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

GENERAL INFORMATION COVER SHEET

Inspection Code E-01 Event No. 6284361
Company Name Performance Coal Co.
Mine Name Upper Big Branch
Mine I.D. Number 46-08486
Date(s) of Mine File Review 11-12-08
Status Yes Citation/Order No. 7883892 Date 7-25-08

Dates of Inspection:
Pre-Inspection Conference Date 11-13-08
Completed 12-31-08
Company Representative(s) Bill Harkes, Gary May, Homer Williams
Miners Representative(s) Roger Cottley

Post-Inspection Conference Date 12-23-08
Company Representative(s) Homer Williams
Bill Harkes - mine Foreman
Miners Representative(s) N/A

Areas of Inspection Activity:
Elk-Ru6 Coal Company
Round Bottom Powellton

Pre-Inspection Conference:
#1 - Section 1 south of section up to 1000'
Checking rock dust survey,
Station 2222 (#8837)

Inspector's Initials [redacted]
Supervisor's Initials and Date

DAILY COVER SHEET

Date 10-08-08 Event No. 4119928
Arrived at the Mine 7:10 Departed from the Mine
List Records Books Checked 
1st shift - belt foreman, mine foreman,

Accompanied By: Company Representative Matt Shiley mine Foreman
Miners Representative N/A

Areas of Inspection Activity:
Elk-Ru6 Coal Company
Round Bottom Powellton

Pre-Inspection Conference:
#1 - section 1 south of section up to 1000'
Checking rock dust survey,
Station 2222 (#8837)

Inspector's Initials: [redacted]
Supervisor's Initials and Date
Page No. 1

Date: 10-08-08  
Travelled by track to  
West of Number 1 Shaft.  
Looked at Area From #1  
Entry to #7 Entry up to  
Spent 222.2 in #3 Entry.  
This would be 1  
Back entry spent 222.2 in  
#1 Entry.  Area has  
been re-lined, additional  
Back dust has been applied.  
Terminated at 9:20 a.m.  

Travelled by track back  
to outside, Escaped from  
& left mine site returning  
to Mt. Hope.  

Areas of Inspection Activity:  
North Portal  
South Portal  
Surface Area  
Mine Office  
Boothouse  
Supply Yard  

Accompanied By: Company Representative: William-back  
Mine Foreman  
Miners Representative: None  

Inspector's Initials:  
Supervisor's Initials and Date:  
Page No. 3  

<table>
<thead>
<tr>
<th>Shop Equipment</th>
<th>Date 12-25-08</th>
<th>Inspector's Initials</th>
</tr>
</thead>
<tbody>
<tr>
<td>6.5 Drop Lift Charger N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.5 Air Compressor N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.5 Air Compressor N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Check Shop N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Check Overhead Crane N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Check Store Storage Area N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Check Substation N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Check Supply Shed N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Check Diesel Tank N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Check Fire Installation N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Check Oct 50 Forklift N/A</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Check Following Records:
- Smoke Search N/A
- Mine Map N/A
- Secondary Gas Monitors N/A
- Dust Collection Plan N/A
- Mine Emergency Plan N/A
- Mine Rescue Plan N/A
- Mine Mine Rescue Plan N/A
- Mine Mine Rescue Plan N/A
- Mine Mine Rescue Plan N/A
- Mine Mine Rescue Plan N/A
- Mine Mine Rescue Plan N/A

Discuss Right With W/ Handout/Advice of Cert. Rights
- Travel Back To Yt & Finish Report...
### AIR READINGS

<table>
<thead>
<tr>
<th>Date</th>
<th>Location</th>
<th>Width</th>
<th>Height</th>
<th>Area</th>
<th>Velocity</th>
<th>Quantity</th>
<th>Inspector's Initials</th>
</tr>
</thead>
<tbody>
<tr>
<td>10-25-08</td>
<td>South Portal #1</td>
<td>18'</td>
<td>10'</td>
<td>180'</td>
<td>8.2 (Smoke)</td>
<td>3.946</td>
<td></td>
</tr>
<tr>
<td></td>
<td>South Portal #3</td>
<td>22'</td>
<td>7.5'</td>
<td>162.5</td>
<td>8.2 (Smoke)</td>
<td>13.541</td>
<td></td>
</tr>
<tr>
<td></td>
<td>North Portal #1</td>
<td>14.5'</td>
<td>5.75'</td>
<td>29.25</td>
<td>4.82</td>
<td>14.3550</td>
<td></td>
</tr>
<tr>
<td></td>
<td>North Portal #2</td>
<td>13.5'</td>
<td>6.5'</td>
<td>82.25</td>
<td>10.8</td>
<td>25.841</td>
<td></td>
</tr>
</tbody>
</table>

**Notes:**
- CH4 Detected
- Mean Entry Stopping off.
<table>
<thead>
<tr>
<th>Location</th>
<th>Width</th>
<th>Bottle Sample No.</th>
<th>Height</th>
<th>CH4 Detected</th>
<th>Area</th>
<th>Mean Entry</th>
<th>Velocity</th>
<th>Time</th>
<th>Quantity</th>
<th>CH4 Detected</th>
<th>Area</th>
<th>Mean Entry</th>
<th>Velocity</th>
<th>Time</th>
<th>Quantity</th>
<th>CH4 Detected</th>
</tr>
</thead>
<tbody>
<tr>
<td>North Portal #3</td>
<td>13'</td>
<td>25481</td>
<td>5.5</td>
<td>0.0%</td>
<td>37.5</td>
<td>N/A</td>
<td>110</td>
<td>12:27</td>
<td>19.018</td>
<td>0.2</td>
<td>22.8%</td>
<td>N/A</td>
<td>12:47</td>
<td>12:27</td>
<td>94.920</td>
<td>0.2</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Location</th>
<th>Width</th>
<th>Bottle Sample No.</th>
<th>Height</th>
<th>CH4 Detected</th>
<th>Area</th>
<th>Mean Entry</th>
<th>Velocity</th>
<th>Time</th>
<th>Quantity</th>
<th>CH4 Detected</th>
<th>Area</th>
<th>Mean Entry</th>
<th>Velocity</th>
<th>Time</th>
<th>Quantity</th>
<th>CH4 Detected</th>
</tr>
</thead>
<tbody>
<tr>
<td>North Portal #5</td>
<td>7'</td>
<td>25463</td>
<td>6'</td>
<td>0.0%</td>
<td>42.6</td>
<td>N/A</td>
<td>2160</td>
<td>12:47</td>
<td>94.920</td>
<td>0.2</td>
<td>22.8%</td>
<td>N/A</td>
<td>12:47</td>
<td>12:27</td>
<td>94.920</td>
<td>0.2</td>
</tr>
</tbody>
</table>

**Citation**: 06-169283
**Date**: 10-35-08
1. **Time**: 19:05
2. **A Fast Cross Air Reading Is Not Being Recorded In The Air Movement Equipment**

**Location**: North Portal #3, #5

---

**Inspector's Initials**: [Redacted]
**Supervisor's Initials**: [Redacted]

**Page No.**: 9
MSHA Form 7000-10J, June 93 (revised)

DAILY COVER SHEET

Date: 11-13-08

Arrived at Mine: 6:10
Departed from Mine: __

List Records Books Checked: #3 Section

Accompanied By: Company Representative: Bill Hayless
Miners Representative: N/A

AREAS OF INSPECTION ACTIVITY:

Pre-Inspection Conference
#3 Section - Track

MIN U 066 & 061
Imminent Danger Run
Mining Practices
Below Ground

Inspector's Initials: [Redacted]
Supervisor's Initials: [Redacted]
Page No.: 2

Supervisor's D&S: [Redacted]
Page No.: 2


U.S. GPO: 2006-640-217
**Date**: 11-13-68

While making a premine inspection, I found 2 wide belts - 1 at each by face of #2 entry. (cithen #2) While having bolt crew to install additional belts, we discovered no fan for pulling down loose material was provided for this bolt machine (9015-2608-301) #3. While crossing face, #7 face was not cleared twisted for 120°. Cool measured from 8" to 18" in both rib. (cithen #4) #14 entry was twisted in excess of 20° and no additional support was provided.

**Inspector's Initials**: [Redacted]

**Supervisor's Initials and Date**: [Redacted]

---

**Date**: 11-13-68

Observed mining in Left I gas tests, 20% methane (N2O) - observed bolting cycle in 30 ft. Also, (OK - N2O).

Scoop has been down on this section & cleaning is not the best, so I gave additional time to get Scoop repaired. Discussed violations with Section Foreman & met Foreman.

Section has too much air about 10,000 ft in each lob.

**Location**: #1 Immediate Return

**Section**: #3

**Width**: 19

**Height**: 6

**Area**: 114

**Velocity**: 30.5

**Quantity**: 34,720 cfm

**CH4 Detected**: 0%

**Mean Entry**: 8:50

**Inspector's Initials**: [Redacted]

**Supervisor's Initials and Date**: [Redacted]

---

**Date**: 11-13-68

**Location**: #7 Immediate Return

**Section**: #3

**Width**: 19

**Height**: 6

**Area**: 114

**Velocity**: 41.6

**Quantity**: 46,789

**CH4 Detected**: 0%

**Mean Entry**: 9:35

**Inspector's Initials**: [Redacted]

**Supervisor's Initials and Date**: [Redacted]
Who knew the violation existed?  

How long has the violation existed?  

If an accident should occur because of this type violation, how serious would it be?  

What is the likelihood that this type accident will occur at this time? Why?  

Inspector's Initials: 
Supervisor's Initials: 

# of persons exposed: 1 person

Approved Roof Control Plan was not being complied with. - 1.85 & 1.77 the #2 Ties - 2 wide Bolts were found. The distance from the Bolts to rib were 64.7" & 70", which allows a maximum of 48".

Inspector's Initials: 
Supervisor's Initials and Date: 

MSHA Form 7000-10K, June 93 (rev.1)
Who knew the violation existed?

How long has the violation existed? 2 days since this was noticed.

If an accident should occur because of this type violation, how serious would it be?

Permanently disabling injury could result from fall or fatal fall of roof and both being spaced too far.

What is the likelihood that this type accident will occur at this mine? Why?

Reasonably likely.

Inspector's Initials [Redacted]

Supervisor's Initials and Date [Redacted]

# of persons exposed: [Redacted]

But only 1 affected.

Inspector's Initials [Redacted]

Supervisor's Initials and Date [Redacted]
Who knew the violation existed? Should have been obvious to Foreman & pre-shift examiners.

How long has the violation existed? At least 2 shifts.

If an accident should occur because of this type violation, how serious would it be? Lost work days or restricted duty in case of a mine - hot areas was not done.

What is the likelihood that this type accident will occur at this mine? Why? Unlikely - mine does not go that way.

# of persons exposed: 1 person

Inspector's Initials [Redacted] No. 7

Supervisor's Initials and Date 11/09/93

Terminated: 10:10

# of persons exposed: 1 person

Inspector's Initials [Redacted] No. 7

Supervisor's Initials and Date 11/09/93

Terminated: 10:10

# of persons exposed: 1 person

Inspector's Initials [Redacted] No. 7

Supervisor's Initials and Date 11/09/93

Terminated: 10:10
Who knew the violation existed?

How long has the violation existed?

If an accident should occur because of this type violation, how serious would it be?

AREAS OF INSPECTION ACTIVITY:

Interake from outside to #3 Section - 43
- Equipment - 2 miners - 1 Better 1 Side - 2 scrapers - Feeder

Inspection Initials

DAILY COVER SHEET

Date 11-14-08 Event No. 6284361

Arrived at the Mine 6:45
Departed from the Mine

List Records Books Checked

Accompanied By: Company Representative

Miners Representative

Inspector's Initials

Supervisor's Initials and Date

Page No.
Date 11-14-08

Lift Line intact & all doors marked, phone line - OK. Intake phone worked. Intake in pretty good shape. 0.3% CO & 20.8% O2.

