

**U.S. Department of Labor**

Mine Safety and Health Administration  
1100 Wilson Boulevard  
Arlington, Virginia 22209-3939



September 16, 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, Ruff Creek,  
Pennsylvania, Field Office. [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 Charles Thomas. Positive findings and issues requiring attention are included in this audit report.

**Overview**

The audit team traveled to the Ruff Creek, PA field office and the [REDACTED] to observe and evaluate enforcement activities and mine conditions. The team traveled in the [REDACTED]. Equipment inspected included the longwall machine (MMU-032) and miner units MMU-039, and MMU-022 as well as two shuttle cars, and a ventilation fan. Permissibility checks were conducted along with standard safety inspections. The Emergency Response Plan was reviewed and verified in the mine. The roof control plan and the ventilation plan were verified and multiple air readings were taken in the mine. Life lines were in place, two separate forms of communications in separate air courses were in place, as well as a Leaky Feeder radio communications system. 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 and mine conditions which include:

- Well organized pre-inspection conferences;
- Enforcement actions on all levels from 104(a), 104(b), 104(d), and 107(a);
- Well organized and stocked emergency supply sleds (attachment C);
- Adequate follow-up on wet rockdust surveys and documentation with maps is excellent;
- FARS and AA's are detailed and very in depth second level reviews being documented;
- Tech-support involved in Elevator Structure Reports, Roof Control Issues, and electrical, and
- Classroom SCSR and part 48 training was observed by CMI at this mine on two occasions.

There are also issues that require corrective actions:

- No oxygen percentage or methane percentage recorded with #3 Leg bottle sample T4943, notes [REDACTED] Air analysis card had the results but the inspection notes did not record the air readings. (Item 1)
- No company asset number on notes for [REDACTED] CARH for Goodman 15 ton model number was left blank. This was not in the [REDACTED] notes.
- The UMF D-tracking instructions needs updated.
- Two shaft sinking plans dated [REDACTED] in UMF, one needs removed from UMF. Note: This was corrected [REDACTED]
- [REDACTED] - Event sheet activity calendar is not accurately documented. (Item 1)
- SCMI and second level reviews must conduct a thorough review of inspection reports, time reporting and violations. (Item 1)

Recommendation - The Ruff Creek field Office could benefit from the fulltime Roof-control specialist focusing on problem issues due to variety of geological conditions at mines they inspect and the frequent number of tailgate blockages encountered. Currently the roof specialist is mainly conducting E01 inspection work to complete the 100% plan.

Recommendation - Inspectors should be provided with gang locks and tags to lock out equipment when necessary for inspection and permissibility checks. Currently the inspectors in the Ruff Creek field office are not provided with these tools for all

inspections. They can not ensure their own safety on equipment they inspect that must be locked out during inspection. (Electrical inspectors do have the locks)

Recommendation - Tech support should continue to assist the District in performing a plan review for the roof control plan addressing Tailgate/Headgate blockage issues as these appear to be on the increase in recent history. (4 blockages in recent months.)

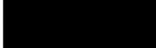
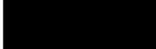
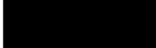
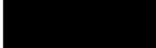
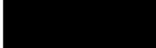
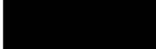
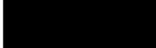
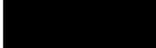
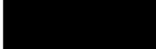
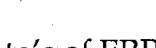
Recommendation - The field office should require that the operator provide the necessary tools and demonstrate by connecting the 50/50 gauge and flow meter to the water line fire taps and fire hoses. MSHA inspectors can provide the 50/50 gauge, but the responsibility of providing the tools and installing the gauge should be the operators.

### **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.

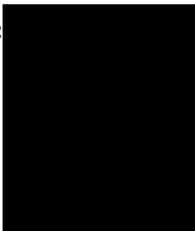
Attachments

- A. OOA Checklist with comments
- B. Citations issued during OOA mine visit

- |     |   |                   |
|-----|---|-------------------|
| 1.  |    | 75.400            |
| 2.  |    | 75.360(b)(3)      |
| 3.  |    | 75.380(h)         |
| 4.  |    | 75.380(f)(1)      |
| 5.  |    | 75.1002(a)        |
| 6.  |    | 75.380(d)(7)(iii) |
| 7.  |    | 75.512            |
| 8.  |    | 75.380(d)(2)      |
| 9.  |    | 75.1725(a)        |
| 10. |    | 75.400            |
| 11. |   | 75.1403           |
| 12. |  | 75.333(b)(1)      |

- C. Photo's of ERP Emergency Supply Sled

cc:



1. Coal  Metal/Nonmetal

Evaluate supervisory review of inspection reports and documentation for completeness.

