

# News Release



U.S. Department of Labor  
Office of Public Affairs  
Washington, D.C.  
Release Number: 10-1464-NAT

For Immediate Release  
Oct. 19, 2010  
Contact: Amy Louviere  
Phone: 202-693-9423

## **MSHA issues more than 550 violations during September impact inspections** *No letup in surprise mine visits, phone seizures by federal inspectors*

**ARLINGTON, Va.** – The U.S. Department of Labor’s Mine Safety and Health Administration today announced that federal inspectors issued 499 citations, 61 orders and three safeguards during special impact inspections conducted at 15 coal and 15 metal/nonmetal mine operations last month.

These concentrated inspections, which began in force last April following the explosion at Upper Big Branch Mine, target mines that merit increased agency attention and enforcement due to their poor compliance history or particular compliance concerns, including high numbers of violations or closure orders; indications of operator tactics, such as advance notification of inspections that prevent inspectors from observing violations; frequent hazardous complaints or hotline calls; plan compliance issues; inadequate workplace examinations; a high number of accidents, injuries or illnesses; fatalities; and adverse conditions such as increased methane liberation, faulty roof conditions and inadequate ventilation.

During this most recent round of impact inspections, MSHA coal inspectors issued 275 citations, 53 orders and three safeguards, while metal/nonmetal inspectors issued 224 citations and eight orders.

“We are continuing to find serious threats to miners’ safety and health,” said Joseph A. Main, assistant secretary of labor for mine safety and health. “While some operators are finally getting the message, others are not,” he said, referencing the Sept. 28 impact inspection at Elk Run Coal Co.’s Seng Creek Powellton Mine, in which MSHA issued 11 closure orders when inspectors found the mine operating without proper ventilation. Such practices can lead to mine explosions and black lung disease.

The Sapphire Coal Co., Advantage No.1 Mine in Letcher County, Ky., is an example of a mine where violations were found. On Aug. 31 and Sept. 1, MSHA inspectors conducted a targeted conveyor belt inspection at the mine. After capturing the mine phone, inspectors issued 42 citations, eight orders and one safeguard. Among the violations was an order issued for the misalignment of a conveyor belt. This condition, if uncorrected, could have led to a mine fire. Seven of the orders and seven citations were issued for accumulations of combustible materials which, if left unchecked and in concert with other conditions, could potentially cause a mine fire or explosion.

On Sept. 9, an inspection party arrived during the evening shift at Left Fork Mining Co. Inc.’s Straight Creek #1 Mine in Bell County, Ky. They captured and monitored the phones to ensure that no advance notification was relayed to miners underground. (This mine was cited for notifying mining personnel that MSHA inspectors were on site during a previous impact inspection last April and subsequently received an injunction in federal court.)

-- more --

## US DEPARTMENT OF LABOR NEWS RELEASE – PAGE 2

Inspectors issued 28 citations and 11 orders for violations of the operator's roof control plan, not maintaining equipment, improper guarding, electrical infractions and permissibility (which protects against mine explosions). Violations also were issued for inadequate examinations, lack of ventilation controls, not following the mine ventilation plan, accumulations of combustible materials and other conditions. During the next regular safety and health inspection at the mine on Oct. 14, MSHA found more violations for accumulations along the conveyer belt, requiring the belt to be shut down and effectively closing the mine to production. The order was terminated after the mine operator cleaned and rock-dusted the conveyor belt. Accumulations of combustible materials and methane expose miners to an increased risk to a potential explosion or mine fire.

“Mine operators are obligated to address all the problems that MSHA inspectors identify, yet some continue to violate standards and place miners at risk,” said Main. “We will continue to target them and other operations that ignore fundamental safety and health laws. At the same time, we are beginning to see signs of improvement at some mines, an indication that these impact inspections are making a difference.”

**Editor's note:** A [spreadsheet](#) containing the entire results of September's impact inspections follows this news release.

###

U.S. Department of Labor releases are accessible on the Internet at <http://www.dol.gov>. The information in this news release will be made available in alternate format (large print, Braille, audio tape or disc) from the COAST office upon request. Please specify which news release when placing your request at 202-693-7828 or TTY 202-693-7755. The Labor Department is committed to providing America's employers and employees with easy access to understandable information on how to comply with its laws and regulations. For more information, please visit <http://www.dol.gov/compliance>.

