

Preliminary Report of Accident



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|--|------------------|---|--|--|--|--|----------------------------------|--|---|---|
| 1. Accident Type: Fatal Injury | | 2. Accident Classification Powered Haulage | | 3. Date/Time of Accident 06/21/2012 11:21 AM | | 4. Date/Time of Death 06/21/2012 11:21 AM | | 5. Fatal Case No 9 | | |
| 6. Mine Information : | | | | | | | | | | |
| a) Mining Company Name T H Kinsella Incorporated | | | b) Mine Name Kinsella Quarry & Mill | | | c) Parent of Mining Company John J Kinsella | | | | |
| 7. Mine Location : a) City FAYETTEVILLE | | | b) County Onondaga | | c) State NY | 8. Mine ID Number: 30-01279 | | 9. Union: NO | | |
| 10. Primary Mineral Mined: CRUSHED & BROKEN LIMESTONE M | | 11. Number of Mine Employees: | a) Total 12 | b) Underground 0 | c) Open Pit/Quarry 6 | d) Mill/Prep Plant 2 | e) Other 4 | | | |
| 12. Contractor Name: | | | | | 13. Union | | 14. Contractor ID Number: ZZZ | | | |
| 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: 12 | | 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) | | |
| <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 | | Feet Inches | | |
| 21. Nonfatal Injuries: 1 | | 22. Fatal Injuries: 1 | | | | | | | | |
| 23. Victim Information : | | | | | | | | | | |
| a) Name Terry C. Johnson | | | b) Age 49 | | | | | | | |
| c) Regular Job Title: Customer | | | | d) Activity at Time of Accident: Driving Dump Truck | | | | | | <input checked="" type="checkbox"/> Contractor Employee |
| 24. Experience : | Years Weeks Days | | Years Weeks Days | | Years Weeks Days | | Years Weeks Days | | | |
| a) Total: | 0 | | b) at the mine: 0 | | c) at activity (23d) 0 | | d) with Contractor 0 | | 0 | |
| 25. Autopsy Performed: If Yes, Location YES Onondaga County Coroner | | | | | | 26. Mine Telephone No.: (315) 637-3390 | | | | |

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

The victim was driving a loaded dump truck down a grade when the truck went out of control. He jumped from the cab and was run over by the truck. A passenger also jumped from the cab and was treated and released from a hospital.

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.

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| 28. Equipment Manufacturer: Studebaker | | | 29. Model: Transtar | | |
| 30. District: M2000 Northeastern | | 32. Field Office: Geneva NY | | | 33. Event Number: 6569236 |
| 34. Accident Investigator: Matthew H. Mattison | | | 35. MSHA Person Notified: Dennis A. Yesko | | Date 06/21/2012 |
| | | | | | Time 11:43 A |
| 36. Type of Report: Amended | | 37. Name of Preparer and Date Prepared: Mike Hancher <i>mh</i> | | | Date 06/25/2012 |
| 38. Reason For Amendment: Items 14, 23(e) | | | | | |