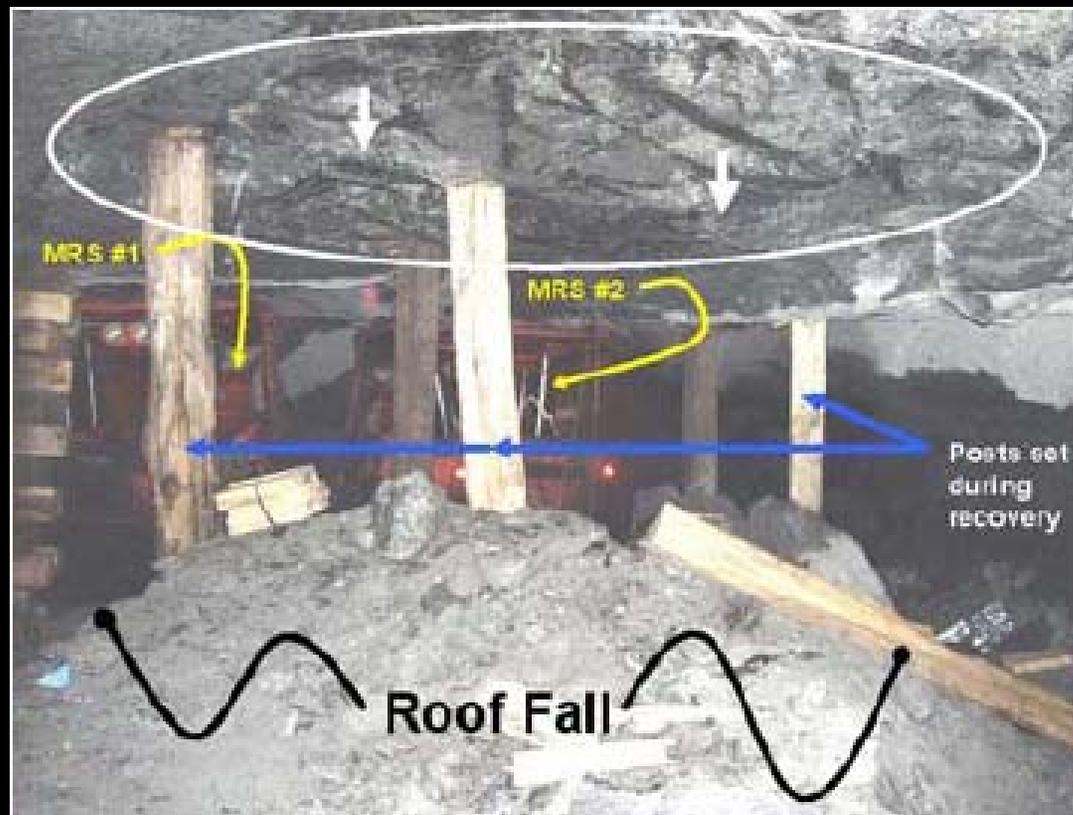


*This presentation is for illustrative and **general** educational purposes only and is not intended to substitute for the official MSHA Investigation Report analysis nor is it intended to provide the sole foundation, if any, for any related enforcement actions.*

