Citations / Orders & Inspector Notes

Fiscal Year 2004

Mine Citati on/Order

U.S. Department of Labor

MAR 34	2004
ration	

~///	

•=	* *			Mine Safety a			tion			
Section I-Viola	tion Deta					1 Monthill Street	aon I			
1. Date	Date Mo Da Yr 2. Time (24 Hr. Clock) 02/17/2004 0745				3. Citation/ Order Number 7096104					
4. Served To			5. Operator							
Brad Hami	rick			ANKER WE	ST VIRG	INIA MINI	NG COMPAN	Y		
6. Mine	⊾ II?			7. Mine ID 4	6-0879	1				
8. Condition o			· · · · · · · · · · · · · · · · · · ·			1		(Contractor)		
		2 2005770	ron balk da	· · · · · · · · · · · · · · · · · ·	. ,		8a. Written I	Votice (103g)		
ine ope	ed and ma	intained	yor bett ar.	ive is not p	provid	ed with	a proper	lу		
corvice	s on 02/13	/2004 Th	rire subbre	ssion system partially i	a. The	arive w	as place	d into		
connect	ed to the	water su	e system is	er is preser	instai.	rea but	nas not	yet been		
drive h	nit does n	ot have a	ll the bard	ware to comp	il al	riito fili	ie to word	c on the		
						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		75,1107	-16(b)			
Section II-Inspe	ctor's Evaluation						_			
10. Gravity: A. Injury or	Illness (has) (is):	No Likelihood	Unlikely [Reasonably Likel	y 🗹	Highly Likely [Occurre	ed [
	illness could rea- be expected to be:	No Lost Worl	kdarys 🗌 Lost W	/orkdays Or Restricted	Duty 🗹	Permanently	Disabling [Fatal []		
C. Significa	ant and Substantial:	Yes ✓	No 🗌			D. Number of P	ersons Affected:	001		
11. Negligence	e (check one)	A. None	B. Low 🗍 🤇	C. Moderate 🗸	D. High] <u>E</u> .	Reckless Disregar	d []		
12. Type of Ac	tion 104(a)	13. Type of is	ssuance (check one)	Cit	tation 🗹	Order 🗌	Safeguard [
14. Initial Action A. Citation	on B. Order	C. Safeguard	D. Written Notice	E. Citation/ Order Number			F. Dated	Mo Da Yr		
15. Area or Eq	uipment									
16. Terminatio	n Due A. Date	Mo Da Yr	B. Time (24 Hr. Clock	1200			· · · · · · · · · · · · · · · · · · ·	······································		
		02/17/2004	D. Time (2411). CRCA	1300			-			
Section III-Term	, , , , , , , , , , , , , , , , , , , 									
17. Action to T	ентинасе									
18, Terminated	A. Date Mo	Da Yr B. Tank	e (24 Hr. Clock)							
Section IV-Auto	mated System Data									
19. Type of ins (activity co		20. Event Numbe	4053992	21. Primary	or Mill					

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at 500 W. Madison Street, Suite 1240, Chicago, illinois 60661. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

23. AR Number

22. Signature

Mine Citation/Order Continuation

U.S. Department of Labor

eli. ΔΔ		
P		<

Continuation		i.s. Department of L line Safety and Heal		
Section I-Subsequent Action/Continuation Data		and darety and rical	II Administration	N/
	ed Mo Da iginal Issue) 02/17/2004	Yr 3. Citation/ Order Number	7096104 - 01	
4. Served To Brad Hamrick 6. Mine		Operator NKER WEST VIRO	INIA MINING COMPANY	
SAGO MINE Section II—Justification for Action	7.	Mine ID 46-0879	(0,-1,-,1,-)	
ODEARM POUSBIRGION TO ACTION				

The fire suppression was installed on the NO.2 belt drive and maintained in operating condition.

Section III-Subsequent Action Taken		See Continuat	tion Form
	B. Time (24 Hr. Clock)	☐ C. Vacated ☑ D. Terminated ☐ E. Modifie	ed
Section IV-Inspection Data			
9. Type of Inspection AAA	10. Event Number 4053992		
11. Signature	AR Number 12. Date	Mo Da Yr 13. Time (24 Hr. Clock) 02/18/2004 0835	
14CU1 F 7000 0- 1405 (1 n			

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

Dete
hardware To complete
The installation.
MINE MARAGEMENT
Stated That They were
Keeping A miner At
The Lave AT All Times
when The belt was in
operation UNTIL The
Profected.
Protected.
This drive is Located
& blocks on I by The
001-0 mmu. The
minu present does
not have Any water
Live corrected to The
Readily fight A like
nexter supply to Readily fight A fire Inspector's Initials.
Supervisor's Initials and Date Page No. 2001—609-238
U.S.Q.P.O.: 2001 909-238

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

Date 06-17-09
C174. # 7096104
75-1107-16-B
0745 overating
The #2 Corrugos be 17
drive is not provided
with a proporty
178halled + maintained
Line suppression system.
The drive was placed
INTO SUVICE 2-13-04.
The system is partally
installed but has not
yet been connected
to the water supply.
A MINU IS present
AT this Time To world
in the system but does
not have all the
nspector's Initials
upervisor's Initials and Date Page No

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

Date 2-17-04
Cordition is unlittery
to enuse or occident
AS The never is present
To mo Notos The drive
If fine did occur
The Resulting Indury
would be serious.
AT least I moved
exposed.
V
Set Term Time NT 1300 to Allow PARTS
1300 to Allow PARTS
To be delivered
* * *
BRUD Humpick is
BROW HAMBICK is Super & was Aware
BRUD Humauk is Super & was Aware SYSTem was not
BRUD Humpick is Super & was AWARE SYSTEM WAS NOT Complete.
BRAD Humpick is Super & was Aware System was not Complete. Inspector's Initials and Date Page No. 3

Mine Citation/Order

MAR - A 2004

.4

-	. •							tment of La				1004
Section I-Viol	lation Data		····			IVI	ne Safet	and Health	Adminis	stration		
1. Date	Mo Da 02/17/2		2. Time	(24 Hr. Clock) 0950	· · · · · · · · · · · · · · · · · · ·				3. Citation	√ Number	70961	05
4. Served To							Operator		<u></u>			
Brad Ham 6. Mine	ırıck		***					EST VIRG	INIA MI	NING C	OMPAN	ſΥ
SAGO M	INE					7.	Mine ID	46-08791				
8. Condition (or Practice									8	a Writtee	(Contracto Notice (103g)
The me	thane	moni	tor o	f the Jo	y 14cm	15 rem	ote c	ontrol o	contin	220220	- i - i -	
mixture energi: operate	e of 2 ze the or whe	.5% mac n th	methar hine. e meth	m 5530, y mainta ne the r (2)The s nane rea ed by th	read out	l) n t t woul light ne 1%	ested d only	with a y show 1 is provi	known 1.9% a	meth	ane/a uld no	ir ot de-
. Violation	A. Health		B. Section			C. Part/S	ection of		See Co	ontinuation F	orm (MSHA	Form 7000-3a)
	Safety Other		of Act			Title 30			75.34	42(a)(4)		
ection II—Inspe 0. Gravity:	ector's Evalua	iion									······································	
A. Injury or	Illness (has) (is):	No Likelih	lood []	Unlikely 🗸	Re	asonabiy Lil	cely	Highly Likel	by \Box	Occurre	иП
	illness could be expected		No Lo	st Workdays	lost	Workdays (Or Restricte			ntly Disabli	······································	
	ant and Subs		······	s No [,				of Persons	~ L	Fatal 001
1. Negligence	e (check one)	A. None	B. Lo	w []	C. Modera	te 🔽	D. High]	E. Reckles	s Disregan	1
2. Type of Ac	tion	104(a)		13. Type of	Issuance (check one)	Cita	ition 🗸	Order [Safeguard [
4. Initial Action A. Citation		er 🗌	C. Safegua	ard D. Wr	itten Notice		tation/ der Numbe	r		F. (Dated	Mo Da Yr
												
5. Area or Eq	n Due	. Dake	Mo Da 02/17/20	I D Tim	e (24 Hr. Cloc		1030					***************************************
5. Termination	n Due A		02/17/20	004 B. Tim								
6. Termination	n Due A		02/17/20	I D Tim				rated.				
6. Termination ection III—Term 7. Action to Terminated	n Due Animation Action erminate	Meth MoD 02/17	02/17/20	004 B. Tim	was pro			prated.				
6. Termination sction III—Term 7. Action to Te	n Due Animation Action erminate A. Date maled System pection	Meth MoD 02/17	02/17/20 ane m	onitor v B. Time (24 Hr.	was pro	perly						

M agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at 500 W. Madison Street, Suite 1240, Chicago, Illinois 60661. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.



MSHA Form 7000-10K, June £3 (revised) Date 02-17-04 Inspector's Initials Supervisor's Initials and Date Page No. _ U.S.G.P.O.: 2001 - 609-218

MSHA Form 7000-10K, June 93 (revised)
Date 2-17-04
The strobe Light
That is provided to
AlerT The machine
operator when the
methore that reached
The 1% hevel 15
couled with dist & Rock
And car not be observed
by The operator.
This mire does have
A history of chy Liberation
however wore is detected
At the present Time.
Cordition is unlikely
to Cause An Accident
however if an occident
did offer The Resulting
Inspector's Initials b]
Supervisor's Initials and Date Page No

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

MSHA Form 7000-10K, June 93 (revised) Term Time AT 1030 Inspector's Initials

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

Supervisor's Initials and Date

Mine Citation/Order

Mo Da Yr

02/17/2004

2. Time (24 Hr. Clock)

1015

Section I-Violation Data

1. Date

4. Served To

18. Terminated

19. Type of Inspection

(activity code)
22. Signature

A. Date

Section IV--Automated System Data

Mo Da Yr

02/17/2004

20. Event Number

B. Time (24 Hr. Clock)

4053992

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

3. Citation/

Order Number

MAGG	4	2004	
ation IT			

7096106

\\//

Brad Hamrick	ANKER WEST VIRO	GINIA MINING COMPAN	ΝΥ
6. Mine SAGO MINE	7. Mine ID 46-0879	~	1 4
8. Condition or Practice			(Contractor)
The approved ventilation plan is not be	oing complied :	Ba. Written	Notice (103g)
shuttle car roadways are not being main dust is being generated by the operating suspended in the air currents of the sequipment operators is being reduced. In needless respirable dust.	ntained damp. T ng shuttle cars ection to the n	The roadways are S. Visible dust i	dry and s
	art/Section of	See Continuation Form (MSHA	N Form 7000-3a)
Other _	the 30 CFR	75.370(a)(1)	
Section #-Inspector's Evaluation			
10. Gravity: A. Injury or lifness (has) (is): No Likelihood Unlikely	Reasonably Likely	Highly Likely Occurr	ad [
B. Injury or illness could rea-	lays Or Restricted Duty 🔽	Permanently Disabling	Fatal [
C. Significant and Substantial: Yes 🗹 No 🗌		D. Number of Persons Affected:	008
11. Negligence (check one) A. None B. Low C. Mc	oderate 🗹 D. High [E. Reckless Disregar	rd []
12. Type of Action 104(a) 13. Type of issuar	nce (check one) Ci	itation 🗹 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 02/17/2004 B. Time (24 Hr. Clock)	1045		
Section III—Termination Action			
17. Action to Terminate Watered the roadways to co	ntrol the dust	•	

5. Operator

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at 500 W. Madison Street, Suite 1240, Chicago, Illinois 60661. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

1045

21. Primary or Mill

23. AR Number

المولاد المولا

Inspector's Initials Supervisor's Initials and Date 'U.S.G.P.O.: 2001 - 809-238

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

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

15 being Reduced.
This dust Also exposes
The mirus to readless
Respirable dust.
Despite 12 005/
le MINERS ARE PRESENT
ON The Section.
The dost visible in
The Air was generated
After orly + Few
Shuttle CAR Trips -
(6-7) -
Cordition is REASONALLY
Littly to Crawso AN
Accident if Allowed
to continue to exist
with serious Intery
Related To Reduced
visibility on Resp.
nspector's Initiels
Supervisor's Initials and Date Page No
'U.S.G.P.O. : 2001 — 809-238

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

Date 02-17-04
C, To, # 7096 106
1015 75.370-A-1
The APPROVED VENTILATION
Plan is not being
Complied with or The
001-0 MMU. The
Shullle CAR ROADWAYS
ARR NOT being MAINTAINED
days. The
ROAD WAYS ARE day
And dust is being
generated by the appreting
Shullle CALS. Visible
dust is suspended in
The AIR CURRENTS
of the Section to the
point visibility of
The equipment operations
Inspector's Initials
Supervisor's Initials and Data

'U.S.G.P.O.: 2001 --- 80/9-238

	in 10 1					ኢ ፈ አ	5 A 4 (3004	
Mine Citat	ion/Order			U.S. Departr				2004	
Section I-Viola	<u> </u>			Mine Safety :	and Health	Administration	H	_	W
1. Date	Mo Da Yr 02/17/2004	2. Time (24 Hr. (Clock))40			3. Citation/ Order Number	709610	07	-
4. Served To				5. Operator					
Brad Ham	rick			3 '	ST VIRGI	NIA MINING	COMPAN	T V	
6. Mine			· · · · · · · · · · · · · · · · · · ·	7 18 10			OO1/11 / 11 /		
SAGO MI				4	6-08791			(Contra	actor)
8. Condition of				serial no.			8a. Written	Notice (103c	n [
devices	s for the	battery co	overs.	connecting r					
9. Violation	A. Health Safety 🗸	B. Section of Act		C. Part/Section of Title 30 CFR		See Continuatio	n Form (MSHA	Form 7000-3	a) 🗌
Section II-Inspe	ctor's Evaluation						·····		
10. Gravity:					·				
A Injury or	iliness (has) (is):	No Likelihood	Unlikely 🗸	Reasonably Like	ely 🗀	Highly Likely	Occurr	ed 🗀	
	illness could rea- be expected to be:	No Lost Work		Workdays Or Restricted	-	Permanently Dis		Fatal []	
C, Significa	int and Substantial:	Yes 🗌	No 🗹		C). Number of Perso	ns Affected:	. 001	
11. Negligence	(check one)	A. None	B. Low	C. Moderate 🗹	D. High	E. Reci	idess Disregar	d []	
12. Type of Ac	tion 104(a)	13. Type of	Issuance (check one)	Cita	ation 🗹 Orde	a 🗌	Safegua	rd 🗌
14. Initial Actio A. Citation		C. Safeguard	D. Written Notice	E. Citation/ Order Number			F. Dated	Mo Da	Yr
15. Area or Eq	n Due	Mo Da Yr							
Carting III. Tarm	A. Date	02/17/2004	B. Time (24 Hr. Clo	ck) 1500			<u> </u>	···	

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at 500 W. Madison Street, Suite 1240, Chicago, Illinois 60661. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may here, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

17. Action to Terminate

19. Type of Inspection

(activity code)

A. Date

Section IV-Automated System Data

18. Terminated

22. Signature

Mo Da Yr

AAA

20. Event Number

B. Time (24 Hr. Clock)

4053992



21. Primary or Mill

23. AR Number

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

Date 02-17-04	75.503
	oloyohes
1040 Cita # 7096	
The Frinchill s	
SERVIAL # 7339-324	peenting
or the odl-o umu	WAS
NOT bring maint	Bived
IN A permissable c	endition
There is no locke	5
provided for the	Buttury
coucies and GABLE	
livys'	
The Goodition is	whilely_
TO CAUSE ANACCIDE	NT. THE
Covers ARE hinged	Togentle
AN A LINCH Lip SU	Rainds
The auchs-	
The condition 13 0	beriocs
AND Should have	been
Found by; [6	
nspector's Initials 46]	•
	Page No
* U.S.	G.P.O.:2001 709-135

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

Date 2-17.09
when doing
his PRE. Op.
SET TERM. TIME At 15 OFLER
To allow parts to be defined
To more property:
IN AN Accident did
occur. The Resulting
Intony would be sorros
Related To Egripment
fine a smolle into Linting
AT least / Persu is
Exposed.
Condition appres To have
existed for I werk as holes
do not live up fou locks.
The scoop has begin on
muc property Fac 1
WEEK
Inspector's Initials
Supervisor's Initials and Date Page No

* U.S. G.P.O.:2001 709-135

Mine Citation/Order Continuation

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

<u> </u>	ż	2004
A		

			not and include	n Administration	
Section I-Subsequent Action/Continuation De	rta				-4
1. Subsequent Action 1a. Continuation	Dated M (Original Issue)	No Da Yr 02/17/2004	3. Citation/ Order Number	7096107-01	
4. Served To		5. Operato	· · · · · · · · · · · · · · · · · · ·		
Brad Hamrick				INIA MINING COMPA	A NIW
6. Mine	****	7. Mine ID			
SAGO MINE		/. Misc IU	46-0879	l	Contractor)
Section II—Justification for Action					

Locking devices are now provided for the battery lids and cable rings.

Section III—Subsequent Action Taken			See Continuation Form
8. Extended To A. Date Mo Da	Yr B. Time (24 Hr. Clock)	C. Vacated	☐ E. Modified
Section IV-Inspection Data			
9. Type of Inspection AAA	10. Event Number 4053992	•	
11. Signature	AR-Number	12. Date Mo Da Yr 13. Time (24 Hr. (02/18/2004 075	·
MSHA Form 7000-3a, Mar 85 (revised)			

20

Mino	Citation	Madae
MILIE	CHINNE	nner.

TAK	- 4	2004	
	χ		,

(%)

THINGE CITE	MOID OIDE			U.S. Departn Mine Safety a	nent of La	bor	<i>W</i>	
Section I-Viol	ation Data			wine carety a	and realin	Auminstrat	ion [
1. Date	Mo Da Yr 02/17/2004	2. Time (24 Hr. Clock 1115)			3. Citation/ Order Numit	70961	08
4. Served To				5. Operator		Older Halling		
Brad Ham	rick			ANKER WE	ST VIRGI	NIA MININ	IG COMPAN	ĮY
6. Mine	n ie			7 Mine III	6-08791			
8. Condition of					0-06/91			(Contractor)
***************************************		Downerd coo	m comici	- 400 11	7.60 1 .		8a. Written	Notice (103g)
mmu is	not maint	powered scool	op, serrar permissible	no. 488-1	/63 bel	ng oper	ated on	the 001-0
being u	utilized f	or the batte	rv cable c	CONCLICION Opposting	rings	NO TOCK	ing devi	ces are
locking	devices	for the batt	ery covers	omicocing	rango.	(2) 111	ere are	no
						See Continu	ation Form (MSHA	. Form 7000-3a)
9. Violation	A. Health Safety 🗸 Other	B. Section of Act	•	Part/Section of itie 30 CFR		75.50		
	ctor's Evaluation							
10. Gravity:	Ifiness (has) (is):	No Likelihood	Shulling .		· .		_	
	illness could rea-	NO EXCERNOO	Unlikely V	Reasonably Likel	י ע	tighly Llkely	Occum	ed 🗍
	be expected to be:	No Lost Workdays	Lost Work	days Or Restricted	Duty 🗹	Permanently	Disabling [Fatal
C. Significa	nt and Substantial:	Yes No	· 🗹		D	. Number of Pe	sons Affected:	001
1. Negligence	(check one)	A. None B.	Low C. N	oderate 🗸	D. High	E.R	eckless Disregar	'd 🗌
2. Type of Ac	tion 1()4(a	1)	13. Type of Issua	nce (check one)	Cita	tion 🔽 C	rder 🗌	Safeguard [
4. Initial Action A. Citation	n B. Order	C. Safeguard D. \	Written Notice	E. Citation/ Order Number			F. Dated	Mo Da Yr
5. Area or Equ	uipment							**************************************
8. Termination	A. Date	Mo Da Yr 02/17/2004 B. T	Time (24 Hr. Clock)	1500				
ection III—Term	instion Action							
7. Action to Te	erminate							
8. Terminated	A. Date	B. Time (24	Hr. Clock)					
	nated System Data	T						
9. Type of Ins (activity cod		20. Event Number	4053992	21. Primary	or Mill			<u></u>
2. Signature			7			23. AR Nui	nber	J
	L &							

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 1-8-88-REG-FAIR (1-888-734-3247), or write the Ombudsman at 500 W. Madison Street, Suite 1240, Chicago, Illinois 60661. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.



Mine Citation/Order Continuation

U.S. Department of Labor

q	1	2004	
•			

Continual Colonial Co		φ	
Section I—Subsequent Action/Continuation Data 1. Subsequent Action 1a. Continuation [2]		Mine Safety and Health Administration	
	Dated Mo Da (Original Issue) 02/17/20	Yr 3. Citation/ Order Number 7096108 - 01	
4. Served To		5. Operator	
Brad Hamrick			
6. Mine		ANKER WEST VIRGINIA MINING CO	<u>OMPANY</u>
SAGO MINE		7. Mine ID 46-08791	(Contractor)
Section II—Justification for Action			

Locking devices are now provided for the battery lids and cable rings.

Section III—Subs	equent /	Action Take	n	····						See Continuation Form
8. Extended To	A. D	te Mo	Da	Yr	B. Time (24 Hr. Clock)		☐ C. Vacated	D. Terminated	☐ E. Modified
Section IV-Inspe								· · · · · · · · · · · · · · · · · · ·		
9. Type of Insp	ection	AAA		10. EV	vent Numb	4053992				
11. Signature		6			3	AR Number	12. Date	Mo Da Yr 02/18/2004	13. Time (24 Hr. Clo 0755	ck)

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

MSHA Form 7000-10K, June 93 (revised) 75.503 SES SLOOP SERIAL The covers see hive

U.S. G.P.O.:2001 709-135

Supervisor's Initials and Date

MSHA Form 7000-10K, June 93 (revised)	
Date 02-17-04	
_ when doing	
his per-op.	
The CONdition Appenes	
to have existed sovering	L
Shifts.	
If AN ACCIDENT did occu	R
The resulting rejuly would	
be services Related To	
Egupment Fire or Smalle	
Inhalation.	
At least PERSON EXPOSED	Ţ
SEX TEAM. YIME AT	
1500 has to Allow Locking	
devices to be delivered	
to section	
Inspector's Initiate [G]	
Supervisor's Initials and Date Page No. 2	ما

U.S. G.P.O.:2001 709-135

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

MAR	- 2004
rneinn	



Section I-Violation Data	mine early and reality Authinistration
1. Date Mo Da Yr 2. Time (24 Hr. Clock) 02/17/2004 1055	3. Citation/ Order Number 7096109
4. Served To Brad Hamrick	5. Operator ANKER WEST VIRGINIA MINING COMPANY
6. Mine SAGO MINE	7. Mine ID 46-08791
8. Condition or Practice	(Contractor)
The S&S battery powered scoop ser mmu is not maintained in safe one	ial no. 488-1763 being operated on the 001-0

The S&S battery powered scoop serial no. 488-1763 being operated on the 001-0 mmu is not maintained in safe operating condition. The emergency stop switch (Panic Bar) can not be operated to de-energize the system. The panic bar will bottom out and not work. The automatic emergency parking brake is also supposed to be activated by the emergency stop/panic bar but will not set either.

