

# Preliminary Report of Accident

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



PR001 05/06/2025

<b>1. Accident Type</b> F - Fatal Injury		<b>2. Accident Classification</b> 05 - Falling, Rolling or Sliding Rock /Material		<b>3. Date/Time of Accident</b> 05/01/2025 9:36 AM		<b>4. Date/Time of Death</b> 05/01/2025 9:36 AM		<b>5. Fatal Case No</b> FAI-F00DFD4-1																																									
<b>6. Mine Information</b> <b>a) Mining Company Name:</b> SP Silica of Atascosa, LLC <b>b) Mine Name:</b> Signal Peak Silica of Atascosa <b>c) Parent of Mining Company:</b> Orchard Global Asset Management LLP																																																	
<b>7. Mine Location Information</b> <b>a) City</b> San Antonio <b>b) County</b> Atascosa <b>c) State</b> TX				<b>8. Mine ID Number</b> 41-05317		<b>9. Union</b> No																																											
<b>10. Primary Mineral Mined</b> Common Sand Mining				<b>11. Number of Employees</b> <b>a) Total</b> 106 <b>b) Underground</b> <b>c) Open Pit/Quarry</b> <b>d) Mill/Prep Plant</b> 106 <b>e) Other</b>																																													
<b>12. Contractor Name</b> Stout Excavating Group LLC						<b>13. Contractor Union</b> No		<b>14. Contractor ID Number</b> B7441																																									
<b>15. Contractor Address</b> <b>a) City</b> San Antonio <b>b) County</b> <b>c) State</b> TX <b>d) Zip Code</b> 78247																																																	
<b>16. Number of Contractor Employees</b> <b>a) Total</b> 28 <b>b) Underground</b> <b>c) Open Pit/Quarry</b> 28 <b>d) Mill/Prep Plant</b> <b>e) Other</b>																																																	
<b>17. Number of Persons in Mine at Time of Accident</b> <b>a) Mine Employees</b> 48 <b>b) Contractor Employees</b> 28				<b>18. Number of Persons Unaccounted for</b> <b>a) Mine Employees</b> 0 <b>b) Contractor Employees</b> 0																																													
<b>19. Accident Location</b> 03 - Open Pit								<b>20. Mining Height</b> Feet Inches																																									
<b>21. Nonfatal Injuries</b>		<b>22. Fatal Injuries</b> 1																																															
<b>23. Victims Information</b>																																																	
<table border="1"> <thead> <tr> <th colspan="10">Alan C Herrarte</th> </tr> </thead> <tbody> <tr> <td><b>a) First Name</b> Alan</td> <td><b>a) MI</b> C</td> <td><b>a) Last Name</b> Herrarte</td> <td><b>b) Age</b> 25</td> <td><b>c) Regular Job Title</b> Equipment Operator</td> <td><b>d) Activity at Time of Accident</b> Operating Excavator</td> <td colspan="4"><b>Employee</b> Contractor Employee</td> </tr> <tr> <td colspan="2"><b>24. Mining Experience</b> <b>a) Total Experience</b> 2 Years 28 Weeks Days</td> <td colspan="2"><b>b) Experience at the Mine</b> 2 Years 28 Weeks Days</td> <td colspan="2"><b>c) Experience at the Activity at the Time of the Accident</b> 1 Years 31 Weeks Days</td> <td colspan="4"><b>d) Experience with Contractor</b> 2 Years 28 Weeks</td> </tr> <tr> <td colspan="2"><b>25. Autopsy Performed</b> Yes</td> <td colspan="8"><b>If Yes, Location</b> Atascosa County, TX</td> </tr> </tbody> </table>										Alan C Herrarte										<b>a) First Name</b> Alan	<b>a) MI</b> C	<b>a) Last Name</b> Herrarte	<b>b) Age</b> 25	<b>c) Regular Job Title</b> Equipment Operator	<b>d) Activity at Time of Accident</b> Operating Excavator	<b>Employee</b> Contractor Employee				<b>24. Mining Experience</b> <b>a) Total Experience</b> 2 Years 28 Weeks Days		<b>b) Experience at the Mine</b> 2 Years 28 Weeks Days		<b>c) Experience at the Activity at the Time of the Accident</b> 1 Years 31 Weeks Days		<b>d) Experience with Contractor</b> 2 Years 28 Weeks				<b>25. Autopsy Performed</b> Yes		<b>If Yes, Location</b> Atascosa County, TX							
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<b>26. Mine Telephone No.</b> (346) 658-8384																																																	
<b>27. Description of Accident (include equipment involved, the exact location in the mine, and status and recovery operations)</b> A contract miner died after material from a tailings cell pushed the excavator he was operating off a bench, causing it to overturn and become engulfed with material.  <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> John Deere				<b>29. Model</b> 870																																													
<b>30. District</b> M5000 - Dallas District				<b>32. Field Office</b> M5611 - San Antonio TX Field Office				<b>33. Event Number</b> F00DFD4																																									
<b>34. Accident Investigator</b> <b>First Name</b> Thomas		<b>MI</b> J	<b>Last Name</b> Balch																																														
<b>35. MSHA Person Notified</b> <b>First Name</b> Steven		<b>MI</b>	<b>Last Name</b> Oates		<b>Date/Time Notified</b> 05/01/2025 9:42 AM																																												
<b>36. Type of Report</b> Initial		<b>37. Name of Preparer</b> <b>Full Name</b> Thomas J Balch			<b>Date Prepared</b> 05/01/2025																																												
<b>38. Reason for Amendment</b>																																																	