Traveling & walking S of C.

Date, Time, & initials found.

Regulator hose. Date Baskets intact & marked up. No combustible material in the primary enclosure.

Arrival on sit-60

Checked Both Noses -.-

Gas 60a, monitors -.

Found right Side Air/ - .

monitors (Sw) - cited.

8049.140, checked 1 - better manual. NO.

Inspector's initials

Supervisor's initials and date

Page No. 3

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

Date 11-14-08


(NV0). Return can't use same ducting - but most was wet. DT &

found regularly. 0.3% CO & 20.8% O2.

Arrived outside & discuss.

Inspection & issued 2
citations & 1 Termination.

Visitor's initials

Supervisor's initials and date.

Page No. 4

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

Date 11-14-08

Checked 1-S/C - NO.

Checked Scope - Fairchild
T389 - 230 - (Citation)

8069.141 - Battery did not secure.

Checked Scope Fairchild
3C - 189 - NO.

Checked Feeder - Storber
14103 -

2C 93SA - 25

BF 17A - 59 - 1050 (NV0)

Walked return (left side)

From #3 section to outside. Return was

OK. Roof & sides appear to be adequate, check 1

pump return at #10

Inspector's initials

Supervisor's initials and date

Page No. 5

U.S. GPO: 2006-640-217
**Air Readings**

<table>
<thead>
<tr>
<th>Date</th>
<th>Location</th>
<th>Width</th>
<th>Bottle Sample No.</th>
<th>Height</th>
<th>CH4 Detected</th>
<th>Area</th>
<th>Mean Entry</th>
<th>Velocity</th>
<th>Time</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>11-14-08</td>
<td>4th Entry</td>
<td>20</td>
<td>N/A</td>
<td>9</td>
<td>0%</td>
<td>180</td>
<td></td>
<td>574</td>
<td></td>
<td>20,540</td>
</tr>
</tbody>
</table>

**Date:** 11-14-08  

**Citation:** 8049-140  

**Time:** 9:20  

**Location:** 4th Section  

The methane monitor on the right side miner's (Jm 5891) showed 0.7% CH4 when checked with a known air-methane mixture of 25% CH4.  

0% methane was detected with a hand held instrument.  

Terminated - 09:40  

**# of persons exposed:** 1 person  

**Mine Operator:**  

---

**Who knew the violation existed?**  

**Found this condition while checking miner.**  

**How long has the violation existed?**  

**Last week check did not detect the condition.**  

**If an accident should occur because of this type violation, how serious would it be?**  

**No last work days expected.**  

0% CH4 found on section.  

---

**What is the likelihood that this type accident will occur at this mine?**  

**Why?** Unlikely - miner is checked as a weekly build/Calibrated.
Who knew the violation existed?
Scoop operator who took scoop off charge should have observed this.

How long has the violation existed?
Approx. 3 Hours since start of shift.

If an accident should occur because of this type violation, how serious would it be?
No lost workdays expected. 02 city found.

What is the likelihood that this type accident will occur at this mine? Why?
Unlikely - Scoop was dead & could not be used much anyway.
April 17, 1988

Arrived at Mt. Hope bump check, city detector, picked up light, S350 & computer, left office by G.O.V.

Inspected Performance Coal Company - U B S Mine, met with Bill Harless, Army Worlock, & Gary May, informed them I was on E T.

Received Books & Maps, got dressed & traveled to the section by truck.

Arrived at mine (645 ft)

Traveled across faces & looked at 65 entry where roof fell and back

Inspector's Initials: [Redacted]

Supervisor's Initials: [Redacted]  Page No. 2

Date: 11-17-88

Cleaning up area has been reworked with 6' Torque Tension Bolts, 10' cable.

Safety roof control plan has been revised to prevent any reoccurrences. All 6 places have been rebolted with 6' Torque Tension Bolts & 10' cable. Bolts. Safety precaution #65 has been added to roof control plan and has been approved by the district manager. Then Ford J purchased the K-order #: 8064-236.

Inspector's Initials: [Redacted]

Supervisor's Initials: [Redacted]  Page No. 3

U.S. GPO: 2006-640-217
Date: 11-17-08

Checklist:
1. Scoop Changer - #2 Section
   Scoop - Fairchild 45094-2
   Issued Citation - #2 Battery not secured
   2 Battery Plug Lock Broken

2. Power Center - 2250 KVA American Electric Equipment
   Ser. No. 1626 - 2250-501

3. Steam Feeder - NVO
   Ser. # 13283
   Model BF 114-8-640

4. Check Telephone in Intake Escavatory - NVO

5. Discussed inspection with Section Foreman & mine Foreman, Travelled Truck
   Back to active, modified 1 Citation # 8069425.
   Issued 2 new citations & terminated K-Order.

# of persons exposed: 2
Exposed
1 affected

Inspector's Initials
Supervisor's Initials and Date

Page No. 5

Page No. 6
Who knew the violation existed? 
Better crew & foremen should have observed this, very obvious.

How long has the violation existed? Several days due to the accumulations.

If an accident should occur because of this type violation, how serious would it be?

No lost work days expected due to oil spillage.

What is the likelihood that this type accident will occur at this time? Why? 
Unlikely to occur - Observed no five hours observed.

No Lost Work Days Expected.
DAILY COVER SHEET

Date: 11-18-08  Event No. 6284361
Arrived at the Mine: 8:00   Departed from the Mine: ___
List Records Books Checked: #3 Section
Preface/Shift - Truck Belt Map
Accompanied By: Company Representative - Mine Foreman: William Harless
Miners Representative: __________

AREAS OF INSPECTION ACTIVITY:

#3 Section - __________
Equipment - __________
Right Return - __________
#1 South & #2 Section - __________
Bath - __________
Check in Front System - __________

Note: This is a scanned document, and the text may be difficult to read. The image shows a form titled "DAILY COVER SHEET" with fields for date, event number, arrival and departure times, records books checked, and personnel present. The form also includes areas of inspection activity, such as the #3 section, equipment, right return, #1 south, #2 section, bath, and check in front system. The text appears to be a record of activities performed at the mine, including checking records books, meeting with the mine foreman, and inspecting various areas of the mine.
<table>
<thead>
<tr>
<th>Date</th>
<th>11-18-08</th>
</tr>
</thead>
<tbody>
<tr>
<td>Citation #4</td>
<td>Checked</td>
</tr>
<tr>
<td>Scoop, NW,</td>
<td>Left Sect. &amp;</td>
</tr>
<tr>
<td></td>
<td>retired Right Return</td>
</tr>
<tr>
<td></td>
<td>to outside,</td>
</tr>
<tr>
<td></td>
<td>water had accumulated</td>
</tr>
<tr>
<td></td>
<td>over 200 feet, depth 409</td>
</tr>
<tr>
<td></td>
<td>12.14&quot; deep,</td>
</tr>
<tr>
<td></td>
<td>(Citation #5) while</td>
</tr>
<tr>
<td></td>
<td>walking return found</td>
</tr>
<tr>
<td></td>
<td>stopping with a 3 x</td>
</tr>
<tr>
<td></td>
<td>4' hole between belt</td>
</tr>
<tr>
<td></td>
<td>&amp; return (Citation #6)</td>
</tr>
<tr>
<td></td>
<td>left outside &amp; took</td>
</tr>
<tr>
<td></td>
<td>AV readings &amp; Bottle</td>
</tr>
<tr>
<td></td>
<td>samples in all 4</td>
</tr>
<tr>
<td></td>
<td>drifts on south side</td>
</tr>
<tr>
<td></td>
<td>walked 1 South Belt</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>#2 Belt</th>
<th>East Side</th>
</tr>
</thead>
<tbody>
<tr>
<td>A 5 x 20</td>
<td></td>
</tr>
<tr>
<td>6.95</td>
<td>100</td>
</tr>
<tr>
<td>100</td>
<td>0% 0.2</td>
</tr>
<tr>
<td>69,500</td>
<td>20.8% 0.2</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>#1 Drift</th>
<th>South Side</th>
</tr>
</thead>
<tbody>
<tr>
<td>A 5 x 85</td>
<td></td>
</tr>
<tr>
<td>10 x 40</td>
<td>17 x 5</td>
</tr>
<tr>
<td>85</td>
<td></td>
</tr>
<tr>
<td>5200</td>
<td>8320</td>
</tr>
<tr>
<td>88,400 cfm</td>
<td>0.204</td>
</tr>
<tr>
<td>20.8% 0.2</td>
<td></td>
</tr>
</tbody>
</table>
MSHA Form 7000-10K, June 93 (revised)

Date 11-18-08

Checked S/L
No. 10 s/c
ET 17638 - NVO
10 s/c - ET 17610
Supported on seam roof support - (8069147)
10:15 -
Terminated - 10:40

Scoop - 7-339-145 R
3 s/c - NVO
11:10 - 8069148
Return speed 490
Liner - 215 T5 long

Inspector's Initials [Redacted]
Supervisor's Initials [Redacted]
**MSHA Form 7000-10K, June 93 (revised)**

**Date:** 11-18-68

**Citation:** 8669149

**Time:** 09:15

**Location:** 43 Section 93 Entry

---

The movement of dust control plan was not being complied with - only 1,138 cfm was reaching the end of line collectors, where the Belts were located. The Belt crew had installed 1 row of Belts in this place.

**Terminated 09:25**

**# of persons exposed:** 2 exposed

---

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

**Date:** 11-18-68

**Citation:** 8669149

**Time:** 09:15

**Location:** 43 Section 93 Entry

---

The movement of dust control plan was not being complied with - only 828 cfm was reaching the end of line collectors, where the Belt crew was working. The Belt crew had installed 1 row of Belts in this place.

**Terminated 09:25**

**# of persons exposed:** 2 exposed

---

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

**Date:** 11-18-68

**Citation:** 8669149

**Time:** 09:15

**Location:** 43 Section 93 Entry

---

The movement of dust control plan was not being complied with - only 828 cfm was reaching the end of line collectors, where the Belt crew was working. The Belt crew had installed 1 row of Belts in this place.

**Terminated 09:25**

**# of persons exposed:** 2 exposed
Who knew the violation existed?

Examiner or Section Boss should have observed this.

How long has the violation existed? 10 Hours. Plane bolted on evening shift last shift.

If an accident should occur

because of this type violation, how serious would it be?

40 Days or restricted duty from breathing silica dust over a long period of time.

What is the likelihood that this type accident will occur at this mine? Why? unlikely - certain tone down but short-circuited

Air. O2 City.

Inspector’s Initials: [Redacted]

Supervisor’s Initials and Date: [Redacted]

Who knew the violation existed.

Citation: 8067145

Time: 0740 a.m.

Location: #3 Section #8 Entry

Citation: 753220 (4)(3)

The approved roof control plan was not being followed.

The #3 face was not bolted to within 5'. When measured the bolts were 6' to 7' from face. (Page 10 Drawing 1)

Terminated 10:00

# of persons exposed: 1

Exposed - 1 affected (Examiner)

Inspector’s Initials: [Redacted]

Supervisor’s Initials and Date: [Redacted]

What is the likelihood that this type accident will occur at this mine? Why? unlikely - coal was pushed up in face - no one in this area except examiner.

Inspector’s Initials: [Redacted]

Supervisor’s Initials and Date: [Redacted]
Who knew the violation existed?  Cowboy should have noticed he had a hole in suction line & corrected.

How long has the violation existed?  1 shift.  This is checked daily for suction pressure.

