



AUG 28 2018

MEMORANDUM FOR PATRICIA W. SILVEY
Deputy Assistant Secretary for
Mine Safety and Health Administration

THROUGH: TIMOTHY R. WATKINS [REDACTED]
Deputy Administrator for
Coal Mine Safety and Health

FROM: THOMAS W. CHARBONEAU [REDACTED]
Director, Office of Assessments

SUBJECT: Mine Safety and Health Administration (MSHA)
Office of Accountability Review, Coal District 3,
St. Clairsville, Ohio Field Office, and [REDACTED]
[REDACTED] ID No. [REDACTED]

Introduction

This memorandum summarizes the Office of Accountability's review of the Coal District 3, St. Clairsville, Ohio Field Office. The review focused on enforcement activities at the [REDACTED]. This review included MSHA field activities, level of enforcement, conditions and practices at the mine, and MSHA supervisory and managerial oversight.

Purpose

The purpose of this accountability review is to determine whether MSHA enforcement policies, procedures and guidance are being followed consistently and to assess whether mission critical enforcement activities are accomplished effectively. The accountability review also identifies areas for improvement and evaluates the subsequent implementation of effective corrective actions to address any identified issues.

Overview

Office of Accountability Specialists Jerry Kissell and Mark Odum (Review Team) conducted the review in accordance with the annual accountability review schedule. The review concentrated on a Regular Safety and Health Inspection (E01), Event No. [REDACTED] of the [REDACTED] ID No. [REDACTED] conducted during the fourth quarter of FY 2017. The Review Team selected the mine for review because it utilizes continuous haulage mining systems. Specialist Odum conducted the on-site portion of the review from [REDACTED]

Mine Visit ([REDACTED] ID No. [REDACTED])

Specialist Odum accompanied the Assistant District Manager (Enforcement), the Field Office Supervisor, and an inspector to the mine on [REDACTED] as part of a regular inspection (E01). The mine is located in [REDACTED], and, at the time of the review, employed approximately [REDACTED] miners working one production shift, five days per week. The mine used a continuous haulage system on one active working section to produce an average of [REDACTED] of raw coal daily. Coal is transported from the mine by conveyor belts to the preparation plant on the surface. During the mine visit, Specialist Odum evaluated general conditions, observed work practices at the mine, and assessed whether conditions corresponded with enforcement levels documented in the inspection reports reviewed. During the mine visit, the inspector issued two enforcement actions to the mine operator. (Attachment E)

The mine visit included inspections and observations of the following:

- examinations of the working section for imminent dangers, methane tests and air readings
- communication and tracking system
- refuge alternative and escapeway maps
- primary escapeway from the portal to the section
- lifelines and signage
- dates, times, and initials of required examinations
- a portion of the No. 3 conveyor belt entry/alternate escapeway and the No. 2 Belt Drive
- A-1 Seals, No. 1 – 3
- examination records and postings
- check-in/check-out system
- discussions with the operator

Review Results

The review revealed the following positive finding:

- Inspectors used printed sheets from the Inspection Tracking System as notes to assist in documentation.

This accountability review identified two issues that required a corrective action plan.

Issue 1: The documentation reviewed for the Regular Inspection (E01), Event No. [REDACTED] was not complete. (Office of Accountability Checklist Item #2)

- The Mine Activity Data Form, Form 2000-22, was incomplete. A diesel sample collected during the inspection was not included on the form.
- Arrival times at the mine were not always documented in the notes. For 4 of 13 inspection days at the mine, the arrival time was omitted.
- The Field Office Supervisor did not date the tracking map.
- The Respirable Dust Sampling and Monitoring Data Form, Form 2000-86, for the E01 reviewed, was incomplete and had seven instances of omitted or incomplete information. (Office of Accountability Checklist Item #39)

Issue 2: District management personnel did not sufficiently review work products to ensure accuracy and completeness. (Office of Accountability Checklist, Item #29)

As referenced in Issue 1,

- the Form 2000-22 was incomplete and did not include the diesel survey conducted;
- arrival times at the mine were not always documented in the notes; and
- the Form 2000-86 was incomplete and had seven instances of omitted or incomplete information.