Adequate  Inadequate  Not Applicable  Comments Below

Failure to record all inspection days accurately for the last two E-01 events. Event [REDACTED] and event [REDACTED] both failed to accurately document the event calendar.

Action required - Improve the supervisory review of the work products generated and required for all inspection reports.  
 (Reference Coal mine Safety and Health Supervisors Handbook (AH08-III-1, Page 1, Item III)  
**This has been corrected in both IPAL and People time no record changes required.**

2. Coal  Metal/Nonmetal

Determine if supervisors address report deficiencies immediately

Adequate  Inadequate  Not Applicable  Comments Below

As referenced in Item 1, issues were not corrected until identified during the audit review. (Issue was corrected before audit was completed.)  
Action required - improve supervisory review of work products and improve correction actions regarding errors in all inspection reports.  
 (Reference - Sago, Aracoma, and Darby Internal Review, page B-3, Item3 Recommendations and Corrective actions.)

4. Coal  Metal/Nonmetal

Evaluate the quality of Field Activity Review reports (FARs)

Adequate  Inadequate  Not Applicable  Comments Below

5. Coal  Metal/Nonmetal   
Determine if supervisors/managers are identifying and addressing performance or behavior based issues during and after accompanied inspections are conducted

Adequate  Inadequate  Not Applicable  Comments Below

Positive comment-Well detailed and in depth.

6. Coal  Metal/Nonmetal   
Evaluate the quality of Accompanied Inspections

Adequate  Inadequate  Not Applicable  Comments Below

Positive comment-Very professional AA's

7. Coal  Metal/Nonmetal   
Determine if supervisors are thoroughly reviewing mine files at least annually

Adequate  Inadequate  Not Applicable  Comments Below

8. Coal  Metal/Nonmetal   
Determine if Assistant District Manager is holding supervisor accountable for general mine visits, FARs, and accompanied activities

Adequate  Inadequate  Not Applicable  Comments Below

Second level reviews indicate this is being accomplished.

11. Coal  Metal/Nonmetal   
Determine if ADMs and DMs are visiting mines with poor compliance at least monthly

Adequate  Inadequate  Not Applicable  Comments Below

13. Coal  Metal/Nonmetal   
Evaluate the location, workload, and availability of specialists (roof control, ventilation, electrical, etc.) within the district

Adequate  Inadequate  Not Applicable  Comments Below

14. Coal  Metal/Nonmetal   
Evaluate supervisory and management review of 103(i) (spot inspection) tracking system for compliance with time frames

Adequate  Inadequate  Not Applicable  Comments Below

15. Coal  Metal/Nonmetal   
Determine if supervisors and managers are ensuring that 103(i) inspections are not combined with any other type of inspection

Adequate  Inadequate  Not Applicable  Comments Below

17. Coal  Metal/Nonmetal   
 Determine if supervisors are monitoring inspector time and activity documentation to ensure proper use of time by inspector

Adequate  Inadequate  Not Applicable  Comments Below

It appears in the inspection reports that areas are sometimes traveled twice with no explanation.  
Action required: The Work group supervisor and lead AR should coordinate and direct the inspection from start to finish ensuring proper time and site inspection efficiency. This should be verified by the ADM.

20. Coal  Metal/Nonmetal   
 Determine if supervisors are adequately evaluating the level of enforcement by visiting each producing mine

Adequate  Inadequate  Not Applicable  Comments Below

Positive; Interviews with F.O. personnel indicate the supervisors and managers are visiting active mining operations.

23. Coal  Metal/Nonmetal   
 Determine if second level reviews and Peer Reviews are used to assess supervisory review of enforcement actions

Adequate  Inadequate  Not Applicable  Comments Below

Positive: Second level review documents are completed and reviewed with F.O. SCMI.

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

Adequate  Inadequate  Not Applicable  Comments Below

UNITED STATES DEPARTMENT OF LABOR  
MINE SAFETY AND HEALTH ADMINISTRATION  
OFFICE OF ACCOUNTABILITY

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

Positive: complete and thorough inspections are supported with the field notes, tracking maps and inspection reports. ( one issue was observed in field notes - air readings were not recorded in the field notes by the inspector, but the air analysis card supported the bottle sample [REDACTED])

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

Adequate  Inadequate  Not Applicable  Comments Below

The requirement to inspect all shifts is being met, recommendation: additional inspection time between [REDACTED] could be increased during E-01 and E02 events.

33. Coal  Metal/Nonmetal   
Determine if areas deemed "too wet" for rock dust surveys are re-visited and sampled

Adequate  Inadequate  Not Applicable  Comments Below

Positive comment- Field Office demonstrated good follow-up and organizational skills.

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

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

Adequate  Inadequate  Not Applicable  Comments Below

Positive: the inspection reports and field notes indicate the MINER Act requirements are being evaluated thoroughly.

