Mine Citation/Order

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





Section IVi	plation Data		<u> </u>	
1. Date	Mo Da Yr 10/04/2005	2. Time (24 Hr. Clock) 0820	3. Citation/ Order Number	7098349
4. Served	Го		5. Operator ANKER WEST VIRGINIA MINING	COMPANY INC
6. Mine SAGO N			7. Mine ID 46-08791	(Contractor)
	n or Practice			8a. Written Notice (103g)

The Fairchild 35C-WH battery powered scoop being operated on the 003-0 mmu is not maintained in permissible condition as follows: (1) The battery covers are not provided with any device to lock/secure them in place. (2) The batteries them selves are dirty with up to 1" of dirt and dust wind rowed under the hinges of the lids from front to back on the batteries..

							266 r	Continuation Form (MS	
). Violation	A. Health Safety				C. Part/Section of Title 30 CFR		7	5.503	
ection li-insp	ector's Evaluati	on							
10. Gravity: A. Injury o	r Illness (has) (is): No Likelih	lood 🔲	Unlikely 🔽	Reasonably L	ikely 🔲	Highly Llk	ely 🗍 Occ	curred 🗌
	r iliness coul be expected		st Workdays [Lost W	orkdays Or Restrict	ted Duty 🛂	Perman	ently Disabling	Fatal
C. Signific	ant and Sub	stantial: Ye	s 🗀 No	<u> </u>			D. Numbe	r of Persons Affect	ed: 001
11. Negligen	ce (check one	A. None	B. Lo	w 🗌 wc	C. Moderate 🔽	D. High		E. Reckless Disre	egard 🗌
12. Type of A	Action	104(a)		13. Type of	issuance (check or	e) C	itation 🗹	Order 🗌	Safeguard
14. Initial Ac				·····				F. Dated	Mo Da Yr
A. Citation	B. Ord	er 🦳 C. Safegu	ıard 📋 D. Wı	ritten Notice	E. Citation/ Order Num	ber			And the second s
A. Citation	B. Orde	Mo Da	Yr R Ti	ritten Notice	Order Num	ber			
A. Citation 15. Area or E	B. Orde	N. Date Mo Da	Yr R Ti		Order Num	ber			
A. Citation 15. Area or E	B. Orde	A. Date Mo Da	Yr 2005 B.Ti eries we	me (24 Hr. Clo ere clea	Order Num		s were	properly	secured.
A. Citation 15. Area or E 16. Terminat Section III—Ter 17. Action to	Equipment ion Due mination Action Terminate	Mo Date Mo Da 10/04/2005	Yr 2005 B. Ti	me (24 Hr. Clo ere clea	Order Num		s were	properly	secured.
A. Citation 15. Area or E 16. Terminat Section III—Ter 17. Action to 18. Terminat	Equipment ion Due mination Action Terminate ted A. Date atomated System	Mo Da 10/04/2005	Yr B. Ti 2005 B. Ti eries we	me (24 Hr. Clo ere clea Hr. Clock	Order Num	ne lid's	s were	properly	secured.
A. Citation 15. Area or E 16. Terminat Section III—Ter 17. Action to	B. Order B.	Mo Da 10/04/2005	Yr 2005 B.Ti eries we	me (24 Hr. Clo ere clea	Order Num		s were	properly	secured.

established a Nat, all 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.

Molok

°U.S. GPO. 2005-752-00928

ALIGNA	£	7000.1	OK	hine	93	(revised)

Date 10-4-05	
4) [6]	Should have
Known.	Alexander of the second
5.) At least onc	-shirt,
the inside lids	were bolted
down but look	sasif
battery was taken	1 OFF STATE
Charge and the	outside Lids
were not bolter	1 down.
1) One person	
7.) Battery fix	e resulting
from Arcing.	
8) Unlikely, ins	ide Lids
Are bolted down	n and inside
of hids are ins	ulAted.
as any published that the company and the comp	
and the state of t	
	1
Mary 1 A	
Inspector's Initials [6]	Page No.
Supervisor's Initials and Date	Page No.

U.S. GPO: 2005-752-00928

Mine Citation/Order

U.S. Department of Labor II & OS Mine Safety and Health Administration

0 2005

Section I-Vic	olation Data				
1. Date	Mo Da Yr 10/04/2005	2. Time (24 Hr. Clock) 0945		3. Cita Orc	ation/ 7098350 der Number 7098350
4. Served 1	Γο		5. Operator	ST VIRGINIA	MINING COMPANY INC
Jeff Tole	r			**************************************	
6. Mine SAGO M	MINE		7. Mine tD 4	16-08791	(Contractor)
	n or Practice				8a, Written Notice (103g)
) lbs. of rock dust	is not provi	ded for th	e #14 Stanco pump

located 50 feet inby spad station #4128 on the 003-0 mmu section.

			See Continuation Form (MSHA Form 7000-3a)
9. Violation A. Health B. Section Safety Other Of Act		Section of 80 CFR 7	5.1100-2(e)(2)
Section II-Inspector's Evaluation			
10. Gravity: A. Injury or Illness (has) (is): No Likelihood	Unlikely 🗹 Re	asonably Likely Highl	y Likely Cocurred C
B. Injury or illness could reasonably be expected to be: No Lost W	orkdays Lost Workdays	Or Restricted Duty 🗹 Pe	rmanently Disabling Fatal
C. Significant and Substantial: Yes	No 🗹	D. Nu	imber of Persons Affected: 001
11. Negligence (check one) A. None	B. Low C. Moder	ate 📝 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	I —	Citation/ Order Number	F. Dated Mo Da Yr
15. Area or Equipment 16. Termination Due Mo Da Yr			
16. Termination Due A. Date Mo Da Yr 10/04/2005	B. Time (24 Hr. Clock)	1050	
Section III-Termination Action			
17. Action to Terminate The require	ed 240 lbs. of ro	ck dust was prov	ided.
10/04/2005	Time (24 Hr. Clock 105	0	
Section IV-Automated System Data			
19. Type of Inspection (activity code) - Fn1 20. Event Nu	4054434	21. Primary or Mill	
22. Signature			23. AR Number

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

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

MSHA Form 7000-10K, June 93 (revised) Date 10-4-2005 75-1100-2(e)(2) 09-45 7098350 The required 240/bs. of rock dust is not provided for the #14 Stanco pump located Sofret inby spad Station # 4128 on the 003-0 mmu section-

10.S. GPO, 2005-752-00928

'U.S. GPO 2005-752-00928

Mina	Citation	/Order
1011111	1 11 2 1 1 1 1 1	





			Mine Safety and H	ealth Administration	<u> </u>
Section I-Vic	olation Data				<u> </u>
1. Date	Mo Da Yr 10/04/2005	2. Time (24 Hr. Clock) 0950		3. Citation/ Order Number	098351
4. Served To Jeff Toler			5. Operator ANKER WEST V	TRGINIA MINING CO	MPANY INC
6. Mine SAGO N			7. Mine ID 46-0	8791	(Contractor)
	n or Practice			8a	. Written Notice (103g)
	The power o	cable for the #14 St	anco pump locate	ed 50 feet inby	spad # 4128 disconnect

The power cable for the #14 Stanco pump located 50 feet inby spad # 4128 on the 003-0 mmu section is not substantially bushed entering the disconnect control box with insulated bushings. The bushing has worked away from the junction box exposing the electrical leads.

			,			See C	ontinuation Form (MSHA	N Form 7000-3a)
	alth lfety 🗸 ther	B. Section of Act		C. Part/Section of Title 30 CFR		7:	5.515	
Section II-Inspector's E	valuation							
10. Gravity: A. Injury or Illnes	(has) (is):	No Likelihood	Unlikely 🔽	Reasonably L	ikely	Highly Llke	ely 🗌 Occur	red 🗀
B. Injury or illness	could rea-	No Lost Workd	lays Lost V	Vorkdays Or Restric	ed Duty 🗸	Permane	ently Disabling	Fatal 📃
C. Significant and	Substantial	Yes _	No 🗸			D. Number	of Persons Affected	001
11. Negligence (che	k one)	A. None	B. Low	C. Moderate	D. High		E. Reckless Disrega	ard 🗍
12. Type of Action	104(:	a)	13. Type o	f Issuance (check or	e) (Citation 🗹	Order 🗌	Safeguard
14. Initial Action A. Citation	. Order 📋	C. Safeguard	D. Written Notice	E. Citation/ Order Num	ber		F. Dated	Mo Da Yr
15. Area or Equipme	::::							
16. Termination Due	A. Date	Mo Da Yr 10/04/2005	B. Time (24 Hr. Cl	ock) 1045				
Section III-Termination								
17. Action to Termin	ate The	power lea	d was prop	perly bushe	ed goin	g into	the contro	ol box to
provide ad				. -				
18. Terminated A.	late .	Da Yr 04/2005 B. Tim	e (24 Hr. Clock	1045				
Section IV-Automated	System Data							
19. Type of Inspecti (activity code)	F01	20. Event Number	er 405443	34 21. Pr	imary or Mill			
22. Signature	[6]					23. /	AR Number	(6)

MSHA Form 7000-: 'ar 85 (revised) 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.

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Date 10-4	- A -
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install box wi	have the
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Sur exposing to checkrical his	he weeken
DOK expersion of	<u>u</u>
Checkricat hi	ends.
	WATER CONTROL OF THE WATER CON
	and the second s
Inspector's Initials [(],	
Supervisor's Initials and Date	U
	*B.S. GPO: 2005-752-00928

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

Date	10-	4	-00
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4) [G weekle
ehecks/exams
5) vokrom
(e) perom) Shock
1) Shock
8) whitely to noe
in juy the area cuto
not be contracted but
if the LEADS Were
tanking it would croke
shocky hazned.
area was ory willy
Rusher make provided
10 Beparte
Team. Leads where 1045
Inspector's Initials I. Co.
Supervisor's Initials and Date Page No

'U.S. GPO. 2005-752-00928

Mino	Citation	/Order
IVIU III	1.11.25115.311	/UIUCI

18 007 206

1.	Jl	
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Mine Cita	tion/Order			Mine Safety a		Administration		(%)
Section IVio	lation Data							
1. Date	Mo Da Yr	2. Time (24 Hr. Clock) 1030				Gitation/ Order Number	7098352	2
4. Served T	10/05/2005	1030	······································	5. Operator				
Jeff Tole				ANKER WE	ST VIRG	INIA MINING	COMPANY	INC
6. Mine				7. Mine ID 4	6-0879	1		(Contractor)
SAGO M 8. Condition							8a. Written N	otice (103g)
for ea	sv identif	ors along the ication from t trip station f	he 1 le	ft section	tallp	iece uub-) minu co	the 1
						See Continuat	on Form (MSHA	Form 7000-3a)
9. Violation	Safety ✓ Other	B. Section of Act		C. Part/Section of Title 30 CFR		75.333(c)	(2)	
	spector's Evaluation							<u> </u>
10. Gravity A. Injury	; / or Illness (has) (is):	No Likelihood	Jnlikely 🗹	Reasonably Lik	ely 🗌	Highly Likely	Оссиле	ed 🗌
B. Injury	y or illness could rea- bly be expected to be	No Lost Workdove	Lost Wo	rkdays Or Restricted	d Duty 🔽	Permanently Di	sabling 🗍	Fatal
***************************************	ificant and Substantia	········	7			D. Number of Per	sons Affected:	001
11. Neglige	ence (check one)	A. None B. Lov	w] C	. Moderate 🔽	D. High	E. Re	ckless Disregar	d [
12. Type of	f Action 104((a)	13. Type of Is	ssuance (check one)) (itation 🗹 Or	der 🗌	Safeguard

15. Area or Equipment

14. Initial Action

A. Citation

6. Termination Due	A. Date	Mo Da Yr 10/06/2005	B. Time (24 Hr. Clock)	0800	
Section III. Termination Act	ករា				

E. Citation/

Order Number

17. Action to Terminate

22. Signature

Mo Da Yr 18. Terminated

A. Date B. Time (24 Hr. Clock Section IV-Automated System Data

19. Type of Inspection (activity code)

20. Event Number 4054434

B. Order . C. Safeguard . D. Written Notice

21. Primary or Mill

23. AR Number

Mo Da Yr

F. Dated

In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has MSHA Form 7000-3 lar 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 Act of 1996, the Small Business Administration has established a National Small Business Act of 1996, the Small Business Administration has established a National Small Business Act of 1996, the Small Busin 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.

4/0/01

Mine	Citation/Order
Conti	nuation

•	oot	2015

14.	\mathcal{I}_{l}
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Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 10/05/200	'' 1	3. Citation/ Order Number 70	98352 - 01
4. Served To			5. Operato		
Marty Conrad		[ANKER	WEST VIRGINI	A MINING COMPANY INC
6. Mine SAGO MINE			7. Mine ID	46-08791	(Contractor)

The personnel doors have been properly identified from each escapeway

							See Continuation Form
Section III-Subseque	ent Action Taken						
8. Extended To A	Mo Da . Date	Yr B. Tir	ne (24 Hr. Clock)		C. Vacated	D. Terminated	E. Modified
Section IV-Inspection	n Data						
9. Type of Inspecti	ion E01	10. Event N	umber 4054434				
11. Signature			AR Number	12. Date	Mo Da Yr	13. Time (24 Hr. Clo	ock)
	L 6 J		1567		10/06/2005	0635	
MSHA Form /ecu-a	all by frombout						

UP,0/01

MSHA Form 7000-10K, June 93 (revised)
Date 10/5/05
10:30
75.333(4)(2) #7098352
The personnel doors along
the escapeway are not Clearly
marked on the either side for
easy identification from the
1 left section tailpiece
000-0 mmu to the 1 hoft
Section MANTIP STATION FOR
A distance of Approx.
2000'.
And the state of t
Inspector's Initials [G]
Supervisor's Initials and Date Page NA

*U.S. GPO, 2005-752-00928

MSHA Form 7000-10K, June 93 (revised) 10/5/05 4.) Preshift and/or on-SLIFF EXAMINER SLOWED HAVE Known 5.) existed for several shifts c.) 1 person 2) It would delay a Person exiting the section or mine. 8) Unlikely Tem. 10/00/05 Time 0800 * had to bring additional Replectate in from outside

Supervisor's Initials and Date

*U.S. GPO. 2005-752-00928

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Mine Citation/Order

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

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			issue dately and recourt / terminor and				
Section I-Viol	ation Data						
1. Date	Mo Da Yr 10/05/2005	2. Time (24 Hr. Clock) 1045	3. Citation/ Order Number	er 7098353			
4. Served To Jeff Toler	>		5. Operator ANKER WEST VIRGINIA MINING COMPANY INC				
6. Mine SAGO M	INE		7. Mine ID 46-08791	(Contractor)			
8. Condition				8a. Written Notice (103g)			
allowe follow	d to accum ing locati	ulate on previously ons; 1.) #5 Entry s	of a light coat of float coay rock dusted surfaces (ribs starting at spad #3751 extending at spad #3752 extending	s) in the nding inby			

								Se	e Continuat	on Form (MS	SHA Form 700	≻3a)
9. Violation	A. Health Safety Other	Z	B. Section of Act			C. Part/Section of Title 30 CFR	f		75.400			
Section II-Insp	ector's Evalu	ation										
10. Gravity:										_		
A. Injury o	or iliness (ha	as) (is):	No Likelino	od 🔛	Unlikely 🔽	Reasonably	Likely :	Highly	Likely	Occ	curred	
	or illness co / be expecte		No Lost	Workdays _	Lost Wo	orkdays Or Restri	cted Duty	y Perm	nanently Di	sabling	Fatal	or ann un
C. Signific	ant and Su	bstantial:	Yes	☐ No				D. Nun	ber of Per	sons Affect	ted: 001	
11. Negligen	ce (check o	ne)	A. None	B. Lo	ow 🗌 💮 C	. Moderate 📝	D. I	High 🗌	E. Red	kless Disn	egard 🗌	
12. Type of A	Action	104(a	1)		13. Type of I	ssuance (check (one)	Citation 5	<u>r</u> Or	der 🗌	Safe	guard 🗍
14. Initial Act A. Citation		der 🗔	C. Safegua	d 🖳 D. Wi	ritten Notice	E. Citation/ Order Nu	mber			F. Dated	Mo C	a Yr
15. Area or E			Mo Da	, 	***************************************					www.		
to. tenimiau	ion Due	A. Date	10/05/20	I D Ti	me (24 Hr. Cloc	k) 2000)					
Section III-Ten	mination Acti	on						•				
17. Action to	Terminate											
18. Terminat	ed A. Date	Mo [Da Yr	B. Time (24 l	Hr. Clock							
Section IVAut	tomated System	em Data										
19. Type of I		Æn1	20. Event	Number	4054434	21. F	Primary or I	Viil				
22. Signature	e	E.6	7	***************************************				[3. AR Nun	nber	[6]	

MSHA Form 70003 r 85 (revised) in: coordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a Nation enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Mine	Citation/Order
Conti	nuation





1. Subsequent Action 1a. Continuatio	n 2. Dated (Original Issue)	Mo Da Yr 10/05/2005	3. Citation/ Order Number	7098353 - 01
4. Served To			erator	
Marty Conrad		ANI	CER WEST VIRO	INIA MINING COMPANY INC
6. Mine		7. Mi	ne ID 46-0879	(Contractor)
SAGO MINE			70-0073	7 A

The cited areas were well rock dusted.

Section IIISubsequ	ont Action Take	-							See Continuation Form
8 Extended To	A. Date	Da	Y٢	B. Time (24 H	r. Clock)		C. Vacate	ed 🗹 D. Terminated	E. Modified
Section IV-Inspection 9. Type of Inspec			10. E	vent Number	4054434	-			
11. Signature				A	R Number	12. Date	Mo Da Y		·
MSHA Form 7000-	Mar 85 (revis	ea)		s					

MSHA Form 7000-10K, June 93 (revised) Date 10/5/05 Combustible Meterial in the form of a hight cont of float coal dust is allowed to accumulate on previously rock dusted surfaces (ribs) in the following Locations; 1.) #5 Entry Starting of Span# 3751 extending inby approx 210'2) # 6 Entry Starting ct spad #3752 extending to spad 井 3288.

*U.S. GPO. 2005-752-00928

Supervisor's Initials and Date

Date 0 5 05
4) Prc-shift and on-shift
examiner should have known
5) At least I ship
() 1 person
7) mine Fire or possible ignition,
but Aven was damp.
8.) Unlikely; Just list
coal existed and area damp
Terminated it
Tem. Due 10/5/05
2000 hrs.
wanted to set Amore Bulk
Dest, herrice Applications
inspector's initials
Supervisor's Initials and Date Page No. / 7
*U.S. GPO, 2005-752-0092

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

Mine Citation/Order

U.S. Department of Mine Safety and Hea

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Labor		-	
alth Administration			<i>>//</i>

Section I-Va	olation Data						
1. Date	Mo Da Yr 10/05/2005	2, Time (24 Hr. Clock) 1140	3. Citation/ Order Numbe	r 7098354			
4. Served Jeff Tole			5. Operator ANKER WEST VIRGINIA MINING COMPANY INC				
6. Mine SAGO N			7. Mine ID 46-08791	(Contractor)			
	on or Practice			8a. Written Notice (103g)			

The methane monitor for the Joy 14 CM15-11 remote control continuous mining machine, serial # JM5581, approval #2G-4159A-00, being operated on the 006-0 mmu is not properly maintained. 1) when tested with a known methane/air mixture of 2.5% methane, the methane monitor read out indicated 2.2% methane before the machine would de-energize. Records indicate calibration on the monitor was 10/2/2005.

							See Conf	tinuation Form (MSH	A Form 7000-3a)
9. Violation	A. Health Safety V Other	B. Section of Act	- N		art/Section of itle 30 CFR		75.342	2(a)(4)	
Section II-Insp	ector's Evaluation								
10. Gravity: A. Injury o	ır Iliness (has) (is): No Likeliho	od 🔲 Uni	likely 📝	Reasonably L	ikely 🗍	Highly Likely	Occu	rred
	r illness could i be expected to		Workdays 📋	Lost Workd	ays Or Restrict	ted Duty 🔽	Permanent	dy Disabling	Fatal
C. Signific	ant and Substa	intial: Yes	. □ No <u>▼</u>				D. Number of	Fersons Affected	001
11. Negligen	ce (check one)	A. None	B. Low	C. Mc	oderate 🔽	D. High	E	. Reckless Disreg	ard
12. Type of A	ction 1	04(a)	1	3. Type of Issua	ance (check on	ie) (Citation 🔽	Order	Safeguard
14. Initial Act A. Citation		C. Safegua	rd D. Writte	n Notice	E. Citation/ Order Num	ber		F. Dated	Mo Da Yr
15. Area or E	quipment								
16. Terminat	ion Due A.	Date Mo Da 10/05/2	I R Time	(24 Hr. Clock)	1155				
Section III—Ter	mination Action								
17. Action to methan		'he metha	ne monito	or was ca	alibrate	ed to d	e-energi	ze at 2.0) %
18. Terminat	A. Date	Mo Da Yr 10/05/2005	B. Time (24 Hr. (Clock	1155				
Section IV-Au	tomated System I								
19. Type of I (activity		E01 20. Event	Number 4	054434	21. Pri	imary or M ill	4		
22. Signature	T [6]						23. AR	Number ([6]

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

MSHA Form 7000-10K, June 93 (revised) MSHA Form 7000-10K, June 93 (revised) Date 10/5/05 Date 10/5/05 11:40 4.) Person checking the cal. 井 2098354 75.342 (a)(4) of the monitor weekly (The methane monitor for the Joy 14 cm 15-11 remote control At least 1/2 A SLIFE continous miners machine, ser-# JM5581, approval #26-4154 NOT Serious, Miner de-oversite -00, being operated on the 006-0 may is not Properly maintained. 1) when tested with a known methode/Air Monitor did de coursite mixture of 2.5% methore, the at 22% methane monitor read-out indicated 2.2% methane before the MAChine would de-energite. Repords indicate calibration on the monitor was 10/2/2005

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Mine	Citation	/Order

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	14.	

<i>y</i> .]/
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Section I-Vi	olation Data						
1. Date	Mo Da Yr 10/05/2005	2. Time (24 Hr. Clock) 0825		3	3. Citation/ Order Number	7098355	
4. Served Winston			5. Operator HWM TRUCK LINES, INC.				
6. Mine SAGO N			7, Mine ID	46-08791	E467	(Contractor)	
	on or Practice		<u> </u>		8:	a. Written Notice (103g)	
		sing darrige /hagkur	alarm) on	the Cater	nillar from	nt end loader	

The audible warning device (backup alarm) on the Caterpillar I 980F operating at the stockpile is not being maintained above the surrounding noise levels of other equipment being operated in the area. While standing approximately 15' away the alarm can not be heard.

			See Continuation Form (MSH	IA Form 7000-3a)
9. Violation A. Health B. Se Safety ✓ of A		C. Part/Section of Title 30 CFR	77.410(b)	
Section II-Inspector's Evaluation				
10. Gravity: A. Injury or Illness (has) (is): No L.	ikelihood Unlikely	Reasonably Likely	Highly Likely Occu	med
B. Injury or illness could reasonably be expected to be:	o Lost Workdays Lost W	orkdays Or Restricted Duty	Permanently Disabling	Fatal
C. Significant and Substantial:	Yes _ No ✓		D. Number of Persons Affected	d: 001
11. Negligence (check one) A. No	ne 🗍 B. Low 🗍 (C. Moderate 👿 D. High	E. Reckless Disreg	gard 🗀
12. Type of Action 104(a)	13. Type of	Issuance (check one)	Citation 🗹 Order	Safeguard
14. Initial Action A. Citation B. Order C. Sa	afeguard D. Written Notice	E. Citation/ Order Number	F. Dated	Mo Da Yr
(O. TOTTIMICON BOOK IA Planta	Da Yr 05/2005 B. Time (24 Hr. Clo	ck) 1245		
Section IIITermination Action				
17. Action to Terminate The ba	ckup audible alar	m was repaired.		
18. Terminated A. Date Mo Da 10/05/20	IR Time (24 Hr Clock	1245		
Section IV-Automated System Data				
19. Type of Inspection (activity code)	Event Number 405443	4 21. Primary or Mill		
22. Signature			23. AR Number	[6]

MSHA Form 10000, mail ob (revised) In accordance mail use 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 and received and received comments from small businesses about federal agency and received comments. enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

MSHA Form 7000-10K, June 93 (revised) Date 10/5/2005 0825 77.410(6) #7098355 The Audible WARNING device (backup MINER) ON the CATENPILLAR front End londer 980F operating at the stock-Pic is not being maintained above the surrounding noise levels of other equipment being operated in the ARCA. While Standing Approx 151 away the Algan can not be heard.

*U.S. GPO: 2005-752-00928

10/5/05
11) populator Should have
S.) At Icast 1/2 Shift
c.) I person exposed 2) serious Accident could
Occur; Resulting in crushing
and the second s
Alacm
h: Dut courarion
1 1 CCCCATANCE
greater than 15' Away, due to the surrounding operating
equipment
equipment
Inspector's Initials
Supervisor's Initials and 2015. GPO: 2005-752-009.

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

Mine Citation/Order

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

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			Willie Date	y and ricalar run	MIJACIOII	
Section I-Vi	olation Data					
1. Date	Mo Da Yr 10/05/2005	2. Time (24 Hr. Clock) 0930			itation/ 71	49290
4. Served			5. Operator ANKER	WEST VIRGINIA	MINING COM	MPANY INC
6. Mine SAGO N	MNE		7. Mine ID	46-08791		(Contractor)
	n or Practice				8a.	Written Notice (103g)
Th	e Primary e	escapeway is not mar	ked to sho	w route and	direction	n for a d to show

The Primary escapeway is not marked to show route and direction for a distance of 500 feet, Also, the secondary escapeway was not marked to show route and direction for a distance of approximately 2,000 feet.

		See Continuation Form (MSHA	N Form 7000-3a)
9. Violation A. Health B. Section of Act	C. Part/Section of Title 30 CFR	75.380(d)(2)	
Section II—Inspector's Evaluation			
10. Gravity:			
A. Injury or Illness (has) (is): No Likelihood Unlikely 5	Reasonably Likely	Highly Likely Occur	
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. Hig	h E. Reckless Disrega	ard
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
16. Termination Due Mo Da Yr			
A. Date 10/05/2005 B. Time (24 Hr. 6	Clock) 1300		
Section III-Termination Action			
17. Action to Terminate Terminated due to refl		vided in both esca	peway to
show to route and direction of trav	vel.		
18. Terminated A. Date	1300		
Section IV—Automated System Data			
19. Type of Inspection (activity code) E01 20. Event Number 40544	21. Primary or Mill		
22. Signature		23. AR Number	l]

MSHA Form 7000-3, Mar 85 (revised) In accordance with a setablished a National Small Business and Agriculture Reventorement actions. The Ombudsman annually evaluate enforcement actions of MSHA, you may call 1-888-REG-FAir Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

CC: [6]

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Date 10/3/3	
Date	T 0930
	世7149290
The Orin	my Escapeumy
15 not	marked to
show n	sate mad direction
For A	distance of
SUO FT.	Also Secondary
Escreu	y was not
monical	to Show rock
+ clivec	too For A
distan	u of Approx.
2,000 FA	
	A CONTRACTOR OF THE CONTRACTOR
V.A. ALL. PA IMAVAIRED TO THE STATE OF THE S	AND
	- ANNUAL AND (1000), 100 -
Inspector's Initials	[6]
Supervisor's Initials and	Date Page No. 4

AU.S. G P.O 2005:742-563

Date 10/5/ 200	
Who Knew	
Presh.	H exaimer
Should ha	we Knewsizy,
4	BOTTON FOREIM
and CROW	Travels by
	every shoft
Howlong	Few weeks
10 the 5	secondary second so
Escropency,	because so
MAMY MIS	519
a coectal	1 person
ATT	1 person
-	
80mg 4 mgs/	
Inspector's Initials	Page No. 5
Supervisor's Initials and Date _	Page No. <u>5</u> Δ115 G.P.O 2005:742-5

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

Indunos, Unlikely Accident would happe every one Knows the Escareum And Where CACH ESCAPELLY 11. wed moderate - should bon been monked. CAUSE A delay in ESCAPE way by not bem MARKED, if A person did not Know the Escare um. Fern Tim set 1300 Reflectors were instanted both Escryany 1200 @ Supervisor's Initials and Date ₩ U.S. G.P.O.2005:742-563

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

Mine Citatio	on/Order						nent of La and Health		1-4	100° (6)
Section IViolati	on Data									
1. Date	Mo Da Yr	2. Time (2	4 Hr. Clock)					3. Citatio	n/ Number 7149	291
	10/05/2005	<u> </u>	1100		6.0-			Older	ranne.	
4. Served To	nn cimm				5. Op:	FR WE	ST VIRG	INTA MI	NING COMPA	NY INC
JEFF TOL	EK, SUPI.				7. M in	10				
6. Mine SAGO MIN	JE:				7. mm	2	16-0879	1		(Contractor)
8 Condition o	r Practice									en Notice (103g)
11, Ser maintai	ial No. 2	G-4159. activ	A-00, or ated onl	n the M ly (one	MU 006	Sect	lon, l	s not	properly sprays on	the front
9. Violation	A. Health Safety 🗸	B. Section of Act			C. Part/Sec Title 30				Continuation Form (MS)	SHA Form 7000-3a)
Section II-Inspe	ector's Evaluation									
10. Gravity:										
A. Injury o	r Illness (has) (is):	No Likeliho	xod 📜	Unlikely 📝	Reas	onably Lik	ely	Highly Llk	cetyOX	curred
	r illness could rea-	No Los	Workdays [Lost V	Vorkdays Or	Restricted	i Duty 👿	Permar	nently Disabling 🗌	Fatal
	be expected to be ant and Substantia	F.	No [y				D. Numbe	er of Persons Affect	ed: 001
11. Negligeno	ce (check one)	A. None	B. Lo	w 🗍	C. Moderate	· ~	D. High		E. Reckless Disr	egard 📜
12. Type of A	ction 104(a)		13. Type of	Issuance (c	heck one)	C	itation 🔽	Order	Safeguard
14. Initial Act	ion		ard D. Wr	itten Notice [E. Cit	ation/ der Numbi	er		F. Dated	Mo Da Yr
15. Area or E	quipment									
16. Terminati	on Due A. Date	Mo Da 10/05/2		ne (24 Hr. Ck	ock)	1130				
Section III-Ten										
17. Action to	Terminate Ter	minate	d due t	o the s	sprays	being	g clear	ned an	id made op	erable on
the Mir	ner.									
18. Terminate	1 A [] 21	Da Yr 05/2005	B. Time (24 h	tr. Clock	1120					
Section IV-Aut	tomated System Data		<u> </u>			L				
19. Type of la	nspection	20. Even	Number	405443	4	21. Prim	ary or Mill		· · · · · · · · · · · · · · · · · · ·	
,										

MSHA Form 7000-3, Mar 85 (revised) In accordance with the pro established a National Small Business and Agriculture Regulatory C established a National Shirle dustries and Agriculture registrations.