District staff, along with the Review Team, analyzed the findings identified during this review to determine the root causes of the issues. The root causes along with the corrective actions to address the issues are included in the corrective action plan attached. (Attachment A)

Specialist Odum identified and discussed with District personnel some inspection and procedural best practices as described in the Coal Mine Safety and Health General Inspection Procedures Handbook. A general outline of discussion topics is attached. (Attachment C)

Based on the review and observations during the mine visit, the Review Team determined that the enforcement levels for the [REDACTED] were appropriate.

Attachments

- A. Corrective Action Plan
- B. Issues Requiring Corrective Action
- C. Discussion Topics
- D. Office of Accountability Checklist
- E. Enforcement Actions Issued During the Mine Visit

- [REDACTED] 75.220(a)(1)
- [REDACTED] 75.370(a)(1)

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Attachment A - Corrective Action Plan

U.S. Department of Labor

Mine Safety and Health Administration
604 Cheat Road
Morgantown, West Virginia 26508



July 24, 2018

MEMORANDUM FOR THOMAS W. CHARBONEAU
Director, Office of Assessments

THROUGH: TED SMITH
Supervisor, Office of Accountability

TIMOTHY R. WATKINS ██████████
Deputy Administrator for Coal
Coal Mine Safety and Health Administration

MARCUS A. SMITH ██████████
Chief, Accident Investigations, Special Investigations
and ACR

FROM: ██████████
CARLOS T. MOSLEY
District Manager
District 3

SUBJECT: Proposed Corrective Actions

This is a response to the review conducted by the Office of Accountability from ██████████ at the St. Clairsville, Ohio field office, District 3, and the ██████████ MSHA ID. No. ██████████. The results of your review identified two deficiencies consisting of five subparts, which are required to be addressed by this district.

DEFICIENCY

Issue No. 1

The documentation reviewed for the Regular (E01) Health and Safety Inspection Event No. ██████████ was not complete. (Office of Accountability Checklist Item No. 2)

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- A. The Mine Activity Data Form, Form 2000-22, was incomplete. A diesel sample collected during the inspection was not included on the form.
- B. Inspector arrival times at the mine were not always documented in the notes. For 4 of 13 inspection days at the mine, the arrival time was omitted.
- C. The Respirable Dust Sampling and Monitoring Data Form, Form 2000-86, for the E01 reviewed, was incomplete and had seven items of omitted or incomplete information. (Office of Accountability Checklist Item No. 39)

ROOT CAUSE:

Issue 1 was the result of the inspector failing to use and follow established notetaking and documentation requirements and procedures as specified in the General Inspection Procedures Handbook and Chapter 1 of the Health Manual, and a lack of motivation.

PROPOSED CORRECTIVE ACTIONS:

The Assistant District Manager for Enforcement will conduct retraining of all Authorized Representatives in all offices (technical and inspection). Topics of discussion will include proper completion of notes and forms, including, but not limited to, the Mine Activity Data Form, Form 2000-22, in its entirety, the requirements for completing a daily cover sheet, and completing Respirable Dust Sampling and Monitoring Data Form, Form 2000-86.

OFFICE OR POSITION RESPONSIBLE FOR IMPLEMENTING THE CORRECTIVE ACTION(S):

The Assistant District Manager for Enforcement will implement the corrective action and conduct a random subsequent quarterly audit.

TIMEFRAME FOR COMPLETION OF EACH CORRECTIVE ACTION:

The identified deficiencies were discussed in an all supervisors meeting on March 20, 2018. Training in all field offices was completed by April 27, 2018. The training was documented in the agenda, notes were taken at the meeting, and a roster was compiled to document attendance. Final rosters will be maintained in the district with training records.

METHOD FOR DETERMINING SUCCESS:

Review of the implementation will be conducted during the quarterly supervisory review of completed E01s. At the end of the 2nd and 3rd Quarter of FY 2018, a random

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quarterly inspection of a mine utilizing diesel equipment was reviewed in its entirety to assure the inspector documented time of arrival on each daily cover sheet, the number of diesel surveys completed, and that all MSHA Form 2000-86s were completed in their entirety.

DEFICIENCY

Issue No. 2

District Management personnel did not sufficiently review work products to ensure accuracy and completeness. (Office of Accountability Checklist, Item No. 29)

- A. The Form 2000-22 was incomplete and did not include the diesel survey conducted;
- B. Arrival times at the mine were not always documented in the notes;
- C. The Form 2000-86 was incomplete and had seven items of omitted or incomplete information.
- D. The Field Office Supervisor did not date the tracking map.

