

Citations / Orders & Inspector Notes

Fiscal Year 2005

Mine Citation/Order

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

17 NOV 2004



Section I—Violation Data

1. Date Mo Da Yr 10/19/2004	2. Time (24 Hr. Clock) 1000	3. Citation/ Order Number 7093803
4. Served To JIM SWARTZ	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) ☐

In the Trubie Run Mains, the Fletcher twin boom truss bolter, 2G-2950A-1 Co #32, was not being maintained in permissible condition at the time of the examine. 2 lights (1 at the operator compartment and 1 at the bolter helper station) were not secure. Bolts were broke and the lights in these areas were hanging loose.

See Continuation Form (MSHA Form 7000-3a) ☐

9. Violation	A. Health ☐ Safety ☒ Other ☐	B. Section of Act	C. Part/Section of Title 30 CFR 75.503
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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 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. Type of Issuance (check one) Citation ☒ Order ☐ Safeguard ☐		
14. Initial Action A. Citation ☐ B. Order ☐ C. Safeguard ☐ D. Written Notice ☐		E. Citation/ Order Number		F. Dated Mo Da Yr
15. Area or Equipment				

16. Termination Due	A. Date Mo Da Yr 10/19/2004	B. Time (24 Hr. Clock) 1550
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Section III—Termination Action

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

Section IV—Automated System Data

19. Type of Inspection (activity code) AAA	20. Event Number 4054503	21. Primary or Mill
22. Signature 		23. AR Number [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.

LC 10/19

upc
10/20

Mine Citation/Order
Continuation

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

90



Section I--Subsequent Action/Continuation Data

1. Subsequent Action ☒	1a. Continuation ☐	2. Dated (Original Issue) 10/19/2004	3. Citation/ Order Number 7093803 - 01
4. Served To Jim Swartz		5. Operator ANKER WEST VIRGINIA MINING COMPANY	
6. Mine SAGO MINE		7. Mine ID 46-08791 (Contractor)	

Section II--Justification for Action

The listed lights were properly secured.

See Continuation Form ☐

Section III--Subsequent Action Taken

8. Extended To	A. Date Mo Da Yr	B. Time (24 Hr. Clock)	☐ C. Vacated	☒ D. Terminated	☐ E. Modified
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Section IV--Inspection Data

9. Type of Inspection AAA	10. Event Number 4054503		
11. Signature [Signature]	AR Number [6]	12. Date Mo Da Yr 10/20/2004	13. Time (24 Hr. Clock) 1115

me
10/21

Date 10/19/04
Same citation
7093803 10:00
75.543
Non SAS

The Fletcher truck
 Lifter 26-2950A.1
 Co # 32 operating
 in the Traffic Rack
 mains was not
 being maintained
 in permissible
 condition. 2 lights
 are not secured
 brake are broke
 off and lights are
 hanging.

Inspector's Initials

(6)

Supervisor's Initials and Date

Page No. 5

Date 10/19/04
Lifter in good
shape no open
ings in light
no method de-
fects in area
Lifter operating
only with Jim
Swartz
Condition existed
more than one shift
looks like lights
broke off caught
with corner when
trimming lifter
abatement due
1550 10/19/04

Inspector's Initials

(6)

Supervisor's Initials and Date

Page No. 4

Mine Citation/Order

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

17 NOV 2004



Section I--Violation Data

1. Date Mo Da Yr 10/25/2004	2. Time (24 Hr. Clock) 1000	3. Citation/ Order Number 7093804
4. Served To AL SCHOONOVER, SAFETY		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) ☐

In the 1 Right (001-0) working section, the trailing cable for the Joy 10SC32 shuttle car CO #6 was being anchored on a tensined rool bolt installed in the roof support pattern. This condition could affect the tension of the bolt.

See Continuation Form (MSHA Form 7000-3a) ☐

9. Violation	A. Health ☐ Safety ☒ Other ☐	B. Section of Act	C. Part/Section of Title 30 CFR 75.204(f)(7)
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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 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. Type of Issuance (check one) Citation ☒ Order ☐ Safeguard ☐		
14. Initial Action A. Citation ☐ B. Order ☐ C. Safeguard ☐ D. Written Notice ☐		E. Citation/ Order Number		F. Dated Mo Da Yr
15. Area or Equipment				

16. Termination Due	A. Date Mo Da Yr 10/25/2004	B. Time (24 Hr. Clock) 1200
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Section III--Termination Action

17. Action to Terminate A bolt was installed for the anchor of the shuttle car.

18. Terminated	A. Date Mo Da Yr 10/25/2004	B. Time (24 Hr. Clock) 1130
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Section IV--Automated System Data

19. Type of Inspection (activity code) AAA	20. Event Number 4054503	21. Primary or Mill
22. Signature [6]		23. AR Number [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 Old Office, 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.

10/25
WPL
10/27

Date 10/25/04
 Issue citation
7093804 10:00
75.204 F 7
Non 545

For the WDI action
 observed the guy
 105432 off standard
 shuttle car cable
 being anchored
 off of tension roof
 bolt installed in
 roof support pat-
 tern
 This condition
 could result in the
 effect of the

Inspector's Initials

(6)

Supervisor's Initials and Date

Page No.

8

Date 10/25/04
 tension of the
 bolts. Anchor
 was installed on
 hammer bolt
 6 bolts installed
 on east row
 in pattern Bolt
 in bearing plate
 No sign of bolt
 being damaged
 Conf with Al
 Schenauer
 observed this con-
 dition when check-
 ing cable of shuttle
 car
 Delist. citation anchor
 bolt installed

Inspector's Initials

(6)

Supervisor's Initials and Date

Page No.

9

Date

10/26/04

also hitting mud and dirt accumulating on top of batteries causing terminals to corrode causing fire or short high arcs

Conf with Jim Surrency condition has existed more than one shift operator should have observed in pre op check

Abuse fine 1400

10/26/04

Inspector's Initials

[6] 12/17

Supervisor's Initials and Date

Page No. 6

Date

10/26/04

Citation 7091804
8850

The starter switch for the 550 volt AC pump located on the #1 Entry Return of the main. Tumble down construction area is not maintained in permissible condition.

The conduit for the entrance gland cable is not the proper size and an opening in excess of .005" exist around the cable into the switch.

Inspector's Initials

[6] 12/17

Supervisor's Initials and Date

Page No. 7

Date

10/26/04

The cable will move freely within the entrance gland.

This pump & P.A. is located in the return air current lost out by the last gear break of the section

Conf with Ed Schommer condition exists for more than one shift. Create a shock hazard would be in water or mud when bag handling switch box for pump

Inspector's Initials

[6] 12/17

Supervisor's Initials and Date

Page No. 8

Mine Citation/Order

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

17 NOV 2004



Section I--Violation Data

1. Date Mo Da Yr 10/26/2004	2. Time (24 Hr. Clock) 0945	3. Citation/ Order Number 7093805
4. Served To AL SCHOONOVER, SAFETY	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) ☐

In the Trubie Run construction Mains, the 35C Fairchild workhorse scoop was not being maintained in permissible condition at the time of the examine. The battery lids and cable plugs were not provided with lock rings to secure the lids and plugs. Also the batteries had dirt and mud accumulated on top of them causing terminals to corrode which could create a fire and/or shock hazard.

See Continuation Form (MSHA Form 7000-3a) ☐

Safety ☒ Other ☐	of Act	Title 30 CFR 75.503
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Section II--Inspector's Evaluation

10. Gravity:				
A. Injury or illness (has) (is):	No Likelihood ☐	Unlikely ☐	Reasonably Likely ☒	Highly Likely ☐
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 ☐	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. Type of Issuance (check one)		
		Citation ☒ Order ☐ Safeguard ☐		
14. Initial Action		E. Citation/ Order Number		F. Dated Mo Da Yr
A. Citation ☐ B. Order ☐ C. Safeguard ☐ D. Written Notice ☐				
15. Area or Equipment				

16. Termination Due	A. Date Mo Da Yr 10/26/2004	B. Time (24 Hr. Clock) 1400
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Section III--Termination Action

17. Action to Terminate Lids and plugs are now secured and the batteries have been cleaned to remove mud and dirt.

18. Terminated	A. Date Mo Da Yr 10/26/2004	B. Time (24 Hr. Clock) 1225
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Section IV--Automated System Data

19. Type of Inspection (activity code)	AAA	20. Event Number 4054503	21. Primary or Mill
22. Signal	(6)	23. AR Number (6)	

MSHA Form 7000-3, Mar 88 (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 this

CC 10/26
wpl
10/27

Date 10/26/04

Issue citation

7093805

9:45

35.503

545

For the Trushie
Rm, construction
Mang. the 350
Fanchild scoop
was not being
maintained in
permissible condi-
tion. Not provided
with lid locks
and locking rings for
the cable flange
Batteries were

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No.

Date 10/26/04

also hitting
mud and dirt
accumulating
on top of batteries
causing terminals
to corrode causing
fire or shock hazard

Conf with Jim

Sung's
condition has
existed more than
one shift operator
should have observed
in pre op check

Photo June 1900

10/26/04

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No.

Date 10/26/04

Proper size grout
was installed
for the cableway-
brance gland

Abate citation

Inspector's Initials [6]

Supervisor's Initials and Date [6] 12/17

Page No. 9

U.S.G.P.O.: 2001 - 609-238

Date 10/26/04

Citation 3096805

0945

The mine roof over the
Turbine Run main's
haul road between the
Leach Supply area and
the active section is
not adequately supported
or controlled. A piece
of roof rock 3" thick
by 5' long by 3' wide
is hanging loose and
appears as if it will
fall without warning.
Smaller pieces 3" X 1' X 1'
are hanging around the
Edges of the larger rock

Inspector's Initials [6]

Supervisor's Initials and Date [6] 12/17/04

Page No. 10

U.S.G.P.O.: 2001 - 609-238

Date 10/26/04

Persons routinely work
or operate the Battery
Scoop tractor or this
haul road each shift.

Pieces of rock on the
mine floor indicate
Recent sloughing and
the area is active

Conform with AL Schrock's
instructions

Loose rock was
scaled down and
the area was made
safe for travel

Abate citation

Inspector's Initials [6]

Supervisor's Initials and Date [6] 12/17/04

Page No. 11

U.S.G.P.O.: 2001 - 609-238

Date

10/26/04

Issued citations

7096804

10:15

25.320 a/l

Now 545

When checked the velocity of air on the belt line was less than 50 FPM. When using a smoke tube air was traveling in the wrong direction traveling up the belt (up) to working face

Inspector's Initials

[6]

12/17/04

Supervisor's Initials and Date

Page No.

12

Date

10/26/04

Plan call for at least 50 FPM and directed out by No methane ple sent. Belt line is very wet. Air traveling approx 27 FPM

Long with 18 500mm over

Backpacks were adjusted and air now greater than 50 FPM and traveling proper direction

Abate citation

Inspector's Initials

[6]

12/17/04

Supervisor's Initials and Date

Page No.

13

Date

10/26/04

Return to surface

Issued 4 citations

LV site

Inspector's Initials

[6]

12/17/04

Supervisor's Initials and Date

Page No.

14

Mine Citation/Order

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

Section I—Violation Data

1. Date Mo Da Yr 10/26/2004	2. Time (24 Hr. Clock) 0850	3. Citation/ Order Number 7096804
4. Served To AL SCHOONOVER, SAFETY		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 starter switch for the 550 volt AC pump located in the #1 entry return of the Trubie Run Mains construction area is not maintained in permissible condition. The gromet for the cable entrance gland is not the proper size and an opening in excess of .005 of an inch exist around the cable into the switch. The cable will move freely within the entrance gland.

See Continuation Form (MSHA Form 7000-3a) ☐

9. Violation	A. Health ☐ Safety ☒ Other ☐	B. Section of Act	C. Part/Section of Title 30 CFR 75.503
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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 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. Type of Issuance (check one) Citation ☒ Order ☐ Safeguard ☐		
14. Initial Action A. Citation ☐ B. Order ☐ C. Safeguard ☐ D. Written Notice ☐				E. Citation/ Order Number
15. Area or Equipment				

16. Termination Due	A. Date Mo Da Yr 10/26/2004	B. Time (24 Hr. Clock) 1200
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Section III—Termination Action

17. Action to Terminate The gromet of proper size has been installed for the cable entrance gland and the opening is now less than .004 of an inch.

18. Terminated	A. Date Mo Da Yr 10/26/2004	B. Time (24 Hr. Clock) 1045
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Section IV—Automated System Data

19. Type of Inspection (activity code)	AAA	20. Event Number 4054503	21. Primary or Mill
22. SI	[6]	23. AR Number	[6]

MSHA Form 7000-3, May 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.

