

News Release



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MSHA puts 15 operators on notice for potential pattern of violations *Move marks 4th round of enforcement initiative by agency*

ARLINGTON, Va. – The U.S. Department of Labor’s Mine Safety and Health Administration (MSHA) today announced that 15 mine operators from around the country have received letters putting them on notice that each has a potential pattern of violations of mandatory health or safety standards under Section 104(e) of the Federal Mine Safety and Health Act of 1977 (Mine Act).

“The 13 coal mines and two metal/nonmetal mines represent the fourth round of mine operators to receive these letters under MSHA’s enhanced enforcement initiative,” said Michael A. Davis, MSHA’s deputy assistant secretary for operations. “Hopefully, these operators will use this opportunity to incorporate needed improvements into their safety and health programs.”

A mine operator that has a potential pattern of recurrent significant and substantial (S&S) violations at a mine receives written notification from MSHA. An S&S violation is one that could reasonably be expected to lead to a serious injury or illness. The operator has an opportunity to review and comment on the documents upon which the potential pattern of violations is based and to develop a corrective action plan to reduce S&S violations in order to reverse the potential pattern.

MSHA will closely monitor each affected mine’s compliance record during the ensuing 90 days. If an operator significantly reduces its violation frequency rate, it can avoid being issued a Notice of a Pattern of Violations pursuant to Section 104(e) of the Mine Act. If the improvement falls short of the criteria, MSHA will issue the notice. For each S&S violation subsequently found, MSHA will issue an order withdrawing miners from the affected area until the cited condition has been corrected.

An operator can be removed from a pattern of violations when 1) an inspection of the entire mine is completed and no S&S violations are found or 2) no withdrawal order is issued by MSHA in accordance with Section 104(e)(1) of the Mine Act within 90 days of the issuance of the pattern notice.

MSHA used data from the 24 months ending Dec. 31, 2008, to identify the mines with a potential pattern of violations.

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U.S. DEPARTMENT OF LABOR NEWS RELEASE – PAGE 2

Here is a list of mines that received notifications:

<u>Mine Operator</u>	<u>Mine Name</u>	<u>Type</u>	<u>Location</u>
Big River Mining LLC	Broad Run Mine	Coal	W.Va.
Stollings Trucking Co. Inc.	Surface No. 1	Coal	W.Va.
Independence Coal Co. Inc.	Liberty Processing	Coal	W.Va.
Elk Run Coal Co. Inc.	Castle Mine	Coal	W.Va.
Keokee Mining LLC	#1 Mine	Coal	Va.
Snapco Inc.	Mine No. 2	Coal	Va
Banner Blue Coal Co.	Paw Paw Mine	Coal	Va.
Double A Mining Inc.	#4	Coal	Ky.
North Star Mining Inc.	#5A	Coal	Ky.
Rockhouse Energy Mining Co.	Mine #1	Coal	Ky.
Century Operations LLC	Butcher Branch	Coal	Ky.
Blue Diamond Coal Co.	#77	Coal	Ky.
Hidden Splendor Resources, Inc.	Horizon Mine	Coal	Utah
Celite Corp.	Lompoc Plant	Diatomaceous Earth	Calif.
Newmont USA Limited	Leeville	Gold	Nev.

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