MSHA Form 7000-10K, June 93 (revised)

Date 2-1-10

EP 52

A: 35
V 580
Q = 20125
EP 53
A = 65 V 820 Q
53,300
EP 58

A = 88
V 685
Q = 60,280

Inspector's Initials [redacted]

Supervisor's Initials [redacted] 510 Page No. 10

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2-1-10

3 North Main Return
Pump
Flygt NVO

#2 Return Pump
NVO SHP App Flygt.

Arrive outside
wrote to termination
Delivered to Gary May
and Drove to Mt. Hope.

Inspector's Initials [redacted]

Supervisor's Initial [redacted] 510 Page No. 11

*U.S. GPO: 2009-541-759

Dry

Production

MSHA Form 7000-10I, June 93 (revised)

DAILY COVER SHEET

Date 2/2/10 Event No. 6286108

Arrived at the Mine 0800 Departed from the Mine

List Records Books Checked 1 Section Pre Shift.
Weekly

Accompanied By: Company Representative
Everett Hager

Miners Representative
N/A

AREAS OF INSPECTION ACTIVITY:

Terminate Citation
Primary Escapeway from
85 Brk to Ellis Portal
Pumps, Etc.

Inspector's Initials [redacted]

Supervisor's Initials [redacted] Page No. 1

*U.S. Government Printing Office: 1997 - 508-470

MSHA Form 7000-10K, June 93 (revised)

Date 2/2/10

ARRIVED AT UPPER BIG BRANCH MINE - ELLIS PORTALS

MET WITH MANAGEMENT AND INFORMED THEM OF TODAYS INTENSIONS

REVIEWED MINE MAP ON AREA TO BE TRAVELED

CHECK No. 1 SECTION PRE SHIFT AND WEEKLY BOOK (NVO)

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] Page No. 2

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/2/10

TERMINATE CITATION, 0835 NO SMOKING SIGNS HAVE BEEN PLACED AT DRIFT OPENINGS

TRAVEL TO 85 BRK & NORTH BELT OUT IN INTAKE ESCAPEWAY FOR No. 1, No. 2, AND LONGWALL

CHECK SCSR CACHES

No. 10 (10) SCSR'S (OK)
P.C 3 - (10) " (OK)
No. 27 - (10) " (OK)
No. 36 - (10) " (OK)
No. 9 - (10) " (OK)
- (15) " (OK)

4/6 BRK - 5 NORTH

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] Page No. 3

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/2/10

CHECK SCSR CACHE

No. 18 (10) SCSRS (OK)
No. 32 (10) " (OK)
No. 30 (10) " (OK)
No. 35 (10) " (OK)
No. 38 (10) " (OK)
No. 29 (10) " (OK)
(5) " (OK)

5 BRK - 4 NORTH

TRAVEL UP TO PARALLEL NORTH MAINS INTAKE ROOMS.

ROOMS VENTILATED BY PERMANENT CONTROLS. NTI'S PRESENT TOOK AIR READING AT DPP

Inspector's Initials [redacted]

Supervisor's Initials an [redacted] Page No. 4

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/2/10

CHECK FLYGT 5 HP
PUMP @ SELLS 5 HEAD
S/N CAN'T READ (NVO)

CHECK FLYGT STARTER BOX
S/N M09-0258 (NVO)

FINISH TRAVELING PRIMARY
TO SELLS PANHOUT
AIR FLOW IN DIRECTION
OF MAP. (NVO) DTI'S
PRESENT IN AIRWAY
ARRIVED ON SURFACE

INFORMED MR. HAGER
I WOULD BE TERMINATING
2 CITATIONS

Inspector's Initials [redacted]

Supervisor's Initials and D[redacted]/10 Page No. 5

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/2/10

1) NO. SMOKING SIGNS @ PORTALS
2) 107(a) ORDER ISSUED IN
DECEMBER

HELD DAILY CLOSE OUT W/
EVERETT MAGER

TYPE OUT TERMINATIONS

RETURN TO MR. HOPE OFFICE

Inspector's Initials [redacted]

Supervisor's Initials and D[redacted]/10 Page No. 6

*U.S. GPO: 2009-541-759

MSHA Form 7000-10M, June 93 (revised)

AIR READINGS

Date 2/2/10

Location DPP INTAKE Room
HEAD OF PARALLEL NORTH MAINS

Width	6	Bottle Sample No.	
Height	7	CH4 Detected	0%
Area	42	Mean Entry	
Velocity	30	Time	
Quantity	1260	O_2	20.8%
Location			

Width		Bottle Sample No.	
Height		CH4 Detected	
Area		Mean Entry	
Velocity		Time	
Quantity			

Inspector's Initials [redacted]

Supervisor's Initials and Da[redacted]/10 Page No. 7

*U.S.GPO:1993-0-709-384

MSHA Form 7000-10I, June 93 (revised) 46-08436

DAILY COVER SHEET

Date 2-4-10 Event No. 6286108

Arrived at the Mine 0900 Departed from the Mine

List Records Books Checked 4 section pre-shift (weekly Exam on Electrical)

Accompanied By: Company Representative

Patrick Lomas Derrick Kiblinger

Miners Representative

AREAS OF INSPECTION ACTIVITY:

#8 mantrip E9608
middle sec. - 17638
Pressure Pump.
Rt Bolter - 200-7048
Left Bolter
Shuttle car Left & Right

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 1

*U.S. Government Printing Office: 1997 - 508-470

MSHA Form 7000-10K, June 93 (revised)

Date 2-4-10

Arrived at the mine at 0900. Thomas Moore (supervisor) is traveling with me this day.

Spoke with Gary May & Berman Cornett. Told Gary that I wanted to go to 4 unit & check equipment. He said he would make arrangements with his people.

Checked 4 unit Preshift & weekly on Electrical.

Inspector's Initials [redacted]

Supervisor's Initial [redacted] Page No. 2

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2-4-10

1403

#8 A.L.E. Mantrip
Serial # 08-E9608
10:00
Sanding inoperative.
S.S. citation # 8090267
Sand was wet & packed in the sanding devices.
Terminated at 10:10

Rode #8 Trip to 4 Section to check equipment. Derrick Kiblinger & Patrick Lomas.

Move Box within 9' of mantrip. citation 8090268.

Inspector's Initials [redacted]

Supervisor's Initials an [redacted] Page No. 3

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2-4-10

CITATION/ORDER #: 8090267

Time: 1000

Location: #8 Mantrip (shop

Violation: 1403

When checked none of the four sanders on # 8 ALE Mantrip Serial # E9603 were in operatalve. ive

No. of Persons Exposed: 4

Inspector's Initials [redacted]

Supervisor's Initials [redacted] Page No. 4

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2-4-10

Who knew the violation existed?

Person doing the pre op should have known.

How long has the violation existed?

AT LEAST 8 hrs.

If an accident should occur because of this type violation, how serious would it be?

Probably lost work days restricted duty due to bruising & bumping

What is the likelihood that this type accident will occur at this mine? Why?

Reasonably likely Due to heavy traffic & curvey slick conditions on the track

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 5

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2-4-10

CITATION/ORDER #: 8090268

Time: 10:30

Location: Spad # 6311 Track into Plunkey switch.

Violation:

Move Box & torches clearance from the mantrip 16640-150-202 #2 Move Box

No. of Persons Exposed: 2

Inspector's Initials [redacted]

Supervisor's Initials [redacted] Page No. 6

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2-4-10

Who knew the violation existed?

Midnight crew installed the move Box

How long has the violation existed?

1 Shifts

If an accident should occur because of this type violation, how serious would it be?

Permanetly disabling due to Broken Bones or amputation

What is the likelihood that this type accident will occur at this mine? Why?

Unlikely - People are to ~~[illegible]~~ keep there body in side the man trip.

Inspector's Initials [redacted]

Supervisor's Initials [redacted] Page No. 7

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2-4-10

8090269

Rib not being controled 37 Feet long 6 Ft High separation of up to 5 inches thickness veriing from 15 Feet in length and 32 in height

Center S.Car 17683

517 11:05 8090270

Cable not adequately insulated (Bare wire exposed) Terminate 11:30

Two splices not sealed to exlude moisture. 11:20

6.04(b) 8090271

Terminate 12:15

Inspector's Initials [redacted]

Supervisor's Initials [redacted] Page No. 8

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2-4-10

CITATION/ORDER #: 8090269

Time: 10:45

Location: 4 unit section power center

Violation: 202(a)

Rib along side the #4 section power center where person work or travel regularly is not being maintained in safe condition. Area of 15' in length up to 5 inches thickness and up to 32 inches in height

No. of Persons Exposed: 1

Inspector's Initials [redacted]

Supervisor's Initials [redacted] Page No. 9

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2-4-10

Who knew the violation existed?
Preshift examiner

How long has the violation existed?
More than a shift

If an accident should occur because of this type violation, how serious would it be?
lost work days Fro Brusing

What is the likelihood that this type accident will occur at this mine? Why?
Reasonably people are in this Area plugging & unplugging cat heads & doing preshift & weeklys

Inspector's Initials [redacted]

Supervisor's Initials [redacted] 2810 Page No. 10

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2-4-10

CITATION/ORDER #: 8090270

Time: 1105

Location: 4 unit

Violation: 75.517

The #2 cable supplying power to the middle shuttle car serial # was not adequately insulated & fully protected in that there was a cut place 5/8 inches wide & a red lead was visible. Also the conductor was exposed.

No. of Persons Exposed: 1

Inspector's Initials [redacted]

Supervisor's Initials [redacted] 2810 Page No. 11

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2-4-10

Who knew the violation existed?
Weekly exams are being made

How long has the violation existed?
Approx 3 week

If an accident should occur because of this type violation, how serious would it be?
Fatal due to electrocution

What is the likelihood that this type accident will occur at this mine? Why?
Reasonably likely This equipment is going to be move & the cable will be handled frequently

Inspector's Initials [redacted]

Supervisor's Initials [redacted] 0510 Page No. 12

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2-4-10

CITATION/ORDER #: 8090271

Time: 11 20

Location: #4 unit

Violation: 6041b

Two permanet splices in the trailing cable supplying power to the Middle S.C. Serial# 17638 are not effective sealed to exclude moisture when installed the (Rap Boot) was not overlapped on one splice and the other splice, the Boot was not sealed.

No. of Persons Exposed: 1

Inspector's Initials [redacted]

Supervisor's Initials [redacted] Page No. 13

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2-4-10

Who knew the violation existed?

Person doing the weekly

How long has the violation existed?

3 weeks

If an accident should occur because of this type violation, how serious would it be?

Fatal electrocution

What is the likelihood that this type accident will occur at this mine? Why?

Reasonably likely this equipment is going to Be moved and the cable will be handled

Inspector's Initials [redacted]

Supervisor's Initials [redacted] Page No. 14

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2-4-10

[redacted] Assisting me in my inspection Indicated to me that there was a bad place in the cable on Shuttle CAR ET 17640

There was a inch cut in the Jacket exposing a bare wire citation # 8090273

Checked Right Batter NVO Serial # 2007048

Checked Left Batter NVO 2008301

Right S.C. NVO 17641

Inspector's Initials [redacted]

Supervisor's Initials [redacted] Page No. 15

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2-4-10

CITATION/ORDER #: 8090273

Time: 1140

Location: 4 unit Shuttle Car ET17640

Violation: 517

The Trailing cable on Shuttle Car serial # ET17640 had a one inch cut in the outer jacket exposing bare wire.

No. of Persons Exposed: 1

Inspector's Initials [redacted]

Supervisor's Initials a[redacted] Page No. 16

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2-4-10

Who knew the violation existed?

Weekly Examiner

How long has the violation existed?

3 weeks

If an accident should occur because of this type violation, how serious would it be?

Fatal due to electrocution

What is the likelihood that this type accident will occur at this mine? Why?

Reasonably Likely. This cable will Be handled due to a move.

Inspector's Initials [redacted]

Supervisor's Initials an[redacted] Page No. 17

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2-4-10

Left the section walked to Plumley switch.

Lifeline tangled wit cable for a move Box

Citation # 8090272.

Rode # 12 Mantrip to the surface.

Wrote out citations Delivered citations to Wayne Persinger. Discussed Root Cause Mr Persinger had no questions. Drove to Mt. Hope.

Inspector's Initials [redacted]

Supervisor's Initials a[redacted] Page No. 18

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2-4-10

CITATION/ORDER #: 8090272

Time: 1305

Location: Plumley Switch

Violation:

The lifeline is entangled with move Box cable.

No. of Persons Exposed: 1

Inspector's Initials [redacted]

Supervisor's Initials an[redacted] Page No. 11

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2-4-10

Who knew the violation existed?

The midnight installed this cable.

How long has the violation existed?

1 shift

If an accident should occur because of this type violation, how serious would it be?

No lost work days

What is the likelihood that this type accident will occur at this mine?

Why? Unlikely.

