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

## GENERAL INFORMATION COVER SHEET

Inspection Code: E01 Event No. 6286108

Company Name: Performance Coal Co

Mine Name: Upper Big Branch

Mine I.D. Number: 46-08436

Date(s) of Mine File Review: 1/6/10

D Status _____ Citation/Order No. 8082692 Date 3/17/09

Dates of Inspection: began 1/7/09 completed 3/31/10

Pre-Inspection Conference Date: 1/7/09

Company Representative(s): Terry Moore

Everett Hager

Miners Representative(s):

Not Available

Post-Inspection Conference Date: 3/30/10

Company Representative(s): Gary May, David Tarazikiewicz

Wayne Persinger, Rick Nicolau

Miners Representative(s):

N/A

Comments:

Inspector's Initials [redacted] Supervisor's Initials and Date _____

*U.S. Government Printing Office: 1995 — 609-287

DAY

PRODUCTION

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

## DAILY COVER SHEET

Date: 1/7/10 Event No. 6286108

Arrived at the Mine: 0540 Departed from the Mine _____

List Records Books Checked: Pre-Shift No. 1

Section

Accompanied By: Company Representative

Terry Moore - Mine Foreman

Miners Representative

Not Available

AREAS OF INSPECTION ACTIVITY:

No. 1 Section Imminent Danger

Run

Section Belt

Dust Parameters

SCSR's

Primary Escapeway to Longwall Split

Return to Overcast on Longwall

Belt

Mantrip Obstruction

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 1

*U.S. Government Printing Office: 1997 - 508-470

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

Date: 1/7/10

Arrived at UBB

Birchton Punchout [redacted]

Met with Management

Everett Hager and

informed him of an

E01 Inspection starting

today. Informed him

a Pre Inspection

Conference would be

held when I return

to the surface.

Reviewed Pre Shift for

No. 1 Section (NVO)

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 2

*U.S. GPO: 2009-541-759

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

Date 1/7/00

Held Safety Meeting with No. 1 Section and Outby Men (24) on Vent. Plan & Roof Control Plan.

Did Mantrip Observation (NVO)

Arrived on Section

Made Imminent Danger Run Across Faces

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 2070 Page No. 3

*U.S. GPO: 2009-541-759

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

Date 1/7/00

No. 1 Entry (N100) DTI's present 0.2% CH4 20.8% O2

No. 2 Entry (N100) DTI's present 0.25% CH4 20.8% O2

LOB 2x3 Crosscut 21,413 cfm .10% CH4 20.8% O2

No. 3 Entry (N100) DTI's present .10% CH4 20.8% O2

Transe No. 1 Section Belt Head to Tail/SS 24324 (1 Box outby). Belt was idle, making belt move.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 4

*U.S. GPO: 2009-541-759

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

Date 1/7/00

Check Power Center on Section AE1 S/N - 27011 - 2500 - 208 (NVO)

Check Pressure Pump (NVO)

Did Parameter Checks on LT CM (NVO)
Water sprays 80 psi
Scrubber - Clean

Did Parameter Checks on LT Bolter (NVO)
Op. Side 20 wg
Off Side 18 wg
Dust System (OK)

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 5

*U.S. GPO: 2009-541-759

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

Date 1/7/10

DID PARAMETER CHECKS
RT CM (NVO)
48 SPRAYS 76 PSI
SCRUBBER - CLEAN

DID PARAMETER CHECKS
RT BOLTER
OP. SIDE - 13 WG
OFF. SIDE 14 WG
DUST SYSTEM (OK)

~~[illegible]~~
TRAVEL TO RESCUE CHAMBER
CHECK RESCUE CHAMBER (NVO)

FOUND CITATION AT
RESCUE CHAMBER / INTAKE
SPLIT

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] 1/7/10 Page No. 6

*U.S. GPO: 2009-541-759

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

Date 1/7/10

940AM 8087709 75.370(a)(1)

THE OPERATOR IS NOT
FOLLOWING THE VENTILATION
PLAN AS APPROVED BY THE
DISTRICT MANAGER ON NO. 1
SECTION (MMU 029-0). THE
AIR FLOW IS NOT IN THE
DIRECTION AS SHOWN ON THE
APPROVED MAP. THE INTAKE
AIR SPLIT FOR NO. 1 SECTION
WHICH IS USED AS THE
PRIMARY ESCAPEWAY, WITH
LIFELINE THE MINERS ARE TO
USE TO ESCAPE IN FRESH
AIR IN EMERGENCY SITUATIONS,
THE AIR FLOW HAS REVERSED
WITH THE AIR FLOW
GOING OUTBY.

Inspector's Initials [redacted]

Supervisor's Initials and Da[redacted] 1/7/10 Page No. 7

*U.S. GPO: 2009-541-759

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

Date 1/7/10

IN CASE OF AN EMERGENCY
THE MGN ON THIS SECTION
WOULD NOT MAKE FRESH AIR
IN PRIMARY ESCAPEWAY

THIS INTAKE SPLIT IS FROM
THE RESCUE CHAMBER ON
1 SECTION SS # 24126 TO
PRIMARY ESCAPEWAY OF THE
LONGWALL

WHEN QUESTIONED TERRY MOORE
MINE FOREMAN SAID HE KNEW
OF CONDITION AND THAT HE ASKED
EVERETT MAGER - SUPERINTENDENT -
ABOUT IT [redacted] AND
HE WAS TOLD NOT TO
WORRY ABOUT IT.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 8

*U.S. GPO: 2009-541-759

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

Date 1/7/10

CHECK THE AIR FLOW WITH A SMOKE TUBE IN THE PRESENCE OF MR. MOORE JUST TO CONFIRM THAT AIR FLOW WAS IN WRONG DIRECTION.

MR. MOORE GATHERED THE [redacted] TO ~~[illegible]~~ CHAMBER.

ONCE MEN GOT TO CHAMBER I STARTED QUESTIONING THEM.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 9

*U.S. GPO: 2009-541-759

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

Date 1/7/10

[redacted]

INFORMED ME THAT THEY QUESTIONED MANAGEMENT ABOUT THIS CONDITION AND THEY WERE TOLD IT WAS FINE NOT TO WORRY ABOUT IT. THEY SAID THE PERSONS THEY QUESTIONED WERE CHRIS BLANCHARD - PRESIDENT JAMIE FERGUSON - VICE PRESIDENT

ASKED MR. MOORE HOW LONG THIS HAS EXISTED. HE SAID SINCE HE TOOK MINE FOREMAN JOB APPROX. 3 WEEKS AGO

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 2010 Page No. 10

*U.S. GPO: 2009-541-759

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

Date 1/7/10

15 MEN EXPOSED TO CONDITION - SECTION CREW AND OUTBY MEN

IF ACCIDENT OCCURRED IT WILL RESULT IN FATAL INJURIES FROM SMOKE INHALATION AND INHALATION OF HARMFUL GASES IN EMERGENCY SITUATIONS

IT IS REASONABLY LIKELY TO OCCUR - THIS MINE ~~[illegible]~~ LIBERATES METHANE AND IS OF A 10 DAY SPOT

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 11

*U.S. GPO: 2009-541-759

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

Date 1/7/10

After Discussing Situation with Msn and Mr. Moore The Operator has Shown a Reckless Disregard of Care to the Miners on this Section and Outay Msn that Use this Escapeway

Msn's Names on Section

*

*

[redacted]

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 12

*U.S. GPO: 2009-541-759

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

Date 1/7/10

Operator Opened Regulators to Put Air Flow Back as Shown on Approved Map

Terminate [redacted] Order at 1230pm

Took Air Readings at Mamber (Split) 9300cfm Behind Power Center - 32,923cfm LOB - 13,493 cfm

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 13

*U.S. GPO: 2009-541-759

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

Date 1/7/09

Travel Primary from Section to Split on Longwall (NVO) DTI's present

[redacted]

Travel Back to Section when Air was Correct.

Check SCSR Cache (HO) SCSR's (OK)
Check Communications (NVO)
Escapeway Map (NVO)
First Aid Equip. (NVO)

Travel Return off Section to Overcast on Longwall Belt (NVO)
Term. Citation 1308. Section has Travelable Return

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 14

*U.S. GPO: 2009-541-759

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

Date 1/7/10

1310 8087710 75.370(a)(1)

THE OPERATOR IS NOT FOLLOWING THE VENT. PLAN AS APPROVED BY THE DISTRICT MANAGER.

LOCATED AT THE RETURN OVERCAST FOR NO. 1 SECTION WHICH IS ALSO USED AS A BELT REGULATOR ON THE LONGWALL BELT, AT BREAK 11, 1½ BREAKS OUT BY SSRT 22626,

THE RETURN AIR FROM NO. 1 SECTION IS ENTERING THE SECONDARY ESCAPEWAY FOR THE MEN ON THE LONGWALL SECTION (MMU-050-0) AT THIS OVERCAST / REGULATOR

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 15

*U.S. GPO: 2009-541-759

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

Date 1/7/10

CHECK AIR WITH SMOKE TUBE TO CONFIRM AIR FROM RETURN WAS GOING TO LONGWALL FACE, IN PRESENCE OF MR. MOORE. CHECK SOLARIS DETECTOR FOR GASES 0.10% $CH_4$ 20.8% $O_2$

MR. MOORE MADE PHONE CALL AND INFORMED ME THAT SUPERINTENDENT KNEW WHAT PROBLEM WAS AND TO GIVE HIM A FEW MINUTES AND HE WOULD FIX IT.

WHILE PREPARING TO TAKE BOTTLE SAMPLE AND AIR READING, AIR FLOW

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 16

*U.S. GPO: 2009-541-759

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

Date 1/8/10

RETURNED TO DIRECTION AS APPROVED MAP.

MANAGEMENT SHOULD HAVE KNOWN DUE TO FACT OF STATEMENT SUPERINTENDENT KNEW WHAT PROBLEM WAS AND THEN IMMEDIATELY FIXED.

WAS TOLD BY MR. MOORE THAT SOME DOORS NEEDED SHUT TOWARD 2 SECTION

HAS EXISTED FOR AT LEAST 2 HRS, SINCE PROBLEM ON 1 SECTION

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] Page No. 17

*U.S. GPO: 2009-541-759

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

Date 1/7/10

10 - people exposed to Hazard (Man on Longwall)

If Accident occurred it will result in Fatal Injuries from Chy being sent to longwall face.

It is reasonably likely to occur. This mine is on 10 day spot. Any Chy from 1 section will be sent to face of longwall

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 18

*U.S. GPO: 2009-541-759

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

Date 1/7/10

I believe operator has shown High Negligence due to fact of management knowing where problem is and fixing immediately

Term. at 1315

A door on 2 section was closed and air return to direction as on approved map.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 19

*U.S. GPO: 2009-541-759

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

Date 1/7/10

Return to surface

Reviewed Mine Map (MVO)

Reviewed Weekly Book and spoke with examiner and he said air was not like that yesterday

Held pre inspection conference with Terry Moore

Terminate citation on Electrical Book - 1515 Computer won't let me terminate

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 20

*U.S. GPO: 2009-541-759

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

Date 1/7/10

MR. BLANCHARD CAME TO MINE OFFICE AND WANTED TO GO OVER ARSAS CITED.

INFORMED HIM THAT HE NEEDED TO TALK TO THE FOREMAN AND MEN ABOUT DOORS BEING OPENED AND CLOSED IF IT WAS GOING TO AFFECT HIS VENTILATION OF THE MINE.

DISCUSSED WITH MR. BLANCHARD HOW I WAS WRITING CITATIONS

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 21

*U.S. GPO: 2009-541-759

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

Date 1/7/09

TYPE OUT CITATIONS

HELD DAILY CLOSEOUT

MR. HAGER WAS NOT PRESENT AT TIME OF PRE INSPECTION CONF. OR WHILE SPEAKING TO MR. BLANCHARD

MR. HAGER INFORMED ME THAT ON THE BELT AIR CITATION HE HAD NOT HAD TIME TO GET TO WHAT HE THOUGHT WAS THE PROBLEM WHEN MR. MOORE CALLED BACK AND SAID AIR FLOW WAS RIGHT

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 22

*U.S. GPO: 2009-541-759

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

Date 1/7/10

DISCUSSED CITATIONS AND ROOF CAUSE W/ EVERETT AND TERRY

RETURN TO MR HOPE

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 23

*U.S. GPO: 2009-541-759

/ Section

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

## AIR READINGS

Date 1/7/10

Location Immediate Return No. 3 Entry intake 25 # 24301 [redacted]

Width 19 Bottle Sample No. CS904

Height 7.5 CH4 Detected .10%

Area 143 Mean Entry

Velocity 173 Time

Quantity 24739 $O_2$ 20.8

Location Intake Spur for 1 Section @ Longwall Overcast

Width 18.5 Bottle Sample No.

