
West Virginia Office of Miners' Health, Safety and Training

August 12, 2002

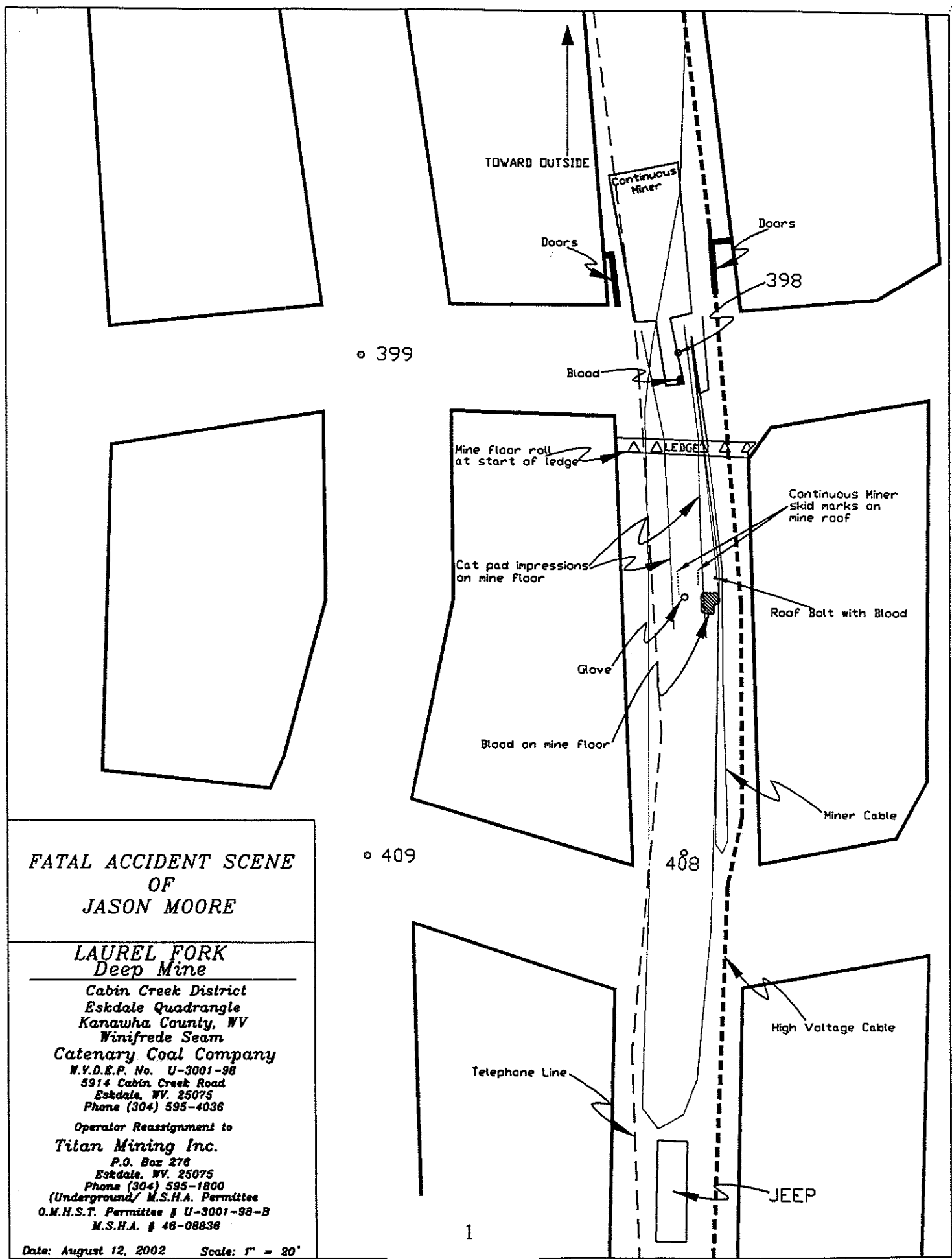
Report Of A Machinery-Related Fatality
(Underground Coal Mine)

