

News Release



U.S. Department of Labor
Office of Public Affairs
Dallas, Texas
Release Number: 10-1679-DAL

For Immediate Release
Dec. 2, 2010
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MSHA settles with Oklahoma mine operator for \$375,000 ***Farrell-Cooper Mining Co. fined in 2007 death of truck driver at surface coal mine***

ARLINGTON, Va. – The U.S. Department of Labor’s Mine Safety and Health Administration today announced it has reached a settlement agreement with Farrell-Cooper Mining Co. in the 2007 death of an employee at its Rock Island Mine in Le Flore County, Okla. Farrell-Cooper has agreed to pay penalties totaling \$375,204 for seven citations issued in the wake of the fatality, including three flagrant violations.

On Nov. 16, 2007, Jack Ward, a 66-year-old truck driver, was fatally injured when the haulage truck he was operating backed over the edge of a spoil dump, where waste materials from the surface coal mine were deposited. The truck rolled 177 feet down the dump slope and came to rest upside down in a pool of water at the bottom of the pit. The cause of death was drowning. Just two weeks earlier, a similar accident occurred at the same mine when a truck nearly slid off the roadway, injuring the driver.

“New miners need to be properly trained to anticipate and avoid potentially deadly hazards in the workplace,” said Joseph A. Main, assistant secretary of labor for mine safety and health. “Furthermore, the mining environment needs to be properly inspected to detect unsafe conditions that can easily endanger miners, and proper safety measures must be in place to prevent accidents. Due to the mine operator’s failure to provide these protections, a miner tragically died.”

MSHA issued three flagrant violations to Farrell-Cooper, the first because it failed to provide Ward with new miner training. According to an MSHA “Certificate of Training” form filled out by the company, Ward received eight hours of new miner training on Nov. 2, 2007. However, the investigation revealed that he was at the mine site for only two hours that day, after which he left the mine for his pre-employment physical. Four days later, Ward began driving the haul truck. He was killed in the accident 10 days later.

A second flagrant violation was issued for failing to conduct shift examinations and identify hazardous conditions at the mine site. MSHA’s inspection revealed that 675 feet of elevated roadways and dump sites at the mine had deficient berms, which directly contributed to the fatal accident, as well as the lost-time injury accident two weeks earlier.

MSHA issued a third flagrant violation for not providing berms, bumper blocks, safety hooks or similar means to prevent overtravel and overturning at the pit spoil dump. Dump sites at the mine were missing 185 feet of berm, including the location where the fatal accident occurred.

MSHA also cited Farrell-Cooper for failing to provide sufficient illumination at the dump site, thereby preventing identification of the edges of the pit.

On Sept. 15, 2010, in U.S. District Court for the Eastern District of Oklahoma, mine superintendent Greg Bryce pled guilty to knowingly allowing miners to work without first receiving the required number of hours of introductory training in November 2007. The mine operator accepted all seven citations as written, except for one minor change, and agreed to pay 80 percent of the penalties as originally assessed.

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