	U.S. Department of I Mine Safety and Heal		n P1 APR 2005
Section [Violation Data	· · · · · · · · · · · · · · · · · · ·	1	
1. Date Mo Da Yr 2. Time (24 Hr. Clock)		3. Citation/	7097717
04/06/2005 0630		Order Numbe	, ,0),,,,,
4. Served To	5. Operator	~~~	
Bill Currence _ Mine Foreman	ANKER WEST VIRO	JINIA MININC	i COMPANY
6, Mine SAGO MINE	7. Mine ID 46-0879	1	(Contractor)
8. Condition or Practice	<u> </u>		(Contractor) 8a. Written Notice (103g)
The approved ventilation plan is	not hoing com	ident with	
0 MMU working section. The approved ve			
curtain being used for ventilate the #	s ontry face is	states in	tained to within
10 feet of the face or on the second r			
curtain was found approximately 110 fe			
feet from the last permanent roof supp	ort poit to the	e end of t	ne existing line
curtain which is hung on the 20th perm	anent roof supp	port bolt	outbid the face.
		See Continuat	ion Form (MSHA Form 7000-3a)
	Part/Section of	77.070	
Safety of Act Other	itle 30 CFR	75,370	
Section II-Inspector's Evaluation	, , , , , , , , , , , , , , , , , , , 		
10. Gravity:			
A. Injury or Illness (has) (is): No Likelihood Unlikely	Reasonably Likely	Highly Likely	Occurred
B. Injury or illness could reasonably be expected to be: No Lost Workdays Lost Workdays	days Or Restricted Duty	Permanently Di	sabling Fatal
C. Significant and Substantial: Yes ☐ No 🗹		ons Affected: 001	
11. Negligence (check one) A. None B. Low C. N			
	loderate 🗹 D. High	E. Rec	ckless Disregard
12. Type of Action 104(a) 13. Type of Issue			ckless Disregard Safeguard Safeguard
		****	er Safeguard
12. Type of Action 104(a) 13. Type of Issue	nnce (check one) C	****	
12. Type of Action 104(a) 13. Type of Issue 14. Initial Action	nnce (check one) C	****	er Safeguard
12. Type of Action 104(a) 13. Type of Issue 14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice	nnce (check one) C	****	er Safeguard
12. Type of Action 104(a) 13. Type of Issue 14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice	nnce (check one) C	****	er Safeguard
12. Type of Action I (04(a) 13. Type of Issue 14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice 15. Area or Equipment	nnce (check one) C	****	er Safeguard
12. Type of Action I ()4(a) 13. Type of Issue 14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice 15. Area or Equipment 16. Termination Due A. Date Mo Da Yr	ince (check one) C E. Citation/ Order Number	****	er Safeguard
12. Type of Action I 04(a) 13. Type of Issue 14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice 15. Area or Equipment 16. Termination Due A. Date Mo Da Yr 04/06/2005 B. Time (24 Hr. Clock)	nnce (check one) C	*****	er Safeguard
12. Type of Action I 04(a) 13. Type of Issue 14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice 15. Area or Equipment 16. Termination Due A. Date Mo Da Yr 04/06/2005 B. Time (24 Hr. Clock)	E. Citation/ Order Number	itation 🗹 Oro	F. Dated Mo Da Yr
12. Type of Action I 04(a) 13. Type of Issue 14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice 15. Area or Equipment 16. Termination Due A. Date Mo Da Yr 04/06/2005 Section III—Termination Action 17. Action to Terminate Terminated due to line	nce (check one) C E. Citation/ Order Number 0640 ne curtain bein	g hung fro	F. Dated Mo Da Yr
12. Type of Action IO4(a) 13. Type of Issue 14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice 15. Area or Equipment 16. Termination Due A. Date Mo Da Yr O4/06/2005 Section III—Termination Action 17. Action to Terminate Terminated due to line the previous line curtain, inby to the	nce (check one) C E. Citation/ Order Number 0640 ne curtain bein	g hung fro	F. Dated Mo Da Yr
12. Type of Action I 04(a) 13. Type of Issue 14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice 15. Area or Equipment 16. Termination Due A. Date Mo Da Yr 04/06/2005 B. Time (24 Hr. Clock)	nce (check one) C E. Citation/ Order Number 0640 ne curtain bein	g hung fro	F. Dated Mo Da Yr
12. Type of Action 104(a) 13. Type of Issue 14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice 15. Area or Equipment 16. Termination Due A. Date Mo Da Yr 04/06/2005 Section III—Termination Action 17. Action to Terminate Terminated due to line the previous line curtain, inby to the from the #5 face. 18. Terminated A. D. Mo Da Yr Mo Da	nce (check one) C E. Citation/ Order Number 0640 ne curtain bein	g hung fro	F. Dated Mo Da Yr
12. Type of Action 104(a) 13. Type of Issue 14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice 15. Area or Equipment 16. Termination Due A. Date Mo Da Yr 04/06/2005 Section III—Termination Action 17. Action to Terminate Terminated due to line the previous line curtain, inby to the from the #5 face. 18. Terminated A Date Mo Da Yr R Time (24 Hr. Clock)	Oce (check one) C E. Citation/ Order Number 0640 The curtain bein second row of	g hung fro	F. Dated Mo Da Yr
12. Type of Action IO4(a) 13. Type of Issue 14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice 15. Area or Equipment 16. Termination Due A. Date Mo Da Yr O4/06/2005 Section III—Termination Action 17. Action to Terminate Terminated due to line the previous line curtain, inby to the from the #5 face. 18. Terminated A. Date Mo Da Yr O4/06/2005 B. Time (24 Hr. Clock)	Oce (check one) C E. Citation/ Order Number 0640 The curtain bein second row of	g hung fro	F. Dated Mo Da Yr

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

6



23. AR Number

	1-05
,:30	75.370
109771	7 545-NO

plan is not being complied with on the Mains 002-0 MMU working section. The approved Ventilation plan states that the line curtain being used for Ventilate the # 5 Entry face is Not mainten to within 10 feet of the face or on the second You of permanent roof Support. The live Curtain was found approximately 110 feet from the #5 entry face, which was Inspector's Initials _ Supervisor's Initials and Date

80 test from the last
permanent roof support
bolt to the end of the
existing live curtain
Which is hung on the
20th permanent roof
Support bolt outbid the
face.
Inspector's Initials
Inspector's Initials
rage No

"U.S.GPO: 2004 - 642 - 912

Mine Citation/Order

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



			white outers and creater Administration					
Section I-V	iolation Data							
1. Date	Mo Da Yr 04/06/2005	2. Time (24 Hr. Clock) 0840	3. Citation/ Order Number	7097718				
4. Served	То		5. Operator					
Bill Cur	rence _ Mine For	eman	ANKER WEST VIRGINIA MINING COMPANY					
6. Mine			7. Mine ID 46-08791					
SAGO 1	MINE		40-08/91	(Contractor)				
8. Conditio	n or Practice			On 18/miles Making (400m)				

The #6 AWG trailing cable for the #1 scoop charger being operated on the Mains 002-0 MMU working section has the trailing cable plugged into a circuit breaker that has the instantaneous setting set on 750 amperes. The maximum instantaneous amperes setting for a #6 AWG trailing cable is 300 amperes. The mine operator immediately removed the #1 scoop charger trailing cable from service.

						See Continu	ation Form (MSH/	Form 7000-3a)
9. Violation A	. Health ☐ Safety ✔ Other ☐	B. Section of Act		C. Part/Section of Title 30 CFR	of .	75,601		
Section II—Inspecto	r's Evaluation							
10. Gravity:								
A. Injury or Ilin		No Likelihood [Unlikely 🗹	Reasonab	ly Likely 🔲	Highly Likely	Occurr	ed 🔲
B. Injury or illno sonably be e	ess could rea- expected to be:	No Lost Wo	rkdays 🗌 Lost 🗎	Workdays Or Rest	ricted Duty 🗹	Permanently [Disabling [Fatal []
C. Significant a	and Substantial:	Yes 🗌	No 🗹			D. Number of Per	sons Affected:	001
11. Negligence (cl	neck one)	A. None	B. Low .	C. Moderate 🔽	D. High	□ E. R	eckless Disrega	rd 🗍
12. Type of Action	104(a)	13. Type of	Issuance (check o	ne)	Citation 🗸 O	rder 🗌	Safeguard [
14. Initial Action A. Citation	B. Order	C. Safeguard	D. Written Notice	E. Citation/ Order Nu	mber		F. Dated	Mo Da Yr
16. Termination Du	же <u> </u>	Mo Da Yr			I	+		
	A. Date	04/06/2005	B. Time (24 Hr. Cloc	k) 0920)			
Section III-Terminati								
17. Action to Termi	inate	Termina	ted due to	the #1 sc	oop chai	rger trail	ing cabl	a baina
plugged i	nto a c:	rcuit br	eaker with	the insta	ntaneous	s setting	set on 3	on Dellig
amperes.						occurry.	occ on a	,00
	. Date 04/0	0a Yr 6/2005 B. Tim	e (24 Hr. Clock)	0920		· · · · · · · · · · · · · · · · · · ·		
Section IV—Automate	d System Data			····				
Type of Inspect (activity code)		20. Event Number	4054745	21. Pr	imary or Mill			····
22. Signature		6	7			23. AR Num	ber /	67

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

WHI

Supervisor's Initials and Date

1J.S.GPO: 2004 - 642 - 912

MSHA	Form	7000-10K	hene	93	frevised
MISSIM	LOHH	1000-100	, 14:10	20	1 te A 19Cf

Date 4-6-05
The electrical examine, Sionel have Know of This CONDITION.
Based ON MY Mining experience This Condition has existed for Several Shiffs.
ONE Miner is expossed as he or She works or Travely around These Trailing Cables
Inspector's Initials

"U.S.GPO: 2004 - 642 - 912

MSHA Forn	7000-10K	June 93	(revised)
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Date	_ 4	-6	- 0	5	

When a accident does
Occur from This Type
of CONDITION IT Will
be of a Serious NaTure
from electrical Shock,
Circuit breaker failing
TO PUNCTION as
required.
0
IT is unlikely That
This Condition will
result in a occident

Supervisor's Initials and Date

Mine Cit	ation/Order			rtment of Lai y and Health	2 JAPR	705(k))	
Section I-V	iolation Dala						
1. Date	Mo Da Yr 04/06/2005	2. Time (24 Hr. Clock) 0850			3. Citation/ Order Number	7097719	
4. Served Bill Cur		man	5. Operator ANKER V	VEST VIRGI	NIA MINING	COMPANY	
6. Mine SAGO N			7. Mine ID	46-08791	-		(Contractor)
	on or Practice					8a. Written Noti	ce (103g) 🔲
***************************************	The #6 AWG	trailing cable for t	the #4 scoo	p charge	r being c	perated.	on the

The #6 AWG trailing cable for the #4 scoop charger being operated on the Mains 002-0 MMU working section has the trailing cable plugged into a circuit breaker that has the instantaneous setting set on 500 amperes. The maximum instantaneous setting for a #6 AWG trailing cable is 300 amperes. The mine operator immediately removed the #4 scoop charger trailing cable from service.

										See (Continuati	ion Form (MSH/	A Form 7000-3a)
9. Violation	A. Health Safet Othe	y 🗹	B. Section of Act				art/Section o itle 30 CFR	f .		7:	5.601-1		
Section II-Inspe	ector's Evalu	ation											
10. Gravity:													
A. Injury or	' Iliness (ha	s) (is):	No Likelih	ood 🗍	Unlikely 🔽		Reasonabl	y Likely		Highly Lik	ely 🔝	Occur	red
B. Injury or sonably	illness cou be expecte		No Los	t Workdays	Lost	Work	days Or Rest	ricted Di	uty 🔽	Perma	nently Di	sabling 🗌	Fatal 🗍
C. Significant and Substantial: Yes No 🗹 D. Number of Persons Affected: 001							001						
11. Negligeno	11. Negligence (check one) A. None ☐ B. Low ☐ C. Moderate ☑ D. High ☐ E. Reckless Disregard ☐												
12. Type of Ad	ction	104(a)		13. Type of	Issua	nce (check o	ne)	(itation 🔽	Orc	ier 🗌	Safeguard
14. Initial Action A. Citation	on B.O	der 🔲	C. Safegua	ard 🗀 D. V	Vritten Notice [E. Citation/ Order Nu	mber				F. Dated	Mo Da Yr
15. Area or Ed	guioment												
	, 1												
16. Termination	on Due	A. Date	Mo Da 04/06/2	127	ime (24 Hr. Clo	ck)	0936)					
Section III-Terr	nination Acti	on			**********								
17. Action to 1	reminate		Term	inated	due to	the	e #4 sc	q00:	char	ger t	rail:	ing cab	le being
plugged	linto	ас			er with								
amperes													
18. Terminate	d A. Date	_	Da Yr 06/2005	B. Time (24	Hr. Clock)	C	930						
Section IV-Auto	omated Syste	em Data											
19. Type of In: (activity co		E01	20. Event	Number	405474	5	21. P	rimary o	or M ill				
22. Signature			6		\exists^{\leftarrow}			M		23. /	AR Numi	per [6 J

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

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

The electrical examiner Should have Known of This Condition. Based ON MY MINING experience this Condition has existed for several ONE MINEI IE EXPOSED as he or ske works or Travels around These Trailing Cable's. T61

1LS.GPO: 2004 - 642 - 912

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

Mine Citation/Order .	U.S. Department of Labor Mine Safety and Health Administration	
Section IViolation Data		
1. Date Mo Da Yr 2. Time (24 Hr. Clock) 04/07/2005 0945	3. Citation/ Order Number 7097720	
4. Served To Bill Currence _ Mine Foreman	5. Operator ANKER WEST VIRGINIA MINING COMPANY	
6. Mine SAGO MINE	7. Mine ID 46-08791 (Contra	actor)
8. Condition or Practice	8a. Written Notice (103s oy 10 SC shuttle car serial no. 2008,) 🗸
Approval no. 2G-3936-0, being open working section is not insulated a jacket of the trailing cable has a energized power leads of 600 VAC. of an inch wide. All three of the have the insulation cut which expeleads can be seen through the cut The mine floor ranges from dry to	rated on the Mains 002-0 MMU right side adequately and fully protected. The outer a cut, which exposes the inner insulated This condition is 1 1/2 inches long by 3/ inner insulated energized power leads also oses the bare power leads. The bare power in the outer jacket of the trailing cable wet on this section. The inner leads of the trailing cable of the trailing cable of the trailing cable wet. The miners normally handle the	
9. Violation A. Health B. Section	See Continuation Form (MSHA Form 7000-3. C. Part/Section of	a 🗀

								See C	Continuation	ı Form (MSH/	A Form 7000-3a)
9. Violation	A. Health Safety Other		. Section of Act			C. Part/Section Title 30 CFR	of .	7	5.517		
Section II-Insp	ector's Evalua	tion		***************************************		·					
10. Gravity:											
****	Illness (has		No Likelihood		Jnlikely 🔲	Reasonat	ły Likely 🔽	Highly Llk	ely 🔲	Occurr	red []
	illness could be expected		No Lost W	orkdays 🗌	Lost W	orkdays Or Res	tricted Duty 🖌	Permar	ently Disa	bling 🗌	Fatal 🗌
C. Significa	ant and Subs	stantial:	Yes 🗸	No [D. Number	of Person	s Affected:	001
11. Negligence	e (check one) A	None 🗌	B. Low	· 🗆 🔾	. Moderate 🗸	D. Hig	Jh □	E. Recki	ess Disrega	rd [
12. Type of Ac	tion	104(a)			13. Type of Is	suance (check o	ne)	Citation 🗸	Order	· 🔲	Safeguard
14. Initial Actio A. Citation	n B. Ord	er 🗌 C	. Safeguard [D. Writt	en Notice	E. Citation/ Order Nu	mber		F	. Dated	Mo Da Yr
16. Termination	n Due A	i Date	Mo Da Yr 4/07/2005	B. Time	(24 Hr. Clock)) 102:	,				
Section IIITerm	ination Action		4/0//2003	<u> </u>	······································						
17. Action to To	erminate	·	Termina being	ated d insula	ue to t ted ade	he inner quately	insula and ful	ated lea ly prot	ds ar ected	nd the	outer
18. Terminated	A. Date	Mo Da 04/07/2	10.7	ime (24 Hr. (Clock)	1025					
Section IV-Autor	nated System	Data			***************************************		L			···	
Type of Insi (activity cod		E01 20	0. Event Num	per 4	054745	21. P	rimary or Mill		·		
22. Signature		6	•	$\neg x$					R Number	F (

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4-7-05

MSHA	Form	7000-10K,	June	93	(revised
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	,	41		۔.		********
Date		<u></u>	_		0	フ

ite	Date
9:45 75.517	inches long by 3 &
7097720 Sts yes	of an inch wide. All
The trailing sable for	three of the inner
the Tay 10 sc shuttle	insulated energized power
Car Serial No. 2008,	I cad also have the
Approval NO. 26-3936-0,	insulation cut which
Deing operated on the	exposes the bare power
Mains 002-0 Mmu	leads. The baxe power
Right side Working	leads can be seen
Section is not insulated	through the cut in the
adequately and fully	outer jacket of the
protected. The outer	trailing cable. The inner
jacket of the trailing	leads of the trailing
Cable has a cut, which	Cable ranged from dang
exposes the inner	to wet. The miner
insulated energized	Normally handle the
power leads of 600 VAC.	trailing cables.
This condition is 12	
spector's Initials	Inspector's Initials
pervisor's Initials and Date Page No. 16	Supervisor's Initials and Date Page No. 17
FG U.S. G.P.O. 2005;742-563	닭 U.S. G.P.O.2005:742-563

141	s condition should
100	e been seen dur
The	pre-operational
ch.	cKe.
Bas	ed on my mining
5×7×	LIENCE This Consolit
hac	existed for more
Thon	I ONE Shift
/ / 101 /	ONE JALY-1
\	
	MINET 15 exposed
<u>, </u>	e handles the
ra,	ling cable
·	tials [6]
	tials

Supervisor's Initials and Date

When a accident does occur from this Type of Condition it will be of a ferious Nature from Electrical Shock, burns.

That This type of condition will result in a accident The inner energized power leads of 600 USC are bore, The inside of the Trailine Cable is wet and the mine floor is well with standing water is some areas

*U.S.GPO: 2004 - 642 - 912

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

on This &	e.Tin	, 1)
		1 1	1
Miners No There Yra	rxaaz	ly no	MP
There Tra	ling	Cabi	<u>e\$.</u>
			·
	I_6		

Mina	Citation	/Circles

16. Termination Due

Section III-Termination Action

Mo Da Yr

04/11/2005

A. Date

21	3	APR	2005
4			**

Mine Cita	ation/Orger	•	U.S. Department of Mine Safety and Hea			
Section I-Vic	lation Data		same earcey and race	· ·	u v	
1. Date	Mo Da Yr	2. Time (24 Hr. Clock)		3. Citation/	700773	1
	04/11/2005	0925		Order Number	, 709772	1
4. Served To	=		5. Operator			
Bill Curre	ence Mine Foren	nan	ANKER WEST VIR	GINIA MINING	COMPAN	Y
6. Mine SAGO M		+	^{7. Mine ID} 46-087	91		(Contractor)
8. Condition					8a. Written N	
IS NOT	AL NO.2G-37 INSULATED US PERMANEN ZED POWER I THE # (1) LEADS EXPOS THE MINE F T AND FIFTY	LOOR IS SLOPPY WET FEET OUTBY THE RO	TED ON THE MAINS, IY PROTECTED. THE I AWAY, LEAVING T POSED FOR A ONE I SPLICE HAS THE INCH AREA ALL TH ON THIS SECTION.	001-0 MMU INSULATION HE INNER IN NCH AREA AN INNER INSUN E WAY AROUN THIS CONDITE MINERS HA CAL SHOCK I	WORKING N ON TWO NSULATED LL THE W LATED, E ND THE T ITION IS ANDLE TH	S SECTION ANY NERGIZED RAILING LOCATED IS CABLE
9. Violation	Safety 🗸	3. Section of Act	C. Part/Section of Title 30 CFR	75.517		<u> </u>
Section II—Insp	pector's Evaluation					
10. Gravity:					- 77***********************************	
· · · · ·		No Likelihood Unlikely	Reasonably Likely 🗸	Highly Likely	Occurred	1 🗍
B. Injury o sonably	or illness could rea- the expected to be:	No Lost Workdays Dost \	Workdays Or Restricted Duty 🗹	Permanently Dis	sabling	Fatal
C. Signific	cant and Substantial:	Yes 🗹 No 🗌		D. Number of Perso	ons Affected:	001
11. Negligeno	e (check one) 🛚 🗡	. None B. Low	C. Moderate 🗹 D. High	E. Rec	kless Disregard	
12. Type of A	ction 104(a)	13. Type of i	ssuance (check one)	Citation 🗹 Ord	er 🗌	Safeguard
14. Initial Acti A. Citation		C. Safeguard D. Written Notice	E. Citation/ Order Number		F. Dated	Mo Da Yr
15. Area or Ed	quipment					

17. Action to Terminate TERMINATED DUE TO THE TRAILING CABLE BEING INSULATED ADEQUATELY AND FULLY PROTECTED AT BOTH #(1) AND #(2) SPLICES.

B. Time (24 Hr. Clock)

18. Terminated Mo Da Yr A. Date B. Time (24 Hr. Clock) 1000 04/11/2005 Section IV-Automated System Data 19. Type of Inspection 20. Event Number 21. Primary or Mill (activity code), 4054745 E01 22. Signature 23. AR Number MSHA Form 7000-3, Mar 85 (revised)

1000

In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the and Street, SW MC 2120, Washington, DC 20416 Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.



7097721

Supervisor's Initials and Date

5+5-yes

The Trailing Cable OOFO MMU WORKING Section is NOT insulaTed odequately and fully previous inner insulated energized power leads of 600 VAC Inspector's Initials

*U.S.GPO: 2004 - 642 - 912

Page No. /0

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

Date 4-11-05

exposed for a ONE inch wide area The way around the (1) Splice and The power leads exposed for 14 of an inch wide The root botter [6] Supervisor's Initials and Date __

υ.	S	GPO:	2004	-642	•	912	

MSHA	Form	7000-10K	. June	93	(revised

Date	4-	11-	o	5

MVEN A ACCIDENT ODES
occur from his Type
of CONDITION IT WILL
be of a Serious NaTure
from Electrical Short
burns,
IT is Reasonably Likely
That a accident will
Occur from This Type
of CONDITION. The
Mine floor is wet and
The miners Normally handle
The Trailing Cables and
it only Taker a pin hole
in one of the inner
Inspector's Initials 6.3
Supervisor's Initials and DatePage No

*U.S.GPO: 2004 - 642 - 912

MSHA	Form	7000-10K,	June	93	(revised)
141011	, 01111	7000 toit,	******	~~	*****

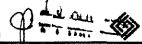
Date	4-	//-	-05	
UBLE				_

insulated energized
power leads for the
600 VAC TO COME
into CONTACT with
any miner handling
The Trailing Cable
in These areas.
Name of the second of the seco

Inspector's Initials
Supervisor's Initials and Data Page No. 1

Mine Citation/Order

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



Section I-Vi	olation Data							
1. Date	Mo Da Yr 04/11/2005	2. Time (24 Hr. Clock) 0945		3. Citation/ 7097722 Order Number				
4. Served T	· o		5. Operator					
Bill Curr	ence _ Mine For	eman	ANKER \	WEST VIRGI	NIA MINING	COMPANY		
6. Mine		•	7. Mine ID	46-08791				
SAGO MINE				40-00/71		(Contractor)		
8. Condition	n or Practice					8a. Written Notic	e (103g)	
	The Fletche	r roof bolting mac	hine serial	no. 2003	334, Appr	oval no.	2G-	
		perated on the 001						

The Fletcher roof bolting machine serial no. 2003334, Approval no. 2G-3715A-1, being operated on the 001-0 MMU working section is not maintained in a permissible condition. The 110 VAC power cable for the operators side area light has been cut. The conduit is cut, the power cable, souter jacket has been cut and the inner insulated power leads have the insulation cut which exposes the inner bare power leads for approximately 1/8 of an inch wide by 1/4 of an inch long.

					See Continuatio	n Form (MSHA Form 7000-3a)
9. Violation A. Healt Safe Oth	ty 🗸 of Act		C. Part/Section of Title 30 CFR	, , , , , , , , , , , , , , , , , , , ,	75.503	
Section II—Inspector's Eval	uation					
10. Gravity:						
A. Injury or Illness (h	/ 1 /	nood Unlikely	Reasonably	Likely 🗸	Highly Likely	Occurred
B. Injury or illness co sonably be expect		st Workdays 🗌	Lost Workdays Or Restri	cted Duty 🗹	Permanently Dis	abling
C. Significant and Su	ibstantial; Ye	s 🗹 No 🗌			D. Number of Perso	ns Affected: 001
11. Negligence (check o	ne) A. None [B. Low	C. Moderate 🗹	D. High	E. Red	kless Disregard
12. Type of Action	104(a)	13. Ty	pe of Issuance (check on	e) Ci	tation 🗹 Orde	er 🗌 Safeguard 🗌
14. Initial Action A. Citation B. O	rder 🗌 C. Safegu	ard D. Written Not	E. Citation/ ice Order Num	ber		F. Dated Mo Da Yr
16. Termination Due	. Mo Da		 	<u> </u>		
	A. Date 04/11/2	D Time (24 t)	. Clock) 1030			
Section III-Termination Act	ion					
17. Action to Terminate and the cond cable.						ing insulated ea light power
18. Terminated A. Date	04/11/2005	8. Time (24 Hr. Clock)	1030			
Section IV-Automated Syst	em Data					
 Type of Inspection (activity code) 	E01 20. Event	Number 4054	745 21. Pri	mary or Mill		
22. Signatur	6	1	 		23. AR Numbe	· [6]

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small businesses. If you wish to comment on the enforcement actions of MSHA, you may call 1.888-RSE-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

willy

Date 4-11-05	NALL SECTION AND ADDRESS OF THE PROPERTY OF TH
9,45 7097722	75.503
7097722	Sd5-yes
The Fletch	er roof
bolling machin	ie Serial
NO. 2003334	44
NO. 26-3715A-	1, being
operated on to	he 001-0
MMU WOIKING	section
is NOT Mainte	rived in
a permissible	
The 110 VAC P	
for the opera	. ,
area light k	
Cut. The co	•
The power Co	
jacket has h	
and the inne	
Inspector's Initials	6]
Supervisor's Initials and Date	Page No. <u>15</u>

*U.S.GPO: 2004 - 642 - 912

MSHA	Form	7000-10K	hene	93	(ravisad)
Taleba (NA	1.011111	AUCO TOR,	20110	0.0	frag. mont

	4-11-05
Date	

power leads have The
insulation cut which
exposes the inner
pare power leads of
approximately 1/8 of an
inch wide by 14 of
ON inch long
The SE 6] E 6] a Should have Know of this Condition
ONE MINER IS exposed
as he operate" The
roof botting machine
Inspector's Initials
Supervisor's Initials and Date Page No. 14
#10 CPO. Pool 4 # P. D.O.

