



News Release

Connect with DOL at
<http://social.dol.gov!>



U.S. Department of Labor For Immediate Release
Office of Public Affairs
Washington, D.C.
Release Number: 11-102-NAT

Jan. 27, 2011
Contact: Jesse Lawder
Phone: 202-693-4659
E-mail: lawder.jesse@dol.gov

MSHA announces results of December 2010 impact and regularly scheduled inspections

ARLINGTON, Va. – The U.S. Department of Labor’s Mine Safety and Health Administration today announced that federal inspectors issued 288 citations, orders and safeguards during special impact inspections conducted at 13 coal and 4 metal/nonmetal mine operations last month. The coal mines were issued 170 citations, 15 orders and one safeguard; the metal/nonmetal mines were issued 90 citations and 12 orders.

These inspections, which began in force last April following the explosion at the Upper Big Branch Mine, involve 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 hazard complaints or hotline calls; plan compliance issues; inadequate workplace examinations; high numbers of accidents, injuries or illnesses; fatalities; and adverse conditions such as increased methane liberation, faulty roof conditions and inadequate ventilation.

On Dec. 3, 2010, an inspection party arrived during the morning shift at Wilcoal Mining Inc.’s Tri-State One Mine in Claiborne County, Tenn. Inspectors captured and monitored the phones after production had started to prevent advance notification of their arrival. Inspectors issued 17 104(a) citations and four 104(d)(2) orders, including 104(d)(2) orders for accumulations of combustible coal dust of up to 24 inches in depth covering extensive areas where miners work and travel. Such accumulations pose a fire or explosion hazard. MSHA also issued Wilcoal a 104(d)(2) order for not properly maintaining a lifeline in the mine’s secondary escapeway. Coal and rock dust on the lifeline and reflective markers could not be readily seen by miners to effectively escape to the surface.

During the mine’s next regular safety and health inspection on Jan. 19, 2011, MSHA found more violations, including accumulations of combustible materials, failure to maintain proper clearance on a beltline and inadequately supported ribs – violations that required equipment to be shut down and coal production to cease.

Tri-State One Mine was one of 13 operations to receive a letter last November putting the operation on notice of a potential pattern of violations of mandatory health or safety standards under Section 104(e) of the federal Mine Safety and Health Act of 1977. The operation repeatedly has been targeted for an impact inspection over the last eight months.

During an impact inspection conducted from Nov. 29 through Dec. 9, 2011, at Dragon Products Co. LLC’s Thomaston Cement Plant in Knox County, Maine, an MSHA inspector issued 53 citations and 10 orders to the company. Six of the 10 orders were issued for failure to abate previously cited hazardous conditions. Inspectors found work orders entered into the system, but no corresponding corrective action was taken. Among the violations, inspectors noted: The dust dump perimeter drain roadway and the retention pond were not bermed, creating an overturn hazard with an 8-foot drop off. The roof top of the burner floor was missing railings, and adequate warning signs were not installed, exposing miners to a 50- to 90-foot fall.

-- more --

US DEPARTMENT OF LABOR NEWS RELEASE – PAGE 2

On Dec. 7, 2010, during a regular inspection, Left Fork Mining Co. Inc.'s Straight Creek No. 1 Mine of Bell County, Ky., was issued three 104(d)(2) orders for an inadequate pre-shift examination of the mechanized mining unit, an inadequate on-shift examination of the conveyer belt and accumulation of combustible materials. These orders effectively closed one entire section of the mine. One day later, MSHA issued a 104(b) order for allowing water to accumulate in a bleeder air course, a potential disruption to the mine's ventilation system. The mine is currently shut down under MSHA's order until the operator completes the pumping of water from the bleeder entry. Due to the mine closure, Straight Creek did not receive an impact inspection last month. The mine, which has been the subject of a number of impact inspections, received a letter last November putting it on notice of a potential pattern of violations.

“In spite of our relentless attempts to make mine operators accountable for their workers' safety and health, some continue to flout their responsibilities,” said Joseph A. Main, assistant secretary of labor for mine safety and health. “While we are seeing improvements at a number of operations, the persistently bad behavior at others underscores the need for tougher legislation and stronger enforcement tools. As the condition of the Wilcoal mine demonstrates, some operators know that MSHA cannot be at a mine all the time.”

Since April 2010, MSHA has conducted 198 impact inspections. These inspections have resulted in 3,758 citations, 363 orders and 13 safeguards.

