

**UNITED STATES
DEPARTMENT OF LABOR
MINE SAFETY AND HEALTH ADMINISTRATION**

Metal and Nonmetal Mine Safety and Health

REPORT OF INVESTIGATION

**Surface Nonmetal Mine
Sand and Gravel**

**Fatal Fall of Person Accident
November 17, 2014**

**Irving Materials, Inc.
IMI Plymouth Sand and Gravel
Plymouth, Marshall County, Indiana
Mine I.D. No. 12-00716**

Investigators

**Christopher D. Webster
Mine Safety and Health Inspector**

**Originating Office
Mine Safety and Health Administration
North Central District
515 West First Street, Room 323
Duluth, MN 55802 -1302
Christopher A. Hensler, District Manager**



OVERVIEW

On November 17, 2014, Robert A. Fleenor, Jr., Truck Driver, age 63, while descending the haul truck ladder, missed the last rung and ultimately landed on the ground. Fleenor reported the incident to co-workers later that morning at around 6:15 a.m. At approximately 9:30 a.m., Fleenor reported to his co-workers that he was not feeling well. A co-worker subsequently checking on him discovered him unresponsive in the cab of his truck. He was transported to a hospital and airlifted to a regional medical facility for specialized care. Mr. Fleenor died from his injuries on November 27, 2014.

On March 13, 2015, the Mine Safety and Health Administration (MSHA) referred the accident to the Chargeability Review Committee. On April 13, 2015, the Chargeability Review Committee determined that this death should be charged to the mining industry. The autopsy report indicated that the manner of death was accidental and the cause of death was a left cerebral infarction due to left subdural hematoma.

GENERAL INFORMATION

IMI Plymouth Sand and Gravel is a surface sand and gravel operation located in Plymouth, Indiana, owned and operated by Irving Material, Inc. The principle operating official is Terry B. Smith, Area Manager. The mine operates one 8-hour shift per day, five days per week. Total employment is 6 persons.

Sand and gravel is mined from an open pit by an excavator and then loaded onto haul trucks. The material is then transported to the plant for crushing, sizing, washing, and stockpiling. The final product is loaded by front end loaders into the customer trucks. The finished product is sold for use in the construction trades.

MSHA completed the last regular inspection at this mine on October 30, 2013.

DESCRIPTION OF ACCIDENT

On the day of the accident, November 17, 2014, Robert A. Fleenor, Jr. (victim) arrived at the mine at approximately 5:50 a.m. and went to start and warm up his haul truck prior to the start of his 6:00 a.m. shift. Upon leaving the haul truck he missed the last rung of the ladder while dismounting and hit the front tire before finally striking his head on the ground.

At approximately 6:15 a.m., during a conversation with Daniel Ingram, Excavator Operator, Fleenor mentioned having fallen that morning when he missed the last rung, hit the front tire, and ultimately struck his head on the ground. Ingram stated that Fleenor down played the incident and he said he would be okay.

The work day progressed and several trucks were loaded from the pit without incident. At approximately 8:45 a.m., Fleenor hadn't moved his truck. Todd Bucher, Plant Manager, approached him and found him complaining of not feeling well. Bucher returned again later, around 9:00 a.m. and Fleenor seemed confused. When Bucher asked Fleenor if he would like for him to call his wife and have her pick him up, he stated he may do that. Bucher told Fleenor he'd come back and check on him again.

At approximately 9:30 a.m., Fleenor didn't back his truck up for loading and reported on the CB radio needing a minute and that he was light headed. Dan Barth, loader operator, then went to check on Fleenor and discovered him in need of medical assistance and radioed Bucher and Ingram for help. Bucher responded to the scene and called for 911 assistance.

Emergency responders arrived and performed Cardiopulmonary Resuscitation. Fleenor was transported to a regional hospital, stabilized, and then flown to Fort Wayne, Indiana, for specialized care. He died of his injuries on November 27, 2014.

INVESTIGATION OF THE ACCIDENT

MSHA was notified of the accident by a telephone call at 2:23 p.m. on November 17, 2014, from Walt Tharp, Safety Director, to Lawrence King, Supervisory Mine Safety and Health Inspector and an investigation was started the following day.