Mine management removed the machine from service.

		•				Sect	India		
	ith Cody V	B. Section of Act		C. Part/Section of Title 30 CFR			Continuation For	m (MSHAF	orm 7000-3a)
Section II-Inspector's Eve	luation				······································				
10. Gravity:									·
A. Injury or Illness (I		No Likelihood	Untikely	Reasonably Lil	cely 🗸	Highly Lik	ely 🗌	Occurred	1 🗆
Injury or illness or sonably be expect	ould rea- ted to be:	No Lost Wor	kdays 🗌 Losi	t Workdays Or Restricte	d Duty 🗹	Perma	nently Disablin		Fatal
C. Significant and S	ubstantial;	Yes ✔	No 🗌			D. Number	of Persons A	fected:	001
11. Negligence (checke	one)	A. None	B. Low 🗌	C. Moderate	D. Hìgh		E. Reckless	Disregard	
12. Type of Action	104(a)	13. Type o	f issuance (check one)	C	itation 🔽	Order _		Safeguard
14. Initial Action A. Citation B. C	Order [C. Safeguard	D. Written Notice	E. Citation/ Order Number	f		F. D	ated	Mo Da Yr
16. Termination Due	A. Date	Mo Da Yr 02/17/2004	B. Time (24 Hr. Clo	ick) 1400		······································			
Section III-Termination Ac	tion		I		!				
17. Action to Terminate									
18. Terminated A. Date	MoD	a Yr B. Time	e (24 Hr. Clock)				<u> </u>		
Section IV-Automated Syst	em Data	······································			<u></u>				
19. Type of Inspection (activity code)	AAA	20. Event Number	405399	2 21. Prima	ry or Mill				
22. Signature		6	7.			23. A	R Number	6	
ASHA Form 7000-3, Mar 85	سلا (revised)	in accordance with	h the provisions of the S	Small Business Passistan		Eolmona 6-4	-44000 11	##/	*

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 Ornbudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ornbudsman 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 Ornbudsman at 500 W. Madison Street, Suite 1240, Chicago, Illinois 60661. Please note, however, that your right to file a comment with the Ornbudsman' 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 02-17-04
CTA 7096109
1055 75,1725 4
The S+S BATTLEY
Powered Scoop serial
488- 1763 being
openATED ON The OOI-O
MMU IS NOT MAINTAINED
ir safe operating
Condition. The Emergency
Stop switch (Paris BAR)
CAR NOT be appeared.
To de-everyize The
system. The Paric bar
Will bottom aut &
NOT drugt The Automatic emergency
PARKING BRAKE 15
Also supposed to be
Inspector's Initials
Supervisor's initials and Dase Page No. 1

MSHA Form 7000-10K, June 93 (re	أامعداد

Activated by The	
Emergency Stop +	
Paris box but will not	- (
Set either.	
MINEMANAGEMENT	2
Removed The machine	١
from service.	Ī
The state of the s	-
Condition is reasonably	4
Littely To Cause of	
Serious Accident is	
_	***
Persons Routinely	•
work in close proximity	-
To This scoop to hood	**
of un land mire supplies.	_
Even The Slightest	
movement would cause	***
Serious Chushing Torbus.	-
	ŀ
upervisor's Initials and Data Page No. 2	5

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

Date 02-17-04

AT LEAST ONE I PERSON
would be exposed.
The condition is
o buious and Should have
been found by the
[] when doing
his pre-op. The Gooding
Appears to have Existed
Sevens L slafts
SET TERM TIME AT 1400
has - while pants me bewy
decivene To mise property
Inspector's Initials

U.S. G.P.O.:2001 709-135

Mine	Citation/Order
Conti	nuation

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



Communication		mine Safety and Health Administration			17	\ //		
Section I-Subsequent A	ction/Continuation Data							
1. Subsequent Action	1a. Continuation	2. Dated (Original Issue)	Mo Da 02/17/20		3, Citation/ Order Number	7096109 - 01		
4. Served To				5. Operato	or .			
Brad Hamrick				ANKER	WEST VIRG	INIA MINING COMP.	ANY	
6. Mine				7. Mine ID	 		Contractor)	
SAGO MINE				1	46-0879	1	•	
Section #-Justification fo	or Action							·····

The scoop is now maintained in a safe operating condition.

	·		See Continuation Form
Section III—Subsequent Action Taken			
8. Extended To A. Date Mo Da	Yr B. Time (24 Hr. Clock)	C. Vacated	D. Terminated E. Modified
Section IV-Inspection Data			
9. Type of Inspection AAA	10. Event Number 4053992	•	
11. Signature	AR Number 1	12. Date Mo Da Yr 02/18/2004	13. Time (24 Hr. Clock) 0800
MSHA Form 7000-3a, Mar 85 (revised)			

19/22

Min	c Cit	of or	<i>ا</i> ر،	ntai
MIII	اأثيت	aw		uci

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

YAR	 Ą	2004	
ation		#	

-	

Section I-Violation Data			Mine Sarety and I		
1. Date	Mo Da Yr 02/18/2004	2. Time (24 Hr. Clock) 0745		3. Citation/ Order Number 7	096110
4. Served "	То		5. Operator		
Brad Ha	mrick		E *	VIRGINIA MINING CO	MPANY
6. Mine			7 15-10		***************************************
SAGO N	MINE		46-0	8791	(Contractor)
8. Conditio	n or Practice			8a	Written Notice (103g)
- •					

Line brattice is not being maintained to within 10' of the deepest point of penetration of the face in the cross cut of 3 to 4 on the 001-0 mmu. The mine roof of the cross cut is bolted to plan. The existing line brattice is a measured distance of 30' back from the face. No ch4 detected.

				See Continuati	ion Form (MSHA Form 7000-3a)
Oth	ty v of Act	C	Part/Section of Title 30 CFR	75.370(a)	(1)
Section II-Inspector's Eva	uation				
10. Gravity:					
A. Injury or Iliness (h	as) (is): No Likelihood	☐ Unlikely ✓	Reasonably Likely	Highly Likely	Occurred
 Injury or illness co sonably be expect 	35-6-43	Vorkdays ☐ Lost Wo	kdays Or Restricted Du	ity 🗹 Permanently Di	sabling Fatal
C. Significant and Su	bstantial: Yes	No ☑		D. Number of Pers	ons Affected: 001
11. Negligence (check o	ne) A. None	B. Low C.	Moderate ✔ I	D. High 🗌 E. Re	ckless Disregard
12. Type of Action	104(a)	13. Type of Issi	sance (check one)	Citation 🗹 Ord	ler Safeguard S
14. Initial Action A. Citation B. C	rder C. Safeguard	D. Written Notice	E. Citation/ Order Number		F. Dated Mo Da Yr
15. Area or Equipment					
16. Termination Due	A. Date 02/18/2004	B. Time (24 Hr. Clock)	0755		
Section III-Termination Ac	ion				
17. Action to Terminate	Line h	rattice was in	istalled to	within 10' of	the face.
18. Terminated A. Date	Mo Da Yr 02/18/2004 B.	Fime (24 Hr. Clock)	0800		
Section IV-Automated Sys	em Data				
19. Type of Inspection (activity code)	AAA 20. Event Nu	nber 4053992	21, Primary o	r Mili	
22. Signal	6	1		23. AR Num	ber [

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-FIR (1-888-734-3247), or write the Ombudsman at 500 W. Madison Street, Suite 1240, Chicago, Illinois 60661. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

who

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

Date 02-18-04

To face Ignition

The condition has

Existed For I shift.

The Section Foreman

Is required to Examine.

This Area thru out

The shift. Jeff Simmus

is the Section Foreman!

AT LEAST I PRESON WOOLD

be exposed to the danger.

b٤	Exposed To the danger
	+ Team. TIME FOR
15	MI WHES.

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

Date Clear 10 VI
Cit. # 7096110 (0745
Live beattice is not
being maintained To within
10 ft of the despest
PENITRATION OF THE FACE IN
the x-cut of 3 To 4,0N
The OOI-MMU. The ROOT
of the x-cut is poited
TO ALAN. THE EXISTING
LINE CURTAIN is A MEASUREd
distance of 30ft back
FRUN THE FACE, NO CHY
WAS detected
Condition is unlikely to
CAUSE AN ACCIDENT.
However if pacident did
occur. The RESOLHING SERIOUS
INJURY WOULD BE RELATED
· ————————————————————————————————————

Inspector's Initials	
Supervisor's Initials and Date	Page No
	¥ U.S. G.P.O.:2001 709-135

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



											-
1. Date Mo	Da Yr	2. Time (24	Hr. Clock)			· · · · · · · · · · · · · · · · · · ·	3. Citation				
	19/2004		0715		1			v Number	70961	l 11	
4. Served To					5. Operator						
Jeff Simmons					ANKER V	VEST VIRG	INIA MI	NING (OMPA	NY	
6. Mine SAGO MINE					7. Mine ID	46-0879	 1		······································		
8. Condition or Practi	re .					10 00/3					ractor
		tilation	n nlan	is not 1					8a, Writter	Notice (103	g)
The approv	entila:	tion nl	n bran	is not t	perng con	ublied M	ith on	the	001-0	mmu.	Th
approved v maintained	to wit	thin 10	an red	nires cue	at the ve	entilati:	ng lin	ie bra	ittice	e be	
no. 3 and	4 place	onin io	OL C Fuller	roof bolt	or deebe	est pene	tratio	n of	the i	faces.	Th
measured d	istance	from i	the fac	coor bore	ted to pr	an and	rue II	ne or	attic	ce is a	i
Condition	was lei	ft hv m	idniah:	chift =	o incres	2 brace	and 2	U' 11	no.4	1 place	.
day shift	crew. A	simila	er con	dition wa	is inspec	by thia	ived o	n sec	tion	with t	.he
citation no	7096	5110 TH	ie rem	licion wo	of the r	by this	inspe	ctor	on 2/	18/200	4
length with	n mine	manager	nent at	that ti	or rue v	bluttat.	rou br	an wa	is als	cussed	ı at
faces.		marray cr		, criac ci	.me. NO C	114 Was (ietect	ed II	ıany	or the	:
		•					See Co	relinuation l	Form /MSH	A Form 7000-	[
. Violation A. Hea	- I	B. Section		I c.	Part/Section of				OSSE (SECOL	A COURT /OUG	xa;
	fety 🗸	of Act			Title 30 CFR		75.3	70(a)(1)			
ction # Inspector's Ev		· · · · · · · · · · · · · · · · · · ·							···		
). Gravity:	***************************************	***************************************									
A. Injury or litness (has) (is):	No Likelihood		Jniikely 🗸	Reasonably L	ikely 🗍	Highly Like	ly 🗀	Occur	red [
B. Injury or illness o	ould rea-	·	·				Highly Like			red []	
Injury or illness or sonably be expect	ould rea- ted to be:	·	/orkdays [Reasonably L kdays Or Restrict	ted Duty 🔽	Permane	ently Disab	ling [Fatal [
B. Injury or illness o	ould rea- ted to be:	·	/orkdays 🗌	Lost Worl		ted Duty 🔽		ently Disab	ling [Fatal [
B. Injury or illness of sonably be expect C. Significant and S.	could rea- sted to be: Substantial:	No Lost W	/orkdays 🗌	Lost Worl		ted Duty 🔽	Permane D. Number o	ently Disab	ling [Fatal [
B. Injury or illness of sonably be expect C. Significant and S Negligence (check	could rea- sted to be: Substantial:	No Lost W Yes	/orkdays 🗌	Lost Worl	kdays Or Restrict	ted Duty 🗹	Permane D. Number o	ently Disab	Affected:	Fatal [
B. Injury or illness of sonably be expected. C. Significant and St. Negligence (check 2. Type of Action 4. Initial Action.	could reacted to be: Substantial: one) /	No Lost W Yes	/orkdays []] No w B. Lov	Lost Worl	kdays Or Restrict	D. High	Permane D. Number of	entry Disab of Persons E. Reckle	Affected:	Fatal 001	ard [
B. Injury or illness of sonably be expected. C. Significant and S. 1. Negligence (check 2. Type of Action 4. Initial Action B.	could reacted to be: Substantial: one) /	No Lost Vi Yes	/orkdays []] No w B. Lov	Lost Worl C. M	Adderate	D. High	Permane D. Number of	entry Disab of Persons E. Reckle	Affected:	Fatal 001 ard Safegu	ard [
B. Injury or illness of sonably be expected. C. Significant and St. Negligence (check 2. Type of Action A. Citation B.	could reacted to be: Substantial: one) /	No Lost Vi Yes	/orkdays []] No w B. Lov	Lost Worl C. M	Adderate	D. High	Permane D. Number of	entry Disab of Persons E. Reckle	Affected:	Fatal 001 ard Safegu	ard [
B. Injury or illness of sonably be expected. C. Significant and St. Negligence (check 2: Type of Action I. Initial Action B.	could reacted to be: Substantial: one) /	No Lost Vi Yes	/orkdays []] No w B. Lov	Lost Worl C. M	Adderate	D. High	Permane D. Number of	entry Disab of Persons E. Reckle	Affected:	Fatal 001 ard Safegu	ard [
B. Injury or illness of sonably be expected. C. Significant and S. 1. Negligence (check 2. Type of Action 4. Initial Action A. Citation B. 6. Area or Equipment	could reacted to be: Substantial: one) /	No Lost W Yes A. None C. Safeguard [/orkdays []] No w B. Lov	Lost Worl C. M	Adderate	D. High	Permane D. Number of	entry Disab of Persons E. Reckle	Affected:	Fatal 001 ard Safegu	ard [
B. Injury or illness of sonably be expected. C. Significant and St. Negligence (check 2: Type of Action A. Citation B. Area or Equipment	could reacted to be: Substantial: one) / 104(a) Order (No Lost W Yes A. None C. Safeguard Mo Da Yr	/orkdays D	Lost Worl C. M	Adderate Anderate Anderate E. Citation/ Order Numb	D. High	Permane D. Number of	entry Disab of Persons E. Reckle	Affected:	Fatal 001 ard Safegu	ard [
B. Injury or illness of sonably be expected. C. Significant and S. I. Negligence (check P. Type of Action I. Initial Action A. Citation I. Area or Equipment I. Termination Due	could reacted to be: Substantial: one) / 104(a) Order (No Lost W Yes A. None C. Safeguard [/orkdays D	Lost Worl C. M 13. Type of Issue ten Notice	Adderate	D. High	Permane D. Number of	entry Disab of Persons E. Reckle	Affected:	Fatal 001 ard Safegu	ard [
B. Injury or illness of sonably be expected. C. Significant and Statement and Stateme	could reacted to be: Substantial: one) // 104(a) Order (No Lost W Yes A. None C. Safeguard Mo Da Yr 02/19/2004	/orkdays D. Writ	Lost World C. M 13. Type of Issue ten Notice	Address Or Restrict Address O	D. High 6	Permane D. Number of ation	ently Disab of Persons E. Reckle Order F.	Affected: ss Disrega Dated	Fatal	ard [
B. Injury or illness of sonably be expected. C. Significant and S. 1. Negligence (check 2. Type of Action 4. Initial Action A. Citation B. Catation B. Catation Due 1. Termination A. Action to Terminate	could reacted to be: Substantial: one) // 104(a) Order (No Lost W Yes A. None C. Safeguard Mo Da Yr 02/19/2004	/orkdays	Lost World C. M. 13. Type of Issue ten Notice	Address Or Restrict Address O	D. High 6	Permane D. Number of ation the rec	ently Disab	Affected: ss Disrega Dated	Fatal	ard [
B. Injury or illness of sonably be expected. C. Significant and St. Negligence (check 2. Type of Action 4. Initial Action A. Citation B. S. Area or Equipment 5. Termination Due action III—Termination A.	could reacted to be: Substantial: one) // 104(a) Order (No Lost W Yes A. None C. Safeguard Mo Da Yr 02/19/2004	/orkdays	Lost World C. M. 13. Type of Issue ten Notice	Address Or Restrict Address O	D. High 6	Permane D. Number of ation the rec	ently Disab	Affected: ss Disrega Dated	Fatal	ard [
B. Injury or illness of sonably be expected. C. Significant and S. I. Negligence (check 2. Type of Action A. Citation B. G. Area or Equipment Due continuation A. Action to Termination A. Action to Terminate entilation	could reacted to be: Substantial: one) / 104(a) Order (No Lost W Yes A. None C. Safeguard Mo Da Yr 02/19/2004 faces Was rev	/orkdays	Lost World C. M. 13. Type of Issue ten Notice	Address Or Restrict Address O	D. High 6	Permane D. Number of ation the rec	ently Disab	Affected: ss Disrega Dated	Fatal	ard [
B. Injury or illness of sonably be expected. C. Significant and St. Negligence (check 2: Type of Action I. Initial Action A. Citation B. B. Area or Equipment Termination Due ction III—Termination A. Action to Terminate entilation	A. Date Both Both plan i	No Lost W Yes A. None C. Safeguard Mo Da Yr 02/19/2004 faces was rev	/orkdays	Lost World C. M 13. Type of Issue ten Notice	Addrate Anderate E. Citation/ Order Numb 0730 ventilate midnigh	D. High 6	Permane D. Number of ation the rec	ently Disab	Affected: ss Disrega Dated	Fatal	ard [
B. Injury or illness of sonably be expected. C. Significant and St. Negligence (check 2: Type of Action I. Initial Action A. Citation B. Area or Equipment Termination Due ction III—Termination A. Action to Terminate entilation Terminated A. Dat	A. Date Both plan to Mo Date 02/19/	No Lost W Yes A. None C. Safeguard Mo Da Yr 02/19/2004 faces was rev	/orkdays	Lost World C. M 13. Type of Issue ten Notice	Address Or Restrict Address O	D. High 6	Permane D. Number of ation the rec	ently Disab	Affected: ss Disrega Dated	Fatal	ard [
B. Injury or illness of sonably be expected. C. Significant and S. I. Negligence (check 2. Type of Action II. Initial Action A. Citation B. B. Citation Due action III—Termination A. Action to Terminate entilation Terminated A. Date action IV—Automated Systems	A. Date A. Date Chion Both plan v Mo Da 02/19/ stern Data	No Lost W Yes A. None C. Safeguard Mo Da Yr 02/19/2004 faces Was rev Yr /2004 B. T	B. Time B. Time Were p i ewed	Lost World C. M. 13. Type of Issue Ren Notice (24 Hr. Clock) roperly with the Clock)	Anderate Anderate Anderate Anderate Anderate Anderate Anderate Anderate	D. High (Permane D. Number of ation the rec	ently Disab	Affected: ss Disrega Dated	Fatal	ard [
B. Injury or illness of sonably be expected. C. Significant and S. I. Negligence (check 2. Type of Action 4. Initial Action A. Citation B. G. Area or Equipment G. Termination Due cition III—Termination A. Action to Terminate entilation	A. Date A. Date Chion Both plan v Mo Da 02/19/ stern Data	No Lost W Yes A. None C. Safeguard Mo Da Yr 02/19/2004 faces was rev	B. Time B. Time Were p i ewed	Lost World C. M 13. Type of Issue ten Notice	Anderate Anderate Anderate Anderate Anderate Anderate Anderate Anderate	D. High 6	Permane D. Number of ation the rec	ently Disab	Affected: ss Disrega Dated	Fatal	ard [
B. Injury or illness of sonably be expected. C. Significant and St. Negligence (check 2. Type of Action 4. Initial Action A. Citation B. S. Area or Equipment C. Action to Termination A. Action to Terminate entilation Terminated A. Datation IV—Automated Sys. Type of Inspection	A. Date Cation Both plan is Mo Da 02/19/ stern Data	No Lost W Yes A. None C. Safeguard Mo Da Yr 02/19/2004 faces Was rev Yr /2004 B. T	B. Time B. Time Were p i ewed	Lost World C. M. 13. Type of Issue Ren Notice (24 Hr. Clock) roperly with the Clock)	Anderate Anderate Anderate Anderate Anderate Anderate Anderate Anderate	D. High (Permane D. Number of ation the rectoreman	ently Disab	Affected: ss Disrega Dated	Fatal	ard [

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 businesse. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at 500 W. Madison Street, Suite 1240, Chicago, Illinois 60661. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

12 Japa

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

Date 2-19-04
C1/2 # 7096111
0715
The Approved yestelection
PLAN 15 NOT bring complied
with in the #3 4 #4
FACES of the 001-0 man,
The opproved sent telephon
Regulates that the hime
BATTLE be maintained to
with in 10' of the
Pole Laces. The #3
And # 4 Frees mire
Roof have been better
To Plan and The Zime
BRATTICE IS A MESSURE
+20', #4 places
+201, xx 4 places
Inspector's initials (1,6)
Supervisor's Inities and DatePage.No
"U.S.G.P.O.: 2001 — 609-238

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

Date	<u> </u>	-1	4-	04	
------	----------	----	----	----	--

A Similar Condition WAS Cited by This INSpector on 2/18/04 Cite, #
A Similar Condition
WAS Cited by This
INSpector or 2/18/04
Cita, #
The vertilation plan
Regularment was reviewed
with more management
AT That Time.
Condition was present
At The START of day
Condition was present at the START of day shift.
midright shift forenso
Butch ?
Inspector's Initials

*U.S.G.P.O. : 2001 --- 809-236

MSHA Form 7000-10(C, June 93 (revised) exposed

*U.S.G.P.O. : 2001 — 609-238

	4		
Cust	LIMS WER	e install	w
mpl.	ace y	6 J	
Shit	Lacran	MD NG 47 Botch	7
+ Rev	wed t	Plan with	
		WAS for	
	sible Lor		
1 (20) 7	(a N).		
(010)1	(W.) 1		
1,0 m	Cita A	1 0730	
	NAVIE I		
		,	
,			
			AII
·	·····		
			///

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

Mine Citation/Order

U.S. Department of Labor 12 MARCON

				Mine Saf	ety and Hea	lth Administrati	on	
Section I-Vic							V	
1. Date	Mo Da Yr 02/24/2004	2. Time (24 Hr. 1	Clock) 550			3. Citation/ Order Numb	er 70960	04
4. Served To	0			5. Operator		· · · · · · · · · · · · · · · · · · ·		· · · · · · · · · · · · · · · · · · ·
Sam Holo	comb					GINIA MININ	G COMPAN	ſΥ
6. Mine.	T. T.			7. Mine ID	46-087			
8: Condition					70-007.	/ L		(Contractor)
		- 1					8a. Written	Notice (103g)
numbar	- 17335水 fっ	era wiper	s on the In	gersoll F	and for	k lift VR-	-636B se	rial
for re	pairs on t	hie machi	perate when	rested.	The par	cs will be	ave to b	e ordered
TOT TE	Parra on r	mis machl	ne.					
						San Carrier	tion Corm #4014	S 7000 0-1 - [
9. Violation	A. Health	B. Section	1	C. Part/Section of		COMMINION OF THE PERSON OF THE	ition Form (MSHA	FORTH 7000-38)
	Safety 🗸 Other	of Act		Title 30 CFR		77.404((a)	
Section IIIns	pector's Evaluation							
10. Gravity:								
	or illness (has) (is):	No Likelihood	Unlikely 🛂	Reasonably	Likely [Highly Likely	Occurr	ed 🗌
	or illness could rea- / be expected to be:	No Lost Wor	kdays 🗌 Lost \	Workdays Or Restr	icted Duty 🔽	Permanently (Disabling 🗌	Fatal 🗌
C. Signific	ant and Substantial:	Yes []	No 🐼			D. Number of Per	sons Affected:	. 001
1. Negligeru	ce (check one)	A. None	B. Low []	C. Moderate 📝	D. High	☐ E.R	eckiess Disrega	d □
12. Type of A	action 104(a	<u>.)</u>	13. Type of	issuance (check or	ne) (Citation 🗹 💢 O	rder 🗌	Safeguard []
 Initial Act A. Citation 		C. Safeguard	D. Written Notice	E. Citation/ Order Nur	nber		F. Dated	Mo Da Yr
5. Area or E	quipment		•					
6 Tomber		to Da V-						
6. Terminati	A. Date	Mo Da Yr 02/26/2004	B. Time (24 Hr. Cloc	k) 0800				
ection N Ter	mination Action		1		<u> </u>			
7. Action to	······································							
8. Terminate	d Mor	Da Yr						
THE STATE OF THE SAME ASSESSMENT	A. Date	" B:Tem	e (24 Hr. Clock)					

MSHA Form 7000, Mol 85 (revised) in accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established administration from small Business and Agriculture Regulatory Ornbudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement addition. The Ornbudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement addition of MSHA you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ornbudsman at 500 W. Medison Street, Suite 1240, Chicago, Illinois 60681. Please note, the provided responsibility of the provided responsibility and the provided responsibility. 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 Hearth Review Commission.