If the Ombudsman annually evaluates enforcement actions of MSHA, you may call 1-886-REG-FAIR (1-88).

Street, SW MC 2120, Washington, DC 20416. Please note, however, the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Fithe Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has n and 10 Regional Fairness Boards to receive comments from small businesses about federal agency ties and rates each agency's responsiveness to small business. If you wish to comment on the 7), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd

your right to file a comment with the Ombudsman is in addition to any other rights you may have, including

CC[6] JT 10/5/205

MSHA Form 7000-10K, June 93 (revised) Date 10/5/2005 10/5/2005 # 714 9291 whoKNER Fire Suppression System on the Jor CM model have Knowing Nº 14 CM 15-11 26-41591-00 ON HA DOG MMU Section is not properly Fin OW

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\$\text{\$\text{\$\Omega}\$U.S. G.P O 2005:742-563}\$

Supervisor's Initials and Date

10/3/2	-CO 5	
den Tin	s Set	1115
A11 S	orays h	ne.
Clemes	P And	BU
NOW O	perotuj.	
	AND AND THE PARTY OF THE PARTY	
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spector's initials	Low M	Pege No /

TUS, G.P.O.2005:742-563

line	Cita	tion	100	da
11116-1	1 .1124	11 11 21 3	/L //	



1. Date	Mo Da Yr 10/06/2005	2. Time (24 Hr. Clock) 0658		Citation/ 7098356 Order Number 7098356
4. Served Marty C			5. Operator ANKER WEST VIRGINIA	A MINING COMPANY INC
6. Mine SAGO N			7. Mine ID 46-08791	(Contractor)
8. Conditio	n or Practice			8a. Written Notice (103g)

The Fairchild 35C scoop, approval # 2G-3599-2, scoop operating on the 1-Left section mmu 006-0 is not being maintained in a safe operating condition. The wire rope used on the scoop wench has several distortion of the rope structure, the rope lays are separated and several broken wire strands exist at the end of the termination.

						See Co	ntinuation Form (MSI	iA Form 7000-3a)
9. Violation	A. Health ☐ Safety ✔ Other ☐	B. Section of Act		C. Part/Section o Title 30 CFR	f	75.1	725(a)	
Section II-Insp	ector's Evaluation							
10. Gravity:							_	. —
A. Injury o	or Iliness (has) (is):	No Likelihood	Unlikely [Reasonably	Likely 🔽	Highly Likel	y 📋 Occi	irred
	or illness could rea- or be expected to be	: No Lost Work	days 🗌 Lost V	Vorkdays Or Restri	cted Duty 🗹	Permaner	ntly Disabling 🔲	Fatal 🗍
C. Signific	ant and Substantia	l: Yes 🗹	No 🗌			D. Number	of Persons Affecte	d: 001
11. Negligen	ce (check one)	A. None	B. Low 🗌	C. Moderate 🗹	D. High		E. Reckless Disre	pard 🗌
12. Type of A	action 104	(a)	13. Type of	f Issuance (check o	ne)	Citation 🗹	Order 🗌	Safeguard
14. Initial Act A. Citation		C. Safeguard [D. Written Notice [E. Citation/ Order Nu	mber		F. Dated	Mo Da Yr
15. Area or E								
16. Terminati	ion Due A. Date	Mo Da Yr 10/06/2005	B. Time (24 Hr. Ck	ock) 0705				
Section III-Ten	mination Action							
17. Action to	Terminate The	wire rope	was remov	ved from t	he scoo	p.		
18. Terminat	A. Date 10/	Da Yr 06/2005 B. Tim	e (24 Hr. Clock	0705				
	tomated System Data							**************************************
19. Type of li (activity o		20. Event Numb	405443	4 21. P	rimary or Mill			
22. Signature				· · · · · · · · · · · · · · · · · ·		23. Al	R Number	~67

MSHA Form 700075, war so (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Mine	Citation/Order
Conti	nustion

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N//		

Continuation		Mine Safety and Health Administration			
Section I-Subsequent Action/Con	tinuation Data				
1. Subsequent Action 1a. Co	ntinuation 2. Dated Original lss	Mo Da Yr 3. Citation/ 7098356 - 01			
4. Served To		5. Operator			
Carl Crumrine Mine F	oreman	ANKER WEST VIRGINIA MINING COMP	ANY INC		
6. Mine		7. Mine ID 46-08791	(Contractor)		
SAGO MINE		40-00791			
Section II-Justification for Action					
Change	From	То			
9. C. Part/Section	75.1434(e)	75.1725(a)			
Reason					

Incorrect section of 30 CFR

								See Continuation Form
Section III-Subsec	quent Action Take	ก						
8. Extended To	A. Date Mo	Da	Yr	B. Time (24 Hr. Clock)		C. Vacated	D. Terminated	▼ E. Modified
Section IV-Inspec	tion Data							
9. Type of Inspe	ection E01		10. E	vent Number 4054434				
11. Signature	TCGJ			AR Number	12. Date	Mo Da Yr 10/11/2005	13. Time (24 Hr. Clo 1517	ock)

MSHA Form 7000: a, Mar 85 (revised)

MSHA Form 7000-10K, June 93 (revised) DATE 10/6/05 4.) Person doing perm. Serious my wy would result from an accident one to this violation, possibly the Scoop was in Service Terminated: 07:05 A.M. wire Rope was removed Supervisor's Initials and Date _

1U.S. GPO. 2005-752-00928

MSHA Form 7000-10K, June 93 (revised)	
Date 10/6/05	,
# 2098356 06:5	8
75.1434(e)	
The FAIRCHIE 35C SC	00P
approva1#26-5599-C	
Scoop operating conditi	, 0%1
The wire rope usedow	the
scoop wirch LAS sever	AL
distortions of the rope	
structure, the rope !	AYI
Are separated and se	ucal
broken wire strands exis	<u> </u>
at the end of the	
tarmination.	
Inspector's Initials	e No. Le
Supervisor's Initials and Date Pag	g 190,

'U.S. GPO: 2005-752-00928

Baino	Citation	IOrdor



lis	<i>)</i>	7	1
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Section I-Vio	lation Data			
1. Date	Mo Da Yr 10/06/2005	2. Time (24 Hr. Clock) 0930	3. Citation/ Order Numbe	, 7098357
4. Served T Marty Co	-		5. Operator ANKER WEST VIRGINIA MININC	COMPANY INC
6. Mine SAGO M			7. Mine ID 46-08791	(Contractor)
	ar Practice			8a. Written Notice (103g)

There is no fire fighting equipment (hose and fittings) available for the #7 coal conveyor belt line.

										See	Continuati	on Form (MSI	-LA Form 7000-	3a)
9. Violation	A. Health Safety Other	Y	B. Section of Act				ant/Section of itie 30 CFR	of		75.	1100-20	(b)		
Section II-Inspe	ector's Evalua	ntion												
10. Gravity:					_							_		
A. Injury o	r Iliness (ha	ıs) (is):	No Likelihoo	d 🗍	Unlikely 🔽		Reasonably	y Likely	<u></u>	Highly LI	cely	Occi	ırred	
	r illness cou be expecte		No Lost	Workdays [Lost \	Norkd	ays Or Restr	ricted D	uty 🗸	Perma	nently Dis	sabling	Fatal _	
C. Signific	ant and Sul	ostantial	Yes	_ No	7					D. Numb	er of Pers	ons Affecte	d: 001	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
11. Negligend	ce (check o	ne)	A. None	B. Lo	>w <u> </u>	C. M	oderate 🔽		D. High		E. Rec	kless Disre	gard	
12. Type of A	ction	104(a)		13. Type o	f Issu	ance (check	one)	C	itation 🗹	Ort	ier 🗌	Safeg	uard
14. Initial Act A. Citation		der 📋	C. Safeguar	d _ D. Wi	ritten Notice		E. Citation/ Order Nu					F. Dated	Mo Da	Yr
16. Terminati	on Due	A O-1-	Mo Da Y	· I			110	^	T	1000				
		A. Date	10/06/20	05 6.11	me (24 Hr. Ci	OCK)	1100	U 						
Section III-Ten	mination Action	on												
17. Action to			fire fne.	ightin	ıg equi	pme	nt was	pro	video	i for	the	#7 coa	1	
18. Terminat	A. Date	10/0	Da Yr 06/2005	3. Time (24 I	Hr. Clock		1100							
Section IV-Aut	omated Syste	em Data												
19. Type of It		E01	20. Event	Number	405443	34	21. F	Primary	or Mill	- April 194				
22. Signature		C^{α}	9	-,					····	23	AR Nun	nber f	-67	

MSHA Form 7000-10K, June 93 (revised)	
Date 10/6/05	Date 10/6/05
# 709 8557 9:30A.M.	4) [6] - Sould
75. 1100-2(b)	and a second sec
	have known.
There is no fire fighting	S) Several Sliffs
Equipment (Lose + fittings)	2) It would delive could
available for the #7	delay extinsuiting a
coal conveyor belt live.	belt fire.
	8) Unlikely, area is very
	damp & miren water live
The state of the s	could have been used to
APPROXIMATE AND TO COLUMN AND ADDRESS AND	for five fighting. Also fire
A MERITANIAN PROPERTY OF AN ADMINISTRATION OF AN ADMINISTRATION OF A STATE OF	dilute system was in place.
	Term. 11:00
	F.F.E. WAS Provided
	*
C(7	Inspector's Initials
Inspector's Initials	Supervisor's Initials and Date Page No.

10.5 GPO. 2005-752-00928

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

1U.S. GPO, 2005-752-00928

			_	_
Mine	Cita	tion	/Or	der

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⋘		

Section IVi	olation Data						
1. Date	Mo Da Yr 10/11/2005	2. Time (24 Hr. Clock) 0935	3. Citation/ Order Number	7098358			
4. Served Carl Cru		reman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC				
6. Mine SAGO N	······································		7. Mine ID 46-08791	(Contractor)			
	n or Practice			8a. Written Notice (103g)			

The required first aid materials for the 1 left section 006-0 mmu are not being properly maintained in that 10 triangular bandages of the required 24 and 0 tourniquets of the required 2 were provided.

									See	Continuation	on Form (MSH/	A Form 7000-3a))
9. Violation	A. Health Safety Othe	· 💆	B. Section of Act			C. Part/Section Title 30 CF			75.	1713-7((b)		
Section II-Inspe	ector's Evalu	ation											
10. Gravity: A. Injury o	r Iliness (h:	as) (is):	No Likeliho	od _	Unlikely 🔽	Reason	ably Likel	ly _	Highly Llk	cely _	Occur	red	
	r illness co		No Lost	Work	days 🗌 Lost W	orkdays Or R	estricted	Duty 👿	Permai	nently Dis	sabling	Fatal	
C. Signific	ant and Su	bstantial	Yes		No 🛂				D. Numbe	er of Pers	ons Affected	001	
11. Negligeno	ce (check o	ne)	A. None	- i	B. Low 🗌 🤇	C. Moderate	✓	D. High		E. Rec	kless Disrega	ard	
12. Type of A	ction	104(a)		13. Type of	Issuance (che	ck one)	C	itation 📝	Orc	ler 🗀	Safeguar	rd 📃
14. Initial Act A. Citation		der 📋	C. Safegua	rd [D. Written Notice	E. Citati Orde	on/ Number				F. Dated	Mo Da	Υr
15. Area or E		A. Date	Mo Da	Yr	B. Time (24 Hr. Clo	ck) I	130						
			10/11/20)05	D. Time (24 Fit. City	- 1	130						
Section III-Ten	mination Acti												
17. Action to section		All	first	aic	i supplies	were de	elive.	red a	nd pro	vide	d to tr	ie	
18. Terminat	ed A. Date	3	Da Yr .1/2005	B. Tim	e (24 Hr. Clock	1130							
Section IVAut	tomated Syst	em Data	***************************************	***************************************									
19. Type of lactivity of		F01	20. Event	Numbe	er 4054434	4	1. Prima	ry or Mill					
22. Signature	• ([6]							23.	AR Num	iber	[]	
MSHA Form 70	000-3 Лагы	- o (reviseu)	111 av3010	ance wil	th the provisions of the S	mall Business F	Regulatory	Enforcemen	t Fairness Ad	t of 1996,	the Small Busin	ness Administra	tion has

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

the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

MSHA Form 7000-10K, June 93 (revised)
Date 10-11-05
75,1713-76 0935
7098358
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V V
Inspector's Initials [4]
Supervisor's Initials and Date Page No.

1
Date 16-11-05
Thould Have Kinn
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5) at least 15/life
5) at least 1 Thisk 6) Sperson 2) delay in muliture
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8) unlitted to Chusas
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Inspector's Initials 67
Supervisor's Initials and Date Page No.

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

*U.S. GPO; 2005-752-00928

*U.S. GPO: 2005-752-00928

Mine Citation/Order

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





Section IVic	olation Data						
1. Date	Mo Da Yr 10/18/2005	2. Time (24 Hr. Clock) 0952	3. Citation/ Order Number	7098363			
4. Served T Carl Crus		reman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC				
6. Mine SAGO MINE			7. Mine ID 46-08791	(Contractor)			
	n or Practice			8a. Written Notice (103g)			

The approved roof control plan is not being complied with on the 1 left 006 mmu section. The crosscut between # 5 and #6 entry 2 blocks inby station spad 3816, was completed and there is no reflectors or visible warning device provided in the #6 entry out-by the crosscut to warn miners of unsupported mine roof.

					See Continu	ation Form (MSH	A Form 7000-3a)
9. Violation A. Health Safety Other		C	. Part/Section of Title 30 CFR		75.220(a	n)(1)	
Section II—Inspector's Evaluati	on						
10. Gravity:		_				~~	,
A. Injury or Illness (has) (is): No Likelihood	Unlikely	Reasonably Like	ely 👱	Highly Likely	Occur	red
B. Injury or illness could sonably be expected		tays 🗌 Lost Wor	kdays Or Restricted	Duty 😿	Permanently	Disabling	Fatal
C. Significant and Sub-	stantial: Yes 🗹	No _			D. Number of Po	ersons Affected	^{l:} 001
11. Negligence (check one	A. None 🗔	B. Low 🗀 C.	Moderate 🔽	D. High	C E. R	eckless Disreg	ard 🗌
12. Type of Action	104(a)	13. Type of Is:	suance (check one)	C	Citation 🔽 💢	Order 🗌	Safeguard
14. Initial Action A. Citation B. Orde	er C. Safeguard	D. Written Notice	E. Citation/ Order Numbe	F		F. Dated	Mo Da Yr
16. Termination Due	Mo Da Yr	Г					
10. Termination Dae	10/18/2005	B. Time (24 Hr. Clock) 1005				
Section IIITermination Action						 	
17. Action to Terminate	The crosscu	it was bolte	d and the	reflec	ctors wer	e also h	nung.
18. Terminated A. Date	10/18/2005	e (24 Hr. Clock	1005				
Section IV-Automated System							
19. Type of Inspection (activity code)	E01 20. Event Number	4054434	21. Prima	ary or Mill			
22. Signature					23. AR N	umber /	67

MSHA Form 7 _0-3, 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 20418. 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.

TU.S. GPO. 2005-752-90928

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

Date 10-18-05

miver of wsupported

Governor Should have Hurowar.

(5) less than one shift.

(6) one parson exposed

(7) lost woldlays or restricted duty-broker bours or erushing type infuries.

'U.S. GPO, 2005-752-00928

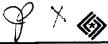
MSHA Form 7000-10K, June 93 (revised)

Date 10-18-05

(8) Reusocakly littely = Slicker slides mot That Touchs to full between the book but 10115. Men have been inturied at 12,5 move from roof and rib falls. Lee citation # 7098365 1418/05 Term, 10.18-05 the crossent was 60 Hed and The reflectors were also muy Supervisor's Initials and Date

U.S. GPO 2005-752-00928

Mine ∩ita	on/Order
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Section IViolati	ion Data			Mine Sale	ty and Health P	ummsuation.	
1. Date	Mo Da Yr	2. Time (24 Hr. (Clock)		Ţ	3. Citation/	7098364
I. Date	10/18/2005	i	100	-		Order Number	7090304
4. Served To	10,10,10,10	<u> </u>		5. Operator			
Carl Crumr	ine Mine Fore	man		ANKER V	WEST VIRGIN	IIA MINING C	COMPANY INC
6. Mine				7. Mine ID	46-08791		(Cantractor)
SAGO MII							(Contractor) 8a. Written Notice (103g)
8. Condition o							he 1 left 006
mmu sec crosscu with th chemica entry i 0.05% m practic crosscu other m ventila	tion. The t between e ventilated smoke for some thane detected to roll at the total were the work to t	10SC shuther # 7 in continuous from the ected in up line is sport make used siking faction ded to w	ttle cars we and the #8 e rol for #7 e nt in the fa in-by corne the face. A brattice verterials. The	ere observentries, entry rolusce, none er of the According ntilating ere is no coards and tation #7 f	ved tramm: 60 feet in led up. Wi could be last open to states the face means produced d pads to 098367 was	ing across n-by stat: nen checked distinguing a crosscut ments this is and use ovided to haul the swritten See Continuation	s the last open ion spad 3816, ed with ished. The #7 t. There is s is a standard the last open indicate that last line and for no
	Safety 🗸 Other	of Act		Title 30 CFR		75.330(b)(1	.)
Section II-Inspe	ector's Evaluation						
10. Gravity:						to be be at the make a mount	O
		No Likelihood	Unlikely 🛂	Reasonably	Likely H	ighly Likely	Occurred
	r illness could rea- be expected to be:	No Lost Worl	kdays 📃 💎 Lost W	orkdays Or Restri	cted Duty 📝	Permanently Disa	abling Fatal
	ant and Substantial:	Yes	No 💆		٥	Number of Perso	ons Affected: 001
11. Negligeno	e (check one)	A. None	B. Low 🗌 🤇	C. Moderate	D. High 📝	E. Reck	less Disregard
12. Type of A	ction 104(d)(2)	13. Type of	issuance (check o	one) Cita	tion Orde	er 🗸 Safeguard
14. Initial Acti A. Citation		C. Safeguard	D. Written Notice	E. Citation/ Order Nu	mber 709	7827	F. Dated Mo Da Yr 05/20/200
15. Area or E	quipment The	# 6 and	# 7 entries	on the 0	06 mmu se	ction	
16. Terminati	on Due A. Date	Mo Da Yr	B. Time (24 Hr. Clo	ck)			
Section III-Terr							
17. Action to			tion contro	ls were r	e-establi	shed to d	lirect the air
to the	working fa	ices.					
18. Terminate		0a Yr 8/2005 B. Tir	ne (24 Hr. Clock	1020			
Section IVAut	omated System Data						
19. Type of Ir (activity c		20. Event Numb	^{oer} 4054434	4 21. P	rimary or Mill		
22. Signature	- C(-	-				23. AR Numb	per [6]

MSHA Form 700045, mar 80 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Mine Citation/Order Continuation

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

P	X	
		<u>=</u>

∠	(Original Issue)	Мо 10/1	Da 8/200	'''	Citation/ Order Number	7098364	
I. Served To				5. Operat			
Carl Crumrine Mine Foreman			1	ANKEF	R WEST VIRG	INIA MINING C	OMPANY INC
5. Mine			7	7. Mine II	46-0879	1	(Contractor)
SAGO MINE Section II—Justification for Action							

Continuation of 8. Condition or Practice
#6 entry face. This violation is an unwarrantable failure to comply with a mandatory standard.

		See Continuation Form
8. Extended To A. Date Mo Da	Yr B. Time (24 Hr. Clock)	C. Vacated D. Terminated E. Modified
Section IV-Inspection Data 9. Type of Inspection E01	10. Event Number 4054434	
11. Signature [6] MSHA Form 700c	AR Number	12. Date Mo Da Yr 13. Time (24 Hr. Clock) 10/18/2005 1000

MSHA Form 7000-10K, June 93 (revised)	MSHA Form 7000-10K, June 93 (revised)	MSHA Form 7000-10K, June 93 (revised)
75,370a, 1000	Date 10-17-05 Aug Rolls	Date 10-18-05
#7 entry	Chron is 320	Horas the Cur har
Coagu of Charlet	- 6]	wes the hast open him to that mateginal
Defined # 78#8		feeden.
Minch in #8 alter	1912 wide Dy 8' High	- Also 5/e open oten
Thoughting	Mine Mas 1/42	Like this All the
Snoke 160 10	past	
App Annet Algorisms	to this 1-speaker	
Eur this Line	that He Always	
Inspector's Initials	Inspector's Initials L. C. Page No. 16	Inspector's Initials'
Supervisor's Initials and Date Page No. 4	U.S. GPO 2005-752-00928	Supervisor's Initials and Data Page No. 4

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

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

Onto	10-	18-	05
Uate			

Date 10-18-05

Date 10-18-05

10:00 Put 7098364

Evernical Smother face were could is 0.05 % methere meterials. There is no megus provided to -

for werement in the be distinguished. The # 7 extry is 69 Fact from The inly curves of the 1654 open ROUSSouts There detected in the face According to statements This is stundard prectise to roll up live brattice ventilating the feces and use The last open crossouts to transport

Supervisor's Initials and Date

10.5 GPO 2005/752-00928

other mother were. used such as fly bounds and pads to haul the last live and ventilate the working feed, also pitulian & 7098367 was written for un vertilet provided to within 10of all entry face. This violation is ac unuarpartable failure to comply with a murchetory sturdents

Indocate That at the

TU.S. GPO 2005-752-00

U.S. GPO 2005-752-00928

75. 330 (6)(1)

The approved vertilation plan is not being complied with on the 1 left oob MMU Section The 10 SC Shuttle

curs were observed tramming across the

last uper crosscut between the 47 and 48 entrics, 60 feat inchy

Station Spail 3816, with The Vertilative controls for # 7 every rolled up.

When checked with-

Supervisor's Initials and Date

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

spector's Initials	<u>o</u>
upervisor's Initials and Date	Page No. O

1U.S. GPO 2005-752-00928

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

Date 10-18-05
8) Likely to chuse
Accident D.OTOCAY
found 40' out by free
Roof & Ribs Appen
to be Adequated dustered
Rondungs were wet
Curtain was provided
to the face out was
Rolled in it the
CROSSELL not providing
Vertilation.
Term 1020
Vertilation Re-established
dfaremone WAS tohoby
Manyeunt on Right furx, to
Incompany's Initials 1
Supervisor's Initials and Date Page No.

'U.S. GPO: 2005-752-00928

Mine Citation/Orde	į
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Section I-Vic	olation Data			<u> </u>	
1. Date	Mo Da Yr 10/18/2005	2. Time (24 Hr. Clock) 1030	3. Citation/ Order Number	7098365	
4. Served To Carl Crumrine Mine Foreman		reman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC		
6. Mine SAGO M	AINE		7. Mine ID 46-08791	(Contractor)	
	n or Practice			8a. Written Notice (103g)	

The mine roof of areas where persons work or travel on the 1 left 006 mmu section is not supported or otherwise controlled to protect persons from hazards related to falls of the mine roof. The #7 entry starting approximately 60' in-by station spad 3816 has loose material hanging, (rock) and appears that it will fall with warning. Several loose rocks measuring 1/4 inch to 6" thick by 24" wide by 29" long and 2" thick by 12" wide by 30" long and 4" to 9" thick by 15" wide by 48" long was removed from the mine roof at a height measured to be 10 1/2' along with several other smaller pieces.

		See Continuation Form (MSHA	Form 7000-3a)
9. Violation A. Health B. Section of Act Other Of Act	C. Part/Section of Title 30 CFR	75.202(a)	
Section IIInspector's Evaluation			
10. Gravity: A. Injury or Illness (has) (is): No Likelihoodt	Unlikely Reasonably Likely	Highly Likely Occum	ed
B. Injury or illness could reasonably be expected to be: No Lost Workdays	Lost Workdays Or Restricted D	uty 🗹 Permanently Disabling 🗔	Fatal
C. Significant and Substantial: Yes 🔽 No 🗌		D. Number of Persons Affected:	001
11. Negligence (check one) A, None B. Lo	w C. Moderate 🗹	D. High E. Reckless Disrega	rd 🗔
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. Writ	E. Citation/ Order Number	F. Dated	Mo Da Yr
15. Area or Equipment			
16. Termination Due A. Date Mo Da Yr 10/18/2005 B. Tim	ne (24 Hr. Clock) 1040		
Section III-Termination Action			<u></u>
17. Action to Terminate The loose mate:	rial was removed.		
18. Terminated A. Date Mo Da Yr 10/18/2005 B. Time (24 H	r. Clock 1040		
Section IV-Automated System Data			
19. Type of Inspection (activity code) F.0.1 20. Event Number	4054434 21. Primary	or Mill	
22. Signature		23. AR Number	63

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

	MSHA Form 7000-10K, June 93 (revised)	MSHA Form 7000-Ton, June 35 Transaction
MSHA Form 7000-10K, June 93 (revised)	Date 10-19-05	Date 10-18-05
Date 10-19-05	Udle	10:30
75 202a 1030	outher core	647098368
	5hbox hose	75, 202 (4)
14" to 6" thick	Rock	41 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
JAN Stone	Metour 48tey	The nine tool of areas where persons worth or
291 wide X 24 Long	15 wide Capitosi	travel on The 1/eft
	thick allo the	006-0 MMU Section is
30 km X12 wige	bee have	Not supported or other-
-X Upta Thick	udy loose	wise controlled to
10/2 High	Material	protect persons from
Picacy/		hazards related to full
#7 - Nacl	And I who admin	of the wire tout. The
inby (CA) SS	Betur 766	approximately 60 in- by
Cut 38 Approx	wide bolf gitting	Station spail 3816 has
		loose material hunging,
		(rock) and appear that
Inspector's Initials [6]	Inspector's Initials 6	Inspector's Initials Page NA
Supervisor's Initials and Date Page N23	Supervisor's Initials and Date Page No. 24	Supervisor's Initials and Date Page No. 19.5 GPO. 2005-752-00
'U.S. GPO: 2005-752-00928	U.S. GEO 2003-136-00320	· ·
· '		

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

Date 10-18-05

it will fall set without warming. Several
loose rocks measuring
by inches to 6" thick by
24" wiste by 29" long and
2" thick by 12" wiste by
30" long and 4" to
9" Thick by 15" wiste by
48" long were removed
from the mine roof
at a height measured
to be 10 5' along with
Several other smoller
pieces.

have Known.

Inspector's Initials ... [6]

Supervisor's Initials and Date

Page No

10 S GPO 2005-752-00928

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

Date 10-18-05

(5) at least one shift

(6) one person exposed

1) lost wortdays or restricted duty britler bours, erushing type inpuries.

B) Rowwaldy Littly-The roof Rowlitive on This section, appears That it will fall without warming along The Roul r. b and between the rolls of roof botts, even a small piece of roof lathing

Supervisor's Initials and Data ______ Page No.

10.S. GPO 2005-752-00928

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

0010 10-18-08

from 10' feet would Seriously injury a person.