ROOT CAUSE:

Issue 2 was the result of a lack of attention to detail by the supervisor and inadequate administrative controls.

PROPOSED CORRECTIVE ACTIONS:

In addition to retraining all inspectors and supervisors, the Assistant District Manager for Enforcement modified the completed E01 checklist (see attached) to remind supervisors to date and initial the tracking map, document review of the cleanup plan, and assure all forms are completed in their entirety.

OFFICE OR POSITION RESPONSIBLE FOR IMPLEMENTING THE CORRECTIVE ACTION(S):

The Assistant District Manager for Enforcement will implement the corrective actions and conduct random subsequent quarterly audits.

TIMEFRAME FOR COMPLETION OF EACH CORRECTIVE ACTION:

The identified deficiencies were discussed in an all supervisors meeting on March 20, 2018. Training in all field offices and specialist groups was completed by April 27, 2018. The training was documented in the agenda, notes were taken at the meeting, and a

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roster was compiled to document attendance. Final rosters will be maintained in the district with training records.

METHOD FOR DETERMINING SUCCESS:

Review of the implementation will occur during the quarterly supervisory review of completed E01s. At the end of the 3rd Quarter of FY 2018, a random quarterly inspection of a mine utilizing diesel equipment will be reviewed in its entirety to assure the inspector documented time of arrival on each daily cover sheet, the number of diesel surveys completed, and all MSHA Form 2000-86s were completed in their entirety. Additionally, the Assistant District Manager for Enforcement will review all FARs and AAs to assure daily cover sheets contain the documentation of arrival times.

A DESCRIPTION OF THE DOCUMENTATION THAT WILL DEMONSTRATE CLOSURE OF THE CORRECTIVE ACTION:

The District Manager will send a memorandum to Thomas Charboneau, Director, Office of Assessments; through Ted Smith, Supervisor, Office of Accountability; through Timothy Watkins, Deputy Administrator for Coal Mine Safety and Health; through Marcus Smith, Supervisor to the Accident Investigation/Special Investigation/ ACR Group, upon completion of the corrective actions.

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Mine Name _____

MSHA Mine ID No. _____

Event Number _____

E01 Inspection Report - Underground

All of the below forms may not be applicable for all inspection reports, and the forms which do not have to be maintained in any particular order in the files

- 2000-22 Mine Activity Data & Calendar (SCSR Plan, Cleanup Program, and Ground Control Plan statements, documented on line No. 17-Remarks).
- First-Line Supervisors E01 Certification Sheet
- 2000-209 Mine Information Form (original must be submitted to Assistant or supervisor immediately upon completion and one copy maintained in report).
- RTLB and Part 75 Exam Rule Calculator Results
- 2000-204 Roof & Vent Plan Evaluation.
- 2000-223 ERP Plan Review Form.
- Air Bottle Results for Each Sample Taken (Analytical Report).
- 2000-43 Mine Atmosphere Sampling Print Out (only if result not yet received, then a copy of the submitted form showing that analytical report not yet received).
- 2000-156 Rock Dust Sample Submission Form(s), sample forms with analysis results (if results not yet received by close date of inspection a copy of the submitted 2000-156 showing that analysis results not yet received).
- 2000-86 Respirable Dust Form.
- MSN 014 Respirable Dust Results with Blue Cards Attached (not mandatory that they be signed, but must have a positive identifier of who conducted the sample).
- 2000-84 Noise Survey Results.
- Results of other samples taken (asbestos, etc.).
- Impoundment Inspection Forms (MSHA Form 2000-241 for each one)

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- 2000-34 Coal Refuse Pile Periodic Inspection Form.
- ATF 5030.5 and/or ATF 5400.5 ATF Inspection Form.
- Diesel Equipment Inventory Records (print out).
- SCSRs Inventory Records (print out) Note: 2000-220 form is discontinued.
- Part 49 Checklist (Mine Rescue Station).
- ITS Tracking (print out).
- Rock Dust Map. Map must indicate notations for citations issued.
- Mine Tracking Map(s) – including the LOCC air reading for each working section, MMU #'s, locations of mp's and ep's placed on map.
- Supervisor Date and Initial's on Tracking Map
- 2000-207 Independent Contractor Form (only if new or updated).
- 2000-208 Independent Contractor Form (for contractors on mine site).
- General Inspection Cover Sheet (7000-10H), Daily Cover Sheets (7000-10I) if applicable with all notes including any preprinted listings documented as notes taken on the event.
- Citations, Orders, and Safeguards (7000-3) with any photo mounting worksheets (4000-125), with all subsequent actions (7000-3a) including any vacated issuances and vacate memorandums if applicable, elevated enforcement actions paperwork (7000-32 SAR). Citations and orders organized by issue date beginning with the first day of the quarter. Previous issued citations, orders, and safeguard subsequent actions shall be maintained in the event that the original enforcement action was generated from.