21. Primary or Mill

23. AR Number

4053992

20. Event Number

ec st 2-24-04

AAA |

Section IV-Automated System Data

19. Type of inspection

(activity code)

22. Signature

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

Supervisor's Initials and Date_

1 TIME OF VIOLATION 1550
@ The Violation is 1 75.
404(a). The WINDSHIELD
WIPERS FAILED TO OPERATE
when Testes.
3) The Violation occuRED
at The DISPAtcher
TRAILER.
The DISANTCHOR KNOW
that The violation
BUISTED
6) The wolf from MAS
EXISTED FOR MORE THAN
A ShIFT.
@ ONE PERSON would
Be Expose to This
HAZARD
Inspector's Initials

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

Date 2-24-04

D There would BE Lost
WORKDAYS / Restricted
Daty IF this secioent
were To occur
B IT would Be UNLIKELY
That This Type of Accions
would occur as ITS NOT
Rowing and Machine
Could be shot Down Till
RAIN WOULD STOP
Inspector's Initials
Supervisor's initials and Data Pene No.

'U.S.G.P.CL: 2001 --- 609-238

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

1 2 MAK 2004



i, Subsequent Action →	la. Continuation	Dated (Original Issue)	Mo Da 02/24/20		3. Citation/ Order Number	7096004 - 01
Served To				5. Operate		
Brad Hamrick				ANKER	WEST VIRG	INIA MINING COMPANY
. Mine				7. Mine IC	46 0070	(Contractor
SAGO MINE				1	46-0879	i

Terminated due to the windshield wipers being repaired and made operable.

								See Continuation Form
Section III—Subsequent Action T 8. Extended To A. Date M	aken Io Da	Ϋ́τ	B. Time (24	Hr. Clock)		C. Vacated	☑ D. Terminated	☐ E. Mouified
Section N-Inspection Data							Highlin	
9. Type of Inspection A.A.	A	10. E	vent Number	4053992			خطر در	
11. Signat'				AR Number	12. Date	Mo Da Yr 03/04/2004	13. Time (24 Hr. Ck 0758	ock)
	·		<u> </u>	L 6	1	03/04/2004	<u> </u>	

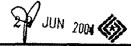
MSHA Form 7000-3a, Mar 85 (revised)

CC BH 3-04-04

13/09

Mine Citation/Order

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



			wille Salety a		
Section I-Vid	olation Data				
1. Date	Mo Da Yr 06/08/2004	2. Time (24 Hr. Clock) 1545		3. Citation/ Order Number	7096341
4. Served To Jim Swartz Superintendent		5. Operator ANKER WEST VIRGINIA MINING COMPANY			
6. Mine SAGO MINE		7. Mine ID 4	6-08791	(Contractor)	
8. Condition	or Practice				8a. Written Notice (103g)

The company number 2 9-man mantrip operating on the 1st NE Mains track is not being maintained in a safe operating condition. The sanding devices would not work properly when activated. Three out of four would not work and the fourth one would not sand on the ball of the rail. The track to be traveled is on a down hill grade to the track end and has several water holes along the track. The track rail is damp to wet. There is also a set of air lock doors on a steep grade that the mantrip must go through. Mine mangement took the mantrip out of service. A miner had just brought the trip out for the evening shift crew to use.

					See Continu	ation Form (MSHA	Form 7000-3a)
9. Violation A. Health Safet Othe	y of Act		C. Part/Section of Title 30 CFR	f	75.172	· · · · · · · · · · · · · · · · · · ·	
Section #-Inspector's Evalu	stion						
10. Gravity:							
A. Injury or Illness (he	s) (is): No Likelih	ood Unlikely	Reasonabl	y Likely 🔽	Highly Likely	Occurre	×d []
 Injury or illness cor sonably be expecte 		st Workdays 🗌 L	ost Workdays Or Rest	nicted Duty 🗸	Permanently	Disabling	Fatal []
C. Significant and Su	ostantial: Ye	s ☑ No 🗌			D. Number of Pe	ersons Affected:	009
11. Negligence (check or	ne) A. None [B. Low	C. Moderate	D. High	E.f	Reckless Disregar	d []
12. Type of Action	104(a)	13. Typ	e of Issuance (check o	ne) (Citation 🗹 🤇	Order [Safeguard
14. Initial Action A. Citation B. O	der C. Safegu	ard D. Written Notic	E. Citation/ Order Nu	mber		F. Dated	Mo Da Yr
16. Termination Due	A Date Mo Da	10 77	Clock) 120(.			
Section IIITermination Act	06/09/2	004	1200	<u> </u>			
17. Action to Terminate	on .			,			
18. Terminated A. Date	A. Date Mo Da Yr B. Time (24 Hr. Clock)						
Section IVAutomated System	ern Data			L			·
19. Type of Inspection (activity code)	AAA 20. Event	Number 40544	125 - 21.P	rimary or Mill			
22. Signer)			23. AR Nu	mber [6	

MSHA Form 1005-3/, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fakness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudaman and 10 Regional Fakness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudaman annually evaluates enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudaman at Small Business Administration, Office of the National Ombudaman, 409 3rd Street, SW MC 2120, Washington, OC 20416. Please note, however, that your right to file a comment with the Ombudaman 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 6804
25.17250) 1545 Citation # 7096341
Cityfin # 7096341
A 011 1 9
prisons Affecta 9
The #COD 9MAN
MAN BUS OPENHAMY OU
the MAIN FRACK FRANÇOSLY
Mivers to the working
face is not being mailin
in A Tole America
in A JAfe openating
Condition. The SANDING
device's would upt
work properly when
Actornated. 3 of the 4
would not work And !
would cut drop on the
Inspector's Initi
Supervisor's Initials and Date Page No. 6
0/0/ 0/1/0/1/201 1/03-193

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

	9.8.0	V	
Date	1.00		

4
ball of the RAIL.
The Krik to be
teavely is on A counter
TRAVERO 15 00 or or band
gande to the hank end.
And Has Sevent plans
Plan the forek wake
Holer Along the HEAR.
The FRACK RAILIS
damp to wet with the
Humpay CAUSI-5 Motshoe
The Alan A Set W
The is Also A Set of
CO AIL LOCK CHOSE
go through ou A Storp
GRAde. Mive Mayanet
pook man hypositos
Service Parts must
Le ordered.
Inspector's Initials (6)
Inspector's Initials

Supervisor's Initials and Date ___

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

MSHA Form T000-10K, June 93 (revised)

A MINER SMO SROUGHT LAE MIP BUX for EVE. Shift Crew. Who Knew. The Denson Responsible for Areap: Check Should shive know. How Lang. This trip was Dut into Service on 6-2-04 Oryshift. Vez Liketihood in yung it is Resembly hikely that an Accidioetrould occure due to this Condition. The Markelp was not be Abbe to Inspector's Initials and Date Page No. 8	Date 6-7-04
Who Knew. The Decesory. Responsible for sheop. Check Should shive knew. How being. This shipless Dut into Service on G-2-04 Objection in jung. It is Resembly hitely than an Accidiontection occurse due to this Coudifron. The Marketo under with the Abbe to Inspector's Initials and Date Page No. 8	A MUNER SAN
Who Knew. The Decesory. Responsible for sheop. Check Should shive knew. How bery. This shipless Dut info Service on G-2-04 OAYShiff. Vey Liketihood in jury it is Resembly hikely than Accidiochtooild Occure due to this Coudifron. The Marketo waxe with the Abbe to Inspector's Iritials and Date Page No. 8	processiff the trip out
Who Knew. The Decesory. Responsible for sheop. Check Should shive knew. How bery. This shipless Dut info Service on G-2-04 OAYShiff. Vey Liketihood in jury it is Resembly hikely than Accidiochtooild Occure due to this Coudifron. The Marketo waxe with the Abbe to Inspector's Iritials and Date Page No. 8	for eve. Shift Crew.
Responsible for preop. Check' Should shive Known. How boys. This tripluses Dut into Schwice or 6-2-04 chyshift. vez hiketihood in jung it is Rescurbly hikely than an Accidiochtooild occure due to this Coudifron. The Marketo waxe with the Abbe to inspector's Iritials and Date Page No. 8	0
Responsible for preop. Check' Should shive Known. How boys. This tripluses Dut into Schwice or 6-2-04 chyshift. vez hiketihood in jung it is Rescurbly hikely than an Accidiochtooild occure due to this Coudifron. The Marketo waxe with the Abbe to inspector's Iritials and Date Page No. 8	Who Knew. The Derson
Check Should the know. How borg. This trip was Dut into Service on 6-2-04 Oryshift. Vey Liketihood in juny it is Rescurbly hikely than Au Accidiochtowild Occure due to this Coudifron. The Marking wash with the Abbe to Inspector's Initials and Date Page No. 8	RESPONSIBLE ROR MEDA.
How Larg. This thip was Dut into Service on G-7-04 Dayshith. List Resembly bikely This Resembly bikely This An Accidiontable Occure due to this Condition. The marking wash not be Abbe to Inspector's Initial Supervisor's Initials and Date Page No. 8	Check Thousand Share Known.
Duk info Schvice on 6-2-04 chyshift. vez Likelihood in jung if is Rescurbly hikely than Accidiocheould occurre due to this Coudifron. The Markete waxe not be Abbe to inspector's initials and Date Page No. 8	
if is Rescurbly hikely than Au Accidiochance Occurse due to this Coudifran. The Markey Waxe Lot be Abbe to Inspector's Initials and Date Page No. 8	Aud into service on
if is Rescurbly hikely than Au Accidiochance Occurse due to this Coudifran. The Markey Waxe Lot be Abbe to Inspector's Initials and Date Page No. 8	6-2-04 DAYShift
It is Resourchly bikely thus an Accidiochecould occurre due to this Coudifron. The markete wastral of he Abbe to inspector's Initials and Date Page No. 8	
It is Resourchly bikely thus an Accidiochecould occurre due to this Coudifron. The markete wastral of he Abbe to inspector's Initials and Date Page No. 8	ver Likelihood injuny
Than Au Accidinationals Occurre due to this Coudifron. The Market Liant of he Abbe to Inspector's Initials and Date	
Than Au Accidinationals Occurre due to this Coudifron. The Market Liant of he Abbe to Inspector's Initials and Date	it is Resembly Likely
Couch from. The Marketp Waxe with the Abbe to Inspector's Initial Color Supervisor's Initials and Date Page No. 8	than Au Accidiochance
Couch from. The Marketp Waxe Lot be Abbe to Inspector's Initials and Date Page No. 8	
Inspector's Initia [] Supervisor's Initials and Date Page No. 8	
Inspector's Initial Supervisor's Initials and Date Page No. 8	
Supervisor's Pritials and Date Page No. O	1

MSHA Form 7000-10K, June 93 (revised)
Date 6-8-04
Show down on stop
with shick RAils.
These has been injuries
AS A Result of this
Condition. If An Acros
would have occurred the
Result would from Seen
Serious injury.
Telem. PARIS ANDO
be ordered. There For
Tem is bet for
12:00 pm ou \$9-04
MAN faip will Stry out
Of Service UNLIL SANDONS
ARE proposely working.
margenal.
16)

'U.S.G.P.O.: 2001 --- 609-236

Supervisor's Initials and Date

2	2	JUN	

Mine Citation/Order

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

•	2004	
	(γ)	
	\mathcal{T}	

~//

Continuation		Mine Safety and Health Administration								
Section -Subsequent	Action/Continuation Data									
1. Subsequent Action	on 1a. Continuation	Dated (Original Issue)	Mo 06/	Da 08/200	· · · i	3. Citation/ Order Number	7096341 - 01			
4. Served To					5. Operato	x				
Jim Swartz Su	perintendent				ANKEI	R WEST VIRG	INIA MINING COM	PANY		
6. Mine SAGO MINE					7. Mine IC	46-0879	1	(Contractor)		
Section II-Justification	n for Action									

The sanders were restored to proper working condition.

·							See Continuation Form
Section III-Subse	equent Action Taken						
8. Extended To	A. Date Mo D	>aa Yr	B. Time (24 Hr. Clock)		C. Vacated	D. Terminated	E. Modified
Section IV-Inspe	ction Data						
9. Type of Inspe	11111	10. E	Event Number 4054425				
11. Signature	1			T		140 75 (04) 1- 01	
Th. Signature			I AR Number	12. Date	Mo Da Yr 06/14/2004	13, Time (24 Hr. Cl 0605	ock)
			F				

walls

Mine	Citat	เกท		-
COILL ISS	1.411241	33 H	CHURI	

IIS Department of Labor

<00 ⁻⁹	JUL	ZUU4
V		N//

Milite Citation Order	Mine Safety and Health Administration	
Section I-Violation Data	In the second second from the second	
1. Date Mo Da Yr 2. Time (24 Hr. Clock) 06/14/2004 0610	3. Citation/ Order Number 7096342	
4. Served To	5. Operator	
Brent Wolfe Safety director	ANKER WEST VIRGINIA MINING COMPANY	
6. Mine	7. Mine ID 46-08791	
SAGO MINE		(Contractor)
8. Condition or Practice	8a. Written Notice -0 mmu is not being maintained in	(103g)
is obscured by water rib to rib and extended and inches along the edge to delocated 1 block inby the fan.	tending approximately 30 feet long eeper in the middle. This condition	and n is
Safety ✓ of Act T	See Continuation Form (MSHA Form Part/Section of Title 30 CFR 75.380(d)(1)	7000-3#) <u></u>
Section II-Inspector's Evaluation 10. Gravity:		
A. Injury or Illness (has) (ts): No Likelihood Unlikely	Reasonably Likely Highly Likely Occurred	
B. Injury or illness could rea-		
sonably be expected to be: No Lost Workdays 🗸 Lost Workd	days Or Restricted Duty Permanently Disabling Fat	al 🗌
C. Significant and Substantial; Yes No 🗹	D. Number of Persons Affected: 0	01
11. Negligence (check one) A. None B. Low C. M	oderate 🗹 D. High 🗌 E. Reckless Disregard 🗍	4"
12. Type of Action 104(a) 13. Type of Issua	nnce (check one) Citation 🗹 Order 🗌 Sa	afeguard [
14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice	E. Citation/ F. Dated Mc Order Number	o Da Yr
15. Area or Equipment		***************************************

17. Action to Terminate

B. Time (24 Hr. Clock)

06/16/2004

Section III-Termination Action

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 Mili 4054425 (activity code) 22. Signa."

0800

23. AR Number

MSHA Form . an accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration as 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 Ornbudsman 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.

Dans 6-14-04 0610 7096342 Supervisor's Initials and Date

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

MSHA Form 7000-10K, June 93 (revised)
Date 6-14-04
who kiew The weekly
examin Should drive
Krown.
Has existen for more
Has exto in for more
than 15hift due to
Accommented in entry
vey hitelehow Iron
It is Whikely this
Condition Would CHUSE
Buould CHUSE A Delay
of AmireR they be
Inspector's Initials and Date Q

MSHA Form 7000-10K, June 93 (revised) inspector's initials Supervisor's Initials and Date

Mine	Citation/Order
Conti	nuation

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

P	9	JUL	

Section I-Subsequent Acti	on/Continuation Data								
1. Subsequent Action 1	a. Continuation	2. Dated (Original Issue)	Mo 06/1	Da 4/200	• • •	3. Citation/ Order Number	7096342 - 0	1	
4. Served To					Operat				
Brent Wolfe Safe	ty director				ANKER WEST VIRGINIA MINING COMPANY				
8. Mine					7. Mine ID (Contractor)			(Contractor)	
SAGO MINE						40-06/9	1		
Section II—Justification for	Action								

A 6' wide unobscured walkway has been provided in the primary escapeway 1 block inby the fan.

									See Continuation Form
Section ill-Subsequent	Action Taken)							•
8. Extended To A. D	Mo ate	Da	Yr B. Time (24	Hr. Clock)		_ □ ∩ Va	cated	D. Terminalis	☐ 2. Modified
Section IV-Inspection D	ata								
9. Type of inspection	AAA		10. Event Number	4054425			•		
11. Signatu				AR Number	12. Date	Mo Da 06/1 7 /2	Yr 2004	13. Time (24 Hr. Clock 0815	ò
MSHA Form 7000-3a, M	ar 85 (revise	d)		•					

well

Mine	Citat	ion/C	mor
milic	CHICH	ww.	nuer

U.S. Department of Labor _ 9 JUL Mine Safety and Health Administration

L Appl



Section IViolation Data					
1. Date	Mo Da Yr 06/14/2004	2. Time (24 Hr. Clock) 0815	3. Citation/ Order Number 7096343		
4. Served To			5. Operator		
Brent Wolfe Safety director		tor	ANKER WEST VIRGINIA MINING COMPANY		
6. Mine			7. Mine ID 46-08791		
SAGO N	MINE		(Contractor)		
8. Condition	n or Practice		8a. Written Notice (103g)		

The company number 1 Fletcher Roof Bolter, approval # 2G-3715-1, operating on the 001-0 mmu is not being maintained in a permissible condition. The area light located on the helper side near the front of the machine allowed a .007 filler gauge to penetrate to 3/4 inch across the flame path. The maximum gauge should only be .003 inch. This area light has less than 123 square inches.

		See Continuation Form (MSHA Form 7000-3a)
9. Violation A. Health B. Section of Act Other	C. Part/Section of Title 30 CFR	75.503
Section II—Inspector's Evaluation		
10. Gravity:		
A. Injury or tilness (has) (is): No Likelihood Unlikely	Reasonably Likely	Highly Likely Occurred
B. Injury or illness could reasonably be expected to be: No Lost Workdays Los	st Workdays Or Restricted Duty 🗹	Permanently Disabling Fatal F
C. Significant and Substantial: Yes No 🗹		D. Number of Persons Affected: , 001
11. Negligence (check one) A. None B. Low B.	C. Moderate 🗸 D. High	E. Reckless Disregard
12. Type of Action 104(a) 13. Type	of Issuance (check one)	Citation 🗹 Order 🗌 Safeguard 🗌
14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice	E. Citation/ Order Number	F. Dated Mo Da Yr
16. Termination Due A. Dete Mo Da Yr B. Time (24 Hr. C	lmt) 0925	
06/14/2004	lock) 0825	
Section III—Termination Action		
17. Action to Terminate The area light was the .003 filler gauge.	tightened to preve	ent the penetration of
18. Terminated A. Date Mo Da Yr 06/14/2004 B. Time (24 Hr. Clock)	0825	
Section IV—Automated System Data		
19. Type of Inspection (activity.cods) AAA 20. Event Number 40514:	25 21. Primary or Mill	- Jan - Application of the Control o
22. Signaturi		23. AR Number
MSHA Form 7600-3 Mair 85 (revised) In accordance with the provisions of the	s Small Business Regulatory Enforcemen	t Fairness Act of 1996, the Small Business Administration

tes established a Netional Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the 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) Dans 6-14-04 0815

inspector's initial

Supervisor's Initials and Date

MSHA Form 7000-10K, June 93 (revised) 6-14-04 Likelihood Injury

Page No. 17

* U.S. G.P.O.:2001 709-135

Inspector's Initia

Supervisor's Initials and Date ___

MSHA Form 7000-10K, June 93 (revised) Date 6-14-04 This section is approaching an area of the mine with Known thy due to a faultures. inspector's Initials.

Page No.

U.S. G.P.O.:2001 709-135

Supervisor's Initials and Data

Mino	Citation	Mortor
WHITE	- Hallon	<i>ii</i> Viuci

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

_	9	JUL 3024
n		IJ.



Section I-Vi	olation Data			······································	
1. Date	Mo Da Yr 06/14/2004	2. Time (24 Hr. Clock) 0845		3. Citation/ Order Number	7096564
4. Served T Brent Wo	olfe Safety direc	tor	5. Operator ANKER WEST VIRGINIA MINING COMPANY		COMPANY
6. Mine SAGO MINE		7. Mine ID 46-087	791	(Contractor)	
8. Condition	n or Practice				8a, Written Notice (103g)
contir	nuous minin	ay type fire suppressing machine, serial number 001-0 mmu section is re-	er JM 5530, ap	proval # 20	G-4159A being

operated on the 001-0 mmu section is not properly maintained . When tested, only 2 of the 8 sprays were working. This machine operates under a 40' deep cut plan.