IT is Reasonably Likely
That This Type of
Condition will result
in a accident. This
Condition is in by
The Last Line of pen
Cross cuts. This Condition

Supervisor's Initials and Date

"U.S.GPO: 2004 - 642 - 912

Page No. <u>/ 7</u>

MSHA	Form	7000-10K,	lune	93	fravised)
OFFICE TOTAL	COLUM	TOOUS TOR.	JUIN	33	I DA MEN

Date	4-	11-0	75			
o-P Ci	Th he	50 e [Tra bol7	us (74	:5	***
					1	
-						

	's Initials		ſ	6]		

Section IV-Automated System Data

20. Event Number

E01

6

19. Type of Inspection

22. Signature

(activity code)

13 / ii S. Denartment of Labor

(PR)	2005	
\mathcal{A}		

«	

Mine Citat		ſ					Mine Safe				stration	4	***
Section IViola	ation Data											V	
1. Date	Mo Da 04/11/2		2. Time (24 Hr. C						3. Citation Order I	v/ Number	709772	23
4. Served To							5. Operator						
Bill Curre	nce Mir	e Fore	man				ANKER	WES1	r virc	JINLA MI	NING (COMPAN	Y
6. Mine							7. Mine ID	16	-0879	1			
SAGO M	INE							40.	-0013	' L			(Contractor)
8. Condition	or Practice												Votice (103g)
hanger bottom	's in belt is dam	a ro roll p to	w ałth er har wet.	ie th iger'	vor belt is nird block 's range fi mine opera	ou rom	tby the very w	Mai Tarm	ns s to h	ection ot to	n tai the	lpiece touch.	. The The mine
9. Violation	A. Health Safet Othe	Y	B. Section of Act	-			Part/Section of Title 30 CFR	f .			iontinuatio		Form 7000-3a)
Section II-Insp	pector's Evalu	ation											
10. Gravity:											. —	_	
A. Injury o	or Illness (ha	s) (is):	No Likelih	cod 🗌	Unlikely [Reasonabh	y Likely	<u> </u>	Highly Llki	∍ły 📋	Occum	ed
	r illness cou be expecte		No Lo	st Work	days 🗌 Lost	Work	days Or Restr	icted Du	ıty 🔽	Perman	ently Disa	abling 🗌	Fatal
C. Signific	ant and Sul	ostantial:	Ye	s 🗹	No 🗌					D. Number	of Person	ns Affected:	001
11. Negligeno	ce (check or	ie)	A. None		B. Low 🔲	C. N	foderate 🗸	1	D. High		E. Reck	less Disrega	rd 🗌
12. Type of A	ction	104(a)		13. Type o	í Issua	ance (check or	ne)	C	itation 🗸	Orde	r 🗌	Safeguard
14. Initial Act A. Citation		der [C. Safegu	ard 🔲	D. Written Notice		E. Citation/ Order Nur	mber				F. Dated	Mo Da Yr
15. Area or E	quipment												
16. Terminati	on Due	A. Date	Mo Da 04/11/2		B. Time (24 Hr. Ck	ock)	1120)					······································
Section III-Ter	mination Acti	on								· · · · · · · · · · · · · · · · · · ·			
17. Action to	Terminate		Term	inat	ed due to	th	e #4 bo	tton	n con	veyor	belt	beina	re-
aligne	d at t	he t			outby the								
					tht with ou								4
18. Terminate	м I	Mo	Da Yr		,						,	-	
io. i citimalit	A. Date		1/2005	B. Time	e (24 Hr. Clock)		1120						

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

4054745

21. Primary or Mill

23. AR Number

6

Date 4-11-05	
//;00	75,1725(a)
7097723	
The #4 b	OTTOM
Conveyor belt	
hard ON 8 bot	and the second second
ruller hangers	
row at The	
outby The Ma	INS Section
Tailpiece . Th	e bottom
beit roller he	
from very wa	
To The Touch	
floor is from	
to wet. The	MiNE
operator in	nediately
removed The	
Conveyor be	T from
Inspector's Initials	6_1
Supervisor's Initials and Date	Page No. 19
*	#1.0.000.0001 #10.010

Date
Service.
The section foremany Should have KNOWN OF This CONDITION
This Condition has existed for less than one Shift.
ONE MINER is exposed OS he or S/20 works Or Travels outby This Orea. This mine has a blowing Ventilation System Inspector's Initials LOJ
Supervisor's Initials and Date Page No. 20 *U.S.GPO: 2004 - 642 - 912

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

Likely That this Type
of Condition will
result in a accident.
There is locie coal,
Coal fine ranging from
Linch To 4 inches deep
by 4 feet wile by
Inspector's Initials
Supervisor's tatials and Date
Page No. 21

*U.S.GPO: 2004 - 642 - 912

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

Dete	4-11-05

20 feet long and The
loose Coal and Coal fines
ronge from damp To
Wet. When Splashing
water on the bottom
best roller hanger's
you could hear a
- Trying Sound, you could
also see steam come
off of The hot belt
roller hanger, The bottom
CONVEYOR belt was aligned
To where it don't rub
on the roller hangers,
The loose coal and Coal
-fines were showeled
up + dusted.
Inspector's Initials
Supervisor's Initials and Date Page No. 22

2 7 APR 2005

Mine Citation/Order

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



Section — Violation Date									
	Da Yr 2/2005	2. Time (24 Hr. (Clock) 200			Citation/ Order Numbe	r 70977	24	
4. Served To	212003		· • • • • • • • • • • • • • • • • • • •	5. Operato	r		<u>,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,</u>	······································	
Bill Currence Mine Foreman				ANKER	ANKER WEST VIRGINIA MINING COMPANY				
6. Mine			+	7. Mine ID	46-0879)1			
SAGO MINE		····			40.0077	, ı	- 144.74	(Contractor)	
8. Condition or Practic								Notice (103g)	
			or the #6 Jo						
Approval no). ZG	3619A-00 1	being operat	ed on the	ne Mains	tweiling	workin	g section	
is not inst	nated	adequate	ly and fully with the in	protect	led. The	trarring didhich	Capie II	the	
innor incli	leted (sprices	power leads	of 600	.I WOLII AY	way which I Splice h	exposes	inner	
energized	laceu t	energized exposed for	or approxima	telv 3/4	of an i	inch wide	all the	wav	
around the	traili	ng cable	. (2) Splice	has the	inner e	energized	leads e	xposed	
			an inch wide						
			(3) Splice h						
			all of the						
			f the traili						
wide by 1	l/2 inc	hes long	which expos	es the					
						See Continua	tion Form (MSH/	A Form 7000-3a) 📝	
9. Violation A. He	· · · · · · · · · · · · · · · · · · ·	B. Section). Part/Section of	र्भ	75 517	•		
	fety 🗸	of Act	**************************************	Title 30 CFR		75.517			
Section II—Inspector's E									
10. Gravity:								. —	
A. Injury or Illness		No Likelihood	Unlikely	Reasonab	ly Likely 🔽	Highly Likely	Occun	red	
B. Injury or illness sonably be expe		No Lost Worl	cdays Lost Wo	orkdays Or Rest	ricted Duty 🗹	Permanently D	isabling 🗌	Fatal 🗍	
C. Significant and	Substantial:	Yes √	No 🗌			D. Number of Pers	sons Affected:	001	
11. Negligence (check	one)	A. None	B. Low C.	. Moderate 🗹	D. High	E. Re	eckless Disrega	ırd 🗍	
12. Type of Action	104(a)	13. Type of iss	suance (check o	me) C	Oltation 🗹 Or	der 🗌	Safeguard	
14. Initial Action A. Citation B.	Order	C. Safeguard	D. Written Notice	E. Citation/ Order Nu	ımber		F. Dated	Mo Da Yr	
15. Area or Equipment				 		***************************************			
10 T		Mar De Mar					, <u></u>		
16. Termination Due	A. Date	Mo Da Yr 04/12/2005	B. Time (24 Hr. Clock)	094:	5				
Section IIITermination /	L vction	V-1, 12, 2003				··· <u></u>	·		
17. Action to Terminate		Termina	ated due to	all thre	e of the	splices	and the		
place beind	insul		quately and				and the	Cuc	
			100001	rarry pr	.0200004.			j.	
8. Terminated	. Mo D	a Yr			1				
A. Da	nte 04/12	2/2005 B. Tim	e (24 Hr. Clock)	0945					
Section IV-Automated S	stem Data								
Type of Inspection (activity code)	E01	20. Event Numbe	4054745	21. F	rimary or Mill				
22. Signatur/	6					23, AR Num	ber 「(61	
ASHA Form 7000-3, Mar	85 (revised)	In accordance wit	th the provisions of the Sma Regulatory Ombudsman and	II Business Regu	latory Enforcement	Fairness Act of 1996,	the Small Busin	ess Administration	
codonionada a talifotti	ii oii wal Dusini	saa ano Agnculture i	keuulatory Ombudsman aru	o 10 Keninnai Fai	imess Boards to re-	ceive comments from	email husinessa	e about federal	

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

W 1/14

Mine	Citation/Order
Conti	nuation

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

(>>	Hĺ
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Section I-Subsequen	t Action/Continuation Data					
1. Subsequent Acti	on 1a. Continuation	Dated (Original Issue)	 Da Yr /2005	3. Citation/ Order Number	7097724	
4. Served To			5. Operate	ж		
Bill Currence	Mine Foreman		 ANKE	R WEST VIRG	INIA MINING COMPA	NY
6. Mine			7. Mine IC	1	_ (0	oritractor)
SAGO MINE				46-0879	1	
A			 			

Continuation of 3. Condition or Practice

inner insulated energized power leads, and the inner insulated leads also have the insulation cut which exposes the bare power leads of 600 VAC. The opening measured 1/2 of an inch wide by 3 inches long. The mine floor ranges from wet to sloppy wet. The miners normally handle the trailing cables.

Section III—Subsequ	ent Action Take	G			**************************************			See Continuation Form
8. Extended To	, Mo	Da	Yr	B. Time (24 Hr. Clock)		C. Vacated	D. Terminated	E. Modified
Section IV-Inspection								
9. Type of Inspect	ion E01	~	10. E	Event Number 4054745				
11. Signature	. <u>(</u>	>		AR Number	12. Date	Mo Da Yr 04/12/2005	13. Time (24 Hr. Clo	ck)
MSHA Form 7000 a.								

Date 4-12-05
9:40 75.517
7097724 S+5 yes
The trailing cable for
the #6 Joy 10 sc shuttle
Car Serial ND. 2007
Approval No. 26-3619A-00
being operated on the
Majus 002-0 mmo working
Section is NOT insulated
adequately and fully protested
The trailing cable has three
Separate previous splices with
the insulations worn away
Which exposes the inner
insulated energized power
leads of 600 VAC. (1) Splice
has the inner energized
leads exposed for approximately
Inspector's Initials
Supervisor's Initials and Date Page No.

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

Date
3/4 of an inch wide
all the way around the
trailing cable (2) Splice
has the inner energized
leads exposed for
approximately 2 of an inch
wide all the way around
the trailing cable at both
ends of the splice. (3)
Splice has the Inner
energized leads exposed
for approximately 1 inch
wride all of the way
around the trailing cable
(4) Is a cut in the
Outer jacket of the
trailing cable that measured
I of an inch wide by
Inspector's Initials
Supervisor's Initials and Date Page No. 10
** U.S. G.F.U.2005:742-003

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

Date 9-12-05
12 inches long which
exposes the inner
insulated energized power
leads, and the inner
insulated leads also have
the insulation cut which
exposes the bare power lead
of 600 VAC. The opening
Measured to of an inich
by 3 inches long. The
mine floor ranger from
wet to slappy wet.
The miners Normally
handle the trailing cables.
Inspector's Initials
Supervisor's Initials and Date Page No. // PAGE NO. 2005:742-563
14 U.S. G.P.O.2005:742-563

The [6]

Seen This conditions during the pre-operations

checki.

Based on my Mining experience this condition has existed for Several

Shifts.

as he or she handles
The Trailing cables

inspector's Initials [G]

Supervisor's Initials and Date ______ Page No. | Page N

*U.S.GPO: 2004 - 642 - 912

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

Date	L	1-	/	2	 0	5	

When a accident does occur from this type of Condition it will be of a serious Nature from Electrical Shock, burns,

That a accident will occur from this Type of Condition. The Mine floor ranges from wet to sloppy well and the Miners Normally handle The Trailing Cables.

Inspector's Initials _____ [4]

Supervisor's Initials and Date

__ Page No. 13

Mine	Citation	/Order
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U.S. Department of Labor

Mine Safety and Health Administration 2 7 APR 2005

	K	1
(33)	•	

Section I-Violation Data									
1. Date	Mo Da Yr 04/12/2005	2. Time (24 Hr. Clock) 1030	3. Citation/ Order Number 7097725						
4. Served To Bill Currence _ Mine, Foreman			5. Operator ANKER WEST VIRGINIA MINING COMPANY						
6. Mine SAGO N			7. Mine ID 46-08791 (Contra	ctor)					
	n or Practice		8a. Written Notice (103g)						

The trailing cable for the #7 10 3C Shuttle car serial no. 2009, Approved no. 2G-3936-0 being operated on the Mains 001-0 MMU working section is not insulated adequately and fully protected. The trailing cable has a cut in the outer jacket that measured 1/8 of and inch wide by 1 inch long and the inner insulated energized power leads of 600 VAC are exposed and also the inner leads have the insulation cut which exposes the bare energized power leads for 1/8 of an inch wide by 1 inch long. This condition is located at the shuttle car trailing cable reel where the bare energized power leads can become grounded on the frame of the reel. The mine floor is wet to sloppy wet. The mine operator remove the shuttle car from service immediately.

						See Co	ntinuation F	orm (MSH/	A Form 7000-3a)
	fety ✓ of Act ther			Part/Section of Title 30 CFR		75	5.517		
Section II-Inspector's E	aluation								
10. Gravity:									
A. Injury or Illness	(has) (is): No Likelii	nood	Unlikely 🗌	Reasonably L	ikely 🗸	Highly Likel	y 🗌	Occum	red
B. Injury or illness sonably be expe		st Workdays 🗌	Lost Worl	days Or Restric	ted Duty 🔽	Permane	ently Disabli	ng 🗌	Fatal
C. Significant and	Sub sta ntial: Ye	s ✓ No []			D. Number o	of Persons	Affected:	001
11. Negligence (checi	one) A. None [B. Lov	v 🗌 C. N	Aoderate 🗸	D, High		E. Reckles	s Disrega	ard 🗌
12. Type of Action	104(a)		13. Type of Issu	ance (check one) C	itation 🗸	Order		Safeguard
14. Initial Action A. Citation B.	Order C. Safegu	ard D. Writ	ten Notice	E. Citation/ Order Numb	per		F. 1	Dated	Mo Da Yr
15. Area or Equipment	l Mo Da	Yr T							
	A. Date 04/12/2	I D Time	(24 Hr. Clock)	1230		-			
Section IIITermination	vction				······				·
17. Action to Terminate	•								
18. Terminated A. Da	Mo Da Yr te	B. Time (24 Hr.	Clock)						
Section IV-Automated S	stem Data						*****		
19. Type of Inspection (activity code).	E01 20. Event	Number	4054745	21. Prin	nary or Mill			****	——————————————————————————————————————
22. Signature	6		· · · · · ·			23. AF	Number	I (63

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Mir	ìе	Citatio	n/Order
_		- •	

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

e.	F.	ÁPR	2005	
				-

Continuation					uioty una i roun				
Section I—Subsequent Action/Continuation Data									
Subsequent Actio	n 1a. Continuation	Dated (Original Issue)	M o D 04/12/		3. Citation/ Order Number	7097725 - 01			
4. Served To Bill Currence	Mine Foreman			5. Opera ANKE	tor R WEST VIRC	GINIA MINING CO)MPANY		
6. Mine SAGO MINE				7. Mine f	d6-0879	1	(Contractor)		
A 21 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	£ £ !								

Terminated due to trailing cable being reentered into the #7 shuttle car's cable reel.

Section III—Subse	vecent Action Tak	~**	<u> </u>					See Continuation Form
8. Extended To	.	Da	Yr B. Time	e (24 Hr. Clock)		C. Vacated	D. Terminated	E. Modified
Section IV-Inspec	ction Data							
9. Type of Inspe	ection E01		10. Event Nur	nber 4054745				
11. Signature		<u> </u>	1 ,	¬² AR Number	12. Date	Mo Da Yr	13. Time (24 Hr. Cl	ock)
	_	•		1 E (e)	į	04/13/2005	0830	
MSHA Form 7000	⊢3a, Mar 85 (revis	ied)		***************************************				

me

Date 4-12-05
10:30 75.517
7097725 S+5 yes
The trailing cable for
the #7 10 sc shuttle car
Serial No. 2009, Approved
No. 2G-3936-0 being operated
on the Mains 001-0 mmu
working section is not
insulated adequately and
fully protected The tracking
fully protected. The trailing cable has a cut in the
outer jacket that measured
to of and inch wide by
I wich long and the
inner insulated energized
power leads of 600 VAC
are exposed and also
the inner leads have
Inspector's Initials
Supervisor's Initials and Date Page No. 14
Pr U.S. G.P.U.2003/42/303

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

Date 4-12-05
the insulation cut
which exposes the
bare energized power
leads for 1/8 of an wich
wide by I inch long.
wide by I inch long. This Condition is located
at the shottle car trailing
cable reel where the
bare energized power
leads saw become
grounded on the frame
of the reel. The mine
Floor is wet And Sloppy
wet. The niwe operator
Remove the shiftle car
from Service immediately.
Inspector's Initials
Inspector's Initials
Supervisor's Initials and Date Page No. 15 **Y U.S. G.P.O.2005.742-563

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

Date	4-	12	 0	5	

The ElecTrical examina
Should have seen this
CONDITION during The
electrical, permissibility
examination.
A WAR ALL DOWN
Based on my mining
experience This Condition
has existed for several
Shifts.
ONE MINER IS EXPOSED
as he operates this
Shuttle car.
Inspector's Initials
Supervisor's Initials and Date Page No. 14

Date	4-	12	-0	3	
Date .		/	-	/	

when a accident does
occur from this Type
of Condition it will
be of a serious nature
from Electrical Shock

IT Is Reasonably Likely
That a accident will
Occur from this type
of Condition. The
Mine floor ranges
from wet to sloppy
wet. The Cut in The
Trailing Cable is pulled
Tight against the frame
of The Cable reed
and The bare energized

Supervisor's Initials and Date

"U.S.GPO: 2004 - 642 - 912

Date	4	- 1	2 -	05

power leads of 600
VAC are visible Through
The cut. The barre lead
Can come into Contact
with Cable reel frame
and also water from
the mine floor can
Cause a Electrical
Shock hazard as
The bare energized
power leads become
wet.
Inspector's Initials [6]
Supervisor's Initials and Date Page No. 18

Mina	Citation/0	Order
MI II	1.11211111111	.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,

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

2 7 APR 2005	
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1.

Section 1-Violation Data	The state of the s
1. Date Mo Da Yr 2. Time (24 Hr. Clock) 04/12/2005 1050	3. Citation/ Order Number 7097726
4. Served To Bill Currence Mine Foreman	5. Operator ANKER WEST VIRGINIA MINING COMPANY
6. Mine SAGO MINE	7. Mine ID 46-08791 (Contractor)
8. Condition or Practice	8a Written Notice (103n)

The approved ventilation plan is not being complied with on the Mains 001-0 MMU working section where the Joy continuous mining machine is mining coal in the #4 left crosscut at #45 block. The ventilation plan plainly states that minimum quantity of air with the scrubber on is 6000 cfm at the end of the line curtain. When this inspector tried to take a air reading at the end of the line curtain with the approved and calibrated anemometer serial no. 6365 the ventilation was not adequate enough to turn the wheel on the anemometer. The mine operator immediately shut down the continuous mining machine until the minimum amount of 6000 cfm could be obtained at the end of the line curtain. The Mains has fish tail blowing ventilation with 001-0 and 002-0 MMU's running on this super section.

				Se	e Continuation Form (MSHA Form 7000-3e) 🗸
9. Violation A. Healt Safe Oth	ry of Act		C. Part/Section of Title 30 CFR		5.370(a)(1)	
Section II-Inspector's Eval	ration					
10. Gravity:						
A. Injury or Iliness (h		lihood Unlikely	Reasonably Like	ely 🗹 Highly L	lkely O	ccurred
 B. Injury or illness co sonably be expecte 	ıkdırea⊩ ditobe: NoL	.ost Workdays ☐ l	ost Workdays Or Restricted	Duty Perm	anently Disabling	Z Fatal [
C. Significant and Su	bstantial:	′es 🗹 No 🗌		D. Numi	per of Persons Affec	ted: 001
11. Negligence (check or	re) A. None	B. Low	C. Moderate	D. High	E. Reckless Dia	
12. Type of Action	104(a)	13. Typ	e of Issuance (check one)	Citation 🗹	Order [Safeguard
14. Initial Action A. Citation B. Or	der 🔲 C. Safeg	uard D. Written Notic	E. Citation/ Order Number		F. Dated	Mo Da Yr
16. Termination Due	A. Date		Clock) 1125	T		
Section III—Termination Action		2003				
17. Action to Terminate	Te	rminated due	to a run throu	vah and to		
crosscut from	<u>" "" " " " " " " " " " " " " " " " " "</u>	Jeniry's ar :	to a run throu	the check	and a second second second	stalled in
ergircencu. A	tter takin	ng another ai:	r reading the	quantity o	f air at	being
A. Date	Mo Da Yr 04/12/2005	B. Time (24 Hr. Clock)	r reading the	quantity o	f air at	being
A. Date Section IV-Automated Syste	Mo Da Yr 04/12/2005	ig another al:	r reading the	quantity o	f air at	being
	Mo Da Yr 04/12/2005	B. Time (24 Hr. Clock)	1125	quantity o	f air at	being

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small businesses, all you wish to comment on the ard Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to correct citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

W 4/14

Mine Citation/Order Continuation

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



			Millie 25	nety and near	n Auministration	~//
Section I-Subsequent Action/Continuation Data						
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 04/12/20		3. Citation/ Order Number	7097726	
4. Served To			5. Operate	<u> </u>		
Bill Currence Mine Foreman					INIA MINING C	OMBANIV.
6. Mine			7. Mine ID		HAZA MILIARIO CI	
SAGO MINE			7 . PHING 11	46-0879	1	(Contractor)
Section II—Justification for Action						

Continuation of 17. Action to Terminate

the end of the line curtain is now Q-6,930 cfm.

Section III-Subsequent Action Taken			See Continuation Form
8. Extended To A. Date Mo Da Section IV-Inspection Data	Yr B. Time (24 Hr. Clock)	C. Vacated D. Terminated	E. Modified
9. Type of Inspection E01	10. Event Number 4054745		
11. Signature	J AR Number 12 Date	Mo Da Yr 13. Time (24 Hr. Clo 04/12/2005 1050	ok)

Date 4-12-05

Supervisor's Initials and Date ___

10:50 75.370(b)(i)

7097726 545-468

The approved vent ilation Plan is NOT being complied with on the Main's OOLO MULL WOLKING Section where The Jox CONTINUOUS MINING Machine is MINING COW IN The #4 Left Crosscut at #45 block. The ventilation plan plainly states that The MINIMUM QUANTITY of air with The Scrubber OH is 6000 CFM OT The end of the line Curtain. When This inspector

*U.S.GPO: 2004 - 642 - 912

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

4-12-05

Tried to Take a air reading at the end of The line curtain with a approved and Calibrated avenometer Serial NO. 6365 The NexTilation was NOT adequate enough To Turn The wheel on the avenometer. The Mixe operator immediately Shut down the Continuous MINING Machine UNTIL The MINIMUM aMOUN of 6000 cfm could be obtained at The end of the line Page No. 20 Supervisor's Initials and Date

"U.S.GPO: 2004 - 642 - 912

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

Date 4-12-05

Curtain. The main's has fish Tail & Blowing VENTILATION WITH OOI-0 and 002-0 mmu's running on This Super Section. The air reading at The end of The line Curtain 18 NOW Q-6,930 cfm.

The section foreman Should have Known of this condition. This Condition would he obvious To any Prudent person.

Supervisor's Initials and Date

The SECTION FOREMAN Should have KNOWN of This CONDITION.

Based ON My MINING

experience This Condition

has existed approximately

one hour. This is the

amount of Time the

Continuous mining machine

has been mining machine

has been mining in

the Hy Left Crosscut

as the crosscut was

Turned in the crosscut

is advanced approximately

20 feet deep.

Supervisor's Initials and Date

"U.S.GPO: 2004 - 642 - 912

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

_

ONE	MINEL 13	exposed
	operaTes	
CONTIN	indus minis	ya Machine

when a accident does

occur from this Type

of Condition it will

be of a sesious Nature

from breathing

respirable dust.

IT is Reasonably likely
That This Type of
Condition will result
in a accident. The
Ventilation for the
Continuous Mining

Inspector's Initials _____

Supervisor's Initials and Date _____ Page No.

