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

GENERAL INFORMATION COVER SHEET

Inspection Code E01 Event No. 4119293

Company Name Performance Coal Company

Mine Name Upper Big Branch Mine-South

Mine I.D. Number 46-08436

Date(s) of Mine File Review 7/14/09

D Status _____ Citation/Order No. _____ Date _____

Dates of Inspection: began _____ completed _____

Pre-Inspection Conference Date _____

Company Representative(s) _____

Miners Representative(s) _____

Post-Inspection Conference Date _____

Company Representative(s) _____

Miners Representative(s) _____

Comments: _____

Inspector's Ini[redacted] upervisor's Initials and Date _____

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

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

DAILY COVER SHEET

Date 7-8-09 Event No. 4119293

Arrived at the Mine 0530 Departed from the Mine _____

List Records Books Checked section pre-shift

Accompanied By: Company Representative [redacted] mine foreman [redacted]

Miners Representative n/a

Production shift

AREAS OF INSPECTION ACTIVITY:

Respirable dust survey
safety talk 13 men
Headgate section
MMU 029 & 040

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/5/09 [redacted] Page No. 1 of 25

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

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

Date 7-8-09

Arrived at Mt Hope office and prepared 14 pumps for respirable dust survey at Upper Big Branch 4608436

Volt tested pumps
Departed Mt Hope for UBB
Arrived UBB and met with Dean Jones, section foreman. I informed Mr Jones that I will be running respirable dust survey on his Headgate section 05:30

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/9/09 [redacted] Page No. 2

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

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

Date 7-8-09

MMU 029 & 040.
Examined pre-shift record book called out by [redacted] 3rd shift Mine Crew boss! Call out 5:37

LOB right 9280 cfm
LOB left 9,120
1 .0 CH4
2 left .0 CH4
3 right .0 CH4
4 .0 CH4
20.8% O2

3 right not bolted - tagged

Inspector's Initials [redacted]
Supervisor's Initials and Date 7/9/09 [redacted] Page No. 3

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

Date 7-8-09

assigned crewmen of the Headgate Section dust pumps. Held safety meeting with 13 men concerning respirable dust hazards. Also [redacted] discussed roof and rib control.
Section is still making a belt move from 3rd shift. Will be starting up a little late.
Rode mantrips in with the crew to end of track

Inspector's Initials [redacted]
Supervisor's Initials and Date 7/9/09 [redacted] Page No. 4

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

Date 7-8-09

Arrived on section. Made imminent danger run with the section foreman [redacted].

Face of #1
roof ribs o.k.
curtain hung to face needs cleaned and dusted
20.8% O2 & .2% CH4
DTI's OK
Face of #2 left,
roof ribs o.k.
curtain to face .2% CH4
Face of #2, no curtain 10' deep .2% CH4

Inspector's Initials [redacted]
Supervisor's Initials and Date 7/9/09 [redacted] Page No. 5

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

Date 7-8-09

Face of #3
roof rbs o.k
[redacted]' deep 9'
2.35% CH4 detected
20.8% O2
[redacted] ordered
power knocked out
men evacuated
from affected area.
0735 (no curtain)
Bottle# C9768/C9760
Face of #4
6[redacted] deep (no curtain)
1.5% CH4
20.8% O2
Bottle C9764
7:45
DTI's present

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/9/09 [redacted] Page No. 6

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

Date 7-8-09

[redacted], mine
[redacted], and [redacted]
[redacted] Kept 4 men
on section to help
ventilate methane
away. 104(c)

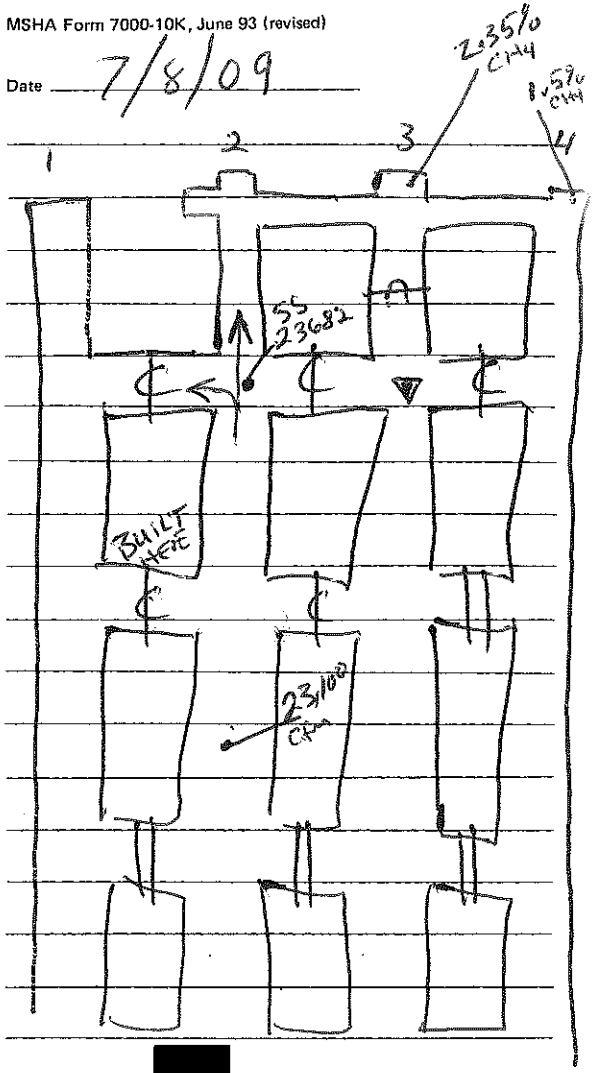
Ventilation work
performed includes:
tightening all curtains,
added face curtains
in #2, #3 #4.
Build stoppings
between intake and
return in #1 & #2
at Spad# 23682 out by
1 Break.

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/9/09 [redacted] Page No. 7

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

Date 7/8/09



Inspector's Initials [redacted]

Supervisor's Initials and Date 7/9/09 [redacted] Page No. 8

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

Date 7-8-09

0930 stopping 1/2 built, curtain in back of stopping. Curtain work done. [redacted] suggested taking another reading to see if excessive CH4 was dispersed.

#1 - .2% CH4
#2 - .2% CH4
#3 - .3% CH4
#4 - .6% CH4

Accumulations of CH4 down below 1.0 % [redacted] ordered section power restored

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/8/09 [redacted] Page No. 9

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

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

Date 7-8-09

Low air still in left side LOB see 7000-10m

Average height is 7'
12" slate & 72" coal with small streaks of rock.

Informed [redacted] at this time I am issuing citation for low air in the MMU 040 LOB, left side of Headgate section.
And for over 2%

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/9/09 [redacted] Page No. 10

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

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

Date 7-8-09

CH4 in face area.

At this time, chance to run a valid survey is slim due to not production.
The belt move is still going on at 11:00.
Ventilation work still being preformed.

At 11:15 MMU 040 10B is 185 fpm X 6 X 6.5 = 7215 cfm
Still too low
More attempts being made to get more

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/9/09 [redacted] Page No. 11

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

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

Date 7-8-09

air (vent. work).

Gathered up dust pumps in preparation to go out.

While in face areas I took gas readings.

#1 - .2% CH_4 20.8% O_2
#2 - .2% CH_4 20.8% O_2
#3 - .6% CH_4 20.8% O_2
#4 - .5% CH_4 20.8% O_2

3rd shift belt crew riding out with this montrip.

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/9/09 [redacted] Page No. 12

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

Date 7-8-09

Took air reading in MMU 029 10B, right side of headgate section 140 wide X 65 fpm = 9100 cfm.

Longwall outby setting up. May have doors open in intake.

[redacted] calling to find out why. Earlier, [redacted] measured 18,900 cfm.

Never was able to establish at least 9000 cfm in both 1.0b's

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/9/09 [redacted] Page No. 13

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

Date 7-8-09

Arrived outside.

Discussed todays inspection and root causes of violations.

Wrote and issued violations.

Departed UBB for Mt Hope

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/9/09 [redacted] Page No. 14

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

AIR READINGS

Date 7-8-09

Location MMU 040 LOB

Width 3 Bottle Sample No.

Height 5.75 CH4 Detected 0

Area 17.25 Mean Entry

Velocity 310 Time 8:50

Quantity 5,347

Location MMU 029 LOB

Width 20 Bottle Sample No.

Height 7 CH4 Detected .2

Area 140 Mean Entry

Velocity 135 Time 9:05

Quantity 18,900 cfm.

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/9/09 [redacted] Page No. 15

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

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

AIR READINGS

Date 7-8-09

Location Intake at Hard line

Width 20 Bottle Sample No.

Height 7 CH4 Detected 0

Area 140 Mean Entry

Velocity 165 Time 9:45

Quantity 23,100

Location

Width Bottle Sample No.

Height CH4 Detected

Area Mean Entry

Velocity Time

Quantity

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/9/09 MB Page No. 16

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

8072754

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

Date 7-8-09

75.325 b

The quantity of air reaching the last open Break of MMU 040, left Side of Headgate section, is only 5,347 cfm. 9,000 cfm is required. 08:50

The pre-shift fireboss should Have Known - HAS Existed for at least 8 hours since evening shift loaded.

How likely - Reasonably likely to cause injury. Methane in accumulations of 2.35% CH4

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/9/09 [redacted] Page No. 17

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

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

Date 7-8-09

Has already been detected on this Section in #3 face. #4 face had 1.6% CH4 detected.
No power was on the face equipment at the time but since the pre-shift and on shift book indicates very little CH4, it is possible someone would put power on the equipment after the belt move.
An explosion would cause at

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/9/09 [redacted] Page No. 18

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

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

Date 7-8-09

least lost work day injuries such as burns or smoke inhalation.
7 men on belt moving crew affected.

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/9/09 [redacted] Page No. 19

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

8072755

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

Date 7-8-09

Over 2% CH4 is detected in the face of #3 entry on the Headgate section. 2.35% CH4 is detected on this inspectors Solaris gas detector. Bottle sample #C9768 and #C9764 is collected to substaniate findings.
The pre-shift examiner should have known.
Has existed for approximately 8 hours.

