

West Virginia Office of Miners' Health, Safety and Training

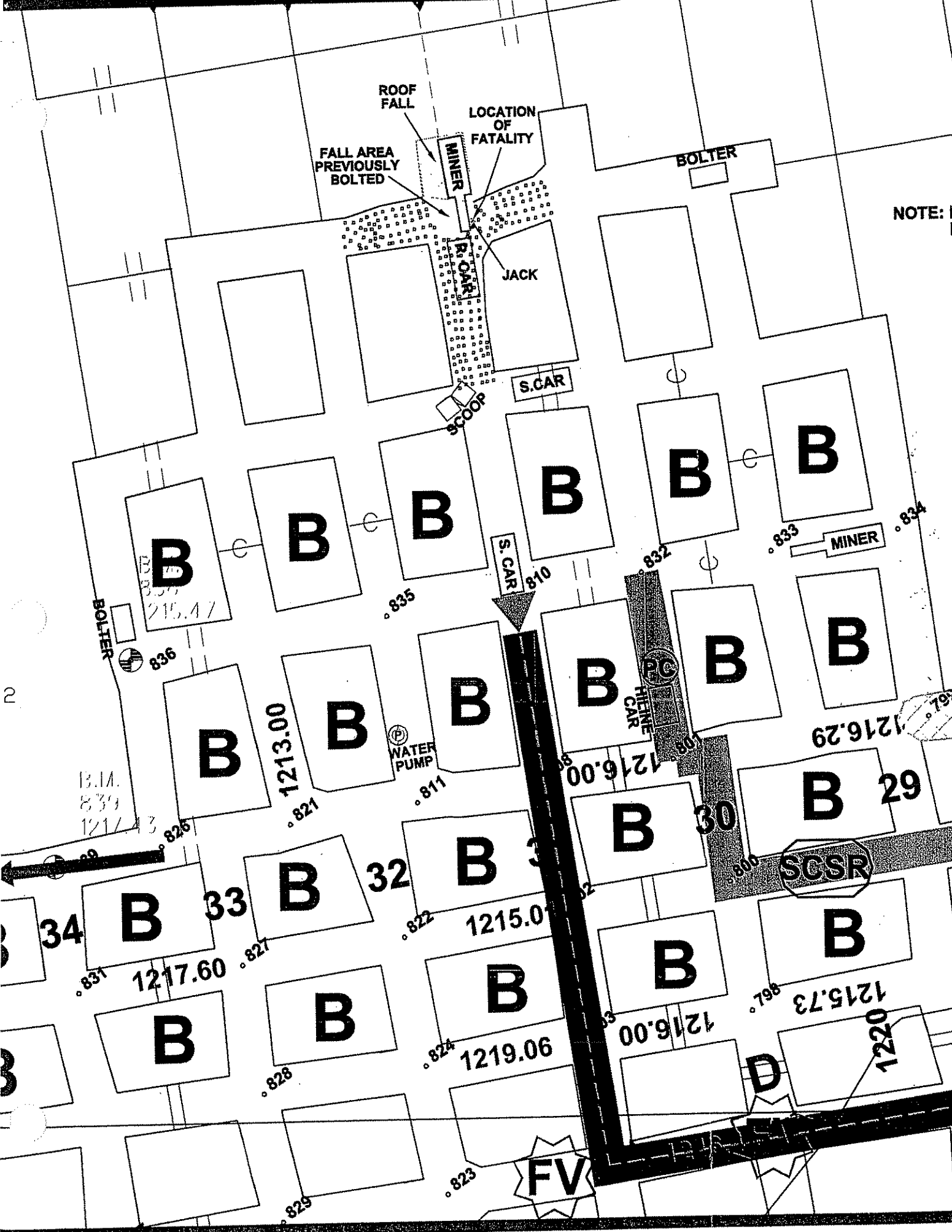
September 3, 2007

Roof Fall Fatality
Consol of Kentucky Inc.
Bronzite Mine
Permit No. U-5038-86B

Region Three – Danville Office
137 Peach Court, Suite 2
Danville, West Virginia 25053
Eugene White, Inspector-at-Large

