E01

Reg. Safety Insp.

07-5-2007 to present

Event Information (Event Source : IPAL)

General Information

Event Number	Mine ID	Activity Code
4474193	4201715	E01
Event Start Date	**Event End Date**	
07/05/2007		
Lead Type	**Lead Number**	**Office Code**
AR	23893	C0905
Company/Operator Name	**Mine Name**	**Work Group Code**
GENWAL RESOURCES INC	CRANDALL CANYON MINE	02
Mine Office Code	**Mine Travel Area/Work Group**	
C0905	02	

List of ARs and ROEs who have entered Time And Activity against this event

AR/ROE	AR/ROE Number	Full Name
AR	23893	Barry Grosely

Inspection Details

Report Type

First

Area of Inspection

A. Active Sections	B. Idle Sections	C. Outby Areas
0	0	-
D. Shafts/Slopes	**E. Surface Areas(UG)**	**F. Surface Workings**
N	N	N
G. Company Records	**H. ATF**	**I. Impoundments**
N	N	N
J. Refuse Piles	**K. Major Construction**	**(1) Shaft/Slope Sinking**
N	N	
(2) Impoundment Construction	**(3) Buildings**	**(4) Dragline/Shovel**
(5) Other	**L. Misc.**	
	N	

Number of Samples Collected

A. Air Samples	B. Rock DustSpot	C. Rock Dust Survey
0	0	0
D. Respirable Dust	**E. Noise**	**F. Other Sample**
0	0	0

Remarks

Impoundments And Contractors

Impoundment Numbers

Contractor ID(s)

Following are the errors/warnings in the form

- *Warning: Start Date should not be over 30 days old*

Mine Citation/Order

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

Section I--Violation Data

1. Date (Mo Da Yr)	2. Time (24 Hr. Clock)		3. Citation/ Order Number
07/17/2007	0745		7287791

4. Served To	5. Operator
Boddie Allred	GENWAL RESOURCES INC
6. Mine	**7. Mine ID**
CRANDALL CANYON MINE	42-01715 (Contractor)

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

At the Head Roller of the #1 Belt and the belt cross-under (outby the Portal), the operator allowed combustible material to accumulate. There were accumulations of coal fines near the head roller which were in contact with the full width of the moving bottom belt (belt speed about 500 to 600 hundred feet per minute). Also there was loose coal between the bottom belt and cross-under guarding. The affected area here was about 5-ft wide and about 8-ft in length and about 1-ft in depth. Allowing this condition to go uncorrected would reasonably likely result in an accident (fire) causing serious injury or illness.

See Continuation Form (MSHA Form 7000-3a) ☐

9. Violation	A. Health ☐ Safety ☑ Other ☐	B. Section of Act	C. Part/Section of Title 30 CFR 77.1104

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)	B. Time (24 Hr. Clock)	
	07/17/2007	1100	

Section III--Termination Action

17. Action to Terminate The combustible material in the areas of question was removed.

18. Terminated	A. Date (Mo Da Yr)	B. Time (24 Hr. Clock	
	07/17/2007	1315	

Section IV--Automated System Data

19. Type of Inspection (activity code)	20. Event Number	21. Primary or Mill	
E01	4474193		

22. Signature — 23. AR Number 23893

Signature

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

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

Section I--Violation Data

1. Date Mo Da Yr 07/17/2007	2. Time (24 Hr. Clock) 0910		3. Citation/ Order Number 7287792
4. Served To Boddie Allred		5. Operator GENWAL RESOURCES INC	
6. Mine CRANDALL CANYON MINE		7. Mine ID 42-01715 (Contractor)	

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

Along Main West (in the #1 entry) between crosscuts 140 &141, the operator failed to maintain the primary escape way in a safe condition to always assure passage of anyone, including disable persons. In the above referenced area the operator allowed water to accumulate. The water hole/mud hole was the full width of the entry and about 75-ft in length. The water measured between 0.5-ft and 1.4-ft in depth. Also, there were numerous chunks of loose coal, coal muck and floor irregularities which created many slip, trip and stumbling hazards in the muddy water. It is also important to note that an Isuzu truck Co# 20 attempted to pass thru the affected area and got stuck and had to be towed out of the mud hole.

See Continuation Form (MSHA Form 7000-3a) ☐

9. Violation	A. Health ☐ Safety ☑ Other ☐	B. Section of Act	C. Part/Section of Title 30 CFR 75.380(d)(1)

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: 006

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 07/17/2007	B. Time (24 Hr. Clock) 1300	

Section III--Termination Action

17. Action to Terminate The water and muck were removed

18. Terminated	A. Date Mo Da Yr 07/17/2007	B. Time (24 Hr. Clock 1245	

Section IV--Automated System Data

19. Type of Inspection (activity code) E01	20. Event Number 4474193	21. Primary or Mill	
22. Signature Signature		23. AR Number 23893	

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

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

Section I--Violation Data

1. Date Mo Da Yr 07/17/2007	2. Time (24 Hr. Clock) 0930		3. Citation/ Order Number 7287793
4. Served To Boddie Allred		5. Operator GENWAL RESOURCES INC	
6. Mine CRANDALL CANYON MINE		7. Mine ID 42-01715 (Contractor)	

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

The operator failed to keep the Main West Section's escape way map and the official escape way map posted on the surface up-to-date. The Section's escape way map and the escape map on the surface indicated that the escape way began at crosscut-138, however, the Section's loading point was at crosscut-145. In the affected area the alternate escape way had a directional change which was not reflected on either of the escape way maps

See Continuation Form (MSHA Form 7000-3a) ☐

9. Violation	A. Health ☐ Safety ☑ Other ☐	B. Section of Act	C. Part/Section of Title 30 CFR 75.383(a)

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: 006

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 07/17/2007	B. Time (24 Hr. Clock) 1030	

Section III--Termination Action

17. Action to Terminate The maps in question were brought up to date.

18. Terminated	A. Date Mo Da Yr 07/17/2007	B. Time (24 Hr. Clock 1315	

Section IV--Automated System Data

19. Type of Inspection (activity code) E01	20. Event Number 4474193	21. Primary or Mill	
22. Signature Signature		23. AR Number 23893	

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

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

Section I--Violation Data

1. Date (Mo Da Yr)	2. Time (24 Hr. Clock)		3. Citation/ Order Number
07/17/2007	1005		7287794

4. Served To	5. Operator
Boddie Allred	GENWAL RESOURCES INC

6. Mine	7. Mine ID
CRANDALL CANYON MINE	42-01715 (Contractor)

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

Along the Main West #7 Belt Line, from the Tailpiece to the head roller , the operator allowed combustible material to accumulate. The affected area was from xcut 110 to xcut 145 about 4500-ft, plus the adjoining xcuts. In the referenced area there was a uniform layer of float coal dust, black in color, dry and about 2 to 3 sheet of paper in thickness covering the ribs, floor and belt structure. In addition, at a couple of locations the bottom belt and several bottom rollers were in contact with coal fines and loose coal. Also, there were two bottom rollers which were dislodged from the bottom roller hanger on one side and allowed to spin on the coal floor. One of the bottom rollers had several feet of belt rapped around it (strip of belt about 1-in in width) which had a part of the belt splice hardware attached. This bottom roller appears to have snagged the conveyor belt and

See Continuation Form (MSHA Form 7000-3a) ☑

9. Violation	A. Health ☐ Safety ☑ Other ☐	B. Section of Act	C. Part/Section of Title 30 CFR 75.400

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: 006

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)	B. Time (24 Hr. Clock)	
	07/18/2007	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)	20. Event Number	21. Primary or Mill	
E01	4474193		

22. Signature — 23. AR Number 23893

Signature

MSHA Form 7000-3, Mar 96 (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 1a. Continuation	2. Dated (Original Issue) Mo Da Yr	3. Citation/ Order Number
☐ ☑	07/17/2007	7287794

4. Served To	5. Operator
Boddie Allred	GENWAL RESOURCES INC

6. Mine	7. Mine ID	
CRANDALL CANYON MINE	42-01715	(Contractor)

Section II--Justification for Action

Continuation of 8. Condition or Practice

was ripped from the belt structure, hanger and roller. Finally, a snub roller near the head roller was spinning in coal fines (dry coal fines, full width of belt, and 1-ft to 1.5-ft in depth), (see inspection notes for more details). To allow this condition to go uncorrected is reasonably likely to result in an accident (fire) causing serious injury or illness.

See Continuation Form ☐

Section III--Subsequent Action Taken

8. Extended To	A. Date Mo Da Yr	B. Time (24 Hr. Clock)	☐ C. Vacated	☐ D. Terminated	☐ E. Modified

Section IV--Inspection Data

9. Type of Inspection	10. Event Number
E01	4474193

11. Signatur	AR Number	12. Date Mo Da Yr	13. Time (24 Hr. Clock)
Signature	23893	07/17/2007	1005

MSHA Form 7

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	2. Dated (Original Issue) Mo Da Yr	3. Citation/ Order Number
☑ ☐	07/17/2007	7287794 - 01

4. Served To	5. Operator
Boddie Allred	GENWAL RESOURCES INC
6. Mine	**7. Mine ID** (Contractor)
CRANDALL CANYON MINE	42-01715

Section II--Justification for Action

The area in question has been rock dusted and the accumulations of coal and coal fines have been removed

See Continuation Form ☐

Section III--Subsequent Action Taken

8. Extended To	A. Date Mo Da Yr	B. Time (24 Hr. Clock)	☐ C. Vacated	☑ D. Terminated	☐ E. Modified

Section IV--Inspection Data

9. Type of Inspection	10. Event Number
E01	4474193

11. Signature	AR Number	12. Date Mo Da Yr	13. Time (24 Hr. Clock)
Signature [redacted]	23893	07/18/2007	1210

MSHA Form 70[redacted]

Mine Citation/Order

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

Section I--Violation Data

1. Date (Mo Da Yr)	2. Time (24 Hr. Clock)		3. Citation/ Order Number
07/18/2007	1100		7287795

4. Served To	5. Operator
Bodee Allred	GENWAL RESOURCES INC

6. Mine	7. Mine ID
CRANDALL CANYON MINE	42-01715 (Contractor)

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

In the Main West #7 Belt Entry, the operator failed to certify by date, time and initials, sufficiently, to provide evidence that a pre-shift examination was conducted in the fore- mention area.

