U.S. Department of Labor

Mine Safety and Health Administration 1100 Wilson Boulevard Arlington, Virginia 22209-3939



February 21, 2008

MEMORANDUM FOR RICHARD E. STICKLER

Acting Assistant Secretary for

Mine Safety and Health

FROM:

CHARLES J. THOMAS

Director, Office of Accountability

SUBJECT:

MSHA Office of Accountability Audit, Madisonville.

Kentucky, Field Office, and

Introduction

This memorandum summarizes the Office of Accountability audit of the subject mine and field office. Audit subjects included the Uniform Mine File, MSHA field activities, level of enforcement, Field Activity Reviews (FARs), MSHA Form 7000-20 (PKW), mine plans, and the conditions and practices at the mine. Initially, the audit focused on the high incidence of roof falls and reportable injuries related to roof. The audit was conducted during the week of by Jerry Kissell, Arlie A. Webb, and Charles Thomas. Positive findings and issues requiring attention are included in this audit report.

Overview

The mine operator is proactive with respect to roof related accidents and associated injuries, and has required roof bolter operators to wear Kevlar sleeves. ERP compliance is excellent. Four distinct means of communications between the surface and underground locations are being maintained, as well as an electronic tracking system for all personnel. Underground shelters or "Safe havens" are provided at two locations underground, as well as supplies for breathable air.

All inspection reports, notes and other documentation indicate the mine is being inspected in its entirety each quarter. Inspectors spent 73% of their E01 time on-site, and 25% on the active sections. Inspectors spent 79% of their E02 time on-site, and 53% on the active sections.

Although the Uniform Mine File Handbook and the retention schedules are obsolete, District 10 has implemented an effective alternative means to track the mine inspection You can now file your MSHA forms online at www.MSHA.gov. It's easy, it's fast, and it saves you money!

and violation history. The district is utilizing the FARs Inspection Activity Report in place of the MSN 065.

The construction of a set of forms for a 120 psi seal and the pumping of another 120 psi seal were observed during this audit. The seals are well built, all cables, roof straps, and other conductive materials had been removed, and the observable area inby the seals had been well rock dusted.

The currently approved mine ventilation plan contains additions dated from March of 2006 to present, and needs to be consolidated into a single document. The plan may also need to be revised to provide additional air quantity for the left side miner on the 005-0 mmu to better dilute and remove methane while cutting coal.

The level of enforcement and determinations of negligence do not appear consistent with the nature and number of violations cited. Most notable were citations issued under 30 CFR, \$75.503, \$75.517, \$75.604(b), and \$75.606 for permissibility violations and damage to cables on continuous miners, shuttle cars, and roof bolting machines.

The Peer Review process with regard to District 10 appears good. Although district Peer Reviews appear complete, thorough, timely, and address the root causes of observed issues, a consistent, well-defined method for addressing deficiencies and measuring corrective actions is recommended.

Audit Results (Positive Findings)

General

- 1. The roof control group, in conjunction with the field office, required the operator to shorten the roof bolt spacing in November 2007, from $4\frac{1}{2}$ x 5' to a new minimum requirement of 4' x 5'. Significant improvement in roof conditions was observed by district personnel, and the audit team concludes the November 2007 plan is adequate for current mining and geological conditions.
- 2. The operator has also been proactive with respect to roof related accidents and associated injuries, most of which were cuts, scrapes, and bruises of the roof bolting machine operator's forearms. Kevlar sleeves are now required by company policy for all roof bolting machine operators.
- 3. The application of rock dust was well above average in most areas of the mine, including return air courses and at belt transfer points.
- 4. All inspection reports, notes and other documentation indicate the mine was inspected, in its entirety, each quarter.
- 5. Inspectors often included a description of the "root cause" of violations in their field notes. The field notes also indicated the inspectors discussed these root causes with miners and mine management.

6. Inspectors spent an average of 73% of the total E01 inspection time on-site, and 25% of the total E01 inspection time was spent on the active sections. Likewise, 79% of the total 103(i) inspection (E02) time was spent on-site, with a highly commendable 53% of that time being spent on the active sections.

Field Activity Reviews

- 1. During Fiscal Year 2007, the field office supervisor conducted four FARs.
- 2. In each case, the supervisor traveled underground and accompanied the inspector throughout the day's activities.
- 3. FARs were adequately documented and indicated the supervisor observed all aspects of the inspector's activities.

