8082819
D-2

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

75.203e
1053

Date 6-3-09

The operator is failing to timber down the #3 belt entry after cutting it wide for travel & belt. The entry is from 21½' wide to 26' wide for 450' without additional support.

This condition has existed for at least 5 days. The section foreman, [redacted] was aware that jacks were no longer being set along the belt but failed to ensure matters were reduced to 20 or less. High Neg

This condition is

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 6-4-09 Page No. 7

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

T-1426 The jacks have been set.

8082819

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

Date 6-3-09

unlikely to result in roof failure but would cause permanently disabling broken bones.

The track to the section runs through this area. 11 men - beltman crew affected

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 6-4-09 Page No. 8

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

8082820

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

75.1100-2b
1053

Date 6-3-09

The #3 belt on the W/ section is not provided with a ready fire valve. The valve available does not have a handle to turn it on and off.

This condition has existed for an extended period of time judging by the condition of the valve. The previous examiner should of found and corrected/or reported this condition. Mod neg. 5th time cited since 3/10/08. In the event of a fire this condition would

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 6-4-09 Page No. 9

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

T-1355 The fire valve has been replaced.

8082820

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

Date 6-3-09

cause a delay for matching the environment the fire resulting in permanently disabling burns and/or exposure to high levels of CO.

11 people - section view affected.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 6-4-09 Page No. 10

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

Date 6-3-09

L LOB 1100

V: 118

A- 6-20.5 14,514

.05 C4H4 20.8 lb/in

Made smooth down sm areas faces - NIPO

O2 05 C4H4 20.8 lb/in

Roof: Not ok

[redacted] did rights with

LOB

V-72

A-7x20 10080 cfm

Walked down left return to longwall setup

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 6-4-09 Page No. 11

8082821

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

75.333c2

Date 6-3-09 1130

The operator is failing to make the mandatory in the left return on the 1/section from April 23584 outby for a total of 3 doors. This stopping line is adjacent to the primary escapeway.

This condition has existed for at least 3 weeks. The weekly examiner should of found + reported this.

This condition is unlikely to result in accidents but would cause poor ventilation exposure to CO if it did 1 person working [redacted] affect

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 6-4-09 Page No. 12

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

Date 6-3-09

Longwall Setup

Intake 1226
V=55
A 5.6x26 12,298cfm

Chief ~~[illegible]~~ SCSR's
none seen on Longwall
setup crew

L.W Face 1236
V=1
A=7x21 147cfm
.00CH4 20.8
(Issued citation after conf w/ RC
per store 6-4-09).

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 6-4-09 Page No. 13

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

Date 6/3/09 1150

The operator is failing to maintain 5000 cfm at the longwall setup area mean #/section

When tested only 147 cfm was present. .00CH4 was detected

This condition has existed for approx 1 week since set up started. The previous examiner should have found this condition.

Mod neg

This condition is unlikely to cause accident or injury but would cause permanently

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 6-4-09 Page No. 14

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

Date 6/3/09

disabling buggs if it did.
Non S&S

7 people - set up crew effected

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 6-4-09 Page No. 15

8082822

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

75.1715
1320

Date 6/3/09

The foreman, [redacted] does not have an id tag around his belt.

This condition has existed since this shift. He should have found this before he went underground. Mod

This condition has no likelihood of accident and would cause no lost days. Non S&S

1 person - foreman affected

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 6-4-09 Page No. 16

8082823

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

75.320a
1328

Date 6-3-09

The Solaris spotter S/N A5-80558 in use by the fireboss on the 2/section has not been calibrated since 3-10-09. This mine is on a fifteen day spot.

The spotter was required to be calibrated every 31 days as by 4-11-09. The fireboss should have found & corrected this. The Solaris will the last calibration date during start up.

Mod sig

This condition would make it reasonably likely

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 6-4-09 Page No. 17

8082823

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

Date 6-3-09

cause inaccurate gas readings and let dangerous atmospheres go undetected, which would be expected to result in serious disabling injuries. S&S

20 people affected - section crew (11) and longwall setup crew (9) and supply crew 2 affected.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 6-4-09 Page No. 18

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

Date 6-3-09

Traveled across faces with examiner -NVO

Solaris Multi Gas
SN 45-74419 -NVO

Checked intake phone. Good citation

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 6-4-09 Page No. 18

8082824

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

75.1502
1407

Date 6-3-09

The intake phone (security communications) on the 4 section is not functional. The operator is failing to comply with ERP page #4

This condition has existed less than 8 hours. The next preshift examiner would have found it - Low

In the event of a mine disaster that affects primary communication this condition would be reasonably likely to cause a delay in notification

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 6-4-09 Page No. 20

8082824

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

Date 6-3-09

to the surface by the surface or a delay in the section notifying the surface for aid depending on location of disaster. This could cause a delay in mine rescue or medical attention causing fatalities

1-8

[redacted] people affected

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 6-4-09 Page No. 21

MSHA Form 7000-10K, June 93 (revised) 11 men

Date 6/4/09

~~Terminated~~

Terminated D-2 order 8082812 at 1426 hrs

The wide entry has been set with sand jack through the affected area.

Traveled to surface on track

On surface discussed citation with [redacted] mine foreman including root cause & corr actions.

He left property.

Issued paper copies and left on desk.

Returned to Mt Hope.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 6-4-09 Page No. 22

U.S. GPO: 2006-640-217

MSHA Form 7000-10I, June 93 (revised) 46-05436

DAILY COVER SHEET

Date 6/8/09 Event No. 4119936

Arrived at the Mine 0730 Departed from the Mine

List Records Books Checked Preshifts 3,4 sect & LW Setup

Accompanied By: Company Representative [redacted]

mine foreman

Miners Representative N/A

AREAS OF INSPECTION ACTIVITY:

#1 sect & long wall setup area

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 6/10/09 Page No. 1

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

MSHA Form 7000-10K, June 93 (revised) 4119736 46-05436

Date 6/8/09

Arrived at MSHA and gathered inspection materials. Traveled to mine site in GOV with [redacted] CMI trainee.

Arrived 0730 hrs

Met with Norman Wallace, supt and [redacted] mine foreman.

Checked preshifts #4 section, #3 section & longwall setup - Issued 1

Total C.T. 8082812 at 0746 hrs. The CH detector has been calibrated.

Inspector's Initials [redacted]

Supervisor's Initials and Date [redacted] 6/10/09 Page No. 2

U.S. GPO: 2006-640-217

8082826

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

75.360(f)
815

Date 6-8-09

The operator is failing to maintain a complete record of pre-shift examinations on the #4 section.

On 6/6/09 (110-135 PM) & 6/7/09 (100-125 PM) the operator failed to record LOB air readings & the conditions found in the faces.

And on 6/6/09, (110-135 PM) ~~6/7/09~~ 6/7/09 (100-125 PM), 6/7/09 (830-1130 PM), 6/8/09 (300 AM-500 AM), the operator failed to record where the LPO shelter had been pre-shift monitored.

These conditions have existed since

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/10/09 [redacted] Page No. 3

U.S. GPO: 2006-640-217

8082826

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

Date 6/8/08

the dates listed above. The inspectors is aware that a complete record of pre-shift examinations is necessary - Mad rep

This is a records violation and has no likelihood of accident and would cause no lost days.

Non S&S

0 people affected.

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/10/09 [redacted] Page No. 4

U.S. GPO: 2006-640-217

8082827

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

75.380(d)(1)
0530

Date 6-8-09

The #12 Broadmile (Jitney) roadway is not provided with adequate fire protection. The fire extinguisher is discharged.

This roadway does not have a dry chemical fire suppression system and does operate in intake air & primary escapeway.