If an accident should occur because of this type violation, how serious would it be?

Permanently disabling injuries from breathing silica dust over a long period of time.

What is the likelihood that this type accident will occur at this mine? Why? Reasonable likely if allow to continue & not be corrected.

Terminated - 10:40

# of persons exposed: 1 person exposed - S/Lc Operator

Inspector's Initials — [Redacted]

Supervisor's Initials and Date 11/20/08  Page No. 6
Who knew the violation existed?

If an accident should occur because of this type violation, how serious would it be?

What is the likelihood that this type accident will occur at this mine? Why?

If an accident should occur because of this type violation, how serious would it be?

What is the likelihood that this type accident will occur at this mine? Why?
Date: 11-18-68

# Citation: 8069/149

Time: 11:25

Location: Right Return #3

Citation:

The #1 South Belt is not separated from the Right Return entries at #3 belt.
The permanent stopping at this location has a 3' x 4' hole in the middle of the stopping.

Who knew the violation existed?

Both man or mine examiner should notice this & report it.

How long has the violation existed?

This section started only 3 weeks ago, probably at least 3 weeks like this.

If an accident should occur because of this type violation, how serious would it be?

No last work days expected. Air in both entries going to the outside - Limited exposure to anyone in the area.

What is the likelihood that this type accident will occur at this mine? Why?

Unlikely - Air going towards outside in both entries.

# of persons exposed: 1 person

Both man or examiner exposed

Inspector's Initials: [redacted]

Supervisor's Initials and Date: 11-20-08 Page No: 12

MSHA Form 7000-10K, June 93 (revised)
Date 11-19-08

Arrived at Mt. Hope
bump checked methane
detector, picked up light
SCBA, computer & QT office
by G.O.V.

Traveled to UBB-Perforation
Card, arrived at 7:45.
Met with Bill Harless-mining
Foreman, need to look at
#2 Section Books - will travel
to new portal to check books
and him to pick up at the
new portal; Got Dressed
& traveled by track to #2
Section, Checked Track on
way in - OK.

Inspector's Initials
Supervisor's Initials and Date 12/19/08
Page No. 2

U.S. GPO: 2006-640-217

Date 11-19-08

UBB - #2 Section
New Punchout
Checked :
Smoker Search Book
Fire Boss Board & Box (8049150)
8:30 - No fire protection
provided at the electrical
Punchout (100 KV Box)
Being used as the Switch

#4 Charger - Ener SYS
6A 40649
6A 40651 - (N.V.)

Inspector's Initials
Supervisor's Initials and Date 12/19/08
Page No. 3

U.S. GPO: 2006-640-217

Date 11-19-08

Floor box D-Box
21 BREAK - (N.V.)
Exide - #2 Charger
CE 145644
CE 145665 (N.V.)

Right Side Immediate
Return
103
120 6X20 =
2060 120
103
12,360 cFPM
8% CV
20.82 O2

Inspector's Initials
Supervisor's Initials and Date 12/19/08
Page No. 4

U.S. GPO: 2006-640-217
### AIR READINGS

**Location:** #1 Portal Eunice cut out

- **Width:** 19
- **Height:** 1
- **Area:** 114
- **Velocity:** 110
- **Quantity:** 12,540

**Location:** #2 Portal Eunice cut out

- **Width:** 17
- **Height:** 1
- **Area:** 102
- **Velocity:** 955
- **Quantity:** 9,7410

**Location:** #3 Portal Eunice cut out

- **Width:** 20
- **Height:** 5
- **Area:** 110
- **Velocity:** 1045
- **Quantity:** 117,150

---

**Inspector's Initials:**

- [Redacted]

**Supervisor's Initials and Date:**

- [Redacted]

---

**Inspector's Initials:**

- [Redacted]

**Supervisor's Initials and Date:**

- [Redacted]
Date: 11-19-88
# Citation: 8069150
Time: 08:10
Location: Surface - at new service portal.
Citation: 75.1100-2(e).
No First Protection is being provided at the electrical 110 KVA Box being used on the surface at the new service portal.

Inspector's Initials: [Redacted]
Page No: 1

Who knew the violation existed?
Management should have observed this - exposed to this daily.

How long has the violation existed? 3 weeks - since new portal was established.

If an accident should occur because of this type violation, how serious would it be?
No Lost Days expected.
This is outside on surface.
Very limited exposure to this.

What is the likelihood that this type accident will occur at this mine? Why?
unlikely - outside area with little exposure to this.

# of persons exposed: 1 - person exposed - outside area.

Inspector's Initials: [Redacted]
Supervisor's Initials: [Redacted]
Page No: 1

Citation: 72.630(b).
The dust collection system on the right side booster (Fletcher 95099) was not maintained as approved.
The rubber belting is broken on the left side and 1 broken on the operator side. This allows leakage along the door seals.

# of persons exposed: 2 - exposed.
Both Better Operations.

Inspector's Initials: [Redacted]
Supervisor's Initials: [Redacted]
Page No: 2

GPO: 2000-640-217
Date  11-19-08

Who knew the violation existed?
Better crew clears Box B Filters daily.

How long has the violation existed?
About 1 week according to Better operator.

If an accident should occur because of this type violation, how serious would it be?
Permanently disabling injury due to poor section breathing, silica dust over a period of time.

What is the likelihood that this type accident will occur at this mine? Why? Reasonably likely if allowed to continue without being corrected.

Inspector's Initials [REDACTED]

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

DAILY COVER SHEET

Date  11-25-08  Event No. 6284364

Arrived at the Mine  5:30  Departed from the Mine

List Records Books Checked  #1, #2 Section

Accompanied By: Company Representative

Harley Taylor - Fire boss
Weekly examiner

Miners Representative  A/V

AREAS OF INSPECTION ACTIVITY:

Left Returns from #60 ST
To outside

Sec 11 - 64, 63, 62, 61, 60
69, 58, 57, 56, 55, 54, 53, 52, 51
50, 49, 48, 47, 46, 45, 44, 43, 42
41, 40, 39, 38, 37, 36, 35, 34
33, 32, 31, 30, 29, 28, 27, 26

Inspector's Initials [REDACTED]

Supervisor's Initials and Date  [REDACTED]  Page No. 1

Date: 11-20-08
Walked lost return from 10:57 to outside (2:50x-wgs)
Checked fed city - 0% & 20.8
To 02 - Roof & Ribs appear to be adequate - Some sloughing of roof in first part of old works - Checked all stopings were intact & doors - ok.

Travelways & walkways were in good shape. DP3 & Data Records are good & well maintained. All up to date. Rock dusting - good in entire return. Checking 2 pumps in return ok.

Found 1 - empty foundry magazine return is pretty good shape, Issued no citations, on this return.

Inspector’s Initials: [Redacted]
Supervisor’s Initials and Date: [Redacted]

---

Date: 11-21-08
Event No. 628, 4, 361
Arrived at the Mine 7:00, Departed from the Mine 1:30.

List Records Books Checked:
Books 61, 4, 3 Sections.

Accompanied By: Company Representative William Headless, Min. Foreman
Miners Representative: Not Listed

AREAS OF INSPECTION ACTIVITY:
Books & Records

#1 Section - 4, 3 Sections

#2 Section - Terminated 2

No Citations.

Inspector’s Initials: [Redacted]
Supervisor’s Initials and Date: [Redacted]

---

Date: 11-21-08
Arrived at the Mine 7:00, Departed from the Mine 1:30.

List Records Books Checked:
Books 61, 4, 3 Sections.

Accompanied By: Company Representative William Headless, Min. Foreman
Miners Representative: Not Listed

AREAS OF INSPECTION ACTIVITY:
Books & Records

#1 Section - 4, 3 Sections

#2 Section - Terminated 2

No Citations.

Inspector’s Initials: [Redacted]
Supervisor’s Initials and Date: [Redacted]
Date 11-21-08

While reviewing preshift/onschift books - found no scrubber readings for #1 section for week of 11-02-08 - 11-09-08 - or either miner (029-9)

Issued citation 8067152.

Issued 8067153 - for no scrubber readings recorded.

Book for section #2: MNU 040-6 & MNU 049-6 for either miner.

Got Dressel & Travelled to #3 Section.

Returned & wrote 2 citations.

Checked:

East Mine Power Center
9149 - 300 - 398
American Electric Equipment

Checked:

American Electric Equipment
2109 - 500 - 105
South Box - 2ST inside.

American Electric Equipment
100#3 Belt Head 500 KVA
8256 - 500 - 798
28491 - 500 - 908

Inspector's Initials [redacted]
Supervisor's Initials and Date 1/24/08 Page No. 4

Inspector's Initials [redacted]
Supervisor's Initials and Date 1/24/08 Page No. 5

U.S. GPO: 2006-640-217
Who knew the violation existed?
Chief Electrician was aware that there was necessary but had forgot to enter it in Book.

How long has the violation existed? I week not entered in book - this was for the week 11-02-08 - 11-09-08.

If an accident should occur because of this type violation, how serious would it be?
No lost workdays expected. 
Book violation -

What is the likelihood that this type accident will occur at this mine? Why? Unlikely to occur. 
Book citation - No hazards observed.

# of persons exposed: 1 person affected - miner operator

Inspector's Initials  
Supervisor's Initials and Date 12/11/08  
Page No. 1

# of persons exposed: 1 person affected - miner operator

Inspector's Initials:  
Supervisor's Initials and Date 12/11/08  
Page No. 2
Who knew the violation existed?

Chief Electrician is responsible to enter this in pre-shift/post-shift book. Said he forgot to do it.

How long has the violation existed?

4 weeks - not entered in book.

If an accident should occur because of this type violation, how serious would it be?

No lost days expected.

Records citation - no hazards observed.

What is the likelihood that this type accident will occur at this mine? Why?

Unlikely - due to records citation - no hazards observed.

DAILY COVER SHEET

Date 12/1/08
Event No. 62-94236

Arrived at the Mine 7:00
Departed from the Mine __

List Records Books Checked #3 & #4 section
preshift/postshift books - map

Accompanied By: Company Representative
William Hareless M/G
Miners Representative N/A

AREAS OF INSPECTION ACTIVITY:

Track to #1 section
#1 section - imminent danger
Run - equipment

Inspector's Initials

Supervisor's Initials and Date

U.S. GPO: 2006-640-217

Date: 12-1-08

Checked Left Side Better - DDR - 13 - B C F
950 5 - 2005358

Min - 12
Operator Side - 13
Orf Side - 14

Checked Left Miner - 12-12 Ser. No. 4918

Checked Feeder - DRT
54 2147 - No other citations

Service Exit - 488 - 1223
Ser. No. 1253 (W)

10:50 - 10, 790 in lob,
Plan requires 15,500 lb
with 3 open bends,
R2 of Ventilation plan,
No. 8069156

Terminated 10:46

10:55:
4 open 87's on Return
side of section,
8069155

Terminated 12:00

11:10 - #2 Face Not
Be Arch to within 5'
Drawing #1 - Roof Control
plan,
2 Bells on left side - 7
2 Bells on right side - 6

No. 8069157

Terminated -

Inspection's Initials
Supervisor's Initials and Date
Page No. 3

Date: 12-1-08

Min 025 - Left & Right

10:20 - 24" x 6"2

Guard Off Side of
Feeder at Choke for
Sprocket Drive for
pick Breaker,
8069154

Terminated 10:46

10:55:
4 open 87's on Return
side of section,
8069155

Terminated 12:00

11:10 - #2 Face Not
Be Arch to within 5'
Drawing #1 - Roof Control
plan,
2 Bells on left side - 7
2 Bells on right side - 6

No. 8069157

Terminated -

Inspector's Initials
Supervisor's Initials and Date
Page No. 4

U.S. GPO: 2006-640-217

U.S. GPO: 2006-640-217

U.S. GPO: 2006-640-217
Date 12-01-08
# Citation: 8069154
Who knew the violation existed? 
Who knew the violation existed? 

