
West Virginia Office of Miners' Health, Safety and Training

February 20, 2002

Report Of A Roof Fall Fatality
(Underground Coal Mine)

Island Fork Construction, LTD, Permit No. C-2404P
(contractor for)
Midland Trail Resources, LLC
Mine No. 2
Permit No. U-3063-88A

Region IV Office
142 Industrial Drive
Oak Hill, West Virginia 25901
Gary S. Snyder, Inspector-at-Large

TABLE OF CONTENTS

* SKETCH _____	1
* GENERAL INFORMATION _____	2
* DESCRIPTION _____	2, 3
* FINDINGS OF FACT _____	4
* CONCLUSION _____	4
* ENFORCEMENT ACTION _____	5
* RECOMMENDATIONS _____	5, 6
* ACKNOWLEDGMENT _____	6
* APPENDIX _____	7 - 13

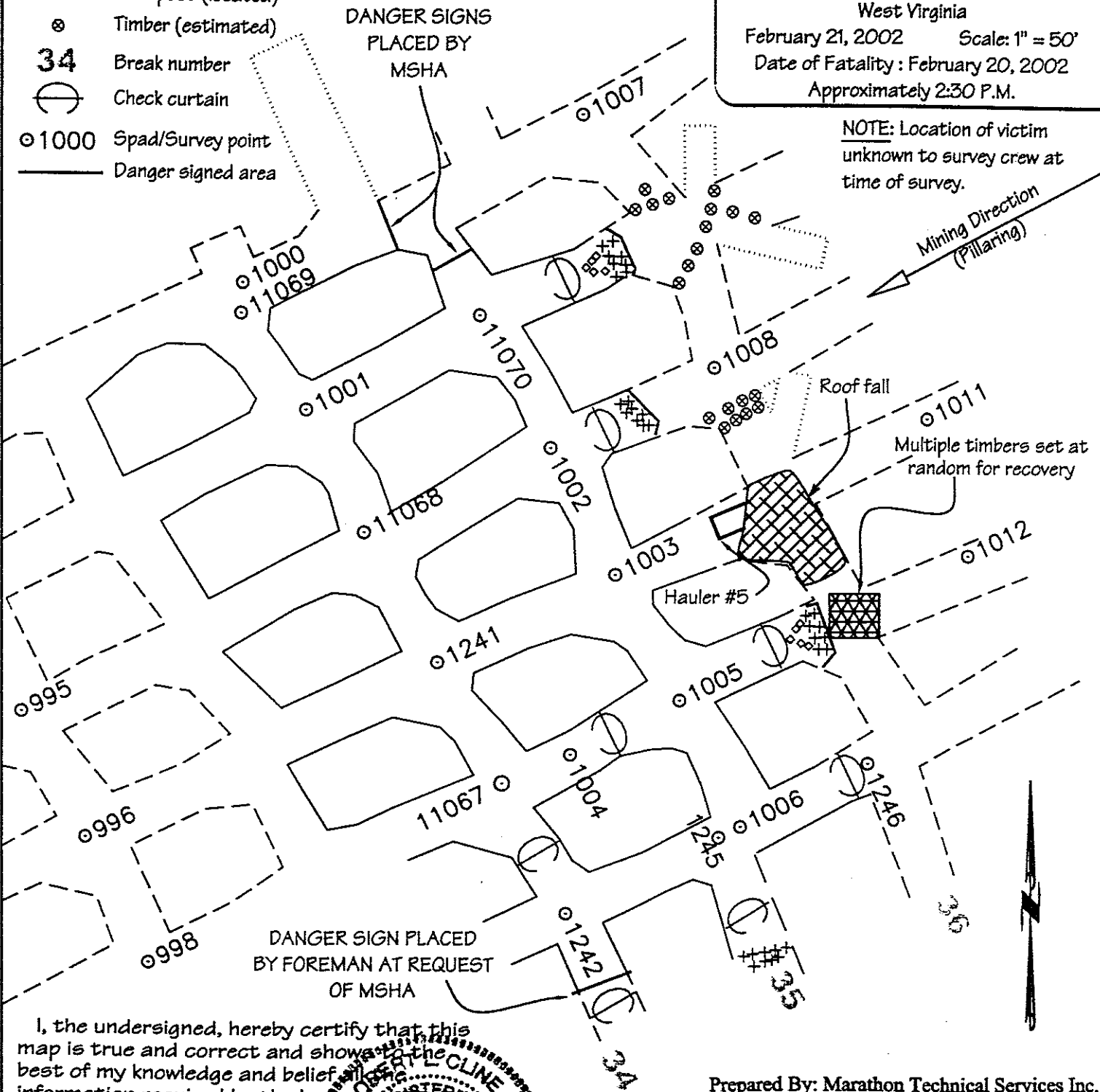
MAP OF SURVEY

LEGEND

- Workings located at time of survey (02/21/02 Approx. 9:15 A.M.)
- - - Workings located by previous survey
- Workings estimated (not surveyed)
- + Timber (located)
- ◊ Turn post (located)
- ⊗ Timber (estimated)
- 34 Break number
- ⊖ Check curtain
- ⊙ 1000 Spad/Survey point
- Danger signed area

Map Showing Area of Fatal Accident
 Midland Trail Resources, LLC
 Mine No. 2
 ID# 46-08814 Permit# U-3063-88A
 Situate on the waters of Rader Run
 Meadow Bluff District of Greenbrier County
 West Virginia
 February 21, 2002 Scale: 1" = 50'
 Date of Fatality: February 20, 2002
 Approximately 2:30 P.M.

NOTE: Location of victim unknown to survey crew at time of survey.



I, the undersigned, hereby certify that this map is true and correct and shows to the best of my knowledge and belief all the information required by the laws of this State.

[Signature]
 REGISTERED PROFESSIONAL ENGINEER
 5705
 STATE OF WEST VIRGINIA

Prepared By: Marathon Technical Services Inc.
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**REPORT OF A ROOF FALL FATALITY
ISLAND FORK CONSTRUCTION, LTD
(contractor for)
MIDLAND TRAIL RESOURCES, LLC
MINE NO. 2, U-3063-88A**

GENERAL INFORMATION