Inspector's Initials [redacted]

Supervisor's Initials [redacted] Page No. 20

*U.S. GPO: 2009-541-759

Day

Production

MSHA Form 7000-10I, June 93 (revised)

DAILY COVER SHEET

Date 2/8/10 Event No. 6286108

Arrived at the Mine 0810 Departed from the Mine

List Records Books Checked Pre Shift 1 Section

Accompanied By: Company Representative

Everett Hager

Miners Representative

N/A

AREAS OF INSPECTION ACTIVITY:

Terminate Citations
Return 1-2 Section to
Tailgate Mouth
Inspect Escapeway for
2 Section Mouth to
S/S Break

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] Page No. 1

*U.S. Government Printing Office: 1997 - 508-470

MSHA Form 7000-10K, June 93 (revised)

Date 2/8/10

Arrived at Upper Big Branch Ellis Pontiac

Met with Everett Hager and informed him of Todays Intension

Review Map on Areas to Be Inspected

Check Pre Shift for 1 Section (nvo)

Inspector's Initials [redacted]

Supervisor's Initials and [redacted]/2010 Page No. 2

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/8/10

Follow CMM [redacted] Arrived at Mine to Do EOZ

Spoke with [redacted] on Areas to Be Inspected

Got w/ Everett Travel to 1 Section to Terminate Citations

Got in intake to Go 130 Brk

Terminate Citation - 945 A walkway has been provided around water / Traveled in its entirety

Inspector's Initials [redacted]

Supervisor's Initials a[redacted]/2010 Page No. 3

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/8/10

Travel to 147 Brk to Terminate Citation on Pre Shift. Area - Intake Room - Intake Room is now being pressurized every 8 hrs Operator held Meeting w/ Foreman and Firebosses on Areas to Be Preshifted - 1000 am

Travel intake to 10 Brk 1 Section Terminate Citation - 1030 - Manhook signs have been put in to show location of doors

Inspector's Initials [redacted]

Supervisor's Initials and [redacted]/2010 Page No. 4

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/8/10

Travel 1 Section No. 1 Belt (NVO)

Terminate Citation: 1050 Areas with Combustibles Have Been Cleaned and Rock Dusted along Belt

Travel to Return Overcast on Longwall Belt.

Got in Return

Took Air Reading @ Split for 1 Section and 2 Section

Inspector's Initials [redacted]

Supervisor's Initials a[redacted]/2/10 Page No. 5

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/8/10

Travel Return from Mouth of 2 Section to Targets Side Mouth of Longwall (NVO)

Got [redacted] in Intake at Mouth of 2 Section Travel Intake to Split [redacted] at 85 Crk (NVO)

Return to Surface

Met w/ Management

Held Daily Closeout

Inspector's Initials [redacted]

Supervisor's Initials and [redacted]/2/10 Page No. 6

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/8/10

Type out Terminations

Return to Mr. Hope Office

Inspector's Initials [redacted]

Supervisor's Initials and [redacted]/2/10 Page No. 7

*U.S. GPO: 2009-541-759

MSHA Form 7000-10M, June 93 (revised)

AIR READINGS

Date 2/9/10

Location Return Split 1 Section

Width	14	Bottle Sample No.	
Height	6	CH4 Detected	.05%
Area	108	Mean Entry	
Velocity	737	Time	
Quantity	79,596 cfm	O_2	20.8%

Location Return Split 2 Section

Width	18	Bottle Sample No.	
Height	5.5	CH4 Detected	0%
Area	99	Mean Entry	
Velocity	380	Time	
Quantity	37,620 cfm	O_2	20.8%

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] 2/10/10 Page No. 8

*U.S.GPO:1993-0-709-384

Day Production

MSHA Form 7000-10I, June 93 (revised)

DAILY COVER SHEET

Date 2/9/10 Event No. 6886108

Arrived at the Mine 0840 Departed from the Mine

List Records Books Checked Pre Shift 3 Section South Belts

Accompanied By: Company Representative Bergman Cornett

Miners Representative N/A

AREAS OF INSPECTION ACTIVITY:

Intake Splits
North Fan to North Mains
Headings
Parallel North Mains to Portal
Power Centers

Inspector's Initials [redacted]

Supervisor's Initials a[redacted] 2/10/10 Page No. 1

*U.S. Government Printing Office: 1997 - 508-470

MSHA Form 7000-10K, June 93 (revised)

Date 2/9/10

Arrived at Upper Big Branch Mine - South Portal

Met with Gary May Superintendent and informed him of todays intensions.

Gave him 2 citations that was wrote on Rock Dust Survey from Perry Brown

Reviewed Mine Map on Areas to Be Inspected.

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] 2/10/10 Page No. 2

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/9/10

STATE INSPECTOR
[redacted] WAS ALSO
ON MINE SITE

CHECK PRE SHIFT [redacted] BOOK
NO. 3 SECTION - 1- CITATION

Inspector's Initials [redacted]

Supervisor's Initials and D[redacted]/2/10 Page No. 3

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/9/10

855 8087721 75.360(g)

THE PRE-SHIFT / ON-SHIFT RECORD
BOOK FOR THE NO. 3 SECTION
HAS NOT BEEN COUNTERSIGNED
BY THE MINE FOREMAN OR
EQUIVALENT MINE OFFICIAL.
~~[illegible]~~ THE LAST
DATE SIGNED WAS FOR
THE DAY SHIFT CREW
ON 2-6-10

MINE FOREMAN SHOULD HAVE
KNOWN

HAS EXISTED FOR 2 DAYS

1 PERSON EXPOSED -
FOREMAN

Inspector's Initials [redacted]

Supervisor's Initials and D[redacted]/2/10 Page No. 4

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/9/10

IF ACCIDENT OCCURRED
IT WOULD BE NO LOST
WORKDAYS

IT IS UNLIKELY TO OCCUR
- THIS IS A RECORD VIOLATION

TERMINATED - 9/4
THE BOOK HAS BEEN
COUNTERSIGNED BY THE MINE
FOREMAN

Inspector's Initials [redacted]

Supervisor's Initials an[redacted]/2/10 Page No. 5

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/9/10

Review South Belts (NVO)

Got with Berman Cornett
to Travel Intake Splits

Got in Intake at 2 Brk

Air Reading at Fan
H = 10 W = 16 A = 160
V = 3378 Q = 539,200
0% CH4 20.8% O2

Travel to 66 Brk
Check SCSR Cache

7 Cache's (65) SCSR's (ok)

Continue Traveling Intake

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] 2/10/10 Page No. 6

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/9/10

Travel to 108 Brk
7 Caches (65) SCSR's (ok)

Continued Traveling Intake
to Top End of North
Mains - -1- Citation -

Inspector's Initials [redacted]

Supervisor's Initials an [redacted] 2/10/10 Page No. 7

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/9/10

1100 8087722 75.204(c)(1)

In Various Locations
Along the Intake Air
Course of the North
Mains the Bearing Plates
are Not Firmly Against
the Roof, The Roof has
fell out from Around
these Bolts leaving the
Bearing plate off the
Roof. These Condition Exist
from 58 Brk to 108 Brk
on North Mains Panel

Weekly Examiner should
have known

Inspector's Initials [redacted]

Supervisor's Initials a [redacted] 2/10 Page No. 8

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/9/10

HAS EXISTED FOR 2 WEEKS

1 PERSON EXPOSED - EXAMINER

IF ACCIDENT OCCURRED IT WOULD RESULT IN PERMANENTLY DISABLING INJURIES FROM FALL OF ROOF

IT IS UNLIKELY TO OCCUR EXPOSURE TIME IS MINIMAL AIR COURSE IS TRAVELED JUST 1 TIME PER WEEK

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] 2/10/10 Page No. 9

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/9/10

STARTED TRAVELING INTAKE SPLIT ON PARALLEL NORTH MAINS BACK TOWARD SURFACE

SP8

H= 5.5 W= 12 A= 66

V= 317 Q = 20922

0% CH_4 21% O_2

WALK TO DPP 1

H= 19.5 W= 6.5 A= 127

V= 45 Q= 5,715

0% CH_4 20.8% O_2

TRAVEL BACK TO INTAKE SPLIT

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] 2/10/10 Page No. 10

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/9/10

CHECK D-BOX FOR DPP 1 PUMP -005 (NVO)

CHECK AEI BOX 21 BRK S/N - 10083 - 500 - 1296 (NVO)

CHECK AEI BOX S/N - 11296 - 500 - 1097 (NVO)

CONTINUE TRAVELING INTAKE SPLIT BACK TO PORTAL (NVO)

Inspector's Initials [redacted]

Supervisor's Initials an [redacted] 2/10/10 Page No. 11

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/9/10

Arrived on Surface

Met with Managsment

Held Daily Closeout Discussing Root Cause and Abatsment Time

Type out Citations

Return to Mr. Hoy's Office

Inspector's Initials [redacted]

Supervisor's Initials an[redacted]2010 Page No. 12

*U.S. GPO: 2009-541-759

Day Production

MSHA Form 7000-10I, June 93 (revised)

DAILY COVER SHEET

Date 2/11/10 Event No. 6286109

Arrived at the Mine 1120 Departed from the Mine

List Records Books Checked Pre Shift 3 Section

Accompanied By: Company Representative

Gary May - Superintsndsnt

Miners Representative

N/A

AREAS OF INSPECTION ACTIVITY:

3 Section

Imminsnt Dangsr Run

3 Ssction #2 Belt

Sicondary Escapsway

Inspector's Initials [redacted]

Supervisor's Initials and D[redacted]2/16/10 Page No. 1

*U.S. Government Printing Office: 1997 - 508-470

MSHA Form 7000-10K, June 93 (revised)

Date 2/11/10

Arrived at Upper Big Branch - South Portal with Supervisor Thomas Moore.

Met with Mike Fskesll and He Contacted Gary May Superintsndsnt to inform him of our Arrival and Gary was Returning to Surface.

Check Pre Shift Book for 3 Section (n/a)

Go with Gary May to Travel Underground

Inspector's Initials [redacted]

Supervisor's Initials and [redacted]2/16/10 Page No. 2

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/11/10

CHECK No. MT-9 MANBUS PRIOR TO GOING UNDERGROUND (NVO)

TRAVEL TRACK TO 3 SECTION (NVO)

TRAVEL 3 SECTION # 2 BELT HEAD TO TAIL (NVO)

ARRIVED ON SECTION TO DO IMMINENT DANGER RUN

Inspector's Initials [redacted]

Supervisor's Initials a[redacted]/21610 Page No. 3

*U.S. GPO: 2009-541-759

24570

MSHA Form 7000-10K, June 93 (revised)

Date 2/11/10

IMMINENT DANGER RUN

No. 8 (N100) DTI'S PRESENT

No. 7 (N100) DTI'S PRESENT

LOBR 6x7 24,570 cfm

No. 6 (N100) DTI'S PRESENT

-1- CITATION

Inspector's Initials [redacted]

Supervisor's Initials an[redacted]21610 Page No. 4

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/11/10

1300 8087723 75.220(a)(1)

THE OPERATOR IS NOT FOLLOWING THE ROOF CONTROL PLAN AS APPROVED BY THE DISTRICT MANAGER. ON THE No. 3 SECTION MMU'S 066/067 THE FACE OF THE No. 6 ENTRY IS 29 FT WIDE FOR A DISTANCE OF 8 FT AT MOUTH OF ENTRY.

ROOF CONTROL PLAN, PG. 12 DRAWING 2 SHOWS WIDTHS SHALL NOT EXCEED 20 FT IN WIDTH.

SURVEY SPADS OUTBY WAS OK AND FOREMAN SET ENTRY

Inspector's Initials [redacted]

Supervisor's Initials a[redacted]21610 Page No. 5

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/11/10

OVER TO GET BACK ON CENTERS WAS REASON FOR WIDE PLACE AT MOUTH. AREA WAS ALREADY DANGERED OFF ON ALL APPROACHES WHEN WE ARRIVED.

FOREMAN SHOULD HAVE KNOWN

HAS EXISTED FOR 1 HR

2 PEOPLE EXPOSED TO HAZARD BOLT MEN / CM'S S/C OPERATOR

IF ACCIDENT OCCURRED IT WOULD BE NO LOST WORKDAYS

Inspector's Initials [redacted]

Supervisor's Initials and [redacted]/10 Page No. 6

*U.S. GPO: 2009-541-759

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Date 2/11/10

IT IS UNLIKELY TO OCCUR ROOF IN AREA WAS SANDSTONE, RIBS WERE SOLID AND AREA HAD ALREADY BEEN DANGERED OFF

TERMINATED - 1400

JACKS WERE SET TO REDUCE WIDTH TO PLAN

Inspector's Initials [redacted]

Supervisor's Initials an[redacted]/10 Page No. 7

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/11/10

1310 8087724 75.203(b)

THE SIGHTLINE USED FOR DIRECTIONAL CONTROL TO MAINTAIN DIRECTION OF MINING IN THE No. 6 ENTRY ON No. 3 SECTION WAS NOT ADEQUATE CAUSING A NARROW BLOCK OF COAL TO EXIST BETWEEN No. 6 AND No. 7 ENTRY

INBY CORNERS OF THE ENTRY COAL PILLAR MEASURED 22' WIDE CORNER TO CORNER.

FOREMAN SHOULD HAVE KNOWN OF HAZARD

EXISTED FOR 1 DAY

Inspector's Initials [redacted]

Supervisor's Initials an[redacted]/10 Page No. 8

*U.S. GPO: 2009-541-759

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2 people Exposed - Bolt Man/ CM & S/c Operator

If Accident Occurred it would Be No Lost Workdays

It is Unlikely to Occur Roof & Ribs in Area were Solid Appearance had Been Dangerous off

Inspector's Initials [redacted]

Supervisor's Initials and D[redacted]/10 Page No. a

*U.S. GPO: 2009-541-759

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Date 2/11/10

No. 5 (N100) DTI's present

No. 4 (N100) DTI's present

No. 3 (N100) DTI's present

No. 2 (N100) DTI's present

LOAL - 11375

No. 1 (N100) DTI's present

-1- Citation

Inspector's Initials [redacted]

Supervisor's Initials and [redacted]/10 Page No. b

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/11/10

1325 8087325 75.203(e)(2)

The Crosscut of No. 2 to No. 1 Entry has Excessive width for more than 5 feet. When measured the width of Crosscut was from 20½ - 21½ feet wide for 32 feet in length (SS # 24440 No. 2 Entry)

Foreman Should Have known of Condition

Has Existed for 1 Day

2 people Exposed - Bolt Man/ CM & S/c Operators

Inspector's Initials [redacted]

Supervisor's Initials and D[redacted]/10 Page No. 11

*U.S. GPO: 2009-541-759

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Date 2/11/10

If Accident Occurred It would Be No Lost Workdays

It is Unlikely to Occur Roof and Ribs in Area is Solid

Inspector's Initials [redacted]

Supervisor's Initials and [redacted]2/6/10 Page No. 12

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MSHA Form 7000-10K, June 93 (revised)

Date 2/11/10

Talk to Foreman, CM Operator or Dust. Spoke to Foreman about Wios Places. Spoke to Bolt Crew about Dust.