See Continuation Form (MSHA Form 7000-3a) ☐

9. Violation	A. Health ☐ Safety ☑ Other ☐	B. Section of Act	C. Part/Section of Title 30 CFR	75.360(e)

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: 006

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)	B. Time (24 Hr. Clock)	
	07/18/2007	1230	

Section III--Termination Action

17. Action to Terminate The area in question was examined by the operator and examination was documented/certified by DTIs.

18. Terminated	A. Date (Mo Da Yr)	B. Time (24 Hr. Clock	
	07/18/2007	1210	

Section IV--Automated System Data

19. Type of Inspection (activity code)	20. Event Number	21. Primary or Mill	
E01	4474193		

22. Signature	23. AR Number
Signature	23893

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

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

Section I--Violation Data

1. Date Mo Da Yr 07/18/2007	2. Time (24 Hr. Clock) 1115		3. Citation/ Order Number 7287796
4. Served To Boddie Allred		5. Operator GENWAL RESOURCES INC	
6. Mine CRANDALL CANYON MINE		7. Mine ID 42-01715	(Contractor)
			8a. Written Notice (103g)

8. Condition or Practice

In the Main West Pillar Section, the operator failed to provide a readily visible warning device to post and prevent travel beyond permanent roof support. At time of issuance the second cut into the #1 pillar inby crosscut - 148 was being made. Allowing this condition to go uncorrected would reasonably likely result in an accident causing a serious injury or illness. The CM-operator could inadvertently travel beyond the last row of permanent roof supports.

See Continuation Form (MSHA Form 7000-3a) ☐

9. Violation	A. Health ☐ Safety ☑ Other ☐	B. Section of Act	C. Part/Section of Title 30 CFR 75.208

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 07/18/2007	B. Time (24 Hr. Clock) 1130	

Section III--Termination Action

17. Action to Terminate A warning device was installed (sign, unsupported top)

18. Terminated	A. Date Mo Da Yr 07/18/2007	B. Time (24 Hr. Clock 1125	

Section IV--Automated System Data

19. Type of Inspection (activity code) E01	20. Event Number 4474193	21. Primary or Mill	
22. Signature			23. AR Number 23893

Signature

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

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

Section I--Violation Data

1. Date Mo Da Yr 07/19/2007	2. Time (24 Hr. Clock) 0810		3. Citation/ Order Number 7287797
4. Served To Bodee Allred		5. Operator GENWAL RESOURCES INC	
6. Mine CRANDALL CANYON MINE		7. Mine ID 42-01715 (Contractor)	

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

On the Surface at the Draw-Off Tunnel, the operator failed to maintain the ventilation fan for the draw-off tunnel. It was reported that the ventilation fan was to be energized when methane is present. However, a known concentration of methane gas was applied to the methane monitor/sensors within the draw-off tunnel and the fan failed to function. Consequently, the ventilation fan is integrated with the ventilation, the conveyor belt system and the methane monitor system of the draw-off tunnel to provide assurances of a safe working condition. Therefore, an operating ventilation system would be required to operate the draw-off safely.

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health ☐ Safety ☑ Other ☐	B. Section of Act	C. Part/Section of Title 30 CFR 77.502

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 07/19/2007	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 4474193	21. Primary or Mill	
22. Signature Signature		23. AR Number 23893	

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	1a. Continuation	2. Dated (Original Issue) Mo Da Yr	3. Citation/ Order Number
☑	☐	07/19/2007	7287797 - 01

4. Served To	5. Operator
Bodee Allred	GENWAL RESOURCES INC
6. Mine	**7. Mine ID** (Contractor)
CRANDALL CANYON MINE	42-01715

Section II--Justification for Action

The electrical motor was replaced and the ventilation system does function as required.

See Continuation Form ☐

Section III--Subsequent Action Taken

8. Extended To	A. Date Mo Da Yr	B. Time (24 Hr. Clock)	☐ C. Vacated	☑ D. Terminated	☐ E. Modified

Section IV--Inspection Data

9. Type of Inspection	10. Event Number
E01	4474193

11. Signature	AR Number	12. Date Mo Da Yr	13. Time (24 Hr. Clock)
Signature	23893	07/23/2007	0930

MSHA Form 7000-3a, Mar 85 (revised)

Mine Citation/Order

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

RP

Section I--Violation Data

1. Date Mo Da Yr 07/19/2007	2. Time (24 Hr. Clock) 0950		3. Citation/ Order Number 7287798
4. Served To Bodee Allred		5. Operator GENWAL RESOURCES INC	
6. Mine CRANDALL CANYON MINE		7. Mine ID 42-01715 (Contractor)	

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

At the Surface on the bottom floor of the Crusher Building, the operator failed to maintain the electrical control box for the Coal Sampler in a safe operating condition. The electrical control box access door was loose and allowed combustible material (a layer of float coal dust more than the thickness of a sheet of paper) to accumulate inside on all electrical components of the box. One of the major components of the control box is a 480 volt/120 volt transformer which would provide a sufficient heat source to ignite float coal dust. The referenced box measured 1-ft by 3-ft by 5-ft. Also, the bottom of the box had accumulations of float coal dust and coal fined which were black and dry that measured about 1/2 inch in depth. Allowing this condition to go uncorrected would reasonable likely result in an accident causing serious injury or illness

See Continuation Form (MSHA Form 7000-3a) ☐

9. Violation	A. Health ☐ Safety ☑ Other ☐	B. Section of Act	C. Part/Section of Title 30 CFR ~~77.502~~ 77.1104

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 07/19/2007	B. Time (24 Hr. Clock) 1200	

Section III--Termination Action

17. Action to Terminate The accumulations were removed from the electrical control box.

18. Terminated	A. Date Mo Da Yr 07/19/2007	B. Time (24 Hr. Clock 1140	

Section IV--Automated System Data

19. Type of Inspection (activity code) E01	20. Event Number 4474193	21. Primary or Mill	
22. Signature Signature		23. AR Number 23893	

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	1a. Continuation	2. Dated (Original Issue) Mo Da Yr	3. Citation/ Order Number
☑	☐	07/19/2007	7287798 - 01

4. Served To	5. Operator
Bodee Allred	GENWAL RESOURCES INC

6. Mine	7. Mine ID
CRANDALL CANYON MINE	42-01715 (Contractor)

Section II--Justification for Action

Change	From	To
9. C. Part/Section	77.502	77.1104

Reason The wrong regulation was inadvertently selected.

See Continuation Form ☐

Section III--Subsequent Action Taken

8. Extended To	A. Date Mo Da Yr	B. Time (24 Hr. Clock)	☐ C. Vacated	☐ D. Terminated	☑ E. Modified

Section IV--Inspection Data

9. Type of Inspection	10. Event Number
E01	4474193

11. Signature	AR Number	12. Date Mo Da Yr	13. Time (24 Hr. Clock)
Signature	23893	07/19/2007	1000

MSHA Form 7000-3a, Mar 85 (revised)

Mine Citation/Order

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

Section I--Violation Data

1. Date Mo Da Yr 07/19/2007	2. Time (24 Hr. Clock) ~~0945~~ 1010		3. Citation/ Order Number 7287799
4. Served To Bodee Allred		5. Operator GENWAL RESOURCES INC	
6. Mine CRANDALL CANYON MINE		7. Mine ID 42-01715 (Contractor)	

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

On the Surface near the Crusher Building, the operator failed to maintain the diesel Bob Cat, Co#1 in a safe operating condition. The operate allowed combustible material to accumulate inside the engine compartment. There was oil, grease coal fines and coal dust on the bottom of the engine compartment, on the battery, on the engine, on the exhaust system, on all electrical cables and hydraulic hoses. The condition (due to the amounts of oil, grease, coal fines observed) appears to have existed for an extended period of time. Allowing this condition to go uncorrected would reasonable likely result in an accident causing serious injury or illness

See Continuation Form (MSHA Form 7000-3a) ☐

9. Violation	A. Health ☐ Safety ☑ Other ☐	B. Section of Act	C. Part/Section of Title 30 CFR 77.1104

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 07/19/2007	B. Time (24 Hr. Clock) 1200	

Section III--Termination Action

17. Action to Terminate The accumulations in question were removed.

18. Terminated	A. Date Mo Da Yr 07/19/2007	B. Time (24 Hr. Clock 1145	

Section IV--Automated System Data

19. Type of Inspection (activity code) E01	20. Event Number 4474193	21. Primary or Mill	
22. Signature Signature			23. AR Number 23893

MSHA Form 7000-3, Mar 88 (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

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

Section I--Violation Data

1. Date Mo Da Yr 07/19/2007	2. Time (24 Hr. Clock) ~~0950~~ 1050		3. Citation/ Order Number 7287800
4. Served To Bodee Allred		5. Operator GENWAL RESOURCES INC	
6. Mine CRANDALL CANYON MINE		7. Mine ID 42-01715 (Contractor)	

8. Condition or Practice

8a. Written Notice (103g) ☐

On the Surface in the Shop, the operator failed to maintain the Miller Welder, Model CP 300, in a safe operating condition. The grounding lead cable had 10 cuts in the cable's outer jacket which exposed the bare copper conductor. At the time of issuance the welder was in service but not in use.

See Continuation Form (MSHA Form 7000-3a) ☐

9. Violation	A. Health ☐ Safety ☑ Other ☐	B. Section of Act	C. Part/Section of Title 30 CFR 77.502

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 07/19/2007	B. Time (24 Hr. Clock) 1030	

Section III--Termination Action

17. Action to Terminate The grounding lead was repaired.

18. Terminated	A. Date Mo Da Yr 07/19/2007	B. Time (24 Hr. Clock 1145	

Section IV--Automated System Data

19. Type of Inspection (activity code) E01	20. Event Number 4474193	21. Primary or Mill	

22. Signature Signature

23. AR Number 23893

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

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

Section I--Violation Data

1. Date Mo Da Yr 07/19/2007	2. Time (24 Hr. Clock) 1300		3. Citation/ Order Number 7287801
4. Served To Bodee Allred		5. Operator GENWAL RESOURCES INC	
6. Mine CRANDALL CANYON MINE		7. Mine ID 42-01715 (Contractor)	

8. Condition or Practice

8a. Written Notice (103g) ☐

On the Surface in the Main Mine Substation, the operator provided high voltage gloves which were expired and should have been removed from service. The gloves (# 3957 and # J3957) which were in service were last tested June 9th 2006. No other documentation was available.