Machine is NOT MainTained To The Minimum of 6000 cfm the line curtain The wheel on The Calibrated axemometer -foreman and Crew Inspector's Initials Supervisor's Initial, and Date

"U.S.GPO: 2004 - 642 - 912

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

	<i>U_</i>	10	A:	_
Date		1/4-	<u> </u>	<u> </u>

O. Jalin Land
CurTains, have run
Through 1 To direct
The VENTILATING air
To The Pace area's
of the ooi-o mmy.
1 6,930 cfm 15
Now provided at the
end of the line
Curtain for The CON-
TINUOUS MININD MachiNY
aT Die #4 Left
Crosscut.
Inspector's Initials 6 7
Supervisor's Initials and Date Page No. 25

Mino	Citation	Order
N 11 11 14-2	1 11 24 11 11	111 2161626

16. Termination Due

18. Terminated

22. Signaturi

19. Type of Inspection

(activity code)

Section III-Termination Action 17. Action to Terminate

A. Date

Section IV-Automated System Data

Mo Da Yr

04/14/2005

20. Event Number

Q

B. Time (24 Hr. Clock)

4054745

B. Time (24 Hr. Clock)

A. Date

Mo Da

E01



O4/13/2005 1100 5. Operator Served To Served To Mine Foreman 5. Operator ANKER WEST VIRGINIA MINING COMPANY ANKER WEST VIRGINIA MINING COMPANY ANKER WEST VIRGINIA MINING COMPANY The #4 scoop battery charging station for the Mains 501-0 and 602-0 MMU's sections is not provided with a operational fire suppression system. The chemical canister type fire suppression system is not wired up and ready to provide protection for the scoop battery's while charging. The battery charging station is located at #40 block in the #8 intake entry. The mine operator immediately removed the #4 battery charger from service. Parts for the fire suppression system had to be ordered. Violation A. Health B. Section of Act Other of Act Other of Title 30 CFR 75.1107-16(b)	Mine Citat	ion/Order		Mine Safety and He		
Service To Odd 13/2005 1100 1100 5. Operator Odd 13/2005 1100 5. Operator Odd 13/2005 1100 5. Operator Odd Odd	Section I-Viole	ation Data				
Overland Overland	1. Date				7110	27
ANKER WEST VIRGINIA MINING COMPANY Mine		04/13/2005	1100		Order Number	
Mine AGO MINE A6-08791 (Contractor)	4. Served To		- ;			~ .
Condition of Practice Ba. Written Notice (103g) The #4 scoop battery charging station for the Mains 601-0 and 602-0 MMU's sections is not provided with a operational fire suppression system. The chemical canister type fire suppression system is not wired up and ready to provide protection for the scoop battery's while charging. The battery charging station is located at #40 block in the #8 intake entry. The mine operator immediately removed the #4 battery charger from service. Parts for the fire suppression system had to be ordered. See Continuation Form (MSHA Form 7000-3a) Wolation A. Health Safety Other of Act Title 30 CFR 75.1107-16(b) Section Inspector's Evaluation O. Gravity. A. Injury or Illness (has) (is): No Likelihood Unlikely Or Reasonably Likely Highly Likely Cocurred B. Injury or illness (has) (is): No Lost Workdays Lost Workdays Or Restricted Duty Or Permanently Disabling Fatal C. Significant and Substantial: Yes No Or 1. Negligence (check one) A. None B. Low C. Moderate D. D. High E. Reckless Disregard 2. Type of Action 104(a) 13. Type of Issuance (check one) Citation Order Safeguard 4. Initial Action A. Citation B. Order C. Safeguard D. Written Notice E. Citation Order Number	Bill Currer	nce Mine Fore	eman	ANKER WEST VI	RGINIA MINING COMPAN	Y
The #4 scoop battery charging station for the Mains 601-0 and 602-0 MMU's sections is not provided with a operational fire suppression system. The schemical canister type fire suppression system is not wired up and ready to provide protection for the scoop battery's while charging. The battery sharging station is located at #40 block in the #8 intake entry. The mine operator immediately removed the #4 battery charger from service. Parts for the fire suppression system had to be ordered. Violation A. Health B. Section of Safety Other Other	6. Mine SAGO MI	NE.	,	7. Mine ID 46-08	791	(Contractor)
Sections is not provided with a operational fire suppression system. The chemical canister type fire suppression system is not wired up and ready to provide protection for the scoop battery's while charging. The battery charging station is located at #40 block in the #8 intake entry. The mine operator immediately removed the #4 battery charger from service. Parts for the fire suppression system had to be ordered. Violation A. Health B. Section of Act Other Safety Other Other					8a. Written	Notice (103g)
. Violation A. Health	chargi:	ng station or immedia	is located at #40 k tely removed the #4	olock in the #8 battery charger	intake entry. The m	mine
O. Gravity: A. Injury or Illness (has) (is): No Likelihood Unlikely Reasonably Likely Highly Likely Occurred B. Injury or illness could reasonably be expected to be: No Lost Workdays Lost Workdays Or Restricted Duty Permanently Disabling Fatal C. Significant and Substantial: Yes No No Lost Workdays Or Restricted Duty Permanently Disabling Fatal D. Number of Persons Affected: 001 1. Negligence (check one) A. None B. Low C. Moderate D. High E. Reckless Disregard 2. Type of Action 104(a) 13. Type of Issuance (check one) Citation Order Safeguard 4. Initial Action B. Order C. Safeguard D. Written Notice F. Dated Mo Da Yr	9, Violation	Safety 🗸		1		Form 7000-3a)
A. Injury or Illness (has) (is): No Likelihood Unlikely Reasonably Likely Highly LIkely Occurred B. Injury or illness could reasonably be expected to be: No Lost Workdays Lost Workdays Or Restricted Duty Permanently Disabling Fatal C. Significant and Substantial: Yes No No Lost Workdays Or Restricted Duty Permanently Disabling Fatal D. Number of Persons Affected: 001 1. Negligence (check one) A. None B. Low C. Moderate D. High E. Reckless Disregard 2. Type of Action 104(a) 13. Type of Issuance (check one) Citation Order Safeguard 4. Initial Action B. Order C. Safeguard D. Written Notice E. Citation/Order Number	Section II—Insp	ector's Evaluation				
B. Injury or illness could reasonably be expected to be: C. Significant and Substantial: Yes No No Lost Workdays Cr Restricted Duty Permanently Disabling Fatal D. Number of Persons Affected: 001 1. Negligence (check one) A. None B. Low C. Moderate D. High E. Reckless Disregard 2. Type of Action 104(a) 13. Type of Issuance (check one) Citation Order Safeguard 4. Initial Action B. Order C. Safeguard D. Written Notice E. Citation/Order Number	10, Gravity: A. Injury o	r Iliness (has) (is):	No Likelihood ☐ Unlikely ✔	Reasonably Likely	Highly Likely П Оссил	ed 🗌
1. Negligence (check one) A. None B. Low C. Moderate D. High E. Reckless Disregard 2. Type of Action 104(a) 13. Type of Issuance (check one) Citation Order Safeguard 4. Initial Action B. Order C. Safeguard D. Written Notice E. Citation/Order Number				Workdays Or Restricted Duty	Permanently Disabling	Fatal 🗌
2. Type of Action 104(a) 13. Type of Issuance (check one) Citation Order Safeguard 4. Initial Action B. Order C. Safeguard D. Written Notice F. Dated Mo Da Yr	C. Signific	ant and Substantial:	Yes ☐ No 🗹		D. Number of Persons Affected:	001
4. Initial Action A. Citation B. Order C. Safeguard D. Written Notice Order Number E. Citation/ Order Number	11. Negligeno	e (check one)	A. None B. Low	C. Moderate 🗹 D. Hi	gh 🗌 E. Reckless Disrega	rd 🗌
A. Citation B. Order C. Safeguard D. Written Notice Order Number	12. Type of Ad	ction 104(a) 13. Type of	f Issuance (check one)	Citation Order	Safeguard [
5. Area or Equipment			C. Safeguard D. Written Notice [1	F. Dated	Mo Da Yr
	15. Area or Ed	quipment			······································	

MSHA Form 7000-3, Mar 85 (revised) in accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

1600

21. Primary or Mill

23. AR Number



Date 4-13-05
11:00 75.1107-16(6)
7097727 S+S NO
The #4 scoop battery
Charging station for the
Majus 001-0 and 002-0
MMU'S Sections is Not
provided with a operational
five suppression system.
The chemical canister
type fire suppression system
15 Not wired up and Ready
to provide protection for
the scoop battery's while
charging the battery
charging station is located
at #40 block in the #8
intake entry. The mine
operator immediately
Inspector's Initials 6
Supervisor's Initials and Date Page No. 19 P-T U.S. G.P.O 2005:742-563

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

Date 4-13-05
removed the #4 battery charger from service.
charger from service.
Parts for the fire
suppression system had
to be ordered.
The nine examiner
Should have Known of
this Condition.
Based on my mining
experience This Condition
has existed for several
Elifti.
ONE MINER is exposed as
he works or Travels in
The cited area
Inspector's Initials [6]
Supervisor's Initials and Date Page No. 20
歼 U.S. G.P.O.2005:742-563

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

Date	4-	13-	05
2010			

When a accident does
OCCUR from This Type
of Condition it will
be of a serious nature
from fire, burys, Smoke
Inhalation.
IT is unlikely That
a accident will occur
from This Type of
CONDITION.
The battery Charging
STATION is vented
directly to the return
air Course.
diff coaper
Inspector's Initials
Inspector's Initials Page No. 21
Supervisor's Initials and Date Page No.

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) 04/13/2005 1415	3. Citation/ Order Number 7097728
4. Served To Bill Currence Mine Foreman	5. Operator ANKER WEST VIRGINIA MINING COMPANY
6. Mine SAGO MINE	7. Mine ID 46-08791 (Contractor)
8. Condition or Practice	8a. Written Notice (103g)
The mine operator failed to summ Bi-monthly sampling cycle for Februa.	it a valid respirable dust sample for the ry - March on the 001-0 MMU section.

See Continuation Form (MSHA Form 7000-3a) 9. Violation A. Health B. Section C. Part/Section of 70.208 -75.208 of Act Title 30 CFR Safety Other 🗸 Section II-Inspector's Evaluation 10. Gravity: No Likelihood Unlikely 🗸 Reasonably Likely Highly Likely Occurred A. Injury or Illness (has) (is): B. Injury or illness could rea-Fatal 📉 No Lost Workdays Lost Workdays Or Restricted Duty 🔽 Permanently Disabling sonably be expected to be: C. Significant and Substantial: D. Number of Persons Affected: 001 Yes 🗌 No 🗹 11. Negligence (check one) E. Reckless Disregard [A. None B. Low C. Moderate 🗹 D. High 12. Type of Action 13. Type of Issuance (check one) Citation 🗸 Order 🔲 Safeguard ... 104(a) F. Dated Mo Da Yr E. Citation/ 14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice Order Number 15. Area or Equipment Mo Da Yr 16. Termination Due A. Date B. Time (24 Hr. Clock) 1420 04/13/2005 Section III-Termination Action 17. Action to Terminate Terminated due to no action required by the operator as the sampling cycle can only be satisfied during the established sampling cycle. Mo Da Yr 18. Terminated A. Date B. Time (24 Hr. Clock) 1420 04/13/2005 Section IV-Automated System Data 19. Type of Inspection 20. Event Number 21. Primary or Mill 4054745 E01 (activity code)_ 22. Signature 23. AR Number

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Wyls

Mine	Citation/Order
Canti	nuation

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

	2	MA	2005	(
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GOIMING CO.		mino variety and i realist terrismost	~····
Section I-Subsequent Action/Contin	uation Data		
1. Subsequent Action 1a. Contin	nuation 2. Dated (Original Issue)	Mo Da Yr 04/13/2005 3. Citation/ Order Number 7097728	- 01
4. Served To		5. Operator	
Bill Currence Mine Ford	eman	ANKER WEST VIRGINIA MINI	NG COMPANY
6. Mine SAGO MINE		7. Mine ID 46-08791	(Contractor)
Section II-Justification for Action			
Change	From	То	,
-			

8. Condition Or Practice

Reason Change summit to submit and add the following to the body of the citation. The designated area sampling point I.D 9011 for the intake - roof bolter on the 001-0 mechanized mining unit as identified in advisory no. 0025 dated April 07, 2005.

Wrote summit in error and also did not put all of the information needed in the body of the condition and practice of the citation.

Section III—Subsequent Action Taken		See Con	tinuation Form
8. Extended To A. Date Mo Da	Yr B. Time (24 Hr. Clock)	☐ C. Vacated ☐ D. Terminated ☑ E. M	fodified
Section IV-Inspection Data			
9. Type of inspection E01	10. Event Number 4054745		
11. Signature (AR Number 12. Date	Mo Da Yr 13. Time (24 Hr. Clock) 04/14/2005 0811	
MSHA Form 7000-3a, Mar 85 (revised)			

wells

ine	Citation/Order

U.S. Department of Labor 1 2 MAY 2005 Mine Safety and Health Administration



		711110	outers and mountment	innogration .
Section I-Subsequent Action/Cor	tinuation Deta			
1. Subsequent Action 1a. Co	ntinuation 2. Dated (Original Is:	Mo Da Yr sue) 04/13/2005	3. Citation/ Order Number 709	7728 - 02
4. Served To		5. Ope	rator	
Bill Currence Mine Fo	oreman	ANK	ER WEST VIRGINIA	MINING COMPANY
6. Mine		7. Min	e ID	(Contractor)
SAGO MINE			46-08791	
Section II—Justification for Action				
Change	From		To	
9. C. Part/Section	75.208		70.208	
Reason Accidently hit 5	and should have hit 0 wh	nen issning.		

Issued under the wrong section of the 30 CFR in error.

Section III-Subsequent	Action Taken							See Continuation Form
8. Extended To A. D)ate Mo D	a Yr	B. Time (24 I	Hr. Clock)		C. Vacated	D. Terminated	✓ E. Modified
Section IV—Inspection E)ata							
9. Type of Inspection	E01	10. E	vent Number	4054745				
11. Signature	6	<u> </u>		AR Number	12. Date	Mo Da Yr 05/11/2005	13. Time (24 Hr. Ck	ock)
/ISHA Form 7000-3s, M	ar 85 (revised)		Ád					

Date 4-13-05
1415 75.208
7097728 Sts NO
The mive operator failed
to submit qualid
respirable dust sample
for the Bi-monthly sanglin
Cycle for February - MARCH
on the ool-o mmu
Section.
The mine operator
should have Known
of this condition.
2
This condition has
existed since March
31st which was The
last day of the
Inspector's Initials [6]
Supervisor's Initials and Date Page No. 22 AU.S. G.P.O.2005.742-563

ISHA Form 7000-10K, June 93 (revised)	MSHA Form 7000-10K, June 93 (revised)
Pare 4-13-05	Date4-13-05
February - March	Quartz Can exist.
Bi- Monthly Sampling Cycle.	
	IT is Unlikely that This Condition will
as he works in this	result in a accident
designated area.	
When a accident does	
of Condition if will	
from mixers working	
where unknown hazards	
of respirable dust and	Inspector's Initials

Supervisor's Initials and Date

*U.S.GPO: 2004 - 642 - 912

Supervisor's Initials and Date

**0303-002

--- ADVISORY OF NONCOMPLIANCE, FAILURE TO SUBMIT---(DESIGNATED AREA SAMPLING POINT). ADVISORY NO 0025

APR 07, 2005

ANKER WEST VIRGINIA MINING COMPANY

MINE I.D.46-08791

DESIGNATED AREA SAMPLING POINT'I.D. ROOF BOLTER - INTAKE 9011

SAGO MINE

CURRENT BIMONTHLY SAMPLING CYCLE APR-MAY 2005

ACCORDING TO MSHA RECORDS A VALID RESPIRABLE DUST SAMPLE, RELATIVE TO THE DESIGNATED AREA SAMPLING POINT IDENTIFIED ABOVE, WAS NOT RECEIVED AS REQUIRED BY 30 CFR 70 FOR THE BIMONTHLY SAMPLING CYCLE OF FEB-MAR 2005.

CASSETTE

SAMPLING START TIME MRE EQUIV

CONCENTRATION (24-HR CLOCK)

> ---0303---097---46-08791---в ---а ANKER WEST VIRGINIA MINING COMPANY SAGO MINE ATTN: JAMES A SCHOONOVER RT 9 BOX 507 BUCKHANNON WV

Mine Citation/Order

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

0 3 MAY 2005

- K7	1

Section I-V	iolation Data					
1. Date	Mo Da Yr 04/18/2005	2. Time (24 Hr. Clock) 0710	3. Citation/ Order Number	7097729		
4. Served Bill Curi		eman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC			
6. Mine SAGO MINE			^{7. Mine ID} 46-08791	(Contractor)		
	n or Orontino			Ra Written Notice (103a)		

Combustible materials in the form of loose coal, coal fines mixed with rock is allowed to accumulate on the Mains 001-0 and 002-0 MMU working section's. The accumulations range from damp to wet and measured from 4 inches to 20 inches deep by 12 inches to 8 feet wide by 15 feet to 30 feet in length in several locations on the 001-0 and 002-0 MMU section's. These accumulations are located in the haulroad entries # 1 through #9 and also in some of the crosscut's. The mine operator immediately shut down production and started cleaning up the accumulations.

					See Contin	nuation Form (MSHA	Form 7000-3a)
9, Violation A. Healt Safe Oth	y of Act		C. Part/Section of Title 30 CFR		75.4	00	
Section II—Inspector's Eval	uation						
10. Gravity:						_	. —
A. Injury or Iliness (h	, , ,	Unlikely 🗸	Reasonably	Likely	Highly Likely	Occurre	ed []
 B. Injury or illness co sonably be expecte 		rkdays Lost W	/orkdays Or Restri	cted Duty 🗹	Permanenth	y Disabling	Fatal 🗌
C. Significant and Su	bstantial: Yes	No 🗸			D. Number of F	Persons Affected:	001
11. Negligence (check o	ne) A. None 🗌	B. Low 🗌 🤇	C. Moderate 🔽	D. High	□ E .	Reckless Disregar	d 🗌
12. Type of Action	104(a)	13. Type of is	ssuance (check on	2)	Citation 🗹	Order 🗌	Safeguard
14. Initial Action A. Citation B. C	rder C. Safeguard	D. Written Notice	E. Citation/ Order Nun	ber		F. Dated	Mo Da Yr
15. Area or Equipment							
	A. Date	B. Time (24 Hr. Clock	0 1130				
Section IIITermination Act	ion						
17. Action to Terminate the area bei	Termi ng rock duste	nated due to d.	the acc	ımulati	ons being	g cleaned	up and
18. Terminated A. Date	04/18/2005	ne (24 Hr. Clock)	1130			······································	
Section IV-Automated Syst	em Data						
19. Type of Inspection (activity code)	E01 20. Event Numb	er 4054745	21. Pr	mary or Mill			
22. Signature	6	J			23. AR N	umber [(c	-]

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

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

Date 4-18-05
7:104- 75,400
7097729 StS NO
Combustible materials
IN the form of loose
Coal, Coal finer mixed
with rock is allowed to
accumulate on the Majour
001-0 and 002-0 mmu
working sections. The
accumulations range from
damp to wet and measured
from 4 inches to 20 inches
feet wide by 15 feet to
teet wide by 15 teet to
30 feet in length in
Several locations on the
Ool-0 Hard Ooz-0 mmu
Section's . There accumulations
Inspector's Initials
Inspector's Initials C

МСНА	Form	7000-10K	June	93	(revised)

Date 4-(F-05
are ocated in the
haulroad entries # 1
through #9 and also in
some of the Crosscut's
The mine operator.
immediately shut down
Production and Started
Cleaning up the accumulations:
accumulations.
The mine examiner
Should have KNOWN
of this Condition.
Based ON MY Mining
experience This Condition
has existed for several
Inspector's Initials
Supervisor's Initials and Date Page No. / Pa

MSHA Form 7000-10K, June 93 (revised)
Date 4-18-05
Shifts.
ONE MINEY is exposed
as he works or travels
in this area.
When a accident does
Occur from this Type
of Condition it will
by of a serious Natura
from fire, Burns,
Smoke Inhalation.
2/10XC 2/11-2/4/1/1/1

y-/ ****
Inspector's Initials
Supervisor's Initials and Date Page No.

MSHA Form 7100-10K, June 93 (revised)

Date 4-18-05

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

Inspector's Initials And Date Page No. 13	Start Mining Coal,
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*U.S.GPO: 2004 - 642 - 912

Mino	Citation	/Order

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

0	3	MAY	20 05/3 X 1

•	•		Willio Calcty and Floaters	(W) (II) NOT GET VI
Section I-V	iolation Data			
1, Date	Mo Da Yr 04/18/2005	2. Time (24 Hr. Clock) 0740	3	3. Citation/ 7097730 Order Number 7097730
4. Served			5. Operator	
Bill Cur	rence Mine For	eman	ANKER WEST VIRGIN	IA MINING COMPANY INC
6. Mine			7. Mine ID 46-08791	(Cantractor)
SAGO !	MINE		10 00 12	(Contractor)
8. Condition	on or Practice			8a. Written Notice (103g)

No apparent effort was made to replace the wiring for the canister on the chemical type fire suppression system for the #4 scoop charger located on the mains 001-0 & 002-0 MMU sections. The #4 scoop charger is ordered withdrawn from service until the canister can be repaired or replaced. This inspector went to the #4 scoop charger to terminate citation no. 7097727 when he found the scoop charger energized and in operation charging a set of scoop batteries.

					See Continue	ation Form (MSHA	Form 7000-3a)
9. Violation A. Healt Safe Oth	ty of Act		C. Part/Section of Title 30 CFR		75.1107-1	6(b)	
Section II—Inspector's Eval	uation						
10. Gravity:					11:-bt.18aab.	Occum	<u>-</u>
A. Injury or Illness (h		ood Unlikel	y 🗌 Reasonably	/ Likely	Highty Likely) Occurre	30 [_]
 B. Injury or illness co sonably be expect 		st Workdays 🗌	Lost Workdays Or Restr	icted Duty	Permanently I	Disabling	Fatal
C. Significant and St	ıbstantial: Ye	s			D. Number of Per	rsons Affected:	
11. Negligence (check o	ne) A. None [B. Low	C. Moderate	D. High	☐ E. R	eckless Disregar	d 🗍
12. Type of Action	104(b)	13. T	ype of Issuance (check or	ne) C	citation C	rder 🗸	Safeguard
14. Initial Action A. Citation B. C	rder C. Safegu	ard D. Written No	E. Citation/ Order Nu	mber 7	097727	F. Dated	Mo Da Yr 04/13/2005
15. Area or Equipment between #8 a	The and #9 entr		charger locat	ed at SS	5#3768 in	the cros	sscut
16. Termination Due	A. Date Mo Da	Yr B. Time (24 h	Hr. Clock)				
Section IIITermination Ac	lion						
17. Action to Terminate							
18. Terminated A. Date	Mo Da Yr	B. Time (24 Hr. Clock)				
Section IVAutomated Sys	tem Data						
19. Type of Inspection (activity code)	E01 20. Event	Number 405	4745 ^{21. P}	rimary or Mill			
22. Signature	6				23. AR Nu	mber 🖺 (9

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small businesses. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

19/21

Mine Citation/Order
Continuation

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

0	3	MAY	2005 X 1.
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1. Subsequent Action 1a. Cont	inuation 2. Dated (Original Issue)	Mo Da Yr 04/18/2005	Citation/ Order Number	7097730 - 01
4. Served To		5. Operati	ж	
Bill Currence Mine For	reman	ANKEI	WEST VIRG	INIA MINING COMPANY INC
6. Mine		7. Mine ID	44 0000	(Contractor)
SAGO MINE			46-0879	1

Terminated due to the chemical type fire suppression canister's over the scoop batteries at the #4 scoop charger being replaced with new canister's. The canister's are wired up and ready for service to provide fire protection for the #4 scoop charger batteries.

Section III—Subsequent /	Action Taken						See Continuation Form
8. Extended To A. Da	Mo Da ate	Yr B. Time (24 f	fr. Clock)		C. Vacated	D. Terminated	E. Modified
Section IV-Inspection D	ata						
9. Type of inspection	E01	10. Event Number	4054745				
11. Signature	6	<u> </u>	AR Number	12. Date	Mo Da Yr 04/18/2005	13. Time (24 Hr. Ck	ock)
MSHA Form 7000-3a, Ma	r 85 (revised)						· · · · · · · · · · · · · · · · · · ·

up Islam

Date 4-18-05
7:40A 75, 1107-16 (6)
7097730 St.5 NO
No aggarent effort
was made to replace
the wiring for the
canister on the chemical
type fire suppression system
for the #4 Scoop charger
located on the mains
001-0+ 002-0 mmu Sections
The #4 Scoop Charger is
ordered with drawn from
Service until the cannister
can be repaired or replaced.
This inspector went to the
#4 Scarp charges to
terminate citation NO.
709 7727 when he found
Inspector's Initials Page No. / #
Supervisor's U.S. G.P.O.2005:742-563

MSHA	Form	7000-10K	lune 93	(revised)

Date 4-18
the scoop charger
energized and in operation
charging a set of scoop
patteries.
The Section foreman
Should have KNOWX
of This Condition.
Based ON MY MINING
experience This Condition
has existed for Several
Shifte.
ONE MINET 15 exposed
as he works or
Travels in the area
of The #4 Scoop Charges
nspector's Initials [6]
commitments to talk into and Ocean
AU.S. G.P.O.2005:742-563

MSHA	Form	7000-10K	luna	G2	(cavisari)
14100 ()774		1000-101	, vuite	00	[12413407]

Date 4-18-05
When a accident doe
Occur it will be of
a Serious Nature from
fire, Burns, Smoke
INhalaTiOH.
IT is

Inspector's Initials

Supervisor's Initials and Date _

Mine Citation/Order

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

0	3	MAY	2005
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Section IViolation Data	
1. Date Mo Da Yr 2. Time (24 Hr. 0 04/18/2005 10	1 000 000 109 / / 1
4. Served To Bill Currence Mine Foreman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC
6. Mine SAGO MINE	7. Mine ID 46-08791 (Contractor)
8, Condition or Practice	8a. Written Notice (103g)

The trailing cable for the #1 Joy 10 SC 32 shuttle car serial no. ET14258, Approval no.2G-3619A-00 on the 001-0 MMU working section is not insulated adequately and fully protected. The insulation on three previous splices has worn away leaving the inner insulated energized power leads exposed for 1 inch area all of the way around the trailing cable on each of the three splices. The outer jacket of the trailing cable has 4 cut's which range from 1 inch to 2 inches in length by 1/4 of an inch to 1/2 of an inch wide and exposes the inner insulated leads. The inner insulated leads also have the insulation cut which exposes the bare power leads for approximately 1/4 to 3/8 of an inch wide by 1 to 2 inches in length. The mine floor ranges from damp to wet on this section. The miners normally handle the trailing cables.