Height 7.5 CH4 Detected 0%

Area 139 Mean Entry

Velocity 200 Time

Quantity 27,800 $O_2$ 20.8

Inspector's Initials [redacted]

Supervisor's Initials and Da[redacted] Page No. 24

*U.S.GPO:1993-0-709-384

MSHA Form 7000-10I, June 93 (revised) 46-08436 DAY

## DAILY COVER SHEET

Date 1-7-10 Event No. 6286108

Arrived at the Mine 0530 Departed from the Mine

List Records Books Checked Preshift for #3 unit #4 unit.

Accompanied By: Company Representative GARY MAY Berman Cornet

Miners Representative

AREAS OF INSPECTION ACTIVITY:

Mine is producing
Safety Meeting with
3 & 4 units
#13 Mantrip Pre-inspection Conference.
4 Mantrip
1 Mantrip
Left side I.R.
Return Flygpt 8.5 HP
Right side I.R. continued.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 1

*U.S. Government Printing Office: 1997 - 508-470

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

Date 1-7-10

First Aid Supply
Strata Shelter
Supplement Roof Support
Escapeway MAP
TL's North Portal
TL's South Portal
Left Return off 3 unit
Left Return to mouthing
4 unit.
4 unit splitter 29921209
4 unit One Head Transformer
103 625 00 597 NVO

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 2

*U.S. GPO: 2009-541-759

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

Date 1-7-10

Arrived at the Mine at 0530. Spoke with Long wall coorindator Gary May Rick Foster - STEVE Harrah - Section Foreman - #4 unit MMU 62 → 63.

Shannon Perdue - Section Foreman #3 unit MMU 66 → 67.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 3

*U.S. GPO: 2009-541-759

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

Date 1-7-10

Check Preshift Books for 3 → 4 unit.
#102 Entry Needs Bolts.
2 Thru 7 needs Cleaned → Dusted.

Held safety meeting with 3 & 4 unit crews Approx 24 People present SLAM Risk Stickers → Miners Rep. (noone came Forward)
#13 Mantrip Operator sander inoperative off side out By End. 4 unit.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 4

*U.S. GPO: 2009-541-759

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

Date 1-7-10

CITATION/ORDER #: 8090249

Time: 0645

Location: shop

Violation: 1403

The SANDER on The outlog offside in was inoperative when tried. Sand would not come out of the reservoir #13 Mantrip

No. of Persons Exposed: 10

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 5

GPO U.S. GOVERNMENT PRINTING OFFICE: 2009—540-493

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

Date 1-7-10

**Who knew the violation existed?**
should have been Found during the pre op check.

**How long has the violation existed?**
Probably Froze overnight

**If an accident should occur because of this type violation, how serious would it be?**
Lost work days due to bruising from a wreck

**What is the likelihood that this type accident will occur at this mine? Why?**
Unlikely The problem was on the out by End. One side would stop the Mantrip.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 6

GPO U.S. GOVERNMENT PRINTING OFFICE: 2009—540-493

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

Date 1-7-10

Mantrip # 4 NVC

Mantrip #1 NVC

Held Preinspection Conference with Gary May & Mr. Cornett. Spoke of accidents, Inspection of Belts. Extension vs. B orders. Mr. May indicated that he felt the mine is now heading in the right direction with safety & citations. Mr. May feels as though MSHA Personnel comes here expecting the worst & not giving them

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 7

*U.S. GPO: 2009-541-759

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

Date 1-7-08

the benefit of doubt. I explained to him that I would be writing what I saw.

Checking weekly book. For 4 Section return, This return was made on Wednesday Jan. 6 Traveled on #5 MT. NVC to BK18 cut through at Double Doors, walked Left Return 24306 Left Side #2 Entry Immediate Return
A 6.5 x 17.5
V 109
Q 12399.
Bottle #E8925

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 8

*U.S. GPO: 2009-541-759

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

Date 1-7-09

A 6.5 x 18.5
V: 75
Q 9018
Bottle # E8905
#1 Entry

Pump. Left Return
pump has no Fire
Extinguisher
citation #10840
stancor 8090250

24,000 Left LoB
23,955 Rt. LoB
A 19.5x6.5
V - 189
Q - 23955

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 9

*U.S. GPO: 2009-541-759

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

Date 1-07-10

**CITATION/ORDER #:** 8090250

**Time:** 0840

**Location:** #1 Entry across from spadder 24306

**Violation:** 75.1100-2(e)

No Fire Extinguisher was provided for at the permissible pump located across from spad # 24306 in #1 Entry.

**No. of Persons Exposed:** 1

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 10

*U.S. GPO: 2009-541-759

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

Date 1-7-10

**Who knew the violation existed?**

The Person who installed the pump should have known.

**How long has the violation existed?**

One Week

**If an accident should occur because of this type violation, how serious would it be?**

Lost work days due to smoke inhalation

**What is the likelihood that this type accident will occur at this mine? Why?**

Unlikely. This is a permissible pump and the area is very wet.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 11

*U.S. GPO: 2009-541-759

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

Date 1-7-10

24309 SPAD #7
Entry Bottle # E8924
IR
A
V
Q

Section was very sloppy. The crew was cleaning & dusting. Area had been hand dusted & Ribs were slothing same. Midnight Foreman 1 on towards on job.
Checking Section Power Center - 31649 2300-1109
NVD

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 12

*U.S. GPO: 2009-541-759

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

Date 1-7-10

First Aid Supplies ok

No idicator on the lifeline to extra Reservers.
Citation # 75.380(d)(7) vii
8090251
Extra supplemental Supplies ok.

Stratia Emergency Shelter

Check Fire Extig on Permissible Pom Term. 0945
Walked Primary Escapeway to mouth of the section, Crossed over &

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 13

*U.S. GPO: 2009-541-759

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

Date 1-7-10

**CITATION/ORDER #:** 8090251

**Time:** 0915

**Location:** Lifeline off of 3 unit

**Violation:** 75.380(d)(7) vii

The lifeline coming off of 3 unit does not have two securely attached cones indicating a branch line.

**No. of Persons Exposed:** 10

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 14

*U.S. GPO: 2009-541-759

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

Date 1-7-10

**Who knew the violation existed?**

The Foreman on the Midnight Moves.

**How long has the violation existed?**

1 week

**If an accident should occur because of this type violation, how serious would it be?**

Lost workdays on restricted duty. Due to smoke inhalation

**What is the likelihood that this type accident will occur at this mine? Why?**

Unlikely it was the first Cache off of the section → there was a wire running to the Cache.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 15

*U.S. GPO: 2009-541-759

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

Date 1-7-10

Traveled the Left Return to the surface South Portal

T.L. Bottle #E8914

A: 20x9 #1 Return

V: 222

Q: 39960

#2 Track Entry Bottle #E8906

A: 8x17: 136

V: 100

Q 13,600

Areas of rock dust survey considered wet are still wet.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 16

*U.S. GPO: 2009-541-759

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

Date 1-7-10

#3 Track Entry Bottle #E5582

A 22x8 = 176

V = 100

Q 17,600

North Portal

#3 Entry T.L. Return E8915

A 5x16 = 80

V = 116

Q 9280

Inspector's Initials [redacted]

Supervisor's Initials and Da[redacted] Page No. 17

*U.S. GPO: 2009-541-759

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

Date 1-7-10

North

# 2 Return Portal
Track E8933

15 x 6 = 90
V: 185
Q: ~~15,600~~ 16,650

#1 Return Portal
Bottle #E8916
A 12x6 = 72
V ~~250~~ 1760
Q 126720

Walking Left Rt.
OUTSIDE TO The
Mouth of #4 unit.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 18

*U.S. GPO: 2009-541-759

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

Date 1-7-10

4 Unit Return Split
~~and~~ joints air OFF
main seal

A: 19.5 x 6 = 117
V: 183
Q 21,411

Stancor Pump 44-0SE
S.N. 1344-12.
hp 6.4

Travel where air
splits for old 4 Panels
Checked Doors. Terminate
citation 1150

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 19

*U.S. GPO: 2009-541-759

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

Date 1-7-10

Going to check EP
11 For Directional
Flow
EP-11
115 ~~x~~
Terminated at 17:00

4 Unit splitter
29921-209 NVO

4 unit one Head
Transformer 10062500-597
103

NVO

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 20

*U.S. GPO: 2009-541-759

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

Date 1-7-10

walked to the surface.

Wrote extension, termination and citation

Gave the citation extension and terminations to Wayne Persinger. Discussed root cause He Had no questions

Spoke with Harley He walks 1-32 seals on Tuesday and 33 thru 70 on thrusdays.

Drove to Mt. Hope.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 21

*U.S. GPO: 2009-541-759

DM

Production

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

DAILY COVER SHEET

Date 1/11/10 Event No. 6286108

Arrived at the Mine 1045 Departed from the Mine

List Records Books Checked Pre Shift No. 1 Section

Accompanied By: Company Representative Bill Crandolic, Surby Electrician

Miners Representative N/A

AREAS OF INSPECTION ACTIVITY:

Surface Areas
Escapeway Maps
Chargers
No. 12 Jeep
Records / Postings
No. 3 Jeep
No. 9 Jeep

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] Page No. 1

*U.S. Government Printing Office: 1997 - 508-470

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

Date 1/11/10

Arrived at Upper Big Branch Mine

Upper Management was not available

Met with [redacted] - [redacted] - He informed me that the Mine Foreman and Chief was on No. 1 Section had Roof Trouble, and that Superv Mager had Gone Home

Decided to do Surface Areas.

Inspector's Initials [redacted]

Supervisor's Initials and Da[redacted] Page No. 2

*U.S. GPO: 2009-541-759

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

Date 1/11/10

CHECK BATHHOUSE ON BURCHTON PORTAL (NVO)

CHECK MINE OFFICE (NVO)

CHECK HIGHWALL (NVO)

[redacted]

CHECK PRESSHIFT BOOK (NVO)

CHECK WEEKLY BOOK (NVO)

CHECK BANKTOWN FAN BOOK (NVO)

Inspector's Initials [redacted]

Supervisor's Initials and Da[redacted] Page No. 3

*U.S. GPO: 2009-541-759

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

Date 1/11/10

CHECK ELECTRICAL BOOKS FOR No. 1 AND No. 2 SECTIONS (NVO)

CHECK BOX OUTSIDE AEI S/N 8798-1000-296

CHECK No. 1 CHARGER ENFORCER S/N GH40651 (NVO)

CHECK D-BOX @ CHARGING HOLE (NVO)

CHECK No. 2 CHARGER ENFORCER S/N GH39454 AND GH39452 (NVO)

Inspector's Initials [redacted]

Supervisor's Initials and D[redacted] Page No. 4

*U.S. GPO: 2009-541-759

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

Date 1/11/10

CHECK No. 3 SPUR CHARGER S/N CAN'T FIND (NVO)

CHECK No. 12 JEEP (NVO) (6) SCSR'S (OK)

CHECK ESCAPEWAY MAP -/- CITATION

CHECK SOME RECORDS AND POSTINGSS (NVO)

CHECK No. 3 JEEP (NVO)

CHECK No. 9 JEEP (NVO)

Inspector's Initials [redacted]

Supervisor's Initials and Date[redacted] Page No. 5

*U.S. GPO: 2009-541-759

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

Date 1/11/10

1250 8087711 75.1505(a)

THE ESCAPEWAY MAP LOCATED ON THE SURFACE WHERE MINERS CONGREGATE, DOES NOT SHOW THE ALTERNATE ESCAPEWAY AS IT IS DESIGNATED UNDERGROUND

THE No. 1 SECTION (029-0) AND CONCEPTAL (050-0) ALTERNATE ESCAPEWAY AND LIFELINE IS RUN TO THE BIRCHTON PORTAL. THE ESCAPEWAY MAP STILL SHOWS ALTERNATE ESCAPEWAY TO SURFACE AT MAIN OFFICE NORTH PORTAL.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 6

*U.S. GPO: 2009-541-759

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

Date 1/11/10

THE SHORTEST MOST DIRECT ROUTE TO SURFACE FROM THESE SECTIONS IS THE BIRCHTON PUMPHOUT PORTAL

MANAGEMENT SHOULD HAVE KNOWN - THEY ARE TO REVIEW MAP DURING QUARTERLY FIRE DRILL

HAS EXISTED FOR 1 WEEK

25 PEOPLE EXPOSED - ESTIMATED NUMBER OF MEN ON BOTH SECTIONS AND OUTAY MEN

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 7

*U.S. GPO: 2009-541-759

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

Date 1/11/10

IF ACCIDENT OCCURRED IT WOULD RESULT IN PERMANENTLY DISABLING INJURIES FROM FIRE OR SMOKE INHALATION

IT IS UNLIKELY TO OCCUR ESCAPEWAY UNDERGROUND IS CORRECT

TERMINATION ONE AT 0800 1/13/10

Inspector's Initials [redacted]

Supervisor's Initials and D[redacted] Page No. 8

*U.S. GPO: 2009-541-759

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

Date 1/11/10

No MANAGEMENT RECORDS
[redacted] AVAILABLE
FOR ONLY CROSSCUT

TYPE OUT CITATION

RETURN TO Mr. HOPE

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 9

*U.S. GPO: 2009-541-759

MSHA Form 7000-10I, June 93 (revised) 46-08436 DAY

DAILY COVER SHEET

Date 1-11-10 Event No. 6286108

Arrived at the Mine 0900 Departed from the Mine

List Records Books Checked Preshift 4 unit
Belt Book.

