

1 8 OCT 2005



Section I--Violation Data

1. Date Mo Da Yr 10/04/2005	2. Time (24 Hr. Clock) 0820	3. Citation/ Order Number 7098349
4. Served To Jeff Toler	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791	(Contractor)

8. Condition or Practice 8a. Written Notice (103g)

The Fairchild 35C-WH battery powered scoop being operated on the 003-0 mmu is not maintained in permissible condition as follows: (1) The battery covers are not provided with any device to lock/secure them in place. (2) The batteries themselves are dirty with up to 1" of dirt and dust wind rowed under the hinges of the lids from front to back on the batteries..

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 75.503
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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: 001

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

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 10/04/2005	B. Time (24 Hr. Clock) 1050
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Section III--Termination Action

17. Action to Terminate The batteries were cleaned and the lid's were properly secured.

18. Terminated	A. Date Mo Da Yr 10/04/2005	B. Time (24 Hr. Clock) 1050
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Section IV--Automated System Data

19. Type of Inspection (activity code) E01	20. Event Number 4054434	21. Primary or Mill
22. Signature [6]		23. AR Number [6]

MSHA Form 7000-35 (revised) 11/2004. In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

[6]

upl
10/06

Date 10-4-05

75.503 0820
7098349

The Fairchild 35C-WH battery powered scoop being operated on the 003-0 mmu is not being maintained in permissible condition as follows: 1) The battery covers are not provided with any device to lock/secure them in place. 2) The batteries themselves are dirty with up to 1" of dirt and dust wind rowed under the hinges of the lids from front to back on the batteries.

Inspector's Initials [6]
Supervisor's Initials and Date _____ Page No. 13

Date 10-4-05

- 4.) [6] Should have known.
- 5.) At least one-shift, the inside lids were bolted down but looks as if battery was taken off ~~start~~ charge and the outside lids were not bolted down.
- 6.) One person
- 7.) Battery fire resulting from Arcing.
- 8.) Unlikely, inside lids are bolted down and inside of lids are insulated.

Inspector's Initials [6]
Supervisor's Initials and Date _____ Page No. 14

11 8 OCT 2005



Section I—Violation Data

1. Date Mo Da Yr 10/04/2005	2. Time (24 Hr. Clock) 0945	3. Citation/ Order Number 7098350
4. Served To Jeff Toler	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791	(Contractor)
8. Condition or Practice		8a. Written Notice (103g) <input type="checkbox"/>

The required 240 lbs. of rock dust is not provided for the #14 Stanco pump located 50 feet inby spad station #4128 on the 003-0 mmu section.

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR 75.1100-2(e)(2)
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Section II—Inspector's Evaluation

10. Gravity:	A. Injury or Illness (has) (is): No Likelihood <input type="checkbox"/> Unlikely <input checked="" type="checkbox"/> Reasonably Likely <input type="checkbox"/> Highly Likely <input type="checkbox"/> Occurred <input type="checkbox"/>
	B. Injury or illness could reasonably be expected to be: No Lost Workdays <input type="checkbox"/> Lost Workdays Or Restricted Duty <input checked="" type="checkbox"/> Permanently Disabling <input type="checkbox"/> Fatal <input type="checkbox"/>
	C. Significant and Substantial: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
	D. Number of Persons Affected: 001
11. Negligence (check one)	A. None <input type="checkbox"/> B. Low <input type="checkbox"/> C. Moderate <input checked="" type="checkbox"/> D. High <input type="checkbox"/> E. Reckless Disregard <input type="checkbox"/>
12. Type of Action 104(a)	13. Type of Issuance (check one) Citation <input checked="" type="checkbox"/> Order <input type="checkbox"/> Safeguard <input type="checkbox"/>
14. Initial Action A. Citation <input type="checkbox"/> B. Order <input type="checkbox"/> C. Safeguard <input type="checkbox"/> D. Written Notice <input type="checkbox"/>	E. Citation/ Order Number
F. Dated Mo Da Yr	

15. Area or Equipment

16. Termination Due	A. Date Mo Da Yr 10/04/2005	B. Time (24 Hr. Clock) 1050
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Section III—Termination Action

17. Action to Terminate The required 240 lbs. of rock dust was provided.

18. Terminated	A. Date Mo Da Yr 10/04/2005	B. Time (24 Hr. Clock) 1050
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Section IV—Automated System Data

19. Type of Inspection (activity code) F01	20. Event Number 4054434	21. Primary or Mill
22. Signature [6]	23. AR Number [6]	

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

[6]

up 10/06

Date 10-4-05

4.) Section Foreman should have been aware of the violation from conducting pre-shift and on-shift examinations.

5.) At least one shift

6.) One person exposed.

7.) This violation would cause a possible delay in fire fighting.

8.) Unlikely, An adequate 10lb. fire extinguisher was provided. Also the nearest 1 1/2" water line was close to the area.

Inspector's Initials [6]

Supervisor's Initials and Date _____ Page No. 12

Date 10-4-2005

75-1100-2(e)(2) 09:45
7098350

The required 240lbs. of rock dust is not provided for the #14 Stanco pump located 50 feet in by spad station #4128 on the 003-0 mmu section.

Inspector's Initials [6]

Supervisor's Initials and Date _____ Page No. 11



Section I--Violation Data

1. Date Mo Da Yr 10/04/2005	2. Time (24 Hr. Clock) 0950	3. Citation/ Order Number 7098351
4. Served To Jeff Toler	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791	(Contractor)
8. Condition or Practice		

8a. Written Notice (103g)

The power cable for the #14 Stanco pump located 50 feet inby spad # 4128 on the 003-0 mmu section is not substantially bushed entering the disconnect control box with insulated bushings. The bushing has worked away from the junction box exposing the electrical leads.

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 75.515
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Section II--Inspector's Evaluation

10. Gravity:	A. Injury or illness (has) (is): No Likelihood <input type="checkbox"/> Unlikely <input checked="" type="checkbox"/> Reasonably Likely <input type="checkbox"/> Highly Likely <input type="checkbox"/> Occurred <input type="checkbox"/>			
	B. Injury or illness could reasonably be expected to be: No Lost Workdays <input type="checkbox"/> Lost Workdays Or Restricted Duty <input checked="" type="checkbox"/> Permanently Disabling <input type="checkbox"/> Fatal <input type="checkbox"/>			
	C. Significant and Substantial: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		D. Number of Persons Affected: 001	
11. Negligence (check one)	A. None <input type="checkbox"/>	B. Low <input type="checkbox"/>	C. Moderate <input checked="" type="checkbox"/>	D. High <input type="checkbox"/> E. Reckless Disregard <input type="checkbox"/>
12. Type of Action	104(a)	13. Type of Issuance (check one) Citation <input checked="" type="checkbox"/> Order <input type="checkbox"/> Safeguard <input type="checkbox"/>		
14. Initial Action	A. Citation <input type="checkbox"/> B. Order <input type="checkbox"/> C. Safeguard <input type="checkbox"/> D. Written Notice <input type="checkbox"/>		E. Citation/ Order Number	F. Dated Mo Da Yr
15. Area or Equipment				

16. Termination Due	A. Date Mo Da Yr 10/04/2005	B. Time (24 Hr. Clock) 1045
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Section III--Termination Action

17. Action to Terminate The power lead was properly bushed going into the control box to provide adequate protection.

18. Terminated	A. Date Mo Da Yr 10/04/2005	B. Time (24 Hr. Clock) 1045
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Section IV--Automated System Data

19. Type of Inspection (activity code) F01	20. Event Number 4054434	21. Primary or Mill
22. Signature [6]		23. AR Number [6]

MSHA Form 7000-1, Mar 85 (revised) accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

[6]

upl 10/06

Date 10-4

75.515 095D
7098351

The power cable for the #14 Sprayer pump at 50' out by Spnd #4 4108 on the 003-0mm section is not substantially bushed entering the disconnect control box with insulated bushings. The bushings had worked away from the junction box exposing the electrical leads.

Inspector's Initials [6]

Supervisor's Initials and Date _____ Page No. 9

Date 10-4-05

- 4) [6] weekly checks/exams
- 5) unknown
- 6) 1 person
- 7) Shock
- 8) unlikely to cause injury the area could not be contacted but if the leads were fraying it would cause shocking hazard. Area was dry with rubber mats provided

Term. Leads were repaired 10/4/05

Inspector's Initials [6]

Supervisor's Initials and Date _____ Page No. 10



Section I--Violation Data

1. Date Mo Da Yr 10/05/2005	2. Time (24 Hr. Clock) 1030	3. Citation/ Order Number 7098352
4. Served To Jeff Toler	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791	(Contractor)
8. Condition or Practice		

The personnel doors along the escapeway are not clearly marked on either side for easy identification from the 1 left section tailpiece 006-0 mmu to the 1 left section mantrip station for a distance of approximately 2000'.

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 75.333(c)(2)
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Section II--Inspector's Evaluation

10. Gravity:						
A. Injury or illness (has) (is):		No Likelihood <input type="checkbox"/>	Unlikely <input checked="" type="checkbox"/>	Reasonably Likely <input type="checkbox"/>	Highly Likely <input type="checkbox"/>	Occurred <input type="checkbox"/>
B. Injury or illness could reasonably be expected to be:		No Lost Workdays <input type="checkbox"/>	Lost Workdays Or Restricted Duty <input checked="" type="checkbox"/>	Permanently Disabling <input type="checkbox"/>	Fatal <input type="checkbox"/>	
C. Significant and Substantial:				D. Number of Persons Affected:		
Yes <input type="checkbox"/>		No <input checked="" type="checkbox"/>		001		
11. Negligence (check one)						
A. None <input type="checkbox"/>		B. Low <input type="checkbox"/>		C. Moderate <input checked="" type="checkbox"/>		D. High <input type="checkbox"/>
E. Reckless Disregard <input type="checkbox"/>						
12. Type of Action 104(a)			13. Type of Issuance (check one)			
			Citation <input checked="" type="checkbox"/>		Order <input type="checkbox"/>	
			Safeguard <input type="checkbox"/>			
14. Initial Action				E. Citation/ Order Number		F. Dated Mo Da Yr
A. Citation <input type="checkbox"/>		B. Order <input type="checkbox"/>		C. Safeguard <input type="checkbox"/>		D. Written Notice <input type="checkbox"/>
15. Area or Equipment						

16. Termination Due	A. Date Mo Da Yr 10/06/2005	B. Time (24 Hr. Clock) 0800
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Section III--Termination Action

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

Section IV--Automated System Data

19. Type of Inspection (activity code) 001	20. Event Number 4054434	21. Primary or Mill
22. Signature [6]		23. AR Number [6]

MSHA Form 7000-3 (rev. 85) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

up 10/07

Mine Citation/Order
Continuation

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

10 OCT 2005  116

Section I--Subsequent Action/Continuation Data

1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 10/05/2005	3. Citation/ Order Number 7098352 - 01
4. Served To Marty Conrad	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC (Contractor)	
6. Mine SAGO MINE	7. Mine ID 46-08791	

Section II--Justification for Action

The personnel doors have been properly identified from each escapeway

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 checked="" type="checkbox"/> D. Terminated	<input type="checkbox"/> E. Modified
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Section IV--Inspection Data

9. Type of Inspection EQ1	10. Event Number 4054434		
11. Signature [6]	AR Number [6]	12. Date Mo Da Yr 10/06/2005	13. Time (24 Hr. Clock) 0635

Upl
10/07

Date 10/5/05

10:30

75.333(c)(2) # 7098352

The personnel doors along the escapeway are not clearly marked on ~~the~~ either side for easy identification from the L left section tailpiece 006-0 mmu to the L left section mantrip station for a distance of ~~of~~ approx. 2000'.

Inspector's Initials [6]

Supervisor's Initials and Date _____ Page No. 21

Date 10/5/05

- 4.) Preshift and/or on-shift examiners should have known
- 5.) existed for several shifts
- 6.) 1 person
- 7.) It would delay a person exiting the section or mine.
- 8.) Unlikely

Term. 10/6/05

Time 0800

* had to bring additional reflectors in from outside

Inspector's Initials [6]

Supervisor's Initials and Date _____ Page No. 22



Section I—Violation Data

1. Date Mo Da Yr 10/05/2005	2. Time (24 Hr. Clock) 1045	3. Citation/ Order Number 7098353
4. Served To Jeff Toler	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791	(Contractor)
8. Condition or Practice		8a. Written Notice (103g)

Combustible material in the form of a light coat of float coal dust is allowed to accumulate on previously rock dusted surfaces (ribs) in the following locations; 1.) #5 Entry starting at spad #3751 extending inby approximately 210' 2.) #6 Entry starting at spad #3752 extending to spad #3788.

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR 75.400
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Section II—Inspector's Evaluation

10. Gravity:	A. Injury or Illness (has) (is): No Likelihood <input type="checkbox"/> Unlikely <input checked="" type="checkbox"/> Reasonably Likely <input type="checkbox"/> Highly Likely <input type="checkbox"/> Occurred <input type="checkbox"/>	B. Injury or illness could reasonably be expected to be: No Lost Workdays <input type="checkbox"/> Lost Workdays Or Restricted Duty <input checked="" type="checkbox"/> Permanently Disabling <input type="checkbox"/> Fatal <input type="checkbox"/>	C. Significant and Substantial: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	D. Number of Persons Affected: 001
11. Negligence (check one)	A. None <input type="checkbox"/> B. Low <input type="checkbox"/> C. Moderate <input checked="" type="checkbox"/> D. High <input type="checkbox"/> E. Reckless Disregard <input type="checkbox"/>			
12. Type of Action 104(a)	13. Type of Issuance (check one) Citation <input checked="" type="checkbox"/> Order <input type="checkbox"/> Safeguard <input type="checkbox"/>			
14. Initial Action A. Citation <input type="checkbox"/> B. Order <input type="checkbox"/> C. Safeguard <input type="checkbox"/> D. Written Notice <input type="checkbox"/>	E. Citation/ Order Number	F. Dated Mo Da Yr		

15. Area or Equipment

16. Termination Due	A. Date Mo Da Yr 10/05/2005	B. Time (24 Hr. Clock) 2000
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Section III—Termination Action

17. Action to Terminate

18. Terminated	A. Date Mo Da Yr	B. Time (24 Hr. Clock)
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Section IV—Automated System Data

19. Type of Inspection (activity code) F01	20. Event Number 4054434	21. Primary or Mill
22. Signature [Signature]	23. AR Number [67]	

MSHA Form 7000-3 (revised) in accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

WPL
10/07

Mine Citation/Order
Continuation

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



Section I--Subsequent Action/Continuation Data

1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 10/05/2005	3. Citation/Order Number 7098353 - 01
4. Served To Marty Conrad	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791 (Contractor)	

Section II--Justification for Action

The cited areas were well rock dusted.

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 checked="" type="checkbox"/> D. Terminated	<input type="checkbox"/> E. Modified
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Section IV--Inspection Data

9. Type of Inspection E01	10. Event Number 4054434		
11. Signature [6]	AR Number [6]	12. Date Mo Da Yr 10/06/2005	13. Time (24 Hr. Clock) 0645

upk
10/07

Date 10/5/05

10:45

75.400 #7098353

Combustible Material in the form of a light coat of float COAL dust is allowed to accumulate on previously rock dusted surfaces (ribs) in the following locations; 1.) #5 Entry starting at spool #3751 extending in by approx. 210' 2.) #6 Entry starting at spool #3752 extending to spool #3788.

Inspector's Initials [6]

Supervisor's Initials and Date _____ Page No. 18

Date 10/5/05

- 4) Pre-shift and on-shift examiners should have known
- 5) At least 1 shift
- 6) 1 person
- 7) mine fire or possible ignitions but area was damp
- 8) Unlikely; just light coat existed and area damp

Terminated at

Term. Due 10/5/05

2000 hrs.

wanted to set more bulk

Dust, heavier applications

Inspector's Initials [6]

Supervisor's Initials and Date _____ Page No. 19



Section I--Violation Data

1. Date Mo Da Yr 10/05/2005	2. Time (24 Hr. Clock) 1140	3. Citation/ Order Number 7098354
4. Served To Jeff Toler	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791	(Contractor)
8. Condition or Practice		

8a. Written Notice (103g)

The methane monitor for the Joy 14 CM15-11 remote control continuous mining machine, serial # JM5581, approval #2G-4159A-00, being operated on the 006-0 mmu is not properly maintained. 1) when tested with a known methane/air mixture of 2.5% methane, the methane monitor read out indicated 2.2 % methane before the machine would de-energize. Records indicate calibration on the monitor was 10/2/2005.

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 75.342(a)(4)
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Section II--Inspector's Evaluation

10. Gravity:	A. Injury or Illness (has) (is): No Likelihood <input type="checkbox"/> Unlikely <input checked="" type="checkbox"/> Reasonably Likely <input type="checkbox"/> Highly Likely <input type="checkbox"/> Occurred <input type="checkbox"/>				
	B. Injury or illness could reasonably be expected to be: No Lost Workdays <input type="checkbox"/> Lost Workdays Or Restricted Duty <input checked="" type="checkbox"/> Permanently Disabling <input type="checkbox"/> Fatal <input type="checkbox"/>				
	C. Significant and Substantial: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			D. Number of Persons Affected: 001	
11. Negligence (check one)	A. None <input type="checkbox"/>	B. Low <input type="checkbox"/>	C. Moderate <input checked="" type="checkbox"/>	D. High <input type="checkbox"/>	E. Reckless Disregard <input type="checkbox"/>
12. Type of Action	104(a)		13. Type of Issuance (check one) Citation <input checked="" type="checkbox"/> Order <input type="checkbox"/> Safeguard <input type="checkbox"/>		
14. Initial Action	A. Citation <input type="checkbox"/> B. Order <input type="checkbox"/> C. Safeguard <input type="checkbox"/> D. Written Notice <input type="checkbox"/>			E. Citation/ Order Number	
F. Dated Mo Da Yr					
15. Area or Equipment					

16. Termination Due	A. Date Mo Da Yr 10/05/2005	B. Time (24 Hr. Clock) 1155
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Section III--Termination Action

17. Action to Terminate The methane monitor was calibrated to de-energize at 2.0% methane.

18. Terminated	A. Date Mo Da Yr 10/05/2005	B. Time (24 Hr. Clock) 1155
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Section IV--Automated System Data

19. Type of Inspection (activity code)	E01	20. Event Number 4054434	21. Primary or Mill
22. Signature [6]			23. AR Number [6]

MSHA Form 7000, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

WPL
10/07

Date 10/5/05

11:40

75.342(a)(4) # 7098354

The methane monitor for the Joy 14 CMIS-11 remote control continuous miner machine, ser. # JM5581, approval # 2G-4159A-00, being operated on the 006-0 mm is not properly maintained. 1) when tested with a known methane/air mixture of 2.5% methane, the methane monitor read-out indicated 2.2% methane before the machine would de-energize. Records indicate calibration on the monitor was 10/2/2005.

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No. 16

Date 10/5/05

- 4.) Person checking the cal. of the monitor weekly ([6])
- 5.) At least 1/2 a shift
- 6.) 1 person
- 7.) NOT serious, minor de-energized at 2.2%
- 8.) Unlikely, no CH₄ present.
~~Monitor did de-energize~~
Monitor did de-energize at 2.2%

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No. 17



Section I--Violation Data

1. Date Mo Da Yr 10/05/2005	2. Time (24 Hr. Clock) 0825	3. Citation/ Order Number 7098355
4. Served To Winston McHenry	5. Operator HWM TRUCK LINES, INC.	
6. Mine SAGO MINE	7. Mine ID 46-08791 E467	(Contractor)
8. Condition or Practice 8a. Written Notice (103g) <input type="checkbox"/>		

The audible warning device (backup alarm) on the Caterpillar front end loader 980F operating at the stockpile is not being maintained above the surrounding noise levels of other equipment being operated in the area. While standing approximately 15' away the alarm can not be heard.

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 77.410(b)
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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: 001

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

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
10/05/2005

B. Time (24 Hr. Clock) 1245

Section III--Termination Action

17. Action to Terminate The backup audible alarm was repaired.

18. Terminated

A. Date Mo Da Yr
10/05/2005

B. Time (24 Hr. Clock) 1245

Section IV--Automated System Data

19. Type of Inspection (activity code) E01

20. Event Number 4054434

21. Primary or Mill

22. Signature [6]

23. AR Number [6]

MSHA Form 7000-3a (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

upl 10/07

Date 10/5/2005

0825
77.410(b) #7098355

The Audible warning device (back up alarm) on the CATERPILLAR front end loader 980F operating at the stockpile is not being maintained above the surrounding noise levels of other equipment being operated in the area. While standing approx 15' away the alarm can not be heard.

Inspector's Initials [6]

Supervisor's Initials and Date _____ Page No. Y

Date 10/5/05

4.) operator should have known

5.) At least 1/2 shift

6.) 1 person exposed

7.) serious Accident could occur; Resulting in crushing injuries.

8.) (unlikely) the alarm was working but could not be heard at a distance ~~of~~ greater than 15' away, due to the surrounding operating equipment

Inspector's Initials [6]

Supervisor's Initials and Date _____ Page No. 5



Section I--Violation Data

1. Date Mo Da Yr 10/05/2005	2. Time (24 Hr. Clock) 0930	3. Citation/ Order Number 7149290
4. Served To JEFF TOLER, SUPT.	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791	(Contractor)
8. Condition or Practice		

8a. Written Notice (103g)

The Primary escapeway is not marked to show route and direction for a distance of 500 feet, Also, the secondary escapeway was not marked to show route and direction for a distance of approximately 2,000 feet.

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR 75.380(d)(2)
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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: 001

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

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 10/05/2005	B. Time (24 Hr. Clock) 1300
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Section III--Termination Action

17. Action to Terminate Terminated due to reflectors being provided in both escapeway to show to route and direction of travel.

18. Terminated	A. Date Mo Da Yr 10/05/2005	B. Time (24 Hr. Clock) 1300
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Section IV--Automated System Data

19. Type of Inspection (activity code) E01	20. Event Number 4054434	21. Primary or Mill
22. Signature [6]		23. AR Number [6]

MSHA Form 7000-3, Mar 85 (revised) In accordance with the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Review Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates agency activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20418. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

CC [6]
10/5/2005

AW
10-11-5

Date 10/3/2005

T 0930

7149290

The Primary Escapeway
is not marked to
show route and direction
for a distance of
500 FT. Also Secondary
Escapeway was not
marked to show route
& direction for a
distance of approx.
2,000 FT.

Inspector's Initials [G]

Supervisor's Initials and Date

Page No. 4

★ U.S. G.P.O. 2005-742-563

Date 10/5/2005Who knew

Pres shift examiner
should have known,
Also, the Section Foreman
and Crew travels by
this AREA every shift.

How long Few weeks
in the Secondary
Escapeway, because so
many missig

Affected 1 person

Inspector's Initials [G]

Supervisor's Initials and Date

Page No. 5

★ U.S. G.P.O. 2005-742-563

Date 10/5/2005

Injuries, unlikely
Accident would happen
every one knows the
Escapeway and where
each Escapeway is.

negl moderate - should
have been marked.

CAUSE A delay in
Escapeway by not being
marked, if a person
did not know the
Escapeway.