							See C	ontinuatio	n Form (MSHA	Form 7000-3a)
9. Violation	A. Health [Safety other	B. Section of Act		C	. Part/Section of Title 30 CFR		7	5.517		
Section II-Inspec	tor's Evaluat	ion								
10. Gravity:									•	
A. injury or it		· /	nood 🗌	Unlikely	Reasonably	Likely 🗸	Highly Like	∌ly 🔲	Occurre	d 🗌
B. Injury or if sonably be	iness could e expected		st Workdays	Lost Wo	rkdays Or Restr	cted Duty 🔽	Perman	ently Disa	abling 🗌	Fatal 🗌
C. Significan	nt and Subs	tantial: Ye	s ✔ No				D. Number	of Persor	ns Affected:	001
11. Negligence ((check one)	A. None [B. Lo	v □ c.	Moderate 🗸	D. High		E. Reck	dess Disregan	i 🗆
12. Type of Action	on	104(a)		13. Type of Iss	uance (check or	e) C	itation 🗹	Orde	r 🗌	Safeguard [
14. Initial Action A. Citation	B. Orde	er 🔲 C. Safegu	ard 🗍 D. Wri	tten Notice	E. Citation/ Order Nun	nber			F. Dated	Mo Da Yr
16. Termination	Due A	. Date	10 7	e (24 Hr. Clock)	1200			,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		
Section III-Termin	ation Action	04/10/2	003			1				
17. Action to Ter	minate			·····				·		
18. Terminated	A. Date	Mo Da Yr	B. Time (24 Hr.	Clock)					······································	
Section IV-Automa	ated System	Data						****	······································	
19. Type of Inspe (activity code		E01 20. Event	Number	4054745	21. Pri	mary or Mill				
22. Signature		6	1				23. A	R Numbe	r (, (e	1

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small businesses. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Walst

Mine Citation/Order Continuation

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

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		Millio O	wife datery and reality Administration				
Section I-Subsequent Action/Co	ntinuation Data						
1. Subsequent Action 1a. Co	ntinuation 2. Dated (Original iss	Mo Da Yr xe) 04/18/2005	3. Citation/ Order Number	7097731 - 01			
4. Served To		5. Operat	or				
Bill Currence Mine F	oreman	ANKE	R WEST VIRG	INIA MINING COMPA	NY INC		
6. Mine	4	7. Mine II)	(Co	entractor)		
SAGO MINE			46-0879	1			
Section II-Justification for Action							

Terminated due to all 7 of the bad places in the #1 Joy shuttle car trailing cable that has leads exposed being insulated adequately and fully protected.

Section III—Subsequent /	Action Taken							See Continuation Form
8. Extended To A. Da	Mo Da ate	Yr	B. Time (24	fr. Clock)		C. Vacated	✓ D. Terminated	E. Modified
Section IV-Inspection Da	ata							
9. Type of Inspection	E01	10. Ev	vent Number	4054745		· · · · · · · · · · · · · · · · · · ·		
11. Signature	6		7	AR Number_	12. Date	Mo Da Yr	13. Time (24 Hr. Ck	xck)
ASHA Form 7000 20 A4			<u>ا</u> ا	<u> </u>	<u> </u>	04/18/2005	1750	

1/21/21

75.517 7097731 545 yes The trailing cable for the #1 Jby 10 SC 32 Shuttle car serial No. ET14258, Approval NO. 2G-3619A-00 on the 001-0 MMU Workin Section is Not insulated adequately and fully protected. The insulation three previous Splices has worn away leaving the inner insulated energized power leads exposed for I well area of the way around trailing case on Inspector's Initials ___ ____ Page No. _____ Supervisor's Initials and Date ₩U.S. G.P.O.2005:742-563

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

Date 4-18-05
each of the three
Splices The outer
jacket of the trailing
cable has 4 cut's which
range from linch to
2 inches in length by
ty of an inch to 2 of
an inch wide and
exposes the immer insulted
leads. The inner insulated
leads also have the
insulation cut which
exposes the bare power
leads for appoximately
4 to 3/F of an juch
wide by 1- TO 2
Inches in length. The
Mine floor ranges from
Inspector's Initials
Supervisor's Initials and Date Page No. 18 AU.S. G.P.O.2005:742-563
0.0, 0.0, 0.00000174-000

MSHA Form 7000-10K, June 93 (revised)
Date 4-18-05
damp to wet on
this Section. The minures
normally handle the
trailing cables.
The [6]
I 6] should have
Seen These bad
places during the
Pre-operational Checks
These bad places in
The Trailing cable
would be obvious
To any prudent person
y concerped as
:
Ingreeon's Initials EG]
Incompany's Inisials L

4 U.S. G.P.O.2005;742-563

Supervisor's Initials and Date

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

IT is Reasonably likely
That This Type of
CONDITION WILL result
in a accident. The
Mixers NOrmally handly
The Trailing Cables
and The Mine floor
ranger from damp to
wet.
L61
nspector's InitialsSupervisor's Initials and DatePage No. 21
Page No. 4 1

*U.S.GPO: 2004 - 642 - 912

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

4-18-05

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

Date 4-18-05

Inspector's Initials

Supervisor's Initials and Date

The #1 Joy ShuTT/2 Car is a space shuffly Car and was de-energized at The Time These CONDITION WERE found. When #5 or #7 Shutthe Caris break down This #1 Shuttle Car is put into service. ONE day last week #7 Shuttle Car was down and The Shuttle Car operator went To the #1 Shuttle Car put it into operation.

Mino	Citation	Order
REILIE	CHESTICAL	1/L /III 1 - 1

Mine Safety and Health Administration 0 4 MAY 2005

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			mine carety and recard	1 / turninga accor	· · · · · · · · · · · · · · · · · · ·
Section IViolatio	n Data			,	
	Mo Da Yr 04/20/2005	2. Time (24 Hr. Clock) 1130		3. Citation/ Order Number	7097732
4. Served To Bill Currence	e _ Mine Fore	man	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC		
6. Mine SAGO MIN		+	7. Mine ID 46-0879	1	(Contractor)
8. Condition or F	Practice				8a. Written Notice (103g)
escapewa MMU sect haulage	ay are no tions. The to the p	el doors between the p t maintained to less t e distance from the pe ersonnel door at #43 b mining height is appr	han 600 feet on rsonnel door at lock along #4 h	the mains #27 block aulage is	s 001-0 & 002-0 c along #4

											See	Continuati	ion Form (MSH	A Form 7000-3a) [
9. Violation	A. Health Safet Othe	y 🗸	B. Section of Act					Part/Section of itle 30 CFR	of		75	.333(c)	(1)	
Section II-Insp	ector's Evalu	ıation												
10. Gravity:						£*****								
	r Illness (ha		No Likelit	iood 📗	U	nlikely 🗸		Reasonab	ly Likel	<u>/ </u>	Highly LI	kely	Occur	med
	r illness cou be expecte		No Lo	st Work	days 🗌	Lost \	V ork	days Or Rest	ricted	Outy 🔽	Perma	inently Di	sabling 🗌	Fatai 🗌
C. Signific	ant and Sul	bstantial:	Ye	s 🗌	No 🗹						D. Numbe	er of Pers	ons Affected:	001
11. Negligeno	e (check or	ne)	A. None [B. Low		C. M	oderate 🗹		D. High		E. Re	ckless Disrega	ard 🗌
12. Type of A	ction	104(a)			13. Type of	lssua	nce (check o	ne)		Citation 🗹	Ore	ter 🗌	Safeguard [
14. Initial Acti A. Citation		der 🔲	C. Safegu	ard 🗌	D. Writte	en Notice		E. Citation/ Order Nu	mber				F. Dated	Mo Da Yr
16. Termination	on Due	A. Date	Mo Da	1	R Time	(24 Hr. Cloo		033(~~~~~			*		
Section III—Terr			04/21/2	005		(2 / , , , , , , , , , , , , , , , , , ,	,	0550						
17. Action to 1		on	·					····						
18. Terminate	A. Date	Mol	Da Yr	B. Time	(24 Hr. C	Clock)								
Section IVAuto		m Data								··········				
19. Type of Ins (activity co		E01	20. Event	Number	4	054745	;	21. P	rimary	or Mill			······································	
22. Signature	Γ_	(6			***************************************					23.	AR Numb	er T	6.1

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Mine	Citation/Order
Conti	nuation

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

0.4	MAY	2005	l

) · 4	MAY	2005		
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1. Subsequent Action 1a. Continuation	Dated (Original Issue)	Mo Da 04/20/20	·· i	3. Citation/ Order Number	7097732 - 01	
4. Served To Bill Currence Mine Foreman			5. Operato ANKER		GINIA MINING CO	MPANY INC
6. Mine SAGO MINE			7. Mine ID	46-0879	1	(Contractor)

Terminated due to personnel doors being installed in the permanent ventilation controls (stoppings) at #37 block and at #32 block to provide the miners access to the primary escape way from the track entry.

Castina III Cohanna	Askina Takan						See Continuation Form
8. Extended To A. I	Mo Da	Yr	B. Time (24 Hr. Clock)		C. Vacated	✓ D. Terminated	E. Modified
Section IVinspection 9. Type of Inspection		10. E	ivent Number 4054745				
11. Signature	6	! 	TAR Number	12. Date	Mo Da Yr 04/29/2005	13. Time (24 Hr. Clock)	

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

607

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

Date 4-20-05

11:30pm 75. 337(C)(1) 7097732 S+5 NO The Dersonnel door

The personnel doors
between the primary
escapemay and the
Secondary escapemay
are not maintained to
less than 600 feet on
the mains 001-0 + 002-0
MMU Sections. The distance
from the personnel door
at #27 block along #4
hawlage to the personnel
door at #43 block along
#4 hawlage is approximately
1,360 feet. The mining

high

Inspector's Initials

[6]

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

4-20-05

ate
When an accident
does occur from this
type of condition it will
De of a Serious Nature
from fire, burns, smoke
inhalation and miner not
being able to enter
escapeway within a
600 distance.
It is un likely that an
accident will occur
from this condition.
The mine floor, roof
and Ribs are dang to wet.
There was no methane
Detected. ARea has also
bear Rock Dusted.
, 1

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

4-20-05

The E 6	and the same of th
E 6 I show	ild have
Known of the	is condition.
Based ow w	y mining
experience the	r Condition
has existed fo	v More
than one.	shift.

ONE nimer	is exposed
as he or sh	1
or travely in	
4	
Į.	[0]
Inspector's Initials Supervisor's Initials and Date	Page No. 27

06

Inspector's Initials

Supervisor's Initials and Date

41.6 CDC-2004 EA2 A44

Mine	Citatio	n/Orde

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





Section I-V	iolation Data						
1. Date	Mo Da Yr 04/26/2005	2. Time (24 Hr. Clock) 1030	3. Citation/ Order Numbe	r 7097734			
4. Served Bill Curi	rence Mine For	eman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC				
6. Mine SAGO N			7. Mine ID 46-08791	(Contractor)			
	n or Practice	**************************************		8a, Written Notice (103g)			

The #2 AWG trailing cable for the #4 Flatcher roof bolting machine serial no. 2004096, Approval no. 2G-3715A-1 being operated on the 2 Right, 003-0 MMU working section. The outer jacket is cut for 1 1/2 inches in length by 3/4 of an inch wide and exposes the inner insulated energized power leads and the inner insulated leads also have the insulation cut which measured 1 1/2 inches long by 3/8 of an inch wide which exposes the bare energized power leads that provide 600 VAC to the #4 Fletcher roof bolting machine.

						See Contir	nuation Form (MSHA	Form 7000-3a)
9. Violation	A. Health ☐ Safety ✔ Other ☐	B. Section of Act		C. Part/Section of Title 30 CFR		75.5	17	
Section II—Insp	ector's Evaluation							
10, Gravity: A. Injury or	r Illness (has) (is):	No Likelihood	Unlikely [Reasonably	Likely 🔽	Highly Likely	Occurre	ed 🔲
	illness could rea- be expected to be:	No Lost Work	days Lost \	Workdays Or Restri	cted Duty 🗹	Permanenti	/ Disabling 🔲	Fatal 🗌
C. Signific	ant and Substantial	Yes 🗹	No 🗌			D. Number of F	ersons Affected:	001
11. Negligenc	e (check one)	A. None	B. Low	C. Moderate 🗹	D. High	E.	Reckless Disregar	d 🗌
12. Type of A	ction 104	(a)	13, Type of	issuance (check on	e)	Citation 🗹	Order	Safeguard [
14. Initial Action A. Citation		C. Safeguard	D. Written Notice	E. Citation/ Order Nun	ber		F. Dated	Mo Da Yr
15. Area or Ed		Mo Da Yr	B. Time (24 Hr. Cloo	1045	T		, , , , , , , , , , , , , , , , , , ,	
	A. Dele	04/26/2005	b. 1886 (24 Hr. CKC	k) 1045				
Section III-Terr	nination Action							
17. Action to 1 adequat		Terminate	ed due to tected.	he traili	ng cable	e being i	nsulated	
18. Terminate	A. Date 04/	Da Yr 26/2005 B. Time	(24 Hr. Clock)	1045				
Section IV-Auto	omated System Data							
19. Type of In: (activity co	* ***	20. Event Number	4054745	5 21. Pr	mary or Mill			
22. Signature	· /	6 -	J			23. AR N	umber [<i>و</i> ے

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small businesses. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.



Mine Citation/Order Continuation		U.S. Department of Labor Mine Safety and Health Administration				
Section I-Subsequent Action/Continuation Da	tla					
1, Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da Yr 04/26/2005 3. Citation/ Order Number 7097734 - 01				
4. Served To Bill Currence Mine Foreman		5. Operator ANKER WEST VIRGINIA MINING COMPA	NY INC			
6. Mine SAGO MINE		7. Mine ID 46-08791 (Co	ntractor)			
Section II—Justification for Action						
Change	Erom	To				

8. Condition Or Practice

Reason Add the following to the body of the citation: The #4 Fletcher roof bolting machine trailing cable is not insulated adequately and fully protected.

Did not put this in the body of the citation before issuing.

Section III—Subsequent /	Action Taken				<u> </u>			See Continuation Form
8. Extended To A. Di	Мо	Da Yr	B. Time (24)	Hr. Clock)		C. Vacated	D. Terminated	✓ E. Modified
Section IVInspection De 9. Type of Inspection	eta E01	10. E	vent Number	4054745				
11. Signatur	6	•]	AR Number	12. Date	Mo Da Yr 04/26/2005	13. Time (24 Hr. Cld	ck)

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



Date 4-26-05
10:30Am 75.517
7097734 Sts yes
The #2 AWG trailing cable
for the #4 Fletcher roof bolting
machine Serial No. 2004096,
Approval No. 26-3715A-1 being
operated on the 2 Right, our
Mmu working section. The
outer jacket is cut for 12
Inches in length by 34 of
an inch wide and exposes
the inner insulated energized
power leads and the inner
inisulated leads also have
the insulation cut which
measured 12 inches long
by 3/F of an inch wide
which expores the bare
Inspector's Initials
Supervisor's Initials and Date Page No. 16
र्भ U.S. G.P.O.2005:742-563

MSHA Form	7000-10K_J	une 93 (revised)
-----------	------------	------------------

Date 4-26-05	
energized power 19	rads that
provide 600 VAC to	1 the
# 4 Fletcher roof Machine.	
The F 6	
	Should
have seen this a	
Checks.	
Based on my mi	N'NG
experience This	CONdiTION
has existed for	
Than one Shift	•
Inspector's Initials	
Supervisor's Initials and Date	Page No. 17

ONE Miner is exposed
as he handles The
roof botter Trailing
Cable.

When a accident does occur-from This Type of Condition it will be of a Serious Nature from electrical Shock, burns.

IT is Reasonably likely
That a accident will
Occur from This Type
of Condition. The
Mine floor ranges from

Inspector's Initials And Date Page No. 18

"U.S.GPO: 2004 - 642 - 912

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

Date 4-26-05

damp To WET and
The Miners Normally
bandle the Trailing
Cables. The bare
energized power lead
are exposed Through
The CUT in The
Trailing Cable,
Inspector's Initials
Superviews's initials and Data Barrier 19

Mine Citation/Order

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





			while Salety and Health Adi	ministration	1 1	
Section I-V	iolation Data					
1. Date	Mo Da Yr 04/26/2005	2. Time (24 Hr. Clock) 0750		Citation/ 7	097733	
4. Served To			5. Operator			
Bill Currence _ Mine Foreman			ANKER WEST VIRGINIA	MINING CO	MPANY	
6. Mine			7 14: - 10			
SAGO MINE			1 46-08/91			
8. Conditio	n or Practice				(Contractor)	

The #6 AWG trailing cable for the water pressure pump being operated on the 2 Right, 003-0 MMU working section has the trailing cable plugged into a circuit breaker that has the instantaneous setting set on 700 amperes. The maximum instantaneous amperes setting for a #6 AWG trailing cable is 300 amperes. The mine operator immediately reset the instantaneous setting on the circuit breaker that provides 600 VAC for the water pressure pump down to 300 amperes.

						See Contin	nuation Form (MSH)	Form 7000-3a)
	. Health ☐ Safety ✔ Other ☐	B. Section of Act		C. Part/Section Title 30 CFR	of ,	75.60		
Section II-Inspecto	r's Evaluation							
10. Gravity:								
A. Injury or Ilin		No Likelihood	Unlikely 🗸	Reasonat	aly Likely	Highly Likely	Occum	red 🗍
B. Injury or illno sonably be e	ess could rea- expected to be:	No Lost Wo	rkdays Lost	Workdays Or Res	tricted Duty	Permanently		Fatal [
C. Significant a	and Substantial	Yes [No 🗸			D. Number of P	ersons Affected:	001
11. Negligence (ci	neck one)	A. None	B. Low	C. Moderate	D. Hig	h 🗌 E.	Reckless Disrega	
12. Type of Action	104(a)	13. Type of	issuance (check o	one)	Citation 🗸	Order 🗌	Safeguard
14. Initial Action A. Citation	B. Order	C. Safeguard	D. Written Notice	E. Citation/	ımber		F. Dated	Mo Da Yr
16. Termination Du	le A. Date	Mo Da Yr 04/26/2005	B. Time (24 Hr. Cloo	*) 075:	<u> </u>	· · · · · · · · · · · · · · · · · · ·		
Section III-Terminati	on Action	04/20/2003		· 075.	<u>' </u>			
17. Action to Termi		Townin	h1 -1 -1					
instantan		tting set	ted due to down to 30	the water O amperes	r pressu	re pump c	ircuit bı	reaker
	. Date 04/2	0a Yr 6/2005 B. Tim	e (24 Hr. Clock)	0755				
Section IV—Automate			·		<u> </u>			
 Type of Inspecting (activity code) 	ion E01	20. Event Numbe	4054745	21. P	rimary or Mill			
22. Signature	(2	7	<u> </u>		23. AR Nu	mber / C	
45HA Form 7000 2 4	4 OF / 1. P						ą- -	•

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

4/27

Date 4-26-05
7:50/- 75,601-1
7097733 S+S NO
The # 6 Awa trailing cable
for the water pressure pump
being operated on the a
Right, 003-0 mme working
Section has the trailing cable
plugged into a circuit breaker
that has the instantaneous
Setting set on 700 amperes.
The maximum instantaneous
amperes setting for a #6 AWG
trailing cable is 100 ampores.
The mine operator immediately
reset the instantianeous setting
on the circuit breaker that
provider 600 vac for the water
prossure pump dounto 300 amperos.
Inspector's Initials
Supervisor's Initials and Date Page No. 13
F 0.3. G.F.O.2005:742-563

MSHA Form 7000-10K, June 93 (revised)
4-26-05
The electrical examiner should have Known of This Condition.
Bared on my mining
experience This condition
has existed for more
Than one Shift
OHE MINES is exposed
as he work's or Travels
in The area where
The water pressure
pump and Trailing cable
is located.
Inspector's Initials
Supervisor's Initials and Date Page No

*U.S.GPO: 2004 - 642 - 912

Date 4-26-05
When a accident does occur from This Type of Condition it will be of a serious Natur- from electrical Shock, burn's.
IT is unlikely That a accident will occur from this Condition.
Inspector's Initials

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

Mine Citati	on/Order			U.S. Depa Mine Safe			stration	φ	
Section I-Viola	tion Data							7	
1. Date ·	Mo Da Yr 04/26/2005	2. Time (24 Hr. C				3. Citatio Order	n/ 7 Number 7	097735	
4. Served To	04/20/2005	* * * * * * * * * * * * * * * * * * * *	<u> </u>	5. Operator	***************************************				
Bill Curren	ice Mine Fore	man		ANKER V	VEST VIR	GINIA MI	INING CO	MPANY	INC
6. Mine			1	7. Mine ID	46-087	91			
SAGO MI					10 007		9-	. Written Not	(Contractor)
8. Condition o	~~~~,~,~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~		station f	· - bba ? T	od a la t	002-0 3			
set of batteri system this in	scoop bat les. This and the c aspector f	teries wit charging s anister wa ound this	e 2 Right to thout having tation has not local condition.	g fire sup a chemica ted over t The mine	pressi il cani the cha operat	on pros ster ty rging a or imme	vided o ype fir scoop b	ver the e supp atteri	e scoop ression es when
9. Violation	A. Health	B. Section of Act		C. Part/Section of Title 30 CFR			Continuation Fo	rm (MSHA Fo	rm 7000-3e)
	ector's Evaluation								
10. Gravity:	Iliness (has) (is):	No Likelihood	Unlikely 🗸	Dagaanahki	iteat.	Highly Llk		Occurred	- 1
B. Injury or	illness could rea-	No Lost Work		Reasonably Workdays Or Restric			nently Disablin		Fatal
	be expected to be: ant and Substantial:	Yes 🗌	No 🗹			1	of Persons A		001
11. Negligence	check one)	A. None	B. Low	C. Moderate	D. High	· 🔲	E. Reckless	Disregard [
12. Type of Ac	tion 104(a)	13. Type of	issuance (check one)	Citation 🗹	Order []	Safeguard
14. Initial Actio A. Citation		C. Safeguard	D. Written Notice	E. Citation/ Order Num	per .		F. C)ated	Mo Da Yr
15. Area or Eq		Mo Da Yr 04/26/2005	B. Time (24 Hr. Cloc	⇒k) 1105					
Section III-Term	nination Action				<u> </u>				
17. Action to T	erminate	Termina	ted due to	the chemi	cal ca	nister	being	placed	over
the cha	rging sco	op batteri						_	
8. Terminated	f A Elektric	0a Yr 6/2005 B. Time	(24 Hr. Clock)	1105					
19. Type of Ins (activity cod	pection	20. Event Number	4054745	21. Prir	nary or Mill		<u> </u>		
22. Signature	T. (2]				R Number	L6	7
ASHA Form 700	0-3, Mar 85 (revised)	In accordance with	n the provisions of the S egulatory Ombudsman	mall Business Regulat	ory Enforceme	nt Fairness Act	of 1996, the Sn	nall Business	Administration

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small businesses about federal enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Mine Citation/O Continuation							A	
Section I-Subsequent	Action/Continuation Data	1					V	
1. Subsequent Actio	n 1a. Continuation	2. Dated (Original Issue)	Mo Da 04/26/20	Yr 105	3. Citation/ Order Number	7097735 - 01		
4. Served To				5. Operat				
Bill Currence	Mine Foreman			ANKE	R WEST VIRG	INIA MINING CO	DMPANY INC	
6. Mine SAGO MINE				7. Mine II	46-0879	1	(Contractor)	
Section II—Justification	for Action							
Change	F	rom			To		•	

75.1107-16(b)

Reason Issued under the wrong section of the 30 CFR.

9. C. Part/Section

Issued under the wrong section of the 30 CFR.

75.1107-16

Section III-Subsequent	Action Taker	······································						See Continuation Form
8. Extended To A. D	Mo		Yr B. Time (24)	łr. Clock)		C. Vacated	D. Terminated	E. Modified
Section IV-Inspection D	ata 💮							
Type of Inspection	E01	1	0. Event Number	4054745		•		
11. Signature	6]	AR Number	12. Date	Mo Da Yr 04/29/2005	13. Time (24 Hr. Ck	ock)
MSHA Form 7000-3a, M	ar 85 (revise	d)						

me 3

MSHA	Form	7000-10K	June 93 i	revised)

Date 4-26-05
Date 4-26-05 The E 6]
immediately positioned
the chemical consister
over the changing soon
butteries.
The [6]
Should have KNOWN
of this Condition.
This get of Scoop
batteries was put
ON Charge This Shift
J
Inspector's Initials
Supervisor's Initials and Date Page No. 21

"U.S.GPO: 2004 - 642 - 912

MSHA	Form	7000-10K	June	93	(revised)

Date 4-24-05	
IT is UNlikely That	
a accident will occu	
from This condition.	
and the second s	
Fire extinguishers and	
rock dust is provide	<u>e</u> c

r / ¬	_
Inspector's Initials	_

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 7097736							
04/26/2005 1110	Older Hallistes							
4. Served To	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC							
Bill Currence _ Mine Foreman 6. Mine	7.50-15							
SAGO MINE	7. Mine ID 46-08791 (Contractor)							
8. Condition or Practice	8a. Written Notice (103g)							
	cated at the 2 Right track switch and							
is energized charging the #6 mantrip batteries without having fire suppression provided over the mantrip batteries. This charging station has a chemical canister type fire suppression system and the canister was located over the charging mantrip batteries and is not wired up to provide protection for the mantrip batteries when this inspector found this condition. The mine operator immediately removed this #7 mantrip charger from service until the fire suppression system can be wired up and fire protection can be provided at the #7 mantrip charging station.								
	See Continuation Form (MSHA Form 7000-3a)							
9. Violation A. Health B. Section C. P	art/Section of							
Safety ✓ of Act Ti	ttle 30 CFR 75.1107-16							
Other Section II—Inspector's Evaluation								
10. Gravity:								
A. Injury or Illness (has) (is): No Likelihood Unlikely	Reasonably Likely Highly Likely Occurred							
Injury or illness could reasonably be expected to be: No Lost Workdays Lost Workdays	lays Or Restricted Duty 🗹 Permanently Disabling 🗌 Fatal 🗌							
C Circliferant and Cubatanital								
C. Significant and Substantial: Yes ☐ No ☑	D. Number of Persons Affected: 001							
Tes No W	D. Number of Persons Affected: 001 D. High							
Tes No W	oderate D. High E. Reckless Disregard							
11. Negligence (check one) A. None B. Low C. Mc 12. Type of Action 104(a) 13. Type of Issual 14. Initial Action	oderate ☑ D. High ☐ E. Reckless Disregard ☐ noce (check one) Citation ☑ Order ☐ Safeguard ☐ E. Citation/ F. Dated Mo Da Yr							
11. Negligence (check one) A. None B. Low C. Mc 12. Type of Action 104(a) 13. Type of Issuar 14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice	oderate D. High E. Reckless Disregard noce (check one) Citation Order Safeguard							
11. Negligence (check one) A. None B. Low C. Mo 12. Type of Action 104(a) 13. Type of Issuar 14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice 15. Area or Equipment	oderate ☑ D. High ☐ E. Reckless Disregard ☐ noce (check one) Citation ☑ Order ☐ Safeguard ☐ E. Citation/ F. Dated Mo Da Yr							
11. Negligence (check one) A. None B. Low C. Mo 12. Type of Action 104(a) 13. Type of Issuar 14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice	oderate ☑ D. High ☐ E. Reckless Disregard ☐ noce (check one) Citation ☑ Order ☐ Safeguard ☐ E. Citation/ F. Dated Mo Da Yr							
11. Negligence (check one) A. None B. Low C. Mc 12. Type of Action 104(a) 13. Type of Issuar 14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice 15. Area or Equipment	oderate D. High E. Reckless Disregard noe (check one) Citation Order Safeguard E. Citation/ F. Dated Mo Da Yr							
11. Negligence (check one) A. None B. Low C. Mo 12. Type of Action 104(a) 13. Type of Issual 14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice 15. Area or Equipment 16. Termination Due A. Date Mo Da Yr 04/26/2005 B. Time (24 Hr. Clock)	oderate D. High E. Reckless Disregard noe (check one) Citation Order Safeguard E. Citation/ F. Dated Mo Da Yr							
11. Negligence (check one) A. None B. Low C. Mo 12. Type of Action 104(a) 13. Type of Issual 14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice 15. Area or Equipment 16. Termination Due A. Date Mo Da Yr 04/26/2005 B. Time (24 Hr. Clock) Section III—Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock)	oderate D. High E. Reckless Disregard noe (check one) Citation Order Safeguard E. Citation/ F. Dated Mo Da Yr							
11. Negligence (check one) A. None B. Low C. Mo 12. Type of Action 104(a) 13. Type of Issual 14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice 15. Area or Equipment 16. Termination Due A. Date Mo Da Yr 04/26/2005 B. Time (24 Hr. Clock) Section III—Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock) Section IV—Automated System Data	oderate D. High E. Reckless Disregard noe (check one) Citation Order Safeguard E. Citation/ F. Dated Mo Da Yr							
11. Negligence (check one) A. None B. Low C. Mo 12. Type of Action 104(a) 13. Type of Issual 14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice 15. Area or Equipment 16. Termination Due A. Date Mo Da Yr 04/26/2005 B. Time (24 Hr. Clock) Section III—Terminate 18. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock)	oderate D. High E. Reckless Disregard noe (check one) Citation Order Safeguard E. Citation/ F. Dated Mo Da Yr							
11. Negligence (check one) A. None B. Low C. Mo 12. Type of Action 104(a) 13. Type of Issuar 14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice 15. Area or Equipment 16. Termination Due A. Date Mo Da Yr 04/26/2005 B. Time (24 Hr. Clock) Section IIITerminate 18. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock) Section IVAutomated System Data 19. Type of Inspection 20. Event Number	oderate D. High E. Reckless Disregard note (check one) Citation Order Safeguard F. Dated Mo Da Yr Order Number							

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.