Time: 10:20

Location: #1 Section, Feeder 

Citation: 75.172 (a)

A guard was missing from the DRT Feeder (Ser. No. 54-2147) being used on #1 Section. Guard was 24" x 6½" when measured. The guard was laying on top of the Feeder. This guard offers protection from the Sprocket Chain that drives the Pick Breaker.

How long has the violation existed? 1 shift at most, 

1 shift at most - Electrician said it was a misprint.

If an accident should occur because of this type violation how serious would it be? 

permanently disabling from being caught & pulled into the Sprocket or loss of hand or fingers.

What is the likelihood that this type accident will occur at this mine? Why? Reasonably likely - men in this area daily.

Terminated 10:30

# of persons exposed: 1 person, likely to be affected.

Inspector's Initials [REDACTED]

Supervisor's Initials and Date 12/01/08

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

Date 12-01-08
# Citation: 8069155
Time: 10:50
Location: #1 Section 

Citation: 75.370 (a)(1)

The approved ventilation plan is not being complied with on the No. 1 Section - 4 open crosscuts on Retard Side - Page 2 of ventilation plan.

Alarms 3, if 13,500 CFM is breathing lab.

Terminated 12:00

# of persons exposed: 1 person, likely to be affected.

Inspector's Initials [REDACTED]

Supervisor's Initials and Date 12/01/08

MSHA Form 7000-10K, June 93 (revised)
Who knew the violation existed?

Who knew the violation existed?  Both knew.

How long has the violation existed?  1 week & 1 day, mine was on vacation last week.

If an accident should occur because of this type violation, how serious would it be?

Permanently disabling from low air & breathing carbon dust & silica from mining & battery

What is the likelihood that this type accident will occur at this mine? Why?

Reasonably likely from exposure to dust & silica

# of persons exposed - 1 person exposed - 1 affected

Inspector's Initials: [Redacted]
Supervisor's Initials and Date: [Redacted]
Who knew the violation existed?

Forces or persons examiner should have observed this.

How long has the violation existed?

8 Days mine was operation last week.

If an accident should occur because of this type violation, how serious would it be?

No lost work days expected. Coal was scooped up in the face - limiting exposure.

What is the likelihood that this type accident will occur at this time? Why?

Unlikely - coal in face - little exposure.

# of persons exposed: 2 - Both Boltmen.

Inspector's Initials

Supervisor's Initials and Date

# of persons exposed: 1 - Likely to be affected.

Inspector's Initials

Supervisor's Initials and Date
d. Who knew the violation existed?
   This is required to be checked every 24 hours by Bottoms.
   e. How long has the violation existed?
      1-day - never was on.
   g. If an accident should occur because of this type violation, how serious would it be?
      Permanent disability.
   h. If an accident should occur because of this type violation, what would it be?
      Breathing silica.

H. What is the likelihood that this type accident will occur at this mine? Why?
   Reasonably likely.
   It exposed over a very long time to breathing silica.
Date: 12.2.08

Thru put intake Split
From mouth of #1 Section to #1 Section, Intake was in good shape - Lifeline - OK & plenty of reflectors, little or no water in this air course. All stoppers intact & doors well marked. DJT & plenty of Date Boards - roof & rib appear to be adequate. Intake is well drained. #2 City found 70.8 % OK, with knee on Traveling - OK. No Citations Issued.

Inspector’s Initials:

Supervisor’s Initials & Date:

Page No. 3

U.S. GPO: 2006-640-217

---End of Page---
DAILY COVER SHEET

Date 12-3-08  Event No. 6284,361

Arrived at the Mine 7:15  Departed from the Mine

List Records Books Checked  Production Hand Sheet
No. 2, 3

Accompanied By: Company Representative  Bill
Harlen - Scott Holstead

Miners Representative  N/A

AREAS OF INSPECTION ACTIVITY:

Return off #1 Section, Old North Minus

DPP

Return to #5 ST on Old 4 North Belt

Caught on #5 ST & #4 North Belt, #3 ST. Bill walked from 8ST to 83 ST. I walked with Scott Holstead from 83 ST to DPP of old North minus.

Inspector's Initials

Supervisor's Initials and Date

Page No. 6

U.S. GPO: 2005-540-017
### MSHA Form 7000-10K, June 93 (revised)

<table>
<thead>
<tr>
<th>Date</th>
<th>12-3-08</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Return</strong></td>
<td>7 x 20</td>
</tr>
<tr>
<td></td>
<td>242</td>
</tr>
<tr>
<td></td>
<td>15</td>
</tr>
<tr>
<td></td>
<td>257</td>
</tr>
<tr>
<td></td>
<td>x 140</td>
</tr>
<tr>
<td></td>
<td>3,5980</td>
</tr>
<tr>
<td><strong>DPP</strong></td>
<td>98</td>
</tr>
<tr>
<td>8 x 20</td>
<td>15</td>
</tr>
<tr>
<td>160</td>
<td>103</td>
</tr>
<tr>
<td>x 140</td>
<td></td>
</tr>
<tr>
<td>16,480</td>
<td>CFM</td>
</tr>
</tbody>
</table>

**Notes:**
- Return: 7 x 20
- DPP: 98
- 8 x 20
- 15
- 160
- 103
- 140
- 16,480 CFM

---

**Inspector's Initials**

**Supervisor's Initials and Date**

---

**U.S. GPO: 2006-640-217**
MSHA Form 7000-10K, June 93 (revised)

DAILY COVER SHEET

Date _12-3-08_

Arrived at the Mine _6:30_ Departed from the Mine _

List Records Books Checked _91, 192 production_

Accompanied By: Company Representative ___________ 

Miners Representative ___________ 

AREAS OF INSPECTION ACTIVITY: 

Return #5 Break on Old 4 North to outside. 

Intake Split from #1 portal at Evonne portal. Back to the old 4 North head. 4 citations issued under E.O. - 6 Hours at E. 01 - 4 1/2 Hours. 

Note: Lithosphere - OK this. 

MSHA Form 7000-101, June 93 (revised)

DAILY COVER SHEET

Date _12-4-08_ Event No. _6284361_

Arrived at the Mine _6:30_ Departed from the Mine _

List Records Books Checked _91, 192 production_

Accompanied By: Company Representative ___________ 

Miners Representative ___________ 

AREAS OF INSPECTION ACTIVITY: 

Intake, Split to #2 Section. 

#2 Section - Face #5. 

#1 Belt off #2 Section. 

Equipment.
Date 12-5-68

Arrived at Min Hope, been checkedcity Detectors, picked up light. Sesky & computer left office by Gov.

Travelled to Performance Coal Co. by LN Min, met with Bill Harter & Gray Min, continued E-01. Review Books for 41st Section, map, weekly plans.

Got dressed & travelled to Intake Split to 42 Section by track.

Inspector's Initials: [Redacted]
Supervisor's Initials and Date: 12/19/68 Page No. 2

Date 12-5-68

Takedown split to #2 Section was well dusted. Lifeline intact & plenty of reflectors. Steppings (see citation) & doors passed well. Takedown phaser worked well. O2 City Found is 20.8%.02.

Walkways & Tamways clear & in good shape.

Roof & Ribs appeared to be adequate. D.T & I were found to be adequate. I had plenty of date bands up.

Little water in this air course, walked this with William Harter. Mine Foreman, Arrived at Section they left. State inspector checking.

Inspector's Initials: [Redacted]
Supervisor's Initials and Date: 12/19/68 Page No. 3

Date 12-5-68

Takedown split to #2 Section was well dusted. Lifeline intact & plenty of reflectors. Steppings (see citation) & doors passed well. Takedown phaser worked well. O2 City Found is 20.8%.02.

Walkways & Tamways clear & in good shape.

Roof & Ribs appeared to be adequate. D.T & I were found to be adequate. I had plenty of date bands up.

Little water in this air course, walked this with William Harter. Mine Foreman, Arrived at Section they left. State inspector checking.

Inspector's Initials: [Redacted]
Supervisor's Initials and Date: 12/19/68 Page No. 4

Date 12-5-68

Takedown split to #2 Section was well dusted. Lifeline intact & plenty of reflectors. Steppings (see citation) & doors passed well. Takedown phaser worked well. O2 City Found is 20.8%.02.

Walkways & Tamways clear & in good shape.

Roof & Ribs appeared to be adequate. D.T & I were found to be adequate. I had plenty of date bands up.

Little water in this air course, walked this with William Harter. Mine Foreman, Arrived at Section they left. State inspector checking.

Inspector's Initials: [Redacted]
Supervisor's Initials and Date: 12/19/68 Page No. 5
Equipment made an imminent danger across the floor. No citation observed. Had 46.740 on intake side of section.

Section looked good.

Checked Scoop - Fairchild T-339-267-MO.
Scoop - Simmons land maintenance Scoop - 488-2238 - NVO.

Traveled Section Bell off 488-2238 - NVO.

Travel to outside Issued Citation.

Citation: 75.333(6)(3)

The Intake Aircourse is not separated from the belt conveyor hangway out by the Number 2 section.

Trailing - In that 4 Steppings had Blocks missing in the Steppings.

# of persons exposed: 1 person

Affected

Who knew the violation existed? Foreman should have observed this. Had made a Bell Move & did not patch holes.

How long has the violation existed? 1-shift Bell Move on midnight shift.

If an accident should occur because of this type violation, how serious would it be?

No lost work days expected - had sufficient ventilation on the section.

What is the likelihood that this type accident will occur at this mine? Why? UNLIKELY - Had good ventilation on section.
Date: 12-8-08

Arrived at Mt. Hope

List Records Books Checked: #1, #3, Belt #7

Accompanied By: Company Representative: William Kendall - Mine Foreman

Miners Representative: No

Areas of Inspection Activity:
Old Glory Hole Belt
#7 South ✅
#6 South ✅
#5 South ✅
Belt Transformers ✅

Tool Generator & Travelled to Old Glory Hole Belt. Belt & Shock, Started at Old Glory Hole Belt.

Tool OK to Old Glory Hole (Lto) Entry.

Area Inspector's Initials: [Redacted]

Supervisor's Initials and Date: [Redacted], Page No. 1

U.S. GPO: 2006-640-217
Date: 12-8-08

Inspector's Initials: [REDACTED]

Supervisor's Initials: [REDACTED]
Page No.: 4

U.S. GPO: 2006-640-217

Forklift - (NVO)
LP 4015
Charger For Forklift - Old Glory Hole - (NVO)
D-Box - 44 BT - (NVO)

U.S. GPO: 2006-640-217

Date: 12-8-08

Checked: Jeep Charger - North Belt

Inspector's Initials: [REDACTED]

Supervisor's Initials: [REDACTED]
Page No.: 5

American Electric Equipment
22938 - 206
7.5 Break - Live Splitter Box - (NVO)

American Electric Equipment
22938 - 206

Inspector's Initials: [REDACTED]

Supervisor's Initials: [REDACTED]
Page No.: 6

U.S. GPO: 2006-640-217

Date: 12-8-08

American Electric Equipment
22938 - 206

Inspector's Initials: [REDACTED]

Supervisor's Initials and Date: [REDACTED]
Date: 12-8-88

Citation: 8069165

Time: 9:30

Location: Old Glory Belt

Citation: 751101-3

The Deluge system on the Glory Hole Belt was inoperative in that the water valve that supplies water to the system was shut off.

Belts were running at time of examination.

Who knew the violation existed?

Belt men should have observed this, was working near the area.