Team Time set 1300

Reflectors were installed
both Escapeway 1200 @

Inspector's Initials [G]

Supervisor's Initials and Date

Page No. 6

★ U.S. G.P.O. 2005-742-563

TOW

Mine Citation/Order

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



Section I--Violation Data

1. Date Mo Da Yr 10/05/2005	2. Time (24 Hr. Clock) 1100	3. Citation/ Order Number 7149291
4. Served To JEFF TOLER, SUPT.		5. Operator ANKER WEST VIRGINIA MINING COMPANY INC
6. Mine SAGO MINE		7. Mine ID 46-08791 (Contractor)
8. Condition or Practice		

8a. Written Notice (103g)

The fire suppression system on the Joy Continuous Miner, Model No. 14 CM15-11, Serial No. 2G-4159A-00, on the MMU 006 Section, is not properly maintained, When activated only (one) spray of the (four) sprays on the front of the miner would spray any water.

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR 75.1107-16(b)
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Section II--Inspector's Evaluation

10. Gravity:						
A. Injury or illness (has) (is):		No Likelihood <input type="checkbox"/>	Unlikely <input checked="" type="checkbox"/>	Reasonably Likely <input type="checkbox"/>	Highly Likely <input type="checkbox"/>	Occurred <input type="checkbox"/>
B. Injury or illness could reasonably be expected to be:		No Lost Workdays <input type="checkbox"/>	Lost Workdays Or Restricted Duty <input checked="" type="checkbox"/>	Permanently Disabling <input type="checkbox"/>	Fatal <input type="checkbox"/>	
C. Significant and Substantial:			Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	D. Number of Persons Affected: 001	
11. Negligence (check one)						
A. None <input type="checkbox"/>		B. Low <input type="checkbox"/>		C. Moderate <input checked="" type="checkbox"/>		D. High <input type="checkbox"/>
E. Reckless Disregard <input type="checkbox"/>						
12. Type of Action 104(a)			13. Type of Issuance (check one)			
			Citation <input checked="" type="checkbox"/>		Order <input type="checkbox"/>	Safeguard <input type="checkbox"/>
14. Initial Action			E. Citation/ Order Number		F. Dated Mo Da Yr	
A. Citation <input type="checkbox"/>			B. Order <input type="checkbox"/>		C. Safeguard <input type="checkbox"/>	
D. Written Notice <input type="checkbox"/>						
15. Area or Equipment						

16. Termination Due	A. Date Mo Da Yr 10/05/2005	B. Time (24 Hr. Clock) 1130
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Section III--Termination Action

17. Action to Terminate Terminated due to the sprays being cleaned and made operable on the Miner.

18. Terminated	A. Date Mo Da Yr 10/05/2005	B. Time (24 Hr. Clock) 1120
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Section IV--Automated System Data

19. Type of Inspection (activity code) E01	20. Event Number 4051434	21. Primary or Mill
22. Signature [6]		23. AR Number [6]

MSHA Form 7000-3, Mar 85 (revised) In accordance with the procedure established by the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Compliance and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-773-3242), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

In accordance with the procedure established by the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Compliance and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-773-3242), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

CC [6] JT
10/5/2005

AW
10-11-05

Date 10/5/2005

T 1100
714 9291

Fire Suppression System
on the Joy CM Model
No 14 CM 15-11
26-4159A-00 on the
006 mmu Section.
is not properly
maintained. When
Activated only (one)
Spray of the Four
Sprays on the Front
of the miner would
Spray by water.

Inspector's Init: [6]

Supervisor's Initials and Date

Page No. 12

Date 10/5/2005

Who Knows

[6] or
[6]: Should
have knowing

How long 1-shift
said they were
working start of
shift.

Affected 1 person
miner operator.
Fire on miner.

Inspector's Initials [6]

Supervisor's Initials and Date

Page No. 13

TCAA

Date

10/5/2005

Injuries

Unlikely Accident
 would happen —
 Section has standing
 water, ribs wet
 Also the other sprays
 on back end were
 working.

Not moderate neg —
 because the other
 sprays were working —
 that got into the system.

if accident would occur.
 Fire happen on miner,
 cause smoke inhalation to
 person.

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No.

14

U.S. G.P.O. 2005-742-563

Date

10/5/2005

Time Set 1115

All sprays were
 cleaned and are
 now operating.

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No.

15

U.S. G.P.O. 2005-742-563

TCA



Section I--Violation Data

1. Date Mo Da Yr 10/06/2005	2. Time (24 Hr. Clock) 0658	3. Citation/ Order Number 7098356
4. Served To Marty Conrad	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791	(Contractor)
8. Condition or Practice		8a. Written Notice (103g) <input type="checkbox"/>

The Fairchild 35C scoop, approval # 2G-3599-2, scoop operating on the 1-Left section mmu 006-0 is not being maintained in a safe operating condition. The wire rope used on the scoop wench has several distortion of the rope structure, the rope lays are separated and several broken wire strands exist at the end of the termination.

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 75.1725(a)
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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: 001

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

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 10/06/2005 B. Time (24 Hr. Clock) 0705

Section III--Termination Action

17. Action to Terminate The wire rope was removed from the scoop.

18. Terminated A. Date Mo Da Yr 10/06/2005 B. Time (24 Hr. Clock) 0705

Section IV--Automated System Data

19. Type of Inspection (activity code) E01 20. Event Number 4054434 21. Primary or Mill

22. Signature [6] 23. AR Number [6]

MSHA Form 7000-3a, Mar 00 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Mine Citation/Order
Continuation

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



111

Section I--Subsequent Action/Continuation Data

1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 10/06/2005	3. Citation/Order Number 7098356 - 01
4. Served To Carl Crumrine Mine Foreman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC (Contractor)	
6. Mine SAGO MINE	7. Mine ID 46-08791	

Section II--Justification for Action

Change	From	To
9. C. Part/Section	75.1434(e)	75.1725(a)

Reason

Incorrect section of 30 CFR

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 checked="" type="checkbox"/> E. Modified
----------------	------------------	------------------------	-------------------------------------	--	---

Section IV--Inspection Data

9. Type of Inspection E01	10. Event Number 4054434		
11. Signature [6]	AR Number [6]	12. Date Mo Da Yr 10/11/2005	13. Time (24 Hr. Clock) 1517

6/10/13

Date 10/6/05

4.) Person doing perm.
each week should have
discovered it or the operator
of the scoop.

5.) several shift

6.) 1 person

7.) Serious injury would
result from an accident due
to this violation, possibly
cutting off human limbs.

8.) Reasonably likely,
the scoop was in service
Terminated: 0705 A.M.

wire rope was removed
from scoop.

Inspector's Initials [6]
Supervisor's Initials and Date _____ Page No. 2

Date 10/6/05

7098356 06:58
75.1434(e)

The Fairchild 35C scoop
approval # 26-3599-C,
scoop operating condition.
The wire rope used on the
scoop which has several
distortions of the rope
structure, the rope lays
are separated and several
broken wire strands exists
at the end of the
termination.

Inspector's Initials [6]
Supervisor's Initials and Date _____ Page No. 6

Section I—Violation Data

1. Date Mo Da Yr 10/06/2005	2. Time (24 Hr. Clock) 0930	3. Citation/ Order Number 7098357
4. Served To Marty Conrad	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791	(Contractor)
8. Condition or Practice		8a. Written Notice (103g) <input type="checkbox"/>

There is no fire fighting equipment (hose and fittings) available for the #7 coal conveyor belt line.

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 75.1100-2(b)
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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: 001

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

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 10/06/2005	B. Time (24 Hr. Clock) 1100
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Section III—Termination Action

17. Action to Terminate The fire fighting equipment was provided for the #7 coal conveyor belt line.

18. Terminated	A. Date Mo Da Yr 10/06/2005	B. Time (24 Hr. Clock) 1100
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Section IV—Automated System Data

19. Type of Inspection (activity code) E01	20. Event Number 4054434	21. Primary or Mill
22. Signature [6]		23. AR Number [6]

MSHA Form (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

WPL 10/10/07

Date 10/6/05
7098557 9:30 A.M.
75.1100-2(b)

There is no fire fighting
equipment (hose + fittings)
available for the #7
COAL conveyor belt line.

Inspector's Initials [6]
Supervisor's Initials and Date _____ Page No. 11

Date 10/6/05

- 4) [6] - should have known.
- 5) several shifts
- 6) 1 person
- 7) It ~~was not~~ ~~clear~~ could delay extinguishing a belt fire.
- 8) unlikely, area is very damp a mine water line could have been used to for fire fighting. Also fire dilute system was in place.

Term. 11:00
F.F.E. was provided

Inspector's Initials [6]
Supervisor's Initials and Date _____ Page No. 12



Section I--Violation Data

1. Date Mo Da Yr 10/11/2005	2. Time (24 Hr. Clock) 0935	3. Citation/ Order Number 7098358
4. Served To Carl Crumrine Mine Foreman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791	(Contractor)
8. Condition or Practice		8a. Written Notice (103g)

The required first aid materials for the 1 left section 006-0 mmu are not being properly maintained in that 10 triangular bandages of the required 24 and 0 tourniquets of the required 2 were provided.

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR 75.1713-7(b)
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Section II--Inspector's Evaluation

10. Gravity:					
A. Injury or illness (has) (is):	No Likelihood <input type="checkbox"/>	Unlikely <input checked="" type="checkbox"/>	Reasonably Likely <input type="checkbox"/>	Highly Likely <input type="checkbox"/>	Occurred <input type="checkbox"/>
B. Injury or illness could reasonably be expected to be:	No Lost Workdays <input type="checkbox"/>	Lost Workdays Or Restricted Duty <input checked="" type="checkbox"/>	Permanently Disabling <input type="checkbox"/>	Fatal <input type="checkbox"/>	
C. Significant and Substantial:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	D. Number of Persons Affected: 001		
11. Negligence (check one)					
A. None <input type="checkbox"/>	B. Low <input type="checkbox"/>	C. Moderate <input checked="" type="checkbox"/>	D. High <input type="checkbox"/>	E. Reckless Disregard <input type="checkbox"/>	
12. Type of Action 104(a)		13. Type of Issuance (check one)			
		Citation <input checked="" type="checkbox"/>		Order <input type="checkbox"/>	Safeguard <input type="checkbox"/>
14. Initial Action			E. Citation/Order Number		F. Dated Mo Da Yr
A. Citation <input type="checkbox"/>	B. Order <input type="checkbox"/>	C. Safeguard <input type="checkbox"/>	D. Written Notice <input type="checkbox"/>		
15. Area or Equipment					

16. Termination Due	A. Date Mo Da Yr 10/11/2005	B. Time (24 Hr. Clock) 1130
---------------------	--------------------------------	--------------------------------

Section III--Termination Action

17. Action to Terminate		
All first aid supplies were delivered and provided to the section.		
18. Terminated	A. Date Mo Da Yr 10/11/2005	B. Time (24 Hr. Clock) 1130

Section IV--Automated System Data

19. Type of Inspection (activity code) F01	20. Event Number 4054434	21. Primary or Mill
22. Signature [67]		23. AR Number [67]

MSHA Form 7000-3 (Rev. 10/2004) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

upl
10/13

Date 10-11-05
75.1713-76 0935
7098358

The required first aid materials for the 1 left 006 mm section are not being properly maintained in that 10 triangular bandages of the required size and 2 tourniquets of the required size were provided.

Inspector's Initials [6]
Supervisor's Initials and Date _____ Page No. 27

Date 10-11-05
4) Section foreman should have known
5) at least 1 shift
6) 1 person
7) delay in multiple injuries at same time
8) inability to cause injury or accident unless multiple were injured at same time
10 bandages would suffice for one person
40-8" bandages were present & 16 were provided

Form 1130 Restocked

Inspector's Initials [6]
Supervisor's Initials and Date _____ Page No. 28

J



Section I--Violation Data

1. Date Mo Da Yr 10/18/2005	2. Time (24 Hr. Clock) 0952	3. Citation/ Order Number 7098363
4. Served To Carl Crumrine Mine Foreman		5. Operator ANKER WEST VIRGINIA MINING COMPANY INC
6. Mine SAGO MINE		7. Mine ID 46-08791 (Contractor)
8. Condition or Practice		8a. Written Notice (103g)

The approved roof control plan is not being complied with on the 1 left 006 mmu section. The crosscut between # 5 and #6 entry 2 blocks inby station spad 3816, was completed and there is no reflectors or visible warning device provided in the #6 entry out-by the crosscut to warn miners of unsupported mine roof.

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 75.220(a)(1)
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Section II--Inspector's Evaluation

10. Gravity:				
A. Injury or Illness (has) (is): No Likelihood <input type="checkbox"/> Unlikely <input type="checkbox"/> Reasonably Likely <input checked="" type="checkbox"/> Highly Likely <input type="checkbox"/> Occurred <input type="checkbox"/>				
B. Injury or illness could reasonably be expected to be: No Lost Workdays <input type="checkbox"/> Lost Workdays Or Restricted Duty <input checked="" type="checkbox"/> Permanently Disabling <input type="checkbox"/> Fatal <input type="checkbox"/>				
C. Significant and Substantial: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>				D. Number of Persons Affected: 001
11. Negligence (check one) A. None <input type="checkbox"/> B. Low <input type="checkbox"/> C. Moderate <input checked="" type="checkbox"/> D. High <input type="checkbox"/> E. Reckless Disregard <input type="checkbox"/>				
12. Type of Action 104(a)		13. Type of Issuance (check one) Citation <input checked="" type="checkbox"/> Order <input type="checkbox"/> Safeguard <input type="checkbox"/>		
14. Initial Action A. Citation <input type="checkbox"/> B. Order <input type="checkbox"/> C. Safeguard <input type="checkbox"/> D. Written Notice <input type="checkbox"/>			E. Citation/ Order Number	
15. Area or Equipment				

16. Termination Due	A. Date Mo Da Yr 10/18/2005	B. Time (24 Hr. Clock) 1005
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Section III--Termination Action

17. Action to Terminate The crosscut was bolted and the reflectors were also hung.

18. Terminated	A. Date Mo Da Yr 10/18/2005	B. Time (24 Hr. Clock) 1005
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Section IV--Automated System Data

19. Type of Inspection (activity code) E01	20. Event Number 4054434	21. Primary or Mill
22. Signature [6]		23. AR Number [6]

MSHA Form 7000-3 (Mar 85 (revised)) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20418. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

*Copy
10/20*

Date 10-18-05

0952

cit 7098363

75.220(a)(1)

The approved roof control plan is not being complied with on the 1 left 006-0 mmu section. The crosscut between #5 and 6 ~~crosscut~~ entry 2 blocks in by station Spad 3816, was completed and there is no reflectors or visible ~~markers~~ warning devices provided in the #6 entry out-by. The crosscut to warn -

Inspector's Initials [6]

Supervisor's Initials and Date _____ Page No. 10

Date 10-18-05

miners of unsupported mine roofs.

(4) The section foreman should have known.

(5) less than one shift.

(6) one person exposed

(7) lost workdays or restricted duty - broken bones or crushing type injuries.

Inspector's Initials [6]

Supervisor's Initials and Date _____ Page No. 11

Date 10-18-05

(8) Reasonably likely - This mine has slicken slides roof that tends to fall between the roof bolt rolls. Men have been injured at this mine from roof and rib falls. See citation #7098365 10/18/05

Term. 10-18-05

10:05

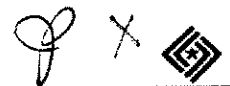
The crosscut was bolted and the reflectors were also hung.

Inspector's Initials [6]

Supervisor's Initials and Date _____ Page No. 12

Mine Site on/Order

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



Section I--Violation Data

1. Date Mo Da Yr 10/18/2005	2. Time (24 Hr. Clock) 1000	3. Citation/ Order Number 7098364
4. Served To Carl Crumrine Mine Foreman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791	(Contractor)
8. Condition or Practice		8a. Written Notice (103g)

The approved ventilation plan is not being complied with on the 1 left 006 mmu section. The 10SC shuttle cars were observed trammng across the last open crosscut between the # 7 and the #8 entries, 60 feet in-by station spad 3816, with the ventilation control for #7 entry rolled up. When checked with chemical smoke for movement in the face, none could be distinguished. The #7 entry is 69 feet from the in-by corner of the last open crosscut. There is 0.05% methane detected in the face. According to statements this is a standard practice to roll up line brattice ventilating the faces and use the last open crosscuts to transport materials. There is no means provided to indicate that other methods were used such as fly boards and pads to haul the last line and ventilate the working faces. Also citation #7098367 was written for no ventilation provided to within 10' of

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 75.330(b)(1)
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Section II--Inspector's Evaluation

10. Gravity:				
A. Injury or illness (has) (is): No Likelihood <input type="checkbox"/> Unlikely <input checked="" type="checkbox"/> Reasonably Likely <input type="checkbox"/> Highly Likely <input type="checkbox"/> Occurred <input type="checkbox"/>				
B. Injury or illness could reasonably be expected to be: No Lost Workdays <input type="checkbox"/> Lost Workdays Or Restricted Duty <input checked="" type="checkbox"/> Permanently Disabling <input type="checkbox"/> Fatal <input type="checkbox"/>				
C. Significant and Substantial: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			D. Number of Persons Affected: 001	
11. Negligence (check one) A. None <input type="checkbox"/> B. Low <input type="checkbox"/> C. Moderate <input type="checkbox"/> D. High <input checked="" type="checkbox"/> E. Reckless Disregard <input type="checkbox"/>				
12. Type of Action 104(d)(2)		13. Type of Issuance (check one) Citation <input type="checkbox"/> Order <input checked="" type="checkbox"/> Safeguard <input type="checkbox"/>		
14. Initial Action A. Citation <input type="checkbox"/> B. Order <input checked="" type="checkbox"/> C. Safeguard <input type="checkbox"/> D. Written Notice <input type="checkbox"/>		E. Citation/ Order Number 7097827		F. Dated Mo Da Yr 05/20/2005
15. Area or Equipment The # 6 and # 7 entries on the 006 mmu section				

16. Termination Due	A. Date Mo Da Yr	B. Time (24 Hr. Clock)
---------------------	---------------------	------------------------

Section III--Termination Action

17. Action to Terminate The ventilation controls were re-established to direct the air to the working faces.

18. Terminated	A. Date Mo Da Yr 10/18/2005	B. Time (24 Hr. Clock) 1020
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Section IV--Automated System Data

19. Type of Inspection (activity code) 501	20. Event Number 4054434	21. Primary or Mill
22. Signature [6]		23. AR Number [6]

MSHA Form 7000-3, Mar 00 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

WHL
10/21

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 10/18/2005	3. Citation/Order Number 7098364
4. Served To Carl Crumrine Mine Foreman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC (Contractor)	
6. Mine SAGO MINE	7. Mine ID 46-08791	

Section II--Justification for Action

Continuation of 8. Condition or Practice

#6 entry face. This violation is an unwarrantable failure to comply with a mandatory standard.

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 E01	10. Event Number 4054434		
11. Signature [6]	AR Number [6]	12. Date Mo Da Yr 10/18/2005	13. Time (24 Hr. Clock) 1000

Date 10-18-05

75.370a1 1000

#7 entry
69' l x b y in by
Crown of chock at
between #7 & #8
entry

mine is #8 entry

mining
S/C observed running
thru line

curtain
rolled up because
smoke used to

apparent movement

been said he always
run this line

Inspector's Initials [6]

Supervisor's Initials and Date

Page No. 15

Date 10-17-05

And rolls
Curtain up size
470

[6]

19 1/2' wide

Any 8' High

Mine has had
pace ignition in
past

[6] states
to this respect
that he always

Inspector's Initials [6]

Supervisor's Initials and Date

Page No. 16

Date 10-18-05

Hangs the curtain
like this and
uses the last open
line to haul material
from the mine to the
feed in.

Also S/C operator
said it is done
like this all the
time.

Inspector's Initials

Supervisor's Initials and Date

Page No. 17

Date 10-18-0510:00cit 709836475.330 (6)(1)

The approved ventilation plan is not being complied with on the 1 left 006 mmu section. The 10 sc shuttle cars were observed tramming across the last open crosscut between the #7 and #8 entries, 60 feet in by station spool 3816, with the ventilation curtains for #7 entry rolled up. When checked with-

Inspector's Initials

[67]

Supervisor's Initials and Date

Page No. 18Date 10-18-05

chemical smoke for movement in the face, none could be distinguished. The #7 entry is 69 feet from the inby corner of the last open crosscut. There is 0.05% methane detected in the face. According to statements this is standard practice to roll up live brattice ventilating the faces and use the last open crosscuts to transport materials. There is no means provided to -

Inspector's Initials

[67]

Supervisor's Initials and Date

Page No. 19Date 10-18-05

indicate that ~~other~~ other methods were used such as fly boards and pads to haul the last live and ventilate the working faces, also citation # 7098367 was written for no ventilat provided to within 10' of #6 entry face. This violation is an unwarrantable failure to comply with a mandatory standard.

Inspector's Initials

[67]

Supervisor's Initials and Date

Page No. 20

Date 10-18-05

- 4) The section foreman knew he told the _____ to run this line of tracks (last part) and along the cutaway.
- 5) for at least 1 cut of coal and many more times according to statements made by the _____ & section foreman.
- 6) 1 reason
- 7) it could cause methane to accumulate in the face area and possible explosion from the face

Inspector's Initials [6]

Supervisor's Initials and Date _____

Page No. 21

Date 10-18-05

- 8) unlikely to cause accident. 2.07 cfm found 40' out by face. Roof & ribs system to be adequately dusted. Roadways were wet. Curtain was provided to the face but was rolled up in the crosscut not providing ventilation.

Team 1020

ventilation re-established & foreman was told by management on right way to ventilate.

Inspector's Initials [6]

Supervisor's Initials and Date _____

Page No. 22



Section I--Violation Data

1. Date Mo Da Yr 10/18/2005	2. Time (24 Hr. Clock) 1030	3. Citation/ Order Number 7098365
4. Served To Carl Crumrine Mine Foreman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791	(Contractor)
8. Condition or Practice		8a. Written Notice (103g) <input type="checkbox"/>

The mine roof of areas where persons work or travel on the 1 left 006 mmu section is not supported or otherwise controlled to protect persons from hazards related to falls of the mine roof. The #7 entry starting approximately 60' in-by station spad 3816 has loose material hanging, (rock) and appears that it will fall with warning. Several loose rocks measuring 1/4 inch to 6" thick by 24" wide by 29" long and 2" thick by 12" wide by 30" long and 4" to 9" thick by 15" wide by 48" long was removed from the mine roof at a height measured to be 10 1/2' along with several other smaller pieces.

