



August 22, 2008

MEMORANDUM FOR: RICHARD E. STICKLER  
Acting Assistant Secretary for  
Mine Safety and Health Administration

FROM: *Charles J. Thomas*  
CHARLES J. THOMAS  
Director of Accountability for  
Mine Safety and Health Administration

SUBJECT: MSHA Office of Accountability Audit, Delta, Colorado,  
Field Office, and [REDACTED]  
[REDACTED]

### Introduction

This memorandum summarizes the Office of Accountability audit of the subject mine and field office. Audit subjects included the Uniform Mine File, MSHA field activities, level of enforcement, Field Activity Reviews (FARs), MSHA supervisory and managerial oversight, mine plans, Emergency Response Plan, and the conditions and practices at the mine. The audit was conducted during the week of [REDACTED] by Jerry Kissell and Charlie Thomas. Positive findings and issues requiring attention are included in this audit report.

### Overview

The audit team traveled to the Delta field office and the [REDACTED] to observe and evaluate enforcement activities and mine conditions. The team traveled in the North Mains, the West Mains, the North Returns, the South Mains and the Northwest Mains. Equipment inspected included the longwall and MMU-002 as well as two shuttle cars and one ventilation fan. Permissibility inspections were conducted along with standard safety inspections and all required inspection checks. The Emergency Response plan was reviewed and verified in the mine. The Roof control plan, and ventilation plan were verified and multiple air readings and gas checks were performed.

The company has six refuge chambers underground supplied with breathable air and supplies for survival for more than the minimum requirements under the MINER Act. [REDACTED] also has a seventh refuge chamber on the surface that is utilized for longwall moves. Life lines were in place, two separate forms of communications in separate air courses were in place, and the SCSR caches were established and well stocked to meet the requirements of the MINER Act.

The audit revealed several positive findings related to MSHA field activities, including well organized and informative pre-inspection conferences, enforcement actions on all levels from 104(a), 104(b), 104(d), and 107(a). The level of enforcement at this mine is appropriate at this time according to observations, conditions, and inspection reports reviewed.

Other positives include:

- A violation of 75.363 for examinations not terminated until the agents of the operator were all put on notice by signing a training document as well as documenting this action in the inspector's field notes.
- Distribution of miners rights handbooks after a 107(a) imminent danger order had been issued.
- 55 gallon barrel rock dusters in the mine.
- Use of hydraulic shear clearer plate to deflect coal and keep air flow tight to the longwall face to control respirable dust.
- Inspection notes and ITS indicate that thorough and complete inspections of the mine were conducted the two quarters audited, and very good documentation in field notes supporting the inspection as well as describing violations observed and cited focusing on root cause of violations and hazards.
- The supervisor in the Delta F.O. is relatively new in his position and has been short a minimum of one CMI since his promotion. The Supervisory Coal Mine Inspector (SCMI) has visited every mine except one, which is scheduled to be visited prior to fiscal year end.
- The E02 inspections are done randomly and conducted on off shifts routinely.

There are also issues that require corrective actions:

- 2007 Peer reviews failed to document FAR's and AA's were not being documented. (Item 6)
- Documentation of FARs and AAs were not being completed. (Item 4 & 6)
- Citation # [REDACTED] issued on [REDACTED] identified two additional hazards that were not cited. (Item 37)
- Documentation was not found identifying MSHA form 7000-2 quarterly production and employment man-hours were reviewed by the inspector or supervisor for the 1st FY2008 quarter. (Item #34)
- SCMI must conduct thorough reviews of inspection reports, time reporting and violations. (Item 1)
- Air bottle sample results were not returned to the FO in a manner to ensure the SCMI, CMI, and mine operator are aware of the results as well as placing the records in the UMF. (Item 30)
- The 7000-1 accident and injury reports with insufficient documentation, not properly reviewed by supervision. (Item 28) This has already been corrected.

- Two hazard complaints (event # [REDACTED]) were open for an extended period of time. (Item 1 & 8) Note: Several interviews with different crews were conducted which took some time to accomplish.

**Recommendation** - The Delta field Office could benefit from a fulltime Roof-control and ventilation control specialists due to the expansive deep cover mines inspected and the frequent number of tailgate blockages encountered. The previous roof control specialist quit in May.

**Recommendation** - Tech support assisted district nine in performing a plan review for the [REDACTED] roof control plan addressing Tailgate/Headgate blockage issues. (Item 64)

The field office needs to be equipped with additional adapters for the 50/50 gauges that provide fittings for all fire hose/tap connections. During the audit the 50/50 tests could not be performed as the fittings for the company fire hose were 2 inch and the 50/50 adapter could only fit a 1.5 inch fitting. (Item 56)

**Audit Results** - The attached checklist addresses the findings of this audit. Positive results as well as issues that need to be addressed are covered in the checklist.

**Attachments**

- A. OOA Checklist with comments
- B. Citations and safeguard issued during this audit
  - 1. [REDACTED] 75.333(h)
  - 2. [REDACTED] 75.333(h)
  - 3. [REDACTED] 75.323(e)
  - 4. [REDACTED] 75.333(h)
  - 5. [REDACTED] 75.1600-2(e)
  - 6. [REDACTED] 75.380(d)(7)(iii)
  - 7. [REDACTED] 75.512
- C. Photos of Rock Duster

cc: [REDACTED]

United States Department of Labor  
Mine Safety and Health Administration  
Office of Accountability

District  Field  Mine ID  Date

1. Coal  Metal/Nonmetal

Evaluate supervisory review of inspection reports and documentation for completeness.

Adequate  Inadequate  Not Applicable  Comments Below

A.) Recommendation - FO supervisors, upon review of MSHA 7000-1 forms, should consider requesting additional information from the operator when the accident location is vague due to the mine type. Inby or outby, x-cut or specific return can help MSHA determine if a trend is starting or other issues may need more attention with the operator. Five (5) 7000-1's have insufficient documentation.

- 1.) Accident report date of 11/9/2007 does not have date of tailgate blockage
- 2.) Accident date 10/15/2007 does not have location of roof fall on the 10 West Tailgate #3 entry, no plus, no crosscut number is provided.
- 3.) Accident date 9/19/2007 does not have specific location of roof fall on the 10 West #3 entry, no plus, no crosscut number is provided just outby the tailgate longwall face.
- 4.) Accident date 5/8/2008 does not have location of employee injured when rock hit right side of shoulder when building a crib on longwall, report does not distinguish whether Headgate or Tailgate or what gate road 10 West or 11 West gate road entries intersection.
- 5.) Accident date 3/19/2008 describes a slip and fall when dragging a vent tube to a trash trailer, report does not state underground or surface or a specific location.

**Note: This has been corrected by the mine operator, amended 7000-01's were submitted to Denver, CO with locations and accident dates.**

B.) Two E03 Hazard complaint investigations complaint ██████████ open from 5/15/2008 to 6/27/2008 over 42 days and complaint ██████████ open from 5/20/2008 to 6/27/2008 (Closed 6/10/2008) over 37 days open and not closed. Reference: Hazard Complaint Handbook page 6.

C.) CMI printed wrong date on calendar for E01 10/26/2007 on Event Calendar, should have printed 10/21/2007 for event ██████████ to agree with People Time. Reference: Coal Inspection procedures page 14, paragraph 6.