How long has the violation existed?

It is believed the scraper men had shut valve off on a night shift, while working shift.

If an accident should occur because of this type violation, how serious would it be?

Permanently disabling in case of a fire, from mine inhalation.

What is the likelihood that this type accident will occur at this mine? Why?

Reasonable likely in case of a fire & no water turned on.

Inspector's Initials: [Redacted]

Supervisor's Initials and Date: [Redacted]
Who knew the violation existed? Should have been observed during weekly checks of this box.

How long has the violation existed? I work was not

If an accident should occur

because of this type violation,

how serious would it be?

Last week toys or nongasful
dirty receptacle & cathode was
marked properly.

What is the likelihood that this

type accident will occur at this

mine? Why? Unlikely, due to cathode

would not interchange with any

other cathode at this power box.

Inspector’s Initials: __________
Supervisor’s Initials and Date: __/__/9__
Page No. __________

G20 U.S. Gov’t: 2006-640-217
Date 12-08-08
Arrived MSHA office pres. 
checked Respirable Dust Pumps 
Volts 5.0 
Flow 2.0 

Bump tested detector 

Departed MSHA office by 
G.O.V. 

Arrived Performance Coal 
Company 
Upper Big Branch Mine South 
4603456 at 0530 HRS 

Met with Homer Wallace Sft 
and Roger Cantley Miners kept 
informing I was on 

---

Date 12-08-08 
EOI General Inspection 

Checked Pre Shift on Shift Books, Belts, Mine Map 
and Methane dust control 

Plan 

Turned Respirable Dust 
Pumps on 0630 HRS and 
Passed out to #3 Section 
MMU's 060-0 and 061-0 

Had Safety talk =12 Persons 
Discussed Winter Plot 
and proper wearing of dust pumps 

---

Date 12-08-08 
Traveled from Portal 
with Homer Wallace Sft 
by track (Secondary escape 
way) to #3 Section 

Arrived on #3 Section 
with crew, checked all 
Faces #1 To #7 with Pre- 
Shift on shift examiner. 

Checked CH4 

Checked O2 

Checked roof/Rib conditions 

Some rib sloughage being 
controlled according to plan 

Checked Reflectors 

Checked Test Holes 

Checked Ventilation Controls 

Stopping in track doors 

---
<table>
<thead>
<tr>
<th>Date: 12/08/08</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Marked and clear.</td>
<td></td>
</tr>
<tr>
<td>Checked line curtains and back ups.</td>
<td></td>
</tr>
<tr>
<td>Checked flys.</td>
<td></td>
</tr>
<tr>
<td>Checked center lines.</td>
<td></td>
</tr>
<tr>
<td>Checked free illumination.</td>
<td></td>
</tr>
<tr>
<td>Checked walkways and travelways.</td>
<td></td>
</tr>
<tr>
<td>Checked cleaning and rock dusting appears adequate.</td>
<td></td>
</tr>
<tr>
<td>Checked dates, times, and initials.</td>
<td></td>
</tr>
<tr>
<td>Checked for any imminent dangers noted observed.</td>
<td></td>
</tr>
<tr>
<td>Checked respirable dust pumps.</td>
<td></td>
</tr>
<tr>
<td>Checked SCA storage.</td>
<td></td>
</tr>
</tbody>
</table>

Date: 12/08/08

<table>
<thead>
<tr>
<th>2242</th>
<th>10</th>
<th>10:08</th>
</tr>
</thead>
<tbody>
<tr>
<td>2242</td>
<td>11</td>
<td></td>
</tr>
<tr>
<td>2242</td>
<td>12</td>
<td></td>
</tr>
<tr>
<td>2242</td>
<td>13</td>
<td></td>
</tr>
<tr>
<td>2242</td>
<td>14</td>
<td></td>
</tr>
<tr>
<td>2242</td>
<td>23</td>
<td></td>
</tr>
<tr>
<td>2242</td>
<td>24</td>
<td></td>
</tr>
<tr>
<td>2242</td>
<td>25</td>
<td></td>
</tr>
<tr>
<td>2242</td>
<td>28</td>
<td></td>
</tr>
<tr>
<td>2242</td>
<td>32</td>
<td></td>
</tr>
<tr>
<td>2242</td>
<td>34</td>
<td></td>
</tr>
<tr>
<td>2242</td>
<td>39</td>
<td></td>
</tr>
<tr>
<td>2242</td>
<td>40</td>
<td></td>
</tr>
<tr>
<td>2242</td>
<td>41</td>
<td></td>
</tr>
<tr>
<td>2242</td>
<td>42</td>
<td></td>
</tr>
<tr>
<td>2242</td>
<td>43</td>
<td></td>
</tr>
<tr>
<td>2242</td>
<td>47</td>
<td></td>
</tr>
<tr>
<td>2242</td>
<td>53</td>
<td></td>
</tr>
<tr>
<td>Date</td>
<td>12-08-08</td>
<td></td>
</tr>
<tr>
<td>------------</td>
<td>----------</td>
<td></td>
</tr>
<tr>
<td>08:44 AM</td>
<td></td>
<td></td>
</tr>
<tr>
<td>08:37 AM</td>
<td></td>
<td></td>
</tr>
<tr>
<td>08:55 AM</td>
<td></td>
<td></td>
</tr>
<tr>
<td>09:05 AM</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Observed Mining Cycle**

<table>
<thead>
<tr>
<th>Cycle</th>
<th>8</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Width</th>
<th>Height</th>
<th>Angle</th>
</tr>
</thead>
<tbody>
<tr>
<td>19</td>
<td>152</td>
<td>30°</td>
</tr>
<tr>
<td>20</td>
<td>3,040</td>
<td></td>
</tr>
<tr>
<td>90</td>
<td></td>
<td></td>
</tr>
<tr>
<td>243200</td>
<td></td>
<td>122 Tons This Cut</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>4</th>
<th>4</th>
<th>85 lbs</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>3</td>
<td>3</td>
<td>36</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>3</td>
<td>2</td>
</tr>
</tbody>
</table>

| Left Miner | 14 | 14 | 62 |
|            | 4  | 4  | 89 lbs |
|            | 3  | 3  | 3    |

**Checked Parameters**

<table>
<thead>
<tr>
<th></th>
<th>2 To 1</th>
<th>LOB</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>A=152</td>
<td></td>
</tr>
<tr>
<td></td>
<td>V=145</td>
<td></td>
</tr>
<tr>
<td></td>
<td>22040 CFM</td>
<td></td>
</tr>
</tbody>
</table>

**Right Miner**

**Left Miner**

**Inspection Details**

<table>
<thead>
<tr>
<th>Inspector's Initials</th>
<th>[Redacted]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supervisor's Initials</td>
<td>[Redacted]</td>
</tr>
</tbody>
</table>

**Page Numbers**

- Page 9
- Page 10
Date: 12/08/08

*6 Observed mining cycle
8.2 Right
1/18 35"
147.6 Rock
1 30
1852
1 50
229140
= 220
= 114 Tons This Cut

#6
A = 34 Q2
V = 325.2
11050

Checked Respirable Dust
pumps OK

Inspector's Initials
Supervisor's Initials and Date
Page No. 11

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

Date: 12/08/08

Observed bolting cycle
Observed methane checks
Observed support checks
Observed full roof return
Checked bolt pattern and spacing

Observed haulage system
Shuttle Cars

Observed scooping, cleaning, rock dusting and supplying

Gathered respirable dust
pumps checked ok

Traveled from #3 Section

Inspector's Initials
Supervisor's Initials and Date
Page No. 12

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

Date: 12/08/08

to Portal with Homer by track (Secondary Escape Way)

Turned Respirable Dust
pumps off 1430 hrs

Discussed inspection with
Homer

Departed Upper Big Branch
by G.O.V.

Arrived MSHA office

Inspector's Initials
Supervisor's Initials and Date
Page No. 13

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

Date 12-08-08

#2 Room
A=21
V=201
4221 CFM

#7 R
A=28
V=229.6
66
412 CFM

#2
A=32
V=256
60
7680

#1
A=32
V=280
90
10540 CFM

Inspector's Initials [redacted]
Supervisor's Initials and Date 12/19 Page No. 14

U.S. GPO: 2006-640-217

**DAILY COVER SHEET**

Date 12-08-08

Event No. 6284361

Arrived at the Mine 6:30
Departed from the Mine

List Records Books Checked #4, #3 Sections

Accompanied By: Company Representative William

Miners Representative [redacted]

AREAS OF INSPECTION ACTIVITY:

#4 North Belt
#5 Service Portal - #5
#4 Service Portal - #4

Return #1 section from #4 north head to outside

Inspect from service portal to #4 north head.
Date 12-9-08

Instructor: Arrived around 05:30

Drove to Performance Crab. WBS mine met with Bill and asked to start inspection.

Reviewed books and got dressed, then headed to 4th floor, did inspection.

Walked into 4th floor, then wrote down the number of belts and the number of people.

Checked 4th floor pump, then went to 5th floor to check pump.

Wrote down the number of belts and the number of people.

Issued 2 citations on Belts (see citations).

Belts in pretty good shape.

Rear belts appear to be adequate. No bad belts observed.

Heard that belts have been replaced recently.

DT DT & ST are all good as well.

68% and have a total of 20.83.01.

Wore 4th floor, then wrote down the number of belts and the number of people.

Ventilation & stoppage & doors OK & well maintained.

Inspection's initials [redacted]

Supervisor's initials and date 12/9/08

Page No. 1

U.S. GPO: 2006-640-217
Date: 12-9-68

Traveled return airway from East return portal to #1 return portal. Checked seals #1 set of seals
#2 set of seals
#3 set of seals
#4 set of seals

Traveled Travel Ways Ras and Ribs appear to be
Adequately supported and
well rock dusted.
The Mine Floor is
From damp to wet.
0.0% Chy
20.8% O2

Travel Ways Clear at
Time of Travel

Inspector's Initials:

Supervisor's Initials and Date:

Page No.