10-18-05 Time 10140

the loose motorial

Inspector's Initials

Supervisor's initials and Date

TU.S. GPCJ. 2005-752-00928

Mine Citatio	on/Order					ent of L nd Healtl	abor n Adminis	tration (P	
Section I-Violati	on Data								V	
1. Date	Mo Da Yr	2. Time (24 Hr. Clo					3. Citation		98366	
	10/18/2005	1045	5				Order	Number / U		
4. Served To				5. Op	erator	er væ	STATE A MATE	NING COM	DANIVI	NC
	ine Mine Fore	man						MING COM	I ALVI I	
6. Mine	-			7. M ir	eiD 4	6-0879	1			(Contractor)
8. Condition o					·····			8a. V	Vritten Not	
		Pump opera	ating in t	ha #8	entry	at #	8 bloc	k on th	e 1 l	eft
section	is not be	eing provid	ded with a	fire	extin	guishe	er or 2	240 lbs	of ro	ck dust.
							See C	Continuation Form	(MSHA For	m 7000-3a)
9. Violation	A, Health	B. Section		C. Part/Se			, may 1 m 3 m	00.2(.)(2)		
!	Safety 🗸	of Act		Title 30	CFR		75.11	00-2(e)(2)		
Section II. Inse	Other ector's Evaluation			L			<u> </u>		w	
10. Gravity:			· · · · · · · · · · · · · · · · · · ·							
	r Illness (has) (is):	No Likelihood 📃	Unlikely 📝	Reas	onably Like	oly	Highly Llk	ely	Occurred	
	r illness could rea- be expected to be:	No Lost Workda	ays Lost V	Vorkdays Or	Restricted	Duty 🔽	Perman	ently Disabling	_ 1	Fatal 🗌
C. Signific	ant and Substantial	Yes 🗌	No 🔽				D. Numbe	r of Persons Af	fected:	001
11. Negligeno	e (check one)	A. None	B. Low	C. Moderate	Z	D. High		E. Reckless [Disregard	
12. Type of A	ction 104(a)	13. Type o	f Issuance (c	heck one)	C	Citation 🔽	Order		Safeguard
14. Initial Acti A. Citation		C. Safeguard	D. Written Notice	E. Cit	ation/ der Numbe	ıf		F. Da	ited	Mo Da Yr
15. Area or E	quipment									
16. Terminati	on Due A. Date	Mo Da Yr 10/18/2005	B. Time (24 Hr. Ck	ock)	1100					
Section IIITerr										
17. Action to provide		fire extin	guisher an	nd the	requi	red an	mount	of rock	dust	was
18. Terminate	TIA Data	Da Yr B. Time	(24 Hr. Clack	1100						
Section IV-Aut	omated System Data				·	·				
19. Type of ir (activity c		20. Event Numbe	405443	34	21. Prima	ary or Mill				
22. Signature	T6-	7					23.	AR Number	C6	7

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

		MSHA Form 7000-10K, June 93 (revised)
MSHA Farm 7000-10K, June 93 (revised)	MSHA Form 7000-10K, June 93 (ravised)	Date 10-18-05
Date 10-18-05	Date 10-18-05	Date 70
1046		
C.4 7098366	(5) Wellow	And the state of t
75, 1100-2 (e)(2)	·	term
	(6) one person exposed	13 10 00
The # 13 Staveo pump		10-18-05
operating in the #8	(7) 105+ worthdays or	11:00
eutry at # 8 blockov	restricted duty-smithe	140
The 1 left Section	inhelation or bune	The a five exting-
is not being provided	to The skin.	wisher and The
with a fire extinguish-		required amount of
er or 240 165 of rock	(8) whitely. The area where	ruck dust was
dust.	The pump is located is	provided
	wet and clowed and	
(H):	tollets ruch duricky	
foremen Should have	is adequatery applied	And the second s
How	to the area.	
Inspector's Initials _ CGT _ 23	Inspector's Initials 3 4	Inspector's Initials
Supervisor's Initials and Date Page No. 33	Supervisor's Initials and Date Page No. 3 4	'U.S. GPO: 2005-752-00928

10.S GPO: 2005-752-00928

"U.S. GPO 2005-752-00928

Mine Citation/Order		U.S. Department of La Mine Safety and Health				
Section I-Violation Data			1			
1. Date Mo Da Yr 10/18/2005	2. Time (24 Hr. Clock) 0955		3. Citation/ Order Number 7098367			
4. Served To Carl Crumrine Mine Fore	man	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC				
6. Mine SAGO MINE		7. Mine ID 46-08791	(Contractor)			
8. Condition or Practice			8a. Written Notice (103g)			
left 006 mmu sect	ion is not being main	tained to withir	the #6 entry on the 1 in 10' from the area of talled to 17' of the face.			

						See Contin	uation Form (MSHA	Form 7000-3a)
9. Violation	A. Health Safety ✓ Other	B. Section of Act		C. Part/Section of Title 30 CFR		75.330(b)(2)	
Section II—Insp	ector's Evaluation							
10. Gravity:		_						
A. Injury o	r Illness (has) (is):	No Likelihood	Unlikely 🔽	Reasonably	Likely	Highly Llkely	Occurre	
	r iliness could rea- r be expected to be		daysLost Wo	orkdays Or Restric	ted Duty 🔽	Permanently	Disabling	Fatal
C. Signific	ant and Substantia	al: Yes _	No 🔽			D. Number of F	Persons Affected:	001
11. Negligen	ce (check one)	A. None	B. Low C	. Moderate 👱	D. High	E. I	Reckless Disrega	d <u> </u>
12. Type of A	action 104	(a)	13. Type of I	ssuance (check o	ne) (Citation 🗹	Order	Safeguard _
14, Initial Act A. Citation		C. Safeguard	D. Written Notice	E. Citation/ Order Nur	nber		F. Dated	Mo Da Yr
16. Terminati	ion Due A. Dat	Mo Da Yr e 10/18/2005	B. Time (24 Hr. Cloc	k) 1012				
Section III-Ten	mination Action							
17. Action to	Terminate]	The ventila	ation contro	ol was ex	tended	to withir	n 10' of	the face
18. Terminat	A. Date 10/	18/2005	e (24 Hr. Clock	1012				
	omated System Data						,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	
19. Type of to (activity o		20. Event Numb	er 4054434	. 21. P	rimary or Mill			
22. Signature		7		· · · · · · · · · · · · · · · · · · ·		23. AR 1	Number Γ (. 7

MSHA Form 7001 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.

Wys

MSHA Form 7000-10K, June 93 (revised) MSHA Form 7000-10K, June 93 (revised) Date 10-18-05 Date 10-1805 Inspector's Initials 6 Inspector's Initials Supervisor's Initials and Date Supervisor's Initials and Date

*U.S. GBD-2005.752 00029

HIS POOL TOOK STORMORE

Mina	Cita	tion	Order
11111111	1.1124	11 11 11 12	1 31 (30%)





Section I-Vic	olation Data							
1. Date	Mo Da Yr 10/24/2005	2. Time (24 Hr. Clock) 0830	3. Citation/ Order Number	7098368				
4. Served 1 Carl Cru		reman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC					
6. Mine SAGO M	IINE		7. Mine ID 46-08791	(Contractor)				
	n or Practice			8a. Written Notice (103g)				

The operator is not complying with his approved Smoker's program. According to the operators record book, no search was done for the week of 10-17-2005 thru 10-22-2005 for the C-crew. The approved program requires weekly searches and records maintained of such.

										See (Continuatio	n Form (MSH	A Form 7000	-3a)
9. Violation	A. Health Safety Othe	· 💆 📗	B. Section of Act		Anticopy of the Symposium of the Symposi		/Section o	f		75	.1702-1			,
Section II-Insp	ector's Evalu	ation												
10. Gravity:													-	
A. Injury o	or Iliness (h	as) (is):	No Likeliho	od 🗔	Unlikely 🗹	R	easonably	Likely	L	Highly Llk	ely	Occu	rred	
	or illness co y be expect		No Lost	Workdays	Lost W	/orkdays	s Or Restri	icted D	uty 🔽	Perman	ently Dis	abling	Fatal	<u> </u>
C. Signific	cant and Su	bstantial:	Yes	No	· Z					D. Numbe	r of Perso	ons Affected	d: 001	
11. Negligen	ce (check o	ne)	A. None	В.	Low 🗌	C. Mode	erate 🔽		D. High	:	E. Reck	less Disreg	ard	
12. Type of A	Action	104(a	1)		13. Type of	Issuand	ce (check o	one)	C	itation 🔽	Orde	er	Safeg	uard
14. Initial Act		der 🚞	C. Safegua	rd D.V	Vritten Notice	E	. Citation/ Order Nu	mber				F. Dated	Mo D	a Yr
15. Area or E				z							· <u>·······</u> ········			
16. Terminat	ion Due	A. Date	Mo Da 1 10/24/20	12	Time (24 Hr. Clo	ck)	1500)						
Section IIITer	mination Acti	on												
17. Action to	Terminate													
18. Terminat	A. Date	Mo (Da Yr	B. Time (24	Hr. Clock									
Section IVAu	tomated Syst	em Data												
19. Type of I		E01	20. Event	Number	405443	4	21. P	rimary	or Mill					
22. Signature	3	16								23.	AR Numb	per [67	

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

Mine Citation/Order Continuation

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





Contanada							
Section I-Subsequent Ac	tion/Continuation Data						· ·
1. Subsequent Action	1a. Continuation	2. Dated (Original Issue)	Mo 10/	Da 24/200:	Yr 5	Citation/ Order Number	7098368 - 01
4. Served To					. Operal		
Carl Crumrine N	Ine Foreman			F	ANKE	<u>R WEST VIRG</u>	INIA MINING COMPANY INC
6. Mine				7	7. Mine I	46-0879	(Contractor)
SAGO MINE							
Section II-Justification fo	r Action						

Smoke search was conducted and entered in the record book.

			See Continuation Form
Section III-Subsequent Action Taken			
8. Extended To A. Date Mo Da	B. Time (24 Hr. Clock)	C. Vacated	☑ D. Terminated ☐ E. Modified
Section IV-Inspection Data			
9. Type of Inspection E01	10. Event Number 4054434		
11. Signature	AR Number	12. Date Mo Da Yr	13. Time (24 Hr. Clock)
		10/25/2005	1600
MSHA Form 7000- Mar 85 (revised)			



₩U.S. G.P.O.2005:742-563

Inspector's Initials _

Supervisor's Initials and Date

Supervisor's Initials and Date

*U.S. GPO, 2005-752-00928

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

Mino	Citation	/Order
William	1 11 11 11 11 11	/VIUEI





			Willie Odicty dild Floc						
Section IVic	olation Data								
1. Date	Mo Da Yr 10/24/2005	2. Time (24 Hr. Clock) 0930	3. Citation/ Order Number 7098369						
4. Served			5. Operator ANKER WEST VII	RGINIA MINING COMP	ANY INC				
6. Mine SAGO MINE			7. Mine ID 46-087		(Contractor)				
	n or Practice			8a. Wr	tten Notice (103g)				
G. CONGIGO	II WE E INCHISE				+ h + h -				

The required amount of fire protection is not being maintained with on the #1 coal conveyor haulage system in that there is only 400' of the required 500' of fire hose provided and also no fire nozzle provided.

									See C	ontinuatio	n Form (MSF	IA Form 7000	3a)
9. Violation	A. Health Safety Other	$\overline{\mathbf{Z}}$	B. Section of Act			C. Part/Section of Title 30 CFR	of		75.1	100-2(1	9)		
Section II-Insp	ector's Evalua	tion											
10. Gravity: A. Injury o	or Iliness (ha	ıs) (is):	No Likelihoo	od 🗍 🕠	Jnlikely 🔽	Reasonably	Likely		Highly Like	ly _	Occu	ırred	
	r illness cou be expecte		No Lost	Workdays 🗌	Lost W	orkdays Or Restr	icted Do	uty 🔽	Perman	ently Disa	abling	Fatal	
C. Signific	ant and Sul	bstantial:	Yes	☐ No 5	2				D. Number	of Perso	ons Affecte	d: 001	
11, Negligen	ce (check o	ne)	A. None	B. Lov	w 🗍 💢	C. Moderate 🗹		D. High		E. Reck	less Disre	gard 🗀 🔃	
12. Type of A	ction	104(a	ı)	· · · · · · · · · · · · · · · · · · ·	13. Type of	issuance (check	one)	C	itation 🔽	Orde	er 🗀	Safeg	uard 🗀
14, Initial Act		der 🗔	C. Safeguar	d 🗀 D. Writ	tten Notice	E. Citation/ Order Nu	ımber				F. Dated	Mo D	a Yr
15. Area or E	Equipment												
16. Terminat	ion Due	A. Date	Mo Da Y 10/24/20	5 5-2 1 HY	ne (24 Hr. Clo	ck) 160	0						
Section III-Ter	mination Action	on											
17. Action to	Terminate												
18. Terminat	ed A. Date	Mo	Da Yr	8. Time (24 H	r. Clock								
Section IVAu	tomated Syst	em Data											
19. Type of I		E01	20. Event	Number	405443	4 21.1	Primary	or Mill					
22. Signatur	e [((-]						23.	AR Num	ber [[6]	

MSHA Form 1 1000-3 (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 (1-88-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.



Mine	Citation/Order
06	





Continuation				Mine S	atety and Healt	n Administration	<u>ブノ</u>	<u> </u>
Section I-Subsequer	nt Action/Continuation Data							
1. Subsequent Ac	tion 1a. Continuation	2. Dated (Original Issue)	Mo Da 10/24/20	Yr)05	3. Citation/ Order Number	7098369 - 01		
4. Served To Carl Crumrine	Mine Foreman			5. Opera		GINIA MINING CO	MPANY INC	
6. Mine SAGO MINE				7. Mine	46-0879)1	(Contractor)	
Castina II I tratificatio	- for Action							

The required amount of fire hose was provided along with a fire nozzle.

										See Continuation Form
Section III-Sub	sequent Action Taken									
8. Extended	A. Date Mo	Da	Υr	B. Time (24 F	Ir. Clock)		☐ C. V	acated	✓ D. Terminated	E. Modified
Section IV-Ins	pection Data									
9. Type of Ins	spection E01		10. E	vent Number	4054434					
11. Sign:				IA	R Number	12. Date	Mo Da	Yr	13. Time (24 Hr. Ck	ock)
					[6]		10/25	/2005	1545	
MSHA Form	-3a, Mar 85 (revise	1)								



MSHA Form 7000-10K, June 93 (revised)	MSHA Form 7000-10K, June 93 (revised)
Date 10-24-05	Date 10-24-05
75.1100-26 0930	
7098369	4) [6]
<i>J</i>	
The require amount of	5) Unkram Amout of
fire protection is est being	Lime
montained with on the	6) / person
# 1 Belt in that there	7) Delay in fine fighting
15 only 400' of the	Dunkly to course
Kegvika 500' of fine	irjuny on necedent
hose provided of also	extra tose uso in
no fike wasse	Belt entry At # 2 Self
probable	Delve
	Term 10-24-05
	1600
energy .	years & sump
Inspector's Initials Supervisor's Initials and Date Page No.	Inspector's Initials and Date Page No.
\$\frac{1}{2}\text{U.S. G.P.O.2005:742-563}	Supervisor's Initials and Date Page No. 12

Mine	Citati	$\alpha n/\Omega$	irder
Raine	t man	f 11 1/4 J	11 11 11 11 11



Section I-Violation Data		
1. Date Mo Da Yr 2. Time (24 Hr. Clo 10/24/2005 093	l Order Number	70
4. Served To Carl Crumrine Mine Foreman	5. Operator ANKER WEST VIRGINIA MINING COMPAN	Y INC
6. Mine	7. Mine ID 46-08791	(Contractor)
SAGO MINE	8a. Written	Notice (103g)
8. Condition or Practice	startor box located at #1 block, is not p	rovided

The #1 coal conveyor belt starter box, located at #1 block, is not provided with fire protection.

						See (Continuation Form (MSHA	Form 7000-3a)
9. Violation	A. Health Safety V	B. Section of Act		C. Part/Section of Title 30 CFR		75.	1101-8(a)	
Section II-Inspe	ector's Evaluation							
10. Gravity:	r Iliness (has) (is	: No Likelihood	Unlikely 😿	Reasonably Like	ely 🗌	Highly Llk	ely Cocurre	d 🗍
B. Injury o	r illness could rea	3- No Look Morke	lays Lost V	Vorkdays Or Restricted	Duty 🗹	Permar	nently Disabling	Fatal 🗍
	ant and Substan		No 🔽			D. Numbe	er of Persons Affected:	001
11. Negligeno	ce (check one)	A. None	B. Low 🗔	C. Moderate 🔽	D. High		E. Reckless Disregar	d 🗍
12. Type of A	action 10	4(a)	13. Type o	f Issuance (check one)	(Citation 🔽	Order	Safeguard
14. Initial Act A. Citation	ion B. Order	C. Safeguard	D. Written Notice	E. Citation/ Order Number	er.		F. Dated	Mo Da Yr
15. Area or E								
16. Terminat	ion Due A. Da	Mo Da Yr 10/24/2005	B. Time (24 Hr. Cl	ock) 1400				
Section IIITer	mination Action							
17. Action to	Terminate							
18. Terminat	A. Date	Mo Da Yr B. Tim	e (24 Hr. Clock					
Section IVAu	tomated System Da	ta						
19. Type of I		20. Event Numb	er 405443	34 21. Prin	ary or Mill			
22. Signatur	e					23	. AR Number	<i>o</i>]

MSHA Form 70uu-3, N 5 (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.

W/0/25

Mine	Citation/Order
Conti	nuntion

)	1.	-			
	_		 	**	_

Continuation		Willie Sc	ilety allo ricolo	17 tarrimon and 1		
Section I-Subsequent Action/Continuation Data						
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	M o Da 10/24/20	•••	3. Citation/ Order Number	7098370 - 01	
4. Served To Carl Crumrine Mine Foreman			5. Operat	or R WEST VIRC	INIA MINING CO	
6. Mine SAGO MINE			7. Mine II	46-0879	1	(Contractor)
Section IIJustification for Action						

The proper fire protection was provided.

		See Co	ontinuation Form
Section III-Subsequent Action Taken			
8. Extended To A. Date Mo Da	B, Time (24 Hr. Clock)	☐ C. Vacated ☑ D. Terminated ☐ E.	Modified
Section IV-Inspection Data			
9. Type of Inspection E01	10. Event Number 4054434		
11. Signature [6]	AR Number	12. Date Mo Da Yr 13. Time (24 Hr. Clock) 10/25/2005 1550	

MSHA Form 7000-oa, Mar 85 (revised)



WELLY LONG 1000-1000 True 23 (Leasen)	MSHA Form 7000-10K, June 93 (revised)
Date 10-84-05	Date 18-24-05
75.1101-8a 0735	4), [6]
7098370	(weekly)
The #1 coal belt	5) Several Sliffs
The he hav 12 Ltt	2) delavir line
block is not skoulded	Sight on
with fire protection.	8) In Likely to Course
	Accident fine exting-
	vishers were in the
AT DAMA	CROSSINTS At the
	belt drive
	TEYM 10-24-05 1400h
	V. and A specific of the Annual Contract of the Annual Annual Contract of the Annual Contra
	· ————————————————————————————————————
	* No Fif Annual 1 State of All Conference on the Conference of the Conference of the Conference on the
Inspector's Initial 6	Inspector's Initials [6]
Supervisor's Initials and Date Page No.	Supervisor's Initials and Date Page No. 4 U.S. G.P.O.2005:742-563

Mir	Ci	tat	io	n/i	O١	de	٦r





Section IVic	olation Data				•
1. Date	Mo Da Yr 10/24/2005	2. Time (24 Hr. Clock) 1400		3. Citation/ Order Nur	7098371
4. Served To Carl Crumrine Mine Foreman		5. Operator ANKER	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC		
6. Mine SAGO M			7. Mine ID	46-08791	(Contractor)
	n or Practice				8a. Written Notice (103g)
There	e is no rec	ord provided as ree hoses for the #1	equired for .,2,3,4,5,6	the function to and 7 Coal conv	est of the fire eyor belts.

							See C	ontinuation Form (MSH	A Form 7000-3a)
9. Violation	A. Health Safety Other	7	Section of Act		C. Part/Section of Title 30 CFR	f	75.	1103-11	
Section II-Insp	ector's Evalua	tion							
10. Gravity:					~	• 21 b	Linkh, i lica		rred 🗔
	r Illness (ha		Likelihood 🗍	Unlikely 🗸	Reasonably	Likely	Highly Llke	:17	
	or illness cou y be expecte		No Lost Works	days 🗍 Lost W	orkdays Or Restri	cted Duty 🔽	Perman	ently Disabling	Fatal
C. Signific	ant and Sul	ostantial:	Yes 🗍	No 🗹			D. Number	of Persons Affected	d: 001
11. Negligen	ce (check or	ne) A.	None 🗌	B. Low 🗀 C	C. Moderate 💆	D. Hìgh		E. Reckless Disreg	ard 🔲
12. Type of A	Action	104(a)		13. Type of I	issuance (check o	one) C	Citation 🔽	Order	Safeguard
14. Initial Act		der C.	Safeguard	D. Written Notice	E. Citation/ Order Nur	mber		F. Dated	Mo Da Yr
15. Area or E	Equipment								
16. Terminat	ion Due	A Make	No Da Yr 0/26/2005	B. Time (24 Hr. Cloc	×) 0800				
Section IIITer	mination Actio	Я							
17. Action to	Terminate								
18. Terminat	A. Date	Mo Da	Yr B. Tim	e (24 Hr. Clock					
Section IVAu	tomated Syste	em Data							
19. Type of I		E01	0. Event Numb	er 4054434	21. P	rimary or Mill			
22. Signatur		T6	1				23.	AR Number	6]

MSHA Form 7000-3, Mar 85 (revised)

MSHA Form 7000-3, Mar 85 (revi

Mine	Citation/Order
Conti	nuation

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Section I-Subsequent Action/Continuation Data				
1, Subsequent Action 1a. Continuation	2. Dated (Original Issue)	 Da Yr /2005	3. Citation/ Order Number	7098371 - 01
4. Served To		5. Oper		
Carl Crumrine, Mine Forman		ANKI	ER WEST VIRGI	INIA MINING COMPANY INC
6. Mine		 7. Mine	46-0879	(Contractor)
SAGO MINE			40-0072	1
Section II-Justification for Action				

The record has been provided for the # 1-7 coal belts function test.

			See Continuation Form
Section III—Subsequent Action Taken			
8. Extended To A. Date Mo Da	Yr B. Tirne (24 Hr. Clock)	C. Vacated	D. Terminated E. Modified
Section IV-Inspection Data			
9. Type of Inspection E01	10. Event Number 4054434		
11. Signature	AR Number	12. Date Mo Da Yr	13. Time (24 Hr. Clock)
		12/07/2005	1505
MSHA Form 7000 A Mar 85 (revised)			. 1

42/13

MSHA Form 7000-10K, June 93 (revised) Date 10-24-05 75.1103-11 Supervisor's Initials and Date ₩U.S. G.P.O.2005:742-563 MSHA Form 7000-10K, June 93 (revised)

Date 10-24-05

4) Denson programmable for
4) Sonon Responsable for
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inspectu at exim
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Jenn 10 AG 77 ME 10 theme
Jenn 10-26 time to exam
Inspector's Initials 6
Supervisor's Initials and Date Page NO
FC u.s. g.p. o. 2005:742-563

M	> tion/Order	U.S. Department of Labor Mine Safety and Health Administration
Sea	Violation Data	





141			Mine Safety and Health Administration				
Sea V	/iolation Data						
1. Date	Mo Da Yr 11/01/2005	2. Time (24 Hr. Clock) 0655	3. Citation/ Order Number	, 709837	75		
4. Served		eman	5. Operator ANKER WEST VIRGINIA MINING	COMPAN	Y INC		
6. Mine SAGO			7. Mine ID 46-08791		(Contractor)		
	on or Practice			8a. Written I	Notice (103g)		
the 0	003 mmu 2 Le	ft section. The #2 en	with the approved roof contry starting 18' in-by stadth. The entry is cut 21 support added.	ation sp	pad		

				See C	ontinuation Form (MSHA	Form 7000-3a)
9. Violation A. Healt Safet Othe	y ☑ of Act er		Section of 30 CFR	75.2	20(a)(1)	
Section II-Inspector's Eval	Jation					
10. Gravity:				Uimbhat lice	ely - Occum	
A. Injury or lilness (f	ias) (is): No Likelihood 📃	Unlikely 🗸 Re:	asonably Likely 📋	Highly Llke	ely Cocume	
B. Injury or illness of sonably be expect		rs Lost Workdays	Or Restricted Duty	Perman	ently Disabling	Fatal
C. Significant and S	ubstantial: Yes 🗌 🖡	No 🔽		D. Number	r of Persons Affected:	001
11. Negligence (check	one) A. None 🗌 B	3, Low 🗌 C. Moder	ate 🗸 D.	High [E. Reckless Disregal	d
12. Type of Action	104(a)	13. Type of Issuance	(check one)	Citation 🔽	Order	Safeguard
14. Initial Action A. Citation B. C	rder C. Safeguard D.		Citation/ Order Number		F. Dated	Mo Da Yr
16. Termination Due	A. Date Mo Da Yr 11/01/2005	3. Time (24 Hr. Clock)	1110			
Section III—Termination Ad	<u></u>					
17. Action to Terminate		l roof support	t was inst	talled.		
18. Terminated A. Da	11/01/2005	24 Hr. Clock 111	0			
Section IV-Automated Sys	item Data					
19. Type of Inspection (activity code)	F01 20. Event Number	4054434	21. Primary or	Mill		
			1	1		

accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has MSHA Form 706. MSHA Form 700. Iccordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1990, 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 apposition and obtains a hoster the Folders Miles Softward Health Position. the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Date 11-01-05 0655 Cit 2098375 stevel 75, 2206041 Souds wo The nive operator is not complying with the approved roof control plan on The ood may entry starting 18' in-by Station spay 3951 exced ed the maximum Muximum allowed 20° width. The entry is out 21 2 wicke for a distance of 12' with no supplemental support added. Supervisor's Initials and Date

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

nete 11-01-08		
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TEMPL III	1.1 =	
Suppleme	1401 S	upport.
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ARREST A. THE PROPERTY OF THE	[6]	AT 200017 TAXABLE TO THE TAXABLE TO
Inspector's Initials	r 67	Page No. 16
Supervisor's Initials and I	Date	Page No. / 69

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

A A î	ne	Cita	tion	/Ord	er



			mino ouror, and man		
Section I-Vi	olation Data				<u> </u>
1. Date	Mo Da Yr 11/01/2005	2. Time (24 Hr. Clock) 0715		3. Citation/ Order Number 709	8376
4. Served To Carl Crumrine Mine Foreman			5. Operator ANKER WEST VIF	RGINIA MINING COMP	ANY INC
6. Mine SAGO MINE			7. Mine ID 46-087		(Contractor)
	n or Practice			8a. Wri	tten Notice (103g)

The mine operator is not complying with the approved ventilation plan, on the 003 mmu 2 Left section. The Joy continuous miner, co. #2 JM5574 is observed operating in the #4 to #5 crosscut without the required minimum 6,000 CFM with scrubber on. When tested with an approved anemometer only 3,066 CFM is provided at the end of the line brattice.

								See C	ontinuation l	Form (MSHA	Form 7000-3a)
9. Violation	A. Health Safety ✓ Other				C. Part/Section Title 30 CFR	of		75.3	70(a)(1)		
Section II-Insp	ector's Evaluatio	1				,					
10. Gravity: A. Injury o	or liiness (has)	(is): No Likelih	ood 🗀	Unlikely 📋	Reasonabl	y Likely	2	Highly Llke	y 🗀	Occum	ed 📋
	or illness could be expected		t Workdays [Lost W	orkdays Or Rest	ricted Du	ıty 🗀	Perman	ently Disab	oling 🔽	Fatal
C. Signific	ant and Subst	antial: Ye	s 📝 No			-		D. Numbe	of Person	s Affected:	002
11. Negligen	ce (check one)	A. None	B. Le	ow [] (C. Moderate 🔽	ı	D. High		E. Reckle	ss Disrega	d
12. Type of A	Action	104(a)		13. Type of	Issuance (check	one)	Ci	tation 🔽	Order		Safeguard
14. Initial Act A. Citation		C. Safegu	ard [D. W	ritten Notice	E. Citation Order N				F	. Dated	Mo Da Yr
15. Area or E	-quipriient	_									
16. Terminat	ion Due A.	Date Mo Da 11/01/2	I R T	ime (24 Hr. Clo	ck) 073	0					
Section III-Ter	mination Action										
17. Action to readin		The red, 980 CFM		ventilat	ion was	estak	olish	ed and	d the	new a	ir
18. Terminat	A. Date	Mo Da Yr 11/01/2005	B. Time (24	Hr. Clock	0730						
Section IV-Au	tomated System	Data									
19. Type of I (activity		E01 20. Ever	t Number	4054434	4	Primary	or Mill				
22. Signatur	e		**********					23.	AR Numbe		6]

MSHA Form 70 ...ar 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.

W/103

U.S. GPO 2005-752-00928

Supervisor's Initials and Date

Date 11-01-05 provided at the end of the live brattice. term 11-01-05 The required ventilitation was astublished and the wow gir reading wans 7,980 CFM. H.S. GPO, 2005-752-00928

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

Date 11-01-05 (4) The Comme or [6] (5) MUHURUN LES Than (6) Two person expressed (7) Should an appident occur, burn to the Sky, damage to worker Lugs from Exposure to roll dust coul dust and other (8) If This type of mucing proctise Runtimes muces will be over

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

Date 11-01-05	
exposed to har dust or metho	enful ive gus
Torres	soper
Soft Top 1	
	Na ³
Inspector's Initials CG	Page No & (
	'U.S. GPO 2005-752-00928

Mine Citation/Order

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





Section I-Vi	olation Data			
1. Date	Mo Da Yr 11/01/2005	2. Time (24 Hr. Clock) 0730	3. Citation/ Order Number	7098377
4. Served To Carl Crumrine Mine Foreman			5. Operator ANKER WEST VIRGINIA MINING	COMPANY INC
6. Mine SAGO MINE			7. Mine ID 46-08791	(Contractor)
	n or Practice			8a. Written Notice (103g)
		······································	1 11 000	

The roof of areas where persons work or travel on the 003 mmu section is not supported or otherwise controlled to protect persons from hazards related to falls of the mine roof. The last open crosscut between #3 and #4 entries, 1 block in-by station spad 3951, has loose hanging material that appear it will fall without warning. Material measuring 1/8th inch to 4 inches thick by widthes ranging from 2" to 18" by 2 1/2' to 5' in length. The height of the mine roof in the affected area is 8'.

