

8. Condition or Practice

MC#1 MINE

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



8a. Written Notice (103g)

Section I--Violation Data 1. Date Mo Da Yr 2. Time (24 Hr. Clock) 3. Citation/ 8/14/2021 1215 Order Number 9198903 4. Served To 5. Operator Scott Webb M-CLASS MINING LLC 6. Mine 7. Mine ID (Contractor)

11-03189

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 are. 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.

			3.1						
9. Violation	A. Health		u -	7.1	Part/Section of		See Con	tinuation Form (MSH	A Form 7000-3a) 🔲
	Safety C			-	Title 30 CFR				
Section IIInsp	ector's Evaluatio	n							
10. Gravity:	or Illness (has)	(is): No Likelih	nood 🗍 U	nlikely	Reasonably	Likely 🗍	Highly Llkely	☐ Occur	red
B. Injury o	or illness could y be expected	rea-	st Workdays 🗆		days Or Restric			tly Disabling	Fatal
C. Signific	cant and Subst	antial: Ye	s No 🗆				D. Number o	f Persons Affected	:
11. Negligen	ce (check one)	A. None	B. Low	C. N	Moderate	D. High	E	. Reckless Disreg	ard 🗌
12. Type of A	Action	103(k)	13.	Type of Issuanc	ce (check one)	Citation [	Order 🗸	Safeguard	Written Notice
14. Initial Act A. Citation	The second secon	C. Safegu	ard D. Writt	en Notice	E. Citation/ Order Nur	nber		F. Dated	Mo Da Yr
15. Area or E All und	Equipment derground	areas.							
16. Terminat	tion Due A.	Date Mo Da	Yr B. Time	e (24 Hr. Clock)					
Section IIITer	rmination Action								
17. Action to	Terminate	,							
18. Terminat	A. Date	Mo Da Yr	B. Time (24 Hr.	Clock)					
Section IVAu	itomated System	Data							
19. Type of I		20. Eve	nt Number 7006	992	21. P	rimary or Mill			
22. AR Nam	е		Brandon La	amplev			23. AR	Number 2537	14

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

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## Mine Citation/Order Continuation

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

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Section I—Subsequent Action/Continuation I	Andrew Art					
Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo 08/14/	Da 2021	Yr	3. Citation/ Order Number 9198903 - 01	
. Served To Scott Webb				. Oper		
			I	M-CL	ASS MINING LLC	
5. Mine MC#1 MINE			7	. Mine	ID	(Contractor)
			1	1-03	189	-62 - 1-4 - 1-2 - 1-4

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-Subse	quent Action Ta	aken				
8. Extended To A. Date Mo Da Yr B. Tim		B. Time (24 Hr. Clock)	☐ C. Va	acated D. Terminated 📝 E. Mod		
Section IV-Inspec	ction Data					
9. Type of Inspe	ection		10. E	vent Number		
E08 7006992		6992				
11. AR Name		AR Number	12. Date Mo Da	Yr 13. Time (24 Hr. Clock)		
Brandon Lampley		25374	08/14/2021	14:59		

### Mine Citation/Order

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

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Section I—Subsequent Action/Continuation Data  1. Subsequent Action 1a. Continuation  Coriginal Issue)  O8/14/202				3. Citation/ Order Number 9198903 - 02	
4. Served To Scott Webb			5. Opera M-CL	ator ASS MINING LLC	
6. Mine MC#1 MINE			7. Mine 11-03		(Contractor)

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)		C. Vacated	☐ D. Terminated ✓ E. Modified
Section IV-Inspection Data					
9. Type of Inspection	10. E	vent Number			
E08 7006992		6992			
11. AR Name		AR Number	12. Date Mo	Da Yr	13. Time (24 Hr. Clock)
Brandon Lampley		25374	08/14/2021		17:30



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Continuation Mine Safety and Health Administration
Section I. Subsequent Action/Continuation Data

1. Subsequent Action 1a. Continuation 2. Dated Mo D (Original Issue) 08/14/2	1 0 1 9 1 9 1 9 8 9 0 3 - 0 3		
4. Served To Scott Webb	5. Operator M-CLASS MINING LLC		
S. Mine MC#1 MINE	7. Mine ID (Contracto		

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

8. Extended To	A. Date	lo Da	Yr	B. Time (24 Hr. Clock)		C. Vacated	D. Terminated	✓ E. Manner
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E08			7110	n x				
11. AR Name	-			Alt remines	12.12	me Ce Ti	Te. time per tar un	
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Section I-Subsequent Action/Continuation Data					
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da		3. Citation/ Order Number 9198903 - 04	
4. Served To Scott Webb			5. Oper	ator ASS MINING LLC	
6. Mine MC#1 MINE			7. Mine 11-03		(Contractor)
Section II-Justification for Action	The first section of the section of				

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

Section III-Subse	equent Action Ta	cen								
8. Extended To	A. Date Mo	Da	Yr B. Time (24 Hr. Clock)		☐ C. Vacated ☐ D. Terminated ✓		E. Modified			
Section IV-Inspe										
9. Type of Inspection			10. E	vent Num	ber					
E08			700	6992						
11. AR Name					AR Number	12. Date	Mo D	a Yr	13. Time (24 Hr. Cl	ock)
Brandon La	mnley				25374	08/15/20	21		17:30	



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Section I-Subsequent Action/Continuation Data					
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 08/14/202	Yr 1	3. Citation/ Order Number 9198903 - 05	
4. Served To Scott Webb			5. Oper M-CL	ator ASS MINING LLC	
6. Mine MC#1 MINE			7. Mine 11-03	****	ctor)
Section II—Justification for Action				1 1	

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

8. Extended To	A. Date	Mo I	Da Y	r	B. Time (24 Hr. Clock)		C. Vacated D. Terminated E. Modifie			
Section IV-Inspec										
9. Type of Inspection 10. Event No. E08 7006992										
11. AR Name Brandon Lai	mpley				AR Number 25374	12. Date 08/16/202	Мо 21	Da	Yr	13. Time (24 Hr. Clock) 14:12



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Section I-Subsequent Action/Continuation Data					
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 08/14/202	Yr 21	3. Citation/ Order Number 9198903 - 06	
4. Served To Scott Webb			5. Oper M-CL	ator ASS MINING LLC	
6. Mine MC#1 MINE			7. Mine 11-03		(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.

8. Extended To Mo Da		B. Time (24 Hr. Clock)		C. Vacated D. Terminated F. Modifie				
A. Date	A. Date B. Time (24)		C. Va	Vacated D. Terminated F. Modified				
Section IV-Inspection Data								
9. Type of Inspection		10. Event Number						
E08	700	6992						
11. AR Name		AR Number	12. Date Mo Da	Yr 13. T	ime (24 Hr. Clock)			
Brandon Lampley		25374	08/17/2021	11:0	15			

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Section I—Subsequent Action/Continuation Data				Mine Safety and Health Administ	ration
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da	a Yr	3. Citation/ Order Number 9198903 - 07	*
4. Served To Scott Webb			5. Oper		
6. Mine MC#1 MINE  Section II—Justification for Action			7. Mine 11-03	ID ,	(Contractor)

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

8. Extended To		a Yr					
A. Date	Mo D	a II	B. Time (24 Hr. Clock)		C. Vacated	D. Terminated	✓ E. Modified
Section IV-Inspection Data			<u>'</u>				
<ol><li>Type of Inspection</li></ol>		10. E	vent Number				
E08		700	6992				
11. AR Name			AR Number	12. Date Mo	Da Yr	13. Time (24 Hr. Cl	ock)
Brandon Lampley			25374	08/18/2021		09:09	



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Section I–Subsequent Action/Continuation Data  1. Subsequent Action 1a. Continuation			Yr 1	3. Citation/ Order Number 9198903 - 08		
4. Served To Scott Webb			5. Opera M-CL	ator ASS MINING LLC		
6. Mine MC#1 MINE			7. Mine ID (Contractor) 11-03189			

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

8. Extended To	A. Date Mo	Da	Yr	B. Time (24 Hr. Clock)		C. Va	acated	☐ D. Terminated ✓ E. Modif
Section IV-Inspec			110 E	vent Number				
9. Type of Inspe E08	ection		1.70	6992				
11. AR Name Brandon Naas		AR Number 24981	12. Date N 08/19/2021	lo Da	Yr	13. Time (24 Hr. Clock) 11:15		

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

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Section I-Subsequent Action/Continuation Data					
1. Subsequent Action 1a. Continuation	Dated     (Original Issue)	Mo 08/14/	Da Yr 2021	3. Citation/ Order Number 9198903 - 09	, , , , , , , , , , , , , , , , , , ,
4. Served To Scott Webb				erator CLASS MINING LLC	
6. Mine MC#1 MINE			7. Mir		(Contractor)

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

8. Extended To A. Date	Mo Da	Yr	B. Time (24 Hr. Clock)	C. Vacate	ed D. Terminated Z E. Modified
Section IV-Inspection Data					i,
9. Type of Inspection		10. E	vent Number		
E08 7006992			6992		5.5
11. AR Name		AR Number	12. Date Mo Da Yi	13. Time (24 Hr. Clock)	
11. AR Name			All Nulliber	IZ. Date We Du II	

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2. Dated	Мо	Da	Yr	3. Citation/ 0100002 10	
(Original Issue)	08/14	1/2021		Order Number 9198903 - 10	
		5	. Opera	tor	
		1	M-CL	ASS MINING LLC	•
		7	. Mine I	D	(Contractor)
		l j	1-031	89	
		· · · · · · · · · · · · · · · · · · ·			
		(Out-do-al I )	(Original Issue) 08/14/2021 5	2. Dated Mo Da Yr (Original Issue) 08/14/2021 5. Opera M-CLA 7. Mine II	1 9198903 - 10

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					1806	
8. Extended To A. Date Mo D	a Yr B. Time (24	Hr. Clock)		☐ C. Va	cated	☐ D. Terminated
Section IV-Inspection Data					galga armana ara	
9. Type of Inspection	10. Event Number					
E08	7006992					
11. AR Name		AR Number	12. Date	Mo Da	Y٢	13. Time (24 Hr. Clock)
Brandon Lampley		25374	08/23/2021			15:45

