# Outstanding Citations/Orders



Mine Citation	/Order				rtment of L	.abor th Administration	1	
Section I-Violation	n Data			MINIC Odic	cy and mount	317 (811)1131131131131	·	
	Mo Da Yr	2. Time (2-	4 Hr. Clock)	T T		3. Citation/	70006	15
	12/18/2005		1750			Order Numbe	, 709864	13
ad To				5. Operator				
Lonnie Smit	h, Shift Froma	ın		ANKER '	WEST VIRO	GINIA MINING	COMPAN	YINC
6. Mine				7. Mine ID	46-0879	01		
SAGO MIN					<del>-10-067</del>	<b>/</b> 1		(Contractor)
8. Condition or	<del></del>							Notice (103g)
when the the line located area is has not	tunnel er covere in the # approx.	liner l d with 2 entry 16 feet ted how	of control pipeing used as a layer of one of a layer of one of the long by 18 wever a tunned ays	s primary s cushioning : m number 4 feet wide.	upport o material belt at The a:	did not ha l. The tu 40 block. rea had a	ve the innel lin  The ending  roof fai	top of ner is xposed
						See Continua	ion Form (MSHA	Form 7000-3a)
9. Violation	A. Health Safety 🗹 Other	B. Section of Act		C. Part/Section o Title 30 CFR	f	75.220(a)	(1)	
Section IIInspec	tor's Evaluation							
10. Gravity:								
	llness (has) (is):	No Likeliho	od Unlikely	Reasonably	Likely 🗹	Highly Likely	Оссил	ed
	liness could rea- e expected to be	No Lost	Workdays Los	st Workdays Or Restri	cted Duty 😿	Permanently D	isabling	Fatal
	nt and Substantia		₹ No □		·	D. Number of Per	sons Affected:	001
11. Negligence	(check one)	A. None	<del>- , , , , , , , , , , , , , , , , , , ,</del>	C. Moderate 📝	D. High	E. Re	ckless Disrega	
12. Type of Ac	ion 104(	(a)		e of Issuance (check of			der	Safeguard
14. Initial Actio A. Citation	······································	C. Safegua	rd D. Written Notice	E. Citation/ e Order Nu	mber		F. Dated	Mo Da Yr
15. Area or Equation 16. Termination Section III—Termination 17. Action to T	n Due A. Date	Mo Da 12/21/20	1 R. Time /24 Hr.	Clock) 1200	)			
18. Terminated	A. Date Mo	Da Yr	B. Time (24 Hr. Clock	<del>, , '' - '' ' ' ' ' ' ' ' ' ' '</del> ' ' ' ' '		······································		·
Section IV-Autor	nated System Data			<u> </u>	<u> </u>	<del></del>		

In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

4054434

21. Primary or Mill

23. AR Number

19. Type of Inspection

(activity code) 22. Signature

20. Event Number

E01

Mine Citation/Orde
Continuation



Section I-Subsequent Action/Continuation Data					
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Ma 1 12/18	oa Yr 2005	3. Citation/ Order Number	7098645 - 01
d To			5. Opera	tor	
Ca., Crumrine, Mine Forman			ANKE	R WEST VIRO	GINIA MINING COMPANY INC
6. Mine			7. Mine	D 46 0050	(Contractor)
SAGO MINE				46-0879	<b>1</b>
Cartina B. A. Millandina for Anti-					

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

Section III—Subsequent A	ction Taken						See Continuation Form
8. Extended To A. Da	Mo Da	Yr 2005 B. Time (24	4 Hr. Clock)	0800	C. Vacated	D. Terminated	E. Modified
Section IV-Inspection Da	ta						
9. Type of Inspection	E01	10. Event Numbe	<sup>r</sup> 4054434				
1' ature	6	1	AR Number	12. Date	Mo Da Yr 12/21/2005	13. Time (24 Hr. Cloc 1314	k)
MSHA Form 7000-3a, Ma	r 85 (revised)	¥					

Mine	Citatio	n/Orde



Section IViolation Data	
1. Date Mo Da Yr 2. Time (24 Hr. Clock) 12/18/2005 1745	3. Citation/ Order Number 7098646
ved To Lonnie Smith, Shift Froman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC
6. Mine SAGO MINE	7. Mine ID 46-08791 (Contractor)
8. Condition or Practice	8a. Written Notice (103g)

The mine's roof control plan is not being complied with, see page 4, when the tunnel liner being used as a primary support did not have the top of the liner covered with a layer of cushioning material. The tunnel liner is located in the #4 entry across from number 4 belt at 39 block. The exposed area is approx. 28 feet long and 18 feet wide. The area had a fall and has not been bolted however a tunnel liner has been used and has been completed for several days.

						See Continuation For	m (MSHA Form 7000-3a)
9. Violation	A. Health Safety • Other	B. Section of Act		C. Part/Section of Title 30 CFR		75.220(a)(1)	
Section II-Insp	ector's Evaluation						
10. Gravity:							
A. Injury o	or lilness (has) (	is): No Likeliho	od Unlikely	Reasonably Like	ely 🛂 Hig	hly Likely	Occurred
	or illness could in y be expected to	hin I nai	WorkdaysL	ost Workdays Or Restricted	i Duty 👱 🔝 P	ermanently Disablin	g Fatal T
gnific	cant and Substa	intial: Yes	▼ No □		ו.ס.	Number of Persons A	Affected: 001
11. Negligen	ce (check one)	A. None	B. Low 🗀	C. Moderate 👱	D. High 📃	E. Reckless	Disregard
12. Type of A	Action 1	04(a)	13. Ty	pe of issuance (check one)	Citatio	n 🗹 Order 🗌	Safeguard _
14. Initial Act A. Citation	tion B. Order	C. Safegua	rd 📋 D. Written Noti	E. Citation/ Ce Order Number	y.	F. C	ated Mo Da Yr
16. Terminat	tion Due A.	Mo Da \\ Date 12/21/20	1 R Time /24 H	r. Clock) 1200			
Section III-Ter	mination Action	12/21/21	N2				
17. Action to	Terminate						
18. Terminal	ted A. Date	Mo Da Yr	B. Time (24 Hr. Clock				
Section IVAu	tomated System I	Data					
19. Type of I		=01 20 Event	Number 4054	1434 21. Prim	ary or Mill		<u>, , , , , , , , , , , , , , , , , , , </u>
22. Signatur	e e	lo	1	······································		23. AR Number	

MS<sup>11</sup> Torm 7000-3, M sed) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has er a National Schall 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 activities and rates each agency's responsiveness to small business. If you wish to comment on the MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Action 1996, the Small Business about federal agency enforcement situations. If you wish to comment on the enforcement activities and tractions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Act of 1996, the Small Business and obtain a provision in the small Business Act of 1996, th

Mine Citation/Order
Continuation



1. Subsequent Action 1a. Continuation	Dated     (Original Issue)	Mo Da 12/18/2		3. Citation/ Order Number	7098646 - 01
4 I To	<del>-</del>	·····	5. Opera		
Ca crumrine, Mine Forman			ANKE	R WEST VIRG	INIA MINING COMPANY INC
6. Mine SAGO MINE			7. Mine I	46-0879	(Contractor)

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

Section IIISubsequent Action Taken			See Continuation Form
	Yr (2005 B. Time (24 Hr. Clock)	0800 C. Vacated	D. Terminated E. Modified
Section IV-Inspection Data			
9. Type of Inspection E01	10. Event Number 4054434		
11 ature of	AR Number	12. Date Mo Da Yr	13. Time (24 Hr. Clock)
		12/21/2005	1321
MSHA Form 7009-3a Mar 85 (revised)			

#### Mine Citation/Order

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



Section IViolation Data	DATE: Objects		3. Citation/			
12/20/2005 2. Time (	24 Hr. Clock) 0205	3. Citation/ Order Number 7098647				
4. Served To John Travise, Shift Forman		5. Operator ANKER WEST VIRGINIA MINING COMPANY INC				
6. Mine		7 10: 10				
SAGO MINE		7. Mine ID 46-0879		(Contractor)		
8. Condition or Practice			, _,,-, , _,, , _,,-,-,-,-,-,-,-,	Written Notice (103g)		
The mine's roof control tunnel liner being use covered with a layer of the number 8 entry for This is the primary esfect long and 18 feet bolted but a tunnel lidays.	ed as a primary soft cushioning mate MMU-003 section capway for the sounded. The cited	upport did not lerial. The tung inby spad stat ection. The exp area has had a	have the top hel liner is ion #4212 one posed area is fall and has	of the liner located in e block. s approx. 24 not been		
9. Violation A. Health B. Section Safety of Act		Part/Section of Title 30 CFR	See Continuation Form 75.220(a)(1)	n (MSHA Form 7000-3a)		
Other		7.00 00 01 10	75.220(4)(1)			
Section IIInspector's Evaluation  10. Gravity:	·					
A. Injury or Illness (has) (is): No Likelih	ood Unlikely	Reasonably Likely 👿	Highly Likely	Occurred		
ry or illness could rea-	st Workdays Lost Work	days Or Restricted Duty	Permanently Disabiling	Fatal —		
C Significant and Substantial:		days of restricted buly	D. Number of Persons A	<b>6</b>		
11. Negligence (check one) A. None	B. Low C. N	floderate   → D. High	E. Reckiess			
12. Type of Action 104(a)			tation V Order			
14. Initial Action A. Citation B. Order C. Safegu		E. Citation/ Order Number	F. D			
15. Area or Equipment						
16. Termination Due A. Date Mo Da 12/22/	1 D Time (34 Lie Clack)	1200				
Section III—Termination Action						
18. Terminated A. Date Mo Da Yr  Section IV-Automated System Data	B. Time (24 Hr. Clock					
19. Type of Inspection (activity code) E01 20. Eve	1054434 4054434	21. Primary or Mill				
22. Signature			23, AR Number			
M m 7000-3 Mar 85 (revised) In accc ex. ad a National Small Business and Agricu enforcement actions. The Ombudsman annually		Regional Faimess Boards to receive	comments from small busine	esses about federal agency		

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

Mine Citation/Order
Continuation

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Time duty and House Promised and					
Section I-Subsequent Action/Continuation Data					
Subsequent Action 1a. Continuation	Dated     (Original Issue)	Mo Da 12/20/2		3. Citation/ Order Number 7098	647 - 01
· dTo			5. Opera	or	
C. Crumrine, Mine Forman			ANKE	R WEST VIRGINIA N	MINING COMPANY INC
6. Mine		· · · · · · · · · · · · · · · · · · ·	7. Mine I	)	(Contractor)
SAGO MINE				46-08791	
Section II-Justification for Action					

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

Section IIISubsequent Action Taken				See Continuation Form
	Yr 2005 B. Time (24 Hr. Clock)	0800 🗀 C. Vaca	ited D. Terminated	E. Modified
Section IV-Inspection Data				
9. Type of Inspection E01	10. Event Number 4054434			
11 rature	AR Number	12. Date Mo Da	Yr 13. Time (24 Hr. Ck	ock)
		12/21/20	05 1325	
MSHA Form 7000-3a, Mar 85 (revised)				

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



1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 09/23/20		3. Citation/ Order Number 7	7093338 - 02
t To Crumrine, Mine Forman			5. Operato		IIA MINING COMPANY INC
6. Mine SAGO MINE			7. Mine ID	46-08791	(Contractor)

Three belt drives have been completed and the # 5 belt is currently being completed. The coal company has contracted out for a manufactured type guard for the drives. Guards are in place and the holes fixed but a new one is being made.

Cartina III. Calan			-		····	·					See Continuation Form
Section III—Subsection III—III—IIII—IIII—IIII—IIII—IIII—IIII	<u> </u>		Da 2/28//	Yr 2005	B. Time (2	4 Hr. Clock)	0800	C. Vac	ated	D. Terminated	E. Modified
Section IV-Inspec	tion Data										
9. Type of Inspe	ection	E01		10. E	vent Numbe	4054434					
11.5° ratu		<b>*</b>			William William	TAR Number	12. Date	Mo Da 12/07/2	Yr 005	13. Time (24 Hr. Clo 1513	ock)
MSHA For											

Mine Citation/Order
Continuation



Section I-Subsequent Action/Continuation Data						
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo 09/2	Da 20/200	Yr 5	Citation/     Order Number	7093332 - 04
ed To				. Operat	-	
Crumrine, Mine Forman			. A	<b>INKE</b>	R WEST VIRG	INIA MINING COMPANY INC
6. Mine			17	. Mine II	)	(Contractor)
SAGO MINE					46-0879	1
Section II-Justification for Action						

The bushings have been ordered from John Deere.

Section IIISubsequent Action Taken					See Continuation F
8. Extended To A Date Mo C	Da Yr 02/2006 B. Tim	e (24 Hr. Clock)	0800	C. Vacated	D. Terminated E. Modified
Section IVInspection Data					
9. Type of Inspection E01	10. Event Nu	mber 4054434			
11. Signature		AR Number	12. Date	Mo Da Yr 12/07/2005	13. Time (24 Hr. Clock) 1510
Msorm 7000.4a 88ar 85 (reviews)	*				

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



Section ISubsequent Action/Continuation Data					
Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 08/16/2	• • •	Citation/     Order Number	7098157 - 03
d To			5. Operat	or	
C. Crumrine, Mine Forman			ANKE	R WEST VIRG	INIA MINING COMPANY INC
6. Mine			7. Mine I	) , , , , , , ,	(Contractor)
SAGO MINE				46-0879	1
Section II—Justification for Action				·	

The primary escape way which serves the MMU's 003 and 006 is currently having work in progress and additional time is needed for the screening at 25,31,and 39 blocks along 4 belt to be connected, bridges need built and the air change at 2 Right needs to be completed to develop a new escape way between 38 block on 3 belt to 13 block on 4 belt.