### Master MSHA Impact Inspection List

(September 2010)

September 2010 Coal						Type of Issuance				S&S Information				Issuances - Type of Action								Justifications										
Mine Information						Cit	Orders	Safe -guards (Coal only)	Total	S&S	Non- S&S	Total	S&S Rate	104(a)	104(b)	104(d)(1) Citation	104(d)(1) Order	104(d)(2)	314(b)	103(k)	104(g)(1)	103(j)	107(a)	Total	1. Operator Tactics	2. Hazard Complaints /Hotline Calls	3. Plan Compliance Issues	4. Inadequate Exams	5. Accidents, Injuries, Illnesses	6. Fatal Accidents	7. Enforcement History	8. Adverse Conditions
District	State	Mine ID	Controller Name	Operator Name	Mine Name																											
DISTRICT 01	PA	3601734	Pagnotti Enterprises Inc	Jeddo Coal Company	Jeddo Basin (J-44)	5	0	0	5	3	2	5	60.00%	5	0	0	0	0	0	0	0	0	0	5								
DISTRICT 02	PA	3609326	GenPower Holdings LP; James L. Laurita Jr	Dana Mining Company of Pennsylvania LLC	4 West Mine	6	0	0	6	1	5	6	16.67%	6	0	0	0	0	0	0	0	0	0	6								
DISTRICT 03	WV	4601456	Patriot Coal Corporation	Eastern Associated Coal LLC	Federal No 2	16	1	0	17	10	6	16	62.50%	16	0	0	0	0	0	0	0	0	1	17	1							
DISTRICT 04	WV	4608551	Massey Energy Company	Marfork Coal Company Inc	Marsh Fork Mine	4	0	0	4	4	0	4	100.00%	4	0	0	0	0	0	0	0	0	0	4								
DISTRICT 04	WV	4608384	Massey Energy Company	Elk Run Coal Company	Seng Creek Powellton	1	11	0	12	10	2	12	83.33%	1	0	0	11	0	0	0	0	0	0	12								
DISTRICT 05	VA	4407188	James C Justice II	Nine Mile Mining, Inc.	#2	5	4	0	9	4	5	9	44.44%	5	0	0	4	0	0	0	0	0	9	1	1	1	1	1	1	1	1	1
DISTRICT 06	KY	1507082	Massey Energy Company	Freedom Energy Mining Company	Mine #1	39	3	2	44	20	22	42	47.62%	39	0	0	3	2	0	0	0	0	44	1								
DISTRICT 06	KY	1502057	Metinvest B V	Sapphire Coal Company	Advantage No 1	42	8	1	51	16	34	50	32.00%	41	0	1	8	0	1	0	0	0	51					1	1	1	1	1
DISTRICT 07	TN	4003333	Wilma Wagner	Wilcoal Mining, Inc.	Tri-State One	16	1	0	17	5	12	17	29.41%	16	0	0	1	0	0	0	0	0	17									
DISTRICT 07	KY	1519308	Massey Energy Company	Coalgood Energy Company	Triumph Mine	11	1	0	12	4	8	12	33.33%	11	0	0	1	0	0	0	0	0	12	1								
DISTRICT 07	KY	1512564	Ben Bennett	Left Fork Mining Co Inc	Straight Creek #1 Mine	28	11	0	39	11	27	38	28.95%	28	1	0	10	0	0	0	0	0	39	1	1	1	1	1	1	1	1	1
DISTRICT 08	IL	1102664	International Coal Group Inc (ICG)	ICG Illinois, LLC	Viper Mine	20	0	0	20	5	15	20	25.00%	20	0	0	0	0	0	0	0	0	20									
DISTRICT 09	UT	4202074	America West Resources, Inc.	Hidden Splendor Resources Inc	Horizon Mine	27	7	0	34	14	20	34	41.18%	27	0	0	7	0	0	0	0	0	34									
DISTRICT 10	KY	1517587	Patriot Coal Corporation	Ohio County Coal Company LLC	Freedom	50	0	0	50	29	21	50	58.00%	50	0	0	0	0	0	0	0	0	50									
DISTRICT 11	AL	0100851	Cliffs Natural Resources Inc	Oak Grove Resources LLC	Oak Grove Mine	5	6	0	11	9	2	11	81.82%	5	0	0	6	0	0	0	0	0	11									
15																																
<b>National Totals</b>						<b>275</b>	<b>53</b>	<b>3</b>	<b>331</b>	<b>145</b>	<b>181</b>	<b>326</b>	<b>44.48%</b>	<b>274</b>	<b>1</b>	<b>1</b>	<b>8</b>	<b>43</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>331</b>	<b>4</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>0</b>	<b>14</b>	<b>7</b>