All information and documents listed above are included with in this report in its entirety.

 Supervisor Signature

 Date

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Attachment B - Issues Requiring a Corrective Action Plan

Issue 1: The documentation reviewed for the Regular Inspection (E01), Event No. ██████ was not complete. (Office of Accountability Checklist, Item #2)

- A. The Mine Activity Data Form, Form 2000-22, was incomplete. A diesel sample collected during the inspection was not included on the form.

Requirement: General Inspection Procedures Handbook (GIPH), page 2-14 through 2-18:

Inspection Report - The Lead inspector shall complete and submit an MSHA Form 2000-22 as a cover page for all types of inspection or investigative activity reports. This electronic form is maintained in the Inspectors' Portable Application for Laptops system and changes are to be made as needed until the event is closed. If an inspector revises the form after a close date has been entered and uploaded, the inspector shall report the changes to the Mine Safety and Health Assistant responsible for updating the revised information in the MSHA Standardized Information System. All items (boxes) must be filled out by entering either the appropriate information or by entering zeros (0). Any Form 2000-22 with documentation in Item 17 (Remarks) concerning mine operator's program or plan reviews should be forwarded to the District Office by the Mine Safety and Health Assistant for the District Manager's review.

Item 13.f. Other – Include any other type of health sample collected individually. If this item contains a value, show specific types of samples taken in Item 17.

- B. Arrival times at the mine were not always documented in the notes. For 4 of 13 (30%) inspection days at the mine, the arrival time was omitted.

Requirement: See GIPH, p. 2-6 – The arrival time at the mine shall be entered on the daily cover sheet and will be considered the official time of arrival.

- C. The supervisor did not date the tracking map.

Requirement: Coal Mine Safety and Health Supervisor's Handbook, AH14-III-4, January 2014, page 1-3 – Upon completion of the E01, the supervisor shall date and initial the tracking map and include it with the final E01 inspection report.

- D. 2000-86 form for the E01 reviewed was incomplete and had seven instances of omitted or incomplete information – **(Office of Accountability Checklist, Item #39)**
- Item 8 – not completed
 - Item 11 – not completed
 - Item 12 – not completed
 - Item 13 – not completed

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- Item 18 C – not completed
- Item 18 F – incomplete
- Item 19 – incomplete

Requirement: The Coal Mine Health Inspection Procedures Handbook, PH89-V-I(22), Chapter 6, page 6.13 - It is essential that the information/data recorded on MSHA Form 2000-86 accurately reflect the dust control measures and practices being used and the actual quantities measured, and is consistent with Chapter 1 — Respirable Dust as the completed form will serve as supporting documentation when plan changes are required and/or enforcement actions taken.

Issue 2: District management personnel did not sufficiently review work products to ensure accuracy and completeness. (Office of Accountability Checklist, Item #29)

As referenced in Issue 1,

- The Form 2000-22 was incomplete and did not include the diesel survey conducted.
- Arrival times at the mine were not always documented in the notes.
- The Form 2000-86 was incomplete and had seven instances of omitted or incomplete information.

Requirement: Coal Mine Safety and Health Supervisor's Handbook, AH14-III-4, January 2014:

page 1-1 - To ensure that inspections and investigations are conducted according to MSHA policies and procedures, Coal Mine Safety and Health Supervisors must review the work performed by their inspectors and specialists. This is accomplished through reviews of all inspection work products and reports for completeness and thoroughness.

page 1-2 - The supervisor will review all work products for the inspection event. He/she will review the notes and date and initial the daily cover sheet to indicate that the notes have been reviewed. Each enforcement action shall be reviewed and initialed by the supervisor.

