

# Preliminary Report of Accident

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



PR001 06/20/2023

<b>1. Accident Type</b> F - Fatal Injury		<b>2. Accident Classification</b> 17 - Machinery		<b>3. Date/Time of Accident</b> 06/09/2023 1:30 PM		<b>4. Date/Time of Death</b> 06/09/2023 1:30 PM		<b>5. Fatal Case No</b> FAI-6412182-1		
<b>6. Mine Information</b>										
a) Mining Company Name:		NEV LLC								
b) Mine Name:		Advanced Restoration Technologies -1								
c) Parent of Mining Company:		Gerald D DeRossett et al								
<b>7. Mine Location Information</b>				<b>8. Mine ID Number</b>		<b>9. Union</b>				
a) City West Liberty		b) County Morgan		c) State KY		15-19846		No		
<b>10. Primary Mineral Mined</b> Bituminous				<b>11. Number of Employees</b>		c) Open Pit/Quarry		d) Mill/Prep Plant		
				a) Total 1		b) Underground 0		e) Other 1		
<b>12. Contractor Name</b> JD's Custom Transport, Inc.						<b>13. Contractor Union</b> No		<b>14. Contractor ID Number</b> C5402		
<b>15. Contractor Address</b>				c) State		d) Zip Code				
a) City Morris		b) County		IL		60450				
<b>16. Number of Contractor Employees</b>										
a) Total 3		b) Underground 0		c) Open Pit/Quarry 0		d) Mill/Prep Plant 0		e) Other 3		
<b>17. Number of Persons in Mine at Time of Accident</b>				<b>18. Number of Persons Unaccounted for</b>						
a) Mine Employees 1		b) Contractor Employees 3		a) Mine Employees 0		b) Contractor Employees 0				
<b>19. Accident Location</b> 00 - Other Parking area of reclaimed surface mine								<b>20. Mining Height</b> 0 Feet 0 Inches		
<b>21. Nonfatal Injuries</b> 0		<b>22. Fatal Injuries</b> 1								
<b>23. Victims Information</b>										
<b>John T Hillard</b>										
a) First Name John		a) MI T	a) Last Name Hillard		b) Age 35	c) Regular Job Title Over the Road Truck Driver		d) Activity at Time of Accident Rigging to Unload Tank from Trailer		Employee Contractor Employee
<b>24. Mining Experience</b>				b) Experience at the Mine		c) Experience at the Activity at the Time of the Accident		d) Experience with Contractor		
a) Total Experience 0 Years 0 Weeks 3 Days		0 Years 0 Weeks 3 Days		0 Years 6 Weeks 0 Days		0 Years 6 Weeks 0 Days				
<b>25. Autopsy Performed</b> Yes		If Yes, Location Frankfort, Kentucky								
<b>26. Mine Telephone No.</b> (859) 533-4721										
<b>27. Description of Accident (include equipment involved, the exact location in the mine, and status and recovery operations)</b> A contract truck driver died when he was struck by an excavator bucket. A contractor crew was using the excavator to assist in unloading a 10,000-gallon fuel tank from a lowboy trailer when the excavator bucket suddenly moved.  <i>The information provided in this notice is based on preliminary data ONLY and does not represent final determination regarding the nature of the incident or conclusions regarding the cause of the accident.</i>										
<b>28. Equipment Manufacturer</b> Kobelco				<b>29. Model</b> SK500LC-10						
<b>30. District</b> C0700 - Barbourville District				<b>32. Field Office</b> C0710 - Prestonsburg KY Field Office				<b>33. Event Number</b> 6412182		
<b>34. Accident Investigator</b>			MI		Last Name					
First Name David		A.		Faulkner						
<b>35. MSHA Person Notified</b>			MI		Last Name		Date/Time Notified			
First Name Michelle		Abner		06/09/2023 2:31 PM						
<b>36. Type of Report</b> Initial		<b>37. Name of Preparer</b>			Date Prepared					
		Full Name David A. Faulkner			06/09/2023					
<b>38. Reason for Amendment</b>										