A fatal roof fall accident occurred at approximately 2:30 p.m. on February 20, 2002 at the Midland Trail Resources, LLC, Mine No. 2 (U-3063-88A). The accident occurred on the Main section, where pillar recovery was being conducted. Gary W. Martin, age 53, of Springdale, West Virginia was fatally injured when the intersection at the entrance to the pillar line in the No. 4 entry collapsed. Mr. Martin was classified as a roof bolter operator, but was working as a timber man at the time of the accident. Larry Williams, age 47, of Leivasy, West Virginia, who was working as a continuous mining machine operator, was seriously injured. Both men were employees of Island Fork Construction, LTD (C-2402P). All mine employees, except the superintendent/mine foreman and the general manager, were employed by Island Fork Construction, LTD.

Allen Orndorff, Safety Director for Midland Trail Resources, LLC, notified Gary S. Snyder, Inspector-at-Large of the WV Office of Miners' Health, Safety and Training, Oak Hill office, of the accident at 3:11 p.m. on February 20, 2002. A joint investigation with the Mine Safety and Health Administration was started immediately.

DESCRIPTION

Midland Trail Resources, LLC, was issued a permit to operate Mine No. 2 on June 12, 2001. The mine was originally opened in May 1993, but had experienced idle periods. The mine is located near Rupert, West Virginia in Greenbrier County and has 36 employees. Coal is mined from the Pocahontas No. 6 seam, with an average mining height of approximately five (5) feet. One underground working unit was conducting pillar recovery at the time of the accident. The pillar recovery plan being utilized on the section is commonly referred to as the "Christmas tree" method.

On February 20, 2002, the day shift Main section crew, under the direction of Garry Frame, section foreman, entered the mine at their normal starting time of 6:00 a.m. Coal production started in the No. 2 entry at approximately 6:30 a.m. Interviews with Houston Trout, uni-hauler operator, Arnold Bostic, roof bolter operator, and Eugene Wickline, electrician indicated that the continuous mining machine was down for repairs for approximately 45 minutes to one (1) hour beginning around 9:00 a.m. Mining was finished in the No. 2 entry at approximately 11:00 a.m., and the continuous mining machine was moved to the No. 4 entry. According to testimony, an accumulation of water existed in the No. 3 entry, so mining there was bypassed.