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

A review of notes and inspection reports indicate that more than sufficient time is potentially being expended in all areas of the mine.

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

Enforcement at the [REDACTED] appears adequate for the current conditions observed.

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

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

Adequate  Inadequate  Not Applicable  Comments Below

No violations for roof control issued during this audit.

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

Adequate  Inadequate  Not Applicable  Comments Below

Citation [REDACTED] was issued due to inadequate examination. This is a one day observance and is not a reflection on the inspection but on the current conduct of the operator.

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

Adequate  Inadequate  Not Applicable  Comments Below

Production was shut down due to closure order issued on the main belts during the audit.

43. Coal <input checked="" type="checkbox"/>	Metal/Nonmetal <input type="checkbox"/>		
Observe air quantity, quality, and gas checks by inspector			
Adequate <input checked="" type="checkbox"/>	Inadequate <input type="checkbox"/>	Not Applicable <input type="checkbox"/>	Comments Below

44. Coal <input checked="" type="checkbox"/>	Metal/Nonmetal <input type="checkbox"/>		
Determine adequacy of Emergency Response Plan training (interview miners)			
Adequate <input checked="" type="checkbox"/>	Inadequate <input type="checkbox"/>	Not Applicable <input type="checkbox"/>	Comments Below

45. Coal <input checked="" type="checkbox"/>	Metal/Nonmetal <input type="checkbox"/>		
Determine adequacy of training regarding roof, ventilation, and other plans (interview miners)			
Adequate <input checked="" type="checkbox"/>	Inadequate <input type="checkbox"/>	Not Applicable <input type="checkbox"/>	Comments Below

46. Coal <input checked="" type="checkbox"/>	Metal/Nonmetal <input type="checkbox"/>		
Evaluate Self-Contained, Self-Rescuer condition, storage, signage			
Adequate <input checked="" type="checkbox"/>	Inadequate <input type="checkbox"/>	Not Applicable <input type="checkbox"/>	Comments Below

47. Coal <input checked="" type="checkbox"/>	Metal/Nonmetal <input type="checkbox"/>		
Determine if the mine operator has conducted SCSR donning expectation training and if the inspector has observed and evaluated the training			
Adequate <input checked="" type="checkbox"/>	Inadequate <input type="checkbox"/>	Not Applicable <input type="checkbox"/>	Comments Below

48. Coal <input checked="" type="checkbox"/>	Metal/Nonmetal <input type="checkbox"/>		
Examine electrical cables on several pieces of equipment			
Adequate <input checked="" type="checkbox"/>	Inadequate <input type="checkbox"/>	Not Applicable <input type="checkbox"/>	Comments Below
NVO			

49. Coal <input checked="" type="checkbox"/>	Metal/Nonmetal <input type="checkbox"/>		
Evaluate several pieces of equipment for permissibility			
Adequate <input checked="" type="checkbox"/>	Inadequate <input type="checkbox"/>	Not Applicable <input type="checkbox"/>	Comments Below
NVO			

50. Coal <input checked="" type="checkbox"/>	Metal/Nonmetal <input type="checkbox"/>		
Examine lifelines, mandoors, and related signage			
Adequate <input checked="" type="checkbox"/>	Inadequate <input type="checkbox"/>	Not Applicable <input type="checkbox"/>	Comments Below
One citation issued.			

51. Coal  Metal/Nonmetal   
 Examine escapeway map for compliance with regulations

Adequate  Inadequate  Not Applicable  Comments Below

NVO

52. Coal  Metal/Nonmetal   
 Evaluate integrity of primary and alternate escapeways

Adequate  Inadequate  Not Applicable  Comments Below

Although two violations were issued: the nature of the mining process will always provide these violations when there is a Headgate or tailgate blockage on the Longwall section in this mine. (persons if necessary could have passed the blockage)

53. Coal  Metal/Nonmetal   
 Evaluate integrity of return side stopping line

Adequate  Inadequate  Not Applicable  Comments Below

54. Coal  Metal/Nonmetal   
 Travel and evaluate condition and maintenance of section conveyor belt, structures, and entries

Adequate  Inadequate  Not Applicable  Comments Below

Positive comment: Operator and examiners are being held accountable for conveyors.

55. Coal  Metal/Nonmetal

Evaluate conveyor belt isolation from other air courses

Adequate  Inadequate  Not Applicable  Comments Below

56. Coal  Metal/Nonmetal

Evaluate fire valves and hoses (condition, compatibility of fittings, pressure test)

Adequate  Inadequate  Not Applicable  Comments Below

Pressures measured were easily over the required minimums.