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Continuation			Mine Safety and Health Administration				
Section ISubsequent Action/Continu	ation Data						
1. Subsequent Action 1a. Contin	2. Dated (Original Issue)	Mo Da 08/14/202	Yr 1	3. Citation/ Order Number 9198903 - 11			
4. Served To Brandon Tackett	(Mine Examiner)		5. Opera M-CL	tor ASS MINING LLC			
6. Mine MC#1 MINE			7. Mine I 11-031		(Contractor)		
Section IIJustification for Action							

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

Section IIISubsequent Action Taken			<del>,</del> '	<u> </u>		
8. Extended To A, Date Mo Da	Yr B. Time (24	Hr. Clock)		☐ c. v	acated	D. Terminated  E. Modified
Section IVInspection Data						
9. Type of Inspection	10. Event Numbe	f				
E08	7006992					
11. AR Name		AR Number	12. Date	Mo Da	Yr	13. Time (24 Hr. Clock)
Nicholas L. Lands		25121	08/28/2021	<u> </u>		19:07



#### Mine Citation/Order

#### U.S. Department of Labor

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Continuation	Mine Safety and Health Administration
Section I-Subsequent Action/Continuation Data	
1. Subsequent Action 1a. Continuation 2. Dated (Original Iss	Mo Da Yr 3. Citation/ 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 (Contractor) 11-03189
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-Subse		THE REAL PROPERTY.			_			-			
8. Extended To	A. Date	Мо	Da	Yr	B. Time	(24 Hr. Clock)		□ c.	Vacated	D. Terminated	☑ E. Modified
Section IV-Inspec	tion Data										
9. Type of Inspe	ection			10. E	vent Nun	nber					
E08				700	6992					ALLEY TAXABLE	
11. AR Name						AR Number	12. Date	Mo Da	a Yr	13. Time (24 Hr. Cl	lock)
Brandon Na	as					24981	08/30/20:	21		18:30	

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Section ISubsequent Action/Continuation Data					
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 08/14/202	Yr 1	3. Citation/ Order Number 9198903 - 13	
4. Served To Scott Webb	_		5. Opera	or	
			M-CLA	ASS MINING LLC	
6. Mine MC#1 MINE			7. Mine II	)	(Contractor)
			11-031	89	
Section IIJustification 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 IIISubsequent Action Taken			
8. Extended To A. Date Mo Da	Yr B. Time (24 Hr. Clock)	C. Vacated D.	Terminated
Section IVInspection Data			
9. Type of Inspection	10. Event Number		
E08	7006992		
11. AR Name	AR Number	12. Date Mo Da Yr 13. Ti	me (24 Hr. Clock)
Phillip Dunn	25161	09/01/2021 07:5	5



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Mine Safety and Health Administration

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1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da	Υr	3. Citation/ Order Number 9198903 - 14	
<b>4</b>	(Original issue)	08/14/202	1	Order Number	,
4. Served To Scott Webb			5. Opera	tor	
•			M-CL	ASS MINING LLC	
6. Mine MC#1 MINE			7. Mine I	D.	(Contractor)
			11-031	89	

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)		☐ C. Va	cated	☐ D. Terminated ✓ E. Modified
Section IV-Inspection Data			····	A	· · · · · · · · · · · · · · · · · · ·	
9. Type of Inspection	10. Event Number	•				
E08	7006992					
11. AR Name		AR Number	12. Date	Mo Da	Yr	13. Time (24 Hr. Clock)
Brandon Lampley		25374	09/02/202	1		14:55

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Section ISubsequent Action/Continuation Data					
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 08/14/202	Yr 21	3. Citation/ Order Number 9198903 - 15	
4. Served To Scott Webb			5. Operat	tor	
			M-CLA	ASS MINING LLC	
6. Mine MC#1 MINE			7. Mine II	D .	(Contractor)
			11-031	89	
Section IIJustification for Action					

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

Section IIISubsequent Action Taken								
8. Extended To A. Date Mo Da	Yr B. Time (2	4 Hr. Clock)		C. Va	cated	☐ D. Terminated ✓ E. Modified		
Section IVInspection Data								
9. Type of Inspection	10. Event Numbe	er						
E08	7006992							
11. AR Name		AR Number	12. Date	Mo Da	Yr	13. Time (24 Hr. Clock)		
Phillip Dunn		25161	09/03/2021	1		12:17		

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### Mine Citation/Order

#### U.S. Department of Labor

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Section I-Subsequent Action/Continuation Data	
1. Subsequent Action 1a. Continuation  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.

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Section III-Subsequent Action Taken							
8. Extended To A. Date Mo Da	Yr B. Time (	24 Hr. Clock)			C. Va	cated	☐ D. Terminated ✓ E. Modified
Section IV-Inspection Data							
9. Type of Inspection	10. Event Numb	per					
E08	7006992						
11. AR Name		AR Number	12. Date	Мо	Da	Yr	13. Time (24 Hr. Clock)
Phillip Dunn		25161	09/05/202	1			13:53

### Mine Citation/Order

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Continuation	Mine Safety and Health Administration						
Section I-Subsequent Action/Continuation Data							
1. Subsequent Action 1a. Continuation	2. Dated Mo Da (Original Issue) $08/14/202$	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 11-03189	(Contractor)				
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)		C. Va	acated	D. Terminated  E. Modified
Section IV-Inspection Data	· · · · · · · · · · · · · · · · · · ·					
9. Type of Inspection	10. Even	t Number				
E08	70069	92	,			
11. AR Name		AR Number	12. Date	Mo Da	Yr	13. Time (24 Hr. Clock)
Phillip Dunn		25161	09/20/202	1		11:12

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Section I-Subsequent Action/Continuation Data					
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo I 08/14/2	Da Yr 2021	3. Citation/ Order Number 9198903 - 18	
4. Served To Scott Webb			5. Oper	ator	
			M-CL	ASS MINING LLC	
6. Mine MC#1 MINE			7. Mine	<b>I</b> D	(Contractor)
			11-03	189	
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-Subse	quent Actio	n Take	n		,					
8. Extended To	A. Date	Mo	Da	Υr	B. Time (	(24 Hr. Clock)		☐ C.	Vacated	D. Terminated
Section IV-Inspec	ction Data									
9. Type of Insp	ection			10. E	vent Numl	ber				
E08				700	6992					
11. AR Name			AR Number	12. Date	Mo Da	Yr	13. Time (24 Hr. Clock)			
Brandon Naas			24981	21 08:20		08:20				

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Section I-Subsequent Action/Continuation Data					
✓ □	Dated     (Original Issue)	Mo Da 08/14/202	Yr 1	3. Citation/ Order Number 9198903 - 19	
4. Served To Shawn Batty			5. Opera	tor	
			M-CLA	ASS MINING LLC	
6. Mine MC#1 MINE			7. Mine I	D	(Contractor)
			11-031	89	
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. Tim	e (24 Hr. Clock)		C. Va	acated	☐ D. Terminated
Section IV-Inspection Data			· · · · · · · · · · · · · · · · · · ·			
9. Type of Inspection	10. Event Nu	mber				
E08	7006992					
11. AR Name		AR Number	12. Date	vlo Da	Yr	13. Time (24 Hr. Clock)
Brandon Naas		24981	10/16/2021			10:56

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



Section I-Subsequent Action/Continuation Data						
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 08/14/202		3. Citation/ Order Number 9198903 - 20		
4. Served To Shawn Batty			5. Opera M-CLA	or ASS MINING LLC		
6. Mine MC#1 MINE			7. Mine II 11-031		(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 (2	4 Hr. Clock)		☐ C. V	acated	☐ D. Terminated
Section IV-Inspection Data						
9. Type of Inspection	10. Event Number	er				
E08	7006992					
11. AR Name		AR Number	12. Date	Mo Da	Yr	13. Time (24 Hr. Clock)
Phillip Dunn	25161	10/19/2021 18:19			18:19	

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



Section I-Subsequent Action/Continuation Data						
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo 08/14	Da /2021	, Yr	3. Citation/ Order Number 9198903 - 21	
4. Served To Shawn Batty			5.	Operat	or	
			N	A-CLA	ASS MINING LLC	
6. Mine MC#1 MINE			7.	Mine II	)	(Contractor)
			1	1-031	89	,
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)	C. Vacated	☐ D. Terminated
Section IV-Inspection Data			
9. Type of Inspection	10. Event Number		
E08	7006992		
11. AR Name	AR Number	12. Date Mo Da Yr	13. Time (24 Hr. Clock)
Phillip Dunn	25161	10/20/2021	16:37

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

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Section I-Subsequent Action/Continuation Data						
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo ( 08/14/2	0a Yı 021		3. Citation/ Order Number 9198903 - 22	·
4. Served To Shawn Batty			5. Op	регаt	or	
			M-(	CLA	SS MINING LLC	
6. Mine MC#1 MINE			7. Mi	ne IC		(Contractor)
			11-0	0318	39	
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	B. Time (	24 Hr. Clock)		☐ C. \	/acated	☐ D. Terminated ☑ E. Modified
Section IV-Inspection Data						
9. Type of Inspection	10. Event Numb	ег			·····	
E08	7006992					
11. AR Name		AR Number	12, Date	Mo Da	Yr	13. Time (24 Hr. Clock)
Phillip Dunn		25161	10/22/202	21		13:29

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



Section I-Subsequent Action/Continuation Data					
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 08/14/202	Yr 1	3. Citation/ Order Number 9198903 - 23	
4. Served To Scott Webb			5. Орега	tor	
			M-CL	ASS MINING LLC	
6. Mine MC#1 MINE			7. Mine I	D	(Contractor)
			11-031	89	
Section Il-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 E	a Y	B. Tim	e (24 Hr. Clock)			C. Va	acated	☐ D. Terminated ✓ E. Modified
Section IV-Inspection Data								
9. Type of Inspection	10	Event Nu	ımber					
E08	70	006992						
11. AR Name			AR Number	12. Date	Мо	Da	Υr	13. Time (24 Hr. Clock)
Phillip Dunn			25161	10/30/202	21			12:44

