

JAN 27 2010

MEMORANDUM FOR: MICHAEL A. DAVIS
Deputy Assistant Secretary for
Mine Safety and Health Administration

THROUGH: PETER J. MONTALI 
Acting Director of Accountability for
Mine Safety and Health Administration

FROM: ARLIE A. WEBB 
Accountability Specialist

SUBJECT: MSHA Office of Accountability Audit, 


Introduction

This memorandum summarizes the Office of Accountability audit of the subject field office and mine. Audit subjects included the Uniform Mine File, MSHA field activities, level of enforcement, Field Activity Reviews (FARs), Accompanied Activities (AAs), supervisory and managerial oversight, mine plans, and the conditions and practices at the mine. The audit was conducted during the weeks of  by Arlie A. Webb. Positive findings and issues requiring attention are included in this audit report.

Overview

The accountability specialist traveled to the subject field office and mine to observe and evaluate enforcement activities, supervisory and managerial oversight, and mine conditions and practices.  accompanied the accountability specialist.

Areas of the mine examined during the audit included primary and secondary escapeways, numerous belt conveyors, lifelines and ERP supplies, communication systems, fire detection and fire fighting systems, record books, and surface areas. Selected pieces of underground equipment were also inspected.

The audit revealed positive findings in several categories, including the following:

1. District management had identified problem areas related to supervisory oversight and was already taking proactive measures prior to the audit. Field office supervisors had already been reassigned to other duties.
2. The supervisors, ADMs, and the DM visited numerous mines during the period covered by this audit. In addition, the newly assigned supervisor in the Pikeville field office made more than 10 mine visits in his first month in that position.
3. Inspection documentation indicates complete inspections.
4. An interview with the inspector revealed a thorough knowledge regarding proper evaluation of gravity, negligence, and number of persons affected, as well as the correct level of enforcement necessary to gain compliance.
5. The 104(d) tracking system is well maintained and easily understood.
6. The Uniform Mine Files have been upgraded and are in compliance with the new UMF handbook.

The audit also revealed several issues that require corrective actions, including the following:

1. Evaluations of gravity, negligence, number of persons affected, and the level of enforcement do not always appear consistent with inspection notes, the narrative portion of the citation, or MSHA policy.
2. Field Activity Reviews and Accompanied Activities did not always identify and document deficiencies and there was no evidence of corrective actions or mentoring of inspectors.
3. On two occasions, spot inspections conducted under 103(i) of the Mine Act were conducted on three consecutive Mondays. On one occasion each, these inspections were made on three consecutive Tuesdays and three consecutive Wednesdays. At one mine, more than 43% of all 103(i) spot inspections were conducted on Thursdays. Item 14 of the checklist lists the mine ID numbers and dates associated with this issue.
4. There was an excessive amount of time expended in the "other" category during inspections of surface facilities.

S&S Rate Comparison

Coal District 6 and the Pikeville field office S&S rates were above the national average for FY 2008. However, in FY 2009, the Pikeville field office rate dropped well below the district and national average.

S&S Rate Comparison			
Fiscal Year	Pikeville, Kentucky Field Office	Coal District 6	National Average
2008	36%	37%	35%
2009		35%	34%

Time and Activity Comparison

As illustrated in the tables below, an analysis of inspector time distribution for FY 2009 revealed that Pikeville Work Group 02 expended an excessive amount of time in the "other" category during E01 inspections of surface facilities. This adversely affected the percentage of time spent on-site. Both work groups were only slightly high in the "other" category during E-1 inspections of underground mines.

Time Distribution (Percent) - E01 Inspections at Surface Facilities						
	Travel	Other	Total On-Site	Citations Issued On-site	Citations Issued Off-site	Total Percent
WG 01	18.2%	13.5%	68.3%	8.5%	>0.1%	100.0%
WG 02	13.6%			7.4%	0.4%	100.0%

Time Distribution (Percent) - E01 Inspections at Surface Mines						
	Travel	Other	Total On-Site	Citations Issued On-site	Citations Issued Off-site	Total Percent
WG 01	14.1%	13.4%	72.3%	6.9%	0.2%	100.0%
WG 02	13.2%	14.7%	71.7%	6.7%	0.4%	100.0%

Time Distribution (Percent) - E01 Inspections at Underground Mines								
	Travel	Other	MMU	Outby	Surface	Citations Written On-site	Citations Written Off-site	Total Percent
WG 01	13.6%		20.3%	27.2%	15.6%	5.3%	0.2%	100.0%
WG 02	11.2%		21.0%	28.7%	15.5%	5.7%	0.1%	100.0%

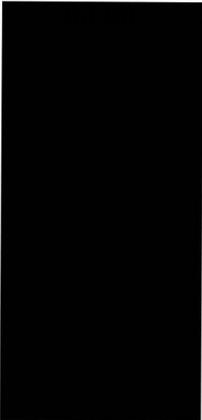
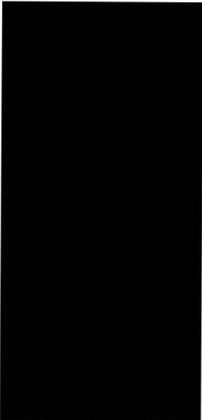
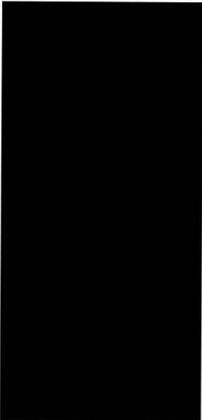
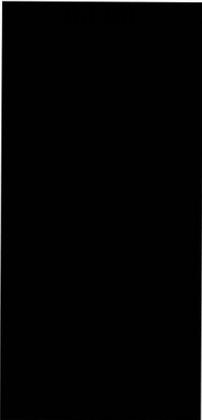
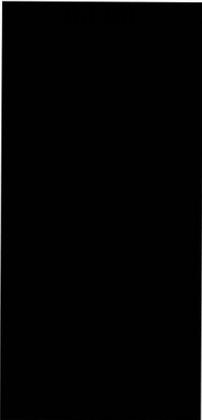
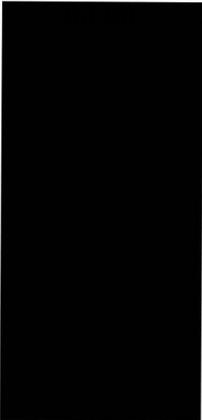
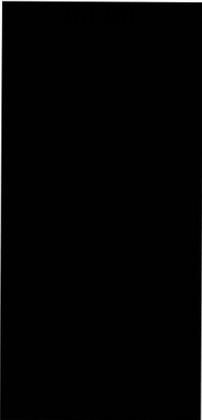
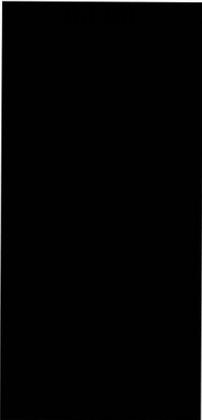
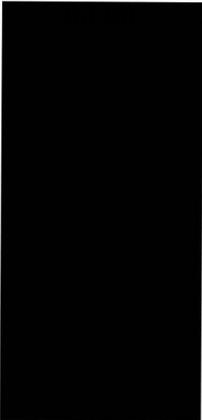
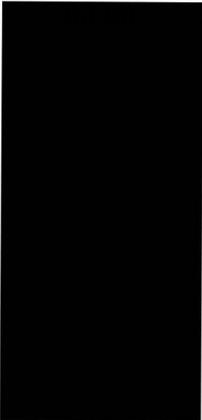
Audit Results

The attached checklist addresses the findings of the audit. Positive issues as well as issues requiring action are covered in detail in the checklist.