2. Coal  Metal/Nonmetal

Determine if supervisors address report deficiencies immediately

Adequate  Inadequate  Not Applicable  Comments Below

4. Coal  Metal/Nonmetal

Evaluate the quality of Field Activity Review reports (FARs)

Adequate  Inadequate  Not Applicable  Comments Below

FAR's are not documented, according to FO supervisor. The E01 completion is a greater priority and FAR's are not being documented prior to this audit. The ADM should be communicating that FAR's should be documented to the FO supervisor. Note: FO supervisor is traveling with both AR's and ROE to all mines under the jurisdiction of the Delta F.O., but no formal documentation is completed. *Reference: (Supervisors handbook AH08-III-1, page 10.)* As of the date of this report the field office supervisor has conducted XX FARs.

6. Coal  Metal/Nonmetal

Evaluate the quality of Accompanied Inspections

Adequate  Inadequate  Not Applicable  Comments Below

AA's are not being documented, according to FO supervisor. E-01 activity is taking priority. The ADM should be communicating to the FO Supervisor that Accompanied Activities are to be documented. Note: FO supervisor is traveling, mentoring, and observing AR's and ROE trainees, but no formal documentation for the AA's is completed. *Reference: (Supervisors handbook AH08-III-1, page 11)* As of the date of this report the field office supervisor has conducted XX AA's.

11. Coal  Metal/Nonmetal

Determine if ADMs and DMs are visiting mines with poor compliance at least monthly

Adequate  Inadequate  Not Applicable  Comments Below

14. Coal <input checked="" type="checkbox"/> Metal/Nonmetal <input type="checkbox"/>
Evaluate supervisory and management review of 103(i) (spot inspection) tracking system for compliance with time frames
Adequate <input checked="" type="checkbox"/> Inadequate <input type="checkbox"/> Not Applicable <input type="checkbox"/> Comments Below
Positive comment: Calendars and 103(i) spots are maintained and done randomly on all shifts. E02 are conducted on off shifts routinely.
15. Coal <input checked="" type="checkbox"/> Metal/Nonmetal <input type="checkbox"/>
Determine if supervisors and managers are ensuring that 103(i) inspections are not combined with any other type of inspection
Adequate <input checked="" type="checkbox"/> Inadequate <input type="checkbox"/> Not Applicable <input type="checkbox"/> Comments Below
20. Coal <input checked="" type="checkbox"/> Metal/Nonmetal <input type="checkbox"/>
Determine if supervisors are adequately evaluating the level of enforcement by visiting each producing mine
Adequate <input checked="" type="checkbox"/> Inadequate <input type="checkbox"/> Not Applicable <input type="checkbox"/> Comments Below
Positive Comment: The new FO SCMI has visited all but one of the mines under his jurisdiction. The one remaining is scheduled prior to the FY end.
23. Coal <input checked="" type="checkbox"/> Metal/Nonmetal <input type="checkbox"/>
Determine if second level reviews and Peer Reviews are used to assess supervisory review of enforcement actions
Adequate <input checked="" type="checkbox"/> Inadequate <input type="checkbox"/> Not Applicable <input type="checkbox"/> Comments Below
Peer reviews were completed November 2007 for the Delta field office and [REDACTED]. An action plan was created and a follow-up was also completed. Issues were described and corrections documented. The level of enforcement is appropriate for mining conditions and practices observed underground.

28. Coal  Metal/Nonmetal   
Determine if managers and supervisors are using required "standardized reports" to review critical data relevant to inspections and investigations

Adequate  Inadequate  Not Applicable  Comments Below

**Recommendation** - use the 7000-1 MSHA accident, injury and man-hour employment form to determine accident trends in mines. [REDACTED] can work with District to create useful charts on accident trends to pinpoint root cause and locations of accidents other than IPAL reports.

29. Coal  Metal/Nonmetal   
Determine if complete and thorough inspections are being conducted and adequately documented

Adequate  Inadequate  Not Applicable  Comments Below

Inspection reports, field notes, and tracking maps indicate that complete and thorough inspections are being conducted.

30. Coal  Metal/Nonmetal   
Determine if inspection notes, air samples, rock dust samples, and tracking map/diagram support the inspector's assertion that the mine was inspected in its entirety

Adequate  Inadequate  Not Applicable  Comments Below

Air bottle [REDACTED] collected surface of [REDACTED] Fan Return Shaft on 12/19/2007 by CMI was not on inspection tracking form. Both [REDACTED] and [REDACTED] were sent to Denver, results were not sent to the F.O. SCMI, CMI or the mine operator, nor were they posted in the UMF. The District should have an SOP on how to distribute gas collection results to the FO, the CMI, and the operator. Reference: (General Coal mine inspection procedures handbook and inspection tracking system, Section V. - Sampling Procedures: PH-08-V-1)

31. Coal  Metal/Nonmetal   
 Determine that the inspector spent sufficient time on off-shifts and on weekends

Adequate  Inadequate  Not Applicable  Comments Below

Positive comment: Adequate off shift inspection time was documented as well as weekend inspections.

32. Coal  Metal/Nonmetal   
 Determine if the SCSR inventory database has been implemented to track inspections of SCSR's

Adequate  Inadequate  Not Applicable  Comments Below

34. Coal  Metal/Nonmetal   
 Determine if all mine record books, postings, and other required materials are examined during the inspection

Adequate  Inadequate  Not Applicable  Comments Below

No record in ITS that quarterly production/employment record MSHA Form 7000-2 was checked at the mine. The audit review could not find documentation in the inspection notes for 1<sup>st</sup> quarter of FY2008 indicating these records were reviewed. The supervisor stated that he had checked these records for that inspections period.  
*Reference: Coal Inspections Procedures and ITS pages 14-15.*

35. Coal  Metal/Nonmetal   
 Determine if all provisions of the MINER Act are evaluated during the inspection

Adequate  Inadequate  Not Applicable  Comments Below

36. Coal  Metal/Nonmetal

Determine if the amount of time expended on each inspection activity and area of the mine is sufficient to accomplish inspection goals

Adequate  Inadequate  Not Applicable  Comments Below

37. Coal  Metal/Nonmetal

Evaluate each citation/order/safeguard for inspector's determination of gravity, negligence, number of persons affected, and the level of enforcement

Adequate  Inadequate  Not Applicable  Comments Below

- Citation: [REDACTED] issued [REDACTED] identified two hazards that were not cited.
  - 1.) Low oxygen O<sub>2</sub> from 10 West BMP that ranged from 17.3-19.4% and person was observed exiting the area conducting permissibility examinations. CFR 75.321
  - 2.) Standing water at #11 West #4 to #5 at crosscut 49 face that measured 10 inches deep and deeper towards face that was murky. 75.364(a)(2)(iii)

Also the citation for failure to barricade or put up a warning device was abated by dangering off the low O<sub>2</sub>. Low oxygen hazards must be removed by ventilating and cannot be abated by dangering off the area, because the hazard still remains in an area that is required to be examined by the mine examiner.

*Reference: Mine Act and the approved roof control plan dated September 13, 2007 on page 15, paragraph 3 states,*

"In at least one of the bleeder entries, a minimum 4-wide travelway will be maintained in a safe manner, supported for travel, and water pumped as necessary. The travelway route may vary between common entries as necessary, but shall be continuous.

38. Coal  Metal/Nonmetal

Accompany and evaluate inspector's imminent danger run

Adequate  Inadequate  Not Applicable  Comments Below

39. Coal  Metal/Nonmetal   
Check adequacy of preshift/ onshift examinations

Adequate  Inadequate  Not Applicable  Comments Below

Positive comment: The operator was cited for improper examinations in both quarters audited.

