



Section I--Violation Data

1. Date Mo Da Yr 12/06/2011	2. Time (24 Hr. Clock) 0800	3. Citation/ Order Number 4900287
4. Served To Berman Cornett (Safety Director)		5. Operator PERFORMANCE COAL COMPANY, et al
6. Mine UPPER BIG BRANCH MINE-SOUTH		7. Mine ID 46-08436 (Contractor)
8. Condition or Practice		8a. Written Notice (103g) <input type="checkbox"/>

The J.B. Long personnel carrier (serial #472B-195, located on HG22) is not being maintained permissible, in that;

(1) one of the cables entering the back of the XP enclosure at the rear of the machine is not provided with a packing gland (direct flame path),

(2) the plug for the unused entrance in the back of the XP enclosure has not been spot-welded,

(3) one of the packing glands at the back of the XP enclosure is not secured to prevent loosening,

(4) the plug in the unused entrance of the directional switch has not been spot-welded.

(5) the packing glands for power leads entering/exiting the directional switch are not secured to prevent loosening,

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health <input type="checkbox"/> Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR 75.503
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Section II--Inspector's Evaluation

10. Gravity:			
A. Injury or Illness (has) (is): No Likelihood <input type="checkbox"/> Unlikely <input type="checkbox"/> Reasonably Likely <input type="checkbox"/> Highly Likely <input checked="" type="checkbox"/> Occurred <input type="checkbox"/>			
B. Injury or illness could reasonably be expected to be: No Lost Workdays <input type="checkbox"/> Lost Workdays Or Restricted Duty <input type="checkbox"/> Permanently Disabling <input type="checkbox"/> Fatal <input checked="" type="checkbox"/>			
C. Significant and Substantial: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>			D. Number of Persons Affected: 012
11. Negligence (check one) A. None <input type="checkbox"/> B. Low <input type="checkbox"/> C. Moderate <input type="checkbox"/> D. High <input type="checkbox"/> E. Reckless Disregard <input checked="" type="checkbox"/>			
12. Type of Action 104(d)(2)		13. Type of Issuance (check one) Citation <input type="checkbox"/> Order <input checked="" type="checkbox"/> Safeguard <input type="checkbox"/> Written Notice <input type="checkbox"/>	
14. Initial Action A. Citation <input type="checkbox"/> B. Order <input checked="" type="checkbox"/> C. Safeguard <input type="checkbox"/> D. Written Notice <input type="checkbox"/>		E. Citation/ Order Number 8082692	F. Dated Mo Da Yr 03/17/2009
15. Area or Equipment J.B.Long personnel carrier (serial # 472B-195)			

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

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

19. Type of Inspection (activity code) E16	20. Event Number 4440348	21. Primary or Mill
22. Signature Patrick Alan Stanfield		23. AR Number 23908



Section I--Subsequent Action/Continuation Data

1. Subsequent Action 1a. Continuation <input type="checkbox"/> <input checked="" type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 12/06/2011	3. Citation/Order Number 4900287
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Section II--Justification for Action

Continuation of 8. Condition or Practice

(6) a bolt is missing in the lid of the XP enclosure (direct flame path),
 (7) the plug used to seal the unused entrance in the lighting junction box has not been spot-welded,
 (8) the handle on the outside of the XP enclosure will not de-energize the machine, the circuit breaker has been removed. This presents a serious fire hazard, as the machine cannot be quickly de-energized. The majority of electrical fires are extinguished, if the power is removed.
 (9) The plug for the unused entrance in the rear headlight housing has not been spot-welded,
 (10) the plug for the unused entrance in the rear headlight housing is not provided with a set screw,
 (11) the plug for the unused entrance in the housing for the front headlight has not been spot-welded,
 (12) the gap in the lid of the front headlight housing exceeds the required "0.003" (direct flame path),
 (13) no conduit is provided to protect the battery leads,
 (14) 30 C.F.R. Part 7 batteries are not being used for this machine. Six 12 volt car batteries are being used in series to power this machine (readily available ignition source for a fire). The permissible battery plug with a locking device has been removed.
 (15) the foot switch for the machine is not permissible (direct flame path),
 (16) the wiring for the foot switch is not protected with conduit (off-machine component), and
 (17) the gap in the lid of the directional switch exceeds the required "0.003" (direct flame path),
 (18) the cover (lid switch) interlock for the XP enclosure at the rear of the machine, has been removed, from the machine, and
 (19) the machine's original General Electrical control system has been removed and replaced with a Curtis controller that was not an original component, when the machine was approved.

Order #4900288 is issued citing 30 C.F.R. Part 75.518 for obvious failure to provide overload/short circuit protection for this machine. The circuit breaker and overloads inside the XP enclosure has been removed. Order #4900290 is issued citing 30 C.F.R. Part 75.512 for failure of an agent of the Operator (Qualified Electrician) to make an adequate examination of this

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 E16	10. Event Number 4440348		
11. Signature Patrick Alan Stanfield	AR Number 23908	12. Date Mo Da Yr 12/06/2011	13. Time (24 Hr. Clock) 0800



Section I—Subsequent Action/Continuation Data

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Section II—Justification for Action

personnel carrier in the months prior to 04.05.2010.

These cited conditions are obvious, extensive and existed for a significant amount of time. Multiple examiners conducted the weekly examination of this personnel carrier in the months prior to 04.05.2010.

This mine is currently on a 103(i) spot for methane liberation. This equipment is located in an area affected by an explosion on 04.05.2010. The Operator is issued a high number of similar citations/Orders, upon inspection of the underground electrical equipment, following the explosion. This Approved permissible electrical equipment in such poorly maintained condition indicates that it is a Practice not to maintain Approved equipment in a safe and permissible condition. Order #4900591 is issued citing 30 C.F.R. Part 75.370(a) (1) for repeated failure to maintain the minimum ventilating velocity on HG 22. Order #8226115 is issued citing 30 C.F.R. Part 75.400 for accumulations of combustibles (including HG 22). Order #8226116 is issued citing 30 C.F.R. Part 75.403 for lack of rock dusting (including HG 22).

The Operator has engaged in aggravated conduct constituting more than ordinary negligence. This is an unwarrantable failure to comply with a mandatory standard.

This violation is a flagrant violation.

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

See Continuation Form

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