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



Section I-Subsequent Action/Continuation Data					
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo E		3. Citation/ Order Number 9198903 - 24	
	(Original issue)	08/14/2	021	Order Number	
4. Served To Shawn Batty			5. Opera	tor	
· .			M-CL.	ASS MINING LLC	
6. Mine MC#1 MINE		-	7. Mine	D	(Contractor)
			11-031	89	
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 Take	en			· · · · · · · · · · · · · · · · · · ·		
8. Extended To A. Date Mo	Da Yr	B. Time (24 Hr. Clock)		☐ C. Va	acated	D. Terminated  E. Modified
Section IV-Inspection Data						
9. Type of Inspection	10. E	vent Number	<del></del>			
E08	700	5992				
11. AR Name		AR Number	12. Date	Mo Da	Yr	13. Time (24 Hr. Clock)
Phillip Dunn		25161	11/02/202	21		12:45

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



1. Subsequent Action 1a. Continuation	2. Dated (Onginal Issue)	Mo Da 08/14/202	Үг 1	3. Citation/ Order Number 9198903 - 25	
4. Served To Shawn Batty			5. Opera		
6. Mine MC#1 MINE			7. Mine I	ASS MINING LLC	(Contractor)
			11-031		(Contractor)

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	B. Time (	24 Hr. Clock)		☐ C. V	acated	D. Terminated  E. Modified
Section IV-Inspection Data						
9. Type of Inspection	10. Event Numb	ег				
E08	7006992					
11. AR Name		AR Number	12. Date	Mo Da	Υr	13. Time (24 Hr. Clock)
Phillip Dunn		25161	11/03/202	21		10:00

#### U.S. Department of Labor

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Mine Safety and Health Administration

Section I-Subsequent Action/Continuation Data					
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 08/14/20		3. Citation/ Order Number 9198903 - 26	
4. Served To Shawn Batty			5. Opera	ator	
			M-CL	ASS MINING LLC	
6. Mine MC#1 MINE			7. Mine	ID ·	(Contractor)
			11-031	189	
Section II—Justification for Action			٠		

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 (2	4 Hr. Clock)		☐ C. V	/acated	☐ D. Terminated
Section IV-Inspection Data					·	
9. Type of Inspection	10. Event Number	er				
E08	7006992					
11. AR Name		AR Number	12. Date	Mo Da	Yr	13. Time (24 Hr. Clock)
Phillip Dunn		25161	11/03/202	1		17:16

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

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Section I-Subsequent Action/Continuation Data					The state of the s	v.
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo 08/14	Da /2021	Yr	3. Citation/ Order Number 9198903 - 27	
4. Served To Shawn Batty			5	. Operat	or	
			1	M-CLA	ASS MINING LLC	
6. Mine MC#1 MINE				'. Mine II		(Contractor)
			1	11-031	39	,
Section IIJustification 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)	☐ C. Vacated ☐ D. Terminated ☑ E. Modified
Section IV-Inspection Data		
9. Type of Inspection	10. Event Number	
E08	7006992	
11. AR Name	AR Number	12. Date Mo Da Yr 13. Time (24 Hr. Clock)
Phillip Dunn	25161	11/04/2021 16:34

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



Section I–Subsequent Action/Continuation Data  1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 08/14/202	Yr 1	3. Citation/ Order Number 9198903 - 28	
4. Served To Shawn Batty			5. Opera M-CL	tor ASS MINING LLC	
6. Mine MC#1 MINE			7. Mine 11-031		(Contractor)

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 (2	24 Hr. Clock)			C. Va	cated	☐ D. Terminated
Section IV-Inspection Data								
9. Type of Inspection	10. I	vent Numb	ег					
E08	700	)6992						
11. AR Name		"	AR Number	12. Date	Мо	Da	Yr	13. Time (24 Hr. Clock)
Phillip Dunn			25161	11/06/202	21			00:21

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



Section I-Subsequent Action/Continuation Data										
1. Subsequent Action 1a. Continuation 2. Dated Mo Da (Original Issue) 08/14/202				1 0-1						
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-Subsec	quent Action	Taken									
8. Extended To	A. Date	/lo D	a	Yr	B. Time (24 Hr. Clock)			C. Va	acated	D. Terminated	E. Modified
Section IV-Inspec	tion Data										
9. Type of Inspe E08	ection		-		vent Number 6992						
11. AR Name Phillip Dunr					AR Number 25161	12, Date 11/06/20	Мо 21	Da	Yr	13. Time (24 Hr. Clock) 06:43	

### **U.S. Department of Labor**



Mine Safety and Health Administration

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Section ISubsequent Action/Continuation Data					
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 08/14/202	Yr 1	3. Citation/ Order Number 9198903 - 30	
4. Served To Shawn Batty			5. Operate M-CLA	tor ASS MINING LLC	
6. Mine MC#1 MINE			7. Mine II 11-031		(Contractor)
Section IIJustification 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 IIISubsequent Action Taken								
8. Extended To A. Date Mo Da	Yr B. Time (24	Hr. Clock)		☐ C. V	acated	D. Terminated E. Modified		
Section IVInspection Data								
9. Type of Inspection	<ol><li>Event Number</li></ol>							
E08	7006992							
11. AR Name		AR Number	12. Date	Mo Da	Yr	13. Time (24 Hr. Clock)		
Nicholas L. Lands		25121	11/06/2021			09:54		

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

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Section I-Subsequent Action/Continuation	Data				
1. Subsequent Action 1a. Continuati	2. Dated (Original Issue)	Mo Da 08/14/202	Yr :1	3. Citation/ Order Number 9198903 - 31	
4. Served To Shawn Batty			5. Opera	tor	•
•		•	M-CL	ASS MINING LLC	
6. Mine MC#1 MINE			7. Mine I	D	(Contractor)
			11-031	89	*
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 (2	4 Hr. Clock)			C. Va	cated	D. Terminated  E. Modified
Section IV-Inspection Data							
9. Type of Inspection	10. Event Number	er					
E08	7006992						
11. AR Name		AR Number	12. Date	Mo	Da	Yr	13. Time (24 Hr. Clock)
Nicholas L. Lands		25121	11/07/202	21			16:27

MSHA Form 7000-3a, Mar 85 (revised)

Pg.10 Cl 11/9/24

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



Section I-Subsequent Action/Continuation Data					
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 08/14/202	Yr 1	3. Citation/ Order Number 9198903 - 32	
4. Served To Chris England			5. Operat	or ASS MINING LLC	
6. Mine MC#1 MINE			7. Mine II 11-031	)	(Contractor)
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)			C. Vac	ated	☐ D. Terminated
Section IV-Inspection Data							
9. Type of Inspection	10. Event Numbe	1					
E08	7006992						
11. AR Name		AR Number	12. Date	Мо	Da	Yr	13. Time (24 Hr. Clock)
Brandon Naas		24981	11/09/202	1			12:03

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



Section I-Subsequent Action/Continuation Data			i		
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da		3. Citation/ Order Number 9198903 - 33	Nac and the same of the same o
4. Served To Shawn Batty			5. Opera	ator	****
			M-CL	ASS MINING LLC	
6. Mine MC#1 MINE		W	7. Mine	ĪD	(Contractor)
			11-03	189	
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						1 min - 1 min
8. Extended To A. Date Mo Da	Yr B. Time (24	Hr. Clock)		☐ c.	Vacated	☐ D. Terminated  ✓ E. Modified
Section IV-Inspection Data		·			÷	
9. Type of Inspection	10. Event Number					
E08	7006992					
11. AR Name		AR Number	12. Date	Mo Da	Yr	13. Time (24 Hr. Clock)
Phillip Dunn		25161 11/15/2021 12:22				

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

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Section I-Subsequent Action/Continuation Data					
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 08/14/202	Yr 21	3. Citation/ Order Number 9198903 - 34	
4. Served To Zach Lands			5. Opera	tor	
			M-CLA	ASS MINING LLC	
6. Mine MC#1 M1NE			7. Mine II	D .	(Contractor)
			11-031	89	
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 (2	4 Hr. Clock)			C. Vac	ated	☐ D. Terminated ✓ E. Modified
Section IV-Inspection Data							
9. Type of Inspection	10. Event Numbe	r					
E08	7006992						
11. AR Name		AR Number	12. Date	Мо	Da	Yr	13. Time (24 Hr. Clock)
Brandon Naas		24981	11/22/202	1			09:20

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



Section I-Subsequent Action/Continuation Data						
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Мо 08/14/	Da <u>/2021</u>	Yr I	3. Citation/ Order Number 9198903 - 35	
4. Served To Shawn Batty				5. Operat M-CLA	or ASS MINING LLC	
6. Mine MC#1 MINE			- 1	7. Mine II 11-031		(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 [	oa Yr	B. Time (24 Hr. Clock)	Time (24 Hr. Clock)		C. Vacated D. Terminated F. Modified			
Section IV-Inspection Data								
9. Type of Inspection	10. E	vent Number						
E08	700	6992						
11. AR Name		AR Number	12. Date	Мо	Da	Yr	13. Time (24 Hr. Clock)	
Nicholas L. Lands		25121	12/23/2021				11:44	

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



Section I~Violatio	n 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	M	C#1 MINE	7. Mine ID 11-03189	×	(Contractor)	
8. Condition or	Practice			8a.	Written Notice (103g)	

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 Cont	nuation Form (MSH	A Form 7000-3a)
9. Violation	A. Health Safety Other	B. Section of Act		C. Parl/Section of Title 30 CFR		50	.10(d)	
Section II-Insp	sector's Evaluation						16.5	
10. Gravity: A. Injury o	or Iliness (has) (is):	No Likelihoo	d Unlikely 🗆	Reasonably	Likely 🗌	Highly Likely	☑ Occur	red 🗆
	or illness could rea y be expected to be		Workdays  Lost V	Vorkdays Or Restric	cted Duty 🗌	Permanent	y Disabling 🗆	Fatal 🗹
C. Signific	cant and Substanti	al: Yes	☑ No □			D. Number of	Persons Affected	074
11. Negligen	ce (check one)	A. None	B. Low	C. Moderate	D. High	☐ E.	Reckless Disrega	ard 🛛
12. Type of A	Action 1	04 (d) (2)	13. Type of Issu	uance (check one)	Citation	Order 🗸	Safeguard	Written Notice.□
14. Initial Act		C. Safeguar	D. Written Notice	E. Citation/ Order Nur	mber	9195395	F. Dated	Mo Da Yr 4/26/2021
15. Area or E Headgab	Equipment Le #8 longwa	ll and ur	nderground area	of the mine				
16. Terminat	ion Due A. Dat	Mo Da Y	B. Time (24 Hr. Clo	B. Time (24 Hr. Clock)				
Section IIITer	mination Action							
17. Action to	Terminate							v
18. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock)					19			
Section IVAu	Iomated System Data		×					
19. Type of lactivity		20. Event l	Number . 7006992	21. Pi	rimary or Mill			
22. AR Name	θ	,	Bub Whitfield			23, AR	Number 2515	1

