

UNITED STATES
DEPARTMENT OF LABOR
MINE SAFETY AND HEALTH ADMINISTRATION
Metal and Nonmetal Mine Safety and Health

REPORT OF INVESTIGATION

Surface Nonmetal Mine
(Construction Sand & Gravel)

Striking or Bumping
June 12, 2015

Southworth-Milton Inc.
Hopkinton, Merrimack County, New Hampshire
Contractor I.D. No. KPH

at

Fillmore Industries Inc.
Fillmore Pit & Plant
Loudon, Merrimack County, New Hampshire
Mine I.D. No. 27-00222

Investigators

Matthew H. Mattison
Mine Safety and Health Inspector

Brian T. Righi
Mine Safety and Health Inspector

Denis Rickey
Mine Safety and Health Specialist (Training)

Originating Office
Mine Safety and Health Administration
Northeast District
178 Thorn Hill Rd., Suite 100
Warrendale, PA 15086-7573
Kevin H. Abel, Acting Northeast District Manager



OVERVIEW

On June 12, 2015, Laurence D. Yeaton, a service mechanic employed by Southworth-Milton Inc., age 66, bumped his head on an unknown object while attempting repairs on a haul truck. A company official found him later that day in the company's boneyard, in an unresponsive state and he was transported by emergency medical services to a local hospital where he died the next day.

GENERAL INFORMATION

Fillmore Industries Inc., a surface sand and gravel operation, owned and operated by Greg S. Fillmore, is located in Loudon, Merrimack County, New Hampshire. The principal operating official is Greg S. Fillmore, Owner/President. The mine typically operates one 10-hour shift, five days per week and employs 6 persons. A rubber-tired front-end loader is used to load construction sand and gravel into haul trucks to be transported to the processing plant. The material is crushed and sized to specifications. Finished products are sold as construction aggregate.

Southworth-Milton Inc. is a privately held company. The principal operating official is Chris Milton, Principal and President. The company has thirteen facilities located throughout the northeastern United States. The corporate headquarters is located in Milford, Worcester County, Massachusetts. Laurence D. Yeaton was a service mechanic employed by Southworth-Milton Inc. and was stationed at their facility in Hopkinton, New Hampshire. Southworth-Milton Inc. was contracted by Fillmore Industries Inc. to perform work at the mine on an as-needed basis; therefore, Yeaton had worked at the mine periodically for the past 32 years.

The Mine Safety and Health Administration (MSHA) completed the last regular inspection at this mine on November 24, 2014.

DESCRIPTION OF THE ACCIDENT

On June 12, 2015, Laurence D. Yeaton (victim) reported for work at 6:35 a.m., his usual starting time. Yeaton was instructed to perform repair work on several haul trucks to prepare them for sale. Yeaton began his shift by inflating the left front tire on one truck (CT 4). Afterward, Yeaton began replacing the auxiliary steering system jack shaft on a second truck (CT 8).

At approximately 9:30 a.m., Yeaton went to the breakroom for a coffee break. As he was exiting the breakroom, he spoke to Roland Ekstrom, Foreman. During the conversation, Yeaton mentioned that he had bumped his head (he did not mention what he had bumped it on) earlier in the day. He also mentioned that he needed a replacement jack shaft for the truck that he was working on. Replacing a jack shaft is accomplished by working underneath the truck. Yeaton believed that there was a suitable replacement jack shaft on another haul truck (CT 6) which was located in an area referred to as the boneyard. At about 10:45 a.m., Yeaton was observed traveling in his service truck toward the boneyard.

At approximately 1:00 p.m., Greg Fillmore, Owner/President, traveled to the boneyard to check on Yeaton. There he found Yeaton unresponsive, lying on the ground near the left front tire of his service truck. Fillmore rolled Yeaton onto his back and gave him two chest compressions. He then contacted the mine office and requested emergency assistance. At 1:14 p.m., emergency medical services arrived at the mine. Yeaton was transported to a local hospital where he was placed on a life support system. The next

day, June 13, 2015, Yeaton was removed from life support and died at 5:30 p.m. The cause of death was attributed to a subdural hematoma resulting from blunt force head trauma.

INVESTIGATION OF THE ACCIDENT

MSHA was notified of the accident at 3:50 p.m. on June 12, 2015, by a telephone call from Allen Ketchum, Scale Attendant, to the Department of Labor National Contact Center (DOL-NCC). The DOL-NCC notified Victor C. Lescznske, Supervisory Special Investigator, and an investigation was started the same day. An order was issued under provisions of Section 103(j) of the Mine Act. This order was later modified to Section 103(k) of the Mine Act after the arrival of an Authorized Representative at the mine site.

MSHA's accident investigation team traveled to the mine and conducted a physical inspection of the accident scene, interviewed employees, and reviewed documents and work procedures relevant to the accident. MSHA conducted the investigation with the assistance of mine management, employees, and state law enforcement. A list of persons participating in the accident investigation is included as Appendix A.

DISCUSSION

Location of the Accident

Although there were no witnesses to the accident, Yeaton mentioned that he had bumped his head while repairing the haul trucks but did not mention what he bumped his head on. The haul trucks were parked in a line across from the mine scale house. Yeaton was found at the boneyard which is located approximately 1/4 mile from the scale house. Both of these locations were dry and free of debris. The investigators found no hazards in either location that could have contributed to the accident.