This condition has existed for at least since third shift. The pre-op examiner should have found this. Mad rep

In the event of a fire

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/10/09 [redacted] Page No. 5

U.S. GPO: 2006-640-217

T-S&S Amend the citation to reflect

8082827

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

Date 6/8/05

this condition would be likely to result in a delay or inhibiting the crew from extinguish the fire causing persons sustaining injuries from exposure to high levels of CO and burns from fire.

S.L.

5 people affected - Mayship occupants

Inspector's Initials [redacted]

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

U.S. GPO: 2006-640-217

8082828

104B

MSHA Form 7000-10K, June 93 (revised) 75.1831b

Date 6-8-05 1025

The operator has failed to make an adequate effort to repair the belt in the areas where the belt is rubbing and the stands where mined so that the belt cutting the frame. These conditions were cited in citation #8082817 that was issued on 6/3/05.

No effort has been made by the operator to rectify the condition corrected.

This belt is idled until all the stanchions is repaired.

T-1400 belt is repaired.

Inspector's Initials [redacted]

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

U.S. GPO: 2006-640-217

8082825

MSHA Form 7000-10K, June 93 (revised) 75.1100-2b

Date 6-8-05 1045

The Bailpiece of the #3 belt on the #1 section is not provided with a working fire valve. The valve present does not have the wall nipple present. This nipple is missing to hook up the fire hose.

This fire valve was cited and repaired on 6/3/05. This is the 8th time fire valves have been cited since 3/10/05. The mine operator was made aware of the high number of fire valve citations they were receiving and failed to take action. High Neg

Inspector's Initials [redacted]

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

T-1140 valve repair has proper fittings.

U.S. GPO: 2006-640-217

8082829

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

Date 6/6/09

In the event of a fire on the tailpiece, belt or section (ex shuttle car at feeder) this condition would be reasonably likely to prevent the fire hose from being hooked up resulting in permanently disabling injuries from burns or expose to high levels of CO - S&S

14 people affected
11 crew-section
1 belt man
2 supply crew
14 total
14 People section crew, supply crew, belt man

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/10/09 [redacted] Page No. 9

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

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

Date 6/8/09

Terminated citation 8082829 at 1055hrs. The phone has been repaired

Terminated 6612449 at 1038 Proper Clearance has been provided

Term 6612448 at 1040 The water has been pumped down

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/10/09 [redacted] Page No. 10

T-1134 The corner has been supported

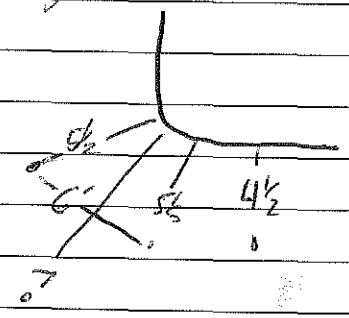
U.S. GPO: 2006-640-217

8082830

MSHA Form 7000-10K, June 93 (revised) 75.220(a)(1)

Date 6-8-09 1055

The operation is failing to comply with 5th supplement pg 6 from 31 of the approved roof control plan. The operation is failing to maintain roof bolts with 4' of the coal rib in the #2 entry



This condition has existed for over 3 days and should have been found in a preshift exam
Mod

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/10/09 [redacted] Page No. 11

T-1134 The corner is supported

U.S. GPO: 2006-640-217

8082830

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

Date 6/8/09

This condition is reasonably likely to result in roof failure resulting in permanently disabling broken bones

1 person S/C ape affected.

Inspector's Initials [redacted]

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

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

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

Date 6/8/09

Made immediate danger run across faces - N100 - 0% CH4 20.8% O2

The section is idle while a ventilation change is being made on its longwall setup.

Operator is running dust on C/M. - Section is idled.

Walked down section Term 8082821 at 1200 The doors have been marked

Inspector's Initials [redacted]

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

U.S. GPO: 2006-640-217

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

Date 6-8-09

Term c.t. ~~8082822~~ 6612450 at 1235. The supplies have been moved and now a 6' walkway is present.

Walked to longwall set up area.

Longwall set up face

V=110 1230

A=105 1150 ch

Term c.t. citation 8082825 at 1230. 11500 cfm is now present.

Inspector's Initials [redacted]

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

U.S. GPO: 2006-640-217

5062831

D-2

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

75.370(a)(1)

1257

Date 6-8-09

The operator is failing comply with an approved revision to the mine ventilation plan Submitted Feb 18, 2009

The longwall set up is not being ventilated according to the revisions. (See drawings) attached to citation.

This condition has existed since 6/1/09. The operator Homer Wallace has this revision in hand and directed the ventilation to be installed incorrectly. Hijh, Neg

This condition is unlikely to result in

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/10/09 [redacted] Page No. 15

T-1500 Set up is Now correctly ventilated.

U.S. GPO: 2006-640-217

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

Date 6-8-09

accident but would cause permanently disabling burns from CH4 ignition.

Hon. I.S.

7 people - long wall set up over

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/10/09 [redacted] Page No. 16

U.S. GPO: 2006-640-217

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

Date 6/8/09

Walked to #2 belt.

Term 6-order at 1400.

The structure has been repaired.

Travel to surface on track

Issued citations and discussed with Homer Wallace, [redacted] & Berman Cornett, including root cause & cont notices.

Returned to Mr Hope.

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/10/09 [redacted] Page No. 17

U.S. GPO: 2006-640-217

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

Wed day 46-08436

DAILY COVER SHEET EOI

Date 06-10-09 Event No. 4119936

Arrived at the Mine 0530 Departed from the Mine

List Records Books Checked Pre-Shift on Shift, Belts, Mine Map

Accompanied By: Company Representative [redacted]

Miners Representative [redacted]

AREAS OF INSPECTION ACTIVITY:

Respirable Dust Pumps.
MMU 040-0 / 940-0
Safety Talk = 12 Persons
Track (Secondary Escapeway)
All Faces #1 to #4
SCSR Storage / Escapeway
Map, Life Line / Reflectors
Emergency Communications

Inspector's Initials [redacted]

Supervisor's Initials and Date 06/10/09 [redacted] Page No. 1

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

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

Arrived MSHA office, prepaired Respirable Dust Pumps
Volts = 5.0
Flow = 2.0

Bump tested detector

Departed MSHA office by G.O.V

Arrived Performance Coal Company, Upper Big Branch Mine South 46-08436 at 0530 hrs

Met with Homer Wallace Supt and [redacted] Block Supt informed I was on EOI General Inspection, running Respirable Dust Pumps.

Checked Pre-Shift on Shift Book, Belt Book, Mine Map, and Methane, Dust Control Plan.

Date 06-10-09 Inspector's Initials [redacted]

Supervisor's D&I 06/10/09 [redacted] Page No. 2

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

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

Turned Respirable Dust Pumps on 0600 hrs and passed out to #1 Section MMU 0400/9400 crew.

Had safety talk 12 Persons discussed proper wearing of Respirable Dust Pumps, Ventilation Controls, Roof/Rib Controls and Parameter Checks

Traveled from Portal by track (Secondary Escapeway) to #1 Section MMU 040-0 with [redacted] Block Supt. behind crew.

Arrived on #1 Section with crew, check all faces #1 To #4 with Pre-Shift on Shift Examiner.
Checked CH^4 0.0%
Checked O^2 20.8%
Checked Roof/Rib conditions Appears adequate

Date 06-10-09 Inspector's Initials [redacted]

Supervisor's D&I 06/10/09 [redacted] Page No. 3

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

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

Checked Ventilation Controls
Stoppings in track, doors marked
and clear.
Checked line curtains and
back-ups
Checked Air Flow and
directions.
Checked Center Lines.
Checked Walkways and
travelways damp to wet
Checked Cleaning and Rock-
dusting, appears adequate
Checked Face Illumination
Checked Reflectors
Checked Dates, Times and
initials
Checked for any imminent
dangers None Observed

Checked Respirable Dust
pumps ok

Checked SCSR Storage. ok
Checked Escapeway Map.
Checked Life-Line and Reflector

Date 06-10-09 Inspector's Initials [redacted]
Supervisor's D&I 10/10/9[redacted] Page No. 4

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

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

Checked Emergency Com-
munications.