Section IIISubsequent Action Taken					See Continuation Form
	0a Yr 06/2006 B. Time	(24 Hr. Clock)	0800	C. Vacated	D. Terminated E. Modified
Section IVInspection Data					
Type of Inspection E01	10. Event Nu	mber 405443	4		
11 nature	1	AR Number	12. Date	Mo Da Yr	13. Time (24 Hr. Clock)
				12/21/2005	1433
MSHA Form 7000-ba, Mar 85 (revised)					

Mine Citation/	Orde
Continuation	

<b>\</b> //

Section I-Subsequent Action/Continuation Data						
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 08/16/20		Citation/ Order Number	7098156 - 04	
d To			5. Operati	or		
C. crumrine, Mine Forman			ANKER	WEST VIRG	INIA MINING COMPANY IN	C
6. Mine SAGO MINE			7. Mine IC	46-0879	l (Contracto	r)
Section II-Justification for Action				<del></del>		,

The primary escape way which serves the MMU's 003, and 006 is currently having work in progress and additional time is needed for screening at 25,31, and 39 blocks along 4 belt to be connected, bridges need built and the air change at 2Right to be completed to develop a new escapeway between 38 block on 3 belt to 13 block 14 block on 4 belt.

ection III—Subsequ	ant Action Trices					Sec	Continuation Form
Extended To		/2006 B. Tim	e (24 Hr. Clock)	0800	C. Vacated	D. Terminated	E. Modified
ction IVinspection	·;····						
Type of Inspec	tion E01	10. Event Nu	mber 4054434	ļ			
`ature	<u></u>		AR Number	12. Date	Mo Da Yr	13. Time (24 Hr. Clock)	
-	- 0				12/21/2005	1414	
SHA Form 700 <b>9-</b> 3	a, Mar 85 (reviseu)	<b>1</b> /	***				

Min	01	`itc	itin	n/	ſ'nε	تعام
IVIII		J∤ LC	ш	1 L2 1	v	uc.

Section IV-Automated System Data 19. Type of Inspection

(activity code) 22. Signature

E01

20. Event Number

## U.S. Department of Labor



	Mine Safety and Health Administration
Section IViolation Data	
Mo Da Yr 2, Time (24 Hr. Clock)	3. Citation/ Order Number 7098650
12/20/2005 0200	Order (autrios)
4. Served To	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC
John Travise, Shift Forman	- 10 (D
6. Mine SAGO MINE	7. Mine ID 46-08791 (Contractor)
8. Condition or Practice	8a. Written Notice (103g)
The Joy 14CM15-11 EX, 2G-4149A-00 conti	
light guard. The miner is operating or	the MMUJ-003 section. See Part
18.46(b).	
TO.40/N/.	
	See Continuation Form (MSHA Form 7000-3a)
O Miletine LA Medit Co. LB Contra	Part/Section of
The state of the s	Fitle 30 CFR 75.503
Other	75,505
Section II—Inspector's Évaluation	
10. Gravity:	
A. Injury or Illness (has) (is): No Likelihood Unlikely 🗹	Reasonably Likely Highly Likely Occurred
iury or illness could rea-	days Or Restricted Duty 📝 Permanently Disabling Fatal
nably be expected to be: No Lost Workdays Lost Workd	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	oderate 🗹 D. High E. Reckless Disregard
12. Type of Action 104(a) 13. Type of Issu	iance (check one) Citation 📝 Order 🔃 Safeguard
104(a)	<del></del>
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 A. Date Mo Da Yr A. Date B. Time (24 Hr. Clock)	0800
12/20/2005 B. Time (24 Hr. Glock)	0800
Section III-Termination Action	
17. Action to Terminate	
10 Tomicated Halla Ve	
18. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock	

ırm 7000-3, May 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has ed 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.

4054434

21. Primary or Mill

23. AR Number

## 104(d) Unwarrantable Failure

Mino	Citation	Order
MINE	ann	/L BOGER





Section IViolation Data								
1. Date Mo Da Yr	2. Time (24 Hr. Clock)		3. Citation/	7098644				
12/14/2005	0945	5. Operator	Order Number					
anoonover, Safety		4 '	ANKER WEST VIRGINIA MINING COMPANY INC					
6. Mine		7. Mine ID 46	5-08791					
SAGO MINE (Contractor)  8. Condition or Practice 8a. Written Notice (103g)								
<del></del>	f cool ware showned		w cashion MMIT /					
	of coal were observed of							
	in the last open row accumulations were le							
	asured along ribs 6-8							
	n piles on corners of							
	involved is inby space							
	u 6 last row of breaks							
crosscut 1-2,2			ear feet is app					
	to shows fine coal depo							
	dusting in that coal							
notches, niches,	cleates and on top of mined breaks in the sa	previously	rock dusted sur	riaces through				
out the last 2	mined breaks in the sa	ame location		on Form (MSHA Form 7000-3a)				
9. Violation A. Health	B. Section	C. Part/Section of						
Safety 💆	of Act	Title 30 CFR	75.400					
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 re		reasonably Likely		Junea				
sonably be expected to	be: No Lost Workdays 🗀 Lost W	orkdays Or Restricted D	outy 🗹 Permanently Dis	sabling Fatal				
nificant and Substan	tial: Yes 🗹 No 🗌		D. Number of Pers	ions Affected: 001				
11. negligence (check one)	A. None B. Low C	C. Moderate	D. High 🔽 E. Rec	kless Disregard				
12. Type of Action 10	4(d)(2) 13. Type of	Issuance (check one)	Citation Ord	ler 🗸 Safeguard 🔄				
14. Initial Action A. Citation B. Order	C. Safeguard D. Written Notice	E. Citation/ Order Number	7097827	F. Dated Mo Da Yr 05/20/2005				
15. Area or Equipment 1.	by the spad station	number 4237	and 4238 on the	≥ MMU-006 l				
left section B								
16. Termination Due A. D.	Mo Da Yr B. Time (24 Hr. Cloc	ck)						
Section III-Termination Action	1							
	ac boacon acu core or	d	manhina mank	distribution in a				
	ne area was scooped and	d addictionar	machine rock (	lusting was				
applied.								
I A Data	Mo Da Yr 2/14/2005 B. Time (24 Hr. Clock	1550						
Section IV-Automated System Da	ta							
19. Type of Inspection (activity code)	11 20. Event Number 4054434	21. Primary	or Mill					
22. Signature			23. AR Num	ber				
MSHA Form 7000-s, mar 85 (revis	ed) In accordance with the provisions of the Si	mali Business Regulatory E	nforcement Fairness Act of 1996,	the Small Business Administration has				
entractions. The Ombud	ness and Agriculture Regulatory Ombudsman and sman annually evaluates enforcement activities an	10 Regional Fairness Board	s to receive comments from small	businesses about federal agency				

contains of a National Business and Agriculture Regulatory Combudaman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency entractions. The Ombudaman annually evaluates enforcement actions and rates each agency's responsiveness to small business. If you wish to comment on the eract 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 MC 2120, Washington, DC 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 h<sub>b</sub>... to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

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





Section ISubsequent Action/Continuation Data									
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo 12/1	Da 4/2005	Yr 5	3. Citation/ Order Number	7098644			
d To			5	. Opera	or				
A. Lnoonover, Safety					ANKER WEST VIRGINIA MINING COMPANY INC				
6. Mine			7	. Mine I	0 47 0050	(Contractor)			
SAGO MINE			1		46-0879	1			
Section II—Justification for Action		T							

Continuation of 8. Condition or Practice

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

Section IIISubsequent Action Taken											
8. Extended To A. Date Mo (	Qa Yr	B. Time (24 h	ir. Clock)		_ C. Va	acated	D. Terminated E. Modified				
Section IV-Inspection Data		<u> </u>									
9. Type of Inspection E01	10. E	vent Number	4054434								
11. Sinnature		1 A	R Number	12. Date	Mo Da	Yr	13. Time (24 Hr. Clock)				
					12/14/	2005	0945				

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

V	2
- (7	



1. Subsequent Action 1a. Continuatio	on 2 Dated Mo Da (Original Issue) 12/14/2	1 0-de-21-mbar /U9X044 + U1
ed To		5. Operator ANKER WEST VIRGINIA MINING COMPANY INC
6. Mine SAGO MINE		7. Mine ID (Contractor)
Section IIJustification for Action		
Change	From	To
10. A. Injury or illness	Highly Likely	Unlikely
Reason		
10. C. Significant and Substantial	Yes	No
Reason lower the gravity		
changing gravity		

											See Continuation Form
Section IIISubsequent Action Taken											
8. Extended To	A. Date	Mo	Da	٧٢	B. Time (24 H	. Clock)		☐ C. Va	cated	D. Terminated	☑ E. Modified
Section IV-Inspec	ction Data										
9. Type of Inspi	ection E	01		10. E	vent Number	4054434					
1′ nature		F			A	Number	12. Date	Mo Da 12/22/	Yr 2005	13. Time (24 Hr. Clo 0852	ock)

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



#### Mine Citation/Order

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



Section I-Vi	olation Data			
1. Date	Mo Da Yr 11/08/2005	2. Time (24 Hr. Clock) 1630	3. Citation/ Order Numbe	7149865
ed To  CRUMRINE, MINE FOREMAN			5. Operator ANKER WEST VIRGINIA MINING	G COMPANY INC
6. Mine			7. Mine ID 46-08791	(Contractor)
SAGO N				8a. Written Notice (103g)

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

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

												See	Continuatio	on Form (MSI	HA Form	7000-3a) 🔽
9. Violation	A. Health Safety Other		Section of Act					art/Sect itie 30 C				_7	5.360(f)	)		
Section II-Insp	ector's Evalua	noi												· · · · · · · · · · · · · · · · · · ·		
10. Gravity: A. Injury o	r Iliness (has	) (is):	No Likelih	ood 🗌	U	nlikely [		Reas	onably I	Likely	<b></b>	Highly Ll	kely 📋	Occi	urred	
	r illness coul be expected		No Los	t Works	days 🗌	Losi	Work	days Or	Restric	ted Du	ty 🔽	Perm	anently Dis	sabling	Fal	al 🗌
Signific	ant and Sub	stantial:	Yes	•	No 🗌							D. Numb	er of Perso	ons Affected	q: 0	01
1 egligeno	ce (check one	) /	A. None	<u>ן</u>	B. Low		C. M	oderate		1	). High	V	E. Rec	kless Disre	gard 🗌	
12. Type of A	ction	104(d	)(2)			13. Type o	f Issua	ince (ch	eck one	<u>*</u> )		Citation	Orc	ier 🗹	s	afeguard
14. Initial Acti A. Citation		ter <b>√</b>	C. Safegua	ard 🗌	D. Writt	ten Notice		E. Cita Ord	tion/ er Num	ber		7097827		F. Dated		io Da Yr 5/20/2005
15. Area or E		No a	ffect		rea.	<u></u>										
16. Terminati	ion Due	A. Date	Mo Da	Υr	B. Time	(24 Hr. Cl	ock)									
Section III-Ter	rmination Actio	m												<del> </del>		
17. Action to	Terminate															
18. Terminat	A. Date	Mo D	a Yr	B. Tim	e (24 Hr.	Clock)										
Section IV-Au	domated Syste	m Data												<u>,</u>		
19. Type of I		E01	20. Event	Numbe	r	40544:	34		21. Pr	imary o	r Mill			F		
22. Signature	e		0				entille general		-			723	. AR Num	ber	bJ	

MSHA Form 7000-3, Mar 85 (revised) In accordance with this provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Cribudsman 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 nent 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 (1, 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, the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

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



Section I—Subsequent A  1. Subsequent Action	ction/Continuation Data  1a. Continuation  ✓	2. Dated (Original Issue)	Mo D		3. Citation/ Order Number	7149865	
€ To	NE, MINE FORE	MAN	5. Opera ANKE		GINIA MINING	COMPANY INC	
6. Mine SAGO MINE				7. Mine	46-0879	)1	(Contractor)
Section II—Justification	or Action						

#### Continuation of 8. Condition or Practice

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

· · · · · · · · · · · · · · · · · · ·										See Continuation Form
Section III—Subsequent Action Taken										
8. Extended To	A. Date	Da	Ϋ́r	B. Time (24	Hr. Clock)		C. Va	cated	D. Terminated	E. Modified
Section IV-Inspec	tion Data					<u> </u>				
9. Type of Inspe	ction E01		10. E	vent Number	4054434	····				
11. Simnatura	ia E	6			AR Number	12. Date	Mo Da 11/08/	Yr 2005	13. Time (24 Hr. Cl 1630	
						•	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,			

M .rm 7000-3a, Mar 85 (revised)

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



(Original Issue)	11/08/2005 Order Number 7149865 - 01
red To	5. Operator
L CRUMRINE, MINE FOREMAN	ANKER WEST VIRGINIA MINING COMPANY INC
Mine	7. Mine ID (Contractor)
AGO MINE	46-08791

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

See Continuation Form Section IIISubsequent 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-Inspec		1			<u> </u>					
9. Type of Inspe	ction	E01		10. E	vent Number	4054434				
11. Signature		Lar		J.,		AR Number	12. Date	Mo Da Yr 11/09/2005	13. Time (24 Hr. C) 1223	ock)

Mine Citation/Ord	ler
Continuation	

	10
N//	

Doughadion		77117,0 00,00, 00,100, 1,100,00, 1,100,00, 1,100,00, 1,100,00, 1,100,00, 1,100,00, 1,100,00, 1,100,00, 1,100,00, 1,100,00, 1,100,00, 1,100,00, 1,100,00, 1,100,00, 1,100,00, 1,100,00, 1,100,00, 1,100,00,00, 1,100,00, 1,100,00, 1,100,00, 1,100,00, 1,100,00, 1,100,00,00, 1,100,00, 1,100,00, 1,100,00, 1,100,00, 1,100,00, 1,100,00,00, 1,100,00,00, 1,100,00,00, 1,100,00,00, 1,100,00,00,00,00,00,00,00,00,00,00,00,0	
Section ISubsequent Action/Continuation Date	a		
1. Subsequent Action 1a. Continuation	2. Dated Mo Da (Original Issue) 11/08/2		02
ed To		5. Operator	
L CRUMRINE, MINE FOR	REMAN	ANKER WEST VIRGINIA MININ	G COMPANY INC
6. Mine SAGO MINE		7. Mine ID 46-08791	(Contractor)
Section II—Justification for Action			
Change F	rom	To	
15. Area or Equipment			
Reason From no affected area to	1-Left Mains MMU 006 section	<b>i.</b>	

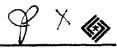
Written in error.