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

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M	ine	Safety	and He	ealth	Admi	inistration

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Section I-Subsequent Action/Continuation Data						
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Мо 11/0	Da 4/2021	Yr	3. Citation/ Order Number 9191641 - 01	
4. Served To Scott Webb, Safety Director				5. Opera	tor	
•				M-CLA	ASS MINING LLC	
6. Mine MC#1 MINE			1	7. Mine li	D	(Contractor)
				11-031	89	
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	a Yr	B. Time (24 Hr. Clock)		☐ C.	Vacated	✓ D. Terminated ☐ E. Modified
Section IV-Inspection Data						
9. Type of Inspection	10. E	vent Number				
E08	700	06992				
11. AR Name		AR Number	12. Date 1	√lo Da	ı Yr	13. Time (24 Hr. Clock)
Bub Whitfield	25151	11/30/2021 04:58			04:58	

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



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	М	C#1 MINE	7. Mine ID 11-03189		(Contractor		
8. Condition	or Practice			8a.	Written Notice (103g)		

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 Con	tinuation Form (M	SHA Form 7000-3a)
9. Violation	A. Health Safety Other	B. Section of Act		1.75.7	Part/Section of Title 30 CFR	Y	51	0.20(a)	
Section II-Insp	ector's Evaluation								
10. Gravity:	7.17.97	VIII Value	SAME OF THE	Section 19	File over 15 cm		47.73123	200	
A. Injury o	or Illness (has) (is	): No Likelih	ood 🗹 Ur	nlikely 🗌	Reasonably	Likely	Highly Llkely	☐ Oc	curred
	or illness could re y be expected to		t Workdays 🗹	Lost Work	days Or Restric	ted Duty 🗆	Permanent	tly Disabling	] Fatal □
C. Signific	cant and Substan	tial: Ye	s □ No ☑	21-2			D. Number of	f Persons Affec	ted: 000
11. Negligen	ce (check one)	A. None [	B. Low	☐ C. M	Moderate	D. High	☑ E	. Reckless Disr	egard 🗌
12. Type of A	Action	104(a)	13.1	Type of Issuanc	e (check one)	Citation 🗸	Order 🗌	Safeguard [	] Written Notice □
14. Initial Act A. Citation	Taken and the same	C. Safegu	ard D. Writte	en Notice	E. Citation/ Order Nur	nber		F. Dated	Mo Da Yr
16. Terminat	ion Due A. Da	Mo Da		(24 Hr. Clock)	0800				
Section III-Ter	mination Action	11/5/	2021	All the same rank	0800				
17. Action to									
18. Terminat	A. Date	Mo Da Yr	B. Time (24 Hr. (	Clock)					
Section IV-Aut	tomated System Da	a				100			
19. Type of la (activity of		The same of the same of	Number 70069	92	21. Pr	imary or Mill			
22. AR Name	е		Bub Whitf:	ield			23. AR	Number 25	151

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.

### U.S. Department of Labor

Mine Safety	and Health	Administ	ration

-7

Continuation	ivine Safety and Health	Mine Safety and Health Administration			
Section I–Subsequent Action/Continuation Data		7			
1. Subsequent Action 1a. Continuation (Original Continuation (Origina) (Origina) (Origina Continuation (Origina Continuation (Origina Continuation (Origina Cont	Mo Da Yr 3. Citation/ order Number 91916.	42 - 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-Subse	quent Actio	on Ta	ken									
8. Extended To	B. Extended To A. Date Mo Da Yr B. Tim			B. Time (	me (24 Hr. Clock) $08:00$			C. Va	cated	☐ D. Terminated ☐ E. Modified		
Section IV-Inspec	ction Data											
9. Type of Inspection 10. Event Nur			vent Numb	er								
E08 7006992			6992									
11. AR Name				AR Number	12. Date	Мо	Da	Yr	13. Time (24 Hr. Clock)			
Bub Whitfield					25151	25151 11/12/2021				11:35		

# Mine Citation/Order Continuation

# U.S. Department of Labor

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<b>((*)%</b> /	,
N/AT	

Mine Safety and Health Administration

Section I-Subsequent Action/Continuation Data						
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo 11/04	Da 1/2021	Yr I	3. Citation/ Order Number 9191642 - 02	
4. Served To Scott Webb, Safety Director	г		1	5. Opera M-CL	or ASS MINING LLC	
6. Mine MC#1 MINE			- 1	7. Mine II 11-031		(Contractor)
Section II-Justification for Action		- Control				

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	me (24 Hr. Clock)	24 Hr. Clock)			D. Terminated			
Section IV-Inspection Data								
9. Type of Inspection	10. Event N	10. Event Number						
E08	7006992	,						
11. AR Name		AR Number	12. Date	Mo Da	Yr	13. Time (24 Hr. Clock)		
Bub Whitfield	25151	11/19/2021 08:00						

25151



Willio Ontaile	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,				ety and Health Adm	inistration
Section I-Violati	on Data				7	100 to 10
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 D	irector	5. Operator	CLASS MINING LI	S.C
6. Mine		A 1 1 153		7. Mine ID	CDIOC TILITING DI	(Contractor)
et Morrie	M	C#1 MINE		11-03189		,777
8. Condition or	r Practice				8a.	Written Notice (103g)
25 and complain with a m	crosscut 26 nt of a fire	under unsu on the lo andard. Th	upported roof ongwall. This the mine operate	ate #8 longwall in nu during investigation violation is an unwar or has engaged in agg	on 8/14/2021 of rantable failu	a hazard re to comply
9. Violation	PARTY 10 10 70 70 70 70 70 70 70 70 70 70 70 70 70	B. Section of Act		C. Part/Section of Title 30 CFR	See Continuation For	m (MSHA Form 7000-3a)
	Safety 🖸	OI ACI		Title 30 GFR	75.202 (b	)
Section IIInspe	ctor's Evaluation					
10. Gravity:		1				A
	Illness (has) (is):	No Likelihood	☐ Unlikely ☐	Reasonably Likely	Highly Likely 🔽	Occurred
	illness could rea- be expected to be:	No Lost Wo	orkdays   Lost V	Vorkdays Or Restricted Duty	Permanently Disablin	g 🗆 Fatal 🗹
	ant and Substantial:	Yes 🗸	No 🗆		D. Number of Persons A	Affected: 001
11. Negligence	e (check one)	A. None	B. Low	C. Moderate D. High [	✓ E. Reckless	Disregard
12. Type of Ac	ction 104	1 (d) (2)	13. Type of Issu	uance (check one) Citation	Order 🗸 Safeguar	rd Written Notice
14. Initial Action A. Citation [		C. Safeguard	D. Written Notice	E. Citation/ Order Number	F. D	ated Mo Da Yr 4/26/2021
15. Area or Ed The foam and cros	Manager Contraction and the second	observed o er unsuppo	on the Headgatorted roof.	e #8 longwall in numb	er 1 entry betw	ween crosscut 25
16. Termination	A. Date	Mo Da Yr	B. Time (24 Hr. Clo	ock)		
Section IIITerm	ination Action					
17. Action to T	Terminate					
18. Terminate	A. Date Mo I	Da Yr B. T	ime (24 Hr. Clock)			
Section IVAuto	mated System Data	J. L				
19. Type of Ins		20. Event Nun	nber 7006992	21. Primary or Mill		
22. AR Name			On the state of th		23. AR Number	distance -

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.

Bub Whitfield

Mine Citation/Order
Continuation

Mine Safety a	nd Health	Admin	istration

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00/////			14	inic Barcty and Hearth Administ	ration 7
Section I-Subsequent Action/Continuation Data					
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 11/04/202	<b>У</b> г :1	3. Citation/ Order Number 9191643 - 01	
4. Served To Scott Webb, Safety Directo	r		5. Opera	tor	
			M-CL	ASS MINING LLC	
6. Mine MC#1 MINE			7. Mine I	D	(Contractor)
			11-031	89	
Section II-Justification for Action					
		· · · · · · · · · · · · · · · · · · ·		<u> </u>	

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

Section III-Subsequent Action Taken								
8. Extended To A. Date Mo Da	B. Time (24 Hr. Clock)			C. Vacated D. Terminated E. Modified				
Section IV-Inspection Data								
9. Type of Inspection	10. Event Number							
E08	7006992							
11. AR Name		AR Number	12. Date	Mo I	Da	Yr	13. Time (24 Hr. Clock)	
Bub Whitfield		25151	11/30/2021				08:38	