40. Coal  Metal/Nonmetal   
Evaluate inspector's observation of roof conditions

Adequate  Inadequate  Not Applicable  Comments Below

41. Coal  Metal/Nonmetal   
Evaluate operator's workplace examinations

Adequate  Inadequate  Not Applicable  Comments Below

According to inspectors and field office supervisor this practice is improving.

42. Coal  Metal/Nonmetal   
Evaluate conditions on working section and observe work cycle

Adequate  Inadequate  Not Applicable  Comments Below

43. Coal  Metal/Nonmetal   
Observe air quantity, quality, and gas checks by inspector

Adequate  Inadequate  Not Applicable  Comments Below

44. Coal  Metal/Nonmetal   
Determine adequacy of Emergency Response Plan training (interview miners)

Adequate  Inadequate  Not Applicable  Comments Below

45. Coal  Metal/Nonmetal   
Determine adequacy of training regarding roof, ventilation, and other plans (interview miners)

Adequate  Inadequate  Not Applicable  Comments Below

46. Coal  Metal/Nonmetal   
Evaluate Self-Contained, Self-Rescuer condition, storage, signage

Adequate  Inadequate  Not Applicable  Comments Below

47. Coal  Metal/Nonmetal

Determine if the mine operator has conducted SCSR donning expectation training and if the inspector has observed and evaluated the training

Adequate  Inadequate  Not Applicable  Comments Below

48. Coal  Metal/Nonmetal

Examine electrical cables on several pieces of equipment

Adequate  Inadequate  Not Applicable  Comments Below

Positive comment: One light cable violation on LW observed, all other equipment well maintained and proper level of enforcement being applied.

49. Coal  Metal/Nonmetal

Evaluate several pieces of equipment for permissibility

Adequate  Inadequate  Not Applicable  Comments Below

Positive comment: No violations observed all methane monitors properly maintained and calibrated.

50. Coal  Metal/Nonmetal

Examine lifelines, manddoors, and related signage

Adequate  Inadequate  Not Applicable  Comments Below

51. Coal	<input checked="" type="checkbox"/>	Metal/Nonmetal	<input type="checkbox"/>	Examine escapeway map for compliance with regulations		
Adequate	<input checked="" type="checkbox"/>	Inadequate	<input type="checkbox"/>	Not Applicable	<input type="checkbox"/>	Comments Below

52. Coal	<input checked="" type="checkbox"/>	Metal/Nonmetal	<input type="checkbox"/>	Evaluate integrity of primary and alternate escapeways		
Adequate	<input checked="" type="checkbox"/>	Inadequate	<input type="checkbox"/>	Not Applicable	<input type="checkbox"/>	Comments Below

54. Coal	<input checked="" type="checkbox"/>	Metal/Nonmetal	<input type="checkbox"/>	Travel and evaluate condition and maintenance of section conveyor belt, structures, and entries		
Adequate	<input checked="" type="checkbox"/>	Inadequate	<input type="checkbox"/>	Not Applicable	<input type="checkbox"/>	Comments Below

55. Coal	<input checked="" type="checkbox"/>	Metal/Nonmetal	<input type="checkbox"/>	Evaluate conveyor belt isolation from other air courses		
Adequate	<input checked="" type="checkbox"/>	Inadequate	<input type="checkbox"/>	Not Applicable	<input type="checkbox"/>	Comments Below

56. Coal  Metal/Nonmetal   
Evaluate fire valves and hoses (condition, compatibility of fittings, pressure test)

Adequate  Inadequate  Not Applicable  Comments Below

The field office was not able to perform the 50/50 tests as they are not provided with proper fitting adapters to connect and test the pressures at all mines. 2 inch and 1.5 inch adapters are necessary to complete these tests along with wrap wrenches (pipe wrench) to securely tighten the apparatus to the water lines. *Reference: P06-V-02 expired 3/31/2008 OA is working to see if TS is incorporating this into the PPM. May or may not be an issue. [REDACTED] agrees that it should be reissued.*

57. Coal  Metal/Nonmetal

Observe and evaluate fire detection methods

Adequate  Inadequate  Not Applicable  Comments Below

Tested system.

58. Coal  Metal/Nonmetal

Evaluate cleanup of accumulations and application of rock dust

Adequate  Inadequate  Not Applicable  Comments Below

Returns and tailgate of longwall were Rock dusted very well.

59. Coal  Metal/Nonmetal

Evaluate condition of conveyor belt drives, and fire suppression systems

Adequate  Inadequate  Not Applicable  Comments Below

60. Coal <input checked="" type="checkbox"/> Metal/Nonmetal <input type="checkbox"/>
Determine if all required record books are adequately completed and in compliance with applicable standards
Adequate <input checked="" type="checkbox"/> Inadequate <input type="checkbox"/> Not Applicable <input type="checkbox"/> Comments Below

61. Coal <input checked="" type="checkbox"/> Metal/Nonmetal <input type="checkbox"/>
Examine mine map for accuracy of workings and escapeway locations
Adequate <input checked="" type="checkbox"/> Inadequate <input type="checkbox"/> Not Applicable <input type="checkbox"/> Comments Below

62. Coal <input checked="" type="checkbox"/> Metal/Nonmetal <input type="checkbox"/>
Examine mine bulletin board and evaluate adequacy of all required postings
Adequate <input checked="" type="checkbox"/> Inadequate <input type="checkbox"/> Not Applicable <input type="checkbox"/> Comments Below

63. Coal <input checked="" type="checkbox"/> Metal/Nonmetal <input type="checkbox"/>
Interview responsible person(s) and evaluate knowledge of emergency response, evacuation procedures, and fire fighting processes
Adequate <input checked="" type="checkbox"/> Inadequate <input type="checkbox"/> Not Applicable <input type="checkbox"/> Comments Below

64. Coal  Metal/Nonmetal

Determine if approved plans address and are compatible with mining conditions and equipment

Adequate  Inadequate  Not Applicable  Comments Below

The tailgate roof control plan is not adequate, the [REDACTED] has had four 103K Orders issued since May 2007 for tail gate blockages, they are as follows:

1. Order [REDACTED] issued [REDACTED] terminated [REDACTED]
2. Order [REDACTED] issued [REDACTED] terminated [REDACTED]
3. Order [REDACTED] issued [REDACTED] terminated [REDACTED]
4. Order [REDACTED] issued [REDACTED] terminated [REDACTED]
5. Order [REDACTED] issued [REDACTED] not terminated tail gate still not accessible from off of the longwall face

These blockage issues should be reviewed and the Roof Control plan should have actions submitted by the mine operator to address these concerns and it is recommended that Technical Support continue to be involved in future mine projection roof support plans when depth of cover will increase. Inspectors interviewed agree that roof control plan needs upgraded concerning tailgate blockages.

65. Coal  Metal/Nonmetal

Examine and evaluate at least one set of seals, including methods for obtaining samples from sealed area

Adequate  Inadequate  Not Applicable  Comments Below

Sampling process is adequate, one seal inspected was leaking as evidenced by methane buildup near the right rib and outby areas more than 12 inches from the seal and roof. Citation [REDACTED] was issued for this condition.

66. Coal  Metal/Nonmetal

Determine if districts are conducting sufficient, in-depth Peer Reviews

Adequate  Inadequate  Not Applicable  Comments Below

Most recent Peer review of subject field office and mine failed to address AA's and FAR's not being documented.

68. Coal  Metal/Nonmetal

Determine if Peer Reviews identify root causes of deficiencies, corrective actions, set time lines for corrections, and identify a method for accurately measuring the success or failure of corrective actions.

Adequate  Inadequate  Not Applicable  Comments Below

Based on peer review for subject field office and mine, with action plan and follow-up.