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ROOF FALL
FALL AREA PREVIOUSLY BOLTED
LOCATION OF FATALITY
MINER

NOTE: EC NO

BOLTER

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S.CAR

SCOOP

S.CAR

HOME CAR

MINER

WATER PUMP

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ROOF FALL FATALITY
CONSOL OF KENTUCKY INC.
BRONZITE MINE
PERMIT NO. U-5038-86B

General Information

Consol of Kentucky Inc. received a mining permit for the Bronzite Mine on August 10, 2006. The mine employs forty-two people on three shifts. The mine utilizes a swing shift rotation each week for production employees on day and evening shift. The mine has one production section utilizing two continuous miners. Coal is being mined in the Coalburg seam. Transportation of personnel and supplies to the continuous miner section is by rubber-tired equipment.

An unplanned roof fall occurred on September 3, 2007 at the Bronzite Mine located near Williamson in Mingo County, West Virginia.

Mr. Brent Reynolds was fatally injured when an unplanned roof fall occurred in the face area of the No. 4 Entry. Mr. Reynolds expired as a result of crushing injuries received when struck by a roof fall.

Mr. Brent Reynolds, age 35, had been employed at the Bronzite Mine since it began in August of 2006. He had approximately twelve years of mining experience. Mr. Reynolds resided in Virgie, Kentucky and is survived by his wife, Cyrena.

Mr. Brent Reynolds received annual refresher training on February 6, 2007.

Mr. Brett Holbrook, assistant superintendent for the Bronzite Mine, notified Eugene White, Inspector-at-Large in Region 3 for the Office of Miners' Health, Safety and Training, at approximately 5:13 p.m. on September 3, 2007 of the roof fall and that a miner was seriously injured. An investigation was initiated immediately.

Description

Consol of Kentucky Inc. took over this mine in August of 2006. When they began mining, they mined from the existing portal entries to the right, establishing the Northwest Mains. These mains were driven some thirty-six hundred feet before mining limitations stopped them. As the Northwest Mains were driven, six future panel set-ups were mined to the right varying in depth from two to three cross-cuts deep. These panels were to be mined upon retreat. Prior to the accident, panels No. 5 and No. 6 had been mined and pillared. The Northwest Mains were also being pillared in conjunction with the panels.

On Saturday, September 1, 2007, retreat mining was halted in the Northwest Mains and the equipment was being moved to the No. 4 Panel. Prior to this move, cleaning and roof bolting activities had begun in the 4 Panel set-up. Although the roof in this area is primarily sandstone, shale does exist in areas with a thin rider seam often found between the shale and sandstone. This area was supported with four foot resin roof bolts with ten foot cable bolts supplementing the intersections where needed.

On September 3, 2007, the day shift began work at 7:00 a.m. and proceeded underground. They traveled by rubber-tired conveyance from the portal to the 4 Panel Section. The crew arrived on the section at approximately 7:30 a.m. Part of the crew was assigned to complete the installation of the belt conveyor system that was initiated by the third shift. Others on the crew were spot bolting on the section, while others were operating scoops to clean the section. When the belt installation was completed, operators returned to the continuous miner and shuttle cars. They began loading the extensive amount of gob that had been transferred to the face areas. The continuous miner began loading gob in the No. 2 entry, extreme left side of section, and continued across the other face areas.

Around 2:00 p.m. the first coal was mined. A full extended cut was taken in the cross-cut to the right from the face of the No. 6 entry. The continuous miner then moved to the face of the No. 5 entry and an extended cut was mined straight ahead. Upon completion of mining in the No. 5 entry, the continuous miner was trammed to the face of the No. 4 entry. The face of the No. 4 entry was being driven forward and approximately twenty to twenty-five feet had been mined when the evening shift arrived on the section. Upon arrival of the evening shift, the day shift crew immediately prepared to leave.

The evening shift crew had begun work at 4:30 p.m., after loading onto man trips, they proceeded from outside to the section, under the direction of section supervisor, Chuck Hylton, Jr. When they arrived on the section, each crew member then walked to their respective piece of equipment. Mr. Hylton traveled to the left side of the section and began making his examinations. When he arrived at the No. 4 entry, Mr. Reynolds was already there. As soon as he had completed his examination, he cleared Mr. Reynolds to begin and then made his way across the remainder of the section. Upon completing all of the faces, Mr. Hylton came back across to the No. 4 entry to speak with Mr. Reynolds. He states that when he returned to the face of the No. 4 entry, Mr. Reynolds was in a kneeling position operating the continuous miner. He stopped just to the left of Mr. Reynolds and was preparing to kneel down to discuss what the section mining looked like when the top fell, barely missing him.