		See Continuation	Form (MSHA Form 7000-3a)
9. Violation A. Health B. Section of Act Other	C. Part/Section of Title 30 CFR	75.1107-16(b)
Section II—Inspector's Evaluation			
10. Gravity:			
A. Injury or Illness (has) (ls): No Likelihood Unlik	ety 🗌 Reasonably Likely 📝	Highty Likety	Occurred [
B. Injury or illness could reasonably be expected to be: No Lost Workdays	Lost Workdays Or Restricted Duty 📝	Permanently Disa	bling Fatal
C. Significant and Substantial: Yes ✓ No □		D. Number of Person	s Affected: 001
11. Negligence (check one) A. None B. Low	C. Moderate 🗸 D. High	☐ E. Recki	ess 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 I	E. Citation/ Notice Order Number		F. Dated Mo Da Yr
16. Termination Due A. Date Mo Da Yr B. Time (24	Hr. Clock) 0935		
Section III—Termination Action			
	cleaned and restore	d to proper	operating
18. Terminated A. Date Mo Da Yr 06/14/2004 B. Time (24 Hr. Cloc	k) 0935		
Section IV-Automated System Dela			
19. Type of inspection 20. Event Number 40.	54425 21. Primary or Mill	9 6 1	and the second s
22. Signature [6]		23. AR Number	167
MSHA Form 7000/3, Mar 85 (revised) In accordance with the provision:	s of the Small Business Regulatory Enforcemen	R Fairness Act of 1996.	Sumi Suman

MSFA Form 7000/3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business and Agriculture Regulatory Ombudisman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudisman annually evaluates enforcement activities and rates each agency's responsiveness to small businesses. If you wish to comment activities and rates each agency's responsiveness to small businesses. If you wish to comment activities and rates each agency's responsiveness to small businesses. If you wish to comment activities and rates each agency's responsiveness to small businesses. If you wish to comment activities and Itself agency's responsiveness to small businesses about federal agency agency and small businesses about federal agency agency and small businesses about federal agency agency



MSHA Form 7000-10K, June 93 (ren Ised) Date 6-14-04 25.1107-16(6) Cilrohn # 7096564 Inspector's le

U.S. G.P.O.:2001 709-135

Supervisor's Initials and Date

* U.S. G.P.O.:2001 709-135

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

MSHA Form 7000-10K, June 93 (revised) Date 6-14-04 Inspector's leave

* U.S. G.P.O.:2001 709-135

Supervisor's Initials and Data

Mine	Citatio	n/Order
------	---------	---------

Mine Citat			U.S. Department of La Mine Safety and Health		n P9	JUL 20
Section I-Viols	tion Deta					
1. Date	Mo Da Yr 06/14/2004	2. Time (24 Hr. Clock) 0945		3, Citation/ Order Number	709656	5
4. Served To Brent Wol	fe Safety direc	tor	5. Operator ANKER WEST VIRGI	NIA MININO	COMPANY	7
6. Mine SAGO MI	NE		7. Mine ID 46-08791			(Contractor)
8. Condition of	r Practice				8a. Written N	otice (103a)
and off provide	The powed ed to aler	2.5 the power is try er is not fully rest the machine operat dirt and rock and ca	coring itself. 2) Too when the methan	The strob- ne reache by the op-	e light d the 1% erator	that is level
9. Violation	A. Health Safety Other	B. Section of Act	C. Part/Section of Title 30 CFR	75.342(a)	ion Form (MSHA F	orm 7000-3a)
Section II-Inspe	ctor's Evaluation					
10. Gravity: A. Injury or B. Injury or sonably	lliness (has) (is): illness could rea- be expected to be: ant and Substantial:	No Likelihood ☐ Unlikely ☐ No Lost Workdays ☐ Lost \ Yes ☑ No ☐	Workdays Or Restricted Duty 🔽	Highly Likely Permanently Di Number of Pers		001
11. Negligence	(check one)	A. None B. Low	C. Moderate ✓ D. High	E. Rec	ckless Disregard	
12. Type of Ac	tion 104(a) 13. Type of	Issuance (check one) Chtz	ition 🗹 Ord	ier 🗍	Safeguard [
14. Initial Actio A. Citation	n B. Order	C. Safeguard D. Written Notice	E. Citation/ Order Number		F. Dated	Mo Da Yr
15. Area or Eq	uipment			· · · · · · · · · · · · · · · · · · ·		

Section #I-Termination Action 17. Action to Terminate

22. Signatu

16. Termination Due

18. Terminated Mo Da Yr A. Date B. Time (24 Hr. Clock) Section IV-Automated System Data 19. Type of Inspection

20 Event Number 4054425 (activity code)

Mo Da Yr

06/14/2004

A. Date

21. Primary or Mill

1000

23. AR Number

MSHA Form 7000-3/ Mar 85 (revised) in accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Susanness Advance agency enforcement actions. The Ombudsman annually evaluates enforcement actions. The Ombudsman annually evaluates enforcement actions are small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small businesses. If you will be a small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small businesses. If you will be a small businesses administration, Office of the National Ombudsman, 409

B. Time (24 Hr. Clock)



6-14-04 cit # 7096565 the Jby 14 cm 15 machine Inspector's In Supervisor's initials and Date # U.S. G.P.O.:2001 709-135

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

MSHA Form 7000-10K, June 93 (revised)
Date 6-14-04
The lable can own and
The Lights gan going on + gg
Restoring itself 2) The
Restormy itself 2) The Stroke hight that is provided to stort the
machine operator when
the methore Rosely the
12 Level is evered with
De observed by the operation
Who Krew The gourston
Should have Seen the Rock + dist on the Strobe
And the motham morefus

U.S. G.P.O.:2001 709-135

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

Date 6-14-DY
How hong and the has existed for ort
hAS existed for ort
heast one shift.
veg Like Lihow Ivyens
Condition is Regionally
tikely do couse and second
by not being able to have
An early woning of
Methane to Adjust your
Vesta hadming of m
Acidal would occure
The Result world be
Senious.
Consitru could cruse
A- explosion of mellome
This section is approaching a foult
Drea with Known Chy
Inspector's Initial.
Supervisor's Initials and Date Page No. 24
* U.S. G.P.O.:2001 709-135

SHA Form 7000-10K.				
			04	
Team	5,	000 A	74 <u>.</u>	
MANAGON	4	rok	the	
navnam Machi Until t worke	h	nou	Jan 1	1642 3
works	46	nyp	enty.	
	·	NW., L.,		
, , , , , , , , , , , , , , , , , , ,				
······································		· · · · · · · · · · · · · · · · · · ·		
-2				
spector's Initial			Page N	2

* U.S. G.P.O.:2001 709-135

Mine Citation/Order Continuation			U.S. Department of Labor Mine Safety and Health Administration				
Section I-Subsequent Action/Continuation Data						7	
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 06/14/20	Yr 04	3. Citation/ Order Number	7096565 - 01		
4. Served To Brent Wolfe Safety director			5. Operat ANKE		INIA MINING C	OMPANY	***************************************
6. Mine			7. Mine II) 45.00=0	*	(Contractor)	

46-08791

The methane monitor for the Joy 14cm15 miner has been repaired to an operative condition and the strobe light had the rock and dirt removed.

SAGO MINE

Section II—Justification for Action

Section IIISubsequent Action Taken		See Continuation Form
8. Extended To A. Date Mo Da	Yr B. Time (24 Hr. Clock)	- C. Vacated - D. Termineted : E. Modified
Section IV—Inspection Data		
9. Type of Inspection AAA	10. Event Number 4054425	
11. Signature ,	AP-Number	12. Date Mo Da Yr 13. Time (24 Hr. Clock) 06/17/2004 0730
MSHA Form 7000-3a, Mar 85 (revised)		

while

B.41	04-		~~	_
Mine	t ira	11()[1]	(HTI	ш





			Willio Caloty Line 1 to Later 7 to 1 to 10	
Section IViolation	on Data			
I. Date	Mo Da Yr 06/15/2004	2. Time (24 Hr. Clock) 0800	3. Citation/ Order Number	7096566
4. Served To Brad Hamri	ick Mine Fore	man	5. Operator ANKER WEST VIRGINIA MINING C	OMPANY
8. Mine SAGO MIN	VE.		7. Mine ID 46-08791	(Contractor)
8. Condition or	Practice			Sa. Written Notice (103g)

The water spray type fire suppression on the Joy 14cm15 continuous miner, company #2, approval #2G-41594-00, operating on the 001-0 mmu is not being maintained. When tested the front spray block on the operators side did not activate. This mines operates under a 40' deep cut plan.

										See C	Continuation	n Form (MS	HA Form 7	000-3a)	
9. Violation	A. Health Safet Othe	y 🗹	B. Section of Act			3	Part/Section of Title 30 CFR	of		75.1	107-16(b)			***************************************
Section II—Insp	ector's Evalu	etion													
10. Gravity:															
A. Injury or	r Illness (ha	is) (is):	No Likelit	rood 🗌	Unlike	b 🗆 🗀	Reasonab	ity Likety	\mathbf{Z}	Highly Lik	eły 🗌	Occi	urred [
	r illness co be expects		No Lo	st Work	days 🗌	Lost Wor	kdays Or Res	tricted D	uty 🗹	Permai	nently Disa	abling [Fata		
C. Signific	ant and Su	bstantial:	Ye	s 🗹	No 🗌					D. Numbe	of Person	ns Affected	t 00) 1	
11. Negligeno	e (check o	ne)	A. None []	B. Low	C.1	Moderate 🔽		D. High		E. Reck	less Disre	gard 🗌		
12. Type of A	ction	104(a)		13. 7	Type of Issu	rance (check o	one)	C	itation 🗹	Orde	<i>,</i> 🗆	Sa	feguard	
14. Initial Action A. Citation		rder 🗌	C. Safegu	ard 📋	D. Written No	otice [E. Citation/ Order No					F. Dated	Мо	Da Y	r
16. Terminatio	na Dua	ı	Mo Da	V-										Várra a maga tr á	
		A. Date	06/15/2		B. Time (24 i	Hr. Clock)	081	5							
Section III-Ten	nination Act	lon													
17. Action to 7	l'erminate		The f	ire	suppres	ssion	sprays	were	e cle	aned a	and r	estor	ed to		
operati	ve co	ndit													
18. Terminate	A. Date	06/1	Da Yr 5/2004	B. Time	24 Hr. Clock	;)	0815								***************************************
Section IV-Auto	omated Syst	ern Data										<u> </u>		······································	-
19. Type of In: (activity.co		A 4 A	20. Event	Numbe	495	4425	21. F	Primary o	r Mill		-	مدوست		····	`
22. Signature		0		7			*			23. /	R Numbe	r [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 amusally evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment activities and rates each agency's responsiveness to small business. If you wish to comment activities and rates each agency's responsiveness to small business. If you wish to comment activities and rates each agency's responsiveness to small business. If you wish to comment activities and 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 facility including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.



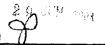
Date 6-15-04
ail # 7096566 815
75.1107-16(4)
5+5 yes
The water spay Lype firer
SUPPROSORD on the Joy 1415
Miner CO # 2 approved #
29-41594-00 openty or
the out-omne is not berg
maistonew. When tested
the trout Spany block on
the operator side did not
Activate. This mine opone
ON A 40'deep est plan.
Who Knew the miner
Openator Should Home
Know, fam His par op
Check List.
Inspector's Initials
Supervisor's tritials and Oate Page No
± U.S. G.P.O.:2001 709-135

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

Date 6-14-04	
How Long was bld	
by by that	
it was working on	•
6-14-04 existen for	
LSh:fl	
My Likohihand Insny	8.7
Condition is Likely to	
Couse in my of Truste	,
ishiha hun if a fine/igen	hon/Explosion of 925/dus
would occure white alt	•
in AN extended ext.	÷
Pensa office 1	
Jan.	•
spany was chemina	·
AND Rehum to proster	
Conditinge	
Inspector's Initials	•
Supervisor's Initials and Date	

Mine Citation/Order

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



-77

Section I-V	iolation Data		
1. Date	Mo Da Yr 06/15/2004	2. Time (24 Hr. Clock) 0830	3. Citation/ Order Number 7096567
4. Served To Brad Hamrick Mine Foreman		eman	5. Operator ANKER WEST VIRGINIA MINING COMPANY
6. Mine SAGO MINE			7. Mine ID 46-08791 (Contractor)
8. Conditio	n or Practice		On Middle Make (400 a)

The Disconnecting devices for the equipment being operated on the 001-0 mmu are not properly identified in conjunction with the circuit breaker to provide visual evidence that the power is disconnected. The #2 shuttle car disconnecting device is plugged into the #8 shuttle car circuit breaker, the #1 scoop charger disconnecting device is plugged into an unidentified circuit breaker, the #5 shuttle car disconnecting device is plugged into the #3 shuttle car circuit breaker.

						See Conti	nuation Form (MSHA	Form 7000-3a)
9. Violation A. Healt Safe Oth	ty 🐼 of A		1 "'	Part/Section of Title 30 CFR		75.9	03	
Section II Inspector's Eval	uation							
10. Gravity:		_						
A. Injury or lilness (h		ikelihood 🗍 🔠	Jniikely 🗸	Reasonably Like	∌y 🔲	Highly Likely	☐ Occurre	d 🔲
B. Injury or illness co sonably be expecte		o Lost Workdays 🗹	Lost Worl	cdays Or Restricted	Duty 🗌	Permanenti	y Disabling	Fatal
C. Significant and Su	ibstantial:	Yes ☐ No 🗸]			D. Number of F	Persons Affected:	001
11. Negligence (check o	ne) A. Nor	ne 🗌 B. Lov	/ 🗌 C. A	Aoderate 🔽	D. High	□ E.	Reckless Disregard	
12. Type of Action	104(a)		13. Type of Issu	ance (check one)	C	Station 🗹	Order 🗌	Safeguard [
14. Initial Action A. Citation B. O	rder 🔲 C. Sa	feguard D. Writ	ten Notice	E. Citation/ Order Number			F. Dated	Mo Da Yr
16. Termination Due	I was	Da Yr			-			
	A. Date 06/1	5/2004 B. Time	(24 Hr. Clock)	0900				
Section III-Termination Act	ion							
17. Action to Terminate Conjunction	Di with the	sconnectin	g device reakers.	s were pro	operly	'identif	ied in	
18. Terminated A. Date	Mo Da Yr 06/15/200	D Time /24 Lie	Clock) (0900	***************************************			
Section IV-Automated Syst	em Data					<u> </u>		
19. Type of Inspection (activity code)	, AAA 20. E	vent Number	1054425	21. Primar	or Mill	-	· · · · · · · · · · · · · · · · · · ·	
22. Signature 7	67					23. AR N	umber 6	
MSHA Form 70uu-s, Magr 85	i (revised) in a	ccordance with the prov	sions of the Small	Rusiness Decudatory	Enforcement	Foirmone And of 40		

MSIA Form 70xu-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small businesses. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Supervisor's Initials and Date

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

Dete 6-15-04
cincuit bronker The
into the #3 St circuit
into the #3 St circuit
CREAKE.
The checkeron Should
The checkerma Should
1) £ 20 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
How Lorg - The LAST Power
Move 445 ON 6-18-04
How Losg - The Last Power Move was on 6-18-04 Has exister for several shifts
vey hikehihood Injury
it is un kikely that An
Injun, would Regulation
the condition is that
The Disconsenting Devices
were prepenty Toutified
Wene prepenty Toutifixed
Supervisor's Initials and Date Page No / R

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

Date 6-15-04	
to the egrounton openation. And the	' }
epenated. And the	
BRONKER WAS DIRE	Lehi
Above each dis come	restre
Ocvice on chatai	core-
to bock stay on eg	tue
to back stry on eg	vipmet.
	·
Term: the break	er
were property I	7 %
Match the discond	vetry
devicen.	0
	attender over the service of the ser
***	····
Inspector's Init [6]	
Supervisor's Initiels and Date	Page No/ 3

Mine	Citation/O	mer
INITIA	ORGUUNY	, uci

\sim	
7	



	Mine Safety and Health Administration
Section I-Violation Data	
1. Date Mo Da Yr 2. Time (24 Hr. Cl 06/15/2004 090	7/11/2 2/10
4. Served To	5. Operator
Brad Hamrick Mine Foreman	ANKER WEST VIRGINIA MINING COMPANY
6. Mine	7.16.15
SAGO MINE	7. Mine ID 46-08791 (Contractor)
8. Condition or Practice	8a. Written Notice (103g)
An adequate supply c	f notable drinking uster is not and it is

An adequate supply of potable drinking water is not provided for the 001-0 mmu section. There is no drinking water on the section.

			See Continuation	Form (MSHA Form 7000-3a)
9. Violation A. Health 🗹 Safety 🗍 Other 🗌	B. Section of Act	C. Part/Section of Title 30 CFR	75.1718	
Section II-Inspector's Evaluation				
10. Gravity.				
A. Injury or Illness (has) (is):	No Likelihood ☐ Unlikely 🗹	Reasonably Likely	Highly Likely	Occurred [
B. Injury or illness could rea- sonably be expected to be:	·····	Workdays Or Restricted Duty	Permanently Disat	king Fatal
C. Significant and Substantial	Yes □ No 🗹		D. Number of Persons	Affected: 001
11. Negligence (check one)	A. None B. Low	C. Moderate D. High	☐ E. Reckle	ess Disregard
12. Type of Action 104((a) 13. Type of	Issuance (check one) (itation 🗸 Order	Safeguard
14. Initial Action , A. Citation B. Order	C. Safeguard D. Written Notice	E. Citation/ Order Number	F	. Dated Mo Da Yr
A. Date Section III—Termination Action 7. Action to Terminate IIIIII Section.	06/15/2004	water and cups wer	e provided	for the 001-0
A. Date 06/1	Da Yr 5/2004 B. Time (24 Hr. Clock)	1125		
ection IV-Automated System Data				
9. Type of Inspection (activity code) AAA	20. Event Number 4054425	21. Primary or Mill	age comments on the second of the contract of	₹ 20 ° .
2. Signature -			23. AR Number	167
nforcement actions of MSHA, you ma rd Street, SW - MC 2120, Washington	in accordance with the provisions of the Siness and Agriculture Regulatory Ombudsman ibudsman annually evaluates enforcement activity call 1-888-REG-FAR (1-888-734-3247), or with the County of the C	wite the Ombudsman at Small Business	erve comments from smal reness to small business, Administration, Office of	businesses about federal If you wish to comment on the

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 6-15-04
Cit # 7096.568 0905
0905
7 C / 7 . x !!
(46
UTJ NO
St5 NO Person Offerta /
An Adequate Supply of potable deinking water is wat provided for the DOI-0 mon section.
The Hegusto Sund
No.1 110 1 19 3
propose opinkry water
13 40/ 100-11
- WIT PROVIOUS FOR THE
001-0 mmus - 16
IT THING CONTON.
There is no secuking
14 cal a series of
white on the section
Who Kun II.
The minus
- Should have Ken
A .) C
Who Know The minn Should have Known And foreman

U.S. G.P.O.:2001 709-135

Supervisor's initials and Date

Date 6.15-04
Howlorg. for At
heast 1 Shift. There
was an emplo last
heast 1 Shift. There was an emply 1gal Jug on the power contra
vog likalihood injung
I The state of the
This condition would one on injury to the
This condition would
Average in its in the 11
The HA SAJING FO FRE
Mixes
JEAM: Water WAS PROVIDED. Six gallar FCLPS
Operated Six and
provide Jox garran
4 Cups
•
Inspector's Initi.
Supervisor's Initials and Date Page No
U.S. G.P.O.:2001 709-135

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

Mine Citation/Order

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





			with Coalety and the	aiui Aummistration	U.	*//
Section I-Vi	olation Data					**************************************
1. Date	Mo Da Yr 06/15/2004	2. Time (24 Hr. Clock) 0930		3. Citation/ Order Number	7096569	
4. Served To		5. Operator				
Brad Hamrick Mine Foreman		ANKER WEST VI	RGINIA MINING C	COMPANY		
6. Mine		7. Mine ID 4.0.00	701			
SAGO MINE		7. Mine ID 46-08'	/91		(Contractor)	
8. Condition	n or Practice				8a. Written Notic	e (103g)
_				··		

There is no permanent tag attached to the fire extinguishers to show that a 6 month examination has been done. Locations of the extinguishers (at the 110 pump 1 break inby #3 belt drive 2) at the #3 belt drive KVA box 3) at the #3 belt drive starter box.

***************************************										See (Continuatio	n Form (MSH	A Form 7000-3a)
9. Violation	A. Health Safet Othe	y₩	B. Section of Act	!			C. Part/Sectio Title 30 CF			75	.1100-3		
Section II-Inspi	ector's Evalu	ation											
10. Gravity:													-
A. Injury or	Illness (ha	rs) (is):	No Likelil	hood 🗌	Uni	ikely 🔽	Reason	abiy Like	y 🗌	Highly Llk	eły 🗌	Occur	red 🗌
B. Injury or sonably	illness cou be expecte		No Lo	st Work	days 🗸	Lost W	orkdays Or Ro	estricted	Duty [Permar	nently Dis	abling 🗌	Fatal []
C. Significa	ant and Sul	ostantial:	Ye	s 🗌	No 🗸					D. Number	of Perso	ns Affected:	001
11. Negligenor	≥ (check or	e)	A. None		B. Low	7 0	. Moderate]	D. High		E. Reck	dess Disrega	ard [
12. Type of Ac	tion	104(a)		13	3. Type of is	suance (chec	k one)	C	itation 🗸	Orde	भ 🗍	Safeguard
14. Initial Actio A. Citation	n B.Or	der 🔲	C. Safegu	ard 🗌	D. Written	Notice [E. Citatio Order	n/ Number		***************************************		F. Dated	Mo Da Yr
16. Terminatio	n Due	A. Date	Mo Da 06/15/2		B. Time (2	4 Hr. Clock) 12	.00					****
Section III—Term	nination Action	on			<u> </u>								
17. Action to T	erminate						***************************************						
18. Terminated	A. Date	Мо	Da Yr	B. Time	(24 Hr. Ck	ock)	*************************************	T					
Section IVAuto	mated Syste	m Data			······································			L					
19. Type of Ins (activity coo		Δ Δ.Δ	20. Event	Number	40	54425	21.	Primary	or Mill		· · · · · · · · · · · · · · · · · · ·		± ·
22. Signature		ſ					L			23. A	R Numbe		
MSHA Form 700	бз, _ў	(ONESOCI)	In accon	lance with	the provision	ns of the Sma	all Business Re	gulatory E	nforcement	Fairness Act	of 1996, the	- Small Busin	ess Administration

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

MSHA Form 7000-10K, June 93 (revised) MSHA Form 7000-10K, June 93 (revised) Date 6-15-04 Date 6-15-04 Date 6-15-04 C.1 # 7096569 0930 CFR 75.1100-3 6-15-04 543 W At 1200 belt drive KUA GOX Inspector's Ini-Inspector's Ini Inspector's ? Supervisor's Initials and Date Page No. 6 Supervisor's Initials and Date Supervisor's Initials and Date Page No. # U.S. G.P.O.:2001 709-135 # U.S. G.P.O.:2001 709-135 * U.S. G.P.O.:2001 709-135

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

Mine	Citation/Order
A	

8	3	JJN	2004
n	_	_ (φ



Continuation	<u> </u>	Mine Saf	Mine Safety and Health Administration				
Section I-Subsequent Action/Continuation	r Data						
1. Subsequent Action fa. Continuatio	(C) in the second	Da Yr 3 5/15/2004	3. Citation/ Order Number	7096569 - 01			
4. Served To		5. Operator	· · · · · · · · · · · · · · · · · · ·				
Brad Hamrick Mine Forema	n	ANKER	WEST VIRG	INIA MINING COM	IPANY		
6. Mine		7. Mine ID			(Contractor)		
SAGO MINE		ł	46-0879	1	(· · · · · · · · · · · · · · · · · · ·		
Section II—Justification for Action							

Permanent tags were attached and an examination was done and recorded.