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/10/9[redacted] Page No. 20

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

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

Date 7-8-09

, since evening shift.

Reasonably likely to cause injury. Little air movement and no curtain in the #3 face can cause further accumulations and explode at 5% causing lost work days injuries to the belt moving crew of 4 man such as burns and smoke inhalation. After ventilation rock was performed by

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/10/9[redacted] Page No. 21

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

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

Date 7-8-09

a crew left on the section to abate this hazard, the CH4 measured .3% in the face of #3 and .6% in the face of #4

Inspector's Initials [redacted]

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

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

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

Date 7-8-2009

RESPIRABLE DUST

Location MMH 040-0/940-0

PUMP	CASSETTE	CODE	OCCUPATION	TIME ON	2nd	4th	TIME OFF	MT
233	817608	036	MINER OPERATOR	600	860	1000	1400	5.14 .497690
232	817609	940-0	D/A	600	800	1000	1400	4.96 .501006
231	817583	050	SHUTTLE CAR #2	600	800	1000	1400	5.02 .508204
069	817410	050	SHUTTLE CAR #3	600	800	1000	1400	5.24 .502054
R42	817590	7	Intake	600	800	1000	1400	4.93 .506886
070	817522	002	ELECTRICIAN	600	800	1000	1400	5.23 .505524
R41	817577	054	SCOOP	600	800	1000	1400	5.06 .505274

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/9/09 [redacted] Page No. 23

U.S.GPO:1993-0-709-392

MSHA Form 7000-101, June 93 (revised)

DAILY COVER SHEET

Date 7-10-09 Event No. 411292 93

Arrived at the Mine 805a Departed from the Mine Pre-Shift

List Records Books Checked Pre-Shift

Accompanied By: Company Representative [redacted]

Miners Representative N/A

AREAS OF INSPECTION ACTIVITY:

#1 Section (Producing)

Inspector's Initials [redacted] Page No. 1

Supervisor's Initials and Date [redacted] 7/15/09

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

MSHA Form 7000-101, June 93 (revised)

RESPIRABLE DUST

Date: 07-08-2009 Location: MMU 029-0

PUMP	CASSETTE	CODE	OCCUPATION	TIME ON	2nd	4th	TIME OFF	WT
CONTROL	817440							.500345
~~226~~								
226	817531	036	MINER OPERATOR	600	✓	✓	1400	.496061
401	817468	054	Scoop	600	✓	✓	1400	.494095
291	817591	049	Section foreman	600	✓	✓	1400	.504354
229	817601	046	BOLTER OPERATOR	600	✓	✓	1400	.503483
228	817612	04	Roof BOLTER	600	✓	✓	1400	.497695

Inspector's Initials [redacted] Supervisor's Initials and Date 7/9/09 [redacted] Page No. 25

U.S. GPO: 1993-0-709-382

MSHA Form 7000-101, June 93 (revised)

RESPIRABLE DUST

Date: 7-8-2009 Location: MMU 040-0/940-0

PUMP	CASSETTE	CODE	OCCUPATION	TIME ON	2nd	4th	TIME OFF	WT
CONTROL	817581			600			1400	.500261

Inspector's Initials [redacted] Supervisor's Initials and Date 7/9/09 [redacted] Page No. 24

U.S. GPO: 1993-0-709-382

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

Date 7-10-09

- Got equipment ready to travel to the mine.

- Bump tested solaris.

- Met with [redacted] (vent dep) & [redacted] on U.B.B. ventilation plan before going to mine.

- Traveled to the mine.

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/15/09 [redacted] Page No. 2

G2O U.S. GOVERNMENT PRINTING OFFICE: 2009—540-493

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

Date 7-10-09

- When arriving at the mine I met with [redacted] (mine foreman)

- Checked pre-shift and on-shift book and will be issuing a citation on the books not being countersigned.

- Reviewed 1200 map.

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/15/09 [redacted] Page No. 3

G2O U.S. GOVERNMENT PRINTING OFFICE: 2009—540-493

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

Date 7-10-09

- Took #9 mantrip from motor barn to section.

- [redacted] had to go back to outside and side the SPAD crew would be taking us to the section from LBB switch.

- Arrived on the section and started making an inspection

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/15/09 [redacted] Page No. 4

G2O U.S. GOVERNMENT PRINTING OFFICE: 2009—540-493

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

Date 7-10-09

danger run. I will be issuing (2) citations on the section.

#1 face 0.4 CH^4
#2 face 0.45 CH^4
#3 face 0.5 CH^4
#4 face 0.5 CH^4

and all four faces had 20.8% O^2.

- after speaking with [redacted] about issuing the D2 order and pulling the

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/15/09 [redacted] Page No. 5

G2O U.S. GOVERNMENT PRINTING OFFICE: 2009—540-493

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

Date 7-10-09

miners back past the section tailpiece I spoke with the section foreman. The section boss said he had be struggling for air for a while when spliting the air.

- I left the section on the #5 mantrip going to #95

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/15/09 [redacted] Page No. 6

G2O U.S. GOVERNMENT PRINTING OFFICE: 2009—540-493

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

Date 7-10-09

cross cut. [redacted] took me over to where they had made the air change at #95 cross cut. a stopping was knocked between #1 & #2 entries. also the operator built a stopping across #2 leaving a 6Ft walkway for the lifeline and built a stopping in

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/15/09 [redacted] Page No. 7

G2O U.S. GOVERNMENT PRINTING OFFICE: 2009—540-493

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

Date

#1 (outby) #95 cross cut blocking the return. Took an air reading between #94 & #95 cross cut #2 entry.

19.5
7.5
146.25 Area
170 vel
24862 C.F.M.

- After taking this air reading I went

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/15/09 [redacted] Page No. 8

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

Date 7-10-09

on to the surface.

- When arriving on the surface Chris Blanchard [redacted] Homer Wallace Berman Carnette [redacted] was wanting to discuss this order & and what they needed to do.

- I spoke with [redacted]

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/15/09 [redacted] Page No. 9

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

Date 7-10-09

in ventilation and said all the #1 sections was approved for was split air. I told the operator they could make another air change back to split ventilation as long as they followed 75.324 a + b.

- I spoke with [redacted] about me [redacted]

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/15/09 [redacted] Page No. 10

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

Date 7-10-09

[redacted] stay
ing at the mine
til this change
was made and
he said he wo-
uld check with
[redacted]
because we
both was on
overtime. [redacted]
[redacted] called
me back and
said it was
okay to stay.

- after all the
men were
outside the

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/15/09 [redacted] Page No. 11

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

Date 7-10-09

operator start
ed on the cha-
nge.

- The affected
area was fire
bossed and we
went back to
the section.

- Took the # 5
mantrip back
to the #1 sec-
tion.

- Stopped at #45
cross cut and
the stopping

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/15/09 [redacted] Page No. 12

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

Date 7-10-09

between 2 & 1 was
installed and
the ones in
#1 & #2 was
knocked.

- Traveled from
#45 cross cut
to section

- Checked both
L.O.B.'s and
faces.

- Term. order
1630

- Traveled

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/15/09 [redacted] Page No. 13

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

Date 7-10-09

back to the surface.

- Had a daily close out with the operators on todays activities. Also I put the operators on notice about water ~~out~~ on the track and the air problem on #1 section.
- The operators said they know they have

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/15/09 [redacted] Page No. 14

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

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

Date 7-10-09

problems on the #1 section.

- Traveled back to office.

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/15/09 [redacted] Page No. 15

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

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

Date 7-10-09

L.O.B

20 W
6.5 H
130 Area
76 Vel
9880 CFM

0.2 CH4
20.8 O2

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/15/09 [redacted] Page No. 16

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

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

Date 7-10-09

Cit # 6612457

8:25 A.M.

#1 section pre-shift book.

- The pre + on shift ~~re~~ record had not been counter signed by the mine fore since 7-5-09 day shift.

- No miners

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/15/09 [redacted] Page No. 1

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

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Date 7-10-09

would be exposed to this condition

- The foreman that took [redacted] duties while he was on vacation should have known of this condition

- This condition has existed for (4) days

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/15/09 [redacted] Page No. 2

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

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

Date 7-10-09

It is unlikely a serious accident would occur with these records not being ~~#~~ counter signed.

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/15/09 [redacted] Page No. 3

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

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

Date 7-10-09

Cit # 6612458

1020

#1 section track between C.C. # 85 & 86

Water was allowed to accumulate over the top of the rails to where when the #9 mantrip went through the water it came into

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/15/09 [redacted] Page No. 4

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

Date 7-10-09

the ride

- The 10 miners riding to the #1 section are exposed to this condition

- This area is traveled several times a day by the operator, but there is alot of water in this area a pump had been down.

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/15/09 [redacted] Page No. 5

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

Date 7-10-09

- This condition was not listed in the books

It is unlikely a serious accident will occur with this condition present.

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/15/09 [redacted] Page No. 6

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

Date 7-10-09

Cit # 6612459

1045

#1 section in the #2 entry

-The 14/15 C/M was backing out of the #2 entry from mining the 2R C.C. This was the first cut out of this C.C when checking the air at the end

Inspector's Initials [redacted]

Supervisor's Initials and Date _____ Page No. 7

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

Date 7-10-09

of the curtain there was not the required air for either C/M. 6000-040 C/M 5400-029 I could hear this C/M loading when I was walking to the #1 entry

-The section has took an air reading before the C/M started loading and he said he

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/15/09 [redacted] Page No. 8

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

Date 7-10-09

had over 6000CFM

-This condition ~~was~~ could have happen after they started loading.

-With this low air present a miner could receive perm. disabling injuries from dust. Also this section has been having problems with CH4

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/15/09 [redacted] Page No. 9

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

Date 7-10-09

for the last two days while MSHA was present on the Section 0.45 CH^4 was in the face when check-ing today.

-With low air present at this miner it is reasonably likely an ignition could occur with CH^4 detected.