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 75.202(a)
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Section II--Inspector's Evaluation

10. Gravity:				
A. Injury or illness (has) (is): No Likelihood <input type="checkbox"/> Unlikely <input type="checkbox"/> Reasonably Likely <input checked="" type="checkbox"/> Highly Likely <input type="checkbox"/> Occurred <input type="checkbox"/>				
B. Injury or illness could reasonably be expected to be: No Lost Workdays <input type="checkbox"/> Lost Workdays Or Restricted Duty <input checked="" type="checkbox"/> Permanently Disabling <input type="checkbox"/> Fatal <input type="checkbox"/>				
C. Significant and Substantial: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>				D. Number of Persons Affected: 001
11. Negligence (check one) A. None <input type="checkbox"/> B. Low <input type="checkbox"/> C. Moderate <input checked="" type="checkbox"/> D. High <input type="checkbox"/> E. Reckless Disregard <input type="checkbox"/>				
12. Type of Action 104(a)		13. Type of Issuance (check one) Citation <input checked="" type="checkbox"/> Order <input type="checkbox"/> Safeguard <input type="checkbox"/>		
14. Initial Action A. Citation <input type="checkbox"/> B. Order <input type="checkbox"/> C. Safeguard <input type="checkbox"/> D. Written Notice <input type="checkbox"/>			E. Citation/ Order Number	F. Dated Mo Da Yr
15. Area or Equipment				

16. Termination Due	A. Date Mo Da Yr 10/18/2005	B. Time (24 Hr. Clock) 1040
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Section III--Termination Action

17. Action to Terminate The loose material was removed.		
18. Terminated	A. Date Mo Da Yr 10/18/2005	B. Time (24 Hr. Clock) 1040

Section IV--Automated System Data

19. Type of Inspection (activity code) E01	20. Event Number 4054434	21. Primary or Mill
22. Signature [6]		23. AR Number [6]

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Wol
10/20

Date 10-19-05

75 202a 1030

1/4" to 6" thick
Sand Stone
29" wide x 24 long

30 long x 12" wide
x 3/4" thick
10 1/2" High
Seven small thin
pieces

#7 entry
in by cross
cut 38' approx

5

Inspector's Initials [6]

Supervisor's Initials and Date _____ Page No. 23

Date 10-18-05

Out by corner
5th bay loose
Rock

Medium 48" long
15" wide 1/2" to 1"
thick

Mine cable (had
been laid)
under loose
material

And 2 by corner
Return 766
wide bolt spacing

Inspector's Initials [6]

Supervisor's Initials and Date _____ Page No. 24

Date 10-18-05

1030

at 7098365

75.202(a)

The mine tool of areas where persons work or travel on the left 006-0 mmu section is not supported or otherwise controlled to protect persons from hazards related to falls of the mine roof. The #7 entry starting approximately 60' in by station spot 3816 has loose material hanging (rock) and appears that

Inspector's Initials [6]

Supervisor's Initials and Date _____ Page No. 25

Date 10-18-05

it will fall ~~at~~ without warning. Several loose rocks measuring $\frac{1}{4}$ inches to 6" thick by 24" wide by 29" long and 2" thick by 12" wide by 30" long and 4" to 9" thick by 15" wide by 48" long were removed from the mine roof at a height measured to be 10 $\frac{1}{2}$ ' along with several other smaller pieces.

(4.) The Foreman should have known.

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No. 26Date 10-18-05

(5) at least one shift

(6) one person exposed

(7) lost workdays or restricted duty, broken bones, crushing type injuries.

(8) Reasonably likely - The roof condition on this section appears that it will fall without warning along the row r.b. and between the rolls of roof bolts, even a small piece of roof falling

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No. 27Date 10-18-05

from 10' feet would seriously injure a person,

term.

10-18-05

Time 10140

The loose material was removed.

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No. 28

[Handwritten Signature]



Section I—Violation Data

1. Date Mo Da Yr 10/18/2005	2. Time (24 Hr. Clock) 1045	3. Citation/ Order Number 7098366
4. Served To Carl Crumrine Mine Foreman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791	(Contractor)
8. Condition or Practice		8a. Written Notice (103g) <input type="checkbox"/>

The # 13 Stanco Pump operating in the #8 entry at # 8 block on the 1 left section is not being provided with a fire extinguisher or 240 lbs of rock dust.

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 75.1100-2(e)(2)
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Section II—Inspector's Evaluation

10. Gravity:	A. Injury or illness (has) (is): No Likelihood <input type="checkbox"/> Unlikely <input checked="" type="checkbox"/> Reasonably Likely <input type="checkbox"/> Highly Likely <input type="checkbox"/> Occurred <input type="checkbox"/>			
	B. Injury or illness could reasonably be expected to be: No Lost Workdays <input type="checkbox"/> Lost Workdays Or Restricted Duty <input checked="" type="checkbox"/> Permanently Disabling <input type="checkbox"/> Fatal <input type="checkbox"/>			
	C. Significant and Substantial: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		D. Number of Persons Affected: 001	
11. Negligence (check one)	A. None <input type="checkbox"/>	B. Low <input type="checkbox"/>	C. Moderate <input checked="" type="checkbox"/>	D. High <input type="checkbox"/> E. Reckless Disregard <input type="checkbox"/>
12. Type of Action 104(a)	13. Type of Issuance (check one)		Citation <input checked="" type="checkbox"/>	Order <input type="checkbox"/> Safeguard <input type="checkbox"/>
14. Initial Action	E. Citation/ Order Number		F. Dated	Mo Da Yr
15. Area or Equipment				

16. Termination Due	A. Date Mo Da Yr 10/18/2005	B. Time (24 Hr. Clock) 1100
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Section III—Termination Action

17. Action to Terminate A fire extinguisher and the required amount of rock dust was provided.

18. Terminated	A. Date Mo Da Yr 10/18/2005	B. Time (24 Hr. Clock) 1100
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Section IV—Automated System Data

19. Type of Inspection (activity code) E01	20. Event Number 4054434	21. Primary or Mill
22. Signature <i>[Signature]</i>		23. AR Number <i>[6]</i>

MSHA Form 7000-3a (revised) in accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

*Upel
10/20*

Date 10-18-05

1045

Cit 7098366

75, 1100-2(e)(2)

The # 13 staveo pump operating in the # 8 entry at # 8 block on the 1 left section is not being provided with a fire extinguisher or 240 lbs of rock dust.

(H): Foreman should have known

Inspector's Initials [6] - Supervisor's Initials and Date Page No. 33

Date 10-18-05

(5) UNKNOWN

(6) one person exposed

(7) lost workdays or restricted duty - smoke inhalation or burn to the skin.

(8) unlikely - The area where the pump is located is wet and cleaned and ~~rock dust~~ rock dusting is adequately applied to the area.

Inspector's Initials [6] - Supervisor's Initials and Date Page No. 34

Date 10-18-05

term

10-18-05

11:00

~~the~~ a fire extinguisher and the required amount of rock dust was provided.

Inspector's Initials [6] - Supervisor's Initials and Date Page No. 35



Section I--Violation Data

1. Date Mo Da Yr 10/18/2005	2. Time (24 Hr. Clock) 0955	3. Citation/ Order Number 7098367
4. Served To Carl Crumrine Mine Foreman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791	(Contractor)
8. Condition or Practice		8a. Written Notice (103g)

The ventilation control (line brattice) provided for the #6 entry on the 1 left 006 mmu section is not being maintained to within 10' from the area of deepest penetration of face. The line brattice is installed to 17' of the face.

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 75.330(b)(2)
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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: 001

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

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 10/18/2005	B. Time (24 Hr. Clock) 1012
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Section III--Termination Action

17. Action to Terminate The ventilation control was extended to within 10' of the face

18. Terminated	A. Date Mo Da Yr 10/18/2005	B. Time (24 Hr. Clock) 1012
----------------	--------------------------------	--------------------------------

Section IV--Automated System Data

19. Type of Inspection (activity code) F01	20. Event Number 4054434	21. Primary or Mill
22. Signature 		23. AR Number [6]

MSHA Form 7001 provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Handwritten signature/initials
10/20

Date 10-18-0525.33062 0953
7098367

The ventilation control (line brattice) provided for the #6 entry on the 006 mm 1 belt section is not being maintained to within 10' from the area of deepest penetration of the face. The line brattice is installed to 17' of the face.

Inspector's Initials [6]Supervisor's Initials and Date _____ Page No. BDate 10-18-05

- 4) Section Foreman
- 5) At least 1/2 Shift
- 6) 1 person
- 7) could cause delay in rendering harmless gases & smoke & fumes from the face
- 8) unlikely to cause injury. There was good air movement behind the line brattice & 0.0% CO₂ was found in face area.

Term 1012
extended curtain

Inspector's Initials [6]Supervisor's Initials and Date _____ Page No. 14

Mine Citation/Order

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



Section I--Violation Data

1. Date Mo Da Yr 10/24/2005	2. Time (24 Hr. Clock) 0830	3. Citation/ Order Number 7098368
4. Served To Carl Crumrine Mine Foreman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791	(Contractor)
8. Condition or Practice		

8a. Written Notice (103g)

The operator is not complying with his approved Smoker's program. According to the operators record book, no search was done for the week of 10-17-2005 thru 10-22-2005 for the C-crew. The approved program requires weekly searches and records maintained of such.

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 75.1702-1
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Section II--Inspector's Evaluation

10. Gravity:	A. Injury or illness (has) (is): No Likelihood <input type="checkbox"/> Unlikely <input checked="" type="checkbox"/> Reasonably Likely <input type="checkbox"/> Highly Likely <input type="checkbox"/> Occurred <input type="checkbox"/>	B. Injury or illness could reasonably be expected to be: No Lost Workdays <input type="checkbox"/> Lost Workdays Or Restricted Duty <input checked="" type="checkbox"/> Permanently Disabling <input type="checkbox"/> Fatal <input type="checkbox"/>	C. Significant and Substantial: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	D. Number of Persons Affected: 001	
11. Negligence (check one)	A. None <input type="checkbox"/>	B. Low <input type="checkbox"/>	C. Moderate <input checked="" type="checkbox"/>	D. High <input type="checkbox"/>	E. Reckless Disregard <input type="checkbox"/>

12. Type of Action 104(a)	13. Type of Issuance (check one) Citation <input checked="" type="checkbox"/> Order <input type="checkbox"/> Safeguard <input type="checkbox"/>
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14. Initial Action A. Citation <input type="checkbox"/> B. Order <input type="checkbox"/> C. Safeguard <input type="checkbox"/> D. Written Notice <input type="checkbox"/>	E. Citation/ Order Number	F. Dated Mo Da Yr
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15. Area or Equipment

16. Termination Due	A. Date Mo Da Yr 10/24/2005	B. Time (24 Hr. Clock) 1500
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Section III--Termination Action

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

Section IV--Automated System Data

19. Type of Inspection (activity code) E01	20. Event Number 4054434	21. Primary or Mill
22. Signature [6]	23. AR Number [6]	

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Upl
10/25

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 10/24/2005	3. Citation/ Order Number 7098368 - 01
4. Served To Carl Crumrine Mine Foreman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC (Contractor)	
6. Mine SAGO MINE	7. Mine ID 46-08791	

Section II—Justification for Action

Smoke search was conducted and entered in the record book.

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 checked="" type="checkbox"/> D. Terminated	<input type="checkbox"/> E. Modified
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Section IV—Inspection Data

9. Type of Inspection E01	10. Event Number 4054434		
11. Signature [6]	AR Number [6]	12. Date Mo Da Yr 10/25/2005	13. Time (24 Hr. Clock) 1600

Date 10-24-05

75.1702-1 0830
7698368

The operator is not complying with his Approved Smokers Program. According to the operators record book, no search was done for the week of 10-17-05 to 10-22-05 for the C-crew. The approved program requires weekly searches & records maintained of such.

Inspector's Initials [6] Page No. 3
Supervisor's Initials and Date _____

Date 10-24

- 4) foreman in charge of shift
 - 5) 1 week
 - 6) 1 person
 - 7) could be accident Allow Smoking
 - 8) accident underground
 - 9) unlikely to cause injury same has been listed in past weeks. was also told that it was conducted but not entered
- Team
10-24-05 eve shift

[6]
Inspector's Initials [6] Page No. 4
Supervisor's Initials and Date _____

Mine Citation/Order

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

Y



Section I--Violation Data

1. Date Mo Da Yr 10/24/2005	2. Time (24 Hr. Clock) 0930	3. Citation/ Order Number 7098369
4. Served To Carl Crumrine Mine Foreman		5. Operator ANKER WEST VIRGINIA MINING COMPANY INC
6. Mine SAGO MINE		7. Mine ID 46-08791 (Contractor)
8. Condition or Practice		8a. Written Notice (103g)

The required amount of fire protection is not being maintained with on the #1 coal conveyor haulage system in that there is only 400' of the required 500' of fire hose provided and also no fire nozzle provided.

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR 75.1100-2(b)
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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: 001

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

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 10/24/2005 B. Time (24 Hr. Clock) 1600

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) E01 20. Event Number 4054434 21. Primary or Mill

22. Signature [G] 23. AR Number [6]

MSHA Form 7000-3 (Mar 85 (revised)) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

*Lepl
10/25*

Mine Citation/Order
Continuation

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



Section I--Subsequent Action/Continuation Data

1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 10/24/2005	3. Citation/ Order Number 7098369 - 01
4. Served To Carl Crumrine Mine Foreman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC (Contractor)	
6. Mine SAGO MINE	7. Mine ID 46-08791	

Section II--Justification for Action

The required amount of fire hose was provided along with a fire nozzle.

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 checked="" type="checkbox"/> D. Terminated	<input type="checkbox"/> E. Modified
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Section IV--Inspection Data

9. Type of Inspection E01	10. Event Number 4054434		
11. Sign [6]	AR Number [6]	12. Date Mo Da Yr 10/25/2005	13. Time (24 Hr. Clock) 1545

*upl
10/27*

Date 10-24-05

75.1100-26 0930
7098369

The required amount of fire protection is not being maintained with on the #1 Belt in that there is only 400' of the required 500' of fire hose provided & also no fire nozzle provided

Inspector's Initials [6]

Supervisor's Initials and Date _____ Page No. 5

Date 10-24-05

4) [6]

- 5) Unknown amount of time
- 6) 1 person
- 7) Delay in fire fighting
- 8) unlikely to cause injury or accident
- extra hose was in Belt entry at #2 Belt Drive

Team 10-24-05
1600

Inspector's Initials [6]

Supervisor's Initials and Date _____ Page No. 6

Mine Citation/Order

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



Section I--Violation Data			
1. Date Mo Da Yr 10/24/2005	2. Time (24 Hr. Clock) 0935	3. Citation/ Order Number	7098370
4. Served To Carl Crumrine Mine Foreman		5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE		7. Mine ID 46-08791	(Contractor)
8. Condition or Practice			8a. Written Notice (103g) <input type="checkbox"/>

The #1 coal conveyor belt starter box, located at #1 block, is not provided with fire protection.

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health Safety <input type="checkbox"/> Other <input checked="" type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR 75.1101-8(a)
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Section II--Inspector's Evaluation						
10. Gravity:						
A. Injury or illness (has) (is):		No Likelihood <input type="checkbox"/>	Unlikely <input checked="" type="checkbox"/>	Reasonably Likely <input type="checkbox"/>	Highly Likely <input type="checkbox"/>	Occurred <input type="checkbox"/>
B. Injury or illness could reasonably be expected to be:		No Lost Workdays <input type="checkbox"/>	Lost Workdays Or Restricted Duty <input checked="" type="checkbox"/>	Permanently Disabling <input type="checkbox"/>	Fatal <input type="checkbox"/>	
C. Significant and Substantial:				D. Number of Persons Affected:		
Yes <input type="checkbox"/>		No <input checked="" type="checkbox"/>		001		
11. Negligence (check one)						
A. None <input type="checkbox"/>		B. Low <input type="checkbox"/>		C. Moderate <input checked="" type="checkbox"/>		
D. High <input type="checkbox"/>		E. Reckless Disregard <input type="checkbox"/>				
12. Type of Action 104(a)			13. Type of Issuance (check one)			
			Citation <input checked="" type="checkbox"/>		Order <input type="checkbox"/>	
			Safeguard <input type="checkbox"/>			
14. Initial Action				E. Citation/ Order Number		
A. Citation <input type="checkbox"/>		B. Order <input type="checkbox"/>		F. Dated Mo Da Yr		
C. Safeguard <input type="checkbox"/>		D. Written Notice <input type="checkbox"/>				
15. Area or Equipment						

16. Termination Due	A. Date Mo Da Yr 10/24/2005	B. Time (24 Hr. Clock) 1400
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Section III--Termination Action		
17. Action to Terminate		
18. Terminated		
A. Date Mo Da Yr	B. Time (24 Hr. Clock)	

Section IV--Automated System Data			
19. Type of Inspection (activity code) E01	20. Event Number 4054434	21. Primary or Mill	
22. Signature [6]		23. AR Number [6]	

MSHA Form 7000-3, M 5 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Wep
10/25

Mine Citation/Order
Continuation

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



Section I--Subsequent Action/Continuation Data

1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 10/24/2005	3. Citation/ Order Number 7098370 - 01
4. Served To Carl Crumrine Mine Foreman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC (Contractor)	
6. Mine SAGO MINE	7. Mine ID 46-08791	

Section II--Justification for Action

The proper fire protection was provided.

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 checked="" type="checkbox"/> D. Terminated	<input type="checkbox"/> E. Modified
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Section IV--Inspection Data

9. Type of Inspection E01	10. Event Number 4054434		
11. Signature [6]	AR Number [6]	12. Date Mo Da Yr 10/25/2005	13. Time (24 Hr. Clock) 1550

Handwritten initials and date: WJL 10/24

Date 10-24-05

75.1101-8a 0935
7098370

The #1 coal belt
starter box at #1
block is not provided
with fire protection.

Inspector's Initials [6]

Supervisor's Initials and Date _____ Page No. 7
★ U.S. G.P.O. 2005-742-563

Date 10-24-05

- 4) [6]
- (weekly)
- 5) several shifts
- 6) 1 person
- 7) delay in fire fighting
- 8) is likely to cause accident. fire extinguishers were in the crosscuts at the power centers for the belt drive

Team 10-24-05 1402hs

Inspector's Initials [6]

Supervisor's Initials and Date _____ Page No. 8
★ U.S. G.P.O. 2005-742-563



Section I--Violation Data

1. Date Mo Da Yr 10/24/2005	2. Time (24 Hr. Clock) 1400	3. Citation/ Order Number 7098371
4. Served To Carl Crumrine Mine Foreman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791	(Contractor)
8. Condition or Practice		8a. Written Notice (103g)

There is no record provided as required for the function test of the fire hydrants and fire hoses for the #1,2,3,4,5,6 and 7 Coal conveyor belts.

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 75.1103-11
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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: 001

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

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 10/26/2005	B. Time (24 Hr. Clock) 0800
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Section III--Termination Action

17. Action to Terminate

18. Terminated	A. Date Mo Da Yr	B. Time (24 Hr. Clock)
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Section IV--Automated System Data

19. Type of Inspection (activity code) E01	20. Event Number 4054434	21. Primary or Mill
22. Signature [6]		23. AR Number [6]

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

*Upl
10/25*

Mine Citation/Order
Continuation

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

14 DEC 2005



Section I--Subsequent Action/Continuation Data

1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/>	2. Dated (Original issue) Mo Da Yr 10/24/2005	3. Citation/ Order Number 7098371 - 01
4. Served To Carl Crumrine, Mine Foreman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC (Contractor)	
6. Mine SAGO MINE	7. Mine ID 46-08791	

Section II--Justification for Action

The record has been provided for the # 1-7 coal belts function test.

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 checked="" type="checkbox"/> D. Terminated	<input type="checkbox"/> E. Modified
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Section IV--Inspection Data

9. Type of Inspection E01	10. Event Number 4054434		
11. Signature [6]	AR Number [6]	12. Date Mo Da Yr 12/07/2005	13. Time (24 Hr. Clock) 1505

*Upd
12/13*

Date 10-24-05

75.1103-11 1400
7098371

There is no record provided as requested for the function test of the fire hydrants and fire hoses for the #1, 2, 3, 4, 5, 6, 7 Coal Conveyor belts.

Inspector's Initials [6]
Supervisor's Initials and Date _____

Page No. 8

Date 10-24-05

4) Person responsible for Annual test

5) Mine has been operational for 1 1/2 yrs time unknown

6) 1 person

1) if Hydrants would not work it would delay in extinguishing a belt fire

2) unlikely to cause accident
All Hydrants (checked) were checked by this inspector at exam time.

Team 10-26 time to examine ALL fire hoses

Inspector's Initials [6]
Supervisor's Initials and Date _____

Page No. 20



Section I - Violation Data

1. Date Mo Da Yr 11/01/2005	2. Time (24 Hr. Clock) 0655	3. Citation/ Order Number 7098375
4. Served To Carl Crumrine Mine Foreman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791	(Contractor)
8. Condition or Practice		8a. Written Notice (103g) <input type="checkbox"/>

The mine operator is not complying with the approved roof control plan on the 003 mmu 2 Left section. The #2 entry starting 18' in-by station spad 3951exceded the maximum allowed 20' width. The entry is cut 21 1/2' wide for a distance of 12' with no supplemental support added.

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 75.220(a)(1)
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Section II - Inspector's Evaluation

10. Gravity:	A. Injury or illness (has) (is): No Likelihood <input type="checkbox"/> Unlikely <input checked="" type="checkbox"/> Reasonably Likely <input type="checkbox"/> Highly Likely <input type="checkbox"/> Occurred <input type="checkbox"/>	B. Injury or illness could reasonably be expected to be: No Lost Workdays <input type="checkbox"/> Lost Workdays Or Restricted Duty <input checked="" type="checkbox"/> Permanently Disabling <input type="checkbox"/> Fatal <input type="checkbox"/>	C. Significant and Substantial: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	D. Number of Persons Affected: 001		
11. Negligence (check one)	A. None <input type="checkbox"/>	B. Low <input type="checkbox"/>	C. Moderate <input checked="" type="checkbox"/>	D. High <input type="checkbox"/>	E. Reckless Disregard <input type="checkbox"/>	
12. Type of Action 104(a)	13. Type of Issuance (check one)		Citation <input checked="" type="checkbox"/>	Order <input type="checkbox"/>	Safeguard <input type="checkbox"/>	
14. Initial Action	A. Citation <input type="checkbox"/>	B. Order <input type="checkbox"/>	C. Safeguard <input type="checkbox"/>	D. Written Notice <input type="checkbox"/>	E. Citation/ Order Number	F. Dated Mo Da Yr
15. Area or Equipment						

16. Termination Due	A. Date Mo Da Yr 11/01/2005	B. Time (24 Hr. Clock) 1110
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Section III - Termination Action

17. Action to Terminate Supplemental roof support was installed.

18. Terminated	A. Date Mo Da Yr 11/01/2005	B. Time (24 Hr. Clock) 1110
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Section IV - Automated System Data

19. Type of Inspection (activity code) FA1	20. Event Number 4054434	21. Primary or Mill
22. Signature [6]		23. AR Number [6]

MSHA Form 700. In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

upl
11/03

Date 11-01-05

0655

Cit 2098375

Stnd. 95, 2206091

Sands no

The mine operator is not complying with the approved roof control plan on the 003 mmu 2 left section. The #2 entry starting 18' in by station spud 3951 exceeded the ~~maximum~~ maximum allowed 20' width. The entry is cut 21 1/2' wide for a distance of 13' with no supplemental support added.

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No. 14

Date 11-01-05

(4) The Section Foreman

(5) More Than one Shift

(6) one person exposed

(7) Reasonable likely that broken boards, cut, and crushing type injuries would occur.

(8) unlikely the area had been bolted and the roof was firm in the no. 2 entry

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No. 15

Date 11-01-05

Term 11:10

Supplemental support was installed in the affected area.