CC 10/26
upl
10/27

Date 10/24/04

Citation 709.804
0850

The starter switch for the 550 volt AC pump located on the #1 Entry Return of the main's Cable Run construction area is not maintained in permissible condition.

The Grommet for the ~~entrance~~ cable entrance gland is not the proper size and an opening in excess of .005" exist around the cable into the switch.

Inspector's Initials

(6)

Supervisor's Initials and Date

Page No. 7

U.S.G.P.O.: 2001 - 809-238

Date 10/24/04

The cable will move freely within the entrance gland.

This pump & box is located in the return air current lost out by the last gas break of the section.

Conf with all Schomacher condition existed for more than one shift. Create a shock hazard would be in water or mud when ~~box~~ handling switch box for pump.

Inspector's Initials

(6)

Supervisor's Initials and Date

Page No. 8

U.S.G.P.O.: 2001 - 809-238

Date 10/24/04

Proper size grommet was installed for the cable entrance gland.

Alate citation

Inspector's Initials

(6)

Supervisor's Initials and Date

Page No. 9

U.S.G.P.O.: 2001 - 809-238

Mine Citation/Order

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

17 NOV 2004

Section I--Violation Data

1. Date Mo Da Yr 10/26/2004	2. Time (24 Hr. Clock) 0945	3. Citation/ Order Number 7096805
4. Served To AL SCHOONOVER, SAFETY		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 roof over the Trubie Run Mains construction area haulroad between the track supply area and the section is not adequately supported or controlled. A piece of roof rock 3' thick by 5' long by 3' wide is hanging loose between roof bolts and appears as if it will fall without warning. Several smaller pieces of rock are also present around the larger rock up to 1' by 1' that are broken, loose and hanging. Persons routinely use this haulroad to walk back and forth to the section and to use the scoop to haul supplies from the supply area to the section. The area is located between the 3rd and 4th open crosscut from the face in the No.4 entry.

See Continuation Form (MSHA Form 7000-3a) ☐

9. Violation	A. Health ☐ Safety ☒ Other ☐	B. Section of Act	C. Part/Section of Title 30 CFR 75.202(a)
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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 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. Type of Issuance (check one) Citation ☒ Order ☐ Safeguard ☐		
14. Initial Action A. Citation ☐ B. Order ☐ C. Safeguard ☐ D. Written Notice ☐		E. Citation/ Order Number		F. Dated Mo Da Yr
15. Area or Equipment				

16. Termination Due	A. Date Mo Da Yr 10/26/2004	B. Time (24 Hr. Clock) 1000
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Section III--Termination Action

17. Action to Terminate The loose roof rock was scaled down and the area made safe.

18. Terminated	A. Date Mo Da Yr 10/26/2004	B. Time (24 Hr. Clock) 1000
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Section IV--Automated System Data

19. Type of Inspection (activity code) AAA	20. Event Number 4054503	21. Primary or Mill
22. <u>6</u>		23. AR Number <u>6</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.

CC 10/27
Wpd
10/27

Date

10/12/04

Citation

3096805

0945

The mine roof over the
Turbine Room main's
haul road between the
Pencil Supply area and
the active section is
not adequately supported
or controlled. A piece
of roof rock 3" thick
by 5' long by 3' wide
is hanging loose and
appears as if it will
fall without warning.
Smaller pieces 3" x 1' x 1'
are hanging around the
edges of the larger rock

Inspector's Initials

(6)

Supervisor's Initials and Date

Page No. 10

U.S.G.P.O. : 2001 - 809-238

Date

10/12/04

Citation

persons routinely walk
or operate the Battery
Scoop tractor on this
haul road each shift.

Pieces of rock on the
mine floor indicate
Recent sloughing and
the area is active

Conform with 29 CFR
regulation

Loose rock was
scaled down and
the area was made
safe for travel

Abate citation

Inspector's Initials

(6)

Supervisor's Initials and Date

Page No. 11

U.S.G.P.O. : 2001 - 809-238

Mine Citation/Order

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

17 NOV 2004



Section I--Violation Data

1. Date Mo Da Yr 10/26/2004	2. Time (24 Hr. Clock) 1015	3. Citation/ Order Number 7096806
4. Served To AL SCHOONOVER, SAFETY		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) ☐

When checked, the velocity of air on the belt line was less than 50 FPM. Using a smoke tube, the air on the Trubie Run Mains construction area belt line was traveling at 27 FPM and direction of the air was traveling onto the section. The ventilation plan calls for the belt air to be maintained at least 50 FPM and direction of air is directed outby.

See Continuation Form (MSHA Form 7000-3a) ☐

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

10. Gravity:				
A. Injury or Illness (has) (is): No Likelihood ☐ Unlikely ☒ 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 ☒				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. Type of Issuance (check one) Citation ☒ Order ☐ Safeguard ☐		
14. Initial Action A. Citation ☐ B. Order ☐ C. Safeguard ☐ D. Written Notice ☐		E. Citation/ Order Number		F. Dated Mo Da Yr
15. Area or Equipment				

16. Termination Due	A. Date Mo Da Yr 10/26/2004	B. Time (24 Hr. Clock) 1200
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Section III--Termination Action

17. Action to Terminate Adjustments were made to the backup checks and air is now greater than 50 FPM and traveling is the proper direction.

18. Terminated	A. Date Mo Da Yr 10/26/2004	B. Time (24 Hr. Clock) 1110
----------------	-----------------------------------	--------------------------------

Section IV--Automated System Data

19. Type of Inspection (activity code) AAA	20. Event Number 4054503	21. Primary or Mill
22. Signature [6]		23. AR Number [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.

CC 10/26
up 10/27

Date

10/26/04

Same citation

7096806

10:15

25.370 a1

Now 505

When checked the velocity of air on the belt line was less than 50 FPM. When using a smoke tube air was traveling in the wrong direction traveling up the belt (up) to working face

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No.

12

Date

10/26/04

Plan collar for at least 5:15 PM and directed out by no methane present. Belt line is very wet. Air traveling approx 27 FPM

Conf with 18 Schoon-

Back up shocker was adjusted and air now greater than 50 FPM and traveling proper direction

Abate citation

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No.

13

Mine Citation/Order

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

111

Section I--Violation Data

1. Date Mo Da Yr 11/01/2004	2. Time (24 Hr. Clock) 0210	3. Citation/ Order Number 7096807
4. Served To AL SCHOONOVER, SAFETY		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) ☐

When testing the communication system on the 1 Right (001) working section from the surface to the section, the incoming communication (mine phone) was not provided with an audible alarm or visual alarm that can heard or seen by a miner regularly employed on the working section.

See Continuation Form (MSHA Form 7000-3a) ☐

9. Violation	A. Health ☐ Safety ☒ Other ☐	B. Section of Act	C. Part/Section of Title 30 CFR 75.1600-2(b)
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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 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. Type of Issuance (check one) Citation ☒ Order ☐ Safeguard ☐		
14. Initial Action A. Citation ☐ B. Order ☐ C. Safeguard ☐ D. Written Notice ☐		E. Citation/ Order Number		F. Dated Mo Da Yr
15. Area or Equipment				

16. Termination Due	A. Date Mo Da Yr 11/01/2004	B. Time (24 Hr. Clock) 1000
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Section III--Termination Action

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

Section IV--Automated System Data

19. Type of Inspection (activity code) AAA	20. Event Number 4054503	21. Primary or Mill
22. Signature [6]		23. AR Number [6]

MSHA Form 7000-3, MSH-95 (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.

CC11/1

Mine Citation/Order
Continuation

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



K7

Section I—Subsequent Action/Continuation Data

1. Subsequent Action 1a. Continuation ☒	2. Dated (Original Issue) 11/01/2004	3. Citation/ Order Number 7096807 - 01
4. Served To AL SCHOONOVER, SAFETY	5. Operator ANKER WEST VIRGINIA MINING COMPANY (Contractor)	
6. Mine SAGO MINE	7. Mine ID 46-08791	

Section II—Justification for Action

The incoming communication system (mine phone) is now provided with audible alarm and visual alarm that can be heard or seen by a miner regularly employed on the working section.

See Continuation Form ☐

Section III—Subsequent Action Taken

8. Extended To	A. Date Mo Da Yr	B. Time (24 Hr. Clock)	☐ C. Vacated	☒ D. Terminated	☐ E. Modified
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Section IV—Inspection Data

9. Type of Inspection AAA	10. Event Number 4054503
11. [6]	AR-Number [6]
12. Date Mo Da Yr 11/02/2004	13. Time (24 Hr. Clock) 0850

upl
11/05

Date 11/1/04
 Issue citation
2096807 2:10PM
75.1600-2 b
Non 5 & 5

When testing
 miner phone by
 having dispatcher
 call underground
 the communication
 time was not pro-
 vided with an
 audible or visual
 alarm for incoming
 calls that has been
 on hand by miners
 regularly on section

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No. 5

Date 11/1/04

You could hear
 the voice of dis-
 patcher if no
 shuttle car was
 traveling in area
 for incoming calls
 Comb with

[D6]

Condition has
 existed over past
 inspection of mine

Alma due 11/1/04
 10:00 AM travel
 to other mine to
 get supplies to cor-
 rect violation

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No. 6

Mine Citation/Order

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

16 NOV 2004



Section I—Violation Data

1. Date Mo Da Yr 11/02/2004	2. Time (24 Hr. Clock) 0820	3. Citation/ Order Number 7096808
4. Served To AL SCHOONOVER, SAFETY		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) ☐

In the 1 right (001) section, the previously rock dusted surfaces of the #12 and #13 entries 20 feet inby spad station #3247 is not maintained in such quantities that the incombustible content of the combined coal dust, rock dust, and other dust shall be not less than 65 per centum. Samples were collected in this area to substantiate citation. Termination time being established to allow operator to set up pod duster and start rock dusting of all entries.

See Continuation Form (MSHA Form 7000-3a) ☐

9. Violation	A. Health ☐ Safety ☒ Other ☐	B. Section of Act	C. Part/Section of Title 30 CFR 75.403
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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 Or Restricted Duty ☒ Permanently Disabling ☐ Fatal ☐				
C. Significant and Substantial: Yes ☐ No ☒				D. Number of Persons Affected: 000
11. Negligence (check one) A. None ☐ B. Low ☐ C. Moderate ☒ D. High ☐ E. Reckless Disregard ☐				
12. Type of Action 104(a)		13. Type of Issuance (check one) Citation ☒ Order ☐ Safeguard ☐		
14. Initial Action A. Citation ☐ B. Order ☐ C. Safeguard ☐ D. Written Notice ☐		E. Citation/ Order Number		F. Dated Mo Da Yr
15. Area or Equipment				

16. Termination Due	A. Date Mo Da Yr 11/09/2004	B. Time (24 Hr. Clock) 0800
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Section III—Termination Action

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

Section IV—Automated System Data

19. Type of Inspection (activity code) AAA	20. Event Number 4054503	21. Primary or Mill
22. Sig [6]		23. AR Number [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-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.

CC 11/3
wpl
11/05

Mine Citation/Order
Continuation

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

16 NOV 2004



K7

Section I—Subsequent Action/Continuation Data

1. Subsequent Action 1a. Continuation ☒ ☐	2. Dated (Original Issue) Mo Da Yr 11/02/2004	3. Citation/ Order Number 7096808 - 01
4. Served To AL SCHOONOVER, SAFETY	5. Operator ANKER WEST VIRGINIA MINING COMPANY	
6. Mine SAGO MINE	7. Mine ID 46-08791 (Contractor)	

Section II—Justification for Action

Area listed in citation has been re-rockdusted and the rock dust appears to be adequate. Citation is hereby abated.