Attachments

A. Office of Accountability Checklist with comments, recommendations and references

B. Citations issued during this audit

- | | | |
|-----|---|--------------|
| 1. |  | 75.360(f) |
| 2. |  | 75.360(f) |
| 3. |  | 75.1403 |
| 4. |  | 75.1403 |
| 5. |  | 75.400 |
| 6. |  | 75.1101-8(b) |
| 7. |  | 75.807 |
| 8. |  | 75.400 |
| 9. |  | 75.1202 |
| 10. |  | 75.362(b) |

C. Enforcement actions with questionable evaluations

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

District Coal Dist. 6

Field Office Pikeville, KY

Mine ID

1. Evaluate supervisory review of inspection reports and documentation for accuracy and completeness.

Adequate Inadequate Not Applicable Comments Below

See Attachment C

2. Determine if supervisors address report deficiencies immediately

Adequate Inadequate Not Applicable Comments Below

There was no documentation in FARs to indicate that report deficiencies were being identified or addressed. See Item 4 below.

3. Determine if supervisors are visiting each assigned mine at least annually

Adequate Inadequate Not Applicable Comments Below

4. Evaluate the quality of Field Activity Review reports (FARs)

Adequate Inadequate Not Applicable Comments Below

Of the twelve reviews examined during this audit, only one contained substantive comments. In general, comments on FARs were generic in nature, repetitive, and contained no constructive criticism, mentoring, or feedback to help the inspector improve.

Although the interview with the new supervisor was very positive, he has been in place for only one month and has not yet had the opportunity to complete sufficient FARs to allow accurate determination of the quality of current reviews.

Note: No recommendation is necessary at this time since the issue is being addressed.

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

District Field Office Mine ID

6. Evaluate the quality of Accompanied Inspections

Adequate Inadequate Not Applicable Comments Below

Of the twelve reviews examined during this audit, only one contained substantive comments. In several instances, the supervisor had used the forms for FARs to record results of Accompanied Activities as well. In general, documentation of AAs was generic in nature and contained no constructive criticism or evidence of mentoring by the supervisor.

However, the quality of accompanied inspections has improved dramatically since district management replaced the field office supervisor for this work group. Although the new supervisor has been in place for only one month, he has already conducted at least 10 mine visits with his inspectors, traveling step-for-step with them as they inspect.

Although the audit revealed that a problem existed during the time period audited, proactive steps were already being taken by district management prior to this audit.

Note: No recommendation is necessary at this time since the issue is being addressed.

7. Determine if supervisors are thoroughly reviewing mine files at least annually

Adequate Inadequate Not Applicable Comments Below

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

Adequate Inadequate Not Applicable Comments Below

Interviews revealed that District Managers and Assistant District Managers are using inspection data, NFDL rates, and violation data to identify mines with poor compliance, and are visiting those mines. Managers are also visiting mines where data indicates the level of enforcement may not be consistent with the nature of violations being cited.

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

District Field Office Mine ID

13. Evaluate the location, workload, and availability of specialists (roof control, ventilation, electrical, etc.) within the district
Adequate Inadequate Not Applicable Comments Below

14. Evaluate supervisory and management review of 103(i) (spot inspection) tracking system for compliance with time frames
Adequate Inadequate Not Applicable Comments Below

Although E02 inspections conducted by Pikeville Field Office personnel appear to be thorough, several discrepancies were noted.

On four separate occasions at one mine spot inspections were made on the same day of the week three consecutive weeks.

(Monday, 11/24/ 2008, Monday, 12/01/2008, Monday, 12/08/2008)

(Wednesday, 02/11/2009, Wednesday, 02/18/2009, Wednesday, 02/25/2009)

(Monday, 04/20/2009, Monday, 04/27/2009, Monday, 05/04/2009)

(Tuesday, 05/19/2009, Tuesday, 05/26/2009, Tuesday, 06/02/2009)

Over 43% of the 103(i) Spot inspections conducted at another mine were conducted on Thursdays.

Recommendation - 103(i) spot inspections must be conducted in accordance with the Mine Act and MSHA policy. Time frames and the requirement that inspections be conducted at irregular intervals must be met.

Reference - Section 103(i) of the Mine Act

Note- This issue is currently being addressed by district management and the recently installed field office supervisor.

15. Determine if supervisors and managers are ensuring that 103(i) inspections are not combined with any other type of inspection
Adequate Inadequate Not Applicable Comments Below

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

District

Field Office

Mine ID

17.

Determine if supervisors are monitoring inspector time and activity documentation to ensure proper use of time by inspector

Adequate Inadequate Not Applicable Comments Below

The current supervisor, who had been in place for approximately one month prior to this audit, maintains a tracking system to ensure that inspectors are properly utilizing inspection time.

18.

Determine if Standard Operating Procedures (SOPs) are in place, current, and in compliance with MSHA policies and procedures

Adequate Inadequate Not Applicable Comments Below

20.

Determine if supervisors are adequately evaluating the level of enforcement by visiting each producing mine

Adequate Inadequate Not Applicable Comments Below

The District Manager had already identified problems related to supervisory oversight and levels of enforcement prior to this audit. Proactive measures were already in place and the previous field office supervisors had already been reassigned to other duties.

Note: No recommendation is necessary at this time since the issue is being addressed.

23.

Determine if second level reviews and Peer Reviews are used to assess supervisory review of enforcement actions

Adequate Inadequate Not Applicable Comments Below

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

District Field Office Mine ID

25. Evaluate inspector/specialist knowledge of documentation required and process for completing PKW Forms.

Adequate Inadequate Not Applicable Comments Below

26. Evaluate the district's process for performing Possible Knowing/Willful (PKW) reviews and initiating or denying special investigations

Adequate Inadequate Not Applicable Comments Below

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

Adequate Inadequate Not Applicable Comments Below

31. Determine that the inspector spent sufficient time on off-shifts and on weekends

Adequate Inadequate Not Applicable Comments Below

During the past two inspection quarters, inspectors expended a total of 118.50 hours underground on off-shifts, which appears adequate to observe working conditions and practices on those shifts. Time spent underground on Saturdays appears adequate as well, with 76 hours expended during the past 2 inspection quarters. However, time spent underground on Sundays appeared to be lacking, with only 3.5 hours recorded.

32. Determine if the SCSR inventory database has been implemented to track inspections of SCSRs

Adequate Inadequate Not Applicable Comments Below

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

District

Field Office

Mine ID

34.

Determine if all mine record books, postings, and other required materials are examined during the inspection

Adequate Inadequate Not Applicable Comments Below

35.

Determine if all provisions of the MINER Act are evaluated during the inspection

Adequate Inadequate Not Applicable Comments Below

36.

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

Adequate Inadequate Not Applicable Comments Below

37.

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

Adequate Inadequate Not Applicable Comments Below

Documentation indicates citations/orders/safeguards issued prior to the District Manager making [REDACTED] were not properly evaluated for gravity, negligence, number of persons affected, and level of enforcement (See Attachment C).

A review of more recent enforcement activities revealed that current supervisory oversight and mentoring of inspectors has improved.

Note - This issue is being addressed and no recommendation is necessary.

