



Section I--Violation Data

| | | |
|----------------------------------|--------------------------------|--|
| 1. Date Mo Da Yr 8/14/2021 | 2. Time (24 Hr. Clock) 1215 | 3. Citation/ Order Number 9198903 |
| 4. Served To Scott Webb | | 5. Operator M-CLASS MINING LLC |
| 6. Mine MC#1 MINE | | 7. Mine ID 11-03189 (Contractor) |
| 8. Condition or Practice | | 8a. Written Notice (103g) <input type="checkbox"/> |

An accident has occurred at this mine on 8/14/2021 on midnight shift. A fire was discovered on Headgate 8, MMU-004, behind the headgate shields in entry #2 between 25 crosscut and 26 crosscut. This order is being issued under the authority of Section 103 (K) of the Federal Mine Safety and Health Act of 1977 and is intended to protect the safety of all persons on site including those involved in the rescue and recovery operations or investigations of the accident. The mine operator shall obtain prior approval from an Authorized Representative of the Secretary of all actions to recover and/or restore operations in the affected area. Additionally, the mine operator is reminded of its existing obligations to prevent the destruction of evidence that aid in investigating the cause or causes of the accident.

See Continuation Form (MSHA Form 7000-3a) ☐

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

Section II--Inspector's Evaluation

| | | | | |
|--|--|---|--|--------------------------------|
| 10. Gravity: | | | | |
| A. Injury or Illness (has) (is): No Likelihood <input type="checkbox"/> Unlikely <input type="checkbox"/> Reasonably Likely <input type="checkbox"/> Highly Likely <input type="checkbox"/> Occurred <input type="checkbox"/> | | | | |
| B. Injury or illness could reasonably be expected to be: No Lost Workdays <input type="checkbox"/> Lost Workdays Or Restricted Duty <input type="checkbox"/> Permanently Disabling <input type="checkbox"/> Fatal <input type="checkbox"/> | | | | |
| C. Significant and Substantial: Yes <input type="checkbox"/> No <input type="checkbox"/> | | | | D. Number of Persons Affected: |
| 11. Negligence (check one) A. None <input type="checkbox"/> B. Low <input type="checkbox"/> C. Moderate <input type="checkbox"/> D. High <input type="checkbox"/> E. Reckless Disregard <input type="checkbox"/> | | | | |
| 12. Type of Action 103 (k) | | 13. Type of Issuance (check one) Citation <input type="checkbox"/> Order <input checked="" type="checkbox"/> Safeguard <input type="checkbox"/> Written Notice <input type="checkbox"/> | | |
| 14. Initial Action A. Citation <input type="checkbox"/> B. Order <input type="checkbox"/> C. Safeguard <input type="checkbox"/> D. Written Notice <input type="checkbox"/> | | E. Citation/ Order Number | | F. Dated Mo Da Yr |

15. Area or Equipment
All underground areas.

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

Section III--Termination Action

17. Action to Terminate

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

Section IV--Automated System Data

| | | |
|--|-----------------------------|------------------------|
| 19. Type of Inspection (activity code) E08 | 20. Event Number 7006992 | 21. Primary or Mill |
| 22. AR Name Brandon Lampley | | 23. AR Number 25374 |

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

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

| | | |
|---|---|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) 08/14/2021 | 3. Citation/ Order Number 9198903 - 01 |
| 4. Served To Scott Webb | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | 7. Mine ID (Contractor) 11-03189 | |

Section II—Justification for Action

The operator has submitted an action plan for atmospheric monitoring. The operator is required to implement the plan as submitted. When the levels have been restored to safe working conditions for 24 hours, MSHA will be notified to request approval to continue normal operations.

Section III—Subsequent Action Taken

| | | | | | |
|----------------|------------------|------------------------|-------------------------------------|--|---|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated | <input type="checkbox"/> D. Terminated | <input checked="" type="checkbox"/> E. Modified |
|----------------|------------------|------------------------|-------------------------------------|--|---|

Section IV—Inspection Data

| | | | |
|--------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Brandon Lampley | AR Number 25374 | 12. Date Mo Da Yr 08/14/2021 | 13. Time (24 Hr. Clock) 14:59 |

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

| | | |
|---|---|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) 08/14/2021 | 3. Citation/ Order Number 9198903 - 02 |
| 4. Served To Scott Webb | 5. Operator M-CLASS MINING LLC (Contractor) | |
| 6. Mine MC#1 MINE | 7. Mine ID 11-03189 | |

Section II—Justification for Action

After further investigation all miners are withdrawn from all underground areas until safe working conditions can be restored and the District Manager is notified.

Section III—Subsequent Action Taken

| | | | | | |
|----------------|------------------|------------------------|-------------------------------------|--|---|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated | <input type="checkbox"/> D. Terminated | <input checked="" type="checkbox"/> E. Modified |
|----------------|------------------|------------------------|-------------------------------------|--|---|

Section IV—Inspection Data

| | | | |
|--------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Brandon Lampley | AR Number 25374 | 12. Date Mo Da Yr 08/14/2021 | 13. Time (24 Hr. Clock) 17:30 |

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

| | | |
|---|---|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) Mo Da Yr 08/14/2021 | 3. Citation/ Order Number 9198903 - 03 |
| 4. Served To Scott Webb | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | 7. Mine ID 11-03189 | (Contractor) |

Section II—Justification for Action

This order is hereby modified to allow the operator to implement the approved action plan as submitted.

Section III—Disposition Data

| | | | | | |
|----------------|------------------|------------------------|-------------------------------------|--|---|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated | <input type="checkbox"/> D. Terminated | <input checked="" type="checkbox"/> E. Modified |
|----------------|------------------|------------------------|-------------------------------------|--|---|

Section IV—Disposition Data

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| 9. Type of Action E08 | 10. Date of Action 08/14/2021 | 11. AR Name AIA | 12. Date of Review 08/14/2021 | 13. Date of Review 08/14/2021 | 14. Date of Review 08/14/2021 | 15. Date of Review 08/14/2021 | 16. Date of Review 08/14/2021 | 17. Date of Review 08/14/2021 | 18. Date of Review 08/14/2021 | 19. Date of Review 08/14/2021 | 20. Date of Review 08/14/2021 | 21. Date of Review 08/14/2021 | 22. Date of Review 08/14/2021 | 23. Date of Review 08/14/2021 | 24. Date of Review 08/14/2021 | 25. Date of Review 08/14/2021 | 26. Date of Review 08/14/2021 | 27. Date of Review 08/14/2021 | 28. Date of Review 08/14/2021 | 29. Date of Review 08/14/2021 | 30. Date of Review 08/14/2021 | 31. Date of Review 08/14/2021 | 32. Date of Review 08/14/2021 | 33. Date of Review 08/14/2021 | 34. Date of Review 08/14/2021 | 35. Date of Review 08/14/2021 | 36. Date of Review 08/14/2021 | 37. Date of Review 08/14/2021 | 38. Date of Review 08/14/2021 | 39. Date of Review 08/14/2021 | 40. Date of Review 08/14/2021 | 41. Date of Review 08/14/2021 | 42. Date of Review 08/14/2021 | 43. Date of Review 08/14/2021 | 44. Date of Review 08/14/2021 | 45. Date of Review 08/14/2021 | 46. Date of Review 08/14/2021 | 47. Date of Review 08/14/2021 | 48. Date of Review 08/14/2021 | 49. Date of Review 08/14/2021 | 50. Date of Review 08/14/2021 | 51. Date of Review 08/14/2021 | 52. Date of Review 08/14/2021 | 53. Date of Review 08/14/2021 | 54. Date of Review 08/14/2021 | 55. Date of Review 08/14/2021 | 56. Date of Review 08/14/2021 | 57. Date of Review 08/14/2021 | 58. Date of Review 08/14/2021 | 59. Date of Review 08/14/2021 | 60. Date of Review 08/14/2021 | 61. Date of Review 08/14/2021 | 62. Date of Review 08/14/2021 | 63. Date of Review 08/14/2021 | 64. Date of Review 08/14/2021 | 65. Date of Review 08/14/2021 | 66. Date of Review 08/14/2021 | 67. Date of Review 08/14/2021 | 68. Date of Review 08/14/2021 | 69. Date of Review 08/14/2021 | 70. Date of Review 08/14/2021 | 71. Date of Review 08/14/2021 | 72. Date of Review 08/14/2021 | 73. Date of Review 08/14/2021 | 74. Date of Review 08/14/2021 | 75. Date of Review 08/14/2021 | 76. Date of Review 08/14/2021 | 77. Date of Review 08/14/2021 | 78. Date of Review 08/14/2021 | 79. Date of Review 08/14/2021 | 80. Date of Review 08/14/2021 | 81. Date of Review 08/14/2021 | 82. Date of Review 08/14/2021 | 83. Date of Review 08/14/2021 | 84. Date of Review 08/14/2021 | 85. Date of Review 08/14/2021 | 86. Date of Review 08/14/2021 | 87. Date of Review 08/14/2021 | 88. Date of Review 08/14/2021 | 89. Date of Review 08/14/2021 | 90. Date of Review 08/14/2021 | 91. Date of Review 08/14/2021 | 92. Date of Review 08/14/2021 | 93. Date of Review 08/14/2021 | 94. Date of Review 08/14/2021 | 95. Date of Review 08/14/2021 | 96. Date of Review 08/14/2021 | 97. Date of Review 08/14/2021 | 98. Date of Review 08/14/2021 | 99. Date of Review 08/14/2021 | 100. Date of Review 08/14/2021 |
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OMB

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

| | | |
|---|---|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) 08/14/2021 | 3. Citation/ Order Number 9198903 - 04 |
| 4. Served To Scott Webb | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | 7. Mine ID (Contractor) 11-03189 | |

Section II—Justification for Action

This order is hereby modified to allow the operator to implement Addendum 002 Borehole-B2 of the approved action plan.

Section III—Subsequent Action Taken

| | | | |
|----------------|------------------|------------------------|--|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated <input type="checkbox"/> D. Terminated <input checked="" type="checkbox"/> E. Modified |
|----------------|------------------|------------------------|--|

Section IV—Inspection Data

| | | | |
|--------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Brandon Lampley | AR Number 25374 | 12. Date Mo Da Yr 08/15/2021 | 13. Time (24 Hr. Clock) 17:30 |

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

| | | |
|---|---|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) 08/14/2021 | 3. Citation/ Order Number 9198903 - 05 |
| 4. Served To Scott Webb | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | 7. Mine ID 11-03189 (Contractor) | |

Section II—Justification for Action

The order is hereby modified to allow the operator to implement Addendum 004, Borehole-B3 of the action plan.

Section III—Subsequent Action Taken

| | | | |
|----------------|------------------|------------------------|--|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated <input type="checkbox"/> D. Terminated <input checked="" type="checkbox"/> E. Modified |
|----------------|------------------|------------------------|--|

Section IV—Inspection Data

| | | | |
|--------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Brandon Lampley | AR Number 25374 | 12. Date Mo Da Yr 08/16/2021 | 13. Time (24 Hr. Clock) 14:12 |

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

| | | |
|---|---|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) 08/14/2021 | 3. Citation/ Order Number 9198903 - 06 |
| 4. Served To Scott Webb | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | 7. Mine ID 11-03189 (Contractor) | |

Section II—Justification for Action

This order is hereby modified to allow the operator to implement Addendum 005 Borehole-B4 of the approved action plan.

Section III—Subsequent Action Taken

| | | | | | |
|----------------|------------------|------------------------|-------------------------------------|--|---|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated | <input type="checkbox"/> D. Terminated | <input checked="" type="checkbox"/> E. Modified |
|----------------|------------------|------------------------|-------------------------------------|--|---|

Section IV—Inspection Data

| | | | |
|---------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Brandon Lampeley | AR Number 25374 | 12. Date Mo Da Yr 08/17/2021 | 13. Time (24 Hr. Clock) 11:05 |

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

| | | |
|---|---|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) 08/14/2021 Mo Da Yr | 3. Citation/ Order Number 9198903 - 07 |
| 4. Served To Scott Webb | | 5. Operator M-CLASS MINING LLC |
| 6. Mine MC#1 MINE | | 7. Mine ID 11-03189 (Contractor) |

Section II—Justification for Action

This order is hereby modified to allow the operator to implement Addendum 006, Borehole B5 of the action plan.

Section III—Subsequent Action Taken

| | | | |
|----------------|------------------|------------------------|--|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated <input type="checkbox"/> D. Terminated <input checked="" type="checkbox"/> E. Modified |
|----------------|------------------|------------------------|--|

Section IV—Inspection Data

| | | | |
|--------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Brandon Lampley | AR Number 25374 | 12. Date Mo Da Yr 08/18/2021 | 13. Time (24 Hr. Clock) 09:09 |

Mine Citation/Order
Continuation

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



DMS

Section I—Subsequent Action/Continuation Data

| | | |
|---|---|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) 08/14/2021 | 3. Citation/ Order Number 9198903 - 08 |
| 4. Served To Scott Webb | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | 7. Mine ID 11-03189 (Contractor) | |

Section II—Justification for Action

This order is hereby modified to allow the operator to implement Addendum 008, Borehole B6 of the action plan.

Section III—Subsequent Action Taken

| | | | | | |
|----------------|------------------|------------------------|-------------------------------------|--|---|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated | <input type="checkbox"/> D. Terminated | <input checked="" type="checkbox"/> E. Modified |
|----------------|------------------|------------------------|-------------------------------------|--|---|

Section IV—Inspection Data

| | | | |
|------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Brandon Naas | AR Number 24981 | 12. Date Mo Da Yr 08/19/2021 | 13. Time (24 Hr. Clock) 11:15 |

Mine Citation/Order
Continuation

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



amb

Section I—Subsequent Action/Continuation Data

| | | |
|---|--|--|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) 08/14/2021 | 3. Citation/ Order Number 9198903 - 09 |
| 4. Served To Scott Webb | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | 7. Mine ID 11-03189 (Contractor) | |

Section II—Justification for Action

This order is hereby modified to allow the operator to implement Addendum 009, Borehole B7 of the action plan.