See Continuation Form ☐

Section III—Subsequent Action Taken

8. Extended To	A. Date Mo Da Yr	B. Time (24 Hr. Clock)	☐ C. Vacated	☒ D. Terminated	☐ E. Modified
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Section IV—Inspection Data

9. Type of Inspection AAA	10. Event Number 4054503
AR Number [6]	12. Date Mo Da Yr 11/10/2004
13. Time (24 Hr. Clock) 0855	

up 1/10

Date 11/2/04

Socorro station

7094808

8:20 AM

75.403

Non SPS

Light 021 the
 previously rock
 dusted surfaces
 of the #12 & #13
 entries 20 feet only
 spot station #327
 is not maintained
 in such quantities
 that the combust-
 ible content shall
 be not less than
 45 %. Samples
 collected in this
 area

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No. 2

Date

11/2/04

There is only
 surface of the
 intake main
 areas are damp
 and mine floor
 with no CH₄ de-
 tected. No power
 sources in the
 area. Only areas
 are starting to
 dry out

Conf with all

Schoonover
 Condition has
 existed for more
 than one shift
 No samples have

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No. 3

Date

11/2/04

Lign collected at
 site
 statement time
 established to
 setup pad quarter
 and start dusting
 in all entries
 statements over
 11/9/04 0800

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No. 4

Mine Citation/Order

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

Section I--Violation Data

1. Date Mo Da Yr 11/03/2004	2. Time (24 Hr. Clock) 1210	3. Citation/ Order Number 7147366
4. Served To Johnny Garrett	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 approved mine ventilation plan was not being complied with on the Trubie Run construction area belt line. Using a smoke tube, from the 5th crosscut outby, to the dumping point, the air currents were traveling at 32 fpm and the direction of air was traveling onto the section. The air currents when tested at the 8th crosscut outby the section, were traveling in an outby, (proper) direction, however the velocity of these air currents were measured at 20 fpm. The ventilation plan requires the belt air to be maintained at least 50 fpm in an outby direction. The operator stated that the affected belt line would be examined as stated in the ventilation plan for a failure of the CO monitoring system until the air currents were traveling in the proper direction at the required velocity.

See Continuation Form (MSHA Form 7000-3a) ☐

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

10. Gravity:				
A. Injury or Illness (has) (is): No Likelihood ☐ Unlikely ☒ 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 ☒			D. Number of Persons Affected: 008	
11. Negligence (check one) A. None ☐ B. Low ☐ C. Moderate ☒ D. High ☐ E. Reckless Disregard ☐				
12. Type of Action 104(a)		13. Type of Issuance (check one) Citation ☒ Order ☐ Safeguard ☐		
14. Initial Action A. Citation ☐ B. Order ☐ C. Safeguard ☐ D. Written Notice ☐		E. Citation/ Order Number		F. Dated Mo Da Yr
15. Area or Equipment				

16. Termination Due	A. Date Mo Da Yr 11/03/2004	B. Time (24 Hr. Clock) 1500
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Section III--Termination Action

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

Section IV--Automated System Data

19. Type of Inspection (activity code) AAA	20. Event Number 4054503	21. Primary or Mill
22. Signature [Signature]		23. AR Number [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 500 W. Madison Street, Suite 1240, Chicago, Illinois 60661. 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.

aww
11-15-4

Mine Citation/Order
Continuation

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

17 NOV 2004

13

Section I--Subsequent Action/Continuation Data

1. Subsequent Action ☒ 1a. Continuation ☐	2. Dated (Original Issue) 11/03/2004 Mo Da Yr	3. Citation/ Order Number 7147366 - 01
4. Served To John Parker	5. Operator ANKER WEST VIRGINIA MINING COMPANY	
6. Mine SAGO MINE	7. Mine ID 46-08791 (Contractor)	

Section II--Justification for Action

When tested with chemical smoke clouds, the air current along the Trubie Run area belt line, were traveling in excess of 50 fpm and in the proper direction.

See Continuation Form ☐

Section III--Subsequent Action Taken

8. Extended To	A. Date Mo Da Yr	B. Time (24 Hr. Clock)	☐ C. Vacated	☒ D. Terminated	☐ E. Modified
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Section IV--Inspection Data

9. Type of Inspection AAA	10. Event Number 4054503
11. Signature [Signature]	AR Number [Signature]
12. Date Mo Da Yr 11/05/2004	13. Time (24 Hr. Clock) 1025

up
11/17

Date

11/3/04 Cat # 7147366

Time 12:10

Smoke tube 5thX-cut outly dumping
point - 17 seconds

10 feet = 32 FPM.

Y-searching point the
dumping point mixing
with intake air crossing
the 2nd outly X-cut & toward
the face of No. 3 entry
also on across the 2nd
outly toward return & splitting
going toward face of No. 2
which will be carried to No. 1.

5 X-cut outly .37 22.2
22110.000 X 40 x 0.9 20 FPM

22110.000 22.20 19.98
1.90 air transfer outly

Inspector's Initials

Supervisor's Initials and Date

Page No. 12

U.S.G.P.O.: 2001 - 609-238

7 Survey station 1360

Date

11/3/04 Cat # 7147366

Page 12, 13,
14 & 15

Time 12:10

G: 1500

The approved mine
ventilation plan was
not being complied with
on the Trilite Run
construction area, belt
line. Using a smoke
tube, from the 5th
crosscut outly, to the
dumping point, the
air currents were traveling
at 32 fpm and the
direction of air was traveling
onto the section. The

Inspector's Initials

Supervisor's Initials and Date

Page No. 13

U.S.G.P.O.: 2001 - 609-238

Date

11/3/04

Air currents when
tested at the 8th
crosscut outly the
section, were traveling
in an outly (proper)
direction, however the
velocity of these
air currents were
measured at 20 fpm.

Injuries or illness
unlikely - this direction
of air was for less than
8 X-cut traveling the
belt line toward the face
area of No. 1, 2 & 3 entries.

Inspector's Initials

Supervisor's Initials and Date

Page No. 14

U.S.G.P.O.: 2001 - 609-238

Date

11/3/04

Last work rest. duty -
Bell smoke fire

Not
848 - for reasons
previously stated.

8 Persons affected
Section crew.

Moderate Hazards -
There were 2 curtains
installed in last 2X-cut,
actually 1 across chert &
1 in the X-cut adjacent
to belt. The areas are
muddy and appears that
these curtains were torn loose
from the ribs.

Inspector's Initials

CJ

Supervisor's Initials and Date

Page No.

15

Mine Citation/Order

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

Section I--Violation Data

1. Date Mo Da Yr 11/03/2004	2. Time (24 Hr. Clock) 1100	3. Citation/ Order Number 7147367
4. Served To Johnny Garrett		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) ☐

Permanent ventilation controls had not been installed in the last two crosscuts of the Trubie Run section to separate the intake air course from the belt haulage entry. This intake air is used to provide air to active working places.

See Continuation Form (MSHA Form 7000-3a) ☐

9. Violation	A. Health ☐ Safety ☒ Other ☐	B. Section of Act	C. Part/Section of Title 30 CFR 75.333(b)(3)
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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 Or Restricted Duty ☒ Permanently Disabling ☐ Fatal ☐				
C. Significant and Substantial: Yes ☐ No ☒				D. Number of Persons Affected: 008
11. Negligence (check one) A. None ☐ B. Low ☐ C. Moderate ☒ D. High ☐ E. Reckless Disregard ☐				
12. Type of Action 104(a)		13. Type of Issuance (check one) Citation ☒ Order ☐ Safeguard ☐		
14. Initial Action A. Citation ☐ B. Order ☐ C. Safeguard ☐ D. Written Notice ☐		E. Citation/ Order Number		F. Dated Mo Da Yr
15. Area or Equipment				

16. Termination Due	A. Date Mo Da Yr 11/04/2004	B. Time (24 Hr. Clock) 0800
---------------------	-----------------------------------	--------------------------------

Section III--Termination Action

17. Action to Terminate

18. Terminated	A. Date Mo Da Yr	B. Time (24 Hr. Clock)
----------------	---------------------	------------------------

Section IV--Automated System Data

19. Type of Inspection (activity code) AAA	20. Event Number 4054503	21. Primary or Mill
22. Signature [Signature]		23. AR Number [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 500 W. Madison Street, Suite 1240, Chicago, Illinois 60661. 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.

all
11-15-4

Mine Citation/Order
Continuation

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

17 NOV 2004



Section I--Subsequent Action/Continuation Data

1. Subsequent Action 1a. Continuation ☒ ☐	2. Dated (Original Issue) Mo Da Yr 11/03/2004	3. Citation/ Order Number 7147367 - 01
4. Served To John Parker	5. Operator ANKER WEST VIRGINIA MINING COMPANY	
6. Mine SAGO MINE	7. Mine ID 46-08791 (Contractor)	

Section II--Justification for Action

Permanent stoppings were installed at the cited locations, separating the intake and belt haulage entries.

See Continuation Form ☐

Section III--Subsequent Action Taken

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 AAA	10. Event Number 4054503
11. Signature [6]	AR Number [6]
12. Date Mo Da Yr 11/05/2004	13. Time (24 Hr. Clock) 1120

OK AS
11-10-04

Date

11/3/04

Citation # 7147367

Page 45

Time: 1100

6, 7, 48

G: 11/4/04 0800

Permanent ventilation controls had not been installed in the last two crosscuts of the Tule River section to separate the intake air course from the belt haulage entry. This intake air is used to provide air to active working places.

Inspector's Initials

[6]

Supervisor's Initials and Date

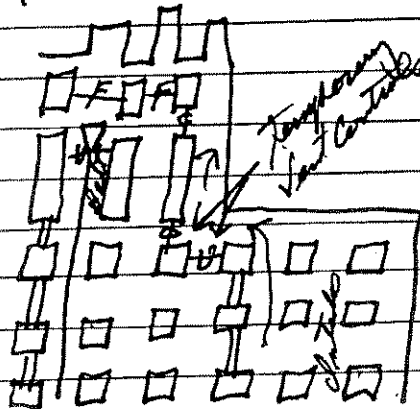
Page No.

4

U.S.G.P.O. : 2001 - 609-238

Date

11/3/04



Injury or illness - unlikely - this is the first line of X-act only the belt tail piece.

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No.

5

U.S.G.P.O. : 2001 - 609-238

Date

11/3/04

lost work Rest. duty. This would be isolating the belt from the intake for the last X-act. Citation # 7147366 was also issued for belt air traveling into the station. This was caused by this intake leakage. I was informed that the belt had just been moved to shift before.

Non 5+5 for reasons previously stated.

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No.

6

U.S.G.P.O. : 2001 - 609-238

Date

11/3/04

8 persons affected
the section crew.

Moderate negligence.
This is an area of
the mine where the
operator is mining
under Traffic Lane
Creek. They have mined
above the coal and
mining only roof
rock with 5 entries.
The operator intends
to install arches through
the 5 entries and has
started at the No. 5

Inspector's Initials

(6)

Supervisor's Initials and Date

Page No.

1

U.S.G.P.O. : 2001 - 809-238

Date

11/3/04

(initials) entry approx.
50' of arches has been installed.
The full tailpiece has
been moved the drift
prior to.

Inspector's Initials

(6)

Supervisor's Initials and Date

Page No.

8

U.S.G.P.O. : 2001 - 809-238

Mine Citation/Order

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

18 NOV 2004



Section I--Violation Data

1. Date Mo Da Yr 11/05/2004	2. Time (24 Hr. Clock) 1035	3. Citation/ Order Number 7147368
4. Served To John Parker	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) ☐

Return air currents were being used to ventilate the non-permissible section belt feeder of the Trubie Run working section. When tested with chemical smoke clouds, the air currents from the No. 5 entry face area were traveling outby the last line of open crosscuts and across the electrical box components of the feeder.

See Continuation Form (MSHA Form 7000-3a) ☒

9. Violation	A. Health ☐ Safety ☒ Other ☐	B. Section of Act	C. Part/Section of Title 30 CFR 75.507-1(a)
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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 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. Type of Issuance (check one) Citation ☒ Order ☐ Safeguard ☐		
14. Initial Action A. Citation ☐ B. Order ☐ C. Safeguard ☐ D. Written Notice ☐		E. Citation/ Order Number		F. Dated Mo Da Yr
15. Area or Equipment				

16. Termination Due	A. Date Mo Da Yr 11/05/2004	B. Time (24 Hr. Clock) 1155
---------------------	-----------------------------------	--------------------------------

Section III--Termination Action

17. Action to Terminate The section ventilation control devices were adjusted to maintain the air currents of the face area traveling through the last line of crosscuts. When tested, with chemical smoke clouds, intake air currents

18. Terminated	A. Date Mo Da Yr 11/05/2004	B. Time (24 Hr. Clock) 1125
----------------	-----------------------------------	--------------------------------

Section IV--Automated System Data

19. Type of Inspection (activity code) AAA	20. Event Number 4054503	21. Primary or Mill
22. Signature [6]		23. AR Number [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 500 W. Madison Street, Suite 1240, Chicago, Illinois 60661. 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.

OK
11-10-04

Mine Citation/Order
Continuation

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



Section I--Subsequent Action/Continuation Data

1. Subsequent Action ☐	1a. Continuation ☒	2. Dated (Original Issue) 11/05/2004	3. Citation/ Order Number 7147368
4. Served To John Parker		5. Operator ANKER WEST VIRGINIA MINING COMPANY	
6. Mine SAGO MINE		7. Mine ID 46-08791 (Contractor)	

Section II--Justification for Action

Continuation of 17. Action to Terminate

were being used to ventilate the section feeder.