Section III-Subsequent Action Taken	See Continuation Form
8. Extended To Mo Da Yr	creed D. Tarminated E. Modified
Section IV-Inspection Data	
9. Type of Inspection AAA IIO. Event Number 4054425	
11. Signatur	Yr 13. Time (24 Hr. Clock) 2004 0615

well

	Mine	Citation	/Order
--	------	----------	--------

n	1	2	JUL HOO
---	---	---	---------

`\//

			mile dutery and i scalin station	-
Section IV	iolation Data			
1. Date	Mo Da Yr 06/20/2004	2. Time (24 Hr. Clock) 0610	3. Citation/ Order Number 7096570	
4. Served To			5. Operator	,
Lonnie	Short Foreman		ANKER WEST VIRGINIA MINING COMPANY	
6. Mine			7. Mine ID 46-08791	
SAGO MINE			40-U8/91 (Contracto	r)
8. Conditio	n or Practice		8a. Written Notice (103g)	Ħ

The air lock doors, in the track entry two breaks inby the track portal, is not being maintained for the propose that they were built. The outby set of doors were damaged and laying against the rib. The 9 man mantrip was observed going in the mine with both sets of doors open.

					See	Continuation Form (MSHA	Form 7000-3a)
9. Violation	A. Health ☐ Safety ✔ Other ☐	B. Section of Act		C. Part/Section of Title 30 CFR	75.	333(d)(3)	
Section II—Inspect	or's Evaluation						
10. Gravity:		_					
	ness (has) (is):	No Likelihood	Unlikely 🗸	Reasonably Like	ely 🔲 Highly Lli	kely 🗌 Оссил	ed 🗌
	ness could rea- expected to be:	No Lost Wo	kdays 🗌 Lost V	Vorkdays Or Restricted	Duty 🗹 Perma	nently Disabling	Fatal
C. Significan	t and Substantial	Yes 🗌	No ∀		D. Numbe	er of Persons Affected:	. 001
11. Negligence (check one)	A. None	B. Low	C. Moderate 💆	D. High	E. Reckless Disrega	rd []
12. Type of Action	xn 104((a)	13. Type of I	ssuance (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 A. Date	Mo Da Yr 06/20/2004	B. Time (24 Hr. Cloc	k) 1500			
Section III-Termin	ation Action	00/20/2004	<u> </u>				
17. Action to Ter							
18. Terminated	A. Date B. Time (24 Hr. Clock)						
Section IV-Autom:	ated System Data						
19. Type of Inspe (activity code	ection) 🕍 ¬ AAA.	20. Event Numb	4054425	21. Primar	y or Mill		
22. Signature	[6				23. /	AR Number	

MSHA Form 7000-3/Mar 85 (reviseo) in accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a flational 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.

whize

Date 6-20-04
Cit # 7096570 D610 30 CFR 75.333(1)(3)
30 CFR 75.333 (2)(3)
A SHS NO
Person Affertu 1
The air lock doors in the
PAIK ENTRY FOURBRUSH
into the basik muli
for the propose shorting wear but The outly
for the propose shatther
were but The outs
demaged And Laying
daning And Lavier
Against the Rib The
GMYN NAW ho 10 1 MA
Observe going
Inspector's Iniv
Supervisor's Initials and Date Page No. 4

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

DESIGN LOUIS TOOCH COL' 20104 92 (LINAIMAN)	
110 6-20-04	Date 6-20-04
in the mine with	Also there is so
buth sets of doors	detection of methopine
Dev.	inface mains
7	
Who Knew the [6]	Jean. Time is set
Thousa House	for 6.20-04 At 3:00pm
KNOWN	A door has been sent
tow hory - was told	to the nine. The
hat it happend Joneson	CREW Stranged At 12 Upper
v the more. Ox 670-04	Repairing the ocon.
tis whikely that	
this Condition would	
Couse on Account	
oIth the additional	
Backup Chacks, the AiR	
horg of the Section	
would be very hotthe	
spector's in	Inspector's Initials
pervisor's Initials and Date Page No	Supervisor's Initials and Data Page No. Page No. 'U.S.G.P.O.: 2001 – 609-236

Mine Citation/Order Continuation

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

 •



Section ISubsequent Action/Continuation Date						
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 06/20/200		3. Citation/ Order Number	7096570 - 01	
4. Served To			5. Operator			
Lonnie Short Foreman			ANKER	WEST VIRG	INIA MINING CON	/PANY
6. Mine			7. Mine ID			(Contractor)
SAGO MINE		İ		46-0879	1	(** ****** **** * * * * * * * * * * *
Section II—Justification for Action						

The air lock doors in the track entry have been repaired to it intended purpose.

Section III—Subsec	Grent Actine Tel	han	 -					See Continuation Form
8. Extended To	A. Date Mo		Yr	B. Time (24 Hr. Clock)		- □ C. Vacated	D. Terminakeo	E. Modified
Section IV-Inspec			40.5					
	ction AAA		IU. EW	ent Number 4054425				
11. Signature	16	7	- 1	AR Number	12. Date	Mo Da Yr	13. Time (24 Hr. Clo	ck)
MSHA Form 7000	, "	**		_ 6	<u> </u>	06/21/2004	0810	

Webs

Mine Citatio	on/Order
--------------	----------

(F)

			mine defectly and recently Administrativity (4)	*77
Section ⊢V	iolation Data			
1. Date	Mo Da Yr 06/20/2004	2. Time (24 Hr. Clock) 0730	3. Citation/ Order Number 7096571	
4. Served To			5. Operator	
Lonnie Short Foreman			ANKER WEST VIRGINIA MINING COMPANY	
6. Mine			7.25-25	
SAGO MINE			7. Mille III 46-08791	(Contractor)
8. Condition or Practice				(COMBOO)

The 001-0 mmu non permissible power center, the 001-0 non-permissible feeder, the non-permissible scoop chargers are being ventilated with return air. The intake air ventilated number 8 working face and then it was coursed towards the common entries where the non-permissible equipment was setting. An air reading was taken with an anemometer and the results were 22,230 cfm of return air. There is no detection of methane and there was no extracting of coal being done at the time of this condition. Back up checks were installed and positive ventilation was restored.

						Saa	Continuation	Form AACHA	Form 7000-3e)
9. Violation	A. Health Safety V Other	B. Section of Act		C. Part/Section of Title 30 CFR	əf		75.507	rom (mara	FUIII 7000-38)
Section II—Inspec	tor's Evaluation			<u> </u>				 	···
10. Gravity:					············			·	
	liness (has) (is	·	Unlikely 🗸	Reasonabl	y Likely] Highly Li	cely 🗍	Occurre	ad 🗀
	liness could re e expected to t		kdays 🗌 Lost i	Workdays Or Rest	ricted Duty	✓ Perma	nently Disab		Fatal []
C. Significar	nt and Substan	tial: Yes 🗌	No ☑			D. Numbe	r of Persons	Affected:	001
11. Negligence	(check one)	A. None	B. Low 🔲	C. Moderate 🔽	D.	High □	E. Reckie	ss Disregan	d []
12. Type of Acti	ion <u>1</u> (04(a)	13. Type of	Issuance (check o	ne)	Citation 🗸	Order		Safeguard
14. Initial Action . A. Citation .	B. Order	C. Safeguard	D. Written Notice	E. Citation/ Order Nu	mber		F.	Dated	Mo Da Yr
16. Termination	Due A. D	Mo Da Yr	B. Time (24 Hr. Cloc	k) 0745					
Section III-Termin	ration Action	06/20/2004	(.9 0743	<u> </u>				
17. Action to Ter restored	minate	back up	checks were	installe	d and	positive	e vent	ilatio	n was
18. Terminated	i Δ i late	Mo Da Yr 5/20/2004 B. Tim	e (24 Hr. Clock)	0800			· · · · · · · · · · · · · · · · · · ·	······································	
Section IV-Autom									
19. Type of inspo (activity code	ection A.A.	20. Event Numbe	4054425	21. Pi	imary or Mi	,	-1.		
22. Signature	16					23. A	R Number	16	
MSHA Form 7000.	TERRY SE Comme.							11	1

MSHA Form 700u-3/Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

whi

Date 6-20-04 CV+# 7096571 0730 75,507 Supervisor's Initials and Date 'U.S.G.P.O.: 2001 -- 609-238 MSHA Form 7000-10K, June 93 (revised)

Date 6-20 0 4
AN Air Rending was
soken with an Avenomen
And the Results were
82,230 cFm of Returain.
There is vobuting
of methous And there
was in extractor of
Cool being done of time
of this Emditon Back
Ep charks were i-stolled
And postive vestims
Restoner.
Restoner. Who Knew the preshift
examin Show hove
Kum
How long Abelt move
was put in host angle
and some of the bookup
Inspector's Initials
Supervisor's Initials and Date Page No 14 'U.S.G.P.O.: 2001 - 509-238
'U.S.G.P.O. ; 2001 609-238

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

Date 6 20-07
Charles were down
Also The alty
Air Look doors were
damager & Citaton
were written:
This condition is
Unhikely-to CAUSE An
Accident & due to the
hack of methorne &
Short Cont dist generation by American extracting comb
generation by A mison
extractny cont
lerm. 0745
Brekep checks were
Brekup checks were instribed + Position vat
was Richard
Inspector's Instance
Supervisor's Initials and Date Page No. 15

MSHA Form 7000-10K, June 93 (revised) Don 6-20-04 0730

respector's Ini
supervisor's Initials and Date Page No. 16
'U.S.G.RO.: 2001 — 609-236

Mine Citation/Order	U.S. Department of Labor Mine Safety and Health Administration
Section I-Violation Data	
1. Date Mo Da Yr 2. Time (24 Hr. Clock)	3. Citation/ 700 (572)
06/20/2004 0930	3. Citation 7096572
4. Served To	5. Operator
Lonnie Short Foreman	ANKER WEST VIRGINIA MINING COMPANY
6. Mine	7. Mine ID 46-08791
SAGO MINE	40-06/91 (Contractor)
8. Condition or Practice	entry 2 breaks inby the portal, is not being
were damaged and laying against the doors with both sets of door	they were constructed. The inby set of doors the rib. A scoop was observed going through s open.
9. Violation A. Health B. Section of Act	See Continuation Form (MSHA Form 7000-3a) C. Part/Section of Title 30 CFR 75.333(d)(3)
Section II—Inspector's Evaluation	
10. Gravity: A. Injury or Illness (has) (is): No Likelihood Unlikelihood Unlikelihood	ety 🗸 Reasonably Likely 🗌 Highly Likely 🦳 Occurred 🗍
B. Injury or illness could reasonably be expected to be: No Lost Workdays	Lost Workdays Or Restricted Duty ✓ Permanently Disabling ☐ Fatal ☐
C. Significant and Substantiel: Yes ☐ No ☑	D. Number of Persons Affected: 001
11. Negligence (check one) A. None B. Low B. Low	C. Moderate ☑ D. High ☐ E. Reckless Disregard ☐
	Type of Issuance (check one) Citation ☑ Order ☐ Safeguard ☐
14. Initial Action A. Citation B. Order C. Safeguard D. Written N	E. Citation/ F. Dated Mo Da Yr otice Order Number
15. Area or Equipment 16. Termination Due A. Date Mo Da Yr A. Date 06/20/2004 B. Time (24)	Hr Choth 1720
Section III—Termination Action	Hr. Clock) 1730
17. Action to Terminate	
18. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock)
Section IV-Automated System Data	

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 (1-883-734-3247), 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.

22. Signature



23. AR Number

ASHA Form 7000-10K, June 93 (revised) > 6-20-04 7096572 0930 75.333(1)(3) 545 mg Supervisor's Initials and Date 'U.S.G.P.O.: 2001 -- 609-238

MSHA Form 7000-10K, June 93 (revised)
Date 6-20-04
of doons open.
y song ges:
Who Know the preshift
ex Amiena Should have
Known.
Known. +his coudifum is
ende from a Had
time it has exister.
time it 1473 exister.
-/ //
Itis whikely that this
Condition would cause
An Accident with the
Additional Backup.
Checks curling of the
air change on the
Garda 11/
Section model be
very Little
Inspector's Initials ,
Supervisor's Initials and Date Page No. / P
"U.S.O.P.O.: 2001 — 609-238

MSHA Form 7000-10K, June 93 (revised) Date 6-20-04 inspector's initials Supervisor's Initials and Date *U.S.G.P.O.: 2001 -- 609-238

Mine	Citation/Order
Conti	nuation



 Subsequent Action 	n 1a. Continuation	2. Dated (Original Issue)	Mo 06/2	Da 20/20	**	3. Citation/ Order Number	7096572 - 01
4. Served To					5. Operato	×	
Brad Hamrick	Mine Foreman				ANKER	WEST VIRG	INIA MINING COMPANY
6. Mine				·····	7. Mine ID	46.0000	. (Contractor)
SAGO MINE						46-0879	i

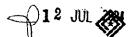
The air lock doors in the #3 entry have been repaired to its intended purpose.

Section III-Subsequent Action Taken			See Continuation Form
8. Extended To A. Date Mo Da	Yr B. Time (24 Hr. Clock)	C. Vacated	D. Terminated D. E. Modified
Section IV—Inspection Data			
9. Type of Inspection AAA	10. Event Number 4054425		,
11. Signa [6	ARTHUMBER	12. Date Mo Da Yr 06/21/2004	13. Time (24 Hr. Clock) 1010
MSHA Form 7008-3a, Mar 85 (revised)			

Mine Citation/Order

22. Signature

U.S. Department of Labor



1	4						Mine S	afety ar	nd Healt	h Admini:	stration	,		
Section I-Viola	tion Data												-	
1. Date	Mo Da 06/21/2		2. Time (2	Hr. Cloc 0925						3. Citatio Order	n√ Number	70965	73	
4. Served To	00/21/2	-004		0/23			5. Opera	tor						
Brad Hami	rick Mir	ne Fore	man						T VIRO	GINIA MI	NING	COMPAN	īΥ	
6. Mine							7. Mine I	D 44	5-0879	1				
SAGO MI								40	J - VO/7	' I.			(Contr	
8. Condition o									4-1-17-1			8a. Written		
		***		_	_		•					coal co		
belt dr			t secu:	red i	n the	upric	int pos	sitio	n ag	gainst	beir	ng acci	dental	.ly
tipped	over.													
9. Violation	A. Health Safety Othe	<u>'</u>	B. Section of Act			C.	Part/Section Title 30 CFF				Continuati 06-3(a	on Form (MSHA)(2)	A Form 7000-	3a) []
Section II-Insp	ector's Evalu	ation										,		<u> </u>
10. Gravity:														
A. Injury or	r Ifiness (ha	s) (is):	No Likeliho	od 🔲	Unlikely	\mathbf{V}	Reasona	ibly Likely		Highly Llk	ely 🔲	Occurr	ed 🗌	
	illness cou be expecte		No Lost	Workday	s 🗸	Lost Wor	kdays Or Re	stricted D	Outy 🗌	Permar	ently Dis	sabling [Fatal	
C. Signific	ant and Sul	ostantial:	Yes		Vo ∀					D. Number	of Perso	ons Affected:	001	
11. Negligeno	e (check on	ie)	A. None	Į.	3. Low 🔲	c .1	Vloderate 🔽	9	D. High		E. Rec	kless Disrega	rd 🗌	
12. Type of A	ction	104(a	ı)		13. Ty	pe of Issu	rance (check	one)	C	itation 🔽	Ord	er 🗌	Safegu	ard 🗌
14. Initial Action		der 🗌	C. Safegua	q 🗌 p	. Written Not	ice 🗌	E. Citation Order I					F. Dated	Mo Da	Yr
15. Area or Ed	quipment													
16. Termination	on Due	A. Date	Mo Da Y 06/21/20		. Time (24 Hr	. Clock)	09	30						
Section #I-Ten	mination Acti	on												
17. Action to 1	Terminate	7	The gas	s cyl	inder	was s	ecure	l aga.	inst	being	tipp	ed ove	r.	
18. Terminate	A. Date	06/2	0a Yr 1/2004	3. Time (2	4 Hr. Clock)		0930							
Section IV-Auto		em Data	Ton =											
19. Type of in: (activity.co		AAA	20. Event N	lumber	4054	425	21.	Primary o	or Mill			····	··F· -,	

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 Ombudsmán 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

MSHA Form 7000-10K, June 93 (revised) MSHA Form 7000-10K, June 93 (revised) Historial Survey ERM Inspector's Initials Supervisor's Initials and Date Page No. __ Supervisor's Initials and Date Page No. *U.S.G.P.O.: 2001 -- 809-238

"U.S.G.P.O.; 2001 -- 609-238

1	2	JUL	2004	
				~ ` /

Section V	iolation Data							
1. Date	Mo Da Yr 06/27/2004	2. Time (24 Hr. Clock) 2350	3. Citation/ Order Number 70	96574				
4. Served Brad Ha	ro mrick Mine For	eman	5. Operator ANKER WEST VIRGINIA MINING COMPANY					
6. Mine SAGO N			7. Mine ID 46-08791	(Contractor)				
8. Conditio	n or Practice		8a. V	Written Notice (103a)				

Two separate and distinct travelable escapeways is not provided for the 001-0 mmu working section. The primary escapeway was blocked by a roof fall located 20' out-by spad #5107. There was no equipment involved in the fall. Measurements are as follows: 15' wide by 6' long by 4 1/2' high.

										See	Continuatio	n Form (MSH.	A Form 7000-3a)
9. Violation	A. Health Safet Othe	y 🗹	B. Section of Act	•		1	Part/Section of itle 30 CFR			75	.380(a)		
Section II-Inspe	ector's Evalu	uation											
Gravity:													
A. Injury or			No Likelih	xod 🗌	Unlikely 🗸		Reasonably	Likely []	Highly Lik	ely 🔲	Occur	red [
B. Injury or sonably	illness co be expects		No Los	Workday	rs 🗹 Lost	Work	days Or Restric	ted Duty	<i>'</i> 🗆	Permar	ently Dis	abling 🗌	Fatal []
C. Significa	ant and Su	bstantial:	Yes		√ 0 ☑				Ī). Number	of Perso	ns Affected:	001
11. Negligence	e (check or	ne)	A. None) E	3. Low 🗹	C. M	oderate 🗌	D.	High []	E. Red	dess Disrega	and []
12. Type of Ac	tion	104(a)		13. Type o	f Issua	nce (check on	<u>*</u>)	Cita	ation 🔽	Orde	r []	Safeguard
14. Initial Action A. Citation	xn. B.O	rder 🗌	C. Safegua	rd 🗌 b	. Written Notice		E. Citation/ Order Num	ber				F. Dated	Mo Da Yr
16. Termination	n Due	-	Mo Da	, I									
		A. Date	06/28/20	10	. Time (24 Hr. Clo	ck)	0500						•
Section III-Term	nination Act	ion											
17. Action to T establi		and]	The stoper	oppin ly ma	g line wa rked.	as n	noved or	er a	ind a	new	esca	peway '	was
18. Terminated	A. Date	06/2	Da Yr 8/2004	B. Time (2	4 Hr. Clock)	0	500						
Section IV-Auto	mated Syste	em Data							······································			- 330.7	
19. Type of Ins (activity cod		AAA	20. Event	Number	405442	5	21. Pri	nary or M	fill				
22. Signature	16					************				23. A	R Numbe		

MSHA Form 70003, 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 abtions 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.

lup 6/29

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

MSHA	Form	7000-	ĐΚ	June	93	frevleed

Date 6-28-04	
--------------	--

who knew This area
is treareld on A
weekly expon And And
been traveled on 6-2404
by BRAD HAMRICK. A
Date Some was present
They the foll ale.
The our bolicity was
sot changed on the
Section PResum
Also not Changed.
ALSO not Changed.
Howlong - undeterminated
Inspector's Initials and Date
Supervisor's Initials and Date Page No. /D

'U.S.G.P.O. : 2001 -- 609-216

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

Date 6-2804

Ney Likeliheer Injury
The mer were knowed
from the working forex
Dad braght to I'm
fall area Au begow
to crept A primping
Escapeupy from the
working soction. The
Stoppy blue was
Moved over It is
un bike by the the
Condition would cause
An Accident due to
As Alternate esupeway
was open for travel.
Inspector's Init. [6]
Supervisor's Initials and Date Page No

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

MSHA Form 7000-10K, June 93 (revised) MSHA Form 7000-10K, June 93 (revised) 10-28-04 Inspector's Ih/ Inspector's Initials Supervisor's Initials and Date _ Supervisor's Initials and Date

'U.S.G.P.O. ; 2001 -- 509-238

'U.B.G.P.O.: 2001 -- 509-236

12 JUL 2004

1	%	
4	æ	
1	//	

Section -V	iolation Data						
1. Date	Mo Da Yr 06/28/2004	2. Time (24 Hr. Clock) 0800	3. Citation/ Order Number 7096575				
4. Served 3 Brad Ha	To umrick Mine For	eman	5. Operator ANKER WEST VIRGINIA MINING COMPANY				
6. Mine SAGO N	MINE		7. Mine ID 46-08791 (Contrac				
8. Conditio	on or Practice		8a. Written Notice (103g)				

The operator failed to submit a bimonthly sample for the designated area sampling point I. D. 90.10, for the sampling cycle of APR-MAY, according to advisory no.0020, dated JUNE 7, 2004

						See Co	ntinuation Form (MSH/	A Form 7000-3a)
S	ealth 🗹 afety 🗌 Other 📗	B. Section of Act		C. Part/Section of Title 30 CFR		71.2	?08(a)	
Section II—Inspector's	Evaluation						······································	
10. Gravity:								
A. Injury or Illness		No Likelihood	Unlikely 🗹	Reasonably L	kely 🗌	Highly Likely	/ 🗌 Occum	red [
 Injury or illness sonably be exp 		No Lost Work	days 🗌 Lost'	Workdays Or Restrict	ed Duty 📝	Permane	ntly Disabling	Fatal []
C. Significant and	Substantial:	Yes 🗌	No 🔽			D. Number o	f Persons Affected:	001
11. Negligence (chec	k one)	A. None	B. Low	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	3. Order 🔲	C. Safeguard	D. Written Notice	E. Citation/ Order Numb	er		F. Dated	Mo Da Yr
16. Termination Due	A. Date	Mo Da Yr 06/28/2004	B. Time (24 Hr. Clos	;k) 0800		**************************************		
Section III—Termination	Action	00,20,2004	ł.					
17. Action to Termina		NO termi	nation, si	nce the bir	monthly	/ period	i has pass	ed.
	Date 06/2	Da Yr 8/2004 B. Time	e (24 Hr. Clock)	0800	······································			
Section IV-Automated	System Deta		· · · · · · · · · · · · · · · · · · ·					
Type of Inspection (activity code)	AAA	20. Event Number	4054424	21. Prim	ary or Mill			
22. Signature MSHA Form 7000-3. (As	[le	- Carrier	h the provisions of the C			23. AR	Number [6	

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) Supervisor's Initials and Date Page No. 6 6. *U.S.G.P.O.: 2001 — 609-238

Kl

---ADVISORY OF NONCOMPLIANCE, FAILURE TO SUBMIT--(DESIGNATED AREA SAMPLING POINT) ADVISORY NO 0020

JUN 07, 2004

ANKER WEST VIRGINIA MINING COMPANY SAGO MINE

MINE I.D.46-08791
DESIGNATED AREA SAMPLING POINT I.D. 9010
ROOF BOLTER - RETURN

CURRENT BIMONTHLY SAMPLING CYCLE JUN-JUL 2004

ACCORDING TO MSHA RECORDS A VALID RESPIRABLE DUST SAMPLE, RELATIVE TO THE DESIGNATED AREA SAMPLING POINT IDENTIFIED ABOVE, WAS NOT RECEIVED AS REQUIRED BY 30 CFR 70 FOR THE BIMONTHLY SAMPLING CYCLE OF APR-MAY 2004.