Section III—Subsequent Action Taken

| | | |
|---------------------------------------|------------------------|--|
| 8. Extended To A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated <input type="checkbox"/> D. Terminated <input checked="" type="checkbox"/> E. Modified |
|---------------------------------------|------------------------|--|

Section IV—Inspection Data

| | | | |
|------------------------------|-----------------------------|------------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Brandon Naas | AR Number 24981 | 12. Date Mo Da Yr 08/21/2021 | 13. Time (24 Hr. Clock) 13:30 |

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

| | | | |
|---|--|-------------------------------------|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) 08/14/2021 | Mo Da Yr | 3. Citation/ Order Number 9198903 - 10 |
| 4. Served To Scott Webb | | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | | 7. Mine ID (Contractor) 11-03189 | |

Section II—Justification for Action

This order is hereby modified to allow the operator to implement action plan Addendum 011 to drill a 6 inch Borehole-B8 in entry 1 of Headgate 8, inby 26 x-cut and approximately 34 feet East of Borehole-B1 as depicted on the partial map submitted with the plan. The use of this Borehole B8 will require an action plan to be approved which details the purpose for which the hole will be used and if used for sampling atmosphere, a drawing providing the sampling/casing pipe details must be included. Records related to video, material injected into the borehole, including start/stop times, will be maintained by the operators and made available to an Authorized Representative upon request.

Section III—Subsequent Action Taken

| | | | |
|----------------|------------------|------------------------|--|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated <input type="checkbox"/> D. Terminated <input checked="" type="checkbox"/> E. Modified |
|----------------|------------------|------------------------|--|

Section IV—Inspection Data

| | | | |
|--------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Brandon Lampley | AR Number 25374 | 12. Date Mo Da Yr 08/23/2021 | 13. Time (24 Hr. Clock) 15:45 |

Mine Citation/Order
Continuation

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



Section I--Subsequent Action/Continuation Data

| | | |
|---|---|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) 08/14/2021 | 3. Citation/ Order Number 9198903 - 11 |
| 4. Served To Brandon Tackett (Mine Examiner) | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | 7. Mine ID 11-03189 (Contractor) | |

Section II--Justification for Action

This order is hereby being modified to allow the operator to implement Addendum 015 - Boreholes S1 through S6.

Section III--Subsequent Action Taken

| | | | | | |
|----------------|------------------|------------------------|-------------------------------------|--|---|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated | <input type="checkbox"/> D. Terminated | <input checked="" type="checkbox"/> E. Modified |
|----------------|------------------|------------------------|-------------------------------------|--|---|

Section IV--Inspection Data

| | | | |
|----------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Nicholas L. Lands | AR Number 25121 | 12. Date Mo Da Yr 08/28/2021 | 13. Time (24 Hr. Clock) 19:07 |

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

| | | |
|---|--|--|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) Mo Da Yr 08/14/2021 | 3. Citation/ Order Number 9198903 - 12 |
| 4. Served To Scott Webb | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | 7. Mine ID 11-03189 (Contractor) | |

Section II—Justification for Action

This order is hereby being modified to allow the operator to implement Addendum 017- Boreholes S7 through S12.

Section III—Subsequent Action Taken

| | | |
|------------------------------------|------------------------|--|
| 8. Extended To A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated <input type="checkbox"/> D. Terminated <input checked="" type="checkbox"/> E. Modified |
|------------------------------------|------------------------|--|

Section IV—Inspection Data

| | | | |
|------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Brandon Naas | AR Number 24981 | 12. Date Mo Da Yr 08/30/2021 | 13. Time (24 Hr. Clock) 18:30 |

Mine Citation/Order
Continuation

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



Section I--Subsequent Action/Continuation Data

| | | |
|---|---|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) Mo Da Yr 08/14/2021 | 3. Citation/ Order Number 9198903 - 13 |
| 4. Served To Scott Webb | | 5. Operator M-CLASS MINING LLC |
| 6. Mine MC#1 MINE | | 7. Mine ID (Contractor) 11-03189 |

Section II--Justification for Action

This order is hereby being modified to allow the operator to implement Addendum 014 Raised bore Action Plan. A methane test will be taken at the raise bore head and at the shaft collar before any equipment is energized. If 1% methane or more is detected, the equipment will not be energized until methane is below 1%. All other aspects of the shaft sinking plan and this addendum will be complied with.

Section III--Subsequent Action Taken

| | | | |
|----------------|------------------|------------------------|--|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated <input type="checkbox"/> D. Terminated <input checked="" type="checkbox"/> E. Modified |
|----------------|------------------|------------------------|--|

Section IV--Inspection Data

| | | | |
|------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Phillip Dunn | AR Number 25161 | 12. Date Mo Da Yr 09/01/2021 | 13. Time (24 Hr. Clock) 07:55 |

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

| | | |
|---|--|--|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) Mo Da Yr 08/14/2021 | 3. Citation/ Order Number 9198903 - 14 |
| 4. Served To Scott Webb | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | 7. Mine ID 11-03189 (Contractor) | |

Section II—Justification for Action

This order is hereby modified to allow the operator to implement Addendum 016 Remote Temporary Seal Plan.

Section III—Subsequent Action Taken

| | | | |
|----------------|---------------------|------------------------|--|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated <input type="checkbox"/> D. Terminated <input checked="" type="checkbox"/> E. Modified |
|----------------|---------------------|------------------------|--|

Section IV—Inspection Data

| | | | |
|--------------------------------|-----------------------------|------------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Brandon Lampley | AR Number 25374 | 12. Date Mo Da Yr 09/02/2021 | 13. Time (24 Hr. Clock) 14:55 |

Mine Citation/Order
Continuation

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



Section I--Subsequent Action/Continuation Data

| | | |
|---|---|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) Mo Da Yr 08/14/2021 | 3. Citation/ Order Number 9198903 - 15 |
| 4. Served To Scott Webb | | 5. Operator M-CLASS MINING LLC |
| 6. Mine MC#1 MINE | | 7. Mine ID (Contractor) 11-03189 |

Section II--Justification for Action

This order is hereby modified to allow the operator in implement Addendum 018 Boreholes S13 and S14.

Section III--Subsequent Action Taken

| | | | |
|----------------|------------------|------------------------|--|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated <input type="checkbox"/> D. Terminated <input checked="" type="checkbox"/> E. Modified |
|----------------|------------------|------------------------|--|

Section IV--Inspection Data

| | | | |
|------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Phillip Dunn | AR Number 25161 | 12. Date Mo Da Yr 09/03/2021 | 13. Time (24 Hr. Clock) 12:17 |

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

| | | |
|---|---|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) 08/14/2021 Mo Da Yr | 3. Citation/ Order Number 9198903 - 16 |
| 4. Served To Zach Lands (Safety) | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | 7. Mine ID (Contractor) 11-03189 | |

Section II—Justification for Action

This Order is hereby being modified to allow the operator to implement Addendum 020 - Borehole S15.

Section III—Subsequent Action Taken

| | | | |
|----------------|------------------|------------------------|--|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated <input type="checkbox"/> D. Terminated <input checked="" type="checkbox"/> E. Modified |
|----------------|------------------|------------------------|--|

Section IV—Inspection Data

| | | | |
|------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Phillip Dunn | AR Number 25161 | 12. Date Mo Da Yr 09/05/2021 | 13. Time (24 Hr. Clock) 13:53 |

Mine Citation/Order
Continuation

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



Section I--Subsequent Action/Continuation Data

| | | |
|---|---|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) 08/14/2021 Mo Da Yr | 3. Citation/ Order Number 9198903 - 17 |
| 4. Served To Scott Webb | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | 7. Mine ID (Contractor) 11-03189 | |

Section II--Justification for Action

This Order is hereby being modified to allow the operator to implement Addendum 023-Boreholes A1-A4

Section III--Subsequent Action Taken

| | | |
|------------------------------------|------------------------|--|
| 8. Extended To A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated <input type="checkbox"/> D. Terminated <input checked="" type="checkbox"/> E. Modified |
|------------------------------------|------------------------|--|

Section IV--Inspection Data

| | | | |
|------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Phillip Dunn | AR Number 25161 | 12. Date Mo Da Yr 09/20/2021 | 13. Time (24 Hr. Clock) 11:12 |

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

| | | |
|---|---|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) Mo Da Yr 08/14/2021 | 3. Citation/ Order Number 9198903 - 18 |
| 4. Served To Scott Webb | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | 7. Mine ID (Contractor) 11-03189 | |

Section II—Justification for Action

The 103(k) order is modified to allow the implementation of the Nitrogen Injection Summary and Remote Sampling Plan steps (Items 1 and 2 of the cover letter) as outlined in the comprehensive plan submitted on October 4, 2021, and revised on October 14, 2021. No one may enter underground until the successful completion of the monitoring period and the 103(k) order is modified to allow the implementation of the next step in the plan.

Section III—Subsequent Action Taken

| | | | |
|----------------|------------------|------------------------|--|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated <input type="checkbox"/> D. Terminated <input checked="" type="checkbox"/> E. Modified |
|----------------|------------------|------------------------|--|

Section IV—Inspection Data

| | | | |
|------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Brandon Naas | AR Number 24981 | 12. Date Mo Da Yr 10/15/2021 | 13. Time (24 Hr. Clock) 08:20 |

Mine Citation/Order
Continuation

U.S. Department of Labor
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Section I—Subsequent Action/Continuation Data

| | | |
|---|--|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) Mo Da Yr 08/14/2021 | 3. Citation/ Order Number 9198903 - 19 |
| 4. Served To Shawn Batty | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | 7. Mine ID (Contractor) 11-03189 | |

Section II—Justification for Action

The mine atmosphere has not remained stable for the 72 hour period. The previous modification for the implementation of the Nitrogen Injection Summary and Remote Sampling Plan steps (Item 1 and 2 of the cover letter) is rescinded. The operator will need to submit a plan revision to address the availability of gas analysis (Bag samples) either on-site or off-site.

Section III—Subsequent Action Taken

| | | | |
|----------------|------------------|------------------------|--|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated <input type="checkbox"/> D. Terminated <input checked="" type="checkbox"/> E. Modified |
|----------------|------------------|------------------------|--|

Section IV—Inspection Data

| | | | |
|------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Brandon Naas | AR Number 24981 | 12. Date Mo Da Yr 10/16/2021 | 13. Time (24 Hr. Clock) 10:56 |

CL

Mine Citation/Order
Continuation

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



Section I--Subsequent Action/Continuation Data

| | | |
|---|--|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) 08/14/2021 Mo Da Yr | 3. Citation/ Order Number 9198903 - 20 |
| 4. Served To Shawn Batty | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | 7. Mine ID 11-03189 (Contractor) | |

Section II--Justification for Action

This K Order is hereby modified to allow the operator to adjust the Viking Intake Fan and the Viking Bleeder Fan as detailed in Appendix A of the Comprehensive Plan revision dated 10-19-2021. The operator will submit to MSHA the final results of the fan adjustments.

Section III--Subsequent Action Taken

| | | | |
|----------------|------------------|------------------------|--|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated <input type="checkbox"/> D. Terminated <input checked="" type="checkbox"/> E. Modified |
|----------------|------------------|------------------------|--|

Section IV--Inspection Data

| | | | |
|------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Phillip Dunn | AR Number 25161 | 12. Date Mo Da Yr 10/19/2021 | 13. Time (24 Hr. Clock) 18:19 |

ca

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

| | | |
|---|---|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) Mo Da Yr 08/14/2021 | 3. Citation/ Order Number 9198903 - 21 |
| 4. Served To Shawn Batty | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | 7. Mine ID (Contractor) 11-03189 | |

Section II—Justification for Action

The 103(k) order is modified to allow the implementation of the Nitrogen Injection Summary and Remote Sampling Plan steps (Items 1 and 2 of the cover letter) as outlined in the comprehensive plan submitted on October 4, 2021, with revisions on October 18 and 19, 2021. No one may enter underground until the successful completion of the monitoring period and the 103(k) order is modified to allow the implementation of the next step in the plan.

Section III—Subsequent Action Taken

| | | | |
|----------------|------------------|------------------------|--|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated <input type="checkbox"/> D. Terminated <input checked="" type="checkbox"/> E. Modified |
|----------------|------------------|------------------------|--|

Section IV—Inspection Data

| | | | |
|------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Phillip Dunn | AR Number 25161 | 12. Date Mo Da Yr 10/20/2021 | 13. Time (24 Hr. Clock) 16:37 |

CL

Mine Citation/Order
Continuation

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



Section I--Subsequent Action/Continuation Data

| | | |
|---|---|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) Mo Da Yr 08/14/2021 | 3. Citation/ Order Number 9198903 - 22 |
| 4. Served To Shawn Batty | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | 7. Mine ID (Contractor) 11-03189 | |

Section II--Justification for Action

The 103(k) order is modified to rescind the modification issued on October 20 at 16:37 pm central to allow the implementation of the Nitrogen Injection Summary and Remote Sampling Plan steps (Items 1 and 2 of the cover letter) as outlined in the comprehensive plan submitted on October 4, 2021, and revised on October 18 and 19, 2021.

The 72-hour stabilization monitoring period has been stopped twice since Saturday, October 16 due to the mine atmosphere not conforming to the plan parameters. The operator is required to submit a revision to the comprehensive plan that will adequately address changes to ensure a stable mine atmosphere.