Mining soon began in the No. 4 entry with Larry Williams operating the continuous mining machine. Arnold Bostic and Gary Martin were working as timber men. Uni-haulers were being operated by Houston Trout, Mike Carr and Anthony Frame. Mining proceeded in the No. 4 entry until approximately 2:30 p.m. According to testimony, Larry Williams had just finished mining the fourth lift and had backed the continuous miner out a short distance to begin a clean-up run. Mr. Trout had just trammed his uni-hauler in behind the continuous miner to get a load of coal. The men noticed that the roof began to "drip" and they started yelling for everyone to get out. Mr. Trout stated that he might have moved the uni-hauler two (2) feet when the roof suddenly collapsed.

The fall encompassed the intersection, entirely covered the continuous mining machine, and partially covered the uni-hauler. It extended into the crosscut to the right toward the No. 5 entry. Mr. Bostic escaped the fall by running down the No. 4 entry. Mr. Trout was protected by the uni-hauler's canopy and managed to escape within moments after the fall. Mr. Bostic met section foreman, Garry Frame, when he reached the next crosscut outby the fall area. The men immediately called out to Mr. Martin and Mr. Williams who were buried under the fall. Mr. Williams could be heard, but there was no response from Mr. Martin.

Anthony Frame, uni-hauler operator, ran to the mine phone to call the surface for assistance. Jeff James, superintendent/mine foreman, took the call and started underground immediately. The evening shift crew, under the direction of Lawrence Loudermilk, had already entered the mine at their normal starting time of 2:30 p.m. They learned of the accident upon arrival on the section from Houston Trout. The evening shift crew included James Grose, Dwane Hellems, Arnold Shortridge, Dennis Taylor, Donnie Horne, William Feamster, Brian Redden, and Clifford Trout. The men proceeded immediately to the accident site to assist in the rescue and recovery work. Mr. James and Billy Selman, electrician, arrived a few minutes later at approximately 2:50 p.m. Eugene Wickline, who had gone outside a short time earlier, soon went back underground with Raymond Thomas and Anthony Taylor, general manager. Two Paramedics and one EMT, with Quinwood Ambulance Service, were taken underground to the accident scene at approximately 4:20 p.m.

During the rescue work the workers were able to continuously communicate with Larry Williams, but were not sure as to his location. There was no response from Gary Martin at any time. The workers installed roof supports and removed rock as they approached the men from both the No. 4 entry and the crosscut from the No. 5 entry. Gary Martin was found in the intersection to the right side of the uni-hauler at approximately 5:00 p.m. Mr. Martin died from the injuries he received from the roof fall. Larry Williams was found and rescued at approximately 6:45 p.m. Mr. Williams was located several feet further into the intersection. The rescue workers in the No. 4 entry found both men. Gary Martin's body was taken to the Greenbrier Valley Medical Center in Lewisburg. Larry Williams was transported to the Greenbrier Valley Medical Center before being transferred to Charleston Area Medical Center, General Division.

FINDINGS OF FACT

1. According to testimony and physical evidence at the accident site, a minimum of four (4) pillar lift extractions were mined from the No. 4 entry prior to the accident. The first pillar lift extraction was mined from the left side block, inby the intersection. The second pillar lift extraction was mined from the right side block, inby the intersection. Physical evidence and testimony indicated that the third pillar lift extraction was mined from the outby end of the left side block (this lift was mined through into the No. 3 entry). The last pillar lift extraction, prior to the fall, was mined from the outby end of the right side block.
2. Mining of pillar lift extractions from the outby end of pillar blocks is contrary to any retreat mining option contained in this mine's approved roof control plan.
3. The roof fall encompassed the entire intersection of the No. 4 entry at the entrance to the pillar line and extended for a distance of approximately 20 feet into the crosscut toward the No. 5 entry and approximately 20 feet outby the intersection in the No. 4 entry. The maximum height of the fall was estimated to be at least 6 to 8 feet. Exact measurements were not possible under the circumstances.
4. It was evident that the roof control plan was not being complied with as seen from all approaches to the pillar line. This was indicated by the sequence and location of pillar lifts, and the lack of required roof supports (posts).
5. The section was supported with four, five and 6 feet tensioned grout bolts with 8" by 8" bearing plates installed against cap bocks. Supplementary support consisting of cable bolts 8 and 10 feet in length were used in several areas. Note: The bolt length is based on observations of supports that were installed outby the fall area.
6. Evidence was clearly visible during an examination of the No. 2 entry on February 20th and 21st, 2002 that the pillar blocks on both sides were mined from the No. 2 entry. It was also clear that both blocks were mined on the outby end.
7. According to information provided by Garry Frame, section foreman, on February 20, 2002, he was located in the crosscut toward the No. 5 entry when the accident occurred.