57. Coal  Metal/Nonmetal

Observe and evaluate fire detection methods

Adequate  Inadequate  Not Applicable  Comments Below

58. Coal  Metal/Nonmetal

Evaluate cleanup of accumulations and application of rock dust

Adequate  Inadequate  Not Applicable  Comments Below

Citation # [REDACTED] were issued during the audit. This is an audit observation and does not reflect on the inspection, this is a result of the operator not taking corrective action reported in the record books and was dealt with harshly by the inspector issuing an closure order which was warranted.

59. Coal  Metal/Nonmetal

Evaluate condition of conveyor belt drives, and fire suppression systems

Adequate  Inadequate  Not Applicable  Comments Below

Citation: [REDACTED] was issued due to the belt being misaligned, causing a rubbing action, creating visible smoke. Also a closure order was issued for excessive long existing accumulations on the main belt conveyor and was down for cleanup 3 1/2 shifts. This also is an audit observation and does not reflect on the inspection, this is a result of the operator not taking corrective action reported in the record books and was dealt with harshly by the inspector issuing a closure order which was warranted. The inspector showed great level of enforcement with out any prompting and was very professional and the level of enforcement was respected by the operator with no disagreement.

60. Coal  Metal/Nonmetal

Determine if all required record books are adequately completed and in compliance with applicable standards

Adequate  Inadequate  Not Applicable  Comments Below

61. Coal  Metal/Nonmetal

Examine mine map for accuracy of workings and escapeway locations

Adequate  Inadequate  Not Applicable  Comments Below

62. Coal  Metal/Nonmetal

Examine mine bulletin board and evaluate adequacy of all required postings

Adequate  Inadequate  Not Applicable  Comments Below

63. Coal  Metal/Nonmetal

Interview responsible person(s) and evaluate knowledge of emergency response, evacuation procedures, and fire fighting processes

Adequate  Inadequate  Not Applicable  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

66. Coal  Metal/Nonmetal

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

Adequate  Inadequate  Not Applicable  Comments Below

No information was provided for this field office, but other reviews for other field office were adequate.

67. Coal  Metal/Nonmetal   
Determine if MSHA headquarters is conducting sufficient, in-depth Peer Reviews

Adequate  Inadequate  Not Applicable  Comments Below

An HQ peer review had been done for Ruff Creek between [REDACTED] according to CMS&H Memo No. HQ-08-001-A (ORM 4-2)

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

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

Adequate  Inadequate  Not Applicable  Comments Below

No oxygen percentage or methane percentage recorded with #3 Leg bottle sample [REDACTED] Air analysis card had the results but the inspection notes did not record the air readings.

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

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

UMF-D Tracking system instructions needs updated

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

83. Coal  Metal/Nonmetal   
Determine if plan review and approval process provides reasonable assurance that miners are protected

Adequate  Inadequate  Not Applicable  Comments Below

--

99. Coal <input checked="" type="checkbox"/> Metal/Nonmetal <input type="checkbox"/>
Determine if the uniform mine file is reviewed for information related to plan adequacy
Adequate <input checked="" type="checkbox"/> Inadequate <input type="checkbox"/> Not Applicable <input type="checkbox"/> Comments Below

--

114. Coal <input checked="" type="checkbox"/> Metal/Nonmetal <input type="checkbox"/>
Determine if spreadsheets and/or databases provided for tracking of mine visits by supervisors and managers is kept up to date
Adequate <input checked="" type="checkbox"/> Inadequate <input type="checkbox"/> Not Applicable <input type="checkbox"/> Comments Below

--

115. Coal <input checked="" type="checkbox"/> Metal/Nonmetal <input type="checkbox"/>
Evaluate the effectiveness of management's support of, and communication with, inspectors and specialists
Adequate <input checked="" type="checkbox"/> Inadequate <input type="checkbox"/> Not Applicable <input type="checkbox"/> Comments Below

--

UNITED STATES DEPARTMENT OF LABOR  
 MINE SAFETY AND HEALTH ADMINISTRATION  
 OFFICE OF ACCOUNTABILITY

Citations issued during audit

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 <span style="float: right;">(Contractor)</span>	
8. Condition or Practice			8a. Written Notice (103g) <input type="checkbox"/>

Accumulations of dry float coal dust, black in color were allowed to accumulate on the mine floor and ribs in the C-1 Longwall Tailgate entry (No.1 entry of C-Bleeders) between the 72+10 spad (Tailgate Drive) oby to the spad No. 69+00 in the C-1 Longwall section, MMU-032. The accumulations were on top of the previously rock dusted surface for the entire distance, approximately 300 feet.

This standard has been issued 72 times at this mine in the past 24 months.