Section III Subsec	uent Action Taken						See Continuation Form
8 Extended To	Mo Da A. Date	Ϋ́r	B. Time (24 Hr. Clock)	<del></del>	C. Vacated	D. Terminated	E. Modified
Section IV-Inspec 9. Type of Inspec		10. E	vent Number 4054434				
11. Signatu.	6		AR Number	12. Date	Mo Da Yr 11/09/2005	13. Time (24 Hr. Clo 1233	ck)

Mine Cita on/Order

Section i-Violation Date

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



1 <sup>+</sup> e	Mo Da Yr 10/18/2005	2. Time (24 Hr. Cl				3. Citation/ Order Number	7098364	•
, ed To	10/16/2003	100	<u> </u>	5. Operator				
	ine Mine Fore	man		ANKER WEST	VIRGIN	LA MINING (	COMPANY	INC
6. Mine		·····		7. Mine ID 46-	08791			(Contractor)
SAGO MIN 8. Condition or				<u>.l</u> _			8a. Written No	
		ntilation	plan is not	being comp	lied t	with on t		
mmii eac	tion The	108C shut	tle cars were	observed	tramm	ing acros	s the la	ast open
arossau	t between	the # 7 =	nd the #8 ent	tries 60 f	eet i	n-by stat	ion spac	1 3816.
with th	e ventilat	tion contr	ol for #7 ent	try rolled	iin W	nen check	ed with	,
chemica	l emoka fo	r movemen	t in the face	a none cou	ıld be	distinan	ished. T	The #7
ontru i	s 69 feet	from the	in-by corner	of the las	t ope	crosscu	t. There	is
Oncry r	ethane det	ected in	the face. Acc	cording to	stater.	ments thi	s is a s	standard
			rattice vent:					
			erials. There					
other m	ethods wer	re used su	ch as fly bo	ards and pa	ids to	haul the	last li	ine and
ventila	te the wor	rking face	s. Also cita	tion #70983	67 wa:	s written	for no	
			thin 10' of			<u> </u>		
, , , , ,						See Continuatio	n Form (MSHA Fo	orm 7000-3a) 💆
9. Violation	A. Health	B. Section		Part/Section of				
	Safety 🗹	of Act	) 1	Title 30 CFR		75.330(b)(	1)	
Section II. Inene	Other							
10. Gravity:			, <u>,</u>			······································		
-	Iliness (has) (is):	No Likelihood 📃	Unlikely 👿	Reasonably Likely	_ н	ighly Likely 📃	Occurred	
Spirry or illness could rea-								
nably be expected to be: No Lost Workdays Lost Workdays Or Restricted Duty 🗹 Permanently Disabling Fatal							abling	Fatal —
nably	be expected to be:	<del></del>	days Lost Work	lays Or Restricted Du				Fatal
nably		<del></del>	lays Lost Workd	days Or Restricted Du		Permanently Dis . Number of Person		601
nably significa	be expected to be:		No 🗹			. Number of Person		001
nably significa	be expected to be: ant and Substantial e (check one)	Yes [	No ☑ B. Low ☐ C. M		D. High 🛂	. Number of Person	ons Affected:	001
nably significant 11. Negligeno 12. Type of A 14. Initial Acti	be expected to be: ant and Substantial e (check one) ction 104(a	Yes	No ☑ B. Low ☐ C. M	loderate 🗌 📗	D. High ☑ Cita	. Number of Person	ons Affected:	001
nably significant 11. Negligeno 12. Type of A 14. Initial Acti	be expected to be: ant and Substantial: e (check one) ction 104(cone)  B. Order	Yes  A. None  d)(2)  C. Safeguard	No ▼  B. Low □ C. M  13. Type of Issu  D. Written Notice □	loderate	D. High 🛂	E. Rection Ord	ons Affected: cless Disregard er	001 Safeguard  Mo Da Yr
nably Significant 11. Negligeno 12. Type of A 14. Initial Acti A. Citation	be expected to be: ant and Substantial: te (check one) ction 104(a) on B. Order	Yes  A. None  d)(2)  C. Safeguard	No   B. Low  C. N  13. Type of Issu	loderate	D. High 🛂	E. Rection Ord	ons Affected: cless Disregard er	001 Safeguard  Mo Da Yr
nably Significa 11. Negligeno 12. Type of A 14. Initial Acti A. Citation	be expected to be: ant and Substantial: e (check one) ction 104(cone)  B. Order	Yes  A. None  d)(2)  C. Safeguard	No ▼  B. Low □ C. M  13. Type of Issu  D. Written Notice □	loderate	D. High 🛂	E. Rection Ord	ons Affected: cless Disregard er	001 Safeguard  Mo Da Yr
nably Significant 11. Negligeno 12. Type of A 14. Initial Acti A. Citation 15. Area or E	be expected to be: ant and Substantial: e (check one)  ction 104(cone)  B. Order  quipment The	Yes  A. None  d)(2)  C. Safeguard  # 6 and #	No  B. Low C. N  13. Type of Issu  D. Written Notice 7  7 entries o	loderate	D. High 🛂	E. Rection Ord	ons Affected: cless Disregard er	001 Safeguard  Mo Da Yr
nably Significant 11. Negligeno 12. Type of A 14. Initial Acti A. Citation	be expected to be: ant and Substantial: e (check one)  ction 104(a) on  B. Order  quipment The	Yes  A. None  d)(2)  C. Safeguard  # 6 and #	No ▼  B. Low □ C. M  13. Type of Issu  D. Written Notice □	loderate	D. High 🛂	E. Rection Ord	ons Affected: cless Disregard er	001 Safeguard  Mo Da Yr
nably significant	be expected to be: ant and Substantial: e (check one)  ction 104(cone)  B. Order  quipment The  on Due A. Date	Yes  A. None  d)(2)  C. Safeguard  # 6 and #	No  B. Low C. N  13. Type of Issu  D. Written Notice 7  7 entries o	loderate	D. High 🛂	E. Rection Ord	ons Affected: cless Disregard er	001 Safeguard  Mo Da Yr
nably significant 11. Negligeno 12. Type of A 14. Initial Acti A. Citation 15. Area or E	be expected to be: ant and Substantial: e (check one) ction 104(cone)  B. Order  quipment The on Due A. Date mination Action	Yes [] A. None [] d)(2) C. Safeguard [] # 6 and # Mo Da Yr	No  B. Low C. M  13. Type of Issu  D. Written Notice 7  entries o  B. Time (24 Hr. Clock)	loderate	D. High Vita	E. Reckling Order	ons Affected: dess Disregard er  F. Dated	001 Safeguard  Mo Da Yr 05/20/2005
nably significa  11. Negligence  12. Type of A  14. Initial Acti A. Citation  15. Area or E  16. Terminati  Section III—Terr  17. Action to	be expected to be: ant and Substantial: e (check one) ction 104(cone)  B. Order  quipment The on Due A. Date mination Action	Yes [] A. None [] d)(2) C. Safeguard [] # 6 and # Mo Da Yr	No  B. Low C. N  13. Type of Issu  D. Written Notice 7  7 entries o	loderate	D. High Vita	E. Reckling Order	ons Affected: dess Disregard er  F. Dated	001 Safeguard  Mo Da Yr 05/20/2005
nably significa  11. Negligence  12. Type of A  14. Initial Acti A. Citation  15. Area or E  16. Terminati  Section III—Terr  17. Action to	be expected to be: ant and Substantial: e (check one)  ction 104(a) on B. Order  quipment The  on Due A. Date mination Action  Terminate Th working f	Yes [] A. None [] d)(2)  C. Safeguard [] # 6 and #  Mo Da Yr  e ventilataces.	No  B. Low C. M  13. Type of Issu  D. Written Notice 7  entries o  B. Time (24 Hr. Clock)	loderate	D. High Vita	E. Reckling Order	ons Affected: dess Disregard er  F. Dated	001 Safeguard  Mo Da Yr 05/20/2005
nably significa  11. Negligence  12. Type of A  14. Initial Acti A. Citation  15. Area or E  16. Terminati  Section III—Terr  17. Action to	be expected to be: ant and Substantial: e (check one)  ction 104(cone)  B. Order  quipment The  on Due A. Date mination Action  Terminate Th working f	Yes []  A. None []  d)(2)  C. Safeguard []  # 6 and #  Mo Da Yr  e ventilataces.	No  B. Low C. M  13. Type of Issu  D. Written Notice 7  entries o  B. Time (24 Hr. Clock)	loderate	D. High Vita	E. Reckling Order	ons Affected: dess Disregard er  F. Dated	001 Safeguard  Mo Da Yr 05/20/2005
nably significant	be expected to be: ant and Substantial: e (check one)  ction 104(cone)  B. Order  quipment The  on Due A. Date mination Action  Terminate Th working f	Yes [] A. None [] d)(2)  C. Safeguard [] # 6 and #  Mo Da Yr  e ventilataces.	No ▼  B. Low □ C. N  13. Type of Issu  D. Written Notice □  7 entries o  B. Time (24 Hr. Clock)	loderate [] Islance (check one)  E. Citation/ Order Number  n the 006 n  were re-es	D. High Vita	E. Reckling Order	ons Affected: dess Disregard er  F. Dated	001 Safeguard  Mo Da Yr 05/20/2005
nably significant	be expected to be: ant and Substantial: the (check one) ction 104(composed in	Yes [] A. None [] d)(2)  C. Safeguard [] # 6 and #  Mo Da Yr  e ventilataces.	B. Low C. M  13. Type of Issu  D. Written Notice C  7 entries o  B. Time (24 Hr. Clock)  cion controls  de (24 Hr. Clock	loderate [] Islance (check one)  E. Citation/ Order Number  n the 006 n  were re-es	D. High VCita 709 mmu se	E. Reckling Order	ons Affected: dess Disregard er  F. Dated	001 Safeguard  Mo Da Yr 05/20/2005
nably significant	be expected to be: ant and Substantial: the (check one) ction 104(composed in	Yes [] A. None [] d)(2) C. Safeguard [] # 6 and #  Mo Da Yr e ventilataces. Da Yr [8/2005] B. Tim	B. Low C. N  13. Type of Issu  D. Written Notice  7 entries o  B. Time (24 Hr. Clock)	loderate [] Islance (check one)  E. Citation/ Order Number  n the 006 n  were re-es	D. High VCita 709 mmu se	E. Reckling Order	ons Affected:  Aless Disregard  er   F. Dated	001 Safeguard  Mo Da Yr 05/20/2005

mr 7000-5, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency ant actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Mine	Citation/Order
Confi	าแลเเดก

P	X

X,	
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sequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 10/18/20	• • •	Citation/ Order Number	7098364		
4. served To			5. Operat	Of			
Carl Crumrine Mine Foreman			ANKER WEST VIRGINIA MINING COMPANY INC				
6. Mine			7. Mine II	46 0070	(Contractor)		
SAGO MINE			46-0879	1			
Section II-Justification for Action							

Continuation of 8. Condition or Practice

#6 entry face. This violation is an unwarrantable failure to comply with a mandatory standard.

Section III-Subsequen	t Action Take	n						See Continuation Form
8. Extended To A.	Mo Date	Da	Yr B.	Time (24 Hr. Clock)		C. Vacated	D. Terminated	E. Modified
Section IV-Inspection  9. Type of Inspection			10. Even	t Number 4054434				
ature	b		A CONTRACTOR OF THE PARTY OF TH	AR Number	12. Date	Mo Da Yr 10/18/2005	13. Time (24 Hr. Clo 1000	ock)

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

Mine Citation/Orde	Mine	Citatio	n/Orde
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Section -Violation Data

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

3. Citation/





1. Date	Mo Da Yr 09/12/2005	2. Time (24 Hr. Clo 1710				3. Citation/ Order Number	489053	4
ed To	07/12/2003	1,10	<u> </u>	5. Operator		· · · · · · · · · · · · · · · · · · ·		
. Hamr	rick			ANKER V	VEST VIRGI	NIA MINING	COMPAN	Y INC
6. Mine	. ***			7. Mine ID	46-08791			(Contractor)
SAGO MI				<u> </u>			Ra Written I	Notice (103g)
8. Condition o			the form of	£ 10000	2221 22	val finae	·····	
Comp	oustible m	nateriais ir	the form of	Libose	Coar, co	var rines,	6 const	auor belt
float c	coal dust	is allowed	to accumulat	te under	and are	ound the f	or conve	syor berc
head dr	rive rolle	ers and take	-up. The acc	cumulati	ons meas	sured 5 le	et wide	a the
feet lo	ong by 12	inches to	32 inches de	ep. The	DOTTOM C	conveyor r	Serr and	a une
drive r	collers an	id the take-	-up rollers a	are runi	iing in t	ne accumu	italion:	5. IIIE
accumul	ations ra	inge from di	ry to damp to	o wet to	the tou	ich. The t	ottom (	conveyor
belt ro	oller just	coutby the	take-up fram	me is go	obbed out	and stud	ck. Floa	at coar
dust is	allowed	to accumula	ate on the #0	6 conve	or belt	head driv	ze trame	e and
take-up	rollers	and the tal	ce-up roller:	s beari	ng housin	ngs. The i	float co	oal dust
is power	der dry to	the touch	and measure	d from 1	L/8 of ar	n inch to	1/2 of	an inch
thick a	and ranges	s from reddi	ish brown to	black :	in color	. It took	4 mine:	rs 1 hour
to clea	an up the					See Continuation	on Form (MSHA	Form 7000-3a) 🗹
9. Violation	A. Health Safety	B. Section of Act		Part/Section of Fitle 30 CFR		75.400		
	Other _	<u> </u>						
	ector's Evaluation							
10. Gravity:	r Illness (has) (is):	No Likelihood	Unlikely	Reasonably	likalu 🐷	Highly Likely	Occum	ed 🗀
	or illness could rea-		Onaci,					
	be expected to be	Ain I not illinound	ays Lost Work	lays Or Restric	ted Duty 🔽	Permanently Dis		Fatal
gnific 	ant and Substanti	al: Yes 🗹	No 📋			D. Number of Per	sons Affected:	001
11. Negligeno	ce (check one)	A. None	B. Low C. M	loderate	D. High	E. Rec	kless Disrega	ind 📋
12. Type of A	Action 104	(d)(2)	13. Type of Issu	ance (check o	ne) Ci	tation 🗌 Ord	der 🔽	Safeguard
14. Initial Act A. Citation		C. Safeguard 🗀 I	D. Written Notice	E. Citation/ Order Nur	nber 7(	97827	F. Dated	Mo Da Yr 05/20/2005
15. Area or E	quipment	The #6 con	veyor belt h	ead dri	ve and t	ake-up wh	ich ext	ends
approx	imately 2		the #6 head					
T. P. T. T.			,		•			
16. Terminati	ion Due A. Dat	Mo Da Yr	B. Time (24 Hr. Clock)					<del></del>
Section III-Ten	mination Action							
17. Action to	Terminate	Terminat	ed due to th	e combu	stible m	aterials	being c	leaned
un hv	shovelina		ea being roc					
up by .	Shovering	and the ar	ea being roc	k dusco				
18. Terminat	T A Date	o Da Yr /12/2005 B. Time	(24 Hr. Clock	1810				
Section IVAu	tomated System Data	1						
19. Type of I	TO	20. Event Number	4054749	21. P	rimary or <b>M</b> ili			The second secon
22. Sigi		b	1	4		23. AR Nun	nber	, 1
	000-3, Mar 85 (revise National Small Busine	d) In accordance with	the provisions of the Small atory Ombudsman and 10 R	Business Regul Regional Faimess	atory Enforcement Boards to receive	Fairness Act of 1996, comments from small	the Small Busin Il businesses ab	ess Administration has out federal agency

ent actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the ent 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 W MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.