Left Section, Travel Secondary Escapeway off Section to Man Bus 3 Breaks - 1 - Citation

Inspector's Initials [redacted]

Supervisor's Initials and [redacted]2/6/10 Page No. 13

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/11/10

1815 8087726 75.380(d)(7)(i)

The Secondary Lifeline on No. 3 Section which Miners are to Use to Exit the Mine in Emergency Situations was not Extended to the Section Loading Point. The Lifeline was 2 Crosscuts Outby the Section Loading Point.

Foreman should Have known

Has Existed for 4 Days

Inspector's Initials [redacted]

Supervisor's Initials a[redacted]2/6/10 Page No. 14

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/11/10

3 MSN Exposed - MSN on MAT Side of Section

If Accident Occurred it would Be No Lost Workdays

It is Unlikely to Occur Lifeline was Located 2 Crosscuts outby Fisher. Primary Lifeline was Located at Proper Distance

Term. 1430 - Lifeline was Extended to Loading Point

Inspector's Initials [redacted]

Supervisor's Initials and [redacted]/16/10 Page No. 15

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/11/10

Return to Surface

Met with Management to Discuss Citations, Root Cause, Abatement Times

Held Daily Closeout

Type out Citations

Return to Mr. Hope Office

Inspector's Initials [redacted]

Supervisor's Initials and [redacted]/16/10 Page No. 16

*U.S. GPO: 2009-541-759

Dry

MSHA Form 7000-10I, June 93 (revised)

DAILY COVER SHEET

Date 2/16/10 Event No. 6286108

Arrived at the Mine 0900 Departed from the Mine

List Records Books Checked Pre Shift 3 Section

Accompanied By: Company Representative

David Tarackory - Chief Elect.

Miners Representative

N/A

AREAS OF INSPECTION ACTIVITY:

3 Section - Equipment

Terminate Citations

Mantrip Observation

SCSR's

No. 2 Motor

Production

Inspector's Initials [redacted]

Supervisor's Initials and [redacted]/2010 Page No. 1

*U.S. Government Printing [redacted]7 - 508-470

MSHA Form 7000-10K, June 93 (revised)

Date 2/16/10

Arrived at Upper Big Branch - South Portal

Met with Management and informed them of Todays intensions

Review Map on Area to Be Inspected.

Check Preshift Book for 3 Section. (NVO)

Check No. 2 Motor (NVO)

Inspector's Initials [redacted]

Supervisor's Initials a[redacted]/10 Page No. 2

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/16/10

Got with David Taraczkozy - Chief Elec. to Travel to 3 Section

Check MJ-4 Manbus prior to Going Underground (NVO)

(12) SCSR's (OK)

Travel Track to No. 3 Section (NVO)

Arrived on Section Mads Faces

Did Mantrip Observation on Rios In (NVO)

Inspector's Initials [redacted]

Supervisor's Initials a[redacted]/10 Page No. 3

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/16/10

No. 8 (NIOO) DTI's present
CO&R - 10,460 cfm
No. 7 (NIOO) DTI's present

No. 6 (NIOO) DTI's present

No. 5 (NIOO) DTI's present

No. 4 (NIOO) DTI's present

No. 3 (NIOO) DTI's present

No. 2 (NIOO) DTI's present
CO&L - 11,900 cfm
No. 1 (NIOO) DTI's present

Inspector's Initials [redacted]

Supervisor's Initials a[redacted]/10 Page No. 4

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/16/10

TERM. CIT. - 1040 AM
TIMBERS SET BETWEEN 1 & 2
TO REDUCE WIDTH OF
CROSSCUT

TERM. CIT. 1050 AM
AREA FROM NARROW
BLOCK WAS CENTER TIMBER
AND NEW CENTER SPADS
WERE INSTALLED

CHECK LT RB
S/N 2005069 (NVO)
CHECK FIRE SUPP. (NVO)
DUST SYSTEM (OK)
PARAMETERS - OFF SIDE -15 wg
OP SIDE - 18 wg

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] 2/17/10 Page No. 5

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/16/10

CHECK RT BOLTER
S/N 2008322 (NVO)
FIRE SUPP. (OK)
DUST SYSTEM (OK)
PARAMETERS OFF SIDE - 14 wg
OP. SIDE - 18 wg

CHECK MAINT. SCOOP S/N 488-1735R
(NVO) FIRE. SUPP. (NVO)

CHECK SECTION CACHE'S
(60) SCSR'S (OK)

No. 2 CHARGER S/N GJ42957
GROUND HOG (NVO) FIRE. SUPP. (OK)

No. 1 CHARGER S/N GB28171
GROUND HOG (NVO) FIRE SUPP. (OK)

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] 2/17/10 Page No. 6

*U.S. GPO: 2009-541-759

24106

MSHA Form 7000-10K, June 93 (revised)

Date 2/16/10

1205 8087727 75.346(a)(2)(i)

THE No. 1 GROUND HOG
SCOOP CHARGER S/N GB28171
AND No. 2 GROUND HOG
SCOOP CHARGER S/N GJ42957
LOCATED IN THE INTAKE
ESCAPEWAY FOR THE No. 3
SECTION (MMU-066/067) AT
SURVEY STATION #24106 IS
NOT VENTILATED TO THE
RETURN OR SURFACE. AIR
FLOW FROM THE CHARGING
AREAS IS GOING TO THE
WORKING FACE. 4½" x 8" &
4" x 3½" WHERE AREAS WITH HOLES
MANAGEMENT SHOULD HAVE
KNOWN OF CONDITION

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] 2/17/10 Page No. 7

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/16/10

HAS EXISTED FOR 2 WEEKS

10 PEOPLE EXPOSED - SECTION CREW

IF ACCIDENT OCCURRED IT WOULD RESULT IN PERMANENTLY DISABLING INJURIES FROM SMOKE INHALATION OR HARMFUL GASES FROM BATTERIES

IT IS REASONABLY LIKELY TO OCCUR. WHEN CHECKED WITH SMOKE TUBES MAJORITY OF AIR TRAVELED TO SECTION.
HOLES IN STOPPINGS WERE 4½ x 8 INCHES AND 4 x 3½ INCHES
POWER WAS REMOVED FROM CHARGERS

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] 2/17/10 Page No. 8

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/16/10

[redacted] 1225 8087728 75.333(b)(8)

THE PERMANENT STOPPING @ 26 BRK 3 SECTION No. 1 BELT IS NOT BEING MAINTAINED, A 8 x 16 INCH HOLE IS IN STOPPING AND THE INTAKE AIR COURSE IS NOT SEPARATED FROM THE BELT HAULAGEWAY.

WEEKLY EXAMINER SHOULD HAVE KNOWN OF CONDITION

HAS EXISTED FOR 2 WEEKS

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] 2/17/10 Page No. 9

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/16/10

10 PERSON EXPOSED - MEN IN SECTION

IF ACCIDENT OCCURRED IT WOULD RESULT IN PERMANENTLY DISABLING INJURIES FROM SMOKE INHALATION FIRE

IT IS UNLIKELY TO OCCUR. WHEN CHECKED WITH SMOKE TUBE AIR FROM INTAKE WAS GOING TO BELT

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MSHA Form 7000-10K, June 93 (revised)

Date 2/16/10

CHECK ASI 8 SECTION 2 MSAD KVA S/N 31175-500-1009 (NVO)

CHECK AL LSS FORKLIFT S/N E-9914 - 1. CITATION

Inspector's Initials [redacted]

Supervisor's Initials a[redacted] 2/17/10 Page No. 11

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/16/10

1806 8087729 75.400

THE AL LSS FORKLIFT S/N E-9914 BEING USED FOR SUPPLIES FOR THE No. 3 SECTION COMPANY'S 006/007 HAS ACCUMULATION OF COMBUSTIBLE MATERIAL IN THE OPERATORS COMPARTMENT LOOSE COAL, [redacted] FLOAT DUST AND OIL HAVE ACCUMULATED AROUND THE TRAM PEDALS ON THE MACHINE. WHEN MEASURED, THE ACCUMULATION ARE 32" WIDE AND UP TO 3" DEEP.

THE EXAMINER / OPERATOR SHOULD HAVE KNOWN

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Supervisor's Initials and [redacted] 2/17/10 Page No. 12

*U.S. GPO: 2009-541-759

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Date 2/16/10

HAS EXISTED FOR 2 WEEKS

1 PERSON EXPOSED - EXAMINER OR OPERATOR

IF ACCIDENT OCCURRED IT WOULD BE LOST WORKDAYS OR RESTRICTED DUTY FROM FIRST STOPPING ON PEDALS.

IT IS REASONABLY LIKELY TO OCCUR. DUE TO THE SATURATION OF OIL AND COAL DUST ON PEDALS WOULD CAUSE PERSON TO BE UNABLE TO APPLY BRAKES/TRAM IN EMERGENCY

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Date 2/16/10

CHECK FORKLIFT CHARGER
CHARGER HOG S/N GF35548
(CMO)

ARRIVED ON SURFACE

SPOKE WITH DAVID ON CITATIONS AND HOW I WOULD BE CITING THEM. ASKED IF HE HAD ANY QUESTIONS, HE AGREED WITH MY FINDINGS AND HOW I WAS CITING THEM.

TYPED OUT CITATIONS AND TERMINATIONS

Inspector's Initials [redacted]

Supervisor's Initials [redacted] 2/17/10 Page No. 14

*U.S. GPO: 2009-541-759

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Date 2/16/10

MEET CLOSEOUT WITH MANAGEMENT.

RETURN TO MT. HOPE OFFICE

Inspector's Initials [redacted]

Supervisor's Initials a [redacted] 2/17/10 Page No. 15

*U.S. GPO: 2009-541-759

DAY PRODUCTION

MSHA Form 7000-10I, June 93 (revised)

DAILY COVER SHEET

Date 2/17/10 Event No. 6286108

Arrived at the Mine 0820 Departed from the Mine

List Records Books Checked

PRE SHIFT 3 SECTION - OLD 4 SECT.

Accompanied By: Company Representative

VIRGIL BOWMAN - DAVID TARACZKOZY

Miners Representative

N/A

AREAS OF INSPECTION ACTIVITY:

POWER BOXES, PUMPS, ETC.
TRACK PULLEY SWITCH TO ELLIS SWITCH

PRODUCTION

Inspector's Initials [redacted]

Supervisor's Initials [redacted] 2/23/10 Page No. 1

*U.S. Government Printing Office: 1997 - 508-470

MSHA Form 7000-10K, June 93 (revised)

Date 2/17/10

Arrived at Upper Big Branch - South Portal w/ Supervisor [redacted] Met with Gary May and informed him of Todays Intensions.

Review Map of Area to Be Inspected.

Check Preshift Book for 3 Section & Old 4 Section (NVO)

Got with Virgil Bowman and Went over Area to Be Inspected

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] 2310 Page No. 2

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/17/10

David Taraczkozy and Virgil Bowman will Be ~~[illegible]~~ Traveling with us

Check No. 10 Issp prior to Going Underground (NVO)

Kevin Lyall Arrived at Mine to Do 502

2 Stats Inspectors are on Site Checking Tracking and Communications

Check P/C 17514-402 @ 53 Brk (NVO) North Mains

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] 2330 Page No. 3

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/17/10

0946 8087730 75.202(a)

The Roof and Ribs where Persons are Required to Work or Travel is not Supported or Otherwise Controlled to protect persons from Hazards Related to Falls.

At 53 Brk on North Mains Track @ Splitter Box S/N 17514-402 A Brow on Outby Corner of Coal Pillar is Loose with Visible Gap. 2 timbers & 1 Jack were installed but not Firmly Against Roof. Post have Been placed on top of Material that has Already fell.

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Supervisor's Initials and [redacted] 2330 Page No. 4

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/17/10

Weekly Examiner should have known

Has existed for 1 week

1 person exposed - Examiner

If accident occurred it would result in permanently disabling injuries from fall of roof or rib

It is reasonably likely to occur. Roof and rib has already fell and with loose post there is no support from roof & rib

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Supervisor's Initials and [redacted] Page No. 5

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/17/10

Check charger @ 56 brk North Mains S/N AL979100012 (005) (NVO)

Check AEI Box @ 56 brk North Mains S/N 11762-1600-998 (NVO)

Check D-Box @ 56 brk North Mains S/N [redacted] 12967-198 (NVO)

Check AEI Box @ 62 brk North Mains S/N 29920-209 (NVO)

Check Trey-K Box @ 62 brk North Mains S/N 13012 (NVO)

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] Page No. 6

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/17/10

1027 9087731 75.202(a)

The roof where persons are required to travel or work is not supported or otherwise controlled to ~~prevent~~ protect persons from hazards related to fall of roof.

At 59 brk on North Mains track, roof has fell out from around bolts in intersection and adjacent crosscuts on each side of intersection exposing up to 18" of primary roof bolt. Red caution tape had been placed from a crib to timber on corners at intersection but

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Supervisor's Initials and D[redacted] Page No. 7

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Date 2/12/10

THE ROOF THAT HAS FELL HAS COVERED UP THE CAUTION TAPE.

