: April 19, 2003

CMSP – CONTACT PERSON: David Draskovich

VICTIM INFORMATION

NAME OF VICTIM: Richard E. Mount

ADDRESS: 427 West 36th. Street, Shadyside, Ohio 43947

AGE: 37 SOCIAL SECURITY NUMBER: [REDACTED] 7931

TOTAL SHAFT EXPERIENCE: 2.5 Weeks

AVERAGE NUMBER OF DAYS WORKED PER WEEK: 3.5 Days

AVERAGE NUMBER OF HRS. WORKED PER WEEK: 40 Hours

OCCUPATION AT TIME OF ACCIDENT: Driller

REGULAR OCCUPATION: Driller

COAL MINERS CERTIFICATION: N/A

OTHER CERTIFICATIONS: N/A

DATE OF ACCIDENT: 22nd DAY OF January, 2003 AT 1:00 O'CLOCK a.m.

CAUSE OF ACCIDENT: Fatal injuries suffered as a result of an explosion.

VICTIM INFORMATION

NAME OF VICTIM: David W. Abel

ADDRESS: 41870 Abel Drive, Belmont, Ohio 43718

AGE: 47 SOCIAL SECURITY NUMBER: ██████-6923

TOTAL SHAFT EXPERIENCE: 2 Months

AVERAGE NUMBER OF DAYS WORKED PER WEEK: 3.5 Days

AVERAGE NUMBER OF HRS. WORKED PER WEEK: 40 Hours

OCCUPATION AT TIME OF ACCIDENT: Mechanic

REGULAR OCCUPATION: Mechanic

COAL MINERS CERTIFICATION: N/A

OTHER CERTIFICATION: N/A

DATE OF ACCIDENT: 22nd DAY OF January, 2003 AT 1:00 O'CLOCK a.m.

CAUSE OF ACCIDENT: Fatal injuries suffered as a result of an explosion.

VICTIM INFORMATION

NAME OF VICTIM: Harry P. Roush, III

ADDRESS: 230 Second Street, Colver, PA 15927

AGE: 23 SOCIAL SECURITY NUMBER: [REDACTED]-9033

TOTAL SHAFT EXPERIENCE: 8 Months

AVERAGE NUMBER OF DAYS WORKED PER WEEK: 3.5 Days

AVERAGE NUMBER OF HRS. WORKED PER WEEK: 40 Hours

OCCUPATION AT TIME OF ACCIDENT: Lead Miner

REGULAR OCCUPATION: Lead Miner

COAL MINERS CERTIFICATION: N/A

OTHER CERTIFICATIONS: N/A

DATE OF ACCIDENT: 22nd DAY OF January, 2003 AT 1:00 O'CLOCK a.m.

CAUSE OF ACCIDENT: Fatal injuries suffered as a result of an explosion.

INTERVIEWS

The following persons were interviewed during the investigation:

Central Cambria Drilling Company

Jack Williamson	Vice-President
Earl Rummel	General Superintendent
Larry Whyte	Superintendent
Harry Roush Jr.	Supervisor
Mike Dumm	Maintenance Supervisor
Denver Jordon	Hoist Operator
Thomas Cunningham	Driller
Paul Price	Driller
Blair Neely	Driller
Rickard Lewis	Safety Director (former)
Jack Cain	Topman
Joseph Chidester	Hoist Operator
Shawn Whyte	Topman
Gary Minnear	Safety Director (former)
Samuel Wilson	Mechanic
Dan Baker	Topman
Aaron Meyer	Driller (injured)
Benjamin Blair	Driller (injured)
Richard Brumley	Supervisor

Marshall County Sheriff Department

Brent Wharry	Deputy Sheriff
Steven Cook	Deputy Sheriff

Tri State Ambulance Company

Donald Kline	Paramedic
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Consol Energy Inc

Michele O'Neil	Project Engineer
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West Virginia Office of Miner's Health, Safety & Training

Colin Simmons	District Mine Inspector
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Mine Safety & Health Administration

Ron Tulanowski	Coal Mine Inspector
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The following persons were present during the on site investigations and/or interviews:

Central Cambria Drilling Company

Jack Williamson	Vice-President
William Howe	Legal Counsel for CCD
Earl Rummel	General Superintendent
Mike Dumm	Maintenance Supervisor
Larry Whyte	Superintendent

Consol Energy Inc

Elizabeth Chamberlain	Manager of Safety
Spike Bane	Safety Director Mining
Don Gibson	Consol Energy, Safety Dept.
Van Pitman	Consol Engineer
Bill Wilmoth	Steptoe & Johnson/Consol Legal Counsel

West Virginia Office of Miner's Health, Safety & Training

Doug Conaway	Director
Terry Farley	Administrator
Brian Mills	Inspector-At-Large
John Larry	Assist. Inspector-At-Large
Colin Simmons	District Mine Inspector
Mike Rutledge	Safety Instructor
Alan Lander	Safety Instructor
Dave Barlow	District Mine Inspector

Mine Safety & Health Administration

Jim Oakes	District Manager
Jim Crawford	Attorney, Office of the Solicitor
Ron Tulanowski	Coal Mine Inspector
Clete Stephan	Principle Mining Engineer
Virgil Brown	Specialist
Rich Stoltz	Supervisory Mining Engineer
Kin Diederich	Mining Engineer
George Aul	Mining Engineer
Joe Tortorea	Investigation Specialist
Robert Penigar	Specialist
Joseph Yudash	Coal Mine Inspector
Joseph Facella	Coal Mine Inspector
Bill Ponceroff	Assist. District Manager

Bill Knepp
Joseph Darios

Acting District Manager
Coal Mine Inspector

United Mine Workers of America & Local 1638

Joe Main
Tim Baker
Dennis Odell
Hoya Clemons
Rick Altman

Safety Director
International Safety Inspector
International Safety Inspector
President Local 1638
Vice President Local 1638