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

District

Field Office

Mine ID

38. Accompany and evaluate inspector's imminent danger run

Adequate Inadequate Not Applicable Comments Below

39. Check adequacy of preshift/onshift examinations

Adequate Inadequate Not Applicable Comments Below

40. Evaluate inspector's observation of roof conditions. Is a copy of the currently approved roof control plan maintained on the section?

Adequate Inadequate Not Applicable Comments Below

41. Evaluate operator's workplace examinations

Adequate Inadequate Not Applicable Comments Below

The operator failed to conduct adequate examinations of belt conveyor systems and was cited by the inspector.

42. Evaluate conditions on working section and observe work cycle

Adequate Inadequate Not Applicable Comments Below

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

District Field Office Mine ID

43. Observe air quantity, quality, and gas checks by inspector

Adequate Inadequate Not Applicable Comments Below

44. Determine adequacy of Emergency Response Plan training (interview miners)

Adequate Inadequate Not Applicable Comments Below

Miners were interviewed and exhibited a thorough knowledge of the ERP.

45. Determine adequacy of training regarding roof, ventilation, and other plans (interview miners). Do inspection notes document evaluation of this type training?

Adequate Inadequate Not Applicable Comments Below

Interviews with miners indicated that miners were well trained in all aspects of approved plans.

46. Evaluate Self-Contained, Self-Rescuer condition, storage, signage

Adequate Inadequate Not Applicable Comments Below

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

Adequate Inadequate Not Applicable Comments Below

During the audit, numerous miners were interviewed regarding SCSR training. All persons interviewed exhibited detailed knowledge of the function, maintenance, and use of SCSRs.

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Office of Accountability

District Field Office Mine ID

50. Examine lifelines, manddoors, and related signage

Adequate Inadequate Not Applicable Comments Below

Lifelines, personnel doors and related signage were well maintained in areas examined from the intake shaft to just inby the No. 4 belt drive.

51. Examine escapeway map for compliance with regulations

Adequate Inadequate Not Applicable Comments Below

Escapeway map in mine office was found to be accurate and up to date.

52. Evaluate integrity of primary and alternate escapeways

Adequate Inadequate Not Applicable Comments Below

Primary escapeway integrity was examined in areas adjacent to main intake adjacent to Nos. 1, 2, 3 and 4 beltlines, and areas around the main intake shaft.

53. Evaluate integrity of return side stopping line

Adequate Inadequate Not Applicable Comments Below

Return side stoppings along the Nos. 1, 2, 3, 4, and 5 belt conveyor entries were well constructed.

55. Evaluate conveyor belt isolation from other air courses

Adequate Inadequate Not Applicable Comments Below

Belt conveyor entries for the Nos. 1, 2, 3, 4, and 5 belt conveyors were isolated from other air courses.

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

District Field Office Mine ID

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

Adequate Inadequate Not Applicable Comments Below

Fire valves were observed at numerous locations along the Nos. 3, 4, and 5 belt conveyors. Two fire valves and associated hoses and nozzles were selected at random and pressure tested, with excellent results.

57. Observe and evaluate fire detection methods

Adequate Inadequate Not Applicable Comments Below

59. Evaluate condition of conveyor belt drives, and fire suppression systems

Adequate Inadequate Not Applicable Comments Below

The inspector observed and properly cited belt conveyors and drives that were not being maintained. Citations are included in Attachment B. Although the company failed to properly maintain conditions and equipment associated with belt conveyors, the District Manager took proactive measures based upon the inspector's observations.

The District Manager immediately implemented a "belt saturation" inspection at the subject mine. When the results of that inspection indicated that poor conditions in belt conveyor entries might be systemic, the District Manager initiated the same type of inspections at all of that company's active mines within the district.

Inspections of belt conveyor entries at 8 additional mines operated by the same company resulted in 91 citations and orders being issued.

Note - Due to the ongoing, proactive measures being taken by the district, no recommendations are necessary.

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

District

Field Office

Mine ID

61. Examine mine map for accuracy of workings and escapeway locations
Adequate Inadequate Not Applicable Comments Below

62. Examine mine bulletin board and evaluate adequacy of all required postings
Adequate Inadequate Not Applicable Comments Below

63. Interview responsible person(s) and evaluate knowledge of emergency response, evacuation procedures, and fire fighting processes
Adequate Inadequate Not Applicable Comments Below

66. Determine if districts are conducting sufficient, in-depth Peer Reviews
Adequate Inadequate Not Applicable Comments Below

67. Determine if MSHA headquarters is conducting sufficient, in-depth Peer Reviews
Adequate Inadequate Not Applicable Comments Below

68. Determine if Peer Reviews identify root causes of deficiencies, corrective actions, set time lines for corrections, and identify a method for accurately measuring the success or failure of corrective actions.
Adequate Inadequate Not Applicable Comments Below

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

District Field Office Mine ID

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

Adequate Inadequate Not Applicable Comments Below

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

Adequate Inadequate Not Applicable Comments Below

72. Determine if approved plans and the Uniform Mine File books are addressed during each Peer Review

Adequate Inadequate Not Applicable Comments Below

73. Evaluate the approved roof control plan after in-mine visit

Adequate Inadequate Not Applicable Comments Below

74. Evaluate approved ventilation plan after in-mine visit

Adequate Inadequate Not Applicable Comments Below

75. Evaluate approved training plan after discussion with miners

Adequate Inadequate Not Applicable Comments Below

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

District Field Office Mine ID

77. Evaluate the two most current completed E01 (regular) inspection reports (two quarters)

Adequate Inadequate Not Applicable Comments Below

Inspection reports, documentation and tracking maps indicate that complete inspections are being conducted.

78. Ten most current completed E02 (103(i) spot) inspection reports

Adequate Inadequate Not Applicable Comments Below

With the exception of issues mentioned in Item 14 above, 103(i) inspections conducted by Pikeville field office personnel appear to be in compliance with applicable policies.

79. Citations, orders, and safeguards issued during previous two quarters

Adequate Inadequate Not Applicable Comments Below

Attachment C contains examples of citations where the level of enforcement, S&S determination, likelihood of occurrence, number of persons affected, or negligence determinations do not appear consistent with the inspector's notes or the narrative portion of the citation cited.

Recommendation – Supervisors and managers should ensure that inspection personnel are properly documenting and evaluating the degree of gravity, exposure to the hazard, and the mine operator's negligence.

Reference – Citation and Order Writing Handbook for Coal and M-NM Mines (PH08-I-1), Chapter 4 – Citations and Orders

Note: This issue had been identified and was being addressed by district management at the time of this audit. Changes in supervisory personnel had been made approximately 30 day prior to this audit.

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

District Field Office Mine ID

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

Adequate Inadequate Not Applicable Comments Below

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

Adequate Inadequate Not Applicable Comments Below

85. Determine if miners are adequately trained in the provisions of any new plan prior to its implementation

Adequate Inadequate Not Applicable Comments Below

Interviews revealed that safety talks are held following plan changes or revisions. Miner's familiarity with plan content indicates this training is adequate.