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



Section IViola	tion Data									
1. Date	Mo Da Yr 11/4/2021	2. Time	(24 Hr. C	Clock) 0904	1103			3. Citation/ Order N		9191644
4. Served To	Scott Web	b, Safe	ty Dir	rector	5. Ope	rator	М	-CLASS M	NING LLC	
6. Mine		MC#1 M3	INE		7. Mine		1-03189			(Contractor)
8. Condition of	or Practice						A # 17 JA M.		8a. Writt	en Notice (103g)
shift loccurre crosscu examina operati The min neglige	ongwall for d on the He t 27 in ention book. on. This vie operator nce.	reman or eadgate try 1 ar Miners iolation has end	1 8/13 #8 lo nd the were n is a gaged	ation for th /2021 betwee ngwall behin hazardous c not withdraw n unwarranta in aggravate d 2 times in	en the hound the head condition on to a sauble failuded conduct	of tafe a	of 8:00 e shiel he fire rea and o compl stituti	p.m. and ds betwee was not the long y with a ng more t	11:00 p.m en crosscul recorded : wall rema: mandatory han ordina	. A fire t 26 and in the ined in standard.
								See Co.	Ministian Form (M	SHA Form 7000-3a)
9. Violation	A. Health Safety Other	B. Section of Act	n		C. Part/Sect Title 30 C				360 (a) (1)	STA FORTI 7000-3a)
Section II-Inspe	ector's Evaluation								2.101.101	
B. Injury o	r Illness (has) (is) r illness could rea	- No. L.	The state of		NAME OF ADDRESS	7 / 1	kely 🗌	Highly Likely		curred 🗆
Land Way Court	be expected to b	0,	st Work	days L Lost v	Workdays Or R	estricte	a Duty L	1	tly Disabling	W-1721 W. M. V.
C. Signific	ant and Substant	ial: Y	es 🗸	No 🗆				D. Number of	f Persons Affect	ed: 134
11. Negligeno	ce (check one)	A. None		B. Low	C. Moderate		D. High		. Reckless Disre	egard 🗹
12. Type of A	ction 1	04 (d) (2	)	13. Type of Issi	uance (check o	one)	Citation	Order 🔽	Safeguard [	Written Notice
14. Initial Acti A. Citation		C. Safeg	uard 🗆	D. Written Notice	E. Citati Orde	ion/ r Numb	er	9195395	F. Dated	Mo Da Yr 4/26/2021
15. Area or E Headgate	quipment e #8 longwa	all.			- 1/1					
16. Termination	S. Termination Due A. Date Mo Da Yr B. Time (24 Hr. Clock									
Section IIITerr	nination Action									
17. Action to	Terminate									
18. Terminate	A. Date	o Da Yr	B. Time	e (24 Hr. Clock)		> 100				
Section IVAuto	omated System Data									
19. Type of In (activity of	spection		nt Numbe	7006992	2	1. Prim	ary or Mill			
22. AR Name			Bub	Whitfield				23. AR	Number 251	.51

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

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Mine Safety	and Health A	Administration
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Oomanaaaan				17.	inc bately and Hearth Hammistrati	011 49(
Section I-Subsequent Action/Continuation Data						
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo 11/0	Da 4/2021	Yr	3. Citation/ Order Number 9191644 - 01	
4. Served To Scott Webb, Safety Director	r	<del>`</del>	5	. Opera	tor	
•			l N	M-CLA	ASS MINING LLC	
6. Mine MC#1 MINE			7	'. Mine II	D	(Contractor)
			1	1-031	89	
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	4 Hr. Clock)			C. Va	cated	☑ D. Terminated ☐ E. Modified
Section IV-Inspection Data							
9. Type of Inspection	10. Event Numbe	Г					
E08	7006992						
11. AR Name	AR Number	12. Date Mo Da Yr 13. Time (24 Hr. Clock)		13. Time (24 Hr. Clock)			
Bub Whitfield		25151	11/30/202	1			05:16

22. AR Name

# U.S. Department of Labor

23, AR Number

25151

11
AV.

AND THE PROPERTY.	to respond				Mine Safe	ety and Health	Administrat	ion 🐃	
Section I-Violat	ion Data	A L. C. L. L.							
1. Date	Mo Da Yr 11/4/2021	2. Time (24 Hr.	Clock) 0908			3. Citation/ Order Numbe	r 91	191645	
4. Served To	Served To Scott Webb, Safety Director				M-(	CLASS MININ	7.00		
6. Mine		AL ZON		7. Mine ID		CLINOS HILITAN	0 1110	(Contractor)	
	M	C#1 MINE			1-03189			(odinidala)	
8. Condition of	r Practice						8a. Written	Notice (103g)	
8/13/20: crosscul recorded remained	21. A fire t 26 and cro d in the exa d in operatid. The mine	occurred or sscut 27 in mination bo on. This v	ation was condument the Headgate of the Headga	#8 longwall the hazardou re not with unwarrantah	behind to s condition drawn to a ole failur	the headgat ion of the a safe area re to compl	e shields fire was and the v with a	between not longwall mandatory	
9. Violation	A. Health Safety Ø	B. Section of Act		C. Part/Section of Title 30 CFR		Sala nav	LV.U.	Form 7000-3a)	
Section II-Inspe	ector's Evaluation			75.362(a)(1)					
1 AND STEEL STATE OF THE PERSON OF THE PERSO	Illness (has) (is):	No Likelihood		Reasonably Li	kely 🔲 📗	Highly Llkely 🗹	Occurre	ed 🗆	
sonably	be expected to be:	No Lost Work	days D Lost Wo	rkdays Or Restricte	ed Duty 🗆	Permanently Di	sabling	Fatal 🔽	
C. Significa	ant and Substantial:	Yes 🗹	No 🗆			D. Number of Pers	sons Affected:	074	
11. Negligeno	e (check one)	A. None	B. Low C.	Moderate	D. High	E. Red	kless Disregar	d 🗹	
12. Type of A	ction 104	(d) (2)	13. Type of Issuar	nce (check one)	Citation [	Order 🗸 Sa	feguard [	Written Notice	
14. Initial Action A. Citation		C. Safeguard	D. Written Notice	E, Citation/ Order Numb	er 9:	195395	F. Dated	Mo Da Yr 4/26/2021	
15. Area or Ed Headgate	quipment = #8 longwal	1.							
16. Termination	on Due A. Date	Mo Da Yr	B. Time (24 Hr. Clock	)					
Section IIITerm	nination Action								
17. Action to 1	Terminatė								
18. Terminate	A. Date Mo D	a Yr B. Tim	e (24 Hr. Clock)	7					
	mated System Data	1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1			1.61				
19. Type of In	spection ode) E08	20. Event Numb	er 7006992	21. Prim	ary or Mill				

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.

Bub Whitfield

Mine Citation/Order
Continuation

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

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Continuation				IV.	ille Safety and Realth Administra	11011	7/
Section I-Subsequent Action/Continuation Data							
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Мо 11/0	Da 4/2021	Yr	3. Citation/ Order Number 9191645 - 01		
4. Served To Scott Webb, Safety Directo	r		5	. Opera	tor		
, •			]]	M-CLA	ASS MINING LLC		
6. Mine MC#1 MINE			7	'. Mine II	D	(Contractor)	
				11-031	89	ź.	
Section II-Justification for Action							

The operator conducted training on on-shift examinations.

Section III-Subse	equent Actio	n Take	n							
8. Extended To	A. Date	Mo	Da	Yr	B. Time	(24 Hr. Clock)		□ c	. Vacated	d 🗸 D. Terminated 🗌 E. Modified
Section IV-Inspe	ction Data									
9. Type of Insp	ection			10. E	vent Num	iber				
E08				700	6992					
11. AR Name		AR Number	12. Date	Mo D	a Yr	13. Time (24 Hr. Clock)				
Bub Whitfield			25151	25151 11/30/2021			05:20			

Mine Citation/Order	U.S. Department of Mine Safety and H	of Labor ealth Administration		
Section IViolation Data				
1. Date Mo Da Yr 2. Time (24 Hr. Clock) 11/4/2021 0914	3. Citation Order N			
4. Served To Scott Webb, Safety Director	5. Operator M-CLASS M	INING LLC		
6. Mine MC#1 MINE	7. Mine ID 11-03189	(Contractor)		
8. Condition or Practice	77 77-27	8a. Written Notice (103g)		
An inadequate pre-shift examination for the longwall foreman on 8/14/2021 between the on the Headgate #8 longwall behind the head in entry 1 and the hazardous condition of Miners were not withdrawn to a safe area a violation is an unwarrantable failure to chas engaged in aggravated conduct constitution of Standard 75,360(a)(1) was cited 2 times in a contractor).	hours of 4:00 a.m. and 7:00 dgate shields between crossc the fire was not recorded in the longwall remained in comply with a mandatory standting more than ordinary negl	a.m. A fire occurred ut 26 and crosscut 27 the examination book. operation. This ard. The mine operator igence.		
	See Co	ontinuation Form (MSHA Form 7000-3a)		
9. Violation A. Health B. Section of Act Other	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 ☐ Unlikely ☐	Reasonably Likely Highly Likel	y 🗹 Occurred 🗆		
B. Injury or illness could reasonably be expected to be: No Lost Workdays ☐ Lost V	Vorkdays Or Restricted Duty ☐ Permane	ntly Disabling 🔲 Fatal 🗹		
C. Significant and Substantial: Yes ☑ No □	D. Number	of Persons Affected: 134		
11. Negligence (check one) A. None B. Low B. Low	C. Moderate D. High D	E. Reckless Disregard 🔽		
12. Type of Action 104 (d) (2) 13. Type of Iss	rance (check one) Citation  Order	Safeguard Written Notice		
14. Initial Action A. Citation □ B. Order ☑ C. Safeguard □ D. Written Notice [	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. Ch	ck)			
Section III-Termination Action				
17. Action to Terminate				
18. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock)				
Section IVAutomated System Data				
19. Type of Inspection 20. Event Number	21. Primary or Mill			

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.