Inspector's Initials


[6]

Supervisor's Initials and Date

Page No. 16

Mine Citation/Order

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

1 5 Nov 2005 

Section I—Violation Data

1. Date Mo Da Yr 11/01/2005	2. Time (24 Hr. Clock) 0715	3. Citation/ Order Number 7098376
4. Served To Carl Crumrine Mine Foreman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791	(Contractor)
8. Condition or Practice		8a. Written Notice (103g) <input type="checkbox"/>

The mine operator is not complying with the approved ventilation plan, on the 003 mmu 2 Left section. The Joy continuous miner, co. #2 JM5574 is observed operating in the #4 to #5 crosscut without the required minimum 6,000 CFM with scrubber on. When tested with an approved anemometer only 3,066 CFM is provided at the end of the line brattice.

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 75.370(a)(1)
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Section II—Inspector's Evaluation

10. Gravity:						
A. Injury or illness (has) (is):		No Likelihood <input type="checkbox"/>	Unlikely <input type="checkbox"/>	Reasonably Likely <input checked="" type="checkbox"/>	Highly Likely <input type="checkbox"/>	Occurred <input type="checkbox"/>
B. Injury or illness could reasonably be expected to be:		No Lost Workdays <input type="checkbox"/>	Lost Workdays Or Restricted Duty <input type="checkbox"/>	Permanently Disabling <input checked="" type="checkbox"/>	Fatal <input type="checkbox"/>	
C. Significant and Substantial:				D. Number of Persons Affected:		
Yes <input checked="" type="checkbox"/>		No <input type="checkbox"/>		002		
11. Negligence (check one)						
A. None <input type="checkbox"/>		B. Low <input type="checkbox"/>		C. Moderate <input checked="" type="checkbox"/>		D. High <input type="checkbox"/>
E. Reckless Disregard <input type="checkbox"/>						
12. Type of Action		104(a)		13. Type of Issuance (check one)		
Citation <input checked="" type="checkbox"/>		Order <input type="checkbox"/>		Safeguard <input type="checkbox"/>		
14. Initial Action				E. Citation/ Order Number		F. Dated Mo Da Yr
A. Citation <input type="checkbox"/>		B. Order <input type="checkbox"/>		C. Safeguard <input type="checkbox"/>		D. Written Notice <input type="checkbox"/>
15. Area or Equipment						

16. Termination Due	A. Date Mo Da Yr 11/01/2005	B. Time (24 Hr. Clock) 0730
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Section III—Termination Action

17. Action to Terminate The required ventilation was established and the new air reading was 7,980 CFM.

18. Terminated	A. Date Mo Da Yr 11/01/2005	B. Time (24 Hr. Clock) 0730
----------------	-----------------------------------	--------------------------------

Section IV—Automated System Data

19. Type of Inspection (activity code) E01	20. Event Number 4054434	21. Primary or Mill
22. Signature [6]		23. AR Number [6]

MSHA Form 70 (Rev. 8-85) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Lepl
11/03

Date 11-01-05

0715

Cit 7098374

Stat. 75.370(a)(1)

Sands yes

The mine operator is not complying with the approved ventilation plan on the 003-0 main 2 left section. The Joy continuous miner, co. #2 JM 5574 is observed operating in the #4 to #5 crosscut without the required minimum 6,000 CFM with scrubber on. When tested with an approved anemometer only 3,066 CFM is -

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No. 18

Date 11-01-05

provided at the end of the live brattice.

term 11-01-05

0730

The required ventilation was established and the new air reading was 7,980 CFM.

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No. 19

Date 11-01-05

(4) The Foreman or [6]

(5) Unknown less than a shift.

(6) Two person exposed

(7) Should an accident occur, burn to the skin, damage to worker lungs from exposure to rock dust coal dust and other dust.

(8) If this type of mining practice continues miners will be over

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No. 20

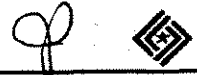
Date 11-01-05

exposed to harmful
dust or methane gas
ignitions.

~~From~~
~~ventilation controls were~~
~~adjusted and proper~~
~~ventilation was restored~~
~~for the top section.~~

Inspector's Initials [6]

Supervisor's Initials and Date _____ Page No. 21



Section I--Violation Data

1. Date Mo Da Yr 11/01/2005	2. Time (24 Hr. Clock) 0730	3. Citation/ Order Number 7098377
4. Served To Carl Crumrine Mine Foreman		5. Operator ANKER WEST VIRGINIA MINING COMPANY INC
6. Mine SAGO MINE		7. Mine ID 46-08791 (Contractor)
8. Condition or Practice		8a. Written Notice (103g) <input type="checkbox"/>

The roof of areas where persons work or travel on the 003 mmu section is not supported or otherwise controlled to protect persons from hazards related to falls of the mine roof. The last open crosscut between #3 and #4 entries, 1 block in-by station spad 3951, has loose hanging material that appear it will fall without warning. Material measuring 1/8th inch to 4 inches thick by widths ranging from 2" to 18" by 2 1/2' to 5' in length. The height of the mine roof in the affected area is 8'.

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 75.202(a)
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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: 001

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

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 11/01/2005	B. Time (24 Hr. Clock) 0745
---------------------	--------------------------------	--------------------------------

Section III--Termination Action

17. Action to Terminate The loose material was removed.

18. Terminated	A. Date Mo Da Yr 11/01/2005	B. Time (24 Hr. Clock) 0745
----------------	--------------------------------	--------------------------------

Section IV--Automated System Data

19. Type of Inspection (activity code) F01	20. Event Number 4054434	21. Primary or Mill
22. Signature [6]		23. AR Number [6]

MSHA Form 7... provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

WPL
11/03

Date 10-01-05

0730

Cit 7098377

Stat. 75.202(a)

S and S yes

The roof of area where person work or travel on the 003 MMU section is not supported or otherwise controlled to protect persons from hazards related to falls of the mine roof. The last open crosscut between #3 and #4 entries, 1 block in by station spad # 3951, has loose hanging materials that appears it will fall.

Inspector's Initials [6]

Supervisor's Initials and Date Page No. 22

Date 11-01-05

without measuring material measuring ~~2~~ 1/4 inches to 4 inches thick by with widths ranging from 2" to 18" by 2 1/2' to 5' in length. The height of the mine roof in the affected area is 8'.

Term 11-01-2005

Time 0745

The loose material was removed.

Inspector's Initials [6]

Supervisor's Initials and Date Page No. 23

Date 11-1-05

- 4) The Section Foreman
- 5) unknown amount of time
- 6) 1 person
- 7) fall of loose material from 8' to a man's Aug Height of 6' (dead) cause serious injury
- 8) Reasonably likely to cause serious injury persons actively travel this area

Inspector's Initial [6]

Supervisor's Initials and Date Page No. 24

Date 11-7-05

The loose material
At this mine have
caused serious
injury in the past

This condition
According to suber
foreman And [6]

in one did
not exist prior to
this inspector finding
the loose material.

The area was
working in adjacent
entry across at
Bolt crew was
installing support

Inspector's Initials [6]

Supervisor's Initials and Date

Page No 25

U.S. G.P.O. 2005-742-563

Date 11-1-05

Condition changed
from 06:45 to
07:30

Team: The area was
soaked / loose material
taken down
And also
Wire screen will
be installed

07:30Inspector's Initials [6]

Supervisor's Initials and Date

Page No 26

U.S. G.P.O. 2005-742-563

16 NOV 2005



Section I--Violation Data

1. Date Mo Da Yr 11/01/2005	2. Time (24 Hr. Clock) 0800	3. Citation/ Order Number 7098378
4. Served To Carl Crumrine Mine Foreman		5. Operator ANKER WEST VIRGINIA MINING COMPANY INC
6. Mine SAGO MINE		7. Mine ID 46-08791 (Contractor)
8. Condition or Practice		8a. Written Notice (103g)

The approved roof control plan, page 6-- item 7, is not being complied with on the 2 left 003 mmu section. The crosscut between # 4 and #5 entry 2 blocks inby station spad 3941, was completed and unsupported and there is no reflectors or visible warning device provided in the #5 entry out-by the crosscut to warn miners of unsupported mine roof.

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 75.220(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: 001

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

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 11/01/2005 B. Time (24 Hr. Clock) 0805

Section III--Termination Action

17. Action to Terminate Two reflective indicators were provided on the out-by corner of the crosscut.

18. Terminated A. Date Mo Da Yr 11/01/2005 B. Time (24 Hr. Clock) 0850

Section IV--Automated System Data

19. Type of Inspection (activity code) E01 20. Event Number 4054434 21. Primary or Mill

22. Signature [6] 23. AR Number [6]

MSHA Form 7000-3, I (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

up
11/03

Date 11-01-05

0800

cit 7098378
stat 75.220(a)(1)

Said 5 yes

The approved roof control plan page 6 item 7, is not being complied with on the 2 left sections. The crosscut between #4 and #5 entry 2 blocks in by station spud 3941, was completed and unsupported and there is no reflectors or visible warning devices provided in the #5 entry out-by the crosscut to warn miners

Inspector's Initials [6]

Supervisor's Initials and Date Page No 27

Date 11-01-05

of unsupported mine roof.

Term 11-01-05

time 0805

Two reflectors indicators were provided on the out-by corner of the crosscut.

Inspector's Initials [6]

Supervisor's Initials and Date Page No 28

Date 11-01-05

(4) the foreman or [6]

(5) at least one shift

(6) one person exposed

(7) reasonable likely that a person would have broken bones and crushing type injuries.

(8) if this type of mining practice continues worker will become seriously injured from loose falling rock, or even in contact.

Inspector's Initials [6]

Supervisor's Initials and Date Page No 29

Date 11-01-05

with the continuous
miner ripper head when
a crosscut is hiked
thru with no warning
reflector devices hung
in the ~~entry~~^{adjacent} entry.

Term

0805

warning devices were
hung in the no 5
entry.

Inspector's Initials [6]

Supervisor's Initials and Date _____ Page No. 30



Section I--Violation Data

1. Date Mo Da Yr 11/01/2005	2. Time (24 Hr. Clock) 0957	3. Citation/ Order Number 7098379
4. Served To Carl Crumrine Mine Foreman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791	(Contractor)
8. Condition or Practice		8a. Written Notice (103g) <input type="checkbox"/>

The company #2 and #3 Joy shuttle cars, operating on the 003 mmu section, are anchored to the permanent roof support, 1 block out-by station spad 3940, in the #4 entry and #3 to #4 crosscut and the permanent support is loose.

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 75.204(f)(7)
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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: 001

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

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 11/01/2005 B. Time (24 Hr. Clock) 1125

Section III--Termination Action

17. Action to Terminate The affected roof support was replaced and additional bolts were installed for anchors.

18. Terminated A. Date Mo Da Yr 11/01/2005 B. Time (24 Hr. Clock) 1125

Section IV--Automated System Data

19. Type of Inspection (activity code) E01 20. Event Number 4054434 21. Primary or Mill

22. Signature [6] 23. AR Number [6]

MSHA Form 7000-3, M (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Wpl
11/03

Date 11-01-05

0957

Cit 7098379
Stat 75.204 (P)(7)

Sands yes

The company # 2 and #3 Toy Shuttle Cars, operating on the 003-0 minn section, are anchored to the permanent roof support, 1 bolt out by Spad 3940, in the #4 entry and #3 to #4 crosscut and permanent support is loose.

Term 11-01-05

Time 11.25

The affected roof.

Inspector's Initials [6]

Supervisor's Initials and Date

Page No 48

Date 11-01-05

Support was replaced and additional bolts were installed for anchors.

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No 49

Date 11-1-05

- 1) Seepun program
- 5) for several shifts area around one bolt used for anchor has loose material
- 6) 1 person
- 7) fall of Roof
- 8) Reasonably likely to cause injury if appears that the bolt out by Spad been used as an anchor it was pushed & pulled until it broke.

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No 50

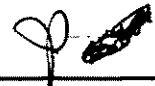
Date 11-1-05

This plate has
been bent from the
mine roof & loose
material is present
around the bolt
that could cause
residual from
push & pull of anchor.

Tom
Bolt's Replaced
with new ones
new anchor installed

Inspector's Initials [6]

Supervisor's Initials and Date _____ Page No. 51



Section I--Violation Data

1. Date Mo Da Yr 11/01/2005	2. Time (24 Hr. Clock) 1020	3. Citation/ Order Number 7098380
4. Served To Carl Crumrine Mine Foreman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791	(Contractor)
8. Condition or Practice		8a. Written Notice (103g) <input type="checkbox"/>

The 575 Volt A.C. Trailing cable for the Joy Shuttle car, company #3 Approval No.2G-3191A-00, being operated on the 003 MMU, is not insulated adequately and fully protected. The outer protective cover of an old splice is worn away and is gapping open, exposing the inner insulated wires to the abrasive conditions of the mine environment and allowing water to freely enter the cable. This cable is routinely pulled around the coal corners as the machine travels from place to place and then is hung to the mine roof or positioned along the rib by hand. (This section is damp to wet).

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 75.517
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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: 001

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

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
11/01/2005

B. Time (24 Hr. Clock) 1040

Section III--Termination Action

17. Action to Terminate The cable was properly repaired with adequate insulation.

18. Terminated

A. Date Mo Da Yr
11/01/2005

B. Time (24 Hr. Clock) 1040

Section IV--Automated System Data

19. Type of Inspection (activity code) E01

20. Event Number 4054434

21. Primary or Mill

22. Signature [6]

23. AR Number [6]

MSHA Form 7000-3, N... 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

upl
11/03

Date ~~11-01-05~~ 11-01-05

1020

Cit 7098380

Stav. 75.517

Sands

The 575 volt AC trailing cable for the Toy shuttle car, Company # 3 approval no. 26-3191-A-00 being operated on the 003 mmu, is not insulated adequately and fully protected. The outer protective cover of an old splice is worn away and is gapping open, exposing the inner insulated wires

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No.

44

Date 11-01-05

to the abrasive conditions of the mine environment and allowing water to freely enter the cable. This cable is routinely pulled around the coal corners as the machine travels from place to place and then is hung to the mine roof or positioned along the rib by hand (this section is damp to wet).

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No.

45

Date 11-1-05

4) The [6]

5) 1 Power

6) Defers 1/2 Shift

7) ~~St. Working~~
HARD

8) ~~Reasonably likely~~
Reasonably likely to cause serious injury. The mine is used to damp ~~at the overized~~ HEADS

[6]

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No.

46

Date 11-1-25

With water will
cause the power
to strand the
cable and
cause electrical
shocking hazard
and possibly
be fatal

Team 1040
Cable Repair

Inspector's Initials [67]

Supervisor's Initials and Date _____ Page No. 47

Mine Citation/Order

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

28 NOV 2005



Section I--Violation Data

1. Date Mo Da Yr 11/08/2005	2. Time (24 Hr. Clock) 1100	3. Citation/ Order Number 7148619
4. Served To CARL CRUMRINE, MINE FOREMAN	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791	(Contractor)
8. Condition or Practice		8a. Written Notice (103g) <input type="checkbox"/>

The approved roof control plan was not being complied with in the 1 Left Mains MMU 006 section. Beginning at the A panel belt drive and extending for a distance of approximately 17 feet the entry width ranged from 21 feet to 22 feet. Maximum entry width allowed by the approved roof control plan is 20 feet.

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 75.220(a)(1)
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Section II--Inspector's Evaluation

10. Gravity:						
A. Injury or illness (has) (is):		No Likelihood <input type="checkbox"/>	Unlikely <input checked="" type="checkbox"/>	Reasonably Likely <input type="checkbox"/>	Highly Likely <input type="checkbox"/>	Occurred <input type="checkbox"/>
B. Injury or illness could reasonably be expected to be:		No Lost Workdays <input type="checkbox"/>	Lost Workdays Or Restricted Duty <input checked="" type="checkbox"/>	Permanently Disabling <input type="checkbox"/>	Fatal <input type="checkbox"/>	
C. Significant and Substantial:			Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	D. Number of Persons Affected: 001	
11. Negligence (check one)						
A. None <input type="checkbox"/>		B. Low <input type="checkbox"/>		C. Moderate <input checked="" type="checkbox"/>		D. High <input type="checkbox"/>
E. Reckless Disregard <input type="checkbox"/>						
12. Type of Action 104(a)			13. Type of Issuance (check one)			
			Citation <input checked="" type="checkbox"/>		Order <input type="checkbox"/>	Safeguard <input type="checkbox"/>
14. Initial Action				E. Citation/ Order Number		F. Dated Mo Da Yr
A. Citation <input type="checkbox"/>		B. Order <input type="checkbox"/>		C. Safeguard <input type="checkbox"/>		D. Written Notice <input type="checkbox"/>

15. Area or Equipment

16. Termination Due	A. Date Mo Da Yr 11/08/2005	B. Time (24 Hr. Clock) 1800
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Section III--Termination Action

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

Section IV--Automated System Data

19. Type of Inspection (activity code) E01	20. Event Number 4054434	21. Primary or Mill
22. Signature [6]		23. AR Number [6]

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

cc 11-8-05

[Handwritten initials]

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue)	Mo Da Yr 11/08/2005	3. Citation/ Order Number	7148619 - 01
4. Served To CARL CRUMRINE, MINE FOREMAN			5. Operator ANKER WEST VIRGINIA MINING COMPANY INC		
6. Mine SAGO MINE			7. Mine ID 46-08791		(Contractor)

Section II—Justification for Action

Beginning inby the A panel belt drive 7 post were installed to reduce the entry width to 20 feet or less.

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 checked="" type="checkbox"/> D. Terminated	<input type="checkbox"/> E. Modified
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Section IV—Inspection Data

9. Type of Inspection	E01	10. Event Number	4054434
11. Signature	[6]	AR Number	[6]
12. Date	Mo Da Yr 11/09/2005	13. Time (24 Hr. Clock)	1030

Date 11-08-05

11.00 Beginning at the 1400
A panel belt drive and
extending for a distance
of about 17' in by entry
width ranged from 21' to
22'.

Non S.T.S. The Miner Rock
appeared to be in good
condition.

Wg. Mat This was an
obvious condition.

Item 1800

Inspector's Initials [6]

Supervisor's Initials and Date _____ Page No. 4



Section I--Violation Data

1. Date Mo Da Yr 11/08/2005	2. Time (24 Hr. Clock) 1200	3. Citation/ Order Number 7148620
4. Served To CARL CRUMRINE, MINE FOREMAN	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791 (Contractor)	
8. Condition or Practice		8a. Written Notice (103g) <input type="checkbox"/>

The approved roof control plan was not being complied with at the following locations in the 1 Left Mains MMU 006 section where the sum of the diagonal distance in 90 degree 4-way intersections exceeded 60 feet and no posts or cribs were installed to reduce the span.
No. 5 track entry No. 23 block diagonal distance of 67 feet, No.5 track entry No. 26 block diagonal distance of 68 feet, No. 5 track entry No. 25 block diagonal distance of 64 feet, and No. 4 belt entry diagonal distance of 66 feet.

9. Violation	A. Health Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR 75.220(a)(1)	See Continuation Form (MSHA Form 7000-3a) <input type="checkbox"/>
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Section II--Inspector's Evaluation

10. Gravity:	A. Injury or illness (has) (is): No Likelihood <input type="checkbox"/> Unlikely <input checked="" type="checkbox"/> Reasonably Likely <input type="checkbox"/> Highly Likely <input type="checkbox"/> Occurred <input type="checkbox"/>				
	B. Injury or illness could reasonably be expected to be: No Lost Workdays <input type="checkbox"/> Lost Workdays Or Restricted Duty <input checked="" type="checkbox"/> Permanently Disabling <input type="checkbox"/> Fatal <input type="checkbox"/>				
	C. Significant and Substantial: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			D. Number of Persons Affected: 001	
11. Negligence (check one)	A. None <input type="checkbox"/> B. Low <input type="checkbox"/> C. Moderate <input checked="" type="checkbox"/> D. High <input type="checkbox"/> E. Reckless Disregard <input type="checkbox"/>				
12. Type of Action 104(a)	13. Type of Issuance (check one) Citation <input checked="" type="checkbox"/> Order <input type="checkbox"/> Safeguard <input type="checkbox"/>				
14. Initial Action A. Citation <input type="checkbox"/> B. Order <input type="checkbox"/> C. Safeguard <input type="checkbox"/> D. Written Notice <input type="checkbox"/>	E. Citation/ Order Number			F. Dated Mo Da Yr	
15. Area or Equipment					

16. Termination Due	A. Date Mo Da Yr 11/08/2005	B. Time (24 Hr. Clock) 1800
---------------------	-----------------------------------	--------------------------------

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) E01	20. Event Number 4054434	21. Primary or Mill
22. Signature [6]		23. AR Number [6]

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

CC 11-8-05

CC

Mine Citation/Order
Continuation

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

29 NOV 2005



Section I--Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/> 1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) 11/08/2005 Mo Da Yr	3. Citation/ Order Number 7148620 - 01
4. Served To CARL CRUMRINE, MINE FOREMAN	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791 (Contractor)	

Section II--Justification for Action

Post were installed in the affected 4-way intersections of the 1-A Mains MMU 006 section to reduce the diagonal distance span to 60 feet or less.

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 checked="" type="checkbox"/> D. Terminated	<input type="checkbox"/> E. Modified
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Section IV--Inspection Data

9. Type of Inspection E01	10. Event Number 4054434		
11. Signature 	AR Number [6]	12. Date Mo Da Yr 11/09/2005	13. Time (24 Hr. Clock) 0945

Date 11-8-05

1200 The sum of the diagonal distance exceeded 60' at the following locations.

No. 5 entry no. 23 block 67'

No. 5 entry no. 26 block 68'

No. 5 entry no. 25 block 64'

No. 4 entry station no. 3803 ~~66'~~

DM 545 The main roof was in good condition.

Reg. Mod This was an obvious condition.

Term. 1800

Inspector's Initials [67]

Supervisor's Initials and Date _____ Page No. 5

Mine Citation/Order

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



Section I--Violation Data

1. Date Mo Da Yr 11/08/2005	2. Time (24 Hr. Clock) 1245	3. Citation/ Order Number 7149863
4. Served To CARL CRUMRINE, MINE FOREMAN	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791	(Contractor)
8. Condition or Practice		8a. Written Notice (103g) <input type="checkbox"/>

Beginning in the last open crosscut between the No.3 to No.2 entry, and between the No. 2 to No1 entry of the 1 Left Mains MMU 006 section there was a light coat of coal float dust deposited on the roof, ribs and mine floor.

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 75.400
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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: 000

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

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 11/08/2005	B. Time (24 Hr. Clock) 1345
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Section III--Termination Action

17. Action to Terminate

18. Terminated	A. Date Mo Da Yr	B. Time (24 Hr. Clock)
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Section IV--Automated System Data

19. Type of Inspection (activity code) E01	20. Event Number 4054434	21. Primary or Mill
22. Signature [6]		23. AR Number [6]

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20418. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

CC 11-8-05 [6]
CC

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/> 1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) 11/08/2005 Mo Da Yr	3. Citation/ Order Number 7149863 - 01
4. Served To CARL CRUMRINE, MINE FOREMAN	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC (Contractor)	
6. Mine SAGO MINE	7. Mine ID 46-08791	

Section II—Justification for Action

Rock dust was applied to the roof, ribs, and mine floor to dilute the float coal dust in the affected area of the 1-Left Mains MMU 006 section.