EXAMINER SHOULD HAVE KNOWN AS IT IS EASILY VISIBLE FROM TRACK

HAS EXISTED FOR AT LEAST 1 MONTH DUE TO AMOUNT OF MATERIAL ALREADY FELL AND ROCK DUST PRESENT ON SURFACE OF MATERIAL

2 PERSON EXPOSED - MOTOR CREW

[redacted]

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] Page No. 8

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Date 2/12/10

IF ACCIDENT OCCURRED IT WOULD RESULT IN FATAL INJURIES FROM FALL OF ROOF

IT IS REASONABLY LIKELY TO OCCUR DUE TO AMOUNT OF MATERIAL ALREADY FELL EXPOSING ROOF SUPPORT.

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Supervisor's Initials an[redacted] Page No. 9

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MSHA Form 7000-10K, June 93 (revised)

Date 2/12/10

CHECK D-BOX @ 64 BRK 1 NORTH S/N 15685-1200 CNVO

CHECK SPLITTER @ 66 BRK 1 NORTH S/N 8548-1195 ([redacted]) -1- CITATION

Inspector's Initials [redacted]

Supervisor's Initials an[redacted] Page No. 10

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/12/10

1100 8082752 75.1725(a)

THE ASI LINE SPLITTER S/N 8548-1195 @ 66 BRK NORTH MAINS TRACK IS NOT BEING MAINTAINED IN SAFE OPERATING CONDITION.

THE 12,420 HIGH VOLTAGE CABLES ENTERING INPUT SIDE OF BOX IS NOT STRAINED TO PREVENT MOVEMENT OF CABLE. THE CAP THAT CONNECTS STRAIN TO BOX HAS UNTHREADED ALLOWING MOVEMENT OF CABLE IN THE BOX. ALSO, A LID BOLT ON BACK LID OF BOX WAS MISSING ALLOWING LID TO BE LIFTED ON 1 SIDE

BOX WAS REMOVED FROM SERVICE

Inspector's Initials [redacted]

Supervisor's Initials a[redacted] Page No. 11

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Date 2/12/10

EXAMINER SHOULD HAVE KNOWN OF CONDITION

HAS EXISTED FOR 5 DAYS SINCE LAST EXAMINATION

1 PERSON EXPOSED - EXAMINER

IF ACCIDENT OCCURRED IT WOULD RESULT IN LOST WORK DAY / RESTRICTED DUTY FROM ELECTRICAL FLASH

IT IS REASONABLY LIKELY TO OCCUR. BOX IS PHYSICALLY SHIFTED 3 TIMES A DAY. WATER IN AREA CAUSING SLICK WALKWAY WOULD CAUSE PERSON TO GRAB CABLE AND PULL ON IT

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Supervisor's Initials an[redacted] Page No. 12

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Date 2/12/10

TERM. 1120. STRAIN CAP AND BOLT WAS REPLACED

CHECK SPLITTER @ 78 BRK NORTH MAINS ASI S/N 22639-705 (NVO)

CHECK BOX @ 79 BRK NORTH MAINS ASI S/N 8357-500-895 (NVO)

CHECK SPLITTER @ 88 BRK NORTH MAINS ASI S/N 13860-1000-1198 (NVO)

CHECK BOX @ 89 BRK NORTH MAINS ASI S/N 11761-2300-798 (NVO)

CHECK SCSR CACHE @ 102 BRK NORTH MAINS (65) SCSR'S (OK)

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Supervisor's Initials and [redacted] Page No. 13

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Date 2/17/10

TRAVEL TO ELLIS SWITCH
FROM PENNSY SWITCH

AT 101 BRK - 1 - CITATION

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] Page No. 14

*U.S. GPO: 2009-541-759

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Date 2/17/10

1222 8087738 75.202(a)

THE ROOF AND RIB WHERE PERSONS ARE REQUIRED TO WORK OR TRAVEL IS NOT SUPPORTED OR OTHERWISE CONTROLLED TO PROTECT PERSONS FROM HAZARDS RELATED TO FALL OF ROOF / RIB.

BETWEEN 101 BRK & 102 BRK ON NORTH MAINS TRACK

A PIECE OF ROCK IN MINE ROOF EXTENDING DOWN INTO RIB MEASURES 7' WIDE, 16' LONG, UP TO 18" THICK WITH A GAP UP TO 5" IS PRESENT ALONG TRACK WITH NO SUPPORT.

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Supervisor's Initials an [redacted] Page No. 15

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Date 2/17/10

EXAMINER SHOULD HAVE KNOWN AS TRACK IS TO BE PRE SHIFTED

5 PERSON EXPOSED - NUMBER OF MEN ON THAT SIDE OF MANWAY

IF ACCIDENT OCCURRED IT WOULD RESULT IN PERMANENTLY DISABLING INJURIES. ROCK WOULD COME INTO SIDE OF MANWAY BY SLIDING DOWN MATERIAL ALREADY FELL.

IT IS REASONABLY LIKELY TO OCCUR DUE TO MATERIAL ALREADY FELL IN AREA AND 5" GAP IN ROOF

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] Page No. 16

*U.S. GPO: 2009-541-759

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Date 2/17/10

Check entry Refuge @ 97 Box North Mains (NVO)

Travel Back to Surface (NVO)

Type out Citations

Hold Daily Closeout with Gary May [redacted] Talk about Abatement & Root Cause

Return to Mr. Hays Office

Inspector's Initials [redacted]

Supervisor's Initials and D[redacted] Page No. 17

*U.S. GPO: 2009-541-759

Day

MSHA Form 7000-10I, June 93 (revised)

DAILY COVER SHEET

Date 02/18/10 Event No. G2861108

Arrived at the Mine 0810 Departed from the Mine

List Records Books Checked OCD 4 Section

Barrier Section

Accompanied By: Company Representative David Taraczkozy

Virgil Bowman, Berman Cornett

Miners Representative

N/A

AREAS OF INSPECTION ACTIVITY:

Term. Citations

Equip OCD 4 Section

Equip. Remar / Barrier Section

SCSR's

Production

Inspector's Initials [redacted]

Supervisor's Initials a[redacted] Page No. 1

*U.S. Government Printing Office: 1997 - 508-470

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Date 2/18/10

Arrived at Upper Big Branch - South Portal

Met with David Taraczkozy - Chief Elect. and Berman Cornett - Safety and Informed them of Todays Intensions.

CMI Trainees [redacted] and [redacted] are Traveling with me.

Review Mine Map of Area to Be Traveled

Check OCD 4 and Barrier Pre-Shift Book (NVO)

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] Page No. 2

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/18/10

CHECK M-11 MANBUS PRIOR TO GOING UNDERGROUND (NVO)
(13) SCSR'S (OK)

TRAVEL TO OLD 4 SECTION ON TRACK (NVO)

TERM. CIT. ON ROCK DUST SURVEY 1000 - AREA HAS BEEN DUSTED

CHECK JOY CM S/N JM 5549 (NVO)

SECTION PIC S/N 27262.2500.1006 (NVO)

CHECK SCOOP S/N T339.230 (NVO)

CHECK MAINS. SCOOP T339.550 (NVO)

Inspector's Initials [redacted]

Supervisor's Initials an[redacted] Page No. 3

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/18/10

TRAVEL TO NORTH MAINS TO TERMINATE CITATIONS

TERM. CIT. @ 53 BRK 1045 TIMBERS & JACKS WERE SET AT BROW AND PLACED FIRMLY AGAINST ROOF AND FLOOR

TRAVEL TO REMAB AREA FOR NEW BARRIER SECTION
MANTRIP OBSERVATION TO SECTION (NVO)
CHECK JOY CM S/N 5929 (NVO)

CHECK STAMLER FEEDER S/N 14103 (NVO)

STARTED EXAMINING WORK AREA
-1- CITATION

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] Page No. 4

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/18/10

1125 8087734 75.220(a)(1)

THE OPERATOR IS NOT FOLLOWING THE APPROVED ROOF CONTROL PLAN FROM THE DISTRICT MANAGER. LOCATED AT THE REMAB AREA FOR THE NEW BARRIER SECTION, ENTRIES AND CROSSCUT WIDTHS HAVE EXCEEDED THE 20' MAX. WIDTH AS SHOWN ON PAGE 12 DRAWING 2 OF THE PLAN. THEY ARE WHEN MEASURED 20½ FT TO 24 FT WIDE. SURVEY SPARS COULD NOT BE FOUND IN THE AREA BUT ACCORDING TO LOCATION ON NORTH MAINS TRACK THE LOCATION IS 60, 61, 62 BREAK ON NORTH MAINS

Inspector's Initials [redacted]

Supervisor's Initials an[redacted] Page No. 5

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/18/10

3 ENTRIES ARE BEING REHABBED IN AREA.
AT CROSSCUT 1 TO 2 IS 20 1/2 TO 23 1/2 FT WIDE FOR 82 FT IN LENGTH.
CROSSCUT 2 TO 3 IS 20 1/2 TO 23 1/2 FT WIDE FOR 75 FT IN LENGTH. [redacted]
THE NO. 2 ENTRY IS 21 FT TO 24 FT WIDE FOR 72 FT IN LENGTH.
EQUIPMENT IS BEING OPERATED WHAT WOULD BE CONSIDERED 1 BEK INBY THIS AREA.
AREA HAS BEEN RE BOLTED, CLEANED, DUSTED BUT NO ADDITIONAL SUPPORT IS BEING USED IN WIDE PLACES

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] Page No. 6

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/18/10

FOREMAN SHOULD HAVE KNOWN AS AREA IS BEING RESHIFTED 3 TIMES PER DAY FOR THE ONCOMING SHIFTS

HAS EXISTED FOR 3 DAYS

3 PERSONS EXPOSED - BOLT CREW CM & S/C OPERATORS AND FOREMAN

IF ACCIDENT OCCURRED IT WOULD RESULT IN FATAL INJURIES FROM CRUSHING OF PILLARS DUE TO WIDE PLACES

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] Page No. 7

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/18/10

IT IS REASONABLY LIKELY TO OCCUR DUE TO AMOUNT OF PRESSURE ON AREA. RIBS HAVE SLOUGHED OUT OR BEEN SCALED DOWN BY CONTINUOUS MINER.

BRANDON DAVIS - FOREMAN

[redacted]

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] Page No. 8

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/18/10

Lsct Rshad Arsa

Trem. Cit. @ 59 Brk
1300. Timbers and Jacks
were set and Bolts Replaced
in Arsa.

Check SCSR Caches at 60
Brk North Mains
(65) SCSR's (ok)
-1- Citation

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 2/23/10 Page No. 9

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2-18-10

CITATION/ORDER #: 8087735

Time: 12:30

Location: North Mains Track 60 Brk

Violation: 75.380(d)(7)(vii)(A)

The branch line leading to the SCSR Cache on North Mains Track at Break 60 was not provided with the proper directional cones forming two diamond shapes. The branch line leading to the Cache had only 2 cones facing in the wrong direction

No. of Persons Exposed: 6

Men that were on Barrier Section

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 2/23/10 Page No. 10

GPO U.S. GOVERNMENT PRINTING OFFICE:2008-741-328

MSHA Form 7000-10K, June 93 (revised)

Date 2-18-10

Who knew the violation existed?

Pre shift examiner

How long has the violation existed?

More than a week

If an accident should occur because of this type violation, how serious would it be?

If a cave in occurred and mine near the Cache could be serious

What is the likelihood that this type accident will occur at this mine?

Why? Unlikely as clear as track was to where a side would be taken and with 1hr responders on miners Person

Inspector's Initials [redacted] JKS

Supervisor's Initials and Date [redacted] 2/23/10 Page No. 11

GPO U.S. GOVERNMENT PRINTING OFFICE:2008-741-328

MSHA Form 7000-10K, June 93 (revised)

Date 2/18/10

Travel Back to Surface (Novo)

Met with Management to Discuss Citations and Root Cause, Abatement Time.

Type out Citations and Terminations

Held Daily Closeout

Return to Mr. Hope Office

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted]/23/10 Page No. 12

*U.S. GPO: 2009-541-759

DAY
PRODUCTION

MSHA Form 7000-10I, June 93 (revised)

DAILY COVER SHEET

Date 02/19/10 Event No. 6286108

Arrived at the Mine 9:15 Departed from the Mine

List Records Books Checked Gas Values @ Seals

Barrier Section

Accompanied By: Company Representative Jason Whitehead - Gary May - Supv. UBB

Miners Representative

AREAS OF INSPECTION ACTIVITY:

Rehab of New Barrier Area

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted]/23/10 Page No. 1

*U.S. Government Printing Office: 1997 - 508-470

MSHA Form 7000-10K, June 93 (revised)

Date 2/19/10

Arrived @ MSHA parking lot 6:45. Bumped test solars. Got ready to go to Parker Lease.

Spoke with [redacted] on ventilation problems on UBB. Note to write order on ventilation issues.

Left for UBB arrived @ mine office @ 9:15

Discussed the the issues with Jason Whitehead & Foreman Gary May

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted]/23/10 Page No. 2

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/19/10

Superintendent. Jason called [redacted] & discussed the ventilation problem.

Jason Whitehead decided to call the airway a return

Rode to the work area by track with Gary May.

Check on the violation on citation # 8087734. Timbers were set in the location indicated on the citation 10:45.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 2/23/10 Page No. 3

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 02/19/10

Checked airway to see if any air flow from the return airway was going into the neutral track entry. There was no air flow going from the return to the neutral airway.

Timbers are being set in other locations in this area due to wide entries & cross cuts caused by cleaning up the area which was gobbed off.