23. AR Number

25151

7006992

Bub Whitfield

(activity code)

22. AR Name

E08

Mine Citation/Order
Continuation

Mine Safety and Health Administration	ı
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<b>&gt;//</b>

OUTHINGUION				10.	inte Safety and Hearth Administration	
Section I-Subsequent Action/Continuation Data						
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Мо 11/0	Da 4/2021	• • •	3. Citation/ Order Number 9191646 - 01	
4. Served To Scott Webb, Safety Directo	r			5. Opera	tor	
, ,			1	M-CLA	ASS MINING LLC	
6. Mine MC#1 MINE			1	7. Mine II	D (1	Contractor)
				11-031	89	
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)	- 40000		C. Va	cated	✓ D. Terminated ☐ E. Modified
Section IV-Inspection Data							
9. Type of Inspection	10. Event Numbe	r					
E08	7006992						
11. AR Name		AR Number	12. Date	Мо	Da	Yr	13. Time (24 Hr. Clock)
Bub Whitfield		25151	11/30/202	21			05:26

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

7.4.4
11.1
(GH)
NI

Section I-Viola	tion Data				Mine Sa	itety and Heal	th Administra	tion
1. Date	Mo Da Yr	2. Time (24 Hr. C	(lock)			3. Citation/		A. V.
i. Date	11/4/2021	2. Time (24 Til. C	0916			Order Num	ber 9	191647
4. Served To	Scott Webb	Safety Dir	rector	5. Operator		-CLASS MIN	ING LLC	
6. Mine				7. Mine ID		-CDASS FILM	ING IDE	(Contractor)
b. Mine	M	C#1 MINE		7. Wille 15	11-03189			(Obmitación)
8. Condition of	or Practice						8a. Writter	Notice (103g)
8/14/20 crosscu recorde remaine	21. A fire t 26 and cro d in the exa d in operati d. The mine	occurred on esscut 27 in mination bo on. This vi	tion was con the Headgat entry 1 and ok. Miners w olation is a s engaged in	e #8 longwa the hazard ere not wit n unwarrant	11 behind ous condi- hdrawn to able fail	the headga tion of the a safe are ure to com	ate shield e fire was ea and the ply with a	ls between not longwall mandatory
9. Violation	A. Health	B. Section		C. Part/Section	of	See Contin	uation Form (MSH	A Form 7000-3a) 🔲
	Safety ☑ Other □	of Act		Title 30 CFR		75.36	52(a)(1)	
	ector's Evaluation							
10. Gravity:	or Illness (has) (is):	No Likelihood	Unlikely	Reasonabl	Likely [	Highly Likely [	√l Occu	rred 🗆
B. Injury o	or illness could rea- y be expected to be:	No Laur West		Workdays Or Rest		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Disabling	Fatal 🔽
-	cant and Substantia	Treatment In 14	No 🗆	Carried and Service		D. Number of F	Persons Affected	i: 056
11. Negligen	ce (check one)	A. None	B. Low	C. Moderate	D. High	☐ E.I	Reckless Disreg	ard 🔽
12. Type of A	Action 10	4 (d) (2)	13. Type of Iss	uance (check one)	Citation [	Order 🔽	Safeguard [	Written Notice [
14. Initial Act		C. Saleguard	D. Written Notice	E. Citation/ Order No		9195395	F. Dated	Mo Da Yr 4/26/2021
15. Area or E Headgat	Equipment ce #8 longwal	11.						
16. Terminat	tion Due A. Date	Mo Da Yr	B. Time (24 Hr. Cl	ock)				
Section IIITer	rmination Action							
17, Action to	Terminate							
18. Terminat	A. Date Mo	Da Yr B. Tin	ne (24 Hr. Clock)	9-11				
Section IVAu	tomated System Data							
19. Type of I		20. Event Numb	er 7006992	21.	Primary or Mill			
22. AR Nam	е	Bub	Whitfield			23. AR N	lumber 2515	51

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
Canti	nuation

Mine Safety	and Health	Administration

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			1.4	inic barety and rivarar raministr	ution -
Section I-Subsequent Action/Continuation Data					
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 11/04/202	Yr .1	3. Citation/ Order Number 9191647 - 01	
4. Served To Scott Webb, Safety Director	r		5. Opera	tor	
· ·			M-CL	ASS MINING LLC	
6. Mine MC#1 MINE			7. Mine I	D	(Contractor)
			11-031	89	
Section II-Justification for Action					

The operator conducted training on on-shift examinations.

Section III-Subse	equent Actio	n Take	n								
8. Extended To	A. Date	Мо	Da	Yr	B. Time	(24 Hr. Clock)			C. Va	cated	D. Terminated
Section IV-Inspe	ction Data										
9. Type of Insp	ection			10. E	vent Nun	nber					
E08				700	6992						
11. AR Name				-		AR Number	12. Date	Мо	Da	Yr	13. Time (24 Hr. Clock)
Bub Whitfie	eld					25151	11/30/20	21			05:31

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

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11	2	~	4	

Section I-Vio	lation Data						
1. Date	Mo Da Yr 11/4/2021	2. Time (24 Hr. Clock) 0919		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 (10							

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 Cont	inuation Form (MSH	A Form 7000-3a)
9. Violation	A. Health Safety Other	B. Section of Act		C. Part/Section of Title 30 CFR		75.	.1501(b)	
	ector's Evaluation							
10. Gravity:		J. Wolania V		Germania i	de Charles	- Marie 147 - A	2 - 1-1	
Con Stranger Land	or Illness (has) (i	CALL THE LANGE DATE OF	d 🗌 Unlikely 🗌	Reasonably	∟ikely ∐	Highly Llkely	✓ Occur	red 🗌
B. Injury of sonably	or illness could re y be expected to	be: No Lost	Workdays   Lost W	Vorkdays Or Restric	ted Duty 🗆	Permanent	ly Disabling 🛚	Fatal 🗹
C. Signific	cant and Substar	ntial: Yes [	Z No 🗆			D. Number of	Persons Affected	134
11. Negligen	ce (check one)	A. None	B. Low	C. Moderate	D. High	□ E.	Reckless Disrega	ard 🗹
12. Type of A	Action	104(d)(2)	13. Type of Issu	uance (check one)	Citation	Order 🔽	Safeguard	Written Notice
14. Initial Act A. Citation		C. Safeguard	D. Written Notice	E. Citation/ Order Nun	ber	9195395	F. Dated	Mo Da Yr 4/26/2021
15. Area or E Headgat	A STATE OF THE PROPERTY OF THE	wall and un	derground area	of the mine.				
16. Terminat	ion Due A. D	vate Mo Da Yr	B. Time (24 Hr. Clo	ck)				
Section IIITer	mination Action							
17. Action to	Terminate	No. W		- 000				
18. Terminat	A. Date	Mo Da Yr	. Time (24 Hr. Clock)					
Section IVAut	omated System Da	ata						
19. Type of lactivity of		20. Event N	umber 7006992	21. Pri	mary or Mill			
22. AR Name  Bub Whitfield						23. AR	Number 2515	1

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

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Mine Safety and Health Administration

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Section I-Subsequent Action/Continuation Data						
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo 11/04/2	Da 2021	YΓ	3. Citation/ Order Number 9191648 - 01	
4. Served To Scott Webb, Safety Director	or			5. Орега	tor	
				M-CLA	ASS MINING LLC	
6. Mine MC#1 MINE			ľ	7. Mine II	D	(Contractor)
				11-031	89	
Section II-Justification for Action					AX	

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						
	Da Yr B. Time	e (24 Hr. Clock)	***************************************	☐ C. V	acated	✓ D. Terminated ☐ E. Modified
Section IV-Inspection Data						
9. Type of Inspection	10. Event Nur	mber				
E08	7006992					
11. AR Name		AR Number	12. Date	Mo Da	Yr	13. Time (24 Hr. Clock)
Bub Whitfield	25151	11/30/2021 05:37			05:37	

22. AR Name

# ILS Department of Labor

23. AR Number

25151

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e.	•	•
o	7	•
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viirie Citation	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,				Mine Safe	ety and Healt	n Administra	tion 💜
Section I-Violation	n Data	part of the		- A				
. Date	Mo Da Yr 11/4/2021	2. Time (24 Hr	. Clock) 0921	note to the same		3. Citation/ Order Numb	er 9	191649
. Served To	erved To Scott Webb, Safety Director			5. Operator	M-6	CLASS MINI	NG LLC	
S. Mine		W. V. L. L.		7. Mine ID	N. A. S.	7770	77	(Contractor
	The state of the s	C#1 MINE		1;	1-03189		90 Writton	Notice (103g)
B. Condition or I	110000000000000000000000000000000000000		low its' appro	1 C 1 C 1 C 1 C 1 C 1 C 1 C 1 C 1 C 1 C	and the factor was	Total Value		
crosscut and the l	26 and cro	emained in andard. T	on the Headgat in entry 1 on 6 operation. Thi ne mine operato	s violation	ners wer is an un	warrantabl	e failure	to comply
9. Violation	A. Health ☐ Safety ☑ Other ☐	B. Section of Act		C. Part/Section of Title 30 CFR			uation Form (MSH	A Form 7000-3a)
Section IIInspec							1017/201	
10. Gravity:	Illness (has) (is):	No Likelihood	☐ Unlikely ☐	Reasonably Lil	kely 🗆	Highly Likely	Occu	rred 🗆
B. Injury or i	ilness could rea- be expected to be	No. 1 2 AM		Vorkdays Or Restricte		Permanently	Disabling	Fatal 🗹
	nt and Substantia		No 🗆			D. Number of P	ersons Affected	d: 134
11. Negligence	(check one)	A. None	B Low	C. Moderate	D. High	E, F	leckless Disreg	ard 🗹
12. Type of Act	tion 10	4 (d) (2)	13. Type of Issu	uance (check one)	Citation	Order 🔽	Safeguard	Written Notice [
14. Initial Actio A. Citation D	n	C. Safeguard	D. Written Notice	E. Citation/ Order Numb	oer 9	195395	F. Dated	Mo Da Yr 4/26/202
15. Area or Eq Headgate		ll and und	erground area	of the mine.				
16. Termination	n Due A, Date	Mo Da Yr	B. Time (24 Hr. Clo	ock)				
Section IIITermi	ination Action							
17. Action to T	erminate							
18. Terminated	A. Date Mo	Da Yr B,	Fime (24 Hr. Clock)					
Section IVAutor	mated System Data				2			
19. Type of Ins	spection de) EOS	20. Event Nu	mber 7006992	21. Prin	nary or Mill	1100		

In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has MSHA Form 7000-3, Apr 08 (revised) 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.