U.S. GPO: 2006-640-217
<table>
<thead>
<tr>
<th>Date</th>
<th>12-9-08</th>
</tr>
</thead>
<tbody>
<tr>
<td>Seals Set</td>
<td>#1</td>
</tr>
<tr>
<td>Seal 1</td>
<td>NVO</td>
</tr>
<tr>
<td>Seal 2</td>
<td>NVO</td>
</tr>
<tr>
<td>Seal 3</td>
<td>NVO</td>
</tr>
<tr>
<td>Seal 4</td>
<td>NVO</td>
</tr>
<tr>
<td>Seal 5</td>
<td>NVO</td>
</tr>
<tr>
<td>Seal 6</td>
<td>NVO</td>
</tr>
<tr>
<td>Seal 7</td>
<td>NVO</td>
</tr>
<tr>
<td>Seal 8</td>
<td>NVO</td>
</tr>
<tr>
<td>Seal 9</td>
<td>NVO</td>
</tr>
<tr>
<td>Seal 10</td>
<td>NVO I.G</td>
</tr>
<tr>
<td>Seal 11</td>
<td>NVO</td>
</tr>
<tr>
<td>Seal 12</td>
<td>NVO</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Date</th>
<th>12-9-08</th>
</tr>
</thead>
<tbody>
<tr>
<td>Seals Set</td>
<td>#3</td>
</tr>
<tr>
<td>Seal 13</td>
<td>NVO</td>
</tr>
<tr>
<td>Seal 14</td>
<td>NVO</td>
</tr>
<tr>
<td>Seal 15</td>
<td>NVO</td>
</tr>
<tr>
<td>Seal 16</td>
<td>NVO</td>
</tr>
<tr>
<td>Seal 17</td>
<td>NVO</td>
</tr>
<tr>
<td>Seal 18</td>
<td>NVO</td>
</tr>
<tr>
<td>Seal 19</td>
<td>NVO</td>
</tr>
<tr>
<td>Seal 20</td>
<td>NVO</td>
</tr>
<tr>
<td>Seal 21</td>
<td>NVO</td>
</tr>
<tr>
<td>Seal 22</td>
<td>NVO</td>
</tr>
<tr>
<td>Seal 23</td>
<td>NVO</td>
</tr>
<tr>
<td>Seal 24</td>
<td>NVO</td>
</tr>
<tr>
<td>Seal 25</td>
<td>NVO</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Date</th>
<th>12-9-08</th>
</tr>
</thead>
<tbody>
<tr>
<td>Seals Set</td>
<td>#4</td>
</tr>
<tr>
<td>Seal 26</td>
<td>NVO</td>
</tr>
<tr>
<td>Seal 27</td>
<td>NVO</td>
</tr>
<tr>
<td>Seal 28</td>
<td>NVO</td>
</tr>
<tr>
<td>Seal 29</td>
<td>NVO</td>
</tr>
<tr>
<td>Seal 30</td>
<td>NVO</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Date</th>
<th>12-9-08</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location</td>
<td>Out by Set #1 Seals</td>
</tr>
<tr>
<td>Width</td>
<td>1.09</td>
</tr>
<tr>
<td>Height</td>
<td>1.01</td>
</tr>
<tr>
<td>Area</td>
<td>5.08</td>
</tr>
<tr>
<td>Mean Entry</td>
<td>11.61</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Date</th>
<th>12-9-08</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location</td>
<td>Out by Set #2 Seals</td>
</tr>
<tr>
<td>Width</td>
<td>1.09</td>
</tr>
<tr>
<td>Height</td>
<td>1.01</td>
</tr>
<tr>
<td>Area</td>
<td>5.08</td>
</tr>
<tr>
<td>Mean Entry</td>
<td>11.61</td>
</tr>
</tbody>
</table>
# AIR READINGS

<table>
<thead>
<tr>
<th>Date</th>
<th>Width</th>
<th>Bottle Sample No.</th>
<th>Height</th>
<th>CH4 Detected</th>
<th>Area</th>
<th>Mean Entry</th>
<th>Time</th>
<th>Velocity</th>
<th>Quantity</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>12-9-08</td>
<td></td>
<td>98358</td>
<td></td>
<td></td>
<td>110</td>
<td></td>
<td></td>
<td>5.66</td>
<td>62,260</td>
<td>out by set #3 seals</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Date</th>
<th>Width</th>
<th>Bottle Sample No.</th>
<th>Height</th>
<th>CH4 Detected</th>
<th>Area</th>
<th>Mean Entry</th>
<th>Time</th>
<th>Velocity</th>
<th>Quantity</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>12-9-08</td>
<td></td>
<td>98339</td>
<td></td>
<td></td>
<td>150</td>
<td></td>
<td></td>
<td>28.3</td>
<td>42,450</td>
<td>out by set #4 seals</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

- **Who knew the violation existed?**
  - People examine this area & date we have each shift.
- **How long has the violation existed?** 2 weeks by the looks of total present.
- **If an accident should occur because of this type violation, how serious would it be?**
  - No last work days expected, area was stat & it no fire breaks observed.
- **What is the likelihood that this type accident will occur at this mine? Why?** Unlikely, area was stat & dusted well.
Date: 12-9-08

Citation: 8048168

Who knew the violation existed?
Beltman or Examiner walked thru this area and Shift.

How long has the violation existed? At least 1 week - maybe longer.

If an accident should occur because of this type violation, how serious would it be?
Permanently disabling it, clothes or hand get caught in shift.

What is the likelihood that this type accident will occur at this mine? Why? Relatively likely this was close to conveyer & could easily access this.

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

Inspector's Initials __________ Supervisor's Initials and Date ________ Page No. ___

# of persons exposed: 1 person - Beltman or examiner.

Inspector's Initials __________ Supervisor's Initials and Date ________ Page No. ___

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

Inspector's Initials __________ Supervisor's Initials and Date ________ Page No. ___

Supervisor's Initials and Date ________ Page No. ___

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

Inspector's Initials __________ Supervisor's Initials and Date ________ Page No. ___

Supervisor's Initials and Date ________ Page No. ___

Date: 12-9-08

Event No: 6284361

Arrived at the Mine 0530 - Departed from the Mine ______

List Records Books Checked - Pre Shift or On Shift

Accompanied By: Company Representative Gary

Miners Representative: None

AREAS OF INSPECTION ACTIVITY:

Respirable Dust Pumps
MMU 0390

Safety Talk: 9 Persons

Secondary Emergency
All Faces #1 to #5

Section Pressure Pump

Section Power Center

SOSP Storage / Evacuation Map

Emergency Supplies/Porta Potty
Date 12-09-08

Arrived MSHA officers prepared Respirable Dust Pumps
Volts 50
Flow 20

Bump tested detector

Departed MSHA office by G.O.V.

Arrived Performance Coal Company
Upper Big Branch Mine South 46.08436 at 0530 hrs

Met with Home Wallace Sgt. and Gary May Mine Foreman informed I was on EO!

Inspector's Initials: [ ] Supervisor's Initials and Date: [ ]

Page No. 2

U.S. GPO: 2006-640-217

Date 12-09-08

General Inspection, running Respirable Dust Pumps

Checked Pre-Shift on Shift Books, Belt Book, Mine Map, Methane Dust Control Plans

Turned Respirable Dust Pumps on 0630 hrs and passed out to #1 Section Minu 0240

Had Safety talk with #1 Section crew discussed Proper wearing of dust pumps also Winter Alert -4 Pairs

Travelled from Portal to #1 Section with Gary May

Inspector's Initials: [ ] Supervisor's Initials and Date: [ ]

Page No. 3

U.S. GPO: 2006-640-217

Date 12-09-08

By track (Secondary Escape-Way) to #1 Section.

Arrived on #1 Section with crew, checked all Faces #1 to #5 with Pre-Shift on Shift Examiner.

Checked CH4 0.0%
Checked O2 20.8%
Checked Roof/Rib Condition
Some rib sloughing being controlled

Checked Reflectors
Checked Ventilation controls stoppings in track doors made and clear

Checked Line Curtains and back-ups

Inspector's Initials: [ ] Supervisor's Initials and Date: [ ]

Page No. 4

U.S. GPO: 2006-640-217
Date 12-04-08

Checked Flies.
Checked Face illumination.
Checked walkways and travelways. Damp.
Checked cleaning and rock dusting. Appears adequate.
Checked dates, times and initials.
Checked for any imminent dangers. None observed.

Checked Respirable Dust Pumps OK.
Checked SCR Storage.

MMR 0240 SCR Storage
178.238 9.07
178.114
178.205
178.149
178.23
178.281
178.234
178.191
178.259
178.181
178.206
178.268
178.118
178.215
178.270
178.135
178.201
MSHA Form 7000-10K, June 93 (revised)

Date 12-09-08

MINU 0340 SCSP Storage
178287 9:07
178218
178186
178219
178213
178100

Observed Mining Cycle
*2 Right 7'

Y19'
133
Y 25'
3325
X 80-
26,000
\[ \frac{20000}{2000} \]
133 Tons This Cut

Checked Parameters
Left Miner:
\[ \begin{array}{ll}
8 & 8 \text{ } 6 \\
5 & 5 \\
4 & 4 \\
4 & 4 \\
\end{array} \]

53 Sprays at 75 PSI

Right Miner
\[ \begin{array}{ll}
8 & 9 \text{ } 7 \\
5 & 4 \text{ } 5 \\
4 & 4 \\
3 & 4 \text{ } 3 \\
\end{array} \]

51 Sprays at 75 PSI

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

Date 12-09-08

Operator Side: 17 (Hg)
Off Side: 15 (Hg)

Operator Side: 14 (Hg)
Off Side: 14 (Hg)

Operator Side: 14 (Hg)
Off Side: 14 (Hg)

Right Roof Bolter

Operator Side: 14 (Hg)
Off Side: 14 (Hg)
Date: 12-09-08

Checked Section Pressure Pump #8302 P#1505858M100.

Traveled from #1 Section mmu 02940 to Portal by truck (Secondary Escapeway) with Gary May.

Turned Respirable Dust pumps off 1430 hrs.

Discussed Inspection with Gary May and Homer Wallace.

Departed 1638 by GOU.

Arrived MSHA office.

---

Inspected: Rootbolting, Cycle Checked bolt pattern, Checked spacing, Checked test holes, Observed methane checks, Observed torque checks, Observed full grout return, Observed haulage system, Shuttle Cars, Observed scoop, cleaning rock dusting, and spillage.

Checked Respirable Dust pumps ok.

---

Inspected: Section Pressure Pump #8302 P#1505858M100.

Rosedale Production Center #20812300-704.

Checked Emergency Supplies, Checked Escapeway Map, Checked Parts Potty, Checked Emergency Communications, Checked Life Line and Reflectors.

Gathered Respirable Dust pumps checked ok.

---

Inspected: Section Pressure Pump #8302 P#1505858M100.

Rosedale Production Center #20812300-704.

Checked Emergency Supplies, Checked Escapeway Map, Checked Parts Potty, Checked Emergency Communications, Checked Life Line and Reflectors.

Gathered Respirable Dust pumps checked ok.

---

Inspected: Section Pressure Pump #8302 P#1505858M100.

Rosedale Production Center #20812300-704.

Checked Emergency Supplies, Checked Escapeway Map, Checked Parts Potty, Checked Emergency Communications, Checked Life Line and Reflectors.

Gathered Respirable Dust pumps checked ok.
Date: 12-09-08

#1 RT
A = 133  0.0% CH4
V = 125  20.8% O2
13,965 CFM

#2 RT
A = 32  0.0% CH4
V = 310  20.8% O2
9,920 CFM

#3 RT
A = 21  0.0% CH4
V = 328  20.8% O2
7,980 CFM

areas of inspection activity:

1. Aircourse 133 RK to #2 RK
2. Track 81 BT to outside motors
Date 12-10-08

Arrived at MT Hope, begun check safety detector, got light, saw & computer, signed out & left office by 6:00.

Traveled to Performa Cool Co., UBB Mine, arrived at 5:30 am. met with John Beckford, Fire boss/examiner informed him I was still on site.

Reviewed books for 41, 43, sections & weekly exams.

Got dressed & traveled by truck to 133 Block to mine intake aircourse.

To 81 Block &6 work

Inspector's initials

Supervisor's initials and date

U.S. GPO: 2006-640-217

Date 12-10-08

Walked into the aircourse - lifetime intact & all lights ok. Phone line ok - Roof & ribs appear adequate. Some scaling at roof & scone. Sloughing or ribs. This is an old cut, all water pumped & possible. Weather found is 20.83 oz. All new doors are nailed. Work areas had a little draw. Rock in places. Bit was not good bit. I don't think it needed scooped out. Area was mostly dry. Appear to be dry. Well, but it was found & plenty of dispute. Bands were present.

Checked Track from 81 BJ back to outside - NVo.

Check 81 BJ power center at 5 BJ on 4 month belt & terminated citation on it.

Checked Belt marker at end of 4 month belt & terminated citation.

Traveled track back to outside.

Did not issue any citations this shift. Issued 2 terminations.