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Attachment C – Discussion Topics

Topics discussed with the District that do not require a corrective action plan are as follows:

- Enforcement Actions – discussed documentation for gravity and negligence determination for one citation. (See Citation and Order Writing Handbook For Coal Mines and Metal and Nonmetal Mines, PH13-I-1(1), pages 10-18; Coal Mine Safety and Health General Inspection Procedures Handbook, PH16-V-1 (GIPH), pages 2-19 through 2-22 for reference)
- Discussed documentation of equipment and items in the notes and Inspection Tracking System (ITS) - Not all equipment documented in the notes were in the ITS; some ITS items were checked as completed but not referenced in notes; some items inspected did not include No Violations Observed or NVO. (See GIPH pages 2-1, 3-1 for reference)
- Discussed documentation of air readings to include air direction and height and width measurements. (See GIPH, pages 3-63 through 3-65 for reference)
- Discussed documentation of observation of testing of the methane monitor on the continuous mining machine. (See GIPH, pages 3-62 through 3-63 for reference)
- Discussed documentation of type and number of training records inspected. (See GIPH, page 3-15)
- Form 2000-22 – Discussed form to include evaluation documentation of the Clean-Up Program and Ground Control Plan in the remarks. (See GIPH, pages 2-18, 3-5, and 3-34 for reference)
- Tracking Map – discussed the extent of travel /route for main return and worked out areas and the locations of evaluation points and measuring point locations. (See GIPH, pages 3-63 through 3-64 for reference)
- Rock Dust Maps – discussed the map availability at the Field Office for review by inspectors. (See GIPH, page 5-19 for reference)
- Spot Calendars – discussed information such as: event number, shift, and location. (See Supervisor’s Handbook, page 1-8 for reference)
- Uniform Mine File (E-UMF) for ██████████ – discussed for Coal Mine Inspectors to review and sign prior to inspection on the E01. (See GIPH, page 2-5 for reference)

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Attachment D - Office of Accountability Checklist

1. Determine if complete and thorough E01 inspections are being conducted and/or if policy and procedures were properly followed.

Adequate Corrective Action Needed Comments Below

2. Determine if documentation for inspections is complete and thorough.

Adequate Corrective Action Needed Comments Below

The documentation reviewed for the Regular Inspection (E01), Event No. ██████ was not complete. (Office of Accountability Checklist Item #2)

- A. The Mine Activity Data Form, Form 2000-22, was incomplete. A diesel sample collected during the inspection was not included on the form.
- B. Arrival times at the mine were not always documented in the notes. For 4 of 13 inspection days at the mine, the arrival time was omitted.
- C. ██████ did not date the tracking map.
- D. The Respirable Dust Sampling and Monitoring Data Form, Form 2000-86, for the E01 reviewed, was incomplete and had seven instances of omitted or incomplete information. (Office of Accountability Checklist Item #39)

See Attachment B.

3. Determine if citations and orders issued during previous inspections were properly evaluated for gravity, negligence, level of enforcement, number of persons affected, and supported by documentation.

Adequate Corrective Action Needed Comments Below

4. Evaluate inspector/specialist examination of required record books and postings for compliance with applicable standards.

Adequate Corrective Action Needed Comments Below

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5. Evaluate inspector/specialist examination of the operator's maps (on-site) for accuracy, escapeway locations, etc.

Adequate Corrective Action Needed Comments Below

6. Evaluate, upon arrival on the working section, inspector/specialist examination of all working faces for imminent dangers.

Adequate Corrective Action Needed Comments Below

7. Evaluate the inspector/specialist observation of the work cycle and conditions on the working section during the review.

Adequate Corrective Action Needed Comments Below

8. Evaluate the inspector/specialist air quantity, quality, and gas checks during the review.

Adequate Corrective Action Needed Comments Below

9. Evaluate inspector/specialist examination of equipment electrical cables during the review.

Adequate Corrective Action Needed Comments Below

10. Evaluate inspector/specialist examination for permissibility during the review.

Adequate Corrective Action Needed Comments Below

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11. Determine if previous E01 inspections include examinations of the condition and maintenance of conveyor belts, belt entries, belt drives, fire detection and suppression systems, and separation of belt entries from other air courses.

Adequate Corrective Action Needed Comments Below

12. Evaluate, during the review, the inspection of at least one set of seals, including methods for obtaining samples from sealed area.

Adequate Corrective Action Needed Comments Below

13. Determine if adequate close-out conferences are being conducted at the end of each inspection.

Adequate Corrective Action Needed Comments Below

14. Determine if Possible Knowing/Willful (PKW) Forms are documented and processed according to agency policy and procedures.