See Continuation Form ☐

Section III--Subsequent Action Taken

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 AAA	10. Event Number 4054503
11. Signature [Signature]	AR Number [6]
12. Date Mo Da Yr 11/05/2004	13. Time (24 Hr. Clock) 1035

Date

11/5/04 Cit # 7147368

Page 4,

Time: 1035 5, 6, 7 & 8

G: 1155

A: 1125

Return air currents were being used to ventilate the non-permissible section belt feeder of the Trubie Run working section. When tested with chemical smoke clouds, the air currents from the No. 5 entry face area were traveling out by the last line of crosscuts and across the electrical box components of the feeder.

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No. 4

U.S.G.P.O. : 2001 - 609-238

Date

11/5/04

Time: 1125 abate

Cit # 7147368

The section ventilation control devices were adjusted to maintain the air currents of the face area traveling through the last line of crosscuts. When tested with chemical smoke clouds, the air currents were being used to ventilate the section feeder.

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No. 5

U.S.G.P.O. : 2001 - 609-238

Date

11/5/04

Injury or illness: Reasonably likely - At the present time roof rock is being mined in the face of No. 5 entry, (mining over the coal). The operator intends to start mining back down into the coal seam any time as he believes that he has mined through the Trubie Run area. When the previous owners mined through the Trubie Run area during the process of cutting bolts

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No. 6

U.S.G.P.O. : 2001 - 609-238

Date

11/5/04

becks off using a
Torch, an ignition
occurred and 2
minors were burned.
4 circumstances also
found on the on the
section belt.

Last work rest duty:
When the coal is to be
mined, this dust could
accumulate in the electrical
box of the feeder with
an arc cause an explosion.

5 & 5 2/3 for reasons
previously stated.

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No. 2

U.S.G.P.O. : 2001 - 609-238

Date

11/5/04

One person:
any one in the area.

Low Negligence -
There are only 2
open X-cuts on the
intake side of the section
and the operator in
mining through the
Tribble Run Area with
the uneven floor and
water had moved the
belt up to the 2nd entry
X-cut just 2 days prior
to this. Catches in the
8' to 12' height curtains on
the section are difficult to
maintain.

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No. 8

U.S.G.P.O. : 2001 - 609-238

Mine Citation/Order

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

28 DEC 2004



Section I--Violation Data

1. Date Mo Da Yr 12/09/2004	2. Time (24 Hr. Clock) 0720	3. Citation/ Order Number 7096811
4. Served To AL SCHOONOVER, SAFETY		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) ☐

In the 1 Right (001-0) working section, the trailing cable for the Joy 10SC32 shuttle car was being anchored on a tensioned roof bolt installed in the roof support pattern. This condition could affect the tension of the bolt.

See Continuation Form (MSHA Form 7000-3a) ☐

9. Violation	A. Health ☐ Safety ☒ Other ☐	B. Section of Act	C. Part/Section of Title 30 CFR 75.204(f)(7)
--------------	--	----------------------	--

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 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. Type of Issuance (check one)			
		Citation ☒ Order ☐ Safeguard ☐			
14. Initial Action		E. Citation/ Order Number		F. Dated Mo Da Yr	
A. Citation ☐ B. Order ☐ C. Safeguard ☐ D. Written Notice ☐					
15. Area or Equipment					

16. Termination Due	A. Date Mo Da Yr 12/09/2004	B. Time (24 Hr. Clock) 1000
---------------------	-----------------------------------	--------------------------------

Section III--Termination Action

17. Action to Terminate A bolt was installed for the anchor of the shuttle car.

18. Terminated	A. Date Mo Da Yr 12/09/2004	B. Time (24 Hr. Clock) 0745
----------------	-----------------------------------	--------------------------------

Section IV--Automated System Data

19. Type of Inspection (activity code) AAA	20. Event Number 4054503	21. Primary or Mill
22. Sign [Signature]		23. AR Number [67]

MSHA Form 7000-3, Mar 95 (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.

CC 12/9
Lyle
12/10

Date 12/9/04
Same citation
7094811 7:20
75,204 #7
Non SPS

Discovered in 1 night
 001 section. The
 anchor for the Jay
 105032 shuttle
 car was using a
 tensioned roof bolt
 installed in the roof
 support pattern
 as an anchor bolt
 for the trailing
 cable.
 This condition would

Inspector's Initials C61Supervisor's Initials and Date _____ Page No. 6

Date 12/9/04
~~cause stress on~~
~~loading plate~~
~~and not allow~~
~~bolt to be ade-~~
~~quate for its in-~~
~~tended purposes~~
 There were 6 bolts
 installed on pat"
 Kern in this area
 Conf with Duwen
 Jones Gorman
 midnight shift
 had moved left
 and not installed
 anchor bolt
 Anchor bolt in-
 stalled at site
 citation

Inspector's Initials [6]Supervisor's Initials and Date _____ Page No. 7

Dust Data Card

1. Cassette Number

57187722

2. Mine ID Number

Contractor Code

11

58791

(min)

4. Mine Name

Sage Mountain

5. Company Name

Amherst Mining Company

6. Date Sampled

Sampling Start Time

10

29

8

05

Mo.

Da.

Yr.

(24 hr. clock)

7B. Sampling Time (min)

Time This Shift

480

1110

9. Type of Sample (select one)

- (1) designated occ (ug)
- (2) nondesignated occ (ug)
- (3) designated area (ug)
- (4) designated work position (sur)
- (5) part 90 miner

10. MMU DA/SA

Occ Code

DA

DA

DA

DA

12. Part 90 Miner Sampled

SSN

13. Certified Person: NOTICE: Knowingly making any false statement, representation or omission on this document is a violation of the federal criminal code which may be punished by a fine or by imprisonment or both.

SSN

Signature

X

Laboratory

Final Weight

Initial Weight

Weighed By

OSP Checked By

Void Code

Date Processed

KEEP THIS FOR YOUR RECORDS

Dust Data Card

1. Cassette Number

2. Mine ID Number

41, 087911

(min)

3. Contractor Code

4. Mine Name

Sage mine

5. Company Name

Anchor W/Mining Company

6. Date Sampled

10 25 04

Mo.

Da.

Yr.

7A. Sampling Start Time

06

(24 hr. clock)

7B. Sampling Time (min)

480

8. Tons This Shift

110

9. Type of Sample (select one)

- (1) designated occ (ug)
- (2) nondesignated occ (ug)
- (3) designated area (ug)
- (4) designated work position (sur)
- (5) part 90 miner

2

10. MMU DA/SA

0010

11. Occ Code

073

12. Part 90 Miner Sampled

SSN

13. Certified Person: NOTICE - Knowingly making any false statement, representation, or certification on this document is a violation of the federal criminal code which may be punished by a fine or by imprisonment or both.

SSN

Signature

X

Laboratory Analysis

Final Weight

Initial Weight

Weighed By

OSP Checked By

Void Code

Date Processed

KEEP THIS FOR YOUR RECORDS

Dust Data Card

1. Cassette Number

87776

2. Mine ID Number

41, 087911

(min)

3. Contractor Code

4. Mine Name

Sage mine

5. Company Name

Anchor W/Mining Company

6. Date Sampled

10 25 04

Mo.

Da.

Yr.

7A. Sampling Start Time

06

(24 hr. clock)

7B. Sampling Time (min)

480

8. Tons This Shift

110

9. Type of Sample (select one)

- (1) designated occ (ug)
- (2) nondesignated occ (ug)
- (3) designated area (ug)
- (4) designated work position (sur)
- (5) part 90 miner

1

10. MMU DA/SA

0010

11. Occ Code

073

12. Part 90 Miner Sampled

SSN

13. Certified Person: NOTICE - Knowingly making any false statement, representation, or certification on this document is a violation of the federal criminal code which may be punished by a fine or by imprisonment or both.

SSN

Signature

X

Laboratory Analysis

Final Weight

Initial Weight

Weighed By

OSP Checked By

Void Code

Date Processed

KEEP THIS FOR YOUR RECORDS

Dust Data Card

1. Cassette Number

2. Mine ID Number

46 087911

(min)

3. Contractor Code

4. Mine Name

Sage Mine

5. Company Name

Duke WV Mining Company

6. Date Sampled

10 25 07

Mo.

Da.

Yr.

7A. Sampling Start Time

06

(24 hr. clock)

7B. Sampling Time (min)

480

8. Tons This Shift

910

9. Type of Sample (select one)

- (1) designated occ (ug)
(2) nondesignated occ (ug)
(3) designated area (ug)
(4) designated work position (sur)
(5) part 90 miner

3

10. MMU DA/SA

9011

11. Occ Code

012

12. Part 90 Miner Sampled

SSN

[Handwritten signature]

13. Certified Person: NOTICE - Knowingly making any false statement, representation, or certification on this document is a violation of the federal criminal code which may be punished by a fine or by imprisonment or both.

SSN

Signature

X

Laboratory Analysts

Final Weight

Initial Weight

Weighed By

OSP Checked By

Void Code

Date Processed

KEEP THIS FOR YOUR RECORDS

Dust Data Card

1. Cassette Number

187773

2. Mine ID Number

46 087911

(min)

3. Contractor Code

4. Mine Name

Sage Mine

5. Company Name

Duke WV Mining Company

6. Date Sampled

10 25 07

Mo.

Da.

Yr.

7A. Sampling Start Time

06

(24 hr. clock)

7B. Sampling Time (min)

480

8. Tons This Shift

910

9. Type of Sample (select one)

- (1) designated occ (ug)
(2) nondesignated occ (ug)
(3) designated area (ug)
(4) designated work position (sur)
(5) part 90 miner

3

10. MMU DA/SA

9011

11. Occ Code

012

12. Part 90 Miner Sampled

[Handwritten signature]

13. Certified Person: NOTICE - Knowingly making any false statement, representation, or certification on this document is a violation of the federal criminal code which may be punished by a fine or by imprisonment or both.

SSN

Signature

X

Laboratory Analysts

Final Weight

Initial Weight

Weighed By

OSP Checked By

Void Code

Date Processed

KEEP THIS FOR YOUR RECORDS

Dust Data Card

1. Cassette Number

2. Mine ID Number

41 189911

3. Contractor Code

4. Mine Name

Sago Mine

5. Company Name

Anchor Mining Company

6. Date Sampled

10 25 04

7A. Sampling Start Time

06

7B. Sampling Time (min)

180

8. Tons This Shift

9. Type of Sample (select one)

- (1) designated occ (ug)
- (2) nondesignated occ (ug)
- (3) designated area (ug)
- (4) designated work position (sur)
- (5) part 90 miner

3

10. MMU DA/SA

SD 15

11. Occ Code

12. Part 90 Miner Sampled

SSN

13. Certified Person: NOTICE - Knowingly making any false statement, representation, or certification on this document is a violation of the federal criminal code which may be punished by a fine or by imprisonment or both.

SSN

Signature

Laboratory Analysis

Final Weight

Initial Weight

Weighed By

OSP Checked By

Void Code

Date Processed

KEEP THIS FOR YOUR RECORDS

Dust Data Card

1. Cassette Number

57 487861

2. Mine ID Number

46 08791

3. Contractor Code

(min)

4. Mine Name

Sago Mine

5. Company Name

Anchor Mining Company

6. Date Sampled

10 25 04

7A. Sampling Start Time

06

Mo. Da. Yr.

(24 hr. clock)

7B. Sampling Time (min)

180

8. Tons This Shift

9. Type of Sample (select one)

- (1) designated occ (ug)
- (2) nondesignated occ (ug)
- (3) designated area (ug)
- (4) designated work position (sur)
- (5) part 90 miner

3

10. MMU DA/SA

SD 15

11. Occ Code

12. Part 90 Miner Sampled

SSN

13. Certified Person: NOTICE - Knowingly making any false statement, representation, or certification on this document is a violation of the federal criminal code which may be punished by a fine or by imprisonment or both.