Mine Citation/Order

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

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





JOHUHUGUUM							
Section I-Subsequent A	ction/Continuation Data						
I. Subsequent Action ✓	1a. Continuation	2. Dated (Original Issue)	Mo Da 04/26/20		3. Citation/ Order Number	7097736 - 01	
4. Served To				5. Operato			
Brad Hamrick				ANKER	<u> WEST VIRC</u>	SINIA MINING CON	MPANY INC
6. Mine SAGO MINE				7. Mine ID	46-0879	1	(Contractor)
				1			
Section II—Justification fo	x Action						
October 11. Octobron (C							,

Terminated due to the chemical canister type fire suppression system being wired up to provide fire protection for the #7 mantrip charging station.

Section III—Subsequent	Action Taken						See Continuation Form
8. Extended To A. D	Mo Da	Yr B. Tim	e (24 Hr. Clock)		C. Vacated	☑ D. Terminated	E. Modified
Section IV—Inspection II 9. Type of Inspection		10. Event Nu	mber 4054745	_			
11. Signat	(e	(Magazina)	AR Number	12. Date	Mo Da Yr 04/27/2005	13. Time (24 Hr. Cl	ock)

WSON

Mine Citation/ Continuation	Order				epartment of Lafety and Healt	abor h Administration			
Section I-Subseque	nt Action/Continuation De	ita							
1. Subsequent Act	tion 1a. Continuation	Dated (Original Issue)	Mo Da 04/26/20	Yr 105	Citation/ Order Number	7097736 - 02			
4. Served To				5. Operator					
Bill Currence	Mine Foreman			ANKE	R WEST VIRG	INIA MINING COMPANY IN	IC		
6. Mine SAGO MINE			7. Mine ID (Contractor) 46–08791						
Section II—Justification	on for Action								
Change		From	<u> </u>		То				
9. C. Part/Section	•	75.1107-16		75.1107-16(b)					

Issued under the wrong section of the 30 CFR.

Reason Issued under the wrong section of the 30 CFR.

Section III—Subsequent Action Taken			See Continuation	on Form
8. Extended To A. Date Mo Da	Yr B. Time (24 Hr. Clock)	C. Vacated	☐ D. Terminated ☑ E. Modified	d
Section IV-Inspection Data				
9. Type of Inspection E01	10. Event Number 4054745			
11. Signature	AR Number 12. D	ate Mo Da Yr 04/29/2005	13. Time (24 Hr. Clock) 1428	
MSHA Form 7000-3a, Mar 85 (revised)	•			

1/5/03

11:10 75.1107-14	Date 4-26-05
The #7 ManTrip Charging STATION located at The 2 Right Track Switch is energized and charging the #6 ManTrip batteries without having fire suppression provided over the man- Trip batteries. This Chargin's STATION has a chemical canister Type fire suppression System and the canister was located over the Charging mantrip batteries and is not wired up [6]	11:10 75.1107-14
Charging STation located at the 2 Right Track Switch is energized and charging the #4 Mantrip batteries without having fire suppression provided over the Man- Trip batteries. This Chargin's STation has a chemical canister Type fire suppression System and the canister was located over the Charging mantrip batteries and is not wired up [6]	7097736 S+5-NO
charging station located at the 2 Right Track switch is energized and charging the #4 mantrip batteries without having fire suppression provided over the man- trip batteries. This Charging station has a chemical canister Type fire suppression System and the canister was located over the Charging mantrip batteries and is not wired up [6]	The #7 Mantrip
at the 2 Right Track Switch is energized and charging the #4 Mantrip batteries without having fire suppression provided over the man- Trip batteries. This Chargin's station has a chemical canister Type fire suppression System and the canister was heated over the Charging mantrip batteries and is not wired up [6]	
Switch is energized and charging the #4 mantrip batteries without having fire suppression provided over the man- Trip batteries. This Chargin's station has a chemical canister Type fire suppression System and the canister was located over the Charging mantrip batteries and is not wired up [6]	
MANTRIP BATTERIES WITHOUT having fire Suppression provided over the MAN- Trip batteries. This Chargin's STATION has a chemical Canister Type fire Suppression System and the canister was located over the Charging Mantrip batteries and is NOT wired up [6]	Switch is energized
Mantrip batteries without having fire suppression provided over the man- Trip batteries. This Chargin's Station has a chemical Canister Type fire suppression system and the canister was located over the Charging mantrip batteries and is not wired up [[]	and charging The #6
having fire suppression provided over the Man- Trip batteries. This Chargin's Station has a chemical Canister Type fire suppression System and the canister was located over the Charging mantrip batteries and is not wired up [6]	ManTrip batteries without
provided over the Man- Trip batteries. This Chargin's STation has a chemical Canister Type fire Suppression System and the canister was located over the Charging Mantrip batteries and is Not Wired up [6]	having fire suppression
Trip batteries. This Chargin's STATION has a chemical Canister Type fire Suppression System and the canister was located over the Charging mantrip batteries and is not wired up [6]	provided over the man-
Type fire Suppression Type fire Suppression System and the canister was located over The Charging mantrip batteries and is not wired up [6]	Trip batteries, This
Type fire Suppression System and the canister was located over The Charging mantrip batteries and is not wired up [6]	Chargin's STartiON has
System and the canister was located over The Charging mantrip batteries and is not wired up [6]	a chemical canister
was located over The Charging Mantrip batteries and is MOT wired up [6]	Type fire Suppression
Charging ManTrip batteries and is NOT wired up [6]	System and The canister
and is NOT wired up	was located over The
	Charging ManTrip batteries
Inspector's Initials	and is NOT Wired up
Supervisor's Initials and Date rays inc.	Inspector's Initials
7U.S.GPO: 2004 - 642 - 912	Supervisor's Initials and Date

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

Date	4-	24	-09	,

To provide fire protection
for The MANTrip batterie
When This inspector
found This condition.
The MINE OPERATOR
immediately removed
This #7 mantrip charger
from Service UNTIL The
fire Suppression SysTem
Can be wired up and
fire protection can
be provided at The
#7 ManTrip Charging
STation.
Inspector's Initials
Supervisor's Initials and Data Page No. 25

The electrical examine
Should have KNOWN of
This CONDITION
Based OH MY MINING
experience This Condition
has existed for Several
Shifts.
ONE MINER is exposed
as he works or Travels
in The area of The
battery Charging Station
Inspector's Initials
Supervisor's Initials and Date Page No. 24

*U.S.GPO: 2004 - 642 - 912

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

Supervisor's Initials and Date _____

Date 4-26-05
When a accident does
occur it will be of
a serious NaTure from
fire, burns, smoke
InhalaTion,
IT is UNLIKely This
Condition will result
in a fire, fire
extinguisher's and rock
dust is provided in
This location.

Mina	Citati	on/O	mer
MIII H	LHHL	U11/ U	านต

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





Section I-Vi	olation Data						
1. Date Mo Da Yr 2. Time (24 Hr. Clock) 04/27/2005 0620			3. Citation/ 7097737 Order Number				
4. Served T Brad Ha	Ō		5. Operator ANKER WEST VIRGINIA MINING	G COMPANY INC			
6. Mine SAGO N		\$	7. Mine ID 46-08791	(Contractor)			
	ALINE			8a. Written Notice (103g)			

The fire suppression system that provides fire protection for the #2 conveyor belt drive and take-up will not de-energize the 600 VAC when the fire suppression system was tested by this inspector.

											See C	Continuation	n Form (M	SHA Form	7000-3a)	
9. Violation	A. Health Safety Othe	' ☑	B. Section of Act					art/Section of itie 30 CFR	af .		75.1	107-16(ъ)			····
Section II-Insp	ector's Evalu	ation					····					14.000				
10. Gravity: A. Injury of	r liiness (ha	s) (is):	No Likelih	ood [Uı	nlikety 🗸		Reasonab	ly Likely		Highly Llk	ely 🗌	Oc	curred]	
	r iliness cou be expecte		No Los	st Worko	days 🗌	Lost	Work	days Or Res	tricted Du	ıty 🔽		nently Dis			atal 🗌	
C. Signific	C. Significant and Substantial: Yes No V															
11. Negligeno	e (check or	ne)	A. None	J	B. Low		C. N	toderate 🗹		D. High		E. Reci	kless Dis			
12. Type of A	ction	104(a	a)			13. Type o	fissua	ance (check	one)	C	itation 🗹	Orde	er 🗌		Safeguard	· 🔲
14. Initial Acti A. Citation		rder 🔲	C. Safegu	ard [D. Writt	en Notice		E. Citation/ Order No					F. Dated		Mo Da Y	r
15. Area or E	quipment															
16. Terminati	on Due	A. Date	Mo Da 04/27/2		B. Time	(24 Hr. Ck	ock)	070	00							
Section IIITer	mination Act	ion													_	
17. Action to			Tern	inat	ed d	ue to	th	e fire	supp	press	sion s	ystem	n wil	l no	√ de-	
energi	ze the	#2	convey	or h	elt :	head (dri	ve and	take	e-up	when	teste	ed. 			
18. Terminate	18. Terminated A. Date Mo Da Yr 04/27/2005 B. Time (24 Hr. Clock) 0700															
Section IV-Au	tomated Sys	iem Data														
19. Type of Ir		E01	20. Even	t Numbe	r	405474	15	21.	Primary o	or Mill						
22. Signature		-	10)		.7					23.	AR Numb	er _	6	ユ_	
has establishe agency enforce enforcement a 3rd Street, SW	MSHA Form 7000-3, Mar 85 (reviseu) the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.															

AUS GP 0 2005:742-563

Supervisor's Initials and Date _____

TH	e weekly examiner
	uld have KNOWN
0-1	This Condition.
0	
Bas	ed OH MY MINING
exp	perience This Condition
	existed for Several
	1911
0 K C	* Wines is exposed
	e Miner is exposed
a s	he works or
a s	•
a s	he works or
a s	he works or
as Tra	he works or wels in This area.
as Tra	he works or

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

4-27-05 When a accident does Occur from This Type of Condition it will be of a Serious Nature from fire, burns, Smoke Inhalation. IT is Unlikely That a accident will occur from This CONDITION ONE branch line of The fire suppression Will de-energize The power circuit to The #2 belt head drive.

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

Supervisor's Initials and Date

Mine Cit	ation/Order		U.S. Department of Labor Mine Safety and Health Administration					
Section I-:Vi	olation Data							
1. Đate	Mo Da Yr 04/27/2005	2. Time (24 Hr. Clock) 0635	3. Citation/ Order Number 7097738					
4. Served To Brad Hamrick			5. Operator					
			ANKER WEST VIRGINIA MINING COMPANY INC					
6. Mine			7. Mine ID 46-08791 (Contractor)					

1 1 MAY 2005

(Contractor)

8a. Written Notice (103g)

The fire suppression system that provides fire protection for the #3 conveyor belt and take-up does not provide fire protection for the top surfaces of the top conveyor belt. A branch line is not provided to supply water to this area of the conveyor belt.

SAGO MINE

				See Co	entinuation Form (MSHA	Form 7000-3a)
9. Violation A. Health Safet Othe	of Act		C. Part/Section of Title 30 CFR	75.11	07-16(b)	
Section II—Inspector's Evalu	etion				<u></u>	
10. Gravity:						
A. Injury or Illness (ha		ood Unlikely 🗸	Reasonably Like	y Highly Like	y Occurre	X
 B. Injury or illness co- sonably be expected 		st Workdays 🗌 Los	t Workdays Or Restricted	Duty Permane	ently Disabling	Fatal
C. Significant and Su	bstantial: Yes	s □ No 🗹		D. Number	of Persons Affected:	001
11. Negligence (check o	ne) A. None] B. Low []	C. Moderate	D. High 🗌	E. Reckless Disregar	d []
12. Type of Action	104(a)	13. Туре с	of Issuance (check one)	Citation 🗹	Order _	Safeguard
14. Initial Action A. Citation B. O	rder C. Safegua	ard D. Written Notice	E. Citation/ Order Number		F. Dated	Mo Da Yr
15. Area or Equipment						
16. Termination Due	A. Date 04/27/2	ID Time ("It We Ct	ock) 1600			
Section III—Termination Act	ion					
17. Action to Terminate						
18. Terminated A. Date		B. Time (24 Hr. Clock)				
Section IV-Automated Syst	em Data					
Type of Inspection (activity code)	E01 20. Event	Number 405474	15 21. Primar	or Mill		
22. Signature	(0	7		23. AI	R Number 🔼 (<u> </u>

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Mir	ne C	itatio	n/Order
_			

1	1	MAY
tion	_/	$\mathcal{J}_{\mathcal{I}}$

2005

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Continuation	,	Mine Safety and Health Administration			
Section I-Subsequent Action/Continuation I	Oata		· ·		
1. Subsequent Action 1a. Continuation	2. Dated Mo D (Original Issue) 04/27/		7097738 - 01		
4. Served To Brad Hamrick		5. Operator ANKER WEST VIRO	GINIA MINING COM	PANY INC	
6. Mine SAGO MINE	,	7. Mine ID 46-0879		(Contractor)	
Section II—Justification for Action					

Terminated due to the fire suppression system being provided with a additional branch line to supply water to the top surface of the top conveyor belt at the #3 head drive and take-up.

Section III—Subse	quent Action Ta	aken						See Continuation Form
8. Extended To	A. Date	Da Da	Yr B.	Firne (24 Hr. Clock)		C. Vacated	D. Terminated	E. Modified
Section IV-Inspec	tion Data		···					
Type of inspect	ction E01		10. Event	Number 4054745				
11. Signatur		6		AR Number	12. Date	Mo Da Yr 04/29/2005	13. Time (24 Hr. Ck	
MSHA Form 7000-	3a, Mar 85 (rev	rised)					1000	

Date 4-27-85
6:35A 75, 1107-16(6)
7097738 St5 NO
The fire 5- ppression system
that provides fire protection
for the #3 conveyor bett
and taken does not provide
fire protections for the top
Surfaces of the top conveyor
belt. A branch line is not
provided to supply water
to this area of the
Conveyor bett
0
Inspector's Initials
Supervisor's Initials and Date Page No. // \$\frac{1}{\text{VU.S. G.P.O.2005:742-563}}\$
軍u.s. G.P.O.2005;742-563

1 N
MSHA Form 7000-10K, June 93 (revised)
Date 4-27-05
Vote
The wine examiner
Should have KNOWN
of this Condition.
Thr. Concert of
Based on my mining
experience This Condition
has existed for Several
Sicts.
ONE MINER is exposed
as he works or Travels
in This area.
in in area.

Supervisor's Initials and Date ______ Page No. _____

*U.S.GPO: 2004 - 642 - 912

Inspector's Initials ____

Date 4-27-05
when a accident does
occur from This Type
of Condition it will
be of a Serious NaTure
from fire, burns, smoke
Inhalation.
IT is unlikely That
a accident will occur
from this Condition.
A branch like is
provided To supply
water To The bottom
Surface of the Top
belt and the Top
Surface of The bottom
belT.
Inspector's Initials
Supervisor's Initials and Data Page No. 13

*U.S.GPO: 2004 - 642 - 912

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

Mine Citation/Order

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

1 MAY	2005
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Section I-Vi	olation Data						
1. Date	Mo Da Yr 04/27/2005	2. Time (24 Hr. Clock) 0640	3. Citation/ Order Number	7097739			
4. Served To Brad Hamrick			5. Operator ANKER WEST VIRGINIA MINING COMPANY INC				
6. Mine SAGO N		r	7. Mine ID 46-08791	(Contractor)			
	n or Dractice			8a, Written Notice (103g)			

Combustible materials in the form of loose coal, coal fines and a heavy coating of float coal dust is allowed to accumulate at the #3 conveyor belt head drive rollers and take-up. The float coal dust is powder dry and black in color and has accumulated on previously rock dusted surfaces of the mine floor, ribs, water line and belt structure. The accumulations of loose coal, coal fines mixed with rock range from 6 to 12 inches deep by 48 inches wide by 25 feet in length. The bottom conveyor belt is running in the accumulations for approximately 15 feet in length under the take-up.

											See	Continuati	on Form (M	SHA For	m 7000-3a)	
9. Violation	A. Health Safety Othe		B. Section of Act	····				art/Section o itle 30 CFR	f			75,400				
Section II-Insper	ctor's Evalu	ation														
10. Gravity: A. Injury or	lliness (ha	s) (is):	No Likelih	ood [	Un	likely 🗌		Reasonabl	y Likely	<b>Y</b>	Highly L	lkely 🗌	Oα	curred		
B. Injury or i sonably b	illness cou se expecte		No Lo	st Workd	ays 🗌	Lost V	Vork	days Or Rest	ricted D	uty 🛂	Perm	anently Di	sabling 🗌		Fatal 🗌	
C. Significa	nt and Sut	ostantial:	Ye	5 <b>Y</b>	No 🗌						D. Numb	er of Pers	ons Affecte	ed:	001	
11. Negligence	(check on	<b>e</b> )	A. None		B. Low		C. M	oderate 🗸		D. High		E. Re	okless Disr	egard [	j	
12. Type of Act	ion	104(a	.)		1	3. Type of I	ssua	nce (check a	ne)	(	Citation 🔽	Ord	der 🗌		Safeguard	1 🔲
14. Initial Action A. Citation		der 🗌	C. Safegu	ard []	D. Writte	n Notice	]	E. Citation/ Order Nu	mber				F. Dated		Mo Da Y	r
15. Area or Equ	uipment															
16. Termination	n Due	A. Date	Mo Da 04/27/2		B. Time (	24 Hr. Cloci	k)	0710	)							
Section III-Term	ination Acti	on														
17. Action to Te								ne accu				-			om th	е
#3 head coating				-up a	and t	ne cre	Lec	l dred	ber.	ng co	Jaced	MICII	a lie	ινу		
18. Terminated	A. Date		a Yr 7/2005	B. Time	(24 Hr. C	lock)	1	045								
Section IVAutor	nated Syste	m Data														
19. Type of Insi (activity cod		E01	20. Event	Number	4	054745		21. P	rimary	or Mill						
22. Signature		6	, ,		7						23	. AR Num	ber	<u> </u>	6 ]	

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

W2/02

Date 4-27-05
6:404 75,400
7097739 S+5 yes
Combustible materials in the
form of loose coal coal finer
and a heavy coating of float
coal dust is allowed to
accumulate at the #3
Conveyor belt head drive
rollers and take-up. The
float coal dust is powder
dry and black in color
and has accumulated ow
priviously rock dusted surface
of the mine floor, ribr,
water line and belt structure
The accumulations of loose
coal, coal finer mixed
with rock range from 6
Inspector's Initials
Supervitor's Initials and Date Page No. 14  V.S. G.P.O.2005:742-563
77 U.S. G.F.U.2003.742-003

MSHA Form	7000-10K	June 93	(revised)
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Date 4-27-05
to 12 inches deep by
48 inches wide by 25 feet
in length. The bottom
Conveyor belt is running
in the accumulations for
approximately 15 feet in
length under the takeup.
Inspector's Initials LGI
Supervisor's Initials and Date Page No. 15
₩U.S. G.P.O.2005:742-563

The MINE ExamiNER Shon'd have KNOWN of This Condition. This CONDITION Would be obvious To any Prudent person conducting MINE EXAMINATION Based ON My MINING experience This Condition has existed for several ONE MINER is exposed as he works or Travels in or outby the cited area. E61 Page No. / Supervisor's Initials and Date

"U.S.GPO: 2004 - 642 - 912

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

Date 4-27-05

When a accident does Occur from this Type Of Condition it will of a Serious Nature from fire, burns, Smoke Inhalation.

IT is Reasonably Likely
That This Type of
Condition will result
in a accident. The
float coal dust is
powder dry and can
easily be suspended
into The air. The
bottom belt is running
in the accumulations.
Inspector's Initials.

[10]

Supervisor's Initials and Date ______ Page No. /

Mino	Citat	ion	/Order

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

1 1 MM 2865



Section I-Vi	olation Data			
1. Date	Mo Da Yr 04/27/2005	2. Time (24 Hr. Clock) 0740	3. Citation/ Order Number	7097740
4. Served T Brad Ha	Го		5. Operator ANKER WEST VIRGINIA MINING	COMPANY INC
6. Mine SAGO N			7. Mine ID 46-08791	(Contractor)
	n or Practice			8a. Written Notice (103g)

Combustible materials in the form of loose coal, coal fines mixed with rock is allowed to accumulate along and under the #3 conveyor belt at #29 block. The accumulations of loose coal, coal fines mixed with rock range from 6 to 12 inches deep by 48 inches wide by 25 feet in length and range from damp to dry to the touch. The accumulations range from 6 to 17 inches deep by 24 to 36 inches wide by 70 feet in length and the bottom conveyor belt is running in the accumulations for approximately 30 feet in length. See citation no. 7097741 for bad bottom conveyor belt rollers in this area.

					See Continuation	Form (MSHA Form 7000-3a)	
9. Violation A. Health Safet Othe	y of Act		C. Part/Section of Title 30 CFR		75.400		
Section II-Inspector's Eval	uation						
<ol> <li>Gravity:</li> <li>A. Injury or Illness (h.</li> </ol>	es) (is): No Likelih	ood Unlikely	Reasonably L	ikely 🗸 🕒	lighly Likely	Occurred	
<ul> <li>B. Injury or illness co sonably be expected</li> </ul>		t Workdays 🗌 Lost	Workdays Or Restric		Permanently Disa		
C. Significant and Su	bstantial: Yes	No 🗌		D	, Number of Person	s Affected: 001	
11. Negligence (check o	ne) A. None	B. Low	C. Moderate	D. High	E. Reck	less Disregard	
12. Type of Action	104(a)	13. Type o	f Issuance (check one	) Cita	tion 🗹 Order	Safeguard .	
14. Initial Action A. Citation B. C	rder C. Safegua	ard D. Written Notice	E. Citation/ Order Num	ber	•	F. Dated Mo Da Yr	
15. Area or Equipment							
16. Termination Due	A. Date	IR Time (24 Hr Ck	ock) 1000				
Section III-Termination Ac							
17. Action to Terminate	Ter	minated due to	o the accum	nulations	being cl	eaned from the	
#3 conveyor	belt at #2	9 block and th	he cited ar	rea being	coated w	ith a heavy	
coating of	rock dust.						
18. Terminated A. Dat	Mo Da Yr 04/27/2005	B. Time (24 Hr. Clock)	1045				
Section IV-Automated System Data							
19. Type of Inspection (activity code)	E01 20. Event	Number 405474	15 21. Pri	mary or Mill			
22. Signature .	6				23. AR Numbe	* [6]	

MSHA Form 7000-3, Mar 85 (revised)
In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

W5/02

Date 4-27-05
7:40Am 75.400
7097740 S+5 yes
Combostible materials
in the form of loose codl,
coal fines mixed with rock
is allowed to accumulate
along and under the #3
Conveyor belt at #29 block.
The accumulations of loose
Coal, coal fine: mixed with
rock range from 6 TO 12
inches deep by 4P inches
wide by 25 fect in length
and range from damy to dry
to the touch. The accumulation
range from 6 70 17 inches
deep by 24 To 36 inches
wide by 70 feet in length
Inspector's Initials
Supervisor's Initials and Date Page No. 18 Fr U.S. G.P.O.2005:742-563

AHPM	Farm	7000-10K	in one	93	fravisad

Date 4-27-05	
and the bottom conveyo	<u>~</u>
belt is running in the	
accumulations for apporting	
30 fect in length. See	
Citatio No. 7097741 for	<del></del>
bad bottom conveyor bel	+
rollers in this area.	
	····
	,
213	
Inspector's Initials	10
Supervisor's Initials and Date Page No.  A U.S. G.P.O.2005:74	/Y. 2-563

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

Inspector's Initials _

Supervisor's Initials and Date

Date	4-	2	7	-0	5_

The MINE examiner
Should have KNOWN
of this Condition. This
CONDITION would be
obvious To any prudent
Person Conducting a
Mine examination.
the second secon
Based on my Mining
experience This CONDITION
has existed for several
Shift.
ONE MINER is exposed
as he works or Travel's
in or outby The cited
Clarke
Inspector's Initials E 6 I

Supervisor's Initials and Date

When a accident does Occur from This Type of CORDITION IT WILL be of a Serious NaTure from fire, burns, Smoke Inhalation, IT is Reasonably Likely Phat This Type of CONDITION WILL result in a accident, A excessive amount of Combustible materials are allowed to accumulate along + under The #3 Conveyor belt at #29 block, See CITATION Inspector's Initial. Page No. 2

"U.S.GPO: 2004 - 642 - 912

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

Date	4-27-05
Cate	

NO. 7097741 That Was	5_
Issued under Section	_
75, 1725 (a) To remov	*
the #3 CONVEYOR	
belt from Service,	
Inspector's Initials 6 ]	
Supervisor's Initials and Date Page No. 2	2

Mine	Cits	tion	In	mler

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

1 1	MAY	200	

Section I-Vi	iolation Data		,	
1. Date	Mo Da Yr 04/27/2005	2. Time (24 Hr. Clock) 0745	3. Citation/ Order Number	097741
4. Served 7 Brad Ha	Го		5. Operator ANKER WEST VIRGINIA MINING CO	MPANY INC
6. Mine SAGO N		ŀ	7. Mine ID 46-08791	(Contractor)
	VERTAES			Written Notice (103g)

The #3 conveyor belt is not maintained in a safe operating condition at #29 block. The #3 bottom conveyor belt is rubbing on three stuck bottom belt rollers and four bottom belt rollers have the bearings worn out and the rollers are rubbing metal to metal and are warm to the touch. These bottom belt rollers are gobbed out with loose coal, coal fines mixed with rock. The accumulations around the seven bad bottom belt rollers is powder dry and the rollers are warm to the touch. Four of these rollers are in a row and the other three are in a row.