-The C/M oper-

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/15/09 [redacted] Page No. 10

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

Date 7-10-09

tor and S/C operator are exposed to this condition.

[redacted] went and got the foreman and and took an air reading and still did not have air after I made all the faces.

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/15/09 [redacted] Page No. 11

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

Date 7-10-09

3.5 W
6.5 H
22.75 Area
180 Vel
4095 CFM

0.45% CH4
20.8% O2

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/15/09 [redacted] Page No. 12

[redacted]

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

Date 7-10-09

cit # 6612460

1055

#1 section from C.C. #95 to section.

The operator made an air change without an approved plan. The operator reversed the air in the #1 entry from return air to intake

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/15/09 [redacted] Page No. 13

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

Date 7-10-09

from C.C. #95 to section,

- The 10 miners working on the #1 section

- The operator knew that they did not have a plan to sweep air.

- This condition has existed for (2) days.

- It is unlikely

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Supervisor's Initials and Date 7/15/09 [redacted] Page No. 14

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

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an accident will occur with this condition present. The operator had over 10,000 C.F.M. between 3 & 4 (L.O.B) that they was using.

Inspector's Initials [redacted]

Supervisor's Initials and Date

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

Date 7-10-09

cit # 6612461

1110

The 14/15 C/M on the #1 section mining in the #2 entry.

The splice on the trailing cable was not ~~not~~ sealed on the ends ~~to~~ keep moisture out.

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The C/M operator is exposed to this conditions.

The C/M operator should have seen this splice since it was about 70 ft from the stand off.

This condition has existed for at least a shift from how the tape is peeled back

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

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and this C/M has only out one place today.

It is unlikely a serious accident would occur since no leads are showing, but a miner could receive fatal shock from the 995 volts that powers this machine.

Inspector's Initials [redacted]

Supervisor's Initials and Date _____ Page No. 18

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

DAILY COVER SHEET

Date 7-13-09 Event No. 4119293

Arrived at the Mine 800 Departed from the Mine

List Records Books Checked Pre Shift for #1 sec. & long wall

Accompanied By: Company Representative [redacted]

Miners Representative

AREAS OF INSPECTION ACTIVITY:

#1 Section (Producing)

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/20/9[redacted] Page No. 1

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

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

Date 7-13-09

- Got equipment ready to travel to mine

- Bump tested solaris.

- Traveled to the mine.

- When arriving at the mine I met with [redacted]

- Traveled underground on the ~~#1~~ 9 man-

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/20/9[redacted] Page No. 2

G20 U.S. GOVERNMENT PRINTING OFFICE: 2009—540-493

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

Date 7-13-09

trip. Term. cit # 6612 458 10:00 AM

- When arriving on the section I started to make my FDR in the #2 entry and the MMU-040 miner was loading ~~at~~ and the curtain had been knocked down. I will be issuing a citation.

- Now I will

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Supervisor's Initials and Date 7/20/9[redacted] Page No. 3

G20 U.S. GOVERNMENT PRINTING OFFICE: 2009—540-493

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Date 7-13-09

finish making my IOR. 7.9.10

- #1 Face .02 % CH4
#2 Face 0.8 % CH4
#3 Face 0.3 % CH4
#4 Face 0.5 % CH4
Form Cit #6612461 1050

- after issuing citation and a B-order I am going to go out by the section to take air readings at this time the section is down making

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/20/09 [redacted] Page No. 4

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

Date 7-13-09

a belt splice on the section belt.

- Traveled back down to C.C. #105 and went through a man door to the #4 entry right returns.

- 19.5 w
6.5 H
126.5 Area
105 Vel
13308 C.F.M.
0.8% CH4 20.8% O2

Inspector's Initials [redacted]

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Date 7-13-09

#3 Entry belt
22 w
6.5 H
143 Area
60 Vel
8580 CFM
0.0% CH4
20.8% O2

#2 Entry Intake
22 w
7 H
154 Area
192 Vel
29568 CFM
0.0% CH4
20.8% O2

Inspector's Initials [redacted]

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

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

Date 7-13-09

#1 Entry
19.5 W
6.0 H
117 Area
115 Vel
13455 CFM

- The left return SPAD is 23417 & the right return SPAD is 23412

- Traveled back to the end of the track

- The operators

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/20/09 [redacted] Page No. 7

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

Date 7-13-09

still can't get the required air in the #2 entry.

- I am leaving the section going to the surface to meet with Chris Blanchard

- When arriving on the surface Mr Blanchard was present and we discussed the air problems

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/20/09 [redacted] Page No. 8

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

Date 7-13-09

on the #1 section.

- Mr Blanchard want to know how long it would take to get a requisition approved to go to sweep air on #1 section.

- I call [redacted] and he said if they would hand carry [redacted]

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/20/09 [redacted] Page No. 9

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

Date 7-13-09

it to Mt Hope Tues. 7-14-09 by 800 AM he should be able to get it approved if the plan is correct.

- Term cit # 6612457 3:13p

- Held a daily close out with the operator.

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/20/09 [redacted] Page No. 10

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

Date 7-13-09

cit # 6612462

1015

#1 section #2 entry 040 MMU

- The operator is failing to maintain the required 6000 CFM when running the scrubber in the 2L cross. When taking taking an air reading there was

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Supervisor's Initials and Date 7/20/09 [redacted] Page No. 1

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

Date 7-13-09

only 1400 CFM at the end of the curtain 2.5 x 7 x 80 W x H x Vel and 0.8 CH4 % dust was also present in the entry. The C/M was loading a S/C when going into this entry.

- The C/M & S/C operator are exposed to this condition

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/20/09 [redacted] Page No. 2

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

Date 7-13-09

- The S/C operator should have seen the 10ft piece of curtain down when running by it.

- This condition did not exist when the C/M started loading [redacted] stated he had over 7000 CFM when the C/M started loading.

Inspector's Initials [redacted]

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- It is reasonably likely miners could receive permanently disabling injuries with 0.8 CH4% present and visible dust in the entry

- I gave the operator 15 minutes to correct this condition and they could not. When

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Supervisor's Initials and Date 7/20/9[redacted] Page No. 4

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taking a second air reading the operator had 7[redacted] CFM at the end of the curtain 2.5 X 7 X 45 0.8 CH4%

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/20/9[redacted] Page No. 5

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

Date 7-13-09

cit # 6612463

1035

#2 entry #1 section 040 MMU

- The operator can not get the ~~re~~ required air to the #2 cross cut. The operator has tried to get the air, but has lost 613 CFM. With the foreman

Inspector's Initials [redacted]

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

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stating he had over 7000 CFM when he started loading he should have been able to get the air in this place with in 15 mins. CH4 is starting to build up in this entry 1.0% in the face.

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/20/0[redacted] Page No. 7

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

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

DAILY COVER SHEET

Date 7-14-09 Event No. 4119293

Arrived at the Mine 730 Departed from the Mine

List Records Books Checked Weekly & Pre-shift

Accompanied By: Company Representative [redacted]

Miners Representative

AREAS OF INSPECTION ACTIVITY:

#1 Section (producing)

#1 Section ~~et~~ intake

- Term. citations

Inspector's Initials [redacted]

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

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

Date 7-14-09

- Got equipment ready to travel to the mine.

- Bump tested solaris.

- °Traveled to the mine.

- When arriving at the mine I met with [redacted] + Homer °Wallace.

- [redacted] stated that they had

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/16/09 [redacted] Page No. 2

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Date 7-14-09

good air on the section and no CH^4 trouble.

- Spoke with [redacted] on ventilation and he said Eric Lilly was at the [redacted] office to meet with [redacted] on submitting a resission for sweep air on #1 section

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Date 7-14-09

°Taking the #12 jeep to the #1 Section.

°Made all face IDR. °M.V.O.

#1		0.0 CH^4
2L		0.2 CH^4
2F	Flush	0.0 CH^4
3F		0.0 CH^4
4F		0.0 CH^4

- °Took a bottle sample in 2L.

- °Took a bottle sample in #1 return.

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Date 7-14-09

Watched 040 C/M machine load in the #1 face.

- Term citation in the #2 entry. 1035 A

- Started down the #2 entry intake at SPAD # 23692

- Citation issued for reflectors

Inspector's Initials [redacted]

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Date 7-14-09

- Checked life chamber, N.V.O

- Took air reading at #103 C.C. at reg.

6 W
3 H
18 Area
780 Vel
14040 CFM

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Date 7-14-09

Checked S.C.S.R's at 78 C.C.

S.N.	Mg
224149	10-08
224155	10-08
224194	10-08
224189	10-08
224135	10-08
224184	10-08
224157	10-08
224162	10-08
224186	10-08
224127	10-08
224170	10-08
224169	10-08
224104	10-08
224165	10-08
224112	10-08

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Date 7-14-09

2241 55	10-08
2241 33	10-08
2241 47	10-08
2241 93	10-08
2241 43	10-08

- Checked S.C.S.R's at C.C. # 40

S.N.	Mg
199987	3-08
199846	3-08
199855	3-08
199916	3-08
199819	3-08
199858	3-08
199879	3-08
199811	3-08
199810	3-08

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199815	3-08
199886	3-08
199864	3-08
199852	3-08
199893	3-08
199872	3-08
199875	3-08
199840	3-08
199817	3-08
199867	3-08
199854	3-08

- Finished intake at 22103 SPAD To met to survey
- Came out of the intake and took the

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Date 7-14-09

#12 jeep back outside from #78 C.C.

- Held a daily closeout with the operator.

- Travel back to the offic where I met with [redacted] on the revision that [redacted] brought in for approval.

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Date 7-14-09

2L Cross Cut

3.8 W
6.5 H
22.75
235 Vel
~~7582~~ CFM 5346

0.2 % CH4
20.8 % O2

Lt Ret bottle sum
20 W 0.05 CH4
7 H 20.8 O2
140 Area
91 Vel.
12740

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Supervisor's Initials and Date 7/16/09 [redacted] Page No. 1D

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

Date 7-14-09

Cit # 6612464

1005

#124 Cross Cut on the #1 section secondary escapeway.

