

Preliminary Report of Accident

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



PR001 06/20/2023

1. Accident Type F - Fatal Injury		2. Accident Classification 17 - Machinery		3. Date/Time of Accident 06/09/2023 1:30 PM		4. Date/Time of Death 06/09/2023 1:30 PM		5. Fatal Case No FAI-6412182-1		
6. Mine Information										
a) Mining Company Name:		NEV LLC								
b) Mine Name:		Advanced Restoration Technologies -1								
c) Parent of Mining Company:		Gerald D DeRossett et al								
7. Mine Location Information				8. Mine ID Number		9. Union				
a) City West Liberty		b) County Morgan		c) State KY		15-19846		No		
10. Primary Mineral Mined Bituminous				11. Number of Employees		c) Open Pit/Quarry		d) Mill/Prep Plant		
				a) Total 1		b) Underground 0		e) Other 1		
12. Contractor Name JD's Custom Transport, Inc.						13. Contractor Union No		14. Contractor ID Number C5402		
15. Contractor Address				c) State		d) Zip Code				
a) City Morris		b) County		IL		60450				
16. Number of Contractor Employees										
a) Total 3		b) Underground 0		c) Open Pit/Quarry 0		d) Mill/Prep Plant 0		e) Other 3		
17. Number of Persons in Mine at Time of Accident				18. Number of Persons Unaccounted for						
a) Mine Employees 1		b) Contractor Employees 3		a) Mine Employees 0		b) Contractor Employees 0				
19. Accident Location 00 - Other Parking area of reclaimed surface mine								20. Mining Height 0 Feet 0 Inches		
21. Nonfatal Injuries 0		22. Fatal Injuries 1								
23. Victims Information										
John T Hilliard										
a) First Name John		a) MI T	a) Last Name Hilliard		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
24. Mining Experience				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				
25. Autopsy Performed Yes		If Yes, Location Frankfort, Kentucky								
26. Mine Telephone No. (859) 533-4721										
27. Description of Accident (include equipment involved, the exact location in the mine, and status and recovery operations) 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>										
28. Equipment Manufacturer Kobelco				29. Model SK500LC-10						
30. District C0700 - Barbourville District				32. Field Office C0710 - Prestonsburg KY Field Office				33. Event Number 6412182		
34. Accident Investigator										
First Name David		MI A.	Last Name Faulkner							
35. MSHA Person Notified										
First Name Michelle		MI	Last Name Abner		Date/Time Notified 06/09/2023 2:31 PM					
36. Type of Report Initial		37. Name of Preparer Full Name David A. Faulkner			Date Prepared 06/09/2023					
38. Reason for Amendment										