Mine	Citation/Order
Conti	nuation

\$	



Subsequent Action 1a. Continuati	on 2. Dated Mo (Original Issue) 09/12	Order Number 4890534			
/ed To		5. Operator			
Hamrick		ANKER WEST VIRGINIA MINING COMPANY INC			
6. Mine SAGO MINE		7. Mine ID 46-08791 (Contrac			

Continuation of 8. Condition or Practice

accumulations. The mine operator immediately removed the #6 conveyor belt from service. There have been 13 citations issued for violations of section of 75.400 at this mine since 04/18/2005.

Section III—Subseq	went Arting Take						See Continuation Form
8 Extended To	·	Da Yr	B. Time (24 Hr. Clock)		C. Vacated	D. Terminated	E. Modified
Section IV-Inspect 9. Type of Inspe		10. E	event Number 4054749				
1/ Treature	6		AB-Number	12. Date	Mo Da Yr 09/12/2005	13. Time (24 Hr. Cloc 1710	<b>k</b> )

Mine Citation/Order

Section I--Violation Data

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





1. Date	Mo Da Yr 09/12/2005	2. Time (24 Hr. Ci 183				3. Citation/ Order Number	489053	5
ed To Hamr				5. Operator ANKER V	VEST VIRGI	NIA MINING	COMPAN	Y INC
6. Mine	. 100	· · · · · · · · · · · · · · · · · · ·		7. Mine ID	46-08791			
SAGO MII		····			10 00/21		On Morting	(Contractor)
8. Condition of						· · · ·		Notice (103g)
Comb	oustible ma	aterials i	n the form	or roose	coai, co	al rines,	COALC	iust and
float c	coal dust i	is allowed	to accumul	ate under	and aro	und the f	to conve	eyor bert
head dr	rive rolle	rs and tak	e-up. The a	ccumulat:	lons meas	ured 5 16	ser wide	s part
feet lo	ong by 10 i	inches to	18 inches d	leep. The	pottom c	onveyor r	sert and	ı tne
drive r	collers and	d the take	-up rollers	are runi	ning in t	ne accumi	liacions	s. ille
accumul	lations ran	nge from d	ry to damp	to wet to	the tou	ch. A thi	ck raye	SE OT
float o	coal dust	is allowed	to accumul	ate on the	ne #5 con	veyor be.	t nead	drive
frame a	and take-up	rollers	and the tak	e-up rol.	lers bear	ing nous:	ings and	i the
coal ri	ibs. The f.	loat coal	dust is pow	der dry	to the to	uch and I	canges 1	rom
			color. It t					
			erator imme		removed t	ne #5 cor	nveyor i	selt irom
service	e. There ha	ave been l	.4 citations			See Continuati	on Form (MSHA	Form 7000-3a) 💆
9. Violation	A. Health Safety V	B. Section of Act		C. Part/Section of Title 30 CFR	•	75.400		
Section II-Insp	ector's Evaluation							
10. Gravity:								
A. Injury o	or Illness (has) (is):	No Likelihood	Unlikely 🗌	Reasonably	Likely 🗹 🕴	lighly Likely	Occum	ed III
	or illness could rea- y be expected to be:	No Lost Work	days 🗍 Lost Wo	orkdays Or Restri	cted Duty 🔽	Permanently Di	sabling	Fatal
ignific	cant and Substantial	Yes 🗸	No 🗌		<u> </u>	). Number of Pers	sons Affected:	001
11. Negligen	ce (check one)	A. None	B. Low 📑 C	. Moderate	D. High 🤦	E. Rec	kless Disrega	nd []
12. Type of A	Action 104(	d)(2)	13. Type of Is	ssuance (check o	ne) Cita	ntion On	der 🔽	Safeguard
14. Initial Act A. Citation		C. Safeguard	D. Written Notice	E. Citation/ Order Nur	nber 70	97827	F. Dated	Mo Da Yr 05/20/2005
15. Area or E	Equipment	The #5 cor	nveyor belt	head dri	ve and ta	ke-up an	d extend	ds
approx			the #5 cor					
16. Terminat	ion Due A. Date	Mo Da Yr	B. Time (24 Hr. Cloc	· <b>k</b> )				
Section IIITer	mination Action		S. 1810 (24 18. 0100			<u> </u>		
17. Action to		Terminat	ted due to t	the combin	etible ma	teriale	heina c	leaned
			rea being ro				DCING C	1001100
י עָם קַּט	snovering	and the an	rea being re	JCK duste	u.			
18. Terminal	·····IA Nate	Da Yr 2/2005 B. Tim	ie (24 Hr. Clock	1940				
Section IVAu	tomated System Data							
19. Type of I (activity	· • •	20. Event Numb	er 4054749	21. P	rimary or Mill			
22. Signatur	e / [ 6	7 - 7				23. AR Nun	nber 📗 🔾	
established a l	000-3, Mar 85 (revised) National Small Busines	s and Agriculture Regi	ith the provisions of the Sn ulatory Ombudsman and 1 enforcement activities and	10 Regional Faimes:	Boards to receive of	comments from smal	l businesses abo	out federal agency

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

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





Section I—Subsequent Action/Continuation Da 1. Subsequent Action 1a. Continuation	2. Dated	Mo D	a Yr	3. Citation/ 4890535	
	(Original Issue)	09/12/2	2005	Order Number 4690333	
/ed To		·····	5. Opera		
Hamrick یا			ANKE	R WEST VIRGINIA MINI	NG COMPANY INC
6. Mine			7. Mine I	46-08791	(Contractor)
SAGO MINE			<u> </u>	.0 00//21	
Section II—Justification for Action					

Continuation of 8. Condition or Practice

issued for violations of section of 75.400 at this mine since 04/18/2005.

Section III—Subsec	uent Actio	n Takon							See Continuation Form
8. Extended To			Da	Y٢	B. Time (24 Hr. Clock)		C. Vacated	D. Terminated	E. Modified
Section IV-Inspect 9. Type of Inspec		01		10. E	vent Number 4054749				
<del>72 : </del>			~	į	\9-Number	12. Date	Mo Da Yr 09/12/2005	13. Time (24 Hr. Ck	ock)

Mine	Citatio	n/Orde	ı
WHILE	しにせにし	# // UC	ı





Section I-Violation Data	
1. Date Mo Da Yr 2. Time (24 Hr. Clock) 09/12/2005 2045	3. Citation/ Order Number 4890536
red To	5. Operator
Hamrick د، ع	ANKER WEST VIRGINIA MINING COMPANY INC
6. Mine	7. Mine ID 46-08791
SAGO MINE	(Contractor)  8a. Written Notice (103g)
8. Condition or Practice	
	f loose coal, coal fines, coal dust and
float coal dust is allowed to accumula	
rollers. The accumulations measured 5	feet wide by 40 feet long by 10 inches
to 15 inches deep. The bottom conveyor	belt and the take-up rollers are
	mulations range from dry to damp to wet
	oal dust is allowed to accumulate on the
	take-up rollers and the take-up rollers
bearing housings and belt structure. The structure is the	he float coal dust is powder dry to the
touch and ranges from reddish brown to	
immediately removed the #4 conveyor be	
citations issued for violations of sec	tion of 75.400 at this mine since
04/18/2005.	See Continuation Form (MSHA Form 7000-3a)
9. Violation A. Health B. Section C.	Part/Section of
Safety of Act	Title 30 CFR 75.400
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-	Reasonably Circly M. Frightly Likely Occurred
sonably be expected to be: No Lost Workdays Lost Work	days Or Restricted Duty Permanently Disabling Fatal
ignificant and Substantial: Yes ▼ No □	D. Number of Persons Affected: 001
11. Negligence (check one) A. None B. Low C. 1	Moderate ☐ D. High ✓ E. Reckless Disregard ☐
12. Type of Action 104(d)(2) 13. Type of Iss	uance (check one) Citation Order 😿 Safeguard
14. Initial Action A. Citation ☐ B. Order ☑ C. Safeguard ☐ D. Written Notice ☐	E. Citation/ 7097827 F. Dated Mo Da Yr 05/20/2005
15. Area or Equipment Around and under the	#4 conveyor belt take-up.
	•
16. Termination Due A. Date Mo Da Yr B. Time (24 Hr. Clock)	
Section III—Termination Action	
17. Action to Terminate	
17. ACTION to Terminate	
18. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock	
Section IVAutomated System Data	
19. Type of Inspection (activity code) E01 20. Event Number 4054749	21. Primary or Mill
22. Signature -/	23. AR Number
	I Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has Regional Fairness Boards to receive comments from small businesses about federal agency

e<sup>s----/rished</sup> a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses administration has es----/rished a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency nent actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the nent 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 S. 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.

W9/21

Mine	Citation/Order
Conti	nuation





Section I-Subsequent Action/Continuation Data						
1. Subsequent Action 1a. Continuation	Dated     (Original Issue)	Mo 09/1	Da 2/2005	• • •	Citation/     Order Number	4890536 - 01
rved To Crumrine - Mine Foreman			1	Operat		INIA MINING COMPANY INC
SAGO MINE				. Mine II	······································	(Contractor)
Section II—Justification for Action						

Terminated due to the combustible materials being cleaned up by shoveling and the area being rock dusted.

		See Con	itinuation Form
Section IIISubsequent Action Taken			
8. Extended To A. Date Mo Da	Yr B. Time (24 Hr. Clock)	☐ C. Vacated ☑ D. Terminated ☐ E. N	Modified
Section IV-Inspection Data			
9. Type of Inspection E01	10. Event Number 4054749		
	<b>h</b>		
11. Signa	AR Number 12. Date	Mo Da Yr 13. Time (24 Hr. Clock)	
, b		09/13/2005 0805	

.-orm 7000-3a, Mar 85 (revised)

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#### Mine Citation/Order

## U.S. Department of Labor



				Mine Sa	ety and Health	n Administration		<b>\</b>
Section I-Violat	ion Data							
1. Date	Mo Da Yr 09/12/2005	2. Time (24 Hr	. Clock) 840			3. Citation/ Order Number	4890537	7
ved To				5. Operato				
. Hamr	ick			ANKER	WEST VIRG	INIA MINING	COMPANY	INC
6. Mine SAGO MII	NE.			7. Mine ID	46-0879	1		(Contractor)
8. Condition of							8a. Written No	
a safe this in walkway is appr 12 inch walkway is appr	travelable spector. (s along botoximately les deep. (s along botoximately)	e condita (1) slopp oth sides 2 blocks (2) slopp oth sides 2 blocks	ne following ion in that by mud and we of the #6 in length. by mud and we of the #5 in length.	the foll vater is conveyor The mud vater is conveyor The mud	owing con allowed t belt hea and wate allowed t belt hea and wate	ditions we o accumulate distributed are ranges accumulated drive as a ranges	ere obserate in the nd take—tfrom 5 in ate in the the from 6 in	rved by ne up which nches to ne up which nches to
15 inch	les deep. (	(3) slopp	by mud and w	ater is	allowed t	o accumula	ate in t	ne
walkway	s along bo	th sides	of the #4	conveyor	belt hea	d drive a	nd take-	ıp. The
mud and	l water rar	nges from	n 4 inches t	o 10 inc	hes deep.	Miners n	ormally w	work and
travel	in these a	reas.						
9. Violation	A Heath	D Coetion		0.0.10.11		See Continuat	ion Form (MSHA Fo	orm 7000-3a) 🗸
9. Violation	A. Health Safety ✓ Other	B. Section of Act		C. Part/Section Title 30 CFR		75.1403	3	
Section II-Inspe	ctor's Evaluation			£				
10. Gravity: A. Injury o	Illness (has) (is):	No Likelihood	Unlikely	Reasonab	ly Likely 😿	Highly Likely	Occurred	<u> </u>
	rillness could rea- be expected to be:	No Lost Wo	rkdays Lost V	Vorkdays Or Res	tricted Duty 😿	Permanently Di	sabling	Fatal
Signific	ant and Substantial:	Yes 🗹	No 🗔			D. Number of Pen	sons Affected:	001
1 , egligeno	e (check one)	A. None 🗌	B. Low 🗍	C. Moderate	D. High	☑ E. Red	kless Disregard	
12. Type of A	ction 104(d	1)(2)	13. Type of	f Issuance (check	one) C	itation Ord	der 🔀	Safeguard
14. Initial Acti A. Citation	B. Order 🗸	C. Safeguard	D. Written Notice	E. Citation Order N	,	097827	F. Dated	Mo Da Yr 05/20/2005
15. Area or Ed system: and tak	#6 convey	vor belt 4 conve	cways along head drive yor belt hea	and take	-up, #5 c	onvevor b	conveyo: elt head	r belt drive
16. Termination	on Due A, Date	Mo Da Yr	B. Time (24 Hr. Clo	ock)				
Section III-Tern	nination Action							
17. Action to	Terminate							
18. Terminate	A. Date Mo D	a Yr B. T	ime (24 Hr. Clock					<del></del>
	mated System Data							
19. Type of In (activity c		20. Event Num	<sup>ther</sup> 405474	9 21.	Primary or Mill			
22. Signature		<del></del>		L	-	23. AR Num	nber	
MSHA Form 704	00-3 Mar 85 (revised)	in accordance	ـــــــــــــــــــــــــــــــــــــ	>	.1.4			