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

Adequate Inadequate Not Applicable Comments Below

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

Adequate Inadequate Not Applicable Comments Below

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

District

Field Office

Mine ID

94. Determine if required information is submitted in the plan

Adequate Inadequate Not Applicable Comments Below

98. Determine if proposed plans are evaluated for provisions contrary to standards or regulations

Adequate Inadequate Not Applicable Comments Below

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

Adequate Inadequate Not Applicable Comments Below

100. Determine if all plan approval groups communicate to prevent conflicting elements of plans

Adequate Inadequate Not Applicable Comments Below

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

Adequate Inadequate Not Applicable Comments Below

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

District Field Office Mine ID

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

Adequate Inadequate Not Applicable Comments Below

The plan approval group (Technical Division) discusses proposed plan revisions with the inspector and supervisor assigned to that mine. Input and comments from inspectors and supervisors are documented on a plan transmittal sheet. The transmittal sheet, which is filed with the plan, accompanies the plan throughout the approval/disapproval process.

107. Determine if the overall violation history, plan compliance history, accident and injury reports were considered during plan review

Adequate Inadequate Not Applicable Comments Below

108. Determine if projected mining relative to overlying, underlying, and adjacent workings was checked

Adequate Inadequate Not Applicable Comments Below

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

Adequate Inadequate Not Applicable Comments Below

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

Adequate Inadequate Not Applicable Comments Below

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

District

Field Office

Mine ID

115.

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

Adequate

Inadequate

Not Applicable

Comments Below

117.

Are MSHA Forms 7000-1 accurately reviewed for proper information and potential violations, unsafe practices, or conditions?

Adequate

Inadequate

Not Applicable

Comments Below

118.

Determine if inspectors have sufficient equipment and supplies to conduct thorough inspections.

Adequate

Inadequate

Not Applicable

Comments Below

Interviews with inspection personnel, electrical specialists and supply personnel indicate that radial type feeler gauges are not available for use during permissibility checks. Radial type feeler gauges are used to check diametrical clearances around switch shafts, push rods, and other circular shaped components on underground equipment during permissibility examinations.

Radial type feeler gauges should be provided for electrical supervisors and electrical specialists. The District is ordering the gauges to supply all electrical specialists with this equipment.

Reference - CMS&H Electrical Inspection Procedures (PH93-V-7), Chapter 3 - Permissible Electrical Equipment

119.

Determine if adequate close-out conferences are being conducted at the end of each inspection.

Adequate

Inadequate

Not Applicable

Comments Below

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

District Field Office Mine ID

121. Determine if manpower at the field office is sufficient to ensure adequate, complete inspections, investigations, and other activities.

Adequate Inadequate Not Applicable Comments Below

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

District Coal Dist. 6 Field Office Pikeville, KY Mine ID [REDACTED]

Mine Citation/Order

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



Section I—Violation Data

1. Date	[REDACTED]	3. Citation/Order Number	[REDACTED]
8. Condition or Practice		Ba. Written Notice (103g) <input type="checkbox"/>	

THE METHANE AND OXYGEN READINGS WERE NOT RECORDED IN THE PRE-SHIFT EXAM BOOK AS REQUIRED ON 11-6-09.

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR	75.360(f)
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Section II—Inspector's Evaluation

10. Gravity:	A. Injury or illness (has) (is): No Likelihood <input checked="" type="checkbox"/> Unlikely <input type="checkbox"/> Reasonably Likely <input type="checkbox"/> Highly Likely <input type="checkbox"/> Occurred <input type="checkbox"/>			
	B. Injury or illness could reasonably be expected to be: No Lost Workdays <input checked="" type="checkbox"/> Lost Workdays Or Restricted Duty <input type="checkbox"/> Permanently Disabling <input type="checkbox"/> Fatal <input type="checkbox"/>			
	C. Significant and Substantial: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		D. Number of Persons Affected: 008	
11. Negligence (check one)	A. None <input type="checkbox"/>	B. Low <input checked="" type="checkbox"/>	C. Moderate <input type="checkbox"/>	D. High <input type="checkbox"/> E. Reckless Disregard <input type="checkbox"/>
12. Type of Action	104(a)	13. Type of Issuance (check one) Citation <input checked="" type="checkbox"/> Order <input type="checkbox"/> Safeguard <input type="checkbox"/> Written Notice <input type="checkbox"/>		
14. Initial Action	A. Citation <input type="checkbox"/> B. Order <input type="checkbox"/> C. Safeguard <input type="checkbox"/> D. Written Notice <input type="checkbox"/>		E. Citation/Order Number	F. Dated Mo Da Yr
15. Area or Equipment				

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

17. Action to Terminate THE METHANE AND OXYGEN READINGS HAVE NOW BEEN RECORDED IN THE RECORD BOOK.

18. Terminated	A. Date Mo Da Yr [REDACTED]	B. Time (24 Hr. Clock) [REDACTED]
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Section IV—Automated System Uses

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

MSHA Form 7000-3, Apr 08 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20418. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

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District

Field Office

Mine ID

Mine Citation/Order

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Section I—Violation Data

1. Date	<input type="text" value=""/>	3. Citation/Order Number	<input type="text" value=""/>
(Contractor)			

8. Condition or Practice

8a. Written Notice (103g)

A RECORD OF THE CONVEYOR BELT PRESHIFT EXAMINATION WAS NOT RECORDED ON 11-9-09.

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health <input type="checkbox"/> Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR	75.360(f)
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Section II—Inspector's Evaluation

10. Gravity:

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

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

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

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

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

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

15. Area or Equipment

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

Section III—Termination Action

17. Action to Terminate

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

Section IV—Automated System Data

19. Type of Inspection (activity code)	E01	20. Event Number	<input type="text" value=""/>	21. Primary or Mill	<input type="text" value=""/>
22. Signature	<input type="text" value=""/>	23. AR Number	<input type="text" value=""/>		

MSHA Form 7000-3a is required by the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20418. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

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Section I—Violation Data

1. Date 3. Citation/Order Number

4. 5.

8. Condition or Practice 8a. Written Notice (103g)

THE SANDING DEVICES PROVIDED FOR THE BROOKVILLE DIESEL MANBUS SN. 7900 ARE IN-OPERATIVE. THE MAIN LINE TRACK CONSIST OF MANY STEEP GRADES AND WET CONDITIONS.

See Continuation Form (MSHA Form 7000-3a)

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

Section II—Inspector's Evaluation

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

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

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

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

12. Type of Action 13. Type of issuance (check one) Citation Order Safeguard Written Notice

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

15. Area or Equipment

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

Section III—Termination Action

17. Action to Terminate

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

Section IV—Automated System Data

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

22. Signature 23. AR Number

MSHA Form 7000-3, Apr 06 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

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District Field Office Mine ID

Mine Citation/Order U.S. Department of Labor
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Section I—Violation Data	
1. Date <input type="text" value="[REDACTED]"/>	3. Citation/Order Number <input type="text" value="[REDACTED]"/>
5. <input type="text" value="[REDACTED]"/>	
7. <input type="text" value="[REDACTED]"/> (Contractor) <input type="checkbox"/>	

8. Condition or Practice 8a. Written Notice (103g)

WATER HAS ACCUMULATED OVER THE MAIN LINE TRACK AT BREAK 17 AND BETWEEN BREAK 18 AND 19. THE ACCUMULATIONS ARE UP TO 2 INCHES OVER THE BALL OF THE TRACK RAIL FOR A TOTAL DISTANCE OF 30 FEET. THIS MAIN LINE TRACK CONSIST OF MANY STEEP GRADES ALONG THE TRACK ENTRY.