Accompanied By: Company Representative Gary
MAY

Miners Representative NA

AREAS OF INSPECTION ACTIVITY: Producing
3 unit #1 Head
#1 South Belt
BK 23 to the punch out
silo to surface Part
of 3 escapeway
Slip Sequence 1 South Belt

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No.

*U.S. Government Printing Office: 1997 - 508-470

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

Date 1-11-10

Arrived at the mine
at 0900. Saw Gary
May and discussed
our travel plans.
Scott Vandyke and
I will be going
to #3 Section Belt
Head and then going
to 4 unit.
Checked preshift for
#4 unit 15690 LOB L
Belt Book. LOB R 15561
WATER in #1 Entry
#2 Mantrip No tether
line with removed.
10:30 citation# 8090252
1714-6

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 2

*U.S. GPO: 2009-541-759

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

Date 1-11-10

10:50 Terminate citation on dirty roller SVD

10:55 terminate citation on Fire suppression Belt. PB SVD

Walking over south Belt From the ~~sect~~. 14 BKS BK23 inby the section head to the punchout, [redacted]

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 3

*U.S. GPO: 2009-541-759

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

Date 1-11-10

**CITATION/ORDER #:** 8090252

**Time:** 1030

**Location:** #2 Mantrip

**Violation:** 75.1714-6

No tether provided for additional SCSR's Located on #2 Mantrip.

**No. of Persons Exposed:** 13

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 4

*U.S. GPO: 2009-541-759

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

Date 1-11-10

**Who knew the violation existed?**

Individual in charge of checking the rescuers

**How long has the violation existed?**

Probably one Month

**If an accident should occur because of this type violation, how serious would it be?**

Lost workdays or restricted duty. due to smoke inhalation

**What is the likelihood that this type accident will occur at this mine? Why?**

Unlikely - Persons on the Mantrip will be in the Secondary escapeway and have a life line.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 5

*U.S. GPO: 2009-541-759

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

Date 1-11-10

One Break out by the Section head on The One south Belt A hanger for a Bottom roller is Broken → the roller is turning in combustible material. 11:10. No more than one shift has this existed Combustible material that the roller was turning in ranged from 1 to 6 inches. BK 15 Citation # 8090253 1731(a)

Inspector's Initials [redacted]

Supervisor's Initials and Dat[redacted]10 Page No. 6

*U.S. GPO: 2009-541-759

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

Date 1-11-10

**CITATION/ORDER #:** 8090253

**Time:** 1110

**Location:** One Break out by #3 Unit Section Belt Drive

**Violation:** 75.1731(a)

A Bottom roller has fallen down → is turning in combustible material measuring from 1 to 6 inches.

**No. of Persons Exposed:** 2

Two People were down wind.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 7

*U.S. GPO: 2009-541-759

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

Date 1-11-10

**Who knew the violation existed?**

The fireboss could have possibly have Known

**How long has the violation existed?**

Less than a shift.

**If an accident should occur because of this type violation, how serious would it be?**

Lost workdays from Smoke inhalation

**What is the likelihood that this type accident will occur at this mine?**

**Why?** Reasonably likely due to the roller turning causing friction → Drying.

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] Page No. 8

*U.S. GPO: 2009-541-759

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

Date 1-11-10

citation # 8080254

11:25 1731 (b)

Bottom Belt rubbing structure starting just inby BK 25 20' on 1 south Belt and continuing for 78' Feet outby. Stands were cut into Banging From Just rubbing to 3 inches when measured.

A stand was warm to the touch and the Fireboss "Droopy" and I witnessed smoke. The Belt was shut down and restarted and trained by the Superintendant Mr. May. 11:40

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 2010

Page No. 9

*U.S. GPO: 2009-541-759

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

Date 1-11-10

**CITATION/ORDER #:** 8080254

**Time:** 11 25

**Location:** #1 South Belt

**Violation:** 75.1731 (b)

The Belt was not aligned to prevent the belt from rubbing the structure. There ~~was~~ were places that the structure was cut up to 3 inches in depth. The Fireboss (Droopy) and I witnessed smoke.

**No. of Persons Exposed:** 2

Two people downwind.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] /14/2010

Page No. 10

*U.S. GPO: 2009-541-759

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

Date 1-11-10

**Who knew the violation existed?**

The Fireboss should have known by the cuts in the structure

**How long has the violation existed?**

At Least two months

**If an accident should occur because of this type violation, how serious would it be?**

Permanently disabling. Heavy smoke from the Belt

**What is the likelihood that this type accident will occur at this mine? Why?**

Highly likely smoke was seen coming off of the Belt and there was combustible material piled up

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] /14/2010

Page No. 11

*U.S. GPO: 2009-541-759

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

Date 1-11-10

20' outby the corner of #5 Break' on the offside of the belt there was a cinder block being used to block up belt structure. The Belt Has rubbed a 2" groove in the block and there is 8 inches of nylon string and Float dust present.

Another cinderblock with a similar situation exists 60' inby.

Citation # 8090255

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 1/14/2010 Page No. 12

*U.S. GPO: 2009-541-759

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

Date 1-11-10

**CITATION/ORDER #:** 8090255

**Time:** 1150

**Location:** 1 South Belt. Bk 5

**Violation:** 1731(b)

A cinderblock used to Hold Belt structure up was being rubbed and has cut A groove in it 2" indepth. There is eight inches of nylon and Float dust present. Another situation similar exist 60' inby

**No. of Persons Exposed:** 2

people inby

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 1/14/2010 Page No. 13

*U.S. GPO: 2009-541-759

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

Date 1-11-10

**Who knew the violation existed?**

Preshift examiner should have seen this

**How long has the violation existed?**

At least 2 week with the amount of nylon and Belt shavings present

**If an accident should occur because of this type violation, how serious would it be?**

Permanetly disabling due to heavy smoke inhalation

**What is the likelihood that this type accident will occur at this mine? Why?**

Reasonably likely. This nylon and Float dust is very combustible and is near Rollers, ~~which~~

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 1/14/2010 Page No. 14

*U.S. GPO: 2009-541-759

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

Date 1-11-10

8090256

1205 75.1731(a)

#1 South Belt

30ft outby Break #5

A Bottom Roller was running in combustible material, a cross bar was rubbing the belt and a second Bottom roller just out by was stuck, due to the structure Being down for a distance of 30" and the Roller being fouled against the bottom. The Belt had rubbed a least a 1/4" groove in the roller.

[redacted] stated that [redacted] had

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 1/14/2010 Page No. 15

*U.S. GPO: 2009-541-759

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

Date 1-11-10

**CITATION/ORDER #:** 8090256

**Time:** 1205

**Location:** #1 South Belt

**Violation:** 75.1731(a)

D(2) order

30 Ft out By Break #5 a bottom roller was running in combustible material, a cross bar was rubbing the top of the bottom belt and a second bottom roller just out by was stuck due to the structure being on the bottom. The fire boss stated that the other Fireboss saw this Saturday. ~~And that~~ Gary May the superintendent

next Page.

**No. of Persons Exposed:** 2

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 1/14/2010 Page No. 16

*U.S. GPO: 2009-541-759

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

Date 1-11-10

order the section crew to go and work on the Belt problem Mr. May joined the crew and assisted in the repair

walked to punchout and checked sequence and slip ok.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 1/14/2010 Page No. 165

*U.S. GPO: 2009-541-759

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

Date 1-11-10

**Who knew the violation existed?**

The Fireboss did know → the operator did also because the crew came down → worked on the belt.

**How long has the violation existed?**

At least a week A 1/4 inch Groove worn into A roller.

**If an accident should occur because of this type violation, how serious would it be?**

Lost work days → restricted duty. Smoke inhalation

**What is the likelihood that this type accident will occur at this mine? Why?**

Reasonably likely due to The roller running in combustible material → The Belt rubbing the stuck roller ~~with~~ in a small area.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 1/14/2010 Page No. 17

*U.S. GPO: 2009-541-759

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

Date 1-11-10

Found this condition Saturday → that the Section Crew came down → worked on it.

~~Rode~~ walked the #1 South Belt From the punchout to 3 unit section head → terminated D(2) order # 8090256

Rode to the surface wrote out terminations citations → order. We Had to come back to the office to Finish the order due

Inspector's Initials [redacted]

Supervisor's Initials and D[redacted] /14/2010 Page No. 18

*U.S. GPO: 2009-541-759

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

Date 1-11-10

Battery failure.

Gave the citations → termination to Mr. May → explained that he would be receiving a D(2) order tomorrow.

Mr. May Had no Questions

Drove to Mt. Hope.

Inspector's Initials [redacted]

Supervisor's Initials and D[redacted] /14/2010 Page No. 19.

*U.S. GPO: 2009-541-759

MSHA Form 7000-10I, June 93 (revised) 46-08436

# DAILY COVER SHEET

Date 1-12-10 Event No. 6286108

Arrived at the Mine 0600 Departed from the Mine

List Records Books Checked

Accompanied By: Company Representative Harley Taylor (Fire Boss)

Miners Representative

AREAS OF INSPECTION ACTIVITY:

meeting with Gary MAY Wayne Persinger.

East Mains.

Seals 1-5

Inspector's Initials [redacted]

Supervisor's Initials and Dat[redacted]/2010 Page No. 1

*U.S. Government Printing Office: 1997 - 508-470

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

Date 1-12-10

Arrived at the mine at 0600. Delivered 0(2) order to Gary May. Scott VanDyke and I were present with Gary May and Wayne Persinger. Gary May voiced his displeasure with the word egguanate in the order. He Also call his two Fire Busses from yesterday in on the conversation. Yesterday when Asked they said that Droopy Found the condition of the stands Saturday where we we at the time which was BK 4, Now they are

Inspector's Initials [redacted]

Supervisor's Initials and Dat[redacted]/2010 Page No. 2

*U.S. GPO: 2009-541-759

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

Date 1-12-10

saying it was in a different place. Chris Blreard came into the room and said nothing. Mr. Cornell (Burman) was also in the room.

Mr. Persinger say that the men now have the right to shut anything down that need be and repair it. and that they are trying to encourage people to do the right thing the first time.

Inspector's Initials [redacted]

Supervisor's Initials and Dat[redacted]/2010 Page No. 3

*U.S. GPO: 2009-541-759

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

Date 1-12-10

Traveling East Mains
with Hadley Taylorse
Sets one Thru 5

MT 8 E9608
NVD

East Main
#4 Return Bottle #
G0106 G0106
Return off of 3 unit Rt
A: 90
V 192
Q 17,280

EP 59 - 21,700
175 x 124

Inspector's Initials [redacted]

Supervisor's Initials and Da[redacted] Page No. 4

*U.S. GPO: 2009-541-759

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

Date 1-12-10

#2 Return Entry Belt
Bottle # G0105
A 315
V 468
Q 147420

#3 Entry
E8907

A 108
V 112 + 25 = 137
Q 14,796

#1 Return Portal
4 unit Return
Bottle # E8913
A 85
V 916 Q 77,860
Q

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 5

*U.S. GPO: 2009-541-759

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

Date 1-12-10

Total = 257,356
SET 1
Seal #1 thru 9
A 110
V 462
Q 50,820
OUTBY Air Reading
Pumped #5 CH4 .12 O2 4.2

Set #2 10-12
Pumped 10 CH4 .22 O2 4.8

A = 5.5 X 15 = 82.5
V: 231
Q: 19,057

Inspector's Initials [redacted]

Supervisor's Initials and Dat[redacted] Page No. 6

*U.S. GPO: 2009-541-759

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

Date 1-12-10

Set 3 - 13 thru 20
Pumped CH4 0 O2 19.9

A 5.25 x 12 = 63
V = 540
Q 34020
Set 4
21 thru 25
Set 4 OUT BY
A = 150
V = 393
Q = 58950
Pumped 21
CH4 0 O2 19.3

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 7

*U.S. GPO: 2009-541-759

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

Date 1-12-10

Mouth of East
return 30 Break

Area 130
V = 141
Q 18330

30 BK Mouth of North
Return.

#5 Set 26 thru 32

A = 110
V = 209
Q = 22990
Pumped 26
CH4 0 O2 19.6

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 8

*U.S. GPO: 2009-541-759

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

Date 1-12-10

# 32 Seal Pump
Flygt 0160009

31 Mouth of North Return

A = 95
V = 635
Q = 60705

30 Mouth of North Return

A = 108
V = 532
Q = 56916.
walked Left Return to
the surface

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 9

*U.S. GPO: 2009-541-759

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

Date 1-12-10

[redacted] went to 3 unit and Checked the lifeline citation# 8090251 is terminated

Wrote out termination and Drove Back to Mt. Hope-

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 1/12/10 Page No. 10

*U.S. GPO: 2009-541-759

460 8436

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

## DAILY COVER SHEET

Date 1-13-10 Event No. 6286108

Arrived at the Mine 0745 Departed from the Mine

List Records Books Checked preshift and weekly Exam

Accompanied By: Company Representative

Gary May

Miners Representative NA

AREAS OF INSPECTION ACTIVITY:

Discussion with the mine Superintentent Gary May and President Wayne Persinger

Mine is producing

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 1

*U.S. Government Printing Office: 1997 - 508-470

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

Date 1-13-09

Met [redacted]

Arrived at the mine at 0745, with [redacted]

Delivered two modification to Gary May.