							See C	ontinuation Fo	rm (MSHA F	orm 7000-3a)
9. Violation A.	Health Safety 🗸 Other 🗌	B. Section of Act			Part/Section of itle 30 CFR		75.	1725(a)		
Section II-Inspecto	r's Evaluation	1							<del>,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,</del>	
10. Gravity:						*****				. —
A. Injury or Ilin	ess (has) (i	s): No Liketih	xod 🗌 U	rlikely 🗌	Reasonably	Likely 🗸	Highly Llk	eły 📋	Occurred	
B. Injury or illn sonably be			t Workdays 🗌	Lost Work	days Or Restri	cted Duty 🔽	Permar	ently Disablir	vg 🗆	Fatai 🗌
C. Significant	and Substa	ntial: Yes	i ☑ No 🗌				D. Number	of Persons A	Affected:	001
11. Negligence (c	heck one)	A. None	B. Low	C. N	foderate 🗸	D. Hig	h 🗌	E. Reckless	s Disregard	
12. Type of Action	ן ו	04(a)		13. Type of Issu	ance (check on	e)	Citation 🗹	Order [	]	Safeguard
14. Initial Action A. Citation	B. Order	C. Safegua	ard D. Writte	n Notice	E. Citation/ Order Nun	nber		F. C	Dated	MoDaYr
15. Area or Equip	1750/14									
16. Termination D	lue A.	Date 04/27/2	I D Time	(24 Hr. Clock)	0945					
Section III-Termina	tion Action									
17. Action to Terr	ninate	Termi	nated due	e to the	bad bo	ttom co	onveyor	belt r	oller	s being
replaced	•									
18. Terminated	A. Date	Mo Da Yr 04/27/2005	B. Time (24 Hr. 0	Clock)	1040		-			
Section IVAutoma	ted System (	) Data								
19. Type of Inspe (activity code)		20. Event	Number 2	1054745	21. Pr	imary or Mill				_
22. Signature		le					23.7	AR Number	Z (c	ス

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

wellow

Date 4-37-05
7:45 Am 75, 1725(a)
7097741 5+5 yes
The #3 2000 cyor belt
is not maintuined in a
Safe operations Condition
at # 29 block. The #3
bottom conveyor belt is
rubbing on three stuck
bottom belt rollers and
four bottom bilt rollers
have the bearings worm
out and the rollors are
rubbing metal to metal
and are warm to the touch.
these bottom belt rollers
are gobbed out with loose
coal, coal fines mixed with
rock. The accumulations
Inspector's Initials
Supervisor's Initials and Date Page No. 23
™ U.S. G.M.U.2003(742-003

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

Date 4-27-05
around the seven bad
bottom belt rollers is
powder dry and the rollers
are warm to the touch.
Four of these rollers are in
a your and the other
three are in a row.
-
***************************************
Inspector's Initials
Supervisor's Initials and Date Page No. 24

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

Date 4-27-05

The MINE EXEMINET
Should have Known
of This CONDITION.
This Condition would
be obvious to any
Prudent Person Conducting
a Mine examination
Based on My Mining
experience This Condition
has existed for Several
Shiff.s.
OHE MINES IS exposed
as he works or Travels
in or outly The cited
area
nspector's Initials
Supervisor's Initials and DatePage No. 25

Supervisor's Initials and Date

When a accident does occur from this Type of CONDITION IT WILL be of a serious NaTure from fire, burns, Smoke Inhalation. IT is Reusenably Likely That This Type of CONDITION WILL result in a accident. There is 7 bad bottom rollers Whick are running in The accumulations or have The bearing's WORN OUT. All Seven bottom conveyor belt

*U.S.GPO: 2004 - 642 - 912

Page No. 24

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

Date	4-27-05

sollers are The Touck		
Combustible		5
around Th	rese best	
rollers are	powder o	1/2
	· · ·	
Inspector's Initials	<b>E6J</b>	
Supervisor's Initials and Date	Page No	.2

Lina	Citation	n/Order

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

1	MAY	2805

				*****	1			
*Section I–V	iolation Deta						*	
1. Date	Mo Da Yr 04/27/2005	2. Time (24 Hr. Clock) 0810				3. Citation/ Order Number	7097742	
4. Served Brad Ha	То			5. Operator ANKER	WEST VIRGI	NIA MINING	COMPANY INC	
6. Mine SAGO MINE			7. Mine ID	46-08791		(Cor	ntractor)	
8. Conditio	on or Practice						8a. Written Notice (10	
	Combustible	materials in the	form #4 cc	of icc	se coal a belt dri	and coal five and ta	tines mixed ake-up. The	with

Combustible materials in the form of loose coal and coal fines mixed with rock is allowed to accumulate the #4 conveyor belt drive and take-up. The accumulations are under the head drive and take-up for a distance of 40 feet. The accumulations measured 6 to 12 inches deep by 24 to 34 inches wide. The bottom conveyor belt is also running in the accumulations for a distance of 8 feet in length.

						See Co	ontinuation Fe	orm (MSHA For	m 7000-3a)
Ot	ety 🗸 her 🗌	B. Section of Act		C. Part/Section of Title 30 CFR		7:	5.400		
Section II-Inspector's Evi	aluation								
10, Gravity:							-	_	_
A. Injury or Illness (	has) (is):	No Likelihood 🔲	Unlikely	Reasonabl	Likely 🗸	Highly Like	y 📋	Occurred	<u></u>
B. Injury or illness of sonably be expect		No Lost Work	days 🗌 Lost	Workdays Or Restr	icted Duty 🔽	Perman	entty Disablin	ng 🗌 🔝	Fatal 🗌
C. Significant and S	iubstantial:	Yes 🗹	No 🗌			D. Number	of Persons /	Affected:	001
11. Negligence (check	one)	A. None	B. Low	C. Moderate	D. High	ı 🗌	E. Reckles	s Disregard [	]
12. Type of Action	104	(a)	13. Type of	Issuance (check o	ne)	Citation 🗹	Order [	]	Safeguard
14. Initial Action A. Citation B.	Order [	C. Safeguard	D. Written Notice	E. Citation/ Order Nu	mber		F. I	Dated	Mo Da Yr
15. Area or Equipment									
16. Termination Due	A. Date	Mo Da Yr 04/27/2005	B. Time (24 Hr. Clo	ck) 101(	)				
Section III—Termination A	ction								
17. Action to Terminate Terminated due to the accumulations being cleaned up and the area rock dusted.									
18, Terminated A. Da	te	Da Yr 27/2005 B. Tim	e (24 Hr. Clock)	1010					
Section IVAutomated System Data									
19. Type of Inspection (activity code)	E01	20. Event Numbe	405474	5 ^{21. P}	rimary or Mill				
22. Signature	-	6	<u> </u>			23. A	R Number	L 6	, ]

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement actions and manually evaluates enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

w/5/02

Die 4-27-05
8:10Am 75,400
7097742 B+5 Yes
Comburtible materials in
the form of loose coal
and coal fines mixed with
rock is allowed to accumulate
tine #4 conveyor belt drive
and take-up. The accumulation
are under the head drive
and take-up for a distance
of 40 feet. The accumulation
Mcasured 6 To 12 inches
deep by 24 To 34 inches
wide. The bottom Conveyor
belt is also running in
the accumulation for a
distance of f feet in
length.
Inspector's Initials
Supervisor's Initials and Date Page No. 28 \$\times \times U.S. G.P.O.2005:742-563

)ate	4.	27.	-03	5	-
1					

The mine examiner
should have KNOWN
Of This CONDITION
This condition would
be obvious To any
princient person conducting
a Mine examination.
Based on my mining
experience This condition
has existed for several
Shift's.
ONE MINES is exposed
as he works or Travels
in or outby the cited
area,
Inspector's Initials
Supervisor's Initials and Date Page No 29

Date 4-27-05

when a accident does occur from this Type of Condition it will be of a Secious Nature from fire, burns, Smoke Inhalation.

IT is Reasonably Likely
That This Type of
Condition will result
in a accident. The
bottom conveyor belt
is running in the
accumulations which
is generaling float
Coal dust and the
Mine ventilation is

Supervisor's Initials and Date

"U.S.GPO: 2004 - 642 - 912

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

	4-2	7-05
Date		

Carrying The f	Ploat
Coal dust out	for
Two block in	
helt entry and	
in The Two ad	
entrys.	
	-
***************************************	
Inspector's Initials	1
Supervisor's Initials and Date	Page No. <u>3/</u>

Mino	Citat	ion//	Order
Mine	Lana	11 11 17 1	

9	1	1	MAY	20
		_		

Mine Citation/Order	Mine Safety and Health Administration
Section I–Violation Data	
1. Date Mo Da Yr 2. Time (24 Hr. Clock) 04/27/2005 1130	3. Citation/ Order Number 7097743
4. Served To	5. Operator
Brad Hamrick	ANKER WEST VIRGINIA MINING COMPANY INC
6. Mine	7. Mine ID 46-08791 (Contractor)
SAGO MINE 8. Condition or Practice	8a. Written Notice (103g)
belts are not adequate. The condit #7097737, #7097738, #7097739, #709 were observed and should have been corrective action taken. The presh entry of "clear" listed for each of examinations. There could not be a conducted along the off side of an found during today's inspection.	Et examination of the #2,#3 and #4 conveyor tions observed and listed on citations 97740, #7097741 and #7097742 issued this date in identified by a prudent examiner and whist book maintained on the surface has the of the belts for the past 30 preshift any evidence that any examinations have been may of the conveyor belt drive insulations. Termination shall require a review of the being made with all persons involved.
9. Violation A. Health ☐ B. Section Safety ✔ of Act Other	C. Part/Section of Title 30 CFR 75.360(a)(1)
Section II—Inspector's Evaluation	
10. Gravity:	Reasonably Likely Highly Likely Occurred
A. Injury or Illness (has) (is): No Likelihood Unlikely	
B. Injury or illness could reasonably be expected to ba:  No Lost Workdays	Lost Workdays Or Restricted Duty 🗸 Permanently Disabling 🗌 Fatal 🗌
C. Significant and Substantial: Yes 🗹 No 🗌	D. Number of Persons Affected: 001
11. Negligence (check one) A. None B. Low	C. Moderate   D. High ☐ E. Reckless Disregard ☐
12. Type of Action 104(a) 13. Ty	pe of Issuance (check one) Citation 🗹 Order 🗌 Safeguard 🗌
14. Initial Action A. Citation B. Order C. Safeguard D. Written No.	E. Citation/ F. Dated Mo Da Yr Order Number
15. Area or Equipment	
16. Termination Due A. Date Mo Da Yr 04/28/2005 B. Time (24 H	r. Clock) 0800
Section III—Termination Action	
17. Action to Terminate  18. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock)	
Section IVAutomated System Data	
40 Tono of Instruction 200 Free Alberton	4745 21. Primary or Mill
22. Signature	23. AR Number

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annualty evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

[6]

Mine Citation/Order Continuation		U.S. Department of Labor 1 1 MAY 20 Mine Safety and Health Administration					2005	
Section I-Subsequent Ac	tion/Continuation Data	à				'		
1. Subsequent Action	1a. Continuation	2. Dated (Original Issue)	Mo Da 04/27/20	Yr 905	3. Citation/ Order Number	7097743 - 01		
4. Served To Brad Hamrick				5. Operat ANKE		GINIA MINING CO	MPANY INC	
6. Mine SAGO MINE		•		7. Mine II	46-0879	)1	(Contractor)	
Section II-Justification fo	r Action							

Terminated due to Bill Currence (Mine Foreman) going over the requirements of conducting a pre-shift examination of the mine, with all of the Foreman's and mine examiner's on all shift's.

								See Continuation Form
8. Extended To A. D	Mo	Da Yr	B. Time (24 Hr	Clock)		C. Vacated	D. Terminated	E. Modified
Section IV-Inspection D 9. Type of Inspection	ata E01	10. 1	Event Number	4054745				
11. Signatur	6	<u>.                                    </u>	) TAF	Number - Ø	12. Date	Mo Da Yr 05/02/2005	13. Time (24 Hr. Ck	ock)

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

W\$103

Date 4-27-05
1130Am 75,360(a)(1)
7097743 SAS YES
It is obvious that the
preshift examination of the
#2 #3 and #4 conveyor
belts are not adequate the
Conditions observed and
listed on citations# 7097737
# 7097738, # 7097739, # 7097740,
# 7097741, and # 7097742
Issued this date were
observed and should have
been identified by a prudent
examiner and Corrective
action taken. The preshift
book maintained on the
surface has the entry of
"clear" listed for each of
Inspector's Initials
Supervisor's Initials and Date Page No. 32 YU.S. G.P.O. 2005:742-563

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

Date 4-27-05
the belts for the gast
30 preshift examinations.
There could not be any
evidence that any examination
have been conducted along
the off side of any of
the conveyor belt drive
insulations found during
today's inspection, Termination
shall require a review of
the preshift inspection
requirements being made
with all persons involved.
Inspector's Initials £ 6 】
Inspector's Initials
が U.S. G.P.O.2005:742-563

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

	4.	7	7.	05
Date		_		

The	Ce J	6		<u>J</u>
	WN OF			
	d on 1			
has	exist.	ed for	Seve	(e(
ONE	MINE	r is	expos	e c/
as	he wo	ocke o	rIm	vell
		general		· · · · · · · · · · · · · · · · · · ·
inspector's	Initials	_L 6_	] Paga Ni	30

"U, S.GPO; 2004 ~ 642 - 912

IT is Reasonably Likely
That This Type Condition
Will result in a accident.
The preshift examination
is the first line of
defense against harardous
Conditions Failing To
Conduct a proper Mine
examination exposes the
Inspector's Initials and Date
Supervisor's Initials and Date
Page No.35

"U.S.GPO: 2004 - 642 - 912

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

	11-	25	-05
Date		4/	

Miners To unnecessary
risk's. The walkway
along The off side
of The #2, #3, #4
Head drive's and conveyor
belt lines are obstructed
by lack of clearance
between The head drive
and the coal rib 10 inches
6 inch and 8 inch water
lines mud and water
ranging from 8 inches
To 24 inches deep,
belt rollers & Structure,
ROCK from The MINE
roof and and loose coal,
coal fines mixed with Rock,
taxoector's Initials
Supervisor's Initials and DatePage No. 34

1	MAY	2004

Mino	Citation	/Order

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

<b>/</b>	Y	1.	
~~//			

Section I-V	iolation Data			
1. Date	Mo Da Yr 05/02/2005	2. Time (24 Hr. Clock) 0700	3. Citation/ Order Number	7097229
4. Served			5. Operator	COLONAND DIC
Brad Ha	mrick		ANKER WEST VIRGINIA MINING	COMPANY INC
6. Mine			7. Mine ID 46-08791	(Contractor)
SAGO N	MINE			Se Melton Nation (103a)

The #CO1 mantrip which is used to transport miners in and out of the mine is not maintained in a safe operating condition. The sanding device's on this mantrip will not provide sand to the wheels and track for traction purpose's. This mine has several grade's and the track ranges from dry to wet. This condition will cause the mantrip to become out of control and also cause derailment which poses a hazard to the miners.

										See C	Continuatio	on Form (MSH	A Form 7000-	3a) 🗌
9. Violation	A. Health Safety Other	<b>Y</b>	B. Section of Act				art/Section of tle 30 CFR	,		75.	1725(a	)		
Section II-Insp	ector's Evalua	tion												
10. Gravity:								_			. —	_		
A. Injury o	r iliness (has	) (is):	No Likelih	ood 🗍	Unlikely [		Reasonably	Likely	⊻	Highly Llk	ely [	Occur	red 📗	
	r illness couk be expected		No Los	t Workdays	Lost	Work	lays Or Restr	cted Dut	y 🗹	Permai	nently Dis	abling [	Fatal [	]
C. Signific	ant and Subs	stantial:	Yes	s <b>☑</b> No	• 🗆					D. Number	of Perso	ons Affected:	006	
11. Negligeno	e (check one	)	A. None	] В.	Low 🗌	C. M	oderate 🗹	D	). High		E. Rec	kless Diareg	ard 🗌	
12. Type of A	ction	104(a	)		13. Type of	İssua	nce (check or	e)	С	itation 🗸	Ord	er 🗌	Safegu	ard 🗌
14. Initial Acti A. Citation		er 🔲	C. Safegua	ard D.	Written Notice [		E. Citation/ Order Nur	nber	*			F. Dated	Mo Da	Yr
15. Area or E	quipment													
16. Termination	on Due	A. Date	Mo Da 05/02/20	1 12 '	Time (24 Hr. Clo	ck)	0726							
Section III-Ten	mination Actio	n												
17. Action to		e's			due to t partment								ie	
18. Terminate	A. Date	05/0	0a Yr 2/2005	B. Time (24	Hr. Clock)	C	726							
Section IV-Aut	omated Syster	n Data												
19. Type of in (activity co		E01	20. Event	Number	405474	5	21. P	imary or	Mill					
22. Signature			6		<b>ゴ</b> 一		<u> </u>			23. /	AR Numb	er	61	

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

W15/03

Date	0Z-2005		
0700	7)097229	75.	7256)
The	No. COL	mentrip	which
	d to thene		
and au	r of the	mines is	<u>nut</u>
Mentan	led in a s	infe apel	ating
condition	in. The sa	ndiny de	rices on
this me	م اانس منعهم	ים לוחה	de sund
to the	e wheels w	nd truck	for
truction	purpose's.	This mi	ne ha
	d grade's		
•	fluor day -		
	سم التده		
	out of a		
	detailmen		
Vesate	1 to the	muels.	***************************************
		<del> </del>	······································
	itiofs	[6]	
-	nitials		_ Page No. <u>27</u>

"U.S.GPO: 2004 - 642 - 912

MSTA FORD 7000-10K, June 25 HeVisson
Date 5-2-05
The [ 6 ].
should have seen
This CONDITION during
The pre- aperational
Checker
Based ON MY MINING
experience This Condition
has existed for several
Shifts,
,
6 ormore miners
ride in This Mantrip
in and out of the
Mire at The same
Time during each
largestor's Initials
Supervisor's Initials and Date Page No. 28

		$\sim$		•		
	フィ	1	-	0	~	
Date					_	

•
When a accident
does occur from
This Type of Condition
it will be of a
Scrious NaTure from
Man Trip desail ment
Causing brusing, lacerations, ampaiation.
IT is Reasonably likely
That a accident will
Occur from This Type
of condition. This

Mine has several grades on the Track Haulage and the Track is Inspector's Initials _ _____Page No. <u>29</u>

Supervisor's Initials and Date ___

*U.S.GPO: 2004 - 642 - 912

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

Date	5-7	2 -	05	

Sand is need
To provide Trackion
from the wheels To
The Trackas The
MINERS are Transported
in and out of the
Mine by these
ManTrips
Inspector's Initials
Supervisor's Initials and Date Page No. 30

Mino	Citation	/Order
IVIII IC	CHARRY	/ 🗸 1 0 0 0

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

1	7	MA	2005 (S) M1	
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Section I-Vi	iciation Data				
1. 1.	Mo Da Yr 05/02/2005	2. Time (24 Hr. Clock) 0706		Citation/     Order Number	7096478
4. Served	Γο .		5. Operator ANKER WEST VIR	GINIA MINING	COMPANY INC
Brad Ha	mrick		ANKER WEST VIR	OHAIV MITAILO	COMPANIA MAC
6. Mine SAGO N	MINE	•	7. Mine ID 46-087!	91	(Contractor)
	n or Practice				8a. Written Notice (103g)
		trip which is used	to transport mine	rs in and c	out of the mine

The #3 mantrip which is used to transport miners in and out of the mine is not maintained in a safe operating condition. The sanding device's on this mantrip will not provide sand to the wheels and track for traction purpose's. This mine has several grade's and the track ranges from dry to wet. This condition will cause the mantrip to become out of control and also cause derailment which poses a hazard to the miners.

						See C	Continuation Form (I	VISHA Form 7000-3a)
9. Violation A. Health Safet Othe	y 🛂	Section of Act		C. Part/Section of Title 30 CFR		75.	1725(a)	
Section IIInspector's Evalu	ation				<u></u>			
10. Gravity:			4 to 11 to 1	<u> </u>		3 15 b. b. 1 11		
A. Injury or Illness (ha	, , , , , , , , , , , , , , , , , , ,	No Likelihood	Unlikely	Reasonably	Likely 🗸	Highly Llk	ery U	ccurred []
<ul> <li>B. Injury or illness consolid be expected</li> </ul>		No Lost Work	days Lost V	Vorkdays Or Restr	icted Duty 🗹	Permar	ently Disabling [	Fatal 🗌
C. Significant and Su	bstantial:	Yes 🗸	No 🗌			D. Number	of Persons Affec	ted: 006
11. Negligence (check or	ne) A	. None	B. Low	C. Moderate 🗹	D. Higi	ı 🔲	E. Reckless Dis	sregard [
12. Type of Action	104(a)		13. Type of I	ssuance (check of	ne)	Citation 🗹	Order 🗌	Safeguard
14, Initial Action A. Citation B. O	rder 🔲 C	. Safeguard [	D. Written Notice	E. Citation/ Order Nur	nber		F. Date	d Mo Da Yr
15. Area or Equipment								
16. Termination Due	I A Data	Mo Da Yr 05/02/2005	B. Time (24 Hr. Cloc	k) 0715				
Section III-Termination Act	ion							
17. Action to Terminate	ŋ	$\Gamma$ erminate	ed due to ti	he wet sa	nd bein	ig clear	ned from	the
sanding devi	ce's s	storage c	compartment	and fill	ing wit	h dry a	sand. The	sanding
device will								
18. Terminated A. Date	Mo Da 05/02/	D Time	(24 Hr. Clock)	0715				
Section IV-Automated Sys	em Data							
19. Type of Inspection (activity cod	l²	20. Event Number	4054745	21. P	rimary or Mill			
22. Signature		6	7		· · · · · · · · · · · · · · · · · · ·	23. /	AR Number	E02

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small businesses. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

w/5/03

#### U.S. Department of Labor Mine Citation/Order Mine Safety and Health Administration Continuation Section I-Subsequent Action/Continuation Data 1. Subsequent Action 1a. Continuation 3. Citation/ 2. Dated Мо Da Order Number 7096478 (Original Issue) 05/02/2005 4. Served To Operator ANKER WEST VIRGINIA MINING COMPANY INC **Brad Hamrick**

7. Mine ID

46-08791

(Contractor)

Continuation or 17. Action to Terminate traction.

Section II--Justification for Action

6. Mine

**SAGO MINE** 

Section III-Subsequent	Action Taken			*******			See Continuation Form
8. Extended To A. D	Mo Da	Yr B. Time (24	Hr. Clock)		C. Vacated	D. Terminated	E. Modified
Section IV-Inspection D							
9. Type of Inspection	E01	10. Event Number	4054745				
11. Signatt	6	コ	AR Number	12. Date	Mo Da Yr 05/02/2005	13. Time (24 Hr. Clo 0706	ck)
MSHA Form 7000-3a, M	ar 85 (revised)						

Date 3-2	<u>. 1,000</u>	<del></del>
7:06Am	7046478	75.1725(6)
The 1	la3 muotije u	which is used
to trunsp	ult Minels in	and out of
the mines	is not maint	inved in a
safe open	ating condition	. The sending
	v	in will not
provide :	send to the u	uheel and track
for trac	tim purpuses	. This mive
hus sev	reial grudes	and the track
tunges -	from dry to	WET. This
Condition	will cause +1	ve monthip to
Decume	out of con	rul and also
Cause C	letuilment w	hich poses a
hazard	to the min	एड.
·	<del></del>	
		- Name
Inspector's Initia		وا
Supervisor's Init	ials and Data	Page No. 21
		*1.6 GPO: 2004 - 842 - 812

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

Date 5-08-2005

The E G I should
have seen this Condition durning the pre-operational charles
Based on my miving
experience this condition has existed for several sifts
6 of mole mover ride in this material in and out of the moves at the same
times during each statt
<u> </u>
Inspector's Initials

Supervisor's Initials and Date _

When a accident does acou
from this type of condition
it will be of a serious natur
from mantip derulment consers
bruising, luceration and
anputation
It is reasonably likely
that a accident will occur
from this type of conditions
This mine has several grades
on the track howler and
the truck is from dry to
wet 5 nd is needed to
Plavida + Faction from the
wheels to truck as the miners
are transported in and out
Inspector's Initials

"U.S.GPO: 2004 - 642 - 912

			•	
MSHA	Form	7000-10K.	June 93	(revised

5-2-0				
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	<del></del>			
***************************************		- 1/2/1/11	· · · · · · · · · · · · · · · · · · ·	<del> </del>
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*,				
·	*****			
		·····		
	<b></b>			
		·····		
spector's Initial		<i></i>	67	***************************************

Mino	Citation	n/Order

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

			20 <b>05</b> 🕪 ¹¹ 7
À	7	MAY	2005

Section I-Vio	lation Data			. , , , , , , , , , , , , , , , , , , ,			
1.•Date	Mo Da Yr 05/02/2005	2. Time (24 Hr. Clock) 0712	3. Citation/ Order Number 70	96479			
4. Served To			5. Operator ANKER WEST VIRGINIA MINING COMPANY INC				
Brad Han	nrick		AINER WEST VIRGINIA MINING COM	I / MILL MIC			
6. Mine SAGO M	INE	•	7. Mine ID 46-08791	(Contractor)			
8 Cardition			8a, V	/ritten Natice (103g)			

The #CO3 mantrip which is used to transport miners in and out of the mine is not maintained in a safe operating condition. The sanding device's on this mantrip will not provide sand to the wheels and track for traction purpose's. This mine has several grade's and the track ranges from dry to wet. This condition will cause the mantrip to become out of control and also cause derailment which poses a hazard to the miners.