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 ment actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the ient 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 W 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 light to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Extend Disk 19123 Upl

Mine Citation/Ord	er
Continuation	





Section I-Subsequent Action/Continuation	Data					
1. Subsequent Action 1a. Continuatio	n 2. Dated (Original Issue)	Mo Da Yr 09/12/2005	3. Citation/ Order Number 489053	7 - 01		
red To		5. Ope	erator			
Crumrine - Mine Forema	n	ANK	ANKER WEST VIRGINIA MINING COMPANY INC			
6. Mine		7. <b>M</b> in	e ID	(Contractor)		
SAGO MINE			46-08791			
Section IIJustification for Action				·		
Change	From		To			

15. Area or Equipment

Reason Modified the area effected to allow the mine operator to put the #4 conveyor belt and the #6 conveyor belt back into service due to the sloppy mud & water being cleaned from the walkways around these head drives and take-ups. The cited areas of the walkways along the #4 and #6 conveyor belts and take-ups have been terminated. The #5 conveyor belt will remain out of service until the sloppy mud and water is cleaned from the walkways around this conveyor belt head drive and take-up. Miners are cleaning on the sloppy mud and water in the cited areas around the #5 conveyor belt.

Section III—Subsequen	t Action Take								See Continuation Form
8. Extended To	Date Mo	Da	Υr	B. Time (24 Hr	. Clock)		C. Vacated	D. Terminated	✓ E. Modified
Section IV-Inspection	Data						<u> </u>		
9. Type of Inspection	n E01		10. E	vent Number	4054749				
11 cign	O		<b>}</b>		Nømber J	12. Date	Mo Da Yr 09/13/2005	13. Time (24 Hr. Ci	ock)

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

Extend by Rock

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

9	R	

Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo 09/1	Da 2/200	• • •	3. Citation/ Order Number 4890537 -	- 02
ed To Crumrine - Mine Foreman				. Operat	or R WEST VIRGINIA MININ	G COMPANY INC
i. Mine SAGO MINE			7	. Mine II	46-08791	(Contractor)

Terminated due to the sloppy mud and water being cleaned from the walkways along the #5 conveyor belt head drive and take-up and the areas rock dusted.

						See Continuation Form
Section III-Subsequent Action Taken						4
8. Extended To A. Date Mo	Da Yr	Time (24 Hr. Clock)		C. Vacated	▼ D. Terminated	E. Modified
Section IV-Inspection Data					<del></del>	
9. Type of Inspection E01	10. Event	Number 4054749				
	<u>_                                    </u>				·	
11 Signat.		AR Number	12. Date	Mo Da Yr	13. Time (24 Hr. Clo	ck)
				09/13/2005	1055	
MS Form 7000-3a Mar 85 (revised	n					1)

Extered by Desk

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



	ated Mo Da Yr S Priginal Issue) 09/12/2005	3. Citation/ Order Number 4890537
ed To Hamrick	5. Operato ANKER	WEST VIRGINIA MINING COMPANY INC
Mine AGO MINE	7. Mine ID	46-08791 (Contractor)

Continuation of 8. Condition or Practice

There have been 15 citations issued for violations of section 75.1403 at this mine since 05/03/2005.

Section III—Subsequent Action Taken		See Continuation Form
8. Extended To A. Date Mo Da	Yr B. Time (24 Hr. Clock)	C. Vacated D. Terminated E. Modified
Section IV-Inspection Data  9. Type of Inspection E01	10. Event Number 4054749	
** Signature	JAP Mimber 12. Date	Mo Da Yr 13. Time (24 Hr. Clock) 09/12/2005 1840

#### Mine Citation/Order

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



Section I- /iolati	on Data					
1. Date	Mo Da Yr -09/13/2005	2. Time (24 Hr. Clock) 2200- 221-5		3. Citation/ Order Number	4890539	
red To 9/12/05 Brad Hamrick			5. Operator ANKER WEST VIRGINIA MINING COMPANY INC			
6. Mine SAGO MIN	νE		7. Mine ID 46-087	91	(Contractor)	
9 Condition o					8a, Written Notice (103g)	

The pre-shift examination for hazardous conditions that was conducted on 09/12/2005 for the #6 ,#5 and #4 conveyor belts is inadequate in that numerous, obvious hazardous conditions were found by this inspector. The conditions are listed in the following citations and orders. Refer to these conditions and orders for a description of the conditions: (1) #4890534, (2) #4890535, (3) #4890536, (4) #4890537, and (5) #4890538. These conditions were obvious and would have been seen by any prudent person.

					See Contin	nuation Form (MSHA I	Form 7000-3a)
9. Violation A. Health Safety Othe	of Act		C. Part/Section of Title 30 CFR		75.364	(b)(1)	
Section II-Inspector's Evalu	ation					<u></u>	
10. Gravity:						_	
A. Injury or Illness (h	as) (is): No Likelihood	Unlikely	Reasonably Likel	y 🔽	Highly Likely	Occume	d
B. Injury or illness co onably be expect		orkdays 🗌 Lost W	orkdays Or Restricted	Duty 🔽	Permanenti	y Disabling	Fatal
ignificant and Su	bstantial: Yes 🗹	No 🗌			D. Number of	Persons Affected:	001
11. Negligence (check o	ne) A. None 🗌	B. Low 🗌 🤾	C. Moderate	D. High	<b>y</b> E.	Reckless Disregan	1
12. Type of Action	104(d)(2)	13. Type of	Issuance (check one)	Ci	tation	Order 🗹	Safeguard 🦳
14. Initial Action A. Citation B. O	der 🗹 C. Safeguard (	D. Written Notice	E. Citation/ Order Number	7(	)97827	F. Dated	Mo Da Yr 05/20/2005
the following conveyor bel	g conveyor b	yor belt hea elts. #6 con					
16. Termination Due	A. Date Mo Da Yr	B. Time (24 Hr. Clo	ck)				
Section III-Termination Act	on						
17. Action to Terminate							
18. Terminated A. Date	Mo Da Yr	Time (24 Hr. Clock					
Section IV-Automated Sys	em Data						
19. Type of Inspection (activity code)	E01 20. Event Nu	mber 405474	9 21. Prima	ry or <b>M</b> ill			
22. Signature	6				23. AR	Number /	

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

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



Section I-Subsequent Action/Co	ontinuation Data	
1. Subsequent Action 1a. C	ontinuation 2. Dated (Original Issue)	Mo. /- Da/o. Yr 3. Citation/ 09/13/2005 Order Number 4890539 - 01
ved To		5. Operator
Brad Hamrick		ANKER WEST VIRGINIA MINING COMPANY INC
6. Mine		7. Mine ID (Contractor) 46-08791
SAGO MINE		40-007/1
Section II-Justification for Actio	ก	
Change	From	То
1. Issue Date	09/13/2005	09/12/2005
Reason Entered the w	rong date on citation when issu	ing.
2. Issue Time	22:00	22:15
Reason Entered the w	rong time on the citation when	issuing.
17. Action To Terminate		
	citation no 4890539 due to a sur	pplemental examination being conducted in the cited locations and the conditions

Section III—Subsequent Action Taken			See Continuation Form
8. Extended To A. Date Mo Da	Yr B. Time (24 Hr. Clock)	☐ C. Vacated	☑ D. Terminated ☑ E. Modified
Section IV-Inspection Data			
9. Type of Inspection E01	10. Event Number 4054749		
vatur 6	TAR N. ber	12. Date Mo Da Yr 09/13/2005	13. Time (24 Hr. Clock) 2200
MSHA Form 7000-3a, Mar 85 (revised)	Anna A		

W9/21

#### Mine Citation/Order

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





Section I-Vi	olation Data				
1. Date	Mo Da Yr 08/16/2005	2. Time (24 Hr. Clock) 1000		3. Citation/ Order Number	7098159
ed T Brad Ph	Го		5. Operator ANKER WEST VIR	GINIA MINING	COMPANY INC
6. Mine SAGO N			7. Mine ID 46-0879	91	(Contractor)
	n or Practice				8a. Written Notice (103g)

The #5 scoop battery charging station located at #49 block along the #4 conveyor belt in the intake entry. The scoop charging is energized, this charger is used to charge the batteries on the scoop being used in the intake to clean the travelway. Chemical smoke was released at the scoop battery charger and the smoke would swirl around, around and then the intake air current carried the smoke towards the (003) & (006) MUM working sections which is used for ventilating working places. This condition is an existing problem at this mine due to the following citations / orders have been issued previously: (1) #7097102, (2) #7097123, (3) #7097835. This mine has a blowing ventilation system.

										See C	Continuation	n Form (MS	HA Form 7000-3a)
	. Health [ Safety of Other [	2	B. Section of Act				an/Section of the 30 CFR	1		75.34	10(a)(1)	(i)	
Section II—Inspecto	r's Evaluet	ion								······································			
10. Gravity: A. Injury or Illn	ness (has)	(is):	No Likeliho	od []	Unlikely		Reasonab	ly Liikely	$ \mathbf{Z} $	Highly Lik	aiy 🔲	Occ	urred 🗌
B. Injury or illin sonably be			No Lost	Workday	<b>a</b>	t Work	days Or Resi	ricted D	uty 🗌	Perma	nently Dis	abling 🗹	Fatal 🗌
ignificant	and Subs	tantial:	Yes	<b>✓</b> 1	<b>40</b>					D. Numbe	r of Perso	ns Affected	<sup>t</sup> 001
11. Negligence (d	check one	)	A. None	E	3. Low 🗌	C. M	loderate		D. High	~	E. Reci	kless Disre	gard 🗌
12. Type of Action	n	104(	i)(2)		13. Type	of issua	nce (check o	ne)	(	Citation	Orde	er 🗹	Safeguard
14. Initial Action A. Citation	B. Ord	er 🗸	C. Safegua	rd 🗌 D	). Written Notice		E. Citation/ Order No	ımber	7	7097827		F. Dated	Mo Da Yr 05/20/2005
15. Area or Equip	oment	.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	The #	5 500	op charc	er.	locate	d in	the	intak	e ent	rv at	#49
block al	ong t	he :											
16. Termination i	Due	A. Date	Mo Da	Yr B	3. Time (24 Hr. C	Hock)							
Section IIITermin	ation Actio	n							- 4				
17. Action to Ter	minate		The	mine	operator	: im	mediat	ely	remo	ved th	e #5	scoop	charger
from ser	vice	рУ	de-ene	rgizi	ng and I	Lock	ing an	d ta	ggin	g out	of se	ervice	÷ •
18. Terminated	A. Date	,,,,	Da Yr 6/2005	B. Time (	24 Hr. Clock)		1005						
Section IV-Autom	ated Syste	m Deta											
19. Type of insp (activity code		E01	20. Event	Number	40547	49	21.	Primary	or Mill			اهيو	
22. Signature			-6							23.	AR Numb	XM (	6 J

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 enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the nent 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 et., 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, incurring the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.



Mine	Cite	dion	/Or	der
MILLER	1.112	нюн	3	





Section IVi	olation Data				
1. Date	Mo Da Yr 08/16/2005	2. Time (24 Hr. Clock) 1300	3. Citation/ Order Number	7098158	
red T	0		5. Operator ANKER WEST VIRGINIA MINING COMPANY INC		
6. Mine SAGO N			7. Mine ID 46-08791	(Contractor)	
	5 1			Ra Written Notice (103a)	

The weekly examination for hazardous conditions that was conducted on 08/10/2005 for the intake (primary escapeway) for the (003) & (006) MMU sections is inadequate in that numerous, obvious hazardous conditions were found by this inspector. The conditions are listed in the following citations / orders. Refer to these citations / orders for a description of the conditions: (1) #7098154, (2) #7098156, (3) #7098157. These conditions listed in the citations / orders were not recorded in the record keeping book and no corrective action has been taken.

				See Continuation	Form (MSHA Form 7000-3a)
9. Violation A. Health Safety  Other	B. Section of Act		/Section of 30 CFR	75.364(b)(1	)
Section II-Inspector's Evaluation					
10. Gravity:		_			
A. Injury or Illness (has) (is	•	Unlikely	Reasonably Likely 📝	Highly Likely	Occurred [
B. Injury or illness could re sonably be expected to i	Nalas 181 - John	rs Lost Workday	s Or Restricted Duty	Permanently Disa	abbling ☑ Fattal 🗌
Significant and Substan	tial: Yes 🗹 i	No []		D. Number of Person	ns Affected: 001
1 : . stegligence (check one)	A. None 🗌	B. Low 🗌 C. Mode	erate 🗌 D. High	E. Reck	dess Disregard
12. Type of Action 1	04(d)(2)	13. Type of Issuance	e (check one) (	Citation Orde	r 🔽 Safeguard 🗌
14. Initial Action A. Citation B. Order	☑ C. Safeguard ☐ C	). Written Notice	. Citation/ Order Number	7097827	F. Dated Mo Da Yr 05/20/2005
15. Area or Equipment Working sectio	n.	escapeway fr	om the surfac	ce to the (	006) MMU
16. Termination Due	Date Mo Da Yr	3. Time (24 Hr. Clock)			
Section III—Termination Action					
17. Action to Terminate	An examin	ation of the	primary escap	oeway was c	onducted on
08/17/2005 and record keeping	the hazardou				
18. Terminated	Mo Da Yr	· · · · · · · · · · · · · · · · · · ·			
I A Date	08/17/2005 B. Time (	24 Hr. Clock) 16	30		
Section IV-Automated System I	)enta	·			
19. Type of Inspection (activity code)	20. Event Number	4054749	21. Primary or Mill		
				4	

MSHA Form 7000-3, Mar w (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 agreery enforcement actions. The Ombudsman annually evaluates enforcement activities and nates each agency's responsiveness to small business. If you wish to comment on the nent actions of MSHA, you may call 1-888-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 x, 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, g the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.