Had a discussion about D(2) citation on 11 Jan. when asked Gary May stated that he was the person whom told the section crew to go and work on the belt. He also stated that he went to the area to help. This was approx 1300hr. 9 Jan. Mr. May stated that the belt was down until 1430. Mr. May also stated that he walked the belt up &

Inspector's Initials

Supervisor's Initials 1/10 Page No. 2

*U.S. GPO: 2009-541-759

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

Date 1-13-09

BACK during this time period. Mr. Wayne Persinger was also present at this conversation Mr Persinger (vice president) Gary May (Superintendent)

We discussed with Gary May our plans to travel old 4 Return area to terminate. citation # → to travel the perimeter of this Area.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 3

*U.S. GPO: 2009-541-759

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

Date 1-13-10

Rode # 9 Mantrip NUO to one month tail. Got into the return with Gary May into the old Left return Panels of 1 north 4 section Return

MP - 10
A 8
V - 226
Q = 180

DPP #10 *

20 x 6 = 120
V = 84
Q = 10080

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 3.5

*U.S. GPO: 2009-541-759

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

Date 1-13-10

The water is down.
DPP 9

A: 20.66 x 7 = 144.2
V: 75
Q 10,815

MP. = 9
A: 1
V 213
Q 213

The water is down
DDP - #6
A: 6.0 x 5.8 = 114
V = 155
Q = 17,670

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 4

*U.S. GPO: 2009-541-759

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

Date 1-13-10

11:05 citation #
Terminated
DPP's are travelable

MP - 6

A= .2
V = 267
Q 534

MP 12
A= 1.9
V 190
Q 361

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted]/2/10 Page No. 5

*U.S. GPO: 2009-541-759

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

Date 1-13-10

DPP -7

A = 56
V = 66
Q 3696

MP-7
A= 1.7
V 125
Q 212.5

DPP 8

A= 95
V = 49
Q = 4665

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted]/2/10 Page No. 6

*U.S. GPO: 2009-541-759

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

Date 1-13-10

MP - 8

A= 1.1
V = 105
Q = 115.5

DPP - 11
A=6 x 6 = 36
V 113
Q 4068

MP - 11
A = 1
V 45
Q 45
Areas of Rock Dust survey considered wet are still wet!

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted]/2/10 Page No. 7

*U.S. GPO: 2009-541-759

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

Date 1-13-10

Air Exiting
Return

A = 17 x 5 = 85
V = 261
Q 22185
Return Overcast at
#1 North Belt

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 12/10 Page No. 8

*U.S. GPO: 2009-541-759

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

Date 1-13-10

1300

75.701 Belt Drive

#1 4 unit Head Transform has a bolt missing from the lid covering the lid where the High Voltage 12,470 VAC enters.

Serial # 10362-500-597

Citation # 8090257

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 12/10 Page No. 9

*U.S. GPO: 2009-541-759

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

Date 1-13-10

**CITATION/ORDER #:** 8090257

**Time:** 1300

**Location:** #1 Belt Drive (4 unit)

**Violation:** 75.701

A Bolt was missing from a lid on a Belt Transformer

**No. of Persons Exposed:** 01

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 12/10 Page No. 10

*U.S. GPO: 2009-541-759

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

Date 1-13-10

**Who knew the violation existed?**

The weekly Electrical examiner

**How long has the violation existed?**

AT Least one Month or longer. There is rust present where the Thread Block was.

**If an accident should occur because of this type violation, how serious would it be?**

Permanetly Disabling due to electrical shock.

**What is the likelihood that this type accident will occur at this mine? Why?**

Unlikely High Voltage and There ~~was~~ were three out-of-four bolts present.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 2/10 Page No. 11

*U.S. GPO: 2009-541-759

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

Date 1-13-10

Rode to the surface

Wrote one citation and one termination, Delivered to Gary May. Discussed root cause. Mr. May had no questions.

Drove to Mt. Hope.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 2/10 Page No. 12

*U.S. GPO: 2009-541-759

PM

PRODUCTION

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

DAILY COVER SHEET

Date 1/14/10 Event No. 6286108

Arrived at the Mine 0745 Departed from the Mine

List Records Books Checked PRS SHIFT 2,3,4 SECTIONS, LONGWALL [redacted]

Accompanied By: Company Representative

GARY MAY - SUPERINTENDENT

Miners Representative

AREAS OF INSPECTION ACTIVITY:

TERMINATE CITATIONS

8072761 - WATER ON TRACK

66 PRK NORTH MAINS

8096963 - DANGER SIGNS ON MAGAZINE

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] /14/2010 Page No. 1

*U.S. Government Printing Office: 1997 - 508-470

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

Date 1/14/10

Arrived at Upper Big Branch South Portal

Met with Corey May Supsprintendent and informed him of Today's intensions

Informed him I wanted to Terminate Outstanding Citations

Check Pre Shift for No. 3 and No. 4 Section (NVO)

Check Pre Shift No. 2 Section (NVO)

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 1/14/2010 Page No. 2

*U.S. GPO: 2009-541-759

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

Date 1/14/10

0830 - Extend

Mr. May informed me that Danger Signs are of order. Dispatcher showed me a Copy of Purchase order. Extend Citation No. 8096963 to 1/19/10 0800

Review Longwall Book (NVO)

Check Brookville MT-9 prior to Going Underground (NVO) (12) SCSR's (OK)

Travel Track to 66 Break on North Mains

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 1/14/2010 Page No. 3

*U.S. GPO: 2009-541-759

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

Date 1/14/10

Terminate Citation No. 8092761 Water over Rail. Water has been Removed from Top of Rail and is still Being Pumped. 0920am

Road Track from 66 Break Back to Surface

Check No. 3 Motor (NVO)

Check No. 4 Motor (NVO)

Arrived on Surface

Type out Citation and Termination

Have Daily Crossout with Mr. Mays

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 1/14/2010 Page No. 4

*U.S. GPO: 2009-541-759

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

Date 1/14/10

LEAVE MINE AND
RETURN TO MT. HOPE OFFICE

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 1/14/2010 Page No. 5

*U.S. GPO: 2009-541-759

DAY

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

DAILY COVER SHEET

Date 1/19/10 Event No. 6286108

Arrived at the Mine 0915 Departed from the Mine

List Records Books Checked PRE SHIFT No. 1
BELT BOOK

Accompanied By: Company Representative
WAYNE PERSINGER, BERWIND CONSULT

Miners Representative
N/A

AREAS OF INSPECTION ACTIVITY:

TERMINATE CITATION
BELTS, ELLS No. 4 & 5 AND
4 NORTH
PUMPS, ETC.

PRODUCTION

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 1/21/10 Page No. 1

*U.S. Government Printing Office: 1997 - 508-470

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

Date 1/19/10

ARRIVED AT UPPER BIG
BRANCH MINE - BIRCHTON
PORTAL

MET WITH EVERETT MAGER
AND RICK NICOLAN - CMSHF -
AND INFORMED THEM OF
TODAYS INTENSIONS

CHECK PRE SHIFT No. 1 (NVO)

CHECK BELT BOOK (NVO)
ELLS (4) TAIL N/C, BELT N/DUST
ELLS (5) BELT N/DUST
NORTH (4) HEAD N/DUSTED
NORTH (5) N/O
NORTH (6) FLOW AND TAIL N/CLEAN

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 1/21/10 Page No. 2

*U.S. GPO: 2009-541-759

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

Date 1/19/10

WAYNE PERSINGER MINE MANAGER [redacted]
BERMAN CORNETTI - SAFETY

DECIDED TO WALK BELTS

CONT WITH WAYNE AND BERMAN.

TRAVEL ELLIS NO. 4
PORTAL TO 5 HEAD (NVO)

CHECK NO. 4 TRASH PUMP
BM. S/N 41199 (NVO)

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 1/2/10 Page No. 3

*U.S. GPO: 2009-541-759

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

Date 1/19/10

EXAMINE NO. 5 HEAD (ELLIS)
[redacted] (NVO) DISCHARGE
FIRE FIGHTING EQUIP (NVO)
STARTER BOX (NVO)
TRINKLE DUSTER (NVO)
TAILE UP UNIT (NVO)
NO. 5 DRIVE ROLLERS
& TAKE UP -1- CITATION

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 1/2/10 Page No. 4

*U.S. GPO: 2009-541-759

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

Date 1/19/10

1040 8087713 75.400

THE NO. 5 ELLIS BELT
DRIVE [redacted] ROLLERS
HAS ACCUMULATIONS OF
LOOSE DAMP COAL, AND
COAL FINES.

THE ACCUMULATIONS ARE
WHEN MEASURED UP TO
20" DEEP, 4 FEET WIDE
AND EXIST FOR [redacted] 10 FT
FROM DRIVE ROLLER TO
STATIONARY ROLLER

THE EXAMINER SHOULD
HAVE KNOWN OF CONDITION

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 1/2/10 Page No. 5

*U.S. GPO: 2009-541-759

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

Date 1/19/10

HAS EXISTED FOR AT LEAST 5 DAYS DUE TO AMOUNT OF ACCUMULATIONS

5 PEOPLE EXPOSED MOTOR CREW, BELT MEN FIREBOSS

IF ACCIDENT OCCURRED IT WOULD RESULT IN PERMANENTLY DISABLING INJURIES FROM FIRE OR SMOKE

IT IS UNLIKELY TO [redacted] OCCUR. ACCUMULATIONS ARE DAMP AND ARE NOT IN CONTACT WITH BELT OR ROLLERS

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 1/20 Page No. 6

*U.S. GPO: 2009-541-759

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

Date 1/19/10

TRAVEL SELLS No. 5 HEAD TO TAIL = 3 - CITATIONS

FLYGT 1HP S/N D960107 (NVO)

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 1/20 Page No. 7

*U.S. GPO: 2009-541-759

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

Date 1/19/10

1110 8087714 75.1731(b)

THE SELLS No. 5 BELT IS NOT PROPERLY ALIGNED TO PREVENT BELT FROM RUBBING STRUCTURE. BETWEEN 8 AND 9 BREAK OF BELT, BOTTOM BELT IS RUBBING (?) BOTTOM ROLLER HANGERS

EXAMINER SHOULD HAVE KNOWN OF CONDITION

HAS EXISTED FOR [redacted] 1 SHIFTS [redacted]

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 1/20 Page No. 8

*U.S. GPO: 2009-541-759

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

Date 1/19/10

5 PERSONS EXPOSED TO CONDITION, BELT MEN, MOTOR CREW, FIREBOSS

IF ACCIDENT OCCURRED IT WOULD RESULT IN PERMANENTLY DISABLING INJURIES FROM SMOKE INHALATION

IT IS [redacted] UNLIKELY LIKELY TO OCCUR. STANDING WATER IN AREA. NO BELT SHAVINGS FOUND, ONLY 1 OUT OF 7 HANGERS WERE WARM TO THE TOUCH.
TRANS. 1113, ALIGNED BELT

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 1/10 Page No. 9

*U.S. GPO: 2009-541-759

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

Date 1/19/10

1200 8087715 75.1731(a)

AT TWO LOCATIONS ALONG THE No. 5 BELTS BELT, 23 TO 24 BREAK, AND 28 TO 29 BREAK, THERE IS DAMAGED ROLLERS IN THE BELT LINE.
23 TO 24 BRK. 1- TOP
28 TO 29 BRK. 1. TOP, [redacted]
ROLLER IS DAMAGED
OBSERVED THE BELT RUNNING LOADED AT BOTH LOCATIONS AND BELT WOULD NOT TOUCH DAMAGED ROLLERS.

EXAMINER SHOULD HAVE KNOWN OF CONDITION

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 1/10 Page No. 10

*U.S. GPO: 2009-541-759

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

Date 1/19/10

HAS EXISTED FOR 2 SHIFTS

5 PEOPLE EXPOSED TO HAZARD MOTOR CREW, BELT MEN, FIREBOSS

IF ACCIDENT OCCURRED IT WOULD RESULT IN PERMANENTLY DISABLING INJURIES FROM SMOKE INHALATIONS

IT IS UNLIKELY TO OCCUR BELT WAS NOT TOUCHING ROLLERS WHILE BELT WAS EMPTY OR LOADED.