See Continuation Form (MSHA Form 7000-3a) ☐

9. Violation	A. Health ☐ Safety ☑ Other ☐	B. Section of Act	C. Part/Section of Title 30 CFR 77.704-8(a)(1)

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 07/19/2007	B. Time (24 Hr. Clock) 1405	

Section III--Termination Action

17. Action to Terminate The gloves were removed from service.

18. Terminated	A. Date Mo Da Yr 07/19/2007	B. Time (24 Hr. Clock 1405	

Section IV--Automated System Data

19. Type of Inspection (activity code) E01	20. Event Number 4474193	21. Primary or Mill	

22. Signature Signature 23. AR Number 23893

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 1a. Continuation	2. Dated (Original Issue) Mo Da Yr	3. Citation/ Order Number
✔	07/19/2007	7287802 - 01

4. Served To	5. Operator
Bodee Allred	GENWAL RESOURCES INC
6. Mine	**7. Mine ID**
CRANDALL CANYON MINE	42-01715 (Contractor)

Section II--Justification for Action

The electrical equipment in the Surface Shop which is question was examined and the results of the examinations have been documented in the electrical records/file/book. Therefore the 104(d)(2) order has been terminated.

See Continuation Form

Section III--Subsequent Action Taken

8. Extended To	A. Date Mo Da Yr	B. Time (24 Hr. Clock)	C. Vacated	D. Terminated	E. Modified
			☐	☑	☐

Section IV--Inspection Data

9. Type of Inspection	10. Event Number
E01	4474193

11. Signature	AR Number	12. Date Mo Da Yr	13. Time (24 Hr. Clock)
Signature	23893	07/23/2007	1055

MSHA Form 7000-3a, Mar 85 (revised)

Mine Citation/Order

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

Section I--Violation Data

1. Date Mo Da Yr 07/19/2007	2. Time (24 Hr. Clock) 1400		3. Citation/ Order Number 7287802
4. Served To Bodee Allred		5. Operator GENWAL RESOURCES INC	
6. Mine CRANDALL CANYON MINE		7. Mine ID 42-01715	

8. Condition or Practice (Contractor)

8a. Written Notice (103g) ☐

In the coarse of the inspection of the Surface Shop a request to review the 30-day electrical records for the electrical equipment which was previously inspected was made. The equipment inspected: Miller Welder; Hydraulic Press; Grinder (U.S. Electrical Tool Co.); Drill Press; Speedaire Compressor; all electrical control boxes; over head crane (Wright 5-ton); Battery Charging Station (Co #4 Simons Rand) and the HYD MECH band saw, all of which were absent of any documentation of electrical examination conducted on the specific equipment referenced above. In fact, it was then reported by the Operator that the only record which was made for the equipment in the shop was under the Heading, captioned as "Surface Shop" on the electrical record dated 6/29/07. This issuance is not limited to only the equipment which was inspected but for all equipment which is required

See Continuation Form (MSHA Form 7000-3a) ☑

9. Violation	A. Health ☐ Safety ☑ Other ☐	B. Section of Act	C. Part/Section of Title 30 CFR 77.502

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: 006

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 The electrical equipment in the Surface Shop.

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 4474193	21. Primary or Mill	
22. Signature		23. AR Number 23893	

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 1a. Continuation	2. Dated (Original Issue) Mo Da Yr	3. Citation/ Order Number
☐ ☑	07/19/2007	7287802

4. Served To	5. Operator
Bodee Allred	GENWAL RESOURCES INC
6. Mine	**7. Mine ID**
CRANDALL CANYON MINE	42-01715 (Contractor)

Section II--Justification for Action

Continuation of 8. Condition or Practice

to be examined electrically and documented to comply with the above referenced Federal Regulation and set forth in MSHA's Program Policy Manual for the cited regulation. It is important to note that the Operator does possess a copy of the referenced MSHA Program Policy Manual

See Continuation Form ☐

Section III--Subsequent Action Taken

8. Extended To	A. Date Mo Da Yr	B. Time (24 Hr. Clock)	☐ C. Vacated ☐ D. Terminated ☐ E. Modified

Section IV--Inspection Data

9. Type of Inspection	10. Event Number
E01	4474193

11. Signature	AR Number	12. Date Mo Da Yr	13. Time (24 Hr. Clock)
Signature	23893	07/19/2007	1400

MSHA Form 7000-3a, Mar 03 (revised)

DAILY COVER SHEET

DATE 07-17-2007 EVENT NO. 4474193

ARRIVED AT THE MINE _____ DEPARTED FROM THE MINE _____

LIST RECORD BOOKS CHECKED Gen. Mine Main West Fan Book

weekly pre/on-shift Books w

ACCOMPANIED BY: COMPANY REP. Boddie Allred

MINERS REP. declined

AREAS OF INSPECTION ACTIVITY:

Main West. Section

#7 Bell tailpiece to Head roller

PAGE NO 1 INSP INITIAL BS SUPERVISOR D&I RP 7/31/2007

MSHA Form 7000-1011, June 93 (revised) *U.S.GPO:1993-0-709-551

DATE 07-17-2007

- escapeway Map ~~[illegible]~~ x138
- Con spec. [Ex. [illegible]]

Con spect office Monitor Rm

7:15 hrs No map of AMS at this location
~~[illegible]~~
Schematic on Monitor screen. OK

Total employee 67 surface con spec. Miners

7:45 hrs head Rollerarea of #1 Belt
Belt in contact with coal fine

INSP. INITIAL BS SUPV. D&I RO 7/31 PAGE NO. 2

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

*U.S.GPO:1993-0-709-550

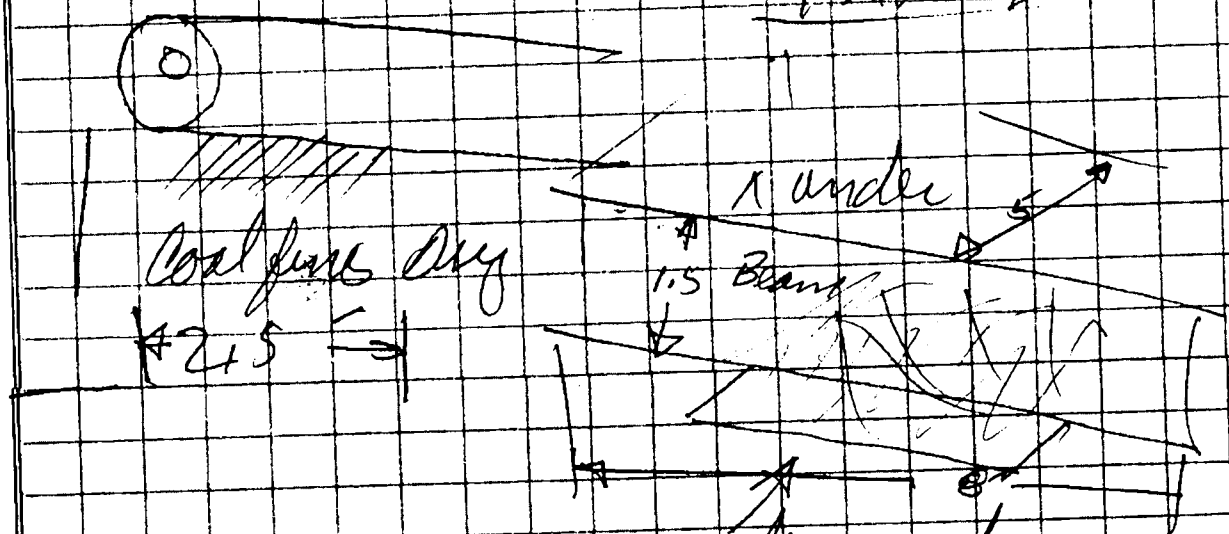
DATE 07-17-07

745 hrs (cont)

accumulation of combustible material in contact with moving Belt

head roller #1

Citation Terminated 13:15 hrs



x under guarding area fulled with loose coals appears Bottom Belt Rubbing on

Belt speed

also walk way around head Roller however walk way is Blocked acc of loose coal 1½ deep 2 ft walkway 6 ft affect walkway ≈ 8 ft

INSP. INITIAL BS SUPV. D&I RP 7/31/07 PAGE NO. 3

*U.S.GPO:1993-0-709-550

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

DATE 07-17-2007

DATE: 07-17-07 CITATION NO. 7287791

1) Time - the violation was observed? 0745 Hrs.

2) Who new the violation existed? [X] unknown

3) How long did the violation existed? [X] unknown
more than 1- Shift

4) How many people are exposed? 1

5) What is the violation? 77.1104 accumulation of compustible in contact with moving Belt material

6) Where was the violation located or observed?
on the surface near portal. on #1 Belt.

7) If accident should occur, how serious would it be?
[ ] No lost workdays
[X] Lost workdays or Restricted Duty
[ ] Permanently Disabling [ ] Fatal

8) What is the likelihood that an accident will occur?
[ ] No Likelihood [ ] Unlikely
[X] Reasonably Likely [ ] Highly Likely
[ ] Occurred

Why? the moving Belt was in contact with the coal & cable from Belt speed ≈ 500 to 600 ft per minute ignition source

TYPE OF PROBLEM CITATION #7287791

EXAMINATION
[ ] No examination
[ ] Deficient examination
[ ] Improper examination

INSTALLATION
[ ] Lack of required installation
[ ] Improper installation

CORRECTION
[X] Not being recognized
[ ] Not reported
[ ] Not corrected if reported

ROOT CAUSE TO PROBLEM

KNOWELDGE/TRAINING
[ ] Did the miner know how to do the task?
[ ] Could the miner apply the knowledge?

TOOLS/EQUIPMENT
[ ] Were appropriate tools available?
[ ] Were the appropriate tools/EQ. used?

INCENTIVE
[X] Was correct performance punished?
[ ] Was incorrect performance rewarded?
[ ] Were consequences suitable?

CAPACITY
[ ] Physical ability?
[ ] Concentration?
[ ] Habits?