###

MSHA Monthly Impact Inspection List

(December 2010)

December 2010

Coal

Mine Information						Type of Issuance				S&S Information				Issuances - Type of Action								Justifications														
District	State	Mine ID	Controller Name	Operator Name	Mine Name	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 01	PA	3602203	Chris E Kerstetter; Whalen Wenrich	Bear Gap Coal	N & L Slope	0	0	0	0	0	0	0	0.00%	0	0	0	0	0	0	0	0	0	0	0	0											
DISTRICT 03	WV	4601436	CONSOL Energy Inc	Consolidation Coal Company	Shoemaker Mine	12	0	0	12	5	7	12	41.67%	12	0	0	0	0	0	0	0	0	0	0	12			1						1	1	
DISTRICT 04	WV	4601544	Massey Energy Company	Spartan Mining Company	Road Fork #51 Mine	0	0	0	0	0	0	0	0.00%	0	0	0	0	0	0	0	0	0	0	0	0									1		
DISTRICT 04	WV	4608551	Massey Energy Company	Marfork Coal Company Inc	Marsh Fork Mine	0	0	0	0	0	0	0	0.00%	0	0	0	0	0	0	0	0	0	0	0	0									1		
DISTRICT 04	WV	4604236	Coal International PLC; Cambrian Mining PLC	Maple Coal Co	Maple Eagle No 1 Mine	6	4	0	10	5	5	10	50.00%	6	0	0	0	4	0	0	0	0	0	10										1		
DISTRICT 04	WV	4609180	Brandy M Horvath	The New West Virginia Mining Company	Apache Mine	8	2	0	10	7	2	9	77.78%	8	0	1	0	0	0	0	0	0	1	10										1		
DISTRICT 05	VA	4406748	Sunoco, Inc.	Dominion Coal Corporation	Mine No. 30	19	2	0	21	14	7	21	66.67%	18	0	1	2	0	0	0	0	0	0	21			1	1						1		
DISTRICT 06	KY	1518775	James River Coal Company	McCoy Elkhorn Coal Corp.	Mine #15	32	2	0	34	12	22	34	35.29%	31	0	1	2	0	0	0	0	0	0	34										1	1	
DISTRICT 07	TN	4003333	Wilma Wagner	Wilcoal Mining, Inc.	Tri-State One	17	4	0	21	15	6	21	71.43%	17	0	0	4	0	0	0	0	0	0	21			1	1						1		
DISTRICT 07	KY	1518924	Douglas McClain Jr; Jim Miceli	3M Energy Resources, LLC	Butcher Branch	19	1	1	21	17	3	20	85.00%	19	0	0	1	1	0	0	0	0	0	21			1	1						1		
DISTRICT 08	IN	1202394	Donald Blankenberger	Black Panther Mining LLC	Oaktown Fuels Mine No 1	20	0	0	20	8	12	20	40.00%	20	0	0	0	0	0	0	0	0	0	20	1		1	1						1	1	
DISTRICT 09	WY	4800083	Black Hills Corp	Wyodak Resources Development Company	Wyodak Mine	5	0	0	5	2	3	5	40.00%	5	0	0	0	0	0	0	0	0	0	5		1								1		
DISTRICT 10	KY	1519374	Alliance Resource Partners LP	River View Coal LLC	River View Mine	32	0	0	32	13	19	32	40.63%	32	0	0	0	0	0	0	0	0	0	32											1	
National Totals						170	15	1	186	98	86	184	53.26%	168	0	2	5	9	1	0	0	0	1	186	1	1	5	4	1	1	11	4				

13

December 2010

Metal/Nonmetal

Mine Information						Type of Issuance				S&S Information				Issuances - Type of Action								Justifications														
District	State	Mine ID	Controller Name	Operator Name	Mine Name	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				
SE	KY	1518157	Rogers Group Inc	Rogers Group	Jefferson County	14	2	0	16	2	14	16	12.50%	14	0	0	0	2	0	0	0	0	0	16	1	1								1	1	
NC	IL	1101578	Fairmount Minerals Ltd	Wedron Silica Company	Wedron Plant	17	0	0	17	3	14	17	17.65%	17	0	0	0	0	0	0	0	0	0	17											1	1
NE	ME	1700022	Jeremiah J. Jewett III, VP & Gen C.	Dragon Products Company, LLC	Thomaston Cement Plant	53	10	0	63	18	39	57	31.58%	52	6	1	4	0	0	0	0	0	0	63	1			1	1						1	1
WE	ID	1000082	US Silver Corporation	US Silver-Idaho Inc.	Galena	6	0	0	6	5	1	6	83.33%	6	0	0	0	0	0	0	0	0	0	6											1	1
National Totals						90	12	0	102	28	68	96	29.17%	89	6	1	4	2	0	0	0	0	0	0	102	2	1	0	1	2	0	4	2			

4

Total	17	National Totals											260	27	1	288	126	154	280	45.00%	257	6	3	9	11	1	0	0	0	1	288	3	2	5	5	3	1	15	6
--------------	-----------	------------------------	--	--	--	--	--	--	--	--	--	--	------------	-----------	----------	------------	------------	------------	------------	---------------	------------	----------	----------	----------	-----------	----------	----------	----------	----------	----------	------------	----------	----------	----------	----------	----------	----------	-----------	----------