[redacted]

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 1/10 Page No. 11

*U.S. GPO: 2009-541-759

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

Date 1/19/10

1210 8087716 75.400

THE SUB No. 5 BELT HAS ACCUMULATIONS OF LOOSE WET COAL AND COAL FINES ALONG WALKWAY SIDE OF BELT LINE.
WHEN MEASURED THE ACCUMULATIONS WERE 100' IN LENGTH, UP TO 4 FEET IN WIDTH, AND UP TO 6 INCHES DEEP

EXAMINER SHOULD HAVE KNOWN OF CONDITION

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 1/10 Page No. 12

*U.S. GPO: 2009-541-759

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

Date 1/19/10

HAS EXISTED FOR 6 SHIFTS. OPERATOR HAS BEEN PUMPING WATER FROM AREA

5 PERSONS EXPOSED TO HAZARD, MOTOR CREW, BELT MEN, FIREBOSS

IF ACCIDENT OCCURRED IT WOULD RESULT IN PERMANENTLY DISABLING INJURIES FROM FIRE OR SMOKE INHALATION

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 1/10 Page No. 13

*U.S. GPO: 2009-541-759

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

Date 1/19/10

IT IS UNLIKELY TO OCCUR THERE IS STANDING WATER IN THIS AREA. WATER IS RUNNING TO A PUMP LOCATED IN THIS AREA

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 1/10 Page No. 14

*U.S. GPO: 2009-541-759

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

Date 1/19/10

CHECK TRINKLE DUSTER AT 4 NORTH [redacted] HEAD (NVO)

CHECK 4 NORTH [redacted] HEAD (NVO)
FIRE FIGHTING EQUIP (NVO)
STARTER BOX (NVO)
TAKE UP UNIT (NVO)
DRIVE ROLLERS (NVO)

NO. 2 O. BOX (NVO)

FLYGT STARTER BOX S/N 635 (NVO) TRASH PUMP

MANJIN PUMP MFG. 1473 (NVO)

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted]/12/10 Page No. 15

*U.S. GPO: 2009-541-759

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

Date 1/19/10

TRAVEL 4 NORTH BELT HEAD TO TAIL

34 TO 35 BREAK
-1- CITATION

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted]/12/10 Page No. 16

*U.S. GPO: 2009-541-759

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

Date 1/19/10

1250 8087717 75.202(a)

THE RIBS ALONG THE 4 NORTH BELT LINE, BETWEEN 34 AND 35 BREAK ON THE WALKWAY SIDE OF THE BELT WHERE PERSONS ARE REQUIRED TO WORK OR TRAVEL ARE NOT SUPPORTED OR OTHERWISE CONTROLLED TO PROTECT PERSONS FROM HAZARDS RELATED TO FALLS OF RIBS.

THE BAD RIB LOCATED BETWEEN 34 AND 35 BREAK IS 11 FT LONG W/ A VISIBLE GAP AND MEASURED 5". IT IS 7 FT HIGH IN AREA. 5 FT COAL, 2 FT ROCK.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted]/12/10 Page No. 17

*U.S. GPO: 2009-541-759

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

Date 1/19/10

RIB THAT IS GAPPED OPEN IS 9 INCHES THICK, THE DISTANCE BETWEEN RIB AND BELT LINE IS 6 FT

EXAMINER SHOULD HAVE KNOWN OF CONDITION

HAS BEEN FOR 1 WEEK. ROCK DUST IS IN GAP OF RIB

[redacted] PEOPLE EXPOSED FIREBOSS, BELT MEN

IF ACCIDENT OCCURRED IT WOULD RESULT IN [redacted] PERMANENTLY DISABLING INJURIES FROM BEING CRUSHED

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted]/10 Page No. 18

*U.S. GPO: 2009-541-759

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

Date 1/19/10

IT IS REASONABLY LIKELY TO OCCUR. GAP IS AS 5 INCHES. DISTANCE IS 6 FT FROM RIB TO BELT, IF RIB FELL IT WILL CRUSH [redacted] PERSON AGAINST BELT LINE

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted]/10 Page No. 19

*U.S. GPO: 2009-541-759

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

Date 1/19/10

CHECK FEEDER PUMP AND D-BOX @ 36 BRK [redacted] 4 NORTH BELT (NVO)

FINISH TRAVEL BELT TO TAIL (NOVO)

CHECK TRICKLE DUSTER

CHECK PUMP @ 40 BRK [redacted] (NVO)

RETURN TO SURFACE

TERMINATE CITATION ON ESCAPEWAY MAP. 1400. MAP MATCHES ESCAPEWAY UNDERGROUND

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted]/10 Page No. 20

*U.S. GPO: 2009-541-759

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

Date 1/19/10

Held Daily Closeout

Discussed Citations and Root Cause

Went over Citations w/ Wayne as I issued them Underground. At no time did he ever argue about how I was citing or what I had found

Typed out Citations

Return to Mee Hope

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 1/20/10 Page No. 21

*U.S. GPO: 2009-541-759

Dm

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

DAILY COVER SHEET

Date 1/20/10 Event No. 6286108

Arrived at the Mine 0800 Departed from the Mine

List Records Books Checked Air Shaft No. 1, Liskey, Belts

Accompanied By: Company Representative

Brennan Barnett

Miners Representative

N/A

AREAS OF INSPECTION ACTIVITY:

Bandytown Fan Area

Return for Longwall and No. 1 & 2 Sections

Terminate Citations

Production

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 1/20 Page No. 1

*U.S. Government Printing Office: 1997 - 508-470

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

Date 1/20/10

Arrived at Upper Big Branch - South Portal

Met with Wayne Persinger Mine Manager and informed him of todays intensions

Fellow CMI's [redacted] and [redacted] Also was at Mine Site.

Told Wayne I needed to go to area at Longwall to terminate citation and wanted to travel to Bandytown Fan.

Inspector's Initials [redacted]

Supervisor's Initials and [redacted] Page No. 2

*U.S. GPO: 2009-541-759

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

Date 1/20/10

Mr. Pensinger got on phone to call and see whsas citation was. Eusrett Hager at Ellis Portal said he knew where it was and he would take us.

Left South Portal and drove to Ellis Portal

Check [redacted] Pre Shift No. 1 Section (nvo)

Check Weekly Book (nvo)

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 1/21/10 Page No. 3

*U.S. GPO: 2009-541-759

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

Date 1/20/10

Area to be Inspected was Traveled on 1/18/10 by JB. All areas show 20.8% $O_2$ 0% $CH_4$ 0% CO

#1 146,400

#2 123,620

#3 126,245

SP #3 TG-1 – 107,739

SP #4 TG-1 - 62,530

SP #5 TG-1 - 35,570

Check Belt Book (nvo)

Travel Track to 2 Section Switch (nvo)

Got in Return @ Overcast for 1 & 2 Sections

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 1/21/10 Page No. 4

*U.S. GPO: 2009-541-759

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

Date 1/20/10

Walk Return from Overcast @ Mouth of 2 Section to Bandytown Fan. Check Previous Wet Slurry Area is behind (GOB) Longwall on West Took 5 Air Readings and Bottle Samples

[redacted]

Walk back outby to TG-1 SP's for Longwall Took Air Readings at 3 SP's

Travel Return back down to [redacted] Brk Got in other split and travel it to Neutrals down

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 1/21/10 Page No. 5

*U.S. GPO: 2009-541-759

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

Date 1/20/10

TO 2 SECTION SWITCH

TRAVEL TO MOUTH OF HEADGATE 22 TO TERMINATE CITATION.

TERM. 1456
PUMPS ARE NO LONGER IN SERVICE. CATHEADS FOR CABLES HAVE BEEN REMOVED

TRAVEL BACK TOWARD SURFACE, TERMINATING CITATIONS ON THE WAY OUT

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 1/20/10 Page No. 6

*U.S. GPO: 2009-541-759

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

Date 1/20/10

TRAVEL TO 4 NORTH 35 BRK. TERM. @ 1515 JACKS WERE SET TO SUPPORT RIB IN AREA

TRAVEL TO 29 BRK ON ELLIS 5 BELT. TERM. @ 1530, ACCUMULATIONS HAVE BEEN CLEANED UP AND AREA ROCKDUSTED

TERM. @ 1542 ROLLER HAVE BEEN REPLACED AT BOTH LOCATIONS.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 1/20/10 Page No. 7

*U.S. GPO: 2009-541-759

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

Date 1/20/10

TRAVEL TO [redacted] ELLIS NO. 5 DRIVE. TERM @ 1547. ACCUMULATION UNDER DRIVE ROLLERS HAVE BEEN REMOVED

AREAS ON SURFACE

HELD DAILY CLOSEOUT WITH MANAGEMENT

TYPE OUT TERMINATIONS

RETURN TO MT. HOPE OFFICE

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 1/20/10 Page No. 8

*U.S. GPO: 2009-541-759

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

## AIR READINGS

Date 1/20/10

Location Bandy Town Fan #1

| | | | |
|---|---|---|---|
| Width | 20 | Bottle Sample No. | E8900 |
| Height | 6.25 | CH4 Detected | .05% |
| Area | 125 | Mean Entry | |
| Velocity | 1096 | Time | |
| Quantity | 137,000 | $O_2$ | 20.8% |

Location Bandy Town Fan #3

| | | | |
|---|---|---|---|
| Width | 19.5 | Bottle Sample No. | E8901 |
| Height | 6.5 | CH4 Detected | .20% |
| Area | 127 | Mean Entry | |
| Velocity | 884 | Time | |
| Quantity | 112,268 | $O_2$ | 20.8% |

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted]/10 Page No. 9

*U.S.GPO:1993-0-709-384

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

## AIR READINGS

Date 1/20/10

Location Bandy Town Fan #2

| | | | |
|---|---|---|---|
| Width | 20 | Bottle Sample No. | E8902 |
| Height | 6.25 | CH4 Detected | .10% |
| Area | 125 | Mean Entry | |
| Velocity | 1005 | Time | |
| Quantity | 125,625 | $O_2$ | 20.8 |

Location T6-1 SP #3

| | | | |
|---|---|---|---|
| Width | 1.5 | Bottle Sample No. | |
| Height | 1.5 | CH4 Detected | .25% |
| Area | 2.25 | Mean Entry | |
| Velocity | 848 | Time | |
| Quantity | 1908 | $O_2$ | 20.8% |

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted]/10 Page No. 10

*U.S.GPO:1993-0-709-384

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

## AIR READINGS

Date 1/20/10

Location T6-1 SP #2

| | | | |
|---|---|---|---|
| Width | 4.75 | Bottle Sample No. | |
| Height | 3.75 | CH4 Detected | .20% |
| Area | 18 | Mean Entry | |
| Velocity | 1212 | Time | |
| Quantity | 21816 | $O_2$ | 20.8% |

Location T6-1 SP #1

| | | | |
|---|---|---|---|
| Width | 20 | Bottle Sample No. | |
| Height | 7.25 | CH4 Detected | .10% |
| Area | 145 | Mean Entry | |
| Velocity | 1395 | Time | |
| Quantity | 202,275 | $O_2$ | 20.8% |

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted]/10 Page No. 11

*U.S.GPO:1993-0-709-384

46-08436

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

## DAILY COVER SHEET

Date 1-20-10 Event No. 6286108

Arrived at the Mine 0800 Departed from the Mine

List Records Books Checked Weekly Exams

Aways → pre shift #3 unit

Accompanied By: Company Representative

Rick Foster.

Miners Representative

AREAS OF INSPECTION ACTIVITY:

Power Magazine (Signs)

Primary Escapeway (3 unit) South Fan

#3 unit Section Belt

#2 Fair child scoop

#1 & 2 Shuttle Cars.

Cache Box out By the

Section.

Made Faces.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted]/10 Page No. 1

*U.S. Government Printing Office: 1997 - 508-470

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

Date 1-20-10

Arrived at the mine

at 0800. Had a

discussion with Wayne

Persinger & Rick Foster.

We Had a discussion about

out-standing citations

& traveling the main

intake to 3 unit.

(Primary Escapeway)

I Rode with Rick

Foster (Mine Foreman) to

the powder & cap storage

area. The signs have

been replaced.

Citation # 8096963 0835

terminated.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted]/10 Page No. 2

*U.S. GPO: 2009-541-759

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

Date 1-20-10

Traveling the

primary escapeway from

the surface to the

Double doors at the section.

Fan & Chart OK.