Island Fork Construction, Ltd., Permit No. C-2404P
(contractor for)
Titan Mining, Inc.
Laurel Fork Deep Mine
Permit No. U-3001-98-B

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

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**FATAL ACCIDENT SCENE
OF
JASON MOORE**

**LAUREL FORK
Deep Mine**

Cabin Creek District
Eskdale Quadrangle
Kanawha County, WV
Winifrede Seam

Catenary Coal Company

W.V.D.E.P. No. U-3001-98
5914 Cabin Creek Road
Eskdale, WV. 25075
Phone (304) 595-4036

Operator Reassignment to

Titan Mining Inc.

P.O. Box 278
Eskdale, WV. 25075
Phone (304) 595-1800

(Underground) M.S.H.A. Permittee
O.M.H.S.T. Permittee # U-3001-98-B
M.S.H.A. # 46-08836

**ROOF & FLOOR PROFILE
AT**

**FATAL ACCIDENT SCENE
OF JASON MOORE**

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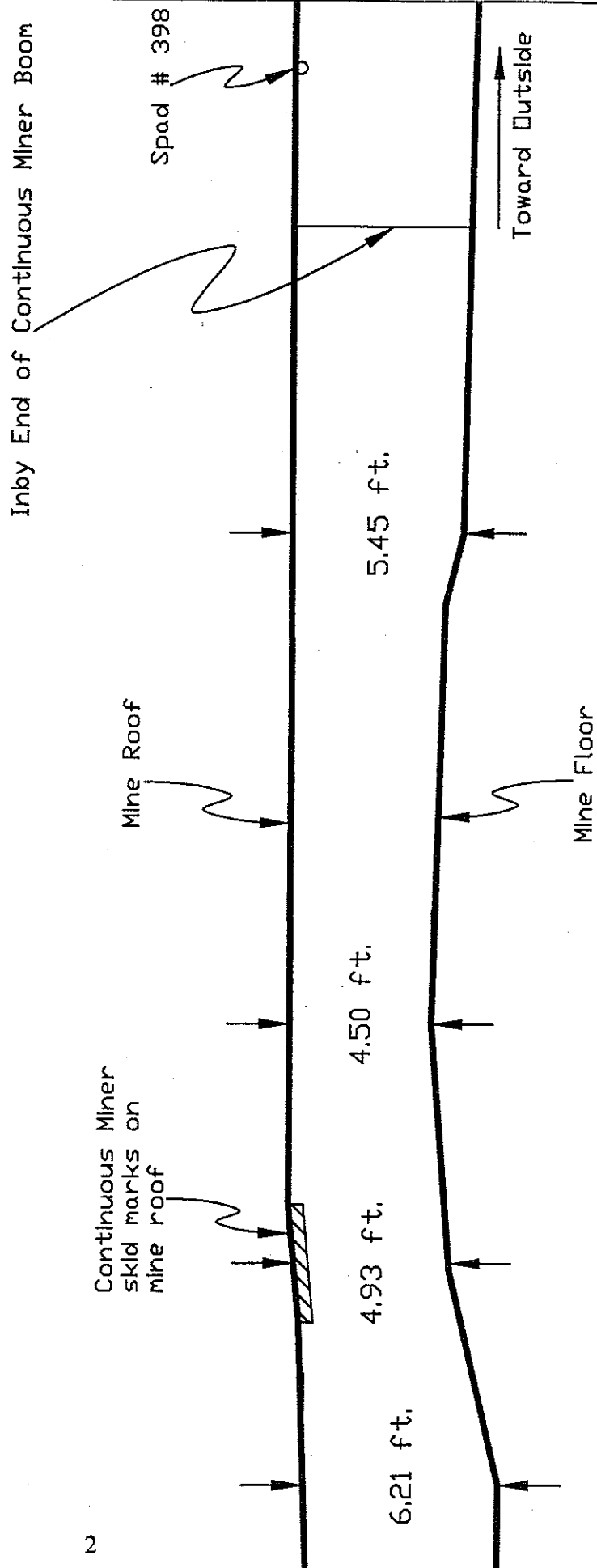
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O.M.H.S.T. Permittee # U-3001-98-B
M.S.H.A. # 46-08838