Section III--Subsequent Action Taken

| | | | |
|----------------|------------------|------------------------|--|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated <input type="checkbox"/> D. Terminated <input checked="" type="checkbox"/> E. Modified |
|----------------|------------------|------------------------|--|

Section IV--Inspection Data

| | | | |
|------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Phillip Dunn | AR Number 25161 | 12. Date Mo Da Yr 10/22/2021 | 13. Time (24 Hr. Clock) 13:29 |

Mine Citation/Order
Continuation

U.S. Department of Labor
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Section I—Subsequent Action/Continuation Data

| | | |
|---|---|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) 08/14/2021 | 3. Citation/ Order Number 9198903 - 23 |
| 4. Served To Scott Webb | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | 7. Mine ID 11-03189 (Contractor) | |

Section II—Justification for Action

The 103(k) order is hereby modified to allow the operator to implement the following parts of the Comprehensive Plan dated October 23, 2021:

Step 1 – Nitrogen Injection Summary

Step 3 – Remote Sampling Plan

No other portions of the Comprehensive Plan may be implemented without MSHA notification and additional modifications of the 103(k) order.

Section III—Subsequent Action Taken

| | | | |
|----------------|------------------|------------------------|--|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated <input type="checkbox"/> D. Terminated <input checked="" type="checkbox"/> E. Modified |
|----------------|------------------|------------------------|--|

Section IV—Inspection Data

| | | | |
|------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Phillip Dunn | AR Number 25161 | 12. Date Mo Da Yr 10/30/2021 | 13. Time (24 Hr. Clock) 12:44 |

CC

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

| | | |
|---|--|--|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) Mo Da Yr 08/14/2021 | 3. Citation/ Order Number 9198903 - 24 |
| 4. Served To Shawn Batty | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | 7. Mine ID 11-03189 (Contractor) | |

Section II—Justification for Action

The 103(k) order is hereby modified to allow the operator to implement Step 4 Mine Rescue Team Slope Reentry of the comprehensive plan dated October 23, 2021.

No additional portions of the Comprehensive Plan may be implemented without MSHA notification and additional modifications of the 103 (K) order.

Section III—Subsequent Action Taken

| | | | |
|----------------|------------------|------------------------|--|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated <input type="checkbox"/> D. Terminated <input checked="" type="checkbox"/> E. Modified |
|----------------|------------------|------------------------|--|

Section IV—Inspection Data

| | | | |
|------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Phillip Dunn | AR Number 25161 | 12. Date Mo Da Yr 11/02/2021 | 13. Time (24 Hr. Clock) 12:45 |

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

| | | | | |
|---|------------------------------|------------------------|-------------------------------------|--------------|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) | Mo Da Yr 08/14/2021 | 3. Citation/ Order Number | 9198903 - 25 |
| 4. Served To Shawn Batty | | | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | | | 7. Mine ID 11-03189 (Contractor) | |

Section II—Justification for Action

The 103(k) order is hereby modified to allow the operator to implement Step 5 – North Mains and Viking Longwall Districts Examination of the comprehensive plan dated October 23, 2021. The operator is to recheck the temporary seals before advancing to other areas of the mine to determine that the seals are still intact and the oxygen in the intersection in front of the seals is at least 19.5%. The temporary seals will be examined daily during the Step 5 examination phase.

No additional portions of the plan may be implemented without MSHA notification and appropriate modification to the 103(k) order.

Section III—Subsequent Action Taken

| | | | |
|----------------|------------------|------------------------|--|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated <input type="checkbox"/> D. Terminated <input checked="" type="checkbox"/> E. Modified |
|----------------|------------------|------------------------|--|

Section IV—Inspection Data

| | | | |
|------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Phillip Dunn | AR Number 25161 | 12. Date Mo Da Yr 11/03/2021 | 13. Time (24 Hr. Clock) 10:00 |

Mine Citation/Order
Continuation

U.S. Department of Labor
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Section I—Subsequent Action/Continuation Data

| | | |
|---|--|--|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) Mo Da Yr 08/14/2021 | 3. Citation/ Order Number 9198903 - 26 |
| 4. Served To Shawn Batty | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | 7. Mine ID 11-03189 (Contractor) | |

Section II—Justification for Action

The 103(k) order modification issued on November 3rd at 10:00 A.M. central to allow the implementation of Step 5 – North Mains and Viking Longwall Districts Examination of the comprehensive plan dated October 23, 2021 is hereby rescinded.

Lab analysis for the bag sample collected at 1:20 P.M. at South Main crosscut 49 sampling borehole indicated 3.145% CH₄ and 10.486% Oxygen.

Section III—Subsequent Action Taken

| | | | |
|----------------|------------------|------------------------|--|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated <input type="checkbox"/> D. Terminated <input checked="" type="checkbox"/> E. Modified |
|----------------|------------------|------------------------|--|

Section IV—Inspection Data

| | | | |
|------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Phillip Dunn | AR Number 25161 | 12. Date Mo Da Yr 11/03/2021 | 13. Time (24 Hr. Clock) 17:16 |

CL

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

| | | | | |
|---|------------------------------|------------------------|-------------------------------------|--------------|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) | Mo Da Yr 08/14/2021 | 3. Citation/ Order Number | 9198903 - 27 |
| 4. Served To Shawn Batty | | | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | | | 7. Mine ID 11-03189 (Contractor) | |

Section II—Justification for Action

The 103(k) order is hereby modified to allow the operator to implement the plan to construct substantial stoppings in front of the temporary seals. The construction will be implemented as outlined in the revision submitted November 4, 2021 to Step 4 – Mine Rescue Team Slope Reentry of the comprehensive plan dated October 23, 2021. All requirements for atmospheric monitoring and sampling are to be complied with.

No other portions of the comprehensive plan may be implemented without MSHA notification and 103(k) order modification.

Section III—Subsequent Action Taken

| | | | | | |
|----------------|------------------|------------------------|-------------------------------------|--|---|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated | <input type="checkbox"/> D. Terminated | <input checked="" type="checkbox"/> E. Modified |
|----------------|------------------|------------------------|-------------------------------------|--|---|

Section IV—Inspection Data

| | | | |
|------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Phillip Dunn | AR Number 25161 | 12. Date Mo Da Yr 11/04/2021 | 13. Time (24 Hr. Clock) 16:34 |

CL

Mine Citation/Order
Continuation

U.S. Department of Labor
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Section I—Subsequent Action/Continuation Data

| | | |
|---|---|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) Mo Da Yr 08/14/2021 | 3. Citation/ Order Number 9198903 - 28 |
| 4. Served To Shawn Batty | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | 7. Mine ID (Contractor) 11-03189 | |

Section II—Justification for Action

The 103(k) order is hereby modified to allow the operator to implement the plan to restart the South Intake Fan in order to provide additional ventilation to the temporary seal area. The plan will be implemented as outlined in the revision submitted November 4, 2021, to the comprehensive plan dated October 23, 2021, requesting to restart the South Intake Fan. All requirements for atmospheric monitoring and sampling are to be complied with.

After the doors listed in the revised plan are opened and all teams return to the surface, the fan may be restarted. No one may re-enter the mine after the South Intake Fan is restarted until a subsequent modification to the 103(k) order is issued by MSHA.

No additional portions of the comprehensive plan may be implemented without MSHA notification and modification of the 103(k) order.

Section III—Subsequent Action Taken

| | | | | | |
|----------------|------------------|------------------------|-------------------------------------|--|---|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated | <input type="checkbox"/> D. Terminated | <input checked="" type="checkbox"/> E. Modified |
|----------------|------------------|------------------------|-------------------------------------|--|---|

Section IV—Inspection Data

| | | | | | |
|------------------------------|-----------------------------|---------------------------------|----------------------------------|--|--|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | | | |
| 11. AR Name Phillip Dunn | AR Number 25161 | 12. Date Mo Da Yr 11/06/2021 | 13. Time (24 Hr. Clock) 00:21 | | |

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Mine Citation/Order
Continuation

U.S. Department of Labor
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Section I—Subsequent Action/Continuation Data

| | | |
|---|---|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) Mo Da Yr 08/14/2021 | 3. Citation/ Order Number 9198903 - 29 |
| 4. Served To Shawn Batty | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | 7. Mine ID (Contractor) 11-03189 | |

Section II—Justification for Action

The 103(k) order is hereby modified to allow the operator to resume implementation of the plan to restart the South Intake Fan in order to provide additional ventilation to the temporary seal area. The plan will be implemented as outlined in the revision submitted November 4, 2021, to the comprehensive plan dated October 23, 2021, requesting to restart the South Intake Fan. All requirements for atmospheric monitoring and sampling are to be complied with.

The operator may send personnel underground to check the results of restarting the South Intake Fan.

No additional portions of the comprehensive plan may be implemented without MSHA notification and modification of the 103(k) order.

Section III—Subsequent Action Taken

| | | | |
|----------------|------------------|------------------------|--|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated <input type="checkbox"/> D. Terminated <input checked="" type="checkbox"/> E. Modified |
|----------------|------------------|------------------------|--|

Section IV—Inspection Data

| | | | |
|------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Phillip Dunn | AR Number 25161 | 12. Date Mo Da Yr 11/06/2021 | 13. Time (24 Hr. Clock) 06:43 |

Mine Citation/Order
Continuation

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Section I--Subsequent Action/Continuation Data

| | | |
|---|---|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) 08/14/2021 Mo Da Yr | 3. Citation/ Order Number 9198903 - 30 |
| 4. Served To Shawn Batty | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | 7. Mine ID 11-03189 (Contractor) | |

Section II--Justification for Action

The 103(k) order is hereby modified to allow the operator to implement Step 5 – North Mains and Viking Longwall Districts Examination as outlined in the comprehensive plan dated October 23, 2021. All requirements for atmospheric monitoring and sampling are to be complied with.

The operator will examine the substantial temporary stoppings constructed in front of the temporary seals daily each morning during the Step 5 examination phase.

No additional portions of the comprehensive plan may be implemented without MSHA notification and modification of the 103(k) order.

Section III--Subsequent Action Taken

| | | |
|------------------------------------|------------------------|--|
| 8. Extended To A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated <input type="checkbox"/> D. Terminated <input checked="" type="checkbox"/> E. Modified |
|------------------------------------|------------------------|--|

Section IV--Inspection Data

| | | | |
|----------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Nicholas L. Lands | AR Number 25121 | 12. Date Mo Da Yr 11/06/2021 | 13. Time (24 Hr. Clock) 09:54 |

Mine Citation/Order
Continuation

U.S. Department of Labor
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Section I--Subsequent Action/Continuation Data

| | | |
|---|---|--|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) Mo Da Yr 08/14/2021 | 3. Citation/ Order Number 9198903 - 31 |
| 4. Served To Shawn Batty | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | 7. Mine ID (Contractor) 11-03189 | |

Section II--Justification for Action

The 103(k) order is hereby modified to allow the operator to implement Step 6 (120-PSI Permanent Seals – Equipment and Supplies Retrieval) as outlined in the comprehensive plan dated October 23, 2021. All requirements for atmospheric monitoring and sampling and examinations are to be complied with.

The operator will examine the substantial temporary stoppings constructed in front of the temporary seals daily each morning during the Step 6 equipment and supply retrieval phase.

No additional portions of the comprehensive plan may be implemented without MSHA notification and modification of the 103(k) order.

Section III--Subsequent Action Taken

| | |
|--|--|
| 8. Extended To A. Date Mo Da Yr B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated <input type="checkbox"/> D. Terminated <input checked="" type="checkbox"/> E. Modified |
|--|--|

Section IV--Inspection Data

| | |
|----------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 |
| 11. AR Name Nicholas L. Lands | AR Number 25121 |
| 12. Date Mo Da Yr 11/07/2021 | 13. Time (24 Hr. Clock) 16:27 |

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11/7/21

Mine Citation/Order
Continuation

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Section I—Subsequent Action/Continuation Data

| | | |
|---|---|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) Mo Da Yr 08/14/2021 | 3. Citation/ Order Number 9198903 - 32 |
| 4. Served To Chris England | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | 7. Mine ID (Contractor) 11-03189 | |

Section II—Justification for Action

The 103(k) order is hereby modified to allow the operator to implement Step 7 -120 PSI Seals – Construction ventilation changes, Phase 1 South Main Seals map #1: Pre-Construction Ventilation of the comprehensive plan dated October 23, 2021. The operator is to recheck the temporary seals before advancing to other areas of the mine after this change to determine that the seals are still intact and the oxygen in the intersection in front of the seals is at least 19.5%.

The operator is allowed to implement the Rescind South Intake Fan Restart Plan submitted November 9 2021. In addition to the monitoring of the South Main Fan upcast Boreholes S7, S9, and S12 will also be monitored every thirty minutes during the two hour waiting period.

All requirements for the atmospheric monitoring and sampling and examinations are to be complied with. The operator will examine the substantial temporary stoppings constructed in front of the temporary seals daily each morning to ensure at least 19.5% O2 is being maintained throughout the area.

No additional portions of the comprehensive plan may be implemented without MSHA notification and appropriate modification to the 103(k) order.