Mr. Hylton stated that he could see that Mr. Reynolds had been struck and was pinned by a large section of rock. He immediately yelled for help and crew members began arriving. One crew member checked for a pulse but could not detect one. Others went to the section power center and obtained a lifting jack. The jack was placed under the rock several times before they could effectively lift the rock and recover Mr. Reynolds. One crew member was instructed to call outside and inform them of what had happened and have an ambulance in route. Mr. Reynolds was immediately loaded on a personnel carrier and transported to the surface.

Mr. Reynolds was transported by ambulance to the Williamson Memorial Hospital where he was pronounced dead at approximately 6:30 p.m.

Findings of Fact

1. The Bronzite Mine is owned and operated by Consol of Kentucky Inc.
2. Mining in the No. 4 Panel began on September 3, 2007.
3. Mining in the face of the No. 4 entry was initiated on the day shift.
4. Mr. Reynolds had loaded one shuttle car from the face of the No. 4 entry and was waiting on the second shuttle car when the fall occurred.
5. The face of the No. 4 entry had been mined approximately twenty-five feet deep.
6. The fall appears to have originated at the top end of the cut and fell outwards, pulling top three to four rows of bolts into the intersection.
7. The roof was bolted with four foot resin grouted roof bolts at the work location of Mr. Reynolds.
8. Mr. Reynolds was positioned between the third and fourth row of bolts outby the newly exposed roof when the fall occurred.
9. No unusual or abnormal roof characteristics or conditions were observed in the No. 4 face by the day shift or evening shift crew members questioned.
10. No contributing violations were issued as a result of this investigation.

Conclusion

Mr. Brent Reynolds, age 35, was fatally injured when he was struck by a roof fall. The roof fall originated in a newly mined area and traveled outby into the supported intersection. The fall was approximately nineteen feet wide and four to five feet high in the face area, the fall pulled roof supports as it approached the intersection. The fall traveled approximately fifteen feet into the intersection, involving three to four rows of roof bolts, before stopping. The depth of the fall varied from four to five feet in the face region, tapering to six to twelve inches in the intersection.

Recommendations

The following recommendations were offered by the company and agreed to by the West Virginia Office of Miners' Health, Safety and Training.

1. At the beginning of each newly mined cut of coal, a test hole will be drilled to a depth of ten feet. Additionally, while in the No. 4 Panel, a second test hole shall be drilled to a depth of ten feet in the last full row of bolts.
2. The minimum length of bolt will be a six foot, fully grouted resin roof bolt.
3. Prior to turning a new cross-cut, six cable bolts , ten foot in length, will be installed in each intersection over the location of the continuous miner.
4. When adverse roof conditions are encountered, the depth of the cut will be reduced to effectively control the roof.

Enforcement Action

There were no violations cited that contributed directly to the accident. A total of nine violations were issued during this investigation, these violations were not related to the accident.

Appendix

- Mine Information Sheet
- Victim Information Sheet
- Persons Present During Investigation

MINE INFORMATION

COMPANY Consol of Kentucky Inc.

MINE Bronzite Mine

WV PERMIT U-5038-86B MSHA PERMIT 46-08892

ADDRESS P. O. Box 830 Williamson, WV 25661

COUNTY Mingo PHONE NO. 304-235-0514

DATE PERMIT ISSUED 08/25/2006

WORKING STATUS Active

LOCATION Northstar Road off US 119

UNION _____ NON-UNION X

DAILY PRODUCTION 1,500 tons ANNUAL PRODUCTION TO DATE 329,166

TOTAL EMPLOYEES 42

NUMBER OF SHIFTS 2 production, 1 maintenance

COAL SEAM NAME AND THICKNESS Coalburg, 84 inches

ACCIDENT INCIDENT RATE _____ LOST TIME ACCIDENT 0

TYPE OF HAULAGE Belt

WVOMHST INSPECTOR Daniel Perry

DATE OF LAST INSPECTION 08/06/2007

NOTIFIED BY Brett Holbrook

NOTIFICATION TIME 5:13 p.m.