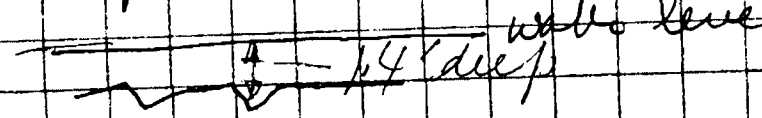
INSP. INITIAL BG SUPV. D&I 7/31/07 [illegible] PAGE NO. 4

*U.S.GPO:1993-0-709-550

DATE_____

9:15 hrs
Main Well #1 Entry
Between X Cut 140 - 141 water hole
Floor irregularity Rule
water to pull Boots

slip trip & stumbling hazards in water
water Black.
mud.
Floor profile est 1245 hrs terminated



Primary escape way

Pump is at this Location, however not Hooked up Hydraulic Pump

water hole 75 ft in length

escape way map in section to X 138
There is a direction change need to be reflected on map
Surface map needs same change
Loading Point X 142
★ #20 ISUZU. Truck got stuck in water hole

INSP. INITIAL BS SUPV. D&I 7/31/07 PP PAGE NO. 5

*U.S.GPO:1993-0-709-550

DATE 07-17-2007

0910 hrs (cont)

the water was pump down however an isuzu truck 60# 20 attempted to pass thru mud hole/water hole.
the isuzu truck got stuck - bottomed out

the isuzu truck had to be pulled from the water hole/mud hole

citation terminated 1245 hrs

mud hole was mucked out also

* also the escape way map in the Main West Section was not up to date

* also the escape way map on the Surface ~~[illegible]~~ was not up to date

citation issued - 0930 hrs

Loading Point at xcut 145. Surface Map & Sections Map failed to reflect this also. There was a directional change in the secondary escape way

INSP. INITIAL 138 SUPV. D&I 7/31/07 [illegible] PAGE NO. 6

*U.S.GPO:1993-0-709-550

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

DATE 07-17-2007

DATE: 0 CITATION NO. # 7287742

1) Time - the violation was observed? 0910 Hrs.

2) Who new the violation existed? [X] unknown
Fire Boss should have known

3) How long did the violation existed? [X] unknown
more than a shift

4) How many people are exposed? 6

5) What is the violation? 75.380(d)(1) escape-way was not being maintained primary escape way

6) Where was the violation located or observed?
main West Feller Section Between Xcut 140-141 #1 Entry

7) If accident should occur, how serious would it be?
[ ] No lost workdays
[X] Lost workdays or Restricted Duty
[ ] Permanently Disabling [ ] Fatal

8) What is the likelihood that an accident will occur?
[ ] No Likelihood [ ] Unlikely
[X] Reasonably Likely [ ] Highly Likely
[ ] Occurred

Why? the mud hole/water pole was deep enough to preclude travel. Isuzu Truck # 20 got stuck when attempting to travel thru.

TYPE OF PROBLEM CITATION # 7287742

EXAMINATION
[ ] No examination
[ ] Deficient examination
[ ] Improper examination

INSTALLATION
[ ] Lack of required installation
[ ] Improper installation

CORRECTION
[X] Not being recognized
[ ] Not reported
[ ] Not corrected if reported

ROOT CAUSE TO PROBLEM

KNOWELDGE/TRAINING
[ ] Did the miner know how to do the task?
[ ] Could the miner apply the knowledge?

TOOLS/EQUIPMENT
[ ] Were appropriate tools available?
[ ] Were the appropriate tools/EQ. used?

INCENTIVE
[ ] Was correct performance punished?
[ ] Was incorrect performance rewarded?
[ ] Were consequences suitable?

CAPACITY
[ ] Physical ability?
[ ] Concentration?
[X] Habits?

INSP. INITIAL BG SUPV. D&I 7/31/07 AP PAGE NO. 2

*U.S.GPO:1993-0-709-550

7000-1011 June 93 (revised)

DATE 07

DATE: 07-17-2007 CITATION NO. 7287793

1) Time - the violation was observed? 0930 Hrs.

2) Who new the violation existed? [X] unknown

3) How long did the violation existed? [X] unknown

4) How many people are exposed? 6

5) What is the violation? escape way maps. Surface & Section not up to date.

6) Where was the violation located or observed? Surface Posting of escape way and Section (Main West) escape way map

7) If accident should occur, how serious would it be?
[ ] No lost workdays
[X] Lost workdays or Restricted Duty
[ ] Permanently Disabling [ ] Fatal

8) What is the likelihood that an accident will occur?
[ ] No Likelihood [X] Unlikely
[ ] Reasonably Likely [ ] Highly Likely
[ ] Occurred

Why? For the most Part. the escape ways were OK

TYPE OF PROBLEM CITATION # 7287793

EXAMINATION
[ ] No examination
[ ] Deficient examination
[ ] Improper examination

INSTALLATION
[ ] Lack of required installation
[ ] Improper installation

CORRECTION
[X] Not being recognized
[ ] Not reported
[ ] Not corrected if reported

ROOT CAUSE TO PROBLEM

KNOWELDGE/TRAINING
[ ] Did the miner know how to do the task?
[ ] Could the miner apply the knowledge?

TOOLS/EQUIPMENT
[ ] Were appropriate tools available?
[ ] Were the appropriate tools/EQ. used?

INCENTIVE
[ ] Was correct performance punished?
[ ] Was incorrect performance rewarded?
[ ] Were consequences suitable?

CAPACITY
[ ] Physical ability?
[ ] Concentration?
[X] Habits?

INSP. INITIAL BS SUPV. D&I 7/31/07 [illegible] PAGE NO. 8

*U.S.GPO:1993-0-709-550

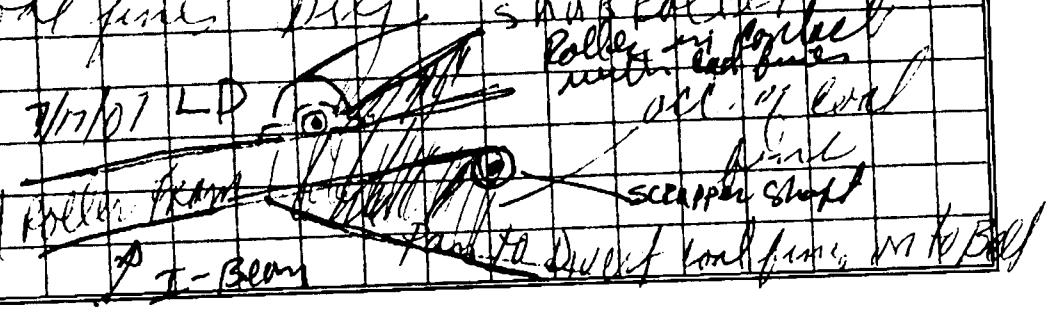
DATE 07-17-07

1005- his cont
Through Roller creates a fire hazard
3 Roller out By
~~Next~~ Bottom Roller in contact with coal fines
Between x 137 & 138

Out by x cut 134 Bottom Roller down
on walk way side appears to be spinning
on coal floor

Between x 132 & 133
Bottom Roller Down on walk way side
old Belt Rapped around Roller
Piece of Belt splice rapped around
Looks like the Roller has been snagged
and ripped out of position

Between x 130 & 131 Rib Sloughage has encroached
on the Bottom Belt & Bottom Roller
Take up & Drive 432A 07-17-07 LD
Head Roller of A 1 Belt
Snub Roller on Frame spinning
in coal fines Dry



DTI 434 7/17/07 LD

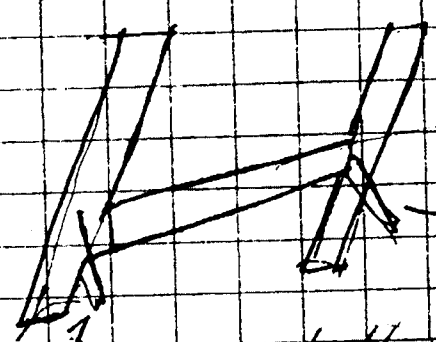
INSP. INITIAL BS SUPV. D&I 07/31/07 PAGE NO. 9

*U.S.GPO:1993-0-709-550

DATE 07-17-07

1005 hrs Belt Entry Between x cuts 138 and 139 Main west # 7 Belt

Bottom Belt in contact with coal fines
~~Bot~~ Bottom Belt Resting on Belt Structure
Bottom Roller missing
Belt Speed ≈ 500-600 ft/min Belt Stand.



next Bottom Roller out lay in contact with coal fines ½ width of Belt x 12" deep

at x 138 Bottom Roller in contact with coal fines Dry

48 ft out 138 Bottom Roller in contact with coal fines

Between 138 & 137 Belt Structure not erect Bottom Roller in contact with coal & coal fines also top Roller with way side Trough Roller failed Carcass strong Rapped around Shaft

INSP. INITIAL BS SUPV. D&I 7/31/07 PAGE NO. 10

MSHA Form 7000-10JJ, June 93 (revised)
*U.S.GPO:1993-0-709-550

DATE 07-17-2007

DATE: 07-17-07 CITATION NO. 7287794

1) Time - the violation was observed? 1005 Hrs.

2) Who new the violation existed? [X] unknown

3) How long did the violation existed? [X] unknown

4) How many people are exposed? 6

5) What is the violation? 75.400 accumulations of combustible material in contact with Bottom Belt & Bottom Roller.

6) Where was the violation located or observed? Main West # 7 Belt

7) If accident should occur, how serious would it be?
[ ] No lost workdays
[X] Lost workdays or Restricted Duty
[ ] Permanently Disabling [ ] Fatal

8) What is the likelihood that an accident will occur?
[ ] No Likelihood [ ] Unlikely
[X] Reasonably Likely [ ] Highly Likely
[ ] Occurred

Why? moving Bottom Belt. and spinning Roller. in contact with accumulation This Float Dust Present.

TYPE OF PROBLEM

CITATION # 7287794

EXAMINATION
[ ] No examination
[ ] Deficient examination
[ ] Improper examination

INSTALLATION
[ ] Lack of required installation
[ ] Improper installation

CORRECTION
[X] Not being recognized
[ ] Not reported
[ ] Not corrected if reported

ROOT CAUSE TO PROBLEM

KNOWELDGE/TRAINING
[ ] Did the miner know how to do the task?
[ ] Could the miner apply the knowledge?

TOOLS/EQUIPMENT
[ ] Were appropriate tools available?
[ ] Were the appropriate tools/EQ. used?

INCENTIVE
[X] Was correct performance punished?
[ ] Was incorrect performance rewarded?
[ ] Were consequences suitable?

CAPACITY
[ ] Physical ability?
[ ] Concentration?
[X] Habits?

1005 hrs. also Float Coal Dust was present in the Belt Entry From x cut 110 to x cut 145. Float Dust - Black Dry and the thickness of 2 to 3 sheets of paper. No methane was detected on the Sabre multi gas detector. The Belt was Removed from service.

INSP. INITIAL BB SUPV. D&I 7/31/07 RP PAGE NO. 1

DATE 07-17-2007

#7 Belt Drive & take-up.
fire sup. system functional test OK.
Remote switches checked OK
Records checked. at Drive location
Belt controler. checked
500-ft of Fire hose OK. tools & fittings
OK
Power Pack For Belt take up. checked

Prior to inspection 107 (A) and hazardous
conditions were checked at Each face.