- acc of water has been allowed to acc at the #124 C.C. to where it is unsafe to travel through.

- 10 miners are

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Supervisor's Initials and Date 7/16/09 [redacted] Page No. 1

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exposed to this condition

- The operator knew of this condition and had set pumps, but they had been stopped up.

- This condition was not in the pre-shift book and [redacted] (Boss) said this water was not that

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/16/09 [redacted] Page No. 2

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deep when he came by this C.C.

It is reasonably likely miners could receive injuries with the slip hazards of 4in water line coil block, half header track rails and ties, and all this water is muddy to where miners

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can not see the uneven mine floor & rocks. Also the operator had a 110 volt pump in the walkway where miners travel. If a miner was to fall in this area they could receive crushing injuries if the feel on the track rails

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Supervisor's Initials and Date 7/16/09 [redacted] Page No. 4

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belt rail on the bottom. This condition has been cited before at this mine and section.

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

Date 7-14-09

Cit # 6612465

1130

Primary escape way for the #1 section.

The operator failed to install the reflectors on the lifeline in the primary escapeway from the last belt move. 120 ft.

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- The (10) miners working on the section are exposed to this condition.

- The miner who installed the lifeline knew of this condition.

- This condition has existed since the belt was moved on 7-13-09

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- It is unlikely a serious accident will occur with on 120 ft of this lifeline without reflectors.

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Date 7-14-09

Cit # 6612466

1150

No fire fighting equipment at the double set of doors where supplies are unloaded 22 five gallon cond of hy. ~~of~~ oil pods located here with no fire fighting equipment

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- The miner operating the forklift would be exposed to this condition while unloading supplies.

- It is unlikely a serious accident would happen in this area of the mines and hy. oil has a high range flash point

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

Date 7-15-09

Cit # 6612471

10:05

Tailpiece on the #1 section. #128 CC

Loose coal has been allowed to accumulate at C.C. #128 for a distance of about 12ft long 2ft deep and about 4 ft wide. Also at the section tailpiece coal is about 25ft

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long 10 inch deep a about 4 ft in with.

- The (2) miners only working on track would be exposed to this condition.

- The section boss or the belt examiner should have seen this condition when in this area, but the worst

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part was on the offside of the belt and could have been overlooked.

- This condition has been present for several shifts from how the coal was packed where the belt was running on it.

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- It is reasonably likely a serious accident will occur with the tailroller turning in coal, the belt running through coal and the area where the tailroller shaft end is warm to touch. This belt has been down for at least 1 hr.

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-with all these condition present a fire hazard is present at this location.

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Date 7-15-09

Cit # 6612472

1045

Rt. return stopping line for the # 1 section.

-Holes are present in several stopping along this stopping line.

-The weekly examiner is exposed to this

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condition while traveling this return.

-These holes should have been seen by the examiner during his weekly examine, but several of the stoppings set back up the breaks to where you can not see them

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It is unlikely a serious accident will occur since this examiner is just ~~at~~ this area 1 time per week.

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

Date 7-15-09

Cit # 6612403

1120

It returns for the #1 section.

- The operator is not maintaining a safe travelway for the weekly examiner to travel this return.

- The weekly examiner is

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exposed to this condition

- This condition has existed for several shifts.

- The weekly examiner knew of this condition because he went out on the belt line at #116 C.C. to #111 C.C.

- It is reason-

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ably likely a miner could slip on the uneven mine floor, rocks, coal ribs that have scaled out, and all this water is muddy. This water was measured at the edge and 18 inches deep rib to rib and about 50 feet long. The same condition existed

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at #30 cross, but was only about 12 inches deep. If a miner did slip they could receive crush injuries.

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Date 7-15-09

Cit # 6612474

1130

#116 cross cut to #11 cross cut on the offside of #3 belt for #1 section.

- The operator is not maintaining a 24 inch clear travelway.

- The weekly examiner is

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exposed to this.

- This condition is on the offside of the belt and the belt examiner rides the track rides to fuzeless. He could not see this condition from the track

- This condition has existed for several shifts.. all this material has rock dust

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on top of it.

- It is reasonably likely a miner could trip and fall into the moving belt when trying to pass through this area. Loose coal, and rib rolls are present along a a piece of mining belt. This material is high enough that it is pushing the belt

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rails over and some parts the material is higher than the belt rails.

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DAILY COVER SHEET

Date 7-15-09 Event No. 4119293

Arrived at the Mine 820A Departed from the Mine

List Records Books Checked Weekly & Pre-Shift.

Accompanied By: Company Representative N/A

Miners Representative N/A

AREAS OF INSPECTION ACTIVITY:

#1 Section (producing)

Form

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

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

Date 7-15-09

- Got equipment ready to travel to the mine.

- Bump tested solaris.

- Traveled to the mine where I met [redacted] from M.S.H.A.

Inspector's Initials [redacted]

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Date 7-15-09

- Traveling underground on the #1 mantrip.

- Arrived on the section at C.C. #126.

Term. cit. at #124 x.c.

- Went up to the #2 Road spoke [redacted] on where and what his guy were going to do on the section today.

Term. at the intake.

Inspector's Initials [redacted]

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

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

Date 7-15-09

- Started making the right return inby SPAD # 23694 ~~at~~ and took air reading outby last perm. stopping and bottle sample.

- Checked pump at C.C. #116 23560 0.6

Checked SPAD crew spotter S.N. 07010559-930 at SPAD # 23449

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/16/09 [redacted] Page No. 4

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

Date 7-15-09

- Took air sample at outby last perm. stopping SPAD # 23694

- 6 x 19.5 x 89
10413 CFM
0.6 CH^4 20.8 O2

- Took air reading at cut across.
7.5 x 7 x 65 3412 CFM
0.3 CH^4 20.8 %

- Took air reading at mouth of the #1

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/16/09 [redacted] Page No. 5

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

Date 7-15-09

section Rt. return.

- 161.5 x 170
27,455 CFM
0.7 % CH^4 20.8 %

- came ~~of~~ out of the right return at SPAD # 20033 ~~to~~ the track switch for the #1 section.
To met to survey
- left the #1 section switch ~~of~~ going to

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/16/09 [redacted] Page No. 6

[redacted]

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

Date 7-15-09

the ~~at~~ head end of the glory hole.

- arrived at C.C #159 at the head end of the glory hole.

- Track entry C.C. # 159
1.5 X 1.5 X 341
20.8 767 0.0 CH4

- #2 Entry
6.5 X 20 X 127
16,510 CFM
0.7 CH4 20.8 O2

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/16/09 [redacted] Page No. 7

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

Date 7-15-09

#1 Entry
18 x 6.5 x 120
14140

#5 Entry

19.5 x 7 x 250
34,125
0.7 CH4 20.8%

- Traveled back to the #1 switch and met with the rest of the inspectors and company people and traveled to

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/16/09 [redacted] Page No. 8

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

Date 7-15-09

the ~~stuf~~ surface

- Held a daily close out conf. with the operator.

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/16/09 [redacted] Page No. 9

4

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

DAILY COVER SHEET 9293

Date 7-15-9 Event No. ~~[illegible]~~ 2411

Arrived at the Mine 0730 Departed from the Mine

List Records Books Checked Graveyard shift

Accompanied By: Company Representative

Homer Wallace.

[redacted]

Miners Representative

None

AREAS OF INSPECTION ACTIVITY:

- MMU 029
- intake from 029 to Reintake split to long wall.
- Intake split for long wall.

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/20/9 [redacted] Page No. 1

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

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

Date 7-15-9

[redacted]

And I met with Homer Wallace, informed him that we was going to be section travel from the section to be section with [redacted] and Homer Wallace. Checked the working face, at 208 0, the roof appears solid. Ventilation was 22 in 023, for a total of 41 ft. Citation was issued. Be [redacted] operations

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/20/9 [redacted] Page No. 2

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

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

Date 7-15-9

Was measured 25 ft wide. Citation was issued. Travel the intake escapeway from the section to be split ~~[illegible]~~ the over cast. Roof appears solid, and the 1-384 seam. Changes are located in the intake escapeway 200 ft. Travel from the down the intake to the long wall split. Then travel the intake split down longwall.

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/20/9 [redacted] Page No. 3

GPO U.S. GOVERNMENT PRINTING OFFICE: 2008-741-328

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

Date 7-16-9

belt. The Re motor drive, Remove roof appears Solid O.K.

Electrical install, Low wall head gate power box was setting in Re intake spill Bat is mixing with Re intake Stopping to 029 Km.

Citation was Issued

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/20/09 [redacted] Page No. 4

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

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

Date 7-15-9

#1 None observed

#2L needs to clean dusted

2 scrb out

3 a 3 R None observed

#4 Not Bolted.

2 OB 2T 9,350

RT 2 OB 10,370

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/20/09 [redacted] Page No. 5

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

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

Date 7-14-9

75.203 E1 1030

Re #3 entry was measured 23.3 to 23.4 for a distance of 41 ft beginning on Re out by crosscut at Scab 23699 extend in out by. One brow out by scab 23699 cut measured 22½ to 23½

~~Que 7-14-9 1300~~

Que 7-14-9 1300

1-person, S/car operator.

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/20/09 [redacted] Page No. 6

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

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

Date 7-15-9

4, The section foreman should have been aware of this condition

5, Two days.

6, ~~No lost work days~~ ~~[illegible]~~ ~~[illegible]~~

7, Unlikely that a accident would occur. The mine roof appears solid no cracks and the roof are solid

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/20/9[redacted] Page No. 7

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

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

Date 7-14-9

75.220(a)(1) 104d

Page 11 of the approved roof control plan is not being complied with in the 002 opening on mine 029 was measured 25 ft wide.

Occ 7-14-9 1300

1-person

S/Con operator

Inspector's Initial [redacted]

Supervisor's Initials and Date 7/20/9[redacted] Page No. 8

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

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

Date 7-15-9

4, The section foreman should have been aware of this.