CONCLUSION

Gary Martin was fatally injured when the roof in the No. 4 intersection suddenly fell. Pillar recovery operations were being performed at the time of the accident. It is the conclusion of the accident investigation team that faulty pillar recovery methods and failure to comply with the approved roof control plan directly contributed to this accident.

ENFORCEMENT ACTIONS

A non-assessed control order was issued in accordance with Chapter 22A, Article 2, Section 68 of the WV Code to preserve evidence following the accident.

The West Virginia Office of Miners' Health, Safety and Training, issued twenty-five notices of violation to Midland Trail Resources, LLC, and twenty-three notices of violation to Island Fork Construction, LTD during this investigation. There were three (3) notices of violation that were considered to have contributed to the accident. Each contributing violation was issued to Midland Trail Resources, LLC and Island Fork Construction, LTD, respectively, and were written as follows:

Notice of Violation; Title 36, Series 10, Section 4.1;

Information gathered during the investigation of a fatal accident indicates that the method of mining practiced on the No. 1 Main section on February 19 and 20, 2002 exposed persons to hazards caused by faulty pillar recovery methods. This was evidenced by mining portions of coal pillars contrary to the approved roof control plan, not installing all plan required supports, and failure to provide adequate support in areas second mined that were in violation of the approved roof control plan.

Notice of Violation; Chapter 22A, Article 2, Section 25(a);

The approved roof control plan was not being complied with in the No. 4 entry on the No. 1 Main section. The coal pillar located between the No. 3 and No. 4 entries, one crosscut inby spad No. 1003, had been second mined from the No. 4 entry with coal extracted from the outby end, which is in violation of the approved roof control plan (drawing 5-C). This area is directly adjacent to a roof fall area where a fatal accident occurred on February 20, 2002.

Notice of Violation; Chapter 22A, Article 2, Section 54(a);

The operator, mine foreman and supervisors did not see that miners complied with the approved roof control plan on matters pertaining to second mining on the No. 1 Main section. Examination of the active mining area after a fatal accident revealed that portions of coal pillars were extracted in violation of the plan. Adequate roadway and turn posts were not installed in all areas as required by the plan, and roadway and turn posts were not installed for protection from roof falls in the areas mined in violation of the plan.

RECOMMENDATIONS

In accordance with Title 56, Series 8, Section 9.4, the comprehensive mine safety programs for Midland Trail Resources, LLC and Island Fork Construction, LTD, respectively, shall be modified to include, but not be limited to the following:

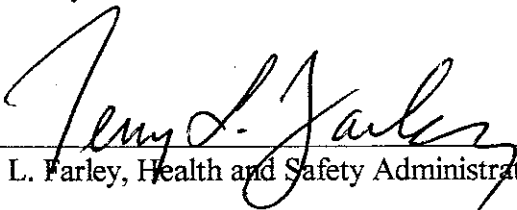
1. An accident and violation reduction program should be developed.

2. An employee training and education program (i.e. ventilation, roof control, mining plans, etc.) should be developed.
3. A program shall be established to monitor and evaluate employee work practices, and compliance with mining plans and regulations. This program shall be monitored by a responsible mine official.
4. Persons whose duties require them to perform pre-shift and on-shift examinations shall have additional training to include, but not be limited to:
 - (a) the proper way to conduct pre-shift and on-shift examinations and inspections,
 - (b) the ascertainment (hazard recognition) and removal of dangers,
 - (c) and record keeping.


ACKNOWLEDGMENT

The West Virginia Office of Miners' Health, Safety and Training gratefully acknowledges the cooperation of the employees and management of Midland Trail Resources, LLC, Island Fork Construction, LTD, and the Mine Safety and Health Administration during this investigation.