SSN

Signature

Laboratory Analysis

Final Weight

Initial Weight

Weighed By

OSP Checked By

Void Code

Date Processed

KEEP THIS FOR YOUR RECORDS

Dust Data Card

1. Cassette Number 407821

2. Mine ID Number 3. Contractor Code

416 087911

4. Mine Name

Sage Mine

5. Company Name

Dunker W Mining Company

6. Date Sampled 7A. Sampling Start Time

10 25 04 06

7B. Sampling Time (min) 8. Tons This Shift

480 910

9. Type of Sample (select one)

- (1) designated occ (ug)
 (2) nondesignated occ (ug)
 (3) designated area (ug)
 (4) designated work position (sur)
 (5) part 90 miner

10. MMU DA/SA 11. Occ Code

8010

12. Part 90 Miner Sampled

SSN

13. Certified Person: NOTICE - Knowingly making any false statement, representation, or certification on this document is a violation of the federal criminal code which may be punished by a fine or by imprisonment or both.

Signature SSN [6]

X

Laboratory Analysis

Final Weight

Initial Weight

Weighed By

OSP Checked By

Void Code

Date Processed

KEEP THIS FOR YOUR RECORDS

Dust Data Card

1. Cassette Number 57 487336

2. Mine ID Number 3. Contractor Code

416 087911

4. Mine Name

Sage Mine

5. Company Name

Dunker W Mining Company

6. Date Sampled 7A. Sampling Start Time

10 25 04 06

7B. Sampling Time (min) 8. Tons This Shift

480

9. Type of Sample (select one)

- (1) designated occ (ug)
 (2) nondesignated occ (ug)
 (3) designated area (ug)
 (4) designated work position (sur)
 (5) part 90 miner

10. MMU DA/SA 11. Occ Code

8010

12. Part 90 Miner Sampled

SSN

13. Certified Person: NOTICE - Knowingly making any false statement, representation, or certification on this document is a violation of the federal criminal code which may be punished by a fine or by imprisonment or both.

Signature SSN [6]

X

Laboratory Analysis

Final Weight

Initial Weight

Weighed By

OSP Checked By

Void Code

Date Processed

KEEP THIS FOR YOUR RECORDS

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

GENERAL INFORMATION COVER SHEET

Inspection Code AAA Event No. 4054503

Company Name Amherst Mining Corp

Mine Name Sago Mine

Mine I.D. Number 46-08791

Date(s) of Mine File Review 10/15/04

D Status 1 Citation/Order No. 2094955 Date 9/13/04

Dates of Inspection: began 10/18/04 completed 12/16/04

Pre-Inspection Conference Date 10/18/04

Company Representative(s) Quinn

Swartz

Miners Representative(s) msw

Post-Inspection Conference Date 12/16/04

Company Representative(s) AA

Schoonover

Miners Representative(s) msw

Comments: _____

Inspector's Initials (6) Supervisor's Initials and Date (6)

*U.S. Government Printing Office: 1997 - 508-470 12/17/04

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

DAILY COVER SHEET

Date 10/15/04 Event No. 4054503

Arrived at the Mine — Departed from the Mine —

List Records Books Checked —

Accompanied By: Company Representative —

Miners Representative —

AREAS OF INSPECTION ACTIVITY:

Review

UMF

Inspector's Initials (6) 12/17/04

Supervisor's Initials and Date — Page No. 1

*U.S. Government Printing Office: 1995— 609-287

DAILY COVER SHEET

Date 10/18/04 Event No. 4054503

Arrived at the Mine _____ Departed from the Mine _____

List Records Books Checked pre-shiftexamined lightsAccompanied By: Company Representative JamesSwartzMiners Representative none

AREAS OF INSPECTION ACTIVITY:

Informed operator
 James there to con-
 duct regular inspec-
 tion

Faces light 001

Held safety talk
 25 people

Inspector's Initials [6]Supervisor's Initials and Date 12/17/04 Page No. 1Date 10/15/04

afforded miners
to right to travel
declined

Travel underground
with Jim Swartz

[6] faces
Section set up for
super section but
not operating as
a super section
Running 15 faces
Advancing 7 entries
in the middle and
then room 4 entries
left and right
Travel with [6]

Inspector's Initials [6]Supervisor's Initials and Date 12/17/04 Page No. 2

Date 10/18/04

[6] ~~2004~~
 Left to right
 Lucas - OK
 roof appears OK
 reflectors located
 back left
 Extra lights in last
 row marked
 rock dust appears OK
 line curtain & back
 up checked - OK
 roadway - OK wet
 Observed AT & T's
 CH & detected range
 from D. 0% to 0.1%

Inspector's Initials

Supervisor's Initials and Date

[6] 12/17/04

Page No. 3

Date 10/18/04

air making to her
 return HOA
 Vel - 145
 area - 117ag 180x65
 LFM - 19345

Return to surface

Held per - conf

Trubie Run is in
 non-producing
 as of 9/13

Inspector's Initials

Supervisor's Initials and Date

[6] 12/17/04

Page No. 4

Date 10/18/04

Shifts
 DAY - 5:30AM - 3:30PM
 4-10 Mon thru Thur
 AFTERNOON 3:30PM - 2AM
 FRI SAT SUN
 3 - 13 hrs shift
 5:30AM - 6:30PM
 5:30PM - 6:30AM

Midnight

5 - 8 hrs shift
 11PM - 7AM

6th site

Inspector's Initials

Supervisor's Initials and Date

[6] 12/17/04

Page No. 5

DAILY COVER SHEET

Date 10/19/04 Event No. 4054503Arrived at the Mine — Departed from the Mine —List Records Books Checked [6] 1Accompanied By: Company Representative SuperMiners Representative nmw

AREAS OF INSPECTION ACTIVITY:

Continuing with inspectionTravel main NP section Tangle Run construction area faces equipmentInspector's Initials [6] 10/17/04Supervisor's Initials and Date [6] 10/17/04 Page No. 1Date 10/19/04Travel underground[6] face #1
thru #5 with
face - ok
roof appears ok
additional support
Survey dog hole
rock dust appears ok
section very wet
line contains rock
up checks in place
roadways - ok
wetObserved DTH's
no CHY or low D's
detectedInspector's Initials [6] 10/17/04Supervisor's Initials and Date [6] 10/17/04 Page No. 2

Date 10/19/04Air sampling taken
#1 LOD

Val - 273

amen - 12700 1787.5

LPM - 34,679

Bottle # 65610

Examined scoop
charging station OK
vented - OKExamined fire
aid supplies - OK

escapeway map - OK

Inspector's Initials _____

Supervisor's Initials and Date

(6) 10/17/04

Page No. 3

Date 10/19/04Examined Fletcher
Twin boom hoister
26-2950A-1

Co # 32

Hoister - lights not
secured 1st operator
compartment - (at
right side drill
station) 10:00Examined S&S
488 scoop - OK
26-2831

Inspector's Initials _____

Supervisor's Initials and Date

(6) 10/17/04

Page No. 4

Date 10/19/04
 Same citation
7093803 10:00
75.543
Non SAs

The Fletcher Truss
 Lifter 26-2950A.1
 Co # 32 operating
 in the Trachic Rnd
 mains was not
 being maintained
 in permissible
 condition. 2 lights
 are not secured
 hook are broke
 off and lights are
 hanging.

Inspector's Initials

(6) 12/17/04

Supervisor's Initials and Date

Page No. 5

Date 10/19/04
 Lighter in good
 shape no open
 ing in lighter
 no methane de-
 tected in area
 lighter operating
 Conf with Jim
 Swartz
 Condition existed
 more than one shift
 looks like lighter
 broke off caught
 with corner when
 trimming boiler
 Abatement due
 1550 10/19/04

Inspector's Initials

(6) 12/17

Supervisor's Initials and Date

Page No. 4

Date 10/19/04
Return to surface
1 citation issued
hr site

Inspector's Initials

(6) 12/17

Supervisor's Initials and Date

Page No. 7

MSHA Form 7000-101, June 93 (revised)

DAILY COVER SHEET *AMH*

Date *10/20/04* Event No. *4054503*

Arrived at the Mine _____ Departed from the Mine _____

List Records Books Checked *Main + 1 Right*
Preshift

Accompanied By: Company Representative _____

Miners Representative *This event is being conducted*
along with CCA event # 4077024

AREAS OF INSPECTION ACTIVITY:

Records Books: Mins
10/20/04 pre-shift
3:50 AM to 4:15 AM

[6]
No hazardous listed mineral
mining

LOB 25, 440
O.D. to 21.0% O₂

Inspector's Initials *[6]*

Supervisor's Initials and Date *10/20/04* Page No. *1*

*U.S. Government Printing Office: 1997 - 508-470

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

Date *10/20/04*

Records Books: 1 Right
10/20/04 Preshift
3:10 AM 3:25 AM
Examiner Dan Farrell
No hazardous listed
mining
LOB: 16, 220
O.D. to 20.9% O₂

Traveled track entry
covered trip from portal
to main section.

Inspector's Initials *[6]*

Supervisor's Initials and Date *10/20/04* Page No. *2*

*U.S.G.P.O. : 2001 - 809-238

Date 10/20/04No's 245 shuttle
car canopy OK

LOB 0,0 Eater

20.920

227 17.5

+7 8.5

234 82.5

149 140.0

2106 148.25

936

234

34,8166 CFM

Inspector's Initials

[6]

+fx

Page No.

3

Supervisor's Initials and Date

U.S.G.P.O. : 2001 - 609-238

Date 10/20/04Ymas led to operating
between 1 & 2 entries
LOB.

Fletcher Deal Brown

Co. No. 32 T-Bus HTAS OK

det on main 8/23/05

Tongue wheel

canopy OK

Datcher

drilling approx 5' under the
on angle bolts.No. 1 entry face safety
still needs two bolts

D. D. 21.02002 (19.50)

now appears along with
supported. 5' full pointedtension poles 8" x 8" plate
screws + 1/2" x 1/2" plate

Inspector's Initials

[6]

+fx

Page No.

4

Supervisor's Initials and Date

U.S.G.P.O. : 2001 - 609-238

Date 10/20/04

Time: 1115

Photo Cit # 7093803

The lights were properly
secured.

Inspector's Initials

[6]

+fx

Page No.

5

Supervisor's Initials and Date

U.S.G.P.O. : 2001 - 609-238

Date

10/20/04

To Latch on Dual Power
Co. No. 3 both setting
No. 2 entry only L.O.C.
Articulating F Bar with
flanges.

Date on 3' pin 9/19/04
" " 2" " 8/11/05

Tape wrench

Set. Bar

Canopies OK

Emergency supplemental
supports - Where there 20

6" tension relax bolts. Because
of the weight is plus 12' 3" x 8"
x 6" bars several locations throughout the
sector called bolts - tension bolts per on

Inspector's Initials

(6)

also on both sides
of the plate

Supervisor's Initials and Date

10/20/04

Page No. 6

U.S.G.P.O. : 2001 - 609-238

Date

10/14/04

No. 2 entry face bolted
4 times bolted O.D. to chg
20.99% O₂ Roof appears
adequately supported.
18.5 w 7' high.

No. 3 entry face bolted &
tension bolted O.D. to chg
20.99% O₂ Roof appears
adequately supported.
18.9 w 7' high.

8 cap over canopy OK

Inspector's Initials

(6)

Supervisor's Initials and Date

10/14/04

Page No. 7

U.S.G.P.O. : 2001 - 609-238

Date

10/20/04

No. 4 entry face bolted
& tension bolted O.D. to chg
20.99% O₂ Roof appears
adequately supported.
16.9 w 7' high.

No. 5 entry face bolted
& tension O.D. to chg
20.99% O₂ Roof
appears adequately
supported. 17.6'
7' high.