U.S. GPO: 2006-640-217
MSHA Form 7000-1, June 93 (revised)

Date 12-10-08

Cheked: Motors & 
motors
Motor #2 (NQ) 
Motor #4 (NQ) 
Brokk - Both - 
Motor #4 - (NQ) 
Motor #7 - (NQ) 
Motor #9 - (NQ)

Accompanied By: Company Representative Gary 
Miners Representative: None

AREAS OF INSPECTION ACTIVITY:

Respirable Dust Pumps
MMU 080-0/140-0
Safety Talk: 9 Persons
All Faces #3 To #7
SCSR Storage/Escape Map
Section Power Center
Section Pressure Pump
First Aid Boxes / Puppet Party
Emergency Supplies / Part 90 Mine

Departed MSHA Office by 
G.O.V. with
Arrived Performance Coal
Company Upper Big Branch Mine South
12-08436 at 0530 hrs

Inspector's Initials: [Redacted] Page No. 1
Supervisor's Initials and Date: [Redacted]

U.S. GPO: 2006-640-217
Date 12-10-08
Met with Gary May Mine Foreman. Informed we were on shift. General Inspection running Respirable Dust Pumps.

Checked pre-shift on shift book, belt, mine map and methane Dust Control Plan.

Turned Respirable Dust Pumps on 630 XE and gave to crew.

Had safety talk with crew, discussed winter alert, and proper wearing.

Camera.

Traveled from Union Portal to #2 Section with Gary and
Arrived on #2 Section checked all faces #3 to #7 with pre-shift on shift examiner.
Checked C1 4% 0.0%.
Checked C2 20%.
Checked Roof/Rib conditions as some rib sloughage, being controlled.

Checked Ventilation Controls stoppings in tack, doors marked, and clear.

Checked Respirable Dust Pumps OK.

Checked SCSR Storage.

Inspector’s Initials
Supervisor’s Initials and Date: 12-9-08
Page No. 3
U.S. GPO: 2006-640-217
<table>
<thead>
<tr>
<th>Date</th>
<th>12-10-08</th>
</tr>
</thead>
<tbody>
<tr>
<td>Observed Mining Cycle</td>
<td># 1 7</td>
</tr>
<tr>
<td></td>
<td>x18'</td>
</tr>
<tr>
<td></td>
<td>126</td>
</tr>
<tr>
<td></td>
<td>x15'</td>
</tr>
<tr>
<td></td>
<td>1890</td>
</tr>
<tr>
<td></td>
<td>1x80</td>
</tr>
<tr>
<td></td>
<td>151200</td>
</tr>
<tr>
<td></td>
<td>2000</td>
</tr>
<tr>
<td>75.6 Tons This Cut</td>
<td></td>
</tr>
<tr>
<td>Checked Parameters</td>
<td></td>
</tr>
<tr>
<td>Left Miner</td>
<td>9 12 9</td>
</tr>
<tr>
<td></td>
<td>5 5</td>
</tr>
<tr>
<td></td>
<td>4 4</td>
</tr>
<tr>
<td>58 Sprays at 100 PSI</td>
<td></td>
</tr>
</tbody>
</table>

**Left Roofbolt Vacuum Reading**
- Operator Side: 16 (Hg)
- Off Side: 15 (Hg)

**Right Roofbolt Vacuum Reading**
- Operator Side: 12 (Hg)
- Off Side: 15 (Hg)

**Right Miner**
- 10 11 10
- 5 4 4
- 5

**57 Sprays at 95 PSI**

**Observed Haulage System**
- Shuttle Car

**Checked Respirable Dust Pumps** ok

**Checked Section Power Center** #16246-2250-301

**Checked Section Pressure Pump**

---

**Inspector's Initials**: [Redacted]

**Supervisor's Initials and Date**: [Redacted]
Date 12-10-08

Checked first aid boxes
Checked fire extinguishers
and tags
Checked signs
Checked emergency supplies
Checked portal path

Gathered respirable dust
pumps checked ok

Travel from #2 Section
with Gary and
Port to track
(Security escapeway)

Inspector's initials

Supervisor's initials and date
DAILY COVER SHEET

Date: 12-11-68

Arrival at Mine: 5:30
Arrived at the Mine: 5:30
Departed from the Mine: 

List Records Books Checked: #1, #5 Sections

Accompanied By: Company Representative

Miners Representative

AREAS OF INSPECTION ACTIVITY:

#3, Section 060-0

#5, Section 061-0

Noise Survey, (10 HR)

Rock Dust Survey

Prepared Dosimeters & hardhats

Reviewed Books #1, #5,

Section, #5.

Got dressed & traveled
to #5 section by truck.

Inspection's Initials

Supervisor's Initials and Date

U.S. GPO: 2006-640-217
Date 12-11-68
Walked from mouth of Section 6 & got rock dust survey on left side. Arrived on Section & checked noise dosimeter - all readings went across four inch line. Walked return right side & got rock dust survey on back to mouth of Section. Travelled outside by truck. Issued 2 citations.

Inspector's Initials 12-11-68 Page No. 3
U.S. GPO: 2006-640-217

Date 12-11-68
Noise
R211631
Moldex - NRR 33

R211633
Moldex - NRR 33

R211630
Moldex - NRR 33

R211634
Moldex - NRR 33

(10 hour shift)

Inspector's Initials Page No. 4
U.S. GPO: 2006-640-217

Date 12-11-68 #8069169
11:00 - Combustible material bar accumulated on both sides of the #3 stopping lines on #3 Section - from mouth of Section to belt tailpieces. A distance of 700 feet.

11:30 - Guard not in place on #3 Section Belt where track goes under belt. Threw crew working in this area. Manager met and stopped belt & put guard back in place. Terminated 11:40.

Inspector's Initials 12-11-68 Page No. 5
U.S. GPO: 2006-640-217
Date 12-11-08
# Citation: 306.7 170
Time: 11:30
Location: Section Belt
Citation: 75.472(e)
The number 3 Section Belt was not guarded when the track extends under the Belt. A track crew was working in this area exposing workers to a hazard of a running belt.

Who knew the violation existed?

Violations was obvious & had not been reported.

How long has the violation existed?

Couple weeks since this Section started.

If an accident should occur because of this type violation, how serious would it be?

No lost work days expected from the accumulation of Tramp.

What is the likelihood that this type accident will occur at this mine? Why?

Unlikely, no rise in work observed.

# of persons exposed: 3 or 4
Exposed - Only I would be affected.

Inspector's Initials 
Supervisor's Initials and Date
Who knew the violation existed?

Forever with Time Frame
Should have detected this.

How long has the violation existed? 6:55 - 9:32

If an accident should occur because of this type violation, how serious would it be?

Permanently disabling - injury from becoming caught in belt line

What is the likelihood that this type accident will occur at this mine? Why?

Reasonably likely it not corrected may wail in the general area.
<table>
<thead>
<tr>
<th>Date</th>
<th>12-12-08</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Inspected Area:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Electrical Equipment:</strong></td>
<td></td>
</tr>
<tr>
<td>12207-320-11/98</td>
<td></td>
</tr>
<tr>
<td><strong>Plumbing/air-casing:</strong></td>
<td></td>
</tr>
<tr>
<td>Cache - 31</td>
<td></td>
</tr>
<tr>
<td>Tatsake</td>
<td></td>
</tr>
<tr>
<td>Breed: Cache</td>
<td></td>
</tr>
<tr>
<td>Breed: 90 - 18 total</td>
<td></td>
</tr>
<tr>
<td>Cache #28</td>
<td></td>
</tr>
<tr>
<td>Cache #15</td>
<td></td>
</tr>
</tbody>
</table>

Traveled Intake from #3 to #4 month - intake was in pretty good shape, had been cleaned recently & shored. Roof appeared to be adequate & no loose rocks observed.

**Plenty of Date Boards & DT6's. Lifeline & place line intact & checked. Several phones along the length of the air course.**

**5807 & 10.820, Walkways were ok & not much draw neck had fallen. No trash or combustible materials observed.**

**Stoppings & doors intact & well marked, overall this entry was in good shape. Also checked #6 intake, access in the intake, Air-course.**

<table>
<thead>
<tr>
<th>Date</th>
<th>12-12-08</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Intake portal - North:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>#4 portal</strong></td>
<td>277,600</td>
</tr>
<tr>
<td><strong>#5 portal</strong></td>
<td>141,500</td>
</tr>
<tr>
<td><strong>#6 entry</strong></td>
<td>106,036</td>
</tr>
<tr>
<td><strong>525,136</strong></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Date</th>
<th>12-12-08</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Intake portal - South:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>#4</strong></td>
<td>122,470</td>
</tr>
<tr>
<td><strong>#5</strong></td>
<td>107,040</td>
</tr>
<tr>
<td><strong>229,510</strong></td>
<td></td>
</tr>
</tbody>
</table>

**Inspected Intake from #6 to #7 month - intake was in pretty good shape, had been cleaned recently & shored. Roof appeared to be adequate & no loose rocks observed.**

**Stoppings & doors intact & well marked, overall this entry was in good shape.**

**Also checked #7 intake, access in the intake, Air-course.**
Date 12-15-08

DAILY COVER SHEET

Date 12-15-08  Event No. 6,284,361
Arrived at the Mine 10:15  Departed from the Mine 10:30 AM

List Records Books Checked #2, 4, 3, Section #2

Accompanied By: Company Representative Billy Gason, Chief Electronic
Miners Representative N/A

AREAS OF INSPECTION ACTIVITY:

Books
CSE's on midnight - (2)
Pit phone readings on 2
miners - 42 Section,
Eff deluges (2)

Inspector's Initials [Redacted]
Supervisor's Initials and Date [Redacted]
MSHA Form 7000-10K, June 93 (revised)

Date: 12-15-08

Head Safety Talk on proper blocking of equipment & winter alert on smoking.

Check & Hold Forces to do a smoke check.

Travel by train to Belt Head to check Deluxe System & SLIP Sequence.

Ellis #5 - Deluxe - OK
North 4 - Deluxe - OK
5 North - Deluxe - OK
6 North - Deluxe - OK
7 North - Deluxe - OK

#1 Section - OK

Glory Hole Belt - Deluxe - OK
#3 Section - Belt - Deluxe - OK

Inspector's Initials: [Redacted]

Supervisor's Initials and Date: [Redacted]

Page No: 3

U.S. GPO: 2006-640-217

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

Date: 12-15-08

Head Safety Talk on proper blocking of equipment & winter alert on smoking.

Check & Hold Forces to do a smoke check.

Travel by train to Belt Head to check Deluxe System & SLIP Sequence.

Ellis #5 - Deluxe - OK
North 4 - Deluxe - OK
5 North - Deluxe - OK
6 North - Deluxe - OK
7 North - Deluxe - OK

#1 Section - OK

Glory Hole Belt - Deluxe - OK
#3 Section - Belt - Deluxe - OK

Inspector's Initials: [Redacted]

Supervisor's Initials and Date: [Redacted]

Page No: 4

U.S. GPO: 2006-640-217

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

Date: 12-15-08

Check Sales CSP's - CSE Sales:

180181 - 8.07
224106 - 10.08
199876 - 3.08
133783 - 6.06
224190 - 10.08
156571 - 3.07
78551 - 3.01
220012 - 8.08
220285 - 8.08
19862 - 3.08
114451 - 4.05
99743 - 11.03
139449 - 9.06
224229 - 10.08
220028 - 8.08
199669 - 3.08
106305 - 8.04

Inspector's Initials: [Redacted]

Supervisor's Initials and Date: [Redacted]

Page No: 5

U.S. GPO: 2006-640-217
<table>
<thead>
<tr>
<th>#2 Section</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date</td>
</tr>
<tr>
<td>Left</td>
</tr>
<tr>
<td>Right Miner</td>
</tr>
<tr>
<td>Min: 74.00</td>
</tr>
<tr>
<td>1 1.3 1.4 1.4 1.5 1.4</td>
</tr>
<tr>
<td>2 1.4 1.4 1.6 1.6 1.4</td>
</tr>
<tr>
<td>3 1.6 1.2 1.4 1.3</td>
</tr>
</tbody>
</table>

A = 25 x 11 1/2
DAILY COVER SHEET

Date: 12-16-08
Event No.: 6284361

Arrived at the Mine: 5:55
Departed from the Mine: 9:13

List Records Books Checked:
- Shift/Onshift: map

Accompanied By:
- Company Representative: William Harless
- Miners Representative: Mt.

