



Section I--Violation Data

1. Date Mo Da Yr 12/06/2011	2. Time (24 Hr. Clock) 0800	3. Citation/ Order Number 8227560
4. Served To Berman Cornett, Safety Director	5. Operator PERFORMANCE COAL COMPANY, et al	
6. Mine UPPER BIG BRANCH MINE-SOUTH	7. Mine ID 46-08436	(Contractor)
8. Condition or Practice		8a. Written Notice (103g) <input type="checkbox"/>

The operator has failed to maintain the volume and velocity of the air current in the areas where persons work or travel to dilute, render harmless, and carry away flammable, explosive, noxious, and harmful gases, dusts, smoke, and fumes.

The air current at the Longwall tail (Tailgate 1 North, crosscut 48) was not sufficient to dilute, and render harmless, and carry away flammable, explosive, noxious and harmful gases, dusts, smoke, and fumes. An explosive mixture of gases was allowed to accumulate in the vicinity of the shearer which was located at the tailgate end of the longwall. An ignition of this mixture resulted in a mine explosion on 4/5/2010 and propagated throughout areas of the mine including the longwall, HG 22, and TG 22

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health <input type="checkbox"/> Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR 75.321(a)(1)
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Section II--Inspector's Evaluation

10. Gravity:

A. Injury or Illness (has) (is): No Likelihood Unlikely Reasonably Likely Highly Likely Occurred

B. Injury or illness could reasonably be expected to be: No Lost Workdays Lost Workdays Or Restricted Duty Permanently Disabling Fatal

C. Significant and Substantial: Yes No

D. Number of Persons Affected: 029

11. Negligence (check one) A. None B. Low C. Moderate D. High E. Reckless Disregard

12. Type of Action 104(a) 13. Type of Issuance (check one) Citation Order Safeguard Written Notice

14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice E. Citation/
Order Number F. Dated Mo Da Yr

15. Area or Equipment

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

Section III--Termination Action

17. Action to Terminate

18. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock)

Section IV--Automated System Data

19. Type of Inspection (activity code) E06 20. Event Number 4440347 21. Primary or Mill

22. Signature Pat Stanfield 23908 David A Steffey 23. AR Number 24209



Section I--Subsequent Action/Continuation Data

1. Subsequent Action <input type="checkbox"/> Continuation <input checked="" type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 12/06/2011	3. Citation/Order Number 8227560
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Section II--Justification for Action

Continuation of 8. Condition or Practice

sections. This explosion resulted in the deaths of 29 miners, disabling injuries to one miner, and serious injuries to another miner.

In addition to the occurrence of the explosion, the following facts establish that the air current at the tailgate end of the longwall was inadequate:

The mine has a history of methane incidents on prior longwall panels. These incidents put the operator on notice for methane hazards on the longwall face. These incidents include:

- A methane ignition / explosion that occurred on 1/4/1997 at No. 2 West Longwall.
- A methane outburst that occurred on 16 Longwall panel in July of 2003.
- Another methane outburst occurred on 17 Longwall panel on 2/18/2004.

These incidents all occurred in a fault zone and while mining with an overburden in the excess of 1,000 feet. The accident on 4/5/2010 occurred in this same fault zone.

This mine was on a 103 (i) spot inspection due to the methane liberation.

The operator failed to implement / follow the recommendations of MSHA's geologist and Ventilation technical support group following the 2004 outburst. These recommendations included:

- Increasing airflow along the longwall face (the plan at the time required a minimum of 60,000 cfm).
- Degasification wells for the subsequent longwall panels in an effort to bleed of gas prior to encroachment of the longwall face.
- Construct a hazard map that showed areas with 1,100 feet of overburden and less than 13 feet of interburden between the eagle and lover eagle seams. Additionally this map should show the projected structural zone identified in headgate 18, and overmined areas.

The operator's failure to maintain a sufficient volume and velocity to

See Continuation Form

Section III--Subsequent Action Taken

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

9. Type of Inspection E06	10. Event Number 4440347		
11. Signature Pat Stanfield 23908 David A Steffey	AR Number 24209	12. Date Mo Da Yr 12/06/2011	13. Time (24 Hr. Clock) 0800

Mine Citation/Order
Continuation

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



Section I--Subsequent Action/Continuation Data

1. Subsequent Action 1a. Continuation <input type="checkbox"/> <input checked="" type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 12/06/2011	3. Citation/ Order Number 8227560
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Section II--Justification for Action

dilute, render harmless, and carry away flammable, explosive, noxious, and harmful gases, dusts, smoke, and fumes contributed to the deaths of 29 miners.

This citation is being issued to the following entities as a unitary operator: Performance Coal Company, Massey Coal Services, Inc., A.T. Massey Coal Company, Inc., and Massey Energy Company.

See Continuation Form

Section III--Subsequent Action Taken

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