



Section I--Violation Data

1. Date Mo Da Yr 12/06/2011	2. Time (24 Hr. Clock) 1110	3. Citation/ Order Number 8405599
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"/>

After a review of the electrical map of the explosion area of the mine that was being used at the time of the explosion on 4/5/2010, the following electrical equipment is not listed on the map or was not listed on the map in the proper location.

The following are not listed on the map:

- 1) The 120 volt AC Campbell Hausfield air compressor located at survey station number 19614 at the mouth of the North Glory Mains.
- 2) The 120 volt AC Campbell Hausfield air compressor located adjacent survey station number 19871 at longwall section mother drive.
- 3) The 120 volt AC Campbell Hausfield air compressor located outby survey station number 19890 at the 7 North Drive.

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 75.508
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Section II--Inspector's Evaluation

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

16. Termination Due	A. Date Mo Da Yr 01/05/2012	B. Time (24 Hr. Clock) 0800
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Section III--Termination Action

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

Section IV--Automated System Data

19. Type of Inspection (activity code) E16	20. Event Number 4440348	21. Primary or Mill
22. Signature Randall Lewis		23. AR Number 24262

MSHA Form 7000-3, Apr 08 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.



Section I--Subsequent Action/Continuation Data

1. Subsequent Action 1a. Continuation <input type="checkbox"/> <input checked="" type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 12/06/2011	3. Citation/Order Number 8405599
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)	

Section II--Justification for Action

Continuation of 8. Condition or Practice

- 4) The 480 volt AC de-water pump #137 located in the North Jerrells Mains at survey station number 20417.
- 5) The 480 volt AC, 5 HP de-water pump between survey station number 24202 and 24201 at the Mouth 22 Head Gate.
- 6) The 480 volt AC, 13 HP Flyght de-water pump adjacent survey station number 24560 in the 22 Tailgate area.
- 7) Forklift Charger located in the 22 Cross over at survey station number 23982.
- 8) Scoop Charger located in the 22 Cross over at survey station number 23982.
- 9) 480 volt AC Charger located at survey station number 24433 at the mouth of 22 Head Gate.
- 10) 480 volt AC Charger located at survey station number 22552 in the North Glory Mains.
- 11) 480 Enersys Rail Charger adjacent to survey station 22552 in the North Glory Mains.
- 12) The 4160 volt AC 750 dual motor #6 North Belt Drive at survey station number 19615 in the North Glory Mains.
- 13) The 4160 volt AC 750 dual motor #7 North Belt Drive at survey station number 19890 in the North Glory Mains.
- 14) The 480 volt AC #7 Belt Drive Take-up Unit located in the North Glory Mains at survey station number 19890.
- 15) The 480 volt AC 22 Tail gate section belt take-up unit located at the mouth of 22 Tail gate section, survey station number 23796.
- 16) The 480 volt AC 22 Head gate section belt take-up unit located at the mouth of 22 Head gate section, survey station number 24119.
- 17) The 480 volt AC Pinch Roller unit on the Longwall Mother Drive.
- 18) The 480 volt AC Distribution Box located at survey station number 24356
- 19) The Longwall Mother Drive Belt 500 volt DC located at the mouth of Longwall section.
- 20) The Continental 500 volt DC Starter for the Mother Drive located at the mouth of Longwall section.
- 21) The 22 Cross over belt drive, Dual 150 HP 480 volt AC located at survey station 24093.

The equipment located in the wrong area of mine:

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 Randall Lewis	AR Number 24262	12. Date Mo Da Yr 12/06/2011	13. Time (24 Hr. Clock) 1110



Section I--Subsequent Action/Continuation Data

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Section II--Justification for Action

- 1) The Long Wall Mule Train is shown on the map to be 9 cross cuts inby the long wall face. The Mule Train was located 6 cross cut outby the longwall face.
- 2) The AEEI power center serial number 29989-500-409 is shown on the map to be located at survey station number 22774 adjacent to the Longwall face. The power center is located at the mouth of 22 Tail gate at survey station number 23982.

During the mine rescue this prevented rescue team from knowing location of potential electrical sources and the hazard associated with unknown electrical equipment and electrical sources in the explosion area.

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

See Continuation Form

Section III--Subsequent Action Taken

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