Uniform Mine File (UMF)

Although the Uniform Mine File Handbook and the retention schedules (MSHA Forms 2000-166 and 2000-167) are obsolete, MSHA District 10 has implemented an effective means to track the mine inspection and violation history formerly listed on MSN 065. The district is utilizing the FARs Inspection Activity Report in place of the MSN 065.

Emergency Response Plan (ERP)

- 1. This mine has four independent means of communication between the surface and underground workings; the mine phone, an additional mine phone in the intake air course, a "leaky feeder" radio communication system, and a telephone line connected to the local telephone provider. In addition, an electronic tracking system is utilized to continuously track the location of all persons underground.
- 2. Lifelines are installed in the primary and alternate escapeways from the working sections to the shelter holes (safe havens) and to the shafts and slope.
- 3. Fire drills were conducted using various scenarios to simulate actual emergency situations such as inundations, fires and explosions. Records and interviews with employees indicate that drills were alternated between the primary and alternate escapeways and that all employees participated.
- 4. Mine management conducted intermittent or "surprise" fire drills to determine the effectiveness of training.
- 5. SCSR expectation training and underground storage of SCSRs are in accordance with the approved ERP.
- 6. Two "safe havens" (underground emergency shelters) are provided at this mine. Each consists of a crosscut isolated from the mine workings by two Mitchell-Barrett type seals with entrance doors rated at 50 psi. The safe havens are equipped with SCSRs, food and water. A six-inch diameter borehole extends from the safe haven to the surface, where a diesel-powered blower fan is kept on standby.

Seals

- 1. During this audit, the construction of 120psi rated seals was observed. A set of seals, designated as the "Z2B Seals" was being constructed in the 2nd South East Sub Mains. Although many of the seals had already been built, the audit team was able to examine the construction of a set of forms for one seal and the pumping of another seal.
- 2. Forms were well constructed and cribs had been built on the inby and outby faces of the seals. The mine surfaces had been scoured down to competent material and all cables, roof straps, and other conductive materials had been removed.
- 3. The observable area inby the seals had been well rock dusted. Pumping of each seal was accomplished in approximately 3 hours. Completed seals were 16 feet thick and from 5 to 6 feet in height.

Record Books

- 1. Record books were found to be in very good condition. A total of 78 different mine record books, records of examinations, and required mine postings were examined with no deficiencies observed.
- 2. Record books indicated thorough examinations, with hazards and corrective associated corrective actions entered.
- 3. Records of examinations of seals were complete and all observed hazardous conditions were addressed timely.

Audit Results (Issues Requiring Attention)

Ventilation Plan

- 1. The currently approved mine ventilation plan has more than 20 revisions, addendums, updates, informational letters, and other correspondence attached, dating from March 2006 to January 2008. This plan needs to be consolidated into a single plan to improve the inspector's ability to enforce the plan as well as the operator's ability to comply with it. The District staff agrees and is working towards consolidation of the ventilation plan. *Audit Team Recommendation*
- 2. According to underground observations and methane readings recorded during on-shift examinations, the mine appears to be generally well ventilated. However, observation of the mining cycle on the left side of Unit # 5 (mmu 005-0) on the second day of underground inspection revealed an issue that needs to be addressed in the plan. Even with the line curtain properly installed and an air volume of 6,000 cfm at the inby end of the curtain, the methane concentration in the face area during the second cut of the mining cycle spiked as high as 1.4%, with the scrubber running. The methane concentration dropped to 0.8% when

the continuous mining machine was withdrawn approximately 6 feet from the face. A face liberation study is recommended for this mmu to determine if an increase in the minimum quantity of air is warranted. – 30CFR §75.323(b)(1) and 30 CFR §75.325(a)(1)

Fire Suppression

- 1. During this audit, one citation was issued for failure to provide a compatible nozzle for the fire hose at the 11-54 belt conveyor drive area. 30CFR §75.1100-3
- 2. At least twenty-eight other fire taps, hoses and nozzles were examined during the audit and all were found to be well maintained, functional, and compatible.

Enforcement

The level of enforcement and determinations of negligence do not appear consistent with the nature and number of violations cited. Most notable were citations issued under 30 CFR, \$75.503, \$75.517, \$75.604(b), and \$75.606 for permissibility violations and damage to cables on continuous miners, shuttle cars, and roof bolting machines.