Observed Mining Cycle
6'.5"
x 19'
123.5'
x 35'
4322.5
x 80
345800
÷ 2000
173 Tons This Cut

Checked Parameters
Left Miner

6 4 6
3
3 3
4 3 4

36 Sprays at 90 PSI

Date 06-10-09 Inspector's Initials [redacted]
Supervisor's D&I 10/10/9[redacted] Page No. 5

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

Observed Roofbolting Cycle
Checked Vacuum Reading
Left Bolter
Operator Side = 17 (Hg)
Off Side = 12 (Hg)

Checked Bolt Pattern and
spacing.
Checked ATRS
Observed Methane Checks
Observed Full Grout Return
Observed Torque Checks
Checked Area Illumination.

Observed Scoop Cycle
Cleaning, Rock-dusting
and Supplying

Observed Haulage System
Shuttle Cars.

Checked Respirable Dust
pumps. ok

Date 06-10-09 Inspector's Initials [redacted]
Supervisor's D&I 10/10/9[redacted] Page No. 6

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

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

Gathered Respirable Dust pumps checked ok

Traveled from #1 Section MMU 040-0 by track (Secondary Escapeway) to Portal with [redacted] Block Supt.

Turned Respirable Dust Pumps off 1400 HRS

Discussed inspection with [redacted] Block Supt

Departed Upper Big Branch Mine-South by G.O.V.

Arrived MSHA office

Date 06-10-09 Inspector's Initials [redacted]

Supervisor's D&I 6/16/9 [redacted] Page No. 7

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

#2 To 1 Lob		
A= 142.5		0.0%
V= 105		20.8%
14962 CFM		0815
#2 Left		67 MEAN.
A= 19.5		0.0%
V= 310		20.8%
6045 CFM		0830
#2 Lt		68 MEAN.
A= 19.5		0.0
V= 315		20.8
6142 CFM		0955
#2 Face		71 MEAN.
A= 26		0.0% CH4
V= 246		20.8% O2
6396		11:00

Date 06-10-09 Inspector's Initials [redacted]

Supervisor's D&I 6/16/9 [redacted] Page No. 8

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

5936

MSHA Form 7000-10I, June 93 (revised) 46-0[redacted]

DAILY COVER SHEET

Date 6/10/09 Event No. 4119936

Arrived at the Mine 0730 Departed from the Mine

List Records Books Checked Preshift 3-4 section

Accompanied By: Company Representative [redacted] chief electrician

Miners Representative N/A

AREAS OF INSPECTION ACTIVITY:

#3 section equipment

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/16/9 [redacted] Page No. 1

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

Date 6-10-09

Travelling to mine site in GOV.
Arrived 0730

Met with Homer Wallace, supt
and [redacted] Mine foreman

Brushed #9 Montana NVO
13 CSE SCSR's - NVO

Travelled to the #5 section
with [redacted], chief
electrician

Walked from end of track
to section.

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

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

Date 6/10/09

~~Roof & Rib~~ (Immediate) 954
V: 385
A-6 V13 ~~83,880~~
010 Cay 20.820
Bathe C3102

Made imminent danger, man
crossed fence NO NIVO
Issued 3 citations &
1 order 010 Cay 20.820
Roof & rib ok
[redacted] EVE Shift
Roberts Foreman
[redacted] - 3rd shift

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

U.S. GPO: 2006-640-217

6082839

MSHA Form 7000-10K, June 93 (revised) 75.220(a)

Date 6-10-09 1003

The operator is failing
to comply with the safety precautions
page 5 item 22 of the approved roof
control plan on the #3
section. The next to
the last row of bolts is
only marked with 1 reflector,
in the #6 entry.

This condition has
existed since the evening
shift on the previous day. This
area has been possibly mined
since since this. Mod NOV
Citation [redacted]

This condition is
reasonably likely to result
in a mine accident/injury

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

T-1043 The next to the
last row is marked by 2 reflectors

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8082838

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

Date 6-10-09

post the last row of roof bolt causing permanently disabling injuries from roof fall. 8C

1 person CM open office

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/10/[redacted] Page No. 5

U.S. GPO: 2006-640-217

8082840 D-2

MSHA Form 7000-10K, June 93 (revised) 75.370d 1010

Date 6-10-09

The operator is failing to comply with the safety precaution page, item 9 and the section specific page of the City / Island control plan on the 064MMU.

The safety precaution page item 8, requires curtain to be within 20' of the face — In the #6 entry of #3 section the 24' deep face is not ventilated.

The section specific page requires all curtain to be exhausting. The curtain hung in the #7 entry is hung in a manner so that

Inspector's Initials [redacted]

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

U.S. GPO: 2006-640-217

T-035 Control mistaked now correctly

8082840

MSHA Form 7000-10K, June 93 (revised) 101-D-2

Date 6/10/09

a ventilation current will not pass around it. (See drawings)

These conditions have existed since earlier the end of evening shift. This area has been inspected by [redacted] [redacted], third shift foreman since then. The third shift crusted the section last night and failed to correctly hang ventilation curtain damaged while dusting. High Neg

No production is taking place, section is idle

Inspector's Initials [redacted]

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

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8082840

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

Date 6-10-09 104-D-2

Wednesday p. This condition is unlikely to result in CH4 ignition but would cause permanent disabling injuries if it did

3 people affected - 3rd shift crew

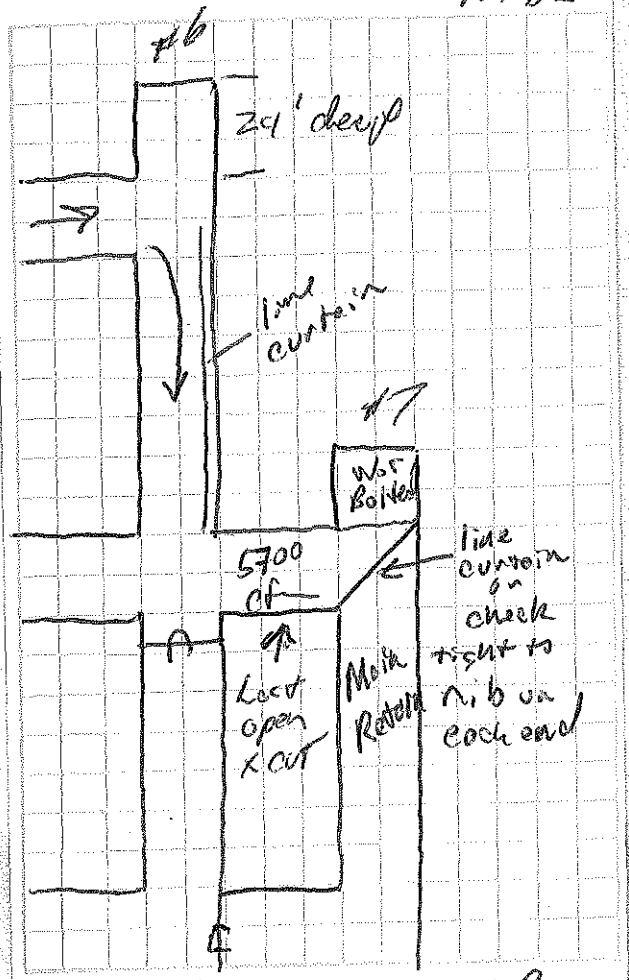
Inspector's Initials [redacted]