Respectfully Submitted:



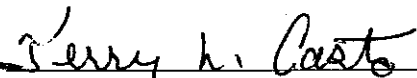
Terry L. Farley, Health and Safety Administrator 4-8-02
Date



Clyde A. Sowder, Roof Control Inspector 4-5-02
Date



Lloyd G. Collins, Deep Mine Inspector 4/5/2002
Date



Terry L. Casto, Deep Mine Inspector 3/27/2002
Date

APPENDIX

- Mine Information Sheet
- Contractor Information Sheet
- Victim Information Sheet
- Persons Present During Investigation and Interviews

MINE INFORMATION

COMPANY Midland Trail Resources, LLC

MINE NAME Mine No. 2

WV PERMIT U-3063-88A

ADDRESS HC 40, Box 900, Rupert, West Virginia 25984

COUNTY Greenbrier

DATE PERMIT ISSUED June 12, 2001 WORKING STATUS Active

LOCATION 6 miles Northeast of Rupert, West Virginia

UNION _____ NON-UNION Yes

DAILY PRODUCTION _____ 1,090 tons

ANNUAL PRODUCTION TO DATE _____ 42,502 tons

TOTAL EMPLOYEES 2 NUMBER OF SHIFTS 3

NAME OF COAL BED Pocahontas No. 6 seam

SEAM THICKNESS 43"

ACCIDENT INCIDENT RATE 0 LOST TIME ACCIDENTS 0

TYPE OF HAULAGE Belt

WV OMHST INSPECTOR Terry Casto

DATE OF LAST INSPECTION Regular - In Progress, Check Inspection 2-18-02

NOTIFIED BY Allen Orndorff, Safety Director

TIME OF NOTIFICATION 3:11 p.m. on February 20, 2002

CMSP - ANNIVERSARY DATE June 15, 2002

CMSP - CONTACT PERSON Freddie A. Taylor, General Manager

CONTRACTOR INFORMATION

CONTRACTOR Island Fork Construction, LTD

MINE NAME Midland Trail Resources, LLC, Mine No. 2

WV PERMIT C-2402P MSHA PERMIT NO. PUL

MAILING ADDRESS 3677 Robert C. Byrd Drive, Beckley, West Virginia 25801

COUNTY Raleigh PHONE NUMBER (304) 255-7709

TYPE OF WORK PERFORMED Contract Labor

WORKING STATUS Active

LOCATION Near Rupert, West Virginia

UNION _____ NON-UNION Yes

TOTAL EMPLOYEES 34

NUMBER OF SHIFTS 3

ACCIDENT FREQUENCY RATE 75.4 LOST TIME ACCIDENTS 4

WVOMHST INSPECTOR Terry L. Casto

DATE OF LAST INSPECTION February 18, 2002

CMSP – ANNIVERSARY DATE August 15, 2002

CMSP – CONTACT PERSON Roger D. Ball, Sr., Safety Director

VICTIM INFORMATION

NAME OF VICTIM Gary Wayne Martin

ADDRESS P. O. Box 160, Rainelle, West Virginia 25962

AGE 53 SOCIAL SECURITY NUMBER [REDACTED]-8339

TOTAL MINING EXPERIENCE 24 years

EXPERIENCE AT THIS MINE 2 years

AVERAGE NUMBER OF DAYS WORKED PER WEEK 6

AVERAGE NUMBER OF HOURS WORKED PER WEEK 54 PER DAY 9

LENGTH OF SHIFTS AT MINE 9 hours TRAVEL TIME TO/FROM WORK 30 min.

OCCUPATION AT TIME OF ACCIDENT Timber Man

REGULAR OCCUPATION Roof Bolter Operator

COAL MINER'S CERTIFICATION NRWG-1669A

OTHER CERTIFICATIONS Truck Driver 3-30 and Shot-firer NR-4183

SPOUSE'S NAME Bonnie Martin

DEPENDENTS Michelle Martin

DATE OF ACCIDENT 20th DAY OF February, 2002

AT 2:30 CLOCK p.m.

CAUSE OF ACCIDENT: Mr. Gary Wayne Martin sustained fatal injuries on the No. 1 main section, when the intersection in the No. 4 entry near survey station 1003 suddenly collapsed.