Inspector's Initials

(6)

Supervisor's Initials and Date

10/20/04

Page No. 8

U.S.G.P.O. : 2001 - 609-238

DAILY COVER SHEET

Date 10/25/04 Event No. 4054593Arrived at the Mine Departed from the Mine List Records Books Checked Per shiftAccompanied By: Company Representative Miners Representative none

AREAS OF INSPECTION ACTIVITY:

Running dust
survey on 201-0Held safety talk
23 people Day
equipment
factInspector's Initials [6]Supervisor's Initials and Date Page No. 1Date 10/25/04
Installed pumps
on crew at 0545last 30 shifts
average 1102 tons
for 8 hour shift
Shift worked 10
hours.Travel underground
check pumps for
201-501-801checked faces in
area of mining
faces - ok
CH4 - 0.0%Inspector's Initials [6]Supervisor's Initials and Date Page No. 2Date 10/25/04
mining left side
roomer (ok in
#4 entryChecked para -
meters on mines
Observed 40 sprays
working with 90
PSI at sprays
Air reading taken
1st cut
Val - 340
area - 21sq 3x7
CFM - 2540Inspector's Initials [6]Supervisor's Initials and Date Page No. 3

Date 10/25/04

Examined Jay
17-15 remote
mined 26-3712A-00
methan monitor
cables - OK

Examined Fletcher
roof bolter - OK
26-3715A-1

Examined Jay
105C32 shuttle
car 26-3619A-00
C.H.1 - OK

Inspector's Initials [6]

Supervisor's Initials and Date

Page No. 4

Date 10/25/04

Examined Jay
105C32 C.H.1
shuttle car
26-3619A-00-OK

Examined Jay
105C32 C.H.1
shuttle car
26-3619A-00-OK

Air reading LDB
Vol - 144
area - 124 mg 18x6
C.H.M. - 20336
C.H.1 - D.B.
Bottles H 65499

Inspector's Initials [6]

Supervisor's Initials and Date

Page No. 5

Date 10/25/04

Air reading
Vol - 348
area - 21 mg 7x3
C.H.M. - 7308

Observed mining
cycle and methane
checks
No problems ob-
served

Observed bolt-
ing cycle
6 bolts lost row
No problems ob-
served

Inspector's Initials [6]

Supervisor's Initials and Date H1 12/17

Page No. 6

Date 10/25/04

Install curtain
on lighter advancePin reading
Val - 285area - 2 log 7x3
CPM - 5983Examined emergency
path material - OK

First aid supplies OK

distilled water

Park-A-Toilet - OK

Inspector's Initials (6)

Supervisor's Initials and Date Page No. 7

Date 10/25/04

Issue citation

7093804 10:00

75.204 F 7

Non 5 & 5

On the 701 action
observed the guy
105432 off standard
shuttle car cable
being anchored
off of tension roof
bolt installed in
roof support pat-
tern

This condition
could result in the
object of the

Inspector's Initials (6)

Supervisor's Initials and Date Page No. 8

Date 10/25/04

tension of the
bolt. Anchor
was installed on
dormer bolt
6 bolts installed
on last row
in pattern Bolt
in bearing plate
No sign of bolt
being damaged
Conf with Al
Schoonover
Observed this con-
dition when check-
ing cable of shuttle
car
Delink citation on
bolt installed

Inspector's Initials (6)

Supervisor's Initials and Date Page No. 9

Date 10/25/07

Pumps removed

tonnage A/D tons
this shift

Return to surface

1 citation issued

Held safety talk
21 people

h v s i t a

Inspector's Initials

Supervisor's Initials and Date

Page No. 10

Inspector's Initials

Supervisor's Initials and Date

Page No. 11

[illegible]

*U.S. Government Printing Office: 1995— 609-287

Inspector's Initials

Supervisor's Initials and Date:

Page No. 1

[illegible]

*U.S. Government Printing Office: 1995— 609-287

DAILY COVER SHEET

Date 10/26/04 Event No. 4054503Arrived at the Mine — Departed from the Mine —List Records Books Checked [6]Accompanied By: Company Representative ABMiners Representative none

AREAS OF INSPECTION ACTIVITY:

Continuing with
AAA at mine site
Pre-shift LOR
22500
Focus #1 thru #5
equipment

Inspector's Initials [6] 12/17/04Supervisor's Initials and Date — Page No. 1Date 10/26/04

Travel to Truist
Run with [6]
[6] He
wanted to see
what progress
the construction
area was get-
ting along with

Focus #1 thru #5

No imminent dangers

Inspector's Initials [6] 12/17/04Supervisor's Initials and Date — Page No. 2Date 10/26/04

Examined Fletcher
or Golder twin
head A.D.D.-15
26-3715A-1-OK

Examined Joy
105032 shuttle
car 26-3936-0
Co H 5 -OK

Examined Joy
105032 shuttle car
26-3191A-0 -OK

Inspector's Initials [6] 12/17/04Supervisor's Initials and Date — Page No. 3

Date

10/26/04

Examined Joy
17-18 remote
miner 26-3362A
methane monitor
cable - OK

Examined Fair-
child 35C work
house soap
Potted

Inspector's Initials

[6]

12/17

Supervisor's Initials and Date

Page No.

4

Date

10/26/04

Issue citation
7093805 9:45
75.503
545

In the Traskie
Run, construction
Main, the 35C
Fairchild soap
was not being
maintained in
permissible condi-
tion. Not provided
with lid locks
and locking rings for
the cable plug
Batteries were

Inspector's Initials

[6]

12/17

Supervisor's Initials and Date

Page No.

6

DAILY COVER SHEET

Date 10/27/04 Event No. 4054503 AAAArrived at the Mine Departed from the Mine List Records Books Checked pre-shiftLulka #1, #2, #3Accompanied By: Company Representative OKSaharmanMiners Representative none

AREAS OF INSPECTION ACTIVITY:

Observed mine
operation conduct
safety talk with
40 people Day &
midnight shift
over Lulka & rep
talk out material
men discussed
work practices

Inspector's Initials (6)Supervisor's Initials and Date (6) 10/27/04 Page No. 1Date 10/27/04

and best practice
of doing things in
safe manner
men appeared
interested in fatal
information

Travel belt lines
Entered #1 belt
at surface and
broke to #3 tail/
4 head

Roof appears - OK
rock dust appears - OK
travelway - OK (wet)
clearance - OK

Air flowing proper

Inspector's Initials (6)Supervisor's Initials and Date 10/27/04 Page No. 2

Date 10/27/04

Duration
 Observed BT & L's
 along belt
 No CMH or low O₂
 detected along travel
 guards - OK
 Fire suppression - OK
 All other belt line
 requirements okay
 at time of travel

Ans 4 Read

No violations

Belt Lines - OK

Inspector's Initials

Supervisor's Initials and Date

(6) 10/27/04

Page No.

3

Date 10/23/04

Return to surface

Lv site

Inspector's Initials

Supervisor's Initials and Date

(6) 10/27/04

Page No.

4

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

DAILY COVER SHEET

Date 10/28/04 Event No. 4054503

Arrived at the Mine — Departed from the Mine 6

List Records Books Checked company

Accompanied By: Company Representative Jim

Miners Representative John

AREAS OF INSPECTION ACTIVITY:

continuing with
inspection at mine
site

company records

Inspector's Initials [6]

Supervisor's Initials and Date 12/17/04 Page No. 1

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

Date 10/28/04

electrical records
1 night section
main area
out by pumps &
power center
Substation
Fire drills and
escapeway drill
weekly examine
for record
pre-shift and
on shift examine
electrical outside
equipment
Smoke search
mine map

Inspector's Initials [6]

Supervisor's Initials and Date 12/17/04 Page No. 2

Date 10/28/04Emergency treat-
ment & H'sRes comm
certified / quali-
fied list90 day SCSE's
CSK 100mine rescue cover
age Barbour County
skinning protection
available Howard
Leight & foam ships
MMA NRR 33
Bi-monthly dust
results
Contractor List

Inspector's Initials

[6] 12-17-04

Supervisor's Initials and Date

Page No. 3Date 10/28/04Citations posted
res & vent plan
info posted on
mine bulletin
boardAll records & plans
okay at time of
examine

Inspector's Initials

[6] 12-17-04

Supervisor's Initials and Date

Page No. 4

DAILY COVER SHEET

Date 10/31/04 Event No. 4054502Arrived at the Mine Departed from the Mine List Records Books Checked Accompanied By: Company Representative Miners Representative

AREAS OF INSPECTION ACTIVITY:

MID SHIFT
Continuing with
the inspection
Travel to 1 Right
Scoop & chargers
Power center
back to surface

Inspector's Initials [G]Supervisor's Initials and Date [G] 12-17-04Page No. 1Date 10/31/04

Scoop charger - ok
vented - fire supp
cable - plugs - ok

Examined Fairchild
35C scoop Co #3
26-3599.2 - ok

Examined Fairchild
35C scoop
Co #1 26-3599.2 - ok

Examined charging station
vented - fire supp
cable - plugs - ok

Inspector's Initials [G]Supervisor's Initials and Date [G] 12/17/04Page No. 2Date 11/1/04

Examined sec-
tion power
center - ok
settings - ok
cable & plugs
identified

Examined pres-
sure pump - ok

Examined section
switch

Examined com-
pressed gas cy-
linders

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

Date 11/1/04

Examined section
Mac 8 personnel
arrived

Examined
communication
from sec-
tion to surface
and back
+ cited

No audible or
visual alarm
system 2:10 PM

Inspector's Initials

[6]

11/17/04

4

Supervisor's Initials and Date

Page No.

Date 11/1/04

Issue station
2096807 2:10 PM
75.1600-2 b
Non S & S

When testing
mine phone by
having dispatcher
call underground
the communica-
tion was not pro-
vided with an
audible or visual
alarm for incoming
calls that has been
in heard by miners
regularly on section

Inspector's Initials

[6]

11/17/04

5

Supervisor's Initials and Date

Page No.

Date 11/1/04

You could hear
the noise of dis-
patcher if no
shuttle car was
traveling in area
for incoming calls
Conf with Butch
Travis
Condition has
existed over past
inspection of mine

Alma due 11/1/04
10:00 AM travel
to other mine to
get supplies to cor-
rect violation

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No.

Date

11/1/04
 Examined section
 feeder - ok
 emergency stop
 cord for circuit OK

hr section

Examined list -
 Long powered
 mantrips

#1 - ok

#4 - ok

#3 - ok

Examined track
 entry secondary
 escapeway from

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No.

7

Date

11/1/04
 section to surface
 Roof appears ok
 rock dust approx
 stopping line - ok
 travelway - ok
 track - ok

power centers
 along track - ok
 Air blowing pro-
 per direction
 travel marked
 to show route
 Observed D.T. & I's
 along travel
 No CH 4 or low
 O2 detected

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No.

11/1/04

8

Date

11/1/04
 on surface
 1 citation issued
 hr site

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No.

9

AAA

DAILY COVER SHEET

Date 11/2/04 Event No. 4054503Arrived at the Mine Departed from the Mine List Records Books Checked naAccompanied By: Company Representative ahMiners Representative none

AREAS OF INSPECTION ACTIVITY:

Continuing with
the inspectionAlake citationTraveling belts
4 & 5Inspector's Initials [6]
Supervisor's Initials and Date Page No. 1Date 11/2/04
same citation
7094808 8:20AM75.403Non S&Slight 001 the
previously rock
shattered surfaces
of the #15 & #13entries 20 feet only
spad station #327
is not maintained
in such quantities
that the combust-
ible content shall
be not less than
45 %. Samples
collected in this
areaInspector's Initials [6]
Supervisor's Initials and Date 12/17/04 Page No. 2

Date

11/2/04

This is a fully
 enclosed of the
 intake man's
 areas are damp
 and mine floor
 with no CH₄ de-
 tected. No power
 sources in the
 area. Fully green
 and starting to
 dry out

Conf with all

Schoonover
 Condition has
 existed for more
 than one shift
 No samples have

Inspector's Initials

[6]

Supervisor's Initials and Date

12/17/04

Page No.

3

Date

11/2/04

Lyn collected at
 site
 Abatement time
 established to
 setup pod shelter
 and start dusting
 in all entries
 Abatement due
 11/9/04 0800

Inspector's Initials

[6]

Supervisor's Initials and Date

12/17/04

Page No.

4

Date

11/2/04

Photo citation
2096807

incoming communication now provided with audible and visual alarm

Transect belt lines from light section to H2 belt
Tranching #4 & #5
Roof appears - OK
rock dust appears at
stopping line - OK
Tranching - OK
not along travel

Inspector's Initials

[6]

Supervisor's Initials and Date

12/17/04

Page No.

5

Date

11/2/04

Air flowing proper direction
at least 50 FPM
Observed STAT's
along travel
No CHH or Low D₂
detected

Belt lines - OK
All other belt line
requirements okay
at time of travel

On 4 head

Inspector's Initials

[6]

Supervisor's Initials and Date

12/17/04

Page No.

6

Date

11/2/04

Return to surface

Issue 1 citation
1 statements

in site

Inspector's Initials

[6]

Supervisor's Initials and Date

12/17/04

Page No.

7

MSHA Form 7000-101, June 93 (revised)

DAILY COVER SHEET

AAA

Date 11/3/04 Event No. 4054503

Arrived at the Mine _____ Departed from the Mine _____

List Records Books Checked Main

Accompanied By: Company Representative John

Bonnie - Onthy Foreman

Miners Representative _____

[6]

AREAS OF INSPECTION ACTIVITY:

Roof & Floor

4' lengthwise

4 1/2' widthwise 4' offside

ATRS 5.5' center

Inspector's Initials _____

[6]

Supervisor's Initials and Date _____

11/3/04

Page No. 1

U.S. Government Printing Office: 1997 - 508-470

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

Date 11/3/04

Vent Plan:

Blowing Miner -

6,000 CFM grates

blowing 5880 or 6017m

3,000 at entry

Tribic Run

Entry 8' x-cut width 18'

5' tension rebar screen

Truss 4' center prior to next cut.