MSHA's accident investigator traveled to the mine site, conducted a physical inspection of the accident scene, interviewed employees, and reviewed work procedures relevant to the accident. MSHA conducted the investigation with the assistance of the mine management and employees.

DISCUSSION

Location

The accident occurred at the north side of the shop where the trucks are typically parked and electric heater outlets are located. Illumination in the area provided ample visibility. The parking surface was free of any hazards.

No witnesses observed Fleenor fall from his haul truck.

Equipment

The truck involved in this accident was a Terex, model 3307, haul truck, company unit number 3. The ladder accessing the truck cab was two sections. The lower ladder section hung from the truck's front left chassis, forward of the front tire. The lower ladder design afforded accessibility while providing ground clearance capabilities. The lower ladder section had two rungs. The lowest rung measured 21 inches above the ground. The second section of the ladder was fixed to the haul truck radiator shroud. The entire ladder system was of original manufacturer design and maintained free of defects.

Weather

On the morning of the accident the weather was clear and the temperature was between 15 and 20 degrees Fahrenheit. Weather conditions was not deemed a factor in the accident.

Medical Analysis and Findings

An autopsy was performed and the results indicated that the manner of death was accidental and that the cause of death was a left cerebral infarction due to left subdural hematoma.

TRAINING and EXPERIENCE

Robert A Fleenor, Jr. had 12 years, 27 weeks of mining experience operating trucks all at this mine. The investigator conducted an in-depth review of the of the operator's training records. Fleenor's training records, provided by the mine operator, were examined and found to be in compliance with MSHA training requirements.

CONCLUSION

On March 13, 2015, the Mine Safety and Health Administration (MSHA) referred the accident to the Chargeability Review Committee. On April 13, 2015, the Chargeability Review Committee determined that this death should be charged to the mining industry. The autopsy report indicated that the manner of death was accidental and the cause of death was a left cerebral infarction due to left subdural hematoma.

Approved by:

Date:

Chris Hensler
District Manager
North Central District

APPENDIX A

Persons Participating in the Investigation

Irving Materials, Inc.

Todd Bucher	Plant Manager
Dan Barth	Loader Operator
Daniel Ingram	Excavator Operator

Allen County Coroner

Scott A. Wagner, M.D.	Forensic Pathologist
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Mine Safety and Health Administration

Christopher D. Webster	Mine Safety and Health Inspector
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APPENDIX B

Victim Information: 1																
1. Name of Injured/III Employee: <i>Robert A. Fleenor</i>				2. Sex <i>M</i>		3. Victim's Age <i>63</i>				4. Degree of Injury: <i>01 Fatal</i>						
5. Date (MM/DD/YY) and Time (24 Hr.) Of Death: <i>a. Date: 11/27/2014 b. Time: 13:45</i>								6. Date and Time Started: <i>a. Date: 11/17/2014 b. Time: 5:50</i>								
7. Regular Job Title: <i>176 Truck Driver</i>				8. Work Activity when Injured: <i>023 Climbing down from truck</i>				9. Was this work activity part of regular job?				Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>				
10. Experience		Years	Weeks	Days	b. Regular Job Title		Years	Weeks	Days	c. This Mine		Years	Weeks	Days	d. Total Mining	
a. This Work Activity		12	27	2			12	27	2			12	27	2	12 27 2	
11. What Directly Inflicted Injury or Illness? <i>010 Concrete floor</i>								12. Nature of Injury or Illness: <i>350 Cerebral Infarction</i>								
13. Training Deficiencies:																
Hazard:		New/Newly-Employed				Experienced Miner:				Annual:		Task:				
14. Company of Employment: (If different from production operator) <i>Operator</i>																
Independent Contractor ID: (if applicable)																
15. On-site Emergency Medical Treatment:																
Not Applicable:		First-Aid:		CPR:		EMT:		X		Medical Professional:				None:		
16. Part 50 Document Control Number: (form 7000-1) <i>220143280053</i>								17. Union Affiliation of Victim: <i>2678 Operators Union</i>								