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 checked="" type="checkbox"/> D. Terminated	<input type="checkbox"/> E. Modified
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Section IV—Inspection Data

9. Type of Inspection E01	10. Event Number 4054434		
11. Signature [Signature]	AR Number [67]	12. Date Mo Da Yr 11/09/2005	13. Time (24 Hr. Clock) 1000

Date 11-8-05

1250 Rock-dust was not
applied to the Roof ~~and~~
Ribs, and Mine floor of
the No. 2-1 cross-cut and
3-2 cross-cut leaving
a like coat of float coal
dust.

Don Sts The area was
damp.

Very Mud This was a
obvious condition

Item 1345

Inspector's Initials [6]

Supervisor's Initials and Date _____ Page No. 8



Section I--Violation Data

1. Date Mo Da Yr 11/08/2005	2. Time (24 Hr. Clock) 1545	3. Citation/ Order Number 7149864
4. Served To CARL CRUMRINE, MINE FOREMAN	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791	(Contractor)
8. Condition or Practice		8a. Written Notice (103g) <input type="checkbox"/>

In the 1-Left A panel MMU 006 section the right coal rib in the No. 4 belt entry starting 5 feet 6 inches inby survey station No. 3724 and extending for a distance of approximately 17 feet was not controlled to protect persons from the hazards of rib rolls. ON 11-07-05 at approximately 8:45 pm a roof bolter operator was seriously injured when a rib rolled measuring 17 feet long, 6 feet high and up to 16 inches thick.

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR 75.202(a)
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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: 001

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

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 11/09/2005 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) E01 20. Event Number 4054434 21. Primary or Mill

22. Signature [6] 23. AR Number [6]

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

cc 11-8-05 [6]
 cc

Mine Citation/Order
Continuation

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



Section I--Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/> 1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 11/08/2005	3. Citation/ Order Number 7149864 - 01
4. Served To CARL CRUMRINE, MINE FOREMAN	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC (Contractor)	
6. Mine SAGO MINE	7. Mine ID 46-08791	

Section II--Justification for Action

A safety meeting was held with all three shifts on the hazards of rib rolls, and to examine the roof, and ribs where they are required to work or travel.

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 checked="" type="checkbox"/> D. Terminated	<input type="checkbox"/> E. Modified
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Section IV--Inspection Data

9. Type of Inspection E01	10. Event Number 4054434		
11. Signature [Signature]	AR Number [6]	12. Date Mo Da Yr 11/09/2005	13. Time (24 Hr. Clock) 1030

Date 11-8-05

1645 - on 11-7-05 in Chc

1. Left A Panel Section

in the No. 4 entry (belt)

at station No. 3724

(5' 6" in by) and extending
for about 17' the right

Rib rolled out seriously

injuring a [6]

~~5' 6"~~ [6]

St> The Rib roll 17' long

6' high and up to 16" thick.

Wg. Med. Needs to do a

better job ~~exam~~ on Rib

examination.

occurred. (Miner received

a ~~Pelvis~~ Pelvis injury.

Term 11-7-05 - 0800

Inspector's Initials [6]

Supervisor's Initials and Date _____ Page No. 1



Section I--Violation Data

1. Date Mo Da Yr 11/08/2005	2. Time (24 Hr. Clock) 1630	3. Citation/ Order Number 7149865
4. Served To CARL CRUMRINE, MINE FOREMAN	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791	(Contractor)
8. Condition or Practice		8a. Written Notice (103g) <input type="checkbox"/>

The preshift examination conducted on 11-08-05 from 5:00 am to 5:30 am in the 1 Left Mains MMU 006 section was inadequate in that the following obvious conditions were not recorded in the preshift record book. During a on site inspection the following obvious conditions were cited.

1.104(a) citation No. 7149864 30 CFR 75.220(a) (1) No. 4 belt entry width ranged from 21 to 22 feet.

2.104(a) citation No. 7149863 30 CFR 75.0400 last open crosscut No.3 to 2 and No.2 to 1 light coat of float coal dust deposited on the roof, ribs, and mine floor.

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 75.360(f)
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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: 001

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

12. Type of Action 104(d)(2) 13. Type of issuance (check one) Citation Order Safeguard

14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice E. Citation/Order Number 7097827 F. Dated Mo Da Yr 05/20/2005

15. Area or Equipment No affected area.

16. Termination Due A. Date Mo Da Yr B. Time (24 Hr. Clock)

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) E01 20. Event Number 4054434 21. Primary or Mill

22. Signature [6] 23. AR Number [6]

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input type="checkbox"/> 1a. Continuation <input checked="" type="checkbox"/>	2. Dated (Original Issue) 11/08/2005 Mo Da Yr	3. Citation/ Order Number 7149865
4. Served To CARL CRUMRINE, MINE FOREMAN	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791 (Contractor)	

Section II—Justification for Action

Continuation of 8. Condition or Practice

3.104(a) citation No.7148620 diagonal distance in 90 degree 4-way intersections exceeded 60 feet No.5 entry No.23 block, No.5 entry No. 26 block, No. 5 entry No. 25 block, and No. 4 entry station No. 3803.

4.104(a) citation No 7098544 30 CFR 75.202(a) loose rib and roof 22 block mantrip station.

5.104(a) citation No.7098546 30 CFR 75.220(a) (1) Roof bolt spacing No.7 and No.8 crosscut last open crosscut.

6.104(a) citation No.7098545 30 CFR 75.380(d) (1) designated escapeway not maintained in a safe condition, mud and water No.5 entry No.22 block.

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 E01	10. Event Number 4054434		
11. Signature [6]	AR Number [6]	12. Date Mo Da Yr 11/08/2005	13. Time (24 Hr. Clock) 1630

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/> 1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) 11/08/2005 Mo Da Yr	3. Citation/ Order Number 7149865 - 01
4. Served To CARL CRUMRINE, MINE FOREMAN	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC (Contractor)	
6. Mine SAGO MINE	7. Mine ID 46-08791	

Section II—Justification for Action

A supplemental examination was conducted on 11-08-2005 from 11:00 am to 1:00 pm by Carl Crumrine, Mine Foreman and all the listed hazardous conditions were entered in the preshift record book, and all the hazardous conditions were corrected. All foreman were instructed of the requirements on 30 CFR 75.360.

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 checked="" type="checkbox"/> D. Terminated	<input type="checkbox"/> E. Modified
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Section IV—Inspection Data

9. Type of Inspection E01	10. Event Number 4054434		
11. Signature [6]	AR Number [6]	12. Date Mo Da Yr 11/09/2005	13. Time (24 Hr. Clock) 1223

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/> 1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 11/08/2005	3. Citation/ Order Number 7149865 - 02
4. Served To CARL CRUMRINE, MINE FOREMAN	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791 (Contractor)	

Section II—Justification for Action

Change From To

15. Area or Equipment

Reason From no affected area to 1-Left Mains MMU 006 section.

Written in error.

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 checked="" type="checkbox"/> E. Modified
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Section IV—Inspection Data

9. Type of Inspection E01	10. Event Number 4054434		
11. Signature [6]	AB Number [6]	12. Date Mo Da Yr 11/09/2005	13. Time (24 Hr. Clock) 1233

Date 11-08-05

1630 After Reviewing the following citations, and these conditions were obvious

[6]

[6]

[6]

agreed that the preshift examination conducted from 5⁰⁰ AM - 5¹⁰ AM, in the 1.622 Mains out section was inadequate.

1. Citation No. 7149864

2. Citation No. 7149863

3. Citation No. 7149862

4. Citation No. 7098544

5. Citation No. 7098544

6. Citation No. 7098545

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No. 10

Date 11-8-05

Neg. High All the listed citations were obvious. 574 poor preshift examination and not ~~correcting~~ correcting hazard conditions or danger of hazard conditions could cause miners to be injured one person affected.

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No. 11

Mine Citation/Order

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

X  71.

Section I--Violation Data

1. Date Mo Da Yr 11/08/2005	2. Time (24 Hr. Clock) 1110	3. Citation/ Order Number 7098544
4. Served To Carl Crumrine Mine Foreman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791	(Contractor)
8. Condition or Practice		8a. Written Notice (103g)

The mine roof of areas where persons work or travel on the 1 Left Mains 006 mmu section, 22 block mantrip station, is not supported or otherwise controlled to protect persons from hazards related to falls of the mine roof. The loose material, (rock and coal), measured 3' long by 18" wide by 7" thick,----- 2' long by 1' wide by 7" thick,----- 28" long by 3" thick by 8" wide and several other smaller pieces, appear that it will fall with warning. This area is at the mantrip station and men routinely traveled under the material going to and from the section. Little or no effort was used to remove the loose material.

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 75.202(a)
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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: 001

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

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 11/08/2005	B. Time (24 Hr. Clock) 1130
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Section III--Termination Action

17. Action to Terminate The loose material was removed.

18. Terminated	A. Date Mo Da Yr 11/08/2005	B. Time (24 Hr. Clock) 1130
----------------	--------------------------------	--------------------------------

Section IV--Automated System Data

19. Type of Inspection (activity code) F01	20. Event Number 4054434	21. Primary or Mill
22. Signature [6]	23. AR Number [6]	

MSHA Form 7000-2, Mar. 05 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

upl
11/10

Date 11-8-05

75.202a

1110

7098544

The mine roof of areas where persons work or travel on the left main 006 main Section 22 block Mantap Station is not supported or otherwise controlled to protect persons from hazardous rocks or falls of the mine roof.

Measurements -

2' x 1' x 7" 28" x 3" x 2"

3' x 18" x 7" & several

other smaller pieces,

appear that it will fall

Inspector's Initials _____

Supervisor's Initials and Date _____

Page No. 13

U.S. G.P.O. 2005-742-563

Date 11-8-05

without warning. This area is at the Mantap Station & men routinely traveled under the material going to & from the Section.

Little or no effort was used to remove the loose material.

Inspector's Initials [6]

Supervisor's Initials and Date _____

Page No. 14

U.S. G.P.O. 2005-742-563

Date 11-8-05

- 4) The Pre-shift examination for the TRAIL SHOULDER
 - 5) existed for unknown amount of time
 - 6) 1 person
 - 7) crushing injuries
 - 8) Reasonably likely to cause serious injury.
- A rock the size in ~~approx~~ listed in the citation could cause life threatening injuries if it were to strike a person falling from a eight foot height

Inspector's Initials [6]

Supervisor's Initials and Date _____

Page No. 15

U.S. G.P.O. 2005-742-563

Date 11-8-05

Several Accidents
Have Happened at this
mine for the Cited
Reason. Latest one
on 11-7-05 R.6 Roll

Term: material
Removed
Also Inspections Returned
in Roof & Rib
Prevention

Inspector's Init. [6]

Supervisor's Initials and Date _____ Page No. 16

Mine Citation/Order

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

X  71

Section I--Violation Data

1. Date Mo Da Yr 11/08/2005	2. Time (24 Hr. Clock) 1115	3. Citation/ Order Number 7098545
4. Served To Carl Crumrine Mine Foreman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791 (Contractor)	
8. Condition or Practice		

Ba. Written Notice (103g)

The designated escapeway for the 1 Left Mains 006 mmu section is not being maintained in a safe condition to assure passage of anyone, including disabled persons. Mud and water is being allowed to exist in the #5 entry at crosscut # 22. The measurements extend toward # 6 and #4 entries and in-by and out-by in the #5 entry, 30 to 35 feet long by 40' wide by 6 to 8 inches deep. The muddy water and thick mud does not let you see the uneven bottom and would cause a slip, trip and fall hazard.

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 75.380(d)(1)
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Section II--Inspector's Evaluation

10. Gravity:				
A. Injury or Illness (has) (is): No Likelihood <input type="checkbox"/> Unlikely <input type="checkbox"/> Reasonably Likely <input checked="" type="checkbox"/> Highly Likely <input type="checkbox"/> Occurred <input type="checkbox"/>				
B. Injury or illness could reasonably be expected to be: No Lost Workdays <input type="checkbox"/> Lost Workdays Or Restricted Duty <input checked="" type="checkbox"/> Permanently Disabling <input type="checkbox"/> Fatal <input type="checkbox"/>				
C. Significant and Substantial: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>			D. Number of Persons Affected: 001	
11. Negligence (check one) A. None <input type="checkbox"/> B. Low <input type="checkbox"/> C. Moderate <input checked="" type="checkbox"/> D. High <input type="checkbox"/> E. Reckless Disregard <input type="checkbox"/>				
12. Type of Action 104(a)		13. Type of Issuance (check one) Citation <input checked="" type="checkbox"/> Order <input type="checkbox"/> Safeguard <input type="checkbox"/>		
14. Initial Action A. Citation <input type="checkbox"/> B. Order <input type="checkbox"/> C. Safeguard <input type="checkbox"/> D. Written Notice <input type="checkbox"/>			E. Citation/ Order Number	
F. Dated		Mo Da Yr		
15. Area or Equipment				

16. Termination Due	A. Date Mo Da Yr 11/08/2005	B. Time (24 Hr. Clock) 1800
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Section III--Termination Action

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

Section IV--Automated System Data

19. Type of Inspection (activity code) E01	20. Event Number 4054434	21. Primary or Mill
22. Signature [67]		23. AR Number [67]

MSHA Form 7000-3a... established a National Small Business and Agriculture Regulatory Ombudsman... enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3300), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 400... Street, SW, MC-2120, Washington, DC 20418. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contact MSHA and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

not being... 11/08/2005... 46-08791... 1115... 7 Mine ID... ANKER WEST VIRGINIA MINING COMPANY INC... 7098545... 11/08/2005... 1115

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 11/08/2005	3. Citation/ Order Number 7098545 - 01
4. Served To CARL CRUMRINE, MINE FOREMAN	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC (Contractor)	
6. Mine SAGO MINE	7. Mine ID 46-08791	

Section II—Justification for Action

A wooden bridge was installed across the mud and water in the 1-Left Mains designated escapeway at No. 22 block.

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 checked="" type="checkbox"/> D. Terminated	<input type="checkbox"/> E. Modified
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Section IV—Inspection Data

9. Type of Inspection E01	10. Event Number 4054434		
11. Signature [Signature]	AR Number [Signature]	12. Date Mo Da Yr 11/09/2005	13. Time (24 Hr. Clock) 0940

upl 11/10

Date 11-8-05
75-3806(11) 1115
7698545

The escapeway for
006 mine is not being
maintained in a safe
condition to assure
passage of anyone
including disabled
person. Mud & water
is allowed to accumulate
in the entry at 22
crosscut 30 to 35' long
by 40' wide 6 to 8" deep
The muddy water & thick
mud does not let you see
the warning bottom it would
cause a slip trip & fall hazard

Inspector's Initial [6]
Supervisor's Initials and Date _____ Page No. 17
☆ U.S. G.P.O. 2005-742-563

Date 11-8-05
4) The pre shift examining
for track & Belts
5) exists for several
shifts with amount of
water Accumulated
6) 1 person

7) Spacing & Spacing
8) Reasonably likely to
cause slip trip or fall
hazard. End of track is
in affected area and
will ~~markings~~ ~~marked~~
At end of track this
will cause person to
wade through the water
& mud. to get out
is the escapeway

Inspector's Initial [6]
Supervisor's Initials and Date _____ Page No. 18
☆ U.S. G.P.O. 2005-742-563

Date 11-8-05

Team 11-8-05
1500
Time to get material
from outside to
Build a Bridge.

Inspector's Initials [6]
Supervisor's Initials and Date _____ Page No. 19
☆ U.S. G.P.O. 2005-742-563

Mine Citation/Order

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

77

Section I--Violation Data

1. Date Mo Da Yr 11/08/2005	2. Time (24 Hr. Clock) 1155	3. Citation/ Order Number 7098546
4. Served To Carl Crumrine Mine Foreman		5. Operator ANKER WEST VIRGINIA MINING COMPANY INC
6. Mine SAGO MINE		7. Mine ID 46-08791 (Contractor)
8. Condition or Practice		8a. Written Notice (103g)

The mine operator is not complying with the approved roof control plan on the 1 Left Mains 006 mmu section. The last open crosscut between the #7 and #8 entries is not bolted per plan. The distance between the crosscut bolts and the #8 entry bolts exceeds the maximum allowable distance of 4' centers. The bolt spacing is measured to be 5' to 5 1/2' in length for Four bolts.

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 75.220(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: 001

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

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 11/08/2005 B. Time (24 Hr. Clock) 1300

Section III--Termination Action

17. Action to Terminate Four permanent roof supports were installed and centers is now per plan.

18. Terminated A. Date Mo Da Yr 11/08/2005 B. Time (24 Hr. Clock) 1300

Section IV--Automated System Data

19. Type of Inspection (activity code) E01 20. Event Number 4054434 21. Primary or Mill

22. Signature [6] 23. AR Number [6]

MSHA Form 7000-85 (revised) in accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

upl
11/10

Date 11-8-05

75.220a 1155
7098546

Mine operator is not complying with Approved Roof Control Plan on the 1 belt DOG main section. The last open crosscut between the #7 & #8 entries is not bolted per plan. The distance between the crosscut bolts & the entry bolts exceeds the maximum allowable distance of 4' centers. The bolt spacing is measured to be 5' to 5' 6" in length for 4 bolts.

Inspector's Initials [6]

Supervisor's Initials and Date

Page No. 23

Date 11-8-05

4) The Section Foreman
5) unknown amount of time

6) 1 Person
7) could Release material between bolts with more pressure.
8) unlikely to cause injury or accident
No apparent adverse roof condition observed
Roof appeared & sounded to be solid & supported
Bolt Pattern wide

Term: 4 Bolts installed

11-8-05 1300

Inspector's Initials [6]

Supervisor's Initials and Date

Page No. 23



Section I—Violation Data

1. Date Mo Da Yr 12/07/2005	2. Time (24 Hr. Clock) 1300	3. Citation/ Order Number 7098535
4. Served To Carl Crumrine, Mine Forman		5. Operator ANKER WEST VIRGINIA MINING COMPANY INC
6. Mine SAGO MINE		7. Mine ID 46-08791 (Contractor)
8. Condition or Practice		8a. Written Notice (103g) <input type="checkbox"/>

A light coat of coal dust has been deposited on the mine floor under the 48 inch belt and on the tight side for the # 4 coal conveyor belt at the following locations beginning at 5 belt transfer on the tight side for 2 blocks outby, and starting at 39 block to 15 block for a total distance of approx. 2,700 feet. The area has been previously rock dusted and has damp to wet pavement.

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 75.400
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Section II—Inspector's Evaluation

10. Gravity:				
A. Injury or illness (has) (is): No Likelihood <input type="checkbox"/> Unlikely <input checked="" type="checkbox"/> Reasonably Likely <input type="checkbox"/> Highly Likely <input type="checkbox"/> Occurred <input type="checkbox"/>				
B. Injury or illness could reasonably be expected to be: No Lost Workdays <input type="checkbox"/> Lost Workdays Or Restricted Duty <input checked="" type="checkbox"/> Permanently Disabling <input type="checkbox"/> Fatal <input type="checkbox"/>				
C. Significant and Substantial: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>				D. Number of Persons Affected: 001
11. Negligence (check one) A. None <input type="checkbox"/> B. Low <input type="checkbox"/> C. Moderate <input checked="" type="checkbox"/> D. High <input type="checkbox"/> E. Reckless Disregard <input type="checkbox"/>				
12. Type of Action 104(a)		13. Type of Issuance (check one) Citation <input checked="" type="checkbox"/> Order <input type="checkbox"/> Safeguard <input type="checkbox"/>		
14. Initial Action A. Citation <input type="checkbox"/> B. Order <input type="checkbox"/> C. Safeguard <input type="checkbox"/> D. Written Notice <input type="checkbox"/>				E. Citation/ Order Number
14. F. Dated Mo Da Yr				

15. Area or Equipment

16. Termination Due	A. Date Mo Da Yr 12/09/2005	B. Time (24 Hr. Clock) 0800
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Section III—Termination Action

17. Action to Terminate

18. Terminated	A. Date Mo Da Yr	B. Time (24 Hr. Clock)
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Section IV—Automated System Data

19. Type of Inspection (activity code) E01	20. Event Number 4054434	21. Primary or Mill
22. Signature [6]		23. AR Number [67]

MSHA Form 7000-3, March 2003 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

upl
12/13

Mine Citation/Order
Continuation

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

JP



Section I—Subsequent Action/Continuation Data

1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 12/07/2005	3. Citation/ Order Number 7098535 - 01
4. Served To Lonnie Smith, Shift Froman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791 (Contractor)	

Section II—Justification for Action

The light layer of coal dust on the #4 belt has been re-rock and made inert from 19to35 block under the belt.

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 checked="" type="checkbox"/> D. Terminated	<input type="checkbox"/> E. Modified
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Section IV—Inspection Data

9. Type of Inspection E01	10. Event Number 4054434		
11. Signature <i>[Signature]</i>	AR Number <i>[6]</i>	12. Date Mo Da Yr 12/18/2005	13. Time (24 Hr. Clock) 1800

*gme
12/20*

Date 12-7-05

This bed is 48" wide
on this north bed.

NON STS

- The coal dust is under
the belt -

- Presumably rock dust over

- damp to wet.

- Not on the roof
or ribs or belt structure

3

24 bIKS

$\frac{780}{2720}$ center
feet -

[6]

Inspector's Initials

Supervisor's Initials and Date

Page No. 7

Date 12-7-05

Strangle, - 4 feet
bed.

-80' center -

39 bIKS

37

36

35

34

blocks
need
re-
checked

14 - (much higher back of load)
20 - "

15 -

Stop at check on #4 belt

[6]

Inspector's Initials

Supervisor's Initials and Date

Page No. 6

Date 12-7-05

Time - 11:30 am

Citation # 405 4434

CFR # 75.400

STS No

neg - Modest

Grants usually - restricted

People - 1

action - 1049

Termination - 12-9-05

0800

M. Foreman - write

Pod dust.

S Belt down 26 bIKS

light seen - 100'

Coal dust dark in

material - light color

rib to belt -

Coming from the S belt

[6]

Inspector's Initials

Supervisor's Initials and Date

Page No. 5

Date 12-7-05

This bed is high and
12" - 14" high - off
the pavement.

- The bed is correctly
trucked to center -

- No Spillage - under
the bed. -

This bed is damp.

18 Violations issued
past 2 years on 75,000

Post Conference

M. E. - yes demands
rechecked.

Inspector's Initials [6]
Supervisor's Initials

Page No. 9

Date 12-7-05

- off side - to the side

The ~~bed~~ is man
inches in + his area
and the coal dust
drops - out here.

The total bed is 58
blk long and there 24
blk are loosely in
the center

There is humidity on + his
bed which causes the
~~coal~~ coal dust to
stay under the bed.

Inspector's Initials [6]
Supervisor's Initials

Page No. 8

2 2 2005 2005



Section I--Violation Data

1. Date Mo Da Yr 12/07/2005	2. Time (24 Hr. Clock) 1330	3. Citation/ Order Number 7098536
4. Served To Carl Crumrine, Mine Forman		5. Operator ANKER WEST VIRGINIA MINING COMPANY INC
6. Mine SAGO MINE		7. Mine ID 46-08791 (Contractor)
8. Condition or Practice		8a. Written Notice (103g)

The advisory # 0032 for the Sept.- Oct. bimonthly cycle ,MMU-036, shows that the cassette # 50772432 submitted on 10-18-2005 has been a contaminated sample . Five were submitted for the period and this one is not in compliance, therefore only 4 have meet requisite requirement of 5 valid samples.