5, Two days

6, No lost work days persons would not be injure from this violation.

7, Unlikely that a accident would occur, The mine roof appears solid the robs are solid. No breaks in the roof or ribs

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/20/9[redacted] Page No. 9

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

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

Date 7-14-9

75.380 F3iiB 1120

The section SLOP Charge station is located at Stop 2363 in the escapeway for tab # 1-section. The charge is located 300ft of the section power center

Due 7-15-9 1400

4 persons m/o, 2-bodies, 5 car accidents.

Inspector's Initial [redacted]

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

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

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

Date 7-15-9

4, The section foreman should have been aware of this condition

5, TWO days or more

6, Lost work days or restricted duty. persons could be injury or kill from smoke, from the charge

7, Reasonable likelihood that a accident would occur. The charge was energized.

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/20/9[redacted] Page No. 11

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

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

Date 7-15-9

75.380(F)(3)iii 1145

The intake split ventilation, the energized long wall head gate power supply is mixing with the intake escape way for mine 029.

Due 7-16-9 0800

4, people, m/o 2-m/B, 5 car accidents.

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/20/9[redacted] Page No. 12

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

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

Date 7-15-9

4, The Longwall Foreman should have been aware of this condition.

5, 11 days or more.

6, Lost workdays or restricted duty. Persons would be injury from smoke if a fire was to occur in the belt entry from the electrical installation.

Inspector's Initials [redacted]

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

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

Date 7-15-9

7, Reasonable hazard. But a accident would occur. Because box was located in the intake split which was mixing with air that is ventilating mine out.

Inspector's Initials [redacted]

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

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

Date 7-16-9

Discussed the citation, Issued with Homer Wallace, and [redacted] discussed root cause, no comment was given.

Inspector's Initials [redacted]

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

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

AIR READINGS

Date 7-16-9

Location LOB MMU 29

Width 18.5 Bottle Sample No.

Height 6.5 CH4 Detected 0

Area 12025 Mean Entry —

Velocity 75 Time 0955

Quantity 9,018

Location INTAKE MM 029

Width 20 Bottle Sample No.

Height 7 CH4 Detected 0

Area 140 Mean Entry —

Velocity 155 Time 1005

Quantity 21,700

Inspector's Initials [redacted]

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

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

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

AIR READINGS

Date 7-14-9

Location INTAKE SPLIT OFF LW

Width 218, 2000 23

Height

Area 150 X 22

Velocity ~~3,300~~ 22

Quantity 3,300

Location INTAKE TO LW TO head GATE

Width 19.5

Height 7.5 146.25 -12

Area 135

Velocity 135

Quantity 18,123

Bottle Sample No.

CH4 Detected 0

Mean Entry —

Time 1240

Inspector's Initials [redacted]

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

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

Day

46-08436
E01

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

DAILY COVER SHEET

Date 07/15/09 Event No. 4119293

Arrived at the Mine 08:05 Departed from the Mine

List Records Books Checked preshift

Accompanied By: Company Representative Chris Blanchard - Pres.

Miners Representative [redacted]

AREA OF INSPECTION ACTIVITY: production

carried out the mine with [redacted] CMT [redacted] CMT, [redacted] - CMT [redacted] Tennessee.

~~#1 only~~ informed all parties of inspection. [redacted] - miners rep

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/27/09 [redacted] Page No. 1

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

Day

MSHA Form 7000-10K, June 93 (revised) 46-08436 E01

Date 07/15/09

#1 - N/A
#2 - Needs add cleaning
#2 - Scrap out
#3 & 3R - NO
#4 Not bolted

LT. LOB - 9,380
RT. " - 10,370 fire lines [redacted] - [redacted]
[redacted] - CMT
[redacted] " Tennessee
Removed mine map - OK

BRK 125 TO BRK 126
4160 high voltage cable
[redacted] were not
[redacted] and [redacted] 10:30

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/27/09 [redacted] Page No. 2

GPO U.S. GOVERNMENT PRINTING OFFICE: 2008-741-328

Day

MSHA Form 7000-10K, June 93 (revised) 46-08634 E01

Date 07/15/09

Cable is approx 5.5" off the mine floor for 8 ft in distance

JM 14-15 cm
Serial No. 6044

fire suppression not working properly when tested 10:20

No - red zone sticker on remote box. 10:21

dates, times, initials - OK

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/27/09 [redacted] Page No. 3

GPO U.S. GOVERNMENT PRINTING OFFICE: 2008-741-328

Day

MSHA Form 7000-10K, June 93 (revised) 46-08438

Date 07/15/09

29 sprays out of 33
average 10.30

6 on left
3 in middle
6 on right
10 on right side behind
head.
6 on left side

1 bad entry in #3 entry

150 psi on left.
200 psi " RT.

[redacted] - entire
face.

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/27/09 [redacted] Page No. 4

GPO U.S. GOVERNMENT PRINTING OFFICE: 2008-741-328

Day

MSHA Form 7000-10K, June 93 (revised) 46-08634 E01

Date 07/15/09

JM ~~4448~~ 58 ll

46 sprays
100 psi left 75 psi RT
18 on RT side
7 on top of head area
8 in middle
6 on left side
11 " 9 " "

3 RT BRK - 0.10% ch4
#2 - 0% ch4
#1 - 0% "

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/27/09 [redacted] Page No. 5

U.S. GPO: 2006-640-217

Day

MSHA Form 7000-10K, June 93 (revised) 46-08634 E01

Date 07/15/09

BRK from #3 to
#4 entry made for
a distance of approx 8 ft.
21' to 24 ft made
S & S 13-30
Bolt 7 ft. off rib,

Hetcher roof bolter
Ser. No. 950671
2004320
12 RT. 13 Left.

#4 entry 0.10% ch4

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/27/09 [redacted] Page No. 6

GPO U.S. GOVERNMENT PRINTING OFFICE: 2008-741-328

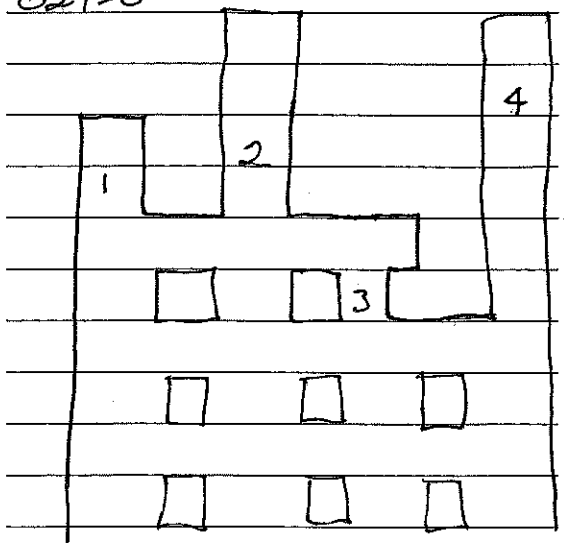
Day

MSHA Form 7000-10K, June 93 (revised) 46-08436 E01

Date 07/15/09

Section Sketch

029-0 040-0



Inspector's Initials [redacted]

Supervisor's Initials and Date 7/27/9 [redacted] Page No. 7

Day

MSHA Form 7000-10K, June 93 (revised) 46-08436 E01

Date 07/15/09

6612467

(a.) 10:00

(b.) 12,470 high voltage cable hung along the track were men regularly work on travel under cable is NOT located 6.5 ft off the mine floor.

(c.) BRK 125 to BRK 126

(d.) Foreman should have known.

(e) 25 lifts at least

(f.) 1 person exposed at a time. men working on section foreman, miner, oper [redacted].

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/27/9 [redacted] Page No. 8

Day

MSHA Form 7000-10K, June 93 (revised) 46-08436 E01

Date 07/15/09

(g.) Cost work days on restricted duty.

(h.) Unlikely at this time because there were NO obvious bad places seen in the cable.

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/27/9 [redacted] Page No. 9.

Day

MSHA Form 7000-10K, June 93 (revised) 46-08436 E01

Date 07/15/09

6612488

(a.) 10:20

(b.) fire suppression system Not working when tested.

(c.) Jay 14-15 miner ser No. 6044 on mm 040-0

(d.) miner operator should have known during parameter check.

(e.) 1 Shift based on observation

(f.) 1 person exposed - miner opr.

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/27/[redacted] Page No. 10

U.S. GPO: 2006-640-217

Day

MSHA Form 7000-10K, June 93 (revised) 46-08436 E01

Date 07/15/09

(g.) No lost work days Not serious

(h.) unlikely because there was water at the machine for use.

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/27/[redacted] Page No. 11

U.S. GPO: 2006-640-217

Day

MSHA Form 7000-10K, June 93 (revised) 46-08436 E01

6612469

Date 07/15/09

(a.) 10:30

(b) approved methane and dust control plan was not followed. plan states a minimum of 33 sprays working on miner and only 29 were working.

(c.) Jay 14 or 15 miner on mm 040-0.

(d.) miner operator should have known or found during parameter check.

(e.) Several hrs.

(f.) 1 person exposed - ~~miner operator~~ S/C operator

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/27/[redacted] Page No. 12

U.S. GPO: 2006-640-217

Day

MSHA Form 7000-10K, June 93 (revised) 46-08436 E01

Date 07/15/09

(g.) No lost workdays majority of groups were working.

(h.) Unlikely because most of groups were working No chronic dust observed.

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/27/[redacted] Page No. 13

U.S. GPO: 2006-640-217

Day

MSHA Form 7000-10K, June 93 (revised) 46-08436 E01

Date 07/15/09 6612470

(a.) 13:30

(b.) Roof control plan not being followed BRK from #3 to #4 21 ft. to 24 ft. wide for 19 ft. in distance.

(c.) BRK #3 to 4 1 BRIC only feeder on mm 040-0

(d.) Foreman, miner operator Should have known.

(e.) 2 Shifts at least because of location.

(f.) 1 person exposed in this area. Foreman, [redacted] a miner on the section.