Records Books: Main

Presht 11/3/04 5:47Z 4:00

Examiner J. Farrell

Ke hanged/lost thermal pinning

20K 23,800 CFM

0.070thy 20.9 to 02

Inspector's Initials _____

[6]

Supervisor's Initials and Date _____

11/8/04

Page No. 2

U.S.G.P.O.: 2001 - 609-238

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

Date 11/3/04

Traveled truck
entry covered trips from
portal to Main
Tribic Run Section.

Inspector's Initials _____

[6]

Supervisor's Initials and Date _____

11/1/04

Page No. 3

U.S.G.P.O.: 2001 - 609-238

Date

11/3/04 Cat # 7147367

Page 45

Time: 1100 6, 7, 8

G: 11/4/04 0800

Permanent ventilation controls had not been installed in the last two crosscuts of the Subic Ave section to separate the intake air course from the belt haulage entry. This intake air is used to provide air to active working places.

Inspector's Initials

[6]

Supervisor's Initials and Date

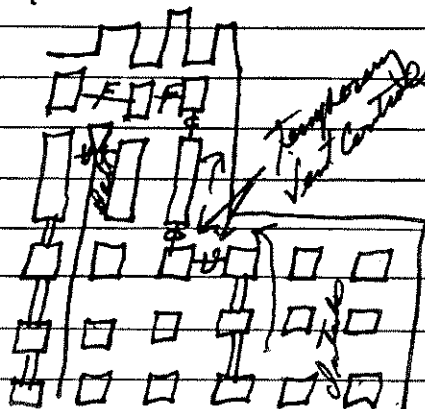
11/04

Page No. 4

U.S.G.P.O.: 2001-609-238

Date

11/3/04



Injury or illness - unlikely - this is the first line of X-acts on by the belt tail piece.

Inspector's Initials

[6]

Supervisor's Initials and Date

11/04

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U.S.G.P.O.: 2001-609-238

Date

11/3/04

lost work Red. duty. This would be isolating the belt from the intake for the last X-cut. Citation # 7147366 was also issued for belt air traveling onto the section. This was caused by this intake leakage. I was informed that the belt had just been moved 240 ft before.

Mon 5+5 for reasons previously stated.

Inspector's Initials

[6]

Supervisor's Initials and Date

11/04

Page No. 6

U.S.G.P.O.: 2001-609-238

Date

11/3/04

8 persons affected
The section crew.

Moderate negligence.
This is an area of
the mine where the
operator is mining
under Indian Run
Creek. They have mined
above the coal and
mining only roof
rock with 5 entries.
The operator intends
to install arches through
the 5 entries and has
started at the No. 5

Inspector's Initials

[6]

Supervisor's Initials and Date

11/4/04

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1

U.S.G.P.O.: 2001 - 609-238

Date

11/3/04

(intake) entry approx.
50' of arches has been installed.
The No. 1 Tailrace had
been moved the night
prior to.

Inspector's Initials

[6]

Supervisor's Initials and Date

11/4/04

Page No.

8

U.S.G.P.O.: 2001 - 609-238

Date

11/3/04

No. 5 entry face bolted
D.O. 20.890
also turned.

No. 4 entry tunnel
operating face bolted.
D.O. 20.890
Installing tunnel joint with
face.

271 crane	9H	275 ft
-----------	----	--------

+ 4 com	4W	36 com
---------	----	--------

275	36	1650
-----	----	------

825

10,900 ft

Inspector's Initials

[6]

Supervisor's Initials and Date

11/4/04

Page No.

9

U.S.G.P.O.: 2001 - 609-238

Date

11/3/04

No. 3 entry face bolted
+ turned bolted 0.02 ch
20.8% O₂.

No. 2 entry bolts opening
Installing 5' tension slab
into screen, 0.02 ch

20.8% O₂ last time
181^{down} 2.5W 191^{down}
+ 10^{down} 9H 22^{down}
191^{down} 22.5^{down} 382
382
4,202^{down}

Inspector's Initials

Supervisor's Initials and Date

Page No.

U.S.G.P.O. : 2001 - 609-238

Date

11/3/04

No. 1 entry face bolted
+ turned, 0.02 ch
20.9% O₂.

DT's appear throughout.
Early entry is missing
rock not coal.

LOB 0.02 ch
20.9% O₂
17W 169 112
6.6H +11 180
102 180 8960
102 112
112.2 20,140^{down}

Inspector's Initials

Supervisor's Initials and Date

Page No.

U.S.G.P.O. : 2001 - 609-238

Date

11/3/04 CT# 7147366

Time 12:10

Smoke tube 5thX-cut only dumping
point - 17 seconds

10 feet = 32 FPM.

Traveling past the
dumping point mixing
with intake air crossing

The 2nd only X-cut + track

The face of No. 3 entry

also on across the 2nd

only track return + splitting

going toward face of No. 2

which will be carried the No. 1.

5 X-cut only .37 12.2
2210.00 22.20 19.98

Inspector's Initials
Supervisor's Initials and Date

Page No. 12
U.S.G.P.O. : 2001 - 609-238

Survey station 1360

Date

11/3/04 Cat # 7147366

Pages 12, 13,

14 & 15

Time: 1210

G: 1500

The approved mine ventilation plan was not being complied with on the Mulico Run construction area belt line. Using a smoke tube, from the 5th crosscut outby, to the dumping point, the air currents were traveling at 32 fpm and the direction of air was traveling onto the section. The

Inspector's Initials

[6]

Supervisor's Initials and Date

[6]

Page No. 13

U.S.G.P.O. : 2001 - 609-238

Date

11/3/04

Air currents when tested at the 8th crosscut outby the section, were traveling in an outby (perma) direction, however the velocity of these air currents were measured at 20 fpm.

Injuries or illness unlikely - This direction of air was for less than 8 x-cuts traveling the belt outby toward the far area of No. 1, 2 & 3 entries.

Inspector's Initials

[6]

Supervisor's Initials and Date

11/8/04

Page No. 14

U.S.G.P.O. : 2001 - 609-238

Date

11/3/04

Test work rest. duty.
Belt smoke-fire

No. 8 & 9 - For reasons previously stated.

8 Persons affected
Section Crew.

Moderate flagging - There were 2 curtains installed in belt 2 X-cuts, actually 1 across the entry & 1 in the X-cut adjacent the belt. The curtains were muddy and appear that the curtains were torn loose from the ribs.

Inspector's Initials

[6]

Supervisor's Initials and Date

11/4

Page No. 15

U.S.G.P.O. : 2001 - 609-238

DAILY COVER SHEET

Date 11/4/04 Event No. 4054503

Arrived at the Mine _____ Departed from the Mine _____

List Records Books Checked _____

Accompanied By: Company Representative _____

Miners Representative N/V

AREAS OF INSPECTION ACTIVITY:

Paywork in office.Inspector's Initials [6]Supervisor's Initials and Date 11/18/04 Page No. 1DAILY COVER SHEET HAHADate 11/5/04 Event No. 4054503

Arrived at the Mine _____ Departed from the Mine _____

List Records Books Checked 9 plansAccompanied By: Company Representative JohnParker Mine Foreman

Miners Representative _____

AREAS OF INSPECTION ACTIVITY:

Records Books: MinersPre-shift 11/5/043:25 AM to 3:40 AMExaminer Dan FerrellNo Paywork listed roundmining.LOB 18,805O.030 ch 20.99% O₂Inspector's Initials [6]Supervisor's Initials and Date 11/18/04 Page No. 1Date 11/5/04Smoke CloudTime 0935Miners 76.3 belt6 seconds60 FPMSurvey Station 3115O.06 ch 20.79% O₂2nd X-cut only 76.4belt - 1 Right belt drive.9 seconds60 FPMO.06 ch 20.79% O₂3 X-into outly tail piece Miners10 sec. 54 FPMO.07 ch 20.89% O₂Inspector's Initials [6]Supervisor's Initials and Date 11/18/04 Page No. 2

Date

11/5/04

1st X-cut outly dumping
point Mine (Tribic Run)

8 records

68 FPM

O₂ 20.2% CO₂

alt cit # 7147366

TIME: 1025

When tested with
chemical smoke clouds,
the air currents along
the Tribic Run area
belt line, were traveling
in excess of 50 FPM and
in the proper direction.

Inspector's Initials

[6]

Supervisor's Initials and Date

[6] 11/8/04

Page No.

3

U.S.G.P.O. : 2001 - 609-238

Date

11/5/04 Cit # 7147368

Page 4,

TIME: 1035 5, 6, 7, 8

G: 1155

A: 1125

Return air currents
were being used to ventilate
the non-sampable section
belt feeder of the Tribic
Run working section. When
tested with chemical
smoke clouds, the air
currents from the No. 5
entry face area were
traveling out by the last
line of crosscuts and
across the electrical
box components of the feeder.

Inspector's Initials

[6]

Supervisor's Initials and Date

[6] 11/8/04

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4

U.S.G.P.O. : 2001 - 609-238

Date

11/5/04

TIME: 1125 alt

Cit # 7147368

The section ventilation
control devices were
adjusted to maintain
the air currents of
the face area traveling
through the last line
of crosscuts. When tested
with chemical smoke
clouds, intake air currents
were being used to
ventilate the section & ad.

Inspector's Initials

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Supervisor's Initials and Date

[6] 11/8/04

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5

U.S.G.P.O. : 2001 - 609-238

Date

11/5/04

Injury or illness:
Reasonably likely -
At the present time
no effort is being made
in the face of No. 5
entry (mining over the
coal). The operator intends
to start mining back
down into the coal
seam any time as
he believes that he
has mined through the
Tribble Run area. When
the previous owners
mined through the Tribble
Run area during the
process of cutting bolts

Inspector's Initials

[6]

Supervisor's Initials and Date

1/8/04

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U.S.G.P.O.: 2001 - 609-238

Date

11/5/04

beds off using a
Torch, an ignition
occurred and 2
miners were burned.
These circumstances also
transpired on the
section belt.

Last work rest duty:
When the coal is to be
mined, this dust could
accumulate in the electrical
box of the feeder with
an arc cause an explosion

585 Yes for reasons
previously stated.

Inspector's Initials

[6]

Supervisor's Initials and Date

1/8/04

Page No. 2

U.S.G.P.O.: 2001 - 609-238

Date

11/5/04

One person:
lying on the area.

Low Negligence -
There are only 2
open X-cuts on the
intake side of the section
and the operators in
mining through the
Tribble Run area with
the uneven floor and
water had moved the
belt up to the 7th north
X-cut just 2 days prior
to this incident in this
8' to 12' height curtains on
the section are difficult to
maintain

Inspector's Initials

[6]

Supervisor's Initials and Date

1/8/04

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U.S.G.P.O.: 2001 - 609-238

Date

11/5/04

LDB O. O₂ ch₄20.7% O₂

72

19 W

+18

F H

90

152

90

13,680 CFM

No. 5 entrapment

O. O₂ ch₄ 20.7% O₂No. 4 O. O₂ ch₄ 20.7% O₂No. 3 O. O₂ ch₄ 20.8% O₂No. 2 O. O₂ ch₄ 20.7% O₂No. 1 O. O₂ ch₄ 20.7% O₂

Inspector's Initials

(6)

Supervisor's Initials and Date

MSH/LL

Page No.

9

*U.S.G.P.O. : 2001 - 609-238

Date

11/5/04

Time: 11:20 a.m.

cit # 7147367

Permanent stoppings

were installed at the

cited locations separating

the intake & belt haulage

entry.

Tested air currents belt

entry again 1st x-cut

only tail

6 records

90 CFM

Inspector's Initials

(6)

Supervisor's Initials and Date

MSH/LL

Page No.

10

*U.S.G.P.O. : 2001 - 609-238

DAILY COVER SHEET

AAA

Date

11/8/04

Event No.

4054503

Arrived at the Mine

Departed from the Mine

List Records Books Checked

Accompanied By: Company Representative

N/CH

Miners Representative

AREAS OF INSPECTION ACTIVITY:

Completed paperwork in office.

Inspector's Initials

(6)

Supervisor's Initials and Date

MSH/LL

Page No.