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR 70.207(a)
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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: 001

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

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 12/07/2005	B. Time (24 Hr. Clock) 1335
---------------------	--------------------------------	--------------------------------

Section III--Termination Action

17. Action to Terminate The bimonthly cycle and sampling period has pasted.

18. Terminated	A. Date Mo Da Yr 12/07/2005	B. Time (24 Hr. Clock) 1335
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Section IV--Automated System Data

19. Type of Inspection (activity code) E01	20. Event Number 4054434	21. Primary or Mill
22. Signature [6]		23. AR Number C67

MSHA Form 7000-3, Mar 00 (revised) in accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

WPL
12/13

Date 12-7-05

Time - 1335

CFR - 70.2074

Citation # 70985j

SHS - No

Reg. Michigan

Shows - Verbal / Restrict

People - 1

Action - 101-4

Termination - 12-7-05

Duct - Supply

Advisory # 0032

1 Contaminated

50772432

10-18-05

See next page advisory

Confine - yes etc using -

Inspector's Initials [6] Safety

Supervisor's Initials and Date _____ Page No B

need to clear

+ 0303-001

---ADVISORY OF NONCOMPLIANCE, FAILURE TO SUBMIT---
(MECHANIZED MINING UNIT-DESIG OCC)
ADVISORY NO 0032

Sampling Entity Information	
Status Date:	07/19/2005
Entity Status:	A-Producing

NOV 07, 2005

ANKER WEST VIRGINIA MINING COMPANY
SAGO MINE

MINE I.D.46-08791
MECHANIZED MINING UNIT I.D. 006-0
DESIGNATED OCCUPATION
036, CONTINUOUS MINER OPERATOR

CURRENT BIMONTHLY SAMPLING CYCLE NOV-DEC 2005

IN ACCORDANCE WITH 30 CFR 70, FIVE (5) DESIG OCC SAMPLES ARE REQUIRED DURING THE BIMONTHLY CYCLE SEP-OCT 2005, FOR THE MECHANIZED MINING UNIT IDENTIFIED ABOVE. ACCORDING TO MSHA RECORDS, THE FOLLOWING SAMPLES WERE RECEIVED.

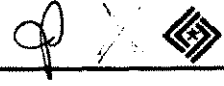
CASSETTE NO.	DATE	SAMPLING START TIME (24-HR CLOCK)	MRE EQUIV CONCENTRATION	PRODUCTION	-----FOOTNOTES-----	
50722443	10-12-2005	15	0.606	01140	SEP	OCT
50772347	10-13-2005	06	1.069	01200	I	I I
50772349	10-17-2005	06	1.289	01030	I	IVXXXX I
50772432	10-18-2005	06	CONTAMINATED	01060		
50772430	10-18-2005	15	1.198	01030		X=SAMPLE ACCREDITED V=VOID SAMPLE S=SAMPLE REQUIRED

---0303---097---46-08791---B ---A
ANKER WEST VIRGINIA MINING COMPANY
SAGO MINE
ATTN:JOHN B STEMPLE
RT 9, BOX 507
BUCKHANNON WV 26201

Rec'd in FO
12 2 NOV 2005

Mine Citation/Order

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



Section I--Violation Data	
1. Date Mo Da Yr 12/14/2005	2. Time (24 Hr. Clock) 0945
3. Citation/ Order Number 7098644	
4. Served To Al Schoonover, Safety	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC
6. Mine SAGO MINE	7. Mine ID 46-08791 (Contractor)
8. Condition or Practice	
8a. Written Notice (103g) <input type="checkbox"/>	

Accumulations of coal were observed on the mining section MMU-006 measuring in varying amounts in the last open row of breaks and 1 break out by and in entries. These accumulations were left from previous mining shifts. The amounts were measured along ribs 6-8 inches deep, in the roadway 6-7 inches deep and left in piles on corners of ribs measuring 29 inches deep 2 to 4 feet long. The area involved is inby spad station 4237 and 4238 beginning in crosscuts 1 thru 6 last row of breaks, entries 2,3 and 6, and 1 break out by crosscut 1-2, 2-3 and 6-7. When measure the linear feet is approx. 650 feet. The section also shows fine coal deposited on the mine roof and ribs from inadequate rock dusting in that coal dust and fine coal dust is lying on notches, niches, cleates and on top of previously rock dusted surfaces through out the last 2 mined breaks in the same location as

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 75.400
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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: 001

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

12. Type of Action 104(d)(2)

13. Type of Issuance (check one) Citation Order Safeguard

14. Initial Action

A. Citation B. Order C. Safeguard D. Written Notice

E. Citation/Order Number 7097827

F. Dated Mo Da Yr 05/20/2005

15. Area or Equipment in by the spad station number 4237 and 4238 on the MMU-006 1 left section B Panel

16. Termination Due

A. Date Mo Da Yr

B. Time (24 Hr. Clock)

Section III--Termination Action

17. Action to Terminate The area was scooped and additional machine rock dusting was applied.

18. Terminated

A. Date Mo Da Yr 12/14/2005

B. Time (24 Hr. Clock) 1550

Section IV--Automated System Data

19. Type of Inspection (activity code) E01

20. Event Number 4054434

21. Primary or Mill

22. Signature [67]

23. AR Number [67]

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

upl
12/23

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 12/14/2005	3. Citation/ Order Number 7098644
4. Served To Al Schoonover, Safety	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC (Contractor)	
6. Mine SAGO MINE	7. Mine ID 46-08791	

Section II--Justification for Action

Continuation of 8. Condition or Practice

the coal accumulations. The operator has showed a high degree of negligence for the health and safety of the miners that work at this coal mine by allowing the conditions to exist. This is an unwarrantable failure to comply with a mandatory standard.

See Continuation Form

Section III--Subsequent Action Taken

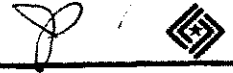
8. Extended To	A. Date Mo Da Yr	B. Time (24 Hr. Clock)	<input type="checkbox"/> C. Vacated	<input type="checkbox"/> D. Terminated	<input type="checkbox"/> E. Modified
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Section IV--Inspection Data

9. Type of Inspection E01	10. Event Number 4054434		
11. Signature [6]	AR Number [6]	12. Date Mo Da Yr 12/14/2005	13. Time (24 Hr. Clock) 0945

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 12/14/2005	3. Citation/Order Number 7098644 - 01
4. Served To Al Schoonover, Safety	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC (Contractor)	
6. Mine SAGO MINE	7. Mine ID 46-08791	

Section II—Justification for Action

Change	From	To
10. A. Injury or Illness	Highly Likely	Unlikely
Reason		
10. C. Significant and Substantial	Yes	No
Reason	lower the gravity changing gravity	

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 checked="" type="checkbox"/> E. Modified
----------------	------------------	------------------------	-------------------------------------	--	---

Section IV—Inspection Data

9. Type of Inspection E01	10. Event Number 4054434		
11. Signature [6]	AR Number [6]	12. Date Mo Da Yr 12/22/2005	13. Time (24 Hr. Clock) 0852

Handwritten signature and date: 12/22/05

Date 12-14-05

The last open line of breaks which are more than 40 feet from active faces.

Loose coal was not cleaned - top and has accumulated along ribs both left and right.

Also corners of ribs in the last open line of breaks - 1 thick & x cuts - last open line of breaks on ribs - 6-8 inches at least

Inspector's Initials [6]

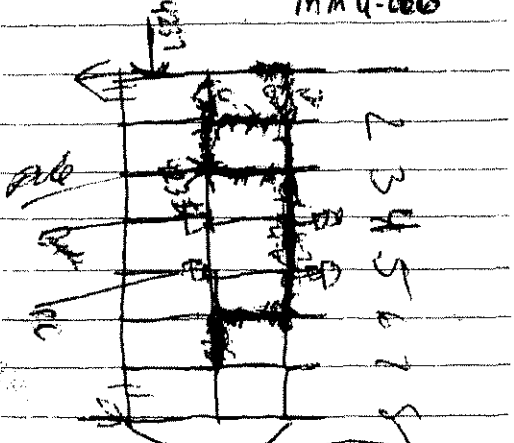
Supervisor's Initials and Date

Page No. 27

Date

12-14-05

Face - 006
mmu-006



006 - left rib + right rib
1 break-out - center of road -
wood + L.O. Break.

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No. 26

Date

12-14-05

Time - 9:45 ^{visit} order

CFR 75.400

Order # 7098644

Reg - Highly Safety

Study - Last Days - Highly

People - 1

Action - 1044

People - 1

Termination - 1550

STS - Yes

Affected Area

mmu-006 only

Speed Station

4237 - 4238 1/4

B Panel

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No. 25

Date 12-14-05

Date 12-14-05

Date 12-14-05

5.5 foot center X cross
70 entries

6.50 linear feet
shown this does not
include each rib.
rest linear feet.

also coal dust from
mining is on the
sides of mine roof
on previously rock
last surfaces.

some places no rock
rest applied

Inspector's Initials [6]
Inspector's Initials and Date _____
Page No. 30

The occasion is 9:45 AM.
Currently the section
starts outside at 7:00 AM
and ride time to the
working Mmu-006 face
is 2.5 min. approx

So since no mining
is done, and no
mining on the cat-
shift, this coal
accumulation is from
the previous days
mining and shifts

Inspector's Initials [6]
Inspector's Initials and Date _____
Page No. 29

in roadways
6"-7" deep.

and piles on corners.
29" deep - 2'-4'
feet in length.

Entries #2 } same
#3 } accumulation
#6 }

on ribs and roadways -
I break only the
last open.

Same thing - accumulates
X ad 1-2
2-3
6-7

Inspector's Initials [6]
Inspector's Initials and Date _____
Page No. 28

Date 12-14-05

② 2 1/2 pallets
of rock dust applied
to the affected area

③ 50 lb bags per
pallet is 50 on
each.

The section has
been cleaned and
no rock dusted.

Inspector's Initials [6]
Supervisor's Initials and DatePage No. 33Date 12-14-05

The [6] believes
this is an unsanitary
failure to comply
with a mandatory
standard.

The operator shows
a high degree of negligence
for break and safe if
mines that work
at all times.

Proof - is

① 25 or more
scoop buckets
were gathered of loose
coal

Inspector's Initials [6]
Supervisor's Initials and DatePage No. 32Date 12-14-05

Some places just
hand casting of rock
dust occurred.

Some had been broken
rock dust by machine.

This is visible in
the same places
last open line of
breaks and the break
out by, and entrance.

The coal dust is on
shelves, notches,
niches, cleats in ribs
and roof.

Inspector's Initials [6]
Supervisor's Initials and DatePage No. 31

12-14-05

② Numerous notes were written at the mine for similar conditions by other C.M.'s

Shank-

A reasonable prudent person of familiar with mining would recognize that danger posed in underground coal mining by a fracton source that would lead to lead build-up in an area where coal accumulations could occur

Inspector's Initials [6] -
Supervisor's Initials and Date

Page No. 36

Date 12-14-05

areas.
The coal dust is some wet / some dry.
History shows 2 families as being months for explosions in the mines.

Neg High.

This seems to be a practice and a standard.
Why because
① When the C.M. was told by management that it is clean - The C.M. would not accept X cuts 1-2-3 as done - re-scoped

Inspector's Initials [6] -
Supervisor's Initials and Date

Page No. 35

Date 12-14-05

The C.M. notes that after the clean-up and application of rock dusting

S+S - yes.
yes-

Coal accumulations with cables on site from 3 shuttle cars and the continuous miner and 2 roof bolters exposes miners to fire hazards. - Coal dust on site - and on top of previously rock dust

Inspector's Initials [6] -
Supervisor's Initials and Date

Page No. 34

Date 12-14-05

After the 104 & 2
order was issued
the C.M.D. held
a meeting on the section
M.M.U.-006 to discuss
the order and violations.

Pool Conference

at the meeting

- 1) Chuck Dunbar
- 2) Carl Cremone
- 3) Al Schenone
- 4) Jeff ~~Toler~~ Toler
- 5) [6]
- 6) [6]
- 7) [6]
- 8) [6]

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No. 38Date 12-14-05

Dist. Manager

K. Stricklin asked

Does any one objection
or question the action
taken by MSHA today.

No objection from
mine manager
including the stem.

mine manager

Check Dunbar

Supervis - K. Tenney
informed all present that
this is the standard
prayed for clear-cut
+ rock clarity.

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No.

Date 12-14-05

is obvious.

When the charges
exist because of trailing
power cables from
machines.

The C.M.D. remedy
the existing conditions
that present the danger
of fire to men.

The C.M.D. ~~is~~ believes
it is not necessary to
wait before hazard
comes fully materialized
a fire.

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No. 37

Mine Citation/Order

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

29 DEC 2005



Section I—Violation Data

1. Date Mo Da Yr 12/14/2005	2. Time (24 Hr. Clock) 0910	3. Citation/ Order Number 7098540
4. Served To Al Schoonover, Safety		5. Operator ANKER WEST VIRGINIA MINING COMPANY INC
6. Mine SAGO MINE		7. Mine ID 46-08791 (Contractor)
8. Condition or Practice		8a. Written Notice (103g)

Accumulations of coal have been deposited on the mine floor under the section belt for the MMU-006 1 left B Panel for a distance of approx. 4 blocks, 280 feet, at intermittent location under the belt stands and some rollers beginning at the drive. The accumulations are wet and vary in height from 6 to 9 inches.

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR 75.400
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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: 001

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

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 12/14/2005	B. Time (24 Hr. Clock) 1600
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Section III—Termination Action

17. Action to Terminate

18. Terminated	A. Date Mo Da Yr	B. Time (24 Hr. Clock)
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Section IV—Automated System Data

19. Type of Inspection (activity code) E01	20. Event Number 4054434	21. Primary or Mill
22. Signature [6]		23. AR Number [6]

MSHA Form 7000-3, Mar 2003 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

up
12/20

Mine Citation/Order
Continuation

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

DEC 29 2005

Section I--Subsequent Action/Continuation Data

1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 12/14/2005	3. Citation/Order Number 7098540 - 01
4. Served To Al Schoonover, Safety	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC (Contractor)	
6. Mine SAGO MINE	7. Mine ID 46-08791	

Section II--Justification for Action

The accumulations under the belt were shoveled on to the belt and rock dusted.

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 checked="" type="checkbox"/> D. Terminated	<input type="checkbox"/> E. Modified
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Section IV--Inspection Data

9. Type of Inspection E01	10. Event Number 4054434		
11. Signature [6]	AR Number [6]	12. Date Mo Da Yr 12/14/2005	13. Time (24 Hr. Clock) 1510

WV 12/20

Date

12-14-05

The belt is a sheet
Suction belt, currently
it is about 9 breaks long.

NmSTS

- 1) No Hot rolls or broken / or hot heavy
- 2) Not rebuilding the belt.
- 3) In the good old days someone needs assigned to shovel and take care of the belt.

Post-Conference - No Comments

Inspector's Initials

[6]

Supervisor's Initials and

Page No. 14

Date

12-14-05

Under the section belt -
and stands / structure
is there from roll
back from the scrapper

The coal is kept
in a haystack form
and under the belt
stands. 6-8 inches
and 12" 18" wide

It is noticeable to
the examination by
landing over and just
looking.

approx 4 breaks -
280 feet.

Inspector's Initials

[6]

Supervisor's Initials and

Page No. 13

Date

12-14-05

Time - 0700

STS - NO

CFR - 7098540

Citation - # 7098540

Reg - MACHO

Priority - @ risk / Reduct

People - 1

Action - 1044

Termination - 1600 yes
done.

Suction Belt 1 Lift

B Panel MMU-006

- Coal Churner - #7 Belt

accumulation of coal
have been deposited

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No. 12

29 DEC 2005



Mine Citation/Order

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

Section I--Violation Data		
1. Date Mo Da Yr 12/14/2005	2. Time (24 Hr. Clock) 0920	3. Citation/ Order Number 7098542
4. Served To Al Schoonover, Safety		5. Operator ANKER WEST VIRGINIA MINING COMPANY INC
6. Mine SAGO MINE		7. Mine ID 46-08791 (Contractor)

B. Condition or Practice Ba. Written Notice (103g)

A clear unobstructed travel way of 24 inches was not provided along the coal belt for the 1 left section B Panel near the feeder on the right side. Energized power feeder cable was lying in the walkway were miners travel for a distance of approx. 17-19 feet. The cable was approx. 50 feet in length laced in that distance.

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 75.333(c)(1) 75.140 3
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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: 00

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

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 12/14/2005	B. Time (24 Hr. Clock) 1517
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Section III--Termination Action

17. Action to Terminate The cable was hung along the rib on insulated j- hooks.

18. Terminated	A. Date Mo Da Yr 12/14/2005	B. Time (24 Hr. Clock) 1517
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Section IV--Automated System Data

19. Type of Inspection (activity code) E01	20. Event Number 4054434	21. Primary or Mill
22. Signature [6]		23. AR Number [6]

MSHA Form 7000-3, Mar 03 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Made change [6] 12/20

copy 12/20

Date 12-14-05Post Conference

no comments

The C.M.S.
modified original citation
to show safeguard.

Inspector's Initials [6]

Supervisor's Initials and Date

Page No. 20Date 12-14-05

at this location feeder
cable was lying
in the walkway approx
50' placed on the mine
floor in a length
of 17-19 feet - approx.

S+S

miners carry

- 1) rollers
- 2) rock choker

This feeder - feeds coal
into the belt.

This is a tripping hazard
to miners.

Inspector's Initials [6]

Supervisor's Initials and Date

Page No. 19Date 12-14-05

CFR - 75.1403

Citation # 7098542

Time - 9:20

S+S - Y+S

Neg - moderate

Gravity - R. King

People - 1

Action - 1049

Termination - 1517

Safeguard # 7096483

Location -

Along the MMU-006
belt feeder @ walkway
side a clear travel
way is not provided
when walking along
the belt to the feeder

Inspector's Initials [6]

Supervisor's Initials and Date

Page No. 18

Mine Citation/Order

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



Section I—Violation Data

1. Date Mo Da Yr 05/03/2005	2. Time (24 Hr. Clock) 1300	3. Citation/ Order Number 7096483
4. Served To Bill Currence Mine Foreman		5. Operator ANKER WEST VIRGINIA MINING COMPANY INC
6. Mine SAGO MINE		7. Mine ID 46-08791 (Contractor)
8. Condition or Practice		8a. Written Notice (103g) <input type="checkbox"/>

This is a notice to provide a safeguard requiring: (1) A clear unobstructed travelway of at least 24 inches wide be provided along both sides of all conveyor belts including the head, tail, and take-up units. (2) The areas around the tail, head, drive and take-up units shall be maintained free of water, slop, mud or other obstructions that create slip, trip and fall hazards to the miners who routinely travel through the areas for examination and belt maintenance. (3) The water lines along side the conveyor belt drives, take-ups or head units shall not be positioned in such a manner that they will interfere with travel, examination of the required cleaning and other maintenance requirements.

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 75.1403
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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:

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

12. Type of Action 314(b) 13. Type of Issuance (check one) Citation Order Safeguard

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 05/06/2005	B. Time (24 Hr. Clock) 1800
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Section III—Termination Action

17. Action to Terminate

18. Terminated	A. Date Mo Da Yr	B. Time (24 Hr. Clock)
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Section IV—Automated System Data


19. Type of Inspection (activity code) F01	20. Event Number 4054745	21. Primary or Mill
22. Signature [6]	23. AR Number [6]	

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

WSP
5/10

Mine Citation/Order
Continuation

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

SAFEGUARD H 

Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/> 1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) 05/03/2005 Mo Da Yr	3. Citation/ Order Number 7096483 - 01
4. Served To Bill Currence Mine Foreman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC (Contractor)	
6. Mine SAGO MINE	7. Mine ID 46-08791	

Section II—Justification for Action

Change	From	To
8. Condition Or Practice		

Reason Add to the body of the condition and practice: (4) Obstructions including but not limited to the following items: excessive water, mud, rock, coal, wood, belting, rollers, mine supplies, water line and extraneous materials that will create slip, trip and fall hazards.

Did not include the following information in the body of the citation in error.

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 checked="" type="checkbox"/> E. Modified
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Section IV—Inspection Data

9. Type of Inspection E01	10. Event Number 4054745		
11. Signature [6]	11. AR Number [6]	12. Date Mo Da Yr 05/05/2005	13. Time (24 Hr. Clock) 1115

WJ
5/05

Mine Citation/Order
Continuation

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

Safeguards 

Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/> 1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) 05/03/2005	Mo Da Yr	3. Citation/ Order Number 7096483 - 02
4. Served To Bill Currence Mine Foreman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC		
6. Mine SAGO MINE	7. Mine ID 46-08791 (Contractor)		

Section II—Justification for Action


The mine operator has made a diligent effort to correct these conditions. Approximately 60% of the work has been finished. The mine operator has miners working on these conditions on every shift during each day.

See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date Mo Da Yr 05/16/2005	B. Time (24 Hr. Clock) 0600	<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 E01	10. Event Number 4054745		
11. Signature 	IR Number [6]	12. Date Mo Da Yr 05/10/2005	13. Time (24 Hr. Clock) 1010

Wpl
5/11

Mine Citation/Order
Continuation

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

Safe 

Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/> 1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) 05/03/2005	3. Citation/ Order Number 7096483 - 03
4. Served To Bill Currence Mine Foreman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC (Contractor)	
6. Mine SAGO MINE	7. Mine ID 46-08791	

Section II—Justification for Action

Extended due to the operator making a diligent effort to correct these conditions. It is taking longer to correct these conditions due to the conditions being worse and taking longer to correct than what was initially expected. These conditions are approximately 90% finished. More time is granted for the operator to correct these conditions.

See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date Mo Da Yr 05/26/2005	B. Time (24 Hr. Clock) 0600	<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 E:01	10. Event Number 4054745		
11. Signature <i>[Signature]</i>	AR Number <i>[6]</i>	12. Date Mo Da Yr 05/20/2005	13. Time (24 Hr. Clock) 0330

WJL
5/31

Mine Citation/Order
Continuation

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



Section I-Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/> 1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) 05/03/2005 Mo Da Yr	3. Citation/ Order Number 7096483 - 04
4. Served To Brad Hamrick	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC (Contractor)	
6. Mine SAGO MINE	7. Mine ID 46-08791	

Section II-Justification for Action

Terminated due to all of the requirements of the safeguard being complied with on the coal conveyor belt of this mine at the time of this inspection. The mine operator is required to maintain the conveyor belts of this mine in the conditions required by this safeguard.

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 checked="" type="checkbox"/> D. Terminated	<input type="checkbox"/> E. Modified
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Section IV-Inspection Data

9. Type of Inspection E01	10. Event Number 4054745		
11. Signature [6]	AR Number [6]	12. Date Mo Da Yr 05/31/2005	13. Time (24 Hr. Clock) 0800

Wp
6/0

AYY



Section I--Subsequent Action/Continuation Data

1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 05/03/2005	3. Citation/Order Number 7096483 - 05
4. Served To Carl Crumrine - Mine Foreman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC (Contractor)	
6. Mine SAGO MINE	7. Mine ID 46-08791	

Section II--Justification for Action

Change	From	To
8. Condition Or Practice		
Reason	Missed include the listed information in the body of the condition and practice, line #8 when issuing the safeguard.	