Weather

On the day of the accident, weather conditions were clear and a temperature of approximately 75 degrees Fahrenheit. Sunrise was at 5:05 a.m. The investigators determined that the weather conditions and lighting were not contributing factors in the accident.

Physical Factors

The investigation focused on Yeaton's activities on the day of the accident. Based on information obtained through interviews and the physical inspection of the two areas where he worked, the investigators found no hazards that contributed to the accident. Evidence indicated that the victim struck his head during routine maintenance activities but no evidence on what object was indicated.

TRAINING AND EXPERIENCE

Laurence D. Yeaton (victim) had 42 ½ years of mining experience as a service mechanic including 32 years as the contract service mechanic at this mine. A representative of MSHA's Educational Field and Small Mine Services conducted an in-depth review of the training records for Yeaton. The records documented that he received all required training, including annual refresher training and site-specific hazard awareness training according to 30 CFR Part 46.

ROOT CAUSE ANALYSIS

The investigators conducted a root cause analysis and no specific root cause was identified.

CONCLUSION

The accident occurred while Yeaton was working on or underneath a haul truck causing him to strike his head on an undetermined object.

ENFORCEMENT ACTIONS

Issued to Fillmore Industries Inc.

Order No. 8914880 – Issued on June 13, 2015, under the provisions of Section 103(j) of the Mine Act. An Authorized Representative modified this order to Section 103(k) of the Mine Act upon arrival at the mine site:

An accident occurred at the ready line at 07:30 on 06/12/2015, when a contract mechanic struck his head. At approximately 13:00, the mechanic was found unconscious in the mine's boneyard located within the site. This order is issued to protect all persons in this operation. This order prohibits all personnel from entering the areas except for emergency personnel to enter these areas and equipment. The mine operator shall obtain prior approval from an authorized representative for all actions to recover and or restore operations in the affected areas.

The order was terminated June 16, 2015, when the investigation was completed.

Approved: _____

K. H. Abel

Kevin H. Abel
Acting District Manager

Date: _____

10.2.2015

LIST OF APPENDICES

Appendix A: List of Persons Participating in the Investigation

Appendix B: Victim Information

Appendix C: Photos of areas where victim was working prior to being found.

APPENDIX A

PERSONS PARTICIPATING IN THE INVESTIGATION

Fillmore Industries Inc.

Greg S. Fillmore	Owner/President
Roland Ekstrom	Foreman

Still Oaks Funeral Home

Thomas Petit	Owner/Director
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Mine Safety and Health Administration

Matthew H. Mattison	Mine Safety and Health Inspector
Brian T. Righi	Mine Safety and Health Inspector
Denis Rickey	Mine Safety and Health Specialist (Training)

APPENDIX B

VICTIM INFORMATION

Accident Investigation Data - Victim Information

U.S. Department of Labor
Mine Safety and Health Administration



Event Number:

Victim Information:

1. Name of Injured/Ill Employee: <i>Laurence D. Yeaton</i>		2. Sex: <i>M</i>	3. Victim's Age: <i>66</i>	4. Degree of Injury: <i>01 Fatal</i>	
5. Date (MM/DD/YYYY) and Time (24 Hr.) Of Death: <i>a Date: 06/13/2015 b Time: 17:30</i>			6. Date and Time Started: <i>a Date: 06/12/2015 b Time: 6:35</i>		
7. Regular Job Title: <i>104 Mechanic</i>		8. Work Activity when Injured: <i>039 Repairing Haul Truck</i>		9. Was this work activity part of regular job? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
10. Experience a. This		b. Regular		c. This	
Years	Weeks	Days	Years	Weeks	Days
<i>42</i>	<i>30</i>	<i>3</i>	<i>42</i>	<i>30</i>	<i>3</i>
11. What Directly Inflicted Injury or Illness? <i>127 Hitting Head</i>		12. Nature of Injury or Illness: <i>350 Subdural Hematoma</i>			
13. Training Deficiencies: Hazard: _____ New/Newly-Employed Experienced Miner: _____ Annual: _____ Task: _____					
14. Company of Employment: (if different from production operator) <i>Southworth-Milton Inc.</i> Independent Contractor ID: (if applicable) <i>KPH</i>					
15. On-site Emergency Medical Treatment: Not Applicable: _____ First-Aid: _____ CPR: _____ EMT: <input checked="" type="checkbox"/> Medical Professional: _____ None: _____					
16. Part 50 Document Control Number: (form 7C00-1)			17. Union Affiliation of Victim: <i>2501 Int Union Operating Engineers</i>		

APPENDIX C

PHOTOS OF AREAS WHERE VICTIM WAS WORKING PRIOR TO BEING FOUND



Figure 1 - Six haul trucks in line waiting for repairs.



Figure 2 - Haul truck (CT 8) victim was working on prior to going to "boneyard."



Figure 3 - Location of the jack shaft being replaced.



Figure 4 - Enlargement showing the jack shaft yoke assembly.



Figure 5 - Haul truck (CT 6) at boneyard