Adequate Corrective Action Needed Comments Below

15. Evaluate 103(i) spot inspection (E02) reports for the office/district being reviewed for compliance with agency policies and procedures, including compliance with time frames and separating E02 inspections from other events.

Adequate Corrective Action Needed Comments Below

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21. Determine if supervisors are thoroughly reviewing Uniform Mine Files at least annually?

Adequate Corrective Action Needed Comments Below

22. Determine if supervisors are visiting each active underground mine at least annually.

Adequate Corrective Action Needed Comments Below

23. Determine if all sections where retreat mining is occurring (not to include longwall mining) are being inspected at least monthly?

Adequate Corrective Action Needed Comments Below

24. Determine if documentation of staff meetings/safety meetings are effective and relevant to current issues and the Agency's mission.

Adequate Corrective Action Needed Comments Below

25. Determine, after an in-mine visit, if approved plans (Ventilation, Roof Control, Training, Emergency Response Plan (ERP), etc.) are compatible with mining conditions and equipment.

Adequate Corrective Action Needed Comments Below

26. Determine if approved plans are being revised or updated to reflect changes in conditions and/or equipment.

Adequate Corrective Action Needed Comments Below

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36. Determine if a complete permissibility inspection of each longwall system is being conducted by electrical specialists or inspectors who hold a current MSHA electrical qualification card on at least an annual basis.

Adequate Corrective Action Needed Comments Below

37. Determine if a proper examination of the Atmospheric Monitoring System (AMS) and/or AMS systems that operate Carbon Monoxide (CO) sensors is being conducted. A complete inspection includes those items in the Coal General Inspection Procedures Handbook (GIPH) AMS checklist.

Adequate Corrective Action Needed Comments Below

38. Determine if SSIs are maintaining a memorandum detailing the reasons for not conducting a special investigation when the District Manager decides to take no further action, in accordance with the Special Investigations Procedures Handbook.

Adequate Corrective Action Needed Comments Below

Not part of this review

39. Determine if proper procedures for conducting, documenting, and reviewing MSHA respirable dust surveys are being followed. Proper documentation to include blue cards, 2000-86s, etc.

Adequate Corrective Action Needed Comments Below

- the Form 2000-86 was incomplete and had seven instances of omitted or incomplete information.

This issue was included as part of Issue 1. See Attachment B.

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Determine if District Managers and Assistant District Managers are providing acting Field Office Supervisors with the level of oversight necessary to manage their work groups on a temporary basis including an online distance learning training course with a knowledge check for temporarily promoted supervisors. The guidance will be included in each District's Standard Operating Procedure (SOP) for training newly promoted Field Office Supervisors.

40. Adequate Corrective Action Needed Comments Below

The Roof Control Plan SOP should comply with the established Program Policy Manual requirements as identified by the OIG report to address deficiencies identified in the Internal Review report. The SOPs should account for:

- 41.
- checking that required information is submitted
 - checking for communication with other plan approval groups
 - assuring that designated MSHA personnel contact the operator for additional information
 - discussing results of on-site evaluations with the operator and identified miners' representatives.

Adequate Corrective Action Needed Comments Below

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Attachment E - Enforcement Actions Issued During the Mine Visit

Mine Citation/Order U.S. Department of Labor
Mine Safety and Health Administration

Section I - Citation Data		
1. Date Mo Da Yr	2. Time (24 Hr. Clock)	3. Citation/ Order Number
4. Served To	5. Operator	
6. Mine	7. Mine ID	
8. Condition or Practice		8a. Written Notice (103g)

The operator is not following the approved Roof Control Plan page 4, Maximum width of Main/ Butt entries (19 ft max). The travel way between 50 and 51 xc measured 21 ft wide for a distance of 26 feet.