LOX 147. cutting on Pillar

Section Escape Way Map. - up to date at
1200 hrs.
Surface Posting of Escape Way Map
up dated. 13:45 hrs
Citation Terminated 13:15 hrs -

* Talked with all men in Main West
section Escape way. - Roof & Rib
float Dust. Plus Foreman - 7 total

Walk & Talk. (WT) = 7

INSP. INITIAL PG SUPV. D&I 7/31/07 RP PAGE NO. 12

*U.S.GPO:1993-0-709-550

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

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

Date: 07-17-2007

Except as previously noted, in all areas traveled during today's inspection, no imminent dangers noted. D&I's sufficient and up to date. No low O_2, CH_4, NO_2 or CO detected beyond normal range. Roof and Rib supports appear adequate. Ventilation controls in place, Air flowing in the proper direction and Velocities are adequate. Clean up and Rock Dust adequate with no combustible materials present. Fire suppression equipment in place as required.

INSPECTOR INITIAL [illegible] SUPERVISOR D&I 7/31/07 [illegible]

*U.S.GPO:1993-0-709-552

DAILY COVER SHEET

DATE 07-18-2007 EVENT NO. 4474193

ARRIVED AT THE MINE _____ DEPARTED FROM THE MINE _____

LIST RECORD BOOKS CHECKED West Mains, Belts, gen Mins, Weekly Fan pre-shift & on shift. Reviewed

ACCOMPANIED BY: COMPANY REP. Bodce. Alfred

MINERS REP. decline

AREAS OF INSPECTION ACTIVITY:

#7 Belt (to terminate citation)
informed operator of MSHA's intent to inspect.
6 Belt

PAGE NO 1 INSP INITIAL BS SUPERVISOR D&I RP 7/31/07

MSHA Form 7000-10II, June 93 (revised) *U.S.GPO:1993-0-709-551

DATE 07-18-2007

Pre-inspection conference

[redacted] (b) (7)(C)

discussions:

citation which were issued

give operator notice on conditions cited along

Belt line

mine maps

electrical

Escape way

Vent

Roof control

condition of ribs.

unsupported to P.

Haulage way: (diesel EQ)

Road ways.

water holes/mud holes

Sections

house keeping acc. of combe

garbage

Ventilation

stoppings

Belt line

RK dust

acc. of combe-

INSP. INITIAL BS SUPV. D&I [illegible] 7/31/07 PAGE NO. 2

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

*U.S.GPO:1993-0-709-550

DATE 07-18-2007

Travelled to Main West Main haulage way #1 entry
arrived at section out By Feeder.

* inspected Man trip #36 diesel Truck engine
Truck. Co #36

Brake, lights emergency fire sup. system
steering etc OK.

at Feeder Breaker x cut 146
No current DTI for Re-shift documentation
last date most current 4-17-07 826 AM LD

* Battery charging station fire sup checked
electrics checked

#6 Belt 1120 hrs → DTI 7-18-07 427 AM LD
fire sup. checked Belt entry OK. Belt line
needs minor adjustments. #6 Belt
about 500-ft in length. Tackle gearbox
looks like 150 Hp Drive motor. Head pulley
and Drive 1-unit small

INSP. INITIAL BB SUPV. D&I 7/3/07 KP PAGE NO. 3

DATE 07-18-07

1 cut 146 #2 entry Feeder Breaker Co# 69
Stamler permissibility & fire sup systems CK.

1130 hrs completed inspection of faces for 107(A)
and hazardous conditions

1140 hrs Began walking/inspections Belt entry
under citation.

1210 arrived at Head Roller of #1 Bell
all accumulations which were in contact
with Bell & Rollers has Been Removed
affect area has been RK dusted
Citation Terminated 1210 hrs.

INSP. INITIAL BB SUPV. D&I 7/31/2007 RP PAGE NO. 4

DATE 07-18-2007

11:00 hrs Mary Well loading Pt. x146
No current DTI most current 7-17-07
citation issued
X cut 131 DTI 7-18-07 431# BB for Boss
x cut 126 DTI most current 7-17-07 840# LD
x cut 111 DTI 7-18-07 DB 452#
(Drive area) DB

12:10 hrs terminated citation

the Belt Entry is a 4500 ft in length.
DTIs at Tailpiece were not current x146

there is a question as to where the
pre-shift examiner started loading Pt. x146
10 x cuts outby 1st current DTI at x cut 136
x cut 126 No current DTI
x cut 111 Drive area

X as the #7 Belt was inspected (b) (7)(C)
Certified Person completed the examination
of the Belt Entry

INSP. INITIAL BB SUPV. D&I 7/31/07 RP PAGE NO. 5

DATE 07-18-2007

DATE: 07-18-07 CITATION NO. 7287795

1) Time - the violation was observed? 1100 Hrs.

2) Who new the violation existed? [X] unknown
Fire Boss should have known

3) How long did the violation existed? [X] unknown
1- Shift

4) How many people are exposed? 6

5) What is the violation? 75.360 failed to provide sufficient number of DTI to document inspection

6) Where was the violation located or observed?
Main West #7 Belt entry from Tail piece to Head Roller

7) If accident should occur, how serious would it be?
[ ] No lost workdays
[X] Lost workdays or Restricted Duty
[ ] Permanently Disabling [ ] Fatal

8) What is the likelihood that an accident will occur?
[ ] No Likelihood [X] Unlikely
[ ] Reasonably Likely [ ] Highly Likely
[ ] Occurred

Why? The #7 Belt entry was absent of hazardous condition at time of inspection

TYPE OF PROBLEM CITATION # 7287795

EXAMINATION
[ ] No examination
[X] Deficient examination
[ ] Improper examination

INSTALLATION
[ ] Lack of required installation
[ ] Improper installation

CORRECTION
[ ] Not being recognized
[ ] Not reported
[ ] Not corrected if reported

ROOT CAUSE TO PROBLEM

KNOWELDGE/TRAINING
[ ] Did the miner know how to do the task?
[ ] Could the miner apply the knowledge?

TOOLS/EQUIPMENT
[ ] Were appropriate tools available?
[ ] Were the appropriate tools/EQ. used?

INCENTIVE
[X] Was correct performance punished?
[ ] Was incorrect performance rewarded?
[ ] Were consequences suitable?

CAPACITY
[ ] Physical ability?
[ ] Concentration?
[ ] Habits?

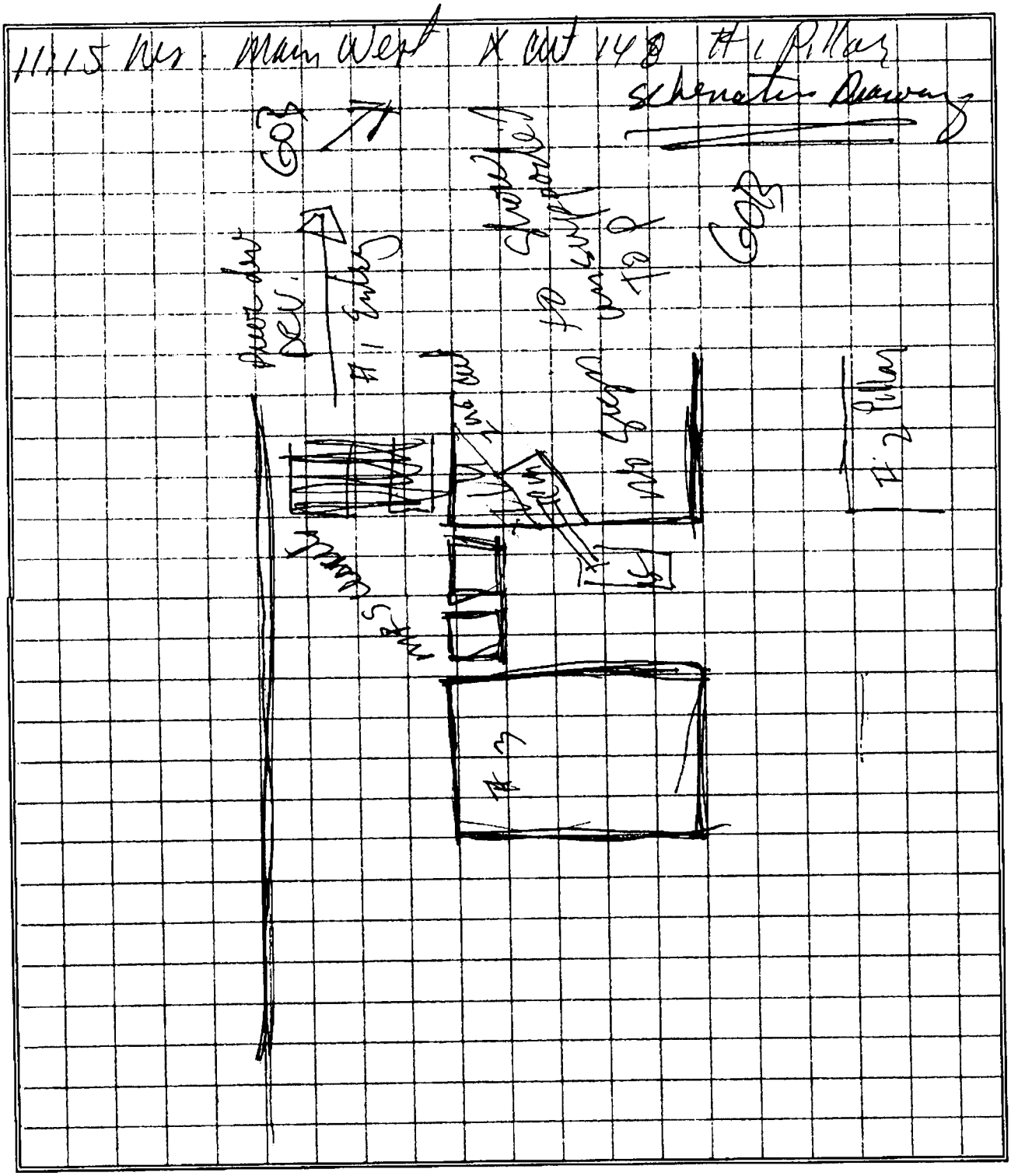
INSP. INITIAL BJ SUPV. D&I [signature] 7/31/2007 PAGE NO. 1