Section III—Subsequent Action Taken

| | | | |
|----------------|------------------|------------------------|--|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated <input type="checkbox"/> D. Terminated <input checked="" type="checkbox"/> E. Modified |
|----------------|------------------|------------------------|--|

Section IV—Inspection Data

| | | | |
|------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Brandon Naas | AR Number 24981 | 12. Date Mo Da Yr 11/09/2021 | 13. Time (24 Hr. Clock) 12:03 |

CC

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

| | | |
|---|---|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) Mo Da Yr 08/14/2021 | 3. Citation/ Order Number 9198903 - 33 |
| 4. Served To Shawn Batty | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | 7. Mine ID (Contractor) 11-03189 | |

Section II—Justification for Action

The 103(k) order is hereby modified to allow the operator to implement Step 7 Phase 2 (South Mains Seal Map #2: Construction Ventilation) as detailed in the comprehensive plan dated October 23, 2021. All requirements for monitoring and sampling are to be complied with.

This modification allows the operator to begin construction of the permanent seals as detailed in the approved seal plan.

No additional portions of the comprehensive plan may be implemented without MSHA notification and appropriate modification to the 103(k) order.

Section III—Subsequent Action Taken

| | | | |
|----------------|------------------|------------------------|--|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated <input type="checkbox"/> D. Terminated <input checked="" type="checkbox"/> E. Modified |
|----------------|------------------|------------------------|--|

Section IV—Inspection Data

| | | | |
|------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Phillip Dunn | AR Number 25161 | 12. Date Mo Da Yr 11/15/2021 | 13. Time (24 Hr. Clock) 12:22 |

CL

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

| | | |
|---|---|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) 08/14/2021 Mo Da Yr | 3. Citation/ Order Number 9198903 - 34 |
| 4. Served To Zach Lands | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | 7. Mine ID (Contractor) 11-03189 | |

Section II—Justification for Action

The 103(k) order is hereby modified to allow the operator to implement Step 8 (North Mains and Viking Longwall Districts Restart) as detailed in the comprehensive plan dated October 23, 2021. No mining will resume as stated in the comprehensive plan until the bleeder is fully traversed, MSHA is notified, and the 103(k) order is subsequently modified to allow mining.

Additionally, the 103(k) order is hereby modified to allow the operator to implement the weekly sampling regimen outlined in Step 9 (100-Day South Mains and South Longwall District Sampling Plan) as detailed in the comprehensive plan dated October 23, 2021.

No additional portions of the comprehensive plan may be implemented without MSHA notification and appropriate modification to the 103(k) order.

Section III—Subsequent Action Taken

| | | |
|------------------------------------|------------------------|--|
| 8. Extended To A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated <input type="checkbox"/> D. Terminated <input checked="" type="checkbox"/> E. Modified |
|------------------------------------|------------------------|--|

Section IV—Inspection Data

| | | | |
|------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Brandon Naas | AR Number 24981 | 12. Date Mo Da Yr 11/22/2021 | 13. Time (24 Hr. Clock) 09:20 |

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

| | | |
|---|--|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) 08/14/2021 Mo Da Yr | 3. Citation/ Order Number 9198903 - 35 |
| 4. Served To Shawn Batty | | 5. Operator M-CLASS MINING LLC |
| 6. Mine MC#1 MINE | | 7. Mine ID 11-03189 (Contractor) |

Section II—Justification for Action

The 103(k) order is hereby modified to allow the operator to implement Addendum 028 submitted on December 22, 2021, and approved by the District Manager at 12:33 pm on December 23, 2021.

All other requirements of previous 103(k) order modifications are still in effect. No additional portions of the comprehensive plan may be implemented without MSHA notification and modification of the 103(k) order.

Section III—Subsequent Action Taken

| | | | | | |
|----------------|------------------|------------------------|-------------------------------------|--|---|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated | <input type="checkbox"/> D. Terminated | <input checked="" type="checkbox"/> E. Modified |
|----------------|------------------|------------------------|-------------------------------------|--|---|

Section IV—Inspection Data

| | | | |
|----------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Nicholas L. Lands | AR Number 25121 | 12. Date Mo Da Yr 12/23/2021 | 13. Time (24 Hr. Clock) 11:44 |



Section I--Violation Data

| | | |
|---|-------------------------------------|--|
| 1. Date Mo Da Yr 11/4/2021 | 2. Time (24 Hr. Clock) 0750 | 3. Citation/ Order Number 9191641 |
| 4. Served To Scott Webb, Safety Director | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | 7. Mine ID 11-03189 (Contractor) | |
| 8. Condition or Practice | | 8a. Written Notice (103g) <input type="checkbox"/> |

MC#1 Mine did not immediately contact MSHA at once without delay and within 15 minutes once they knew of the fire on the Headgate #8 Longwall behind the headgate shields between crosscut 26 and crosscut 27 in entry 1 that occurred on 8/13/2021. Miners were not withdrawn to a safe area and the longwall remained in operation. MSHA was notified of the accident at 10:49 EST on 8/14/2021 by a hazardous condition complaint. This violation is an unwarrantable failure to comply with a mandatory standard. The mine operator has engaged in aggravated conduct constituting more than ordinary negligence.

See Continuation Form (MSHA Form 7000-3a) ☐

| | | | |
|--------------|--|----------------------|---|
| 9. Violation | A. Health <input type="checkbox"/> Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/> | B. Section of Act | C. Part/Section of Title 30 CFR 50.10 (d) |
|--------------|--|----------------------|---|

Section II--Inspector's Evaluation

| | | | | |
|---|--|---|--|------------------------------------|
| 10. Gravity: | | | | |
| A. Injury or illness (has) (is): No Likelihood <input type="checkbox"/> Unlikely <input type="checkbox"/> Reasonably Likely <input type="checkbox"/> Highly Likely <input checked="" type="checkbox"/> Occurred <input type="checkbox"/> | | | | |
| B. Injury or illness could reasonably be expected to be: No Lost Workdays <input type="checkbox"/> Lost Workdays Or Restricted Duty <input type="checkbox"/> Permanently Disabling <input type="checkbox"/> Fatal <input checked="" type="checkbox"/> | | | | |
| C. Significant and Substantial: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | | | | D. Number of Persons Affected: 074 |
| 11. Negligence (check one) A. None <input type="checkbox"/> B. Low <input type="checkbox"/> C. Moderate <input type="checkbox"/> D. High <input type="checkbox"/> E. Reckless Disregard <input checked="" type="checkbox"/> | | | | |
| 12. Type of Action 104 (d) (2) | | 13. Type of Issuance (check one) Citation <input type="checkbox"/> Order <input checked="" type="checkbox"/> Safeguard <input type="checkbox"/> Written Notice <input type="checkbox"/> | | |
| 14. Initial Action A. Citation <input type="checkbox"/> B. Order <input checked="" type="checkbox"/> C. Safeguard <input type="checkbox"/> D. Written Notice <input type="checkbox"/> | | E. Citation/ Order Number 9195395 | | F. Dated Mo Da Yr 4/26/2021 |

15. Area or Equipment
Headgate #8 longwall and underground area of the mine.

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

Section III--Termination Action

17. Action to Terminate

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

Section IV--Automated System Data

| | | |
|--|-----------------------------|------------------------|
| 19. Type of Inspection (activity code) E08 | 20. Event Number 7006992 | 21. Primary or Mill |
| 22. AR Name Bub Whitfield | | 23. AR Number 25151 |

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

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

| | | |
|---|---|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) Mo Da Yr 11/04/2021 | 3. Citation/ Order Number 9191641 - 01 |
| 4. Served To Scott Webb, Safety Director | | 5. Operator M-CLASS MINING LLC |
| 6. Mine MC#1 MINE | | 7. Mine ID (Contractor) 11-03189 |

Section II—Justification for Action

The operator trained persons on immediate notification requirements involving accidents.

Section III—Subsequent Action Taken

| | | | |
|----------------|------------------|------------------------|--|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated <input checked="" type="checkbox"/> D. Terminated <input type="checkbox"/> E. Modified |
|----------------|------------------|------------------------|--|

Section IV—Inspection Data

| | | | |
|------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Bub Whitfield | AR Number 25151 | 12. Date Mo Da Yr 11/30/2021 | 13. Time (24 Hr. Clock) 04:58 |

Mine Citation/Order

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

Section I--Violation Data

| | | |
|---|--------------------------------|--|
| 1. Date Mo Da Yr 11/4/2021 | 2. Time (24 Hr. Clock) 0853 | 3. Citation/ Order Number 9191642 |
| 4. Served To Scott Webb, Safety Director | | 5. Operator M-CLASS MINING LLC |
| 6. Mine MC#1 MINE | | 7. Mine ID 11-03189 (Contractor) |
| 8. Condition or Practice | | 8a. Written Notice (103g) <input type="checkbox"/> |

The operator failed to report the longwall fire that occurred at the mine on 8/13/2021 at the Headgate #8 longwall within ten working days after the fire occurred. Additionally, information for items 7, 11, and 12 under Section C were not completed and items 6 and 8 under Section C are not correct. The condition has been designated as "non-significant and substantial" because the conduct violated a provision of the Mine Act other than a mandatory safety or health standard.

Standard 50.20(a) was cited 13 times in two years at mine 1103189.

See Continuation Form (MSHA Form 7000-3a) ☐

| | | | |
|--------------|--|----------------------|--|
| 9. Violation | A. Health <input type="checkbox"/> Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/> | B. Section of Act | C. Part/Section of Title 30 CFR 50.20(a) |
|--------------|--|----------------------|--|

Section II--Inspector's Evaluation

| | | | | |
|---|--|---|--|------------------------------------|
| 10. Gravity: | | | | |
| A. Injury or Illness (has) (is): No Likelihood <input checked="" type="checkbox"/> Unlikely <input type="checkbox"/> Reasonably Likely <input type="checkbox"/> Highly Likely <input type="checkbox"/> Occurred <input type="checkbox"/> | | | | |
| B. Injury or illness could reasonably be expected to be: No Lost Workdays <input checked="" type="checkbox"/> Lost Workdays Or Restricted Duty <input type="checkbox"/> Permanently Disabling <input type="checkbox"/> Fatal <input type="checkbox"/> | | | | |
| C. Significant and Substantial: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | | | | D. Number of Persons Affected: 000 |
| 11. Negligence (check one) A. None <input type="checkbox"/> B. Low <input type="checkbox"/> C. Moderate <input type="checkbox"/> D. High <input checked="" type="checkbox"/> E. Reckless Disregard <input type="checkbox"/> | | | | |
| 12. Type of Action 104(a) | | 13. Type of Issuance (check one) Citation <input checked="" type="checkbox"/> Order <input type="checkbox"/> Safeguard <input type="checkbox"/> Written Notice <input type="checkbox"/> | | |
| 14. Initial Action A. Citation <input type="checkbox"/> B. Order <input type="checkbox"/> C. Safeguard <input type="checkbox"/> D. Written Notice <input type="checkbox"/> | | E. Citation/ Order Number | | F. Dated Mo Da Yr |
| 15. Area or Equipment | | | | |

| | | |
|---------------------|----------------------------------|--------------------------------|
| 16. Termination Due | A. Date Mo Da Yr 11/5/2021 | B. Time (24 Hr. Clock) 0800 |
|---------------------|----------------------------------|--------------------------------|

Section III--Termination Action

| | | |
|-------------------------|---------------------|------------------------|
| 17. Action to Terminate | | |
| 18. Terminated | A. Date Mo Da Yr | B. Time (24 Hr. Clock) |

Section IV--Automated System Data

| | | |
|--|-----------------------------|------------------------|
| 19. Type of Inspection (activity code) E08 | 20. Event Number 7006992 | 21. Primary or Mill |
| 22. AR Name Bub Whitfield | | 23. AR Number 25151 |

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

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

| | | | |
|---|--|-------------------------------------|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) 11/04/2021 | Mo Da Yr | 3. Citation/ Order Number 9191642 - 01 |
| 4. Served To Scott Webb, Safety Director | | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | | 7. Mine ID (Contractor) 11-03189 | |

Section II—Justification for Action

The citation due date and time is being extended to allow processing and review of the 7000-1 form amendment.

Section III—Subsequent Action Taken

| | | | |
|----------------|--------------------------------|------------------------------|---|
| 8. Extended To | A. Date Mo Da Yr 11/18/2021 | B. Time (24 Hr. Clock) 08:00 | <input type="checkbox"/> C. Vacated <input type="checkbox"/> D. Terminated <input type="checkbox"/> E. Modified |
|----------------|--------------------------------|------------------------------|---|

Section IV—Inspection Data

| | | | |
|------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Bub Whitfield | AR Number 25151 | 12. Date Mo Da Yr 11/12/2021 | 13. Time (24 Hr. Clock) 11:35 |

Mine Citation/Order
Continuation

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



Section I--Subsequent Action/Continuation Data

| | | |
|---|---|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) 11/04/2021 | 3. Citation/ Order Number 9191642 - 02 |
| 4. Served To Scott Webb, Safety Director | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | 7. Mine ID 11-03189 (Contractor) | |

Section II--Justification for Action

The operator amended the Mine Accident , Injury, and Illness Report Form 7000-1 to correct the deficiencies.

Section III--Subsequent Action Taken

| | | | |
|----------------|------------------|------------------------|--|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated <input checked="" type="checkbox"/> D. Terminated <input type="checkbox"/> E. Modified |
|----------------|------------------|------------------------|--|

Section IV--Inspection Data

| | |
|------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 |
| 11. AR Name Bub Whitfield | 12. Date Mo Da Yr 11/19/2021 |
| AR Number 25151 | 13. Time (24 Hr. Clock) 08:00 |

11.19.21
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Mine Citation/Order

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

| | | |
|---|-------------------------------------|--|
| 1. Date Mo Da Yr 11/4/2021 | 2. Time (24 Hr. Clock) 0900 | 3. Citation/ Order Number 9191643 |
| 4. Served To Scott Webb, Safety Director | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | 7. Mine ID 11-03189 (Contractor) | |
| 8. Condition or Practice | | 8a. Written Notice (103g) <input type="checkbox"/> |

A foam generator was observed on the Headgate #8 longwall in number 1 entry between crosscut 25 and crosscut 26 under unsupported roof during investigation on 8/14/2021 of a hazard complaint of a fire on the longwall. This violation is an unwarrantable failure to comply with a mandatory standard. The mine operator has engaged in aggravated conduct constituting more than ordinary negligence.