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR <p style="text-align: center; margin: 0;">75.400</p>
--------------	---	-------------------	---

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: 007	
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		13. Type of Issuance (check one)			
104(a)		Citation <input checked="" type="checkbox"/> Order <input type="checkbox"/> Safeguard <input type="checkbox"/>			
14. Initial Action				E. Citation/Order Number	
A. Citation <input type="checkbox"/> B. Order <input type="checkbox"/> C. Safeguard <input type="checkbox"/> D. Written Notice <input type="checkbox"/>				F. Dated Mo Da Yr	
15. Area or Equipment					

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

Section III--Termination Action	
17. Action to Terminate The entire area was rock dusted by hand.	

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

Section IV--Automated System Data		
19. Type of Inspection (activity code)	20. Event Number	21. Primary or Mill
E01		
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 20418. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

UNITED STATES DEPARTMENT OF LABOR  
MINE SAFETY AND HEALTH ADMINISTRATION  
OFFICE OF ACCOUNTABILITY

Citations issued during audit

Mine Citation/Order U.S. Department of Labor  
Mine Safety and Health Administration

Section I--Violation Data		
1. Date <small>Mo Da Yr</small>	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"/>

After reviewing records, it was determined that an inadequate Pre-Shift Examination on the C-1 Longwall Section MMU-032 was performed on [redacted] on the [redacted] shift for the oncoming [redacted] shift. The examination was conducted between [redacted] and the hazardous condition found in Citation [redacted] was not found and/or recorded in the Pre-Shift Exam book. The hazardous condition was corrected and this Citation will be terminated after the [redacted] who conducted the examination is re-instructed on making a proper examination.

This standard has been issued 0 times at this mine in the past 24 months.

See Continuation Form (MSHA Form 7000-3a) <input type="checkbox"/>			
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 75.360(b)(3)

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: 007	
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 <small>Mo Da Yr</small>	B. Time (24 Hr. Clock)
---------------------	---------------------------------	------------------------

Section III--Termination Action

17. Action to Terminate		
18. Terminated	A. Date <small>Mo Da Yr</small>	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.

UNITED STATES DEPARTMENT OF LABOR  
MINE SAFETY AND HEALTH ADMINISTRATION  
OFFICE OF ACCOUNTABILITY

Citations issued during audit

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 <span style="float: right;">(Contractor)</span>	
8. Condition or Practice			8a. Written Notice (103g) <input type="checkbox"/>

The C-1 Longwall Section, MMU-032 does not have a designated alternate escape way. The men working on the Head gate side of the section do not have a designated alternate escape way available to them because the area beside the stage loader is not passable due to the roof potting out around the bolts and falling into the walkway making it in-passable to get to the Tailgate entry which is the designated alternate escape way. The Operator has implemented a plan to protect the miners while mining with one escape way.

This Standard has been cited 2 time in the last two years.

See Continuation Form (MSHA Form 7000-3a) <input type="checkbox"/>			
9. Violation	A. Health Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR <span style="float: right;">75.380(h)</span>

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 type="checkbox"/> Permanently Disabling <input type="checkbox"/> Fatal <input checked="" type="checkbox"/>				
C. Significant and Substantial: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			D. Number of Persons Affected: 018	
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				F. Dated Mo Da Yr

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.

UNITED STATES DEPARTMENT OF LABOR  
MINE SAFETY AND HEALTH ADMINISTRATION  
OFFICE OF ACCOUNTABILITY

Citations issued during audit

Mine Citation/Order U.S. Department of Labor  
Mine Safety and Health Administration 

Section I--Violation Data			
1. Date <small>Mo Da Yr</small>	2. Time (24 Hr. Clock)	3. Citation/ Order Number	
4. Served To		5. Operator	
6. Mine		7. Mine ID <span style="float: right;">(Contractor)</span>	
8. Condition or Practice			8a. Written Notice (103g) <input type="checkbox"/>

The C-1 Longwall Section, MMU-032 does not have a designated Primary escape way. The men working on the longwall face do not have a designated Primary escape way available to them because the area beside the stage loader is not passable due to the roof potting out around the bolts and falling into the walkway making it in-passable to get to the Tailgate entry which is the designated alternate escape way. The operator has implemented a plan to protect the miners while mining with one escape way.

This Standard has been cited 0 times in the last two years.

See Continuation Form (MSHA Form 7000-3a) <input type="checkbox"/>			
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(f)(1)

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: 007	
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 <small>Mo Da Yr</small>	B. Time (24 Hr. Clock)
---------------------	---------------------------------	------------------------

Section III--Termination Action	
17. Action to Terminate	

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

Section IV--Automated System Data		
19. Type of Inspection (activity code)	20. Event Number	21. Primary or Mill
E01		
22. Signature		23. AR Number

MSHA Form 7000-3, Mar 86 (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.

UNITED STATES DEPARTMENT OF LABOR  
MINE SAFETY AND HEALTH ADMINISTRATION  
OFFICE OF ACCOUNTABILITY

Citations issued during audit

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	

8. Condition or Practice 8a. Written Notice (103g)   
 Electrical equipment located on the longwall face was not being maintained in permissible condition in the C-1 Longwall Section, MMU-032. A light power supply cable (12 VAC) located between the No. 185 and No. 186 shields had five damaged areas to the outer insulation exposing the energized bare copper leads. This is an intrinsically safe circuit.