CMSP – ANNIVERSARY DATE 08/25/2007

CMSP – CONTACT PERSON John Goroncy

The following persons were present for the initial onsite investigation conducted on September 3, 2007.

Consol of Kentucky Inc.

Brett Holbrook	Assistant Superintendent
Clell Scarberry	General Mine Foreman
John Pack	Maintenance Supervisor

Mine Safety and Health Administration

Dennis Holbrook	Accident Investigator
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West Virginia Office of Miners' Health, Safety & Training

Eugene White	Inspector-at-Large
Dennie Ballard	Assistant Inspector-at-Large
Fred Newsome	District Inspector

The following persons were present during the underground investigation conducted on September 4, 2007.

Consol of Kentucky Inc.

John Goroncy	Superintendent
Brett Holbrook	Assistant Superintendent
Michael Sinozich	Safety Director
Clell Scarberry	General Mine Foreman
Ron Yates	Section Supervisor
Charles Bane	Safety Department
T. J. Morris	Geologist
Daniel SU	Geologist
Duffy Ferrell	Engineering Department
Mike Adams	Bocook Engineering
John Sadler	Bocook Engineering

Mine Safety and Health Administration

James R. Humphreys	Accident Investigator
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West Virginia Office of Miners' Health, Safety and Training

Terry Farley	Administrator
Steve Cox	Assistant Inspector-at-Large
Daniel Perry	District Inspector

Fred Newsome
Larry McKnight

District Inspector
District Inspector/Roof Control

The following persons participated in the interviews conducted on September 4, 2007.

Consol of Kentucky Inc.

Jack Richardson	General Manager – CAM, Inc.
John Goroncy	Superintendent
Michael Sinozich	Safety Director
Charles Bane	Safety Department
Mike Canada	Chief Inspector
Chester Burchett*	Electrician
Dennis Burke*	Roof Bolt Machine Operator
Ricky Webb*	Roof Bolt Machine Operator
Floyd Kevin Williams*	Roof Bolt Machine Operator
Greg Meade*	Scoop Operator
William Webb*	Ram Car Operator
Rodrick (Shawn) Johnson*	Continuous Miner Operator
Michael Vance, Jr.*	Shuttle Car Operator
Harmon Ellis, Jr.*	Beltman
Leroy Young*	Utility Man

*Denotes persons interviewed

Mine Safety and Health Administration

James R. Humphreys

Accident Investigator

West Virginia Office of Miners' Health, Safety and Training

Ronald L. Wooten	Director
Terry Farley	Administrator
Steve Cox	Assistant Inspector-at-Large
Daniel Perry	District Inspector
Fred Newsome	District Inspector

The following persons participated in an underground investigation conducted on September 5, 2007.

Consol of Kentucky Inc.

John Zachwieja	Vice President-Operations
Clell Scarberry	General Mine Foreman
Marshall Fugate	Safety Director
John Pack	Maintenance Supervisor

Mike Canada	Chief Inspector
T. J. Morris	Geologist
Daniel Su	Geologist

Mine Safety and Health, Administration

Robert Hardman	District Manager
Don Winston	Roof Control Specialist
Lee Barker, Jr.	Roof Control Specialist

West Virginia Office of Miners' Health, Safety and Training

Larry McKnight	District Inspector/Roof Control
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The following persons participated in interviews conducted on September 5, 2007.

Consol of Kentucky Inc.

John Goroncy	Superintendent
Brett Holbrook	Assistant Superintendent
Michael Sinozich	Safety Director
Clell Scarberry*	General Mine Foreman
Ron Yates*	Section Supervisor
Chuck Hylton, Jr.*	Section Supervisor
Sammy D. Walker*	Electrician
Tracy Dingess*	Roof Bolter Operator
Joe Crockett*	Scoop Operator
Jimmy Webb*	Shuttle Car Operator

*Denotes persons interviewed

Mine Safety and Health Administration

James R. Humphreys	Accident Investigator
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West Virginia Office of Miners' Health, Safety and Training

Ronald L. Wooten	Director
Terry Farley	Administrator
Steve Cox	Assistant Inspector-at-Large