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West Virginia Office of Miners' Health, Safety and Training

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November 8, 2005

Report of a Fatal Accident  
(Contractor)

Savage Industries  
29 Solomon Road  
Morgantown, WV 26501  
Permit No. C-1010

Region One – Fairmont Office  
205 Marion Square  
Fairmont, West Virginia 26554  
Alan Lander, Inspector-at-Large

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CONTRACTOR INFORMATION

CONTRACTOR Savage Industries  
PERMIT NO. C-1010 PHONE NO. 904-2442  
ADDRESS 29 Solomon Rd., Morgantown, WV 26501

VICTIM INFORMATION

NAME OF VICTIM Chad H. Cook  
ADDRESS [REDACTED] Hyndman, Pa. 15545  
AGE 25 Years Old SOCIAL SECURITY NO. XXX-XX-3816  
TOTAL MINING EXPERIENCE 1-1/2 months  
EXPERIENCE AT THIS MINE 1-1/2 months  
OCCUPATION AT TIME OF ACCIDENT Truck Driver  
REGULAR OCCUPATION Truck Driver  
TRUCK DRIVER CERTIFICATION [REDACTED]  
SPOUSE None DEPENDENTS None  
DATE OF ACCIDENT 8<sup>th</sup> DAY OF November, 2005  
AT 12:15 O'CLOCK a.m.

**State of West Virginia  
Office of Miners' Health, Safety & Training  
205 Marion Square  
Fairmont, WV 26554  
Region One**

**DESCRIPTION**

Mr. Chad Cook, a 25 year old driver, was involved in a fatal accident that occurred on November 8, 2005 at approximately 12:15 a.m. in Grant County, West Virginia. Mr. Cook was an employee of Savage Industries (C-1010), operating #S-1518 tractor trailer, hauling coal from a coal preparation plant near Table Rock, Maryland to the Mt. Storm Power Plant located in Grant County near Bismark, West Virginia.

The victim was traveling on a coal haulage road that connects Route 90 to Route 93. The haulage road is approximately 6.2 miles in length. Mr. Cook had hauled five (5) loads on this haulage road, prior to the accident, apparently without incident. The truck was loaded while entering the #7 turn, when the truck that Mr. Cook was driving turned over on the left side, slid into the guardrail and turned over an embankment.

Mettiki Coal, LLC (WV) EMT's was summoned to the scene, via a company radio, by Savage Industries employees. Garrett South Medics and the Bayard Volunteer Fire Department arrived later. Tracey Elza, medical examiner, pronounced the victim dead at the scene at 0305 on November 8, 2005.

There were no eye witnesses to the accident. The weather was cool in the mid thirties; the humidity was low and mostly clear skies. The road is a paved surface and was dry at the time of the accident.

Mr. Cook was wearing a seat belt at the time of the accident, and the truck was loaded. The victim called "7 out" on the radio prior to the accident at the turn where the accident occurred. This was the last contact made between the victim and the other drivers.

Two (2) MSHA inspectors, Mr. Barry Ryan and Mr. Bud Wilt investigated the accident on November 8, 2005. A determination was made that the haulage road and accident scene was not on mining property. The MSHA investigation ended at that time.

On April 5, 2007, I was first notified of this accident. I contacted Mettiki, LLC (WV) and began an investigation. I traveled to the scene and began gathering information from Mr. Cook's family in Pennsylvania, Mettiki Coal LLC (WV), Division of Environmental Protection, Savage Industries, MSHA, the West Virginia State Police, and the West Virginia Public Service Commission. There was no physical evidence remaining at the accident scene. My investigation is based on documentation from companies, agencies and informal interviews.

History of the permitted haulage road: The West Virginia Division of Environmental Protection permit numbers H-463 and H-579 make up the 6.2 miles of bonded haulage road that connects Route 90 to Route 93 in Tucker and Grant Counties in West Virginia. The accident occurred on Permit # H-463 near the #7 turn, between ditch N and culvert O.

The haulage road had been permitted by Buffalo Coal Company that operated several surface mines along this road in the past. Mettiki Coal, LLC (WV) assumed the permit in 1995 from Buffalo Coal Company. At that time, no mining was being conducted on or near the haulage road. Mettiki Coal, LLC (WV) began upgrading the road at this time. This would allow coal traffic to by-pass the towns of Davis and Thomas, and shorten the haul between the Mt. Storm Power Plant and the coal preparation plant in Maryland. Private road signs were posted on both ends, the road was never inspected by the WV Office of Miners' Health, Safety and Training. In 2004, Mettiki Coal, LLC (WV), U-2001-04, was issued a permit for an underground mine near the intersection of the haulage road and Route 93, joining the permits. Coal is now being mined at the underground mine in West Virginia, hauled to Maryland for cleaning, then hauled back to the Mt. Storm Power Plant, via this haulage road. The haulage road does not directly connect the Mt. Storm Power Plant to the coal cleaning plant in Maryland. Clean coal leaves the plant near Table Rock, Maryland on Wilson Road to Route 90 in West Virginia, then turn right on Route 90 for approximately ½ mile, turn left on the haulage road. On Route 93, turn left and travel approximately four (4) miles to the Mt. Storm Power Plant.

A copy of all the information gathered regarding this accident has been compiled and stored at the Fairmont Regional Office.