Air Reading

A = 8.5 x 17 = 144.5

V 1345

Q 194,352

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted]/10 Page No. 3

*U.S. GPO: 2009-541-759

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

Date 1-20-2010

4 unit split
BK 3
A= 20 X 6 = 120
V= 968
Q 116160

3 unit Split BK 20

A= 20 X 7 = 140
V 726
Q. 101,640

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 12/10 Page No. 4

*U.S. GPO: 2009-541-759

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

Date 1-20-10

Cache Box spad#

| 1 | 2 |
|---|---|
| 228429 | 228464 |
| 238845 | 238744 |
| 238887 | 228139 |
| 238864 | 238859 |
| 238819 | 238881 |
| 238505 | 238878 |
| 238823 | 228419 |
| 238879 | 228420 |
| 238796 | 228446 |
| 228466 | 228495 |

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 2/10 Page No. 5

*U.S. GPO: 2009-541-759

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

Date 1-20-2010

#2 SC.
Serial # ET16084

11:15 citation # 8090258
Cable not properly
insulated
#2 Cable
13:15 terminated

#1 SC
Serial # ET17016
NVO

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 12/10 Page No. 6

*U.S. GPO: 2009-541-759

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

Date 1-20-10

**CITATION/ORDER #:** 8090258

**Time:** 1115

**Location:** #3 unit # 2 shuttle car

**Violation:** 75.604(b)

The cable splice was not effectively sealed and insulated as to exclude moisture. Insulated wires and approved MSHA Tape could be seen. The section is very wet.

**No. of Persons Exposed:** 1

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted]/2/10 Page No. 7

*U.S. GPO: 2009-541-759

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

Date 1-20-10

**Who knew the violation existed?**

The person in charge of cable maintenance. The section electrician

**How long has the violation existed?**

Probably one shift. The cable was not wet inside yet

**If an accident should occur because of this type violation, how serious would it be?**

Fatal the area is very wet and electrication could result.

**What is the likelihood that this type accident will occur at this mine? Why?**

Reasonably Likely if normal mining were to continue due to the wetness on the section

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted]/2/10 Page No. 8

*U.S. GPO: 2009-541-759

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

Date 1-20-2010

CO #2 Scoop (Fairchild) Serial T 339-145-R.

12:30

The conduit going to the Battery Plug was split and open also the piece where the conduit goes over was loose.

Citation # 8090259.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted]/2/10 Page No. 9

*U.S. GPO: 2009-541-759

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

Date 1-20-2010

**CITATION/ORDER #:** 8090259

**Time:** 1230

**Location:** #3 unit #2 Fair Child Scoop

**Violation:** 75.512

The Fair Child Scoop Serial # T339-145-R is not being maintained in that the conduit is split at the battery plug and the Battery plug is not properly Assembled. This is on the operators side of the scoop

**No. of Persons Exposed:** 1

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 1/21/10 Page No. 10

*U.S. GPO: 2009-541-759

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

Date 1-20-2010

**Who knew the violation existed?**

The weekly examiner should have seen this.

**How long has the violation existed?**

more than a week.

**If an accident should occur because of this type violation, how serious would it be?**

Lost workdays due to burns from D.C. Power.

**What is the likelihood that this type accident will occur at this mine? Why?**

Unlikely - There was no damage to the Battery Leads and no exposed wires.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 1/21/10 Page No. 11

*U.S. GPO: 2009-541-759

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

Date 1-20-09

[redacted] Running the Facer 7 thru - 1

7 - 000 Being clean

6 - Being Battered

5 - thru 1 fire drenched

Walking the Section Belt #1 Section 3 Belt

Fire Valve spacing too Far. By 140'

133D

8090260

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 2/10 Page No. 12

*U.S. GPO: 2009-541-759

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

Date 1-20-2010

**CITATION/ORDER #:** 8090260

**Time:** 1330

**Location:** #3 unit Section Belt

**Violation:** 75.1100-2(b)

The Fire Hose outlet spacing was over 300 feet at the second Fire valve out by the tail piece. The valve was spaced at 440 Feet.

**No. of Persons Exposed:** 2

2 people were outby

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted]/10 Page No. 13

*U.S. GPO: 2009-541-759

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

Date 1.20.210

**Who knew the violation existed?**

The people whom installed belt the previous shift.

**How long has the violation existed?**

8 Hrs.

**If an accident should occur because of this type violation, how serious would it be?**

Lost work days due to smoke inhalation by not being able to find a Fire valve

**What is the likelihood that this type accident will occur at this mine? Why?**

Unlikely. There is 500' Feet of Fire fighting equipment at the tailpiece and a Fire is unlikely in this Area.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted]/10 Page No. 14

*U.S. GPO: 2009-541-759

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

Date 1-20-10

2-2594 out by 30' Feet Belt rubbing Belt structure it has rubbed a groove into the structure one inch when measured with a standard rule

8090261 1345

Checked Fire suppression on #1 3 unit Section head ok.

Rode #1 mantrip to the surface & then to old 4 unit section head

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted]/10 Page No. 15

*U.S. GPO: 2009-541-759

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

Date 1-20-10

**CITATION/ORDER #:** 8090261

**Time:** 1400

**Location:** #3 unit Section Belt 30 feet outby SPAD # 22594

**Violation:** 75.1731(b)

The belt was rubbing structure in various places. It had rubbed a one inch groove in the structure at SPAD # 22594

**No. of Persons Exposed:** 2 people working outby

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 2/10 Page No. 16

*U.S. GPO: 2009-541-759

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

Date 1-20-10

**Who knew the violation existed?**

The Belt examiner should see this condition

**How long has the violation existed?**

More than one shift

**If an accident should occur because of this type violation, how serious would it be?**

Lost workdays with smoke inhalation

**What is the likelihood that this type accident will occur at this mine? Why?**

Unlikely There was no heat at these areas at this time.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 2/10 Page No. 17

*U.S. GPO: 2009-541-759

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

Date 1-20-10

The kid now has been bolted down and is secure 1445

Rode to the surface wrote out citations and termination

Gave the citations and terminations to Rick Foster. Determined Root cause to be installation and Examination

Drove to Mt. Hope.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 2/10 Page No. 18

*U.S. GPO: 2009-541-759

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

## DAILY COVER SHEET

Date 1-21-2010 Event No. 6286108

Arrived at the Mine 0815 Departed from the Mine

List Records Books Checked Belt and Section Preshift

Accompanied By: Company Representative

Rick Foster

Miners Representative

AREAS OF INSPECTION ACTIVITY:

T.L. North Portal #5
D-Box Surface 21996-215
Power For D-Box 18192-802
North Portal Fan
#1 Scoop
#3 S.C.
Pressure Pump.
Rt Return From the Section to East

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 1

Main's over

*U.S. Government Printing Office: 1997 - 508-470

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

Date 1-21-10

J-11 Mantrip NVO
1 South Drive
Silo Stacker Belt
Silo Stacker Belt Drive
Elevator at the Silo (Raw up and down)

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 1A

GPO U.S. GOVERNMENT PRINTING OFFICE: 2009—540-493

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

Date 1-21-10

Arrived on mine property at 0815.
I had a discussion with Rick Foster about todays travels.
I will be traveling to 3 unit to check on two citations
I am getting T.L #5 Return Entry North Portal Bottle # G 0107

A 5.25 X 16 = 84
V 1,695
Q 142 380
CH4 0% O2 20.8

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] Page No. 2

*U.S. GPO: 2009-541-759

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

Date 1-21-10

D-Box (Pump)
outside # 5 Portal NVO
return Entry
Serial # 21996-215
AEE

AEE Power Box NVO
For The D-Box
Serial # 18192-802

North Portal Fan
Control Room NVO

High wall north Portal
High wall South Portal
Supply Yard.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted]210 Page No. 3

*U.S. GPO: 2009-541-759

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

Date 1-21-10

walking the intake
Spad 24261 Two
Cachers 10 SCSR per.

Checked #2 Scoop
Plug → conduit o.k.
Terminate citation #8090259
1005

A Fire valve was
installed in the
water line along
#3 unit section belt
terminate citation #
8090260 10:15

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted]210 Page No. 4

*U.S. GPO: 2009-541-759

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

Date 1-21-10

Fairchild #1 Scoop
T337-196 2-08.
The section is muddy the
scoop is being washed NVO
#3 SC-ET 17141
NVO

Rt Return Spad #
24382 start.

18BK Return Pump
Flygt 9hp
Ser. 063005
17 BK into panel

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted]210 Page No. 5

*U.S. GPO: 2009-541-759

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

Date 1-21-10

EP 62
A = 3 x 3 = 9
V = 6670
Q 6030
Checking Wet Survey Area
Area is still wet.
Return Pump - 9 HP
Flygt -
Serial# 0620014

EP 61
A 1.5
V 1055
Q 1582

EP 60
A
V
Q = 4200

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 1/22/10 Page No. 6

*U.S. GPO: 2009-541-759

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

Date 1-21-10

Walk return came out at East Mains Check MC Room at #1 South Head. Checked Stacker Belt at the Silo. NVO
Checked Stack Belt Drive at the Silo & Raw the Elevator up & down NVO.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 1/22/10 Page No. 7

*U.S. GPO: 2009-541-759

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

Date 1-21-10

walked Back under ground got with Droopy & Rick.
Rode to the surface.
on J-11 Man trip NVO

Wrote out & delivered to terminations to Rick Foster.

Drove to Mt. Hope!

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 1/22/10 Page No. 8

*U.S. GPO: 2009-541-759

MSHA Form 7000-10I, June 93 (revised) 46-08436

## DAILY COVER SHEET

Date 1-25-10 Event No. 6286108

Arrived at the Mine 0750 Departed from the Mine

List Records Books Checked Weekly o
Preshift #4 section

Accompanied By: Company Representative
Gary May

Miners Representative NA

AREAS OF INSPECTION ACTIVITY:

Mine Producing
#10 Mantrip
4 unit Primary Escapeway

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 2610 Page No. 1

*U.S. Government Printing Office: 1997 - 508-470

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

Date 1-25-10

Arrived at the mine at at 0750 Ask Gary May about the Seal Plans. He called Eric Lilly & ~~May~~ Mr. Lilly stated that the plans are in the works and are waiting for approval of the District Manager. Extend Citation #

Talked with Gary May & we are going to WALK #4 intake & the parameter of 4 unit return.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 2610 Page No. 2

*U.S. GPO: 2009-541-759

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

Date 1-25-10

Mantrip #10 NVO SAndes.

Got into the intake at BK 18 with Gary May. walking to #4 section

walked neutral from #8 stopping to #22. SV

walked to old north interior panels off of 4 section. Left side North

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 2610 Page No. 3

*U.S. GPO: 2009-541-759

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

Date 1-25-10

24054 -2 BK OUTBY
Strata Life chamber-

First aid:
Fire Hose - Nozzles
WATER
4 unit 193140
Rescuers. 193233 193196 193143
193172 -1008 193114 193168, 193211
193237 -1-08 193189, 193173, 193037
193105 193229 193116, 193101
193776 193175 193115, 193201
193256 193113 193208, 193167
193279 193259 193197, 193224
193134 193111 193157, 193244
193261 193122 193013, 193213
193130 193236 193144, 193271

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted]/10 Page No. 4

*U.S. GPO: 2009-541-759

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

Date 1-25-09

Traveled Rt Return
to the section
Traveled Primary Escapeway
off of the section
Travel the second and escapeway to
north the section.
Traveled Left return

Section Transformer
4 unit
27262-2500-1008
NVD

24319 - 4 BKS OUTBY
Face Left Return.

Traveled Panels Rt side
1 North Belt. Parameter

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted]/10 Page No. 5

*U.S. GPO: 2009-541-759

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

Date 1-25-10

Return Regular
Left side Return.
A= 5X7=35
V 495
Q 17,325

4 Section Scoop Charger
D-Box Model # 3.3617-552-02
1000

4 Section Scoop Charger
S.N. GJ42953
Energy System Ground Hog
#4 unit
Fork lift Charger
serial # GH40087

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted]/10 Page No. 6

*U.S. GPO: 2009-541-759

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

Date 1-25-10

Fork Lift Ale.
08-F9577 NVO

24 Section
A2 Head Belt
Transformer
19848-500-1103
NVO.

OUTBY Scoop Charger
EL1353.

OUTBY Scoop
T339 181

Rodz J11 NVO to the
surface. by the way
of the secondary escapeway

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted]/2010 Page No. 7

*U.S. GPO: 2009-541-759

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

Date 1-25-10

12:50
The walkway on
the Bridge between
The North Portal and
the South Portal is
not being maintained.
The Right side traveling
From the north to the
South is damaged
citation # 8090262.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted]/2010 Page No. 8

GPO U.S. GOVERNMENT PRINTING OFFICE: 2009—540-493

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

Date 01/25/2010

**CITATION/ORDER #:** 8090262

**Time:** 12:45

**Location:** Bridge Between North & South Portal

**Violation:** 77.205 (e)

The elevated walkway
between the North and
South portal (Right side
traveling north and south)
is not being maintained
in good condition in
that the grated
metal ~~[illegible]~~ is bent
and is creating a tripping
hazard.

