



# News Release

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## **MSHA announces results of November impact inspections**

**ARLINGTON, Va.** – The U.S. Department of Labor’s Mine Safety and Health Administration today announced that federal inspectors issued 315 citations, orders and safeguards during special impact inspections conducted at 10 coal mines and six metal/nonmetal mines last month. The coal mines were issued 200 citations, 50 orders and one safeguard, while the metal/nonmetal operations were issued 62 citations and two orders.

These inspections, which began in force in April 2010 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; frequent hazard 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.

One of MSHA’s most recent impact inspections was conducted during the day shift on Nov. 17 at Daystar Coal LLC’s No. 3 Mine in Pike County, Ky. (Pike Floyd Mining Inc. since has taken over as operator of the mine.) The phones were captured and monitored during the inspection, which resulted in the issuance of 52 citations, 11 orders and one safeguard.

The mine was issued an imminent danger order when an inspector observed that a bearing on a conveyor tailpiece was glowing orange with smoke rising from it in the presence of accumulations of float coal dust, coal fines and loose coal. The mine also allowed accumulations of float coal dust for a distance of 200 feet on top of previously rock dusted surfaces on the mine floor. Loose coal up to 18 inches deep had accumulated under the conveyor belt drive in the presence of ignition sources.

Inspectors also found that the mine operator failed to follow the approved ventilation plan. Inspectors observed the cutting machine operating with virtually no air ventilating the mining face to remove respirable coal dust and gasses from the environment. The mine operator’s failure to follow the plan created conditions that expose miners to the risk of black lung and explosions. Unwarrantable failure orders were issued for the accumulation of water at depths of 10–12 inches in front of seals in the return air course and in other locations throughout the mine. In addition, the operator failed to provide experienced miner training to 17 miners before they assumed their work duties underground and on the surface. The miners were withdrawn from the mine until they received the required training.

All the citations issued during this impact inspection were modified to 104(b) failure-to-abate orders, and the mine subsequently was placed on abandoned status Dec. 5 and then on temporarily idled status Dec. 8 under new operator Pike Floyd Mining Inc.

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As a second example from last month, an inspection team arrived during the second shift on Nov. 4 at D&C Mining Corp.'s D&C Mine in Harlan County, Ky., and immediately captured and monitored the mine phone to prevent advance notification to workers underground. Inspectors issued 27 citations and 15 orders.

Inspectors observed accumulations of combustible material, including float coal dust, along the mine's belt conveyors. For three consecutive day shifts, a certified foreman recorded in the mine's exam books that the mechanized mining unit needed to be cleaned and dusted. The mine was cited for loose coal up to 24 inches deep under the entire length of two belt conveyors and in the presence of conditions that created potential ignition sources. Unwarrantable failure orders were issued for unsafe roof conditions caused by roof bolt bearing plates not properly contacting the roof. Inspectors also noted inadequate fire protection on the conveyor belt, inadequate workplace examinations for hazardous conditions and missing equipment guards.

This impact inspection was the mine's seventh. MSHA issued closure orders on Nov. 4 due to repeated hazards that the operator had failed to abate, and required D&C to take measures to ensure that it had a long-term solution for its history of repeated health and safety violations.

"I am particularly concerned about what goes on at mines with these kinds of inspection results when MSHA is not there," said Joseph A. Main, assistant secretary of labor for mine safety and health. "MSHA will continue to use all available tools at its disposal, including closure orders, to keep miners safe."

Since April 2010, MSHA has conducted 374 impact inspections, which have resulted in a total of 6,645 citations, 666 orders and 23 safeguards.

**Editor's note:** A spreadsheet containing the results of impact inspections in November 2011 accompanies this news release.

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### MSHA Monthly Impact Inspection List

(November 2011)