Discussed citation with Gary May Superintendent

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 2/23/10 Page No. 4

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/19/10

1) 9:15 2) 75.332(a)(1)

3) All areas using mechanized mining equipment shall has a seperated split of intake air to ventilate the area. The mechanized equip used to removed the gob area & rehabilitate the area is being ventilated by return air. The equip in this area now are continuous miner, roof bolter & shuttle car. Persons involved in the area are Brandon Davis Section Boss, [redacted] Miner operator, [redacted]

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 2/23/10 Page No. 5

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/19/10

roof bolter, [redacted]
roof bolter, [redacted]
shuttle car, [redacted]
scoop and [redacted] operator
electrician,

4) The mine foreman.
Gary Maly

5) ~~The~~ this condition has existed since the mab. started

6) A person operating the equip are exposed

7) ~~Mo~~ Should the seals should out gas putting methane

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 2/23/10 Page No. 6

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/19/10

in the airway ~~then~~ and a spark should occur permanent disabling.

8) Unlikely of it happening because there is no methane detected, the seals are ingassing + the air flow is 56,889 cfm for the 2 return air ways

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 2/23/10 Page No. 7

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/19/10

Arrived back at the MSHA office. Was informed the order had to be vacated due to a Subsequent to the 1992 Ventilation Questions "Answers pg. 60, section 75.332 separate intake air was not required

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 2/23/10 Page No. 8

*U.S. GPO: 2009-541-759

MSHA Form 7000-10M, June 93 (revised)

AIR READINGS

Date 02/19/10

Location Return # 2

Width	21 ft	Bottle Sample No.	
Height	9 ft	CH4 Detected	0%
Area	189	Mean Entry	
Velocity	185	Time	11:00
Quantity	34965		

Location Return #1

Width	21	Bottle Sample No.	
Height	9	CH4 Detected	0%
Area	189	Mean Entry	
Velocity	116	Time	11:05
Quantity	21,924		

total 56,889 cfm for return airway

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 2/22/10 Page No. 9

*U.S.GPO:1993-0-709-384

DAY

PRODUCTION

MSHA Form 7000-10I, June 93 (revised)

DAILY COVER SHEET

Date 2/22/10 Event No. 6286108

Arrived at the Mine 0800 Departed from the Mine

List Records Books Checked PRE SHIFT 3 SECTION SEALS

Accompanied By: Company Representative

BERMAN CORNETT

Miners Representative

N/A

AREAS OF INSPECTION ACTIVITY:

SET 3 - 14, 15, 17, 18 SEALS

1 NORTH BELT

2 NORTH BELT

3 NORTH BELT

TERMINATE CITATIONS

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] 2/22/10 Page No. 1

*U.S. Government Printing Office: 1997 - 508-470

MSHA Form 7000-10K, June 93 (revised)

Date 2/22/10

ARRIVED AT UPPER BIG BRANCH MINE.

MET WITH MANAGEMENT TO INFORM THEM OF TODAYS INTENSIONS

REVIEW MINE MAP OF AREAS TO BE INSPECTED.

CMI TRAINEE DOY RUSSELL IS TRAVELING WITH MS

REVIEW SEAL BOOK, 3 SECT. PRE SHIFT (NVO)

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] 2/22/10 Page No. 2

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/22/10

Got with Berman Cornett Safety to travel to area where seals are to be replaced

Check MT 7 Manbus (NVO)

Arrive at seal area

Check 14 seal area area is being cleaned 10' ft from existing seal roof in area is sandstone ribs are sloughing in area but men are scaling and shoveling

Inspector's Initials [redacted]

Supervisor's Initials and [redacted]/23/10 Page No. 3

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/22/10

Seal 15 has some more cleaning to be done. Roof in area is sandstone ribs need scaled and cleaned. Area being cleaned is 8' ft from existing seal. 8 prop setters have been installed in front of existing seal

Seal 17 & 18 has not been cleaned up. Roof in area is sandstone. Ribs need scaled. 8 prop setters are installed in front of both seals

Inspector's Initials [redacted]

Supervisor's Initials and [redacted]/23/10 Page No. 4

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/22/10

Went to 1 North 6' belt.

Check discharge area (NVO)

Fire supp. (NVO)

Starter box (NVO)

Takeup unit (NVO)

~~[illegible]~~

Belt is idle untic unit is set up at barrier section

Check AEI splitter S/N 29921-209

Check AEI box S/N 10362-500-597 (NVO)

Inspector's Initials [redacted]

Supervisor's Initials and [redacted]/23/10 Page No. 5

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/22/10

Travel 1 North 6' Belt (NVO) Belt is Out of Service. Men are Working on Dusting and Setting Post

Check 2 North Belt Discharge (NVO)
Fire Supp. (NVO)
Starter Box (NVO)
Takeup Unit (NVO)

Travel 2 North Belt Head to Tail (NVO)
Belt is Out of Service until Unit is Ready

Inspector's Initials [redacted]
Supervisor's Initials and [redacted]/23/10 Page No. 6

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/22/10

Term. Cit. 1105
Directional Arrows are Correct on Lifeline @ 60 Brk Crosscut

Travel to 101 Brk

Term. Cit. 1137. Timbers have been Set in Area to ~~Remove~~ Support Roof & Rib.

Walk New Section Belt (Barrier) 3 Brks Long
Belt is Being Installed (NVO) and Drives & Takeup is Being put in place.

Inspector's Initials [redacted]
Supervisor's Initials and [redacted]/23/10 Page No. 7

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/22/10

Held Daily Closeout with Berman Cornett and Rick Foster

Typs out Terminations

Return to Mt Hope Office

Inspector's Initials [redacted]
Supervisor's Initials and [redacted]/22/10 Page No. 8

*U.S. GPO: 2009-541-759

DAY

MSHA Form 7000-10I, June 93 (revised)

DAILY COVER SHEET

Date 2/23/10 Event No. 6286108

Arrived at the Mine 0850 Departed from the Mine

List Records Books Checked BANDY TOWN FAN BOOKS

Accompanied By: Company Representative

PAUL THOMPSON - MAINT. CHIEF

Miners Representative

N/A

AREAS OF INSPECTION ACTIVITY:

BANDY TOWN FAN & SUBSTATION
COMPRESSORS
BUILDINGS

PRODUCTION

Inspector's Initials [redacted]

Supervisor's Initials a[redacted]23/10 Page No. 1

*U.S. Government Printing Office: 1997 - 508-470

MSHA Form 7000-10K, June 93 (revised)

Date 2/23/10

ARRIVED AT UPPER BIG BRANCH MINE - ELLIS PORTALS

MET WITH WAYNE PERSINGER AND SUPERIT HAGER AND INFORMED THEM OF TODAYS INTENSIONS

CHECK FAN BOOK FOR BANDY TOWN FAN - 1- CITATION

Inspector's Initials [redacted]

Supervisor's Initials and [redacted]23/10 Page No. 2

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/23/10

0900 8087236 75.312(g)(1)

THE OPERATOR COULD NOT PRODUCE A RECORD OF DAILY MINE FAN EXAMINATIONS FOR THE BANDY TOWN MINE FAN FOR 2/22/10. THE LAST RECORDED DATE WAS 2/21/10 BY THE END OF SHIFT ON WHICH EXAMINATION IS MADE, PERSON SHALL RECORD EXAMINATION BOOK IS LOCATED AT THE ELLIS PORTAL

EXAMINER SHOULD MAKE KNOWN OF CONDITION

HAS EXISTED FOR 1 DAY

Inspector's Initials [redacted]

Supervisor's Initials and [redacted]23/10 Page No. 3

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/23/10

1 PERSON EXPOSED - EXAMINERS ON NEXT DAY

IF ACCIDENT OCCURRED IT WOULD BE NO LOST WORKDAYS

IT IS UNLIKELY TO OCCUR. EXAM WAS MADE, JUST FAILED TO RECORD

TERM. CIT. @ 0910.
EXAMINATION WAS RECORDED IN THE DESIGNATED BOOK

EXAMINERS TRUCK BROKE DOWN AT FAN ON 2/22/10 WAS REASON FOR EXAM NOT BEING RECORDED

Inspector's Initials [redacted]

Supervisor's Initials a[redacted]23/10 Page No. 4

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/23/10

GOT W/ [redacted]
TRAVEL TO BANDYTOWN FAN FROM UBB

ARRIVE AT FAN CHECK
MOTOR / FAN HOUSING (NVO)
CHECK FAN CHART (NVO)
CHECK ALARM (NVO)
CHECK WATER GAUGE 4.6" (NVO)

CHECK 1000 GAL DIESEL TANK (NVO)

CHECK SULLAIR COMPRESSOR (NVO)

CHECK SUBSTATION (NVO)

CHECK BANDY TOWN NO. 1 SURFACE TURBINE (NVO)

Inspector's Initials [redacted]

Supervisor's Initials an[redacted]23/10 Page No. 5

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/23/10

1100 8087737 77.1109

THE SULLAIR DIESEL [redacted] COMPRESSOR [redacted] BEING USED AT THE BANDY TOWN FAN WAS NOT TAMPERED WITH A PORTABLE FIRE EXTINGUISHER.

EXAMINER SHOULD HAVE KNOWN

HAS EXISTED FOR 1 DAY

1 PERSON EXPOSED - EXAMINER

Inspector's Initials [redacted]

Supervisor's Initials and [redacted]23/10 Page No. 6

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/23/10

If Accident Occurred it would be No Lost Workdays

It is Unlikely to Occur Compressor is Located on Surface

Tsrn. Citation 1105.
A fire Satinguisher was provided for Compresssor

Inspector's Initials [redacted]

Supervisor's Initials ar[redacted]2310 Page No. 7

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/23/10

Chuck Power Borehole Breaker Building S/N 31805-110 (NVO)
Bore Hole Not yet in Service

Mr. [redacted] informed me of Additional Work to be Done in Area. Informed him that Beers Equipment is Moved in Area. Berms need to be Built Up. Berms are present but are only Enough for a Passenger Vehicle. Mr. [redacted] said he would have Berms Fixed Before moving Equipment.

Inspector's Initials [redacted]

Supervisor's Initials ar[redacted]2311 Page No. 8

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/23/10

Drove Back to UBB Labour Facility to Check Substation Book

Check Substation Book for Bandy Town (NVO)

No Management person available for Daily Closeout

Typs out Citations

Return to Mr. Hope

Inspector's Initials [redacted]

Supervisor's Initials and [redacted]2310 Page No. 9

*U.S. GPO: 2009-541-759

Day
Production

MSHA Form 7000-10I, June 93 (revised)

DAILY COVER SHEET

Date 2/24/10 Event No. 6286108

Arrived at the Mine 0800 Departed from the Mine

List Records Books Checked Elect. Books

3 Section

Accompanied By: Company Representative

Mike Kiblinger - Duty

Miners Representative

N/A

AREAS OF INSPECTION ACTIVITY:

Duty Elect. Boxes Ellis - 2 Sec.
Pumps
SCSR's

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] Page No. 1

*U.S. Government Printing Office: 1997 - 508-470

MSHA Form 7000-10K, June 93 (revised)

Date 2/24/10

Arrived at Upper Big Branch Mine - Ellis Portals with CMI Trainee [redacted]

Met with Everett Hager and Rick Nicolay and informed them of Todays Intensions

Review Mine Map w/ Day & Management on Areas to Be Inspected

Check Elect. Book, Pre Shift / Section (NVO)

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] Page No. 2

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/24/10

[redacted] will be traveling with us today checking Boxes, Pumps, Etc

Check MT-1 prior to going underground (NVO)
(13) SCSR's (OK)

Travel up track to check Boxes

Check Ellis No. 5 KVA
ASI S/N 29645-1000-209

Check Ellis No. 5 D-Box (NVO)

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] Page No. 3

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/24/10

CHECK DOUGLAS CHARGER No. 1
S/N 152541 (NVO)

CHECK No. 2 CHARGER
S/N COULDN'T FIND - 1 - CITATION
- 1 - CITATION

Inspector's Initials [redacted]

Supervisor's Initials and [redacted]2510 Page No. 4

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/24/10

0910 4087738 75.515

THE No. 2 MANTRIP
CHARGER AT ELLIS
No. 5 BELT DRIVE
THE 480 VOLT CABLE
ENTERING THE CHARGER
IS NOT ENTERING THROUGH
PROPER FITTING. THE
CABLE CAN BE MOVED
IN THE FITTING

EXAMINER SHOULD HAVE
KNOWN OF CONDITION

HAS EXISTED FOR 1
WEEK

1 PERSON EXPOSED -
EXAMINER

Inspector's Initials [redacted]

Supervisor's Initials and [redacted]2510 Page No. 5

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/24/10

IF ACCIDENT OCCURRED IT
WOULD BE LOST WORKDAYS
OR RESTRICTED DUTY
FROM FLASH
IT IS UNLIKELY TO
OCCUR. CHARGER IS
NOT USED ON A DAILY
BASIS.