Mine Cita	ation/Order	***************************************			U.S. Department of Labor Mine Safety and Health Administration				
Section I-Vio	olation Data		<del></del>				<i>i</i>		
1. Date	Mo Da Yr 08/16/2005	2. Time (24 Hr. Ck			3. Citation/ Order Number	709815	54		
ed T	°O			5. Operator ANKER WES	T VIRGINIA MINING	COMPAN	Y INC		
6 Mine SAGO M					5-08791		(Contractor)		
	n or Practice					8a. Written	Notice (103g)		
(1) The install inches has all entry located way in #5100	he mine roo lled to con s from the lso deterio just outby ions that c s obstructs . (4) Loose	f has dete trol the m mine roof rated away #5 block. reate a sl d by concr rock is h	riorated a ine roof. for approx just inby (2) The table, trip a rete blocks langing in	tway leaving The crossbar kimately 50 f y the tunnel travelway is and fall haza s and rock fr		which wroof 5 The minthe is several capeway of at S #1 and	ere to 25 ne roof ntake travel pad #2		
9 Violation	A. Health	B. Section		C. Part/Section of	See Continual	tion Form (MSH/	( Form /000-3a)		
	Safety ✔ Other	of Act		Title 30 CFR	75.380(d)	(1)			
10. Gravity: A. Injury B. Injury	respector's Evaluation  y or illness (has) (la):  y or illness could rea- bly be expected to be:	No Likelihood  No Lost Work	Unlikely [	Reasonably Likely		Occur Disabling 🗸	red []		
	ificant and Substantial	Yes 🗹	No 🗍	· · · · · · · · · · · · · · · · · · ·	D. Number of Per	sons Affected:	001		
1 veglige	ence (check one)	A. None	B. Low	C. Moderate	D. High 🗹 E. Re	eckless Disrega	ırd 🗌		
12. Type of	f Action 104(	(d)(2)	13. Type o	f Issuance (check one)	Citation O	rder 🗸	Safeguard [		
14. Initial A A. Citati		C. Safeguard	D. Written Notice	E. Citation/ Order Number	7097827	F. Dated	Mo Da Yr 05/20/2005		
_	rEquipment drive.	The primar	ry escapewa	ay from the c	rift to the #3	convey			
16. Termin	nation Due A. Date	Mo Da Yr	B. Time (24 Hr. Cl	ock)					
Section III-	Termination Action		·	····		<del></del>			

MSHA Form 7000-5, when the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration into 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 agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small businesses about federal agency enforcement activities and faithful of the same of the National Combudsman annually evaluates enforcement activities and rates each agency's responsiveness to small businesses about federal agency enforcement activities and faithful of the same of the National Combudsman annually evaluates enforcement activities and faithful of the State of the National Combudsman annually evaluates and rates each agency's responsiveness to small businesses act of 1996, the Small Businesse Administration of the Small Businesse Administration of the Small Businesses about federal agency enforcement Fairness Boards to receive comments from small businesses and Agriculture Regulatory Combudsman and 10 Regional Businesses Act of 1996, the Small Businesse Administration of the Small Businesse Administration of

21. Primary or Mill

23. AR Number

17. Action to Terminate

A. Date

Section IV-Automated System Data 19. Type of Inspection

Mo Da Yr

FAL

20. Event Number

B. Time (24 Hr. Clock)

4054749

18. Terminated

(activity ------)



Mine	Citation/Order
Canti	nuotion





Continuation		Mille Out	mille Safety and Health Administration			
Section I-Subsequent Action/Continuation	Deta				V	
1. Subsequent Action 1a. Continuation	1	Da Yr 3 08/16/2005	3. Citation/ Order Number	7098154 - 01		
ved To		5. Operator	r			
ad Phillips		ANKER	WEST VIRG	INIA MINING COMPA	NY INC	
6. Mine		7. Mine ID	44 00=0	, (Co	ontractor)	
SAGO MINE			46-0879	4		
Section II Justification for Action						

Terminated order no. 7098154 due to the loose rock being scaled from the mine roof in the cited area of the primary escapeway, 84 tunnel liner arches being installed starting at the existing arches an extends outby to the canopy of the mine fan. Roof support made of 5" by 9" by 16' wooden headers were installed side by side supported up by cribs over the travelway starting at the inby end of the existing arches and extends inby for a distance of 20 feet in length. A 6 feet travelway is now provided for the miners from the #3 conveyor belt head to the surface by cleaning some areas of the travelway and by re-routing the travelway in other areas. The primary escapeway is now safe for miners to travel from the #3 conveyor belt head to the surface.

Section ill-Subseq	uent Actic	on Taken							See Continuation Form
8. Extended To		Mo	Da	Yr B. Time (24	Hr. Clock)		C. Vacated	D. Terminated	E. Modified
Section IV—Inspect 9. Type of Inspec	44	01		10. Event Number	4054740				
11. Sign		.01	A		4054749 AR Number	12. Date	Mo Da Yr	13. Time (24 Hr. Cl	cold
			6			12. Late	08/17/2005	1620	

.-orm 7000-3a, Mar 85 (revised)



Mine !	Citation.	/Order
--------	-----------	--------





Date Mo Da Yr 08/16/2005	2. Time (24 Hr. Clock) 1055		3. Citation/ Order Number	7098153
vd To	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	5. Operator		
Phillips .		ANKER WEST VI	RGINIA MINING	COMPANY INC
Mine		7. Mine ID 46-08'	791	(Annamantar)
AGO MINE				(Contractor) 8a. Written Notice (103g)
Condition or Practice	the 003-0 MMU is not	adamiatalii ciii	operted or	
ne mine roor or	entry beginning at spa	adequatery ba	mine roof	between the left
ottom: (I) # /	side row of bolts for 3	36' dietance i	s broken wi	th pieces of
and the outs	ock from 1" to 5" thick	k hy 10" to 14	" wide hv 2	' to 3' long.
2) The right ri	b is loose hanging from	om just inhv t	he last ope	n crosscut inby
or 28' distance	e. Rib is 10 to 14" th	ick with the t	op brow bei	ng 8° long and
2" to 14" thick	Rib is 8' high. (3)	The outby cor	ner of the	last open
rosscut of #7 e	entry is loose and gapp	oing out by 1"	loose rib	is 4' wide by 9'
igh and 12" thi	ck. (4) The mine roof	along the lef	t rib to th	e outside row of
olts, of the la	ast open crosscut from	7 to 6 is bro	ken and has	numerous pieces
of loose hanging	g rock up to 4" thick	that looks as	if they wil	1 fall without
varning. (5) The	right inby corner of			
NE 100   14   11   15   17	I a a	Death of	See Continual	tion Form (MSHA Form 7000-3a)
. Violation A. Health Safety	B. Section C	: Part/Section of Title 30 CFR	75.202(	a)
Other _				
ection II—Inspector's Evaluation				
O. Gravity:  A. Injury or Illness (has) (is):	No Likelihood Unlikely	Reasonably Likely	Highly Likely	Occurred [
Injury or illness could reasonably be expected to be:		orkdays Or Restricted Duty	Permanently D	Nisabēng ☑ Fatal 🗌
Significant and Substantia	! Yes 🗹 No 🗌		D. Number of Per	sons Affected: 001
<sub>s</sub> iligence (check one)	A. None B. Low C	. Moderate D. H	gh 🗹 E.Re	eckless Disregard 🗌
2. Type of Action 104	(d)(2) 13. Type of Iso	suance (check one)	Citation O	rder 🗹 Safeguard 🗌
4. Initial Action A. Citation B. Order	C. Safeguard D. Written Notice	E. Citation/ Order Number	7097827	F. Dated Mo Da Yr 05/20/2003
5. Area or Equipment 中內	e #5 through #7 entrie	s of the 003-0	mmu.	
Action of Printering T. U.S.	- · · · · · · · · · · · · · · · · · · ·			
Assumed to Edinbulgh IIII				
is the or Edubula $T = T \Pi$				
16 Termination Due	Mo Da Yr			
	Mo Da Yr B. Time (24 Hr. Clock	)		
6, Termination Due A. Dat	B. Time (24 Hr. Clock			
6. Termination Due A. Dat Section III—Termination Action 7. Action to Terminate The	e loose material was t		the require	ements were
16. Termination Due A. Dat Section IIITermination Action 17. Action to Terminate The	B. Time (24 Hr. Clock		the require	ements were
16. Termination Due A. Dat Section IR—Termination Action 17. Action to Terminate The discussed with	e loose material was t		the require	ements were
6. Termination Due A. Dat Section IR—Termination Action 7. Action to Terminate The discussed with 1	e loose material was t		the require	ements were
16. Termination Due  A. Dat Section III—Termination Action  17. Action to Terminate  The discussed with 1  18. Terminated  A. Date  M  08  Section IV—Automated System Date	e loose material was to mine management.  To Da Yr  16/2005  B. Time (24 Hr. Clock)	aken down and		ements were
16. Termination Due  A. Date  Section III—Termination Action  17. Action to Terminate  The discussed with 18. Terminated  A. Date  M 08	B. Time (24 Hr. Clock)  e loose material was to mine management.  G.Da Yr /16/2005  B. Time (24 Hr. Clock)	aken down and		ements were
6. Termination Due A. Date Section IR—Termination Action 17. Action to Terminate The discussed with 18. Terminated A. Date M. O8 Section IV—Automated System Date 19. Type of Inspection	B. Time (24 Hr. Clock)  e loose material was to mine management.  G.Da Yr /16/2005  B. Time (24 Hr. Clock)	aken down and		

has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Farmess 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 1, 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, the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.



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



	(Original issue)	Mo Da Yr 08/16/2005	3. Citation/ Order Number 709	8153
ved To		5. Operati ANKEI		MINING COMPANY INC
S. Mine SAGO MINE		7. Mine IC	46-08791	(Contractor)

Continuation of 8. Condition or Practice

the # 6 entry in the last open crosscut is loose and gapping away from the rib. Rib is 7' high and loose corner is 14" by 8'. (6) Outby corner of the same intersection is loose 4' by 4' by 4".(7) The right rib just outby the section power center is loose with hanging pieces of rock 6" thick by 2' long and wide for 15' distance. (8) The left outby corner of the last open crosscut of #5 entry is loose and gapping out. Rib is 7" high loose corner is 10" thick by 8' long.

This section experienced a serious fall of roof accident on 8/10/05 in which a miner was struck by roof rock causing a broken back injury. There was also a serious fall of rock accident that occurred on 7/11/05 in which a miner suffered a serious lost time injury. Mine management should have been on a heightened state of alert for the listed conditions. The listed conditions were obvious and should have been detected and corrected.

									See Continuation Form
Section ill-Subse	quent Action Take	113							
8. Extended To	A. Date Mo	Da	Yr	B. Time (24 Hr. Clock)		C. Vacated	D. Terminated	E. Modified	
Section IV-Inspec	tion Data								
9. Type of Inspe	ction E01		10. E	rent Number	4054749				
11. Signature			•	A	AR Number	12. Date	Mo Da Yr 08/16/2005	13. Time (24 Hr. C) 1055	•

orm 7000-3a, Mar 85 (revised)

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



Section I-Violation Data				
1. Date Mo Da Yr 07/12/2005	2. Time (24 Hr. Clock) 0730		3. Citation/ Order Number	7097941
vcd To		5. Operator		
. Crumrine - Mine Fore	man	ANKER WES	T VIRGINIA MINING	COMPANY
6. Mine		7. Mine ID 46	-08791	
SAGO MINE			~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	(Contractor)
8. Condition or Practice				8a. Written Notice (103g)
The mining me	ethods that were used	on the $2.16$	eft mains (003)	MMU SECTION
expose the miner:	s to hazards related	to reduced 1	pillar sıze. Pr	oper signt
lines or other me	ethods of directional	controls w	ere ether not p	provided or
followed The #5	entry has been drive	n off sight:	s to the point	that in 60 leet
of development th	he left pillar size h	as been red	uced to a width	of 10 feet and
8 inches. The #9	entry has been devel	oped of sigl	hts to the poir	it that it cut
into the #8 entr	y after only 56 feet	of developme	ent. The approv	red root control
plan provides the	at the pillar size be	maintained	at least 35 fe	eet wide. The
entry's are being	g developed on 55 fee	t centers w	hich leaves the	e pillar block
35 feet wide. The	e failure of mine mar	agement to ]	provide reasona	able sight lines
for the miners to	o follow demonstrates	higher that	n normal negled	ct as sight
lines are fundament	ental to the systemat	ic	See Continuation	on Form (MSHA Form 7000-3a)
9. Violation A. Health	B. Section	C. Part/Section of		
Safety V	of Act	Title 30 CFR	75.203(b	)
Other 🗍	1			
Section If-Inspector's Evaluation				
10. Gravity:	Na a Rosello a de la Princia Cil	Dagagashir I ikab	. Te Minister that	Occurred
A. Injury or illness (has) (is):	No Likelihood Unlikely	Reasonably Likely	Highly Likely	· · · · · · · · · · · · · · · · · · ·
B. Injury or illness could rea- sonably be expected to be:	No Lost Workdays Lost V	orkdays Or Restricted D	outy Permanently Di	sabling Fatal
Significant and Substantial:	Yes 🗹 No 🗌		D. Number of Pers	ons Affected: 001
egligence (check one)	A. None B. Low	. Moderate	•	xkless Disregard 🗌
12. Type of Action 104(	(d)(2) 13. Type of I	ssuance (check one)	Citation Or	ter 🗹 Safeguard 🗌
14. Initial Action A. Citation B. Order	C. Safeguard D. Written Notice	E. Citation/ Order Number	7097827	F. Dated Mo Da Yr 05/20/2005
15. Area or Equipment #5	entry and #9 entry l	cated on th	e 2-Teft, 003 1	<u> </u>
section.	entry and #3 entry i	caced on th	le 2 Here, ous .	
Section.				
			1	
16. Termination Due A. Date	Mo Da Yr B. Time (24 Hr. Cloc	k)		
Section III-Termination Action				
17. Action to Terminate	Terminated due to t	ne engineer'	s have set new	spads in the
#5 entry to be u	sed as directional c	ontrol and c	ribs will be s	et before the
	eloped. The #9 entry			
A Deta	Da Yr 12/2005 B. Time (24 Hr. Clock)	0800		
Section IV—Automated System Data	20 200 1	<u></u>	<del>, </del>	
19. Type of inspection (activity code) E01	20. Event Number 4054749	21. Primary	or Mill	
22. Sign#	1		23. AR Num	ber 6
&	In accordance with the provisions of the S		- C	A. C. II D. in Educinistation

has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal anercy enforcement actions. The Ombudsman amustly evaluates enforcement activities and rates each agency's responsiveness to small businesse. If you wish to comment on the ment 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 1, 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, the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