											Sé	e Continu	ation Form (I	VISHA F	orm 7000-3	a)
9. Violation	A. Health Safety Other	2	B. Section of Act			<u>, , , , , , , , , , , , , , , , , , , </u>	1	Part/Section Table 30 CF				75.202(<u> </u>
Section II-Inspe	ector's Evalua	ition														
10. Gravity:																
A. Injury o	r Illness (ha	ıs) (is):	No Likeliho	od 🗌	U	Inlikely		Reasona	ably Like	ly 🔽	Highly	lkely	<u> </u>	ccurrec	1	
	r illness cor be expecte		No Losi	Workd	ays 🗌	Lost \	Norkd	ays Or Re	estricted	Duty 👱	Pem	anently [Disabling]	Fatal _	· · · · · · · · · · · · · · · · · · ·
C. Signific	ant and Su	ostantial:	Yes	~	No 🗌						D. Nurr	ber of Pe	rsons Affe	cted:	001	
11. Negligeno	e (check o	ne)	A. None	-	B. Low	<i>,</i> 🗀	C. M	oderate	Z	D. High		E. R	ckless Dis	sregard	· 🗆	
12. Type of A	ction	104(a	1)			13. Туре о	f Issu	ance (che	ck one)		Citation y	<u> </u>	order 🔙		Safegu	ard
14. Initial Act		der 🗍	C. Safegua	ırd 🗀	D. Writi	ten Notice		E. Citati Order	on/ Number	•			F. Date	ed .	Mo Da	Yr
15. Area or E			Mo Da	vr I												<u></u>
io. rominae	ON DOC	A. Date	11/01/2	1	B. Tim	e (24 Hr. Cl	ock)	0	745							
Section III-Ten	mination Acti	on														
17. Action to	Terminate	î.	The lo	ose	mate	erial v	was	remo	ved.							
18. Terminate	A. Date	11/0	Da Yr 1/2005	B. Time	e (24 Hr	. Clock		0745					-			_
Section IVAut	omated Syst	em Data														
19. Type of I		E01	20. Event	Numbe	r	405443	34	2	1. Prima	ry or Mill			-			
22. Signature	,	ſ	[6]									3. AR N	ımber	[2	J	

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

Date 16-01-05 0730 C4 7098377 Star. 75, 202 (9) Sands yes the rook of area where person work or travel on The 003 MMy Section is not supported or otherwise controlled to protect persons from hazards related to falls of The mive roof The last open crossent by tween \$3 and \$4 entries, I block in by Station spad # 3951, has loose havying materia That apprours it will full-Inspector's Initials ____ Supervisor's Initials and Date

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

Dete 11-01-05
without waswing.
material measuring
2 th juches to
4" inches Thick by
with widthes ranging
from 2" to 18" by 24
to 5' in length the
height of the mine
roof in the affected
area is 8'.
term 11-01-2005
time 6748
The loose muterial
was removed.
Inspector's Initials 43
Inspector's Initials and Det Page No. 23
'U.S. GPU 2005-752-00928

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

革U.S. G.P.O.2005:742-563

TU S. GPO: 2005-752-00928

MSHA Form 7000-10K, June 93 (revised) MSHA Form 7000-10K, June 93 (revised) Inspector's Initials Supervisor's Initials and Date 1 U.S G.P O 2005:742-563 1 U.S. G.P.O.2005-742-563

Mine Citation/Order

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

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	V



Section I-Viol	ation Data						
1. Date	Mo Da Yr 11/01/2005	2. Time (24 Hr. Clock) 0800	3. Citatio Order	n/ Number 7098378			
4. Served To Carl Crun		man	5. Operator ANKER WEST VIRGINIA MI	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC			
6. Mine SAGO M	INE		7. Mine ID 46-08791	40-08/91 (Contractor)			
8. Condition	or Practice			8a. Written Notice (103g)			
on the inby s reflec	2 left 00 tation spactors or vi-	3 mmu section. The d 3941, was comple	page 6 item 7, is not be crosscut between # 4 and the ted and unspported and the ce provided in the #5 enterted mine roof.	d #5 entry 2 blocks here is no			

							Sec	Continuatio	n Form (MSH	IA Form 7000-3a)
9. Violation	A. Health Safety V	B. Section of Act			Part/Section of itle 30 CFR			75.220(a)(1)		
Section II-Insp	ector's Evaluation									
10. Gravity:	u illuana (haa) (is): No Likelihoo	.d ^{~~} talil	cely	Reasonably	likely 🗸	Highly I	lkely 🦳	Occu	med 🗀
	or iliness (has) (O:III		r (casonos)	<u> </u>				
	or illness could in the expected to		Workdays 🗌	Lost Workd	lays Or Restri	cted Duty	✓ Perm	anently Dis	abling 🔙	Fatal
C. Signific	ant and Substa	ntial: Yes	✓ No 🗆				D. Num	per of Pers	ons Affected	d: 001
11. Negligen	ce (check one)	A. None	B. Low	С. М	oderate 🔽	D. H	ligh 🗍	E. Reck	dess Disreg	ard 🔲
12. Type of A	Action 1	04(a)	13	. Type of Issu	ance (check o	ne)	Citation 🗸	Ord	er 🗀	Safeguard
14. Initial Act A. Citation		C. Safeguar	d D. Written	Notice	E. Citation/ Order Nu	mber			F. Dated	Mo Da Yr
15. Area or E	ion Dua	Mo Da Y	ī _		000					
	A. I	Date 11/01/20	05 B. Time (2	4 Hr. Clock)	0805	<u> </u>				
Section III-Ter	mination Action									
17. Action to	Terminate	Two refle	ctive in	dicator	s were	provio	ded on	the ou	it-by	corner of
the cr	osscut.					-				
18. Terminat		Mo Da Yr 11/01/2005	3. Time (24 Hr. Cl	ock	0850					
Section IV-Au	tomated System D)ata								
19. Type of I (activity		20. Event	Number 4()54434	21. P	rimary or N	Aill			
22. Signature	9	(6]	***************************************		<u></u>		2	3. AR Num	ber [567

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



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

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Inspector's Initials [[[[]	
Supervisor's Initials and Date	Page N650

U.S. GPU 2005-752-00928

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Mine Citation/Order

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





Section I-Vic	olation Data							
1. Date	Mo Da Yr 11/01/2005	2. Time (24 Hr. Clock) 0957	3. Citation/ Order Number 7098379					
4. Served Carl Cru		reman	5. Operator ANKER WEST VIRGINIA MINING	COMPANY INC				
6. Mine SAGO N	AINE		7. Mine ID 46-08791	(Contractor)				
	n or Practice			8a. Written Notice (103g)				

The company #2 and #3 Joy shuttle cars, operating on the 003 mmu section, are anchored to the permanent roof support, 1 block out-by station spad 3940, in the #4 entry and #3 to #4 crosscut and the pemanent support is loose.

						See	Continuation Form (MSH/	A Form 7000-3a)
9. Violation	A. Health Safety V	B. Section of Act		C. Part/Section Title 30 CFF		75.	204(f)(7)	
Section IIInsp	ector's Evaluation							
10. Gravity:								
A. Injury o	or Illness (has) (is)	: No Likelihood	Unlikely 🗍	Reasona	oly Likely 🔽	Highly Lli	cely Occur	rea
	or illness could rea y be expected to b		days Lost V	Vorkdays Or Re	stricted Duty §	✓ Permai	nently Disabling	Fatal
C. Signific	cant and Substant	ial: Yes 🔀	No 🗀			D. Numbe	er of Persons Affected	001
11. Negligen	ce (check one)	A. None	B. Low 🗀	C. Moderate	<u>.</u> D. Н	igh 🗌	E. Reckless Disrega	ard C
12. Type of A	Action 104	l(a)	13. Type o	f Issuance (chec	k one)	Citation 🗸	Order 🗍	Safeguard
14. Initial Act A. Citation		C. Safeguard	D. Written Notice	E. Citatio	n/ Number		F. Dated	Mo Da Yr
15. Area or E		Mo Da Yr te 11/01/2005	B. Time (24 Hr. Cl	ock) 11	25			***************************************
Section III-Ter	mination Action	11/01/2005	<u> </u>					
17. Action to	Terminate 'T'	he affected	roof supr	nort was	replace	ed and a	dditional b	olts
were i		for anchors						
18. Terminal	A. Date	/01/2005	e (24 Hr. Clock	1125				
Section IVAu	tomated System Dat	а						
19. Type of I (activity		20. Event Numb	er 405443	34	. Primary or M	iH .		
22. Signatur	-	67				23.	AR Number	5]

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



Date 11-01-05
0957
cit 7098379
Stav 75,204 (4)(1)
Sands yes
The company # 2 and
#3 Toy Shuttle Curs,
operating on the 003-10
my scetion, are auchored
to The permavent roof
support, 16 well out-by
Spad 3940, in the #4
every and # 3 to #4
crosscut and permanent
support is loose.
term 11-01-05
time 4.25 the affortal roof.
the affected roof.
Inspector's Initials Page No.

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

Date 11-01-05
support was replaced and outlitional butter
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Inspector's Initials [6] -
Supervisor's Initials and Date Page No. 2
10 S. GPO, 2005-752-00928

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

Date
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4) Seefun forommy
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Hop Lotes makent
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y the state of the
Inspector's Initials . [6]
Supervisor's Initials and Date Page No.
郑 U.S. G.P.O.2005:742-563

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

U.S. GPO 2005-752-00928

MSTM FORM ADDITION, JUNE BO VIEWINGO	
Date 11-1-05	
This Phase Hose Been Bent from the Mire Roofly hoose Mitten sal is parous armany the Soft That Coole some Reacher from Post & Dull of Aucher,	
John Rephrened with very ones new prohim inspelled	
Inspector's Initials and Date Page No Supervisor's Initials and Date Page No \$\text{U.S. G P.O.2005:742-563}\$	i

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NAH TIP	Cira	rion.	urcer





Section IVi	olation Data			,			
1. Date Mo Da Yr 2. Time (24 Hr. Clock) 11/01/2005 1020 4. Served To Carl Crumrine Mine Foreman			3. Citation/ Order Number 7098380				
			5. Operator ANKER WEST VIRGINIA MINING	COMPANY INC			
6. Mine SAGO N	/INE		7. Mine ID 46-08791	(Contractor)			
8 Conditio	n or Practice		<u></u>	8a. Written Notice (103g)			

The 575 Volt A.C. Trailing cable for the Joy Shuttle car, company #3 Approval No.2G-3191A-00, being operated on the 003 MMU, is not insulated adequately and fully protected. The outer protective cover of an old splice is worn away and is gapping open, exposing the inner insulated wires to the abrasive conditions of the mine environment and allowing water to freely enter the cable. This cable is routinely pulled around the coal corners as the machine travels from place to place and then is hung to the mine roof or positioned along the rib by hand. (This section is damp to wet).

						See (Continuation For	n (MSHA Form	17000-3a)
9. Violation	A. Health Safety Other	B. Section of Act		C. Part/Section of Title 30 CFR	of	7	75.517		
Section II-Inspe	ector's Evaluation								
10. Gravity:								_	_
	r Iliness (has) (i:		Unlikely	Reasonably	Likely 🔽	Highly Llk	ely	Occurred	
	r illness could re be expected to		days Lost V	Vorkdays Or Restr	icted Duty 🗸	Perman	ently Disabling	j ☐ Fa	ntal
C. Signific	ant and Substar	ntial: Yes 🔽	No 📋		_	D. Numbe	r of Persons A	ffected:	001
11. Negligeno	ce (check one)	A. None 🗍	B. Low 🗀	C. Moderate 🔽	D. Hig	yh	E. Reckless	Disregard _	-
12. Type of A	ction 1()4(a)	13. Type of	f Issuance (check	one)	Citation 🗹	Order	5	Safeguard 🗍
14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice Corder Number					Mo Da Yr				
15. Area or E									
16. Termination	on Due A. D	ate Mo Da Yr 11/01/2005	B. Time (24 Hr. Clo	ock) 104()				
Section IIITerm	nination Action								
17. Action to	Terminate 1	The cable w	as properly	repaired	l with	adequate	e insula	ation.	
18. Terminate	‴IA Nata	Mo Da Yr 1/01/2005 B. Tin	ne (24 Hr. Clock	1040					
Section IV-Auto	omated System Da	ta							
19. Type of In (activity o		20. Event Numb	er 405443	4 21. F	Primary or Mill				
22. Signature		6]				23. /	AR Number	[6]	1

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



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

Date 10 11-01-05
1020
e; + 4098380
stav. 75.517
Sands
The 575 Volt AC
truiting eable for the
Toy shuttle eur,
Company # 3 approval
NO. 26-3191-A-00 being
operated on The 003
man, in not inslulated
adequately and fully
protected. The outer
protective even of
au old splice is worn
away and is gapping
open, exposing The
inveriustulated wives
Inspector's Initials
Supervisor's Initials and Date Page No.
"U.S. GPO, 2005-752-00928

		7000.10K	J 03	francianet)
MISHA	F- #1 F#Y1	70076L 153K	11170 3.1	TERVISION.

Date 11-01-05
to The abrasive
carditions of the mine
environment and allow-
ing unter to freely
enter the cubbe. this
Ruble is routively
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Inspector's Initials
Supervisor's Initials and Date Page No. 45

MSHA Form 7000-10K, June 93 (revised)
Date //-/-05
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U.S. GPO 2005-752-00926

MSHA Form 7000-10K, June 93 (revised)	
Date //-/-25	1
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Inspector's Initials	

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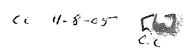
do.
1//

			Mine Safety and Health Administration				
Section I-Vi	olation Data						
1. Date	Mo Da Yr 11/08/2005	2. Time (24 Hr. Clock) 1100		itation/ order Number 7148619			
4. Served To CARL CRUMRINE, MINE FOREMAN			5. Operator ANKER WEST VIRGINIA	MINING COMPANY INC			
6. Mine SAGO MINE			^{7. Mine ID} 46-08791	(Contractor)			
8. Condition or Practice				8a, Written Notice (103g)			

The approved roof control plan was not being complied with in the 1 Left Mains MMU 006 section. Beginning at the A panel belt drive and extending for a distance of approximately 17 feet the entry width ranged from 21 feet to 22 feet. Maximum entry width allowed by the approved roof control plan is 20 feet.

								See C	ontinuation F	form (MSHA I	Form 7000-3a)	. П
9. Violation	A. Health Safety Othe	√	B. Section of Act			Part/Section of Title 30 CFR	<u> </u>	······	20(a)(1)			
Section II-Inspe	ctor's Evalu	ation										
10. Gravity:			,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,									
A. Injury or	lliness (ha	s) (is):	No Likeliho	od []	Unlikely 🔽	Reasonabh	y Likely 🔲	Highly Like	aly 🗌	Occurre	di 🗌	
B. Injury or illness could reasonably be expected to be: No Lost Workdays Lost Workdays Or Restricted Duty Permanently Disabling Fatal												
C. Significa	int and Sub	stantiai:	Yes	☐ No §	2			D. Number	of Persons	Affected:	001	
11. Negligence	(check on	e)	A. None	B. Lov	w 🗌 C. N	Moderate 🔽	D. High		E. Reckle	ss Disregar		
12. Type of Ac	tion	104(a)		13. Type of Issu	ance (check o	ne)	Citation 🗹	Order		Safeguard	t
14, Initial Action A. Citation B. Order C. Safeguard D. Written Notice Critation/ Order Number								F.	Dated	Mo Da Y	' F	
15. Area or Equipment												
16. Termination	n Due	A. Date	Mo Da \\ 11/08/20	I D Tim	e (24 Hr. Clock)	1800)					
Section III-Term	ination Acti	on										
17. Action to Te	erminate											
18. Terminated	A. Date	Мо	a Yr	B. Time (24 Hr	Clock)							
Section IV-Auto	mated Syste	m Data	·····			****	•	· · · · · · · · · · · · · · · · · · ·	*****************			
19. Type of ins (activity cod		E01	20. Event	Number	4054434	21. P	rimary or Mill					
22. Signature	C	_ \ <u></u>	,	<u> </u>				23. A	R Number	[G	-7	

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



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	Dated (Original Issue)	Mo Da 11/08/20	-, [3. Citation/ Order Number	7148619 - 01		
4. Served To			5. Operator				
CARL CRUMRINE, MINE FORI	EMAN		ANKER WEST VIRGINIA MINING COMPANY INC				
6. Mine				46.0070	(Contractor)		
SAGO MINE				46-0879	<u> </u>		
Section II-Justification for Action							

Beginning inby the A panel belt drive 7 post were installed to reduce the entry width to 20 feet or less.

Casting III C. bas	- A-E T-b-							See Continuation Form
8. Extended To		n Da	Υr	B. Time (24 Hr. Clock)		C. Vacated	☑ D. Terminated	E. Modified
Section IV-Inspe 9. Type of Inspe			10. E	vent Number 4054434				
11. Signature	[6]			AR Number	12. Date	Mo Da Yr 11/09/2005	13. Time (24 Hr. Ck 1030	ock)

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

Date 11- C 6 - 0)	
11.00 Beginning at the 1	<u>Let</u>)
A fanel best drive and	
extending for a distance	
of about 17' inby onl	7
width ranged from 21's	<u>.</u>
non Sts The Mine Rec	<u>(</u>
affaired to be in good	
Conditions	
ebuious Condition. Team 1800	
obvious Condition.	
Teen 1800	

Inspector's Initials 6 J	
Supervisor's Initials and Data Page No. 1	2-563

Mine Citation/Orde	Mine	Citatio	n/Orde
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Mine Citation/Order	U.S. Department of Labor Mine Safety and Health Administration
Section IViolation Data	
1. Date Mo Da Yr 11/08/2005 2. Time (24 Hr. Clock) 1200	3. Citation/ Order Number 7148620
4. Served To	5. Operator
CARL CRUMRINE, MINE FOREMAN 6. Mine	ANKER WEST VIRGINIA MINING COMPANY INC
SAGO MINE	(Contractor)
8. Condition or Practice	8a. Written Notice (103g) not being complied with at the following
locations in the 1 Left Mains MMU 00 distance in 90 degree 4-way intersecribs were installed to reduce the 8 No. 5 track entry No. 23 block diagonal distance of 68	06 section where the sum of the diagonal ections exceeded 60 feet and no posts or
9. Violation A. Health B. Section Safety Of Other	See Continuation Form (MSHA Form 7000-3a) C. Part/Section of Title 30 CFR 75.220(a)(1)
Section II—Inspector's Evaluation	
C Significant and Cubetontial:	t Workdays Or Restricted Duty 📝 Permanently Disabling 🗌 Fatal 🗌
Test No V	1
11. Negligence (check one) A. None B. Low	C. Moderate D. High E. Reckless Disregard
12. Type of Action 104(a) 13. Type of	f Issuance (check one) Citation 🗹 Order 🗌 Safeguard 🗍
14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice	E. Citation/ F. Dated Mo Da Yr Order Number
15. Area or Equipment	
16. Termination Due A. Date Mo Da Yr 11/08/2005 B. Time (24 Hr. Ck)	ock) 1800
Section III—Termination Action 17. Action to Terminate	
(r. Adon & remaine	
18. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock)	
Section IV—Automated System Data	
19. Type of Inspection (activity code) E01 20. Event Number 405443	34 21. Primary or Mill
22. Signature	23. AR Number [6]
has established a National Small Business and Agriculture Regulatory Ombudsma agency anforcement actions. The Ombudsman annually evaluates enforcement ac- enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or	Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration an and 10 Regional Fairness Boards to receive comments from small businesses about federal ctivities and rates each agency's responsiveness to small business. If you wish to comment on the or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 urright to file a comment with the Ombudsman is in addition to any other rights you may have, to before the Federal Mine Safety and Health Review Commission.

CC 11-8-05

Mine	Citation/Order
Canti	nuation

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

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

	ž	۲,	Ş	MOA	2005
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Subsequent Action 1a. Continuation	Dated (Original Issue)	Mo Da 11/08/20	'' [3. Citation/ Order Number	7148620 - 01	
Served To			5. Operato			
ARL CRUMRINE, MINE FOI	REMAN	ANKER WEST VIRGINIA MINING COMPANY INC				
Mine			7. Mine ID	46 0970	(Contra	ctor)
AGO MINE				46-0879	<u> </u>	

Post were installed in the affected 4-way intersections of the 1-A Mains MMU 006 section to reduce the diagonal distance span to 60 feet or less.

Section III-Subse	quent Action Take	∍n						See Continuation Form
8. Extended To	A. Date Mo	Da	Υr	B. Time (24 Hr. Clock)		C. Vacated	☑ D. Terminated	E. Modified
Section IV-Inspec	ction Data							
9. Type of Inspe	ection E01		10. E	vent Number 4054434		-		
11. Signature	` [[4			AR Number	12. Date	Mo Da Yr 11/09/2005	13. Time (24 Hr. Clo 0945	ck)

Date 11.8-05	And became the first of the second se
1200 The	sum of the diagona
distance	exceeded to un
	ng locations
No. 5 entry	10 13 block &7'
No. 5 entry	No. 24 block E8
ue. 5 entry	16. 25 block, 44"
up. y entry	station No. 3803 kg
	The mine Root
	good Condition.
Ney- Mod	This was an
chuines	Condition.
7-1	
Inspector's Initials	J.
Supervisor's Initials and C	Date Page No. 5
	ች u.s. G.P.O.2005:742-56

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



			Mine Safety and Health Administration				
Section I-Vi	iolatic <i>n</i> Data						
1. Date	Mo Da Yr 11/08/2005	2. Time (24 Hr. Clock) 1245		3. Citation/ Order Number 7149863			
4. Served T		NE FOREMAN	5. Operator ANKER WEST VIRG	HINIA MINING COMPANY INC			
6. Mine SAGO N	MINE		^{7. Mine ID} 46–0879	(Condition)			
	n or Practice			8a. Written Notice (103g)			
between	en the No.	last open crosscut be 2 to Nol entry of the coal float dust deposi	e 1 Left Mains M	to No.2 entry, and MU 006 section there was , ribs and mine floor.			

							See Continua	tion Form (MSHA	Form 7000-3a)
9. Violation	A. Health Safety V	B. Section of Act			Part/Section of Title 30 CFR		75.400)	
Section IIInsp	ector's Evaluatio	n					***************************************		
10. Gravity: A. Injury o	r Illness (has) (is): No Likelit	ood [Unlikely 🔽	Reasonably	Likely 🗌	Highly Likely	Occum	
	r iliness could i		st Workdays	. ✓ Lost Wor	kdays Or Restri	cted Duty	Permanently (Disabling 🗌	Fatal 🗌
C. Signific	ant and Substr	ential: Ye	Б 🗌 No	∀			D. Number of Per	rsons Affected:	000
11. Negligeno	ce (check one)	A. None [] В.	Low C.	Moderate 🔽	D. High	☐ E. R	eckless Disrega	rd 🗌
12. Type of A	ction	104(a)		13. Type of Issa	uance (check on	e) (Citation 🗹 C	rder 🗌	Safeguard
14. Initial Acti A. Citation		C. Safegu	ard [D.	Written Notice	E. Citation/ Order Num	nber		F. Dated	Mo Da Yr
15. Area or E	quipment								
16. Terminati	on Due A.	Date Mo Da 11/08/2		Time (24 Hr. Clock)	1345				
Section III-Ter	mination Action								
17. Action to	Terminate								
18. Terminate	A. Date	Mo Da Yr	B. Time (24	t Hr. Clock)					
Section IV-Au	tomated System	Data							
19. Type of Ir (activity o		20. Ever E01	t Number	4054434	21. P	rimary or Mill			
22. Signature	, ~	7, i -	<u>.</u>				23. AR Nu	mber (7

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement actions 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.

(c il-8.es (6)

Mine Citation/Order Continuation

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



1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo 11/0	Da 08/20	• • • • • • • • • • • • • • • • • • • •	Citation/ Order Number	7149863 - 01
4. Served To CARL CRUMRINE, MINE FO	REMAN			5. Operati ANKE		INIA MINING COMPANY INC
6. Mine SAGO MINE				7. Mine IC	46-0879	(Contractor)

Rock dust was applied to the roof, ribs, and mine floor to dilute the float coal dust in the affected area of the 1-Left Mains MMU 006 section.

Section III—Subsequent Action Ta	kan							See Continuation Form
8. Extended To A. Date Mo		Yr	B. Time (24 H	r. Clock)		C. Vacated	D. Terminated	☐ E. Modified
Section IV-Inspection Data								
9. Type of Inspection E01		10. Ev	ent Number	4054434				
11. Signature		1	Ą	R Number	12. Date	Mo Da Yr	13. Time (24 Hr. Cl	ock)
			1	.6J	<u> </u>	11/09/2005	1000	

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

Date 11-8-65
1250 Rock-dust was not
Alphied to the Roof
Ribs, and Mine floor of
the No. 2-1 Crossest and
a lite Coat of Float Coal
dust.
Don Sts The area was
danii.
vey Mad This was a
Ney Mad This was a obvious Condition
Term 1345
Inspector's Initials
Supervisor's Initials and Date Page No. B
Aus apo 2005 742-563

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



Section !Vic	olation Data			
1. Date	Mo Da Yr 11/08/2005	2. Time (24 Hr. Clock) 1545	3. Citation/ Order Numb	7149864
4. Served T CARL C		NE FOREMAN	5. Operator ANKER WEST VIRGINIA MININ	G COMPANY INC
6. Mine SAGO M			7. Mine ID 46-08791	(Contractor)
	or Practice			8a. Written Notice (103g)

In the 1-Left A panel MMU 006 section the right coal rib in the No. 4 belt entry starting 5 feet 6 inches inby survey station No. 3724 and extending for a distance of approximately 17 feet was not controlled to protect persons from the hazards of rib rolls.ON 11-07-05 at approximately 8:45 pm a roof bolter operator was seriously injured when a rib rolled measuring 17 feet long, 6 feet high and up to 16 inches thick.

								See C	onlinuation	Form (MSHA	Form 7000-3a)
9. Violation	A. Health Safety Other	2	B. Section of Act	· · · · · · · · · · · · · · · · · · ·		Part/Section of Title 30 CFR		75.	202(a)		
Section II-Inspec	ctor's Evalue	tion									
10. Gravity: A. Injury or	Iliness (has) (is):	No Likelihood		Jniikely 🗌	Reasonably	Likely [Highly Like	ty 🗌	Occurre	×d 🗹
B. Injury or sonably b	illness coul se expected		No Lost \	Vorkdays 🗌	Lost Wor	kdays Or Restri	cted Duty	Perman	ently Disa	bling 🗹	Fatal []
C. Significa	int and Sub	stantiai:	Yes 5	/ No	J			D. Number	of Person	s Affected:	001
11. Negligence	check one)	A. None	B. Lov	v □ C.	Moderate 🗹	D. High		E. Reck	less Disregar	d []
12. Type of Ac	tion	104(a	ı)		13. Type of Issu	ance (check or	e)	Citation 🗹	Orde	r 🗆	Safeguard 🗌
14. Initial Actio A. Citation	n B. On	ter 🗍	C. Safeguard	D. Wri	tten Notice	E. Citation/ Order Nur	ber			F. Dated	Mo Da Yr
15. Area or Eq	uipment										
16. Termination	n Due	A. Date	Mo Da Yr 11/09/200	5 B. Tim	e (24 Hr. Clock)	0800					
Section III—Term	nination Actio	ווא									
17. Action to T	erminate										
18. Terminated	A. Date	Mo (Da Yr B	Time (24 Hr	, Clock)						
Section IV-Auto	xmated Syste	m Data									
19. Type of Ins (activity co		E01	20. Event No	imber	4054434	21. P	rimary or Milli				
22. Signature		<u>C6</u>	7		······································	· · · · · · · · · · · · · · · · · · ·		23.7	AR Numbe	# CO	<i>o</i>]

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement actions and market and rates each agency's responsiveness to small businesses about federal agency enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-7247), 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 11-8-05 (6)

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

X	
	~///

Continuation					wine 5	alety allu mealt	n Auministration	
Section ISubsequent Ac	ction/Continuation Data							
1. Subsequent Action	1a. Continuation	2. Dated (Original Issue)	Mo 11/	Da 08/20	Yr 905	Citation/ Order Number	7149864 - 01	
4. Served To CARL CRUMRI	NE, MINE FORE	EMAN			5. Opera ANKE		GINIA MINING COMPANY I	NC
6. Mine SAGO MINE					7. Mine l	d6-0879	(Contract	or)
Section II lustification fo	vr Action							

A safety meeting was held with all three shifts on the hazards of rib rolls, and to examine the roof, and ribs where they are required to work or travel.

Section III—Subsequent Action Taken						See Continuation Form
8. Extended To A. Date Mo Da	Yr	B. Tirne (24 Hr. Clock)		C. Vacated	✓ D. Terminated	E. Modified
Section IV—Inspection Data						
9. Type of Inspection E01	10. E	vent Number 4054434				
11. Sinnahira		AR Number	12. Date	Mo Da Yr 11/09/2005	13. Time (24 Hr. Clo 1030	ck)
MSHA Form 7000-3a, Mar 85 (revised)						

Date 11-8-05
1545- on 11.7-05 in che
1. Left A famel Section
in the No. 7 entry (best)
at station No. 3724
(5' 4" inby) and extending
for about 17' the right
Rib colled out seriously
Rib colled out seriously injuring a [6]
SATE 6]
St) The Rib roll 17 hong
6' high and up to 16" Thick
Neg Nod. Nieds to do a
better Veb example on Rib
examination,
occurred. (Miner recevised
a faterin Pelvis injuria,
Term 11-9-05- 6800
Inspector's Initials
Supervisor's Initials and Date Page No
\$\text{T.U.S. G.P.O.2005:742-563}

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



Section I-Vi	olation Data			
1. Date	Mo Da Yr 11/08/2005	2. Time (24 Hr. Clock) 1630	3. Citation/ Order Number	7149865
4. Served 1 CARL C		NE FOREMAN	5. Operator ANKER WEST VIRGINIA MINING (COMPANY INC
6. Mine SAGO N	AINE		7. Mine ID 46-08791	(Contractor)
0 0	D			8a. Written Notice (103g)

The preshift examination conducted on 11-08-05 from 5:00 am to 5:30 am in the 1 Left Mains MMU 006 section was inadequate inthat the following obvious conditions were not recorded in the preshift record book. During a on site inspection the following obvious conditions were citied.

- 1.104(a) citation No. 7149864 30 CFR 75.220(a)(1) No. 4 belt entry width ranged from 21 to 22 feet.
- 2.104(a) citation No.7149863 30 CFR 75.0400 last open crosscut No.3 to2 and No.2 to 1 light coat of float coal dust deposited on the roof, ribs, and mine floor.