September 2010 Metal/Nonmetal						Type of Issuance				S&S Information				Issuances - Type of Action								Justifications												
Mine Information						Cit	Orders	Safe -guards (Coal only)	Total	S&S	Non- S&S	Total	S&S Rate	104(a)	104(b)	104(d)(1) Citation	104(d)(1) Order	104(d)(2)	314(b)	103(k)	104(g)(1)	103(j)	107(a)	Total	1. Operator Tactics	2. Hazard Complaints /Hotline Calls	3. Plan Compliance Issues	4. Inadequate Exams	5. Accidents, Injuries, Illnesses	6. Fatal Accidents	7. Enforcement History	8. Adverse Conditions		
District	State	Mine ID	Controller Name	Operator Name	Mine Name																													
NE	PA	3600185	Heidelberg Cement AG	Lehigh Cement Company LLC	EVANSVILLE PLANT	40	0	0	40	6	34	40	15.00%	40	0	0	0	0	0	0	0	0	40											
NE	PA	3605666	Gerald Fulkroad	Jay Fulkroad & Sons Inc.	Fulkroad Quarry	34	1	0	35	17	17	34	50.00%	34	0	0	0	0	0	0	0	0	35	1										
NE	CT	0600765	Patricia Manchester; William G Manchester	W W Manchester Co.	WW Manchester	17	0	0	17	4	13	17	23.53%	17	0	0	0	0	0	0	0	0	17											
SE	TN	4002968	Cheryl Followell	Moltan Company L P	Moltan Company L P	9	0	0	9	2	7	9	22.22%	9	0	0	0	0	0	0	0	0	9											
SE	FL	0800116	MFM Delaware	MFM Industries	MFM Mine	18	0	0	18	7	11	18	38.89%	18	0	0	0	0	0	0	0	0	18											
RM	MT	2401467	Revet Silver Company	Genesis Inc.	Genesis Inc Troy Mine	15	0	0	15	6	9	15	40.00%	15	0	0	0	0	0	0	0	0	15	1										
RM	WY	4800007	Eagle Materials Inc	Mountain Cement Company	Mountain Cement Company	5	0	0	5	2	3	5	40.00%	5	0	0	0	0	0	0	0	0	5											
WE	CA	0405222	American Sierra Gold Corporation	Gold Run Enterprises LLC	Discovery Day Mine	4	0	0	4	0	4	4	0.00%	4	0	0	0	0	0	0	0	0	4	1										
WE	CA	0405545	Noble Debs Plant	Kino Aggregates Incorporated	Dantoni Rd	20	1	0	21	9	12	21	42.86%	19	0	1	1	0	0	0	0	0	21	1										
WE	NV	2601621	Yukon-Nevada Gold Corp	Queenstake Resources U.S.A., Inc.	Jerritt Canyon Mill	16	2	0	18	9	9	18	50.00%	16	0	0	2	0	0	0	0	0	18											
WE	NV	2602535	Great Basin Gold	Rodeo Creek Gold	Hollister Mine	13	2	0	15	6	9	15	40.00%	13	0	0	2	0	0	0	0	0	15	1										
WE	ID	1000082	U S Silver Corporation	U.S. Silver - Idaho, Inc.	Galena	10	0	0	10	5	5	10	50.00%	10	0	0	0	0	0	0	0	0	10											
WE	NV	2600015	Eagle Materials Inc	Nevada Cement Company	Nevada Cement Co Cement Plant	14	2	0	16	8	8	16	50.00%	14	0	0	2	0	0	0	0	0	16											
NC	IA	1302297	Lloyd B Pattison	Pattison Sand Company LLC	Pattison Sand Company	4	0	0	4	2	2	4	50.00%	4	0	0	0	0	0	0	0	0	4											
NC	WI	4703519	Fairmount Minerals Ltd	Wisconsin Industrial Sand	Bay City Mine	5	0	0	5	1	4	5	20.00%	5	0	0	0	0	0	0	0	0	5											
15																																		
<b>National Total</b>						<b>224</b>	<b>8</b>	<b>0</b>	<b>232</b>	<b>84</b>	<b>147</b>	<b>231</b>	<b>36.36%</b>	<b>223</b>	<b>0</b>	<b>1</b>	<b>3</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>232</b>	<b>6</b>	<b>3</b>	<b>3</b>	<b>10</b>	<b>9</b>	<b>2</b>	<b>14</b>	<b>8</b>	

Running Total	30	<b>National Totals</b>	499	61	3	563	229	328	557	41.11%	497	1	2	11	47	3	0	0	0	0	2	563	10	7	8	16	16	2	28	15
---------------	----	------------------------	-----	----	---	-----	-----	-----	-----	--------	-----	---	---	----	----	---	---	---	---	---	---	-----	----	---	---	----	----	---	----	----