1

*U.S. Government Printing Office: 1997 - 508-470

DAILY COVER SHEET

Date 11/2/04 Event No. 4054143Arrived at the Mine — Departed from the Mine —

List Records Books Checked

Tribble Run

Accompanied By: Company Representative

Howard Turner

Miners Representative

AREAS OF INSPECTION ACTIVITY:

Optimism
 weekend shift
 Safety talk 5 people
 Tribble Run
 Power center

chargers
 pages
 train

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No. 1Date 11/2/04

Traveled across
 faces of 1 thru 5
 on instrument
 danger zone
 with Section
 Foreman on on-
 shift
 no hazards ob-
 served

all bases look-
 ed to plan
 Section only
 examined scope
 charger area - ok
 visited -
 lightning -
 cables - ok

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No. 2

Date

11/2/04

Observed approx
 145' of tunnel
 lines establish-
 ed in it's entry

Examined
 length, side
 material - ok

escape way
 maps - ok

Port-a-talist
 located power
 center - ok

drinking water

Inspector's Initials

[6]

Supervisor's Initials and Date

Page No. 2

Date

11/7/04

Examined section
 conveyor - OK
 breaker - OK
 cables - OK
 identified - OK

Examined arm
 pressed air sy-
 inder - OK
 secured - OK

Examined sec-
 tion feeder - OK
 emergency stop
 cord for crusher - OK

Inspector's Initials _____

Supervisor's Initials and Date _____

Page No. 4

Date

11/7/04

Emergency roof
 material - OK

Examined
 supply motor
 battery powered
 OK 1 - OK
 OK 2 - OK

LV section
 Travel track

~~secondary~~
 secondary slope
 Roof appears OK
 rock dust appears
 stopping line - OK
 haulway - OK

Inspector's Initials _____

Supervisor's Initials and Date _____

Page No. 5

Date

11/7/04

air flowing pro-
 per direction
 track - OK
 marked to show
 route of travel
 Observed GT & T's
 along travel
 no CO or low O₂
 detected
 area safe to travel

air light
 switch
 Return to surface

No violations

LV site

Inspector's Initials _____

Supervisor's Initials and Date _____

Page No. 6

DAILY COVER SHEET

Date 11/10/04 Event No. 4454504Arrived at the Mine Departed from the Mine List Records Books Checked Accompanied By: Company Representative AKMiners Representative none

AREAS OF INSPECTION ACTIVITY:

Held safety talk
on winter alert
rollout material
Day shift - 33
people
Abrasive citation
30968109
Surface areas

Inspector's Initials [6] Date 12/17/04
Supervisor's Initials and Date K1 Page No. 1Date 11/10/04

Travel to 1 night
to abrasive citation
area listed in
citation log
bureau re-rock dust
and rock dust
appears adequate

Travel back to
surface

Examined charg-
ers for supply
motors - OK

fan house and
installation - OK
Blowing system

Inspector's Initials [6] Date 12/17-04
Supervisor's Initials and Date K1 Page No. 2

Date 11/10/04

Supply areas - OK

Porter trailer - OK

Belt conveyor
system - OK

sub-station - OK

Examined Komatsu
WA450 FEL - OKExamined fork
lifts VR 636 B
Compass Road - OK

Inspector's Initials

[6] 12/17

Supervisor's Initials and Date

Page No. 3

Date 11/10/04

Examined dis-
patcher engine
communication
system - OK
Pyrotechnic belt
alarm - OKExamined light
rack and cap
lights - OKCheck in/check
out system - OKFirst aid mater-
ial - OK

Inspector's Initials

[6] 12/17

Supervisor's Initials and Date

Page No. 4

Date 11/10/04

Change trailers
& bathing facili-
ties - OK

office trailer - OK

supply area - OK

no violations

hpt site

Inspector's Initials

[6] 12/17/04

Supervisor's Initials and Date

Page No. 5

MSHA Form 7000-101, June 93 (revised)

DAILY COVER SHEET

Date 12/7/04 Event No. 4054503

Arrived at the Mine — Departed from the Mine —

List Records Books Checked pre-shift

Trouble Run Mains

Accompanied By: Company Representative al

Sahmangwa

Miners Representative none

AREAS OF INSPECTION ACTIVITY:

Held safety talk
at start of shift
35 people say shift

Tunnel liner
Trouble Run

Rock dust

Inspector's Initials [6] 12/17/04

Supervisor's Initials and Date — Page No. 1

*U.S. Government Printing Office: 1997 - 508-470

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

Date 12/7/04
Trained to Trouble
Run

Examined faces
#1 thru #8 for
hazardous condi-
tion

faces ok
No CH₄ or low O₂
detected

Examined progress
of installing tunnel
liner

#1 entry approx
60'

#2 entry approx 210'

Inspector's Initials [6] 12/17/04
Supervisor's Initials and Date — Page No. 2

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

Date 12/7/04

#3 entry approx 210'

#5 entry approx 160'

Working in #1 and
#4 entry

hr area

Travel entry
area to try and
get rock dust sur-
vey. 5 road
station 3147

1A1 wet 0+50

1A2 " 4+500

1A3 " 0+1000

1A4 " 0+1050

Inspector's Initials (6)Supervisor's Initials and Date _____ Page No. 3Date 12/7/04

1A4 wet 0+1500

1A5 wet 0+1800

1B1 " 0+50

1B2 " 0+500

1B3 " 0+1000

1B4 " 4+1050

1B4 " 0+1500

1B5 " 0+1800

1C1 " 0+50

1C2 " 0+500

1C3 " 0+1000

1C4 " 0+1050

1C4 " 0+1500

1C5 " 0+1800

Inspector's Initials (6)Supervisor's Initials and Date 12/17/04 Page No. 4

Date 12/17/04

101	wrk	0+50
102	"	0+500
103	"	0+1000
103x	"	0+1050
104	"	0+1500
105	"	0+1800

1E1	"	0+50
1E2	"	0+500
1G3	"	0+1000
1G3x	"	0+1050
1G4	"	0+1500
1G5	"	0+1800

1F1	"	0+50
1F2	"	0+500
1F3	"	0+1000
1F3x	"	0+1050

Inspector's Initials

[6]

12/17/04

Supervisor's Initials and Date

Page No. 5

Date 12/17/04

1F4	wrk	0+1500
1F5	"	0+1800

1G1	"	0+50
1G2	"	0+500
1G3	"	0+1000
1G3x	"	0+1050
1G4	"	0+1500
1G5	"	0+1800

1H1	"	0+50
1H2	"	0+500
1H3	"	0+1000
1H4	"	0+1500
1H5	"	0+1800

Stopping point
 325 + 80

Inspector's Initials

[6]

12/17/04

Supervisor's Initials and Date

Page No. 6

Date 12/17/04

Area work on
 roadway to damp
 to brush down
 screen

Return to surface

No violations

2x site

Inspector's Initials

[6]

12/17/04

Supervisor's Initials and Date

Page No. 7

MSHA Form 7000-101, June 93 (revised)

DAILY COVER SHEET

Date 12/9/04 Event No. 4054503

Arrived at the Mine — Departed from the Mine —

List Records Books Checked weekly

Accompanied By: Company Representative —

Miners Representative G. Randolph

AREAS OF INSPECTION ACTIVITY:

Travel intake
and return air-
courses with
examiner

Inspector's Initials (6) 1/17/04

Supervisor's Initials and Date — Page No. 1

*U.S. Government Printing Office: 1997 - 508-470

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

Date 12/9/04

Entered main
intake at fan
and traveled
underground

Travel return
aircourse back
to surface

Roof appears - ok
rock dust appears ok
silv damp / mine
floor wet
travelway - ok
intake marked to
show route
stopping lines - ok

Inspector's Initials (6) 12/17/04

Supervisor's Initials and Date — Page No. 2

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

Date 12/9/04
 Air Flowing into
 per direction

10 sacks along
 return - OK
 Observed GT&K's
 along travel
 No CH or low O₂
 along travel
 detected
 intake & return
 air courses safe
 at time of travel

Air readings
 main intake

Inspector's Initials

(6)

Supervisor's Initials and Date

Page No.

2

Date 12/9/04
 Vel ~ 1873
 area ~ 10 Bag 18x6
 CFM ~ 171,448

Light intake
 Vel ~ 470
 area ~ 10 Bag 18x6
 CFM ~ 50,742

Light return
 Vel ~ 129
 area ~ 118 18x6.5
 CFM ~ 19,945

Inspector's Initials

(6)

Supervisor's Initials and Date

12/17/04

Page No.

4

Date 12/9/04
 Truck Run
 intake
 Vel ~ 388
 area ~ 11 Bag 18x6.5
 CFM ~ 45,398

Truck Run
 Return Reg
 Vel ~ 372
 area ~ 20 Bag 10x7
 CFM ~ 26,075

Inspector's Initials

(6)

Supervisor's Initials and Date

12/17/04

Page No.

5

Date 12/9/04
 Issue citation
7094811 7:20
75,204 P7
Non S&S

Observed in 1 right
 001 section. The
 anchor for the Jay
 105032 shuttle
 car was using a
 tensioned roof bolt
 installed in the roof
 support pattern
 as an anchor bolt
 for the trailing
 cable.
 This condition would

Inspector's Initials [6] 12/17/04
 Supervisor's Initials and Date 12/17/04 Page No. 1

Date 12/9/04
 cause stress on
 bearing plate
 and not allow
 bolt to be ade-
 quate for its in-
 tended purposes.
 There were 6 bolts
 installed on pat-
 tern in this area
 Confronted Duane
 Jones Foreman
 midnight shift
 had moved bolt
 and not installed
 anchor bolt.
 Anchor bolt in-
 stalled at rate
 citation

Inspector's Initials [6] 12/17/04
 Supervisor's Initials and Date 12/17/04 Page No. 2

Date 12/9/04
 Return to surface

Issue 1 citation

In site

Inspector's Initials [6] 12/17/04
 Supervisor's Initials and Date 12/17/04 Page No. 3

DAILY COVER SHEET

Date 12/16/04 Event No. 7054503Arrived at the Mine Departed from the Mine List Records Books Checked Per shiftexamineAccompanied By: Company Representative JeffSimone GormanMiners Representative none

AREAS OF INSPECTION ACTIVITY:

Rock dust survey
1 Right 001 sec
tionSuction used on wet
dust on dust
roof to ribs & floorInspector's Initials [6] 12/17/04Supervisor's Initials and Date Page No. 1Date 12/16/04
Mine is very wet
& muddy roof &
rib & floorStarting point
and station #13030
#10 entry

Return #1

2A1 to wet 0+50'2A2 " 0+500'2A3 " 0+850'

Return #2

2B1 wet 0+50'2B2 " 0+500'2B3 " 0+850'Inspector's Initials [6] 12/17/04Supervisor's Initials and Date Page No. 2

Date

12/16/04

#3 Return

2C1	wet	0+50'
2C2	"	0+500'
2C3	"	0+830'

#4 Return

2D1	wet	0+50'
2D2	"	0+500'
2D3	"	0+830'

#5 Natural

2E1	wet	0+50'
2E2	"	0+500'
2E3	"	0+830'

#6 Natural

2F1	wet	0+50'
2F2	"	0+500'
2F3	"	0+830'

Inspector's Initials

[6]

Supervisor's Initials and Date

12/17/04

Page No.

3

Date

12/16/04

#7 Natural

2G1	wet	0+50'
2G2	"	0+500'
2G3	"	0+830'

#8 Bulk

2H1	wet	0+50'
2H2	"	0+500'
2H3	"	0+830'

#9 Natural

2I1	wet	0+50'
2I2	"	0+500'
2I3	"	0+830'

#10 Natural

2J1	wet	0+50'
2J2	"	0+500'
2J3	"	0+830'

Inspector's Initials

[6]

Supervisor's Initials and Date

12/17/04

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4

Date 12/16/04

#11 Intake

2K1 Band 0+50'
 2K2 wet 0+500'
 2K3 wet 0+830'

#12 Intake

2L1 wet 0+50'
 2L2 " 0+500'
 2L3 " 0+830'

#13 Intake

2M1 wet 0+50'
 2M2 " 0+500'
 2M3 " 0+830'

Inspector's Initials

6

Supervisor's Initials and Date

12/17/04

Page No. 5

Date 12/16/04

#14 Intake

2N1 wet 0+50'
 2N2 " 0+500'
 2N3 " 0+830'

#15 Intake

2O1 wet 0+50'
 2O2 " 0+500'
 2O3 " 0+830'

Stopping point
 Block #15 & 20
 feeder

Return to surface

Inspector's Initials

6

Supervisor's Initials and Date

12/17/04

Page No. 6

Date 12/16/04

Held conf above
out

Discharged inspection
 tion & returned
 with Al Schommer

by site

Inspector's Initials

6

Supervisor's Initials and Date

12/17/04

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