								See C	ontinuation Form (MSF	IA Form 7000-3a) 🗹
9. Violation	A. Health Safet Othe	/☑	B. Section of Act		C	Part/Section of Title 30 CFR		75	.360(f)	
Section II-Insp	ector's Evalu	ation								
10. Gravity: A. Injury or	r illness (ha	s) (is):	No Likelih	ood 🗌	Unlikely	Reasonably	Likely 🔽	Highly Like	ety Occu	песі 🗌
	r illness cou be expecte		No Los	st Workdays 🗌	Lost Wo	rkdays Or Restri	cted Duty 🗹	Perman	ently Disabling	Fatal 🗔
C. Signific	ant and Sul	ostantial:	Yes	s 🗹 No []			D. Number	of Persons Affected	001
11. Negligeno	e (check or	ne)	A. None	B. لـم	₩ 🗌 C.	Moderate	D. High	· 🗷	E. Reckless Disreg	pard
12. Type of A	ction	104(i)(2)		13. Type of iss	uance (check or	ie)	Citation	Order 🗸	Safeguard
14. Initial Acti A. Citation		rder 🔽	C. Safegu	ard [] D. Wi	itten Notice [E. Citation/ Order Nur	mber	7097827	F. Dated	Mo Da Yr 05/20/2005
15. Area or Ed	quipment	No a	affect	ed area	•					
16. Termination	on Due	A. Date	Mo Da	Yr B. Tin	ne (24 Hr. Clock)					
Section III-Ten	mination Act	on	····	L						
17. Action to	Terminate									
18. Terminate	A. Date	Мо	Da Yr	B. Time (24 H	r. Clock)					
Section IV-Aut	omated Syst	em Data		<u> </u>						
19. Type of in (activity or		E01	20. Event	Number	4054434	21. P	rimary or Mill			
22. Signature			T6:	7		<u>1</u>	· · · · · · · · · · · · · · · · · · ·	23. 4	R Number	67

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions or are arrian cusmess 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 1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Mine Citation/Order Continuation

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



7 Mine ID	
C Mine ()	VIRGINIA MINING COMPANY INC
SAGO MINE 46-)8791 (Contractor)

Continuation of 8. Condition or Practice

- 3.104(a) citation No.7148620 diagonal distance in 90 degree 4-way intersections exceeded 60 feet No.5 entry No.23 block, No.5 entry No. 26 block, No. 5 entry No. 25 block, and No. 4 entry station No. 3803.
- 4.104(a) citation No 7098544 30 CFR 75.202(a) loose rib and roof 22 block mantrip station.
- 5.104(a) citation No.7098546 30 CFR 75.220(a)(1) Roof bolt spacing No.7 and No.8 crosscut last open crosscut.
- 6.104(a) citation No.7098545 30 CFR 75.380(d)(1) designated escapeway not maintained in a safe condition, mud and water No.5 entry No.22 block.

										See Continuation Form
Section III-Subsec	quent Acti	on Take	HT.							
8. Extended To	A. Date	Mo	Da	Yr	B. Time (24	Hr. Clock)		C. Vacated	D. Terminated	E. Modified
Section IV-Inspec	tion Data									
9. Type of Inspe	ction I	E01		10. E	vent Number	4054434				
11. Signature						AR Number	12. Date	Mo Da Yr	13. Time (24 Hr. C	lock)
			し フ				<u> </u>	11/08/2005	1630	

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

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

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Contanuation						· · · · · · · · · · · · · · · · · · ·		
Section I-Subsequent A	ction/Continuation Data							
1. Subsequent Action	1a. Continuation	2. Dated (Original Issue)	М о 11/	Da 08/20	• • • • • • • • • • • • • • • • • • • •	3. Citation/ Order Number	7149865 - 01	
4. Served To					5. Operate		INIA MINING COMPANY IN	r
CARL CRUMRI	NE, MINE FORE	MAN			ANKE	CMESI VIKU		
6. Mine					7. Mine IC	46-0879	(Contractor))
SAGO MINE						40-00/2	1	
Section II-Justification for	or Action							

A supplemental examination was conducted on 11-08-2005 from 11:00 am to 1:00 pm by Carl Crumrine, Mine Foreman and all the listed hazardous conditions were entered in the preshift record book, and all the hazardous conditions were corrected. All foreman were instructed of the requirements on 30 CFR 75.360.

			Se	e 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 IVInspection Data				
9. Type of Inspection E01	10. Event Number 4054434			
11. Signatura	AR Number	12. Date Mo Da Yr	13. Time (24 Hr. Clock)	
	[67	11/09/2005	1223	
MSHA Form 7000-3a, Mar 85 (revised)				

Mine Citation/Order Continuation

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



1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 11/08/2005	/r 3. Citation/ Order Numbe	r 7149865 - 02		
4. Served To CARL CRUMRINE, MINE F	OREMAN		Operator NKER WEST VIR	GINIA MINING COMPANY INC		
6. Mine SAGO MINE		7.	7. Mine ID (Contractor) 46-08791			
Section Il—Justification for Action						
Change	From		To			

15. Area or Equipment

Reason From no affected area to 1-Left Mains MMU 006 section.

Written in error.

									See Continuation Form
Section III-Subsec	quent Action Take	ก							
8. Extended To	A. Date Mo	Da	Υr	B. Time (24	Hr. Clock)		C. Vacated	D. Terminated	☑ E. Modified
Section IV-Inspec	tion Data								
9. Type of Inspe	ction E01		10. E	vent Number	4054434				
11. Signatura	[6]		·		AB Number	12. Date	M o Da Yr 11/09/2005	13. Time (24 Hr. Ck	ock)

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

Date 11-08-0)
1630 After Reviewing the
1630 After Reviewing the Citations, and these
Conditions were obvious
[6].
[6]
C63
agreed that the Preshift
Prancination Conducted Grown
50 Any 5 An, in the Ideac
Mains out Section was
inadequate
1 Citation No. 7149864
2 Citation No 7149863
3 Octation No. 7148620
1. Citation No. 7098544
5. Citation No. 1098544
· Citation No. 70-18545
Inspector's Initials [4]
Supervisor's Initials and Date Page No. 10
Ârus G P.O 2005:742-563

MSHA	Form	7000-10K	, June	93	(tevised)	
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Date 11-8-65
way High All the listed
Citations were obvious.
sty four preshift examination
and not comeste correcting
hazard conditions or
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could cause miner's to
be injuried one proson
Altreto de
Inspector's Initials [6]
Supervisor's Initials and Date Page No. F / YUS. GP 0.2005:742-563

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



Section I-Vi	olation Data							
1. Date	Mo Da Yr 11/08/2005	2. Time (24 Hr. Clock) 1110	3. Citation/ 7098544 Order Number					
4. Served Carl Cru	To Imrine Mine Fo	reman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC					
6. Mine SAGO N	/INE		7. Mine ID 46-08791	(Contractor)				
	- or Drawins			8a. Written Notice (103g)				

The mine roof of areas where persons work or travel on the 1 Left Mains 006 mmu section, 22 block mantrip station, is not supported or otherwise controlled to protect persons from hazards related to falls of the mine roof. The loose material, (rock and coal), measured 3' long by 18" wide by 7" thick,---- 2' long by 1' wide by 7" thick,---- 28" long by 3" thick by 8" wide and several other smaller pieces, appear that it will fall with warning. This area is at the mantrip station and men routinely traveled under the material going to and from the section. Little or no effort was used to remove the loose material.

					Se	Continuation Form (MSI	HA Form 7000-3a)
9. Violation	A. Health Safety V	B. Section of Act		C. Part/Section of Title 30 CFR		75.202(a)	
Section II-Inspec	ctor's Evaluation						
10. Gravity:						that are Open	
A. Injury or	Illness (has) (is	i): No Likelihood	Unlikely	Reasonably Like	iy 🗸 Highiy L	Ikely Occi	urred
	illness could re be expected to		days 🗌 Lost Wo	orkdays Or Restricted	Duty 🗹 Perm	anently Disabling	Fatal
C. Significa	nt and Substan	tial: Yes <u>▼</u>	No 🗀		D. Num	per of Persons Affecte	od: 001
11. Negligence	(check one)	A. None	B. Low C	. Moderate 🔽	D. High	E. Reckless Disre	gard
12. Type of Ac	tion 10)4(a)	13. Type of I	ssuance (check one)	Citation 🗹	Order	Safeguard
14. Initial Action		C. Safeguard	D. Written Notice	E. Citation/ Order Number		F. Dated	Mo Da Yr
16. Terminatio	n Due	Mo Da Yr	<u> </u>				
	A. D	ate 11/08/2005	B. Time (24 Hr. Cloc	k) 1130			
Section III-Term	ination Action						
17. Action to T	erminate	The loose	material wa	as removed.			
18. Terminate	A. Date 1	1/08/2005	e (24 Hr. Clock	1130			
Section IV-Auto	mated System Da	eta					
19. Type of in: (activity co		20. Event Numb	er 4054434	21. Prima	ry or Mill		
22. Signature		6]			2	3. AR Number	[6]

MSHA Form 7000-75, Mai 3 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Date 1/8 05
Severs (Accidents Home Happense) At 1/25 Mine fon the Citar Revoor. Intest one on 11-7-05 R.6 Rell
Jeum: Mitter: 12 (Removed Also Justin Returned) in Roof & Rits PRevention
Inspector's Init. 6 Supervisor's Initials and Date Page No. 16 TOUS. G.P.O. 2005:742-563

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



			waite outery and mountain and a	
Section IVi	olation Data			
1. Date	Mo Da Yr 11/08/2005	2. Time (24 Hr. Clock) 1115	3. Citation/ Order Num	_{ber} 7098545
4, Served	Го		5. Operator	
Carl Cru	mrine Mine For	eman	ANKER WEST VIRGINIA MININ	NG COMPANY INC
6. Mine	W. W		7. Mine ID 46-08791	
SAGO N	MINE		40-00/91	(Contractor)
8. Conditio	n or Practice			8a. Written Notice (103g)

The designated escapeway for the 1 Left Mains 006 mmu section is not being maintained in a safe condition to assure passage of anyone, including disabled persons. Mud and water is being allowed to exist in the #5 entry at crosscut # 22. The measurements extend toward # 6 and #4 entries and in-by and out-by in the #5 entry, 30 to 35 feet long by 40' wide by 6 to 8 inches deep. The muddy water and thick mud does not let you see the uneven bottom and would cause a slip, trip and fall hazard.

sup, cup and tall nazara.			
		See Continuation Form (MSHA F	orm 7000-3a)
9. Violation A. Health B. Section of Act Other	C. Part/Section of Title 30 CFR	75.380(d)(1)	
Section II—Inspector's Evaluation			
10. Gravity: A. Injury or Illness (has) (is): No Likelihood Unlikely	Reasonably Likely	Highly Likely \(\bigcap \) Occurre	d 🗍
R Injury or illness could res-	Vorkdays 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. I	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 11/08/2005 B. Time (24 Hr. Cloud	ck) 1800		
Section III-Termination Action			
17. Action to Terminate			· · · · · · · · · · · · · · · · · · ·
17. Action to Terminate			
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17. Action to Terminate 18. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock			
18 Terminated Mo Da Yr			
18. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock	4 21. Primary or F	Mill	
18. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock Section IV-Automated System Data 19. Type of Inspection (activity code) E01 20. Event Number 4054434 22. Signature	4	23. AR Number	A Condition of B
18. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock Section IV—Automated System Data 19. Type of Inspection (activity code) E01 20. Event Number 4054434 22. Signature	4 Control Of Section Enters	23. AR Number	S Administration of
18. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock Section IV—Automated System Data 19. Type of Inspection (activity code) E01 20. Event Number 4054434 22. Signature	4 Control Of Section Enters	23. AR Number	S Administration of
18. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock Section IV—Automated System Data 19. Type of Inspection (activity code) E01 20. Event Number 4054434 22. Signature	4 Control Of Section Enters	23. AR Number	S Administration of
18. Terminated A. Date Mo Da Yr Section IV—Automated System Data 19. Type of Inspection (activity code) E01 20. Event Number 4054434 22. Signature MSHA Form 7000—	mall Basings Regulatory Enforced Pregional Fairness Boards to represent the Ombudsman at Small Street with the Ombudsman at Small Street with the Ombudsman at Small Street and Health Federal Mine Sprety Mine Mine Mine Mine Mine Mine Mine Mine	23. AR Number	S Administration has will a federal agency guilly grint on the my traditional federal agency guilly grint on the my traditional federal agency from the my traditional federal
18. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock Section IV—Automated System Data 19. Type of Inspection (activity code) E01 20. Event Number 4054434 22. Signature	4 Control Of Section Enters	23. AR Number	S Administration of

Mine	Citation/Order
Conti	nustion

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

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r	**//

Continuation					MINIO O	noty and mount	
Section I-Subsequent Ac	tion/Continuation Data						
1. Subsequent Action	1a. Continuation	2. Dated (Original Issue)	Мо 11/	Da 08/2(Yr)05	Citation/ Order Number	7098545 - 01
4. Served To CARL CRUMRII	NE MINE FORI	EMAN			5. Operat ANKE	or R WEST VIRG	GINIA MINING COMPANY INC
6. Mine SAGO MINE				· ·	7. Mine II	46-0879	(Contractor)
Section Il-Justification fo	r Action						

A wooden bridge was installed across the mud and water in the 1-Left Mains designated excapeway at No. 22 block.

						See Continuation Form
Section III-Subsequent Action Taken						
8. Extended To A. Date Mo D	a Yr	B. Tirne (24 Hr. Clock)		C. Vacated	D. Terminated	E. Modified
Section IV-Inspection Data						
9. Type of Inspection E01	10. E	vent Number 4054434				
11. Signature		AR Number	12. Date	Mo Da Yr	13, Time (24 Hr. Ck	ock)
[6]		<u> </u>		11/09/2005	0940	

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



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Inspector's Initia
Supervisor's Initials and Date Page No.
\$\text{\$\text{\$\Gamma\$}\$} \text{\$\U.S.} \text{\$\G.P.O.2005:742-563}

Date 11-8-05
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Inspector's Initial 6
Supervisor's Initials and Date Page No.
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M	SHA	Form	7000	TOK,	June	93	(revised)	

Date // B
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17/10
Jen 11-8-05 Jime to get material Pronoctoric to Build A Bridge
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Ufuild A BRIDGE
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Inspector's Initials CG Page No. 14 Supervisor's Initials and Date Page No. 14 STUS. G.P.O. 2005:742-563
Supervisor's Initials and Date Page No. 1 2 U.S. G.P.O. 2005:742-563

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



Section IVi	olation Data						
1. Date	Mo Da Yr 11/08/2005	2. Time (24 Hr. Clock) 1155	3. Citation/ Order Number	7098546			
4. Served To Carl Crumrine Mine Foreman			5. Operator ANKER WEST VIRGINIA MINING COMPANY INC				
6. Mine SAGO N			7. Mine ID 46-08791	(Contractor)			
	rilli Vill			Ba. Written Notice (103g)			

The mine operator is not complying with the approved roof control plan on the 1 Left Mains 006 mmu section. The last open crosscut between the #7 and #8 entries is not bolted per plan. The distance between the crosscut bolts and the #8 entry bolts excedes the maximum allowable distance of 4' centers. The bolt spacing is measured to be 5' to 5 1/2' in length for Four bolts.

								See C	Continuation	Form (MSHA	Form 7000-3a)
9. Violation	A. Health Safety Other	Z	B. Section of Act		C. Part/Sec Title 30			75.2	220(a)(1)	
Section II-Inspe	ector's Evalua	ation									
10. Gravity:										_	, —
A. Injury o	r Illness (ha	ıs) (is):	No Likelihood	Unlikely 🗸	Reas	onabiy Like	bly	Highly Llk	ely	Occun	ed
	r illness cor be expecte		No Lost Work	days Lost V	Vorkdays Or	Restricted	Duty 💆	Perman	ently Disa	ibling	Fatal
C. Signific	ant and Su	bstantia	l: Yes 🗀	No 🔽				D. Numbe	r of Perso	ns Affected	001
11. Negligeno	ce (check o	ne)	A. None	B. Low	C. Moderate	₹	D. High		E. Reck	less Disrega	rd
12. Type of A	ction	104(a)	13. Type o	f Issuance (c	heck one)		Citation 🔽	Orde	r □	Safeguard
14. Initial Act		der	C. Safeguard	D. Written Notice	E. Cit	ation/ ter Numbe	ſ			F. Dated	Mo Da Yr
16. Terminati	on Due	A. Date	Mo Da Yr	B. Time (24 Hr. Cl	ock)	1300		······································	<u></u>		
Section III—Ten	mination Activ	20	11/08/2005	<u> </u>	······································						
17. Action to			our narmar	nent roof s	support	's Wer	e insi	talled	and	center	s is now
per pla		<u>.</u>	our permu	ICITO TOOL	Jappor	.001					
18. Terminate	ed A. Date		Da Yr 08/2005 B. Tim	e (24 Hr. Clock	1300						
Section IV-Aut	omated Syst	em Data									
19. Type of la (activity of		E01	20. Event Numb	^{er} 405443	4	21. Prima	ary or Mill				
22. Signature		6 J				<u> </u>		23.	AR Numb	er C	0]

MSHA Form 7000. 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 20418. 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.



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Inspector's Initial	
Supervisor's Initials and Date	Page N6XV
	TUS. G.P.O 2005:742-563

Date 11-9-05

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Inspector's Initials (67) Supervisor's Initials and Date Page Nd.) Supervisor's Initials and Date Page Nd.)
Consumer's Initials and Date Pane No.
Supervisor i Initials and Date



Mine Citation/O	rder				ty and Hea		stration			
Section I-Violation Da	ta									
	Da Yr 07/2005	2. Time (24 H	: Clock) 300			3. Citati Orde	on/ r Number	709853	5	
4. Served To				5. Operator						
Carl Crumrine,	Mine Form	an	,	7. Mine ID	ANKER WEST VIRGINIA MINING COMPANY INC					
6. Mine SAGO MINE				7. Winte to	46-087	91			(Contractor)	
8. Condition or Pra		· · · · · · · · · · · · · · · · · · ·							Notice (103g)	
inch belt following	and on location by, and 700 feet	the tig ons begind d starti	t has been de ht side for t nning at 5 be ng at 39 bloo area has beer	the # 4 c elt trans ck to 15	oal cor fer on block f	iveyor the ti for a t	belt a ght s otal a	at the ide for distand	: 2 ce of	
0 V5-1-N TA 1	lookh .	B. Section	T	C. Part/Section of	f	See	: Continuatio	n Form (MSHA	Form 7000-3a)	
	lealth Safety 🗸 Other	of Act		Title 30 CFR	**		75.400			
Section II—Inspector's	Evaluation									
 Gravity: A. Injury or Iline 	ss (has) (is):	No Likelihood	Unlikely 🗸	Reasonably	Likely	Highly LI	kely	Occurr	ed 🗀	
B. Injury or illne	ss could rea-	No Lost W		orkdays Or Restr	icted Duty	Perms	nently Disa	abling	Fatal 🗍	
	xpected to be:			Ornuays Or Noon				ons Affected:		
C. Significant ar	nd Substantiai:	Yes	No ✓			U. Numb	ACI OI FEISC	Alla Allecaeu.	001	
11. Negligence (ch	eck one)	A. None 🗌	B. Low 🗌 🤾	C. Moderate 👿	D. Hig	h 🗆	E. Reck	iess Disrega		
12. Type of Action	104(a	1)	13. Type of	issuance (check	one)	Citation 🗸	Orde	r <u> </u>	Safeguard	
14. Initial Action A. Citation	B. Order	C. Safeguard	D. Written Notice	E. Citation/ Order Nu	mber			F. Dated	Mo Da Yr	
15. Area or Equipm										
16. Termination Du	e A. Date	Mo Da Yr 12/09/2005	B. Time (24 Hr. Clos	ck) 0806)					
Section III-Termination	on Action									
17. Action to Term	inate									
18. Terminated A	Mo! Date	Da Yr B.	Time (24 Hr. Clock							
Section IV-Automate										
Type of Inspec (activity code)	tion E01	20. Event Nu	^{n' er} 4054434	4 21. F	rimary or Mil	1				
22. Signature	7	77	<u> </u>			23	3. AR Numb	er [67	
MSHA Form 7000-3, lestablished a Nationa	IS: Business	and Agric a F	with the provisions of the Siegulatory Ombudsman and	10 Regional Fairnes	s Boards to rec	eive comments	s from small l	ousinesses abo	out federal agency	

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

Mine Citation/Order	
Continuation	

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

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1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)		Da Yr /2005	3. Citation/ Order Number	7098535 - 01			
4. Served To			5. Oper					
Lonnie Smith, Shift Froman				ANKER WEST VIRGINIA MINING COMPANY INC				
6. Mine SAGO MINE				7. Mine ID (Contractor) 46-08791				

The light layer of coal dust on the #4 belt has been re-rock and made inert from 19to35 block under the belt.

			See Continuation F	om
8. Extended To A. Date Mo Da	Yr B. Time (24 Hr. Clock)	C. Vacated	D. Terminated E. Modified	
Section IV-Inspection Data		· · · · · · · · · · · · · · · · · · ·		*
9. Type of Inspection E01	10. Event Number 4054434			
11. Signature	AR Number	12. Date Mo Da Yr 12/18/2005	13. Time (24 Hr. Clock) 1800	
MSHA Form 7000-3a, Mar 85 (revised)				Δ

and of

MSHA Form 7000-10K, June 93 (revised) Date 12-7-05 Lidis 48 "wide on this moth but. NON STS The coal days is under Premior rendered any Supervisor's Initials and Date

12-7-05 Stopal char on #4 lots ₩US. G.P.O 2005:742-563

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

12-7-05 100 - 11:30 am Citation # 405 4434 CFR # 75, 400 modura and usely-Restricted emustra - 12-905 0X00 M. Foremon - wil Pod dust. 5 By do don 26/165

1 U S. G.P.O.2005 742-563

Supervisor's Initials and Date

AUS. G.P O 2005:742-563

Date 12-7-05 - off side - tisto side and the cooldest diss-out lue. the total had is so blk by and there 24 blak are lancolly in He center in is humidity on this belt whith course the Coal day to stay under the best.

¥ U.S. G P O 2005 742-563

\$ 2 FOTO 2005

Mine Citation/Order

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

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Section I-V	olation Data		•					
1. Date	Mo Da Yr 12/07/2005	2. Time (24 Hr. Clock) 1330		3. Citation/ Order Number	7098536			
4. Served Carl Cru	To Imrine, Mine For	man	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC					
6. Mine SAGO N	MINE		7. Mine ID 46-0879	91	(Contractor)			
	on or Practice				8a. Written Notice (103g)			

The advisory # 0032 for the Sept.- Oct. bimonthly cycle ,MMU-036, shows that the cassette # 50772432 submitted on 10-18-2005 has been a contaminated sample . Five were submitted for the period and this one is not in compliance, therefore only 4 have meet requisite requirement of 5 valid samples.

										600	Continuatio	on Form (MSHA	Form 7000-3a)
9. Violation	A. Health Safety Othe	y 🗀 📗	B. Section of Act				C. Part/Ser Title 30				0.207(a)		Point / coo-cap
Section IIInspi	ector's Evalu	ation											
10. Gravity: A. Injury o	r Iliness (h	as) (is):	No Likeliho	ood 🗀	Uni	ikely 📝	Reas	onably Like	y <u> </u>	Highly LI	kely	Оссиле	ed 🗍
	r illness co be expect		No Los	Workda	ays 🗀	Lost W	orkdays Or	Restricted	Duty 🔽	Perma	nently Dis	abling	Fatal
C. Signific	ant and Su	ibstantial:	Yes		No 🔽					D. Numb	er of Pers	ons Affected:	001
11. Negligeno	ce (check o	пе)	A. None	Ĵ	B. Low		C. Moderate	·Z	D. High		E. Red	kless Disregar	d _
12. Type of A	ction	104(a	u)		1	3. Type of	Issuance (c	heck one)		Citation 👱	Ord	ier	Safeguard _
14. Initial Act A. Citation		rder	C. Safegua	ırd 🗀 l	D. Writter	n Notice	E. Cit.	ation/ der Number	r			F. Dated	Mo Da Yr
15. Area or E	quipment												
16. Terminati	ion Due	A. Date	Mo Da 12/07/2	1	B. Time	(24 Hr. Clox	*)	1335					
Section III-Ten	mination Acti	ion											
17. Action to	Terminate	The	bimon	thly	cycl	e and	sampl	ing p	eriod	has p	oaste(i.	
18. Terminate	A. Date	12/0	Da Yr 7/2005	8. Time	(24 Hr. C	Clock	1335						
Section IV-Aut	tomated Syst	em Data											
19. Type of li (activity o		E01	20. Even	Number	4	054434	1	21. Prima	ry or Mill				
22. Signature	••••••••••••••••••••••••••••••••••••••	T6						·		23	. AR Num	ber C6	7

MSHA Form 7000-3, prar ab (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.

wp/13

Date 12-7-05
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harvestor's Initials (167 South, 5
Supervisor's Initials and Date Page No.

Sampling Entity Information

Status Date: 07/19/2005

Entity Status: A-Producing

+ 0303-001

---ADVISORY OF NONCOMPLIANCE, FAILURE TO SUBMIT--(MECHANIZED MINING UNIT-DESIG OCC)
ADVISORY NO 0032

NOV 07, 2005

MINE I.D.46-08791

ANKER WEST VIRGINIA MINING COMPANY

MECHANIZED MINING UNIT I.D. 006-0

SAGO MINE DES

DESIGNATED OCCUPATION
036, CONTINUOUS MINER OPERATOR

CURRENT BIMONTHLY SAMPLING CYCLE NOV-DEC 2005

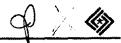
IN ACCORDANCE WITH 30 CFR 70, FIVE (5) DESIG OCC SAMPLES ARE REQUIRED DURING THE BIMONTHLY CYCLE SEP-OCT 2005, FOR THE MECHANIZED MINING UNIT IDENTIFIED ABOVE. ACCORDING TO MSHA RECORDS, THE FOLLOWING SAMPLES WERE RECEIVED.

CASSETTE		SAMPLING START TIME	MRE EQUIV					
NO.	DATE	(24-HR CLOCK)	CONCENTRATIO	N	PRODUCTION	21 P. A. B. 1	FOOT	NOTES
50722443	10-12-2005	15	0.606		01140	SEP	OCT	
50772347	10-13-2005	06	1.069		01200	1	I	1
50772349	10-17-2005	0.6	1.289		01030	I	XXXXVI	S I
50772432	10-18-2005	06 CON'	TAMINATED	***************************************	01060			
50772430	10-18-2005	15	1.198		01030		X=SAM	PLE ACCREDITED
							v=vot	D SAMPLE
							S=SAM	PLE REQUIRED

---0303---097---46-08791---B ---A
ANKER WEST VIRGINIA MINING COMPANY
SAGO MINE
ATTN:JOHN B STEMPLE
RT 9, BOX 507
BUCKHANNON WV 26201

recal in Fo

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



Section I-Violati	on Data							
1. Date	Mo Da Yr 12/14/2005	2. Time (24 Hr. C				Citation/ Order Number	7098644	•
4. Served To				5. Operator	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC			
Al Schoolister, Surety								
6. Mine					46-08791			(Contractor)
SAGO MIN B. Condition o			<u></u>				8a, Written No	tice (103g)
			observed on	the mi	ning part	ion MMII-C	06 measi	ring in
ACCUMUL	ations or	Coar were	s observed on	f hronk	e and 1 h	reak out	hv and i	n
	amounts	in the las	st open row o	r treak	s and i r	mining at	ifte 1	The
entries	. These a	accnwnTarı	lons were lef	t from	previous	ururud or	: 6-7 inc	
amounts	were meas	sured alor	ng ribs 6-8 i	nches a	eep,ın cı	ie roadway	, 0-, THO	ones
deep an	d left in	piles on	corners of r	ibs mea	suring 25	inches C	ieep z to	, 4 leet
long.	The area	involved i	is inby spad	station	423/ and	1 4238 Dec	diuurud 1	LII
crosscu	its 1 thru	6 last ro	ow of breaks,	entrie	s 2,3 and	i 6, and 1	Dreak (outby
crosscu	it $1-2$, $2-3$	3 and $6-7$.	. When measu	re the	linear fe	et is app	orox.650	reet.
The sec	tion also	shows fir	ne coal depos	ited on	the mine	roof and	i ribs fi	rom
inadequ	ate rock (dusting in	n that coal c	lust and	fine coa	ıl dust is	s lying o	on
notches	, niches, c	leates and	d on top of p	revious	ly rock o	lusted su	rfaces th	nrough
out the	e last 2 m.	ined break	ks in the sam	e locat	ion as		on Form (MSHA F	
9. Violation	A. Health	B. Section	I C.	Part/Section o	f			
o. violation	Safety 🔽 Other	of Act		Title 30 CFR		75.400		
Section II-Inspe	ector's Evaluation	-						
10. Gravity:								
A. Injury o	r Illness (has) (is):	No Likelihood	Unlikely	Reasonably	Likely	Highly Likely 🔽	Occurred	<u> </u>
	r illness could rea- be expected to be:	No Lost Work	days Lost Work	days Or Restri	cted Duty 🔽	Permanently Dis	sabling 🗀	Fatal
C. Signific	ant and Substantial	Yes 🗸	No 🗀			D. Number of Per	sons Affected:	001
11. Negligeno	ce (check one)	A. None	B. Low C.	Moderate	D. High	Z E. Red	kless Disregard	<u></u>
12. Type of A	ction 104(d)(2)	13. Type of Iss	uance (check (one) Cit	ation Ord	der 🔀	Safeguard
14. Initial Acti A. Citation		C. Safeguard	D. Written Notice	E. Citation/ Order Nu	mber 70	97827	F. Dated	Mo Da Yr 05/20/2005
15. Area or E	auioment in	hi the en	ad station nu	mber 12	37 and 4	238 on th	e MMII-00	6]
	ection B P		du Station In	mber 42	J/ and 4.	250 011 611	e inio oo	·
16. Terminati	on Due A. Date	Mo Da Yr	B. Time (24 Hr. Clock)			***************************************		
Section IIITen	nination Action		<u> </u>		L			
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17. Action to		area was	scooped and	additio	nai mach	THE LOCK	dustriid	was
applied	1.							
18. Terminate	i Δ Nete	Da Yr 14/2005 B. Tin	ne (24 Hr. Clock	1550				
Section IV-Aut	omated System Data							
19. Type of Ir (activity o		20. Event Numb	4054434	21. F	Primary or Mill			
22. Signature	TC	. 7				23. AR Nun	nber C	0]
		- الس			······			s Administration ha

MSIA 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 actablished a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement actions and proposed 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.