Include the following information in the condition and practice, line #8:

The inspection activities conducted 04/27/05 of the conveyor belt of Sago Mine revealed that a clear travelway at least 24 inches wide is not being maintained along both sides of the conveyor belt system as follows:

(1) No.2 conveyor belt head roller assembly unit is set against the off side rib. Persons must exit the conveyor belt to get around the unit. Persons can not properly clean or examine the unit.

(2) No.3 conveyor belt drive and take-up has both an 8 inch and a 6 inch water line along the off side that prevents persons from traveling along the unit to do the required cleaning and examinations. This unit had coal accumulations in the drive and take-up that could only be observed and cleaned up from the off side.

(3) No.3 conveyor belt at numerous locations, along the off side has water, slop and mud up to 20 inches deep that prevents persons from traveling the off side to conduct the required examinations, routine cleaning and maintenance requirement. Accumulations of combustible material were present in amounts that the operating conveyor belt rollers were running in the material. Numerous bottom rollers through out the same area had been damaged and were running metal to metal or the belt dragging on the frozen rollers.

(4) Water, slop and mud up to 15 inches deep was present around the No.3 conveyor belt tailpiece, No.4 belt head roller assembly, conveyor belt drive unit and the take-up unit. The drive unit and take-up had accumulations of coal under them that the conveyor belt was dragging on and causing the belt to run off center.

Six citations were issued this date for hazards that would have been easily identified by an examiner who was able to travel the off side of the conveyor belt.

The mud, slop, water as well as the 8 inch and 6 inch water lines running parallel to the conveyor belt drives, take-ups and head units make the

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 checked="" type="checkbox"/> E. Modified
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Section IV--Inspection Data

9. Type of Inspection E01	10. Event Number 4054434		
11. Signatur [6]	AR Number [6]	12. Date Mo Da Yr 11/30/2005	13. Time (24 Hr. Clock) 1800

Handwritten initials/signature



Section I—Subsequent Action/Continuation Data

1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 05/03/2005	3. Citation/ Order Number 7096483 - 05
4. Served To Carl Crumrine - Mine Foreman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC (Contractor)	
6. Mine EAGO MINE	7. Mine ID 46-08791	

Section II—Justification for Action

traveling of the off side of the conveyor belts impossible. The existing travelways frequently have water, slop, mud, rock, coal, wood, pieces of belting, damaged belt rollers and other extraneous materials that create slip, trip and fall hazards to persons using the travelways.

Miners utilize the listed travelways each shift to conduct the required examinations, routine maintenance, as well as cleaning and rock dusting activities. Miners are routinely required to carry belt rollers, oil, grease, maintenance supplies, rock dust and other supplies along these travelways.

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 checked="" type="checkbox"/> E. Modified
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Section IV—Inspection Data

9. Type of Inspection E01	10. Event Number 4054434		
11. Signatu [6]	AR Number 1[6]	12. Date Mo Da Yr 11/30/2005	13. Time (24 Hr. Clock) 1800

Mine Citation/Order
Continuation

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

[Handwritten Signature]



Section I—Subsequent Action/Continuation Data

1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 12/14/2005	3. Citation/Order Number 7098542 - 01
4. Served To Al Schoonover, Safety	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC (Contractor)	
6. Mine SAGO MINE	7. Mine ID 46-08791	

Section II—Justification for Action

Change	From	To
1. Issue Date	12/14/2005	
Reason		
9. C. Part/Section	75.333(c)(1)	75.1403
Reason Correct standard		
Change standard		

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 checked="" type="checkbox"/> E. Modified
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Section IV—Inspection Data

9. Type of Inspection E01	10. Event Number 4054434		
11. Signature <i>[6]</i>	AR Number <i>[6]</i>	12. Date Mo Da Yr 12/14/2005	13. Time (24 Hr. Clock) 1829

Used 12/20

Mine Citation/Order
Continuation

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

9 DEC 2005



Section I—Subsequent Action/Continuation Data

1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 12/14/2005	3. Citation/Order Number 7098542 - 02
4. Served To Al Schoonover, Safety	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791 (Contractor)	

Section II—Justification for Action

Change	From	To
14. Initial Action		Safeguard
Reason did not add to citation		
14. E. Citation/Order Number		7096483
Reason ommitted from citation		
14. F. Initial Action Dated		05/03/2005
Reason		
Change initial action		

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 checked="" type="checkbox"/> E. Modified
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Section IV—Inspection Data

9. Type of Inspection E01	10. Event Number 4054434		
11. Signature [6]	AR Number [6]	12. Date Mo Da Yr 12/15/2005	13. Time (24 Hr. Clock) 0712

*upl
12/15/05*

Section I—Violation Data

1. Date Mo Da Yr 12/14/2005	2. Time (24 Hr. Clock) 0850	3. Citation/ Order Number 7098539
4. Served To Al Schoonover, Safety	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791	(Contractor)
8. Condition or Practice		8a. Written Notice (103g) <input type="checkbox"/>

A light layer of coal dust has been deposited in the belt starter box on the metal floor for the section MMU-006 belt 1 Left B Panel. This electrical box has 575 volts and is currently powered at the time of inspection. This presents a fire hazard

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 75.400
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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: 001

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

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 12/14/2005	B. Time (24 Hr. Clock) 1400
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Section III—Termination Action

17. Action to Terminate

18. Terminated	A. Date Mo Da Yr	B. Time (24 Hr. Clock)
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Section IV—Automated System Data

19. Type of Inspection (activity code) E01	20. Event Number 4054434	21. Primary or Mill
22. Signature [6]		23. AR Number [6]

MSHA Form 7000-3, Mar (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Upl
12/20

Mine Citation/Order
Continuation

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

28 DEC 2005



Section I--Subsequent Action/Continuation Data

1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 12/14/2005	3. Citation/ Order Number 7098539 - 01
4. Served To Al Schoonover, Safety	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791 (Contractor)	

Section II--Justification for Action

The light coat of coal dust has been removed from the box.

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 checked="" type="checkbox"/> D. Terminated	<input type="checkbox"/> E. Modified
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Section IV--Inspection Data

9. Type of Inspection E01	10. Event Number 4054434		
11. Signature [Signature]	AR Number [Signature]	12. Date Mo Da Yr 12/14/2005	13. Time (24 Hr. Clock) 1500

*upok
12/20*

Date 12-14-05Non STS

- 1) metal frame
- 2) non power wires on contact tips that is visible

— This is the life span section between starter box

Post Conference —
No comment
Safety Dept —

Inspector's Initials

[6]

Supervisor's Initials and Date

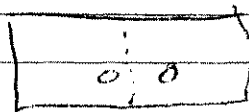
Page No. 11

Date _____

The box has contacts tips in the box.

The chest is on the metal floor across the box — 3.12 feet by 2 feet.

The doors are not permitted



and the box sets next to the coal conveyor belt

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No. 10

Date 12-14-05

Time - 08:50

CER - 75.400

Citation # 708859

STS - No

Reg - moderate

Severity - (likely / fatal)

People - 1

Action - 1049

Termination - 1500 - OIC done

The section belt, mmu 006, belt starter box has a light layer of coal chest has been deposited on the floor of the power box — 57.5 volts.

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No. 9

29 DEC 2005



Section I--Violation Data

1. Date Mo Da Yr 12/14/2005	2. Time (24 Hr. Clock) 0905	3. Citation/ Order Number 7098541
4. Served To AI Schoonover, Safety	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791 (Contractor)	
8. Condition or Practice		8a. Written Notice (103g) <input type="checkbox"/>

The CO monitoring used at this mine is at 1000 feet intervals and the 1 left B panel MMU-006 belt did not have the required 50 feet per minute. When measured with mechanical smoke the average is approx. 35 feet per minute at 3 to 4 block. The air current is coursed in it's proper direction traveling outby.

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 75.351(e)(3)
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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: 001

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

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 12/15/2005	B. Time (24 Hr. Clock) 1200
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Section III--Termination Action

17. Action to Terminate

18. Terminated	A. Date Mo Da Yr	B. Time (24 Hr. Clock)
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Section IV--Automated System Data

19. Type of Inspection (activity code) E01	20. Event Number 4054434	21. Primary or Mill
22. Signature [Signature]		23. AR Number [6]

MSHA Form 7000-3, Major (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

WPL 12/20

Mine Citation/Order
Continuation

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



Section I--Subsequent Action/Continuation Data

1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 12/14/2005	3. Citation/Order Number 7098541 - 01
4. Served To Lonnie Smith, Shift Froman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID (Contractor) 46-08791	

Section II--Justification for Action

The ventilating air current on the #7 section belt, 1 left B Panel, is 63 feet per minute when measured and is coursed to the outside.

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 checked="" type="checkbox"/> D. Terminated	<input type="checkbox"/> E. Modified
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Section IV--Inspection Data

9. Type of Inspection E01	10. Event Number 4054434		
11. Signature [6]	AR Number [6]	12. Date Mo Da Yr 12/18/2005	13. Time (24 Hr. Clock) 1600

me
12/20

Date 12-14-05Non-SIS1) 35 FPM air
collected in proper
direction2) No CH₄ detected

3) No Hydrocarbons

4) No Flood dust

Post Conference

No Comments

Card Accumulator - mine

Forum

Inspector's Initials [6]

Supervisor's Initials and

Page No. 17Date 12-14-05

fact. But when measured
with mechanical smoke
on 3 separate readings
that were averaged
the average is 35 FPM
between blocks 3-4 block
on this beat.

3 blk - 12 sec - 10' fall

3 blk - 14 sec - 10' fall

4 blk - 25 sec - 10' fall

37.51 / 17 seconds

$$\frac{D}{T} \cdot \frac{60}{1} =$$

$$\frac{10}{17} \cdot \frac{60}{1} = \frac{600}{17}$$

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No. 16Date 12-14-05

Time - 0905
CFR - 75.351 (d)(3)
Citation - # 7098541
Site - NO
Reg - modulus
Hazard - unlikely / Probable
People - 1
Action - 10'
Termination - 12/15/05

1200 hrs

Section Beat - MMU-006

This mine has a CO
monitoring system at
1000 feet intervals,
and must have etc
Required air FPM of 50

Inspector's Initials

[6]

Supervisor's Initials and

Page No. 15

Mine Citation/Order

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

29 DEC 2005



Section I--Violation Data

1. Date Mo Da Yr 12/14/2005	2. Time (24 Hr. Clock) 0840	3. Citation/ Order Number 7098543
4. Served To AI Schoonover, Safety		5. Operator ANKER WEST VIRGINIA MINING COMPANY INC
6. Mine SAGO MINE		7. Mine ID 46-08791 (Contractor)
8. Condition or Practice		8a. Written Notice (103g) <input type="checkbox"/>

A clear and unobstructed travel way was not provided along the #5 coal belt on the walkway side beginning at the power box and continuing to the tail roller, approx. 120 feet and beginning at the drive for the section belt, an additional 70 feet, and at 6 block, approx. 20 feet in length, there is water in the walkway in these areas measuring 6 to 11 inches deep. This water is murky and mucky and is very difficult to walk and work along the belt. Miners must carry an assortment of belt supplies to do their jobs through this area.

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 75.1403
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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: 001

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

14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice E. Citation/Order Number 7096483 F. Dated Mo Da Yr 05/03/2005

15. Area or Equipment

16. Termination Due	A. Date Mo Da Yr 12/15/2005	B. Time (24 Hr. Clock) 1200
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Section III--Termination Action

17. Action to Terminate

18. Terminated	A. Date Mo Da Yr	B. Time (24 Hr. Clock)
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Section IV--Automated System Data

19. Type of Inspection (activity code) E01	20. Event Number 4054434	21. Primary or Mill
22. Signature [6]		23. AR Number [6]

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAJR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

WPL 12/20

Mine Citation/Order
Continuation

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



Section I--Subsequent Action/Continuation Data

1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 12/14/2005	3. Citation/ Order Number 7098543 - 01
4. Served To Lonnie Smith, Shift Froman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791 (Contractor)	

Section II--Justification for Action

A wooden bridge has been built for a walkway at the following locations on #5 belt beginning at the power car, continuing to the tail roller, at the drive a clear walkway has been made and at 6 block a wooden bridge has been made.

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 checked="" type="checkbox"/> D. Terminated	<input type="checkbox"/> E. Modified
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Section IV--Inspection Data

9. Type of Inspection E01	10. Event Number 4054434		
11. Signature [6]	AR Number [6]	12. Date Mo Da Yr 12/18/2005	13. Time (24 Hr. Clock) 1550

Handwritten note: MSHA 12/20

Date 12-14-05

There are no de-watering pumps or sumps in this area to remove the water.

Pool Confined

No comment by management.

Inspector's Initials [6]

Supervisor's Initials and Date

Page No. 24

Date 11-14-05

in the 3 areas

S+S - yes

① Mucky water

② mucky water / mud --- sticks to the boots

③ Difficult to walk mud like for foot travel.

④ mines carry rollers, belt supplies, rock dust to and from the area.

Inspector's Initials [6]

Supervisor's Initials and Date

Page No. 23

Date

12-14-05

A clear unobstructed
traveling is not provided
beginning at the power
box and continuing
to the tail rock,
approx 120 feet.

Then at the drive of
the section left for
MMV-006 only
for 70 feet.

Then at 6 blocks on
the MMV-006.

Water varies from
6 inches to 11 deep

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No.

22

Date

12-14-05

Time - 840

CFR - 75.1403

citation - # 7098543

STS - YES

Reg - MACH 10

Shoring - Shoring / Ratchet

People - 001

Action - 1044

Termination - 12-15-05

Safeguard - 75.1403 # 7096483

Location - 5 feet to
section left.

The walking/traveling
along the member 5
left has much water
that is murky

Inspector's Initials

[6]

Supervisor's Initials and

Page No.

21

Mine Citation/Order

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



Section I--Violation Data

1. Date Mo Da Yr 05/03/2005	2. Time (24 Hr. Clock) 1300	3. Citation/ Order Number 7096483
4. Served To Bill Currence Mine Foreman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791	(Contractor)
8. Condition or Practice		8a. Written Notice (103g) <input type="checkbox"/>

This is a notice to provide a safeguard requiring: (1) A clear unobstructed travelway of at least 24 inches wide be provided along both sides of all conveyor belts including the head, tail, and take-up units. (2) The areas around the tail, head, drive and take-up units shall be maintained free of water, slop, mud or other obstructions that create slip, trip and fall hazards to the miners who routinely travel through the areas for examination and belt maintenance. (3) The water lines along side the conveyor belt drives, take-ups or head units shall not be positioned in such a manner that they will interfere with travel, examination of the required cleaning and other maintenance requirements.

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 75.1403
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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:

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

12. Type of Action 314(b) 13. Type of Issuance (check one) Citation Order Safeguard

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 05/06/2005	B. Time (24 Hr. Clock) 1800
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Section III--Termination Action

17. Action to Terminate

18. Terminated	A. Date Mo Da Yr	B. Time (24 Hr. Clock)
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Section IV--Automated System Data


19. Type of Inspection (activity code) E01	20. Event Number 4054745	21. Primary or Mill
22. Signature [Signature]	23. AR Number [6]	

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

WSP
5/10

Mine Citation/Order
Continuation

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

SAFEGUARD  H

Section I--Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/> 1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 05/03/2005	3. Citation/ Order Number 7096483 - 01
4. Served To Bill Currence Mine Foreman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC (Contractor)	
6. Mine SAGO MINE	7. Mine ID 46-08791	

Section II--Justification for Action

Change From To

8. Condition Or Practice

Reason Add to the body of the condition and practice: (4) Obstructions including but not limited to the following items: excessive water, mud, rock, coal, wood, belting, rollers, mine supplies, water line and extraneous materials that will create slip, trip and fall hazards.

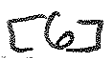
Did not include the following information in the body of the citation in error.

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 checked="" type="checkbox"/> E. Modified
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Section IV--Inspection Data

9. Type of Inspection E01	10. Event Number 4054745	
11. Signature 	12. Date Mo Da Yr 05/05/2005	13. Time (24 Hr. Clock) 1115

WJ
5/10

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 05/03/2005	3. Citation/ Order Number 7096483 - 02
4. Served To Bill Currence Mine Foreman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC (Contractor)	
6. Mine SAGO MINE	7. Mine ID 46-08791	

Section II—Justification for Action

The mine operator has made a diligent effort to correct these conditions. Approximately 60% of the work has been finished. The mine operator has miners working on these conditions on every shift during each day.

See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date Mo Da Yr 05/16/2005	B. Time (24 Hr. Clock) 0600	<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 E01	10. Event Number 4054745		
11. Signature [6]	AR Number [6]	12. Date Mo Da Yr 05/10/2005	13. Time (24 Hr. Clock) 1010

upl
5/11

Mine Citation/Order
Continuation

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

Safeguards 

Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/> 1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 05/03/2005	3. Citation/ Order Number 7096483 - 03
4. Served To Bill Currence Mine Foreman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC (Contractor)	
6. Mine SAGO MINE	7. Mine ID 46-08791	

Section II—Justification for Action

Extended due to the operator making a diligent effort to correct these conditions. It is taking longer to correct these conditions due to the conditions being worse and taking longer to correct than what was initially expected. These conditions are approximately 90% finished. More time is granted for the operator to correct these conditions.

See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date Mo Da Yr 05/26/2005	B. Time (24 Hr. Clock) 0600	<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 E01	10. Event Number 4054745		
11. Signature [6]	AR Number [6]	12. Date Mo Da Yr 05/20/2005	13. Time (24 Hr. Clock) 0330

WJL
5/31

Mine Citation/Order
Continuation

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

Sagguano



Section I - Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/> 1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) 05/03/2005	Mo Da Yr	3. Citation/ Order Number 7096483 - 04
4. Served To Brad Hamrick	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC (Contractor)		
6. Mine SAGO MINE	7. Mine ID 46-08791		

Section II - Justification for Action

Terminated due to all of the requirements of the safeguard being complied with on the coal conveyor belt of this mine at the time of this inspection. The mine operator is required to maintain the conveyor belts of this mine in the conditions required by this safeguard.

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 checked="" type="checkbox"/> D. Terminated	<input type="checkbox"/> E. Modified
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Section IV - Inspection Data

9. Type of Inspection E01	10. Event Number 4054745		
11. Signature <i>[Signature]</i>	IAR Number <i>[Signature]</i>	12. Date Mo Da Yr 05/31/2005	13. Time (24 Hr. Clock) 0800

*Wp
6/0*

Handwritten initials



Section I--Subsequent Action/Continuation Data

1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 05/03/2005	3. Citation/Order Number 7096483 - 05
4. Served To Carl Crumrine - Mine Foreman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791	(Contractor)

Section II--Justification for Action

Change From To

8. Condition Or Practice

Reason Missed include the listed information in the body of the condition and practice, line #8 when issuing the safeguard.

Include the following information in the condition and practice, line #8:

The inspection activities conducted 04/27/05 of the conveyor belt of Sago Mine revealed that a clear travelway at least 24 inches wide is not being maintained along both sides of the conveyor belt system as follows:

(1) No.2 conveyor belt head roller assembly unit is set against the off side rib. Persons must exit the conveyor belt to get around the unit. Persons can not properly clean or examine the unit.

(2) No.3 conveyor belt drive and take-up has both an 8 inch and a 6 inch water line along the off side that prevents persons from traveling along the unit to do the required cleaning and examinations. This unit had coal accumulations in the drive and take-up that could only be observed and cleaned up from the off side.

(3) No.3 conveyor belt at numerous locations, along the off side has water, slop and mud up to 20 inches deep that prevents persons from traveling the off side to conduct the required examinations, routine cleaning and maintenance requirement. Accumulations of combustible material were present in amounts that the operating conveyor belt rollers were running in the material. Numerous bottom rollers through out the same area had been damaged and were running metal to metal or the belt dragging on the frozen rollers.

(4) Water, slop and mud up to 15 inches deep was present around the No.3 conveyor belt tailpiece, No.4 belt head roller assembly, conveyor belt drive unit and the take-up unit. The drive unit and take-up had accumulations of coal under them that the conveyor belt was dragging on and causing the belt to run off center.

Six citations were issued this date for hazards that would have been easily identified by an examiner who was able to travel the off side of the conveyor belt.

The mud, slop, water as well as the 8 inch and 6 inch water lines running parallel to the conveyor belt drives, take-ups and head units make the

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 checked="" type="checkbox"/> E. Modified
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Section IV--Inspection Data

9. Type of Inspection E01	10. Event Number 4054434		
11. Signat [6]	Number [6]	12. Date Mo Da Yr 11/30/2005	13. Time (24 Hr. Clock) 1800

Mine Citation/Order
Continuation

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



Section I-Subsequent Action/Continuation Data

1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 05/03/2005	3. Citation/ Order Number 7096483 - 05
4. Served To Carl Crumrine - Mine Foreman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791 (Contractor)	

Section II-Justification for Action

traveling of the off side of the conveyor belts impossible. The existing travelways frequently have water, slop, mud, rock, coal, wood, pieces of belting, damaged belt rollers and other extraneous materials that create slip, trip and fall hazards to persons using the travelways.

Miners utilize the listed travelways each shift to conduct the required examinations, routine maintenance, as well as cleaning and rock dusting activities. Miners are routinely required to carry belt rollers, oil, grease, maintenance supplies, rock dust and other supplies along these travelways.

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 checked="" type="checkbox"/> E. Modified
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Section IV-Inspection Data

9. Type of Inspection E01	10. Event Number 4054434		
11. Signature [67]	AR Number [67]	12. Date Mo Da Yr 11/30/2005	13. Time (24 Hr. Clock) 1800

Mine Citation/Order

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



Section I--Violation Data

1. Date Mo Da Yr 12/18/2005	2. Time (24 Hr. Clock) 1750	3. Citation/ Order Number 7098645
4. Served To Lonnie Smith, Shift Froman		5. Operator ANKER WEST VIRGINIA MINING COMPANY INC
6. Mine SAGO MINE		7. Mine ID 46-08791 (Contractor)

8. Condition or Practice 8a. Written Notice (103g)

The mine's approved roof control plan is not being complied with , page 4, when the tunnel liner being used as primary support did not have the top of the liner covered with a layer of cushioning material. The tunnel liner is located in the #2 entry across from number 4 belt at 40 block. The exposed area is approx. 16 feet long by 18 feet wide. The area had a roof fall and has not been bolted however a tunnel liner has been used and has been completed for several days

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 75.220(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: 001

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

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 12/21/2005	B. Time (24 Hr. Clock) 1200
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Section III--Termination Action

17. Action to Terminate

18. Terminated	A. Date Mo Da Yr	B. Time (24 Hr. Clock)
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Section IV--Automated System Data

19. Type of Inspection (activity code) E01	20. Event Number 4054434	21. Primary or Mill
22. Signature [6]		23. AR Number [6]

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Handwritten initials/signature

Mine Citation/Order
Continuation

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



Section I--Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/> 1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 12/18/2005	3. Citation/Order Number 7098645 - 01
4. Served To Carl Crumrine, Mine Forman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID (Contractor) 46-08791	

Section II--Justification for Action

Information was provided to the inspector that shows an invoice/P.O.# 67021 for foam sheets to be delivered 12-22-05 and 12-23-05 for the mine for the tunnel liner.