									See	Continuati	on Form (MSHA	Form 7000-3a)
9. Violation	A. Health Safe Oth	y <b>v</b> * _	B. Section of Act			C. Part/Se Title 30			7.	5.1725(a	a)	
Section II-Insp	ector's Eval	ation					w					
10. Gravity:								4t. [7]	141	U	0	
	r Iliness (hi		No Likelih	ood	Unlikely	Rea	sonably L	ikely 🗸	Highly L	ikery	Occum	<b>e</b> 0 []
	r illness co be expecte		No Los	st Work	days 🗌 Lost	Workdays C	r Restric	ted Duty 🛂	Perm	anently Di	sabling 🗌	Fatal
C. Signific	ant and Su	bstantial:	Yes	s 🗹	No 🗌				D. Numb	er of Pers	ons Affected:	006
11. Negligeno	e (check o	ne)	A. None	]	B. Low 🔲	C. Moderat	e 🗹	D. Hig	h 🗌	E. Re	ckless Disrega	rd 🗌
12. Type of A	ction	104(	a)		13. Type of	issuance (c	heck one	)	Citation 🗹	Ort	der 🗌	Safeguard 🗌
14. Initial Acti A. Citation		rder 🗌	C. Safegua	ard 🗌	D. Written Notice		tation/ der Numb	per			F. Dated	Mo Da Yr
16. Termination	on Due	A. Date	Mo Da	Yr								
		A. Date	05/02/2	005	B. Time (24 Hr. Clo	CK)	0715					
Section III-Ten	mination Act	ion										
_	g devi		stora	ge c	ed due to t compartment and to the	and i	Eilli	ng wi	th dry			
18. Terminate	A. Date	05/0	Da Yr 2/2005	B. Time	e (24 Hr. Clock)	0715						
Section IV—Aut	omated Syst	em Data										
19. Type of In (activity co		E01	20. Event	Number	405474	5	21. Prin	nary or Mill				
22. Signature			6		7	······································			23	. AR Num	ber [	01

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.



Mine	Cit	ation	/Order

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

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71	1.	•

Change	From	То	*
Section II—Justification for Action			
SAGO MINE		46-08791	
6. Mine		7. Mine ID 4.C 0.07.01	(Contractor)
Brad Hamrick		ANKER WEST VIRGINIA MIN	ING COMPANY INC
4. Served To		5. Operator	
1. Subsequent Action 1a. Cont	inuation 2. Dated (Original Issue)	Mo Da Yr 3. Citation/ 7096479	P - 01
Section I-Subsequent Action/Conti	nuation Data		
Continuation		Mine Safety and Health Administr	ation - MAI 2003

Change the mantrip no. from #CO3 to #CO2 in the condition and practice body of the citation. Reason

Wrote #C03 in error.

Section III—Subsequent .  3. Extended To	Action Taken Mo Da	Yr						
A. D	ate	••	B. Time (24 h	fr. Clock)		C. Vacated	D. Terminated	E. Modified
ection IV-Inspection D	ala							
. Type of Inspection	E01	10. E	vent Number	4054745				
1. Signature	1		7 77	\R Number	12. Date	Mo Da Yr	13. Time (24 Hr. Ck	ock)
	100		! !	= 67	İ	05/02/2005	1257	

sanding devices on this monthip will not provide sand to the wheels and track for tructions proposess.  This move has several grades and	Date 5-02-2005	
used to transport miners in and out of the mines is not maintened in a safe aperiating condition. The sanding devices on this marting will not provide sand to the wheels and track for tructions proposers. This mine has several grades and the track larges from day to wer. This condition will cause the marting to become out of control and also cause defailment which pases a hazard to the miners.	7:12 7096479 75.17250	e)
used to transport miners in and out of the mines is not maintened in a safe aperiating condition. The sanding devices on this marting will not provide sand to the wheels and track for tructions proposers. This mine has several grades and the track larges from day to wer. This condition will cause the marting to become out of control and also cause defailment which pases a hazard to the miners.		
out of the mines is not maintened in a safe operating condition. The sanding devices on this martings will not provide sand to the wheels and track for tructions proposers. This move has several grades and the truck larges from day to wer. This condition will cause the marting to become out of control and also cause derailment which pases a hazard to the miners.		
in a safe operating condition. The sanding devices on this marting will not provide sand to the wheels and track for tructions proposers. This move has several grades and the truck larges from day to wer. This condition will cause the marting to become out of control and also cause derailment which pases a hazard to the miners.		
Sanding devices on this monthip  will not provide sand to the wheely  and track for tructions proposers.  This move has several graders and  the track larges from day to wer.  This condition will cause the monthip  to become out of control and also  cause derailment which pases a  hazard to the miners.	_	
and track for tructions proposers, This move has several graders and the track larges from day to wet. This condition will cause the mantain to become out of control and also cause derailment which pases a hazard to the miners.		
and track for tructions proposers, This move has several gluders and the track larges from day to wer. This condition will cause the montap to become out of control and also cause derailment which pases a hazard to the miners.	<del>-</del>	_
This mive has several grades and the track larges from day to wet.  This condition will cause the mantipe to become out of control and also cause defailment which pases a hazard to the miners.		
the truck larges from dry to wet.  This condition will cause the monters to become out of control and also cause defailment which pases a hazard to the miners.	•	
This condition will cause the monterp to become out of control and also cause defailment which pases a hazard to the miners.		
to become out of control and also cause definitement which pases a hazard to the miners.		
hazard to the miners.		
	Guse detailment which pases	_4
Inspector's Initials 6		
Inspector's Initials		
Inspector's Initials [6]		
Inspector's Initials [6]		
Inspector's Initials		~~~~
-7.2		
Supervisor's Initials and Date Page No. 22	Inspector's Initials 6	

*U.S.GPO: 2004 - 642 - 912

			g	AND TO THE RESERVE OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY OF THE PARTY
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Jeu	941	Shells		
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in	this	Meat	ip in	and out
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				H
		7		

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

Inspector's Initials ____

Supervisor's Initials and Date

When a accident dues
occut from this type of
condition it will be of a
serious nature from munitip
desailment causing brusing
laceration, amputation
It is reasonably likely
that a accident will occul
from this type of condition
This nive has soveral grades
on the track hauly e and
the track is from dry to
wet.
•
Inspector's Initials
Supervisor's Initials and Date Page No. 21

*U.S.GPO: 2004 - 642 - 912

MSHA	Form	7000-10K	luna D2	
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Date 5-2 -05	
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Sand is needed to
provide truction from the
wheels to the tick as the
miners are transported in an
out of the mines by these
mantry.
Inspector's Initials
Supervisor's Initials and Date Page No. 38

7	MAY	2005	11/2

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

n	1	7	MAY	20 <b>05</b>	X	1.
					_	

	•				,		Mine Saf	ety an	d Healt	h Adn	ninistrat	ion		
Section 1-Violat	tion Data													
1. Date	Mo Da 05/02/2		2. Time (2	4 Hr. Clo 100							tation/ der Numi	_{ber} 709	6480	,
4. Served To	007020.		<u> </u>				5. Operator							
Brad Hamr	ick						ANKER WEST VIRGINIA MINING COMPANY INC					INC		
6. Mine SAGO MII	NE.						7. Mine ID	46	-0879	1				(Contractor)
8. Condition of										·	·····	8a. Wi	ritten Not	tice (103g)
box to power of has wor leads: inch wi exposed cable. inch wi	the I cable) en awa (1) I de al (3) I de al thro	#1 h is n y on inner l of ough a inner l of ough a is sl	four in four insulation when we copen the warm open copen co	#25 sula prev ated ay a ing ated ay a ing wet	ted ade ious sp leads round t of 3/8 leads round t of 1 in and is	of #4: quatel lices are ex he cab of an are ex he cab ch wid hangin	mains y and which posed le. (2 inch w posed le. (4 e all g over	(white full exposition for the full full full full full full full ful	ich i ly pr oses ough nner all ough nner the w	the a or instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance instance ins	oproxited. innepeninglate the woeninglate ulate where	imatel The interpretation of 1 and lead and are ag of 1 and lead ad the	y 75 insultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsultinsulti	of of lation ed power of an the of an tele. This cravel
9. Violation	A. Health Safet Othe	y 🗹 📗	B. Section of Act				rt/Section o ie 30 CFR	f			75.5	17		***************************************
Section II-Inspe	ctor's Evalu	ation												
10. Gravity:														
A. Injury or	lliness (ha	s) (is):	No Likeliho	xod 🔲	Unlikely		Reasonabi	y Likely	$\mathbf{V}$	Highly	Likely [	_ 0	ccurred	
B. Injury or	illness cou be expecte		No Los	Workd	ays 🗍	Lost Workda	rys Or Rest	ricted D	uty 🔽	Pei	rmanentiy	Disabling (		Fatal
C. Significa	···		Yes	<b>2</b>	No []					D. Nur	mber of P	ersons Affec	ted:	001
11. Negligence	check or	ne)	A. None	]	B. Low	C. Mo	derate 🗹		D. High		E.	Reckless Di	sregard	
12. Type of Ac	tion	104(a	)		13. Ty	pe of Issuan	ce (check o	ne)	C	itation [	7	Order 🗌		Safeguard
14. Initial Actio A. Citation	n ∏ B.O	der 🔲	C. Safegua	rd 🗌	D. Written No	1	E. Citation/ Order Nu	mber				F. Date	d	Mo Da Yr
15. Area or Eq	uipment						·							
16. Termination	n Due	A. Date	Mo Da \ 05/02/20		B. Time (24 H	r. Clock)	1120	)						
Section III-Term	ination Acti	on												
17. Action to T	erminate		Termin	nate	d due t	o the	power	cabl	le be	ing	insu	lated	adec	nuately
and ful	ly pr												•	
18. Terminated	A. Date		a Yr 2/2005	8. Time	(24 Hr. Clock)	10	000							
Section IV-Auto	mated Syste							l						
19. Type of Ins (activity cod	pection	F01	20. Event I	Yumber	4054	1745	21. P	rimary o	r Mill					
22. Signature			6		-			· ······		1 2	23. AR Ni	ımber /	<u> </u>	

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

# Mine Citation/Order Continuation

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

W	

1. Subsequent Action 1	a. Continuation	2. Dated	Mo Da	Yr	3. Citation/	7096480
L	<u> </u>	(Original Issue)	05/02/2	005	Order Number	7030480
4. Served To				5. Operati	OF .	
Brad Hamrick				ANKE	R WEST VIRG	INIA MINING COMPANY INC
6. Mine		1		7. Mine ID	)	(Contractor)
SAGO MINE					46-0879	1

Continuation of 8. Condition or Practice

miner's can easily come into contact with the exposed inner insulated energized leads.

Section III—Subseq	went Action Taken						See Continuation Form
8. Extended To	A. Date Mo Da	Yr B. Time (24 h	fr. Clock)		C. Vacated	D. Terminated	E. Modified
Section IV—Inspect 9. Type of Inspec		10. Event Number	4054745				
11. Signature	6		AR Number	12. Date	Mo Da Yr 05/02/2005	13. Time (24 Hr. Ck	ock)
MSHA Form 7000-3	3a, Mar 85 (revised)		<u> </u>		<u> </u>	1 1000	

Date 5-02-2005

10:00 7096480 75.517

The No. 2/0 power cable + hut Provides 480 VAC from the #5 belt head power box to the D#1 box at #25 block of #4 mains (which is approximately 750 of power cable) is not insulated adequately has with away on tout plevious splices which exposes the inner energized purer legis! (1) Inver insulated leads are exposed through a opening of the of an when of the way alound the are exposed through a opening Supervisor's Initials and Date

*U S.GPO: 2004 - 642 - 912

MSHA Form 7000-10K, June 93 (revised)
Date 5- 2- 2005 7096480
the way ground the cable (3)
Tower insulated leads are exposed
through a opening of 1/2 of ca
inche wide all of the way
ground the cable, (4) Times
violated leads are exposed
through a opening of I nah.
wide all of the way around
the cube. This power cuble is
sloppy wet and is hunging over
the truck whele miners travel
under or along side of the
power cubbe and miver's can
easily come into contact with the
exposed inner insulated energized
lead

Supervisor's Initials and Date

*U.S.GPO: 2004 - 642 - 912

MSHA Form 7000-10K, June 93 (revise	ed)
3-05	•

The electrical examiner
Should have seen This
CONDITION during The
examination of This
Cable before The
Cable was energized
and put into service

Based on my mining has existed for several Shifte

ONE MINER IS EXPOSED as he works or Travell in This area

Supervisor's Initials and Date

	<u></u>	9 -	_	<
Date				_

When a accident does occur from This type of Condition it will be of a Serious Nature from Clectrical Shock, burns

IT is Reasonably likely
That this Type of
Condition will result
in a accident. This
Cable is hanging in
The Track entry and
The ManTrips + Motors
Travel under and along
side of this Cable for
approximately 750 feet.
Inspector's Initials

Supervisor's Initials and Date

*U.S.GPO: 2004 - 642 - 912

The MINERS CAN easily
COME IN CONTACT WITH
This energized power
Cable while operating
The MANTrips or Motors
This power cable is
Sloppy wet and has
exposed Insulated
power leads of
480 VAC. in four
different locations
along The Track
haulage entry.
Inspector's Initials
Supervisor's Initials and Date Page No. 27

Mina	Gitation/Or	dor
NAME OF TAXABLE	1 711 24 2 31 31 4 1 1	1 1 P 1

travel through this crosscut.

MSHA Form 7000-3, Mar 85 (revised)

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

1	7	MAY	200	K

Section IViolation Data	
1. Date Mo Da Yr 2. Time (24 Hr. Clock) 05/02/2005 0814	3. Citation/ Order Number 7096481
4. Served To Brad Hamrick	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC
6. Mine SAGO MINE	7. Mine ID 46-08791 (Contractor)
8. Condition or Practice	8a. Written Notice (103g)
and the cable measured from 60 inches	ine of crosscuts. This is a previously

										See C	ontinuatio	on Form (MSH/	A Form 7000-	3a) 🔲
9. Violation	A. Health Safet Othe	y 🗹	B. Section of Act				Part/Section of Title 30 CFR	f		7	5.807			
Section II-Insp	ector's Évalu	iation												
10. Gravity: A. Injury or	r Iliness (ha	ıs) (is):	No Likelih	ood [	Unlik	ety 🗸	Reasonabl	y Likely		Highly Llike	y 🗌	Occur	red 🗌	
	illness cou be expecte		No Lo	st Workd	iays 🗌	Lost Worl	kdays Or Rest	ricted D	uty 🗹	Perman	ently Dis	sabling 🗌	Fatai [	]
C. Signific	ant and Su	bstantial:	Ye	s 🗌	No 🗹					D. Number	of Perso	ons Affected:	001	
11. Negligeno	e (check or	ne)	A. None	J	B. Low	C. N	Aoderate 🗹		D. High		E. Rex	kless Disrega	ard 🗌	w
12. Type of A	ction	104(a	1)		13.	Type of Issu	ance (check o	ne)	C	Citation 🗹	Ord	ler 🗌	Safegu	ard 🗌
14. Initial Action A. Citation		nder 🗌	C. Safegu	ard [	D. Written I	Notice	E. Citation/ Order Nu	mber				F. Dated	Mo Da	Yr
15. Area or Ed	quipment				_									
16. Termination	on Due	A. Date	Mo Da 05/03/2		B. Time (24	Hr. Clock)	0200	C						
Section III—Ten	nination Act	on												
17. Action to 1	Terminate	-												
18. Terminate	d A. Date	Mo	Da Yr	B. Time	(24 Hr. Cloc	*k)								
Section IV-Auto	omated Syst	em Date												
19. Type of in: (activity co		E01	20. Event	Number	40	54745	21. F	rimary o	or Mill					
22. Signature	7		6		7					23. A	R Numb	per /		· · · · · · · · · · · · · · · · · · ·

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

In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration

UP5/03

Mine	Citation/Order
Canti	accation



Mine Citation/Ord Continuation	7 110 110						MAY 2005	<b>1 1</b>
Section I-Subsequent Act	tion/Continuation Data							
1. Subsequent Action	1a. Continuation	2. Dated (Original Issue)	Mo Da 05/02/20	1	3, Citation/ Order Number	7096481 - 01		
4. Served To				5. Operato	r			
Brad Hamrick				ANKER	WEST VIRG	INIA MINING CO	MPANY INC	
6. Mine				7. Mine ID	46 0070	.1	(Contractor)	
SAGO MINE					46-0879	1		
Section II-Justification for	Action							

Terminated due to the high voltage power line being guarded at the #22 block on the mains.

Section IIISubsequent Action Taken			See (	Continuation Form
8. Extended To A. Date Mo Da	Yr B. Time (24 Hr. Clock)	C. Vacated	D. Terminated	. Modified
Section IV-Inspection Data				
9. Type of Inspection E01	10. Event Number 4054745			
11. Signatur	AR Number	12. Date Mo Da Yr 05/05/2005	13, Time (24 Hr. Clock) 0740	
MSHA Form 7000-3a, Mar 85 (revised)				



Date 5-02.	2005		
814 AM			7.807
7096481		545 N	10
The h	igh Voti	ye powe	<u> </u>
cable from	located a	A 10, 22	blat
15 not g	varded or	nd the c	able
measured			
65-1Aches	fin th	ne mine	Posta
Personel	doors al	e locate	1 +0
live of	CLASSEUT	3. This	<u>is</u>
a previou	isly lock	dustad	Classical
and the	foot Pro	wto Ndie	ates
that mu	es legul	ofly Hav	<u>e(</u>
Ahrough	this C	assent	1.
- <del></del>			
	*		
Inspector's Initials	I	[6]	
Supervisor's Initials		P	_{age No.} <u>39</u>
•		. "U.S.GPO: 20	004 - 542 - 912

		7500 104	07	4
MSHA	raim	7000-10K.	June 33	LEALERY

Date			2	_	0.5
------	--	--	---	---	-----

The mine examiner!
should have seen
This Condition as
They Travel Through
Pies crosscut to
examine The # 9 pump
in The Return at
# 24 block.
Based on my mining
experience This Condition
has existed for several
Shifts,
ONE MINET is exposed
as he Travels Through
this area.
Inspector's Initials
Inspector's Initials

*U.S.GPO: 2004 - 642 - 912

MSHA	Form	7000-10K	June	93	(revised)

<b></b>	5-	2 -	0.5
Date		<i></i>	

Inspector's Initials _______
Supervisor's Initials and Date ____

· · · · · · · · · · · · · · · · · · ·
When a accident does
occur from this Type
of CONDITION IT WILL
be of a serious Nature
from Electrical Shock
burys
IT is UNI: Kely that
This CONDITION WILL
result in a accident.
The high voltage power
line Cable ronges
from 60 inches To
65 inches off of
The mine floor.

______ Page No. <u>4/</u>

Mine Citat	tion/Order		,		partment afety and h		or 1 dministratio	<b>7 MAY</b> ) 200	⁰⁵
Section I-Viol	ation Data								
1. Date	Mo Da Yr 05/03/2005	2. Time (24	ir. Clock) 0830			3	. Citation/ Order Number	. 709648	32
4. Served To			<u> </u>	5. Operat	OF				
	nce _ Mine Fo	oreman				/IRGIN	IA MININO	COMPAN	Y INC
6. Mine SAGO M	INE		•	7. Mine II	46-0	8791			(Contractor)
8. Condition								8a. Written !	Votice (103g)
1021 b in a s roof b causes This t lever. when I	eing oper afe opera olting ma the oper ram lever The oper observed perator i	rated on ating con achine is rator side does no rator was the roo	of bolting mand the 2-Right dition. The sticking in a content of the root self center tramming the bolting mandly removed the	003-0 MMU tram leve the tram f bolting r when the e roof bo chine suc	working for a posity machine oper olting indenly	ng se the c ion i ne tc ator machi swing	ection in perator in both continuity continuity continuity to the	s not ma side of direction ue tramma s the trans he #5 fa right s	aintained for the cons which ming. cam cace entry side. The
							See Continual	ion Form (MSHA	Form 7000-3a)
9. Violation	A. Health Safety 🗸 Other 🗌	B. Section of Act		C. Part/Section Title 30 CFR			75.1725(	a)	
	pector's Evaluation								
10. Gravity: A. Injury o	or Iliness (has) (is)	: No Likelihoo	Unlikely	Reasona	bly Likely 🔽	] Hi	ghly Likely	Occurr	ed 🗌
	or illness could rear to be expected to be	No Look	Workdays \( \begin{array}{cccccccccccccccccccccccccccccccccccc	t Workdays Or Re	stricted Duty	<b>Z</b>	Permanently D	isabling [	Fatal [
***************************************	cant and Substant	<del></del>	<b>Z</b> No □			D.	Number of Pen	sons Affected:	002
11. Negligen	ce (check one)	A. None	B. Low	C, Moderate €	D. 1	High [	E, Re	ckless Disregar	d []
12. Type of A	action 10	4(a)	13. Type o	f Issuance (check	one)	Citati	on 🗸 Or	der 🗌	Safeguard
14. Initial Act A. Citation		C. Safeguard	D. Written Notice	E. Citation				F. Dated	Mo Da Yr
15. Area or E		Mo Da Yr	I D Time /24 Ur Cl	00k) 10	25				
		05/03/200	5   D. Taile (24 Fil. Ch	ock) 10	33				
	mination Action								
17. Action to			nated due to	-					
		roof bo	lting machine			d and	the tr	am leve	rs will
DOM CO									
HOW SE.		without	sticking who	en testec	l				
18. Terminate	ed A Date N	without	sticking who	en tested	l. 				
18. Terminate	ed A Date N	without MoDa Yr 5/03/2005			i .				
18. Terminate	A. Date 05 tomated System Datespection	Mo Da Yr B 5/03/2005 B	Time (24 Hr. Clock)	1035	Primary or M	iii			

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.



Date S-(	<u> </u>	2005	_	
<u>0830</u>	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	+	7:	5.1725
	70	96482	***************************************	
The	No.	4 Fletchei	tool	bo Hing

muchine setial No. 2004096, Apploval No. 25 B-1021 being operated on the 2- Right 003-0 MMU working section is not maintained in a safe operating Condition. The Hum lever for the operator side of the roof botting machine is sticking in the tram position in both directions which causes the operator side of the roof botting muchine to Continue Humming This tran level does not self center when the operator releases the trum lever. The operator was trumming the roof bolting machine in the No. 5 Inspector's Initials .