4 1/23

Mine Citation/Order Continuation

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





Section ISubsequent Action/Continuation Data						
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 12/14/20	11	3. Citation/ Order Number	7098644	
4. Served To	5. Operator					
Al Schoonover, Safety				WEST VIRG	INIA MINING CO	DMPANY INC
6. Mine			7. Mine IC	46 0070	•	(Contractor)
SAGO MINE				46-0879	<u> </u>	
Section II—Justification for Action			., .,			

Continuation of 8. Condition or Practice

the coal accumulations. The operator has showed a high degree of negligence for the health and safety of the miners that work at this coal mine by allowing the conditions to exist. This is an unwarrantable failure to comply with a mandatory standard.

			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 E01	10. Event Number 4054434		
11. Signature	AR Number	12. Date Mo Da Yr	13. Time (24 Hr. Clock)
- LVJ	<u> </u>	12/14/2005	0945
MSHA Form 700lar 85 (revised)			

Mine Citation/Order Continuation

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





Section I-Subsequent Action/Continuation	Data			
Subsequent Action 1a. Continuation		" O-duc Mumbor / 1198044 # 171		
4. Served To		5. Operator		
Al Schoonover, Safety		ANKER WEST VIRGINIA MINING COMPANY INC		
6. Mine		7. Mine ID (Contractor)		
SAGO MINE		46-08791		
Section IIJustification for Action				
Change	From	То		
10. A. Injury or Illness	Highly Likely	Unlikely		
Reason				
10. C. Significant and Substantial Yes		No		
Reason lower the gravity				
changing gravity				

								See Continuation Form
Section III-Subsec	quent Action 1	aken						
8. Extended To	A. Date	nto Da	Ϋ́r	B. Time (24 Hr. Clock)		C. Vacated	D. Terminated	▼ E. Modified
Section IV-Inspec	tion Data							
9. Type of Inspe	ection E0	1	10. E	vent Number 4054434				
11, Signature		61		AR Number	12. Date	Mo Da Yr 12/22/2005	13. Time (24 Hr. Cl 0852	ock)

12-14-05 The last open line also comes of riles in the last open lin Supervisor's Initials and Dare \$\text{\$\text{CU.S. G.P.O 2005:742-563}}\$

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

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MSHA Form 700	0-10K, June 93	trevised)	
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		7		
Inspector's Initial	4000330		****	ole
Supervisor's Initia	als and Date		Pa Arus. g.p.o	ge No. 242 502
				2005:742-563

Date 12-14-05 joseph
Tre - 9.45 order
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B Panel
Inspector's Initials
Supervisor's Initials and Date Page No. 2

\$ U.S. G.P.O.2005:742-563

	MSHA Form 7000-19K, June 93 (revised)	MSHA Form 7000-10K, June 93 trevised?
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ome places no rock		Xady 1-2
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or's Initials and Date Page No. Page No. PAGE NO. P.O. 2005.742-563	Supervisor's Initials and Dat Page No. 21	Supervisor's Initials and Date Page No.

ASHA Form 7000-10K, June 93 (revised) /	MSHA Form 7000-10K, June 93 (revised)	MSHA Form 7000-10K, June 93 (revised)
Date 12-14-05	Date	Date
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		and by and entrue.
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respector's Initials	Inspector's Initials	Inspector's Initials Page No. 3
upervisor's Initials and Date Page No.	Supervisor's Initials and Date Page NO	Supervisor 1 (nicios min 2010

A Form 7000-10K, June 93 (revised)	MSHA Form 7000-10K, June 93 (revised)
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Page No. Pag	Supervisor's Initials and Date

Date 12-14-0 5
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Inspector's Initials
Inspector's Initials Supervisor's Initials and Date Page No. 35 AU.S. G.P.O.2005/742-563

Date 12-14-05
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Page No. 34 LU.S. G.P.O 2005:742-563

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

12-14-05
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in do was insued
is comp held
a meeting on the section
mmu-over to discuss
prime-our receiptions
the order and violations
Post Confensie
at et meeting
1) Chick Dunbar
2 Carl Crumini
3) al Schoonour
1) Jeff Toler
9 (6)
1 561
8) 567
563
Supervisor's Initials and Date Page No. 2014/2010

Date 14-05
Dist. Marin
K. Stricklin askel
Does any one objection
or question the action
taken by mount today.
no objection from
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men marryer
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Superis - K- Tenney
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His es Its Standard
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+ whilesty.
Inspector's Initials
Page No.

CONTRACTOR OFFICE 2005-541-054/20910

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

MSHA Form 7000-10K, June 93 (revised) 12-14-05 the existing constituins

A U.S. G.P.O.2005:742-563

Mine Citation/Order

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





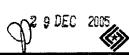
				Mine Safety	and Health	Administration		
Section I-viola	tion Data							
1. Date	Mo Da Yr	2. Time (24 Hr. Clo				3. Citation/	7098540)
	12/14/2005	0910)			Order Number		
4. Served To				5. Operator	cer vanca	NIA MINING	COMBANY	INIC
	over, Safety		- <u></u>		CSI VIKGU	OVIDENT ALE	COMPANI	BIC
6. Mine	NIE:			7. Mine ID	46-08791			(Contractor)
8. Condition 6							8a. Written No	
		coal have	been deposi	ted on th	e mine	floor unc	der the	section
helt fo	or the MMI	1-006 1 left	B Panel fo	r a dista	nce of	approx. 4	blocks	. 280
feet.	at intern	nittent loca	tion under	the belt	stands	and some	rollers	•
,	ing at the		ne accumulat	ions are	wet and	l varv in	height :	Erom 6
to 9 ir	-			<u></u>		-		
00 5 2.								
						See Continuation	on Form (MSHA Fo	orm 7000-3a)
9. Violation	A. Health	B. Section	-	Part/Section of		021 007137000	***************************************	
S. VIOIALION	Safety V	of Act	E .	Title 30 CFR		75.400		
	Other _							
Section II-Inspi	ector's Evaluation							
10. Gravity:			<u></u>				<u>.</u> .	
	r Illness (has) (is):	No Likelihood	Unlikely 🛂	Reasonably Lik	ely h	lighly Likely	Occurred	1
	r illness could rea-		Lost Work	lays Or Restricte	d Duty 🔽	Permanently Dis	abling	Fatal
***************************************	be expected to be	Fa .	7					
C. Signific	ant and Substantia	Yes 🗔	No 🔽). Number of Pers	ons Anecled.	001
11. Negligeno	ce (check one)	A. None	B. Low 🗌 C. M	oderate 🗹	D. High	E. Reci	kless Disregard	ANTONIA
12. Type of A	ction 104	(a)	13. Type of issu	ance (check one) Cita	ation 🔽 Ord	er	Safeguard
14. Initial Act	ion			E. Citation/			F. Dated	Mo Da Yr
A. Citation	B. Order	C. Safeguard 📋 🏾). Written Notice	Order Numbe	er		<u> </u>	
15. Area or E	quipment			*				
	, ,							
16. Terminati	on Due A, Dat	Mo Da Yr	B. Time (24 Hr. Clock)	1600	1			
		12/14/2005		1000				
Section III-Terr								
17. Action to	Terminate							
18. Terminate	ed A Data Mo	Da Yr B Time	Other Clock					
	A. Date	b. Ime	(24 Hr. Clock					
	omated System Data							
19. Type of Ir (activity o		20. Event Number	4054434	21. Prim	ary or Mill			
22. Signature	······································	•		<u> </u>	<u></u>	23. AR Numl	ber	~

MSHA Form 7000-3, Mar evised) 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.

who

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

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



1. Subsequent Action 1a. Continuation	Dated (Original Issue)	Mo Da 12/14/2	• • •	Citation/ Order Number	7098540 - 01
4. Served To	······································	······································	5. Operat		
Al Schoonover, Safety			ANKE	R WEST VIRG	INIA MINING COMPANY INC
6. Mine			7. Mine II	46-0879	(Contractor)
SAGO MINE			_1		
Section II-Justification for Action					

The accumulations under the belt were shoveled on to the belt and rock dusted.

			See Continuation Form
Section III-Subsequent Action Taken			
8. Extended To A. Date Mo Da	B. Time (24 Hr. Clock)	C. Vacated	☑ D. Terminated ☐ E. Modified
Section IV-Inspection Data			
9. Type of Inspection E01	10. Event Number 4054434		
11. Signature	AR Number	12. Date Mo Da Yr	13. Time (24 Hr. Clock)
		12/14/2005	1510

W/P/20

MSHA Form 7000-10K, June 93 (revised) MSHA Form 7000-10K, June 93 (revised) MSHA Form 7000-10K, June 93 (revised) 12-14-05 12-14-05 12-1405 and stands/ situated Il from the scrapper. - 7098540 Deaton # 7098541 MMSTS. The Cool es very west in a happlack form ermination - 1600 yes cline . It is noticable to In the good old Sacturi Best 1841 examination 14 ending over and furt Brand MMU-006 Carl Orinnine - # But needs assigned to and take can accumulating as con Supervisor's Initials and Date A U.S. G.P.O.2005:742-563 A U.S. G.P.O.2005:742-563 ₩U.S. G.P.O.2005:742-563

Mine Citation/Order

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

2 9 DEC 2005

Section I-Vic	olation Data			V			
1. Date	Mo Da Yr 12/14/2005	2. Time (24 Hr. Clock) 0920	3. Citation/ Order Number 709	98542			
4. Served To Al Schoonover, Safety			5. Operator ANKER WEST VIRGINIA MINING COMPANY INC				
6. Mine SAGO M	(INE		7. Mine ID 46-08791	(Contractor)			
	n or Practice		8a. W	ritten Notice (103g)			

A clear unobstructed travel way of 24 inches was not provided along the coal belt for the 1 left section B Panel near the feeder on the right side. Energized power feeder cable was lying in the walkway were miners travel for a distance of approx. 17-19 feet. The cable was approx.50 feet in length laced in that distance.

										See Co	ontinuation	Form (MSHA	Form 7000-3a	a)
9. Violation	A. Health Safety Othe	√₩	B. Section of Act			C. Part/Se Title 30				-75.3 3	33(c)(1) 75. /	403	
Section II-Insp	ector's Evalu	ation												
10. Gravity:						_					, ,, ₁			
	r Iliness (ha		No Likeliho	od	Unlikely	Reas	onably i	ikely	<u> </u>	Highly Llkel	У	Occum	ec	
	r illness co be expect		No Los	t Workday	s Lost Wo	rkdays Or	Restric	ted Dut	y <u>Y</u>	Permane	ntly Disa	bling	Fatal	
C. Signific	ant and Su	bstantial:	Yes	· 🔀 - N	io 🗀					D. Number	of Perso	ns Affected:	001	
11. Negligeno	æ (check o	ne)	A. None 🗌] [Low 🗍 C.	. Moderate	· Z	D	. High		E. Reck	ess Disrega	rd 🗌	
12. Type of A	ction	104(a	1)		13. Type of Is	suance (d	check o	ne)	Cit	ation 🔽	Orde	r	Safegua	rd _
14. Initial Act A. Citation		der 🗀	C. Safegua	ard D.	Written Notice		ation/ der Nun	nber				F. Dated	Mo Da	Υr
16. Terminati	on Due		Mo Da	Yr n				<u> </u>						
		A. Date	12/14/2	005 B	. Time (24 Hr. Clock	()	1517							
Section III-Ten	nination Acti	on												
17. Action to	Terminate	The	cable	was .	hung along	the	rib	on	insu	lated	j- h	ooks.		
18. Terminate	A. Date		Da Yr 4/2005	B. Time (2	24 Hr. Clock	1517								
Section IV-Aut		em Data												
19. Type of Ir (activity o		E01	20. Event	Number a	4054434		21. Pr	imary o	r Mill					
22. Signature			67	_						23. A	R Numb	er	6]	
MSHA Form 70	00-3, Mar	evised)	In accord	······································	e provisions of the Sm	all Busines	s Regula	tory Enfo	rcement I	airness Act o	f 1996, th	e Small Busine	ess Administra	tion 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

enforcement actions of MSFA, 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 3/ 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.

HA Form 7000-10K, June 93 (revised) /	MSHA Form 7000-10K, June 93 (revised)	MSHA Form 7000-10K, June 93 (revised)
" 12-14-05	Date 12-14-0.5	Date 12-14-05
	to an ability and a company of the suppose of the s	CFR - 75.1403
Post Cofounce	at the locater frader	Cotata TOURSYL
A CONTRACTOR OF THE CONTRACTOR	caree was lying	Time - 9:20
no Commet	in themeny approx	Sts - Yes
	50 laced on the mine	neg- modules
	flooring length	Short-Ribil
The C.M.S	of 17-19-feel - approx.	People-
moceps organs chatan	5+5	action - 104 9
to show Safeguard	minos carry	Jamester 1517
	1) rollers	Selegican 77 7096483
	2) rozholost	L'ocietani -
	Therfeuch - feechs cost	Clong the mm4-006
	entuale lut.	bed Leader @ working
	principal de la companya de la compa	side a clear travel
	This is a tripping Land	way is not provided.
	to menay.	when walking along
		the bec' to the fuder
pector's Initials [6]	Inspector's Initials	Inspector's Initials (6)
vervisor's Initials and Date Page N6.	Supervisor's Initials av ate Page No. Page No. 27 U.S. G.P.O.2005:742-563	Supervisor's Initials and Jato Page Not V U.S. G.P.O.2005:742-563
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Mine Citation/Order		U.S. Department of Labor Mine Safety and Health Administration					
Section I-Violation Data							
1. Date Mo Da Yr 05/03/2005	2. Time (24 Hr. Clock) 1300		3. Citation/ Order Number	7096483			
4. Served To Bill Currence _ Mine Forer	nan	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC					
6. Mine SAGO MINE		7. Mine ID 46-08791 (Cont					
8. Condition or Practice				8a. Written Notice (103g)			
travelway of at conveyor belts in around the tail, water, slop, mud to the miners who	ice to provide a safe least 24 inches wide ncluding the head, ta head, drive and take of other obstruction routinely travel the water lines along	be provided along il, and take-up in units shall has that create slipe irough the areas	g both sidunits. (2) be maintaidip, trip a for examin	es of all The areas ned free of nd fall hazards ation and belt			

or head units shall not be positioned in such a manner that they will interfere with travel, examination of the required cleaning and other

maintenance requirements.

							See Con	tinuation Form (MSHA Form 7000-3	a) <u>/</u>
9. Violation	A. Health Safety Other				Part/Section of Title 30 CFR		75.]	1403		$\langle \rangle$
Section #-Inspe	ctor's Evalua	tion								
10. Gravity: A. Injury or	Iliness (has	s) (is): No Likelih	ood []	Unlikely [Reasonabh	/ Likely []	Highly Likely		осситед 🗍	
	illness coul be expected		st Workdays 🗌	Last Worl	kdays Or Restr	icted Duty [Permaner	ntly Disabling	Fatal 🗍	
C. Significa	ant and Sub	stantial: Ye	s 🗌 No 🗆	3	-		D. Number of	Persons Affec	oted:	
11. Negligence	e (check on	e) A. None [B. Lov	v □ C. A	Moderate 🗌	D. High		E. Reckless Di	sregard 🗌	
12. Type of Ac	tion	314(b)		13. Type of Issu	ance (check or	ne) (Citation 🗌	Order 🗌	Safegua	ırd 🗹
14. Initial Action A. Citation		der 🔲 C. Safegu	ard D. Wri	tten Notice	E, Citation/ Order Nut	mber		F. Date	d MoDa	Yr
15. Area or Eq	uipment									
16. Terminatio	n Due	A. Date	10 Ti-	e (24 Hr. Clock)	1800)				
Section III-Terr	nination Actio	¥1		······································						
17. Action to 7	erminate									
18. Terminate	d A. Date	Mo Da Yr	B. Time (24 Hr.	Clock)						
Section IV-Auto	mated Syste	m Data								
19. Type of Ins (activity co		F0.1 20. Event	Number	4054745	21. P	rimary or Mill				
22. Signature	- Y	[W]		***************************************			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 Ombudarnan 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 street comments from small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Mine Citation/Ord	er			epartment of L Safety and Healt	SAFE WARD H	
Section I-Subsequent Ac	tion/Continuation Data					
1. Subsequent Action	1a. Continuation	2 Dated (Original Issue)	Mo Da Yr 05/03/2005	3, Citation/ Order Number	7096483 - 01	
4. Served To	ing Parama		5. Opera		EDITA MINING C	OMPANY INC

1. Subsequent Action	1 1a. Commutation	(Original Issue)	мо 05/0	Da 03/200	• • •	Order Number	7096483 - 01	
4. Served To					5. Operate			
Bill Currence	Mine Foreman			/	ANKEF	R WEST VIRG	INIA MINING COMPANY IN	IC
6. Mine				7	7. Mine ID	47.0000	(Contracto	r)
SAGO MINE						46-0879	1	
Section II-Justification	for Action							

To

8. Condition Or Practice

Change

From

Reason Add to the body of the condition and practice: (4) Obstructions including but not limited to the following items: excessive water, mud, rock, coal, wood, belting, rollers, mine supplies, water line and extraneous materials that will create slip, trip and fall hazards.

Did not include the following information in the body of the citation in error.

Section III—Subsequent	Action Taken						See Continuation Form
8. Extended To A. D	Mo Da ate	Yr B. Tin	ne (24 Hr. Clock)		C. Vacated	D. Terminated	E. Modified
Section IV-Inspection D	ale						
3. Type of Inspection	E01	10. Event Nu	amber 4054745				
11. Signature			AR Number	12. Date	Mo Da Yr 05/05/2005	13. Time (24 Hr. Clo	ck)
49HA Form 7000 20 44	ha 95 (· ·· · · · · · · · · · · · · · · · · ·			*************************************		

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Conti	nuotios	* / *

Mine Citation/Order

Continuation

U.S. Department of Labor

Mine Safety and Health Administration

J	Safeguar	
n	000	

1. Subsequent Action 1a. Continuation	2. Dated (Original issue)	 Da Yr 3/2005	3. Citation/ Order Number	7096483 - 02
4. Served To Bill Currence Mine Foreman		5. Opera ANKE		FINIA MINING COMPANY INC
6. Mine SAGO MINE	· · · · · · · · · · · · · · · · · · ·	7. Mine I	46-0879	(Contractor)

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

Section III—Subsec	quent Ac	tion Tel	oen							See Continuation Form
8. Extended To	A. Dat	e Mo	Da 05/16/:	Yr 2005	B. Time (24	Hr. Clock)	0600	C. Vacated	D. Terminated	☐ E. Modified
Section IV-Inspec	tion Dat	9			· · · · · · · · · · · · · · · · · · ·					
9. Type of Insper	ction	E01		10. E	vent Number	4054745				
11. Signatur-	:	C	7	•	ı	R Number	12. Date	Mo Da Yr 05/10/2005	13. Time (24 Hr. Ck 1010	ock)
MSHA Form 7000-	-3a, Mar	85 (revi	sed)							

Mine Citation/C Continuation					partment of Lafety and Healt	abor th Administration	P 347 6	
Section i-Subsequer	nt Action/Continuation Data					1		
1. Subsequent Act	ion 1a. Continuation	2. Dated (Original Issue)	Mo Da 05/03/20	• • •	3. Citation/ Order Number	7096483 - 03		
4. Served To Bill Currence	Mine Foreman			5. Operat ANKEI		GINIA MINING CO	MPANY INC	
6. Mine SAGO MINE				7. Mine IC	46-0879	1	(Contractor)	

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

Section II—Justification for Action

Section III—Subsequent	Action Ta	ken							See Continuation Form
8. Extended To A. D	Mo		Yr 2005	B. Time (24	Hr. Clock)	0600	C. Vecated	D. Terminated	E. Modified
Section IV-Inspection C									
9. Type of Inspection	E01		10. Ev	ent Number	4054745				
11. Signature					4 (%) A ()				
	1	7		1	AR Number	12. Date	Mo Da Yr	13. Time (24 Hr. Ck	ock)
	L 6.			L			05/20/2005	0330	
MSHA Form 7000-3a, M	lar 85 (rev	ised)							

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Mine	Citation/Order
Conti	nuation

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

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1. Subsequent Action 1	a. Continuation	Dated (Original Issue)	Mo Da 05/03/2		3. Citation/ Order Number	7096483 - 04
4. Served To Brad Hamrick				5. Opera ANKE		INIA MINING COMPANY INC
5. Mine SAGO MINE				7. Mine I	^D 46-0879	(Contractor)

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

				·			······································				See Continuation Form
Section III-Subse	•	Action Take	eh								
8. Extended To	A. Da	Mo ate	Da	Yr	B. Time (24	Hr. Clock)		□ c. v	acated	D. Terminated	E. Modified
Section IV-Inspec	tion D	sta			******						
9. Type of Inspe	ction	E01		10. E	vent Number	4054745					
11. Signatur	••••	C 6			\int	AR Number	12. Date	Mo Da 05/31/	Yr 2005	13. Time (24 Hr. Ck	•
MSHA Form 7000	-3a, Ma	-62									

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Conti	inuation	

u.s. Department of Labor Mine Safety and Health Administration

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Section I-Subsequent Action/Continu	ation Data					
1. Subsequent Action 1a. Contin	uation 2. Dated (Original Issue)	Mo Da Yr 05/03/2005	3. Citation/ Order Number 709648	3 - 05		
4. Served To		5. Opera				
Carl Crumrine - Mine For	eman	ANKE	ANKER WEST VIRGINIA MINING COMPANY INC			
6. Mine		7. Mine I	D 46 00701	(Contractor)		
SAGO MINE			46-08791			
Section II—Justification for Action						
Change	From		To			

8. Condition Or Practice

Reason Missed include the listed information in the body of the condition and practice, line #8 when issuing the safeguard.

Include the following information in the condition and practice, line #8:

The inspection activities conducted 04/27/05 of the conveyor belt of Sago Mine revealed that a clear travelway at least 24 inches wide is not being maintained along both sides of the conveyor belt system as follows:

- (1) No.2 conveyor belt head roller assembly unit is set against the off side rib. Persons must exit the conveyor belt to get around the unit. Persons can not properly clean or examine the unit.
- (2) No.3 conveyor belt drive and take-up has both an 8 inch and a 6 inch water line along the off side that prevents persons from traveling along the unit to do the required cleaning and examinations. This unit had coal accumulations in the drive and take-up that could only be observed and cleaned up from the off side.
- (3) No.3 conveyor belt at numerous locations, along the off side has water, slop and mud up to 20 inches deep that prevents persons from traveling the off side to conduct the required examinations, routine cleaning and maintenance requirement. Accumulations of combustible material were present in amounts that the operating conveyor belt rollers were running in the material. Numerous bottom rollers through out the same area had been damaged and were running metal to metal or the belt dragging on the frozen rollers.
- (4) Water, slop and mud up to 15 inches deep was present around the No.3 conveyor belt tailpiece, No.4 belt head roller assembly, conveyor belt drive unit and the take-up unit. The drive unit and take-up had accumulations of coal under them that the conveyor belt was dragging on and causing the belt to run off center.

Six citations were issued this date for hazards that would have been easily identified by an examiner who was able to travel the off side of the conveyor belt.

The mud, slop, water as well as the 8 inch and 6 inch water lines running parallel to the conveyor belt drives, take-ups and head units make the

			See Continuation Form 🗹
Section III-Subsequent Action Taken			
8. Extended To A. Date Mo Da	B. Time (24 Hr. Clock)	C. Vacated	☐ D. Terminated
Section IV-Inspection Data			
9. Type of Inspection E01	10. Event Number 4054434		
11. Signatur	AR Number	12. Date Mo Da Yr 11/30/2005	13. Time (24 Hr. Clock) 1800
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Continuation		epartment of Labor afety and Health Administration	*19		
Section I-Subsequent Action/Continuation Data					
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da Yr 05/03/2005	3. Citation/ Order Number 7096483 - 0	05	
4 Sanied To		5. Opera	itor		

Occount Control					
1. Subsequent Action 1a. Continuation	Dated (Original Issue)	Mo Da 05/03/20	**	Citation/ Order Number	7096483 - 05
4. Served To			5. Operat		
Carl Crumrine - Mine Foreman			ANKE	R WEST VIRG	INIA MINING COMPANY INC
6. Mine			7. Mine II	16 0070	(Contractor)
SAGO MINE				46-0879	I
Section II—Justification for Action					

traveling of the off side of the conveyor belts impossible. The existing travelways frequently have water, slop, mud, rock, coal, wood, pieces of belting, damaged belt rollers and other extraneous materials that create slip, trip and fall hazards to persons using the travelways.

Miners utilize the listed travelways each shift to conduct the required examinations, routine maintenance, as well as cleaning and rock dusting activities. Miners are routinely required to carry belt rollers, oil, grease, maintenance supplies, rock dust and other supplies along these travelways.

								See Continuation Form
Section III-Subsec	quent Action Take	M1						
8. Extended To	A. Date Mo	Da	Yr	B. Time (24 Hr. Clock)		☐ C. Vacated	D. Terminated	E. Modified
Section IV-Inspec	tion Data		***************************************	4				
9. Type of Inspe	ection E01		10. E	vent Number 4054434				
11. Signatu	<u> </u>		<u></u>	AR Number	12. Date	Mo Da Yr 11/30/2005	13. Time (24 Hr. Cl 1800	lock)

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

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





Section I-Subsequent Actio	n/Continuation Data	
1. Subsequent Action 1a	3. Continuation 2. Dated (Original Issu	Mo Da Yr 3. Citation/ 7098542 - 01 Order Number
4. Served To		5. Operator
Al Schoonover, Saf	ety	ANKER WEST VIRGINIA MINING COMPANY INC
6. Mine		7. Mine ID (Contractor)
SAGO MINE		46-08791
Section II-Justification for A	ction	
Change	From	То
1. Issue Date	12/14/2005	
Reason		
9. C. Part/Section	75.333(c)(1)	75.1403
Reason Correct star	ndard	
Change stand	ard	

Section III-Subsequent	Action Taken					See Continuation Form
8. Extended To A. D	Mo Da	Yr B. Time (24 Hr. Clock)	·	C. Vacated	D. Terminated	E. Modified
Section IV-Inspection Di 9. Type of Inspection		10. Event Number 4054434		1		
11. Signature	<i>[6]</i>	AR Number	12. Date	Mo Da Yr 12/14/2005	13. Time (24 Hr. Cloc	k)

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

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Change initial action

MSHA Form 7000-c, Mar 85 (revised)

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





Section I-Subsequent Action/Continuation D	Data	
1. Subsequent Action 1a. Continuation		0 day 10 mbar / 119804/ = 11/
4. Served To		5. Operator ANKER WEST VIRGINIA MINING COMPANY INC
Al Schoonover, Safety		7. Mine ID (Contractor)
6. Mine		46-08791
SAGO MINE		1000//1
Section II—Justification for Action		
Change	From	То
14, Initial Action		Safeguard
Reason did not add to citation		
14. E. Citation/Order Number		7096483
Reason ommitted from citation		
14, F. Initial Action Dated		05/03/2005
Reason		

								See Continuation Form
Section III—Subsequent A	ction Taken							
8. Extended To A. Da	Mo Da te	Ϋ́r	B. Time (24 Hr. Clock)] _ c	Vacated	D. Terminated	E. Modified
Section IV-Inspection Date	a							
9. Type of Inspection	E01	10. Ev	ent Number 4054434					
11. Signature	[6]		AR Number	12. Date	Mo D 12/1	a Yr 5/2005	13. Time (24 Hr. Cl 0712	ock)

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Mina	Citation	

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

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Section I-Vi	olation Data						
1. Date	Mo Da Yr 12/14/2005	2. Time (24 Hr. Clock) 0850	3. Citation/ Order Number 7098539				
4. Served Al School	To Onover, Safety		5. Operator ANKER WEST VIRGINIA MINING COMPANY INC				
6. Mine SAGO N	AINE		7. Mine ID 46-08791 (Contracto	r)			
8. Conditio	n or Practice		8a. Written Notice (103g)				

A light layer of coal dust has been deposited in the belt starter box on the metal floor for the section MMU-006 belt 1 Left B Panel. This electrical box has 575 volts and is currently powered at the time of inspection. This presents a fire hazard

								See C	Continuation Fo	rm (MSHA Fo	rm 7000-3a)
9. Violation	Safety of Act Other					C. Part/Section of Title 30 CFR	7	5.400			
Section II-Inspe	ector's Evalu	ation									
10. Gravity:											
A. Injury o			No Likelih	xxd	Unlikely 🛂	Reasonably	/ Likely	Highly Llke	ely	Occurred	<u></u>
B. Injury o sonably	r illness co be expect		No Los	Workdays	Lost Wo	orkdays Or Restr	icted Duty 🔽	Perman	ently Disablir	g 🗀	Fatal
C. Signific	ant and Si	ıbstantial:	Yes	i 🗆 No) <u>Z</u>			D. Number	of Persons	Affected:	001
11. Negligeno	e (check o	ne)	A. None	В.	Low C	. Moderate 🔽	D. High		E. Reckless	Disregard	
12. Type of A	ction	104(a	1)		13. Type of I	ssuance (check	one)	Citation 🔽	Order [Safeguard
14. Initial Acti A. Citation		rder	C. Safegua	ord 📋 D. V	Written Notice	E. Citation/ Order Nu	mber		F. [ated	Mo Da Yr
15. Area or E			Mo Da	Yr T			1				
		A. Date	12/14/2	005 B.	Time (24 Hr. Cloc	ick) 1400					
Section III-Terr	nination Act	on									
17. Action to	Terminate										
18. Terminate	18. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock				Hr. Clock						
Section IV-Auto	mated Syst	em Data	· · · · · · · · · · · · · · · · · · ·			· · · · · · · · · · · · · · · · · · ·	I	······································			
19. Type of in (activity o		E01	20. Event	Number	4054434	21. F	rimary or Mili				
22. Signature			67					23. A	R Number	[6	7
MSHA Form 70	00-3, Mar	vised)	In accord	and the	provisions of the Sm	nall Business Regul	atory Enforcemen	nt Fairness Act	of 1996, the Sn	all 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.



