

# FATAL ACCIDENT: August 2009

## Customer Pinned Between Truck and Excavator

On August 18, 2009, a customer was seriously injured at a sand and gravel mine in Virginia and later died from his injuries on August 22, 2009. The customer, who was a local farmer, drove his “Farm Use Only” truck into the loading area of the pit to pick up a load of sand for use on his farm. After backing up to within 15 feet of the mine excavator, the customer got out of his truck without turning it off or taking any measures to prevent it from moving, and walked over to the excavator to place his order. While he was talking to the excavator operator, the truck rolled backwards, striking and pinning him between the side of the excavator and the rear of the truck. The man was air-lifted to a local hospital where he died four days later from blunt force trauma injuries to his abdomen, chest and neck.

The Virginia Division of Mineral Mining (DMM) issued a notice of violation (NOV) to the mine operator for failing to notify DMM of the accident immediately and securing the accident scene as required by law, 45.1-161.292:51.A, and by regulation, 4VAC25-40-50. Another NOV was issued because the mine’s safety training plan did not include hazard training for customers and others entering the mine property (45.1-161.292:73.A).

### CONCLUSIONS/RECOMMENDATIONS:

DMM determined that this accident occurred because:

- The victim parked on a grade and left his vehicle unattended without setting the brake or blocking it to prevent it from moving.
- The victim placed himself in a dangerous position (effectively a pinch point) between two pieces of mobile equipment.

To prevent a similar accident from occurring, DMM recommends:

- Vehicles/mobile equipment must not be left unattended unless the brakes are set and, when on a grade, the wheels shall be blocked or turned into a bank (4VAC25-40-1510).
- Persons on the ground must remain clear of mobile equipment (4VAC25-40-1600).
- Mine operators must ensure that all persons entering the mine site receive hazard training.
- In operations like this, a safety berm should be constructed between the excavator and the truck loading area to act as a stop block preventing the excavator and trucks from coming into contact and creating a pinch point.



Accident scene after the victim had been removed