**No. of Persons Exposed:** 1

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted]/10 Page No. 9

*U.S. GPO: 2009-541-759

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

Date 1-25-10

**Who knew the violation existed?**

This condition is very visible From mantrips. The operator should have seen this.

**How long has the violation existed?**

AT LEAST ONE month

**If an accident should occur because of this type violation, how serious would it be?**

Lost work days or restricted duty due to Falling and Bruising

**What is the likelihood that this type accident will occur at this mine?**

**Why?** Unlikely the other side is in good repair

Inspector's Initials [redacted]

Supervisor's Initials and Da[redacted]/10 Page No. 10

*U.S. GPO: 2009-541-759

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

Date 1-25-10

Wrote 1 citation and 1 termination

Discussed root cause with Berman Cornett Mr. Cornett had no questions.

Drove to Mt. Hope

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted]26/10 Page No. 11

GPO: U.S. GOVERNMENT PRINTING OFFICE: 2009—540-493

DM

PRODUCTION

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

DAILY COVER SHEET

Date 1/26/10 Event No. 6286108

Arrived at the Mine 0750 Departed from the Mine

List Records Books Checked No. 1 SECTION

BELTS

Accompanied By: Company Representative

BERMAN CORNETT

Miners Representative

N/A

AREAS OF INSPECTION ACTIVITY:

BELTS 5, 6, 7 NORTH BELTS

NEUTRAL SPLIT @ GLORY HOLE

AND INBY 1 SECTION

D-BOX

No. 6 JEEP

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted]/10 Page No. 1

*U.S. Government Printing Office: 1997 - 508-470

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

Date 1/26/10

Arrived at Upper Big Branch Mine - Ellis Portals

Met with Everett Hager, Rick Nicolas, Wayne Persinger, Berman Cornett and informed them of Todays intensions

Review Pre Shift Book 1 Section and Belt Book (nvo)

Reviewed Mine Map with Management on Areas to Be Inspected.

Inspector's Initials

Supervisor's Initials a 1/26/10 Page No. 2

*U.S. GPO: 2009-541-759

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

Date 1/26/10

Belt Book
North 5 Needs Dusted
North 6 Needs Dusted
North 7 Needs Dusted

Examine MT-9 Mantrip (13) SCSR's (GK) (nvo)

Travel Track to 111 Brk Head to Change Rides (nvo)

Examine No. 6 Jeep (2) SCSR's (GK) (nvo)

Travel to End of Track at Construction Area

Inspector's Initials

Supervisor's Initials and Date 1/26/10 Page No. 3

*U.S. GPO: 2009-541-759

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

Date 1/26/10

Walk Neutral to End of Split Way Glory Hole and 1 Section (nvo)

Check O-Box AEI S/N 30917-809 (nvo)

Travel Back to Mouth of 1 Section

Travel 7 North Belt (nvo) Tail to Head.
Starter Box (nvo)
Take Up unit (nvo)
Fire Hose (nvo)

~~Travel~~

Inspector's Initials

Supervisor's Initials and Date 1/26/10 Page No. 4

*U.S. GPO: 2009-541-759

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

Date 1/26/10

Travel 6 North Belt
Tail to Head (NVO)
Starter Box (NVO)
Takeup Unit (NVO)
Fire Hose (NVO)

Travel 5 North Belt
Tail to Head (NVO)

Check Flygt pump @
~~46~~ Brk 5 North Belt
S/N Unable to Read (NVO)
Starter Box (NVO) for
46 Brk Pump
Starter Box (NVO)
Take Up Unit (NVO)
Fire Hose (NVO)

Inspector's Initials

Supervisor's Initials and D 1/26/10 Page No. 5

*U.S. GPO: 2009-541-759

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

Date 1/26/10

Travel Back to Surface

Hold Daily Closeout with Management

Return to Mt. Hope Office

Inspector's Initials

Supervisor's Initials and D 1/26/10 Page No. 6

*U.S. GPO: 2009-541-759

46-08436.

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

## DAILY COVER SHEET

Date 1-26-10 Event No. 6286108

Arrived at the Mine 0750 Departed from the Mine

List Records Books Checked FAN Books
Preshift 3 unit

Accompanied By: Company Representative Rick Foster

Miners Representative

AREAS OF INSPECTION ACTIVITY:

South FAN Signal
North FAN Signal
Rock Dust Survey
1 South Belt 23 to 47 BK
3 Secondary Escapeway
4 " "

Inspector's Initials

Supervisor's Initials 1/26/10 Page No. 1

*U.S. Government Printing Office: 1997 - 508-470

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

Date 1-26-10

Arrived at the mine at 0750. Talked with Gary May about taking a Rock Dust Survey on 3 unit.
Also had a discussion with DAVID TARACZKOZY (DO-WP) about checking FAN signals ✓

Checked Fan Records (north → south Fans)
Pre shift 3 unit

Inspector's Initials

Supervisor's Initials and 12610 Page No. 2



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

Date 1-26-10

Checked signals on North → South FANS O.K.
Conversation with

MT #4 to 3 unit
MT #4

Rode to the End of Track Secondary Escape

Zero point #5
Entry 24330
20' inby

Inspector's Initials

Supervisor's Initials 12610 Page No. 3



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

Date 1-26-10

1A1-wet 1C1 Intake
1B1 Intake 1D1 wet
1E1 - wet

1F1 wet
1G1 wet R

Ending point
20' Inby
Spad # 24369

1G2 wet Return
1F2 wet 1B2 intake
1E2-wet 1A2-wet
1D2-wet
1C2-wet intake

Inspector's Initials

Supervisor's Initials and 12610 Page No. 4

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

Date 1-26-10

Shannon Perdue.
Section Foreman

24366 Thirty
Feet out by is
the Ending point
#1 Entry

Rode mantrip to
Belt Transformer →
Splitter- 30598-003.
NVO

Section Belt Transformer
28991-500-908

Inspector's Initials

Supervisor's Initials and Date 2610 Page No. 5

G20 U.S. GOVERNMENT PRINTING OFFICE: 2009—540-493

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

Date 1-26-10

Transformer East Mains Switch
Serial 300 KVA Transf
9149-300-396
D-Box For Doors,
#1 North Mains
Belt Transformer
at tail of 1 South Belt

Serial 11760-2300-698
2300 KVA

Travel one south Belt
BK 23 to tail Break 47
NVO

Inspector's Initials

Supervisor's Initials and Date 2610 Page No. 6

G20 U.S. GOVERNMENT PRINTING OFFICE: 2009—540-493

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

Date 1-26-10

Tail Piece not
guarded properly
citation # 8090263
12:55
4 unit.
Secondary from 4 unit to surface
Rode mantrip to
the surface. Wrote
out citation, Got a
Sample of Rock Dust
Discussed citation with
Gary May → Mr. Pennington
Drove to Mt. Hope

Inspector's Initials

Supervisor's Initials and Date 2610 Page No. 7

G20 U.S. GOVERNMENT PRINTING OFFICE: 2009—540-493

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

Date 1-25-10

**CITATION/ORDER #:** 8090263

**Time:** 1255

**Location:** Tail Piece 1 South Belt

**Violation:** 75.1722 b

The tail pulley at #1 South belt is not guarded properly. The guard does not extend a distance sufficient to prevent a person from reaching behind the guard and becoming caught between the belt and pulley. There is a opening on the left side looking down the Belt 31 x 12 inches. ~~The~~ It is 12 inches from the tail pulley.

**No. of Persons Exposed:** 1

Inspector's Initials

Supervisor's Initials and Date 1/26/10 Page No. 8

*U.S. GPO: 2009-541-759

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

Date 1-25-2010

**Who knew the violation existed?**

The preshift examiner should have seen this condition.

**How long has the violation existed?**

At least one week

**If an accident should occur because of this type violation, how serious would it be?**

Permanently disabling due to amputation of limbs.

**What is the likelihood that this type accident will occur at this mine? Why?**

Reasonably likely. A person would be in this area to grease or clean this tailpiece.

Inspector's Initials

Supervisor's Initials and Date 1/26/10 Page No. 9

*U.S. GPO: 2009-541-759

Day Production

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

DAILY COVER SHEET

Date 1/27/10 Event No. 6286108

Arrived at the Mine 0540 Departed from the Mine

List Records Books Checked

Weekly

Accompanied By: Company Representative

Charlie Szymanske

Miners Representative

N/A

AREAS OF INSPECTION ACTIVITY:

~~Intake Air Course~~

Secondary Escapeway Lifeline

Intake Air Course –

Glory Hole, Old North Mains

Longwall #1 Section Primary

to 85 Break

Inspector's Initials

Supervisor's Initials and Date 1/28/10 Page No. 1

*U.S. Government Printing Office: 1997 - 508-470

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

Date 1/27/10

Arrived at Upper Big Branch Mine - Ellis Portals

Met with Management Everett Mager and informed him of Todays intensions

Review Mine Map on Areas to be inspected.

Got with Fireboss Charlie Semenske to do intake from 85 brk around 1 Section and back to split for 2 Section

Inspector's Initials ____

Supervisor's Initials and Date 2/8/10 Page No. 2

*U.S. GPO: 2009-541-759

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

Date 1/27/10

Check Weekly and Pre Shift for 1 Section. (NVO)

Check Illumination of Work Areas (NVO)

Check Potable Water (NVO)

Check Communications (NVO)
First Aid Equip. Sur. (NVO)

Travel to Ellis Switch Had to wait on Rides
-1- Citation

Travel to 78 Brk 6 North Belt (NOVO)
See 1 Citation

Inspector's Initials ____

Supervisor's Initials and Date 2/8/10 Page No. 3

*U.S. GPO: 2009-541-759

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

Date 1/27/10

0730 8087718 75.880(d)(2)(iv)

The Lifeline located in the Secondary Escapeway is not located in a manner for miners to effectively use in emergency situations. At 2 locations Ellis Switch and 78 Brk Switch @ 6 North Belt Drive, the Lifeline is tangled with other cables and water lines to where miners could not keep a continuous hold of life line.

Examiners should have known of condition

Inspector's Initials ____

Supervisor's Initials and Date 2/8/10 Page No. 4

*U.S. GPO: 2009-541-759

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

Date 1/27/10

Has existed for 2 weeks

20 persons exposed to hazard - longwall and section crew

If accident occurred it would result in permanently disabling injuries from failure to promptly exit mine in an emergency

It is reasonably likely to occur. Mine is on a 10 day spot. Miners could not use lifeline w/o contacting other cables, etc.

Inspector's Initials ____

Supervisor's Initials and Date 0810 Page No. 5

*U.S. GPO: 2009-541-759

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

Date 1/27/00

Car in intake @ 85 Brk transe toward old north mains

Check flyer starter box s/n M06-0269 (NVO)

Flyer sump pump s/n can't read (NVO)

Brk 129 to 130 ss# 20273 water in air course -1- citation

Inspector's Initials ____

Supervisor's Initials and Date 1810 Page No. 6

*U.S. GPO: 2009-541-759

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

Date 1/27/10

850 8087719 75.364(b)(1)

The intake air course for No. 1 section - MMU 029-0 can not be traveled in its entirety located between 129 and 130 brk at the glory hole water has accumulated to a depth of at least 16", for a distance of 90' and rib to rib. The water is dark in color that would not allow person to see sup. trip. fall hazards

Examiner should have known

Has existed for 1 week

Inspector's Initials ____

Supervisor's Initials and Date 1/28/10 Page No. 7

*U.S. GPO: 2009-541-759

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

Date 1/27/10

1 PERSON EXPOSED - FIRSBOSS.

IF ACCIDENT OCCURRED IT WOULD RESULT IN NO LOST WORKDAYS

UNLIKELY TO OCCUR. THIS AREA IS NOT PRIMARY ESCAPEWAY, JUST AN INTAKE SPLIT

Inspector's Initials

Supervisor's Initials and Date 1/28/10 Page No. 8

*U.S. GPO: 2009-541-759

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

Date 1/27/10

CONTINUED TRAVELING OLD NORTH MAINS

GOT TO INTAKE ROOM @ 147 BRK ON OLD NORTH MAINS -1- CITATION

Inspector's Initials

Supervisor's Initials and Date 1/28/10 Page No. 9

*U.S. GPO: 2009-541-759

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

Date 1/27/10

0950 8087720 75.360(A)

THE PERSONS CONDUCTING THE PRESHIFT EXAMINATIONS OF THE INTAKE ROOM LOCATED AT 147 BREAK ON OLD NORTH MAINS HAS NOT CERTIFIED BY DATES, TIMES, AND INITIALS THAT AN EXAMINATION WAS MADE. THE ONLY TIMES PRESENT WAS PRESHIFT FOR THE EVENING SHIFT FOR THE DATES OF 1/21/10 TO 1/26/10 AND TIMES VARIED FROM 1200pm TO 1230pm FOR THESE DATES. INITIALS FOUND WERE FROM JAB AND BC

Inspector's Initials

Supervisor's Initials and Dat 1/28/10 Page No. 10

*U.S. GPO: 2009-541-759

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

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EXAMINER SHOULD HAVE KNOWN IT IS THEIR RESPONSIBILITY TO CERTIFY BY DTI'S

HAS EXISTED FOR 1 WEEK

1 PERSON EXPOSED - FIREBOSS

IF ACCIDENT OCCURRED IT WOULD BE NO LOST WORKDAYS

UNLIKELY TO OCCUR. ROOMS IN BY THIS AREA HAD DTI'S FOR PRE SHIFT

Inspector's Initials JKS

Supervisor's Initials and Date 1/28/10 Page No. 11

*U.S. GPO: 2009-541-759

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

Date 1/27/10

TRAVEL INTAKE TO OLD NORTH MAINS (NVO) READINGS

MADE ROOMS IN FACES

#6. .10% CH4 20.8% O2

#5 .10% CH4 20.8% O2

#4 - .10% CH4 20.8% O2

#3 .10% CH4 20.8% O2

#2 FLUSH

#1 .10% CH4 20.8% O2

CHECK PUMP #4 FACE S/N CAN'T READ (NVO)

FACES ARE VENTILATED BY BRATTICE CLOTH. FACES HAVE BEEN PRESHIFTED EVERY 8 HRS BY DTI'S PRESENT

TOOK DPP #2 AIR READING

Inspector's Initials JKS

Supervisor's Initials and Date 1/28/10 Page No. 12

*U.S. GPO: 2009-541-759

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

Date 1/27/10

TRAVEL FROM OLD NORTH MAINS TO MOUTH OF 1 SECTION (NVO)

TRAVEL TO INTAKE SPLIT @ MOUTH OF LONGWALL

GOT IN INTAKE TOOK AIR READING.