U.S. Department of Labor 29 DEC 20 Mine Safety and Health Administration 2





Section I-Subsequent Action/Continuation Data 1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo 12/1	Da 4/200	٠,	Citation/ Order Number	7098539 - 01	
4. Served To				5. Operat			
Al Schoonover, Safety			1	ANKEI	R WEST VIRG	INIA MINING COMPANY INC	2
6. Mine				7. Mine it	46-0879	(Contractor))
SAGO MINE					10 0072	*	
Section II—Justification for Action							

The light coat of coal dust has been removed from the box.

							See Continuation Form
Section III-Subsequent	Action Taken	-					
8. Extended To A. D	Mo Da ate	Yr B. Time (24	Hr. Clock)		C. Vacated	✓ D. Terminated	E. Modified
Section IV-Inspection D	ata						
9. Type of Inspection	E01	10. Event Numbe	4054434				,, , , , , , , , , , , , , , , , , , , ,
11. Signature		<u></u>	AR Number	12. Date	Mo Da Yr	13. Time (24 Hr. Clo	ck)
	<u>L01</u>		<u> [[]</u>	<u></u>	12/14/2005	1500	
MSHA Form 7000-3a, m	er 85 (revised)						

MSHA Form 7000-10K, June 93 (revised)	MSHA Form 7000-10K, June 93 (revised)	MSHA Form 7000-10K, June 93 (revised)
Date 12-14-05	Date	Date 12-14-05
No SIS	The low has contacts	TURE - 08.50 CER - 75.400
1) motal Eganc	tops in the lox.	Citation # 708858
2) not on power	The chart is on the	Sts - no neg - modersto
unes or contact	metal flows across the	Drawy - Clasely/kotok
typs that is maille	lot - 3, 12 feet y	People -1 Retur -1049
	2 feet.	Retter - 1049 Termunter - 1500-010
- Their de I fo Brand section beter started lop	The down are not pointed	Clore
		The spotter but, many
	CO . B	Ook Led starter lox
Post Conference -	and this lot sets next	Coal deed has been
S. fob cleat -	to de coal compos but	deposited on the flow
	!	of the power lox -
Inspector's Initials	Inspector's Initials [6]	Inspector's Initials [6]
₩ U.S. G.P.O.2005:742-563	Supervisor's Initials and Dec Page Not	Supervisor's Initials and State Page No. Page No. YU.S. G.P.O. 2005;742-563

Mine Citation/Order

U.S. Department of Labor

Wine Safety and Health Administration

2 9 DEC





Section I-Violat	ion Data													
1. Date	Mo Da		2. Time (2							3. Citat		. 70985	41	
	12/14/2	2005	<u> </u>	090)5					Orae	r Numbe			
4. Served To	arram Car	fon.					4 1	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC						
Al Schoone 6. Mine	over, sa	lety					7. Mine	15		··········	111 111 10			
SAGO MI	NE						1		16-0879)]			(Contract	or)
8. Condition of	r Practice								··				Notice (103g)	
panel	MMU-0	106 be	elt di chanic	d no al s	ot ha smoke	ve the the a	is at 1 require verage sed in	ed 5 is a	0 feet	per 35 fe	minu et p	te. W er minu	e 1 left Then te at 3 Teling	В
9. Violation	A. Health	y 🔽	B. Section of Act				C. Part/Section				·351(e)		A Form 7000-3a)	<u></u>
Section II-Inspe	Othe						<u> </u>	···	····		, ,,,. .		······································	
10. Gravity:		18601						·····			· · · · · · · · · · · · · · · · · · ·			
A. Injury or	r Iliness (h	as) (is):	No Likeliho	ood [Uı	nlikely 🔽	Reasona	bly Lik	ely 🗀	Highly L	kely 🗌	Occur	теб 🔙	
B. Injury or sonably	r illness co		No Los	Work	days	Lost V	Vorkdays Or Re	stricted	Duty 🔀	Perma	anently Di	sabling [Fatal	
C. Significa	· · · · · · · · · · · · · · · · · · ·		Yes	· 🗇	No 🔽					D. Numb	er of Per	sons Affected	^{l:} 001	
11. Negligeno	e (check c	ne)	A. None		B. Low		C. Moderate	Z	D. High		E. Re	kless Disreg	ard 🗌	
12. Type of A	ction	104(:	a)			13. Type of	Issuance (che	ck one)	(Citation 🗹	On	der 🗀	Safeguard	
14. Initial Acti A. Citation		rder	C. Safegua	ard —	D. Writte	en Notice	E. Citation	on/ Numbe	er			F. Dated	Mo Da Y	r
15. Area or Ed	nuinment			~								<u> </u>		w
16. Termination	on Due	A. Date	Mo Da 12/15/2		B. Time	(24 Hr. Cio	ock) 12	200						
Section III-Term		ion												****
17. Action to	Terminate													
18. Terminate	A. Date	Mol	Da Yr	B. Tim	e (24 Hr.	Clock					V.I			
Section IV-Auto	mated Syst	em Data			,						·			
19. Type of In (activity co		E01	20. Event	Numbe	er 4	105443	4 2	1. Prima	ary or Mill					
22. Signature	············			-	-		<u> </u>			23	. AR Nun	nber [- Co	

MSHA Form 7000-3, May (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement actions 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.

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Mine Citation/Order	
Continuation	

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

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1	,



Oditanaanon				TERRITO CARCITURATE STATE AND						
Section I-Subseque	nt Action/Continuation Data									
1. Subsequent Ac	ction 1a. Continuation	2. Dated (Original Issue)	Mo 12/1	Da 14/200		3. Citation/ Order Number 7098541	- 01			
4. Served To					5. Operat					
Lonnie Smith,	Shift Froman			1	ANKEF	R WEST VIRGINIA MINI	NG COMPANY INC			
6. Mine				17	7. Mine II	47.00701	(Contractor)			
SAGO MINE						46-08791				
Section II-Justification	on for Action									

The ventilating air current on the #7 section belt, 1 left B Panel, is 63 feet per minute when measured and is coursed to the outside.

							See Continuation Form
Section III-Subsequ	uent Action Taken						
8. Extended To	A. Date	Da Yr	B. Time (24 Hr. Clock)		C. Vacated	✓ D. Terminated	E. Modified
Section IV-Inspection	on Data						
9. Type of Inspec	tion E01	10. I	Event Number 40544:	34			
11. Signature	T6	7	AR Number	12. Date	Mo Da Yr 12/18/2005	13. Time (24 Hr. Clos	ck)
MSHA Form 7006	Mar 85 (revised)					***************************************	



MSHA Form 7000-10K, June 93 trevised)
Date 12-14-0.5
Monsts
1) 35 FPM air Coursed in proper Chiestein
coursed in proper
diection
of no cha detected
3) no Hobrollus
4) no Floordust
DA OLL
Posto Confered no Comment
Carl Oscemine - mine
spector's Initials
pervisor's Initials and Page No. 17 YU.S. G.P.O. 2005:742-563

12-14-05
Rat. Butween minour
with mechanical smoke
on 3 sequente reactings
that we were averaged
the arrive is 35 FPM
letween block 3-4 block
m this best.
M the west
36K-12RC - 10' fod
3/14-14 Suc -10 feet
461 -25506 - 10 fex
3/51/Mseanls
D 10
P. 49 =
10 60 = 600 35 11 1 = 17 35 Inspector's Initials [6]
[BI]
Inspector's Initials Add Date Page No. ((
Supervisor's Initials and Date Page No. (6

1 U.S. G.P.O.2005:742-563

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

12-14-05 75,35/18/3/ ctation - # 7098541 moduso 1200 hrs Section But - may-006 Supervisor's Initials and

ACU.S. G P.O.2005:742-563

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

Mine Citation/Order

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

2	9 DEC	2005
n		



	on Data									
1. Date	Mo Da Yr 12/14/2005	2. Tirne (24 Hr. Clock) 0840				Citation/ Order Number	709854	3		
4. Served To	12/14/2003	1 0040		5. Operator						
Al Schoone	over, Safety			ANKER WEST VIRGINIA MINING COMPANY INC						
6. Mine				7. Mine ID 4	5-08791			(0		
SAGO MIN							8a. Written N	(Contractor)		
8. Condition o			-		' 1 1 - 1	4 l				
A clear	and unob	structed trave	:I way was	not prov	ided alo	ong the	#5 COal	Deit on		
the wal	kway side	beginning at	the power	. box and	continu	ing to t	ne tall	roller,		
approx.	120 feet	and beginning	at the dr	rive for t	ne secti	ion beit	i, an ao	GILLIONAL		
70 feet	, and at	6 block, appro	x. 20 fee	et in leng	rn, the	re is wa	icer in	LHE		
walkway	'in these	areas measuri	ng 6 to 1	li inches				urky and		
mucky a	nd is ver	y difficult to) waik and	work alc	ong the i	serr. P	diners m	iust		
carry a	n assortm	ent of belt su	pplies to	o do their	gobs ti	nrougn t	inis are	a.		
						See Continuation	on Form (MSHA I	Form 7000-3a)		
9. Violation	A Health	B. Section	CF	art/Section of						
9. Violation	Safety 🗸	of Act		itle 30 CFR		75.1403				
	Other									
Section II-Inspe	ector's Evaluation									
10. Gravity:	til	No Challeand [77]	talibate T	Reasonably Likel	u (Tai belie)	nly Likely	Occurre	d		
	r Illness (has) (is):	No Likelihood U	Jnlikely 🗍	Reasonably Like	y 💇 ingi	ily Circly	Occure	<u> </u>		
	r illness could rea- be expected to be:	No Lost Workdays	Lost Workd	ays Or Restricted	Duty 🔀 P	ermanently Dis	sabling 🗌	Fatal		
C. Signific	ant and Substantia	t: Yes 🔽 No 🗍	-		D. N	lumber of Pers	ons Affected:	001		
11. Negligeno	ce (check one)	A. None 🗀 B. Lov	N C. M	oderate 🔽	D. High	E. Rec	kless Disregan	1		
12. Type of A	ction 104(a)	13. Type of Issur	ance (check one)	Citatio	n 🔽 Ord	ler	Safeguard		
14. Initial Acti				E. Citation/	7007	400	F. Dated	Mo Da Yr		
 A. Citation 		C. Safeguard 😿 D. Writ	tten Notice 🗍	Order Number	7096	483		05/03/2005		
A. Citation 15. Area or E	B. Order	C. Safeguard 👿 D. Writ	tten Notice	Order Number	/096	483		05/03/2005		
***************************************	B. Order	C. Safeguard 🗹 D. Writ	tten Notice	Order Number	/096	483		05/03/2005		
***************************************	guipment on Due	Mo Da Yr	and the second s		7096	483		05/03/2005		
15. Area or E	B. Order quipment	Mo Da Yr	ne (24 Hr. Clock)	Order Number	7096	483		05/03/2005		
15. Area or E	quipment On Due A. Date	Mo Da Yr R Tim	and the second s		7096	483		05/03/2005		
15. Area or E	quipment on Due A. Date	Mo Da Yr R Tim	and the second s		7096	483		05/03/2005		
15. Area or E 16. Terminati Section III—Ten 17. Action to	quipment on Due A. Date mination Action Terminate	Mo Da Yr 12/15/2005 B. Tim	and the second s		7096	483		05/03/2005		
15. Area or E	quipment on Due A. Date mination Action Terminate	Mo Da Yr R Tim	ne (24 Hr. Clock)		7096	483		05/03/2005		
15. Area or E 16. Terminati Section III—Ten 17. Action to 18. Terminati	guipment on Due A. Date mination Action Terminate	Mo Da Yr 12/15/2005 B. Tim	ne (24 Hr. Clock)	1200		483		05/03/2005		
15. Area or E 16. Terminati Section III—Ten 17. Action to 18. Terminati	quipment and Date A. Date mination Action Terminate A. Date Mo tomated System Data inspection	Mo Da Yr 12/15/2005 B. Tim Da Yr B. Time (24 Hi	ne (24 Hr. Clock)			483		05/03/2005		
15. Area or E 16. Terminati Section III—Ten 17. Action to 18. Terminati Section IV—Aut 19. Type of II	guipment A. Date mination Action Terminate A. Date Mo A. Date Mo tomated System Data rispection code) E01	Mo Da Yr 12/15/2005 B. Tim Da Yr B. Time (24 Hi	ne (24 Hr. Clock)	1200		23. AR Num	ber E6			

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.

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

PREC	2005	

1. Subsequent Action	1a. Continuation	2. Dated (Original Issue)	Мо 12/1	Da 4/200	Yr 5	Citation/ Order Number	7098543 - 01
4, Served To		···· • • · · · · · · · · · · · · · · ·			. Opera		
Lonnie Smith, Shi	ift Froman			1	INKE	R WEST VIRG	INIA MINING COMPANY INC
6. Mine				7	. Mine I	46-0879	(Contractor
SAGO MINE						40-06/9	1
Section II. Justification for	Action						

A wooden bridge has been built for a walkway at the following locations on #5 belt beginning at the power car, continuing to the tail roller, at the drive a clear walkway has been made and at 6 block a wooden bridge has been made.

											See Continuation Form
Section IIISubse	equent Actio	n Take	7								
8. Extended To	A. Date	Мо	Da	Ϋ́r	B. Time (24 H	r. Clock)		c. v	acated	✓ D. Terminated	E. Modified
Section IV-Inspe	ction Data										
9. Type of Insp	ection E	01		10. E	vent Number	4054434					
11. Signature		- CONTRACT	∛ ••••		A	R Number	12. Date	Mo Da	Yr	13. Time (24 Hr. Cl	ock)
			ل, م			C61—		12/18/	2005	1550	

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

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NSHA Form 7000-10K, June 93 (revised)
Date 12-14-0.5
There are no de- watery pumps or surps in the ones to remove
th water,
Prod angeune
managent.
Inspector's Initials 29 Supervisor's Initials and Date Page No. 29 Stus G.P.O. 2005 742-563

Date 11-14-05
in then 3 awas
<u>Sts - yea</u>
1 Mucky water
2) much water/ mud stoke to
mud stoke to
teluts
3) Defluent to work
must let for fact
travel.
(9) miner carry rollers, Les supplies, rochdad.
to and from this and
Inspector's Initials — [6] Supervisor's Initials and Date Page No. 23 \$\text{Pu.s. G.P.O.2605:742-56}\$
Supervisor's Initials and Date Page No. 22 AUS G.P.O.2005:742-56:

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

MSHA Form 7000-10K, June 93 (revised) Then at 6 block on the minu ook. Water varies from 6 miches to 11 days Supervisor's Initials and Date A U.S. G.P.O.2005:742-563

12-14-05
Time -840
CFR - 75.1403
atation # 7088543
5+6 - 4-5
neg - moderete
They - Moderate Strong - Sailey/ Restrong
People - 001
actor - 1044
Termonation 12-15-05
Sofemul - 75.1403#7096483
Rocation - 5 lest to
poetrin lett.
The renderry/transful
along the number of
but has much / water
that is merly
7
respector's Initials
innervisor's Initials and Page No. 21

Aus. G.P.O.2005:742-563

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

19. Type of Inspection

(activity code) 22. Signature

*

Mine Citati	on/Order			Mine Safety and Health Administration				
Section I-Violat	tion Data							
1. Date	Mo Da Yr 05/03/2005	2. Time (24 Hr. Clo 130)			3. Citation/ Order Nur	_{mber} 709648	3	
4. Served To				5. Operator	TANCONII A MONII	እነም ምለእያው ለእየ	VINC	
	nce Mine Fore	man			VIRGINIA MINI	NG CUMPAIN	t inc	
6. Mine	. ****			7. Mine ID 46-0	08791		(Contractor)	
8. Condition o						8a. Written i		
		ice to proj	ride a safe	guard requir	ing: (1) A			
traval:	s is a not	lesst 24 i	viue a sale	be provided	along both	sides of a	all	
CLavely	vay or ac	ncluding ti	no hood to	il, and take	-un units	(2) The a	reas	
convey	the tail	head dri	re nedu, take	-up units sha	all be main	tained from	ee of	
water.	slop. mud	of other	obstruction	s that create	e slip, tri	p and fall	l hazards	
to the	miners wh	o routinel	v travel th	rough the ar	eas for exa	mination a	and belt	
mainter	nance. (3)	The water	lines alon	g side the c	onveyor bel	t drives,	take-ups	
or head	d units sh	all not be	positioned	in such a m	anner that	they will		
interfe	ere with t	ravel, exam	mination of	the require	d cleaning	and other		
	nance requ			-				
	_						,	
					See Con	tinuation Form (MSHA	Form 7000-3a) /	
9. Violation	A. Health Safety	B. Section of Act	1	C. Part/Section of Title 30 CFR	75.1	1403	< /	
	Other						<u> </u>	
	ector's Evaluation						\-	
10. Gravity:	r Iliness (has) (is):	No Likelihood	Unlikely	Reasonably Likely	Highly Likely	Occurr	red 🗆	
	r illness could rea-	/ to treminod []						
	be expected to be:	No Lost Workd	ays 🗌 Lost W	orkdays Or Restricted Dur	ty Permanen	tty Disabling	Fetal	
C. Signific	ent and Substantial:	Yes 🗌	No 🗌		D. Number of	Persons Affected:		
11. Negligeno	e (check one)	A. None	B. Low C	. Moderate 🗆 🖸). High 📋 🔠	. Reckless Disrega	rd 🗌	
12. Type of A	ction 314((b)	13. Type of is	suance (check one)	Citation 🗌	Order 🗌	Safeguard 🗹	
14. Initial Action		C. Safeguard	D. Written Notice	E. Citation/ Order Number		F. Dated	Me Da Yr	
15. Area or E	o únment							
ro. roce or g	dahueu							
16. Termination	on Due A. Date	Mo Da Yr 05/06/2005	B. Time (24 Hr. Clock) 1800				
Section III. Terr	I mination Action	05/00/2005						
17. Action to		**************************************	<u></u>		, <u>, , , , , , , , , , , , , , , , , , </u>			
18. Terminate	d A. Date Mo	Da Yr B. Time	(24 Hr. Clock)					
Section IV. Aut	omated System Data			1		·		

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

21. Primary or Mill

23. AR Number

4054745

20. Event Number

E0I

0

Mine Citation/Order Continuation		U.S. Department of Labor Mine Safety and Health Administration				
Section I-Subsequent Action/Continuation Data	<u> </u>					
1. Subsequent Action, 1s. Continuation	2 Dated	Mo I	ha Yr	3. Citation/	#005100	^ 4

	5	A	F	E	OVAR		H
1						\ <i>\</i> //	•

Section I-Subseque	nt Action/Continuation Data					
1. Subsequent Act	licn 1a. Continuation	2 Dated (Original Issue)	Mo Da 05/03/20	''	3. Citation/ Order Number	7096483 - 01
4. Served To				Operate		
Bill Currence	Mine Foreman			ANKER	WEST VIRG	GINIA MINING COMPANY INC
6. Mine SAGO MINE				7. Mine ID	46-0879	(Contractor)
Section II-Justificati	on for Action					
Change	Fr	om			To	

8. Condition Or Practice

Reason Add to the body of the condition and practice: (4) Obstructions including but not limited to the following items: excessive water, mud, rock, coal, wood, belting, rollers, mine supplies, water line and extraneous materials that will create slip, trip and fall hazards.

Did not include the following information in the body of the citation in error.

Cartier III C.A.						See Continuation Form
8. Extended To	A. Date Mo Da	Yr B. Time (24 Hr. Clock)		C. Vacated	D. Terminated	☑ E. Modified
Section IV-Inspec	tion Data			L		
9. Type of inspe	ction E01	10. Event Number 4054745				
11. Signatur	[6]	LG J	12. Date	Mo Da Yr 05/05/2005	13. Time (24 Hr. Clo 1115	ck)
MSHA Form 7000	-3a, Mar 85 (revised)					

W5/01

Mine Citation/Order Continuation	U.S. Department of Labor Mine Safety and Health Administration					
Section I-Subsequent Action/Continuation D	eta	-				
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 05/03/2005	Yr 3. Citation/ Order Number	7096483 - 02		
4. Served To Bill Currence Mine Foreman			Operator NKER WEST VIR	GINIA MINING C	OMPANY INC	
6. Mine SAGO MINE		7.	. Mine ID 46-087	791	(Contractor)	
Continu 9 Instification for Artism						

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

Section III—Subsequent /	Action Taken		· · · · · · · · · · · · · · · · · · ·					See Continuation Form
8. Extended To A. D.		Da Yr 16/2005	B. Time (24	Hr. Clock)	0600	C. Vacated	D. Terminated	E. Modified
Section IV-Inspection D	ata							
9. Type of Inspection	E01	10. E	vent Number	4054745				· · · · · · · · · · · · · · · · · · ·
11. Signatur	[6		- · · ·	AR Number	12. Date	Mo Da Yr 05/10/2005	13. Time (24 Hr. Ck	ock)
MSHA Form 7000-3a, Ma	ar 85 (revised)							

ups/n

Mine Citation/C	Order				partment of Lafety and Healt	abor h Administration	\$ Safegram
Section I-Subsequen	t Action/Continuation Data						T
1. Subsequent Acti	on 1a. Continuation	2 Dated (Original Issue)	Mo Da 05/03/20	Yr)05	3. Citation/ Order Number	7096483 - 0	3
4. Served To Bill Currence	Mine Foreman			5. Operat ANKE		INIA MINING	COMPANY INC
6, Mine SAGO MINE				7. Mine II	46-0879	1	(Contractor)
Section - Justification	on for Action						

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

Section III—Subsequent Action Taken			See Continuation Form
8. Extended To A. Date Mo Da 05/26/	Yr 2005 B. Time (24 Hr. Clock)	0600	D. Terminated E. Modified
Section IV-Inspection Data			
9. Type of inspection E01	10. Event Number 405474	5	
11. Signature	AR Number	12 Date Mo Da Yr 05/20/2005	13. Time (24 Hr. Clock) 0330
MSHA Form 7000-3a, Mar 85 (revised)			

W3/31

Mine	Citation/Order
Conti	nuation

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

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n		

1. Subsequent Action	1a. Continuation	2. Dated (Original Issue)	Mo 05/0	Da 3/200	Yr)5	3, Citation/ Order Number	7096483 - 04
4. Served To					5. Opera	or	mark a marice coatmants into
Brad Hamrick					<u>ANKE</u>	R WEST VIRG	INIA MINING COMPANY INC
6. Mine					7. Mine I	46-0879	(Contractor)
SAGO MINE							

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

											See Continuation Form
Section III-Subse	quent Action T	aken									
8. Extended To	A. Date M	o Da	Υr	B. Time (24	Hr. Clock)			C. Va	cated	D. Terminated	E. Modified
Section IV-Inspec	ction Data										
9. Type of Inspe	ction E01		10.	Event Number	4054745						
11. Signatur					AR Number	12. Date	Mo	Da	Yr	13. Time (24 Hr. Ck	ock)
	C	レシ			[6]		0.	5/31/	2005	0800	
MSHA Form 7000	-3a, Mar 85 (re	vised)									

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





Section I-Subsequent Action	on/Continuation Data					
1. Subsequent Action 1	a. Continuation	2. Dated (Original Issue)	Mo (05/03/	0a Yr 2005	3. Citation/ Order Number	7096483 - 05
4. Served To				5. Open		
Carl Crumrine - M	ine Foreman			ANKE	R WEST VIRG	INIA MINING COMPANY INC
6. Mine				7. Mine	^{ID} 46-0879	(Contractor)
SAGO MINE					40-06/9	1
Section II-Justification for A	Action					
Change	Fr	om		4	To	

8. Condition Or Practice

Reason Missed include the listed information in the body of the condition and practice, line #8 when issuing the safeguard.

Include the following information in the condition and practice, line #8:

The inspection activities conducted 04/27/05 of the conveyor belt of Sago Mine revealed that a clear travelway at least 24 inches wide is not being maintained along both sides of the conveyor belt system as follows:

- (1) No.2 conveyor belt head roller assembly unit is set against the off side rib. Persons must exit the conveyor belt to get around the unit. Persons can not properly clean or examine the unit.
- (2) No.3 conveyor belt drive and take-up has both an 8 inch and a 6 inch water line along the off side that prevents persons from traveling along the unit to do the required cleaning and examinations. This unit had coal accumulations in the drive and take-up that could only be observed and cleaned up from the off side.
- (3) No.3 conveyor belt at numerous locations, along the off side has water, slop and mud up to 20 inches deep that prevents persons from traveling the off side to conduct the required examinations, routine cleaning and maintenance requirement. Accumulations of combustible material were present in amounts that the operating conveyor belt rollers were running in the material. Numerous bottom rollers through out the same area had been damaged and were running metal to metal or the belt dragging on the frozen rollers.
- (4) Water, slop and mud up to 15 inches deep was present around the No.3 conveyor belt tailpiece, No.4 belt head roller assembly, conveyor belt drive unit and the take-up unit. The drive unit and take-up had accumulations of coal under them that the conveyor belt was dragging on and causing the belt to run off center.

Six citations were issued this date for hazards that would have been easily identified by an examiner who was able to travel the off side of the conveyor belt.

The mud, slop, water as well as the 8 inch and 6 inch water lines running parallel to the conveyor belt drives, take-ups and head units make the

									See Continuation Form	Z
Section III-Subsequ	ent Action Taken									
8. Extended To	A. Date Mo Da	Yr	B. Time (24 H	. Clock)		☐ C. Va	cated	D. Terminated	☑ E. Modified	
Section IV-Inspection	on Data									
9. Type of inspec	tion E01	10. Ev	ent Number	4054434				•		
11. Signatu	<u> </u>			Number	12. Date	Mo Da 11/30/2	Yr 2005	13. Time (24 Hr. C) 1800	ock)	
MSHA Form 7000-3	a, Mar 85 (revised)									

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





Order Number 7096483 - 05
5. Operator
ANKER WEST VIRGINIA MINING COMPANY INC
7. Mine ID (Contractor)
46-08791

traveling of the off side of the conveyor belts impossible. The existing travelways frequently have water, slop, mud, rock, coal, wood, pieces of belting, damaged belt rollers and other extraneous materials that create slip, trip and fall hazards to persons using the travelways.

Miners utilize the listed travelways each shift to conduct the required examinations, routine maintenance, as well as cleaning and rock dusting activities. Miners are routinely required to carry belt rollers, oil, grease, maintenance supplies, rock dust and other supplies along these travelways.

									See Continuation Form
Section III-Subsec	quent Action Take	an							
8. Extended To	A. Date Mo	Da	Υr	B. Time (24 H	r. Cłock)		C. Vacated	D. Terminated	E. Modified
Section IV-Inspec	tion Data	- 	···-··						
9. Type of Inspe	ection E01		10. E	vent Number	4054434				
11. Signature		مند	<u> </u>	TA	R Number	12. Date	Mo Da Yr	13. Time (24 Hr. C	lock)
		J			[67_		11/30/2005	1800	
MSHA Form 7000	-3a, Mar 85 (revis	ed)							

Mine Citation/Orde	Mino	Cita	tion	Oro	iat
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U.S. Department of Labor Mine Safety and Health Administration

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Section IViolation Data	
1. Date Mo Da Yr 2. Time (24 Hr. Clock) 12/18/2005 1750	3. Citation/ Order Number 7098645
t. Served To Lonnie Smith, Shift Froman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC
S. Mine SAGO MINE	7. Mine ID 46-08791 (Contractor)
B. Condition or Practice	8a. Written Notice (103g)

The mine's approved roof control plan is not being complied with , page 4, when the tunnel liner being used as primary support did not have the top of the liner covered with a layer of cushioning material. The tunnel liner is located in the #2 entry across from number 4 belt at 40 block. The exposed area is approx. 16 feet long by 18 feet wide. The area had a roof fall and has not been bolted however a tunnel liner has been used and has been completed for several days

									See C	Continuation	r Form (MSHA	Form 7000-3a)
9. Violation	A. Health Safety Other	₹ I	B. Section of Act			C, Part/Section of Title 30 CFR			75.2	220(a)(1)	
Section II-Insper	dor's Evalu	ation										
10. Gravity:										. —	0	
A. Injury or	iliness (ha	as) (is):	No Likelihoo	xd t	Unlikely 🗌	Reasonably	Likely 👱	j ł	lighly Llk	ely	Оссип	
B. Injury or sonably	illness co be expect		No Lost	Workdays 🔙	Lost Wo	orkdays Or Restri	cted Duty	Z	Perman	ently Disa	abling	Fatal 🗌
C. Significa	int and Su	bstantia	: Yes	y No [). Numbe	r of Perso	ons Affected:	001
11. Negligeno	e (check o	ne)	A. None	B. Lo	w 🗌 💢 C	. Moderate 🔽	D . I	High _		E. Reck	less Disrega	rd 🗀
12. Type of Ac	tion	104(a)		13. Type of I	ssuance (check o	me)	Cita	ition 🗹	Orde	er 🗍	Safeguard
14. Initial Action A. Citation		der _	C. Safeguar	d D. Wri	tten Notice	E. Citation/ Order Nu	mber				F. Dated	Mo Da Yr
15. Area or Ed			Mo Da Y	·								
16. Termination	n Due	A. Date	12/21/20	I D Tim	ne (24 Hr. Cloc	k) 1200)					
Section III-Term	nination Acti	on										
17. Action to 1	Terminate											
18. Terminate	d A. Date	Мо	Da Yr	B. Time (24 H	r. Clock					-704-444		
Section IVAuto	mated Syst	em Data										
19. Type of In: (activity co		E01	20. Event	Number	4054434	21. F	rimary or	Mill				
22. Signature			6]						23.	AR Numt	er [a	2

MSHA Form 7000-3, Mar \$5 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement actions for 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.



