

UNITED STATES  
DEPARTMENT OF LABOR  
MINE SAFETY AND HEALTH ADMINISTRATION  
Metal and Nonmetal Mine Safety and Health

REPORT OF INVESTIGATION

Surface Nonmetal Mine  
(Industrial Sand)

Fatal Slip or Fall of Person Accident  
November 26, 2014

Pabian Enterprises LLC  
Contractor I.D. No. A 9670

at

U S Silica Company  
Ottawa Plant  
Ottawa, LaSalle County, Illinois  
Mine I.D. No. 11-01013

Investigators  
James A. Hines  
Mine Safety and Health Inspector

Jeffery P. Washkowiak  
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 Hensler, District Manager



## OVERVIEW

Daniel J. Pabian, Contract Maintenance Repairman, age 58, was fatally injured at Pabian Enterprises LLC's Ottawa Plant on November 26, 2014. Pabian was assisting in the installation of an overhead electric hoist. The accident occurred when the victim fell from a ladder, striking a steel guard to the water pump drive belts and sheave, and then continued to fall onto the cement floor below. The ladder being used was a 12-foot portable step ladder erected on a level cement floor. The victim fell from the lower rungs of the ladder.

On April 20, 2015, the Mine Safety and Health Administration (MSHA) referred the accident to the Chargeability Review Committee (CRC). On July 14, 2015, the CRC determined that this death should be charged to the mining industry. The death certificate and autopsy report both indicated that the manner of death was accidental and the cause of death was a cervical spinal fracture due to a fall from a ladder.

## **GENERAL INFORMATION**

Ottawa Plant is a surface industrial sand mine owned and operated by U.S. Silica Company located in Ottawa, LaSalle County, Illinois. The principal operating official is Patrick Smelko, Plant Manager. The mine operates two 12 hour-shifts per day, 7 days a week with alternating shifts working the weekends. Total employment is 179 employees.

The sandstone formation is drilled and then blasted. After blasting the sand is then turned into a slurry and pumped to the finish plant for washing, drying, and sizing. Finished products are sold for use in glass or counter top manufacturing and to the oil and gas industry as a fracking product.

U.S. Silica Company contracted Pabian Enterprises, LLC to perform maintenance and installation of overhead electrically powered hoists at the mine. Pabian Enterprises, LLC, is based in Oglesby, Illinois. At the time of the accident, there were four Pabian Enterprises employees working at the mine site. The principal operating official is Steven Pabian, owner, Pabian Enterprises, LLC.

The Mine Safety and Health Administration (MSHA) completed the last regular inspection of this operation on November 17, 2014.

## **DESCRIPTION OF ACCIDENT**

On the day of the accident, Daniel J. Pabian (victim) reported to the Pabian Enterprises, LLC shop in Oglesby, Illinois at 6:30 a.m., which was his normal starting time. After receiving the day's instructions from his supervisor, the victim traveled to the Ottawa Plant mine site with Bruce Patterson and Jonathon Koniacky, both maintenance/repairmen.

These three men reached the mine at approximately 7:15 a.m. and met Steve Pabian, owner of Pabian Enterprises, LLC, who had driven separately. As they arrived, work began at the #7 Relay Pump Station installing an overhead electric hoist. Work progressed normally through the early morning.

At approximately 11:00 a.m., Steve Pabian left the #7 Pump House to check conditions on #8 Pump House.

At approximately 11:05 a.m., Koniacky was working on the overhead hoist from the top of a step ladder. Daniel Pabian bent over to retrieve a wrench on the pump house floor and then began climbing up the first couple of rungs of the same ladder to hand Koniacky the tool. Patterson, who was standing nearby, watched Daniel Pabian climb the ladder rungs and then fall backwards unexpectedly, as if he made no attempt to catch himself or control the fall. During the fall, Pabian struck his head on a steel guard to the water pump drive belts and sheave. He landed on the concrete pump house floor.

At approximately 11:10 a.m., Patterson called Steve Pabian to inform him that Daniel Pabian had fallen. Patterson and Steve Pabian then both contacted 911 operators for emergency assistance. After calling 911, Steve Pabian went to the mine gate so he could direct emergency responders to the scene. Patterson relayed 911 dispatcher instructions to Koniecky so cardiopulmonary resuscitation (CPR) could be administered.

Emergency medical services arrived, continued CPR, and transported the victim to a local hospital, where he was later pronounced dead. The cause of death was attributed to cervical spinal fracture, with a contributing factor being coronary atherosclerosis.