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR <input type="text" value="75.1403"/>
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Section II—Inspector's Evaluation

10. Gravity:

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

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

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

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

12. Type of Action 13. Type of Issuance (check one) Citation Order Safeguard Written Notice

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

15. Area or Equipment

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

Section III—Termination Action

17. Action to Terminate THE WATER HAS NOW BEEN REMOVED FROM THE MAIN LINE TRACK IN THE AFFECTED AREA.

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

Section IV—Automated System Data

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

MSHA Form 700 provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20418. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

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District Coal Dist. 6 Field Office Pikeville, KY Mine ID [REDACTED]

Mine Citation/Order

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



Section I—Violation Data

1. Date	Mo Da Yr	2. Time (24 Hr. Clock)	3. Citation/Order Number
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
5. Chapter			
7.			

(Contractor)

8. Condition or Practice

8a. Written Notice (103g)

COMBUSTIBLE MATERIAL IS PRESENT AT THE CO. NO. 4 HEAD DRIVE, TAKE-UP UNIT, AND BELT CONVEYOR. THE LOOSE COAL, AND COAL DUST HAS BEEN DEPOSITED OVER PREVIOUSLY ROCK DUSTED SURFACES. THE COMBUSTIBLE MATERIAL IS PACKED UNDERNEATH THE TAKE-UP UNIT UP TO THE HEAD DRIVE FOR A DISTANCE OF APPROXIMATELY 30 FEET AND IS 7 1/2 FOOT WIDE AND 6 INCHES DEEP. THE FRAME OF THE TAKE-UP UNIT IS BURIED IN THE COMBUSTIBLE MATERIAL AND THE TRAVEL DOLLY ROLLER AND BOTTOM BELT ARE TURNING IN THE ACCUMULATIONS. THE BELT LINE HAS ACCUMULATIONS OF COMBUSTIBLE MATERIAL FOR A DISTANCE OF 2850 FEET UP TO 2 FEET IN DEPTH. THE BELT STRUCTURE HAS RUB MARKS INDICATING THAT THE BELT IS CREATING HEAT SOURCES. THE AREA INSIDE THE TAKE-UP UNIT IS DRY AND BLACK IN COLOR AND THE CONVEYOR BELT LINE IS DRY TO DAMP AND GREY TO BLACK IN COLOR. THIS CONDITION IS EXTENSIVE AND HAS EXISTED FOR SOMETIME.

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health <input type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR
	Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/>		75.400

Section II—Inspector's Evaluation

10. Gravity:

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

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

C. Significant and Substantial: Yes No

D. Number of Persons Affected: 001

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

12. Type of Action 104(d)(1) 13. Type of Issuance (check one) Citation Order Safeguard Written Notice

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

15. Area or Equipment

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

Section III—Termination Action

17. Action to Terminate

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

Section IV—Automated System Data

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

MSHA Form 7000-3, Apr 08 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 408 3rd Street, SW MC 2120, Washington, DC 20418. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

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Mine Citation/Order
 Continuation

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Section I—Subsequent Action/Continuation Data

1. Subsequent Action	1a. Continuation	2. Dated (Original Issue)	Mo	Da	Yr	3. Citation/Order Number
<input type="checkbox"/>	<input checked="" type="checkbox"/>	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

Section II—Justification for Action

Continuation of 8. Condition or Practice

THIS VIOLATION IS AN UNWARRANTABLE FAILURE BY THE OPERATOR TO COMPLY WITH A MANDATORY STANDARD.

See Continuation Form

Section III—Subsequent Action Taken

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

9. Type of Inspection	E01	10. Event Number	[REDACTED]
11. Signature	[REDACTED]	LAP Number	[REDACTED]
		12. Date	[REDACTED]
		13. Time (24 Hr. Clock)	[REDACTED]

MSHA Form

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 Mine Safety and Health Administration
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District

Field Office

Mine ID

Date

Mine Citation/Order

U.S. Department of Labor
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Section I—Violation Data

1. Date Mo Da Yr [REDACTED]	2. Time (24 Hr. Clock) [REDACTED]	3. Citation/ Order Number [REDACTED]
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8. Condition or Practice

8a. Written Notice (103g)

THE SPRINKLER SYSTEM SPRAYS INSTALLED AT THE CO. NO. 4 HEAD DRIVE AND TAKE-UP UNIT ARE NOT INSTALLED PROPERLY TO PROTECT AGAINST FIRES. THE SPRAYS ARE INSTALLED TO THE LEFT SIDE OF THE HEAD DRIVE AND TAKE-UP UNIT AND ARE ANGLED STRAIGHT UP AND NOT ANGLED TOWARDS THE BELT, THIS WOULD NOT GIVE THE WATER COVERAGE TO THE ENTIRE BELT SHOULD A FIRE OCCUR. THIS BELT HEAD, AND TAKE-UP HAS A VIOLATION FOR COMBUSTIBLE MATERIAL (CITATION NO [REDACTED])

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR	75.1101-8(b)
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Section II—Inspector's Evaluation

10. Gravity:

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

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

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

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

12. Type of Action 104(a) 13. Type of issuance (check one) Citation Order Safeguard Written Notice

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

15. Area or Equipment

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

Section III—Termination Action

17. Action to Terminate

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

Section IV—Automated System Data

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

MSHA Form 7000-3, Apr 98 (rev 9/98) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

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Section I—Violation Data

1. Date	<input type="text" value=""/>	3. Citation/Order Number	<input type="text" value=""/>
<input type="text" value=""/>		<input type="text" value=""/>	

(Contractor)

8. Condition or Practice

8a. Written Notice (103g)

THE ENERGIZED HIGH VOLTAGE CABLE LOCATED IN THE MAIN LINE TRACK ENTRY WHERE NO. 4 CONVEYOR BELT CROSSES THE MAIN LINE TRACK IS NOT GUARDED WHERE MEN REGULARLY PASS UNDER. WHEN MEASURED THE HIGH VOLTAGE CABLE IS 64 INCHES FROM THE MINE FLOOR, AND THE AREA IS WET.

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health <input type="checkbox"/> Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR	75.807
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Section II—Inspector's Evaluation

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

16. Termination Due	A. Date Mo Da Yr <input type="text" value=""/>	B. Time (24 Hr. Clock) <input type="text" value=""/>
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Section III—Termination Action

17. Action to Terminate		
18. Terminated	A. Date Mo Da Yr <input type="text" value=""/>	B. Time (24 Hr. Clock) <input type="text" value=""/>

Section IV—Automated System Data

19. Type of Inspection (activity code) E01	20. Event Number <input type="text" value=""/>	21. Primary or Mill <input type="text" value=""/>
22. Signatur <input type="text" value=""/>	23. AR Number <input type="text" value=""/>	

MSHA Form 7000-3a (Rev. 10-1999) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

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Section I—Violation Data

1. Date [REDACTED]	3. Citation/Order Number [REDACTED]
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(Contractor)

8. Condition or Practice **8a. Written Notice (103g)**

THE CO. NO. 4-A HEAD DRIVE AND TAKE UP HAS AN ACCUMULATION OF COMBUSTIBLE MATERIAL PRESENT. THE LOOSE COAL, AND COAL DUST HAS ACCUMULATED UNDER THE DRIVE, AND TAKE-UP FRAME AND THE TAKE-UP STATIONARY ROLLER AND BELT ARE TURNING IN THE COMBUSTIBLE MATERIAL CAUSING A HEAT SOURCE. THE COMBUSTIBLE MATERIAL IS DRY AND BLACK IN COLOR.