WAJN

Mine	Citation/Order
Conti	nuation

	η
N//	

Section I-Subsequent Action/Continuation Data							
1. Subsequent Action 1a. Continuation	Dated     (Original Issue)	Mo Da 07/12/20		3. Citation/ Order Number	7097941		_
ved To			5. Operato	•			
. Crumrine - Mine Foreman			ANKER	WEST VIRG	INIA MINING CO	OMPANY	
6. Mine			7. Mine ID	46.0050	4	(Contractor)	
SAGO MINE			<u> </u>	46-0879	'l		
Section # Justification for Action							

Continuation of 8. Condition or Practice

development of a section. This section is a set of mains that will be utilized for years. The small block sizes can not be completely replaced. The miners will be exposed to the danger done for several years to come.

Continuation of 17. Action to Terminate

not be developed beyond this point.

Section III-Subse	quent Action Tak	19R							See Continuation Form
8. Extended To	A. Date Mo	Da	Yr	8. Time (24	Hr. Clock)		C. Vacated	D. Terminated	E. Modified
Section IV-Inspec 9. Type of Inspe			10. E	vent Number	4054749				
11. Signature			<del></del>	. 7	AR Number	12. Date	Mo Da Yr 07/12/2005	13. Time (24 Hr. Ck 0730	ock)

orm 7000-3a, Mar 85 (revised)

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



Section I-Violation Data									
1 Date Mo Da Yr	2. Time (24 Hr. C				3. Citation/ Order Number	7097836			
06/02/2005 erved To	07:	25	5. Operator		Order Number				
Bill Currence Mine Foren	nan			WEST VIRGI	NIA MINING	COMPANY INC			
6. Mine SAGO MINE			7, Mine ID	46-08791		(Contractor			
8. Condition or Practice			<u> </u>			8a, Written Notice (103g)			
The pre-shif	t examina	ation for the	#3 sco	op chargi	ng statio				
supply haulroad i									
by this inspector									
given the respons									
their earliest possible stages. (1) The #3 scoop battery charging station was									
found by this ins	pector in	the #7 inta	ke entr	y at #58	block cro	sscut between			
the #6 entry (sec									
charger is energi									
ventilated direct									
is ventilated wit									
002-0 mmu working					used for	r face			
ventilation purpo	ses. (4)	The #3 scoop	batter	У	O O	F 440i N. # 3000 0 )			
9. Violation A. Health	B. Section	Te i	Part/Section of	1	See Communication	on Form (MSHA Form 7000-3a)			
Safety 🗸	of Act		Title 30 CFR		75.360(a)(	1)			
Other Other		<u> </u>							
Section II—Inspector's Evaluation  10. Gravity:									
A. Injury or Illness (has) (is):	No Likelihood	Unlikely 🗍	Reasonably	Likoby 🐷	Highly Likely	Occurred			
B. Injury or illness could rea-	No Lost Work			icted Duty 🗸	Permanently Dis				
sonably be expected to be: Significant and Substantial:					<del></del>				
AA NT. 17	Yes ₩	No 🗆	<u> </u>	L	). Number of Pers	001			
	A. None		foderate	D. High		kless Disregard			
	) <del>(2)</del> (1)	13. Type of issu	,	ve) Citz	ntion Ord	ler 🗹 Safeguard (			
14. Initial Action A. Citation ☐ B. Order ☑	C. Safeguard	D. Written Notice	E. Citation/ Order Nur	mber 709	97827	F. Dated Mo Da Yr 05/20/200			
15. Area or Equipment	The #3 s	scoop chargin	σ stati	on locate	d in the	#7 Intake			
entry at #58 bloc	k which	is along the	SCOOD S	upply hau	lraod.	# ·			
_		3							
16. Termination Due A. Date	Mo Da Yr	B. Time (24 Hr. Clock)			<del> </del>				
Section III—Termination Action	·····	<u> </u>				······································			
17. Action to Terminate	Terminate	ed due to the	002-0	mmii noati	on Fores	an Rick Bragg			
calling out the c	nndition	that he dete	ated on	hic op-s	On rorema	nination to			
Bill Currence Min	e Foreman	and the con	ditions	Were rec	orded	mination to			
18. Terminated A Date Mo D	a Yr T		1300						
Section IVAutomated System Data	<u> </u>								
19. Type of Inspection (activity code) FD1	20. Event Numbe	4054745	21. P	rimary or Mill					
22. Signatu		T. G. S. Z. W. L. G. W. L. G. S. Z. W. L. G. Z. W. L. W. L. G. Z. W. L. G. Z. W. L. G. Z. W. L. G. Z. W. L.	l	·	23. AR Numi	per /			
MSHA Form 7000-3, Mar 85 (revis	W	In the provisions of the Small	Butiness Revei	atory Enforcement E	nimes Act of 1906	the Small Business Administration			

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



Section I—Subseque	ent Action/Continuation Uni	2					
Subsequent Ac	ction 1a, Continuation	2. Dated (Original Issue)	Mo Da 06/02/20	- •	3. Citation/ Order Number	7097836	
erved To				5. Operat	OF		
Bill Currence	.Mine Foreman			ANKE	R WEST VIRO	GINIA MINING	COMPANY INC
6. Mine				7. Mine II	)		(Contractor)
SAGO MINE	· •				46-0879	)]	(
Section II—Justificat	tion for Action			<del></del>			
Continuation of 8.	Condition or Practice				<del>-</del>		
charging	station is	not provided	d with a	oper	ational f	fire suppre	ssion system.

charging station is not provided with a operational fire suppression system. (5) No evidence could be found by this inspector to indicate that a pre-shift examination was conducted for the #3 scoop charging station. (6) This #3 scoop charging station is located along the #7 intake entry which is also the scoop supply haulroad and this haulroad is regularly traveled by the miners. A pre-shift examination report was called out by John Travise, received by lat 6:00 A.M. on 06/02/2005 as no hazards observed. John Travise and engaged in aggravated conduct by his failure to record and take action on a known hazard. This violation is an unwarrantable failure to comply with a mandatory standard.

Note: order no. 7097835 has been issued in conjunction with order. Continuation of 17. Action to Terminate in the pre-shift and on-shift examination record book.

Section III—Subsequ	ent Action Tak	<b>e</b> n	<b>.</b>							See Continuation Form
8. Extended To	A. Date Mo	Da	Yr B. Tin	ne (24 H	r. Clock)		□ c.	Vacated	D. Terminated	E. Modified
Section IV-Inspecti	on Data			·····						
<ol><li>Type of Inspect</li></ol>	ion E01		10. Event Nu	ımber	4054745					
** ^igna	1			TA	R Number	12. Date	Mo Da	Yr	13. Time (24 Hr. Cl	
	<u> </u>				-6 <u>-</u> 1	1/2. Date		2/2005	0725	ockj
MSHA Form 7000 2	o Mar DE francis									

Mine	Citation/Order
Conti	nustins

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n	7
W	

				.Attition .	carcy and real	ii vaiimmen anoti	
Section I-Subsequent Action/	Continuation Data						
1. Subsequent Action 1a.	Continuation	Dated     (Original issue)	Mo Da 06/02/20	Yr 905	3. Citation/ Order Number	7097836 - 01	
Served To				5. Oper	ator		
Bill Currence . Mine	Foreman			ANK	ER WEST VIRG	INIA MINING COM	PANY INC
6. Mine				7. Mine		maximum con	
SAGO MINE				1. 1418 10	46-0879	1	(Contractor)
Section II-Justification for Act	tion			<u></u>			
Change	Fron	2			То		
12. Type of Action1	104(	1)(2)			104(d)(1)		
Reason Issued und	ler the wrong typ		or.		**************************************		

Issued under the wrong type of action in error.

Section III-Subse	quent Aci	ion Tak	en .								See Continuation Form
8. Extended To	A. Date	Мо	Da	Yr	B. Time (24	Hr. Clock)		C. Vac	ated	D. Terminated	E. Modified
Section IV-Inspec					<u> </u>						
9. Type of inspe	ction ]	E01		10. E	vent Number	4054745					
Signa:	. <i>.</i>	0			1	AR Number	12. Date	Mo Da 06/07/2	Yr 005	13. Time (24 Hr. Clo 0355	ck)
MSHA Form 7000-	3a Mar s	E Inmin	•							<del></del>	

line no.12, Type of Action was modified.

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



	t Action/Continuation Data				
<ol> <li>Subsequent Activ</li> </ol>	on 1a. Continuation	2. Dated (Original Issue)	Mo Da 06/02/20	Yr 3. Citation/ Order Number	7097836 - 02
Served To Bill Currence	Mine Foreman			5. Operator ANKER WEST_VIRG	INIA MINING COMPANY INC
6. Mine SAGO MINE				7. Mine ID 46-0879	(Contractor)
Section Il—Justificatio	n for Action				
Change	Fre	m		To	
4. Initial Action	Oro	ler		Citation	
Reason Fail	led to modify line #14	from box (B) Ord	ler to box (A)	Citation when line #12 v	vas modified.
14. E. Citation/Orde	er Number 709	7827		7097825	
Reason Fail	led to modify line #14	, E from Order #7	097827 to Ci	tation #7097825 when lis	ne #12 was modified.

See Continuation Form Section III-Subsequent Action Taken 8. Extended To B. Time (24 Hr. Clock) C. Vacated D. Terminated E. Modified Section IV-Inspection Date 9. Type of Inspection E01 10. Event Number 4054745 Signature 13. Time (24 Hr. Clock) AR Number 12. Date Mo Da Yr 06/09/2005 1520 MSHA Form 7000-3a, Mar 85 (revised)

Mulc

Mine	Citatio	on/Order
1411110	<b>Under</b>	<i>/                                      </i>

### U.S. Department of Labor

					Mine S	afety and Healt	h Administrati	on	
Section I-Violat	ion Deta								
1. Date	Mo Da Yr	2. Time (2	24 Hr. Clock)				3. Citation/	709783	5
	06/02/2005	<u>                                     </u>	0715				Order Numbe	er /09/03	13
4. Served To					5. Opera				-
Bill Curren	ce Mine Forer	nan			ANKE	R WEST VIRO	INIA MININ	G COMPAN	Y INC
6. Mine SAGO MIN	une				7. Mine	<sup>D</sup> 46-0879	1		
8. Condition or							<del>-</del>		(Contractor)
		hatte.	ru obar	aina ahat			<u></u> 117	8a. Written f	votice (103g)
54 #50	hlock area	Datte	ry cuar	ging stat	TOU T	ocated in	the #/ ma	in inta	ce entry
at #50	hop the fo	socue Silani	Decween	#o entry	/ ( se	condary es	cape way	) and #	intake
encry w	hargar is	TIOMI	ng cond	TCIOUS ME	ere Io	ind by thi	s inspect	or. (1)	The #3
Tentila	narger is ted direct	-lu +o	ized an	u chargin	ig a s	et of scoo	p batteri	es wnicr	1 1s not
station	ie venti	rry co	a recu	ru art co	ourse.	(2) This	#3 SCOOP	chargir	ıg
O mmii w	orking cur	or en	with in	rave arr	Llidt .	ravels di	recery to	tue noi	U & 002
#3 5000	orking sup n hattaru	chare	ina eta	na is use	d for	face vent	ration b	urposes.	(3) The
Sunnres	p baccery sion eveta	m (4	ling sca	idonas as	or bro	vided wit	n a opera	itional I	ire
shift e	vamination	med (4	onduct	ad for th	onto bi	e found to	indicate	that a	pre-
chargin	a station	is lo	cated a	long the	47 in	scoop char	ging stat	(10n. (5)	This
supply	haulroad a	ind th	ie baul	rong the	# / 111	ake entry	which is	aiso tr	re scoop
Cappaj		HILL CIL	TO HAUL	road 15			C C	v	
9. Violation	A. Health	B. Section	<del></del>	Ic	Part/Section	) of	See Continua	tion Form (MSHA	Form 7000-3a) 😿
İ	Safety 🔽	of Act			Title 30 CFI		75.340(a)(	1Vi)	
	Other		···	<u> </u>	***************************************			~ //· /	
Section IIInspect 10. Gravity:	ctor's Evaluation	······································							
	Illness (has) (is):	No Likelitx	wd []	Unlikely [	Danner	ibly Likely 🔽			. —
B. Injury or	illness could rea-		t Workdays [		······································	stricted Duty	Highly Likely Permanently D	Occurre	
	nt and Substantial:		√ No (				D. Number of Pen	···	Fatal []
Negligence	(check one)	A. None			Moderate [	D. High	····	eckless Disregard	001
12. Type of Act		) <del>(2)</del> (1)	-	13. Type of Issu				der 🔀	Safeguard 🗍
14. Initial Action				<u> </u>	T			<del>T</del>	
A. Citation [	B. Order 🔽	C. Safegua	rd 🔲 D. Wi	itten Notice	E. Citation Order i	- /1	)9782 <del>7</del>	F. Dated	Mo Da Yr 05/20/2005
15. Area or Equ		he #3	scoop	charging	statio	n located	in the #	7 Intake	entrv
at #58 1	block whic	h is	along t	he scoop	supply	haulroad	•		001
16. Termination	Due	Mo Da	r T	· · · · · · · · · · · · · · · · · · ·		<u> </u>	***************************************		
	A. Date		B. Tin	ne (24 Hr. Clock)					
Section III-Term	ination Action								
17. Action to Te	erminate	Termin	nated d	ue to the	#3 sc	coop charg	ing etati	on hoing	mariad
to the	#60 block	cross	cut loca	ated betw	een #8	intake e	ntry scall	on being	noved
entry. ?	This #3 sc	oop cl	harging	station	is now	set up re	eady for	#3 recur	11
18. Terminated	A Date MoD	a Yr I	B. Time (24 Hr		0915		cady for		T
Section IV-Autor	nated System Data		······································		·	<u> </u>	······································	·	
19. Type of Insp (activity cod	pection	20. Event l	Number	4054745	21	Primary or Mill			
22. Signatur	T. 6	<u> </u>		7			23. AR Num	ber / /	
MSHA Form 7000	)-3, Mar 85 (revised)	, h							1
	-, ::-e:	at accord	erse with the pro	visions of the Small	Business Re	julatory Enforcement F	airness Act of 1994	the Small Rusines	e Administration

maccordance 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 "vicement 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 treet, 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, uding the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.