This Standard has been cited 1 time in the last two years.

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
			75.1002(a)

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		E. Citation/Order Number	F. Dated Mo Da Yr
A. Citation <input type="checkbox"/> B. Order <input type="checkbox"/> C. Safeguard <input type="checkbox"/> D. Written Notice <input type="checkbox"/>			
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 affected light cable was removed from service.

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
E01		
22. Signature	23. AR Number	

MSHA Form 7000-3, Mar 86 (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.

UNITED STATES DEPARTMENT OF LABOR  
MINE SAFETY AND HEALTH ADMINISTRATION  
OFFICE OF ACCOUNTABILITY

Citations issued during audit

Mine Citation/Order U.S. Department of Labor  
Mine Safety and Health Administration 

<b>Section I--Violation Data</b>			
1. Date Mo Da Yr [REDACTED]	2. Time (24 Hr. Clock) [REDACTED]	3. Citation/ Order Number [REDACTED]	
4. Served To [REDACTED]		5. Operator [REDACTED]	
6. Mine [REDACTED]		7. Mine ID [REDACTED] (Contractor)	

**8. Condition or Practice** 8a. Written Notice (103g)   
 The primary intake escapeway for the D-Mains, 019-0 section and the secondary escapeway for the C- Mains sections was not adequately marked to show direction of travel at intermittent locations along the East Corroder haulageway.

There has been 1 citation issued under this provision during the previous 2 years at this Mine.

See Continuation Form (MSHA Form 7000-3a) <input type="checkbox"/>			
9. Violation	A. Health Safety <input type="checkbox"/> Other <input checked="" type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR 75.380(d)(2)

<b>Section II--Inspector's Evaluation</b>					
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 type="checkbox"/> Permanently Disabling <input type="checkbox"/> Fatal <input checked="" type="checkbox"/>					
C. Significant and Substantial: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>				D. Number of Persons Affected: 010	
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 [REDACTED]	B. Time (24 Hr. Clock) [REDACTED]	
---------------------	-----------------------------	-----------------------------------	--

**Section III--Termination Action**

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

<b>Section IV--Automated System Data</b>			
19. Type of Inspection (activity code) E01	20. Event Number [REDACTED]	21. Primary or Mill	
22. Signature [REDACTED]		23. AR Number [REDACTED]	

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.

UNITED STATES DEPARTMENT OF LABOR  
 MINE SAFETY AND HEALTH ADMINISTRATION  
 OFFICE OF ACCOUNTABILITY

Citations issued during audit

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)	
<p>The East Corroder belt conveyor was not maintained in a safe operating condition in that it was not properly aligned, it was off the large drive pulley approximately 5 inches and rubbing the drive frame work which had visible smoke in the atmosphere at this location.                  The Belt was immediately taken out of service.</p>				
<p>There has been 14 citations issued under this provision during the previous 2 years at this mine.</p>				
See Continuation Form (MSHA Form 7000-3a) <input type="checkbox"/>				
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 75.1725(a)	
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: 005	
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)				
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 7000-3a 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.

UNITED STATES DEPARTMENT OF LABOR  
 MINE SAFETY AND HEALTH ADMINISTRATION  
 OFFICE OF ACCOUNTABILITY

Citations issued during audit

Mine Citation/Order

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



Section I-Violation Data

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

The following conditions were observed along the East Corridor belt flight. There was float coal dust ( black in color ) in 1 X-cut between the parallel common entry and the East Corridor belt conveyor entry, it was deposited on the floor and ribs, on cables hung from the roof, on empty bags of rockdust and curtain, a distance of approximately 60 feet, this condition continued on the travel side rib , power cables and belt structure towards the outby transfer, approximately 40 feet .

Just inby the East Corridor belt transfer area there was an accumulation of wet coal fines from 1 to 3 feet in depth, 10 feet in width and 15 feet in length, also at this location there was coal fines up to 5 inches in depth and 3 feet in length on horizontal framework of the transfer, some of which

See Continuation Form (MSHA Form 7000-3e)

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 75.400
--------------	--	-------------------	---

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: 005

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

12. Type of Action 104(d)(2)

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 [redacted] F. Dated Mo Da Yr [redacted]

15. Area or Equipment The East Corridor belt flight from the transfer to inby 19 X-cut

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 [redacted]

21. Primary or Mill

22. Signature [redacted]

23. AR Number [redacted]

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.