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health <input type="checkbox"/> Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR 75.400
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Section II—Inspector's Evaluation

10. Gravity:

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

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

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

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

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

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

15. Area or Equipment

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

Section III—Termination Action

17. Action to Terminate

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

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

MSHA Form 7000-3, Apr 08 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

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Section I—Violation Data

1. Date Mo Da Yr [REDACTED]	2. Time (24 Hr. Clock) [REDACTED]	3. Citation/ Order Number [REDACTED]
[REDACTED]		(Contractor) [REDACTED]

8a. Written Notice (103g)

THE 1200 MINE MAP DOES NOT REFLECT THE VENTILATION CONTROL CHANGES MADE ALONG THE CO. NO. 4-A CONVEYOR BELT. 4 OVER CAST AND 1 BELT AIR REGULATOR WAS NOT MARKED ON THE MAP AFTER THEY WERE INSTALLED.

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health <input type="checkbox"/> Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR	75.1202
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Section II—Inspector's Evaluation

10. Gravity:

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

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

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

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

12. Type of Action 104(a) 13. Type of issuance (check one) Citation Order Safeguard Written Notice

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

15. Area or Equipment

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

Section III—Termination Action

17. Action to Terminate THE MINE MAP HAS NOW BEEN CORRECTED.

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

Section IV—Automated System

18. Type of inspection (activity code) E01 20. Event Number [REDACTED] 21. Primary or Mill [REDACTED]

22. Signat [REDACTED] 23. AR Number [REDACTED]

MSHA Form 7000-3, Apr 08 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 408 3rd Street, SW MC 2120, Washington, DC 20418. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

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Section I—Violation Data

1. Date [REDACTED]	3. Citation/ Order Number [REDACTED]
[REDACTED]	
(Contractor)	

B. Condition or Practice

AN ADEQUATE PRESHIFT IS NOT BEING CONDUCTED FOR THE CO. NO. 4 CONVEYOR BELT. AFTER WALKING THE NO. 4 BELT LINE, ACCUMULATION VIOLATION (NO [REDACTED]) WAS ISSUED FOR EXTENSIVE ACCUMULATION OF COMBUSTIBLE MATERIAL FROM THE HEAD DRIVE TO THE TAIL PIECE FOR A DISTANCE OF 2850 FEET CONSISTING OF LOOSE COAL AND COAL DUST. THE CO. NO. 4 CONVEYOR BELT WAS EXAMINED BY THE COMPANIES BELT EXAMINERS AND SINCE 10-20-2009 "NONE SEEN" WAS RECORDED IN THE HAZARDS SECTION OF THE RECORD BOOK. THIS CONDITION WAS OBVIOUS AND EXTENSIVE AND ANY PRUDENT EXAMINER SHOULD HAVE RECOGNIZED THIS HAZARD.

THIS VIOLATION IS AN UNWARRANTABLE FAILURE BY THE OPERATOR TO COMPLY WITH A MANDATORY STANDARD.

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health <input type="checkbox"/> Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR 75.362(b)
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Section II—Inspector's Evaluation

10. Gravity:

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

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

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

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

12. Type of Action 104(d)(1) 13. Type of Issuance (check one) Citation Order Safeguard Written Notice

14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice E. Citation/Order Number [REDACTED] F. Dated [REDACTED]

15. Area or Equipment CO. NO. 4 CONVEYOR BELT

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

17. Action to Terminate THE CO. NO.4 BELT CONVEYOR HAS NOW BEEN ADEQUATELY EXAMINED AND THE CONDITIONS OF THE BELT RECORDED IN THE RECORD BOOK.

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

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

MSHA Form 7000-3, Apr 08 (revised) in accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

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

District Coal Dist. 6 Field Office Pikeville, KY Mine ID [REDACTED]

(Shaded areas indicate apparent discrepancies between narrative, notes, and evaluation)

Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	No. Affected	Neg
[REDACTED]	[REDACTED]	[REDACTED]	104(a) Cit	75.360(b)	N	[REDACTED]	[REDACTED]	[REDACTED]	Mod
<p>An adequate preshift was not conducted for the 011-0 MMU dated 04-02-2009 from 5:00 AM to 5:30 AM. The preshift examiner failed to recognize the # 4 left crosscut was not bolted up to within 4 feet of the face as stated in citation # [REDACTED]. The # 7 entry having loose coal up to 36 inches in depth for a distance of approximately 100 feet as stated in citation # [REDACTED]. The preshift examiner failed to record these obvious hazardous conditions in the preshift record book. <i>[Additional information needed to make a proper determination]</i></p>									

Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	No. Affected	Neg
[REDACTED]	[REDACTED]	[REDACTED]	104(a) Cit	75.220(a)(1)	N	UL	LD	1	Mod
<p>The approved roof control plan is not being complied with on the 011-0 MMU. The approved roof control plan illustrates on page 16 that the last row of PD roof bolt are to be within four feet of the face. The # 4 left when measured was approximately 14 feet from last PD roof support to the working face.</p>									

Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	No. Affected	Neg
[REDACTED]	[REDACTED]	[REDACTED]	104(a) Cit	75.512	[REDACTED]	[REDACTED]	LD	1	Mod
<p>THE COMPANY NO. 4, ELECTRICALLY ENERGIZED 480 VOLT SCOOP BATTERY CHARGER USED TO CHARGE SCOOP BATTERIES ON THE 010-0 MMU OUT-BY THE SECTION POWER CENTER IS NOT BEING MAINTAINED A IN SAFE OPERATING CONDITION. ONE OF THE MALE BATTERY PLUGS HAS THE PLASTIC INSULATION BROKEN OUT INSIDE THE END OF THE PLUG WHICH CREATES AND ARC HAZARD TO A MINER THAT PLUG THE PLUG INTO THE FEMALE PLUG ON THE SCOOP BATTERIES. THE OPERATOR REMOVED THE CHARGER FROM SERVICE.</p>									

Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	No. Affected	Neg
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	75.4	[REDACTED]	[REDACTED]	LD	[REDACTED]	[REDACTED]
<p>COMBUSTIBLE MATERIALS CONSISTING OF LOOSE COAL, COAL FINES, AND COAL DUST ARE PRESENT IN THE FOLLOWING LOCATIONS ON THE 001-0 MMU: 1) STARTING APPROXIMATELY 100'INBY S.S. #34431 IN THE #8 ENTRY AND EXTENDING THROUGH THE #8 RIGHT CROSSCUT OVER TO THE #9 ENTRY. THESE MATERIALS ARE LAYING ON BOTH RIBS AS WELL AS THE ROADWAY, IN DEPTHS RANGING FROM 2"UP TO 36"DEEP. 2) IN THE #9 ENTRY, STARTING 1 BRK. OUTBY THE L.O.C.C. AND EXTENDING APPROXIMATELY 100'UP TO THE FACE. THESE MATERIALS ARE ALSO ON BOTH RIBS AS WELL AS IN THE ROADWAY, MEASURING IN DEPTHS FROM 3"UP TO 12"DEEP.</p>									

Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	No. Affected	Neg
[REDACTED]	[REDACTED]	[REDACTED]	104(a) Cit	75.1403	[REDACTED]	[REDACTED]	LD	[REDACTED]	Mod
<p>The main line track rails are not being maintained free of water. The rails are submerged under water located at crosscut # 18 to crosscut # 19, adjacent to the Co.# B-8 belt conveyor. The depth of the water measured approximately 3 inches over the ball of the rails by approximately 18 feet in width, for a distance of approximately 80 feet. The track entries are wet to slippery, and numerous hills are encountered where mantrips and/or locomotives travel.</p>									

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Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	No. Affected	Neg
[REDACTED]	[REDACTED]	[REDACTED]	104(a) Cit	75.1403	[REDACTED]	[REDACTED]	LD	[REDACTED]	Mod

The Main line track rails are not being maintained free of water. The rails were submerged under water located at crosscut 45, adjacent to the Co.# 15 belt conveyor. The water was 2 inches over the ball of the rails, 16 feet wide for a distance of approximately 30 feet. The track entries has numerous dips and hills where mantrips and/or locomotives travel.

Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	No. Affected	Neg
[REDACTED]	75.1714- 7(a)	[REDACTED]							

A mine operator has failed to provide an MSHA-approved, handheld, multi-gas detector that can measure methane, oxygen, and carbon monoxide to each group of underground miners and to each person who works alone, such as pumpers, examiners, and outby miners. When checked the mine foreman was not equipped with an detector.

Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	No. Affected	Neg
[REDACTED]	[REDACTED]	[REDACTED]	104(a) Cit	75.4	[REDACTED]	Mod			

COMBUSTIBLE MATERIAL IS PRESENT IN THE B-9 COAL CONVEYOR BELT ENTRY AND ADJACENT ENTRY AND CONNECTING CROSSCUTS ON THE OFF WALKWAY SIDE OF THE BELT. THE COMBUSTIBLE MATERIAL IS IN THE FORM OF FLOAT COAL DUST AND IS DARK TO BLACK IN COLOR. THE BELT ENTRY IS APPROX. 840 FEET IN LENGTH.

Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	No. Affected	Neg
[REDACTED]	[REDACTED]	[REDACTED]	104(a) Cit	75.4	[REDACTED]	[REDACTED]	LD	[REDACTED]	Mod

COMBUSTIBLE MATERIALS CONSISTING OF OIL, FLOAT COAL DUST, AND LOOSE COAL ARE PRESENT IN THE IN THE ENGINE COMPARTMENT OF THE BROOKEVILLE DIESEL POWERED MANTRIP (S/N 8169). THESE MATERIALS WERE MEASURED TO BE FROM 1/8 INCHES UP TO 1 INCH DEEP IN THE BOTTOM OF THIS COMPARTMENT.

Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	No. Affected	Neg
[REDACTED]	[REDACTED]	[REDACTED]	104(a) Cit	75.807	[REDACTED]	Mod			

The high voltage cable is not guarded where a mantrip is parked at end of track on the 010-0 MMU, at S.S.# 45885. The high voltage cable is approximately 5 and 1/2 feet off the mine floor.

Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	No. Affected	Neg
[REDACTED]	[REDACTED]	[REDACTED]	104(a) Cit	75.1100- 2(b)	[REDACTED]	Mod			

THE FIRE VALVE LOCATED BETWEEN BRKS. #10 AND 11 ON THE CO. #B7 COAL CONVEYOR BELT, IS NOT BEING MAINTAINED IN AN OPERABLE OR USEABLE CONDITION. THE HANDLE USED TO CUT THE WATER ON AND OFF AT THE FIRE VALVE IS MISSING. THIS CONDITION RENDERS THE FIRE VALVE INOPERABLE IN THE EVENT OF AN EMERGENCY.

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(Shaded areas indicate apparent discrepancies between narrative, notes, and evaluation)

Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	No. Affected	Neg
[REDACTED]			104(a) Cit	75.370(a)(1)	[REDACTED]	[REDACTED]			
<p>The operator is not complying with the approved ventilation plan on the 010 mmu, which requires a minimum of 1,000 cfm be maintained in all non-working faces. When checked with chemical smoke only 585 cfm detected behind the line curtain and 0.2% methane. This mine is on a 10 day spot inspection for methane liberation.</p>									

Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	No. Affected	Neg
[REDACTED]			104(a) Cit	75.202(a)	[REDACTED]	[REDACTED]		1	Mod
<p>On the 001 mmu, additional roof support is needed along the left corner in the #7 entry across from spad 34152. The corner has been rounded off and not supported back. The area of unsupported top measured 11 feet in length and ranging up to 8 feet wide.</p>									

Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	No. Affected	Neg
[REDACTED]			104(a) Cit	75.1107- 16(b)	[REDACTED]	[REDACTED]	LD	[REDACTED]	Mod
<p>THE FIRE SUPPRESSION SYSTEM FOR THE JOY CM 12/12 SERIAL NO JM4875 BEING OPERATED ON THE 010-0 MMU IS NOT PROPERLY MAINTAINED. WHEN TESTED WATER WOULD SPRAY FROM ONLY 3 OF 4 SPRAY BLOCKS, AND TWO OF THE BLOCK ONLY HAD ONE WATER SPRAY WORKING. THE SPRAYS WERE PLUG OFF WITH COAL AND ROCK DUST. THIS IS A REMOTE CONTROL MACHINE THAT OPERATES UNDER A DEEP CUT PLAN THAT REQUIRES THAT THE FIRE SUPPRESSION BE WORKING AT ALL TIMES.</p>									

Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	No. Affected	Neg
[REDACTED]			104(a) Cit	75.1403	[REDACTED]	[REDACTED]			Mod
<p>THE HOIST SLOPE ROPE IS BEING ALLOWED TO DRAG ON THE SLOPE BOTTOM AT THE FREEDOM NO. 1 SLOPE DUE TO THE SLOPE ROPE DRAG BLOCKS BEING DRUG TO FAR APART BY THE SLOPE ROPE.</p>									

Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	No. Affected	Neg
[REDACTED]			104(a) Cit	75.4	[REDACTED]	[REDACTED]	LD	[REDACTED]	Mod
<p>COMBUSTIBLE MATERIALS CONSISTING OF HYDRAULIC OIL, LOOSE COAL, COAL FINES, AND COAL DUST ARE PRESENT IN THE BOTTOM OF THE ENGINE COMPARTMENT OF THE A.L. LEE GATOR/FORKLIFT (S/N 05 E 8241-3), CURRENTLY BEING USED IN THE OUTBY AREAS ALONG THE CO. #15 CONVEYOR BELT. THESE MATERIALS MEASURED TO BE APPROXIMATELY 1/2 INCHES UP TO 2 INCHES DEEP.</p>									

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Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	No. Affected	Neg
				75.364(d)					Mod

Water has accumulated in the return air course at the F-2 seals adjacent to the No. 11 belt at the No. 3, 4, and 5 F-2 set of seals. The water measures approximately 120 feet long by 10 inches deep and is from rib to rib in front of the 3 seals. Water is also being discharged thru the water traps from behind the seals. The F-2 seals are 120 psi seals and 0.0% methane is detected on the out-let side of the seals in the return air course. The condition is recorded in the weekly exam record and a P-60 pump has been installed to remove the water. The operator has also submitted a plan, and the plan has been approved to install a pump in the solid 6R Panel at elevation 463 in a previously drilled borehole. As a result of the F-2 seals 3, 4, 5 having impounded water on the seals to a depth ranging from 2 inches to 48 inches, an evaluation and recertification by a professional engineer is required to verify the integrity of the seals has not been jeopardized. The recertification must include any pertinent documentation deemed necessary for evaluation of the affected seals. To prevent future pooling of water behind the seal, the operator must also install a mechanism for evaluating the depth of the water behind each seal set.

Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	No. Affected	Neg
				75.1403			LD		

The main line track rails are not being maintained free of water. The rails are submerged under water in the following locations.(1) Crosscut # 3, adjacent to the Co.# 3 belt conveyor, the water is approximately 6 inches over the ball of the rail by approximately 20 feet in width for a distance of approximately 100 feet.(2) Crosscut # 18 thru 20, adjacent to Co. #3 belt conveyor, the water is approximately 6 inches over the ball of the rail by 20 feet in width for a distance of approximately 160 feet. The track entries are wet and slippery, and numerous dips and hills are encountered where mantrips and/or locomotives travel.

Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	No. Affected	Neg
			104(a) Cit	75.4			LD		Mod

Oil and oil soaked dust is allowed to exist on the Battery Powered Personnel Carrier (used as a maintenance car) being operated on the active 001 section. Oil is present on top, in the floor and in the battery compartment of the machine.

Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	No. Affected	Neg
			104(a) Cit	75.902				1	Mod

SUITABLE GROUND MONITORING IS NOT PROVIDED FOR THE UNUSED SPARE 225 AMP BREAKER LOCATED ON THE 001-0 MMU POWER CENTER. WHEN TESTED WITH A PDP TESTER BY APPLING 100 OHM TO THE WIRELESS GROUND MONITORING SYSTEM THE BREAKER FAILED TO OPEN.

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Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	No. Affected	Neg
			104(a) Cit	75.701				1	Mod
<p>SUITABLE GROUNDING IS NOT PROVIDED FOR THE TJB CABLE COUPLER FOR THE #2 JOY MINER CIRCUIT LOCATED ON THE 001-0 MMU. THE METALLIC LOCKING RING WHEN TESTED WITH A SIMPSON METER SET ON R X 100 SCALE SHOWED A VERY HIGH RESISTANCE. THE MODIFICATION INTERNAL EXTENDED RING WAS NOT PRESENT WHEN COUPLER WAS EXAMINED. <i>[Condition/practice needs to contain additional and detailed information to.]</i></p>									

Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	No. Affected	Neg
			104(a) Cit	75.203(e)(2)				1	Mod
<p>ADDITIONAL ROOF SUPPORT IS NEEDED IN THE #4 RIGHT CROSSCUT ON THE 001-0 MMU, WHERE THE WIDTH OF THE OPENING SPECIFIED IN THE ROOF CONTROL PLAN IS EXCEEDED BY MORE THAN 12 INCHES, AND THE DISTANCE OF THIS WIDE PLACE EXCEEDS 5 FEET. THE AFFECTED AREA IN THIS CROSSCUT WAS MEASURED TO BE FROM 21 FEET 6 INCHES UP TO 21 FEET 11 INCHES FOR A DISTANCE OF 16 FEET.</p>									

Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	No. Affected	Neg
			104(a) Cit	75.518-1				1	Mod
<p>SUITABLE SHORT CIRCUIT PROTECTION IS NOT PROVIDED FOR THE #6 CABLE SUPPLYING 480 VOLTS AC TO THE P-40 DEWATERING PUMP LOCATED IN THE NEUTRAL ON THE #17 BELT. THE 100 AMP BREAKER WITH AN ADJUSTABLE TRIP RANGE OF 150 TO 480 CANNOT BE ADJUSTED LOW ENOUGH TO PROTECT THE CABLE TO IT'S AMPACITY OF 93 AMPS AS PER THE NEC.</p>									

Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	No. Affected	Neg
				75.364(d)					Mod
<p>WATER HAS ACCUMULATED IN THE RETURN AIR COURSE AT THE F-1 SEALS ADJACENT TO THE NO. 11 BELT AT THE NO. 1, AND 2, SEALS. THE WATER MEASURES APPROXIMATELY 80 FEET LONG BY 10 INCHES TO 22 INCHES DEEP AND IS FROM RIB TO RIB IN FRONT OF THE 2 SEALS. THERE IS 0.0% METHANE IN THE RETURN AIR COURSE AT THE F-1 SEALS. THE OPERATOR IS IN THE PROCESS OF INSTALLING A WATER PUMP IN A 14 INCH BORE HOLE LOCATED IN THE OLD WORKS BEHIND THE SEALS. As a result of the F-1 seals 1,2,3 having impounded water on the seals to a depth ranging from 2 inches to 48 inches, and evaluation and recertification by a professional engineer in required to verify the integrity of the seals has not been jeopardized, The recertification must include any pertinent documentation deemed necessary for evaluation of the affected seals. To prevent future pooling of water behind the seals, the operator must install a mechanism for evaluating the depth of the water behind each seal set.</p>									

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Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	No. Affected	Neg
			104(a) Cit	75.503					Mod
<p>THE488 MAINTENANCE SCOOP [SERIAL # 488-1975] LOCATED ON THE 001-0 MMU IS NOT MAINTAINED IN PERMISSIBLE CONDITION. A NON PERMISSIBLE BATTERY BELL HAS BEEN INSTALLED ON THE OPERATOR SIDE SET OF BATTERIES USED TO POWER THE MACHINE.</p>									

Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	No. Affected	Neg
				75.1401					
<p>An accurate and reliable indicator of the position of the cage, platform, skip, bucket, or cars shall be provided. The Co.# 1 hoist depth indicator is not operational in that when the car is dropped down the slope the readout show the car as being outside. This condition has been recorded in the hoist records book since 07-23-2009.</p>									

Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	No. Affected	Neg

Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	No. Affected	Neg
			104(a) Cit	75.203(a)	N		PD	1	Mod
<p>The method of mining on the 001 mmu has created an excessive width in the bleeder entry where the Panel NE-2 cuts into Panel NE-1. In the upper cut thru the entry width measured ranging from 20 feet to 23 feet wide for a distance of 17 feet. <i>[Condition/practice need to be more detailed to make proper determination-ex. Was the area supported/additional supports installed/what type of supports/how many times this standard cited?]</i></p>									

Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	No. Affected	Neg

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Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	No. Affected	Neg
			104(a) Cit	75.4				1	Mod
<p>ACCUMULATIONS OF FLOAT COAL DUST ARE PRESENT IN THE STARTER BOX FOR THE B-6 BELT DRIVE HYDRAULIC TAKE UP UNIT POWER PACK. THE ACCUMULATIONS ARE GRAY TO BLACK IN COLOR AND ARE PAPER THIN TO 1/8 INCH IN DEPTH.</p>									

6

Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	No. Affected	Neg
			104(a) Cit	75.1002					Low
<p>Electric equipment must be permissible and maintained in a permissible condition when such equipment is located within 150 feet of pillar workings. The Joy shuttle car (s/n ET 13221) is not being maintained in permissible condition, this machine is used on the 010 mmu to haul coal. When checked using an feeler gauge a gap of up to .015 of an inch is present at the cable reel collecting ring cover where 480 volts a. c. power is present.</p>									

Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	No. Affected	Neg
			104(a) Cit	75.903			LD	1	Mod
<p>Disconnecting devices shall be installed in conjunction with the circuit breaker to provide visual evidence that the power is disconnected. The disconnecting device is marked Fan Shaft Pump and the receptacle is marked Rotary Bin Pump. This condition existed on the transformer located inby the Mantrip charging station.</p>									

Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	No. Affected	Neg
			104(a) Cit	75.1403					Mod
<p>Located in the elevator pit area the #1 H,beam four anchor bolts which are anchor in the side wall. Concrete had deteriorated exposing 3/4 of inch of bolt thread which is causing the bolts to rust. This 10' H beam supports the two guide rails for the counter weight.</p>									