Date: August 12, 2002

Scale: 1" = 5'



**REPORT OF A MACHINERY-RELATED FATALITY
ISLAND FORK CONSTRUCTION, LTD.
(contractor for)
TITAN MINING, INC.
LAUREL FORK DEEP MINE
U-3001-98-B**

GENERAL INFORMATION

A fatal machinery-related accident occurred at approximately 1:45 p.m. on August 12, 2002 at Titan Mining, Inc., Laurel Fork Deep Mine (U-3001-98-B) located near Eskdale in Kanawha County. The accident occurred in No. 5 entry about forty feet outby station spad 408 in the roadway leading from No. 1 section to the surface. A continuous mining machine was being trammed out of the mine to facilitate repairs to the cutterhead gearbox. Jason D. Moore, age 23, of Van, West Virginia, received fatal crushing injuries when caught between the continuous miner boom and the mine roof. Mr. Moore was classified as a greaser, however he was working as a continuous miner helper at the time of the accident. He was an employee of Island Fork Construction, Ltd. (C-2404P), and was a certified coal miner.

Lewis Shrewsbury, outside man for Titan Mining, Inc., notified William A. Tucker, Assistant Inspector-at-Large of the WV Office of Miners' Health, Safety and Training, Oak Hill office, of the accident at 2:20 p.m. on August 12, 2002. A joint investigation with the Mine Safety and Health Administration was started immediately.

DESCRIPTION

Titan Mining, Inc. was issued a permit to operate the Laurel Fork Deep Mine on December 3, 2001. The mine had been closed after having been previously operated by a different company. Currently the mine employs a total of 36 persons, including 10 company employees and 26 contract-labor employees. Coal is mined on one section on day and evening shifts from the 36" Winifrede coal seam, with an average mining height of 54 inches. The midnight shift is a maintenance shift. The mine had required extensive rehabilitation work before any coal production started. This work included cutting up fallen roof material, grading roof in travelways for clearance, and re-bolting the roof. Recently, the No. 1 coal-producing section had begun experiencing poor mining conditions including lower seam height, harder than normal roof and floor rock, and water. A second (No. 2) section was still undergoing rehabilitation work at the time of the accident, and had not yet started producing coal. One week prior to the accident, the midnight shift crew had been brought to day shift to install a new conveyor belt on No. 1 section and to help with rehabilitation work. Also, evening shift hours were extended from 4:00 p.m. until 4:00 a.m. to produce coal 12 hours on the evening shift only.

On Monday, August 12, 2002, a Joy 14-10A continuous miner with a newly repaired cutterhead gear case was trammed from the surface to No. 1 section. Later that same day, a Joy 14-10AA miner was to be trammed from the No. 1 section to the surface to facilitate repairs of the offside cutterhead gear case. Clyde H. McComas, Jr., president and chief electrician of Titan Mining, Inc., assisted by William D. Williams, electrician, and Doran E. Bishop, Jr., foreman, started tramping the newly-repaired miner into the mine at about 6:20 a.m.

Ollie Burns, Jr., vice president and superintendent of Titan Mining, Inc., Jason Moore, greaser, and Ronnie Cox, electrician, entered the mine at about 8:45 a.m. and traveled to No. 1 section to service equipment and to pump water. They passed the three men, Mr. McComas, Mr. Williams, and Mr. Bishop, who had trammed the 14-10A continuous miner into a crosscut between No. 5 and No. 6 entries, just inby station spad 429, near an area called the "old oil hole". Mr. McComas, Mr. Williams and Mr. Bishop finished transferring power cables to obtain power from the No. 1 section transformer, while Mr. Burns, Mr. Moore and Mr. Cox pumped water and trammed the 14-10AA miner out of the working places. The 14-10AA miner was backed into a crosscut to allow the incoming 14-10A continuous miner to pass. Once the two continuous miners passed, Mr. McComas went outside at approximately 9:30 a.m. to attend a scheduled 10:00 a.m. meeting.