69. Coal  Metal/Nonmetal

Determine if Peer Reviews are being used to assess supervisors and managers performance

Adequate  Inadequate  Not Applicable  Comments Below

New supervisor, Peer Review not applicable at this time. Supervisor was promoted effective March 16, 2008.

70. Coal  Metal/Nonmetal

Determine if Peer Reviews include a visit to the mine, and include observation of the producing section, conveyor belt entries, escapeways and the ERP provisions

Adequate  Inadequate  Not Applicable  Comments Below

71. Coal  Metal/Nonmetal

Determine if Peer Reviews accurately reflect and evaluate MSHA activities at all types of mining (underground/surface/surface facilities) within the district

Adequate  Inadequate  Not Applicable  Comments Below

72. Coal <input checked="" type="checkbox"/>	Metal/Nonmetal <input type="checkbox"/>	Determine if approved plans and the Uniform Mine File books are addressed during each Peer Review		
Adequate <input checked="" type="checkbox"/>	Inadequate <input type="checkbox"/>	Not Applicable <input type="checkbox"/>	Comments Below	

73. Coal <input checked="" type="checkbox"/>	Metal/Nonmetal <input type="checkbox"/>	Evaluate the approved roof control plan after in-mine visit		
Adequate <input checked="" type="checkbox"/>	Inadequate <input type="checkbox"/>	Not Applicable <input type="checkbox"/>	Comments Below	
<b>Recommend</b> that the Tech roof division <u>continue</u> to assist the district to evaluate the needs of an amended roof control plan to address the tailgate and Headgate blockages that occur in the mining process. No action required				

74. Coal <input checked="" type="checkbox"/>	Metal/Nonmetal <input type="checkbox"/>	Evaluate approved ventilation plan after in-mine visit		
Adequate <input checked="" type="checkbox"/>	Inadequate <input type="checkbox"/>	Not Applicable <input type="checkbox"/>	Comments Below	
The plan and available ventilation appear to be at its limits. A new vent shaft is planned for completion in 2009 that will double the available air in the mine.				

76. Coal <input checked="" type="checkbox"/>	Metal/Nonmetal <input type="checkbox"/>	Evaluate other plans as applicable to each particular audit. <u>ERP</u>		
Adequate <input checked="" type="checkbox"/>	Inadequate <input type="checkbox"/>	Not Applicable <input type="checkbox"/>	Comments Below	
Meets the requirements of the MINER Act.				

77. Coal  Metal/Nonmetal   
Evaluate the two most current completed E01 (regular) inspection reports  
(two quarters)

Adequate  Inadequate  Not  
Applicable  Comments Below

Event [REDACTED] failed to document the 7000-1 MSHA form employment reports were reviewed.  
SCMI stated he had reviewed those records himself but no documentation in ITS or notes.

78. Coal  Metal/Nonmetal   
Ten most current completed E02 (103(i) spot) inspection reports

Adequate  Inadequate  Not  
Applicable  Comments Below

79. Coal  Metal/Nonmetal   
Citations, orders, and safeguards issued during previous two quarters

Adequate  Inadequate  Not  
Applicable  Comments Below

See item Number 37, had the supervisor properly reviewed the initial citation the two citations on low oxygen and water in bleeder would have been issued. The audit team determined that item 37 (evaluation of citations/order) is the root cause.

80. Coal  Metal/Nonmetal   
Determine if 104(d) tracking system is in place at the office being audited, and is being kept up to date

Adequate  Inadequate  Not  
Applicable  Comments Below

81. Coal  Metal/Nonmetal

Determine if all plans and documents in the Uniform Mine File are legible, and up to date

Adequate  Inadequate  Not Applicable  Comments Below

The Air bottle samples, [REDACTED] collected surface of [REDACTED] Fan Return Shaft on 12/19/2007 by the CMI were not on inspection tracking form. The results for both bottle samples [REDACTED] and [REDACTED] were sent to Denver for processing; the results were not sent to the inspector nor were they in the UMF. The District should have an SOP on how to distribute GC results to the FO and the CMI and the operator.

87. Coal  Metal/Nonmetal

Determine if district management reviewed the final version of all approved plans

Adequate  Inadequate  Not Applicable  Comments Below

Neither the Roof Control Plan nor the Vent plan in effect during two E-01 inspections had been signed by the DM. Was not able to see District tracking sheet for these plans.

88. Coal  Metal/Nonmetal

Determine if time frames for approval/disapproval of plans were set, and are being met

Adequate  Inadequate  Not Applicable  Comments Below

Did not audit.

89. Coal  Metal/Nonmetal

Determine if the plan is tracked from date of submission through the review process

Adequate  Inadequate  Not Applicable  Comments Below

Did not audit.

90. Coal  Metal/Nonmetal   
Determine if dated copy of approval/disapproval letter is in file

Adequate  Inadequate  Not Applicable  Comments Below

92. Coal  Metal/Nonmetal   
Determine if a copy of the most recent plan is provided for inclusion in the Uniform Mine File

Adequate  Inadequate  Not Applicable  Comments Below

99. Coal  Metal/Nonmetal   
Determine if the uniform mine file is reviewed for information related to plan adequacy

Adequate  Inadequate  Not Applicable  Comments Below

101. Coal  Metal/Nonmetal   
Determine if technical specialists conduct on-site, in-mine reviews as necessary, prior to plan approval

Adequate  Inadequate  Not Applicable  Comments Below

Per the mine visit log in the UMF.

102. Coal  Metal/Nonmetal   
Determine if input is solicited from field office inspectors/supervisors, and recommendations are addressed prior to approval

Adequate  Inadequate  Not Applicable  Comments Below

104. Coal  Metal/Nonmetal

Determine if results of on-site evaluations are discussed with mine operator and miner's representative

Adequate  Inadequate  Not Applicable  Comments Below

110. Coal  Metal/Nonmetal

Determine if the overall design of the mine plan was assessed to avoid future problems

Adequate  Inadequate  Not Applicable  Comments Below

See item number 73, technical support should be utilized for unique mining conditions.

111. Coal  Metal/Nonmetal

Determine if plans contain required safety precautions for operating remote controlled equipment

Adequate  Inadequate  Not Applicable  Comments Below

112. Coal  Metal/Nonmetal

Determine if the plan describes methods for protecting persons from falling material at highwalls and drift openings

Adequate  Inadequate  Not Applicable  Comments Below

113. Coal  Metal/Nonmetal

Determine if all affected plans were compared (such as ventilation, training, roof control, etc.) to eliminate conflicts prior to approval of a plan

Adequate  Inadequate  Not Applicable  Comments Below

114. Coal  Metal/Nonmetal

Determine if spreadsheets and/or databases provided for tracking of mine visits by supervisors and managers is kept up to date

Adequate  Inadequate  Not Applicable  Comments Below

FAR's & AA's should be tracked to assist management on the completion of these tasks. If tracking sheet is already established it should be checked each quarter.

115. Coal  Metal/Nonmetal

Evaluate the effectiveness of management's support of, and communication with, inspectors and specialists

Adequate  Inadequate  Not Applicable  Comments Below

Roof control specialist is needed in the Delta field office to evaluate plans.

116. Coal  Metal/Nonmetal

Review documentation of staff meetings/safety meetings to determine their effectiveness and relevance to the Agency's mission and current issues

Adequate  Inadequate  Not Applicable  Comments Below

117. Coal  Metal/Nonmetal

7000-1 Form accurately reviewed for proper information and violations of unsafe practices or conditions.