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/27/[redacted] Page No. 14

U.S. GPO: 2006-640-217

Day

MSHA Form 7000-10K, June 93 (revised) 46-08436 E01

Date 07/15/09

(g.) Very serious due to falls of roof, Lost Workdays or restricted duty.

(h.) Reasonably likely because it seems to be a pattern on this section. There were several other areas cited during inspection.

Roof fall accident because of wide openings and unsupported areas.

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/27/[redacted] Page No. 15

U.S. GPO: 2006-640-217

Day

MSHA Form 7000-10M, June 93 (revised) 46-08838

AIR READINGS

E01

Date 07/15/09

Location #2 entry

Width	4'	Bottle Sample No.	
Height	6.5	CH4 Detected	0%
Area	26	Mean Entry	44
Velocity	162	Time	12:10
Quantity	4,212 cfm		

Location 20-8-02

#2 entry

Width	4'	Bottle Sample No.	
Height	6.5'	CH4 Detected	0%
Area	26	Mean Entry	78.
Velocity	290	Time	12:25
Quantity	7,540		

20-82

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/24/[redacted] Page No. 16

GPO U.S. GOVERNMENT PRINTING OFFICE 2005-752-759

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

DAILY COVER SHEET

Date 7/15/09 Event No. 4HP293

Arrived at the Mine 8:05 AM Departed from the Mine

List Records Books Checked Co Shift/Fire Shift

Exam Record #1 Section

Accompanied By: Company Representative Homer

Wallace, Mine Superintendent

Miners Representative None

AREAS OF INSPECTION ACTIVITY:

1. #1 Section - producing
2. Left Return off #1 Section from LOB at #132 BK to #5 Break
3. Interim Conference with Chris Blanchard, President, and Homer Wallace, Supt.

Inspector's Initials [redacted]

Supervisor's Initials and Date _____ Page No. 2

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

MSHA Form 7000-10L, June 93 (revised) 7/14/09

LINE DIAGRAM OF THE MINE

Review of Co. Mine File

170 employees

9 hrs production

2 shifts/day

1 maint. shift

6 days/wk.

104 Unavoidable Failure

Legal I.D.

Roof Control Plan 4/1/09 to 6/25/09

SCSR Survey

Total U.G. 209

	START	END
Mid - 40	23:00	07:00
Day - 88	06:30	15:30
After - 81	16:00	01:00

Inspector's Initials [redacted]

Supervisor's Initials and Date _____

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

MSHA Form 7000-10L, June 93 (revised) 7/14/09

LINE DIAGRAM OF THE MINE

Methane & Dust Control for 029 MMU & 040 MMU, Ventilation Base Plan Ventilation Revisions

Inspector's Initials [redacted]

Supervisor's Initials and Date

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

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

Date 7/15/09

Inspectors at Mine Site

[redacted] Trainee

Trainee

Arrived at Mine Site at 8:05 a.m.
Examined Pre Shift/On Shift for #1 Section
7/15/09 - Made by Kenny Farmer
#1 - NO
#2L - Need A. Cleaning
2 - Scrap Cut
3 & 3R - NO
4 - N.R.B.

Inspector's Initials [redacted]

Supervisor's Initials and Date

Page No. 3

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

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

Date 7/15/09

Lt. LOB - 9,380
Rt LOB - 10,320
Countersigned - [redacted]
No. 1 Section Pre-Shift records:
7/13/09 - Lt LOB - 9,720
Rt LOB - 9260
to 7/10/09 - Note - Barely Above Minimum of 9,000 cfm.

Met: [redacted] - who said he Donald Farrel was the Mine Foreman

Met Homer Wallace - Superintendent -

Left outside at 9:00 a.m.
Arrived on section at 9:50 a.m.

Inspector's Initials [redacted]

Supervisor's Initials and Date

Page No. 4

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

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

Date 7/15/09

Crew laying track →.

No Velocity Reading on Belt Drive.

Walked to end of belt at feeder.
O_2 - 20.8%
CH_4 = 0.05%
Section was not running at this time.
BK. 132 -
Went to CB between No. 1 & No. 2 Hdg.
Area = 6.75 x 19.5 =
fpm = 45 + 15 = 60
cfm = 7897
CH_4 = 0.10, O_2 = 20.8

Inspector's Initials [redacted]

Supervisor's Initials and Date _____ Page No. 5

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

Date 7/15/09

[redacted] - MSHA - took bottle sample -
Face of No. 1 had stump of coal where X-cut from 2 BK. Left connected. Face was roof bolted, DTI's were observed. (NOV)

Went to face of No. 2 Hdg. Face was roof bolted & driven approx. 80', DTI's were NO observed. Line Curtain was installed to within 10' of face.
Took Air Reading: End of Curtain
fpm = 170 + 15 (correction) = 185
A = 5.75 x 4 = 23
cfm = 4255.1 CH_4 = 0.0%
O_2 = 20.8%

Inspector's Initials [redacted]

Supervisor's Initials and Date _____ Page No. 6

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

Date 7/15/09

Went to No. 3 Hdg. Face was flush with X-cut. I was directed by [redacted] MSHA, to travel the left return & to note any deficiencies in ventilation. Homer Wallace, Mine Supt, traveled with me. I started at 10:25 A.M. to travel the return airway of No. 1 Section.
BK. 132 - CB
BK. 131 - Crew Building Stopping
BK. 130 - last permanent stopping
Traveled down to BK. # 93,
DTI's were noted - NVO
All stoppings in place, & maintained, No obvious leakage points -

Inspector's Initials [redacted]

Supervisor's Initials and Date _____ Page No. 7

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

Date 7/15/09

Mandoors located at BK's 128, 123, 118, 113, 108, 103 & 98.

11:15 a.m.

Note: At BK.93 (inby) the regulator on Vent. Revision approved 4/27/09 in No. 1 Hdg was removed.

Took Air Reading at previous Reg. location.

Area = 7.75' high x 19.5' wide = 151.1

fpm = 65 + 15 (corr) = 80

cfm = 12,090

CH_4 = .35%, O_2 = 20.8%

Took Bottle Sample.

C9784

Inspector's Initials [redacted]

Supervisor's Initials and Date _____ Page No. 8

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

Date 7/15/09

Continued to walk stopping line down return Entry.

Note: Ventilation controls in diagonal entries between HG 1 North & TG 1 North did not match the Approved Revision of Vent. Plan dated 4/27/09.

Cit. No. - 6612931

30 CFR - 75.370 (a)(1)

Diagonal Entries was proposed to be return airways in #1, 2, & 3 Hdg. (per Rev. 4/27/09) - Diagonal Entries had return airways with #1 & 2 return airways & No. 3 Hdg as a neutral. In addition stoppings were not built across #1, 2, 3 & 4 heading.

Inspector's Initials [redacted]

Supervisor's Initials and Date _____ Page No. 9

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

Date 7/15/09

per ventilation revision of 4/27/09. The revision of 4/27/09 was approved to allow the Headgate 1 North section to be advanced with a split ventilation system. Therefore, the revision was only partially done. (12:05 pm)

In addition there were several deficiencies in the diagonal connection involving ventilation controls.

Cit. # 6612932

CFR 30, 75.333(h)

1) The stopping in No. 3 Hdg at location where diagonal connection connected to HG 1 North had a door open which allowed

Inspector's Initials [redacted]

Supervisor's Initials and Date _____ Page No. 10

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

Date 7/15/09

return air to go to the neutral airway.

2) the overcast in No. 3 heading receiving the return from Rt. side of No. 1 Section was not sealed between 1/2 of the top beams allowing return air to mix with neutral air.

3) A hole (4'x4') was in the stopping between No. 2 & 3 Heading 1 break inby the old diagonal belt head. The hole allowed return air to mix with neutral air.

4) one door of the inby set of scoop mandoors at break to old diagonal belt drive was ripped off allowing return air to mix with neutral air.

Inspector's Initials [redacted]

Supervisor's Initials and Date _____ Page No. 11

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Date 7/14/09

Walked down old belt entry in diagonal entries & went through hole in stopping and walked to overcast.

I tried to take air reading at overcast; the blades on the anemometer would not turn. I examined overcast & top of overcast was not sealed for 1/2 of header beams.

Took Air Reading in No. 2 Hdg inby overcast.

Area = 7 1/2' high x 20' wide = 150

fpm = 42 + 15 (corr) = 57

cfm = 4275

CH_4 = .25%

O_2 = 20.8%

Inspector's Initials [redacted]

Supervisor's Initials and Date _____ Page No. 12

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

Date 7/15/09

Took Air Reading in No. 1 Heading inby overcast.

Area = 6' high x 20' wide = 120

fpm = 50 + 15 (corr) = 65

cfm = 7800

Total Return at this point to get total return.

No. 1 Hdg - 7800 cfm

No. 2 Hdg - 4275 cfm

12,075 cfm

CH_4 = .30%

O_2 = 20.8%

I discussed two citations that I saw with Homer Wallace, Mine Supt.

Inspector's Initials [redacted]

Supervisor's Initials and Date _____ Page No. 13

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I told Honor that Vent. Controls did not agree with vent. revision of 4/27/09 & that the vent. controls were not being maintained in an Acceptable manner.

I continued to walk out Left return.
DTI's were observed at date boards down return - NVO.
Walked to Break No. 61 Mandoors located at BKs 95, 90, 85, 80, 76, 72, 69, 63. No obvious holes or leakage in stopping line. All doors

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Date 7/15/09

were shut & installed properly.
At No. 2 Hdg outby BK. 61 a stopping nils across the entry. Took air reading in No. 2 Hdg.
Area = 18.5' wide x 6' high = 111
fpm = 342
cfm = 37,962
O_2 = 20.8%
CH_4 = 0.10%

Continued to walk return to BK. 37 - Stopping across the No. 2 Hdg.
Mandoors at BKs 53, 49, 40.

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Continued to walk return down to BK. 10.
Mandoors at BK. 35, 30, 25, 20, 15, 10. All doors appeared to be adequate. All stoppings were in place & built to safe standards.