UNITED STATES DEPARTMENT OF LABOR  
 MINE SAFETY AND HEALTH ADMINISTRATION  
 OFFICE OF ACCOUNTABILITY

Citations issued during audit

Mine Citation/Order Continuation		U.S. Department of Labor Mine Safety and Health Administration		
Section I-Subsequent Action/Continuation Data				
1. Subsequent Action		2. Dated (Original Issue)		3. Citation/Order Number
<input type="checkbox"/> Continuation	<input checked="" type="checkbox"/>	Mo	Da	Yr
4. Served To		5. Operator		
6. Mine		7. Mine ID		(Contractor)

Section II-Justification for Action

Continuation of 8. Condition or Practice  
 was dry and drying.  
 At the drive area there was oil with an 1/8 inch of coal dust ( black in color) on and around the drive motor gear reduction ( a 2 by 6 foot area ) also there was dry coal fines on the drive area framework and dual drive pulley bearing blocks, up to 3 inches in depth 4 feet in length. At this area the belt was rubbing structure and smoking.  
 In the tight side X-cut adjacent to the belt drive there was an accumulation of coal fines up to 2 feet in depth, 8 foot in width and 4 feet in length, some damp, some dry and drying.  
 At the tight side X-cut from the belt take-up there was loose coal and coal fines, damp to dry, from 4 to 15 inches in depth 8 foot in width and 15 foot in length.  
 Just inby the belt take-up there was an accumulation of wet coal fines from 6 to 30 inches in depth 12 foot width and 20 feet in length, This type condition continued inby at intermittent locations to 19 X-cut a distance of approximately 2000 feet, they ranged from a few inches in depth to a few feet in depth, 7 feet in width and 2 to 8 feet in length, At the further inby locations the accumulations were drying and in contact with bottom belt rollers at 6 locations some of which were glazing.  
 Also along this belt line on the tight side at intermittent locations from 4 X-cut to inby 19 X-cut there were accumulations of damp to dry loose coal and coal fines from a few inches in depth to 15 inches in depth 2 to 3 foot width and from a few feet in length to 15 feet in length.  
 There was an accumulation of dry float coal dust ( black in color ) from just inby the take-Up to inby 200 feet, 2 to 8 feet in width, in the form of a film.  
 These accumulations were obvious, extensive and were entered in the Pre- Shift Examiners record book.

There has been 78 citations issued under this provision during the previous 2 years at this mine

Section III-Subsequent Action Taken				See Continuation Form <input type="checkbox"/>
8. Extended To		B. Time (24 Hr. Clock)		<input type="checkbox"/> C. Vacated <input type="checkbox"/> D. Terminated <input type="checkbox"/> E. Modified
A. Date	Mo	Da	Yr	
Section IV-Inspection Data				
9. Type of Inspection		10. Event Number		
E01				
11. Sig	12. Date	Mo	Da	Yr
13. Time (24 Hr. Clock)				

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

UNITED STATES DEPARTMENT OF LABOR  
MINE SAFETY AND HEALTH ADMINISTRATION  
OFFICE OF ACCOUNTABILITY

Citations issued during audit

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	7. Mine ID	

**B. Condition or Practice** C8a. Written Notice (103g)

At the following locations either bolts were missing or loose on fish plates along the D-Mains, 019-0 section track haulage.

5 X-cut, 3 of the 4 bolts were loose  
 13 to 14 X-cut, 2 of the 4 bolts loose. Also 2 of 4 bolts loose at the next rail joint  
 inby corner of 15 X-cut, 3 of 4 bolts loose.  
 18 to 19 X-cut, 1 bolt loose  
 Just inby 19 room switch, 1 bolt missing  
 19 to 20 X-cut, 1 of 4 loose in one fish plate and 2 of 4 in another.  
 21 to 21 1/2 X-cut 1 bolt missing and another loose.

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health Safety <input type="checkbox"/> Other <input type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR 75.1403
--------------	--	-------------------	--

**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.

UNITED STATES DEPARTMENT OF LABOR  
MINE SAFETY AND HEALTH ADMINISTRATION  
OFFICE OF ACCOUNTABILITY

Citations issued during audit

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. Mine	5. Operator
6. Mine ID	7. Mine ID (Contractor)
8. Condition or Practice	8a. Written Notice (103g)

There was an 3 by 3 inch hole in a permanent stopping at 30 X-cut separating the D-Mains 019-0 section intake entry from the return. There was an air pump discharge line through this stopping at this location. Air direction was towards the return.

There have been 2 citations issued under this provision during the previous 2 years at this Mine.

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health Safety Other	B. Section of Act	C. Part/Section of Title 30 CFR
			75.333(b)(1)

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)
---------------------	------------------	------------------------

Section III--Termination Action

17. Action to Terminate The stopping was repaired.

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.