*U.S.GPO:1993-0-709-550

DATE 7-18-2007

11:15 hrs Main West X cut 148 #1 Pillar

Schematic Drawing



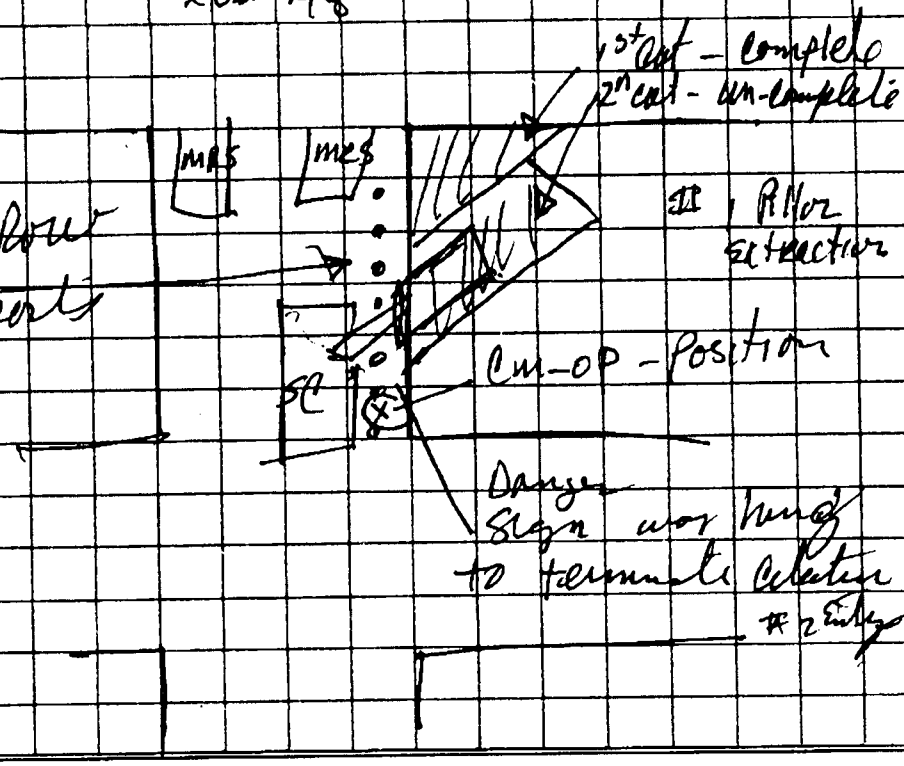
INSP. INITIAL BS SUPV. D&I RP 7/31/07 PAGE NO. 7

DATE 07-18-2007

11:15 hrs

Maintenance Pillar Section at time of issuance the CM-OP. was making the 2nd cut into the #1 Pillar entry xcut 148 the cut appeared to be 3/4 completed looked like the CM was in about 20'. The S/C was in place behind the CM at a slight angle the CM-OP operator was near the outby corner of 2nd cut under the last row of permanent roof support.

They were no warning devices on Last Row of Bolts.



INSP. INITIAL PG SUPV. D&I 7/31/07 PG PAGE NO. 8

DATE 07-18-2007

11:15 (Cont)

The operator was informed of the violative condition. (absent of a warning device) Sign - Marker. etc. The operator went to the #2 Entry heading and got a Danger Sign and hung it immediately where the second cut was being conducted. The operator then made a danger sign with a piece of cardboard to hang in the #2 Entry heading.

INSP. INITIAL BS SUPV. D&I 7/31/07 BS PAGE NO. 9

DATE 07-18-2007

DATE: 07-18-07 CITATION NO. 7287796

1) Time - the violation was observed? 1115 Hrs.

2) Who new the violation existed? [X] unknown

3) How long did the violation existed? [X] unknown
possible for shift

4) How many people are exposed? 1

5) What is the violation? Failure to hang a warning device to prevent travel beyond last row of roof supports

6) Where was the violation located or observed?
Main West Pillar Section
X cut 148 #1 Pillar.

7) If accident should occur, how serious would it be?
[ ] No lost workdays
[ ] Lost workdays or Restricted Duty
[ ] Permanently Disabling [X] Fatal

8) What is the likelihood that an accident will occur?
[ ] No Likelihood [ ] Unlikely
[X] Reasonably Likely [ ] Highly Likely
[ ] Occurred

Why? the Cm-operator's Position Close Proximity to Last Row of Bolts.

Company policy is to hang a warning device on the 2nd to last Row of Permanent Roof Support and the operator failed to Do That Too.

TYPE OF PROBLEM

CITATION # 7287796

EXAMINATION
[ ] No examination
[ ] Deficient examination
[ ] Improper examination

INSTALLATION
[ ] Lack of required installation
[ ] Improper installation

CORRECTION
[X] Not being recognized
[ ] Not reported
[ ] Not corrected if reported

ROOT CAUSE TO PROBLEM

KNOWELDGE/TRAINING
[ ] Did the miner know how to do the task?
[ ] Could the miner apply the knowledge?

TOOLS/EQUIPMENT
[ ] Were appropriate tools available?
[ ] Were the appropriate tools/EQ. used?

INCENTIVE
[ ] Was correct performance punished?
[ ] Was incorrect performance rewarded?
[ ] Were consequences suitable?

CAPACITY
[ ] Physical ability?
[ ] Concentration?
[X] Habits?

INSP. INITIAL BS SUPV. D&I 7/31/2007 KP PAGE NO. 10

*U.S.GPO:1993-0-709-550

MSHA Form 7000-101L June 93 (revised)

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

Date: 07-18-2007

Except as previously noted, in all areas traveled during today's inspection, no imminent dangers noted. D&Is sufficient and up to date. No low O_2, CH_4, NO_2 or CO detected beyond normal range. Roof and Rib supports appear adequate. Ventilation controls in place, Air flowing in the proper direction and velocities are adequate. Clean up and Rock Dust adequate with no combustible materials present. Fire suppression equipment in place as required.

INSPECTOR INITIAL BS SUPERVISOR D&I 7/31/2007 RL 12

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

*U.S.GPO:1993-0-709-552

DAILY COVER SHEET

DATE 07-19-2007 EVENT NO. 4474193

ARRIVED AT THE MINE _____ DEPARTED FROM THE MINE _____

LIST RECORD BOOKS CHECKED Surface electrical Records

ACCOMPANIED BY: COMPANY REP. Bobbee Allred

MINERS REP. None

AREAS OF INSPECTION ACTIVITY:

Surface.
draw-off tunnel
all surface Belts
Crusher Bld.
old Crusher Bld.
Shop, warehouse, garage.
Fuel Station @ stockpile

PAGE NO 1 INSP INITIAL _____ SUPERVISOR D&I RS 7/31/2007

MSHA Form 7000-1011, June 93 (revised) *U.S.GPO:1993-0-709-551

DATE 07-19-07

810 hrs.
Surface - at draw off tunnel. - the escape-way tunnel is not being ventilated the fan on the surface - switch is in the on position. However, fan is not working when usually attempts were made to start the fan. However as of 1150 hrs. all attempts failed.

At about 1400 hrs. it was reported that the fan motor was burned up.

Initially, the operator stated that the conveyor belt in the draw off tunnel would not come on unless the fan was running.

Then the operator stated that the fan would come on when methane was present. So. we applied a known gas to the two CH4 monitors sensor in draw off tunnel the fan still would not work.

INSP. INITIAL 134 SUPV. D&I 7/31/2007 RP PAGE NO. 2

DATE 07-19-2007

DATE 07-19-07 CITATION NO. 7287797

1) Time - the violation was observed? 0810 Hrs.

2) Who new the violation existed? [X] unknown

3) How long did the violation existed? [X] unknown

4) How many people are exposed? 1

5) What is the violation? 77.503 - Fan motor for Draw off Tunnel ventilation failed to function

6) Where was the violation located or observed? Draw off Tunnel.

7) If accident should occur, how serious would it be?
[ ] No lost workdays
[ ] Lost workdays or Restricted Duty
[ ] Permanently Disabling [X] Fatal

8) What is the likelihood that an accident will occur?
[ ] No Likelihood [ ] Unlikely
[ ] Reasonably Likely [ ] Highly Likely
[ ] Occurred

Why? No methane Present -

TYPE OF PROBLEM

CITATION # 7287797

EXAMINATION
[ ] No examination
[ ] Deficient examination
[ ] Improper examination

INSTALLATION
[ ] Lack of required installation
[ ] Improper installation

CORRECTION
[X] Not being recognized
[ ] Not reported
[ ] Not corrected if reported

ROOT CAUSE TO PROBLEM

KNOWELDGE/TRAINING
[ ] Did the miner know how to do the task?
[ ] Could the miner apply the knowledge?

TOOLS/EQUIPMENT
[ ] Were appropriate tools available?
[ ] Were the appropriate tools/EQ. used?

INCENTIVE
[ ] Was correct performance punished?
[ ] Was incorrect performance rewarded?
[ ] Were consequences suitable?

CAPACITY
[ ] Physical ability?
[ ] Concentration?
[X] Habits?

There was not a specific entry in the electrical records for the Fan/ventilation system of the Draw of tunnel so it is uncertain how long the condition existed. However a-104-(d)(2) citation was issued on the 30-day examination records. It appears that the Chy Saw was working at the time of removal - However if there was an accident (fire) the ventilation for the Draw-off tunnel would not have functioned -

INSP. INITIAL BS SUPV. D&I 7/31/2007 PS PAGE NO. 3

DATE 07-19-2007

Inspected the following areas
draw-off tunnel, crusher bld.
Reclaim Belt, Belt to road out Silos
utility Shed at Crusher Bld. location
Control Rm. for Crusher Bld.

Water - system tower. near crusher Bld -

road out, lower Belt Stacker Belt
old Crusher Bld. Surface Shop

Surface Shop
- Hyd. MECH Band saw
- grinder United States Electrical Tool Co.
  440 volts 2-HP. 1800 RPM. S/N 594179
- Miller Welder CP-300
- Hydraulic Press. Rodgers Hydraulic Inc.
- Drill Press, out of service
  waste oil stator and Heater
  Benzinor Heater units
- Compressor Speedaire
- all electrical Box
- Distribution Box Co # 001
- over Head Crane WRIGHT 5 ton crane.
- Battery Charger Co # 4 mapped in in Service
  Johnson Rand. Mod SR12 Co # 4
  warehouses
  Main Mini Substations

INSP. INITIAL BB SUPV. D&I 7/31/2007 PP PAGE NO. 4

DATE 07-19-2007

Draw off tunnel - general comment area is clean free of float dust

820 hrs

checking Calibration of Ch4 - Sensors

(2) Ultima gas Monitor

Monitor Reads in % of LEL

gas - 2.5% Ch4

Co# 1 - out By Co# 2 inby.