Jason Moore helped untangle waterline from the 14-10AA miner, then he and Mr. Williams began helping Mr. Bishop, who trammed this miner toward the outside. Mr. Bishop, was also the foreman in charge of this move. During the move, Mr. Williams went outside to get a remote-control box for the 14-10A miner that had been taken to No. 1 section, and went out later to get shear pins for the coal feeder. Mr. McComas, back from his meeting, came back into the mine and helped provide power for the move crew from the First Right transformer. Carl Lilly, who was the evening shift production foreman, brought a mantrip into the mine at approximately 1:15 p.m. with Mr. Williams as his passenger. They followed a coal hauler that had already passed by the equipment move crew. Mr. Lilly drove the mantrip into a crosscut between No. 4 and No. 5 entries, just inby station spad 408, out of the way of the 14-10AA miner as it passed by being trammed toward the outside.

Mr. Lilly saw Mr. Moore following behind the continuous miner with both hands on the end of the boom while the machine was in motion. He heard Mr. Moore say "Shame you have to push these things out", and then heard Mr. Bishop order Mr. Moore to get away from the miner boom. However, Mr. Bishop, who was operating the machine by remote-control while on the offside, did not stop tramping the miner. Mr. Williams, who sat on the mantrip while the continuous miner passed behind him, did not see Mr. Moore near the miner boom, nor did he hear Mr. Bishop order Mr. Moore away from the boom. Mr. Moore came into the crosscut and talked with Mr. Lilly and Mr. Williams about tools, but hazards associated with working around continuous miner booms was not discussed. Mr. Moore left and Mr. Lilly saw Mr. Moore follow behind and away from the miner as it

was trammed outby toward First Right transformer. Mr. Lilly and Mr. Williams continued on toward the No. 1 section once the miner and trailing cable passed.

Mr. Bishop was on the offside of the 14-10AA miner and near station spad 398 to facilitate trammng the machine, while Mr. Moore was behind and inby the miner watching the miner cable. The miner was trammed down from a ledge in the mine floor and, at the same time, trammed beneath the miner cable that hung diagonally across the No. 5 roadway and hung through a pair of open airlock doors. Mr. Bishop who was negotiating the miner through the airlock doors and beneath the miner trailing cable received no answer when he yelled and asked Mr. Moore about slack in the trailing cable. Turning to see why Mr. Moore didn't answer, he saw the victim laying on the mine floor about 35 feet inby the miner boom at about 1:45 p.m. He found the victim unconscious and badly injured, so he ran several crosscuts outby to get Mr. McComas to help. Mr. McComas used the phone at First Right intersection to call for help and then went to examine the victim. He found the victim unconscious and with no pulse.

Mr. Williams came upon the accident scene as he returned from taking Mr. Lilly to No. 1 section. First aid materials were brought to the area as other workers answered the call for help. The victim was covered with a blanket, placed on a stretcher and transported to an ambulance that was waiting on the surface. A paramedic of the Kanawha County Ambulance Authority pronounced Mr. Moore dead.

FINDINGS OF FACT

1. According to testimony and physical evidence at the accident site, it would have been difficult for the continuous miner operator to see the miner helper at the time of the accident. The miner operator was outby and on the left, offside of the continuous miner while at a lower elevation than the machine. The miner helper was near the boom of the miner on the right side and would have bent over while walking. The mine height reduced from walking height to just under five feet. A rise in the mine floor existed between the two men.
2. A 10 to 12 inch ledge, or drop-off exists in the mine floor located 21 feet outby where the victim was found. Continuous miner tracks on the mine floor and skid marks on the mine roof indicate that the ledge caused the miner boom suddenly to move right and then strike the mine roof.
3. According to testimony, the move crew consisted of only two persons just prior to the accident, with Mr. Bishop working as miner operator and as foreman in charge of the move and Mr. Moore acting as miner helper.

