

Preliminary Report of Accident



1. Accident Type: Fatal Injury		2. Accident Classification Fall of Roof or Back		3. Date/Time of Accident 03/13/2013 04:55 PM		4. Date/Time of Death 03/13/2013 07:00 PM		5. Fatal Case No. 7							
6. Mine Information :															
a) Mining Company Name Newtown Energy, Inc.			b) Mine Name Peerless Rachel Mine			c) Parent of Mining Company Patriot Coal Corporation									
7. Mine Location :			a) City Comfort		b) County Boone		c) State WV		8. Mine ID Number: 46-09258	9. Union: NO					
10. Primary Mineral Mined: BITUMINOUS COAL UNDERGROUN			11. Number of Mine Employees:	a) Total 120	b) Underground 115	c) Open Pit/Quarry		d) Mill/Prep Plant	e) Other 5						
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 7	b) Underground 7	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: 30		b) Contractor Employees: 3			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				7	7					
21. Nonfatal Injuries: 0			22. Fatal Injuries: 1												
23. Victim Information :				a) Name Asa Fitzpatrick		b) Age 63									
c) Regular Job Title: Roof Bolter Operator			d) Activity at Time of Accident: Operating Roof Bolter				<input checked="" type="checkbox"/> Mine Employee								
24. Experience :	Years Weeks Days		Years Weeks Days		Years Weeks Days		Years Weeks Days								
a) Total:	40	0	0	b) at the mine:	0	41	0	c) at activity (23d)	0	41	0	d) with Contractor	0	0	0
25. Autopsy Performed: NO						26. Mine Telephone No.: (304) 513-0627									

27. Description of Accident (include equipment involved, the exact location in the mine, and status of rescue and recovery operations):
A 63-year old roof bolting machine operator, Asa Fitzpatrick, was fatally injured when he was struck by a large piece of roof rock while performing rib bolting activities in the 8 right crosscut on the No. 1 Section. The dimension of the rock that struck Fitzpatrick measured approximately 6' x 5.5' and averaged 5" thick.

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: Fletcher			29. Model: C-DDR-13-A		
30. District: C0400 Mt. Hope		32. Field Office: Madison WV			33. Event Number: 6298273
34. Accident Investigator: Daris L. Barker			35. MSHA Person Notified: Marty Carver		Date 03/13/2013
					Time 05:24 P
36. Type of Report: Initial		37. Name of Preparer and Date Prepared Daris L. Barker, Jr.			Date 03/14/2013
38. Reason For Amendment:					