Co# 1 Power ~~[illegible]~~ de-energized at 33% at 20% alarm 1

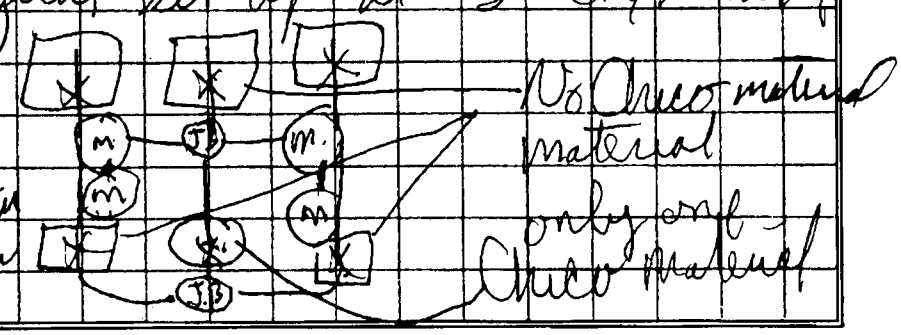
Co# 2

Methane .33% x 5.00 = 1.65% methane

Reading and it power was Shut off

checking electrical set up at ~~[illegible]~~ Ch4 Monitor

*need to check which Chico filling should be sealed



X Chico filling Ch4 monitor junction BOX

M JB

INSP. INITIAL BB SUPV. D&I 7/31/2007 PAGE NO. 5

DATE 07-19-2007

950 hrs. 480-120 V
Bottom of Crusher B/C. Transformer
at Coal sampler. the Sampler Control
Box. de-energize Before opening

Electrical control Box 1' x 3' x 5' measured
½ of Coal fines on Bottom (inside)
all electrical components covered with
float dust 480V to 120V Transformer
sign of water leaking into control
Box water stains inside on front
and sides Ramsey Electrical

Citation issued

Citation terminated 1140 hrs
Box cleared

2-men from 950 to 1140
to Clean ~ 2 hrs

the Door to Electrical Control Box was
loose & allowed material to enter

INSP. INITIAL BG SUPV. D&I 7/31/07 KP PAGE NO. 6

DATE 07-19-2007

DATE: CITATION NO. 7287798

1) Time - the violation was observed 0950 Hrs.

2) Who new the violation existed? [X] unknown

3) How long did the violation existed? [X] unknown
extended period of time

4) How many people are exposed? 1

5) What is the violation? 77.1104 acc. of combustible material. Float dust and Coal fines

6) Where was the violation located or observed?
Surface - Bottom Floor of Crusher Bldg Control Box for Coal Sampler

7) If accident should occur, how serious would it be?
[ ] No lost workdays
[X] Lost workdays or Restricted Duty
[ ] Permanently Disabling [ ] Fatal

8) What is the likelihood that an accident will occur?
[ ] No Likelihood [ ] Unlikely
[X] Reasonably Likely [ ] Highly Likely
[ ] Occurred

Why? the Float Dust and Coal fine were in contact with all electrical Component 480/120 Volt Transformer heat Source.

TYPE OF PROBLEM

CITATION # 7287798

EXAMINATION
[ ] No examination
[ ] Deficient examination
[ ] Improper examination

INSTALLATION
[ ] Lack of required installation
[ ] Improper installation

CORRECTION
[X] Not being recognized
[ ] Not reported
[ ] Not corrected if reported

ROOT CAUSE TO PROBLEM

KNOWELDGE/TRAINING
[ ] Did the miner know how to do the task?
[ ] Could the miner apply the knowledge?

TOOLS/EQUIPMENT
[ ] Were appropriate tools available?
[ ] Were the appropriate tools/EQ. used?

INCENTIVE
[ ] Was correct performance punished?
[ ] Was incorrect performance rewarded?
[ ] Were consequences suitable?

CAPACITY
[ ] Physical ability?
[ ] Concentration?
[X] Habits?

INSP. INITIAL BJ SUPV. D&I 7/31/07 PL PAGE NO. 7

DATE 07-19-2007

1010 hrs. Surface at the Crusher B/C
BOB Cat Diesel Powered Co #1

acc. of oil & grease engine area. Battery covered with coal dust, fines oil.

the engine area, extremely dirty oil grease coal fines and coal dust + layer of oil

Citation Terminated 1145 hrs.
(1 hr and 35 minutes to clean)

INSP. INITIAL BG SUPV. D&I 7/31/2007 PAGE NO. 8

DATE 07-19-2007

DATE: 07-19-07 CITATION NO. 7287799

1) Time - the violation was observed? 1010 Hrs.

2) Who new the violation existed? [X] unknown

3) How long did the violation existed? [X] unknown

4) How many people are exposed? 1

5) What is the violation? 77.1104 acc. of combustible material on/in engine area of BOB Cat

6) Where was the violation located or observed? surface near crusher [illegible] on [illegible] power BOB Cat Co #1

7) If accident should occur, how serious would it be?
[ ] No lost workdays
[X] Lost workdays or Restricted Duty
[ ] Permanently Disabling [ ] Fatal

8) What is the likelihood that an accident will occur?
[ ] No Likelihood [ ] Unlikely
[X] Reasonably Likely [ ] Highly Likely
[ ] Occurred

Why? the accumulation of combustible material on engine exhaust system

TYPE OF PROBLEM

CITATION # 7287799

EXAMINATION
[ ] No examination
[ ] Deficient examination
[ ] Improper examination

INSTALLATION
[ ] Lack of required installation
[ ] Improper installation

CORRECTION
[X] Not being recognized
[ ] Not reported
[ ] Not corrected if reported

ROOT CAUSE TO PROBLEM

KNOWELDGE/TRAINING
[ ] Did the miner know how to do the task?
[ ] Could the miner apply the knowledge?

TOOLS/EQUIPMENT
[ ] Were appropriate tools available?
[ ] Were the appropriate tools/EQ. used?

INCENTIVE
[ ] Was correct performance punished?
[ ] Was incorrect performance rewarded?
[ ] Were consequences suitable?

CAPACITY
[ ] Physical ability?
[ ] Concentration?
[X] Habits?

with the amount of oil & grease in the engine compartment it appeared that the condition existed for an extended period of time.

INSP. INITIAL [illegible] SUPV. D&I 7/31/07 [illegible] PAGE NO. 9

DATE 07-19-2007

1050 hrs.
Surface Shop Miller Welder.
CP300 - model.
10 - Cuts in grounding lead.
welder is in service But not in use The cuts range from 1/8 to ≥ 1/2"
estimated exposed Bare Cu. Conductor

11:10 hrs grounding lead repaired

INSP. INITIAL BG SUPV. D&I 7/31/07 RC PAGE NO. 10

DATE 07-19-2007

DATE: 08-11-07 CITATION NO. 7287800

1) Time - the violation was observed? 10-50 Hrs.

2) Who new the violation existed? [X] unknown

3) How long did the violation existed? [X] unknown

4) How many people are exposed? 1

5) What is the violation? 77.502 - welding lead damaged

6) Where was the violation located or observed? Surface Shop. on Miller welder grounding lead

7) If accident should occur, how serious would it be?
[ ] No lost workdays
[X] Lost workdays or Restricted Duty
[ ] Permanently Disabling [ ] Fatal

8) What is the likelihood that an accident will occur?
[ ] No Likelihood [X] Unlikely
[ ] Reasonably Likely [ ] Highly Likely
[ ] Occurred

Why? welder not in use at time of inspection

TYPE OF PROBLEM CITATION # 7287800

EXAMINATION
[ ] No examination
[ ] Deficient examination
[ ] Improper examination

INSTALLATION
[ ] Lack of required installation
[ ] Improper installation

CORRECTION
[X] Not being recognized
[ ] Not reported
[ ] Not corrected if reported

ROOT CAUSE TO PROBLEM

KNOWELDGE/TRAINING
[ ] Did the miner know how to do the task?
[ ] Could the miner apply the knowledge?

TOOLS/EQUIPMENT
[ ] Were appropriate tools available?
[ ] Were the appropriate tools/EQ. used?

INCENTIVE
[ ] Was correct performance punished?
[ ] Was incorrect performance rewarded?
[ ] Were consequences suitable?

CAPACITY
[ ] Physical ability?
[ ] Concentration?
[X] Habits?

order was issued. on the Records for the Equipment in the Shop. no Records as to whether or not the welder was examined on the last 30-day inspection.

INSP. INITIAL BS SUPV. D&I AP 7/31/07 PAGE NO. 11

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

*U.S.GPO:1993-0-709-550

DATE 07-19-07

DATE: 07-19-07 CITATION NO. 7287801

1) Time - the violation was observed? 1350 Hrs.

2) Who new the violation existed? [X] unknown

3) How long did the violation existed? [X] unknown

4) How many people are exposed? 1

5) What is the violation? 77.704-8(a)(1)
HV electrical glove out of Code

6) Where was the violation located or observed?
Main Mine Substation Surface

7) If accident should occur, how serious would it be?
[ ] No lost workdays
[X] Lost workdays or Restricted Duty
[ ] Permanently Disabling [ ] Fatal

8) What is the likelihood that an accident will occur?
[ ] No Likelihood [X] Unlikely
[ ] Reasonably Likely [ ] Highly Likely
[ ] Occurred

Why? Gloves Not in use at time of issuance & gloves appear to be in good condition even though they were out of Code (expired)

TYPE OF PROBLEM

CITATION # 7287801

EXAMINATION
[ ] No examination
[ ] Deficient examination
[ ] Improper examination

INSTALLATION
[ ] Lack of required installation
[ ] Improper installation

CORRECTION
[X] Not being recognized
[ ] Not reported
[ ] Not corrected if reported

ROOT CAUSE TO PROBLEM

KNOWELDGE/TRAINING
[ ] Did the miner know how to do the task?
[ ] Could the miner apply the knowledge?

TOOLS/EQUIPMENT
[ ] Were appropriate tools available?
[ ] Were the appropriate tools/EQ. used?

INCENTIVE
[ ] Was correct performance punished?
[ ] Was incorrect performance rewarded?
[ ] Were consequences suitable?

CAPACITY
[ ] Physical ability?
[ ] Concentration?
[X] Habits?

1350 hrs
Sub Station HV. electrical glove
out of Code
gloves # 3957 last tested June 9, 06
J3957
No Documentation when the gloves were put into service
Gloves Removed from Service 1405 hrs

INSP. INITIAL BS SUPV. D&I 7/31 RP PAGE NO. 12

DATE 07-19-2007

Surface. - Regarding EQ equipment in Surface shop.