AREAS OF INSPECTION ACTIVITY:
- Noise on #2 Section
- #2 Section
- Backdraft survey

Inspector’s Initials: [Redacted]
Supervisor’s Initials and Date: [Redacted]

U.S. GPO: 2008-640-217
Date: 12-16-08

Check all that apply:

1. Dust meters not worn or faces.
2. Miner cutting wrong side of Entry #2 - First.
3. Low air at Borer operating in 4LT.
4. Wide gate in #2 Entry 21-22 ft wide for a Distance of 16 Feet.
5. Travelled back & Started Back dust survey from #58 67 to #8195. Total 3 times & 7 entries.

Inspector's Initials: [Blank]
Supervisor's Initials: [Blank] Page No. 3

Date: 12-16-08

Noise: #2 Section

Choles - (Right Side)
144407 -
Middle -
144408 -
Left Side Driver
144409 -
Left Side Mover -
144410 -
Left Side Mover -
144411 -
Right Side Driver

Moldex Push-Fit
NRR 33 68(k)

4 1
152 8

1216 tools

Inspector's Initials: [Blank]
Supervisor's Initials: [Blank] Page No. 4

Date: 12-16-08

Citation: 8049171
Time: 10:30
Location: #2 Section #3 Entry Citation: 75,370 (a)(4)
The approved method of dust control plan is not being followed as the #2 Section.
The Left Side mining machine is cutting the wrong side.
First, Mining is always started on the correct side. (In #3 Entry)

Terminated 10:40.

# of persons exposed: 1
miner operator

Inspector's Initials: [Blank]
Supervisor's Initials: [Blank] Page No. 1

U.S. GPO: 2006-640-217
Who knew the violation existed?
Section Foreman should have observed this practice.

How long has the violation existed? 15 min.

Skips loader off wrong side.
If an accident should occur because of this type violation, how serious would it be?

No Lost Days Expected. Had adequate ventilation. Dear work practice.
Miners on 16 day shift.

What is the likelihood that this type accident will occur at this mine? Why? Unlikely.

Citation: 8049 (72)

Time: 16:40

Location: 42 Section 46 Face

If an accident should occur because of this type violation, how serious would it be?

Permanently disabling. From exposure to silica & breathing sand dust.

What is the likelihood that this type accident will occur at this mine? Why? Reasonably Likely due to exposure to dust & silica.
Citation: 8067/73

Who knew the violation existed?
Foreign or mine examiner should have observed the violation.

How long has the violation existed? 2 shifts since this excess mined the hole.

If an accident should occur because of this type violation, how serious would it be?
Permanently disabling due to crushing injuries from a roof fall. This section had a roof fall recently.

What is the likelihood that this type accident will occur at this mine? Why? Reasonably likely if roof continues to cave in and recent roof fall.
Date 12-17-68
Arrived at Mt. Hope, bump checked motive detector, piled up light, saw 5 people in shift, coal office by G & C.

Inspector's Initials: [Redacted]  
Supervisor's Initials and Date: [Redacted]  
Page No. 2

Date 12-17-68
Shape, little water. Roof & ribs approved. Adequate plenty of D & T, 4 ft. for each week. Stepings, doors & regulators - OK. Plenty of ventilators. Air looked good overall. 10% exit - 20.82%. Thairways & wellways - OK & clear.

Inspector's Initials: [Redacted]  
Supervisor's Initials and Date: [Redacted]  
Page No. 3

Date 12-17-68
EP-52  A=143
210  x148
30,030 cfm 0% city 20.82%

EP-53  2.5 x 2.5
201  6.25
6.25
12.56 cfm

EP-54  A=36.0
434  15.624
0% city 20.82%

Inspector's Initials: [Redacted]  
Supervisor's Initials and Date: [Redacted]  
Page No. 4
Date: 12-17-08

Inspector's Initials: [Redacted]

GPE 58
A = 88

O2Content: 4.4%

20.8%O2, 49.656 CFM

#8 Pump - LBB

#15 BLIP Pump - LBB

Right Return Regulator

1688 - A = 4 x 2.5

1178

1180

45 BT Pump - LBB (NVO)

Supervisor's Initials and Date: [Redacted]

U.S. GPO: 2006-640-217

Date: 12-17-08

Inspector's Initials: [Redacted]

American Electric Equipment

17296-500-1097 (NVO)

2 - 28 BLIP Pump - LBB

Flight Pump

2686.080 - 0078659 (NVO)

2 - S&CS - Stopped

1252 46 - 2-06

1251 99 - 2-06

American Electric Equipment

#5 Break - LBB

Ser. No. 112-96-500-1097 (NVO)

American Electric Equipment

5 Break - LBB

Ser. No. 112-10-698 (NVO)

Supervisor's Initials and Date: [Redacted]

U.S. GPO: 2006-640-217
Date 12-18-68

Arrived at MT. Hope, Pump
Checked 4TH detector - pick up light, switch, and left office by G.O.V.
Traveled to Performance Coal, WB - Arrived at 2:45, met with Bill Hoak, Mine Foreman - I will travel with Charlie Somaski this shift.

Reviewed Books #1, #2, #3 sections - map
Calibrated 3 noise apparatus
I got ready to run noise survey on #1 section, put dosimeters on me at 4:00, traveled to #1 section by truck.

Inspector's initials [Redacted] [Redacted]
Supervisor's initials and date [Redacted] [Redacted]

Page No. 2
Date: 12-18-68

Checked Passageway on Section 9.1. Raining OK. Made inspection.

Noise at or near the location. Issued warning to the miner. No other citations observed. Traveled back about 2500 ft. Took 5 Lives or Rock dust survey.

Prior to going underground, checked lighting and issued citation (10 light defective).

While on Section, observed mining cycle & Bolt up cycle.

Inspector’s Initials:  

Supervisor’s Initials and Date:  

U.S. GPO: 2006-840-217
Date: 12-18-08

#1 Better

A - 4 x 4.5

24

7:00

65

120

(8049178)

144

1500

7:00

24

1584

292

3504

BRIAN COLLINS - FILLING IN AS FOREMAN.

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

Date: 12-18-08

Started at 85 (20 in./yr)

Slipping 17 - sped 22658

Finished 20 in./yr Brook 37

Lot: (wt)

A5 - B5 - C5

A4 - B4 - C4

Lot: (wt)

A3 - A3 Ext - B3 P3 Ext - C3

A2 - B2 - C2

A1 - B1 - C1

22658

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

Date: 12-18-08

Checkoff:

Brookville #3 - (N46)

J-6 - 3 mm Trip

(N46)

#12 Trip - (5 mm) J-12

(N46)

Brookville - motor MT-5

(N46)

Brookville #1 - (N46)

Motor

J-2 - motor Trip - (N46)

J-9 - motor Trip - (N46)
Who knew the violation existed?
Men should have noticed this when they pick up their lights!

How long has the violation existed? At least 1 week - poor maintenance on lights.

If an accident should occur because of this type violation, how serious would it be?
No lost work days expected.
This mine is on 15 day spot.
No methane detected on Sections.

What is the likelihood that this type accident will occur at this mine? Why? 
Unlikely to occur.

Inspector's Initials: [Blank]
Supervisor's Initials and Date: [Blank]
Who knew the violation existed? Better crew and foreman should have detected this.

How long has the violation existed? 15 mins

If an accident should occur because of this type violation, how serious would it be? Permanently disabling injury from Drilling Room breathing sol. This section has an air problem.

What is the likelihood that this type accident will occur at this mine? Why? Reasonably likely.

Inspection's Initials ____________ 12-18-08
Supervisor's Initials and Date ____________ 12-18-08
Date: 12-22-68

& Books - Issued

Citation - Checked

Substation & powder magazines - Checked

SCSA's on all main trips - Checked

AL Lee MT-8
08-19608 - (NVO)

MT-5 - (NVO)

Brookville #3 MT-3

2650 - (NVO)

Einco - S-10 - (NVO)

Brookville Pitney 5 me

#2 - St N. 8145

J-11 - Smw

(NVO)

Checked Few Books - OK

Up to date - (NVO)

Electric line map - OK

Inspector's Initials: [Blank]

U.S. GPO: 2006-640-217

Page No. 3
Date 12/22/08

Mantrip # J3

139,598 9/06
139,510 II
139,569 II
139,563 II
139,515 II
244,158 10/08

Citation: 8069176
Time: 07:150
Location: Mine Office

The last recorded data for the weekly permeability exam for the right roof pocket being used on #3 section is 12-9-08. There is no record for the week of 12-14-08 thru 12-20-08.

# of persons exposed: 1 person affected.

Inspector's Initials [Blank]

Supervisor's Initials and Date 12/22/08

U.S. GPO: 2006-640-217
Who knew the violation existed?

MAINTENANCE FOREMAN
Should have observed it.

How long has the violation existed? 2 DAYS - OVER DUE.

If an accident should occur because of this type violation, how serious would it be?

No lost work days expected. Record violation.

What is the likelihood that this type accident will occur at this mine? Why?

UNLIKELY TO OCCUR. Record, Citation only.

---

DAILY COVER SHEET

Date: 12-23-08 Event No. 6284361

Arrived at the Mine: 7:00 Departed from the Mine:

List Records Books Checked: Training Records - Electrical Records

Accompanied By: Company Representative: Greg Rains - Safety Director
Bill Hartless - Mine Foreman
Miners Representative: N/A

AREAS OF INSPECTION ACTIVITY:

Electrical Books
Training Records
Close out Conferences

Inspector's Initials
Supervisor's Initials and Date: Page No. 2

U.S. GPO: 2006-440-617
Date 12-23-08

2 men, Greg Raine & one of his assistant, looked for these records for over 10 hours total. I issued a 1045 order after he told me he could not produce a record on these 10 employees. I gave him plenty of time to search for these training certificates.

No training records for these 10 men at this mine T.D.

Inspector's Initials [Redacted] Page No. 3

Supervisor's Initials and Date [Redacted] U.S. GPO: 2000-640-217
MSHA Form 7000-10K, June 93 (revised)

Date 12-23-08

# Citation: 8069177

Time: 13:10

Location: MAIN OFFICE AT UEB

Citation: 48.9(c)

Order - After careful review of the Training Record for this mine (UBR) No current or up-to-date Certificate of Training could be found for 10 of the employees at this mine site.

# of persons exposed: 10

People affected

Inspector's Initials

Supervisor's Initials and Date 12/23/08

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

Date 12-23-08

Who knew the violation existed?

Safety Director looked for Training Records for these miners for over 10 hours today. How long has the violation existed? Up to a year or less.

If an accident should occur because of this type violation, how serious would it be?

Permanently disabled - as these miners expose a hazard to themselves & others.

What is the likelihood that this type accident will occur at this mine? Why?

Reasonably likely to occur without proper required training.

Inspector's Initials

Supervisor's Initials and Date 12/23/08

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

Date 12-23-08

Started checking training records on 12-22-08 - spent 4 hours. This shift, we returned on 12-23-08 & spent 6 hours with Safety Director looking for training records. After 10 hours of searching, I issued a 104G order due to 10 (miners) training records could not be found.

I gave them plenty of time to produce records & they couldn't.

Inspector's Initials

Supervisor's Initials and Date 12/23/08