See Continuation Form (MSHA Form 7000-3a) ☐

| | | | |
|--------------|--|----------------------|--|
| 9. Violation | A. Health <input type="checkbox"/> Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/> | B. Section of Act | C. Part/Section of Title 30 CFR 75.202 (b) |
|--------------|--|----------------------|--|

Section II--Inspector's Evaluation

| | | | | |
|---|--|---|--|------------------------------------|
| 10. Gravity: | | | | |
| A. Injury or Illness (has) (is): No Likelihood <input type="checkbox"/> Unlikely <input type="checkbox"/> Reasonably Likely <input type="checkbox"/> Highly Likely <input checked="" type="checkbox"/> Occurred <input type="checkbox"/> | | | | |
| B. Injury or illness could reasonably be expected to be: No Lost Workdays <input type="checkbox"/> Lost Workdays Or Restricted Duty <input type="checkbox"/> Permanently Disabling <input type="checkbox"/> Fatal <input checked="" type="checkbox"/> | | | | |
| C. Significant and Substantial: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | | | | D. Number of Persons Affected: 001 |
| 11. Negligence (check one) A. None <input type="checkbox"/> B. Low <input type="checkbox"/> C. Moderate <input type="checkbox"/> D. High <input checked="" type="checkbox"/> E. Reckless Disregard <input type="checkbox"/> | | | | |
| 12. Type of Action 104 (d) (2) | | 13. Type of Issuance (check one) Citation <input type="checkbox"/> Order <input checked="" type="checkbox"/> Safeguard <input type="checkbox"/> Written Notice <input type="checkbox"/> | | |
| 14. Initial Action A. Citation <input type="checkbox"/> B. Order <input checked="" type="checkbox"/> C. Safeguard <input type="checkbox"/> D. Written Notice <input type="checkbox"/> | | E. Citation/ Order Number 9195395 | | F. Dated Mo Da Yr 4/26/2021 |

15. Area or Equipment

The foam generator observed on the Headgate #8 longwall in number 1 entry between crosscut 25 and crosscut 26 under unsupported roof.

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

Section III--Termination Action

17. Action to Terminate

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

Section IV--Automated System Data

| | | |
|--|-----------------------------|------------------------|
| 19. Type of Inspection (activity code) EOB | 20. Event Number 7006992 | 21. Primary or Mill |
| 22. AR Name Bub Whitfield | | 23. AR Number 25151 |

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

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

| | | | |
|---|--|----------|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) 11/04/2021 | Mo Da Yr | 3. Citation/ Order Number 9191643 - 01 |
| 4. Served To Scott Webb, Safety Director | | | 5. Operator M-CLASS MINING LLC |
| 6. Mine MC#1 MINE | | | 7. Mine ID 11-03189 (Contractor) |

Section II—Justification for Action

The operator trained miners not to work or travel under unsupported roof.

Section III—Subsequent Action Taken

| | | | |
|----------------|------------------|------------------------|--|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated <input checked="" type="checkbox"/> D. Terminated <input type="checkbox"/> E. Modified |
|----------------|------------------|------------------------|--|

Section IV—Inspection Data

| | | | |
|------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Bub Whitfield | AR Number 25151 | 12. Date Mo Da Yr 11/30/2021 | 13. Time (24 Hr. Clock) 08:38 |

11-30-21
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24

Mine Citation/Order

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

Section I--Violation Data

| | | |
|---|-------------------------------------|--|
| 1. Date Mo Da Yr 11/4/2021 | 2. Time (24 Hr. Clock) 0904 | 3. Citation/ Order Number 9191644 |
| 4. Served To Scott Webb, Safety Director | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | 7. Mine ID 11-03189 (Contractor) | |
| 8. Condition or Practice | | 8a. Written Notice (103g) <input type="checkbox"/> |

An inadequate pre-shift examination for the oncoming third shift was conducted by the 2nd shift longwall foreman on 8/13/2021 between the hours of 8:00 p.m. and 11:00 p.m. A fire occurred on the Headgate #8 longwall behind the headgate shields between crosscut 26 and crosscut 27 in entry 1 and the hazardous condition of the fire was not recorded in the examination book. Miners were not withdrawn to a safe area and the longwall remained in operation. This violation is an unwarrantable failure to comply with a mandatory standard. The mine operator has engaged in aggravated conduct constituting more than ordinary negligence.

Standard 75.360(a)(1) was cited 2 times in two years at mine 1103189 (1 to the operator, 1 to a contractor).

See Continuation Form (MSHA Form 7000-3a) ☐

| | | | |
|--------------|--|----------------------|--|
| 9. Violation | A. Health <input type="checkbox"/> Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/> | B. Section of Act | C. Part/Section of Title 30 CFR 75.360(a)(1) |
|--------------|--|----------------------|--|

Section II--Inspector's Evaluation

| | | | | |
|---|--|---|--|------------------------------------|
| 10. Gravity: | | | | |
| A. Injury or illness (has) (is): No Likelihood <input type="checkbox"/> Unlikely <input type="checkbox"/> Reasonably Likely <input type="checkbox"/> Highly Likely <input checked="" type="checkbox"/> Occurred <input type="checkbox"/> | | | | |
| B. Injury or illness could reasonably be expected to be: No Lost Workdays <input type="checkbox"/> Lost Workdays Or Restricted Duty <input type="checkbox"/> Permanently Disabling <input type="checkbox"/> Fatal <input checked="" type="checkbox"/> | | | | |
| C. Significant and Substantial: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | | | | D. Number of Persons Affected: 134 |
| 11. Negligence (check one) A. None <input type="checkbox"/> B. Low <input type="checkbox"/> C. Moderate <input type="checkbox"/> D. High <input type="checkbox"/> E. Reckless Disregard <input checked="" type="checkbox"/> | | | | |
| 12. Type of Action 104 (d) (2) | | 13. Type of Issuance (check one) Citation <input type="checkbox"/> Order <input checked="" type="checkbox"/> Safeguard <input type="checkbox"/> Written Notice <input type="checkbox"/> | | |
| 14. Initial Action A. Citation <input type="checkbox"/> B. Order <input checked="" type="checkbox"/> C. Safeguard <input type="checkbox"/> D. Written Notice <input type="checkbox"/> | | E. Citation/ Order Number 9195395 | | F. Dated Mo Da Yr 4/26/2021 |
| 15. Area or Equipment Headgate #8 longwall. | | | | |

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

Section III--Termination Action

| | | |
|-------------------------|---------------------|------------------------|
| 17. Action to Terminate | | |
| 18. Terminated | A. Date Mo Da Yr | B. Time (24 Hr. Clock) |

Section IV--Automated System Data

| | | |
|--|-----------------------------|------------------------|
| 19. Type of Inspection (activity code) E08 | 20. Event Number 7006992 | 21. Primary or Mill |
| 22. AR Name Bub Whitfield | | 23. AR Number 25151 |

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

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

| | | |
|---|--|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) Mo Da Yr 11/04/2021 | 3. Citation/ Order Number 9191644 - 01 |
| 4. Served To Scott Webb, Safety Director | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | 7. Mine ID (Contractor) 11-03189 | |

Section II—Justification for Action

The operator conducted training on preshift examinations.

Section III—Subsequent Action Taken

| | | | |
|----------------|------------------|------------------------|--|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated <input checked="" type="checkbox"/> D. Terminated <input type="checkbox"/> E. Modified |
|----------------|------------------|------------------------|--|

Section IV—Inspection Data

| | | | |
|------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Bub Whitfield | AR Number 25151 | 12. Date Mo Da Yr 11/30/2021 | 13. Time (24 Hr. Clock) 05:16 |

11.30.21
Bub
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Section I--Violation Data

| | | |
|---|--------------------------------|--|
| 1. Date Mo Da Yr 11/4/2021 | 2. Time (24 Hr. Clock) 0908 | 3. Citation/ Order Number 9191645 |
| 4. Served To Scott Webb, Safety Director | | 5. Operator M-CLASS MINING LLC |
| 6. Mine MC#1 MINE | | 7. Mine ID 11-03189 (Contractor) |
| 8. Condition or Practice | | 8a. Written Notice (103g) <input type="checkbox"/> |

An inadequate on-shift examination was conducted by the 2nd shift longwall foreman on 8/13/2021. A fire occurred on the Headgate #8 longwall behind the headgate shields between crosscut 26 and crosscut 27 in entry 1 and the hazardous condition of the fire was not recorded in the examination book. Miners were not withdrawn to a safe area and the longwall remained in operation. This violation is an unwarrantable failure to comply with a mandatory standard. The mine operator has engaged in aggravated conduct constituting more than ordinary negligence.

See Continuation Form (MSHA Form 7000-3a) ☐

| | | | |
|--------------|--|----------------------|--|
| 9. Violation | A. Health <input type="checkbox"/> Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/> | B. Section of Act | C. Part/Section of Title 30 CFR 75.362 (a) (1) |
|--------------|--|----------------------|--|

Section II--Inspector's Evaluation

| | | | | |
|---|--|---|--|------------------------------------|
| 10. Gravity: | | | | |
| A. Injury or illness (has) (is): No Likelihood <input type="checkbox"/> Unlikely <input type="checkbox"/> Reasonably Likely <input type="checkbox"/> Highly Likely <input checked="" type="checkbox"/> Occurred <input type="checkbox"/> | | | | |
| B. Injury or illness could reasonably be expected to be: No Lost Workdays <input type="checkbox"/> Lost Workdays Or Restricted Duty <input type="checkbox"/> Permanently Disabling <input type="checkbox"/> Fatal <input checked="" type="checkbox"/> | | | | |
| C. Significant and Substantial: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | | | | D. Number of Persons Affected: 074 |
| 11. Negligence (check one) A. None <input type="checkbox"/> B. Low <input type="checkbox"/> C. Moderate <input type="checkbox"/> D. High <input type="checkbox"/> E. Reckless Disregard <input checked="" type="checkbox"/> | | | | |
| 12. Type of Action 104 (d) (2) | | 13. Type of Issuance (check one) Citation <input type="checkbox"/> Order <input checked="" type="checkbox"/> Safeguard <input type="checkbox"/> Written Notice <input type="checkbox"/> | | |
| 14. Initial Action A. Citation <input type="checkbox"/> B. Order <input checked="" type="checkbox"/> C. Safeguard <input type="checkbox"/> D. Written Notice <input type="checkbox"/> | | E. Citation/ Order Number 9195395 | | F. Dated Mo Da Yr 4/26/2021 |
| 15. Area or Equipment Headgate #8 longwall. | | | | |

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

Section III--Termination Action

| |
|-------------------------|
| 17. Action to Terminate |
|-------------------------|

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

Section IV--Automated System Data

| | | |
|--|-----------------------------|------------------------|
| 19. Type of Inspection (activity code) E08 | 20. Event Number 7006992 | 21. Primary or Mill |
| 22. AR Name Bub Whitfield | | 23. AR Number 25151 |

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

Mine Citation/Order
Continuation

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



Section I--Subsequent Action/Continuation Data

| | | |
|---|---|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) 11/04/2021 Mo Da Yr | 3. Citation/ Order Number 9191645 - 01 |
| 4. Served To Scott Webb, Safety Director | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | 7. Mine ID (Contractor) 11-03189 | |

Section II--Justification for Action

The operator conducted training on on-shift examinations.

Section III--Subsequent Action Taken

| | | |
|------------------------------------|------------------------|--|
| 8. Extended To A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated <input checked="" type="checkbox"/> D. Terminated <input type="checkbox"/> E. Modified |
|------------------------------------|------------------------|--|

Section IV--Inspection Data

| | | | |
|------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Bub Whitfield | AR Number 25151 | 12. Date Mo Da Yr 11/30/2021 | 13. Time (24 Hr. Clock) 05:20 |

11-30-21
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Section I--Violation Data

| | | |
|---|--------------------------------|--|
| 1. Date Mo Da Yr 11/4/2021 | 2. Time (24 Hr. Clock) 0914 | 3. Citation/ Order Number 9191646 |
| 4. Served To Scott Webb, Safety Director | | 5. Operator M-CLASS MINING LLC |
| 6. Mine MC#1 MINE | | 7. Mine ID 11-03189 (Contractor) |
| 8. Condition or Practice | | 8a. Written Notice (103g) <input type="checkbox"/> |

An inadequate pre-shift examination for the oncoming shift was conducted by the 3rd shift longwall foreman on 8/14/2021 between the hours of 4:00 a.m. and 7:00 a.m. A fire occurred on the Headgate #8 longwall behind the headgate shields between crosscut 26 and crosscut 27 in entry 1 and the hazardous condition of the fire was not recorded in the examination book. Miners were not withdrawn to a safe area and the longwall remained in operation. This violation is an unwarrantable failure to comply with a mandatory standard. The mine operator has engaged in aggravated conduct constituting more than ordinary negligence.

Standard 75.360(a)(1) was cited 2 times in two years at mine 1103189 (1 to the operator, 1 to a contractor).