## **INVESTIGATION OF ACCIDENT**

On November 26, 2014, at 12:41 p.m., MSHA was notified of the accident by a telephone call made by U.S. Silica's Environmental Health and Safety Manager, Kent Purcell. The Department of Labor's National Contact Center then notified Christopher Hensler, MSHA's North Central District Manager, and an investigation was begun the same day.

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

## **DISCUSSION**

### **Location of the Accident**

The accident occurred at U S Silica's Ottawa Plant, at the # 7 Pump Relay Station. The floor was level, clear of debris, and no slip or trip hazards were revealed. The ladder was a 12-foot portable step ladder. The ladder was in good condition, free of any hazards which might have contributed to the accident.

### **Weather**

At the time of the accident the temperature outside was 26 degrees and was not deemed a contributing factor in the accident.

### **Medical Analysis and Findings**

An autopsy was performed and the results indicated that the manner of death was an accidental fall from a ladder and that the cause of death was a cervical spinal fracture. The death certificate also listed coronary atherosclerosis as a significant condition contributing to death, but not an underlying cause of death.

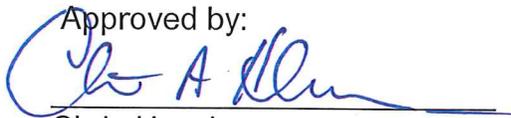
### Training and Experience

Daniel Pabian (victim) had a total of 25 years of experience as a maintenance/repairman. He had been working for Pabian Enterprises LLC for 9 months and had received Part 46 New Miner Training. He had also received site specific hazard awareness training given by U S Silica when work began at the Ottawa Plant.

### **CONCLUSION**

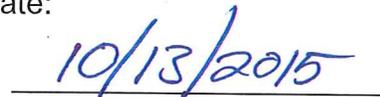
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Approved by:



Chris Hensler  
District Manager  
North Central District

Date:



## APPENDIX A

### Persons Participating in the Investigation

#### U S Silica Company

Pat Smelko	Plant Manager
Kent Purcell	Environmental Health and Safety Manager
Daniel Smith	Operations Manager
Zack Zmudka	Environmental Health and Safety Coordinator
Brad Ruger	Alternate Miners Representative
Trevor Clayton	Shift Foreman
Lyle Piecha	Shift Foreman

#### Pabian Enterprises LLC

Steve Pabian	Owner
Bruce Patterson	Maintenance/repairman
Jonathon Konieczki	Maintenance/repairman

#### LaSalle County Coroner's Office

Bill Wujek	Chief Deputy Coroner
Mitra Kalelka, M.D.	Forensic Pathologist

#### Mine Safety and Health Administration

James Hines	Mine Safety and Health Inspector
Jeffery Washkowiak	Mine Safety and Health Inspector

## APPENDIX B

Victim Information: 1

1. Name of Injured/Ill Employee: <i>Daniel J. Pabian</i>			2. Sex <i>M</i>	3. Victim's Age <i>58</i>			4. Degree of Injury: <i>01 Fatal</i>				
5. Date (MM/DD/YY) and Time (24 Hr.) Of Death: <i>a. Date: 11/26/2014      b. Time: 12:01</i>				6. Date and Time Started: <i>a. Date: 11/26/2014      b. Time: 06:00</i>							
7. Regular Job Title: <i>004 Mechanic/Repairman</i>			8. Work Activity when Injured: <i>039 Maintenance/Repair</i>			9. Was this work activity part of regular job? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>					
10. Experience			Years			Weeks			Days		
a. This Work Activity			25			0			0		
b. Regular Job Title			0			36			0		
c. This Mine			0			12			0		
d. Total Mining			0			12			0		
11. What Directly Inflicted Injury or Illness? <i>071 Ladder</i>				12. Nature of Injury or Illness: <i>220 Cervical Fracture</i>							
13. Training Deficiencies:											
Hazard:		<input type="checkbox"/>		New/Newly-Employed Experienced Miner:		<input type="checkbox"/>		Annual:		<input type="checkbox"/>	
14. Company of Employment: (If different from production operator) <i>Pabian Enterprises LLC</i>											
Independent Contractor ID: (if applicable) <i>A9670</i>											
15. On-site Emergency Medical Treatment:											
Not Applicable:		<input type="checkbox"/>		First-Aid:		<input checked="" type="checkbox"/>		CPR:		<input checked="" type="checkbox"/>	
				EMT:		<input checked="" type="checkbox"/>		Medical Professional:		<input type="checkbox"/>	
								None:		<input type="checkbox"/>	
16. Part 50 Document Control Number: (form 7000-1) <i>220143390019</i>				17. Union Affiliation of Victim: <i>9999 No Union Affiliation</i>							