

# Preliminary Report of Accident



1. Accident Type: Fatal Injury		2. Accident Classification Powered Haulage		3. Date/Time of Accident 02/19/2013 07:10 PM		4. Date/Time of Death 02/19/2013 08:50 PM		5. Fatal Case No 6			
6. Mine Information :											
a) Mining Company Name Affinity Coal Company, LLC			b) Mine Name Affinity Mine			c) Parent of Mining Company Metinvest B V					
7. Mine Location :		a) City Sophia		b) County Raleigh		c) State WV		8. Mine ID Number: 46-08878		9. Union: NO	
10. Primary Mineral Mined: BITUMINOUS COAL UNDERGROUN			11. Number of Mine Employees:		a) Total 212	b) Underground 195	c) Open Pit/Quarry		d) Mill/Prep Plant	e) Other 17	
12. Contractor Name:						13. Union		14. Contractor ID Number:			
15. Contractor Address:		a) City		b) County		c) State		d) Zip Code			
16. Number of Contractor Employees:		a) Total		b) Underground		c) Open Pit/Quarry		d) Mill/Prep Plant		e) Other	
17. Number of Persons in Mine at Time of Accident:					18. Number of Persons Unaccounted For:						
a) Mine Employees: 70		b) Contractor Employees: 0			a) Mine Employees: 0		b) Contractor Employees: 0				
19) Location of Accident								20. Mining Height:			
<input checked="" type="checkbox"/> 01-Underground	<input type="checkbox"/> 03-Open Pit		<input checked="" type="checkbox"/> 07-Advance Mining			<input type="checkbox"/> 30-Mill/Prep Plant		<input type="checkbox"/> Other (specify)		Feet	Inches
<input type="checkbox"/> 02-Surface at Underground	<input type="checkbox"/> 06-Dredge Mining		<input type="checkbox"/> 08-Retreat Mining			<input type="checkbox"/> 99-Office Facility				4	0
21. Nonfatal Injuries: 0		22. Fatal Injuries: 1									
23. Victim Information :				a) Name John Myles		b) Age 44					
c) Regular Job Title: Shuttle Car Operator				d) Activity at Time of Accident: Utility				<input checked="" type="checkbox"/> Mine Employee			
24. Experience :		Years Weeks Days		Years Weeks Days		Years Weeks Days		Years Weeks Days			
a) Total:		4 0 0		b) at the mine: 1 8 0		c) at activity (23d): 1 8 0		d) with Contractor			
25. Autopsy Performed: If Yes, Location						26. Mine Telephone No.: (304) 683-9097					

27. Description of Accident (include equipment involved, the exact location in the mine, and status of rescue and recovery operations):

At approximately 7:10 p.m., on Monday, February 19, 2013, a 44-year old shuttle car operator was fatally injured when he was pinned under a scoop's batteries. The accident occurred on the No. 3 section 002 mechanized mining unit. As he was shoveling the ribs in the 5 to 6 crosscut, a scoop backed into the area batteries first and pinned him under the batteries.

The information provided in this notice is based on preliminary data ONLY and does not represent final determinations regarding the nature of the incident or conclusions regarding the cause of the accident.

28. Equipment Manufacturer: Fairchild			29. Model: 35C-WHL				
30. District: C0400 Mt. Hope		32. Field Office: Mt. Hope WV			33. Event Number: 6292437		
34. Accident Investigator: Larry B. Hedrick			35. MSHA Person Notified: Lincoln L. Selfe		Date 02/19/2013		Time 07:26 A
36. Type of Report: Initial		37. Name of Preparer and Date Prepared Larry Hedrick				Date 02/20/2013	
38. Reason For Amendment:							