Supervisor's Initials and Date 6/10/09 [redacted] Page No. 8

U.S. GPO: 2006-640-217

8082840

MSHA Form 7000-10K, June 93 (revised) 104-D-2



Date 6/10/09 Inspector's Initial WB

Supervisor's D&I 6/10/09 AM Page No. 9

U.S. GPO: 1993-0-709-395

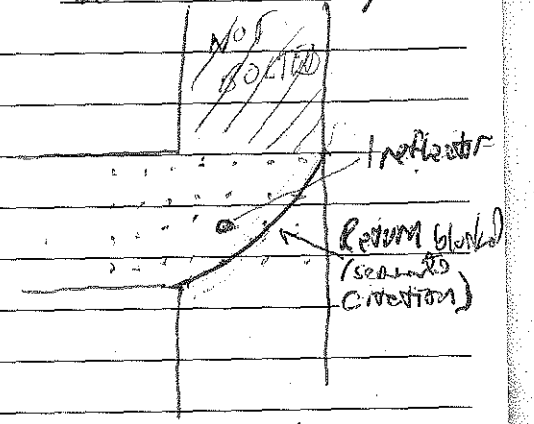
8090841

MSHA Form 7000-10K, June 93 (revised) 75.220(a)(1)

Date 6-10-09

The operating is failing to comply with the approved roof control plan page 5 item 27 on the #3 section

The unbolted face of #7 is not marked by 2 reflectors one is 43" high



This section has been fireboxed since this

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/10/09 [redacted] Page No. 10

T-1030 2 Reflectors now mark next to Inst Roof bolts

GPO: 2006-640-217

8090841

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

Date 6-10-09

Condition existed. The examiner, [redacted] should have found this. Mod

This condition would be reasonably likely to result in a miner going past the last row of supports causing permanently disabling injuries from roof fall such as broken bones - S&S

1 person - 1 miner in face area - face workers affected

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/10/09 [redacted] Page No. 11

U.S. GPO: 2006-640-217

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

Date 6/10/09

1F-80 LOB Right 1022

3.75 x 19

5700 cfm

O2 Chg 20.82 %

Issued citation

LOB Right 1053

V= 225

A= 3.75 x 19 16,031 cfm

Rt Inund Rest 1100

V= 246

A= 3.5 x 19 16,359 cfm

O2 Chg 20.82 %

Bottle C3119

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/10/09 [redacted] Page No. 12

U.S. GPO: 2006-640-217

8090842

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

75.325(b)
1022

Date 6-10-09

The operator is failing to maintain 9000 cfm in the last breakthrough of the right side of the #3 section.

When tested by MSHA only 5700 cfm of air was present.

This condition has existed since some time on the third shift. The preshift examiner should have found this - Mod

This section is idle on Wednesday, no production is taking place making this unlikely to cause accident but if it did it would be perm. disabling injuries from CO poisoning

3 people - S&S 3 affected

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/10/09 [redacted] Page No. 13

J-1055 16,031 CFM is now present

U.S. GPO: 2006-640-217

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

Date 6-10-05

CM JM 4961 14-10AA Left Side

Flaven R.B Left 2003-322

Flaven RB 2003-316 Right

SM

JM 5519A 14-10A Right

Inspector's Initials [redacted]

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

U.S. GPO: 2006-640-217

8050843

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

75.503
1155

Date 6-10-05

The flatch cover, latter on the left side is not being maintained in a permissible cond.

One of the lights on the T-Bar is torn off and the tree is pulled out of the packing gland on the opposite light leaving the gland empty.

O2 & CH4 was detected.

This condition was not reported in the weekly exam last week. The next weekly examiner would have found this - Kent

This condition is unlikely to result in accident and would cause panel dishing burns if it did cause a CH4 ignition - Kent 2 people CM + S/C affected

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/10/9 [redacted] Page No. 15

U.S. GPO: 2006-640-217

8080844

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

75-1725 a
1220

Date 6-10-05

The panic bar on the approach off the fan 14-10AA continuous miner on the left side of the CM is not being properly maintained. The panic button on the approach is missing the Red button.

This condition has existed for a short period of time. The dust boot + spring have not fallen off. The next weekly examiner would have found this. Kent

In the event of an emergency requiring the use of this panic button, with out the "Red" button

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/10/9 [redacted] Page No. 16

U.S. GPO: 2006-640-217

8090844

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

Date 6-10-09

the panic button should be hard to find and activate causing permanently disabling broken booms. S.S

1 person [redacted] affected

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/10/09 [redacted] Page No. 17

U.S. GPO: 2006-640-217

8090845

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

75.1725 c
1245

Date 6-10-09

The fletcher roof bolter on the 005 section (Sn 2005-318) is not being maintained in a safe operating condition. The ATRS will not remain up with or without the pump motor ~~running~~ running.

Maint. removed from service until repairs are made.

This condition was not mentioned in the last weekly exam. The equipment operator should have found & reported this in a pre operational check - Mod

This system would be highly likely to fail to support the roof properly while being

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/10/09 [redacted] Page No. 18

U.S. GPO: 2006-640-217

8090845

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

Date 6-10-09

bolted. This would be expected to result in permanently disabling broken booms from roof fall. S.S

2 people affected - Bottom crew

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/10/09 [redacted] Page No. 19

U.S. GPO: 2006-640-217

5090846

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

75.342(a)(1)
1355

Date 6-10-09

The Jmy 18-10A (Sn 55197A) does not have the CH_4 monitor properly maintained it only went up to 1.6% when tested with a 2.5% CH_4 mixture.

This condition has existed since sometime after the last calibration. The next electrician that calibrated this monitor has found this - Low

This condition is unlikely to result in CH_4 ignition but would cause prematurely disabling burns if it did - Non S&S ✓

2 people - CM & SC affected

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/10/09 [redacted] Page No. 20

U.S. GPO: 2006-640-217

5090847

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

1325
75.503

Date 6/10/09

The Jmy 14-10A is not being maintained in a safe condition. The cable junction box has an opening in excess of .005". 0.8% CH_4 was detected.

This condition has existed since the last time the cable was inspected. The weekly examiner should have found this - Moderate

This condition is unlikely to result in CH_4 ignition but would cause prematurely disabling burns if it did - Non S&S

2 people - CM & SC affected

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/10/09 [redacted] Page No. 21

7 15/09 The panel has been resealed!

217

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

Date 6/10/09

Traveled across faces with preshift examiner [redacted] - NVO

0% CH_4 20.8% O_2

Roof & Ribs OK

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/10/09 [redacted] Page No. 22

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

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

Date 6/10/09

3rd shift crew - 6-10-09

[redacted] 3rd shift foreman

[redacted]

Returned

~~Retrd~~ to surface issued citations and discussed with operator including roof control rights.

Retrd to Mt Hope

Inspector's Initials [redacted]

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

U.S. GPO: 2006-640-217

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

DAILY COVER SHEET

Date 6-15-09/6-16-09 Event No. 4119936

Arrived at the Mine 2007 Departed from the Mine

List Records Books Checked Prestiter 1,3,4 sections

Accompanied By: Company Representative [redacted], 3rd shift chief

Miners Representative N/A

AREAS OF INSPECTION ACTIVITY:

#4 section equip & #4 sect. 1&2 belt drive #2 belt

Inspector's Initials [redacted]

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

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

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

Date 6/15/09

Arrived at MSHA and gathered inspection materials

Traveled to mine site in GOV.

At mine site met with [redacted] 4 section chief.

Checked prestiter book #3 & #4 sects.

Safety talk with 3rd shift crews 28 men. Gen mine safety - roof & rib, workplace exams.