Walked to outby 9 BK. Scoop Man Doors in No. 2 Hdg. Doors were not sealed adequately & need repaired - doors allow return & neutral to mix.

Inspector's Initials [redacted]

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Date 7/15/09

Walked to outby No. 8 BK. - Single return entry outby ~~#~~ 9 BK.
Main Return -
Area = 7' high x 20' wide = 140
fpm = 445
cfm = 62,300 cfm
CH_4 = 0.05%
O_2 = 20.8%

Continued to walk to No. 5 Break. Walked through manway & walked outby to track. Waited approx. 15 minutes & at 2:20 pm. started in man trip to outside. At 2:50 pm, arrived on surface.

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Date 7/15/09

I issued 2 citations. Conducted meetings with Chris Blanchard, President, and Honey Wallace, Mine Supt. I reviewed the citations and asked for questions & received none. I reviewed what I found in the Left Return. Left mine & traveled back to Mt. Hope.

Inspector's Initials [redacted]

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7/15/09

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

Citation/Order No: 6612931

1. Violation: CFR 30.75.370(a)(1) - operator did not follow the ventilation revision approved on 4/27/09. Diagonal connector from 1 North TG to 1/1 North HG were not provided the necessary controls to make No. 1, 2, & 3 return airways.

2. Time of Violation: 11:15 a.m.

3. Location of Violation: Left Return Airway of 1 North HG in the Diagonal Connector to 1 North TG.

4. Who Knew of the Violation? - Weekly Examiner & mine foreman should have known.

5. Length of Time Violation Had Existed: Approx. 2 weeks - time to drive 30 breaks in diagonal connector on ties.

6. Number of Persons Exposed: one person

7. Likelihood of Accident: Exposure was low - very few miners in area. Persons in area were the weekly examiner & miners that repaired belt line. Accident was not likely.

8. If Accident Occurred, How Serious Would It Be? Leakage of ventilation control was minimal from neutral to return & exposure was minimal. If an accident would not be serious.

Date 7/15/09 Initial [redacted]

Supervisor's D&I 7/27/9 [redacted] Page No. 10A

7/15/09

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

Citation/Order No: 6612932

1. Violation: CFR 30-75.333(h) The operator failed to maintain ventilation controls to serve the purpose for which they were built.

2. Time of Violation: 12:05pm - 7/15/09

3. Location of Violation: Return Airway off #1 Section in the Diagonal entries

4. Who Knew of the Violation? Possibly weekly examiner

5. Length of Time Violation Had Existed: Approx. 7 weeks - the section was driven for 30 weeks after connection was made.

6. Number of Persons Exposed: 1 person - weekly examiner

7. Likelihood of Accident: Exposure was minimal and only weekly examiner would have been in area, therefore it was unlikely that accident would occur.

8. If Accident Occurred, How Serious Would It Be? If Accident were to occur, the injury could have been lost work days or restricted duty, due to exposure & time in area.

Date 7/14/09 Inspector's Initial [redacted]

Supervisor's D&I 7/27/09 [redacted] Page No. 12 A

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

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

DAILY COVER SHEET

Date 7-19-09 Event No. 4119293

Arrived at the Mine 700 Departed from the Mine —

List Records Books Checked Weekly examine for rail equ.

Accompanied By: Company Representative [redacted]

Miners Representative N/A

AREAS OF INSPECTION ACTIVITY:

Checking mantrip & motors. (producing) on #1 sections

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/20/09 [redacted] Page No. 1

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

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

Date 7-19-09

- Got equipment ready to travel to mine.

- Bump tested sections

- Traveled to the mine and notified Roger Cantely that I was here to check rail rides.

- Checked #1 motor. N.V.O

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/20/09 [redacted] Page No. 2

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

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

Date 7-[redacted]-19-09

- Checked # 4 mantrip. N.V.O
- Checked # 9 mantrip. N.V.O.
- Checked # 11 jeep. N.V.O.
- Checked # 6 jeep N.V.O.
- Checked # 10 charger in shop. N.V.O.

Checked # 11 charger in

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/20/[redacted] Page No. 3

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

Date 7-[redacted]-19-09

shop. N.V.O.

- Checked # 5 charger in shop. N.V.O
- Checked # 6 charger in shop. N.V.O.
- Checked # 4 charger in shop.
- Checked # 1 welder in the shop. N.V.O.

Inspector's Initials [redacted]

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

Date 7-[redacted]-19-09

- Checked # 2 charger in the shop.
- Checked # 1 charger in the shop. N.V.O.
- Checked # 13 ~~checked~~ charger in the shop. N.V.O
- Checked # 7 charger in the shop. N.V.O.
- Checked # 8

Inspector's Initials [redacted]

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

Date 7-19-09

Chargers in the shop. N.V.O.

- Checked #2 mantrip. N.V.O.

- Checked A.L. Lee mantrip in the shop. N.V.O. #8

- Checked AL Lee mantrip. 5

- Checked A.L. Lee mantrip. 11

- Checked #12 mantrip. N.V.O.

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

Date 7-19-09

Checked #7 mantrip. N.V.O.

- Held daily close out with [redacted] all members of management had left or went under-ground.

Inspector's Initials [redacted]

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

G2O U.S. GOVERNMENT PRINTING OFFICE: 2009—540-493

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

Date 7-19-09

Cit # 6612475

840

#27 forklift on the surface.

"The back up alarm is not working on the #27 fork lift.

"The motor man that is around this machine is exposed to this

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Date 7-19-09

condition

- This condition was not listed on the pre-op dated 7-18.

- The operator of the fork lift would have noticed this condition during the next pre-op.

- It is unlikely a serious accident

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

Date 7-19-09

will occur with this condition present

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

Date 7-19-09

Cit #6612476

900

Beside the man-trip motor barn.

- The operator failed to secure (7) yellow compressed gas cylinders at the training life chamber. These cylinders were lying on the

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ground with one on top of a row of (6). No rack was around these tanks to keep them from rolling.

- There were (3) miners work~~ap~~ about 15ft away from these tanks in the motor barn.

- The miners

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that have been getting these tanks from this area sh-ould have seen these tanks

- [redacted] said he was over in this area a couple days ago and the tanks were not like this

- It is unlikely a serious acc-ident will

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Date 7-19-09

occur with the covers on the tanks and ~~the~~ the tanks are already laying down

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

Date 7-19-09

Cit # 6612477

830

#6502 forlift

The key ignition switch will not shut the machine off.

- The forklift operator would be exposed to this condition.

[redacted]

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[redacted] said they were has ing trouble out of this machine early last week and the mechanic worked on it Friday and said they fixed it. This machine was not used Sat by day shift Nothing was listed in the book ~~and the~~ and the

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Date 7-19-09.

machine was not tagged out.

- It is reasonably likely a miner could receive serious injuries if he had to shut the machine off quickly. The operator said the cylynoid is missing and he has to shut it of at the engine or put

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his forks up the ground and put the fork lift in (N) and kep giving it ~~gas~~ pressing do turn on the accelerator til it quits running. also someone has hung a piece of coal hanger at the fuel shut off valve that the operator can pull out and ~~th~~

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stop the machine, a miner could receive serious injury if they would come in contact with the hot engine. This cyl ushed that is bad ~~of~~ controls the fuel shut off for this machine.

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

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

DAILY COVER SHEET

Date 7-20-09 Event No. 4119293

Arrived at the Mine 750 Departed from the Mine —

List Records Books Checked Pre - Shift

Accompanied By: Company Representative

Miners Representative N/A

AREAS OF INSPECTION ACTIVITY:

#1 Section (producing)

Term. cita.

Inspector's Initials [redacted]

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

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

Date 7-20-09

- Got equipment ready to travel to the mine

- Bump tested solaris.

- Spoke with [redacted] about the revision that the operator had submitted

- Spoke with [redacted] about the defecy in the

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/21/9[redacted] Page No. 2

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Date 7-20-09

methane dust control plan for the 029 & 040 MMU.

- When arriving at the mine I met with Homer Wallace [redacted]

- Pre-Shift for #1

		CH4
1E2	N/O	0
2L	SC	0
3	PB	.25%
3R	NCD	.2%

Inspector's Initials [redacted]

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#4 NAC .3%

- Taking #11 mantrip from motor barn to #7 C.C. for the #1 section right return.

- Leaving #11 mantrip at the mouth of #1 section to start in the return.

- Term. water holes 1110

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

Date 7-20-09

- Term. citation on belt 11:20

- Term. cit. on stopping line 1135

- Made all (4) faces.

#4	0.4 CH_4
#3	0.5 CH_4
#2	0.3 CH_4
#1	0.0 CH_4

the C/M was in #3 entry and the C/M operator and foreman was

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Date 7-20-09

working on the curtains.

- Term. citation on chargers in the intake. 11:50 A.

- Term. cit on wide places on 029 1200

- Term. cit. on 3 right opening. 1205

- Term cit. in c.c. 3 to 4. 1215

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Date 7-20-09

Checked feeder, N.O.D. Term. tailpiece 1225

- Term high line guard 1230 pm

- Took #9 man-trip from end of track to the mouth of section.

- Taking #11 mantrip from the mouth of the #1 section to portal.

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- Held a daily close out with the operation

- after the close out [redacted] wanted to talk about the new revision that was submitted to the ventilation

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Date 7-20-09

Cit # 6612478

910

#4 motor coming out of the south portal track entry.

The #4 motor was pulling a flat car outside that had (4) tanks (3) of (1) ac located on the back of the car not secured

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in a device to where they would not roll around.

- The two miners running the motor would be affected by this condition

- These tanks were just put on the car to be brought outside from the section.

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- The two motor men new of this condition when putting the tanks on the car.

- It's unlikely a serious accident will occur with the caps on the tanks and the motor has stopped outside.

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Date 7-20-09

Cit # 6612479

1140

- The #3 set of batteries on the T-339-396-12-06 scoop #1 section

- The spring loaded locking device was broke off to where it would not come down on the ring that holds the

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Date 7-20-09

connection together.

- The scoop operator is exposed to this condition.