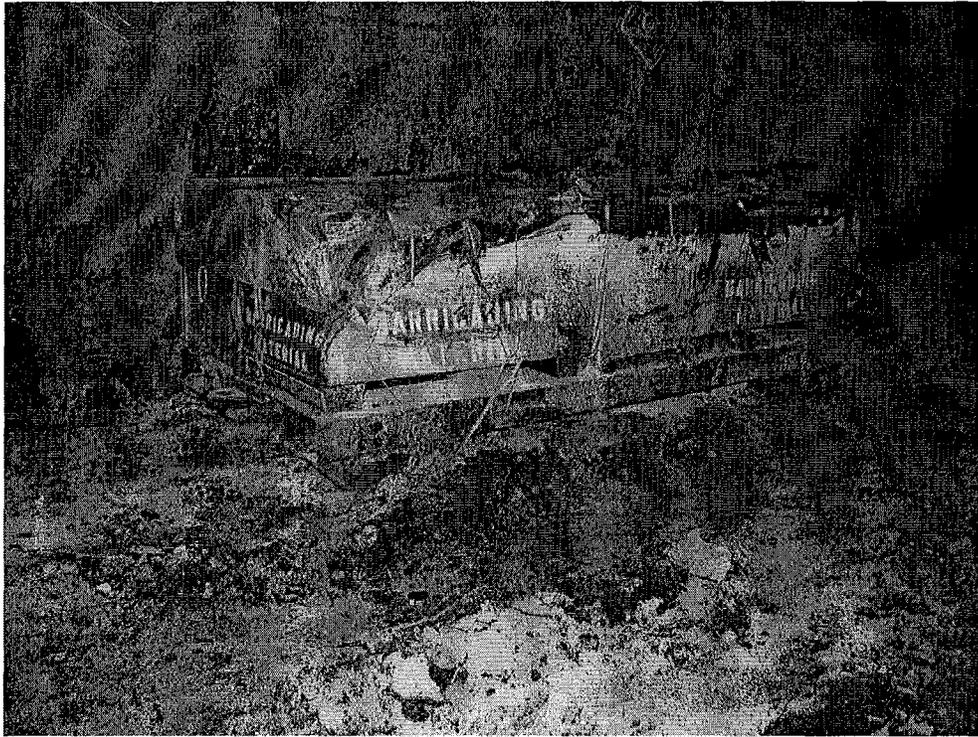


Photo No. 1 - ERP Material Supply Sled contains all required materials

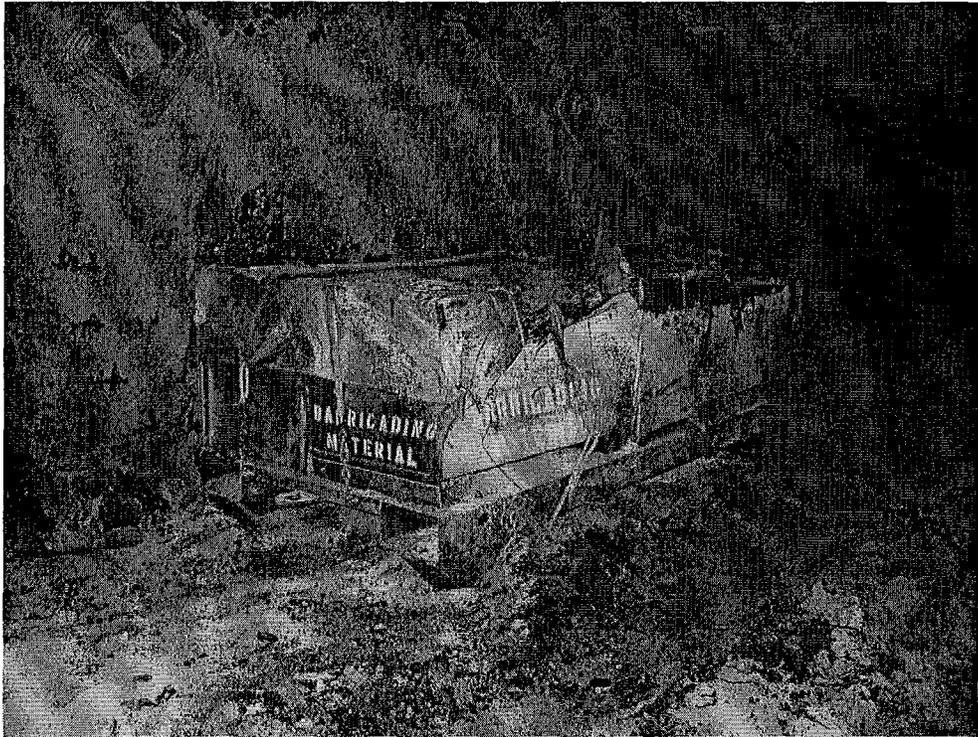


Photo No. 2 - ERP Sled