CONCLUSION

Mr. Jason Moore, miner helper, received fatal crushing injuries as the miner boom caught his head against the mine roof when the continuous miner passed over a ledge in the mine floor.

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 ten notices of violation to Titan Mining, Inc. and two notices of violation to Island Fork Construction, Ltd. during this investigation. There was one violation that was considered to have contributed to the accident. The contributing violation was issued to Titan Mining, Inc. and was written as follows:

Notice of Violation; Chapter 22A, Article 2, Section 49(d);

According to testimony, Jason Moore was observed working near the boom of a Joy 14-10AA continuous miner at about 1:30 p.m. on August 12, 2002 while the machine was in operation. Carl Lilly, foreman, stated that he saw Mr. Moore following behind the moving machine with both hands on the boom in No. 5 entry near station spad 408.

According to testimony, Doran Bishop warned Mr. Moore to stay away from the boom. Shortly thereafter, Mr. Moore was fatally injured when struck by the boom.

RECOMMENDATIONS

1. All persons shall be retrained concerning WV Code regulation Chapter 22A, Article 2, Section 49 which covers safeguards for mechanical equipment. Special emphasis shall be placed upon staying away from the boom when the continuous miner is in operation.
2. All persons who participate in an equipment move shall wear readily visible reflective vests during each time equipment is transported or trammed as defined by Title 36, Series 4, Section 2, other than ordinary sectional movements.
3. Each equipment move crew shall have at least three persons present including the foreman in charge anytime equipment is transported or trammed as defined by Title 36, Series 4, Section 2, other than ordinary sectional movements. The foreman in charge of the move shall have no other duties other than to carefully supervise the equipment move crew.

ACKNOWLEDGMENT

The West Virginia Office of Miners' Health, Safety and Training gratefully acknowledges the cooperation of the employees and management of Titan Mining, Inc., Island Fork Construction, Ltd., Arch Coal, Inc., Catenary Coal Company, and the Mine Safety and Health Administration during this investigation.

Respectfully Submitted:

Gary S. Snyder
Gary S. Snyder, Inspector-at-Large

9-11-02
Date

Clark F. Gillian
Clark F. Gillian, Deep Mine Inspector

9-11-02
Date

APPENDIX

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

MINE INFORMATION

COMPANY Titan Mining, Inc.

MINE NAME Laurel Fork Deep Mine

WV PERMIT U-3001-98-B

ADDRESS P. O. Box 276, Eskdale, West Virginia 25075

COUNTY Kanawha

DATE PERMIT ISSUED December 3, 2001 WORKING STATUS Active

LOCATION 2 miles Southwest of Eskdale, West Virginia

UNION _____ NON-UNION Yes

DAILY PRODUCTION _____ 818 tons

ANNUAL PRODUCTION TO DATE _____ 121,000 tons

TOTAL EMPLOYEES 10 NUMBER OF SHIFTS 3

NAME OF COAL BED Winifrede

SEAM THICKNESS 36"

ACCIDENT INCIDENT RATE 0 LOST TIME ACCIDENTS 0

TYPE OF HAULAGE Belt

WV OMHST INSPECTOR Clark Gillian

DATE OF LAST INSPECTION Regular inspection completed 6-7-02

NOTIFIED BY Lewis Shrewsbury, outside man

TIME OF NOTIFICATION 2:20 p.m. on August 12, 2002

CMSP – ANNIVERSARY DATE December 1, 2002

CMSP – CONTACT PERSON Ollie Burns, Jr., Vice President

CONTRACTOR INFORMATION

CONTRACTOR Island Fork Construction, Ltd.