## FINDING OF FACTS

1. The truck that Mr. Cook was operating at the time of the accident was owned by Savage Industries.  
Model: Mack tractor trailer  
Year: 2006  
License Plate No.: 137891 Utah  
Vin No.: 1M1AJ06Y86N004999
2. Weather conditions:
  - a. Cool in the mid thirties
  - b. The humidity was low and mostly clear skies
3. Road conditions:
  - a. Paved surface
  - b. Dry surface
4. Mr. Cook was issued a Class 03 Coal Truck Driver Certification on September 22, 2005. Certification No. [REDACTED]
5. Mr. Cook received newly employed, inexperienced miner training on September 21, 2005.
6. Mr. Cook received annual refresher training on October 8, 2005.
7. No equipment defects were documented of the truck that was involved in the accident by Mr. Cook or by Ms. Lisa Pope, day shift operator.
8. Neither MSHA nor the West Virginia Office of Miners' Health, Safety and Training conducted an investigation of the fatal accident at the time of the accident.
9. The Public Service Commission did not investigate the fatal accident.
10. Savage Industries coordinated several mechanical inspections of the truck that was involved in the accident, with no defects detected.
11. The truck was equipped with a Data Extraction System, "black box".
12. Mr. Cook was wearing a seat belt at the time of the accident.

## ACKNOWLEDGEMENT

The West Virginia Office of Miners' Health, Safety and Training gratefully acknowledge the cooperation of Mr. Blaine Cook, Mrs. Gay Cook, Mettiki Coal Co. LLC (WV), Savage Industries, WV Division of Environmental Protection, MSHA, the West Virginia State Police, and the West Virginia Public Service Commission.



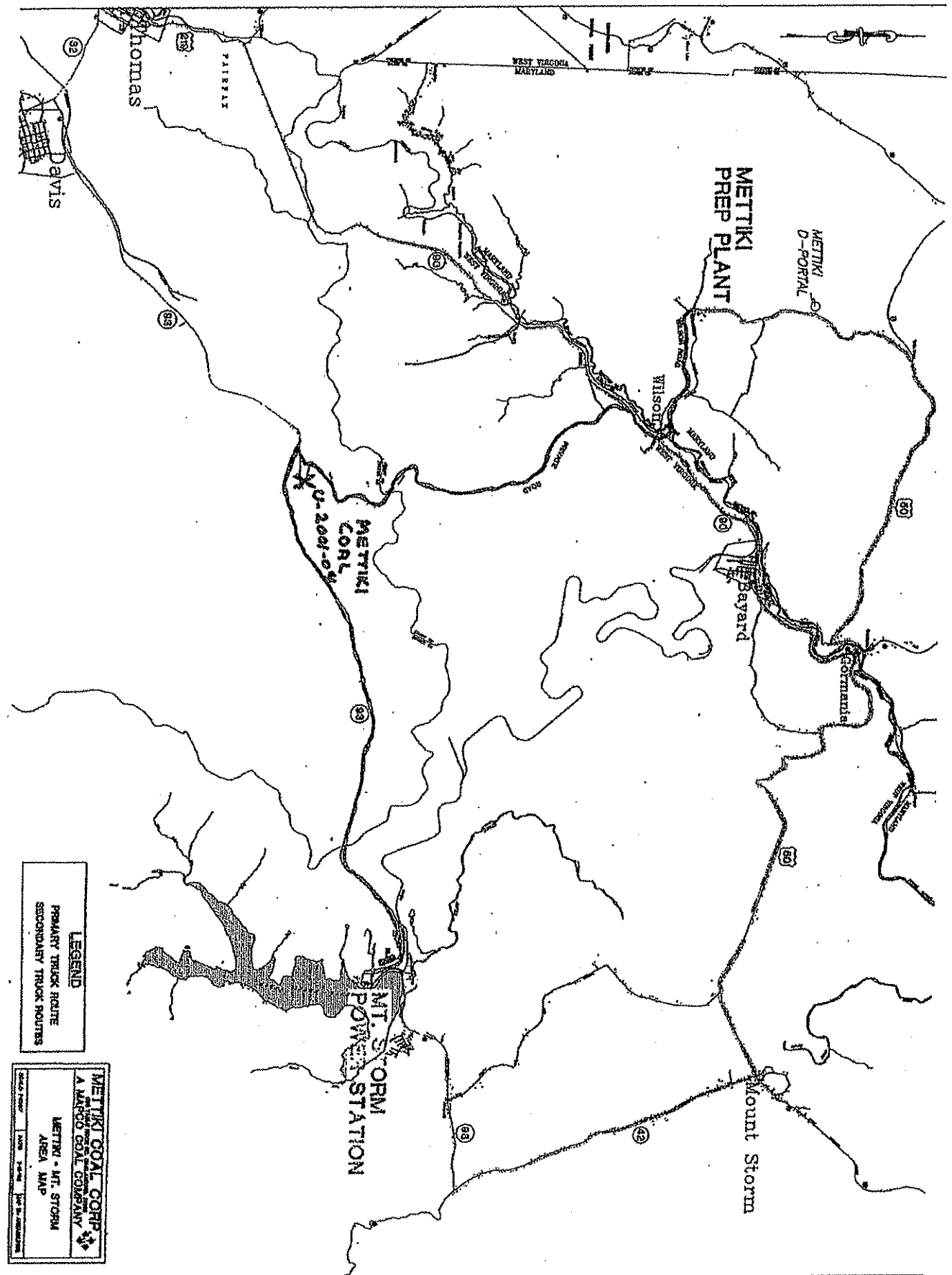
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Alan Lander, Inspector-at-Large



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John J. Meadows, Asst. Inspector-at-Large



**LEGEND**  
 PRIMARY TRUCK ROUTE  
 SECONDARY TRUCK ROUTES

**METTIKI COAL CORP.**  
 A MARCHO COAL COMPANY  
 METTIKI - MT. STORM  
 AREA MAP  
 Scale: 1" = 1 Mile  
 Date: 1/15/68  
 By: J. H. [unreadable]