CASSETTE NO.

DATE

SAMPLING START TIME (24-HR CLOCK)

MRE EQUIV CONCENTRATION

---0303---097---46-08791---B ---A
ANKER WEST VIRGINIA MINING COMPANY
SAGO MINE
ATTN:JAMES L SWARTZ
ROUTE 9, BOX 507
BUCKHANNON WV 26201

Producing Since 3/29/2004

Mine	Citation/Order
A 42	

12 JUL 2004

J	à	
¢	>>>	
۶	?	

Continuation				1111110	aroty and rious.		
Section I-Subsequent Ac	tion/Continuation Data						
1. Subsequent Action	1a. Continuation	2. Dated (Original Issue)	Mo Da 06/28/20	-Yr 04	3. Citation/ Order Number	7096575 - 01	
4. Served To				5. Opera			
Brad Hamrick M	line Foreman			ANKE	R WEST VIRG	INIA MINING CO	OMPANY
6. Mine SAGO MINE				7. Mine I	d 46-0879	1	(Contractor)
Section II—Justification for	r Action						
Change	Fn	Den:			To		
9. C. Part/Section	71.	208(a)			70,208(a)		•
Reason							

issued wrong standard in error.

					See Continuation Form]		
Section III-Subsequent Action Taken								
8. Extended To A. Date Mo Da	Yr B. Tin	ne (24 Hr. Clock)		C. Vacated	D. Terminated E. Modified			
Section IV-Inspection Data						_		
9. Type of Inspection AAA	10. Event Nu	mber 4054425						
11. Signature		AR Number	12. Date	Mo Da Yr 06/29/2004	13. Time (24 Hr. Clock) 1318			



12	JUL	2004	lis.
----	-----	------	------

			Willie Safety and Fealth Administration 9
Section I-V	iolation Data		
1. Date	Mo Da Yr 06/28/2004	2. Time (24 Hr. Clock) 0805	3. Citation/ 7096576 Order Number
4. Served Brad Ha	ro mrick Mine For	eman	5. Operator ANKER WEST VIRGINIA MINING COMPANY
6. Mine SAGO N	MINE		7. Mine ID 46-08791 (Contractor)
8. Conditio	n or Practice		8a. Written Notice (103g)

The operator failed to submit a bimonthly sample for the designated area sampling point I. D. 9011, for the sampling cycle of APR-MAY, according to advisory no.0019, dated JUNE 7, 2004

	•							See C	ontinuatio	n Form (MSH/	A Form 7000-3a)	
9. Violation	A. Health Safety		Section of Act		C. Part/Secti Title 30 Cl			71.	208(a)			
Section II-Insp	ector's Evaluat	ion					1					
10, Gravity:												
A. Injury o	r Iliness (has)	(is): 1	lo Likelihood 🔲	Unlikely 🔽	Reaso	nabiy Likely		Highly Like	ely □	Occun	red [
	r illness could be expected		No Lost Work	days 🗌 Lost	Workdays Or I	Restricted D	uty 🗹	Perman	ently Dis	abling 🗌	Fatal 🗌	
C. Signific	ant and Subs	tantial:	Yes 🗌	No ☑				D. Number	of Perso	ns Affected:	001	
11. Negligeno	e (check one) A	None 🗌	B. Low 🗌	C. Moderate	Ø	D. High		E. Red	kless Disrega	nrd 🗌 🚶	
12. Type of A	ction	104(a)		13. Type o	f Issuance (che	ck one)	С	itation 🗹	Orde	er 🗌	Safeguard [
14. Initial Acti		er 🗌 C	. Safeguard	D. Written Notice	E. Citat	ion/ r Number				F. Dated	Mo Da Yr	
16. Terminati	on Due		Mo Da Yr	.				······				
	1	A. Date (6/28/2004	B. Time (24 Hr. Ck	ock) (805	1					
Section III-Ter	mination Actio	n										_
17. Action to	Terminate	No	terminat	cion, sinc	e the bi	month	ly pe	riod h	nas p	assed.		
18. Terminate	ed A. Date	Mo Da 06/28/	I R Tim	e (24 Hr. Clock)	0805							
Section IV-Aut	tomated System	n Data										
19. Type of Ir (activity o		AAA	20. Event Numbe	405442	2.5	21. Primary	or Mill					
22. Signature		6	7					23. A	.R Numb	er		

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 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 6-88-04	
	0800
Cit # 709657	5
Cit# 709657;	71.2086)
The openation	failed to Submi
A bimonthly	Sample for the
designated 1.	JECA Somoly
point ID 90	110 for the
5 amplin Cy	out for the oche of APR-MA, HOZD
according to 1	ravioly 4020
dales 6-7-0.	4
NO termination	ru.
Sincehima	they persion
has pased	<u> </u>
Inspector's Initials	
Supervisor's Initials and Date	Page No. 23
	*U.S.G.R.O. ; 2001 — 609-236

**0303-002

---ADVISORY OF NONCOMPLIANCE, FAILURE TO SUBMIT--(DESIGNATED AREA SAMPLING POINT) ADVISORY NO 0019

JUN 07, 2004

ANKER WEST VIRGINIA MINING COMPANY SAGO MINE

MINE I.D.46-08791
DESIGNATED AREA SAMPLING POINT I.D. 9011
ROOF BOLTER - INTAKE

CURRENT BIMONTHLY SAMPLING CYCLE JUN-JUL 2004

ACCORDING TO MSHA RECORDS A VALID RESPIRABLE DUST SAMPLE, RELATIVE TO THE DESIGNATED AREA SAMPLING POINT IDENTIFIED ABOVE, WAS NOT RECEIVED AS REQUIRED BY 30 CFR 70 FOR THE BIMONTHLY SAMPLING CYCLE OF APR-MAY 2004.

CASSETTE

NO.

DATE

SAMPLING START TIME (24-HR CLOCK)

MRE EQUIV

CONCENTRATION

---0303---097---46-08791---B ---A
ANKER WEST VIRGINIA MINING COMPANY
SAGO MINE
ATTN: JAMES L SWARTZ
ROUTE 9, BOX 507
BUCKHANNON WV 26201

Producing Since 3/29/2004

Mine	Citation/Order
Conti	pustion

12	JUL		ľ
		((*))	

			,	
Section I-Subsequent Action/Co	ontinuation Data			
1. Subsequent Action 1a. Co	ontinuation 2. Dated (Original Iss		itation/ order Number 7096576	- 01
. Served To		5. Operator		
Brad Hamrick Mine I	Foreman	ANKER W	EST VIRGINIA MININ	IG COMPANY
8. Mine		7. Mine ID		(Contractor
SAGO MINE			46-08791	(COMPON)
Section II—Justification for Action	n			
Change	From	I	o	
9. C. Part/Section	71.208(a)	7	0.208(a)	
Reason	、 ,	·	· · \-'	

issued wrong standard in error

Section III—Subsequent Action Taken			See Continuation Form
8. Extended To A. Date Mo Da Yr	B. Time (24 Hr. Clock)	C. Vacated	☐ D. Terminated ☑ E. Modified
Section IV-Inspection Data 9. Type of Inspection AAA 10. Ew	ant Number 4054425		
11. Signatur		i2. Date Mo Da Yr	13. Time (24 Hr. Clock)
	16]1	06/29/2004	1326



While Ollation (Olde)	U.S. Department of Labor 2 6 JUL 2004 Mine Safety and Health Administration		
Section I-Violation Data	Mine Safety and Health Administration		
1. Date Mo Da Yr 2. Time (24 Hr. Clock)	3. Citation/		
07/12/2004 1515	Order Number 7096649		
4. Served To	5. Operator		
Brent Wolfe	ANKER WEST VIRGINIA MINING COMPANY		
6. Mine	7 Mino ID		
SAGO MINE	46-08791 (Contractor		
8. Condition or Practice	8a Mysten Neder (102)		
occupational injury to an undergroup	a Mine Accident, Injury and Illness Report,		
9. Violation A. Health B. Section	See Continuation Form (MSHA Form 7000-3a)		
Safety of Act Other 1	C. Part/Section of Title 30 CFR 50.20(a)		
Section II-Inspector's Evaluation			
10. Gravity:			
A. Injury or Illness (has) (is): No Likelihood 🗹 Unlikely	Reasonably Likely Highly Likely Occurred		
B. Injury or illness could reasonably be expected to be: No Lost Workdays ☑ Los	st Workdays Or Restricted Duty Permanently Disabling Fatal		
C. Significant and Substantial: Yes ☐. No 🗹	D. Number of Persons Affected: 001		
11. Negligence (check one) A. None B. Low	C. Moderate ☑ D. High ☐ E. Reckless Disregard ☐		
12. Type of Action 104(a) 13. Type	of Issuance (check one) Citation 🗹 Order 🗌 Safeguard		
4. Initial Action	E. Citation/ F. Dated Mo Da Yr		
5. Area or Equipment			
6. Termination Due A. Date Mo Da Yr B. Time (24 Hr. Cl	Slock) 1530		
ection IIITermination Action			
7. Action to Terminate Terminated due to the	7000-1 being submitted by the operator.		
8. Terminated A. Date Mo Da Yr D7/12/2004 B. Time (24 Hr. Clock)	1528		
ection IVAutomated System Data			
9. Type of Inspection 20. Event Number 40543(00 21, Primary or Mill		

MSHA! orm 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 (1-888-734-3247), 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. including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

CC BW 7-12-04

22. Sir

23. AR Number

Mine Accident, Injury and Illness Report

U.S. Department of Labor







 Section A— Identification Data 	Approved for Use Through September 30, 2002, ON	48 Number 1219-0007
MSHA ID Number Contractor ID	Recort Catagoni	neck here if report
46-08791 Mine Name		rtains to contractor.
	Company Name	
SAGO MINE Section B— Complete for Each Re	Portable Accident Immediately Reported to MSHA	
Accident Code (circle applicable code)		
04 – Inundation	OF Goo or Duct Institute OC Batter The	03 - Entrapment
09 - Outburst	10 – Impounding Dam 11 – Hoisting 12 – Offsite Injury	08 - Roof Fall
2. Name of Investigator	Date Investigation Started 4. Steps Taken to Prevent Recurr	ence of Accident
Tobe Stenfle	Month Day Year USE PROPER BODY MECHANIC	
 Section C— Complete for Each Re 		
Circle the Codes Which Best Describ	e Where Accident/Injury/Illness Occurred (see instructions)	
(a) Surface Location: 02-Surface at I	Underground Mine 30-Mill, Preparation Plant, etc. 03-Strip/Open Pit Mine 04-Sur	face Auger Operation
05-Culm Bank/Refuse Pile 06-Dr	edge Mining 12-Other Surface Mining 17-Independent Shops (with own MSHA ID) 99-Office Escilities
(b) Underground Location: 01-Vertic	al Shaft 02-Slope/Inclined Shaft 03-Face 04-Intersection 05-Underground Sl	nop/Office ATS-Other A C 1
(c) Underground Mining Method: 01-Lo	ngwall 02-Shortwall 03-Conventional Stoping 05-Continuous Mining 06-Hand (07-Caving 08-Other
6. Date of Accident 7.	. Time of Accident 8. Time Shift Started	
Month Day Year	9:00 Ham 8:00 Ham	7
03 05 04	a.00 upm — pm	- / 8
Describe Fully the Conditions Contrib	uting to the Accident/Injury/Illness, and Quantify the Damage or Impairment	
TAISTAILING BELT STRI	UCTURE & CARRYING STRUCTURE, A KNOT O	EVELOPEA
MI B GROIN	No.	,
	HELPING TO TNSTAL	1 THENEIBELT
INTO THE MINE. 4	AN BELT STRUCTURE AT THE TIME, FEL	TA SHARP PAIN
NI 6 GROW, AND TIM	SUPERVISOR (TEFF SIMMONS) OF	THIS, ON THAT DA
10. Equipment Involved RELT STRUCTURE	type Manufacturer Model Nu	imber 10
11. Name of Witness to Accident/Injury/I	ROITERS PIONEER 12. Number of Reportable Injuries or	4 Man
<u> </u>	Illnesses Resulting from This Occurrence	
15. rvame or injured/Ill Employee	14. Sex 15. Date	of Birth 12
Γ /: \neg	<u>M</u> onth	Day Year 14
		6 16
19. Last Four Digits of Social 17. Security Number	Regular Job Title	s Injury/Illness 17
		permanent disability 18 putation, loss of use,
20. What Directly Inflicted Injury or Illness	TILE CAR OPERATOR & permane	nt total disability). 19
LIFTING	21. Nature of Injury or Illness	20
	pational Illness (circle Applicable code see instructions) 21–Occupa	utional Skin Diseases 22
an Adams at the second	The state of the s	ng (toxic materials) 24
	isorders (physical agents) 26–Disorders (repeated trauma) 29–Other	ing (local materials) 24
24. Employee's Work Activity When	Experience 'Years Weeks	
Injury or Illness Occurred		<u> </u>
CARRYING BELT STI	CA Emoderate Print Name - 1	For Official Use Only
•		egree
Section D— Return to Duty Information		ccident Type
28. Permanently Transferred or		ccident Class
Terminated (if checked,	29. Date Returned to Regular Job at Full Capacity (or item 28) 30. Number of Days 31. Number of Days at Full Capacity (or item 28) Away from Work Restricted Work	
complete items 29, 30, & 31)	(if none, enter 0) Activity (if none	
	INVUIUS (DAV (TEM) Antoroals (Als. 1911)	
Person Completing Form (name)	Title enter O	
Brant 1110100	Asst. Schotte Director	
Person Completing Form (name) Date This Report Prepared (month, day,)	Title Ast Soloty Origination	

Mne Cita	tion/Ord	er				U.S. Department				JrRa		
Section I-Viol	ation Data					Mine Safety and Health Administration						
1. Date	Mo D	a Yr	2. Time (24 Hr.	Clock)		I .	 	1				
	07/22	/2004		800				3. Citation/ Order Nu	mber 71476	14		
4. Served To						5. Operator		Older No	mper , 1 , 7 O	# T		
Brad Ham	rick	_					T VIR	GINIA MINI	ING COMPAN	TV		
6. Mine					•	7 Mine ID			ING COMPAN	(X		
8. Condition of						46	-0879	91		(Contractor)		
				ly support					8a. Written			
of the to be a roof 13 second	Sago expos 3 inc area ad 6	Mine ed th hes.T that feet	at 21 x- at measur his top w was expo 10 inches	related to cut. The top ed 8 feet was loose, gas sed in the from the 1	tr W q id	te falls of task dislodged to the falls of task dislodged to task disloged	the ed fi ong.' epera	roof in rom bolt The bolt ated from to 6 x-6 s travel	the main allowing was out m the sol cut was 1: ed once a	return a area of the id top.A 2 feet week by		
2. Violation	A. Healt		T.E. C. C. C. C. S.		I C.	Part/Section of	····	See Conti	nuation Form (MSHA	Form 7000-3a)		
	Safe Oth		of Act		Ι.	Title 30 CFR		75.20	2(a)			
Section #-Inspe	4.											
10. Gravity:							· · · · · · · · · · · · · · · · · · ·					
A. Injury or	Illness (h	as) (is):	No Likelihood	Unlikely		Reasonably Likely		Highly Likely	Occurre	wi [T]		
B, Injury or sonably l	illness co be expecte		No Lost Worl	kdays [] Lost	Worl	days Or Restricted Du			y Disabiling [* L.		
C. Significa	ent and Su	bstantial:	Yes 🗹	No 🗌					Persons Affected:	001		
11. Negligence	check o	ne)	A. None	B. Low	C. N	foderate 🗸	D. High	Ε.	Recidess Disregar			
12. Type of Ac	tion	- 104(a)	13. Type of	Issu	ance (check one)	C	itation 🗹	Order	Safeguard		
14. Initial Actio , A. Citation		rder	C. Safeguard	D. Written Notice	7	E. Citation/ Order Number			F. Dated	Mo Da Yr		
15. Area or Eq	uipment		To Secure 1									
16. Termination	n Due	A. Date	Mo Da Yr 07/27/2004	B. Time (24 Hr. Cloc	*)	0800			<u></u>			
Section III—Term	instion Act	ion					L					
17. Action to To	erminate			· · · · · · · · · · · · · · · · · · ·								

MSHA Form 7000-3, the 85 (revised)

In accordance with the covisions 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 ogency 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 (\$68.734.3247), or write the Ombudsman of 500 W. Madison Steed, Saite 1240, Chicago, Illinois 50661. Please rate, lawyever, that your right to file a comment with the Ombustman 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 Mina: Safely and Healtin Hevrew Commission.

21. Primary or Mill

18, Terminated

22. Signature

A. Date

Section IV-Automated System Data

19. Type of Inspection (activity code)

Mo Da Yr

20. Event Number

B. Time (24 Hr. Clock)

4054300

23. AR Number

SHA Form 7000-10K, June 93 (revised) lupervisor's Initials and Date __ *U.S.G.P.O.: 2001 --- 609-238

Maria Form 7000-10K, June 93 (revised)
Date 2/22/2004
Dete
15 /# 7/1/2/11
CEX# 7147614
Location #1 place - at
2/x-Cut BX. Ret.
= 2 place 22 x ent 40 5 x 6 - , x - cut.
FZ Flow 22X Cut in
-VI- U-CUX
5 x 6 -, x
11/2 / May - 1 2 000 -
Who Kilous Min externance
Who knews Inmi examina of the Condition due to
of such of frame of
The Condition dit
free weeky Run.
Have home Vio efector -
Naw pory lo equito -
+ Millar all
at their a well.
due to old post were in return and saved
were and post well
and return a demand
- receive que avoir
with other Rose
Comment of the contract of the
FIT
Inspector's
Supervisor's Initials and Date Page No

Col # 7147614
10 # 1147/14
Timi-0800
Ucolata - home soof
mex adequatel Supported
& protest people in
Laps RN. of 8 ye mis
Balt deslight hazing out
of roof 13" open and
8X8 - Roof wrokens
Loosey Japping, And
Salacanted Di Sino
Septentil from Soled Couly Top.
3 1/1/11 2 1/2 1
and plue expend are
Same retur 22x-cix
5x6x-civ. que /2pl.
und, 6 pt. 10 iners.
From sil hast
Top Jame as above
Inspector's In
Supervisor's Initials and Date Page No. 2

\	
Mine Citation/Order	
Continuation	

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

1 6 AUG 2004

					erety dita rious	/ tall !!!!!!!!!!!	
Section I-Subsequent Action	Continuation Data						
1. Subsequent Action 1a.	Continuation	Dated (Original Issue)	Mo 07/2	Da Yr 2/2004	3. Citation/ Order Number	7147614 - 01	
4. Served To				5. Opera	tor		
Brad Hamrick				ANKE	R WEST VIRO	GINIA MINING CO	MPANY
6. Mine				7. Mine	D		(Contractor)
SAGO MINE					46-0879)1	(OOM BOOK)
Section II—Justification for Ac	tion						

Post were set in the affected area.