See Continuation Form (MSHA Form 7000-3a) ☐

| | | | |
|--------------|--|----------------------|--|
| 9. Violation | A. Health <input type="checkbox"/> Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/> | B. Section of Act | C. Part/Section of Title 30 CFR 75.360 (a) (1) |
|--------------|--|----------------------|--|

Section II--Inspector's Evaluation

| | | | | |
|---|--|---|--|------------------------------------|
| 10. Gravity: | | | | |
| A. Injury or illness (has) (is): No Likelihood <input type="checkbox"/> Unlikely <input type="checkbox"/> Reasonably Likely <input type="checkbox"/> Highly Likely <input checked="" type="checkbox"/> Occurred <input type="checkbox"/> | | | | |
| B. Injury or illness could reasonably be expected to be: No Lost Workdays <input type="checkbox"/> Lost Workdays Or Restricted Duty <input type="checkbox"/> Permanently Disabling <input type="checkbox"/> Fatal <input checked="" type="checkbox"/> | | | | |
| C. Significant and Substantial: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | | | | D. Number of Persons Affected: 134 |
| 11. Negligence (check one) A. None <input type="checkbox"/> B. Low <input type="checkbox"/> C. Moderate <input type="checkbox"/> D. High <input type="checkbox"/> E. Reckless Disregard <input checked="" type="checkbox"/> | | | | |
| 12. Type of Action 104 (d) (2) | | 13. Type of Issuance (check one) Citation <input type="checkbox"/> Order <input checked="" type="checkbox"/> Safeguard <input type="checkbox"/> Written Notice <input type="checkbox"/> | | |
| 14. Initial Action A. Citation <input type="checkbox"/> B. Order <input checked="" type="checkbox"/> C. Safeguard <input type="checkbox"/> D. Written Notice <input type="checkbox"/> | | E. Citation/ Order Number 9195395 | | F. Dated Mo Da Yr 4/26/2021 |
| 15. Area or Equipment Headgate #8 longwall. | | | | |

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

Section III--Termination Action

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|-------------------------|
| 17. Action to Terminate |
|-------------------------|

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

Section IV--Automated System Data

| | | |
|--|-----------------------------|------------------------|
| 19. Type of Inspection (activity code) E08 | 20. Event Number 7006992 | 21. Primary or Mill |
| 22. AR Name Bub Whitfield | | 23. AR Number 25151 |

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

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

| | | |
|---|---|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) Mo Da Yr 11/04/2021 | 3. Citation/ Order Number 9191646 - 01 |
| 4. Served To Scott Webb, Safety Director | | 5. Operator M-CLASS MINING LLC |
| 6. Mine MC#1 MINE | | 7. Mine ID (Contractor) 11-03189 |

Section II—Justification for Action

The operator conducted training on preshift examinations.

Section III—Subsequent Action Taken

| | | | |
|----------------|------------------|------------------------|--|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated <input checked="" type="checkbox"/> D. Terminated <input type="checkbox"/> E. Modified |
|----------------|------------------|------------------------|--|

Section IV—Inspection Data

| | | | |
|------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Bub Whitfield | AR Number 25151 | 12. Date Mo Da Yr 11/30/2021 | 13. Time (24 Hr. Clock) 05:26 |

11.30.21
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Section I--Violation Data

| | | |
|---|--------------------------------|--|
| 1. Date Mo Da Yr 11/4/2021 | 2. Time (24 Hr. Clock) 0916 | 3. Citation/ Order Number 9191647 |
| 4. Served To Scott Webb, Safety Director | | 5. Operator M-CLASS MINING LLC |
| 6. Mine MC#1 MINE | | 7. Mine ID 11-03189 (Contractor) |
| 8. Condition or Practice | | 8a. Written Notice (103g) <input type="checkbox"/> |

An inadequate on-shift examination was conducted by the 3rd shift longwall foreman on 8/14/2021. A fire occurred on the Headgate #8 longwall behind the headgate shields between crosscut 26 and crosscut 27 in entry 1 and the hazardous condition of the fire was not recorded in the examination book. Miners were not withdrawn to a safe area and the longwall remained in operation. This violation is an unwarrantable failure to comply with a mandatory standard. The mine operator has engaged in aggravated conduct constituting more than ordinary negligence.

See Continuation Form (MSHA Form 7000-3a) ☐

| | | | |
|--------------|--|----------------------|--|
| 9. Violation | A. Health <input type="checkbox"/> Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/> | B. Section of Act | C. Part/Section of Title 30 CFR 75.362 (a) (1) |
|--------------|--|----------------------|--|

Section II--Inspector's Evaluation

| | | | | |
|---|--|---|--|------------------------------------|
| 10. Gravity: | | | | |
| A. Injury or Illness (has) (is): No Likelihood <input type="checkbox"/> Unlikely <input type="checkbox"/> Reasonably Likely <input type="checkbox"/> Highly Likely <input checked="" type="checkbox"/> Occurred <input type="checkbox"/> | | | | |
| B. Injury or illness could reasonably be expected to be: No Lost Workdays <input type="checkbox"/> Lost Workdays Or Restricted Duty <input type="checkbox"/> Permanently Disabling <input type="checkbox"/> Fatal <input checked="" type="checkbox"/> | | | | |
| C. Significant and Substantial: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | | | | D. Number of Persons Affected: 056 |
| 11. Negligence (check one) A. None <input type="checkbox"/> B. Low <input type="checkbox"/> C. Moderate <input type="checkbox"/> D. High <input type="checkbox"/> E. Reckless Disregard <input checked="" type="checkbox"/> | | | | |
| 12. Type of Action 104 (d) (2) | | 13. Type of Issuance (check one) Citation <input type="checkbox"/> Order <input checked="" type="checkbox"/> Safeguard <input type="checkbox"/> Written Notice <input type="checkbox"/> | | |
| 14. Initial Action A. Citation <input type="checkbox"/> B. Order <input checked="" type="checkbox"/> C. Safeguard <input type="checkbox"/> D. Written Notice <input type="checkbox"/> | | E. Citation/ Order Number 9195395 | | F. Dated Mo Da Yr 4/26/2021 |
| 15. Area or Equipment Headgate #8 longwall. | | | | |

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

Section III--Termination Action

17. Action to Terminate

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

Section IV--Automated System Data

| | | |
|--|-----------------------------|------------------------|
| 19. Type of Inspection (activity code) E08 | 20. Event Number 7006992 | 21. Primary or Mill |
| 22. AR Name Bub Whitfield | | 23. AR Number 25151 |

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

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

| | | |
|---|--|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) Mo Da Yr 11/04/2021 | 3. Citation/ Order Number 9191647 - 01 |
| 4. Served To Scott Webb, Safety Director | | 5. Operator M-CLASS MINING LLC |
| 6. Mine MC#1 MINE | | 7. Mine ID (Contractor) 11-03189 |

Section II—Justification for Action

The operator conducted training on on-shift examinations.

Section III—Subsequent Action Taken

| | | | |
|----------------|------------------|------------------------|--|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated <input checked="" type="checkbox"/> D. Terminated <input type="checkbox"/> E. Modified |
|----------------|------------------|------------------------|--|

Section IV—Inspection Data

| | | | |
|------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Bub Whitfield | AR Number 25151 | 12. Date Mo Da Yr 11/30/2021 | 13. Time (24 Hr. Clock) 05:31 |

11.30.21
BAW
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Mine Citation/Order

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

Section I--Violation Data

| | | |
|---|--------------------------------|--|
| 1. Date Mo Da Yr 11/4/2021 | 2. Time (24 Hr. Clock) 0919 | 3. Citation/ Order Number 9191648 |
| 4. Served To Scott Webb, Safety Director | | 5. Operator M-CLASS MINING LLC |
| 6. Mine MC#1 MINE | | 7. Mine ID 11-03189 (Contractor) |
| 8. Condition or Practice | | 8a. Written Notice (103g) <input type="checkbox"/> |

The responsible person on 2nd shift 8/13/2021 and 3rd shift starting on 8/13/2021 did not initiate and conduct an immediate mine evacuation when there was a fire located at the Headgate #8 longwall behind the headgate shields between crosscut 26 and crosscut 27 in entry 1. Miners were not withdrawn to a safe area and the longwall remained in operation. This violation is an unwarrantable failure to comply with a mandatory standard. The mine operator has engaged in aggravated conduct constituting more than ordinary negligence.

See Continuation Form (MSHA Form 7000-3a) ☐

| | | | |
|--------------|--|----------------------|---|
| 9. Violation | A. Health <input type="checkbox"/> Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/> | B. Section of Act | C. Part/Section of Title 30 CFR 75.1501 (b) |
|--------------|--|----------------------|---|

Section II--Inspector's Evaluation

| | | | | |
|---|--|---|--|------------------------------------|
| 10. Gravity: | | | | |
| A. Injury or Illness (has) (is): No Likelihood <input type="checkbox"/> Unlikely <input type="checkbox"/> Reasonably Likely <input type="checkbox"/> Highly Likely <input checked="" type="checkbox"/> Occurred <input type="checkbox"/> | | | | |
| B. Injury or illness could reasonably be expected to be: No Lost Workdays <input type="checkbox"/> Lost Workdays Or Restricted Duty <input type="checkbox"/> Permanently Disabling <input type="checkbox"/> Fatal <input checked="" type="checkbox"/> | | | | |
| C. Significant and Substantial: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | | | | D. Number of Persons Affected: 134 |
| 11. Negligence (check one) A. None <input type="checkbox"/> B. Low <input type="checkbox"/> C. Moderate <input type="checkbox"/> D. High <input type="checkbox"/> E. Reckless Disregard <input checked="" type="checkbox"/> | | | | |
| 12. Type of Action 104 (d) (2) | | 13. Type of Issuance (check one) Citation <input type="checkbox"/> Order <input checked="" type="checkbox"/> Safeguard <input type="checkbox"/> Written Notice <input type="checkbox"/> | | |
| 14. Initial Action A. Citation <input type="checkbox"/> B. Order <input checked="" type="checkbox"/> C. Safeguard <input type="checkbox"/> D. Written Notice <input type="checkbox"/> | | E. Citation/ Order Number 9195395 | | F. Dated Mo Da Yr 4/26/2021 |

15. Area or Equipment

Headgate #8 longwall and underground area of the mine.

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

Section III--Termination Action

17. Action to Terminate

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

Section IV--Automated System Data

| | | |
|--|-----------------------------|------------------------|
| 19. Type of Inspection (activity code) E08 | 20. Event Number 7006992 | 21. Primary or Mill |
| 22. AR Name Bub Whitfield | | 23. AR Number 25151 |

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

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

| | | | | |
|---|------------------------------|------------------------|-------------------------------------|--------------|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) | Mo Da Yr 11/04/2021 | 3. Citation/ Order Number | 9191648 - 01 |
| 4. Served To Scott Webb, Safety Director | | | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | | | 7. Mine ID (Contractor) 11-03189 | |

Section II—Justification for Action

The operator conducted training on the responsible person initiating and conducting an immediate mine evacuation when there is a mine emergency which presents an imminent danger to miners due to a fire or explosion or gas or water inundation.

Section III—Subsequent Action Taken

| | | | | | |
|----------------|------------------|------------------------|-------------------------------------|---|--------------------------------------|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated | <input checked="" type="checkbox"/> D. Terminated | <input type="checkbox"/> E. Modified |
|----------------|------------------|------------------------|-------------------------------------|---|--------------------------------------|

Section IV—Inspection Data

| | | | | | |
|------------------------------|-----------------------------|---------------------------------|----------------------------------|--|--|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | | | |
| 11. AR Name Bub Whitfield | AR Number 25151 | 12. Date Mo Da Yr 11/30/2021 | 13. Time (24 Hr. Clock) 05:37 | | |

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Section I--Violation Data

| | | |
|---|--------------------------------|---|
| 1. Date Mo Da Yr 11/4/2021 | 2. Time (24 Hr. Clock) 0921 | 3. Citation/ Order Number 9191649 |
| 4. Served To Scott Webb, Safety Director | | 5. Operator M-CLASS MINING LLC (Contractor) |
| 6. Mine MC#1 MINE | | 7. Mine ID 11-03189 |
| 8. Condition or Practice | | |

8a. Written Notice (103g) ☐

The mine operator did not follow its' approved Mine Emergency Evacuation and Firefighting Program when a fire occurred on the Headgate #8 longwall behind the headgate shields between crosscut 26 and crosscut 27 in entry 1 on 8/13/2021. Miners were not withdrawn to a safe area and the longwall remained in operation. This violation is an unwarrantable failure to comply with a mandatory standard. The mine operator engaged in aggravated conduct constituting more than ordinary negligence.

See Continuation Form (MSHA Form 7000-3a) ☐

| | | | |
|--------------|--|----------------------|---|
| 9. Violation | A. Health <input type="checkbox"/> Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/> | B. Section of Act | C. Part/Section of Title 30 CFR 75.1502 |
|--------------|--|----------------------|---|

Section II--Inspector's Evaluation

| | | | | |
|---|--|---|--|------------------------------------|
| 10. Gravity: | | | | |
| A. Injury or Illness (has) (is): No Likelihood <input type="checkbox"/> Unlikely <input type="checkbox"/> Reasonably Likely <input type="checkbox"/> Highly Likely <input checked="" type="checkbox"/> Occurred <input type="checkbox"/> | | | | |
| B. Injury or illness could reasonably be expected to be: No Lost Workdays <input type="checkbox"/> Lost Workdays Or Restricted Duty <input type="checkbox"/> Permanently Disabling <input type="checkbox"/> Fatal <input checked="" type="checkbox"/> | | | | |
| C. Significant and Substantial: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | | | | D. Number of Persons Affected: 134 |
| 11. Negligence (check one) A. None <input type="checkbox"/> B. Low <input type="checkbox"/> C. Moderate <input type="checkbox"/> D. High <input type="checkbox"/> E. Reckless Disregard <input checked="" type="checkbox"/> | | | | |
| 12. Type of Action 104 (d) (2) | | 13. Type of Issuance (check one) Citation <input type="checkbox"/> Order <input checked="" type="checkbox"/> Safeguard <input type="checkbox"/> Written Notice <input type="checkbox"/> | | |
| 14. Initial Action A. Citation <input type="checkbox"/> B. Order <input checked="" type="checkbox"/> C. Safeguard <input type="checkbox"/> D. Written Notice <input type="checkbox"/> | | E. Citation/ Order Number 9195395 | | F. Dated Mo Da Yr 4/26/2021 |

15. Area or Equipment
Headgate #8 longwall and underground area of the mine.

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

Section III--Termination Action

17. Action to Terminate

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

Section IV--Automated System Data

| | | |
|--|-----------------------------|------------------------|
| 19. Type of Inspection (activity code) E08 | 20. Event Number 7006992 | 21. Primary or Mill |
| 22. AR Name Bub Whitfield | | 23. AR Number 25151 |

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

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

| | | |
|---|---|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) Mo Da Yr 11/04/2021 | 3. Citation/ Order Number 9191649 - 01 |
| 4. Served To Scott Webb, Safety Director | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | 7. Mine ID (Contractor) 11-03189 | |

Section II—Justification for Action

The operator discussed the Mine Emergency Evacuation and Firefighting Plan with miners and trained miners on when to initiate it.

