



**Fatality #26 – March 12, 2004**  
**(Determined to be Chargeable December 30, 2004)**  
**Machinery - Surface - WV**  
**Simmons Fork Mining, Inc. - Paynter Branch Surface Mine**

**Coal Mine Fatality** - On Friday, March 12, 2004, a tree cutter with five years experience was fatally injured while clear cutting trees for a surface mining operation. After completing the last cut to fell a tree, the tree began to fall but stopped. The victim noticed that it was leaning in the direction of an adjacent tree. When he realized the cut tree could fall into the adjacent tree and become lodged, he attempted to cut the adjacent tree. While in the process of cutting the adjacent tree, the cut tree fell and struck the victim.



**Best Practices**

- Conduct an evaluation of each step in the work process for potential hazards before starting work.
- Plan and clear a retreat path before felling is started.
- Conduct felling on the same level or upslope from previously felled trees on any slope where rolling or sliding of trees or logs is foreseeable.
- Do not work within two tree lengths of a danger tree, including any tree that has been cut but did not fall.
- Fell or remove danger trees using mechanical means only (e.g. use mobile equipment to knock down a danger tree).

This is the 26<sup>th</sup> fatality charged to the coal mining industry in calendar year 2004. As of March 12, there were 3 Machinery fatalities in 2004 compared to none in 2003.