



Section I--Violation Data

1. Date Mo Da Yr 07/24/2008	2. Time (24 Hr. Clock) 1200	3. Citation/ Order Number 7697006
4. Served To Gary Peacock, Superintendent	5. Operator GENWAL RESOURCES INC and UEI	
6. Mine CRANDALL CANYON MINE	7. Mine ID 42-01715 (Contractor)	
8. Condition or Practice		8a. Written Notice (103g) <input type="checkbox"/>

Revisions of the roof control plan were not proposed by the operator when conditions at the mine indicated that the plan was not adequate or suitable for controlling the roof, face, ribs or coal bursts. These conditions included bounces that occurred in the Main West South Barrier section that resulted in roof and rib damage, and caused miners to fall onto the mine floor and a reportable coal outburst that occurred on August 3, 2007. The operator's failure to make appropriate changes to its roof control plan contributed to the August 6, 2007 fatal accident. This constitutes an unwarrantable failure to comply with a mandatory standard.

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

10. Gravity:					
A. Injury or Illness (has) (is):	No Likelihood <input type="checkbox"/>	Unlikely <input type="checkbox"/>	Reasonably Likely <input type="checkbox"/>	Highly Likely <input type="checkbox"/>	Occurred <input checked="" type="checkbox"/>
B. Injury or illness could reasonably be expected to be:	No Lost Workdays <input type="checkbox"/>	Lost Workdays Or Restricted Duty <input type="checkbox"/>	Permanently Disabling <input type="checkbox"/>	Fatal <input checked="" type="checkbox"/>	
C. Significant and Substantial:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	D. Number of Persons Affected: 006		
11. Negligence (check one)					
A. None <input type="checkbox"/>	B. Low <input type="checkbox"/>	C. Moderate <input type="checkbox"/>	D. High <input type="checkbox"/>	E. Reckless Disregard <input checked="" 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			E. Citation/ Order Number	F. Dated	Mo Da Yr
A. Citation <input type="checkbox"/>	B. Order <input checked="" type="checkbox"/>	C. Safeguard <input type="checkbox"/>	D. Written Notice <input type="checkbox"/>	7286500	12/29/2006
15. Area or Equipment N/A					

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

17. Action to Terminate The mine has been abandoned.

18. Terminated	A. Date Mo Da Yr 07/24/2008	B. Time (24 Hr. Clock) 1205
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Section IV--Automated System Data

19. Type of Inspection (activity code) E06	20. Event Number 4476435	21. Primary or Mill
22. Signature Signature		23. AR Number 23305/23709

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.