Sortion III. Subsc	equent Action Taken				•		See Continuation Form
8. Extended To		Yr B. Time (24 Hr. Clock)		C. Vacated	☑ D. Terminated	☐ E. Modified
Section IV-Inspe 9. Type of Insp		10 ₉ Event Numb	er 4054300				
11. Şigh		1	AR Number	12. Date	Mo Da Yr 08/03/2004	13. Time (24 Hr. Clo	ock)
MSHAF 7000	0-3a, Mar 85 (revised)		•				

Mine Citation/Order	U.S. Department of Labor Mine Safety and Health Administration
Section IViolation Data	
1. Date Mo Da Yr 2. Time (24 Hr. Clock) 07/22/2004 0850	3. Citation/ Order Number 7147615
4. Served To Brad Hamrick	5. Operator ANKER WEST VIRGINIA MINING COMPANY
6. Mine	7 11 17
SAGO MINE	7. Mine ID 46-08791 (Contractor)
8. Condition or Practice	8a. Written Notice (103g)
to serve the purpose for which it was left side measuring 4 inches wide and	the main left return was not maintained built. The stopping had a hole in the 8 inches long.
	See Continuation Form (MSHA Form 7000-3a) Part/Section of Title 30 CFR 75.333(h)
10. Gravity:	
A. Injury or Illness (has) (is): No Likelihood Unlikely	Reasonably Likely Highly Likely Occurred
Injury or illness could reasonably be expected to be: No Lost Workdays Lost Work	days 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. M.	foderate ☑ D. High ☐ E. Reckless Disregard ☐
12. Type of Action 104(a) 13. Type of Issu	uance (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
16. Termination Due A. Date Mo Da Yr O7/22/2004 B. Time (24 Hr. Clock) Section III-Termination Action 17. Action to Terminate Terminated due to the story	0915 pping hole being sealed.
18. Terminated A. Date Mo Da Yr 07/22/2004 B. Time (24 Hr. Clock) Section IV—Automated System Data	0915
19. Type of inspection AAA 20. Event Number 4054300	21. Primary or Mill

MSHA Form 700 ya wai 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 Oribudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at 500 W. Madison Street, Suite 1240, Chicago, Illinois 60661. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

22. Signature

23. AR Number

MSHA Form 7000-10K, June 93 (revised)	MSHA Form 7000-10K, June 93 (revised)
Dote 7/20/2004	Date 7/22/2004
CS # 7147615	ON#7,47615
June - 0850.	
Mo- Hale in stopping	Who knew And flow
in Left Return Cetiven	Long the Violation whati
fell And Peter of Spot	Can not be determed
# 3157 - 4X8 Hale	
243 entry. 2nd Pole	People affecta-one
was one stoppy only	
3157 meacust. 6" will	Handewar - Lost was
Strucke hory.	day or restribility
Globe how heft in	due to a feir on helt
dropping at	would go dow like
XXXXXX ENDIN	Some
2nd Note Center heff.	9.1
ness. t. Ril.	Lekeleport anlikely.
	-
- Fin	
Inspector's Initials	Inspector's Initials
Supervisor's Initials and Date Page No. 201 609-236	Supervisor's Initials and Date Page No

Mine Citation/Order	U.S. Department of Labor
Section I-Violation Data	Mine Safety and Health Administration
1. Date Mo Da Yr 2. Time (24 Hr. Clock)	10.000
07/22/2004 0905	3. Citation/ Order Number 7147616
4. Served To	5. Operator
Brad Hamrick	ANKER WEST VIRGINIA MINING COMPANY
6. Mine	7 Moo ID
SAGO MINE	7. Wille 10 46-08791 (Contrac
8. Condition or Practice	8a Written Notice (102m)
completely broken away from the mai	ins MMU 001-0 section was not being dition due to the winch cable had a strand in cable. The cable was also broken apart a es to the cable. This cable winch is used ces on the belt.
	See Continuation Form (MSHA Form 7000-3a)
9. Violation A. Health B. Section	C. Part/Section of
Safety of Act Other	Title 30 CFR 75.1725(a)
Section IIInspector's Evaluation	
10. Gravity:	
A. Injury or Illness (has) (is): No Likelihood Unlikely	Reasonably Likely V Highly Likely Occurred
B. Injury or illness could reasonably be expected to be: No Lost Workdays Lost	t Workdays Or Restricted Duty ✓ Permanently Disabling ☐ Fatal ☐
C. Significant and Substantial: Yes ☑ No ☐	D. Number of Persons Affected: ' 001
1. Negligence (check one) A. None B. Low D	C. Moderate D. High E. Reckless Disregard
2. Type of Action 104(a) 13. Type	of Issuance (check one) Citation Order Safeguard
4. Initial Action A. Citation B. Order C. Safeguard D. Written Notice	E. Citation/ Order Number F. Dated Mo Da Yr
5. Area or Equipment	
6. Termination Due A. Date Mo Da Yr B. Time (24 Hr. Cl	Clock) 0930
ection III-Termination Action	
7. Action to Terminate Terminated due to the l he cable.	broken part of the cable being cut out of
B. Terminated A. Date Mo Da Yr 07/22/2004 B. Time (24 Hr. Clock)	0930
7. Type of Inspection 20. Event Number 405.420	21. Primary or Mill

MSHA Form 7000- Mar 85 (revised)
In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at 500 W. Madison Street, Suite 1240, Chicago, Illinois 60661. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

(activity code)
22. Signature

23. AR Number

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

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

MSHA Form 7000-10K, June 93 (revised)
Date 7/22/2004
CS# 714746
Turo - 0905
Color .
Violation - # 3 Scook
Wolation - #3 Scrap,
not being maintaine
in operation undition
due to the General
Cable had a 1 Rope hay
broken. And at the
attack our to when
the hooke Connects
The Calley live to
The cable was fraged the cable went is used
The care usual wall
every atter day to pull the tail piece was just
more bely the D.7/24/2004
MORIL (18/4 LID 19:1/24/5/104)
Inspector's Initials 6
Supervisor's Initials and Date Page No. 15

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

Section Learn Le	•	tion/Order					U.S. De	partm	ent of L	abor		£5 Alin o	That
A. Served To Sometime	Section JVio	lation Data		-		·	MILLS 25	ilety at	io Heal	in Admin	istratio	กัสบย่ะ	u.s 🔨
4. Served To Brad Hamnick 6. Mine 7. Mine to 4.6-08791 7. Mine to 4.6-08791 8. Condition of Practice The currently approved roof control plan is not being complied with in the N Mains MMU 001-0 section. The plan stated that their will be 20 post readily accessible only 16 were available and sufficient cap pieces and wedges were not readily accessible also. See Continuation Form (MSHAForm 7000-3e) 9. Violation A. Health Section I - Negleptor Seniority A. Highy or Hirses (has) (is): A. Highy or Hirses (has): A. Highy o		07/22/200							<u> </u>			71476	17
SAGO MINE 8. Condition of Practice 8. Condition of Practice 8. Condition of Practice 8. Written Notice (103g) The currently approved roof control plan is not being complied with in the N Mains MMU 001-0 section. The plan stated that their will be 20 post readily accessible only 16 were available and sufficient cap pieces and wedges were 9. Violation A. Heath Safety Other B. Section Safety Other B. Section Safety Other B. Section Safety Other C. Part/Sacton of Tile 30 CFR 75.220(a)(1) Section 1- Repeator's Equation Society Other D. Munder of Person Affected: O. Number of Person Affected: O. A. Citation B. Order C. Safeguard D. Written Notice E. Chattory Crider Number F. Dated Mo Da Yr C. Area or Equipment T. Action to Terminate Terminated due to the post , wedges, and caps being supplied at a accessible location. B. Terminated T. Action to Terminate Terminated due to the post , wedges, and caps being supplied at a accessible location. B. Terminated T. Aparts Action T. Action to Terminated Terminated due to the post , wedges, and caps being supplied at a accessible location. B. Terminated A Date Order Number T. Action to Terminated Terminated due to the post , wedges, and caps being supplied at a accessible location. B. Terminated A Date Order Number T. Action to Terminated Terminated due to the post , wedges, and caps being supplied at a accessible location. B. Terminated A Date Order Number T. Action to Terminated Terminated due to the post , wedges, and caps being supplied at a accessible location. B. Terminated A Date Order Number D. Primary or Mill T. Action to Terminated System Date T. Action to Terminated System Date									T VIRO		·		
Econdition or Practice See Written Notice (1939) The currently approved roof control plan is not being complied with in the N Mains MMU 001-0 section. The plan stated that their will be 20 post readily accessible only 16 were available and sufficient cap pieces and wedges were not readily accessible also. See Continuation Form (MSHA Form 7000-3a) 9. Violation A. Heath							7. Mine ID	`				COMPAN	(I
The currently approved roof control plan is not being complied with in the N Mains MMU 001-0 section. The plan stated that their will be 20 post readily accessible only 16 were available and sufficient cap pieces and wedges were not readily accessible also. See Continuation Form (MSHA Form 7000-3a) 9. Violation A. Health B. Section of Act Title 30 CFR 75.220(a)(1) Section II-happetor's Evaluation 10. Graving: A. hipsy or linees (has) (is) 10. B. hiply or linees could reasonably be expected to be: No Lost Workdays Lost Workdays Or Restricted Duty Permanently Disabling Fatal C. Significant and Substantial: Yes No Prof. C. Moderate D. D. Number of Persona Affected: 001 11. Negligence (check one) A. None B. Low C. Moderate D. D. High E. Reckless Diaregard 11. Negligence (check one) A. None B. Low C. Moderate D. D. High E. Reckless Diaregard 12. Type of Action 104(a) 13. Type of Issuance (check one) Clustion Prof. Order Safeguard 14. Initial Action A. Clastion B. Order C. Safeguard D. Written Notice E. Ctation Order Number Terminated due to the post , wedges, and caps being supplied at a accessible location. 16. Terminated A Date MoDa Yr 07/22/2004 B. Time (24 Hr. Clock) 1100 17. Action to Terminated Terminated due to the post , wedges, and caps being supplied at a accessible location. 18. Terminated A Date MoDa Yr 07/22/2004 B. Time (24 Hr. Clock) 1100 19. Type of Inspection Date 12. Primary or Mill 12. Primary or Mill 13. Primary or Mill 14. Primary or Mill 15. Primary or Mi					·····	······································		41	-00/>	/ 1			(Contractor
See Continuation Form (MSHA Form 7000-3a) 9. Violation A. Health B. Section of Title 30 CFR 75.220(a)(1) Section F. Happedor's Evaluation D. Likelihood Unlikely Reasonably Likely Highly Likely Occurred Fatal 10. Gravity: A. Injury or librose could reasonably be expected to be: No Lost Workdays Lost Workdays Or Restricted Duly Permanently Disabling Fatal 11. Negligence (check one) A. None B. Low C. Moderate D. High E. Reckless Disregard 12. Type of Action 104(a) 13. Type of Issuance (check one) Citation Order Safeguard 14. Initial Action A. Chalton B. Order C. Safeguard D. Written Notice E. Citation Corder Number 16. Termination Dus A. Date Mo Da Yr O772272004 B. Time (24 Hr. Clock) 1100 Section R-Termination Action T. Action to Terminated due to the post , wedges, and caps being supplied at a accessible location. 18. Terminated A. Date Mo Da Yr O772272004 B. Time (24 Hr. Clock) 1100 Section R-Terminated System Date D. Description (2000) D. E. Charlon (2000) D. Written Notice D. High D. Description (2000) D. Written Notice D. High D. Description (2000) D. Written Notice D. Charlon (2000) D. Written Notice D. Charlon (2000) D. Written Notice D. Charlon (2000) D. Written Notice D. Written Notice D. Charlon (2000) D. Written Notice D. Written			annrotto	d roc	f gantas	1 - 1						8a, Written	Notice (103g)
Section	not re	adily ac	cessibl	e als	0.	and	suilic	lent	cap	piece	s an	d wedge	s were
B. Injury or itiness could reasonably be expected to be: C. Significant and Substantial: Yes No No Lost Workdays Or Restricted Duty Permanently Disabling Fatal D. Number of Persona Affected: 001 11. Negligence (check one) A. None B. Low C. Moderate D. High E. Reckless Disregard 12. Type of Action 104(a) 13. Type of Issuance (check one) Citation Order Safeguard A. Citation B. Order C. Safeguard D. Written Notice E. Citation/ Crder Number F. Dated Mo Da Yr O7/22/2004 B. Time (24 Hr. Clock) 1100 Section IB-Termination Action T. Action to Terminate Terminated due to the post , wedges, and caps being supplied at a accessible location. B. Terminated A. Date Mo Da Yr O7/22/2004 B. Time (24 Hr. Clock) 1100 Section IB-Terminated A. Date Mo Da Yr O7/22/2004 B. Time (24 Hr. Clock) 1100 Section IB-Terminated A. Date Mo Da Yr O7/22/2004 B. Time (24 Hr. Clock) 1100 Section IB-Terminated No Da Yr O7/22/2004 B. Time (24 Hr. Clock) 1100 Section IB-Terminated A. Date Mo Da Yr O7/22/2004 B. Time (24 Hr. Clock) 1100 Section IB-Terminated A. Date Mo Da Yr O7/22/2004 B. Time (24 Hr. Clock) 1100 Section IB-Terminated A. Date Mo Da Yr O7/22/2004 B. Time (24 Hr. Clock) 1100 Section IB-Terminated A. Date Mo Da Yr O7/22/2004 B. Time (24 Hr. Clock) 1100	Section II—Insp 10. Gravity:	Safety V Other Other octor's Evaluation	of Act				itle 30 CFR						Form 7000-3a) [
Sorably be expected to be: No Lost Workdays Lost Workdays Cr. Restricted Duty Permanently Disabling Fatal Cr. Significant and Substantial: Yes No Permanently Disabling Fatal Cr. Significant and Substantial: Yes No Permanently Disabling Fatal Cr. Significant and Substantial: Yes No Permanently Disabling Fatal Cr. Significant and Substantial: Yes No Permanently Disabling Fatal Cr. Significant and Substantial: Yes No Permanently Disabling Cr. Significant And Disabling Permanently Disabling Cr. Significant Permanently Disablin				hood 🗌	Unlikely	Y	Reasonat	oly Likely		Highly Lik	ely 📋	Occurr	ed 🗍
C. Significant and Substantial: Yes No No D. Number of Persons Affected: 001 11. Negligence (check one) A. None B. Low C. Moderate D. D. High E. Reckless Disregard L. 12. Type of Action 104(a) 13. Type of Issuance (check one) Citation D. Order Safeguard 14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice E. Citation/ Corder Number E. Citation/ Corder Number F. Dated Mo Da Yr O7/22/2004 B. Time (24 Hr. Clock) 1100 Section IR-Termination Action T. Action to Terminate Terminated due to the post, wedges, and caps being supplied at a accessible location. B. Terminated A. Date Mo Da Yr O7/22/2004 B. Time (24 Hr. Clock) 1100 Section IV-Automated System Date 9. Type of Inspection (activity code) AAA 20. Event Number / 4054300 21. Primary or Mill 22. Primary or Mill				ost Workd	ays 🗌 L	est Work	days Or Res	tricted D	utv D7	Perma	nentiv Di	naidea	
11. Negligence (check one) A. None B. Low C. Moderate D. High E. Reckless Disregard 12. Type of Action 104(a) 13. Type of Issuance (check one) Citation Order Order Safeguard A. Citation B. Order C. Safeguard D. Written Notice E. Citation F. Dated Mo Da Yr Order Number F. Dated Mo Da Yr O7/22/2004 B. Time (24 Hr. Clock) 1100 Section IR-Termination Action 17. Action to Terminate Terminated A. Date Mo Da Yr O7/22/2004 B. Time (24 Hr. Clock) 1100 Section IV-Automated System Data 9. Type of Inspection (activity code) AAA 20. Event Number , / 4054300 21. Primary or Mill 22. Event Number , / 4054300	***************************************		· .	es []									
12. Type of Action 104(a) 13. Type of Issuance (check one) Citation Order Safeguard 14. Initial Action B. Order C. Safeguard D. Written Notice E. Citation/Order Number E. Citation/Order Number F. Dated Mo Da Yr Order Number 15. Area or Equipment 16. Termination Due A. Date Mo Da Yr 07/22/2004 B. Time (24 Hr. Clock) 1100 Section IN-Terminate Terminated due to the post , wedges, and caps being supplied at a accessible location. 18. Terminated A. Date Mo Da Yr 07/22/2004 B. Time (24 Hr. Clock) 1100 Section IV-Automated System Data 19. Type of Inspection (activity code) AAA	1. Negligeno	e (check one)	A. None		B. Low	C. N	oderate 🗹		D. High		E. Rec	kless Disregar	
14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice E. Citation/Order Number F. Dated Mo Da Yr Order Numbe	2. Type of Ad	ction 10	4(a)	······································	13. Type	of Issue	nce (check o	one)	C	itation 🗸			
16. Termination Due A. Date Mo Da Yr 07/22/2004 B. Time (24 Hr. Clock) 1100 Section IR-Terminate Terminated due to the post , wedges, and caps being supplied at a accessible location. 18. Terminated A. Date Mo Da Yr 07/22/2004 B. Time (24 Hr. Clock) 1100 Section IV-Automated System Data 19. Type of Inspection (activity code) A. A		ON .		ard 🗌			E. Citation/						Mo Da Yr
Section IR—Termination Action 17. Action to Terminate Terminated due to the post , wedges, and caps being supplied at a accessible location. 18. Terminated A. Date Mo Da Yr O7/22/2004 B. Time (24 Hr. Clock) 1100 Section IV—Automated System Data 19. Type of Inspection (activity code) AAA 2 20. Event Number , /4054300 21. Primary or Mill	5. Area or Eq	ruipment											
17. Action to Terminate Terminated due to the post , wedges, and caps being supplied at a accessible location. 18. Terminated A. Date Mo Da Yr O7/22/2004 B. Time (24 Hr. Clock) 1100 Section IV—Automated System Data 19. Type of Inspection (activity code) AAA 2 20. Event Number , /4054300 21. Primary or Mill	6. Terminatio	n Due A. Da	RP .		B. Time (24 Hr. (Clock)	110	0					
8. Terminated A. Date Mo Da Yr 07/22/2004 B. Time (24 Hr. Clock) 1100 Section IV—Automated System Data 9. Type of Inspection (activity code) AAA 2 20. Event Number / 4054300 21. Primary or Mill	ection III—Tem	nination Action											
A. Date 07/22/2004 B. Time (24 Hr. Clock) 1100 Section IV—Automated System Data 19. Type of Inspection (activity code) AAA (20. Event Number / 4054300 (21. Primary or Mill)		erminate Te ble loca	rminate tion.	ed due	e to the	post	,wed	ges,	and	caps]	oeing	g suppli	ed at a
19. Type of Inspection (activity code) AAA 20. Event Number / 4054300 21. Primary or Mill	8. Terminated	I A Date		B. Time ((24 Hr. Clock)]	100					<u> </u>	
(activity code) AAA 4034300				<u> </u>	····								
22. Signs 23. AR Number		mated System Dat	9										

MSHA Form 700-3, Mar 85 (revised) In accordance with the drovisions 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 enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business fit you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-886-734-3247), or write the Ombudsman at 500 W. Medison Street, Suite 1240, Chicago, Illinois 60661. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

MSHA Form 7000-10K, June 93 (revised)	MSHA Form 7000-10K, June 93 (revised)
Date 7/22/2004	7/22/2001
CA # 7147617	ON # 7147617
Person affeld-one	Walstin - Current Row
	Central met len con
paul serioù - Loct work	with Coment Post
days or egetrated duty	on Car on had 16 Post
due to delay on Taking	Med 20, no luedge,
Care of a Constition.	onga few heusen
Lebelshow - Unlike due	my readily acceptable
Is There was some	001-0.
supplies on the Con	1
	Who Knew And losse
	how long the Vio
	efect for not be
	determined
Inspector's Initias	Inspector's Initial
Supervisor's Initials and Data Page No. / 8	Supervisor's initials and Date Page No

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

Mne	Citation/Order
-----	----------------

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

-5 AUG 2000	- 5	AUG	2000
-------------	------------	-----	------

•	,			Mine Safety	and Heal	th Admini	stration	O 5004.		
Section IViola	dion Deta					, ((2))	30 01/01	<u> </u>		
1. Date	Mo Da Yr	2. Time (24 Hr. Cl	ock)			3. Citatio	v =====			
····	07/22/2004	110	00				Number 71476	18		
4. Served To			<u> </u>	5. Operator						
Brad Ham	rick			ANKER WEST VIRGINIA MINING COMPANY						
6. Mine				7. Mine ID 46-08791						
SAGO MI				<u> </u>	40-06/3	71		(Contractor)		
8. Condition o							8a. Written	Notice (103g)		
Loose	coal and co	pal fines	were allowed	l to accum	ulate	at the	tail piec	e on		
TUENT I	Mains sect:	ion.A beit	roller was	turning i	n the	loose	coal and h	lack coal		
lines v	wnen the vi	lolation w	as observed.	The accum	nulatio	ons whe	n measured	were 5		
reet 10	ong,4 feet	wide and	18 inches de	ep.						
				•						
						See C	ontinuation Form (MSHA	Form 7000-3a)		
9. Violation	. = .	B. Section	C.	Part/Section of			······································			
	Safety ✓ Other	of Act		Title 30 CFR		7.	5,400			
Section II-loso	ector's Evaluation					· · · · · · · · · · · · · · · · · · ·				
10. Gravity:								·		
•	fillness (has) (is):	No Likelihood	Unlikely 🗸	Reasonably Lik	elv 🗀	Highly Like	y 🗌 Occum	ed [T]		
B. Injury or	iliness could rea-						, (_) OOO	39 LJ		
sonably	be expected to be:	No Lost Workd	ays Lost Worl	days Or Restricted	i Duty 🛂	Perman	ently Disabling	Fatal 🗌		
C. Significa	ant and Substantial:	Yes 🗌	No 🔽			D. Number	of Persons Affected:	001		
11. Negligence	e (check one)	A. None	B. Low C. I	Aoderate 🗸	D. High		E. Reckless Disregar	uq []		
12. Type of Ac	ction 104(a)	13. Type of Issu	ance (check one)	(Citation 🗹	Order 🗌	Safeguard		
14. Initial Action A. Citation		C. Safeguard	D. Written Notice	E. Citation/ Order Number	•		F. Dated	Mo Da Yr		
15. Area or Eq	v inment		(<u> </u>						
	Andrews C.									
16. Terminatio		Mo Da Yr	B. Time (24 Hr. Clock)	1130						
		07/22/2004					·			
Section III—Term				-	1 7 7	. ,	3 6 5			
17. Action to T			e to the loo	se coal a	na pra	ick coa	I lines be	ıng		
creaned	l up at the	tall pled	ce.							
18. Terminated	IΔ Date	a Yr B. Time	(24 Hr. Clock)	1130	•					
	07/22	/2004	(·	·····		
	ornated System Data									
Type of ins (activity cor		20. Event Number	4054300	21. Prima	ry or Mill					
22. Signature	r	1_	الله المنطقة المدينة المنطقة ا المنطقة المنطقة		•. or in		Number /			
	N .	V	MATERIAL STATE OF THE STATE OF		7	1	V	Ĵ		

MSHA Form 7000-3/Mar 85 (revised) In accordance with the provisions or the Small Business Regulatory Enforcement Falmess Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Degulatory Orthoudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ornbudsman 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-FAIB (1-888-734-3247), or write the Ornbudsman at 500 W. Madison Street, Suite 1240, Chicago, Illinois 60661. Please note, however, that your right to file a comment with the Ornbudsman 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 7/22/2004	0010 7/22/2004
CX# 7147618	CX# 7147618
1 mie - 1100	
Walstin-Love Cool	Soutia - Jail Prese
And black Cool fine	at NE main.
accumulated underthe	
het - with a rollow	Who Knew- Cast determe
Curry for love black	Had hong- at least
Coa. June also on	ashitt.
px sich of the feeder	0
accumulates - He belt	People affected - one
him accumulatio were as	
Tollawig - 5 Hhong	Seuso Lost wer Day
4 H linds 18 met deep	or sestrete dut
The feedy accumulates	
were 15 pl wich, 10 mis	Litalify - unlikers
deep And 12 Shay.	any Thing warled Shappen
	no ignetu Jourse
ſ- /	
Inspector's Initialization 6	Inspector's Initials [6]
Supervisor's Initials and Date Page No. 19 'U.S.G.P.O.: 2001 - 609-236	Supervisor's Initials and Date Page No.
A. A	"U.S.G.P.O.: 2001 — 809-238

