



Section I--Violation Data

1. Date Mo Da Yr 07/24/2008	2. Time (24 Hr. Clock) 1200	3. Citation/ Order Number 7697007
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"/>

During pillar development and recovery in the Main West Barrier sections, pillar dimensions were not compatible with effective control of coal or rock bursts. Pillar stability analysis confirms that the length and width of pillars within the active workings, as well as dimensions of the adjoining barrier pillars, did not provide sufficient strength to withstand stresses during pillar recovery. This also constitutes a violation of 75.202(a).

On August 6, 2007, a sudden and violent failure of the overstressed coal pillars and barrier occurred in the Main West South Barrier working section. This instantaneous release of energy caused the coal ribs to burst, fatally injuring the six man production crew. A second failure of a

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 75.203(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: 009

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 7286500 F. Dated Mo Da Yr
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 / 23809

MSHA Form 7000-3, Mar 65 (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.



Section I--Subsequent Action/Continuation Data

1. Subsequent Action 1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 07/24/2008	3. Citation/Order Number 7697007
4. Served To Gary Peacock, Superintendent	5. Operator GENWAL RESOURCES INC and UEI	
6. Mine CRANDALL CANYON MINE	7. Mine ID 42-01715	(Contractor)

Section II--Justification for Action

Continuation of 8. Condition or Practice

coal pillar occurred on August 16, 2007, fatally injuring three rescuers and injuring six other rescuers. This constituted 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 E06	10. Event Number 4476435		
11. Signature [Redacted]	AR Number 23305	12. Date Mo Da Yr 07/24/2008	13. Time (24 Hr. Clock) 1200

Signature

23809