TRAVEL FROM MOUTH OF LONGWALL TO 85 BRIC (NVO)

CHECK INTAKE SCSR CACHE'S (OK)

No. 45 - 10 (5) 10 sep. BOX

No. 46 - 10

No. 47 - 10

No. 23 - 10 BRIC. 96

Inspector's Initials JKS

Supervisor's Initials and Date 1/28/10 Page No. 13

*U.S. GPO: 2009-541-759

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

Date 1/27/10

Got Back to 78 Brk

Check Lifelines, Has Been Repaired

Travel to 5th Switch

Check Lifelines, Has Been Repaired

Term. Citation @ 1246

Life Line Has Been Placed to Effectively Use

Return to Surface

Inspector's Initials

Supervisor's Initials and Date 1/28/10 Page No. 14

*U.S. GPO: 2009-541-759

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

Date 1/27/10

Arrived on Surface

Held Daily Crossout with Everett Hager to Discuss Root Cause and Abatement Time of Citations

Type out Citations

Return to Mr. Hop's Office

Inspector's Initials

Supervisor's Initials and Date 1/28/10 Page No. 15

*U.S. GPO: 2009-541-759

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

AIR READINGS

Date 1/27/10

Location Intake Split for Longwall Inby 83 Brk

| | | | |
|---|---|---|---|
| Width | 20 | Bottle Sample No. | |
| Height | 7.5 | CH4 Detected | 0% |
| Area | 150 | Mean Entry | |
| Velocity | 612 | Time | |
| Quantity | 91,800 | $O_2$ | 20.8% |

Location Intake Split for 2 Section @ 83 Brk

| | | | |
|---|---|---|---|
| Width | 20 | Bottle Sample No. | |
| Height | 6 | CH4 Detected | 0% |
| Area | 120 | Mean Entry | |
| Velocity | 456 | Time | |
| Quantity | 45,420 | $O_2$ | 20.8% |

Inspector's Initials

Supervisor's Initials and Date 1/28/10 Page No. 16

*U.S.GPO:1993-0-709-384

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

## AIR READINGS

Date 1/27/10

Location DPP No. 2

Old North Mains

| | | | |
|---|---|---|---|
| Width | 19 | Bottle Sample No. | |
| Height | 7 | CH4 Detected | .10% |
| Area | 133 | Mean Entry | |
| Velocity | 170 | Time | |
| Quantity | 22,610 | $O_2$ | 20.8% |

Location Intake Split at

Longwall Outcrop

| | | | |
|---|---|---|---|
| Width | 17.75 | Bottle Sample No. | |
| Height | 9.5 | CH4 Detected | 0% |
| Area | 169 | Mean Entry | |
| Velocity | 400 | Time | |
| Quantity | 67,600 | $O_2$ | 21.2% |

Inspector's Initials

Supervisor's Initials and Date 2/10 Page No. 17

*U.S.GPO:1993-0-709-384

MSHA Form 7000-10I, June 93 (revised) 46-08436.

## DAILY COVER SHEET

Date 1-27-10 Event No. 6286108

Arrived at the Mine 0745 Departed from the Mine

List Records Books Checked Weekly Electrical Preshift 3 unit.

Accompanied By: Company Representative Virgil Bowman

Miners Representative

AREAS OF INSPECTION ACTIVITY:

Substation

#4 Motor

# 3 Mantrip

Inspector's Initials

Supervisor's Initials and Date Page No. 1

*U.S. Government Printing Office: 1997 - 508-470

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

Date 1-27-10

Arrived at the mine at 0745. Spoke with about checking outby equipment also had a conversation with Gary May about Airways & what days there are non.

We will be traveling with Virgil Bowman shift chief electrician.

PoD Duster out of service.

Checked Substation NO

Fire Extinguisher at Surface

citation # 8090264

Inspector's Initials

Supervisor's Initials and Da 2/16 Page No. 2

*U.S. GPO: 2009-541-759

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

Date 1-27-10

**CITATION/ORDER #:** 8090264

**Time:** 1005

**Location:** Surface.

**Violation:** 77.1110

The Fire extinguishers at the 114 Haulter Charger on the surface was not being maintain. The two extinguishers were not showing any pressure on the guages.

**No. of Persons Exposed:** 1

Inspector's Initials

Supervisor's Initials and Date 1 28/10 Page No. 3

*U.S. GPO: 2009-541-759

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

Date 1-27-10

**Who knew the violation existed?**

Weekly examiner

**How long has the violation existed?**

At least one week

**If an accident should occur because of this type violation, how serious would it be?**

Primarily disabling due to smoke inhalation

**What is the likelihood that this type accident will occur at this mine? Why?**

Unlikely on the surface. Charger seems to be in good repair

Inspector's Initials

Supervisor's Initials and Date 1 28/10 Page No. 4

*U.S. GPO: 2009-541-759

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

Date 1-27-10

Motor Charger B
Serial # 109829
NVO
Pod Duster Charger NVO
South Portal KKA
First underground.
Serial# 21709-500-105
NVO

#4 Motor ?
NVO
Escapeway map not current
150.5(b) 1120
citation # 8090265

#3 Martlip NVO

Inspector's Initials

Supervisor's Initials and Da 28/10 Page No. 5

*U.S. GPO: 2009-541-759

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

Date 1-27-09

**CITATION/ORDER #:** 8090265

**Time:** 1120

**Location:** Bath were men congregate

**Violation:** 1505b

The escapeway map were not being kept up to date were men congregate. The cut through on # 4 unit were two doors were installed were not shown. Also, the # 3 unit was 9 breaks behind.

**No. of Persons Exposed:** 10

Inspector's Initials

Supervisor's Initials and Date 2/8/10 Page No. 6

*U.S. GPO: 2009-541-759

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

Date 1-27-10

**Who knew the violation existed?**

Gary May should have kept this map up to date

**How long has the violation existed?**

At least one week

**If an accident should occur because of this type violation, how serious would it be?**

~~Extremel~~ Lifeline extends to the face of 4 unit is deactivated

**What is the likelihood that this type accident will occur at this mine? Why?**

Unlikely for reasons in above question

Inspector's Initials

Supervisor's Initials and Date 2/8/10 Page No. 7

*U.S. GPO: 2009-541-759

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

Date 1-27-10

The Life line (Secondary) at the Plumley switch is not updated.

1220 citation # 8090266

7

KVA AT Plumley switch

12707-300-1198

NVO

33 Break Splitter

22910-206

Rode to 4 unit section head.

walked to the

Inspector's Initials

Supervisor's Initials and Dat 2/8/10 Page No. 8

*U.S. GPO: 2009-541-759

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

Date 1-27-10

**CITATION/ORDER #:** 8090266

**Time:** 1225

**Location:** Plumley Switch

**Violation:** 75.380(7)(vii)

The secondary lifeline at Plumley switch does not have two securely attached cones installed consecutively indicating a branch line immediately ahead

**No. of Persons Exposed:** 1

Inspector's Initials

Supervisor's Initials and Date 1/28/10 Page No. 9

*U.S. GPO: 2009-541-759

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

Date 1-27-10

**Who knew the violation existed?**

Gary May has been in a discussion with me about these cone

**How long has the violation existed?**

6 months

**If an accident should occur because of this type violation, how serious would it be?**

It would cause a person to go the wrong way. This could permanetly disabling due to smoke inhalation

**What is the likelihood that this type accident will occur at this mine?**

**Why?**

Unlike this is the secondary escapeway

Inspector's Initials

Supervisor's Initials and Date 1/28/10 Page No. 10

*U.S. GPO: 2009-541-759

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

Date 1-27-2010

tail of 1 south Belt

Tailpiece is guarded

citation #

terminated

Walked back to the mantrip & rode out side.

Wrote 3 citations and 1 Termination Delivered & Discussed root cause with Virgil Bowman.

Inspector's Initials

Supervisor's Initials and Date 1/28/10 Page No. 11

*U.S. GPO: 2009-541-759

MSHA Form 7000-10I, June 93 (revised) 46-08436

# DAILY COVER SHEET

Date 02/01/10 Event No. 6286108

Arrived at the Mine 0600 Departed from the Mine

List Records Books Checked Weekly Exams

Accompanied By: Company Representative
Charlie Semenske
Fire boss

Miners Representative

AREAS OF INSPECTION ACTIVITY:

mine is producing
walking LBB.

MT 13
MT 5
old 2 head transformer
11296-500-1097
15 BK Return Pump
Mantrip Operator

Inspector's Initials

Supervisor's Initials and Date Page No. 1

*U.S. Government Printing Office: 1997 - 508-470

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

Date 2-1-10

Arrived at the mine at
0600
Got with Charlie
Semenske and went over
the map. We will be
starting at UBB and
will walk to Ellis
Portal.

Checked the Bridge
between the north &
South Portals. The
Bridge has been repaired
Terminate Citation # 8090262
0620

Inspector's Initials

Supervisor's Initials and Date Page No. 2

*U.S. GPO: 2009-541-759

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

Date 2-1-10

Rode #13 Mantrip
to north of LBB BX67
Checked Cones on the
lifeline at Plumley
citation # 8090266
Terminated 0640

Got into the intake
at LBB
Check old two
head transformer NVO

Old three Head Belt
Transformer 100-93-500-1296
NVO.

Inspector's Initials P.D.B.

Supervisor's Initials and Date Page No. 3

*U.S. GPO: 2009-541-759

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

Date 2-1-10

EP 7
A 4X1.5 = 6
V = 488
Q 2928

EP 4

A = 4
V = 685
Q 2740

Inspector's Initials

Supervisor's Initials and Date 3/10 Page No. 4

*U.S. GPO: 2009-541-759

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

Date 2-1-10

EP 7 NO 1

A = 7X5 = 35
V = 496
Q 17,360

Inspector's Initials

Supervisor's Initials and Date 3/10 Page No. 5

*U.S. GPO: 2009-541-759

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

Date 2-1-10

5 Ellis Belt Head Transformer
29645 1000 209 NVO

#5 Ellis D-Box NVO

Walk out the Track
At Ellis portal →
went to the office
to check the maps.

Went up left intake.

Inspector's Initials

Supervisor's Initials and Date 3/10 Page No. 6

*U.S. GPO: 2009-541-759

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

Date 2-1-10

DPP 4

A= 6.5 x 18 = 117
V= 114
Q= 13,338

$CH_4$ 0 $O^2$ 20.8

DPP3

A= 17 x 6 = 102
V= 330
Q 33,660

Inspector's Initials PDB
Supervisor's Initials and Date JM 2/5/10 Page No. 7

*U.S. GPO: 2009-541-759

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

Date 2-1-10

Return Regulator

A 9 x 6 = 54
V - 630
Q 34,020

#3 BK Sump Pump
Flygt 9hp

28 BK Return Pump
077 0009
Flygt

Inspector's Initials
Supervisor's Initials and Date 2/5/10 Page No. 8

*U.S. GPO: 2009-541-759

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

Date 2-1-10

EP 54

A = 81
V = 275
Q 22,275

54 in

A = 10
V = 390
Q = 3900

Inspector's Initials
Supervisor's Initials and Date 2/5/10 Page No. 9

*U.S. GPO: 2009-541-759