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)	Mo Da 12/18/20	1	Citation/ Order Number	7098645 - 01		
4. Served To			5. Operat				
Carl Crumrine, Mine Forman				ANKER WEST VIRGINIA MINING COMPANY INC			
6. Mine	<u> </u>		7. Mine ID	46.0070	(Contractor)		
SAGO MINE				46-0879	1		
Section II—Justification for Action							

Information was provided to the inspector that shows an invoice/P.O.# 67021 for foam sheets to be delivered 12-22-05 and 12-23-05 for the mine for the tunnel liner.

				·		Se	e Continuation Form
8. Extended To A. D.	Mo Da	Yr 2005 B. Time	e (24 Hr. Clock)	0800	C. Vacated	D. Terminated	E. Modified
Section IV-Inspection Da	rta						
9. Type of Inspection	E01	10. Event Nur	mber 4054434				
11. Signature	r (_3	<u></u>	AR Number	12. Date	Mo Da Yr	13. Time (24 Hr. Clock)	
					12/21/2005	1314	

MSHA Form 70 a, Mar 85 (revised)

المراجات

MSHA Form 7000-10K, June 93 (revised) 12-18-05 The terms benoin 1-05 wockyma

Supervisor's Initials and ju...

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

12-18-05

Times 17:50

CFR 75, 220 91

Colation # 7098685

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Sirry - Post Partiet

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Inspector's Initials [&] _

Supervisor's Initials and Date ___

Page N

MSHA Form 7000-10K, June 93 (revised)	
Date 1.2-18-05	
A Las Ley Completes	
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nspector's Initials	12

Date 12-18-05
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2) multiple faces occars which mine is the same locations
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Inspector's Initials
Supervisor's Initials and Date Page Nd

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

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

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

Mine Citation/Order

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





Section IViolati	ing Data					Willie C	arcty ar	W I ICOM	I Austria	an en		
1. Date	Mo Da	Υr	2. Time (2	4 Hr. Cl	ock)				3. Citatio	on/	70986	16
I. Date	12/18/2			174					Order	Number	/0960	40
4. Served To						5. Oper					601 M 13	ni nic
Lonnie Sm	ith, Shift	Froma	n			ANKI	ER WES	T VIRG	INIA M	INING	COMPA	NY INC
6. Mine SAGO MI	VE.					7. Mine	^{ID} 4(5-0879	1			(Contractor)
8. Condition o		*****		<u></u>							8a. Writter	Notice (103g)
The min	e's r	oof	contro	l pl	an is not	being c	ompli	ed wi	th, s	ee pa	ige 4,	when the
tunnel covered the #4 approx.	liner With entry 28 f	bein a la acro	ng use ayer o oss fr long a	d as f cu om n nd 1	a primary shioning m umber 4 be 8 feet wid ner has be	suppor aterial lt at 3 le. The	t did . Th 9 blc area	l not le tun ock. l had	have nel l The e a fal	the t iner xpose I and	op of is loo ed area i has r	the liner cated in a is not been
9. Violation	A. Healti	, <u> </u>	B. Section			C. Part/Secti	on of		See	Continuation	on Form (MS)	IA Form 7000-3a)
9. VIUIALIOIS	Safet	y 🗹	of Act			Title 30 CI			75.	220(a)((1)	
Section II-Inspe	ctor's Evalu	ation										
10. Gravity: A. Injury o	r Iliness (h	as) (is):	No Likeliho	ood	Unlikely	Reason	ably Likel	y ⊽ :	Highly Lli	kely [Occu	med 🗔
B. Injury o		uld rea-	No Los	Worke		Vorkdays Or R	estricted I	Outy 🔽	Perma	nently Dis	sabling	Fatal
C. Signific	ant and St	bstantial	Yes	· 🔽	No 🗌				D. Numb	er of Pers	ons Affecter	d: 001
11. Negligeno	æ (check o	ne)	A. None]	B. Low	C. Moderate	Z	D. High		E. Rec	kless Disreg	ard
12. Type of A	ction	104(a)		13. Type o	f Issuance (che	eck one)	c	itation 🔽	Orc	ier	Safeguard
14. Initial Acti A. Citation		rder 🗍	C. Safegua	ard _	D. Written Notice	E. Citat Orde	ion/ r Number				F. Dated	Mo Da Yr
15. Area or E	quipment											
16. Terminati	on Due	A. Date	Mo Da 12/21/2		B. Time (24 Hr. Ck	ock) 1	200					
Section III-Ten	nination Act	ion										
17. Action to	Terminate											
18. Terminate	A. Date	Mo	Da Yr	B. Time	e (24 Hr. Clock							
Section IV-Aut		lem Data										
19. Type of ir (activity o		E01	20. Even	Numbe	405443	4	1. Primar	y or Mill				
22. Signature	!		·				,		23.	AR Nurr	ber [- - - -
MSHA Form 70	MAR Mar P	L Mravisant	لے صا محمدہ	ب اخد معامدا	h the province of the	Small Rusinero E	Pagulator 6	Enforcement	Fairness Ar	1 of 1996	the Small Rus	iness Administration

MSHA Form 7000-3, Mar 85/(revised) In accordance with the provisions of the Small Business Regulatory Enforcement Faimess Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Faimess Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement 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.

12/20

Mine Citation/Order Continuation

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





1, Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 12/18/20	• • •	3. Citation/ Order Number	7098646 - 01
4. Served To			5. Operato		
Carl Crumrine, Mine Forman			ANKER	WEST VIRG	INIA MINING COMPANY INC
6. Mine SAGO MINE	-		7. Mine ID	46-0879	(Contractor)

Information was provided to the inspector that shows an invoice/P.O. #67021 for the foam sheets to be delivered on 12-22-05 and 12-23-05 for the mine for tunnel liner.

				Se	e Continuation Form
Section III-Subsequent Action Taken					
8. Extended To A. Date Mo Da 12/26/	[D Time (04 D D D)	0800	C. Vacated	D. Terminated	E. Modified
Section IV-Inspection Data					
9. Type of Inspection E01	10. Event Number 4054434	1	_		
11. Signature	AR Number	1	Da Yr /21/2005	13. Time (24 Hr. Clock) 1321	
MSHA Form 7; a, Mar 85 (revised)					5 1

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Inspector's Initials 40 Page No 2
Supervisor's Initials and Date Page No.

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

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nspector's Initials

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

Date 12 - 18-08 Tre - 1745 CFR -75. 220 91 Water # 7098646 ny - midisto The - my could plan is not less complet cut Supervisor's Initials and 1

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

MSHA Form 7000-10K, June 93 (revised)	MSHA Form 7000-10K, June 93 (revised)
Date 12-18-05	Date 12-18-05
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inspector's Initials	Inspector's Initials
Supervisor's Initials and Date Page N	Supervisor's Initials and 6.) Page No.

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

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

Mine Citation/Order

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





Section I-Violat	ion Data										<u> </u>		
1. Date	Mo Da 12/20/2		2. Time (2	4 Hr. Ck 020					3. Citation Order	n/ Number	709864	47	······
4. Served To					······································	5. Operator							
John Travi	se, Shift	Forma	n			ANKER	WEST	VIRG	INIA MI	NING	COMPAN	YINC	
6. Mine SAGO MII	VF.					7. Mine ID	46-	0879	1			(Contracto	or)
8. Condition of			······································			_1	,				8a. Written	Notice (103g)	
tunnel covered the num This is feet lo	liner with ber 8 the p	bei a la ent ent prima d 18	ng use ayer o ry for ary es feet	d as f cus MMU capwa wide	an is not be a primary set on a primary set of a primary set or the set of th	support terial. n inby s section. area ha	did The spad : The The spad :	not l tuni stat: e exi d a	have t nel li ion #4 posed fall a	the tiner 1212 area	op of is loc one blace is appearance is appe	the line ated in ock. prox. 24 been	er
									See C	Continuati	on Form (MSH/	A Form 7000-3a)	
9. Violation	A. Health Safety Other	' ✓	B. Section of Act		C	Part/Section Title 30 CFR	of		75.2	220(a)((1)		
Section II-Inspe	ector's Evalua	ation											
10. Gravity:				. —		F . 11			445-64-446	-h. —	Onnum		
	r lilness (ha		No Likelih	ood	Unlikely	Reasonabl	y Likely	<u> </u>	Highly Llk	ery	Occur	red	
	r illness cor be expecte		No Los	t Workd	ays Lost Wor	kdays Or Rest	ricted Dut	ty 🛂	Perman	ently Di	sabling 🗌	Fatal	
C. Signific	ant and Su	bstantial	· Ye	s y	No 🗀				D. Numbe	r of Pen	sons Affected	001	···-
11. Negligeno	e (check o	ne)	A. None		B. Low C.	Moderate 🔽	D), High	_	E. Red	kless Disrega	······································	
12. Type of A	ction	104(a)		13. Type of Iss	uance (check	one)	Ci	tation 🗹	Orc	der 🖳	Safeguard	
14. Initial Acti A. Citation		der 🦳	C. Safegua	ard 🗀	D. Written Notice	E. Citation/ Order No					F. Dated	Mo Da Yr	r
15. Area or E	quipment												
16. Terminati	on Due	A. Date	Mo Da 12/22/2	•	B. Time (24 Hr. Clock)	120	0						
Section III-Terr	nination Action	on											
17. Action to	Terminate												
18. Terminate	A. Date	Mo	Da Yr	B. Time	(24 Hr. Clock								
Section IVAut	omated Syste	em Data		·	-								
19. Type of Ir (activity c	nspection ode)	E01	20. Even	t Numbe	4054434	21.	Primary o	or Mill					
22. Signature		6		1		<u></u>			23.	AR Nun	nber	<u> </u>	

MSHA Form 7000-3 mar 85 (revised) In accordant 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.

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Mine Citation	n/Order
Continuation)

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

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Section I-Subsequent Action/Continuation Da	ta				
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 12/20/2		3. Citation/ Order Number 709864	47 - 01
4. Served To			5. Open		
Carl Crumrine, Mine Forman			ANKE	R WEST VIRGINIA MI	NING COMPANY INC
6. Mine SAGO MINE			7. Mine	46-08791	(Contractor)
Section II-Justification for Action					

Information was provided to the inspector that shows an invoice/P.O. #67021 for the foam sheets to be delivered on 12-22-05 and 12-23-05 for the mine tunnel liner.

		<u></u>			See Continuation Form
8. Extended To Mo Da	Yr		T = 0.1/2 = +4 = 4		E. Modified
A. Date 12/26/2	2005 B. Time (24 Hr. Glock)	0800	C. Vacated	D. Terminated	E. Modified
Section IV-Inspection Data					
9. Type of Inspection E01	10. Event Number 4054434				
11. Signature	AR Number	12. Date	Mo Da Yr	13. Time (24 Hr. Ck	ock)
(6_]			12/21/2005	1325	

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

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SHA Form 7000-10K, June 93 (revised) /

MSHA For	n 7000-10K, June 93 (revised)
Date .	12-19-07/12/20/00
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10-12 almin milana
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Inspector's Initials [CG]
Supervisor's Initials and D

G: U.S. GOVERNMENT PRINTING OFFICE: 2005-541-054/20910

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

22. Signature





Mine Citatio	on/Order					s. Departme ne Safety an			ration		
Section I-Violati	ion Data		<u></u>								
1. Date	Mo Da Yr 12/20/200	1	ne (24 Hr. Cl					3. Citation Order I	ı/ Yumber	709864	8
4. Served To						Operator	TIUDO	D.TLA N.ET	mic.	COMBANIA	ZINIC
John Travi	se, Shift Fo	orman			A	NKER WES	1 VIKG	INIA MII	MING.	COMPAIN	LINC
6. Mine					7.	Mine ID 46	5-0879	1			(Contractor)
SAGO MI										8a. Written N	
8. Condition of	r Practice				2 T	*****					
The #6	shuttle	car,	ori st	andard, on	the	MM0-003	Sect	TOH GO	62 11	ortmant	The
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devices	s are th	nat in	place	at this lo	catio	on, see	Part	18.45	e).	ine ap	proval
number	is 2G-3	3936-0.									
		-									
								See C	ontinuatio	on Form (MSHA	Form 7000-3a)
9. Violation	A. Health	B. Sec	ction	·····	C. Part/	Section of					
	Safety -	· 1			Title	30 CFR		7	5.503		
	Other										
Section II-Inspe	ector's Evaluatio	n									
10. Gravity:									. —		
A. Injury o	r Illness (has)	(is): No Li	kelihood	Unlikely 🔽	Re	asonably Likel	у	Highly Llke	ely	Occurre	ed
	r illness could be expected		Lost Work	days Lost V	Vorkdays	Or Restricted I	Outy 👱	Perman	ently Dis	abling	Fatal
C. Signific	ant and Subst	antial:	Yes _	No 🔽				D. Number	of Pers	ons Affected:	001
11. Negligen	ce (check one)	A. No	ne 🗔	B. Low 🔽	C. Mode	rate	D. High		E. Rec	kless Disregar	d
12. Type of A	\ction	104(a)		13. Type o	fissuanc	e (check one)	С	itation 🗹	Ord	er 🗀	Safeguard
14. Initial Act A. Citation		r 🗍 C.Sa	feguard	D. Written Notice		Citation/ Order Number				F. Dated	Mo Da Yr
15. Area or E	cuioment										
	-g-g										
16. Terminat	ion Due	Date Mo	Da Yr	B. Time (24 Hr. Cl	nek\	2000					
	١^.	12/2	20/2005	B. 1898 (24 DL C	UCK)	2000					
Section III-Ter	mination Action										
17. Action to	Terminate										
-											
40 T		Mo Da Y	- (
18. Terminat	ed A. Date	MIC LIE Y	' 8. Tim	ie (24 Hr. Clock		-					
On win Dr. 1		D-4-								 	.,
	tomated System		F			Of Disc.	v or killi				
19. Type of I		E01 20.	Event Numb	er 405443	4	21. Primar	y Or Mill				

MSHA Form 7000-3, Mar 86 (revised)

In accordance with the Small Business 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, 408 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

23. AR Number

Mine Citation/Order Continuation

MSHA Form 7000 Mar 85 (revised)

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)	M o Da 12/20/20	- '	Citation/ Order Number	7098648 - 01
4. Served To			Operat		
Dick Wilfong, Maintance Chief			ANKE	R WEST VIRG	INIA MINING COMPANY INC
6. Mine			7. Mine II	46-0879	(Contractor)
SAGO MINE)	40-08/9	1
Section II-Justification for Action					

Additional information was provided to the inspector that shows a fire resistant spooling device that is grounded for the #6 shuttle car level wind on the MMU-003.

								See Continuation Form
Section III-Subsec								
8. Extended To	A. Date Mo	Da	Yr	B. Time (24 Hr. Clock)		▼ C. Vacated	D. Terminated	E. Modified
Section IV-Inspec	tion Data							
9. Type of Inspe	ection E01		10. E	vent Number 4054434				
11. Signature	T61	7	i	AR Number	12. Date	Mo Da Yr 12/21/2005	13. Time (24 Hr. Clo 1257	ock)

ock M.

MSHA Form 7000 10K, June 93 (revised)
Date 12/19/05
+1000 3 Giv.
metal 1
These 3 are metal 000 on the land words.
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Post Culine releas aurando
Inspector's Initials
Supervisor's tritials and Da Page No

MSHA Form 7000-10K, June 93 (revised)
Date 12-19-05
Too 0100 ha
CFR 75.503
Olotas 71 70 99648
3+5-m
Mey- Woclows
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Plops-1
Jernister 122200
lemiter - 122205
12w his
Pad 13, 45 (c)
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Pad 13, 45 (e)
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Part 18, 45 (e) The #6 off Standal Shutts Clay does not have non
Pad 18, 45 (e) The #6 off Shandal Shutts Clay does not have non motal level with
Part 18, 45 (e) The #6 off Standal Shutts Clay does not have non
Pad 18, 45 (e) The #6 off Standal Shutts Clay class not have room modal level with 3 (Showlle reopione
Pad 18, 45 (e) The #6 off Shandal Shutts Clay does not have non motal level with

CHARLES GOVERNMENT PRINTING OFFICE: 2005-541-054/20910

Mine Citation/Order

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





Section I-Viol	lation Data			
1. Date	Mo Da Yr 12/20/2005	2, Time (24 Hr. Clock) 0130	3. Citation/ Order Number	7098649
4. Served Tohn Trav	o vise, Shift Form	an	5. Operator ANKER WEST VIRGINIA MINING CO	OMPANY INC
6. Mine SAGO M	INE		7. Mine ID 46-08791	(Contractor)
8. Condition	or Practice		8	a. Written Notice (103g)
resist	ant spooli	ng device for the le	MMU-003 section does not havel wind near the reel compa metal parts. There are 4 s	rtment. The

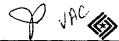
devices at this location., see Part 18.45(e). The approval number 2G-3936-0.

See Continuation Form (MSHA Form 7000-3a) 9. Violation A. Health C. Part/Section of B. Section Title 30 CFR 75,503 Safety 🗸 of Act Other Section II-Inspector's Evaluation 10. Gravity: Оссилтеб Unlikely 🗸 Reasonably Likely Highly Likely A. Injury or litness (has) (is): No Likelihood B. Injury or illness could rea-Fatal _ Permanently Disabling No Lost Workdays Lost Workdays Or Restricted Duty 🗸 sonably be expected to be: D. Number of Persons Affected: C. Significant and Substantial: 001 Yes 🦳 No 🗸 11. Negligence (check one) E. Reckless Disregard B. Low V. C. Moderate D. High A. None 🗍 13. Type of Issuance (check one) Citation 🗸 Order Safeguard 12. Type of Action 104(a) F. Dated Mo Da Yr E. Citation/ 14, Initial Action Order Number B. Order C. Safeguard D. Written Notice A. Citation Till 15. Area or Equipment Mo Da Yr 16. Termination Due A. Date B. Time (24 Hr. Clock) 2200 12/20/2005 Section III-Termination Action 17. Action to Terminate 18, Terminated Mo Da Yr A. Date B. Time (24 Hr. Clock Section IV-Automated System Data 19. Type of Inspection 20. Event Number 21. Primary or Mill 4054434 E01 (activity code) 23. AR Number 22. Signature

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

Mine Citation/Order Continuation

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



Section ISubsequent Action/Continuation Data	1					
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo 12/2	Da 0/2005	. 1	3. Citation/ Order Number	7098649 - 01
4. Served To			5.	Operato)f	
Dick Wilfong, Maintance Chief			A	NKER	WEST VIRG	INIA MINING COMPANY INC
6. Mine		,,,,,, ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	7.	Mine ID		(Contractor)
SAGO MINE					46-0879	1
Section II-Justification for Action		***************************************				

Additional information was provided to the inspector that shows a fire resistant spooling device that is grounded for the #5 shuttled car level wind on the MMU-003 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	
Section IV-Inspection Data			
9. Type of Inspection E01	10. Event Number 4054434		-
11. Signature	. AR Number 1	Date Mo Da Yr 13. Time (24 Hr. Clock)	
[6]	<u> </u>	12/21/2005 1305	
MSHA Form 700r 1, Mar 85 (revised)			,

ist, dos

MSHA Form 7000-10K, June 93 (revised) Date 12-19-0 T 4 metal wholes are present that the cables place across these who. non Sts Termits - 12-30.05 Post Cerfemel
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CFR - 75.503
(1) Kar IT 7008640
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action - 1049
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The #15 shill can does not have mon metal level wind whole as the case
The #5 shill car does not have mon metal level wind

G2Q U.S. GOVERNMENT PRINTING OFFICE, 2005-541-054/20810

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

Mine Citation/Order

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



			wille Dately and Healai	<u> </u>					
Section IVic	olation Data								
1. Date	Mo Da Yr 12/20/2005	2. Time (24 Hr. Clock) 0200	3. Citation/ Order Number 7098650						
4. Served To John Travise, Shift Forman			5. Operator ANKER WEST VIRG	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC					
6. Mine SAGO MINE			7. Mine ID 46-08791 (Contractor)						
8. Conditio	n or Practice			8a	i. Written Notice (103g)				
	guard. Th	11 EX, 2G-4149A-00 co ne miner is operating							

										See C	ontinuatio	on Form (MSH	A Form 700	0-3a)
9. Violation	A. Health Safety Other	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	B. Section of Act				C. Part/Secti Title 30 C			7	5.503			
Section II-Insp	ector's Evalu	ation												
10. Gravity:												_		
A. Injury o	or Illness (h	as) (is):	No Likelih	ood	L	Inlikely 🔽	Reason	ably Like	y	Highly Llke	∌y 	Occu	rred	
	or illness co y be expect		No Los	Work	days 🗀	Lost W	orkdays Or R	testricted	Duty 🛂	Perman	ently Dis	abling 🗌	Fatai	
C. Signific	cant and Su	bstantial	Ye	s <u> </u>	No 👱	-			·············	D. Number	of Pers	ons Affected	^{i:} 001	
11. Negligen	ce (check o	ne)	A. None		B. Lov	v 🗀 🤇	C. Moderate	Z	D. High		E. Red	dess Disreg	ard 🔙	
12. Type of A	Action	104(a	a)			13. Type of	Issuance (ch	eck one)	C	itation 🗹	Ord	er 🗍	Safe	guard 🗀
14. Initial Ac A. Citation		der [C. Safegua	ord [D. Writt	ten Notice	E. Citat Orde	ion/ r Number	r			F. Dated	Mo E	a Yr
16. Terminat	tion Due		Mo Da	٧r	····-	······································								
		A. Date	12/20/2		B, Tim	e (24 Hr. Cloo	ck) (0800						
Section III-Ter	rmination Acti	on			···							·····		
17. Action to	Terminate													
18. Terminat	A. Date	Mol	Da Yr	B. Time	e (24 Hr	. Clock								
Section IV-Au	tomated Syst	em Data												
19. Type of I		E01	20. Even	Numbe	er	4054434	4	21. Prima	ry or Mill					
22. Signature	e	Ī	67	?			······································			23. /	AR Numi	ber C	60	

MSHA Form 7000-3, May 5 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency

enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman. 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including

the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

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

Date July - NO-US
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The list is not damaged the conduit / packing
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inspector's Initials [6]
Inspector's Initials Supervisor's Initials and Date Page No.
C+Thus COVEDNMENT BRINTING OFFICE 2005-541-054/20010

MSHA Form 7000-10K, June 93 (revised)
Date 2905
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QFL# 75. 503
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Grand - unally
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actor-1049
Termen -: 12-2005
800 ho
mue - 14cm - 29-41591-00
mue - 14cm - 29-415 9A-00
Location - 14cm - 28 -415 91-00
Location miner
Location mmu 0008 Continuos miner has a mony quant
Location - 14cm - 28-415 9A-00 Location - mmu-008 Continuos miner has a mony guard M + 14 ryth secto
Location mmu. 003 Continuos miner has a money guant M +ke rept secto of the minis used
Location - 14cm - 28-415 9A-00 Location - mmu-008 Continuos miner has a mony guard M + 14 ryth secto

G2Q U.S. GOVERNMENT PRINTING OFFICE: 2005-541-054/20910

Mina	Citatio	n/Ordei
101111111	LINGINI	13/12/12/07

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





	Violation Da	ata										
1. Date	Date Mo Da Yr 2. Time (24 Hr. Clock) 12/21/2005 1200					3. Citation/ Order Number 7098613						
4. Serve	To				5. Operato							
Carl Crumrine			ANKER WEST VIRGINIA MINING COMPANY INC									
6. Mine SAGO MINE			7. Mine ID	46-0879	91		(Contractor)					
8. Condi	ion or Pra	ctice							8a. Written Notice (103g)			
,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	The	8 fire	extinguishers	located	on the	surface	that	were	strategically			

The 8 fire extinguishers located on the surface that were strategically positioned have not been examined or tagged within the required 6 months.

					See Continuation Form	(MSHA Form 7000-3a)
9. Violation A. Health Safet Other	of Act		C. Part/Section of Title 30 CFR		77.1110	
Section II-Inspector's Evalu	ation					
10. Gravity:						
A. Injury or Iliness (h	as) (is): No Likelihoo	d 🗌 Unlikely 😿	Reasonably Like	etyHi	ghly Likely	Occurred
B. Injury or illness co sonably be expect		Norkdays Lost W	orkdays Or Restricted	Duty 🔽	Permanently Disabling	Fatal
C. Significant and St	bstantial: Yes	No ⊻		D.	Number of Persons Af	fected: 001
11. Negligence (check o	one) A. None	B. Low	C. Moderate 🔽	D. High 🗀	E. Reckiess I	isregard
12. Type of Action	104(a)	13. Type of	Issuance (check one)	Citati	on 🗹 Order 📃	Safeguard
14. Initial Action A. Citation B. O	rder 🦳 C. Safeguard	D. Written Notice	E. Citation/ Order Numbe	r	F. Da	ted Mo Da Yr
16. Termination Due	A. Date Mo Da Yi	IR Time (24 Hr Clo	ck) 1300		Manager	***************************************
Section III—Termination Act		<u> </u>				
17. Action to Terminate	The fi	re extinguish	ers have be	en exami	ned and tag	ged.
18. Terminated A. Date	12/21/2005	. Time (24 Hr. Clock)	1300			
Section IV-Automated Sys	em Data					
19. Type of Inspection (activity code)	E01 20. Event N	umber 4054434	4 21. Prima	ry or Mill		
22. Signature	<u> </u>		····	-	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 Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.



MSHA Form 7000-10K, June 93 (revised) Date 12-21-2005 77.1110 2:00 7098613 The S fire extinguishers located on the surface that were strategically positioned have not been examined of tagged within the outside must buttue these extinguishers are p so if you were standing in front of one you would be in direct visual eye contact with the extinguishers

Inspector's Initials ..

Supervisor's Initials and Date

Date 1721 -2005
7098613
Several Shifts
One mines
When a accident does occul it would be station, file, but is it
It is unlikely considering even though the extraordishers were not properly tagged the extract are still operable.
Per examined and tagged Inspector's Initials and Date Page No. Page No.
*U.S.GPO: 2004 - 842 - 912

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

TU.S. GPO. 2005-752-00928

Mine	Citat	חחוי	/Orde	ı

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





Section I-Vit	olation Data								
1. Date	Mo Da Yr 12/21/2005	2, Time (24 Hr. Clock) 1220	3. Citation/ Order Number 7098	614					
4. Served To			5. Operator						
Carl Cru	mrine		ANKER WEST VIRGINIA MINING COMPANY INC						
6. Mine SAGO MINE			7. Mine ID 46-08791						
			40-08/91	(Contractor)					
8 Conditio	n or Practice		8a. Writte	n Notice (103g)					

Coal and rock has been allowed to accumulate on the elevated walkways on the incline stacker belt. This condition creates a slipping and tripping hazard. The accumulations had frozen and had a 3 foot section of the walkway completely blocked. The material rolls under foot when miners travel this walkway.

								See	Continuatio	on Form (MSH	IA Form 7000-	3a)
9. Violation	A. Health Safety Other	- I -	Section of Act		C. Part/Section Title 30 CFF		···	77	7.205(b)		
Section II-Insp	ector's Evaluati	on										
10. Gravity:				_						_		
A. Injury o	r Iliness (has	(is): N	Likelihood	Unlikely	Reasona	oly Likely 🔽		Highly Lif	ely	Occu	ırred 📋	
	r illness could be expected		No Lost Work	days Lost W	Vorkdays Or Re	stricted Duty	~	Permar	ently Dis	abling	Fatal _	
C. Signific	ant and Subs	tantial:	Yes 🗸	No 🛴			1), Numbe	er of Pers	ons Affecte	d: 001	
11. Negligen	ce (check one) A.	None	B. Low	C. Moderate 💆	D. 1	High		E. Rec	kless Disreç	gard 🗍	
12. Type of A	Action	104(a)		13. Type of	Issuance (chec	k one)	Cit	ation 🔽	Orc	er	Safegu	ard
14. Initial Act A. Citation		ır [C.	Safeguard	D. Written Notice	E. Citatio Order	n/ Number				F. Dated	Mo Da	Yr
15. Area or E			Mo Da Yr		······································					-		
(O. Ferrinia)	A	Date	2/21/2005	B. Time (24 Hr. Clo	rck) 14	00						
Section III-Ten	mination Action											
17. Action to	Terminate		The haza	ardous mate	erial was	remov	ed.		_			
18. Terminate	A. Date	M o Da 12/21/	LQ Tirr	e (24 Hr. Clock)	1400							<u></u>
Section IV-Aut	omated System											
19. Type of II (activity o		E01 2	0. Event Numb	er 405443	4	. Primary or N	Vill					
22. Signature	}	76-		· · · · · · · · · · · · · · · · · · ·			······································	23.	AR Num	ber	[6]	

MSHA Form Youd-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement actions 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.

allowed to accumulate on

the elevated walkways on the
incline stacked belt. This

Condition cleates a slipping
and tripping hazard. The

Ciccumulations had frozen and
had a 3 section of the
walkway completely blocked.

The material falls under

foot when mivels travel this

withingy

Inspector's Initials [[]

supervisor's Initials and Date _____ Page I

TO S. GPO, 2005-752-00925

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

Date 12.21-2005

7098614

The of examination of the should have known that this condition exists considering the miners travel this incline stucked bett daily to glasse the Stacked motals

Several Shifts

One mines

When a accident dues occur it would be solious, Davisors, la celetion & -fractules

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

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

Date 12-21-2005

7098614

Considering the niver thered this walkness daily to perform

Terminated - The hazardous material was removed.

Supervisor's (nitials and Date Page No.

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