Section III—Subsequent Action Taken

| | | | |
|----------------|------------------|------------------------|--|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated <input checked="" type="checkbox"/> D. Terminated <input type="checkbox"/> E. Modified |
|----------------|------------------|------------------------|--|

Section IV—Inspection Data

| | | | |
|------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Bub Whitfield | AR Number 25151 | 12. Date Mo Da Yr 11/30/2021 | 13. Time (24 Hr. Clock) 13:57 |

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Mine Citation/Order

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

Section I--Violation Data

| | | |
|---|--------------------------------|--|
| 1. Date Mo Da Yr 11/4/2021 | 2. Time (24 Hr. Clock) 0924 | 3. Citation/ Order Number 9191650 |
| 4. Served To Scott Webb, Safety Director | | 5. Operator M-CLASS MINING LLC |
| 6. Mine MC#1 MINE | | 7. Mine ID 11-03189 (Contractor) |
| 8. Condition or Practice | | 8a. Written Notice (103g) <input type="checkbox"/> |

The operator is not following the tracking system requirements of item (a) of page 5 and items (a) through (f) of page 7 in its approved Emergency Response Plan dated Feb. 18, 2020. The following mine personnel were working underground without being tracked by the mine tracking system during a fire located at the Headgate #8 longwall behind the headgate shields between crosscut 26 and crosscut 27 in entry 1; The Foresight General Manager on 2nd shift of 8/13/2021, the General Manager on 2nd shift of 8/13/2021, the Mine Superintendent on 2nd shift of 8/13/2021 and 3rd shift of 8/14/2021, the [REDACTED] on dayshift and 2nd shift of 8/13/2021, and an [REDACTED] on dayshift and 2nd shift of 8/13/2021. Additionally, a miner was [REDACTED] underground on 8/14/2021 without being tracked by the mine tracking system after the 103(k) Order 9198903 was issued and miners were evacuated. Also, two tracking devices used for tracking miners' location underground were found left underground at the last open belt trailer near the Headgate #8 longwall. The two devices were identified as issued to a dayshift Section Foreman and a [REDACTED]. This violation is an unwarrantable failure to comply with a statutory provision. The mine operator has

See Continuation Form (MSHA Form 7000-3a) ☒

| | | | |
|--------------|--|---|------------------------------------|
| 9. Violation | A. Health <input type="checkbox"/> Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/> | B. Section of Act 316 (b) (2) (A) | C. Part/Section of Title 30 CFR |
|--------------|--|---|------------------------------------|

Section II--Inspector's Evaluation

| | | | | |
|---|--|---|--|------------------------------------|
| 10. Gravity: | | | | |
| A. Injury or illness (has) (is): No Likelihood <input type="checkbox"/> Unlikely <input type="checkbox"/> Reasonably Likely <input type="checkbox"/> Highly Likely <input checked="" type="checkbox"/> Occurred <input type="checkbox"/> | | | | |
| B. Injury or illness could reasonably be expected to be: No Lost Workdays <input type="checkbox"/> Lost Workdays Or Restricted Duty <input type="checkbox"/> Permanently Disabling <input type="checkbox"/> Fatal <input checked="" type="checkbox"/> | | | | |
| C. Significant and Substantial: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | | | | D. Number of Persons Affected: 008 |
| 11. Negligence (check one) A. None <input type="checkbox"/> B. Low <input type="checkbox"/> C. Moderate <input type="checkbox"/> D. High <input type="checkbox"/> E. Reckless Disregard <input checked="" type="checkbox"/> | | | | |
| 12. Type of Action 104 (d) (2) | | 13. Type of Issuance (check one) Citation <input type="checkbox"/> Order <input checked="" type="checkbox"/> Safeguard <input type="checkbox"/> Written Notice <input type="checkbox"/> | | |
| 14. Initial Action A. Citation <input type="checkbox"/> B. Order <input checked="" type="checkbox"/> C. Safeguard <input type="checkbox"/> D. Written Notice <input type="checkbox"/> | | E. Citation/ Order Number 9195395 | | F. Dated Mo Da Yr 4/26/2021 |
| 15. Area or Equipment Headgate #8 longwall and underground area of the mine. | | | | |

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

Section III--Termination Action

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|-------------------------|
| 17. Action to Terminate |
|-------------------------|

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

Section IV--Automated System Data

| | | |
|--|-----------------------------|------------------------|
| 19. Type of Inspection (activity code) E08 | 20. Event Number 7006992 | 21. Primary or Mill |
| 22. AR Name Bub Whitfield | | 23. AR Number 25151 |

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

Mine Citation/Order
Continuation

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



Section I--Subsequent Action/Continuation Data

| | | |
|---|--|---|
| 1. Subsequent Action 1a. Continuation <input type="checkbox"/> <input checked="" type="checkbox"/> | 2. Dated (Original Issue) Mo Da Yr 11/4/2021 | 3. Citation/ Order Number 9191650 |
| 4. Served To Scott Webb, Safety Director | 5. Operator M-CLASS MINING LLC (Contractor) | |
| 6. Mine MC#1 MINE | 7. Mine ID 11-03189 | |

Section II--Justification for Action

Continuation of 8. Condition or Practice

engaged in aggravated conduct constituting more than ordinary negligence. This violation is an unwarrantable failure to comply with a mandatory standard.

See Continuation Form ☐

Section III--Subsequent Action Taken

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

Section IV--Inspection Data

| | |
|------------------------------|-----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 |
| 11. AR Name Bub Whitfield | 12. Date Mo Da Yr 11/4/2021 |
| AR Number 25151 | 13. Time (24 Hr. Clock) 0924 |

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

| | | |
|---|---|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) Mo Da Yr 11/04/2021 | 3. Citation/ Order Number 9191650 - 01 |
| 4. Served To Scott Webb, Safety Director | | 5. Operator M-CLASS MINING LLC |
| 6. Mine MC#1 MINE | | 7. Mine ID (Contractor) 11-03189 |

Section II—Justification for Action

The operator determined why the miners were not being tracked and conducted training with miners to follow the tracking system requirements of the Emergency Response Plan.

The operator revised their Emergency Response Plan to address the operator will conduct checks to ensure each miner has a tracker prior to going underground and will randomly check miners underground to ensure they still have a tracker on their person. These checks will be conducted weekly per shift and a record of the examination will be kept and made available to an authorized representative of the Secretary and miners.

Section III—Subsequent Action Taken

| | | | |
|----------------|------------------|------------------------|--|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated <input checked="" type="checkbox"/> D. Terminated <input type="checkbox"/> E. Modified |
|----------------|------------------|------------------------|--|

Section IV—Inspection Data

| | | | |
|------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Bub Whitfield | AR Number 25151 | 12. Date Mo Da Yr 12/02/2021 | 13. Time (24 Hr. Clock) 07:44 |

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Mine Citation/Order

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

Section I--Violation Data

| | | |
|---|--------------------------------|--|
| 1. Date Mo Da Yr 11/4/2021 | 2. Time (24 Hr. Clock) 0929 | 3. Citation/ Order Number 9191651 |
| 4. Served To Scott Webb, Safety Director | | 5. Operator M-CLASS MINING LLC (Contractor) |
| 6. Mine MC#1 MINE | | 7. Mine ID 11-03189 |
| 8. Condition or Practice | | 8a. Written Notice (103g) <input type="checkbox"/> |

Two miners were performing [REDACTED] work underground on 8/14/2021 after the 103(k) Order 9198903 was issued at 12:15 p.m. for the fire on the Headgate #8 longwall and miners were evacuated. The two miners were not immediately notified of the emergency and evacuation and did not leave the underground area of the mine until 1:00p.m. The mine tracking system also shows a miner underground on the Viking side of the mine after the 103(k) order 9198903 was modified to allow the operator to implement the M-Class South District 2 Panel 8 Longwall Atmospheric Monitoring Action Plan 8/14/2021. The miner gathered firefighting foam from multiple locations and took it to the Headgate #8 longwall area. This work was in violation of the 103(k) order.

See Continuation Form (MSHA Form 7000-3a) ☐

| | | | |
|--------------|--|---------------------------------|------------------------------------|
| 9. Violation | A. Health <input type="checkbox"/> Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/> | B. Section of Act 103 (k) | C. Part/Section of Title 30 CFR |
|--------------|--|---------------------------------|------------------------------------|

Section II--Inspector's Evaluation

| | | | | |
|---|--|---|--|------------------------------------|
| 10. Gravity: | | | | |
| A. Injury or Illness (has) (Is): No Likelihood <input checked="" type="checkbox"/> Unlikely <input type="checkbox"/> Reasonably Likely <input type="checkbox"/> Highly Likely <input type="checkbox"/> Occurred <input type="checkbox"/> | | | | |
| B. Injury or Illness could reasonably be expected to be: No Lost Workdays <input checked="" type="checkbox"/> Lost Workdays Or Restricted Duty <input type="checkbox"/> Permanently Disabling <input type="checkbox"/> Fatal <input type="checkbox"/> | | | | |
| C. Significant and Substantial: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> | | | | D. Number of Persons Affected: 003 |
| 11. Negligence (check one) A. None <input type="checkbox"/> B. Low <input type="checkbox"/> C. Moderate <input type="checkbox"/> D. High <input checked="" type="checkbox"/> E. Reckless Disregard <input type="checkbox"/> | | | | |
| 12. Type of Action 104 (a) | | 13. Type of Issuance (check one) Citation <input checked="" type="checkbox"/> Order <input type="checkbox"/> Safeguard <input type="checkbox"/> Written Notice <input type="checkbox"/> | | |
| 14. Initial Action A. Citation <input type="checkbox"/> B. Order <input type="checkbox"/> C. Safeguard <input type="checkbox"/> D. Written Notice <input type="checkbox"/> | | E. Citation/ Order Number | | F. Dated Mo Da Yr |
| 15. Area or Equipment | | | | |

| | | |
|---------------------|----------------------------------|--------------------------------|
| 16. Termination Due | A. Date Mo Da Yr 11/8/2021 | B. Time (24 Hr. Clock) 1200 |
|---------------------|----------------------------------|--------------------------------|

Section III--Termination Action

| | | |
|-------------------------|---------------------|------------------------|
| 17. Action to Terminate | | |
| 18. Terminated | A. Date Mo Da Yr | B. Time (24 Hr. Clock) |

Section IV--Automated System Data

| | | |
|--|-----------------------------|------------------------|
| 19. Type of Inspection (activity code) E08 | 20. Event Number 7006992 | 21. Primary or Mill |
| 22. AR Name Bub Whitfield | | 23. AR Number 25151 |

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Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

| | | |
|---|---|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) Mo Da Yr 11/04/2021 | 3. Citation/ Order Number 9191651 - 01 |
| 4. Served To Scott Webb, Safety Director | | 5. Operator M-CLASS MINING LLC |
| 6. Mine MC#1 MINE | | 7. Mine ID (Contractor) 11-03189 |

Section II—Justification for Action

The citation due date and time is being extended to allow the operator additional time to conduct training.

Section III—Subsequent Action Taken

| | | | |
|----------------|--------------------------------|------------------------------|---|
| 8. Extended To | A. Date Mo Da Yr 11/17/2021 | B. Time (24 Hr. Clock) 16:00 | <input type="checkbox"/> C. Vacated <input type="checkbox"/> D. Terminated <input type="checkbox"/> E. Modified |
|----------------|--------------------------------|------------------------------|---|

Section IV—Inspection Data

| | | | |
|------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Bub Whitfield | AR Number 25151 | 12. Date Mo Da Yr 11/12/2021 | 13. Time (24 Hr. Clock) 11:46 |

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

| | | |
|---|---|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) 11/04/2021 Mo Da Yr | 3. Citation/ Order Number 9191651 - 02 |
| 4. Served To Scott Webb, Safety Director | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | 7. Mine ID (Contractor) 11-03189 | |

Section II—Justification for Action

The operator provided training to personnel on 103(k) orders.