Adequate

Inadequate

Not  
Applicable

Comments Below

**Recommendation** - Review of UMF and each 7000-1 before filing in UMF should include identifying a sufficient amount of information is provided such as descriptive locations to aid MSHA on any trends.

# Attachment B - Citations issued during audit team mine visit

Mine Citation/Order

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



Section I--Violation Data

1. Date	2. Time (24 Hr. Clock)	3. Citation/Order Number
4. Served To	5. Operator	
6. Mine	7. Mine ID (Contractor)	
8. Condition or Practice		8a. Written Notice (103g)

The mine operator failed to ensure that all ventilation controls were maintained to serve the purpose for which they were built in the North West Mains #3 to #4 entry, crosscut 3. The permanent stopping constructed with a combination of block and Kennedy stopping material located between the belt air course and the return air course contained numerous holes along the top and in the middle of the ventilation control that were significant. These holes were verified with chemical smoke. The belt entry (#3) is the secondary escapeway out of the mine. The mine operator has received 16 citations for violations of 75.333(h) since 2/1/07. The abatement time is to allow the operator time to properly install an effective stopping at this location.

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health Safety Other	B. Section of Act	C. Part/Section of Title 30 CFR
			75.333(h)

Section II--Inspector's Evaluation

10. Gravity:	A. Injury or Illness (has) (is): No Likelihood <input type="checkbox"/> Unlikely <input checked="" type="checkbox"/> Reasonably Likely <input type="checkbox"/> Highly Likely <input type="checkbox"/> Occurred <input type="checkbox"/>			
	B. Injury or illness could reasonably be expected to be: No Lost Workdays <input checked="" type="checkbox"/> Lost Workdays Or Restricted Duty <input type="checkbox"/> Permanently Disabling <input type="checkbox"/> Fatal <input type="checkbox"/>			
	C. Significant and Substantial: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		D. Number of Persons Affected: 001	
11. Negligence (check one)	A. None <input type="checkbox"/>	B. Low <input type="checkbox"/>	C. Moderate <input checked="" type="checkbox"/>	D. High <input type="checkbox"/> E. Reckless Disregard <input type="checkbox"/>
12. Type of Action	104(a)	13. Type of Issuance (check one) Citation <input checked="" type="checkbox"/> Order <input type="checkbox"/> Safeguard <input type="checkbox"/>		
14. Initial Action	A. Citation <input type="checkbox"/> B. Order <input type="checkbox"/> C. Safeguard <input type="checkbox"/> D. Written Notice <input type="checkbox"/>			E. Citation/Order Number
15. Area or Equipment				

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

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

Section IV--Automated System Data

19. Type of Inspection (activity code)	E01	20. Event Number	21. Primary or Mill
22. Signature			23. AR Number

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

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



Section I--Violation Data

1. Date Mo Da Yr	2. Time (24 Hr. Clock)	3. Citation/ Order Number
4. Served To	5. Operator	
6. Mine	7. Mine ID (Contractor)	

8. Condition or Practice

Ba. Written Notice (103g)

The mine operator failed to ensure that all ventilation controls, including seals, were maintained to serve the purpose for which they were built at the seal in 9 West #3 entry, crosscut 3 to 4. The permanent gob isolation seal contained leaks along the top, right side along the right rib line as evidenced by a build up of methane gas in front of the seal. 2.65 per centum of methane was detected with a handheld multi-gas detector calibrated on today's date. A bottle sample was taken at this location to verify the methane content. The mine operator has received 17 citations for violations of 75.333(h) since 2/1/07. The abatement time is to allow the operator time to evaluate and install an effective seal at this location.

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health <input type="checkbox"/> Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR 75.333(h)
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Section II--Inspector's Evaluation

10. Gravity:

A. Injury or illness (has) (is): No Likelihood  Unlikely  Reasonably Likely  Highly Likely  Occurred

B. Injury or illness could reasonably be expected to be: No Lost Workdays  Lost Workdays Or Restricted Duty  Permanently Disabling  Fatal

C. Significant and Substantial: Yes  No  D. Number of Persons Affected: 001

11. Negligence (check one) A. None  B. Low  C. Moderate  D. High  E. Reckless Disregard

12. Type of Action 104(a) 13. Type of Issuance (check one) Citation  Order  Safeguard

14. Initial Action A. Citation  B. Order  C. Safeguard  D. Written Notice  E. Citation/Order Number F. Dated Mo Da Yr

15. Area or Equipment

16. Termination Due A. Date Mo Da Yr B. Time (24 Hr. Clock)

Section III--Termination Action

17. Action to Terminate

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

Section IV--Automated System Data

19. Type of Inspection (activity code) E01 20. Event Number 21. Primary or Mill

22. Signature 23. AR Number

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

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



Section I--Violation Data

1. Date	2. Time (24 Hr. Clock)	3. Citation/Order Number
4. Spaced To	5. Operator	
6. Mine	7. Mine ID (Contractor)	
8. Condition or Practice		8a. Written Notice (103g)

The mine operator failed to maintain the concentration of methane in a return air course other than as described in paragraphs (c) and (d) of 75.323 not to exceed 2.0 percent. The permanent gob isolation seal in 9 West #3 entry, crosscut 3 to 4 contained leaks along the top and right side along the right rib line which allowed a build up of excessive methane gas in front of the seal located along the main return air course. 2.65 per centum of methane was detected with a handheld multi-gas detector calibrated on today's date. A bottle sample was taken at this location to verify the methane content. This creates an explosion hazard. This mine liberates and average of 6,190,681 cubic feet of methane gas per day. The mine operator has received 1 citation for violation of 75.323(e) since 2/1/07.

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health Safety Other	B. Section of Act	C. Part/Section of Title 30 CFR	75.323(e)
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Section II--Inspector's Evaluation

10. Gravity:				
A. Injury or illness (has) (is): No Likelihood <input type="checkbox"/> Unlikely <input type="checkbox"/> Reasonably Likely <input checked="" type="checkbox"/> Highly Likely <input type="checkbox"/> Occurred <input type="checkbox"/>				
B. Injury or illness could reasonably be expected to be: No Lost Workdays <input type="checkbox"/> Lost Workdays Or Restricted Duty <input type="checkbox"/> Permanently Disabling <input type="checkbox"/> Fatal <input checked="" type="checkbox"/>				
C. Significant and Substantial: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>				D. Number of Persons Affected: 001
11. Negligence (check one) A. None <input type="checkbox"/> B. Low <input type="checkbox"/> C. Moderate <input checked="" type="checkbox"/> D. High <input type="checkbox"/> E. Reckless Disregard <input type="checkbox"/>				
12. Type of Action 104(a)		13. Type of Issuance (check one) Citation <input checked="" type="checkbox"/> Order <input type="checkbox"/> Safeguard <input type="checkbox"/>		
14. Initial Action A. Citation <input type="checkbox"/> B. Order <input type="checkbox"/> C. Safeguard <input type="checkbox"/> D. Written Notice <input type="checkbox"/>				E. Citation/Order Number
14. Initial Action F. Dated Mo Da Yr				
15. Area or Equipment				
16. Termination Due A. Date Mo Da Yr B. Time (24 Hr. Clock)				

Section III--Termination Action

17. Action to Terminate	
The mine operator increased the ventilation, applied some sealant to the seal and reduced the methane to 1.7 per centum at the seal location, eliminating the hazard. This citation is hereby terminated.	
18. Terminated A. Date Mo Da Yr	B. Time (24 Hr. Clock)

Section IV--Automated System Data

19. Type of Inspection (activity code) E01	20. Event Number	21. Primary or Mill
22. Signature		23. AR Number

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Mine Citation/Order

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



Section I--Violation Data			
1. Date	Mo Da Yr	2. Time (24 Hr. Clock)	3. Citation/Order Number
4. Served To		5. Operator	
6. Mine		7. Mine ID (Contractor)	
8. Condition or Practice			8a. Written Notice (103g)

All ventilation controls, including seals, shall be maintained to serve the purpose for which they were built. The permanent stoppings in North mains between the intake air course (belt entry) and the return air course entry is not being maintained at the following locations:

(1) The equipment doors located 16 XC 4 - 5 entries is leaking air from the intake to the belt under the location where the doors close together this opening measured 3 inches high, also the personnel door lock latch is broken and will not latch the door shut.

