



Section I--Violation Data

1. Date Mo Da Yr 12/06/2011	2. Time (24 Hr. Clock) 0800	3. Citation/ Order Number 4900615
4. Served To Jim Gump - Safety Director	5. Operator DAVID STANLEY CONSULTANTS LLC	
6. Mine UPPER BIG BRANCH MINE-SOUTH	7. Mine ID 46-08436	YBV (Contractor)
8. Condition or Practice		8a. Written Notice (103g) <input type="checkbox"/>

An employee of David Stanley Consultants LLC has failed to immediately correct or post with conspicuous "Danger" signs hazardous conditions observed and recorded during the examinations of the belt conveyor systems in the North area of the mine ( the area of the mine affected by an explosion on 04.05.2010). From 03.05.2010 through 04.05.2010, David Stanley Consultants (YBV) employee William Campbell conducted 83 examinations along the conveyor belts affected by explosion. The record reflects that these conveyor belts needed rock dusting and/or cleaning. These hazardous conditions were almost never shown to be fully corrected or posted with conspicuous danger signs.

David Stanley Consultants LCC's failure to immediately correct these

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health <input type="checkbox"/> Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR 75.363(a)
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Section II--Inspector's Evaluation

10. Gravity:					
A. Injury or Illness (has) (is):	No Likelihood <input type="checkbox"/>	Unlikely <input type="checkbox"/>	Reasonably Likely <input type="checkbox"/>	Highly Likely <input type="checkbox"/>	Occurred <input checked="" type="checkbox"/>
B. Injury or illness could reasonably be expected to be:	No Lost Workdays <input type="checkbox"/>	Lost Workdays Or Restricted Duty <input type="checkbox"/>	Permanently Disabling <input type="checkbox"/>	Fatal <input checked="" type="checkbox"/>	
C. Significant and Substantial:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	D. Number of Persons Affected: 029		
11. Negligence (check one)	A. None <input type="checkbox"/>	B. Low <input type="checkbox"/>	C. Moderate <input checked="" type="checkbox"/>	D. High <input type="checkbox"/>	E. Reckless Disregard <input type="checkbox"/>
12. Type of Action	104(a)	13. Type of Issuance (check one) Citation <input checked="" type="checkbox"/> Order <input type="checkbox"/> Safeguard <input type="checkbox"/> Written Notice <input type="checkbox"/>			
14. Initial Action	A. Citation <input type="checkbox"/>	B. Order <input type="checkbox"/>	C. Safeguard <input type="checkbox"/>	D. Written Notice <input type="checkbox"/>	E. Citation/ Order Number
15. Area or Equipment					F. Dated Mo Da Yr

16. Termination Due	A. Date Mo Da Yr 01/05/2012	B. Time (24 Hr. Clock) 0800
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Section III--Termination Action

17. Action to Terminate		
18. Terminated	A. Date Mo Da Yr	B. Time (24 Hr. Clock)

Section IV--Automated System Data

19. Type of Inspection (activity code)	E06	20. Event Number 4440347	21. Primary or Mill
22. Signature Pat Stanfield 23908 Charles J. Maggard			23. AR Number 24038

Mine Citation/Order  
Continuation

U.S. Department of Labor  
Mine Safety and Health Administration



Section I--Subsequent Action/Continuation Data

1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 12/06/2011	3. Citation/ Order Number 4900615
4. Served To Jim Gump - Safety Director	5. Operator DAVID STANLEY CONSULTANTS LLC	
6. Mine UPPER BIG BRANCH MINE-SOUTH	7. Mine ID 46-08436	(Contractor) YBV

Section II--Justification for Action

Continuation of 8. Condition or Practice

hazardous conditions contributed to the death of 29 miners, disabling injuries to one miner, and serious injuries to another miner. Witness statements indicated that the belts were in need of cleaning and additional rock dusting. Investigators observed accumulations of combustible materials in the form of loose coal and compacted coal throughout the areas affected by the explosion. Laboratory Analysis of the rock dust spot survey conducted by MSHA in the affected areas after the April 5, 2010 explosion indicate significant non-compliance. The explosion propagated throughout areas where records show cleaning and rock dusting was needed but was not performed.

See Continuation Form

Section III--Subsequent Action Taken

8. Extended To	A. Date Mo Da Yr	B. Time (24 Hr. Clock)	<input type="checkbox"/> C. Vacated	<input type="checkbox"/> D. Terminated	<input type="checkbox"/> E. Modified
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Section IV--Inspection Data

9. Type of Inspection E06	10. Event Number 4440347		
11. Signature Pat Stanfield 23908 Charles J. Maggard	AR Number 24038	12. Date Mo Da Yr 12/06/2011	13. Time (24 Hr. Clock) 0800