Section III—Subsequent Action Taken

| | | | |
|----------------|------------------|------------------------|--|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated <input checked="" type="checkbox"/> D. Terminated <input type="checkbox"/> E. Modified |
|----------------|------------------|------------------------|--|

Section IV—Inspection Data

| | | | |
|------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Bub Whitfield | AR Number 25151 | 12. Date Mo Da Yr 11/18/2021 | 13. Time (24 Hr. Clock) 10:14 |

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22

Mine Citation/Order

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

Section I--Violation Data

| | | |
|---|--------------------------------|--|
| 1. Date Mo Da Yr 11/4/2021 | 2. Time (24 Hr. Clock) 0940 | 3. Citation/ Order Number 9191652 |
| 4. Served To Scott Webb, Safety Director | | 5. Operator M-CLASS MINING LLC |
| 6. Mine MC#1 MINE | | 7. Mine ID 11-03189 (Contractor) |
| 8. Condition or Practice | | 8a. Written Notice (103g) <input type="checkbox"/> |

Two miners were performing [REDACTED] work underground after 103(k) Order 9198903 was issued at 12:15 p.m. on 8/14/2021 and the mine was evacuated due to a fire on the Headgate #8 Longwall behind the headgate shields between crosscut 26 and crosscut 27 in entry 1 that occurred on 8/13/2021. The miners were not immediately notified of the emergency and evacuation. The safety director of the mine pulled one of the [REDACTED] check-in tags off the tag board without verifying if the miner was located underground, while the miner was still underground. Additionally, the other miner's tag was not on the board while the miner was underground. Another miner sent underground to find the two [REDACTED] is shown underground on the mine tracking system without having a check-in tag on the tag board. This violation is an unwarrantable failure to comply with a mandatory standard. The mine operator has engaged in aggravated conduct constituting more than ordinary negligence.

See Continuation Form (MSHA Form 7000-3a) ☐

| | | | |
|--------------|--|----------------------|---|
| 9. Violation | A. Health <input type="checkbox"/> Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/> | B. Section of Act | C. Part/Section of Title 30 CFR 75.1715 |
|--------------|--|----------------------|---|

Section II--Inspector's Evaluation

| | | | | |
|---|--|---|--|------------------------------------|
| 10. Gravely: | | | | |
| A. Injury or illness (has) (is): No Likelihood <input type="checkbox"/> Unlikely <input type="checkbox"/> Reasonably Likely <input type="checkbox"/> Highly Likely <input checked="" type="checkbox"/> Occurred <input type="checkbox"/> | | | | |
| B. Injury or illness could reasonably be expected to be: No Lost Workdays <input type="checkbox"/> Lost Workdays Or Restricted Duty <input type="checkbox"/> Permanently Disabling <input type="checkbox"/> Fatal <input checked="" type="checkbox"/> | | | | |
| C. Significant and Substantial: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | | | | D. Number of Persons Affected: 003 |
| 11. Negligence (check one) A. None <input type="checkbox"/> B. Low <input type="checkbox"/> C. Moderate <input type="checkbox"/> D. High <input checked="" type="checkbox"/> E. Reckless Disregard <input type="checkbox"/> | | | | |
| 12. Type of Action 104 (d) (2) | | 13. Type of Issuance (check one) Citation <input type="checkbox"/> Order <input checked="" type="checkbox"/> Safeguard <input type="checkbox"/> Written Notice <input type="checkbox"/> | | |
| 14. Initial Action A. Citation <input type="checkbox"/> B. Order <input checked="" type="checkbox"/> C. Safeguard <input type="checkbox"/> D. Written Notice <input type="checkbox"/> | | E. Citation/ Order Number 9195395 | | F. Dated Mo Da Yr 4/26/2021 |

15. Area or Equipment
The underground area of the mine.

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

Section III--Termination Action

| | | |
|-------------------------|---------------------|------------------------|
| 17. Action to Terminate | | |
| 18. Terminated | A. Date Mo Da Yr | B. Time (24 Hr. Clock) |

Section IV--Automated System Data

| | | |
|--|-----------------------------|------------------------|
| 19. Type of Inspection (activity code) E08 | 20. Event Number 7006992 | 21. Primary or Mill |
| 22. AR Name Bub Whitfield | | 23. AR Number 25151 |

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Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

| | | |
|---|---|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) Mo Da Yr 11/04/2021 | 3. Citation/ Order Number 9191652 - 01 |
| 4. Served To Scott Webb, Safety Director | | 5. Operator M-CLASS MINING LLC |
| 6. Mine MC#1 MINE | | 7. Mine ID (Contractor) 11-03189 |

Section II—Justification for Action

The operator trained miners on the check-in and check-out system. Additionally, the operator established a procedure to verify if a miner is underground before someone removes their tag and trained miners on it.

Section III—Subsequent Action Taken

| | | | |
|----------------|------------------|------------------------|--|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated <input checked="" type="checkbox"/> D. Terminated <input type="checkbox"/> E. Modified |
|----------------|------------------|------------------------|--|

Section IV—Inspection Data

| | | | |
|------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Bub Whitfield | AR Number 25151 | 12. Date Mo Da Yr 11/30/2021 | 13. Time (24 Hr. Clock) 09:51 |

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25



Section I--Violation Data

| | | |
|---|--------------------------------|--|
| 1. Date Mo Da Yr 11/4/2021 | 2. Time (24 Hr. Clock) 0947 | 3. Citation/ Order Number 9191653 |
| 4. Served To Scott Webb, Safety Director | | 5. Operator M-CLASS MINING LLC |
| 6. Mine MC#1 MINE | | 7. Mine ID 11-03189 (Contractor) |
| 8. Condition or Practice | | 8a. Written Notice (103g) <input type="checkbox"/> |

The 2nd shift longwall foreman did not make a record of the fire that occurred on the Headgate #8 longwall behind the headgate shields between crosscut 26 and crosscut 27 in entry 1 after conducting the preshift and on-shift examinations on 8/13/2021. Miners were not withdrawn to a safe area and the longwall remained in operation. This violation is an unwarrantable failure to comply with a mandatory standard. The mine operator has engaged in aggravated conduct constituting more than ordinary negligence.

Standard 75.363(b) was cited 4 times in two years at mine 1103189, all to the operator.

See Continuation Form (MSHA Form 7000-3a) ☐

| | | | |
|--------------|--|----------------------|--|
| 9. Violation | A. Health <input type="checkbox"/> Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/> | B. Section of Act | C. Part/Section of Title 30 CFR 75.363 (b) |
|--------------|--|----------------------|--|

Section II--Inspector's Evaluation

| | | | | |
|---|--|---|--|------------------------------------|
| 10. Gravity: | | | | |
| A. Injury or Illness (has) (is): No Likelihood <input type="checkbox"/> Unlikely <input type="checkbox"/> Reasonably Likely <input type="checkbox"/> Highly Likely <input checked="" type="checkbox"/> Occurred <input type="checkbox"/> | | | | |
| B. Injury or illness could reasonably be expected to be: No Lost Workdays <input type="checkbox"/> Lost Workdays Or Restricted Duty <input type="checkbox"/> Permanently Disabling <input type="checkbox"/> Fatal <input checked="" type="checkbox"/> | | | | |
| C. Significant and Substantial: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | | | | D. Number of Persons Affected: 134 |
| 11. Negligence (check one) A. None <input type="checkbox"/> B. Low <input type="checkbox"/> C. Moderate <input type="checkbox"/> D. High <input type="checkbox"/> E. Reckless Disregard <input checked="" type="checkbox"/> | | | | |
| 12. Type of Action 104 (d) (2) | | 13. Type of Issuance (check one) Citation <input type="checkbox"/> Order <input checked="" type="checkbox"/> Safeguard <input type="checkbox"/> Written Notice <input type="checkbox"/> | | |
| 14. Initial Action A. Citation <input type="checkbox"/> B. Order <input checked="" type="checkbox"/> C. Safeguard <input type="checkbox"/> D. Written Notice <input type="checkbox"/> | | E. Citation/ Order Number 9195395 | | F. Dated Mo Da Yr 4/26/2021 |
| 15. Area or Equipment Headgate #8 longwall and underground area of the mine. | | | | |

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

Section III--Termination Action

| | | |
|-------------------------|---------------------|------------------------|
| 17. Action to Terminate | | |
| 18. Terminated | A. Date Mo Da Yr | B. Time (24 Hr. Clock) |

Section IV--Automated System Data

| | | |
|--|-----------------------------|------------------------|
| 19. Type of Inspection (activity code) E08 | 20. Event Number 7006992 | 21. Primary or Mill |
| 22. AR Name Bub Whitfield | | 23. AR Number 25151 |

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

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

| | | |
|---|---|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) 11/04/2021 Mo Da Yr | 3. Citation/ Order Number 9191653 - 01 |
| 4. Served To Scott Webb, Safety Director | 5. Operator M-CLASS MINING LLC | |
| 6. Mine MC#1 MINE | 7. Mine ID (Contractor) 11-03189 | |

Section II—Justification for Action

The operator conducted training on the requirements of a record shall be made of any hazardous condition and any violation of the nine mandatory health or safety standards found by the mine examiner.

Section III—Subsequent Action Taken

| | | |
|------------------------------------|------------------------|--|
| 8. Extended To A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated <input checked="" type="checkbox"/> D. Terminated <input type="checkbox"/> E. Modified |
|------------------------------------|------------------------|--|

Section IV—Inspection Data

| | | | |
|------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Bub Whitfield | AR Number 25151 | 12. Date Mo Da Yr 11/30/2021 | 13. Time (24 Hr. Clock) 06:38 |

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Mine Citation/Order

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

Section I--Violation Data

| | | |
|---|--------------------------------|--|
| 1. Date Mo Da Yr 11/4/2021 | 2. Time (24 Hr. Clock) 0950 | 3. Citation/ Order Number 9191654 |
| 4. Served To Scott Webb, Safety Director | | 5. Operator M-CLASS MINING LLC |
| 6. Mine MC#1 MINE | | 7. Mine ID 11-03189 (Contractor) |
| 8. Condition or Practice | | 8a. Written Notice (103g) <input type="checkbox"/> |

The 3rd shift longwall foreman did not make a record of the fire that occurred on the Headgate #8 longwall behind the headgate shields between crosscut 26 and crosscut 27 in entry 1 after conducting the preshift and on-shift examinations on 8/14/2021. Miners were not withdrawn to a safe area and the longwall remained in operation. This violation is an unwarrantable failure to comply with a mandatory standard. The mine operator has engaged in aggravated conduct constituting more than ordinary negligence.

Standard 75.363(b) was cited 4 times in two years at mine 1103189, all to the operator.

See Continuation Form (MSHA Form 7000-3a) ☐

| | | | |
|--------------|--|----------------------|--|
| 9. Violation | A. Health <input type="checkbox"/> Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/> | B. Section of Act | C. Part/Section of Title 30 CFR 75.363 (b) |
|--------------|--|----------------------|--|

Section II--Inspector's Evaluation

| | | | | |
|---|--|---|--|------------------------------------|
| 10. Gravity: | | | | |
| A. Injury or Illness (has) (is): No Likelihood <input type="checkbox"/> Unlikely <input type="checkbox"/> Reasonably Likely <input type="checkbox"/> Highly Likely <input checked="" type="checkbox"/> Occurred <input type="checkbox"/> | | | | |
| B. Injury or illness could reasonably be expected to be: No Lost Workdays <input type="checkbox"/> Lost Workdays Or Restricted Duty <input type="checkbox"/> Permanently Disabling <input type="checkbox"/> Fatal <input checked="" type="checkbox"/> | | | | |
| C. Significant and Substantial: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> | | | | D. Number of Persons Affected: 134 |
| 11. Negligence (check one) A. None <input type="checkbox"/> B. Low <input type="checkbox"/> C. Moderate <input type="checkbox"/> D. High <input type="checkbox"/> E. Reckless Disregard <input checked="" type="checkbox"/> | | | | |
| 12. Type of Action 104 (d) (2) | | 13. Type of Issuance (check one) Citation <input type="checkbox"/> Order <input checked="" type="checkbox"/> Safeguard <input type="checkbox"/> Written Notice <input type="checkbox"/> | | |
| 14. Initial Action A. Citation <input type="checkbox"/> B. Order <input checked="" type="checkbox"/> C. Safeguard <input type="checkbox"/> D. Written Notice <input type="checkbox"/> | | E. Citation/ Order Number 9195395 | | F. Dated Mo Da Yr 4/26/2021 |

15. Area or Equipment

Headgate #8 longwall and underground area of the mine.

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

Section III--Termination Action

17. Action to Terminate

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

Section IV--Automated System Data

| | | |
|--|-----------------------------|------------------------|
| 19. Type of Inspection (activity code) E08 | 20. Event Number 7006992 | 21. Primary or Mill |
| 22. AR Name Bub Whitfield | | 23. AR Number 25151 |

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

Mine Citation/Order
Continuation

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



Section I—Subsequent Action/Continuation Data

| | | |
|---|---|---|
| 1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/> | 2. Dated (Original Issue) Mo Da Yr 11/04/2021 | 3. Citation/ Order Number 9191654 - 01 |
| 4. Served To Scott Webb, Safety Director | | 5. Operator M-CLASS MINING LLC |
| 6. Mine MC#1 MINE | | 7. Mine ID (Contractor) 11-03189 |

Section II—Justification for Action

The operator conducted training on the requirements of a record shall be made of any hazardous condition and any violation of the nine mandatory health or safety standards found by the mine examiner.

Section III—Subsequent Action Taken

| | | | |
|----------------|------------------|------------------------|--|
| 8. Extended To | A. Date Mo Da Yr | B. Time (24 Hr. Clock) | <input type="checkbox"/> C. Vacated <input checked="" type="checkbox"/> D. Terminated <input type="checkbox"/> E. Modified |
|----------------|------------------|------------------------|--|

Section IV—Inspection Data

| | | | |
|------------------------------|-----------------------------|---------------------------------|----------------------------------|
| 9. Type of Inspection E08 | 10. Event Number 7006992 | | |
| 11. AR Name Bub Whitfield | AR Number 25151 | 12. Date Mo Da Yr 11/30/2021 | 13. Time (24 Hr. Clock) 06:42 |

11.30.21
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