Inspector's Initials [redacted]

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

U.S. GPO: 2006-640-217

8090848

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

75.360(f)
2236 MB

Date 6-15-09

The operator is failing to maintain a complete accurate record of preshift examinations on the #4 section. The examination for 6-13-09 is dated 5-14-09 (1130AM - 1152)AM and has no record of an examination of the lifeshelter.

This condition has existed since 6/13/09. The preshift examiner should have corrected this. Mod

This condition is unlikely to result in accident and would cause no lost days.

Non S&S

0 people affected

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/17/09 [redacted] Page No. 3

U.S. GPO: 2006-640-217

8090849

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

75.360(f)
1040

Date 6-15-09

The operator is failing to maintain a complete record of preshift examinations on the #4 section. The examination for 6-14-09 (530AM-550AM) is dated 5-14-09 and contains no record of the preshift exam of the lifeshelter.

This condition has existed since 6/14/09. The preshift examiner should have corrected this. Mod

This condition is unlikely to cause accident and would cause no lost days - Non S&S

0 people affected

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/17/09 [redacted] Page No. 4

U.S. GPO: 2006-640-217

8090850

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

75.360(f)
2250

Date 6-15-09

The operator is failing to keep a complete and accurate record of preshift examinations on the #4 section. The exam for 6/14/09 (1100AM - 210PM) is dated 5-14-09 and contains no record of the preshift exam of the lifeshelter.

This condition has existed since 6/14/09. The preshift examiner should have corrected this. Mod

This condition is unlikely to result in accident and would cause no lost days - Non S&S

0 people affected

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/17/09 [redacted] Page No. 5

U.S. GPO: 2006-640-217

8090851

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

75.1505a3
HO 2310

Date 6-15-09

The operator is failing to maintain an up to date escapeway map in the bathhouse where miners congregate before and after shift.

This map is not up to date as to the location of miners' location of machines on the 1, 3 & 4 sections and does not show the changed primary/secondary escapeway on the #1 section & longwall setup. This condition has existed for over 1 month as to the location of miners and location of doors on the 1, 3, 4 section. The escapeways on

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/17/[redacted] Page No. 6

U.S. GPO: 2006-640-217

8090851

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

Date 6-9-09

The #1 section was changed to a new location on 6/5/09 on day shift. The mine foreman should have corrected this Mod neg.

This condition would be reasonably likely to result in confusion as to the escapeways resulting in fatal injuries from exposure to high levels of CO & H2S

48 people - section crews longwall setup crew, supply men & belt men

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/17/0[redacted] Page No. 7

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

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

Date 6/15/09

Traveled in on truck to do #4 section with [redacted] chief. Mantrip #10 Brooker the ~~[illegible]~~ -NVO.

13 CSE SR 100's

Traveled across faces with examiner -NVO

Made inspect dangerous across faces. NV150

O2 & CH4 20.8 & 0.

Roof: Rib ok

Left side 14-15 CM. JM5849

Band 1

Left side Flexich Roof Bolt NVO 2005301

Right side Flexich Roof Bolt 2007013

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/17/0[redacted] Page No. 8

U.S. GPO: 2006-640-217

8090852

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

75.342a4

Date 6-16-09

0006

The CH4 monitor on the left side Jos 14-15 CM on the #4 section failed to function properly when tested with a 2.5% CH4/air mix. When tested it on intrinsically safe 20.2 CH4. O/G CH4 was detected with handheld sensor in the immediate area.

This condition increased in excess of 2 shifts. The chief elec. would have found this - Mod

This condition is unlikely to cause CH4 ignition but would cause permanently disabling injuries if it did. Mod 1/8 2 people. CM: SC affected.

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/17/09 [redacted] Page No. 9

T 0015 The CH4 monitor was calibrated

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

Date 6-16-09

RCM Jos 14-15 JM5524

Issue 1

Section Scope Foreman JSE - NVO

Walked off section, Walked the #4 section #2 belt - NVO 6/16/09 20.8% Rad. Rid of

#4 section #2 belt drive

Slip ✓ NVO

Seq ✓ NVO

Fire Supp ✓ NVO

CO #104 NVO

#4 sect #1 belt - NVO 6/16/09 20.8% Rad. 0.6 O/G

#4 Section #1 belt drive

Slip ✓ NVO

Seq ✓

Fire Supp ✓

CO #106 ✓

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/17/09 [redacted] Page No. 10

U.S. GPO: 2006-640-217

8090853

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

75.503

0303

Date 6/16/09

The right side Jos 14-15 continuous miner (JM5524) on the #4 section is not being kept in a permissible condition. The main cable junction box has an opening in excess of .005"

This condition was not mentioned in the last weekly exam. The next examiner would have found this - Mod.

This condition is unlikely to result in CH4 ignition but would cause permanently disabling injuries if it did - Non S&S

2 people - CM: SC affected

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/17/09 [redacted] Page No. 11

T 0345 The panel has been resealed

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

Date 6/16/09

Traveled on track to surface.

Issued citations and discussed with operator including root cause and cont rights.

Returned to Mt Hope.

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/17/0[redacted] Page No. 12

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

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

DAILY COVER SHEET

Date 6/16-17/08 Event No. 4119936

Arrived at the Mine 2215 Departed from the Mine

List Records Books Checked Preshift for 1,3,4 sections

Accompanied By: Company Representative [redacted], mine foreman

Miners Representative N/A

AREAS OF INSPECTION ACTIVITY:

#3 section - tram c.H faces

#3 section 1 & 2 self drive

1 south self drive

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/17/0[redacted] Page No. 1

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

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

Date 6-16-09

Arrived at MSHA and gathered inspection materials

Traveled to mine site in GOV.

At mine site met with [redacted], chief elec. Surface Illumination - NVO

Checked the preshift books 1, 3 & 4 sections. NVO Brookville Jeep #11 NVO SCSE/SCBR's NVO

Traveled to the #3 section on tracks with [redacted] chief electrician

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/17/0[redacted] Page No. 2

U.S. GPO: 2006-640-217

8090854

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

75.1100-2(a)
0044

Date 6-17-09

The oil station on the #3 section at approx 23378 is not provided with a fire extinguisher. 27-5gal cans of hydraulic oil are stored here.

This condition has existed for at least 1 shift. The supply crews run on the dayshift. The preshift examiner should have found this cond

Mod neg

This condition would be reasonably likely to result in a delay or inability to extinguish

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/17/0[redacted] Page No. 3

U.S. GPO: 2006-640-217

T-0046 An extinguisher is now present.

8090854

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

Date 6-17-09

a fire at the oil station causing permanently disabling burns

S.S

1 person - occup man affected.

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/17/09 [redacted] Page No. 4

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

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

Date 6-17-09

Walked from end of track to section

Term citation #8090845 at 0055 hr. The J Bar has been repaired.

Walked across faces

NIOO O_2 CH_4 20.6 CO_2

Vent: Rib ok

Issued 0-2 citation on face ventilation.

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/17/09 [redacted] Page No. 5

U.S. GPO: 2006-640-217

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

Date 4/17/09

V= 290 Right 0010

A= 3.75x22 23,925cfm

0.04

Left 0120

V= 310

A= 6x20 37,200cfm

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/22/9[redacted] Page No. 5

U.S. GPO: 2006-640-217

8090855

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

Date 6-17-09

0110 hrs

75.370a1

The operator is failing to comply with page 5 of the mine ventilation plan.

1) There is not a back up curtain in the #5 entry.

2) The ventilation current is improperly split and the air passing over the 064 MMU is going to the right side and the 065 MMU.

[redacted] stated to MSHA that he was aware of the condition of the ventilation

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/17/9[redacted] Page No. 6

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

8090855

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

Date 6-17-09

He engaged in aggravated conduct by failing to take action on a known hazard. High Neg

These conditions have existed since the current cut on each side.

