

Preliminary Report of Accident



1. Accident Type: Fatal Injury		2. Accident Classification Machinery		3. Date/Time of Accident 11/02/2011 09:40 AM		4. Date/Time of Death 11/14/2011 04:15 PM		5. Fatal Case No 21		
6. Mine Information :										
a) Mining Company Name Nally & Hamilton Enterprises Inc			b) Mine Name Mill Branch			c) Parent of Mining Company Thomas R. Hamilton				
7. Mine Location :		a) City Evarts		b) County Harlan		c) State KY		8. Mine ID Number: 15-17821		9. Union: NO
10. Primary Mineral Mined: BITUMINOUS			11. Number of Mine Employees:		a) Total 10	b) Underground	c) Open Pit/Quarry 10	d) Mill/Prep Plant		e) Other
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: 10		b) Contractor Employees: 0			a) Mine Employees: 0		b) Contractor Employees: 0			
19) Location of Accident									20. Mining Height:	
<input type="checkbox"/> 01-Underground	<input checked="" type="checkbox"/> 03-Open Pit		<input 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					
21. Nonfatal Injuries: 0		22. Fatal Injuries: 1								
23. Victim Information :										
a) Name David J. Middleton				b) Age 28						
c) Regular Job Title: Bulldozer Operator				d) Activity at Time of Accident: Operating Bulldozer				<input checked="" type="checkbox"/> Mine Employee		
24. Experience :		Years Weeks Days		Years Weeks Days		Years Weeks Days		Years Weeks Days		
a) Total:	8	b) at the mine:	5	4	c) at activity (23d)	8	d) with Contractor			
25. Autopsy Performed: NO						26. Mine Telephone No.: (606) 337-9043				

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

While conducting reclamation work at the top of a graded slope, the operator appears to have lost control of the Caterpillar D6T dozer, overturned and rolled approximately 250 feet to the bottom of the slope. The injured employee has been air lifted to the hospital. Kentucky OMSL and MSHA personnel are on site conducting an accident investigation.

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: Caterpillar			29. Model: D6T Dozer, S/N SKL579D6T		
30. District: C0700 Barbourville		32. Field Office: Harlan KY		33. Event Number: 6425932	
34. Accident Investigator: David A. Faulkner			35. MSHA Person Notified: Robert W. Rhea		Date 11/02/2011
					Time 09:45 A
36. Type of Report: Amended		37. Name of Preparer and Date Prepared: David A. Faulkner			Date 11/02/2011

38. Reason For Amendment:

Injuries received in accident on 11/02/2011 by the victim have now resulted to be fatal on 11/14/2011.