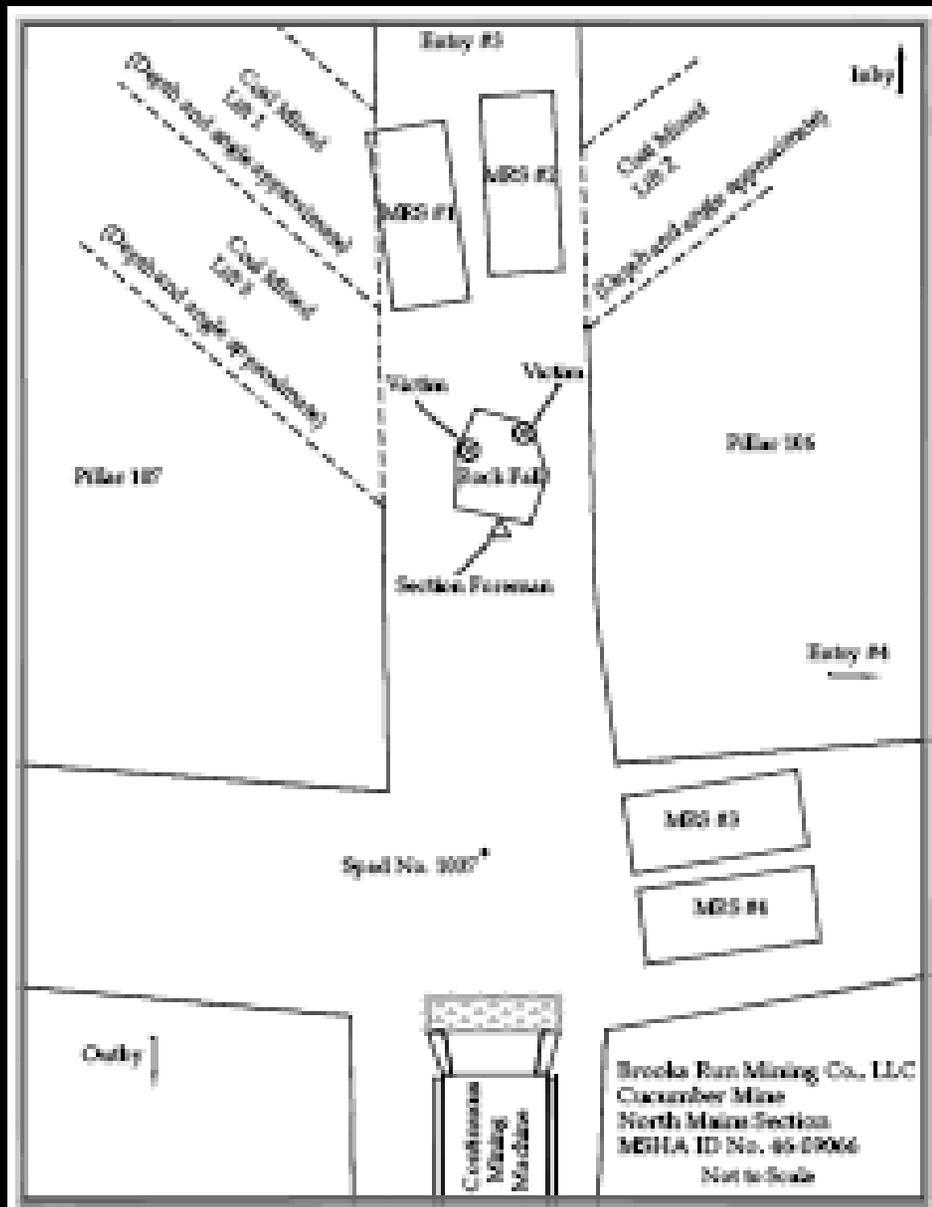
GENERAL INFORMATION

Coal Mine Fatal Accident 2007-02 & 03



Operator:	Brooks Run Mining Company, LLC
Mine:	Cucumber Mine
Accident Date:	January 13, 2007
Classification:	Fall of Roof
Location:	Dist. 4, McDowell County, West Virginia
Mine Type:	Underground Coal Mine
Employment:	138
Production:	6,000 Tons/Day

ACCIDENT DESCRIPTION



At approximately 10:40 a.m. on Saturday, January 13, 2007, two mobile roof support (MRS) machine operators, were fatally injured when a portion of the mine roof collapsed, pinning both individuals. The two victims had 12 years and 2.5 years of mining experience respectively. The miners were repositioning MRS machines after the completion of the third lift in the #3 entry while performing retreat mining on the North Section. The slicken-sided portion of the mine roof that collapsed measured approximately 8 feet in width by 9 feet in length and was up to 18 inches thick.

ROOT CAUSE ANALYSIS

Root Cause: Management allowed noncompliance with the roof control plan. Miners traveled inby a minimum safe distance of 20 feet outby the mobile roof support machines to approximately 15 feet. This was a location inby a previously mined portion of the adjacent coal pillar. While in this position, MRS #1 was lowered so that it was no longer pressurized against the mine roof.

Corrective Action: Retreat mining provisions were removed from the approved roof control plan, causing the mining of coal pillars in the mine to cease. Miners and management were retrained in the provisions of the approved roof control plan to ensure they were knowledgeable in the requirements of the plan.

ROOT CAUSE ANALYSIS

Root Cause: Miners exposed to retreat mining methods did not receive training in the health and safety aspects and safe operating procedures for work tasks, equipment, and machinery, and supervised practice during nonproduction. The required training and practice is essential to ensure that miners understand safe work procedures and are prepared to follow the safe work procedures outlined in the approved plan.

Corrective Action: Retreat mining provisions were removed from the approved roof control plan, and retreat mining has ceased, thereby removing miners from any exposure to hazards which may be presented during retreat mining.

ENFORCEMENT ACTIONS

§104(d)(1) Order, No. 7259200, was issued to Brooks Run Mining Company, LLC for a violation of 30 CFR 75.220(a)(1).

Condition or Practice:

The Mine Operator did not follow the approved roof control plan for mine ID 46-09066 on the North Mains Section (MMU-001/MMU-002).

The approved roof control plan states under subtitle, "Safety Precautions for Mobile Roof Supports", page 12a, item 7, "Except when performing maintenance, all personnel shall stay in a safe area (minimum distance of 20 feet from the mobile roof support machines) when the mobile roof support machines are being trammed or the shields are being raised or lowered." The Section Foreman, and two mobile roof support machine operators were not in a safe location and were located closer than the minimum safe distance of 20 feet from the MRS while the #1 mobile roof support machine was being trammed with the shield lowered. A slicken-sided portion of the mine roof collapsed causing the multi-fatality accident.

ENFORCEMENT ACTIONS

§104(g)(1) Order, No. 7259201, was issued to Brooks Run Mining Company, LLC for a violation of 30 CFR 48.7(a).

Condition or Practice:

Miners assigned to new work tasks as mobile roof support operators were attempting to perform those tasks without having been trained in all the safe operating procedures related to their assigned tasks.

The second sentence on page 12 of the approved roof control plan stated, "While coal is being mined, all other persons shall be in a safe location outby the last open break. Miners being interviewed stated that the mobile roof support machine operators, foreman, continuous mining machine helpers, and anyone else observing mining operations stayed in the last open cross cut while mining was being performed.

BEST PRACTICES

- Know and follow the approved pillaring procedures in the roof control plan.
- Conduct a thorough visual examination of the roof, face, and ribs immediately before any work is performed and thereafter as conditions warrant.
- Always be alert for geological changes so that slip planes, kettle bottoms, horsebacks or slicken-sided conditions are detected.
- Take additional actions and precautions when cracks or other roof abnormalities are detected.