The left side continuous miner operator and shuttle car operators are working in needless dust due to the improper ventilation. This condition is highly likely to result in permanently disabling

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/17/9[redacted] Page No. 7

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

8090855

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

Date 6/17/09

silicosis - S.S

3 people [redacted]

affected

T-0145 The ventilation controls were adjusted and the section is now properly ventilated and a safety talk about ventilation & silicosis was held with crew.

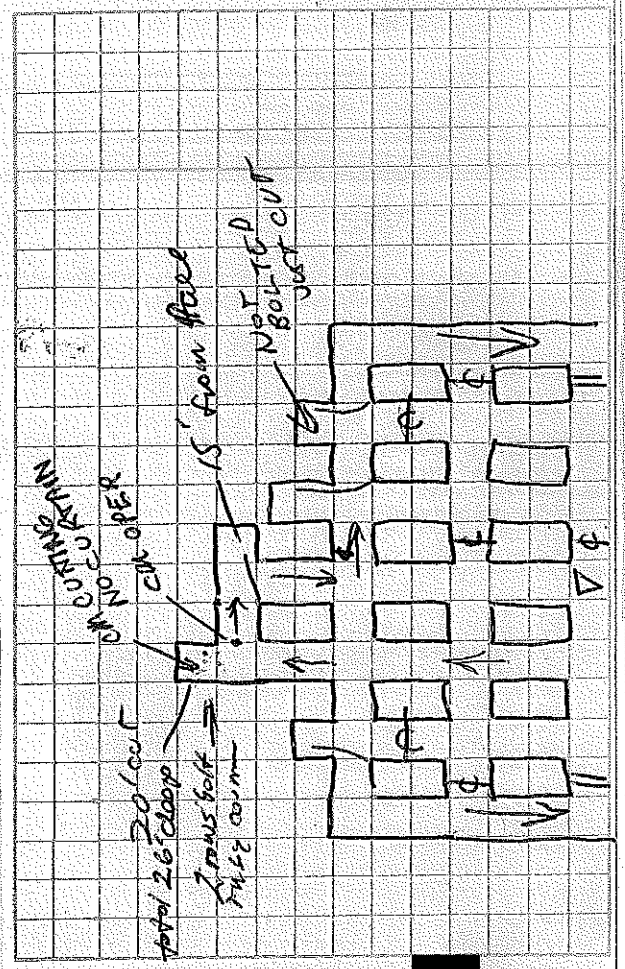
Inspector's Initials [redacted]

Supervisor's Initials and Date 6/17/09 [redacted] Page No. 8

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

8090855

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



Date 6/17/09 Inspector's Initials [redacted]

Supervisor's D&I 6/17/09 [redacted] Page No. 9

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

8090856

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

Date 6/17/09

O111NS

75.370 a 1

The operator is failing to comply with the approved dry/dust control plan on the 064 MMU, section specific page, items 4 and 7

1) The line curtain in the 4R crosscut is 4 rows of bolts or 15' back from the face

2) The 064 MMU continuous miner is operating in the #5 place without any line curtain with the

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/17/09 [redacted] Page No. 10

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

809656

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

Date 6/17/09

continuous miner operator standing in the visible dust in the return side of the CM.

These conditions have existed since 1 Cut. The foreman [redacted] stated he knew these conditions existed to MSHA. He engaged in aggravated conduct by failing to take action on a known hazard. High Neg

This condition is highly likely to result in exposure to high levels of dust, causing

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/17/9 [redacted] Page No. 11

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

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

Date 6/17/09

silicosis. 1.8

3 people CM - 2 1/c affected.

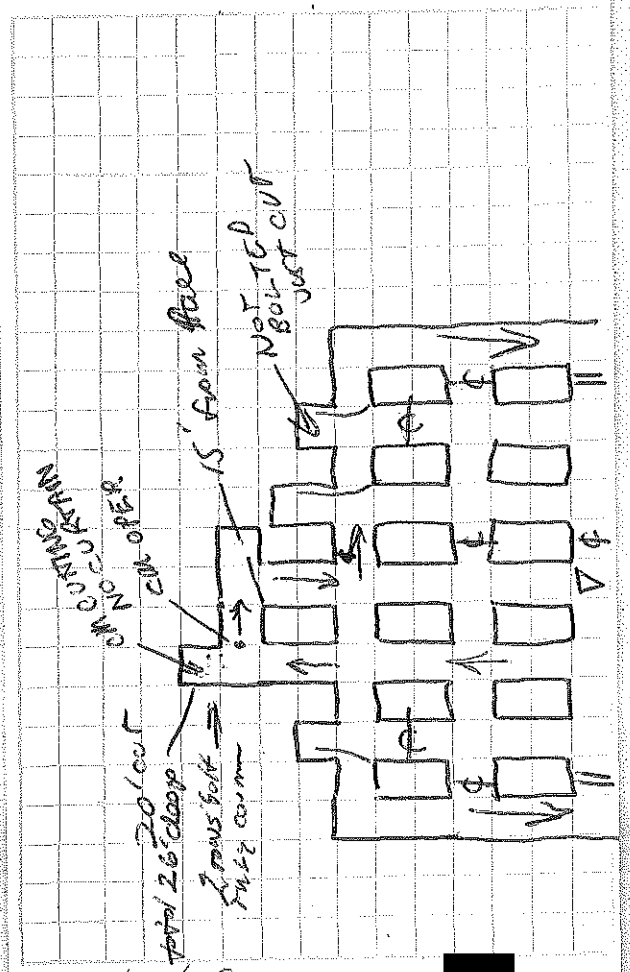
T-0145 The ventilation controls were adjusted and the section is now properly ventilated and a safety meeting concerning ventilation was held with crew.

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/17/9 [redacted] Page No. 12

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

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



Date 6/17/09 Initial [redacted]

Supervisor's Date 6/17/9 [redacted] Page No. 13

U.S.GPO:1993-0-709-08

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

Date 6/17/09

Term c.t # 8090844
0155 The E Stop has been repaired

Term c.t # 8090843
0158 The light has been replaced

Term c.t # 8090846
0208 The methane monitor now functions correctly

Travled on foot to the #3 seat #2 belt drive slip, seq, fire supp NVO
CO43 NVO

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/17/9 [redacted] Page No. 14

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

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

Date 6/17/09

Travled on track to #2 section #1 belt drive slip, seq, fire supp NVO
CO 58 - NVO

Travled to 1 South belt drive on track
slip, seq, fire supp - NVO
CO 34 - NVO

Returned to surface.

Issued citation & O2 orders & discussed with operator including root cause & court Rights.

Returned to Mt Hope

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/17/9 [redacted] Page No. 15

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

MSHA Form 7000-10I, June 93 (revised) C16-08436

DAILY COVER SHEET

Date 6/17-18/09 Event No. 4117937

Arrived at the Mine 2217 Departed from the Mine

List Records Books Checked Preshift 1, 3, 4 seat.

Accompanied By: Company Representative [redacted]
+ chief elect.

Miners Representative N/A

AREAS OF INSPECTION ACTIVITY:

#1 seat equipment

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/22/9 [redacted] Page No. 1

*U.S. Government Printing Office: 1997 - 608-470

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

Date 6-17-09

Arrived at MSHA and gathered inspection materials.

Traveled to mine site in GOV.

At mine site met with [redacted], chief elec. Chosen 1,3,4 section. pre-shift NO Jam citation # 8090851 at 2310. A up to date escapeway map has been posted in the bathhouse.

Traveled on track to the #1 section with [redacted], chief elec.