DATE OF DEATH: 20th DAY OF February, 2002

INVESTIGATION

The following persons were present during the on-site investigation conducted on February 20 and 21, 2002:

MIDLAND TRAIL RESOURCES, LLC

Anthony Taylor	General Manager
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ISLAND FORK CONSTRUCTION, LTD

Wayne Talbott	Foreman
Steve Taylor	Foreman

ALPHA ENGINEERING

Gary Hartsog	Consultant
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MINE SAFETY AND HEALTH ADMINISTRATION

Link Selfe	Assistant District Manager
Jim Beha	Staff Assistant
Bobby Moreland	Accident Investigator
Jim Humphrey	Accident Investigator
Jon Braenovich	Roof Control Specialist / Mine Engineer
Ronald H. Scaggs	Accident Investigator
Paul Hess	Field Office Supervisor
Prentiss Blair	Coal Mine Inspector
William Williams	Technical Support / Mining Engineer
John R. Cook	Technical Support / Mining Engineer
Joe Mackowiak	Coal Mine Inspector

WV OFFICE OF MINERS' HEALTH, SAFETY AND TRAINING

Doug Conaway	Director
Terry L. Farley	Health and Safety Administrator
Gary S. Snyder	Inspector-at-Large
William A. Tucker	Assistant Inspector-at-Large
Clyde A. Sowder	Roof Control Inspector
Lloyd G. Collins	Deep Mine Inspector
Terry L. Casto	Deep Mine Inspector
Michael Rutledge	Safety Instructor

INTERVIEWS

The following persons were present during the interviews conducted on February 22 and 25, 2002:

MIDLAND TRAIL RESOURCES, LLC

Jeff Hoops	Owner
David Hardy	Attorney
Freddie A. Taylor	General Manager
Jeff James	Superintendent / Mine Foreman

ISLAND FORK CONSTRUCTION, LTD

Roger Ball	Safety Director
Robert B. Allen	Attorney
Ben Bryant	Attorney
Chris Davis	Accounts Manager
Houston Trout*	Utility (Hauler Operator)
Arnold Bostic*	Roof Bolter Operator (Timber man)
Anthony Frame*	Hauler Operator
Nathan Burns*	Apprentice Electrician
Michael Carr*	Hauler Operator
Larry Cox*	Scoop Operator
Eugene Wickline*	Electrician
Clifford Trout*	Scoop Operator
Brian Redden*	Utility
Raymond Thomas, Sr.*	Electrician
William Feamster*	Hauler Operator
Donnie Horne*	Roof Bolter Operator (Timber man)
Dennis Taylor*	Hauler Operator
Arnold B. Shortridge*	Continuous Miner Operator
James Groves*	Roof Bolter Operator (Timber man)
Dwane Hellems*	Continuous Miner Operator
Billy Selman*	Electrician

*Denotes persons interviewed

MINE SAFETY AND HEALTH ADMINISTRATION

Jim Beha	Staff Assistant
Bobby Moreland	Accident Investigator
Jim Humphrey	Accident Investigator
Jon Braenovich	Roof Control Specialist / Mining Engineer
Ronald Scaggs	Accident Investigator
William Williams	Technical Support / Mining Engineer
John R. Cook	Technical Support / Mining Engineer

WV OFFICE OF MINERS' HEALTH, SAFETY AND TRAINING

C. A. Phillips	Deputy Director
Terry L. Farley	Health and Safety Administrator
Gary S. Snyder	Inspector-at-Large
William A. Tucker	Assistant Inspector-at-Large
Clyde A. Sowder	Roof Control Inspector
Lloyd G. Collins	Deep Mine Inspector
Terry L. Casto	Deep Mine Inspector

INTERVIEWS

The following persons were present during interviews that were conducted on February 26, 2002:

ISLAND FORK CONSTRUCTION, LTD

Ben Bryant	Attorney
Gary Frame*	Section Foreman (day shift)
Lawrence Loudermilk*	Section Foreman (evening shift)

*Denotes persons interviewed – exercised Fifth Amendment rights during interview

MINE SAFETY AND HEALTH ADMINISTRATION

Bobby Moreland	Accident Investigator
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WV OFFICE OF MINERS' HEALTH, SAFETY AND TRAINING

Terry L. Farley	Health & Safety Administrator
Gary S. Snyder	Inspector-at-Large
William A. Tucker	Assistant Inspector-at-Large