- The scoop operator knew of this condition.

- This condition was not listed in the weekly book.

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It is unlikely a serious accident would occur with this condition present. The male and female ends are screwed together.

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Date 7-20-09

Cit # 6612480

1142

The # T339-396-12-06 scoop being used on the #1 section.

Loose coal saturated with hydraulic is present 1 to 3 inches deep in the deck and under all the shields on this scoop

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The scoop operator would be exposed to this condition when operating the scoop.

- This scoop had been washed on 7-15-09, but this accumulation looked as if it had been there for several days.

- It is unlikely a serious acc-

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ident will occur with no heat source present.

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Date 7-20-09

- Cit # 8094521

- 100

- Cross cut #126 on the track for #1 section

- Water had been allowed to accumulate over the track rails at C.C. #126.

- The (10) miners riding the man-trip to the section are exposed

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to this condition.

- The section foreman said that the water was not like that when he came to the section.

- It is unlikely a miner will have a serious accident with this condition present.

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

Date 7-20-09

-Cit # 8094522

1245

#3 belt for #1 section at #128 cross cut to #131

Loose coal was present from C.C. #131 to #128 150 Ft. long 2 to 8 inches deep and 12 to 18 inches wide. The coal at #128 cross cut was dry with a bottom

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roller turning in it.

-The foreman said the material was not present when he came by this area. The belt started running off while I was on the section

-It is reasonably likely a miner could receive injur-

Inspector's Initials [redacted]

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ies from breathing smoke from this fire hazard present.

-There is (4) miners working outby this area on the belt entry

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Supervisor's Initials and Date 7/21/9 [redacted] Page No. 14

Respirable dust survey #4 section

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

DAILY COVER SHEET

Date 7/21/2009 Event No. 4119293

Arrived at the Mine 14:45 Departed from the Mine

List Records Books Checked #4 section pre-shift

Accompanied By: Company Representative [redacted]

[redacted], section foreman

Miners Representative n/a

Production Shift

AREAS OF INSPECTION ACTIVITY:

Evening shift 16:00-0:00 #4 section respirable dust survey; Safety talk, 10 men; section equipment, alternate refuge on section, SCSR section cache, first aid supplies

Inspector's Initials [redacted]

Supervisor's Initials and Date 7/27/[redacted] Page No. 1

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

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

Date 7/21/2009

Arrived MX Hope field office and prepared for respirable dust survey at 46-08436, upper big branch, MMU 062 & MMU 063, #4 section.

Gathered information and volt tested pumps, flow tested pumps, all greater than 5.0 volts and flow rate is 2.0 Lpm on all.

Departed MX Hope for Upper Big Branch.

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

Date 7/21/2009

Arrived Upper Big Branch at ~~0245~~ 14:45.

Met with Homer Wallace supt. & informed Mr. Wallace that I was here for respirable dust survey on #4 section.

Met with [redacted], section foreman.

Examined pre-shift report for #4 section MMU 062-MMU 063-0

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Date 7/21/09

Called out at 15:00
by [redacted].

LOB 15,790 left
LOB 14,480 right

O_2 CH_4
20.8% O_2

0 Part bolted
1 scrap
2,3,4 None observed
5 part bolted
6 Scrap
7 need cleaned/dusted

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Supervisor's Initials and Date 7/22/09 [redacted] Page No. 4

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

Date 7/21/09

Postings
Observed latest bi-monthly sampling results, Current ventilation plan, NIOSH notice for medical exams.

Turned on pumps and assigned to participants. Observed flow rates.
Discussed how to wear these pumps.
16:00.

Held safety talk concerning the

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Supervisor's Initials and Date 7/22/09 [redacted] Page No. 5

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

Date 7/21/09

062
foreman R17 Steve
Mine oper. R18 [redacted]
middle S/C 286 [redacted]
left S/C 289 [redacted]
RBM 287 [redacted]
Intake 288

063
mine oper. 283 [redacted]
bolt man 284 [redacted]
scoop 285
shuttle cart 281 [redacted]
electrician 282 [redacted]

Inspector's Initials [redacted]
Supervisor's Initials and Date 7/22/09 [redacted] Page No. 6

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

Date 7/21/2009

hazards of respirable dust. Passed out stickers and health hazard information cards. Also presented Progression of Black Lung poster as visual aid. I then encouraged miners to participate in the NIOSH X Ray program.

Control cassette #
817575 MMU 003-0
817567 MMU 062-0

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

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

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#3 Brookville
SN #93133
12 SCSR'S CSE 100
224168, 084, 136, 124
040, 048, 096, 150,
031, 203, 037, 103
10/08 all dated
with Tag line

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

Date 7/21/2009

Departed outside to #4 section with crew. Traveled track from outside to section.

Arrived on section was been with [redacted].

Conducted immediate danger run across faces 0-7 NIOSH. O2 CH4 & 20.8% O2. Observed DTI's across the faces. Ventilation controls are in place and [redacted]

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

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in fair condition. Conditions are damp and in a couple of spots water is dripping from the top (in #3 and #5 for example).

Slate top-cutting approx. 24" of rock

Bolt pattern good

Roof and ribs appear controlled.

Cleaned and dusted to within 40' of faces - fair

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MMU 067-0 last open break reading and immediate return samples.

75 X 19 X 7.75 = 11,043.75 cfm

SPad 23723 in #1 mouth of room

#1 in Ref D1427

#0 in Ref. D1446

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

Date 7/21/2009

063-0 mmu right side LOB

95 X 19 X 7.25 = 13,086.25 cfm

mmu # D1435

Spad # 23728 in # mouth of # 7 entry

Inspector's Initials [redacted]

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

Date 7/21/2009

Seam height
7' 9" = 93"
26" ROCK
67" COAL

State top

Damp conditions

Parameters check
for MMU 062-0
90 psi water
delivery, no leaks
in water hose

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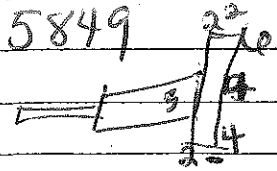
Date 7/21/2009

2 sprays
observed.

JM 5849



1st cut face
of #0
4X 8.5 = 34 X 235 =
7990 ÷ 127.5 =
62.6 mean

Observed work
cycle. Work
practices and com-
munication good.

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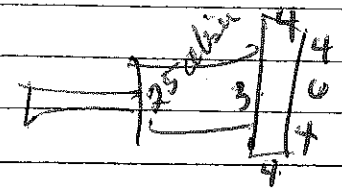
Date 7/21/2009

Parameter check
for MMU 063-0
90 psi delivered
to mine, no
leaks in water
hoses observed
spray observed



2nd cut in
#6 face
3.5 X 7.5 X 280 =
7350 cm ÷ 112.5 = 65.3

Inspector's Initials [redacted]

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

Date 07/21/09

Water spray - good
dust movement - good
work practices -
good.

7.5X19 = 142.5X20 =
2850X80 = 228000
÷2000 = 114 tons
is cut

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Date 7/21/2009

RBM # 2008301
left side mmu 0620
vacuum gauge 17Hg.

Roof Ranger II

Observed bolting
practices.

RBM # 2007048
Right side mmu 630
vac gauge 15 Hg
Roof Ranger II 13A

Dust collection
systems appear
intact - no visible
dust

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

Date 7/21/2009

3rd cut face of
#3
9450 cfm + 126
75 mean

Checked all
pumps (~~None Observed~~)
NO

4TH cut face of
#7 entry (flush cut)
11,395 cfm
85 mean

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

Date 7/21/09

SCSR Section
Cache' 4/0
total-all CSE100
193244, 013, 233, 213,
140, 175, 229, 261, 211, 173,
037, 201, 237, 144, 189
105, 076, 101, 236, 196
143, 130, 134, 167, 115
116, 111, 256, 224, 254,
172, 122, 113, 114, 197
157, 208, 279, 168, 271
all dated 1-08

Potable water
observed

Tagline w/ SCSR's
Map up to date

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

Date 7/21/09

1st aid supplies
Massage box
1-2-3

Strata-Fast
air bag NO
appears undamaged
and deployable

Intake phone
check ✓

Section pressure
pump ISE

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

Date 7/21/2009

Section Power
Center
27262-2500-1008
~~AFE~~ ATEX NO

Porta-Potty —

Fifth cut
2 left
8330 cfm
60 [illegible]

Checked pumps
✓

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

Date 7/21/2009

6th cut
Straight
1650CFM
Col measure

7th cut
2 left
8330
60 reams
Pinned through

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Supervisor's Initials and Date [redacted]

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

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

RESPIRABLE DUST

Date: 7/21/2009 Location: MMU 063-0

PUMP	CASSETTE	CODE	OCCUPATION	TIME ON	2nd	4th	TIME OFF	WT
C	817575		Control	[redacted]				.502366
281	817519	050	SHUTTLE CAR	16:00	✓	✓	24:00	.499484
282	817524	002	ELECTRICIAN	16:00	✓	✓	24:00	.504271
283	817496	036	MINER OPERATOR	16:00	✓	✓	24:00	.501589
284	817544	046	ROOF BOLTER	16:00	✓	✓	24:00	.507206
285	817515	054	SCOOP	16:00	✓	✓	24:00	.499806

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U.S. GPO:1993-0-709-382

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

RESPIRABLE DUST

Date: 7/21/2009 Location: MMU 062-0

PUMP	CASSETTE	CODE	OCCUPATION	TIME ON	2nd	4th	TIME OFF	WT
R17	817755	049	SECTION FOREMAN	16:00	✓	✓	24:00	.500227
R18	817750	036	CONTINUOUS MINER	16:00	✓	✓	24:00	.499419
286	817489	050	SHUTTLE CAR	16:00	✓	✓	24:00	.503356
287	817517	046	ROOF BOLTER	16:00	✓	✓	24:00	.497449
288	817507	7	INTAKE	16:00	✓	✓	24:00	.501642
289	817492	050	SHUTTLE CAR	16:00	✓	✓	24:00	[redacted]506028
C	817567		Control					.499784

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