Bub Whitfield

# U.S. Department of

Labor	
h Administration	

me Citation/Order	0.5. Department of Labor
ontinuation	Mine Safety and Health Administration

Section I-Subsequent Action/Continuation Data					
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 11/04/202	<b>У</b> г 1	3. Citation/ Order Number 9191649 - 01	
4. Served To Scott Webb, Safety Director			5. Opera M-CL	tor ASS MINING LLC	
6. Mine MC#1 MINE			7. Mine I 11-031		(Contractor)
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)		C. Va	cated	✓ D. Terminated ☐ E. Modified	
Section IV-Inspection Data							
9. Type of Inspection	10. E	vent Number					
E08	700	6992					
11. AR Name		AR Number	12. Date N	lo Da	Yr	13. Time (24 Hr. Clock)	
Bub Whitfield		25151	11/30/2021			13:57	

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



Section I-Violat	tion Data								
1. Date	Mo Da Yr 11/4/2021	2. Time (24 Hr. C	lock) 0924			Order Number	9191650		
4. Served To	Scott Webb	, Safety Dir	ector	5. Operator	5. Operator M-CLASS MINING LLC				
6. Mine				7. Mine ID			(Contractor)		
	M	IC#1 MINE		11	-03189				
<ol><li>Condillon o</li></ol>	or Practice					88	a, Written Notice (103g)		
items (a The foll tracking between 8/13/202 shift of and 2nd Addition mine tracking undergranders identifi	a) through ( lowing mine g system dua  crosscut 26  21, the Gene  f 8/13/2021  shift of 8,  nally, a mir  acking system  wo tracking  ound at the  ied as issue	(f) of page personnel weing a fire and crossceral Manager and 3rd shi (13/2021, and after the devices use last open bed to a days	7 in its apprere working ulocated at thut 27 in entron 2nd shift of 8/14/20 d an undergram 103(k) Order d for trackinelt trailer nhift Section	inderground with Headgate #8  Ty 1; The Fore To 6 8/13/2021  121, the on days Tound on 8/14/ Ty 9198903 was The miners' look	ey Response thout being longwall is sight General the Mine whift and 20 (2021 without issued and eation under the #8 longwall (188).	Plan dated the tracked health the ral Manager Superinter and shift or the miners were reground were quall. The	d Feb. 18, 2020.  by the mine headgate shields fron 2nd shift of ndent on 2nd on dayshift f 8/13/2021. racked by the re evacuated, re found left two devices were This violation		
						See Continuation F	orm (MSHA Form 7000-3a)		
9. Violation	A. Health Safety Other	B. Section of Act	5 (b) (2) (A)	C. Part/Section of Title 30 CFR					
Section II-Inspe	ector's Evaluation								
	r Illness (has) (is):	No Likelihood	Unlikely 🗌	Reasonably Like	ely 🗌 Highl	ly Likely 🗹	Occurred .		
	r illness could rea- be expected to be:	No Lost Work	days D Lost W	orkdays Or Restricted		rmanently Disabl			
C. Signific	ant and Substantia	Yes 🗹	No 🗆 -		D, Ni	umber of Persons	Affected: 008		
11. Negligeno	ce (check one)	A. None	B. Low 🔲	C. Moderate	D. High	E. Reckles	s Disregard 🔽		
12. Type of A	ction 10	4 (d) (2)	13. Type of Issu	ance (check one)	Citation  Ord	ier 🕢 Safegu	ard Written Notice		
14. Initial Acti A. Citation	lon ☐ B. Order 🗹	C. Safeguard □	D. Written Notice	E. Citation/ Order Numbe	r 9195		Dated Mo Da Yr 4/26/2021		
15. Area or E Headgat	quipment e #8 longwal	ll and under	ground area o	of the mine.					
16, Terminali	on Due A. Date	Mo Da Yr	B. Time (24 Hr. Clor	ck)					
Section IIITerr	mination Action								
17. Action to	Terminate	*	-						
18. Terminate	A. Date . Mo	Da Yr B. Tim	e (24 Hr. Clock)	·					
Section IVAuto	omated System Data								
19. Type of Ir (activity c	rspection	20. Event Number	7006992	21. Prima	ry or Mill				
22. AR Name		Bub	Whitfield		100	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 rebelve 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 fife a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

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



1. Subsequent	quent Action/Continuation Data Action 1a, Continuation	2. Dated (Original Issue)	Mo D:	4 11	3. Citation/ Order Number	9191650
4. Served To	Scott Webb, Safety I	Director		5. Operat	or M-CLASS	MINING LLC
6. Mine	MC#1 M	IINE		7. Mine II	11-03189	(Contractor)

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				7		
8. Extended To A. Date Mo Da	Yr B. Time (	24 Hr. Clock)		C, Vacated	D. Terminated	E. Modified
Section IVinspection Data						
9. Type of Inspection E08	10. Event Numb	er		7006992		
11. AR Name  Bub Whitfield		AR Number 25151	12. Date	Mo Da Yr 11/4/2021	13. Time (24 Hr. C	0924

# Mine Citation/Order Continuation

# U.S. Department of Labor

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				ino suret, with the minimum transfer	***************************************
Section I-Subsequent Action/Continuation Data					
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 11/04/202	Уг 21	3. Citation/ Order Number 9191650 - 01	
4. Served To Scott Webb, Safety Director	r		5. Орега	юг	
			M-CL	ASS MINING LLC	
6. Mine MC#1 MINE			7. Mine I	D	(Contractor)
			11-031	89	
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-Subsequ	ent Actio	n Taker	1					-			
8. Extended To	A. Date	Mo	Da	Υr	B. Time (24	Hr. Clock)			C. Va	cated	✓ D. Terminated ☐ E. Modified
Section IV-Inspection	on Data										
9. Type of Inspec	tion			10. E	vent Numbe	г					
E08				700	5992						
11. AR Name						AR Number	12. Date	Мо	Da	Yr	13. Time (24 Hr. Clock)
Bub Whitfield	d					25151	12/02/20	21			07:44

Section I-Violation Data

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



1, Date	Mo Da Yr 11/4/2021	2. Time (24 Hr. Cl	ock) 0929			3. Citation/ Order Number	er 9	191651
4. Served To		Safety Dir		5. Operator	M-	CLASS MINI	NG LLC	-
6. Mine				7. Mine ID				(Contractor)
O, MINIO	M	C#1 MINE		1:	1-03189		O - Weller	Netles (100s)
8. Condition of	r Practice			erground on				Notice (103g)
9198903 evacuate did not shows a modified Atmosphe multiple	ed. The two leave the u miner under d to allow t	at 12:15 p.miners were nderground on the operator and took it	n. for the fir not immediate area of the man he Viking side to implement Plan 8/14/2023 to the Headga	re on the Herely notified ine until 1: e of the min the M-Class	adgate # of the 00p.m. T e after South D	8 longwall emergency a he mine tra the 103(k) istrict 2 d firefigh	and mine and evacu acking sy order 91 Panel 8 I ting foam	ers were nation and retem also 198903 was Longwall
9. Violation	A. Health	B. Section		C. Part/Section of Title 30 CFR		See Conlinu	ation Form (MSF	IA Form 7000-3a)
	Safety ☑ Other □	of Act	103(k)	Tille do Oi 11				
Section II-Inspi	actor's Evaluation							
10. Gravity: A. Injury o	r Illness (has) (ls):	No Likelihood 🗹	Unlikely	Reasonably Li	kely 🗌	Highly Likely	) Occu	rred 🗌
B. Injury o	r Illness could rea- be expected to be:	No Lost Work	days 🗹 Lost W	orkdays Or Restricte	ed Duly 🗆	Permanently I	Disabling	Fatal
Real Property lies and the last of the las	ant and Substantial		No 🗹			D. Number of Pe	ersons Affecte	d: 003
11. Negligen	ce (check one)	A. None	B. Low 🔲 (	. Moderate	D. High	☑ E.R	eckless Disreg	gard 🗌
12. Type of A	ction	104 (a)	13. Type of Issua	ance (check one)	Citation 🕢	Order 🗍 S	Saleguard	Written Notice
14. Initial Act A. Citation		C. Safeguard	D. Written Notice	E. Citation/ Order Numb	oer		F. Dated	Mo Da Yr
15. Area or E	quipment							
16. Terminal	on Due A. Date	Mo Da Yr 11/8/2021	B. Time (24 Hr. Cloo	ck) 1200				
Section IIITer	mination Action							
17. Action to	Terminate				1+1			
18. Terminat	ed A. Date Mo	Da Yr B. Tim	ne (24 Hr. Clock)					
Section IVAu	tomated System Data			1				
19. Type of I		20. Event Numb	er 7006992	21. Prir	nary or Mill			
22. AR Nam	9	Bub	Whitfield			23, AR N	umber 251	51
		la necordanca w	th the provisions of the St	mall Business Regulato	ry Enforcement	Fairness Act of 199	6, the Small Bus	iness Administration h

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 Ombursman 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 Sitest, 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	Administra	tion

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Section I-Subsequent Action/Continuation Data					* *
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo D 11/04/2		3. Citation/ Order Number 9191651 - 01	
4. Served To Scott Webb, Safety Director			5. Opera	ator	
•			M-CL	ASS MINING LLC	
6. Mine MC#1 MINE			7. Mine	ID	(Contractor)
			11-03	189	
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-Subse	quent Actic	n Take	n								
8. Extended To	A. Date	Mo 11/1	Da 7/2021	Yr l	B. Time (	24 Hr. Clock) 16:00			C. Va	acated	D. Terminated E. Modified
Section IV-Inspec	ction Data										
9. Type of Insp	ection		1	10. E	vent Numb	per					
E08				700	6992						
11. AR Name						AR Number	12. Date	Мо	Da	Yr	13. Time (24 Hr. Clock)
Bub Whitfie	eld					25151	11/12/20:	21			11:46

# Mine Citation/Order Continuation

# U.S. Department of Labor

Mine Safet	y and He	alth Adn	ninistra	tion

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Section I-Subsequent Action/Continuation Data						
Subsequent Action 1a. Continuation 2. Dated		Мо	Da	Yr	3. Citation/ Order Number 9191651 - 02	
<b>✓</b>	(Original Issue)	11/04	-/2021		Order Number	
4. Served To Scott Webb, Safety Director 5. Operator						
•				M-CLA	ASS MINING LLC	
6. Mine MC#1 MINE				7. Mine II	D	(Contractor)
2.2				11-031	89	
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		☐ C. V	acated	D. Terminated E. Modified
Section IV-Inspection Data						
9. Type of Inspection	10.	Event Number				
E08	70	06992				
11. AR Name		AR Numb	er 12. Date	Mo Da	Υr	13. Time (24 Hr. Clock)
Bub Whitfield		25151	11/18/20	21		10:14