November 2011

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)	104(e)(2)	314(b)	103(k)	104(g)(1)	103(l)	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 03	WV	4608864	Alliance Resource Partners LP	Tunnel Ridge, LLC	Tunnel Ridge Mine	15	0	0	15	3	12	15	20.00%	15	0	0	0	0	0	0	0	0	0	0	0	15	1										
District 05	VA	4407150	Alpha Natural Resources, Inc.	Osaka Mining Corporation	Mine No. 1	17	0	0	17	4	13	17	23.53%	17	0	0	0	0	0	0	0	0	0	0	0	17	1		1	1							
District 06	KY	1519188	Douglas K Tackett	Mercy Mining, LLC	#2	35	16	0	51	25	23	48	52.08%	35	3	0	0	12	0	0	0	0	1	0	0	51	1		1					1			
District 06	KY	1515215	George Chris Waugh	Daystar Coal, LLC	#3	52	11	1	64	34	28	62	54.84%	51	0	1	8	0	0	1	0	2	0	1	0	64	1		1					1			
District 07	KY	1518182	Horace Garrison Hill	D & C Mining Corporation	D & C Mining Corporation	27	15	0	42	25	16	41	60.98%	27	0	0	0	14	0	0	0	0	0	0	1	42	1			1		1	1				
District 09	AR	0301736	CraKol Energy, LLC	South Central Coal Co., LLC	Sebastian Mine	12	1	0	13	7	6	13	53.85%	12	0	0	1	0	0	0	0	0	0	0	0	13											
District 11	AL	0100851	Cliffs Natural Resources, Inc.	Oak Grove Resources LLC	Oak Grove	3	0	0	3	1	2	3	33.33%	3	0	0	0	0	0	0	0	0	0	0	0	3		1	1					1			
District 12	WV	4609261	ArcelorMittal	XMV, Inc	Mine NO. 39	8	2	0	10	9	1	10	90.00%	8	0	0	0	2	0	0	0	0	0	0	0	10								1			
District 12	WV	4605890	CONSOL Energy Inc	Consol of Kentucky Inc	Miller Creek Preparation Plant #1	26	1	0	27	18	9	27	66.67%	26	0	0	0	0	0	0	0	0	1	0	0	27		1									
District 12	WV	4608884	Mechel Oao	Pay Car Mining Inc	No 58	5	4	0	9	1	8	9	11.11%	5	0	0	0	3	0	0	0	1	0	0	9								1				
<b>10</b>						<b>National Totals</b>				<b>200</b>	<b>50</b>	<b>1</b>	<b>251</b>	<b>127</b>	<b>118</b>	<b>245</b>	<b>51.84%</b>	<b>199</b>	<b>3</b>	<b>1</b>	<b>9</b>	<b>31</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>5</b>	<b>0</b>	<b>2</b>	<b>251</b>	<b>4</b>	<b>2</b>	<b>3</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>7</b>	<b>0</b>

November 2011

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)	104(e)(2)	314(b)	103(k)	104(g)(1)	103(l)	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				
NC	IL	1102999	David K Stark	Stark Materials Inc	Becker Gravel Pit	3	0	0	3	1	2	3	33.33%	3	0	0	0	0	0	0	0	0	0	0	0	3											
WE	ID	1000082	U S Silver Corporation	U.S. Silver-Idaho, Inc.	Galena	18	1	0	19	6	12	18	33.33%	18	0	0	0	0	0	0	0	0	0	0	1	19											
WE	NV	2600668	Art Wilson	Art Wilson Company	Adams Claim	12	1	0	13	4	9	13	30.77%	12	0	0	0	1	0	0	0	0	0	0	0	13	1	1									
SC	OK	3400026	Lafarge S A	Lafarge North America	Tulsa Plant	10	0	0	10	4	6	10	40.00%	10	0	0	0	0	0	0	0	0	0	0	0	10											
NE	WV	4608862	Martin Marietta Materials Inc	Martin Marietta Materials Inc	Burning Springs Mine	1	0	0	1	0	1	1	0.00%	1	0	0	0	0	0	0	0	0	0	0	0	1	1	1									
SC	MO	2300542	Margaret J Heckman	Mississippi Lime Company	Mississippi Lime Company-Ste. Genevieve	18	0	0	18	4	14	18	22.22%	18	0	0	0	0	0	0	0	0	0	0	0	18					1				1		
<b>6</b>						<b>National Totals</b>				<b>62</b>	<b>2</b>	<b>0</b>	<b>64</b>	<b>19</b>	<b>44</b>	<b>63</b>	<b>30.16%</b>	<b>62</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>64</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>6</b>	<b>0</b>

<b>Total</b>	<b>16</b>	<b>National Totals</b>				<b>262</b>	<b>52</b>	<b>1</b>	<b>315</b>	<b>146</b>	<b>162</b>	<b>308</b>	<b>47.40%</b>	<b>261</b>	<b>3</b>	<b>1</b>	<b>9</b>	<b>32</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>5</b>	<b>0</b>	<b>3</b>	<b>315</b>	<b>6</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>13</b>	<b>0</b>
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