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/22/9 [redacted] Page No. 2

U.S. GPO: 2006-640-217

8090857

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

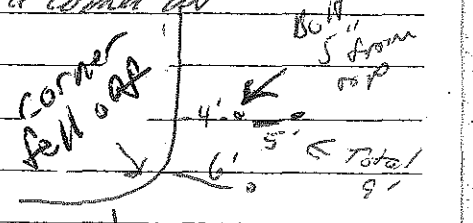
75.220a1

0210

Date 6/18/09

The operator is failing to comply with the 5th supplement to the approved roof control plan page 6, item #51.

The roof bolters are not being maintained within 4' of the rib when a bolt has fallen off on a corner at



spad #23388 on #3 belt, #1 section. The roof bolts are from 5½ to 9' from the rib.

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/22/9 [redacted] Page No. 3

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

8090857

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

Date 6/18/09

This condition is along the track (secondary ecs) on the #1 section. This condition is reasonably likely to result in roof failure resulting in broken bones - permanently disabling - S&S

1 person - belt man affected

This condition is recent. There were pre-shift examiners would have found this - Low

T-0630 The area has been supported by jacks.

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/22/9 [redacted] Page No. 4

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

8090858

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

75.503
0340

Date 6-18-09

The left side flameproof cap bolts on the #4 section is not being maintained in a permissible condition.
.05 CH_4 detected

1) The top area light has a broken light globe

2) The area light on the T-Bar does not have a bend on the conduit.

These conditions were not mentioned in the last weekly exam. The next weekly examiner would have found this - low neg.

Inspector's Initials [redacted]

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

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

T-452 The light & conduit are repaired

8090858

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

Date 6/18/09

This condition would be reasonably likely to result in CH_4 ignition causing permanently disabling injuries. S-A

2 people - both crew affected

Inspector's Initials [redacted]

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

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

8090859

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

75.362(d)(2)
0353

Date 6/18/09

The left boiler on the split air #1 section is not provided with a functional probe for taking CH_4 readings.
The probe is damaged to the extent it will not function. The spacer holder is broken
This condition has existed for at least 1 shift. The bolts crew should have reported this. Mod neg

This mine liberates large quantities of CH_4 and is on a 15 day methane spot, making this condition reasonably likely to result in a CH_4 ignition.

Inspector's Initials [redacted]

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

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

8090859

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

Date 6-18-09

That would be expected to cause permanently disabling injuries 8.8

2 people - both eyes affected

Inspector's Initials [redacted]

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

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

Date 6-18-09

Made imminent danger on NIDO.

Oldcity 20-8160 2

Roof: Rib ok

Left Side Jay 14-15

JM 6044 - Issued 1 cit

Pitot Tube Readings ok

Left Side Fletcher RB

SN 95065/2005358

Issued 2 citations

Right Side Jay 12-12 CM SN 5844

Pitot Tube - NVO

Right side fletch bolter

Issued 1 cit

Inspector's Initials [redacted]

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

8090860

MSHA Form 7000-10K, June 93 (revised) 75.1100-3 0428

Date 6-18-09

The fire suppression on the left continuous miner is not being properly maintained. Two of the dam spray blocks are stopped up.

This condition was not found in the weekly exam last week. The next examiner would have found this - Mod

This condition would result in a delay or inability to extinguish the fire on the CM.

This would be expected to result in perm. disabling

Inspector's Initials [redacted]

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

T-0532 The sprays have been cleaned. Functions ok Now

5090860

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

Date 6-18-09

injuries from burns - S.A

1 person CM operator affected.

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/22/09 [redacted] Page No. 11

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

5090861

MSHA Form 7000-10K, June 93 (revised) 75.1100-3

Date 6/18/09 0520

The fire suppression on the right side continuous miner on the #4 section is not being properly maintained. 3 of the 4 spray blocks are stopped up.

This condition was not mentioned in the last weekly exam. The next examiner would have found this.

Mod neg.

This condition would be reasonably likely to result in an inability or delay in extinguishing a fire on the miner.

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/22/09 [redacted] Page No. 12

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

T - 0555 The system is been repaired sprays cleaned

5090861

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

Date 6/18/05

, resulting in permanently disabling injury. S.A

1 person CM opr affected

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/22/09 [redacted] Page No. 13

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

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

Date 6-18-09

Walked pacer with preshift examiner - NVO 05/0 CH4 20.8% O2 Ref. Kit ok DTI fan ratings checks present.

Inspector's Initials [redacted]

Supervisor's Initials and Date 10/22/[redacted] Page No. 14

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

5050862

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

75.701
0535

Date 6-16-09

The scoop batteries on charger on the #386 charger on the #1 section does not have the frame ground hooked up between the battery & the charger.

This condition has existed since closing the evening shift. The next preshift examiner would have found this. Mal neg.

This condition would be reasonably likely to result in an [redacted] electrical shock that

Inspector's Initials [redacted]

Supervisor's Initials and Date 10/22/[redacted] Page No. 15

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

5050862

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

Date 6/16/09

would be expected to cause fatal injuries from electrical shock. S.S

1 person - scoop man affected.

T-535 The ground has been hooked up.

Inspector's Initials [redacted]

Supervisor's Initials and Date 10/22/[redacted] Page No. 16

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

8090863

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

75.1100-2e
0542

Date 6-18-09

The #1 scoop charger on the #1 section is not provided with a fire extinguisher. The fire extinguisher present is discharged.

This condition has existed since at least the evening shift. The previous examiner would have found this. Mod

In the event of a fire at the charger, this condition would result in a delay or inability to extinguish the fire.

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/22/09 [redacted] Page No. 17

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

8090863

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

Date 6-18-09

scanning in permanently disabling parms. SS

2 person operation. - Section crew - charger is located in the section intake.

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/22/09 [redacted] Page No. 18

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

8090864

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

75.517
0605

Date 6/18/09

The cable on the right roof bolter is not being maintained in a fully insulated and protected condition. The outer jacket of the cable has a hole in it exposing the copper in the damaged phase lead inside.

This condition was not mentioned in the last weekly exam. The next examiner would have found this. Low

The section is wet and has standing water. The condition of the cable

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/22/09 [redacted] Page No. 19

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

T-0618 The cable is reinsulated

8090864

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

Date 6-18-09

would be reasonably likely to result in an electrical shock that would cause fatal injuries. S&S

1 person - 5 to 1 open. affected.

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/22/9[redacted] Page No. 20

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

Date 6/18/09

Transported to surface on the mast.

Terminated citations 8090848, 8090849, 8090850. The foreman in the mine have been retrained to make rounds of the lifelines and record them in the previous book. OSW

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/22/9[redacted] Page No. 21

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

Date 6/18/09

Held talk with Homer Wallace, supt; [redacted] mine foreman; [redacted] mine foreman about the high # of citations and the repeated # of similar violations.

The company has decided that suspension and discharge is the current way they will deal with this problem.

Returned to HQ hdqtr

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/22/9[redacted] Page No. 22

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

96-08436

DAILY COVER SHEET

Date 6/22/09 Event No. 4119936

Arrived at the Mine 0235 Departed from the Mine

List Records Books Checked Prestwitr 1,3,4 sections

Accompanied By: Company Representative [redacted], cheif electrician

Miners Representative N/A

AREAS OF INSPECTION ACTIVITY:

Shop
Power knocked under-ground.

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/22/09 [redacted] Page No. 1

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

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

Date 6/22/09

Arrived at MSHA and gathered inspection materials.

Traveled to mine site in GOV.

Checked prestwitr books 1,3,4 sections NVD

Traveled inside on Track to Ellis #5 head with [redacted] chief elec.

Underground power knocked at the same time we arrived at belt drive.

Traveled back to surface.

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/22/09 [redacted] Page No. 2

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

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

Date 6/22/09

Walked into shop while [redacted] and other electricians worked on power.