(2) the block stopping located 27 XC 4 - 5 entries is leaking from a 2 1/2 inch by 4 1/2 inch hole on the inby bottom corner. Someone has inserted a piece of plastic in this hole. Air is coursing from the intake to the

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health <input type="checkbox"/> Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR
			75.333(h)

Section II--Inspector's Evaluation

10. Gravity:			
A. Injury or illness (has) (is): No Likelihood <input type="checkbox"/> Unlikely <input checked="" type="checkbox"/> Reasonably Likely <input type="checkbox"/> Highly Likely <input type="checkbox"/> Occurred <input type="checkbox"/>			
B. Injury or illness could reasonably be expected to be: No Lost Workdays <input type="checkbox"/> Lost Workdays Or Restricted Duty <input checked="" type="checkbox"/> Permanently Disabling <input type="checkbox"/> Fatal <input type="checkbox"/>			
C. Significant and Substantial: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			D. Number of Persons Affected: 001
11. Negligence (check one) A. None <input type="checkbox"/> B. Low <input type="checkbox"/> C. Moderate <input checked="" type="checkbox"/> D. High <input type="checkbox"/> E. Reckless Disregard <input type="checkbox"/>			
12. Type of Action 104(a)		13. Type of Issuance (check one) Citation <input checked="" type="checkbox"/> Order <input type="checkbox"/> Safeguard <input type="checkbox"/>	
14. Initial Action A. Citation <input type="checkbox"/> B. Order <input type="checkbox"/> C. Safeguard <input type="checkbox"/> D. Written Notice <input type="checkbox"/>			E. Citation/Order Number
			F. Dated Mo Da Yr
15. Area or Equipment			

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

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

Section IV--Automated System Data

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

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Mine Citation/Order  
Continuation

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



Section I-Subsequent Action/Continuation Data

1. Subsequent Action 1a. Continuation <input type="checkbox"/> <input checked="" type="checkbox"/>		2. Dated (Original Issue) Mo Da Yr			3. Citation/Order Number	
4. Served To				5. Operator		
6. Mine				7. Mine ID (Contractor)		

Section II-Justification for Action

Continuation of 8. Condition or Practice

return entry.

(3) The block stopping located 37 XC 4 - 5 entries is leaking from a hole around a the 4 inch pipe running through the stopping. This area measures 5 inches by 1 1/2 inches. The air is coursing from intake to the return entry. In this area the leakage is being caused from the pump line recoiling as water is pumped through it. This condition needs to be corrected in order to prevent this leakage in the future.

See Continuation Form

Section III-Subsequent Action Taken

8. Extended To	A. Date Mo Da Yr	B. Time (24 Hr. Clock)	<input type="checkbox"/> C. Vacated	<input type="checkbox"/> D. Terminated	<input type="checkbox"/> E. Modified
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Section IV-Inspection Data

9. Type of Inspection E01	10. Event Number		
11. Signal	AR Number	12. Date Mo Da Yr	13. Time (24 Hr. Clock)

Mine Citation/Order

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



Section I—Violation Data

1. Date Mo Da Yr	2. Time (24 Hr. Clock)	3. Citation/ Order Number
4. Served To	5. Operator	
6. Mine	7. Mine ID	(Contractor)
8. Condition or Practice		8a. Written Notice (103g)

Telephones or equivalent two-way communication facilities shall be maintained in good operating condition at all times. The mine pager phone located in 11 West 3 entry 15 XC is not being maintained when tested by the person from the safety department it would not work, it would not page out and could not contact anyone.

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health <input type="checkbox"/> Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR	75.1600-2(e)
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Section II—Inspector's Evaluation

10. Gravity:	A. Injury or illness (has) (is): No Likelihood <input type="checkbox"/> Unlikely <input checked="" type="checkbox"/> Reasonably Likely <input type="checkbox"/> Highly Likely <input type="checkbox"/> Occurred <input type="checkbox"/>			
	B. Injury or illness could reasonably be expected to be: No Lost Workdays <input type="checkbox"/> Lost Workdays Or Restricted Duty <input checked="" type="checkbox"/> Permanently Disabling <input type="checkbox"/> Fatal <input type="checkbox"/>			
	C. Significant and Substantial: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		D. Number of Persons Affected: 001	
11. Negligence (check one)	A. None <input type="checkbox"/>	B. Low <input type="checkbox"/>	C. Moderate <input checked="" type="checkbox"/>	D. High <input type="checkbox"/> E. Reckless Disregard <input type="checkbox"/>
12. Type of Action	104(a)	13. Type of issuance (check one) Citation <input checked="" type="checkbox"/> Order <input type="checkbox"/> Safeguard <input type="checkbox"/>		
14. Initial Action	A. Citation <input type="checkbox"/> B. Order <input type="checkbox"/> C. Safeguard <input type="checkbox"/> D. Written Notice <input type="checkbox"/>	E. Citation/Order Number		F. Dated Mo Da Yr
15. Area or Equipment				

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

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

Section IV—Automated System Data

19. Type of Inspection (activity code)	E01	20. Event Number	21. Primary or Mill
22. Signature			23. AR Number

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Mine Citation/Order

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



Section I--Violation Data

1. Date Mo Da Yr	2. Time (24 Hr. Clock)	3. Citation/ Order Number
4. Served To	5. Operator	
6. Mine	7. Mine ID	(Contractor)
8. Condition or Practice		8a. Written Notice (103g) <input type="checkbox"/>

Provided with a continuous, durable directional lifeline or equivalent device that shall be marked with a reflective material every 25 feet. The life line running along the 12 West belt conveyor in the alternate escapeway is not provided with reflective material every 25 feet. There is a distance of 50 feet between the reflective material between 5 - 6 XC in the # 1 entry. All the other reflectors inby and outby were at 25 feet spacing and could easily be seen.

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health <input type="checkbox"/> Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR 75.380(d)(7)(iii)
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Section II--Inspector's Evaluation

10. Gravity:				
A. Injury or illness (has) (is): No Likelihood <input type="checkbox"/> Unlikely <input checked="" type="checkbox"/> Reasonably Likely <input type="checkbox"/> Highly Likely <input type="checkbox"/> Occurred <input type="checkbox"/>				
B. Injury or illness could reasonably be expected to be: No Lost Workdays <input checked="" type="checkbox"/> Lost Workdays Or Restricted Duty <input type="checkbox"/> Permanently Dabling <input type="checkbox"/> Fatal <input type="checkbox"/>				
C. Significant and Substantial: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>				D. Number of Persons Affected: 001
11. Negligence (check one) A. None <input type="checkbox"/> B. Low <input type="checkbox"/> C. Moderate <input checked="" type="checkbox"/> D. High <input type="checkbox"/> E. Reckless Disregard <input type="checkbox"/>				
12. Type of Action 104(a)		13. Type of Issuance (check one) Citation <input checked="" type="checkbox"/> Order <input type="checkbox"/> Safeguard <input type="checkbox"/>		
14. Initial Action A. Citation <input type="checkbox"/> B. Order <input type="checkbox"/> C. Safeguard <input type="checkbox"/> D. Written Notice <input type="checkbox"/>			E. Citation/Order Number	
F. Dated Mo Da Yr				
15. Area or Equipment				

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

17. Action to Terminate A cone with reflective material on it was installed, now all reflective material is at 25 feet spacing along this life line.