TERM. @ 1315 - CABLE IS
NOW ENTERING THROUGH A
PROPER FITTING

Inspector's Initials [redacted]

Supervisor's Initials and [redacted]2510 Page No. 6

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/24/10

Check D-Box @ 4 North
Mead ASI S/N 11175-992
(NVO)

Check 4 North KVA
ASI S/N 28964-1108 (NVO)

Check Trinkle Duster
4 North Mead (NVO)

Check Box ASI S/N 22037-2300-1105
(NVO)

Check Splitter Box @ 5
Brk North Mains
ASI S/N 12110 - 698 (NVO)

Check Ourby Refuge @ 6 Brk
North Mains (NVO)

Inspector's Initials [redacted]

Supervisor's Initials and D[redacted]/10 Page No. 7

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/24/10

Check Splitter @ 7 Brk
North Mains ASI
S/N 30599-709

Check 5 North KVA
ASI S/N 22039-2300-106 (NVO)

Check Trinkle Duster for
5 North Mead (NVO)

Check D-Box @ 44 Brk
North Mains (NVO)

Check Flyer Pump @ 46 Brk
S/N 0530015 (NVO)
Check Starter Box (NVO)

Inspector's Initials [redacted]

Supervisor's Initials and D[redacted]/10 Page No. 8

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/24/10

Check Splitter Box @
75 Brk NM
ASI S/N 22938-206 (NVO)

Check Splitter @ 78 Brk
NM ASI S/N 22909-1005-(NVO)

Check 2 Section No. 1
Belt KVA ASI S/N 9187-1000-496
(NVO)

Check Trinkle Duster @
2 Sec. 1 Mead (NVO)

Check Ourby Refuge @ 8
Brk on 2 Sec. 1 Belt
(NVO)

Inspector's Initials [redacted]

Supervisor's Initials and [redacted]/10 Page No. 9

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/24/10

CHECK KVA @ 2 SEC.
NO. 2 HEAD AEI
S/N 30844-709 (NVO)

SECTION HAS BEEN MOVED
AND BELTS HAVE BEEN TOOK
OUT OF SERVICE TO 2 SECTION

CHECK KVA @ 2 SEC. 3 HEAD
AEI S/N 27480-500-1008
(redacted) -1- CITATION

Inspector's Initials [redacted]

Supervisor's Initials an[redacted] 22510 Page No. 10

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/24/10

1130 9087789 75.360(f)
THE PERSON CONDUCTING
THE PRE SHIFT EXAMINATION
ON THE AEI BELT STARTER S/N
27480-500-1008 AT
OLD 3 HEAD FOR 2 SECTION
DID NOT CERTIFY BY DATE,
TIME, AND INITIALS THAT
THE EXAMINATION HAS BEEN
MADE. THE LAST RECORDED
DATE WAS 2/23/10 AT
1414 PM.

EXAMINERS SHOULD HAVE KNOWN
OF CONDITION

HAS EXISTED FOR 2 SHIFTS

1 PERSON EXPOSED - EXAMINER

Inspector's Initials [redacted]

Supervisor's Initials an[redacted] 22510 Page No. 11

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/24/10

IF ACCIDENT OCCURRED IT
WOULD RESULT IN NO LOST
WORKDAYS

IT IS UNLIKELY TO OCCUR
JUST FAILURE TO CERTIFY
EXAM WAS MADE IN AREA

TERM. CITATION - 1133
DTI'S WAS PLACED. EXAM.
WAS MADE. POWER WAS
REMOVED FROM BOX

Inspector's Initials [redacted]

Supervisor's Initials an[redacted] 22510 Page No. 12

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/24/10

BRK 14 2 Sec. No. 1 Belt
SCSR's [redacted] (25) SCSR's (OK)

Check SCSR Caches @
51 BRK 5 North Belt
along Track (68) SCSR's (OK)

-1- Citation

Inspector's Initials JKS

Supervisor's Initials and Date [redacted] Page No. 13

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/24/10

1220 9087740 75.202(a)

The Roof and Ribs
of Areas where persons
are Required to Work or
Travel is Not Supported or
otherwise Controlled to protect
person from Hazards related
to Falls of Roof Ribs
Located Between 50 and
51 Brk of the North
Mains on 5 Belt in the
Travel Entry @ SCSR Cache
The Right Rib looking
Outby has a Separation
from the Roof with a
Visible Gap. Several
Vertical Cracks are
Also Visible in the
Rib

Inspector's Initials [redacted]

Supervisor's Initials an[redacted]7510 Page No. 14

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/24/10

The Rib Measures
36 ft long, Overall
Height in Area is 6 1/2
ft with 22" of Rib
being Rock.

Examiners should have
known of Condition

Has Existed for 2 weeks

2 [redacted] person Exposed. Examiners
on Motor Crew

If Accident Occurred it
would Result in Permanently
Disabling Injuries from
Fall of Rib

Inspector's Initials [redacted]

Supervisor's Initials a[redacted]7510 Page No. 15

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/24/10

IT IS UNLIKELY TO OCCUR. TRACK IS 12 FT FROM RIB AND RIB HEIGHT IN AREA IS 6 1/2 FT

AREA WAS DANGERED OFF BY MR. KIBLINGER

Inspector's Initials [redacted]

Supervisor's Initials [redacted]2510 Page No. 16

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/24/10

CHECK CACHE AT 10 BRK ON NORTH MAINS ON 4 NORTH BELT TRACK ENTRY (65) SCSR'S (OK)

-1- CITATION

Inspector's Initials [redacted]

Supervisor's Initials and [redacted]2510 Page No. 17

*U.S. GPO: 2009-541-759

1300

MSHA Form 7000-10K, June 93 (revised)

Date 2/24/10

1252 8087241 75.380(d)(2)(vii)(A)

THE BRANCH LINE LEADING FROM THE LIFELINE TO AN SCSR CACHE AT 10 BREAK ON NORTH MAINS IN 4 NORTH BELT, TRACK ENTRY IS NOT ~~[illegible]~~ MARKED WITH FORM CONES WITH THE BASE SECTIONS IN CONTACT TO FORM TWO DIAMOND SHAPES

EXAMINERS SHOULD HAVE KNOWN

HAS EXISTED FOR 1 MONTH

10 PEOPLE EXPOSED - MEN ON SECTION ON OUTBY

Inspector's Initials [redacted]

Supervisor's Initials and [redacted]2510 Page No. 18

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/24/10

IF ACCIDENT OCCURRED IT WOULD BE PERMANENTLY DISABILING FROM SMOKE INHALATION

IT IS UNLIKELY TO OCCUR FROM 1-BY CACHE MEN ARE NOT MORE THAN 1 MI FROM SURFACE

TERM. CIT. @ 1300
BRANCH LINE WITH DIAMOND SHAPE WERE INSTALLED FROM LIFELINE TO SCSR CACHE

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] 2/25/10 Page No. 19

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/24/10

ARRIVED ON SURFACE

SPOKE WITH [redacted], BERMAN CORNETT, [redacted], AND MIKE KIBLINGER ON CITATIONS WROTE

DISCUSS ROOT CAUSE AND ABATEMENT WITH MANAGEMENT

HELD DAILY CLOSEOUT

RETURN TO MT. HOPE OFFICE

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] 2/25/10 Page No. 20

*U.S. GPO: 2009-541-759

SAT. DAY

MSHA Form 7000-10I, June 93 (revised)

DAILY COVER SHEET

Date 2/27/10 Event No. 6286108

Arrived at the Mine 0630 Departed from the Mine

List Records Books Checked LW PRE SHIFT

Accompanied By: Company Representative
DELBERT BAILEY

Miners Representative
N/A

AREAS OF INSPECTION ACTIVITY:

U/WALL FACE
PUMPS
WATER / TOILET
CHARGER / O-BOX
TERM. CITATION

PRODUCTION

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] 3/10 Page No. 1

*U.S. Government Printing Office: 1997 - 508-470

MSHA Form 7000-10K, June 93 (revised)

Date 2/22/10

Arrived at Upper Big Branch - Ellis Portal

Met with [redacted] - L/W Set Up - and inform him of todays intensions

Review Mine Map of Area to Be Inspected

Check L/W Pre Shift Book (NVO)

All Areas - None Found

Intake - 77,330	0% CH_4
#9 - 862	20.8% O_2
#60 - 537	0 ppm

MPA - 13,190

MPB - Movement to 60B

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] 3/10 Page No. 2

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/22/10

Check No. 11 Manbus (NVO)

(13) SCSR's (OK)

Travel to Longwall (NVO)

Stop @ 17 Brk 4 North Belt Check pump Flight S/W Can't Read (NVO)

Starter Box (NVO)

Did Mantrip Observation on Delbert Bailey to Longwall (NVO)

Travel from Mouth to Face of Longwall in Primary (Track) (NVO)

Inspector's Initials [redacted]

Supervisor's Initials an [redacted] 3/10 Page No. 3

GPO: U.S. GOVERNMENT PRINTING OFFICE: 2009—540-493

MSHA Form 7000-10K, June 93 (revised)

Date 2/22/10

Arrived at Face

Met Section Foreman Timmy Davis

Sheare was at 20 Jack Coming Toward Head.

Observed Shear Loading and Cutting Out on Head

While changing Bits/Sharpening Travel Face to Tail (NVO)

DTI's present

Took Air Reading @

160 Jack - 1067

9 Jack - 1075

Inspector's Initials [redacted]

Supervisor's Initials and D [redacted] 3/10 Page No. 4

GPO: U.S. GOV [redacted] NTING OFFICE: 2008-741-328

MSHA Form 7000-10K, June 93 (revised)

Date 2/27/10

INTAKE - 62,500

0% CH_4 20.8% O_2

CHECK POTABLE WATER (NVO)

CHECK TOILES (NVO)

CHECK MANTRIP CHARGER

@ END OF TRACK (NVO)

CHECK D-BOX @ END OF

TRACK (NVO)

TRAVEL BACK TOWARD

SURFACE

STOP @ 51 BRK NW

TO TERMINATE CITATION

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] 3/10 Page No. 5

MSHA Form 7000-10K, June 93 (revised)

Date 2/27/10

TERM. CIT. @ 950

JACKS HAVE BEEN SET

TO PROTECT PERSONS FROM

RIB

ARRIVE ON SURFACE

HELD DAILY CLOSSOUT

TYPE OUT TERMINATION

RETURN TO MT. HOPE OFFICE

Inspector's Initials [redacted]

Supervisor's Initials [redacted] 3/10 Page No. 6

Eve / Owl

MSHA Form 7000-10I, June 93 (revised)

DAILY COVER SHEET

Date 2/28 - 3/1 Event No. 6286108

Arrived at the Mine 2215 Departed from the Mine

List Records Books Checked 3 Sect. Pre-Shift and Elec. Book

Accompanied By: Company Representative

Jody Price - Chief, Adam Fraley

Miners Representative

N/A

AREAS OF INSPECTION ACTIVITY:

Equipment - 3 Section

Terminate Citation

Faces on 3 Section

Maint. Shift

Inspector's Initials [redacted]

Supervisor's Initials and [redacted]3/10 Page No. 1

*U.S. Government Printing Office: 1997 - 508-470

MSHA Form 7000-10K, June 93 (revised)

Date 2/28/10

Arrived at Upper Big Branch - South Portal prior to Start of Shift

Check 3 Sect. Elect. Book (NVO)

Check 3 Sect. Pre Shift (NVO)

No Work Section Idle Since 2/25/10

Met with Jody Price Chief Elect. on 3 Sect. and informed him of Todays Intensions.

Held Safety Talk with Miners prior to Going Underground (30)

Gave out Stickers

Inspector's Initials [redacted]

Supervisor's Initials and [redacted]3/10 Page No. 2

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 2/28/10

Talk on Examining Work Area, Ventilation, and Roof Control.

Got with Jody and Adam Fraley Electrician to do Equip.

Observed Pre-Op Checks Being Made. (NVO)

Check MT 12 Manbus prior to Going Underground (NVO) (13) SCSR's (OK)

Travel to 3 Section (NVO)

Inspector's Initials [redacted]

Supervisor's Initials and [redacted]3/10 Page No. 3

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/1/10

ARRIVED ON SECTION

SECTION HAS BEEN MOVED FROM OLD SET UP

No. 1 - NITCH - NOT BOLTED
No. 2 - FLUSH N/O
LOBL - 20444 0% CH_4 20.8 O_2
No. 3 - NEED CLEAN : ONSITE
No. 4 - SCRAP CUT
No. 5 - FLUSH N/O
No. 6 FLUSH N/O
No. 7 FLUSH N/O
LOBR - 25069 0% CH_4 20.8 O_2

No DTI's PRESENT FROM PRE SHIFT ONLY DTI'S ARE FOR 2/28/10 AT 808AM : 809 AM

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] 3/10 Page No. 4

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/1/10

IN THE No. 3 AND No. 4 ENTRIES

ACCORDING TO PRE SHIFT BOOK SECTION HAS BEEN IDLE WITH NO WORK IN AREA.

COAL HAS BEEN PRODUCED ON SECTION. A 10' FT NITCH WAS CUT IN No. 7. No. 3 WAS DRIVE IN 40' FT FROM MOUTH OF ENTRY. AND No. 4 WAS DRIVE IN 40' FT FROM MOUTH.

PERSON THAT MADE PRE SHIFT CAME AND SHOWED WORKERS DTI'S ARE.

Inspector's Initials [redacted]

Supervisor's Initials an [redacted] 3/10 Page No. 5

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/1/10

SPOKE WITH [redacted] - FIREBOSS - MR. [redacted] WAS PERSON DOING PRE SHIFT FOR SECTION.

INFORMED HIM THAT HE SHOULD PUT DTI'S WORKERS THEY ARE EASILY VISIBLE INSTEAD OF USING CAMERA ON ROOF PLATES.

INFORMED HIM THAT HE FAILED TO RECORD CONDITIONS FOUND ON SECTION AND LOB READINGS.

HE ALSO NOTICED IN PRE SHIFT BOOK THAT NO OTHER PRE SHIFTED SHOWED WORKING FACES AND THAT NO ONSHIFT WAS RECORDED ON DAY THAT PRODUCTION WAS RAN.

Inspector's Initials [redacted]

Supervisor's Initials and D [redacted] 3/10 Page No. 6

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/1/10

CHECK JOY 12 CM
S/N JM4598 (NVO)
FIRE SUPP. (OK)

CHECK JOY 12 CM
S/N JM5812 (NVO)
FIRE SUPP. NOT AVAILIBLE
MINER IS BEING MOVED

WHILE WALKING CABLE
NOTICED CABLE RUN OVER
FOR SHUTTLE CAR
-1- CITATION

CHECK FEEDER S/N 14103
(NVO)

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] 3/10 Page No. 7

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/1/10

0230 8087242 75.517

THE 480 VOLT CABLE
FOR THE JOY 10 S/C S/N ST16084
IS NOT PROTECTED FROM DAMAGE
APPROXIMATELY 100 FEET OF
THE CABLE HAS BEEN RAN
OVER BY ANOTHER PIECE OF
EQUIPMENT. TIRE TRACKS ON
THE CABLE IS EVIDENCE OF
THIS HAPPENING. CABLE HAS
BEEN PUSHED DOWN IN MUD.