Standard 75.220(a)(1) was cited ██████████ ██████████

See Continuation Form (MSHA Form 7000-3e)

9. Violation	A. Health Safety <input checked="" type="checkbox"/> Other	B. Section of Act	C. Part/Section of Title 30 CFR	75.220(a)(1)
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Section II - Inspector's Evaluation				
10. Gravity	A. Injury or illness (was) (is): No Likelihood Unlikely <input checked="" type="checkbox"/> Reasonably Likely Highly Likely Occurred			
	B. Injury or illness could reasonably be expected to be: No Lost Workdays Lost Workdays Or Restricted Duty Permanently Disabling Fatal <input checked="" type="checkbox"/>			
	C. Significant and Substantial Yes No <input checked="" type="checkbox"/>			D. Number of Persons Affected 001
11. Negligence (check one)	A. None	B. Low	C. Moderate <input checked="" type="checkbox"/>	D. High E. Reckless Derelict
12. Type of Action (04(a))	13. Type of Issuance (check one) Citation <input checked="" type="checkbox"/> Order Safeguard Written Notice			
14. Initial Action	E. Citation/ Order Number			F. Dated Mo Da Yr
15. Area or Equipment				

16. Termination Due	A. Date Mo Da Yr	B. Time (24 Hr. Clock)
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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) E01	20. Event Number	21. Primary or MHI
22. AR Name	23. AR Number	

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 initially 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, SMC 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.

United States Department of Labor
 Mine Safety and Health Administration
 Office of Accountability

District	Coal District 3	Field Office	St. Clairsville, OH Field Office	Mine ID	████████	Date	████████
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Mine Citation/Order
 Construction

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



Section I - Subsequent Action/Continuation Data

1 Subsequent Action Is Continuation <input checked="" type="checkbox"/>	2 Dated (Original Issue) Mo Da Yr ████████	3 Citation/Order Number ████████
4 Served To ████████	(3) Operator ████████	
5 Mine ████████	7 Mine ID ████████	(Contractor)

Section II - Justification for Action

The operator cleaned mine floor of loose rock and coal and installed floor to roof support in cited area correcting the violation. (5 posts)

See Continuation Form

Section III - Subsequent Action Taken

6 Extended To	A. Date Mo Da Yr ████████	B Time (24 Hr Clock)	C Vacated <input type="checkbox"/>	D Terminated <input checked="" type="checkbox"/>	E Modified <input type="checkbox"/>
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Section IV - Inspection Data

8 Type of Inspection (ED)	10 Event Number ████████		
11 AR Number ████████	AR Number ████████	12 Date Mo Da Yr ████████	13 Time (24 Hr Clock) ████████

MSHA Form 7000-3a Mar 89 (revised)



United States Department of Labor
 Mine Safety and Health Administration
 Office of Accountability

District	Coal District 3	Field Office	St. Clairsville, OH Field Office	Mine ID	██████████	Date	██████████
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Mine Citation/Order

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



Section I - Violation Data

1 Date Mo Da Yr ██████████	2 Time (24 Hr. Clock) ██████████	3 Citation/ Order Number ██████████
4 Served To ██████████	(4)	5 Operator ██████████
6 Mine ██████████		7 Mine ID ██████████ (Contractor)

B. Condition or Practice

8a. Written Notice (103g)

The operator is not following the approved ventilation control plan page 1.1, Methane and Dust control. The #4 entry of B Butt 4 right section is not being maintained in damp condition to control dust, the entry was dry and dust suspended in air when traveled over.

Standard 75.370(a)(1) was cited ██████████

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health & Safety Other	B. Section of Act	C. Part/Section of Title 30 CFR 75.370(a)(1)
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Section II - Inspector's Evaluation

10 Gravity	A. Injury or Illness (has) (is)	No Likelihood	Unlikely <input checked="" type="checkbox"/>	Reasonably Likely	Highly Likely	Occurred
B. Injury or illness could reasonably be expected to be	No Lost Workdays	Lost Workdays Or Rescinded Duty		Permanently disabling <input checked="" type="checkbox"/>	Fatal	
C. Significant and Substantial:	Yes	No <input checked="" type="checkbox"/>	D. Number of Persons Affected		007	
11 Negligence (check one)	A. None	B. Low	C. Moderate <input checked="" type="checkbox"/>	D. High	E. Reckless Disregard	
12 Type of Action	104(a)	13 Type of Issuance (check one)		Citation <input checked="" type="checkbox"/>	Order	Safeguard Written Notice
14 Initial Action	A. Citation	B. Order	C. Safeguard	D. Written Notice	E. Citation/ Order Number	F. Dated Mo Da Yr

15 Area or Equipment

16 Termination Due	A. Date Mo Da Yr ██████████	B. Time (24 Hr. Clock) ██████████
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Section III - Termination Action

17 Action to Terminate The operator applied calcium to cited area to control dust.

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)	E01	20 Event Number	██████████	21 Primary or MII	
22 AR Name	██████████	23 AR Number	██████████		

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