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



Section I Violation Data											
1, Date Mo D 11/4	a Yr /2021	2. Time (	24 Hr. Cl	ock) 0940				3. Citation/ Order Number	9	191652	
4. Served To Scot	t Webb	Safet	y Dire	ector	5. Oper	5. Operator M-CLASS MINING LLC					
6. Mine					7. Mine					(Contractor)	
		IC#1 MIN	IE			11-0	03189		8a. Written	Notice (103g)	
8. Condition or Practic	-	- 1	-	and the	-dawaran	d ofto	× 102 (%	\ Order 91	98903 WA	s issued at	
12:15 p.m. or behind the 8/13/2021. The safety direct without veri- underground. Underground. Underground the mine tra- unwarrantable aggravated company of the safety direct without veri- underground.	n 8/14, eadgate he mine tor of fying: Addit: Anothe	/2021 and shield	nd the dis bette not ne pul miner, the comply	immediately illed one of the was located other miner in underground that having a control with a maner of the control of the with a maner of the control of	notified the undergrou	ound, was not tag on tandard	e emerg check-i hile th on the wo the ta	ency and encry and ency and ency and ency and encounter was board while is so board. The encry and encounter was a board.	vacuation the tags still e the mind the the mind the thing the mind this viol	on. The property of the proper	
					V = = 1/2			See Continual	Ion Form (MSH	IA Form 7000-3a)	
Sai	alth     fety       her	B, Section of Act			C. Part/Sect Title 30 C			75.1	1715		
Section IIInspector's Ev	the state of the s										
10. Gravity:					Danas	anhlu I lleals		Highly Likely 🔽	Occu	rred 🗆	
A. Injury or Illness		No Likelih	ood L	Unlikely		nably Likely	- A-0				
B. Injury or Illness sonably be expe	could rea- ected to be	: No Los	st Works	days D Lost V	Workdays Or F	lestricted D		Permanently D		Fatal 🖸	
C. Significant and	Substantla	il: Ye	s 🗸	No 🗆						003	
11. Negligence (chec	k one)	A. None		B. Low	C. Moderate		D. High		okless Disreg		
12. Type of Action	10	)4(d)(2)		13. Type of Issu	uance (check	one) Cl	tation [	Order 🕢 Sa	afeguard [	Written Notice	
14. Initial Action A. Citation B.	Order 🗸	C. Safegu	ard 🗆	D. Written Notice [	E. Cita Orde	tion/ er Number	9:	195395	F, Daled	Mo Da Yr 4/26/2021	
15. Area or Equipment The undergro	nt ound ar	ea of t	he mi	ne.							
16, Termination Due	A. Date	Mo Da	Yr	B. Time (24 Hr. Clo	ack)						
Section IIITermination	Action										
17. Action to Termina	ate										
18. Terminated A. D	)ate Mo	Da Yr	B. Tlm	e (24 Hr. Clock)							
Section IVAutomated S	System Data									-	
19. Type of Inspection (activity code)	n E08	20, Eve	nt Numb	7006992		21. Primary	y or Mill				
22. AR Name Bub Whitfield							23. AR Nui	mber 251	51		

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 tile 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

<b>(%)</b>

Section I-Subsequent Action/Continuation Data					
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 11/04/202	Yr 1	3. Citation/ Order Number 9191652 - 01	
4. Served To Scott Webb, Safety Directo	r		5. Opera M-CL	or ASS MINING LLC	
6. Mine MC#1 MINE			7. Mine II 11-031		(Contractor)
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.

O. C. W. O. L A - C T-1.							
8. Extended To A. Date Mo Da	Yr B. Time (24	4 Hr. Clock)			C. Va	cated [	✓ D. Terminated ☐ E. Modified
Section IV–Inspection Data				J			
9. Type of Inspection	10. Event Numbe	Γ					
E08	7006992						
11. AR Name		AR Number	12. Date	Мо	Da	Yr	13. Time (24 Hr. Clock)
Bub Whitfield		25151	11/30/202	.1			09:51

22. AR Name

23. AR Number

25151



Mine Citation	n/Order					artment of Lab ety and Health		tion (S)		
Section IViolatio	n Data				111110 001	ory and modern	to the total			
1. Date	Mo Da Yr 11/4/2021	2. Time (24 Hr. C	Clock) 0947			3. Citation/ Order Number	9	191653		
4. Served To	Scott Webb	, Safety Dir	ector	5. Operator M-CLASS MINING LLC						
6. Mine		ICHI MINE		7. Mine ID	1-03189			(Contractor)		
8. Condition or		IC#1 MINE			1-03169	_	8a Written	Notice (103g)		
Headgate 1 after of withdrawn unwarrant aggravate	#8 longwal conducting n to a safe table failu ed conduct	I behind the the preshift area and the complications to complications.	e headgate sl t and on-shi he longwall mand y with a mand g more than	e a record of hields between the examination of the control of the	en crosso ons on 8/ operation ord. The igence.	ut 26 and co 13/2021. Mir . This viola mine operato	rosscut ners wer ation is or has e	27 in entry e not an engaged in		
9. Violation	A. Health  Safety  Other	B. Section of Act		C. Part/Section of Title 30 CFR		See Continuatio	Jel	A Form 7000-3a)		
Section IIInspec						,,,,,	- (-)			
10. Gravity:		Secretary States	-0A.072		Sec. 1	Autorit of	100			
F 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	llness (has) (is):	No Likelihood	Unlikely 🗌	Reasonably Li	kely 🗌	Highly Likely 🔽	Occur	red 🗆		
B. Injury or i sonably b	llness could rea- e expected to be:	No Lost Work	days 🔲 Lost W	Vorkdays Or Restricte	ed Duty 🗆	Permanently Dis	abling 🛘	Fatal 🗹		
C. Significar	nt and Substantial	Yes ✓	No 🗆			D. Number of Pers	ons Affected	134		
11. Negligence	(check one)	A. None	B. Low	C. Moderate	D. High [	E. Rec	kless Disrega	ard 🗸		
12. Type of Act	ion 10	4 (d) (2)	13. Type of Issu	uance (check one)	Citation [	Order 🗸 Saf	eguard [	Written Notice		
14. Initial Action A. Citation		C. Safeguard	D. Written Notice	E. Citation/ Order Numb	oer 9	195395	F. Dated	Mo Da Yr 4/26/2021		
15. Area or Equ Headgate		l and under	ground area	of the mine.						
16. Termination	n Due A. Date	Mo Da Yr	B. Time (24 Hr. Clo	ock)						
Section IIITermin	nation Action		1		- 1					
17. Action to Te	erminate									
18. Terminated	A. Date	Da Yr B. Tim	e (24 Hr. Clock)							
Section IVAutor	nated System Data									
19. Type of Ins		20. Event Number	er 7006992	21. Prin	nary or Mill					

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 MSHA Form 700-3, Apr to (revised) In accordance with the provisions of the Shall Business Regulatory Enforcement Falmess Act of 1996, the Shall 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.

Bub Whitfield

Mine Citation/Order
Continuation

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Mine Safety	and Health	Administration

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Section I-Subsequent Action/Continuation Data							
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 11/04/202	<b>У</b> г :1	3. Citation/ Order Number 9191653 - 01			
4. Served To Scott Webb, Safety Director				5. Operator			
			M-CL	ASS MINING LLC			
6. Mine MC#1 MINE			7. Mine I	D	(Contractor)		
			11-031	89			
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-Subsec	uent Actio	n Takei	n								
8. Extended To	A. Date	Mo	Da	Yr	B. Time (2	4 Hr. Clock)		☐ C.	Vacat	ed	✓ D. Terminated ☐ E. Modified
Section IV-Inspect	tion Data										
9. Type of Inspection 10. Event Num		vent Numbe	r								
E08				700	6992						
11. AR Name				AR Number	12. Date	Mo Da	a Y	r	13. Time (24 Hr. Clock)		
Bub Whitfield			25151	11/30/202	11/30/2021 06:38			06:38			

22. AR Name

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

23. AR Number

25151



Section IViolation Data	
1. Date Mo Da Yr 2. Time (24 Hr. Clock) 11/4/2021 0950	3. Citation/ Order Number 9191654
4. Served To Scott Webb, Safety Director	5. Operator M-CLASS MINING LLC
3. Mine MC#1 MINE	7. Mine ID (Contractor)
3. Condition or Practice	8a. Written Notice (103g)
Headgate #8 longwall behind the headgat 1 after conducting the preshift and on withdrawn to a safe area and the longwall unwarrantable failure to comply with a aggravated conduct constituting more to	make a record of the fire that occurred on the te shields between crosscut 26 and crosscut 27 in entry-shift examinations on 8/14/2021. Miners were not all remained in operation. This violation is an mandatory standard. The mine operator has engaged in han ordinary negligence.  In two years at mine 1103189, all to the operator.
	See Continuation Form (MSHA Form 7000-3a)
9. Violation A. Health B. Section of Act Other G	Title 30 CFR 75.363 (b)
Section II-Inspector's Evaluation	
<ol> <li>Gravity:</li> <li>A. Injury or Illness (has) (is): No Likelihood ☐ Unlike</li> </ol>	lly ☐ Reasonably Likely ☐ Highly Llkely ☑ Occurred ☐
B. Injury or illness could reasonably be expected to be:  No Lost Workdays	Lost Workdays Or Restricted Duty Permanently Disabling Fatal
C. Significant and Substantial: Yes ✓ No □	D. Number of Persons Affected: 134
11. Negligence (check one) A. None 🗌 B. Low 🔲	C. Moderate D. High E. Reckless Disregard
12. Type of Action 104 (d) (2) 13. Type	e of Issuance (check one) Citation  Order  Safeguard  Written Notice
14. Initial Action A. Citation □ B. Order ☑ C. Safeguard □ D. Written N	E. Citation/ F. Dated Mo Da. Yr Order Number 9195395 4/26/2023
15. Area or Equipment Headgate #8 longwall and underground a	rea of the mine.
16. Termination Due A. Date Mo Da Yr B. Time (24	Hr. Clock)
Section IIITermination Action	
17. Action to Terminate	
18. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock	ck)
Section IVAutomated System Data	
19. Type of Inspection 20. Event Number	21. Primary or Mill

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.

Bub Whitfield

Mine	Citation/Order
Conti	nuation

Mine Safety and Health Administration	
ville balety and Health Hammishador	1

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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)	C. Vacat	☐ C. Vacated ☑ D. Terminated ☐ E. Modified		
Section IV-Inspection Data						
9. Type of Inspection 10. Event Nu		vent Number				
E08	700	6992				
11. AR Name		AR Number	12. Date Mo Da Y	7 13. Time (24 Hr. Clock)		
Bub Whitfield		25151	11/30/2021	06:42		