*U.S.GPQ	: 2004	- 642	•	912
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MSHA	Form	7000-10K	June	93	(revised

Supervisor's Initials and Date

Date 5-03-2005
face entry when I observed the roof bolting machine suddenly
sway to the right side. The mive operator immediately removed
the #4 fletcher roof bolting

*U.S.GPO: 2004 - 642 - 912

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

Date 5-3-05

The	003-0	MMY	Section
			0 A
This	Conce	1:Tion	ond
			<u></u>
Maci	hine	should	have
KNOU	V4 0	f This	Condition

The Section Foreman reported this Condition ON 5-2-05 at 300 Pm

Two miners are exposed as This roof Bostine wachine is operating

Inspector's Initials _______ Page No. _____

*U,S,GPO: 2004 - 642 - 912

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

Date .	_5		3_	_	0	5
--------	----	--	----	---	---	---

when a accident
does occur from
This Type of Condition
it will be of a
Secious Nature from
bruising, lacerations
broken bones or
AMPUTATIONS.
IT is Reasonably
Likely That This
Type of Condition
Type of Conditions will result in a
accident. The Tran

nspector's Initials ______

Supervisor's Initials and Date Page No.

lever that is sticking

*U.S.GPO: 2004 - 642 - 912

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

	5	3	 05
Date			 

as	Norm	al /	u in	NG
proc	edure	2 Co.	NTIN	ué.
The	e Two		<u>^</u> (c	
NAME OF TAXABLE PARTY.	6 1	War	- K	with is
	se a			
	e roof			
	chine			
	1 Rib			
,				
	w			
		·		
			······	
Inspector's	Initials	I 6	7	
Cuppenisor		**		Page No. 22

*U.S.GPO: 2004 ~ 642 - 912

### Mine Citation/Order

22. Signature

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

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			N//

1 9				Willie Sa	icij anu i	i icailli /	CHIMINITALI	r (A) t	
Section I-Violation Data									
1. Date Mo Da		2. Time (24 Hr. C				3	. Citation/ Order Nun	nber 70964	-83
05/03/. 4. Served To	2003	13	00	5. Operato	······································				
Bill Currence Mi	ne Foren	nan				VIRGIN	IA MINI	NG COMPAI	NY INC
5. Mine	110 1 01011			7. Mine ID	46 C	19701			
SAGO MINE					40-0	8791			(Contractor)
3. Condition or Practice								****	Notice (103g)
travelway of conveyor belaround the twater, slop, to the miner maintenance. or head unit interfere with maintenance	f at l lts in tail, , mud rs who . (3) ts sha ith tr	least 24 including to head, drift of other or routined The water all not be cavel, examples.	the head, take obstruction ty travel the lines alone positioned	be provall, and up united that arough the grade of the such that arough the grade of the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are the such that are	ided a take- ts sha create he are the co h a ma	along -up un all be e slip eas fo onveyo anner	both anits.  main  o, trip  or example that	sides of (2) The a tained from and falmination they will	all areas ree of il hazards and belt take-ups
							See Conti	nuation Form (MSI-	IA Form 7000-3a) []
9. Violation A. Health Safet Othe	ty 🗸 er 🗌	B. Section of Act		C. Part/Section Title 30 CFR	of		75.1	403	
Section II-Inspector's Eval	uation								<del></del>
<ol> <li>Gravity:</li> <li>A. Injury or Illness (he</li> </ol>	as) (is):	No Likelihood [	Unlikely [	Reasonal	oly Likely	] Hi	ighly Likely	Occu	rred 🗌
B. Injury or illness consolid be expected		No Lost Work	days Lost W	orkdays Or Res	tricted Duty	, _□	Permanent	y Disabling	Fatal [
C. Significant and Su		Yes 🗍	No 🗍		<u></u>	D.	Number of	Persons Affected	
Negligence (check or	ne)	A. None	B. Low C	. Moderate	D.	High	E	. Reckless Disreg	ard
2. Type of Action	314(b	)	13. Type of Is	suance (check	one)	Citati	on 🗌	Order	Safeguard 🗸
4. Initial Action A. Citation B. O		C. Safeguard	D. Written Notice	E. Citation Order N		***		F. Dated	Mo Da Yr
5. Area or Equipment									
6. Termination Due	A. Date	Mo Da Yr 05/06/2005	B. Time (24 Hr. Cłock)	) 180	0		***************************************		
section III-Termination Act	ion								
7. Action to Terminate									
8. Terminated A. Date	Mo D	a Yr B. Time	e (24 Hr. Clock)						
Section IV—Automated Syst	em Data								
Type of Inspection     (activity code)	E01	20. Event Number	4054745	21.	Primary or N	Vill			

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

23. AR Number

		9444444		— . securso. i.e.
Mine Citation/C	Order		U.S. Department of Labor	SAFE WARD )
Continuation			Mine Safety and Health Administration	on 🥨
Section I-Subsequen	nt Action/Continuation Data			
1. Subsequent Acti	ion 1a. Continuation	2. Dated Mo Da (Original Issue) 05/03/2	~ 1	01
4. Served To Bill Currence	Mine Foreman		5. Operator ANKER WEST VIRGINIA MININO	COMPANY INC
6. Mine SAGO MINE			7. Mine ID 46-08791	(Contractor)
Section IIJustification	on for Action			
Change	on for Action	123	To	
	Fro	ar	fo	,
Change 8. Condition Or Pra Reason Add water,	Fronctice d to the body of the con	adition and practice: (4) Obst	ructions including but not limited to the folies, water line and extraneous materials the	

See Continuation Form Section III-Subsequent Action Taken 8. Extended To A. Date B. Time (24 Hr. Clock) C. Vacated D. Terminated ▼ E. Modified Section IV—Inspection Data

9. Type of Inspection I 10. Event Number 4054745 11. Signatur-AR Number 12. Date Mo Da Yr 13. Time (24 Hr. Clock) le Q -05/05/2005 1115 MSHA Form 7000-3a, Mar 85 (revised)

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Mine	Citation/Order
Conti	nuation

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

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n	000	

1. Subsequent Action 1	a. Continuation	2. Dated (Original Issue)	Mo Da 05/03/2	1	3. Citation/ Order Number	7096483 - 02	
4. Served To Bill Currence Mi	ne Foreman			5. Operato ANKER		INIA MINING COMPA	NY INC
6. Mine SAGO MINE		*		7. Mine ID	46-0879	1 (0	ontractor)

The mine operator has made a diligent effort to correct these conditions. Approximately 60% of the work has been finished. The mine operator has miners working on these conditions on every shift during each day.

				· · · · · · · · · · · · · · · · · · ·			See Continuation Form
8. Extended To A. Da	Mo Da	Yr B. Time (24	Hr. Clock)	0600	C. Vacated	D. Terminated	E. Modified
Section IV—Inspection De 9. Type of Inspection		10. Event Number	4054745				
11. Signature	6		AR Number	12. Date	Mo Da Yr 05/10/2005	13. Time (24 Hr. Cl	•

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

well

Mine	Citation/Order
Conti	nustion

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

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	JA	0	W)

Continuation		Time Outory and Flourity Administration							
Section I-Subseque	nt Action/Continuation Data	l					<u> </u>		
1. Subsequent Act	tion 1a. Continuation	Dated     (Original Issue)	Mo 05/	Da 03/20	Yr )05	3. Citation/ Order Number	7096483 - 03		
4. Served To					5. Operat				
Bill Currence	Mine Foreman				ANKE	R WEST VIRO	<u> SINIA MINING CO</u>	MPANY INC	
6. Mine	-				7. Mine I	46 0070	1	(Contractor)	
SAGO MINE						46-0879	<u> </u>		
Section II-Justificati	on for Action								

Extended due to the operator making a diligent effort to correct these conditions. It is taking longer to correct these conditions due to the conditions being worse and taking longer to correct then what was initially expected. These conditions are approximately 90% finished. More time is granted for the operator to correct these conditions.

Section III—Subse	quent Action	Taken							See Continuation Form
8. Extended To			Da Yr 26/2005	B. Time (24	-ir. Clock)	0600	C. Vacated	D. Terminated	E. Modified
Section IV-Inspec	tion Data								
9. Type of Inspe	ction E	01	10. E	vent Number	405474	15			
11. Signat	_	6	•	71	AR Number	12. Date	Mo Da Yr 05/20/2005	13. Time (24 Hr. Ck	ock)

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



Mine Citation/Order Continuation		U.S. Department of Labor Mine Safety and Health Administration				
Section I-Subsequent Action/Continuation D	ata					
1. Subsequent Action 1a. Continuation	2. Dated Mo Da (Original Issue) 05/03/2	Yr 3. Citation/ Order Number 7096483	- 04			
4. Served To Brad Hamrick		5. Operator ANKER WEST VIRGINIA MINI	NG COMPANY INC			
6. Mine SAGO MINE	•	7. Mine ID 46-08791	(Contractor)			
Carting II Justification for Action						

Terminated due to all of the requirements of the safeguard being complied with on the coal conveyor belt of this mine at the time of this inspection. The mine operator is required to maintain the conveyor belts of this mine in the conditions required by this safeguard.

Section III-Subsequent Action Taken			See Continuation Form
8. Extended To A. Date Mo Da	Yr B. Time (24 Hr. Clock)	C. Vacated	D. Terminated E. Modified
Section IV-Inspection Data			
9. Type of Inspection E01	10. Event Number 4054745		
11. Signatui	AR Number	12. Date Mo Da Yr 05/31/2005	13. Time (24 Hr. Clock) 0800
MSHA Form 7000-3a, Mar 85 (revised)			

Salacuard.

lines along side of the conveyor belt drives, take - ups or head

Supervisor's Initials and Date

161

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

Date
units shall not be positioned
is such a manner that they will
interfere with travel, examination
of the required cleaning and
other maintenance requirement.
Inspector's Initials
Supervisor's Initials and Date Page No. 24

*U.S.GPO: 2004 - 642 - 912

The mine examiner Should have KNOWN of these conditions, These Conditions would be obvious to any prudent person Charged with The responsability Conducting a mine examination,

Based ON MY MINING experience and The evidence This Condition has existed for Several Shifts,

Supervisor's Initials and Date

"U.S.GPO: 2004 - 642 - 912

4U.S.GPO: 2004 - 642 - 912

Supervisor's Initials and Date __

_	5	•	3	-	0	5

ONC MINER is exposed
as he worke or
Travels in these
areas.
When a accident does
Occur from This Type
of CONDITION IT WILL
be of a Serious Nature
from being caught
by a moving belt,
Consing bruising;
Lacerations, broken
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"U.S.GPO: 2004 - 642 - 912

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

Date	5-	3 -	0	5
				<u></u>

IT is Reason	ably
Likely That Th	is type
of CONDITION	will
result in a ac	
The Miners of	
To Slip, Trip and	_
hazards, also	
be caught by	
moving belt.	The
Conveyor belt	walkwar
have several a	batraction
+	
Jones .	61
Inspector's Initials	

"U.S.GPO: 2004 - 642 - 912

Mine Citation/Order	U.S. Department of Labor Mine Safety and Health Administration  1 7 MAY 2006				
Section i-Violation Data					
1. Date Mo Da Yr 2. Time (24 Hr. Clock) 1420	3. Citation/ Order Number 7097805				
4. Served To  James Scott Mine Foreman	5. Operator GMS Mine Repair and Maintance, Inc.				
6. Mine SAGO MINE	7. Mine ID 46-08791 MVK (Contractor)				
8. Condition or Practice	8a. Written Notice (103g)				
the accident that occurred on 04/09/	mplete the 7000-1 that was sent to msha on /2005, at 9:00 am. The mine name and the 7000-1 form. This form was received by				

							See C	ontinuation i	Form (MSHA	Form 7000-3a)
9. Violation	A. Health Safety Other	B. Section of Act		1	Part/Section of ittle 30 CFR	1	50	.20(a)		
Section II—Inspe	ector's Evaluation									
10. Gravity: A. Injury or	r Iliness (has) (is)	: No Likelihood	<b>U</b> nlike	ely 🗌	Reasonably Like	ely 🗌	Highly Like	hy 🔲	Occurr	ed 🗌
	illness could rea be expected to be		rkdays 🔽	Lost Work	days Or Restricted	i Duty 🗌	Perman	ently Disab	aling 🗌	Fatal 🗌
C. Signific	ant and Substant	al: Yes 🗌	No 🗸				D. Number	of Persons	Affected:	001
11. Negligeno	e (check one)	A. None	B. Low 🗸	C. N	loderate	D. High	П	E. Reckk	ess Disrega	rd 🗍
12. Type of Ad	ction 10	4(a)	13.	Type of Issua	ance (check one)	C	itation 🗹	Order		Safeguard [
14. Initial Action		C. Safeguard	D. Written N	Notice [	E. Citation/ Order Number	,		F	. Dated	Mo Da Yr
15. Area or Ed	quipment		·							
16. Terminatio	on Due A. De	Mo Da Yr 05/09/2005	B. Time (24	Hr. Clock)	0800					
Section III-Terr	nination Action									
17. Action to 1	Terminate									
18. Terminate	A. Date	10 Da Yr B. Ti	ne (24 Hr. Cloc	<b>*</b> )						
Section IV-Auto	omated System Dar	a								
19. Type of In: (activity co		20. Event Numb	er 40:	54745	21. Prima	ry or Mill				
22. Signature	Γ	6		1		······································	23. A	R Number	T.	67

MSHA Form 7000-3, Mar 85 (revised) In accordance with the programments of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

We5/06

Mine	Citation/Order

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

7 MAY 2005	
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Continuation Mine Safety and Health Administrati				h Administration	MAT	2005
Section I—Subsequent Action/Continuation	n Data			, , , , , , , , , , , , , , , , , , , ,		
1. Subsequent Action 1a. Continuati	on 2. Dated (Original Issue)	Mo Da Yr 05/03/2005	3. Citation/ Order Number	7097805 - 01		
4. Served To James Scott Mine Foreman	L	5. Operato GMS M	r INE REPAIR			
6. Mine SAGO MINE	•	7. Mine ID	46-0879	1	(Contrac MV	•
Section il						

Terminated due to the operator sending a completed 7000-1 form for the accident that occurred on 04/09/2005 at 9:00 am. The completed form was received at the MSHA office on 05/04/2005.

Section III-Subse	quent Action Take	en.							See Continuation Form
8. Extended To	A. Date Mo	Da	Υr	B. Time (24 Hr. Clock	)		C. Vacated	D. Terminated	E. Modified
Section IVInspe 9. Type of Inspe			10. E	Event Number 405	4745				
11. Signature	[ Je	2	1	J JAR Numb	er >	12. Date	Mo Da Yr 05/10/2005	13. Time (24 Hr. Ck	ock)
MSHA Form 7000	-3a, Mar 85 (revis				<u>ــــــ</u>		05/10/2005	1100	

Westin

*U.S.GPO: 2004 - 642 - 912

MS HAI	Form	7000-10K.	1000	93	(revised)

the	mine operator
Shoul	of have KNOWN
	his Condition.
. / \/ \/ \/ \/ \	4.11.20
·	
This	is a paper
Viala	Tion and No
1. Kel	y hood of
Caus	ing a accident.
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*U.S.GPO: 1, 104 - 642 - 912

Mine Cita	ation/Order		U.S. Department of Labor Mine Safety and Health Administration					
Section I-Vic	olation Data							
1. Date	Mo Da Yr 05/04/2005	2. Tirne (24 Hr. Clock) 0615	3. Citation Order	n/ Number 7097809				
4. Served T			5. Operator ANKER WEST VIRGINIA MINING COMPANY INC					
6. Mine SAGO M	——————————————————————————————————————		7. Mine ID 46-08791	(Contractor)				
	or Practice			8a. Written Notice (103g)				

8a. Written Notice (103g)

The operator failed to provide a record to indicate that the required testing, inspecting and maintenance is being conducted on the SR-100 Self Contained Self Rescuers which are provided for the miners.

							See Con	inuation Form (MSH	A Form 7000-3a) 🔽
	Health ☐ Safety ✔ Other ☐	B. Section of Act			Part/Section of Title 30 CFR		75.17	(4-3(e)	
Section IIInspector	s Evaluation								
<ol><li>Gravity:</li></ol>									
A. Injury or Iline	ss (has) (k	s): No Likelih	ood U	Inlikely 🗸	Reasonably	/ Likely 📋	Highly Likely	Occur	red
B. Injury or illne sonably be e		Al- 1	st Workdays 🗌	Lost Worl	odays Or Restr	icted Duty 🗸	Permanen	tty Disabling 🗌	Fatal 🗌
C. Significant a	nd Substar	ntial: Ye	s 🗌 No 🔽	]			D. Number of	Persons Affected:	005
11. Negligence (ch	eck one)	A. None	B. Low	C. N	Noderate 🗹	D. High		. Reckless Disrega	ard [
12. Type of Action	1	04(a)		13. Type of Issu	ance (check or	ne)	Citation 🗹	Order 🗌	Safeguard
14, Initial Action A. Citation B. Order C. Safeguard D. Written Notice Order Number									
	15. Area or Equipment								
16. Termination Du	Je A. C	Date 05/04/2	I D Time	(24 Hr. Cłock)	0630				
Section III-Terminati	on Action								
17. Action to Termi	inate	Term	inated d	ue to SA	GO Mine	safety	directo	r testing	,
inspectin	g the	SR-100	Self Con	tained S	elf Res	cuers a	nd recor	ding the	results
in a reco	rd bo	ok for t	he GMS M	ine Repa	ir and	Mainten	ance, In	.C.	
18. Terminated A	. Date (	Mo Da Yr )5/04/2005	B. Time (24 Hr.	Clock)	0630				
Section IV-Automate	ed System D	ata							
19. Type of Inspect (activity code)		01 20. Event	Number	4054745	21. P	rimary or Mill			
22. Signature		6		7		· ····· · · · · · · · · · · · · · · ·	23. AR	Number /	<b>φ □</b>

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

W5/05

Continuation			Mine Safety and Health Administration			
Section I—Subsequent Action/Continuation D	Deta .		>			
1. Subsequent Action 1a. Continuation		Da Yr 3. Citati /04/2005 Orde	ion/ or Number 7097809			
4. Served To		5. Operator				
James Scott Mine Foreman		ANKER WES	ST VIRGINIA MINING COM	PANY INC		
6. Mine SAGO MINE	•	7, Mine ID 40	6-08791	(Contractor)		

Continuation of 17. Action to Terminate contracting company.

Section II—Justification for Action

SAGO MINE

Section III—Subseque	nt Action Take	en							See Continuation Form
8. Extended To A.	Date Mo	Da	Yr	B. Time (24 H	r. Cłock)		C. Vacated	D. Terminated	E. Modified
9. Type of Inspection			10. E	vent Number	4054745				
11. Signatu	6			7 1	R Number	12. Date	Mo Da Yr 05/04/2005	13. Time (24 Hr. Ck	ck)

Mine Citation/Order Continuation		U.S. Department of Labor 1 8 MAY 2005  Mine Safety and Health Administration			
Section I-Subsequent Action/Continuation	n Data				
1. Subsequent Action 1a. Continuat	on 2 Dated Mo Da (Original Issue) 05/04/20	Yr 3. Citation/ 005 Order Number 7097809 - 01			
4. Served To		5. Operator			
James Scott Mine Foreman		ANKER WEST VIRGINIA MINING COMPANY INC	· ·		
6. Mine SAGO MINE	·	7. Mine ID (Contractor) 46-08791			
Section II—Justification for Action					
Change	From	То			
5. Operator	ANKER WEST VIRGINIA MINI COMPANY INC	ING GMS Mine Repair and Maintenance, Inc.			
Reason					

Issued to the wrong operator in error

								See Continuation Form
Section III-Subse					· · · · · · · · · · · · · · · · · · ·			
8. Extended To	A. Date Mo	Da	Yr B. Time (24 h	ir. Clock)		C. Vacated	D. Terminated	E. Modified
Section IV-Inspec	ction Data							
9. Type of Inspe	ection E01		10. Event Number	4054745	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	1	10 Miles II	
11. Signature		_	-7' 3	R Number	12. Date	Mo Da Yr	13. Time (24 Hr. Ck	xck)
		Q		<u> </u>		05/04/2005	1200	
MSHA Form 7000	-3a, Mar 85 (revis	ed)						

W5/05

» <u>3-9-05</u>	
	75.1714-3 (0)
7097809	545 - NO
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_	f Contained
	ers which
*	d for The
MINERS.	
	<u> </u>
This 12 9	120,02-
violation	
Inspector's Initials	[6] Page No.23
Supervisor's Initials and Date	Page No. 23

*U.S.GPO: 2004 - 642 - 912

## Mine Citation/Order

area of the mine ranges from damp to wet.

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





	.1		Mine Safety and Health Administration			
Section I-Vic	lation Data					
1. Date	Mo Da Yr 05/04/2005	2. Time (24 Hr. Clock) 0830	3	3. Citation/ Order Number 70978	310	
4. Served T		eman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC			
6. Mine SAGO M			7. Mine ID 46-08791 (Contract			
	or Practice				n Notice (103g)	
alloweribs a	Combustied to accument the following	ble material in the foulate on previously ro owing locations: Start at No.23 block and exe No.4 and No.5 entry's	ck dusted surface ing at the No.1 of tends outby for a	es of the mine conveyor belt approximately :	tailpiece 210 feet	

					See Continuation Form (	MSHA Form 7000-3a)
9. Violation A. Health Safety 7 Other	B. Section of Act		art/Section of ittle 30 CFR		75.400	
Section II—Inspector's Evaluation						
10. Gravity:						
A. Injury or Illness (has) (is	i): No Likelihood 🗌	Unlikely 🗸	Reasonably Likely	High	y Likely 🗌 O	ccurred
<ul> <li>B. Injury or illness could re sonably be expected to</li> </ul>		ys 🗌 Lost Work	days Or Restricted D		ermanently Disabling	
C. Significant and Substan	rtial: Yes 🗌 🗆	No 🗹		D. Ni	imber of Persons Affec	ted: 001
11. Negligence (check one)	A. None	B. Low C. M	oderate 🗸	D. High 🗌	E. Reckless Dis	sregard [
12. Type of Action 1	04(a)	13. Type of Issua	nce (check one)	Citation	Order	Safeguard
14. Initial Action A. Citation B. Order	C. Safeguard C	). Written Notice	E. Citation/ Order Number		F. Date	d Mo Da Yr
15. Area or Equipment						
16. Termination Due A. I	Dete 05/04/2005 E	3. Time (24 Hr. Clock)	1030			
Section III—Termination Action						
17. Action to Terminate						
18. Terminated A. Date	Mo Da Yr B. Time (	24 Hr. Clock)				
Section IVAutomated System D	erta					
19. Type of Inspection (activity code) F	20. Event Number	4054745	21. Primary	or Mill		
22. Signature .	6	7			23. AR Number	[6]

MSHA Form 7000-3, Mar 85 (revised) In accordance with the processors of the Small Business Regulatory Enforcement Falmess Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Faimess Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

W5/05

Mine Citation/Order Continuation	•	U.S. Department of Labor 1 8 MAY 2005  Mine Safety and Health Administration					
Section I-Subsequent Action/Continuation Date					,		
1. Subsequent Action 1a. Continuation	Dated     (Original Issue)	Mo Da 05/04/20	Yr 105	3. Citation/ Order Number	7097810 - 0	1	
4. Served To Bill Currence Mine Foreman			5. Operat ANKE		INIA MINING	COMPANY INC	
6. Mine SAGO MINE	•		7. Mine II	46-0879	1	(Contractor)	
Section IIJustification for Action							

Terminated due to the area being covered with a coating of rock dust. Which diluted the combustible content.

Section III—Subsequer	nt Action Take	7)							See Continuation Form
8. Extended To	Mo Date	Da	Yr	B. Time (24 l	ir. Clock)		C. Vacated	✓ D. Terminated	E. Modified
Section IV—Inspection 9. Type of inspection			10. E	vent Number	4054745				
11. Signature	6				R Number	12. Date	Mo Da Yr 05/05/2005	13. Time (24 Hr. Ck	ock)

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



Date 5-4-05	<u> </u>
8:30	75.400
	S43-NO
Combus	Tible Materials
in The fo	em of a
	of float
	is allowed
	ulate or
	rock dusted
, ,	of the mixe
Λ.	rib's at
<i>- 1</i>	ing locations:
	at the NO.1
	belt Tailpiece
	located at
	ck and
	outby for
	Tely 210 feet
Inspector's Initials	r 1 -1
Supervisor's Initials and Data	Page No. 14
	*U.S.GPO: 2004 - 642 - 912

in length in the No. 4 and No. 5 entry's including the joining Crosscuts. This area of the Mine ranges from damp to Wet.

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

Date 5-4-05

*U.S.GPO: 2004 - 642 - 912

LGJ

Inspector's Initials

Supervisor's Initials and Date

Supervisor's In tials and Date

"U.S.GPO: 2004 - 642 - 912

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

Date	5-	4-	05
	2222		

when a accident does
Occur from This Type
of CONDITION IT WILL
be of a serious Nature
from fire, burns,
Smake Inhalation.
IT is unlikely that
a accident will occur
from This Condition.
The nine floor and
rib's range from damp
To WeT. And The
accumulations are
ON Previously rock
dusted Surfaces.
Inspector's Initials
Supervisor's Initials and Date Page No. 17

*U.S.GPO: 2004 - 642 - 912

#### Mine Citation/Order

### U.S. Department of Labor Mine Safety and Health Administrat

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ion	<u> </u>	MIN.	
ber	7097806		

Section I-V	iolation Data			-			
1. Date	Mo Da Yr 05/04/2005	2. Time (24 Hr. Clock) 0705	3. Citation/ Order Numl	_{ber} 7097806			
4. Served To Bill Currence Mine Foreman			5. Operator ANKER WEST VIRGINIA MINING COMPANY INC				
6. Mine SAGO N			7. Mine ID 46-08791	(Contractor)			
	o or Practice			8a. Written Notice (103g)			

The #7 mantrip which is used to transport miners in and out of the mine is not maintained in a safe operating condition. The sanding device's on this mantrip will not provide sand to the wheels and track for traction purpose's. The sanding device storage container's are plugged up with wet sand and will not function. This mine has several grade's and the track ranges from dry to wet. When the sanding devices are not maintained in a operational condition the mantrip can become out of control which can cause derailment.

										See (	Continuati	on Form (MSH/	\ Form 7000-3a	a) 🗌
9. Violation	A. Health Safet Othe	y 🗹 📗	B. Section of Act		***************************************	C	. Part/Section ( Title 30 CFR	of .		75	.1725(a	a)		
Section II-Insp	ector's Evalu	ation												
10. Gravity: A. Injury o	r iliness (ha	ıs) (is):	No Likelih	ood [	Uni	likely [	Reasonat	ily Likely	<b>~</b>	Highly Llk	ety 🔲	Occur	red 🗌	
	r illness cou be expecte		No Los	t Workd	ays 🗌	Lost Wo	rkdays Or Res	tricted D	uty 🗹	Perma	nently Di	sabling []	Fatal 🗌	
C. Signific	ant and Sui	bstantial:	Yes	•	No 🗌					D. Numbe	r of Pers	ons Affected:	006	
11. Negligeno	e (check or	ne)	A. None	]	B. Low		Moderate 🗸		D. High		E. Rec	kless Disrega	ırd 🗌	
12. Type of A	ction	104(a	a)		1	3. Type of Iss	uance (check	one)	C	itation 🗹	Orc	ter 🗌	Safegua	rd 🗌
14. Initial Action		rder 🗌	C. Safegua	ard 🔲	D. Writte	n Notice	E. Citation/ Order N					F. Dated	Mo Da	Yr
15. Area or Ed	quipment													
16. Termination	on Due	A. Date	Mo Da 05/04/2		B. Time (	24 Hr. Clock)	071	5						
Section IIITerr	mination Act	on												
	g devi		stora	ge c	ontai	ner's a	e wet s and ref heel's	llin	g wit	h dry				<b>g</b>
18. Terminate	A. Date		Da Yr 4/2005	8. Time	(24 Hr. C	lock)	0715							
Section IV-Aut	omated Syst	em Data												
19. Type of In- (activity co		E01	20. Event	Number	4	054745	21.	Primary (	or Mill					
22. Signature		6	·							23.	AR Num	ber	( Q _	7

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Date 5-4-20	105
0705	75,172 <u>5</u> @
	97806
	mentlip which is
	transport miners
in and out	of the mine is not
maintained	in a safe operatus
	he sanding devices
on this n	mentrip will not
provide sa	nd to the wheels
and truck	for traction purposes
The synds	ny device storage
Containers	ale plugged up
	sand and will not
function. T	his mire has several
grade's an	d the track runger
А .	to wet, When the
sanding de	wices ale not maintaine
in a opera	tional condition the
Inspector's Initials	
Supervisor's Initials ar-c	DatePage No. 22

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		adition durais
the pie-	operational	checks.
Beech		av oat '
11.	my mining	expelience existed for
this cond	litury Nus	existed to
Severa s	h.++3.	
6 os m	de miver	s lide in
		out of the
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		time dulning
euch shill	4.	
When a g	ccident du	es accus flum
		it will be of
• •	_	n mantrip chiailm
ausing brusing	y, lacelation	, amputation
Inspector's Initials	E 6	· J
Supervisor's Initials an		Page No. 29
		*U.S.GPO: 2004 - 642 - 912

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

354	-	24	205

It is leasurably likely that a
accident will accor from this type
of condition. This mines has several
grades on the track haulage
and the track is from dry to
Wet
Sand is needed to provide
truction from the wheels to
i .
the track as the miners are
trunsported in and out of the
mines by these muntips
Laurente l'airie
7×
Supervisor's Initials and Date Page No. 20

"U.S.GPO: 2004 - 642 - 912