Mine	Citation/Order
Conti	nuation

~//

Served To  Bill Currence .Mine Foreman  5. Operator ANKER WEST VIRGINIA MINING COMPAN		7097835	3. Citation/ Order Number	** 1	Mo Da 06/02/20	Dated (Original Issue)	n 1a. Continuation	1. Subsequent Action
	Y INC	NIA MINING COMPANY					Mine Foreman	Bill Currence .M
6 Mag	ntractor)		)					

Continuation of 8. Condition or Practice

regularly traveled by the miners. A pre-shift examination report was called out by John Travise, received by as no hazards observed at 6:00 A.M. on 06/02/2005. John Travise has engaged in aggravated conduct by his failure to record and take action on a known hazard. This violation is an unwarrantable failure to comply with a mandatory standard. The mine operator immediately deenergized and removed the #3 scoop charger from service.

Continuation of 17. Action to Terminate Service.

Section III—Subsequent Action Taker	n						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 FO1							
9. Type of inspection E01	_	10. Event Number	4054745				
11. Sign			AR Number	12. Date	Mo Da Yr 06/02/2005	13. Time (24 Hr. Ck	ock)
Form 7000-3a Mar 85 /routes	•		<b>C</b> -				

Mine	Citation/Order
Conti	nustion

H	•

Continuatio	<b>11</b>			mine Safety an	io neami Administratio	n 🐪
Section I-Subse	quent Action/Continuation De	ata .				
1. Subsequent	Action 1a. Continuation	Dated     (Original Issue)	Mo Da 06/02/20	Yr 3. Citatio 05 Order	on/ Number 7097835 - (	01
Served To Lill Curren	ce Mine Foreman			5. Operator ANKER WES	T VIRGINIA MINING	COMPANY INC
6. Mine SAGO MINE				7. Mine ID 46	-08791	(Contractor)
Section II—Justif	ication for Action					
Change		From		To		
12. Type of Action1 104(d)(2)			104(d	i)(1)		
Reason	Issued under the wron	g type of action in en	ror.			
I	ssued under t	he wrong tv	ne of ac	rtion in e	rror	

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
Section IV-Inspection Data			
9. Type of Inspection E01	10. Event Number 4054745		
11. Signatui	AR Number 12. Date	Mo Da Yr 06/07/2005	13. Time (24 Hr. Clock) 0359
Form 7000-3a Mar 85 (reserve)			

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



	nt Action/Continuation Data ion 1a. Continuation	2. Dated (Original Issue)	Mo Da 06/02/20		3. Citation/ Order Number	7097835 - 02	2
Served To				5. Operato	<u>т</u>		
الد Currence	Mine Foreman			ANKER	<b>WEST VIRG</b>	INIA MINING (	COMPANY INC
6. Mine SAGO MINE				7. Mine ID	46-0879		(Contractor)
Section II—Justification	on for Action			<u> </u>			
Change	Fr	om			To		
14. Initial Action	Or	der			Citation		
Reason Fail	ed to modify line #14	from box (B) Order	r to box (A)	Citation v	vhen line #12 w	as modified.	
	er Number 70	97827			7097825		
<ol><li>E. Citation/Ord</li></ol>							

Missed modifying line no.14, Initial Action from box (B) Order to box (A) Citation and line #14, E form Order #7097827 to Citation #7097825 when line no.12, Type of Action was modified.

Section III-Subsequent Action Taken  8. Extended To A. Date Mo De Y	B. Time (24 Hr. Clock)	C. Vacated	D. Terminated	
				✓ E. Modified
Section IV-Inspection Data  9. Type of Inspection E01 [10.	Event Number 4054745			
11. Signature	4034743			
	AR Number 12.0	Date Mo Da Yr 06/09/2005	13. Time (24 Hr. Clock 1510	k)



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



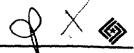
Section IViolation Data						
1. Data Mo Da Yr 05/20/2005	2. Time (24 Hr. Clock) 0320			Citation/ Order Number	7097827	
ed To Travise - Shift Forem			Operator NKER WEST VI	RGINIA MININO	COMPANY INC	
6. Mine	4411		PK 10			
SAGO MINE			46-08	/91	(Contra	ctor)
8. Condition or Practice					8a. Written Notice (103g)	
	ft examination					
that the following						₹e
been recognized						
conducting an mi						
stages. A excess						al,
coal fines and f						
belt drive and t						
measured 9 1/2 f						
range from powde						
running in the a						
roller is gobbed				t coal dust	has accumulat	red
on previously ro	ck dusted suri	faces of the	e mine			
0.15.14				See Continual	tion Form (MISHA Form 7000-3	<u>.)                                    </u>
9. Violation A. Health Safety 🗸	B. Section of Act		Section of 30 CFR	75.360(a)	A))	
Other		1	~ 0	75.500(a)	(1)	
Section II—Inspector's Evaluation						
10. Gravity:	A1 - 4 7 - 17 1 7 1					
A. Injury or Illness (has) (is):	No Likelihood	Unlikely R	easonably Likely 🗸	Highly Likely	Occurred	
<ul> <li>B. Injury or illness could reasonably be expected to be:</li> </ul>	No Lost Workdays	Lost Workdays	Or Restricted Duty 5	Permanently D	isabling Fatal	
gnificant and Substantial:	Yes 🗹 No [	]		D. Number of Pen	sons Affected: 001	
11. ivegligence (check one)	A. None B. Lo	v 🗌 C. Moder	rate D. Hi	gh 🗹 E.Re	ockless Disregard 🗌	
12. Type of Action 104(	d)(1)	13. Type of issuance	(check one)	Citation 🗌 Or	der 🗹 Safegua	rd 🗌
14. Initial Action A. Citation ☑ B. Order □	C. Safeguard D. Wri	1	Citation/ Order Number	7097825	F. Dated Mo Da 05/20/2	
15. Area or Equipment	The #3 cost /	TODUCATOR hol	1+ 2-i+- +	aka wa and		2003
for a total of 7	0 feet in leng	onveyor be	it drive, t	ake-up and	conveyor belt	
		-				
16. Termination Due A. Date	Mo Da Yr B. Tim	e (24 Hr. Clock)				
Section III-Termination Action						*
17. Action to Terminate	John Travise	( Shift For	reman ) inn	er the cond	itions that he	
seen in this are	a in the pre-s	shift and or	eshift rec	ord book	rerous char he	<i>-</i>
		January Wild OI	. 0.11.10 100	ord book.		
I A. Date	Da Yr B. Time (24 Hr.	Clock) 073	5		**************************************	<del></del>
Section IV—Automated System Data	20/2005					
19. Type of Inspection (activity code) E01	20. Event Number	4054745	21. Primary or Mid			
(activity code) E01	20. Event Number	4054745	21. Primary or Mill			
19. Type of Inspection (activity code) E01 22. Signature MSHA Form 7000-3, Mar 85 (revised)				23. AR Num	ber 6 1 , the Small Business Administra	

has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency comment actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the ontextons 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 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, the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.



Cection ⊢ Violation ⊔ata

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



1. Date	Mo Da 05/20/2		2. Time (	24 Hr. Clo 03 T						····	3. Citat	ion/ er Numbe	7097	825	-	
ved To	0312.012	00.5	<del></del>	UJ I.				5. Operator			-L			······		
Travi	se - Shift	Forem	an					ANKER		r virg	INLA N	MININC	COMP	ANY	INC	
SAGO MI	NE							7. Mine ID	46	-0879	1				(Contra	ictor)
8. Condition o						······					·· <del></del>	· · · · · · · · · · · · · · · · · · ·	8a. Writt	en Nat	ice (103g)	
A e	excess	ive a	mount	of o	comb	ustibl	e 1	materia	als i	n th	e foi	rm of				<u> </u>
coal fi	nes a	nd f	oat c	oald	dust	is al	loi	wed to	acci	ımıı la	te at	the	#3 00	nnve	WOr	
belt dr	cive a	nd ta	ke-ur	ነ ሞክረ	2 20	ב לנותנוטי	+ 1,	one unc	doct	ha h	attar	n con	TOUCE	hal	.y 🗸	
measure																^
accumu																E
running	r in t	he ar	rcumul	od mo.	omuc ne f	or a d	ici	tanco c	1110	foot	in C	nivel	p seq	- L A	.o . hati	+ ~ m
belt ro	ollar	ic al	leo do	bbod	71. OI	hiz th	ΤΟ:	cance c	/1. / ! ~ + -1 ~	reer	ፈ፤፤ ተሌል ተ	Elost	ii aiiu	One	. DOL	COIII
SCIUMII]	latod .	on ni	corrion	ieju i	บนบ ชอดจ	. Dy til	ਦ । ~ੋ	accumu.	rarra	)115.	ine i	riogi	uust	Hid5	i 	
accumul	lino	on pi	.cv.rob	rota i		. uuste	u i	Surrace	£	. cne	TILLE	3 TTO	OI, II	.DS,	p 11	ncn
water I	יבוזבי רדוזבי	COHVE	syor r	10 T L 3	stru	ccure,	ال د	ake-up	LEGII	ie an	u cai	ce-up	LOTTE	)	,	
bearing	go. III	e IIC	oat CC	Den	:	measur	ea	rrom 1	(ATO	or a	n inc	on to	2 inc	nes	: aeej	Þ
by 70 f	reer r	n: -r	19 LII •	Kang.	ıng	rrom b	OW	aer ary	y to	damp	to 1	tne t	ouch a	ind	ıs	
black t	o red	uisn	Drown	inn	COTO	r. Acc	umi	ulation	ns ar	round						
0.10-1-11-11	A 51	<del>_</del>									Sec	Continual	ion Form (M	SHA For	rm 7000-3a	a) 🗸
9. Violation	A. Health Safety Other	<b>2</b>	B. Section of Act					Part/Section of Title 30 CFR	đ			75.400				
Section II-Insp	1	I								<del> </del>	·					
10. Gravity:			<del></del>			· · · · · · · · · · · · · · · · · · ·			····		·····					
A. Injury or	lliness (ha	s) (is):	No Likelih	ood 🗍	ŧ	Inlikely 🔲		Reasonabl	v Likely	<b>7</b>	Highly L	ikelv 🗀	Occ	curred	<u></u>	
	B. Injury or illness could reasonably be expected to be: No Lost Workdays   Lost Workdays Or Restricted Duty   Permanently Disabling   Fatal															
	ant and Sub		Ye	s 🗹	No [					I	D. Numb	er of Pers	ons Affects		001	······································
COI <sub>ligenc</sub>	e (check on	e)	A. None		B. Low	, []	C. M	loderate [		D. High	<b></b>	E. Re	ckless Disn	egard [		
12. Type of A	ction	104(d	)(1)	·····		13. Type of I	SSU	ance (check o		·····	tation 🗹	Or	der 🗌		Safegua	ırd 🗍
14. Initial Action  A. Citation		der 🗌	C. Safegu	ard 🗍 🗆	D. Writ	ten Notice	)	E. Citation/ Order Nu	mber				F. Dated	<del></del>	Mo Da	Yr
15. Area or Ed	quipment											7.4	<u> </u>			
16. Terminatio			V- D-	<u> </u>							····					
io. remarano	n Due	A. Date	Mo Da 05/20/2		B. Time	(24 Hr. Cloc	k)	060	D							
Section IIITerr	nination Activ		03/20/2	003						<u> </u>						
17. Action to 7		A1											<del> </del>		- <del></del>	
TY, ACCOUNTS	CHIMALE															
					***************************************											
18. Terminated	A. Date	Mo C	a Yr	B. Time (	(24 Hr.	Clock)										·····
Section IV-Auto	omated Syste	m Data						·-··	<b></b>	· · · · · · · · · · · · · · · · · · ·						
19. Type of ins (activity co	spection de)	E01	20. Event	Number	•	4054745	;	21. P	rimary o	r Mill						·····
22. Signatur		Ì	7 / 1					1		<del></del>		20 1	h 2^		<del></del>	
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MSHA Form 700 has established	u~>, mar do a National S	(revised) mail Busir	noccens and American	zance with iculture Re	ine prov	isions of the Si	nall l	Business Regu	tatory Enf	orcement l	Fairness A	ct of 1996,	the Small Bu	siness.	Administra	ation

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 businesses about federal agency 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 37. 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, he right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

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