Mine Cita	ation/Order		U.S. Department of Labor Mine Safety and Health Administration 5 AUG 2004							
Date Served To	Mo Da Yr 07/22/2004	2. Time (24 Hr. Clock) 1110		3. Citation/ Order Number 7147619						
Brad Han	•		5. Operator ANKER WEST V	VIRGINIA MINING COMPANY						
SAGO M 8. Condition			7. Mine ID 46-0	8791 (Contractor)					
~~~~	OCCUTOH * 111	e co sensor nevica	P AT Tho fail mid	ng complied with in the NE ce exceeded the 40 foot tail piece on the belt line	1					
			as reed outby the	tail piece on the beit line	∍.					

0.10.10						See Continua	tion Form (MISHA	Form 7000-3a)
9. Violation	A. Health Safety 🗸 Other	B. Section of Act		C. Part/Section of Title 30 CFR		75.370(a)	(1)	
	ctor's Evaluation							
10. Gravity:								
	illness (has) (is):	No Likelihood	Unlikely 🗸	Reasonably Li	kely	Highly Likely	Occurre	ed 🗀
	illness could read be expected to be:	No Lost Workdays	Lost V	Vorkdays Or Restricte	ed Duty 🗹	Permanently D		Fatal [
C. Significa	int and Substantial	Yes ☐ No	V			D. Number of Pers	ons Affected:	001
11. Negligence	(check one)	A. None B. I	Low 🗌	C. Moderate	D. High	☐ E. Re	ckless Disreger	d []
12. Type of Ac	tion 104(	a)	13. Type of I	ssuance (check one)		Citation 🗹 Or	der 🗌	Safeguard
14. Initial Actio , A. Citation	n B.Order	C. Safeguard D. V	Vritten Notice	E. Citation/ Order Number	ar		F. Dated	Mo Da Yr
16. Termination	1 Due A. Date	Mo Da Yr 07/22/2004 B. Tr	ime (24 Hr. Cloci	9 1120				
Section III-Term	ination Action	0772272001						
17. Action to To tail pi	erminate Ter	minated due t	to the co	sensor de	evice b	eing move	d up to	the
18. Terminated	A. Date 07/2	Da Yr 22/2004 B. Time (24 F	tr. Clock)	1120	7			
Section IV-Autor	nated System Data							
19. Type of Ins (activity cod		20. Event Number	/4054300	21. Prima	ary or Mill			
22. Signature	<b>-</b> -					23. AR Num	ber /	

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 Validonal Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually Evaluates enforcement activities and rates each agency's responsiveness to small businesses. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-88-734-3247), or write the Ombudsman at 500 W. Madison Street, Suite 1240, Chicago, Wilnois 60661. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

See Continuation Form (MSHA Form 7000-3a)

MSHA Form 7000-10K, June 93 (revised)	MSHA Form 7000-10K, June 93 (revised)
Date 7/22/2004	7/22/2004
Cel# 7147619	ON# 2147619
Thrie - Uilo.	
	X/aw han ded the
Vio-Curent Vest flow	Ma- This - at heart
no heing complied will	of a shift accord to
Co-Sensor dever	to min forem
lease (outly \$1 40 pt.	
The Co. we at 127	Jeopl affetto are
aid y And Covered will	
Canva.	Haw Duon - hadloar
1	dup a how wat day.
Location - Bell hime	due to dely in fui
001-0 NE main	in mino.
Who Knew-Cart do Jame	811:0.11 - 0.21 - 1
	Receipt - unlessed ducto
Low hory - Sine hast-	still and able to
mer-non	Travel under Convers
F6T	: 1
Inspector's Initials	Supervisor's Initials and Date Page No. 2 4
'U.S.G.P.O.: 2001 609-236	'U.S.O.P.O.: 2001 — 600-238

Mine Cita	ation/Order		U.S. Department of Mine Safety and H	of Labor ealth Administration	AUG ZUU4				
Section I-Vic	olation Data								
1. Date	Mo Da Yr 07/22/2004	2. Time (24 Hr. Clock) 1120		3. Citation/ Order Number	7147620				
4. Served To	0		5. Operator						
Brad Har	nrick			ANKER WEST VIRGINIA MINING COMPANY					
6. Mine SAGO M			7. Mine ID 46-08		(Contractor)				
	or Practice				Ro Matter Metter (103-)				
The fi	re stand l n a useable	ocated 127 feet out operative condition	by the feeder in due to the nip	in the NE Mai	ns section was				

stand.

MSHA Form 7

See Continuation Form (MSHA Form 7000-3a) 9. Violation A. Health B. Section C. Part/Section of Safety 🗸 of Act Title 30 CFR 75.1100-3 Other [ Section II-Inspector's Evaluation 10. Gravity: A. injury or illness (has) (is): No Likelihood Unlikely 🗸 Reasonably Likely Highly Likely 🔲 Occurred B. Injury or illness could rea-No Lost Workdays Lost Workdays Or Restricted Duty 📝 Permanently Disabling sonably be expected to be: Fatal C. Significant and Substantial: D. Number of Persons Affected: Yes 🗌 No 🗸 001 11. Negligence (check one) A. None B. Low 🔲 C. Moderate 🗸 D. High E. Reckless Disregard 12. Type of Action 104(a) 13. Type of Issuance (check one) Citation 🗸 Order [ Safeguard 14 Initial Action E. Citation/ F. Dated Mo Da Yr , A. Citation B. Order C. Safeguard D. Written Notice Order Number 15. Area or Equipment 16. Termination Due Mo Da Yr A. Date B. Time (24 Hr. Clock) 1140 07/22/2004 Section III--Termination Action 17. Action to Terminate Terminated due to a nipple being placed in the fire stand on the belt line. Mo Da Yr 18. Terminated A. Date B. Time (24 Hr. Clock) 1140 07/22/2004 Section IV--Automated System Data 19. Type of inspection 20. Event Number 21. Primary or Mill 4054300 (activity code) 22. Sign 23. AR Number

has established appletional Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to heceive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at 500 W. Madison Street, Suite 1240, Chicago, Illinois 60661. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

que or the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration

MSHA Form 7000-10K, June 93 (revised)	MSHA Form 7000-10K, June 93 (revised)
CX#7/20/20	CN # 7/47620
Jen affects	Molatin - Juis Stad
Likelihor - unlikely due	Could make be used.
	The feeder wo NE mais
	Whaknew-Cont determ
	more. They more well eny other day.
	Haw Seise - hast work down du to deln in
	Specification of the second
Inspector**  Supervisor* Initials and Data  Page No. 24	Inspector's In 16 1

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

Mine Citation/Order
---------------------



Mine Cital	tion/Order					U.S. D	)epartm	ent of I	abor			NRS
Section ⊢Viole	ation Data	*	·			Mine :	Safety ar	nd Heal	th Admin	istration		
1. Date *	Mo Da Yr 07/22/200		ne (24 Hr. C	clock) 25					3. Citatio	on/ Number	71476	521
4. Served To Brad Ham						5. Oper ANK		T VIR			COMPA	
6. Mine	A 130					7. Mine	100	-0879			COMIN	
8. Condition of						L		-0075	7.1			(Contractor)
		locat	ed in	the ME	Voise	MATI	001 0			-	8a. Writter	Notice(103g) [] h a fire
stand							•	,,,,,	noc p	10010	ed wit	in a fire
		·				_			See (	Continuation	Form (MSH.	A Form 7000-3a)
9. Violation	A. Health ☐ Safety ✔ Other ☐	B. Secti of Ac				art/Section ie 30 CF				l 100-2(t		
	ector's Evaluation											
10. Gravity: A. Iniury or	Iliness (has) (is	): No Lika	Hibood 🗆	Unlike	k D	Doggoon	ably Likely	<del></del>	LI2L.E 1 81.		_	
	iliness could rea	<u> </u>							Highly Llk	еу 📗	Occur	red []
***************************************	be expected to be ant and Substant	No.	Lost Work		Lost Workd	ays Or R	estricted D	uty 🔽	· · · · · · · · · · · · · · · · · · ·	nently Disa	bling	Fatal []
1. Negligence	e (check one)	A. None	Yes 🗌	No ₩ B. Low	C. Mo	derate [		D. High	<u> </u>			001
2. Type of Ac	tion 17					···					less Disrega	
		4(a)		13. 1	Type of Issuan			C	itation 🗸	Orde		Safeguard
4. Initial Actio A. Citation	n B. Order	C. Safe	guard 🗌	D. Written No	1	E. Citatio Order	n/ Number				. Dated	Mo Da Yr
5. Area or Eq	uipment							**************************************		······		.,,,,,,,
6. Termination	n Due A. Da	Mo Da ote 07/22		B. Time (24 I	-ir Clock)	16	500				<del> </del>	
ection III-Term	ination Action							<u> </u>				
7. Action to To	erminate											
8. Terminated	A. Date	WoDa Yr	B. Time	(24 Hr. Clock	)			•				
	mated System Da			, , ,								
9. Type of Ins (activity cod 2. Signature	je) / AA		nt Number	, /405	4300	21	. Primary o	r Mill	1757	AR Number		
			- 6	. <b>v</b> .5				<del></del>				<u> </u>

MSHA Form 7000 (After 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at 500 W. Madison Street, Suite 1240, Chicago, Illinois 60861. 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 7/22/8004	Date 7/22/2004
7	ON#7147621
1.16. I had - unlikel	Turo -11:25
Nue to Man Anne	West to - may him
can a wes prints.	of the second
	Stand promite of land
	file. fratil- at NE
	maire (001-0)
***************************************	Whaknew- Cart deleum
	Haw Long- Einie hast
	bed more (more helt
	ever other day.
	Don affeta me
	Charles Services
	1 my 1 m 8/ d /
	For wie dage
	Oue to ally in
	Jue flylig
	0 0 2
Inspector's Initi	Inspector's Initials
Supervisor's Initials and Date Page No. 36	Supervisor's Initials and Date Page No. Z9
'U.S.G.P.O.; 2001 — 609-238	*U.S.G.P.O. : 2001 609-238

1	
Mina	Citation/Order
Conti	nuation

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

1 6 AUG 2004

2004	nos
------	-----

Continuation		Mine Safety and Health Administration			<b>₹</b>				
Section I-Subsequent Act					·····				
1. Subsequent Action	la. Continuation	2. Dated (Original Issue)	Mo 07/	Da 22/20	Yr 104	3.	Citation/ Order Number	7147621 - 01	
4. Served To		······································	~ .,,		5. Open	tor			
Brad Hamrick								INIA MINING COMPANY	
6. Mine					7. Mine				
SAGO MINE							46-0879	1 (Contra	ctor)
Section I-Justification for	Action		· · · · · · · · · · · · · · · · · · ·		<del></del>				

The tail piece was provided with a fire tap for the NE Mains MMU 001-0.

Section III—Subsequent Action Taken	· · · · · · · · · · · · · · · · · · ·	•		See Continuation Form
8. Extended To A. Date Mo Da Yr B. Time (24 Hr. Clock)	·	C. Vacated	D. Terminated	E. Modified
Section iV—inspection Data  9. Type of Inspection AAA 10. Event Number 405	4300			
11, Signati [6] AFFNumi	er 12. Date	Mo Da Yr 08/03/2004	13. Time (24 Hr. Cl	•
MSHA Form 7000-3a, Mar 85 (revise)				

Broch An

22 000

Vin Chation/Order	U.S. Department of Labor Mine Safety and Health Administration
Section I–Violation Data	
1. Date Mo Da Y 2. Time (24 Hr. Clock) 09/07/2004 0745	3. Citation/ Order Number 7147814
4. Served To	5. Operator
AI SCHOONOVER, SAFETY	ANKER WEST VIRGINIA MINING COMPANY
6. Mine	7. Mine ID 46-08791
SAGO MINE	(Contractor)
8. Condition or Practice	8a. Written Notice (103g)
according their record book, a search v	weekend crew on the afternoon shift. The nes and records maintained of such.
	See Combination Form #451/4 Form ======
	See Continuation Form (MSHA Form 7000-3a)
O. FIGUREOUS TAN COMMUNICATION TO SERVICE TO	Part/Section of itle 30 CFR 75.1702
Section II-Inspector's Evaluation	
10. Gravity: A. Injury or Iliness (has) (is): No Likelihood Unlikely	Reasonably Likely Highly Likely Occurred
B. Injury or illness could reasonably be expected to be: No Lost Workdays Lost Workdays	ays 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. M	oderate 🗸 D. High 🗌 E. Reckless Disregard 🗌
12. Type of Action 104(a) 13. Type of Issu	ance (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 09/10/2004 B. Time (24 Hr. Clock)	1530
Section III-Termination Action	
17. Action to Terminate	
18. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock	
Section IV—Automated System Data	
19. Type of Inspection 20. Event Number 405/300	21 Primary or Mill
(activity code) AAA 4054300	

MSHA Form 7000-3, Mar 85 (revised) In accordance with the profisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Embudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at 500 W. Madison Street, Suite 1240, Chicago, Illinois 60661. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

CC.

9/8/2004

i,	The same of the sa			1	1
MSHA Form 7000-10K, June 93 (revision	d)	MSHA Form 7000-10K, June 93 (revi	ed)	MSHA Form 7000-10K, June 93 (revi	
Dete 9-7-2004		9-7-200	· ·	Onte 9-7-201	
	0745	Date		Date	ANTICOLOGICA STATEMENT OF THE STATEMENT
# 7	747814	who Knew		Induries,	
The operator.	7.1			UNLITHE IN	Juny would .
48		toremon ut t	ht crew	Occurred. d.	ve SEARCHEU
Complying wit				wer being in	the except
Approved Sin	:			For this we	
frogm, rec	conding	How long 1-4	veu.	į p	• 1
their record	DOUK, A				
SEARCH WAS A	not Conductas				
For the week	04				
8/29/04 Ham !	7-4-2004	Affectap 1p	eriou	west moderate	. Hey
For the weeke	nd Crow			have been de	was exect
on the After	www Shott	:		this were	
the Approved p	•			•	
requires week				· TENS Tim Sut	•
And records 11	unintermed			this weekend	chew.
of Suett				9/10/2004 -	1570
				(, ,	
Inspector's Initial	- 7	Inspector's Initial		Inspector's Initial	
Supervisor's Initials and Date	'U.S.G.P.O.: 2001 — 809-238	Supervisor's Initials and Date	*U.S.G.R.O.: 2007 — 509-236	Supervisor's Initials and Date	Page No

ĺ,

and the shift history she as here

.

TOA

# Continuation

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

22	TENA (S)
	· · · · · · · · · · · · · · · · · · ·

Fuction I-Subsequer	nt Action/Continuation Data						
1. Subsequent Act	tion 1a. Continuation	2. Dated (Original Issue)	Mo Da 09/07/20		3. Citation/ Order Number	7147814 - 01	
	VER, SAFETY			5. Operate ANKER		INIA MINING CO	OMPANY
6. Mine SAGO MINE				7. Mine IE			(Contractor)
Section II-Justification	n for Action				·		
Change	Fre	) EQ			То		
8. Condition Or Pra	actice						
Reason take or	ut one (was not) in bo	dily of citation on l	ine (2).				
The words	(was not) d	uplicated i	n the b	od <b>Y</b>	of citat	ion.	

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 AAA	10. Event Number 40543	300		
11_Aindana [ [	- 7 (AB-Number	12. Date Mo Da Yr 09/08/2004	13. Time (24 Hr. Clock) 0719	- · · · · · · · · · · · · · · · · · · ·
MSHA Form 7000-3a, Mar 85 (revised)				لايون

Mine	Citation/Order
Conti	nuation

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



19 ^A	
•	<b>~</b>

Section I-Subsequent			Millie C	salety and Health Administration	on 🤝	
Subsequent Actio		2. Dated (Original Issue)	Mo Da 09/07/20	Yr 04	3. Citation/ Order Number 7147814 -	02
4. Served To Al SCHOONO	VER, SAFETY			5. Opera ANKE	ator ER WEST VIRGINIA MININ(	G COMPANY
6. Mine SAGO MINE				7. Mine		(Contractor)
Section II—Justification						
Change 8. Condition Or Prac	Fre	)m			То	
Reason The wor	rds (was not) duplica	ated in the body of a	citation.			
Take out o	ne (was not)	) in the bo	dy of c	itat:	ion on line (2)	

3. Extended To	equent Action Taken	-17			
O. EXISTRES TO	A. Date No Da	B. Time (24 Hr. Clock)	☐ C. Vacat	ed D. Terminated 🔽 E. Modifie	ď
Section IV-Inspec					····
	Firm	10. Event Number 4054	300		
11. Signature—		AR Number	12. Date Mo Da Y 09/08/200	,	
MSHA Form 7000	-3a, Mar 85 (revised)				

# Mine Citation/Order Continuation

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

<b>(%)</b>	
N//	

1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo D: 09/07/2		3. Citation/ Order Number	7147814 - 03	
4. Served To			5. Opera	tor		
Al Schoonover			ANKE	R WEST VIRG	INIA MINING CO	MPANY
6. Mine			7. Mine I	D		(Contractor)
SAGO MINE				46-0879	1	(OOHBBCIOI)
Section II—Justification for Action						

A smokers search was conducted for the weekend crew afternoon shift and properly recorded in the book used for that purpose.

Section III—Subsequent Action Taken	·		<u>s</u>	e Continuation Form
8. Extended To A. Date Mo Da	B. Time (24 Hr. Clock)	*[ C. Vacated	☑ D. Terminated	É. Modified
Section IV-Inspection Data				
9. Type of Inspection AAA	10. Event Number 4054300			· · · · · · · · · · · · · · · · · · ·
11. Signature	AR Number	12. Date Mo Da Yr 09/13/2004	13. Time (24 Hr. Clock) 1247	
MSHA Form 7000-3a, Mar 85 (revised)				

Maly

Mine Citation/Order			U.S. Department of Labor  Mine Safety and Health Administration					
Section IVic	olation Data			9 0010 110000 11001			-1/	
1 Date	Mo Da Yr 09/07/2004	2. Time (24 Hr. Clock) 0800			tation/ der Number	714781	5	
4. Served To Al SCHOONOVER, SAFETY			5. Operator ANKER WEST VIRGINIA MINING COMPANY					
6. Mine SAGO MINE			7. Mine ID 46-08791 (Contract					
	n or Practice					8a. Written No	otice (103g)	
not co	onducted or	s record of the red the following day re-shift the mine.	quired dail the mine w	y examination	on of t 2004. P	the Main	fan wa	

					See	Continuation Form (MSHA	Form 7000-3a)
9. Violation	A. Health ☐ Safety ✔ Other ☐	B. Section of Act		C. Part/Section of Title 30 CFR	7	5.312(a)	
Section II—Inspi	ector's Evaluation						
10. Gravity:							
	r Illness (has) (		xd Unlikely 🗸	Reasonably Like	ly 🗍 Highly Li	kely _	ed 🗌
	r illness could to be expected to		Workdays Lost	Workdays Or Restricted	Duty 🗹 Perma	nently Disabling 🗌	Fatal 🗌
C. Signific	ant and Substa	intial: Yes	□ No 🔽		D. Numb	er of Persons Affected:	001
11. Negligeno	e (check one)	A. None	B. Low	C. Moderate 🔽	D. High 🗌	E. Reckless Disregar	d 🗌
12. Type of A	ction ]	04(a)	13. Type o	of Issuance (check one)	Citation 🗸	Order 🗌	Safeguard 🗌
, 14. Initial Acti A. Citation	on B. Order	C. Safeguar	d D. Written Notice	E. Citation/ Order Number		F. Dated	Mo Da Yr
16. Termination	on Due	Mo Da Y Date 09/07/20	ID Time /34 Us O	lock) 1045			
Section III-Term	nination Action	07/07/20	<del>or</del> [				
17. Action to	Ferminate T	erminated	due to the	Main fan bei	na checked	and recorded	d in the
book fo		purpose.					
18. Terminate	A. Date (	19/07/2004	3. Time (24 Hr. Clock	1045			
	mated System D						
19. Type of In		AA 20. Event N	4 <b>9</b> 5430	00 - 121, <u>Prima</u>	rx.cr.Mill	Magazia y	
22. Signatui		·· 6	1		23	. AR Number	0]
established a Na enforcement act enforcement act however, that yo a hearing before	ions. The Ombu ions of MSHA, yo ur right to file a c	ness and Agriculture Isman annually eval u may call 1-888-RE omment with the Orr	nce with the provisions of the Regulatory Ombudsman and uates enforcement activities a G-FAIR (1-9a-734-3247), or budsman is in addition to any Review Commission.	d 10 Regional Fairness Boar and rates each agency's resp write the Ombudsman at 50	ds to receive comments consiveness to small bus 10 W. Madison Street, S	from small businesses about siness. If you wish to comme uite 1240, Chicago, Illinois 6	It federal agency ent on the 90661. Please note.

9/7/2004

	(may)				Samuel
MSHA Form 7000-10K, June 93 (revise	: 3)	MSHA Form 7000-10K, June 93 (	(besided)	MSHA Form 7000-10K, June 93 (re-	eland)
9-7-2004	•	Date 9-7-20			
D##		Date		Date 9.7-2004	<del></del>
	T 0800				
F	7147815	Who KNEW		Inveres.	
·			e Foreman	UNLIKEL	Estima
The openstorts	recire				
-1 4	S of a 1 k	+ MAINTANE		would occu	· •
of the reguer	The CLANII	Should be	are Knowing	to the Fin	15
CXAMIUNTION O	+ re			RUNING Mad	the From
MAIN FORM W	m hot	;		bes beca es	
Conducted or		Hout love	1-54.5+	· ·	
				every day	eacon /
following d		m. dwgw	dhitt	Cital day.	
mine work					
Wen Travelled	underground	•		West Imoderal	k, Hy
to Oreshitt	the mue		<u> </u>	have been	
		1 Dented 1			
		HOTCE) 1	person	LAST Recorded ch	_
		1-11-11-11-11-11-11-11-11-11-11-11-11-1		TEXES Time Je	<u> </u>
· +					
			——————————————————————————————————————		<u>,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,</u>
	**************************************				
	1.				
Inspector's Initials		Inspector's Initials		Inspector's Initia	
Supervisor's Initials and Date	Page No. 6	Supervisor's Initials and Date	Page No. 7	Supervisor's Initials and Date	Page No.
	'U.S.G.P.O.: 2001 809-238		*U.S.G.P.O. : 2001 — 609-238		"U.S.G.P.O. : 2001 — 609-238

KUA

# Citations 7096971 & 7096972 being withheld under FOIA Exemption 7(A)