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

19. Type of Inspection (activity code) E01	20. Event Number	21. Primary or Mill
22. Signature	23. AR Number	

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Mine Citation/Order

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



Section I—Violation Data

1. Date Mo Da Yr	2. Time (24 Hr. Clock)	3. Citation/ Order Number
4. Served To	5. Operator	
6. Mine	7. Mine ID (Contractor)	
8. Condition or Practice		8a. Written Notice (103g)

All electric equipment shall be frequently examined, tested, and properly maintained to assure safe operating conditions. The shield to shield lighting cable located at shield 130 on the 12 West longwall face is not being maintained. There are two cuts through the outer jacket of this cable that are exposing and allowing access into the inner undamaged insulated leads. These holes measured 2 1/2 inches and 2 1/4 inches. The damaged areas were at the plug receptacle on this cable. The long wall face lighting was energized and on at the time of this inspection.

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health <input type="checkbox"/> Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR	75.512
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Section II—Inspector's Evaluation

10. Gravity:				
A. Injury or illness (has) (is): No Likelihood <input type="checkbox"/> Unlikely <input checked="" type="checkbox"/> Reasonably Likely <input type="checkbox"/> Highly Likely <input type="checkbox"/> Occurred <input type="checkbox"/>				
B. Injury or illness could reasonably be expected to be: No Lost Workdays <input type="checkbox"/> Lost Workdays Or Restricted Duty <input checked="" type="checkbox"/> Permanently Disabling <input type="checkbox"/> Fatal <input type="checkbox"/>				
C. Significant and Substantial: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>				D. Number of Persons Affected: 001
11. Negligence (check one) A. None <input type="checkbox"/> B. Low <input type="checkbox"/> C. Moderate <input checked="" type="checkbox"/> D. High <input type="checkbox"/> E. Reckless Disregard <input type="checkbox"/>				
12. Type of Action 104(a)		13. Type of Issuance (check one) Citation <input checked="" type="checkbox"/> Order <input type="checkbox"/> Safeguard <input type="checkbox"/>		
14. Initial Action A. Citation <input type="checkbox"/> B. Order <input type="checkbox"/> C. Safeguard <input type="checkbox"/> D. Written Notice <input type="checkbox"/>			E. Citation/ Order Number	F. Dated Mo Da Yr
15. Area or Equipment				

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

17. Action to Terminate	The cable was replaced.
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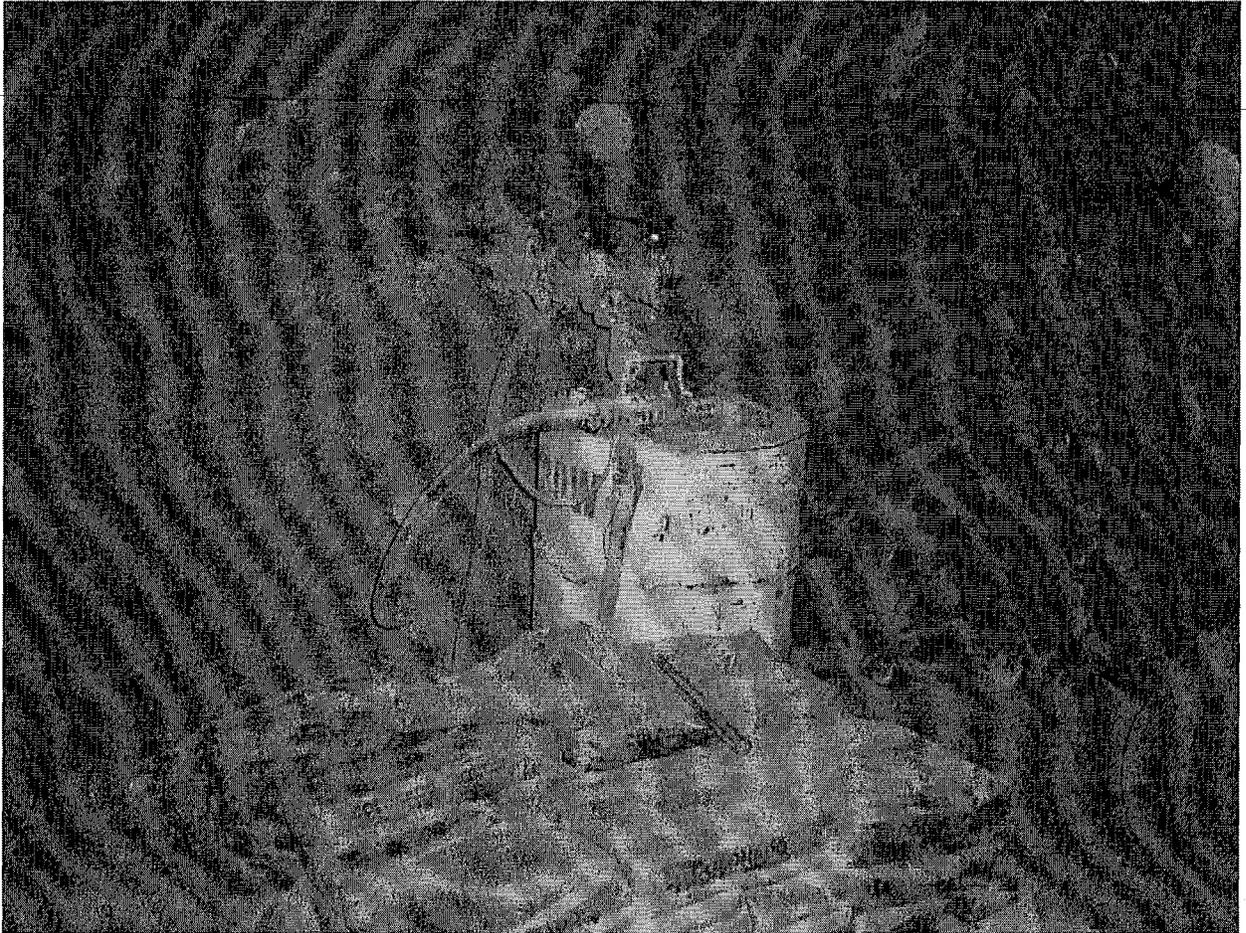
18. Terminated	A. Date Mo Da Yr	B. Time (24 Hr. Clock)
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Section IV—Automated System Data