EQUIP. OPERATORS SHOULD HAVE
KNOWN AS THEY SHOULD EXAMINE
TRAVELWAY BEFORE USING

HAS EXISTED FOR 1 DAY

1 PERSON EXPOSED - OPERATOR

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] 3/10 Page No. 8

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/1/10

IF ACCIDENT OCCURRED IT
WOULD RESULT IN FATAL
INJURIES FROM ELECTRICAL
SHOCK. STANDING WATER IS
IN AREA WHERE CABLE WAS
RUN OVER.

IT IS UNLIKELY TO OCCUR
POWER IS NOT ON
SHUTTLE CAR. SECTION IS
JUST BEEN MOVED AND
CABLE HAS BEEN STRETCHED
OUT TO REACH POWER CENTER.
NO PLACES FOUND IN CABLE
TERM. CITATION - 0240
BAD PLACE IN CABLE
WAS CUT OUT

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] 3/10 Page No. 9

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/1/10

Left 3 Section. Travel to 108 Brk NM and Bot in intake.

Travel from 108 Brk to 58 Brk.

Trem. Cir. @ 540. Timbers, Jacks and Bolts Repaired in Area.

Travel Back to Surface to Check 3 Sect. Pre Shift Book - 1- Citation

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] 3/10 Page No. 16

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/1/10

0700 8087743 75.360(g)

The person(s) doing the Pre Shift Examination for No. 3 Section (MMU's 066/067) Has failed to Report in the Pre Shift Book, A Record of Hazardous Conditions and their Locations found by the Examiner and Results of Air and Methane Measurements, and of the [redacted] Action taken to Correct Hazardous Conditions found During the Pre Shift Exam.

Fireboss should Have known of Condition as his is person to Report them

Inspector's Initials [redacted]

Supervisor's Initials a[redacted] 3/10 Page No. 11

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/1/10

Has Existed for 1 Shift

6 person Exposed - # of Men on Section

If Accident Occurred it would Result in Lost Workdays or Restricted Duty from Burns of Ignition. Mine is on 10 day Spot

Unlikely to Occur - No CH4 or low O2 Detected at Time of Exam

Examiner has shown High Negligence from failure to Report Findings on Section

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] 3/10 Page No. 12

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/1/10

Term. Cit. 0745 -
Conditions - Hazards, Methane
and Air Measurements
have been recorded

Spoke about Roof Cause
on Citations w/ Wayne
Pensinger, Gary May, Tim
Walker, Berman Cornett

Held Daily Closeout

Type out Citations / Termination

Return to Mt Hope Office

Inspector's Initials [redacted]

Supervisor's Initials an[redacted]3/10 Page No. 13

*U.S. GPO: 2009-541-759

Eve / Owl

MSHA Form 7000-10I, June 93 (revised)

DAILY COVER SHEET

Date 3/1 - 3/2 Event No. 6286108

Arrived at the Mine 2245 Departed from the Mine

List Records Books Checked Pre Shift / Electrical
Books 3 Section

Accompanied By: Company Representative Andrew Chicas
Kyle Anderson, Everett Hager

Miners Representative
N/A

AREAS OF INSPECTION ACTIVITY:

1 Section Equip.
Faces

Maint. Shift

Inspector's Initials [redacted]

Supervisor's Initials an[redacted]3/10 Page No. 1

*U.S. Government Printing Office: 1997 - 508-470

MSHA Form 7000-10K, June 93 (revised)

Date 3/1/10

Arrived at Upper Big
Branch Mine - Ellis
Portals, prior start of Shift

Met with Shawn Walker
- Shift Foreman - and
informed him of Todays
Intensions.

Review Mine Map on
Areas to be Inspected

Check Pre Shift Book
(NVO) 15,095 COB
1- Aon. Clean .3 1R- PB .3
2 - N/O .2 2R - Scrap .25
3 - N/O .3%
950 - 1050

Inspector's Initials [redacted]

Supervisor's Initials and[redacted]3/10 Page No. 2

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/1/10

Check Electrical Book

[redacted] -1- Citation

Got with Andrew Lucas to travel to 1 Section

Inspector's Initials [redacted]

Supervisor's Initials a[redacted] 3/10 Page No. 3

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/2/10

2300 8087749 75.512

The operator could not produce a written record of the weekly electrical exam. being conducted on the No. 1 Section (mmu 029-0) for the following equipment Both Joy CM's S/N JM5911 & 4918, Fletcher Bolter S/N 2004328, Joy S/C S/N ST17504, DBT Fesose S/N DBT54-2147, AEI Power Center S/N 27011-2500-206 for the week ending 2/27/10. The last date recorded was 2/20/10

Examiner should have known as it is to be recorded by the end of shift when examined

Inspector's Initials [redacted]

Supervisor's Initials and Dat[redacted] 3/10 Page No. 4

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/2/10

Has existed for 2 days

1 person exposed - operators

If accident occurred it would be no lost workday

It is unlikely to occur this is just failure to record

Term. cit @ 1210 pm

Equipment listed in citation has been recorded in the designated book

Inspector's Initials [redacted]

Supervisor's Initials a[redacted] 3/10 Page No. 5

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/1/10

Check # 12 Jeep prior to going to Section (NVO)

Travel to Section by Track (NVO)

Arrived at Mouth of Section

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] Page No. 6

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/2/10

Walk to Section up Intake.

Noticed while walking up Intake not enough Air

Took Air Reading Out by Power Center in Intake

W: 21 H: 8½ A: 178.5

V: 75 Q: 13388 cfm

0% CH_4 20.8% O_2

Went up to Faces

Travel Faces w/ Andrew Lucas

Inspector's Initials [redacted]

Supervisor's Initials [redacted] Page No. 7

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/2/10

No. 1 Nssb Clean DTI's present

.2% CH_4 20.8 O_2

No. 2 Nssb Clean DTI's present

.25% CH_4 20.8 O_2

No. 3 Nssb Clean DTI's present

No. 2R [redacted] Scrap DTI's present

LOB 2x3 Crosscut

W: 19 H: 7 A: 133

V: 56 Q: 7448 cfm

.2% CH_4 20.8 O_2

-1- Citation

Mouth of Crosscut at Turn 2x3 - 30 ft wide

SS 24493 -1- Citation

Got w/ Sect. Foreman Kyle Anderson to show Citations

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 8

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/2/10

[redacted] 0110 8087744 77.370(a)(1)

THE OPERATOR IS NOT FOLLOWING THE VENTILATION PLAN AS APPROVED BY THE DISTRICT MANAGER. ON THE No. 1 SECTION (MMU 029-0) UNDER THE METHANE DUST CONTROL PLAN THE MINIMUM AMOUNT OF AIR IN THE LAST OPEN BREAK IS NOT BEING MAINTAINED. AT [redacted] 15,000 cfm WHEN CHECKED WITH AN ANEMOMETER ONLY 7,448 cfm WAS FOUND. IN THE LAST OPEN CROSSCUT 2 TO 3 ENTRY.

EXAMINERS SHOULD HAVE KNOWN OF CONDITION AS IT WAS OBVIOUS WHILE WALKING

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] Page No. 9

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/2/10

UP TRANSWAY (PRIMARY) THAT NOT ENOUGH AIR WAS PRESENT

HAS EXISTED FOR 1 SHIFT. THE MIDNIGHT FOREMAN KYLE ANDERSON SAID HE MADE NO CHANGES TO VENTILATION ON SECTION AND THAT HE MADE FACES WHEN HE ARRIVED. DTI'S ARE PRESENT ON PRESHIFT BY PM FROM 1015 - 1025 3/1/10 AND ALSO INITIALS BY KA 1245-1253 3/2/10. THEREFORE, I BELIEVE THE SECTION WAS LEFT IN THIS CONDITION

5 PERSON EXPOSED - 4 OF MEN ON OWL SHIFT

Inspector's Initials [redacted]

Supervisor's Initials a[redacted] Page No. 10

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/2/10

KYLE ANDERSON - FOREMAN

[redacted]

IF ACCIDENT OCCURRED IT WOULD RESULT IN FATAL INJURIES FROM NOT ENOUGH AIR TO DILUTE HARMFUL, [redacted] EXPLOSIVE GASES, DUST, SMOKE, AND FUMES.

IT IS REASONABLY LIKELY TO OCCUR. WHEN CHECKING FACES NO. 1 FACE HAD .2% CH4, NO. 2 FACE HAD .25% CH4, AND NO. 3 FACE HAD .2% CH4

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] Page No. 11

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/2/10

THIS MINE IS ALSO ON A 10 DAY SPOT DUE TO METHANE LIBERATION

I BELIEVE THE FOREMAN ON THIS SECTION HAVE SHOWED HIGH NEGLIGENCE BY NOT REPORTING / CORRECTING VENTILATION PROBLEMS THAT WERE OBVIOUS TO ME AND THE MEN ON SECTION WHILE WALKING PRIMARY. QUESTIONED MEN, THEY STATED THEY COULD TELL THERE WAS NOT ENOUGH AIR ON SECTION WHILE THEY WERE TRAVELING PRIMARY ALSO.

CEAT SECTION @ 550. ORDER STILL ON SECTION

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 12

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/2/10

0130 8087745 75.220(a)(1)

THE OPERATOR IS NOT FOLLOWING THE ROOF CONTROL PLAN AS APPROVED BY THE DISTRICT MANAGER ON NO. 1 SECTION (MMU 029-0). PG. 12, DRAWING 2 SHOWS THE MAXIMUM WIDTH OF TURNS ON CROSSCUTS TO BE 26 FEET FROM CORNER TO CORNER.

LOCATED IN THE 2 x 3 TURN AT SS # 24493 IN NO. 2 ENTRY THE WIDTH AT THE START OF THE CROSSCUT IS 30 FEET WIDE WHEN MEASURED.

FOREMAN / OPERATORS (EQUIP) SHOULD HAVE KNOWN OF CONDITION

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 13

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/2/10

HAS EXISTED FOR 1 DAY

2 PERSON EXPOSED - BOLT CREW / CM: S/C OPERATORS

IF ACCIDENT OCCURRED IT WOULD RESULT IN FATAL INJURIES FROM FALL OF ROOF DUE TO REDUCTION OF PILLAR SIZE

IT IS UNLIKELY TO OCCUR ROOF IN FACE IS SANDSTONE. NO CRACKS OBSERVED IN ROOF

I BELIEVE THE FOREMAN HAS SHOWED HIGH NEGLIGENCE FROM FAILURE TO CORRECT HAZARD AS IT IS OBVIOUS AND LOCATED IN THE LAST OPEN CROSSCUT.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 14

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/2/10

CHECK WATER / TOILET (NVO)

CHECK FEEDER S/N 2147 (NVO)

CHECK POWER CENTER ASI S/N 27011-2500-206 (NVO)

CHECK JOY S/C 55 17054 (NVO)

CHECK GROUND SCOOP CHARGER PMV S/N GL46102 (NVO)

CHECK PRESSURE PUMP (NVO)

CHECK 3GC CHARGER (NVO)

CHECK MAINT. SCOOP (NVO)

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] Page No. 15

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/2/10

USING WITH EXAMINER TO DO PRESHIFT EXAM ON FACE AREA.

-/- CITATION

[redacted] COB READING AT TIME OF EXAM. WAS 12,635

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] Page No. 16

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/2/10

0540 8047746 75.220(a)(1)

THE OPERATOR IS NOT FOLLOWING THE ROOF CONTROL PLAN AS APPROVED BY THE DISTRICT MANAGER ON NO. 1 SECTION (MMU 029-0) LOCATED IN THE NUMBER 3 ENTRY THE CROSSCUT FROM NO. 2 HAD BEEN PUNCH THROUGH TO NUMBER 3 ENTRY AND NO REFLECTIVE MATERIAL WAS HUNG TO INDICATE THE LOCATION OF THE [redacted] UNSUPPORTED ROOF. PG. 5, ITEM 27 STATES: REFLECTORS WILL BE HUNG ON BOTH SIDES OF A CROSSCUT HOLD THROUGH TO LOCATE UNSUPPORTED ROOF

Inspector's Initials [redacted]

Supervisor's Initials and D[redacted] Page No. 17

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/2/10

FOREMAN SHOULD HAVE KNOWN AS IT IS PART OF ROOF CONTROL PLAN

HAS SUSPENDED FOR [redacted] 6 MOS

EXPANSION SUPPORT - BOLT CREW AND ELECTRICIANS

IF ACCIDENT OCCURRED IT WOULD RESULT IN FATAL INJURIES FROM PERSON GOING OUT UNDER UNSUPPORTED ROOF AND FALL OF ROOF

IT IS UNLIKELY TO OCCUR COB WAS PUSHED INTO ENTRY AND ONLY 1 SIDE WAS MOVED THROUGH

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] Page No. 18

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/2/10

TERM. CITATION @ 544 INSPECTORS WERE MOVING ON NEXT TO LAST ROW

~~[illegible]~~ I BELIEVE THE FOREMAN HAS SHOWN HIGH NEGLIGENCE ON FAILURE TO FOLLOW [redacted] THE ROOF CONTROL PLAN

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] Page No. 19

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/2/10

LEFT SECTION TO WALK BACK TO END OF TRACK

-2- CITATIONS

Inspector's Initials [redacted]

Supervisor's Initials an [redacted] Page No. 20

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/2/10

0585 9087747 75.380(d)(7)(iii)(B)