1400 hrs Made a request to review the electrical records for the equipment in the Shop which I previously inspected (30 day electrical Record)

Bodie Allred - made an attempt to find the records for the specific EQ we checked. Bodie could not find an itemized list of the electrical EQ we checked. Then Bodie Allred reported that he thought there were no itemized check list of the EQ examined on a monthly basis

Bodie said that we would need to check with (b) (7)(C) for the entire Grant as to what Records were available.

(b) (7)(C) stated that an itemized list of all the EQ examined on a 30 day inspection was kept

the monthly report for the 30-day exams copy attached. 3 pages 13A 13B 13C

INSP. INITIAL BB SUPV. D&I 7/31/07 PL PAGE NO. 13

PERMISSIBILITY MUST BE SIGNED AND DATED

DATE	EQUIPMENT	CONDITION	ACTION TAKEN	INITIAL'S
6/29	ROCK DUST SILO	OK		DA
	ISUZU SHOP	needs cleaned	Done	
	SURFACE SHOP	need cleaned		
	SHOP OFFICE	needs cleaned	Done	
	DIST. BOX CIRCUIT BREAKERS	OK		

NOTE'S _____

LIST ALL ELECTRICAL HAND TOOL'S

DATE	TOOL	CONDITION	ACTION TAKEN	INITIAL'S

RD

BS - 07-19-07

13A

DATE	EQUIPMENT	CONDITION	ACTION TAKEN	INITIAL'S
	# 27 ISUZU	OOS		
	# 28 ISUZU	Not Here		
7-8	# 29 ISUZU	Brakes Head Lights	Repaired	BF
	# 31 ISUZU	OK		
	# 32 ISUZU	OOS		
7-10	# 36 ISUZU	Brakes St Lam.	Repaired	
	# 46 ISUZU	Not Here		
7/10	# 47 ISUZU	OK		
7-9	# 2 ISUZU	OK		
7-9	# 3 ISUZU	Brake	Repaired	
7-9	# 4 ISUZU	Park Wire Loose	Repaired	
7-11	# 9 ISUZU	Park Brake Handle	Repaired	
7-10	# 11 ISUZU	Brake Slipping	Repaired	
	# 12 ISUZU	OOS		
7-10	# 1 ISUZU	Brake Lights	Repaired	
7-9	# 44 ISUZU	Brake	Repaired	
7-9	# 20 ISUZU	Tail Light	Repaired	
7-11	# 21 ISUZU	Park Brake		
	# 22 ISUZU	OOS		
7-10	# 23 ISUZU	Brakes Rt. Turn	Repaired	

PERMISSIBILITY MUST BE SIGNED AND DATED

LIST ALL ELECTRICAL HAND TOOL'S

DATE	TOOL	CONDITION	ACTION TAKEN	INITIAL'S
	1/2 " DRILL	OK		BF
	4 ½" GRINDER	OK		
	BATTERY	OK		

BF

07-19-07

13-B

DATE	EQUIPMENT	CONDITION	ACTION TAKEN	INITIAL'S
6/25	# 27 ISUZU	Steering Backup alarm needs washed	Tagged out	[illegible]
	# 28 ISUZU	not here		
	# 29 ISUZU	OOS		
6/26	# 31 ISUZU	Head lights	Done	
	# 32 ISUZU	getting rebuild		
	# 36 ISUZU	needs washed tail light	Done tail	
	# 46 ISUZU			
6/25	# 47 ISUZU	park Brake	Done	[illegible]
	# 2 ISUZU	OK		
	# 3 ISUZU	park brake brakes	Done	
	# 4 ISUZU	OK		
	# 9 ISUZU	OK		
6/25	# 11 ISUZU	park Brake, Horn	Done	[illegible]
	# 12 ISUZU	gauding wires	Done	
	# 1 ISUZU	Brakes	Done	
6/25	# 44 ISUZU	park Brake needs washed	Done	[illegible]
6/25	# 20 ISUZU	tail light, Backupalarm	Done	[illegible]
6/27	# 21 ISUZU	OK		
	# 22 ISUZU	getting rebuild		
	# 23 ISUZU	OOS		

PERMISSIBILITY MUST BE SIGNED AND DATED

LIST ALL ELECTRICAL HAND TOOL'S

DATE	TOOL	CONDITION	ACTION TAKEN	INITIAL'S
6/25	1/2 " DRILL	OK		[illegible]
	4 ½" GRINDER	OK		
	BATTERY	OK		

07-19-07 [illegible] 13 C

DATE 07-19-2007

0400 Mis (cont)

show that the only entry log entry the record which referred to the EQ in the Shop was captioned as Surface Shops needs clean (Pg 13a)

the record was for the electrical Exam conducted on 6/29-2007 the only remark made for the Surface Shop was that it "need cleaned."

In further discussion with (b) (7)(C) and Bodec Allred.

Comments were made to the affect that this is the way the records for the EQ has been done as long as they could remember.

also stated that this was accept by MSHA.

and that all of the recent inspector accepted this method of keeping track of the electrical exams being done for the monthly check.

INSP. INITIAL BS SUPV. D&I RP 7/31/07 PAGE NO. 14

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

*U.S.GPO:1993-0-709-550

DATE 07-19-2007

1400 hrs (cont)

- no records were available
- no itemized list of EQ in the shop
- have been in non compliance with
- the Health & Safety Standard for
- an extended period of time
- 3 citations were issued on electrical EQ
- at this time it appears that surface record regarding electrical forms for EQ elsewhere on the surface may also be lacking. The Operator could not give a definitive answer as to whether or not other records were in compliance (need to do further review)

- discussed issue with (b) (7)(C) [redacted] (b) (7)(C) [redacted] for all Murray mines. (b) (7)(C) [redacted] said that this was an issue once before with (b) (7)(C) [redacted] (b) (7)(C) [redacted] and that at that time records were being kept.

- (b) (7)(C) [redacted] said (b) (7)(C) [redacted] did away with the inspection books with the itemized list of EQ some time ago

INSP. INITIAL BL SUPV. D&I 7/31/07 PAGE NO. 15

DATE 07-19-2007

1400 hrs cont.

- the operator failed to provide reasonable care to comply with their own company policy - (who reviews company records)
- Past history - record were kept
- Recent history - no records.

informed the (Bodie Allred) Operator that MSHA's intent is to issue 104(d)(2)-order non S&S. High neg. review for special assessment.

the affect area was the record for the EQuipment in the Surface Shop.

also suggested that if there where any other difficulty "regarding monthly electrical exams" the operator has been given notice by the 104(d)(2) order to be at a heighten awareness - to prevent any further non compliance of this Health and Safety Standard 77.502 Regarding Record Keeping

INSP. INITIAL BY SUPV. D&I 7/31/07 RP PAGE NO. 16

DATE 07-19-2007

DATE: 07-19-07 CITATION NO. 7287802

1) Time - the violation was observed? 1400 Hrs.

2) Who new the violation existed? [X] unknown

3) How long did the violation existed? [X] unknown

4) How many people are exposed? 3 persons per shift 6 - shift

5) What is the violation? 77.502 No electrical records

6) Where was the violation located or observed? Surface Shop Equipment

7) If accident should occur, how serious would it be?
[ ] No lost workdays
[X] Lost workdays or Restricted Duty
[ ] Permanently Disabling [ ] Fatal

8) What is the likelihood that an accident will occur?
[ ] No Likelihood [X] Unlikely
[ ] Reasonably Likely [ ] Highly Likely
[ ] Occurred

Why? although there were 3 - electrical violation issued 1 - in the shop & 2 - in crushing bld area

TYPE OF PROBLEM

CITATION # 7287802

EXAMINATION
[X] No examination 2.
[ ] Deficient examination
[ ] Improper examination

INSTALLATION
[ ] Lack of required installation
[ ] Improper installation

CORRECTION
[ ] Not being recognized
[ ] Not reported
[ ] Not corrected if reported

ROOT CAUSE TO PROBLEM

KNOWELDGE/TRAINING
[ ] Did the miner know how to do the task?
[ ] Could the miner apply the knowledge?

TOOLS/EQUIPMENT
[ ] Were appropriate tools available?
[ ] Were the appropriate tools/EQ. used?

INCENTIVE
[X] Was correct performance punished?
[ ] Was incorrect performance rewarded?
[ ] Were consequences suitable?

CAPACITY
[ ] Physical ability?
[ ] Concentration?
[ ] Habits?

most of the EQ in the shop appeared to be free of any safety defects.

INSP. INITIAL BB SUPV. D&I 7/31/07 BB PAGE NO. 17

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

Date: 07-19-2007

Except as previously noted, in all areas traveled during today's inspection, no imminent dangers noted. Docs sufficient and up to date. No low O_2, CH_4, NO_2 or CO detected beyond normal range. Roof and Rib supports appear adequate. Ventilation controls in place, Air flowing in the proper direction and Velocities are adequate. Clean up and Rock Dust adequate with no combustible materials present. Fire suppression equipment in place as required.

INSPECTOR INITIAL BD SUPERVISOR D&I 7/31/07 / RD

18

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

*U.S.GPO:1993-0-709-552

DAILY COVER SHEET

DATE 07-23-2007 EVENT NO. 4474193

ARRIVED AT THE MINE _____ DEPARTED FROM THE MINE _____

LIST RECORD BOOKS CHECKED Surface Record, 30-day Electrical

ACCOMPANIED BY: COMPANY REP. Bobbie Allred

MINERS REP. declined

AREAS OF INSPECTION ACTIVITY:

Surface
Draw-off tunnel
Diesel fuel Station
Oil & grease Storage Station
Bottom of Load out Building

PAGE NO 1 INSP INITIAL BS SUPERVISOR D&I 7/31/07

MSHA Form 7000-1011, June 93 (revised)

*U.S.GPO:1993-0-709-551

DATE 07-23-2007

930 hrs. Traveled to Draw off tunnel.
applied a known gas, 2.5 % Chg, to the
#2 Sensor (inby sensor) the Belts were
de-energized along with the light.
Ventilation fan came on
Citation on Fan terminated 930A - 7/23/07

Diesel Fuel Station
signs -
diesel cans (4)
fire extinguisher

oil and grease station
fire extinguisher
signs

Bottom of Load out Bld.
fire extinguisher
signs
overall - clean
office -
Bulk RK Dust Station -

Order date 07-19-2007 # 7287802
has been terminated
all equipment in question has be
inspected & Results of the examination
have been documented 07-23-2007 1055A

INSP. INITIAL BS SUPV. D&I R 7/31/07 PAGE NO. 2

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

*U.S.GPO:1993-0-709-550