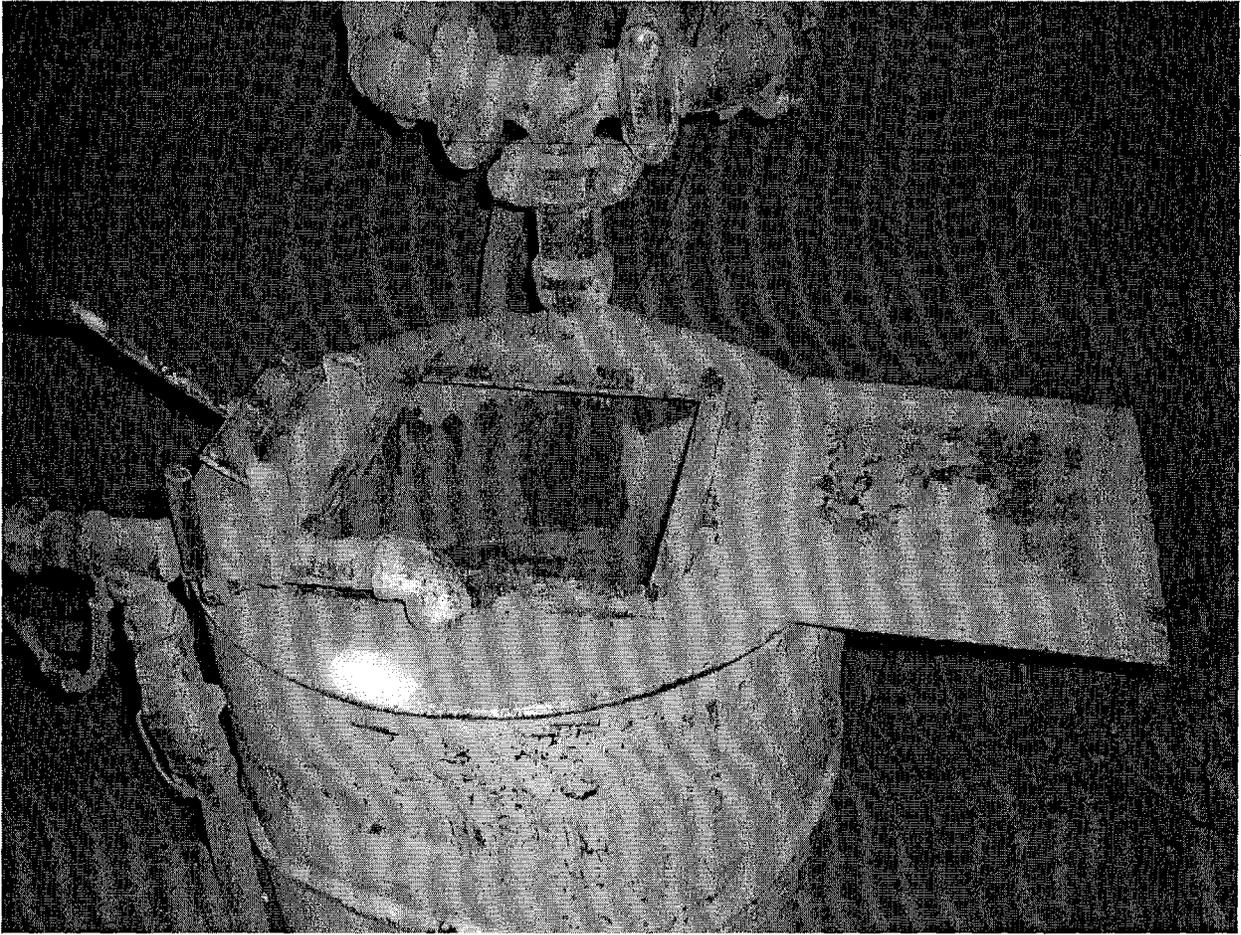
19. Type of Inspection (activity code) E01	20. Event Number	21. Primary or Mill
22. Signature	23. AR Number	

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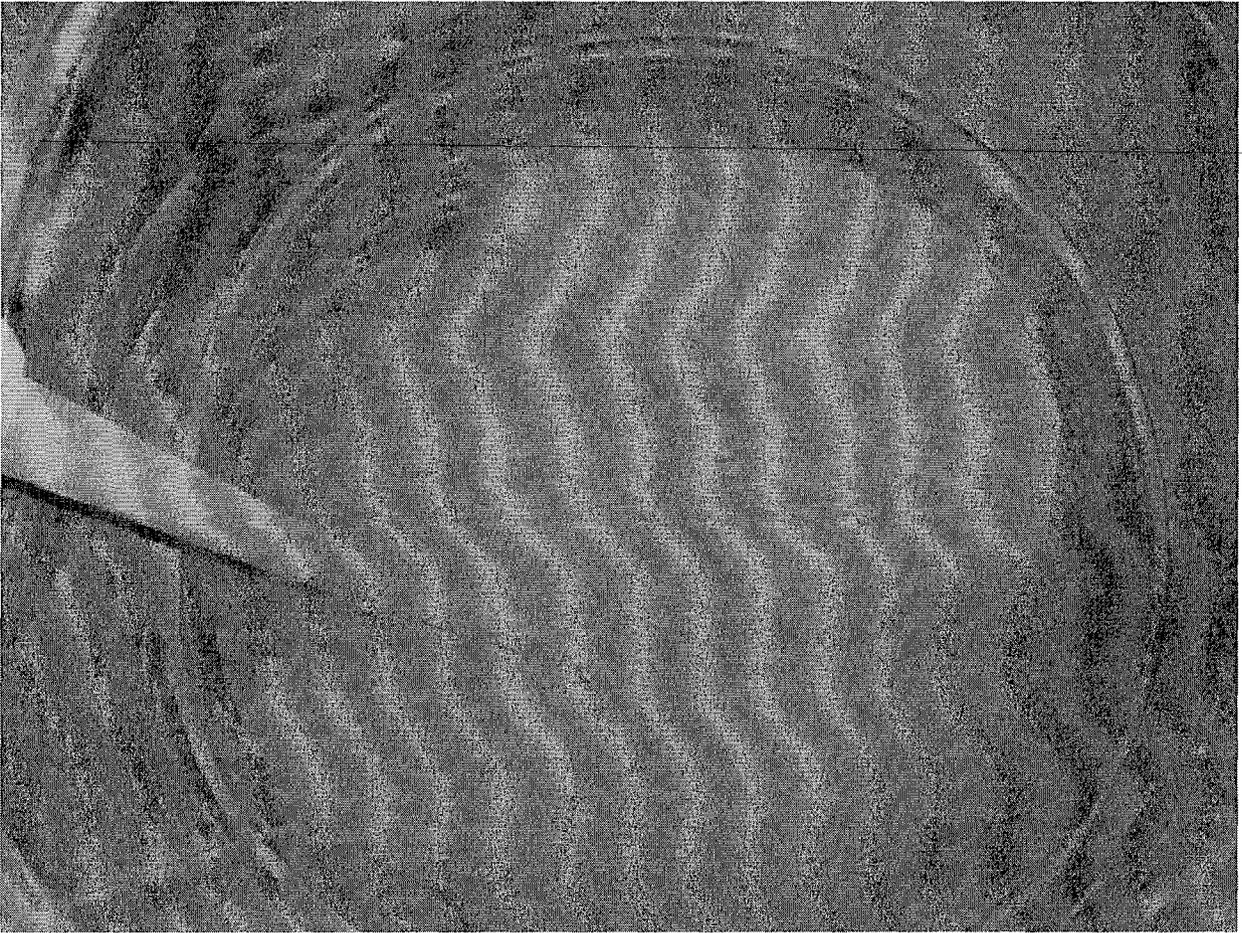
## Attachment C - Rock Duster photographs



The rock dust barrels are utilized to apply rock dust in the belt entries and are usually located at the belt drives and at the section feeder breakers. The barrels can, and occasionally are, set up at locations along long belt lines and near belt regulators to aid in applying rock dust.



The air pressure is shut off and the barrel is allowed to bleed off before removing the secure lid to add the rockdust. This system operates on 80-100 psi of compressed air.



Air manifold with holes drilled in pipe to suspend rockdust into the distribution hose at bottom of the steel drum.