THE BRANCH LINE GOING TO THE RESCUE CHAMBER OFF THE LIFELINE IN THE No. 1 SECTION PRIMARY ESCAPEWAY IS NOT EQUIPPED WITH A COIL ON THE BRANCH LINE TO INDICATE LOCATION OF RESCUE CHAMBER

EXAMINER SHOULD HAVE KNOWN

HAS EXISTED FOR 1 WEEK

10 PERSON EXPOSED - # OF COAL PRODUCTION MEN

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] Page No. 21

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/2/10

IF AVOIDANCE OCCURRED IT WOULD RESULT PERMANENTLY DISABLING INJURIES FROM SMOKE INHALATION OR FIRE

IT IS UNLIKELY TO OCCUR RESCUE CHAMBER IS WITHIN ARMS REACH OF PRIMARY LIFELINE

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] Page No. 22

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/2/10

0600 8087748 75.380(d)(7)(iii)

THE PRIMARY ESCAPEWAY LIFELINE ON No. 1 SECTION IS NOT LOCATED IN SUCH A MANNER FOR MINERS TO USE TO EFFECTIVELY ESCAPE. THE OLD SECONDARY LIFELINE WAS HUNG AND TIED TOGETHER WITH THE PRIMARY LIFELINE FOR 3 BREAKS AT MOUTH OF SECTION

EXAMINERS SHOULD HAVE KNOWN OF CONDITION

HAS EXISTED FOR 1 WEEK

10 PERSONS EXPOSED - # OF MEN ON PRODUCTION

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] Page No. 23

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/2/10

If Accident Occurred it would Result in Permanently Disabling Injuries from Smoke Inhalation of Fire and would Cause Men to Follow incorrect Escapeway

Unlikely to Occur.
New Secondary is Established in Belt Entry. Old Secondary Lifeline was Suspended up Track Entry through Doors into Primary. That Lifeline is no longer in Use

Tsrm. 1040 - Secondary Lifeline was Removed from Primary

Inspector's Initials [redacted]

Supervisor's Initials a[redacted] Page No. 24

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/2/10

Travel Back to Surface

Spoke with Management on Findings

Discussed Citations / Orders with Wayne Persinger, Everett Mager

Discussed Root Cause Abatements Time.

Started Typing out Citations. Everett came and said Ventilation Order was Ready to Be Lifted

Inspector's Initials [redacted]

Supervisor's Initials a[redacted] Page No. 25

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/2/10

Got Clothes Back on Travel to Section (NVO)

Tsrm. Order @ 1015 a New Low Reading was Taken and 20613 ppm was Obtained

Tsrm. Cits. on 30' Wide Turn - 1017. Jacks were Set to Reduce Width of Turn to 26 feet

Tsrm. Cit. on Lifelines Running Together - 1040

Left Section Return to Surface

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] Page No. 26

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/2/10

On way back to surface
a motor and flat car
had derailed at 96 break.

Had to wait for equipment
to get back on track
Bsoors [redacted] coming back
outside.

Arrived on surface

Term. Cit. on recording of
elect. exam @ 1210

Finish typing citations - terminations

Held closeout w/ Rick Nicolau
return on Mr. Hops barrier

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] Page No. 27

*U.S. GPO: 2009-541-759

Day

MSHA Form 7000-10I, June 93 (revised)

DAILY COVER SHEET

Date 3/4/10 Event No. 6286108

Arrived at the Mine 0800 Departed from the Mine

List Records Books Checked PreShift 1
Section

Accompanied By: Company Representative
Everett Hager

Miners Representative
N/A

AREAS OF INSPECTION ACTIVITY:

Faces: Equipment 1 Section

Production

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] Page No. 1

*U.S. Government Printing Office: 1997 - 508-470

MSHA Form 7000-10K, June 93 (revised)

Date 3/8/10

Arrived at Upper Big
Branch Mine - Ellis
Portals

Met with Everett Hager
and informed him of
todays intensions.

Mr. Hager informed me
of feeder down on 1
Section. Informed him I
wanted to go to Section
and check equip.

Check Pre Shift Book for
1 Section (MVO)

Inspector's Initials [redacted]

Supervisor's Initials an [redacted] Page No. 2

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/8/10

No. 1 N/O .2% CH_4

No. 2 N/O .05% CH_4

No. 2R N/O .05% CH_4

No. 3 N/O .10% CH_4

450-518

LOB- 18,416

Review Mine Map on Area to Be Inspected

Check 12 Jeep prior to Going Underground (NVO)

Travel Track to Section (NVO)

Term. Cir. on Coil on Branch Line @ [redacted] 0910

Inspector's Initials [redacted]

Supervisor's Initials an[redacted]3/10 Page No. 3

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/8/10

Arrived on Section

Make Faces

No. 3 (NIDO) DTI's present

.10% CH_4 20.8 O_2

LOB - 21,750 cfm

No. 2K (NIDO) DTI's present

.35% CH_4 20.8 O_2

No 2 (NIDO) DTI's present

.30% CH_4 20.8 O_2

No. 1 Entry (NIDO) DTI's present

.45% CH_4 20.8% O_2

Inspector's Initials [redacted]

Supervisor's Initials and [redacted]3/10 Page No. 4

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/8/10

Check Lt RB S/N 2005358 (NVO)

Fire Supp. (ok)

~~[illegible]~~

Check Rt RB S/N 2004328 (NVO)

Fire Supp. (ok)

Check Joy S/C S/N 8T17503 (NVO)

Fire Supp. (ok)

Check T339. 396 Scoop (NVO)

Fire Supp. (ok)

Inspector's Initials [redacted]

Supervisor's Initials a[redacted]3/10 Page No. 5

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/8/10

Check Joy LT CM
S/N JM4918 (NVO)
Fire Supp. (OK)

Check Joy RT CM
S/N JM5811 -1- Citation
Fire Supp. OK

Inspector's Initials [redacted]

Supervisor's Initials and [redacted]3/10 Page No. 6

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/8/10

1149 8087750 75.604(b)

The Joy CM 12/12
S/N JM5811 Being used on
No.1 Section MMU 029
Has a splice not sealed
to seclude moisture.
Located approx. 100'
from the machine
A splice is not sealed
in that the shielding is
exposed on the conductors
at one end of the
splice. The splice was
laying in standing water
.20% CH4 was detected
with Manohelp Solaris
at splice.

Inspector's Initials [redacted]

Supervisor's Initials and [redacted]3/10 Page No. 7

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/8/10

Examiner / Operator should
have known of condition

Has shifted for 2
shifts

2 person supposed - CM & S/C
Operators

If accident occurred
it would result in
fatal injuries. Either
from shock or fire &
smoke

Inspector's Initials [redacted]

Supervisor's Initials and [redacted]3/10 Page No. 8

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/8/10

It is Reasonably Likely to Occur. Splice was laying in standing water and .20% CH4 was detected w/ Solaris. Splice was in by last open crosscut

Trem. 1215 Splice was tarred to exclude moisture

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] 3/10 Page No. 9

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/8/10

Check Scoop S/N 7339-224 (NVO) Scoop is out of service for Supp. (OK)

Spoke with Foreman Dean Jones and crew while inspecting on section on Vent. and Roof Control Plan.

Left section to return to surface

Arrived on surface

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] 3/10 Page No. 10

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/8/10

Held closeout w/ superintendent Magee

Discuss citation / root cause

Type out citations

Return to Mr. Hope's office

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] 3/10 Page No. 11

*U.S. GPO: 2009-541-759

Day

MSHA Form 7000-10I, June 93 (revised)

DAILY COVER SHEET

Date 3/09/10 Event No. 6236108

Arrived at the Mine 0800 Departed from the Mine

List Records Books Checked

weekly; Pre Ion

Accompanied By: Company Representative

Miners Representative

N/A

AREAS OF INSPECTION ACTIVITY:

LW

PRODUCTION

Inspector's Initials [redacted]

Supervisor's Initials [redacted] 3/10 Page No. 1

*U.S. Government Printing Office: 1997 - 508-470

MSHA Form 7000-10K, June 93 (revised)

Date 3/09/10

Arrived @ 1166 0800 to conduct ventilation survey @ LW and Section in order to determine contact on Seam split is sufficient and also help on E01.

Reviewed weekly exam Pre Ion LW

DATAMIKE	276,768
#9	1,076
II160	792
MPA	12,973
MPB	12,488

Reviewed w/ management areas of inspection. [redacted] and [redacted] are going to each CM daily and I am going to LW to

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] 3/10 Page No. 2

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/09/10

conducted ventilation.

Travelled from Surface w/ [redacted] ALWC and Delbert ALWMC and [redacted] MSHA Supv. and [redacted] MSHA Miners.

Worked intake from End of track to Headgate.

Took intake Air readings @ 31 BRK

Az 7x21

Vc 730

Q= 107,310 cfm

Travelled to L.O.B of L.W. and took a L.O.B reading: Az 6x20

Vc 1095

Q= 131,400

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] 3/10 Page No. 3

GPO U.S. GOVERNMENT PRINTING OFFICE: 2009—540-493

MSHA Form 7000-10K, June 93 (revised)

Date 3/9/10

LFM READING @ JACK 9
Vc 1792

Travelled face w/ General observation of low face / shields. NO

LFM Reading @ JACK 160
Vc 1328

Exited low face in the tail noticed certain 2 1/2 X-cuts on the face and to deflect air over into parallel entries. THIS certain was not apart of approved plan. air measured @ MP's on the face. [redacted] removed certain

Inspector's Initials [redacted]

Supervisor's Initials a[redacted] 3/10 Page No. 4

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/09/10

and did not know why it was in place. My self and [redacted] used chemical smoke to test air flow and it was flowing in the wrong direction from the low face to the mouth of the section in the no. 5, 6, 7 Entries.

informed [redacted] that the air was not according to the approved plan and that the law was down and could not run until the ventilation plan could be followed. THAT A citation would be issued High negligence 104d2 order and gravity would be determined upon

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] 3/10 Page No. 5

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/09/10

further evaluation.

Met w/ Wayne Kessinger and went over the problem. There was no regulator @ the mouth of the section to allow intake marked air up the tail to pressurize the tail Entries.

He wanted to make the change w/ men w.o. However, [redacted] & myself would not allow it b/c the amount of air needed to ventilate the air would be greater than 9,000 and this would alter the main intake air by removing

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] 3/10 Page No. 6

GPO U.S. GOVERNMENT PRINTING OFFICE: 2009—540-493

MSHA Form 7000-10K, June 93 (revised)

Date 3/8/10

Quantity of air reaching the sections.

Therefore, Mr. Persinger instructed the lower part of the Sys. And agreed that regulator needed to be in place, and began to make preparations to change the air.

All men were removed from the mine.

Issued 104 d(2) order w/ wagon Persinger, Jason Whitehead on Mon and Shawn Jason foreman what the air was doing and Regulator Approved.

Inspector's Initials [redacted]

Supervisor's Initials and D[redacted]3/10 Page No. 7

MSHA Form 7000-10K, June 93 (revised)

Date 3/8/10

Time 10:30

STANDARD 75.370(a)(1)

Cit no. 8103337

The Approved Ventilation plan was not being followed on the longwall or the tailgate side. The Approved plan was not being followed in that the tail gate entries were not flowing in the proper direction. The air should have been heading into the low force instead it was heading out by mine and mean that the air was return air instead of intake air. After traveling the tailgate entries to the mouth of the Section

Inspector's Initials [redacted]

Supervisor's Initials and [redacted]3/10 Page No. 8

MSHA Form 7000-10K, June 93 (revised)

Date 3/8/10

The Regulator @ 224+55 was closed to a stopping or permanent control. The regulator was approved in the plan and was not open. This regulator would have allowed air to pressurize and flow easily in the approved direction.

a clay found in the Entries.

Also, Smoked Area w/ Chemical ventilation air current smoke to verify direction of air.

[redacted] - Stated that the air was traveling in the wrong direction. He traveled area last week 3/02/10

Inspector's Initials [redacted]

Supervisor's Initials an[redacted]3/10 Page No. 8a

MSHA Form 7000-10K, June 93 (revised)

Date 3/8/10

and air was heading in right direction

A line curtain had been placed 1x out outby face to direct air off face to adjacent entries. Also the tail was blocked off w/ line curtain.

Discussed w/ Harold Tilley and Wayne Pessinger V.P. They travelled and agreed that air was not right and needed to make vent change. [redacted] MSHA Supervisor Also was travelling area and verified w/ smoke that it was travelling in wrong direction

Wayne Pessinger ~~[illegible]~~ asked

Inspector's Initials [redacted]

Supervisor's Initials a[redacted]3/10 Page No. 8b

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MSHA Form 7000-10K, June 93 (revised)

Date 3/8/10

~~[illegible]~~ they could make the change w/ men w.o. Me and Mr. Morse informed him that 75.324 requires men to be brought to outside except those necessary to make the change. The change in air direction, greater than 9,000 cfm — I was interested

They began to pull men outside and assigned Qualified/Certified people to make change and examine area.

Larry and Foreman should have known/knew that air was reversed. Master Dry ~~[illegible]~~ @ regulator indicating change was made

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Supervisor's Initials and [redacted]3/10 Page No. 8c

*U.S. GPO: 2009-541-759

MSHA Form 7000-10K, June 93 (revised)

Date 3/8/10

for several days. 5 people affected 4 face people - 2 shear op., 1 Jacksetter, hydraulic op. foreman.

Also, MPB checked for pre-shift and should have revealed that air was flowing in wrong direction due to check curtains installed.

LW/RD - If this condition continued the air could pull from the GOB pulling return air thru another gases across the tail. Unlikely - at time of Exam. 1 day

Inspector's Initials [redacted]

Supervisor's Initials [redacted]3/10 Page No. 8d

*U.S. GPO: 2009-541-759