MINE NAME Titan Mining, Inc., Laurel Fork Deep Mine

WV PERMIT C-2404P 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 2 miles Southwest of Eskdale, West Virginia

UNION _____ NON-UNION Yes

TOTAL EMPLOYEES 26

NUMBER OF SHIFTS 3

ACCIDENT FREQUENCY RATE 7.50 LOST TIME ACCIDENTS 11

WVOMHST INSPECTOR Clark Gillian

DATE OF LAST INSPECTION June 7, 2002

CMSP - ANNIVERSARY DATE February 15, 2003

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

VICTIM INFORMATION

NAME OF VICTIM Jason D. Moore

ADDRESS P. O. Box 337, Van, West Virginia 25206

AGE 23 SOCIAL SECURITY NUMBER [REDACTED]-5995

TOTAL MINING EXPERIENCE 6 months and 10 days

EXPERIENCE AT THIS MINE 6 months and 10 days

AVERAGE NUMBER OF DAYS WORKED PER WEEK 6

AVERAGE NUMBER OF HOURS WORKED PER WEEK 48 PER DAY 8

LENGTH OF SHIFTS AT MINE 8 hours TRAVEL TIME TO/FROM WORK 45 min.

OCCUPATION AT TIME OF ACCIDENT Continuous miner helper

REGULAR OCCUPATION Greaser

COAL MINER'S CERTIFICATION 3-13965

OTHER CERTIFICATIONS _____

SPOUSE'S NAME Rebecca Moore

DEPENDENTS Wife and one child

DATE OF ACCIDENT 12th DAY OF August, 2002

AT 1:45 CLOCK p.m.

CAUSE OF ACCIDENT: Mr. Jason D. Moore sustained fatal crushing injuries in No. 5 entry about forty feet outby survey station 408 when caught between a continuous miner boom and the mine roof. The continuous miner was being trammed out of the mine from No. 1 section, with Mr. Moore working as a helper.

DATE OF DEATH: 12th DAY OF August 2002

INVESTIGATION

The following persons were present during the on-site investigation conducted on August 12 and 13, 2002:

TITAN MINING, INC.

Clyde H. McComas, Jr.	President
Ollie Burns, Jr.	Vice President
Doran E. Bishop, Jr.	Foreman
Carl E. Lilly	Foreman

ISLAND FORK CONSTRUCTION, LTD.

Roger D. Ball, Sr.	Safety Director
William D. Williams	Electrician
Kevin Vincent	Electrician

CATENARY COAL CO.

Peter Lawson	President
Mark George	Personnel Director
Norris D. Dyer	Safety Specialist

MINE SAFETY AND HEALTH ADMINISTRATION

A. T. Castanon	Field Office Supervisor
Roger Richmond	Accident Investigator
Jon Braenovich	Roof Control Specialist / Mining Engineer
Marcus Smith	Electrical Inspector
Tom Cummings	Coal Mine Inspector

WV OFFICE OF MINERS' HEALTH, SAFETY AND TRAINING

Doug Conaway	Director
Gary S. Snyder	Inspector-at-Large
William A. Tucker	Assistant Inspector-at-Large
Randy Smith	Electrical Inspector
Mike Rutledge	Safety Instructor
Wayne Wingrove	Deep Mine Inspector
Clark Gillian	Deep Mine Inspector

INTERVIEWS

The following persons were present during the interviews conducted on August 13, 2002:

TITAN MINING, INC.

Clyde H. McComas, Jr.*	President
Ollie Burns, Jr.*	Vice President
Doran E. Bishop, Jr.*	Foreman
Carl E. Lilly*	Foreman
Steve Torrico	Director

ISLAND FORK CONSTRUCTION, LTD.

Roger D. Ball*	Safety Director
William D. Williams*	Electrician

MINE SAFETY AND HEALTH ADMINISTRATION

A.T. Castanon	Field Office Supervisor
Roger Richmond	Accident Investigator
Jon Braenovich	Roof Control Specialist/ Mining Engineer
Marcus Smith	Electrical Inspector
James Humphrey	Coal Mine Inspector
Kevin Dolinar	Technical Support
Jim Beha	Staff Assistant

WV OFFICE OF MINERS' HEALTH, SAFETY AND TRAINING

C. A. Phillips	Deputy Director
Gary S. Snyder	Inspector-at-Large
William A. Tucker	Assistant Inspector-at-Large
Clark Gillian	Deep Mine Inspector

*Denotes persons interviewed