Issued citation on scoop charger.

Power problems were not easily resolved and the system was still being troubleshoot when I departed property.

Issued citations and discussed with operator including cost issues & conf.

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/22/09 [redacted] Page No. 3

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

8090865

MSHA Form 7000-10K, June 93 (revised) 77 701 0441

Date 6/22/08

The #1 Brookville working on charger in the stop area does not have the frame grounded up between the charger & the batteries.

This condition has existed since the evening shift the night before. This condition has been cited 4 times and the men have been well warned that this ground must be hooked up. The man that put it on charge knows this condition exists.

Mod

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/22/[redacted] Page No. 4

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

T-443 the ground clamp is hooked up

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

Date 6/22/09

This condition is reasonably likely to result in an electrical shock that would be expected to cause fatal injuries. S&S

1 person - mining operator affected.

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/22/[redacted] Page No. 5

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

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

Date 6/22/09

Issued citation and discussed with operator including root cause & corr. action.

Returned to Mt Hope

Inspector's Initials [redacted]

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

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

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

DAILY COVER SHEET

Date 6/22-23/09 Event No. 4119536

Arrived at the Mine 0945 Departed from the Mine

List Records Books Checked Preshift 1,2,4 sections

Accompanied By: Company Representative [redacted] chief electrician

Miners Representative N/A

AREAS OF INSPECTION ACTIVITY:

#Ellis #5 belt drive
#4, #5 6' belt drives
#1 section 1,2,3 belt drives

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/22/09 [redacted] Page No. 1

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

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

Date 6/22/09

Arrived at MSHA and gathered inspection materials.

Traveled to mine site in GOV.

At mine site met with [redacted] 3rd shift chief electrician

Checked preshift books 1,3,4 sections -NVO

Traveled in on track with [redacted] chief electrician to Ellis #5 belt drive

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/22/09 [redacted] Page No. 2

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

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

Date 6/23/09

Ellis #5 belt drive
slip - NVO
seq - NVO
fire supp - NVO
CO 27 - NVO

#4 - 6' ~~Ellis~~ belt drive
slip - NVO
seq - NVO
fire supp - NVO
CO 73 - NVO

#5 - 6 ft belt drive
slip - NVO
seq - NVO
fire supp - NVO
CO 83 - NVO

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/23/09 [redacted] Page No. 3

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

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

Date 6-23-09

#6 6' belt drive
slip - NVO
seq - NVO
fire supp - NVO
CO 95 - NVO

#1 section #1 belt
slip - NVO
seq - NVO
fire supp - NVO
CO 68 - NVO

Traveled to the #1 section.

Term citation 8090859 at 328. A new probe has been provided.

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/23/09 [redacted] Page No. 4

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

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

Date 6/23/09

Terminated citation 8090863 at 332. A new fire ext. has been provided.

Traveled back on track to the #1 section #3 belt.
slip - NVO
seq NVO
fire supp. NVO
CO - NVO

#1 section #2 belt drive
slip - NVO
seq - NVO
fire supp - NVO
CO 65 - NVO

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/23/9 [redacted] Page No. 5

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

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

Date 6/23/09

Traveled to the surface.

Checked #1 Brookeville Locomotive NVO
2 CSE SCSR's NVO

Checked #2 Brookeville Locomotive ~~Jeep~~. 3 CSE SCSR's NVO

Checked #1 Brookeville
Training - NVO
13 CSE SCSR's NVO
Discussed days inspection with [redacted] chief
Returned to Mt Hope

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/23/9 [redacted] Page No. 6

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

MSHA Form 7000-10I, June 93 (revised) 46-05436

DAILY COVER SHEET

Date 6/23/09 Event No. 4119936

Arrived at the Mine 0830 Departed from the Mine

List Records Books Checked

Pre-Shift, Weekly, Electrical

Accompanied By: Company Representative

Miners Representative

[redacted]

AREAS OF INSPECTION ACTIVITY:

Surface

Records & Postings

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/24/9[redacted] Page No. 1

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

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

Date 6/23/09

Arrived @ Upper Big Branch w/ CMI Trainee [redacted] and Supervisor [redacted] and Met w/ Management and informed them of Todays intensions of Checking Some Surface Buildings and Records and Postings.

[redacted] got [redacted] he informed us he was one of the Miner Reps.

Checked Check in / out Board 104 people Checked in

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/24/9[redacted] Page No. 2

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

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

Date 6/23/09

Mr. Wallace went to Dispatcher office to get print out of who was Underground.

While waiting, [redacted] and Supervisor was going over Board on who might be Underground and [redacted] refused to speak with us and walked away

Mr. Wallace Returned w/ a print out of the People Underground and changed the Board. A total of 76 miners were Underground

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/24/9[redacted] Page No. 3

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

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

Date 6/23/09

CITATION/ORDER #: 8087652

Time: 0900

Location: SURFACE

Violation: 75.1715

THE OPERATOR IS NOT FOLLOWING THE CHECK IN / OUT SYSTEM WHICH PROVIDES POSITIVE IDENTIFICATION OF EVERY PERSON UNDERGROUND AND WILL PROVIDE AN ACCURATE RECORD OF THE PERSONS IN THE MINE. A TOTAL OF 114 MINERS WERE CHECKED IN AND ONLY 76 WERE UNDERGROUND.

No. of Persons Exposed: 7

MINE RESCUE TEAM MEMBERS

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/24/9[redacted] Page No. 4

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

Date 6/23/09

Who knew the violation existed?

MANAGEMENT SHOULD HAVE KNOWN

How long has the violation existed?

2 HOURS

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

LOST WORKDAYS OR RESTRICTED DUTY

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

UNLIKELY - THE RESPONSIBLE PERSON HAD IDENTIFICATION OF PEOPLE ON TRACKING THAT WERE UNDERGROUND

TERMINATED - 916am

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/24/9[redacted] Page No. 5

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

Date 6/23/09

ONLY MADE 7 PEOPLE AFFECTED - MINE RESCUE TEAM MEMBERS. DUE TO THE FACT THAT THE 38 PEOPLE THAT WAS CHECKED IN [redacted] AND WERE NOT UNDERGROUND ARE NOT EXPOSED TO ANYTHING.

THE MINE RESCUE TEAM WOULD BE AFFECTED AS THEY WOULD BE SEARCHING FOR THE 38 MINERS ASSUMING THEY WERE ALL UNDERGROUND IF AN ACCIDENT WAS TO OCCUR.

Inspector's Initials [redacted]

Supervisor's Initials and Date 6/24/9[redacted] Page No. 6

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

Date 6/23/09

SPOKE WITH HOMER WALLACE AND [redacted] AND INFORMED THEM THAT THIS WAS THE 4TH TIME THIS YEAR THAT A CITATION HAS BEEN ISSUED ON 75.1715 AND THAT IT WOULD RESULT IN [redacted] MORE THAN ORDINARY NEGLIGENCE.

CHECKED BATHHOUSE (NVO)

CHECKED PUMP HOUSE (NVO)

CHECKED HYD. HOSE BUILDING (NVO)

CHECKED ROPS: [redacted] FOPS ON CAT. : TAYLOR FORKLIFT (NVO)

Inspector's Initials [redacted]

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

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

Date 6/23/09

CHECKED RECORDS AND POSTINGS AT MINE (NVO)

CHECKED TRAINING RECORDS OF MINE EMPLOYEES (NVO)

WROTE OUT CITATION

HELD DAILY CLOSEOUT W/ MANAGEMENT

DISCUSSED CITATION AND ROOT CAUSE W/ BERMAN CORNETT - SAFETY DIRECTOR -

RETURN TO MT. HOPE OFFICE.

Inspector's Initials [redacted]

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