See Continuation Form

Section III--Subsequent Action Taken

8. Extended To	A. Date Mo Da Yr 12/26/2005	B. Time (24 Hr. Clock) 0800	<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 E01	10. Event Number 4054434		
11. Signature [Signature]	AR Number [6]	12. Date Mo Da Yr 12/21/2005	13. Time (24 Hr. Clock) 1314

WPK
12/28

Date 12-18-05

above it. It is 16' long
18' wide

The area has had a roof
fall and has been in-
spected. The lesion
is the primary support
here.

A cushioning material
must be used.

The tunnel lesion
has been completed for
several days

12-7-05 work on it

12-14-05 - it was done

again 12-14-05

12-18-05 - no material

Inspector's Initials [6]

Supervisor's Initials and Date

Page

11

Date 12-18-05

Time 17:50

CFR 75.220 91

Location # 7098685

S+S YES

Reg - Modified

Heavy - Lost/Restricted

People - 1

Action - 1049

Transmission 12-21-05 - 1200 hrs

Location - Retana

The mine's roof control
plans not being completed
work on p 4, what the
tunnel line and on entry # 2
access from 4 level at
40 blk. It's no cushioning material

Inspector's Initials [6]

Supervisor's Initials and Date

Page No

16

Date 12-18-05

It has been completed
long enough and stored
have had customary
material

Post Conference
No Comment.

[6] - Sent - Reshield

The arches between
the ^{arch} arches are 4" x 6"
of non treated wood.
These will break easily
from the large boulders.

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No. 19

Date 12-18-05

STS Yes

1) Unbolted roof above
the tunnel liner
- 8-10 feet high approx

2) Multiple faces occur
at the mine at the
same location

3) Petan in course
{ minor exposed

4) Large boulders fall

Reg - M & D
several days have passed
since completed

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No. 18

Mine Citation/Order

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



Section I--Violation Data

1. Date Mo Da Yr 12/18/2005	2. Time (24 Hr. Clock) 1745	3. Citation/ Order Number 7098646
4. Served To Lonnie Smith, Shift Froman		5. Operator ANKER WEST VIRGINIA MINING COMPANY INC
6. Mine SAGO MINE		7. Mine ID 46-08791 (Contractor)
8. Condition or Practice		8a. Written Notice (103g) <input type="checkbox"/>

The mine's roof control plan is not being complied with, see page 4, when the tunnel liner being used as a primary support did not have the top of the liner covered with a layer of cushioning material. The tunnel liner is located in the #4 entry across from number 4 belt at 39 block. The exposed area is approx. 28 feet long and 18 feet wide. The area had a fall and has not been bolted however a tunnel liner has been used and has been completed for several days.

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 75.220(a)(1)
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Section II--Inspector's Evaluation

10. Gravity:					
A. Injury or illness (has) (is):	No Likelihood <input type="checkbox"/>	Unlikely <input type="checkbox"/>	Reasonably Likely <input checked="" type="checkbox"/>	Highly Likely <input type="checkbox"/>	Occurred <input type="checkbox"/>
B. Injury or illness could reasonably be expected to be:	No Lost Workdays <input type="checkbox"/>	Lost Workdays Or Restricted Duty <input checked="" type="checkbox"/>	Permanently Disabling <input type="checkbox"/>	Fatal <input type="checkbox"/>	
C. Significant and Substantial:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	D. Number of Persons Affected: 001		
11. Negligence (check one)					
A. None <input type="checkbox"/>	B. Low <input type="checkbox"/>	C. Moderate <input checked="" type="checkbox"/>	D. High <input type="checkbox"/>	E. Reckless Disregard <input type="checkbox"/>	
12. Type of Action 104(a)		13. Type of Issuance (check one)			
		Citation <input checked="" type="checkbox"/>		Order <input type="checkbox"/>	Safeguard <input type="checkbox"/>
14. Initial Action			E. Citation/ Order Number		F. Dated Mo Da Yr
A. Citation <input type="checkbox"/>	B. Order <input type="checkbox"/>	C. Safeguard <input type="checkbox"/>	D. Written Notice <input type="checkbox"/>		

15. Area or Equipment

16. Termination Due	A. Date Mo Da Yr 12/21/2005	B. Time (24 Hr. Clock) 1200
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Section III--Termination Action

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

Section IV--Automated System Data

19. Type of Inspection (activity code) E01	20. Event Number 4054434	21. Primary or Mill
22. Signature [6]		23. AR Number [6]

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

me
12/20

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/>		2. Dated (Original Issue) Mo Da Yr 12/18/2005			3. Citation/ Order Number 7098646 - 01	
4. Served To Carl Crumrine, Mine Forman				5. Operator ANKER WEST VIRGINIA MINING COMPANY INC		
6. Mine SAGO MINE				7. Mine ID 46-08791 (Contractor)		

Section II—Justification for Action

Information was provided to the inspector that shows an invoice/P.O. #67021 for the foam sheets to be delivered on 12-22-05 and 12-23-05 for the mine for tunnel liner.

See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date Mo Da Yr 12/26/2005	B. Time (24 Hr. Clock) 0800	<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 E01		10. Event Number 4054434			
11. Signature [6]		AR Number [6]	12. Date Mo Da Yr 12/21/2005		13. Time (24 Hr. Clock) 1321

*Used
12/21/05*

Date 12-18-05

On 12-7-05
the mine Foreman told
MSHA that management
was working on the lines,
also one in entry #2.

So through on 12-14-05
the cushioning material
is still not on.

Also on 12-14-05
the material was not on.

So they were completed
see plan but no
material.

Inspector's Initials [6]

Supervisor's Initials and Date

Page No. BDate 12-14-05

as 28 feet long - 18 feet
wide exposed unbraced
or supported tunnel
roof above the tunnel
lines. The lining has
cinder blocks spaced
between steel arches
that are 4' long w/ wood
staked out 4" thick.
Cables are wood not
braced.

This exposes mine.

The plan calls for
a cushioning material
on the tunnel lining.
It is not there.

Inspector's Initials [6]

Supervisor's Initials and Date

Page No. 12Date 12-18-05

Tue - 1745
CFR - 75.220.91
cable # 7048646
SIS - 401
mg - Mitchell
Huang - Dist / District
People - 1
Action - 1044
Termination - 12/21/05 - 120 hrs
Location - Return

The roof control plan
is not being completed until
p. 4 - a tunnel lining
has used as primary
support for the entry
4 across from
4 feet to 39 block

Inspector's Initials [6]

Supervisor's Initials and Date

Page No. 11

Date 12-18-05

Site Completion

Gravel Pile / Retained
Jail

A rock can easily
fall through the
4x6" cribs onto
a miner walking
under the liner.

Post Conference
No - Comments
Mine Foreman

Inspector's Initials [6]

Supervisor's Initials and Date

Page No. 15

Date 12-18-05

STS - yes

① The unexcused roof
above the liner is approx
10-12 feet high
by visual examination,
(was not measured)

② Multiple roof falls
occur at the mine
in the same locations.

③ Return air caused
1 miner travels weekly
4) Large boards fall.
No -
Machinists
Several days have passed

Inspector's Initials [6]

Supervisor's Initials and Date

Page No. 14



Section I--Violation Data

1. Date Mo Da Yr 12/20/2005	2. Time (24 Hr. Clock) 0205	3. Citation/ Order Number 7098647
4. Served To John Travise, Shift Forman		5. Operator ANKER WEST VIRGINIA MINING COMPANY INC
6. Mine SAGO MINE		7. Mine ID 46-08791 (Contractor)

8. Condition or Practice 8a. Written Notice (103g)

The mine's roof control plan is not being complied with, see page 4, when the tunnel liner being used as a primary support did not have the top of the liner covered with a layer of cushioning material. The tunnel liner is located in the number 8 entry for MMU-003 section inby spad station #4212 one block. This is the primary escapeway for the section. The exposed area is approx. 24 feet long and 18 feet wide. The cited area has had a fall and has not been bolted but a tunnel liner has been used and has been completed for several days.

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 75.220(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: 001

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

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 12/22/2005	B. Time (24 Hr. Clock) 1200
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Section III--Termination Action

17. Action to Terminate

18. Terminated	A. Date Mo Da Yr	B. Time (24 Hr. Clock)
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Section IV--Automated System Data

19. Type of Inspection (activity code) E01	20. Event Number 4054434	21. Primary or Mill
22. Signature [6]		23. AR Number [6]

MSHA Form 7000-3 Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Handwritten initials and date: wpl 12/21/05

Mine Citation/Order
Continuation

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



Section I--Subsequent Action/Continuation Data

1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 12/20/2005	3. Citation/ Order Number 7098647 - 01
4. Served To Carl Crumrine, Mine Forman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791 (Contractor)	

Section II--Justification for Action

Information was provided to the inspector that shows an invoice/P.O. #67021 for the foam sheets to be delivered on 12-22-05 and 12-23-05 for the mine tunnel liner.

See Continuation Form

Section III--Subsequent Action Taken

8. Extended To	A. Date Mo Da Yr 12/26/2005	B. Time (24 Hr. Clock) 0800	<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 E01	10. Event Number 4054434		
11. Signature [6]	AR Number [6]	12. Date Mo Da Yr 12/21/2005	13. Time (24 Hr. Clock) 1325

Wol 2/21/05

ate ~~12-19-05~~ 12-20-05
 STS YES

① 10-12 ft above
 the tunnel line is the
 immediate roof that
 is unsupported

② large roof falls
 if started with
 enormous weight would
 break the cribs that
 are 4' long
 4" x 6"

③ Primary Escapeway for mine

Post Confer - No Comment

Inspector's Initials [6]
 Supervisor's Initials and Date _____ Page No. 5

Date 12-19-05/12/20/05

The lined line is
 similar in design as
 2 others cited recently
 at the mine.

Cribs between arch support
 4' long 6" thick x 4" wide
 for approx 25' of max
 supported or latched mine
 roof.

The plan on p. 4 calls
 for cushioning:

Location - Primary Escapeway
 MMU-003, approx 5611C?

Inspector's Initials [6]
 Supervisor's Initials and Date _____ Page No. 4

Date 12-19-05/12/20/05
 Time - 1:14

CFL - 75 220 91
 Wholen # 709 8627
 STS - YES

Reg Method
 Shield Last Time Rated
 People - 1
 Action - 104

MMU-003 ent #8

SS
 Location #4212 - 161 Kindley
 The tunnel line does
 not have cushioning - on top
 of it. approx 25'
 10-12 above it unsupported
 to the immediate roof

Inspector's Initials [6]
 Supervisor's Initials and Date _____ Page No. 3

Mine Citation/Order

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

VAC



Section I--Violation Data

1. Date Mo Da Yr 12/20/2005	2. Time (24 Hr. Clock) 0100	3. Citation/ Order Number 7098648
4. Served To John Travise, Shift Forman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791	(Contractor)
8. Condition or Practice		8a. Written Notice (103g) <input type="checkbox"/>

The #6 shuttle car ,off standard, on the MMU-003 section does not have flame resistant spooling device for the level wind near the reel compartment. The trailing cable courses through these metal parts. There are 3 metal spooling devices are that in place at this location, see Part 18.45(e). The approval number is 2G-3936-0.

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 75.503
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Section II--Inspector's Evaluation

10. Gravity:	A. Injury or Illness (has) (is): No Likelihood <input type="checkbox"/> Unlikely <input checked="" type="checkbox"/> Reasonably Likely <input type="checkbox"/> Highly Likely <input type="checkbox"/> Occurred <input type="checkbox"/>	B. Injury or illness could reasonably be expected to be: No Lost Workdays <input type="checkbox"/> Lost Workdays Or Restricted Duty <input checked="" type="checkbox"/> Permanently Disabling <input type="checkbox"/> Fatal <input type="checkbox"/>	C. Significant and Substantial: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	D. Number of Persons Affected: 001	
11. Negligence (check one)	A. None <input type="checkbox"/>	B. Low <input checked="" type="checkbox"/>	C. Moderate <input type="checkbox"/>	D. High <input type="checkbox"/>	E. Reckless Disregard <input type="checkbox"/>
12. Type of Action	104(a)	13. Type of Issuance (check one) Citation <input checked="" type="checkbox"/> Order <input type="checkbox"/> Safeguard <input type="checkbox"/>		E. Citation/ Order Number	
14. Initial Action	A. Citation <input type="checkbox"/>	B. Order <input type="checkbox"/>	C. Safeguard <input type="checkbox"/>	D. Written Notice <input type="checkbox"/>	F. Dated Mo Da Yr
15. Area or Equipment					

16. Termination Due	A. Date Mo Da Yr 12/20/2005	B. Time (24 Hr. Clock) 2000
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Section III--Termination Action

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

Section IV--Automated System Data

19. Type of Inspection (activity code) E01	20. Event Number 4054434	21. Primary or Mill
22. Signature [6]		23. AR Number [6]

MSHA Form 7000-3, Mar 86 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

WJL
12/20/05

Mine Citation/Order
Continuation

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

VAC
SP



Section I--Subsequent Action/Continuation Data

1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 12/20/2005	3. Citation/Order Number 7098648 - 01
4. Served To Dick Wilfong, Maintance Chief	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791 (Contractor)	

Section II--Justification for Action

Additional information was provided to the inspector that shows a fire resistant spooling device that is grounded for the #6 shuttle car level wind on the MMU-003.

See Continuation Form

Section III--Subsequent Action Taken

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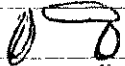
Section IV--Inspection Data

9. Type of Inspection E01	10. Event Number 4054434		
11. Signature [6]	AR Number [6]	12. Date Mo Da Yr 12/21/2005	13. Time (24 Hr. Clock) 1257

WJ
12/21/05

Date 12/19/05

These 3 are metal



on the level wire,

This is not maintained in permanent condition on the mmu 003 2 left section

104 a non-STS C47.0.0 detected on this section

Post cabinet rollers are mounted in the middle - Dick Kelly

Inspector's Initials [6] 9
Supervisor's Initials and Date _____ Page No. _____

Date 12-19-05

~~Time~~ 0100 hrs

CFL 75.503

~~Detector #~~ 7098648

STS - No

Tag - Modular

Plant - Lab / Restroom

People - 1

Action - 1049

Termination - 12-22-05

1200 hrs

Part 18, 45 (e)

The #6 off standard shields are done and have non metal level wire 3 (should be none)

Inspector's Initials [6] 4
Supervisor's Initials and Date _____ Page No. _____

Mine Citation/Order

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

VAC



Section I--Violation Data

1. Date Mo Da Yr 12/20/2005	2. Time (24 Hr. Clock) 0130	3. Citation/ Order Number 7098649
4. Served To John Travis, Shift Forman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791	(Contractor)
8. Condition or Practice		8a. Written Notice (103g)

The #5 shuttle car ,standard, on the MMU-003 section does not have flame resistant spooling device for the level wind near the reel compartment. The trailing cable courses through these metal parts. There are 4 spooling devices at this location., see Part 18.45(e). The approval number 2G-3936-0.

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 75.503
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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: 001

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

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 12/20/2005 B. Time (24 Hr. Clock) 2200

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) E01 20. Event Number 4054434 21. Primary or Mill

22. Signature [6] 23. AR Number [6]

MSHA Form 7000-3, May/85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Wet 1/2/05

Mine Citation/Order
Continuation

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



Section I--Subsequent Action/Continuation Data

1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/>	2. Dated (Original Issue) 12/20/2005 Mo Da Yr	3. Citation/ Order Number 7098649 - 01
4. Served To Dick Wilfong, Maintance Chief	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791 (Contractor)	

Section II--Justification for Action

Additional information was provided to the inspector that shows a fire resistant spooling device that is grounded for the #5 shuttled car level wind on the MMU-003 section.

See Continuation Form

Section III--Subsequent Action Taken

8. Extended To	A. Date Mo Da Yr	B. Time (24 Hr. Clock)	<input checked="" 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 E01	10. Event Number 4054434		
11. Signature [6]	AR Number [6]	12. Date Mo Da Yr 12/21/2005	13. Time (24 Hr. Clock) 1305

loop 12/23

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

Date 12-19-05

4 metal wheels are present that the cables slide across these rollers.

Non S+S

Terminals - 12-20-05

Post Conference
These rollers are insulated on the inside for grounding.

Inspector's Initials [6]

Supervisor's Initials and Date

Page No. 11

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

Date 12-19-05

Time - 2:05 PM

CFL - 75.503

Case # 7098649

S+S - No

Tag - Saw

Shard - Unlikely/Residual

People - 1

Section - 1049

Part 18

Terminals - 12-22-05 1200 hrs

Location MM4003

The #5 shield case does not have non metal level wind wheels at the case necks.

Inspector's Initials [6]

Supervisor's Initials and Date Page No. 10



Section I--Violation Data

1. Date Mo Da Yr 12/20/2005	2. Time (24 Hr. Clock) 0200	3. Citation/ Order Number 7098650
4. Served To John Travise, Shift Forman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791	(Contractor)
8. Condition or Practice		8a. Written Notice (103g) <input type="checkbox"/>

The Joy 14CM15-11 EX, 2G-4149A-00 continuous miner has a missing right head light guard. The miner is operating on the MMUJ-003 section. See Part 18.46(b).

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR 75.503
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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: 001

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

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 12/20/2005 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) E01 20. Event Number 4054434 21. Primary or Mill
22. Signature [Signature] 23. AR Number [67]

MSHA Form 7000-3, May 03 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Handwritten initials and date: [Signature] 12/24

Date 12-20-05

fally rock and mine
roof strata
The lift is not damaged
the conduit / packing
gland is not damaged.

Simply put a guard needs
inst. accf.

Non Sts

- ① no che detected
- ② lift is cenary
not damaged.

Rest Conf - we will get done.

Inspector's Initials [6]

Supervisor's Initials and Date _____ Page No. 1

Date 12-19-05

Time - 1:30
OFL # 75. 503
Citation # 7098650
Severity - cenary
Reg. - Low
Sts - Non

People 1

Accom - 1049

Terminated - 12-20-05

800 hrs

mine - 14cm - 28-415 9A-00

Location mmu-003

Continuous miner
has a missing guard
on the right side
of the miner used
to protect it from

Inspector's Initials [6]

Supervisor's Initials and Date _____ Page No. 6



Section I—Violation Data

1. Date Mo Da Yr 12/21/2005	2. Time (24 Hr. Clock) 1200	3. Citation/ Order Number 7098613
4. Served To Carl Crumrine	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791	(Contractor)
8. Condition or Practice		8a. Written Notice (103g) <input type="checkbox"/>

The 8 fire extinguishers located on the surface that were strategically positioned have not been examined or tagged within the required 6 months.

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 77.1110
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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: 001

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

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 12/21/2005 B. Time (24 Hr. Clock) 1300

Section III—Termination Action

17. Action to Terminate The fire extinguishers have been examined and tagged.

18. Terminated A. Date Mo Da Yr 12/21/2005 B. Time (24 Hr. Clock) 1300

Section IV—Automated System Data

19. Type of Inspection (activity code) E01 20. Event Number 4054434 21. Primary or Mill

22. Signature [6] 23. AR Number [6]

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

WPC
12/28

Date 12-21-2005

12:00 77.1110

7098613

The 8 fire extinguishers located on the surface that were strategically positioned have not been examined or tagged within the required 6 months.

The outside miner (surface) should have known considering these extinguishers are placed so if you were standing in front of one you would be in direct visual eye contact with the extinguishers.

Inspector's Initials [6]

Supervisor's Initials and Date Page No.

Date 12-21-2005

7098613

Several Shifts

One miner

When a accident does occur it would be serious, fire, burns & smoke inhalation.

It is unlikely considering even though the extinguishers were not properly tagged the ext are still operable.

Testwatch - The Fire Ext. have been examined and tagged.

Inspector's Initials [6]

Supervisor's Initials and Date Page No.

Mine Citation/Order

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



Section I--Violation Data

1. Date Mo Da Yr 12/21/2005	2. Time (24 Hr. Clock) 1220	3. Citation/ Order Number 7098614
4. Served To Carl Crumrine	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791	(Contractor)
8. Condition or Practice		8a. Written Notice (103g) <input type="checkbox"/>

Coal and rock has been allowed to accumulate on the elevated walkways on the incline stacker belt. This condition creates a slipping and tripping hazard. The accumulations had frozen and had a 3 foot section of the walkway completely blocked. The material rolls under foot when miners travel this walkway.

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 77.205(b)
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Section II--Inspector's Evaluation

10. Gravity:	A. Injury or Illness (has) (is): No Likelihood <input type="checkbox"/> Unlikely <input type="checkbox"/> Reasonably Likely <input checked="" type="checkbox"/> Highly Likely <input type="checkbox"/> Occurred <input type="checkbox"/>			
	B. Injury or illness could reasonably be expected to be: No Lost Workdays <input type="checkbox"/> Lost Workdays Or Restricted Duty <input checked="" type="checkbox"/> Permanently Disabling <input type="checkbox"/> Fatal <input type="checkbox"/>			
	C. Significant and Substantial: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		D. Number of Persons Affected: 001	
11. Negligence (check one)	A. None <input type="checkbox"/> B. Low <input type="checkbox"/> C. Moderate <input checked="" type="checkbox"/> D. High <input type="checkbox"/> E. Reckless Disregard <input type="checkbox"/>			
12. Type of Action 104(a)	13. Type of Issuance (check one) Citation <input checked="" type="checkbox"/> Order <input type="checkbox"/> Safeguard <input type="checkbox"/>			
14. Initial Action A. Citation <input type="checkbox"/> B. Order <input type="checkbox"/> C. Safeguard <input type="checkbox"/> D. Written Notice <input type="checkbox"/>	E. Citation/ Order Number		F. Dated Mo Da Yr	

15. Area or Equipment

16. Termination Due	A. Date Mo Da Yr 12/21/2005	B. Time (24 Hr. Clock) 1400
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Section III--Termination Action

17. Action to Terminate The hazardous material was removed.

18. Terminated	A. Date Mo Da Yr 12/21/2005	B. Time (24 Hr. Clock) 1400
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Section IV--Automated System Data

19. Type of Inspection (activity code) E01	20. Event Number 4054434	21. Primary or Mill
22. Signature [Signature]		23. AR Number [6]

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Handwritten signature/initials

Date 12-21-2005

12:20

77.205(b)

7098614

Coal and rock has been allowed to accumulate on the elevated walkways on the incline stacker belt. This condition creates a slipping and tripping hazard. The accumulations had frozen and had a 3' section of the walkway completely blocked. The material falls under foot when miners travel this walkway

Inspector's Initials [6]

Supervisor's Initials and Date

Page No.

Date 12-21-2005

7098614

The of examiner should have known that this condition exists considering the miners travel this incline stacker belt daily to grease the stacker motor's

Several Shifts

One miner

When an accident does occur it would be serious, lacerations, fractures

Inspector's Initials [6]

Supervisor's Initials and Date

Page No.

Date 12-21-2005

7098614

It is reasonably likely considering the miner travel this walkway daily to perform his duties.

Terminated - The hazardous material was removed.

Inspector's Initials [6]

Supervisor's Initials and Date

Page No.