- 1. In 2006, there were 64 such citations issued for a rate of 0.12 citations per inspection day. In 2007, there were 122 such citations issued for a rate of 0.23 citations per inspection day, and during the first two months of 2008, there have been 35 such citations issued for a rate of 0.36 citations per inspection day.
- 2. Although the rate is climbing, there has been no increase in the level of enforcement. Of the 221 citations mentioned above, all 221 were issued as 104(a) citations.
- 3. The S&S determinations for these 221 citations do not appear consistent with the conditions in the mine, including the methane liberation rate (approximately 660,000 cubic feet per 24 hour period). 37.1% were determined to be S&S and 62.9% were determined to be non S&S.
- 4. Likewise, the negligence determination does not appear consistent with the number of citations issued. Of the 221 total citations issued, 203 were determined to be "Moderate Negligence," 15 were determined to be "Low Negligence," and only 3 were determined to be "High Negligence."
- 5. During the audit, a major contributor to damaged shuttle car cables appeared to be the cable guides or "bat wings" being damaged by contact with the section feeder. This resulted in sharp wedges, splinters, or burrs of metal that cut into the cable each time it was reeled or unreeled. 30CFR §75.1725(a)
- 6. Ten consecutive 103(i) inspections (E02) were reviewed. Five of the inspections were conducted on Thursdays, with three of these on consecutive

Thursdays. E02 inspections should be alternated among the days of the week for greater effectiveness. – 103(i) of the Mine Act

The audit team recommends the district consider an increased level of enforcement regarding repetitive violations.

Uniform Mine File (UMF)

- 1. Although the UMF was properly maintained at the district and field office levels, it was evident that revisions to the Mine File Handbook and associated retention schedules are needed to address current requirements and file retention times. *Uniform Mine File Procedures Handbook*
- 2. The Emergency Response Plan (ERP), or parts of the plan, was found in three different areas of the UMF. This may have been due to the ERP's impact on ventilation plans, response to fires, and mine rescue. Although not the case in District 10, it is feared that multiple copies of a plan in the UMF may result in only one version being maintained up to date, which could lead to inconsistent enforcement. *Uniform Mine File Procedures Handbook*
- 3. Five separate MSHA Forms 2000-86 for mmus 027, 035, 032, 036, and 030 were not signed by the inspector conducting the survey. (Note These forms have been replaced with signed copies). *Coal Mine Health Inspection Procedures Handbook*
- 4. One MSHA Form 2000-86 for mmu 029 was not signed by the field office supervisor. (Note This form has been replace with a signed copy). Coal Mine Health Inspection Procedures Handbook
- 5. One 314(b) safeguard, filed in the UMF, was not signed by the inspector. (Note This safeguard has been replaced with a signed copy). *Coal Mine Health Inspection Procedures Handbook*

Peer Reviews

Although no Peer Reviews were conducted by Headquarters during 2007, the Peer Review process with regard to District 10 appears good. District Peer Reviews appear complete, thorough, timely, and address the root causes of observed issues. There are three issues identified by the Office of Accountability audit that require attention. According to the District Peer Review Reports for 2007,

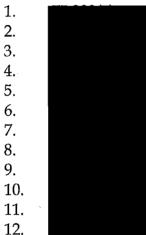
"Each Supervisor has developed and implemented a method which will help ensure that deficiencies associated with his work group have been appropriately addressed."

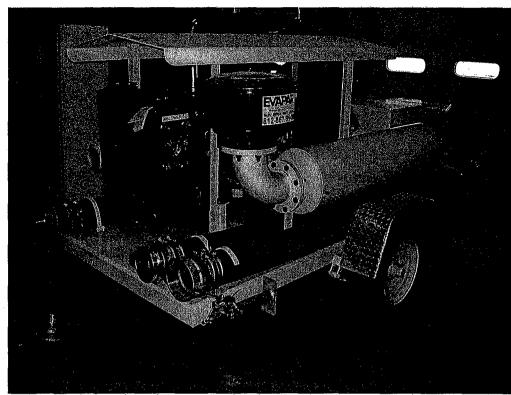
1. The audit team recommends a consistent, district-wide method for addressing deficiencies rather than individual methods.

- 2. The term "method" should be defined in the body of the Peer Review report so all personnel will understand what process or procedure constitutes the method.
- 3. The district Peer Review memorandum does not contain a definitive means for measuring the success or failure of the corrective actions.

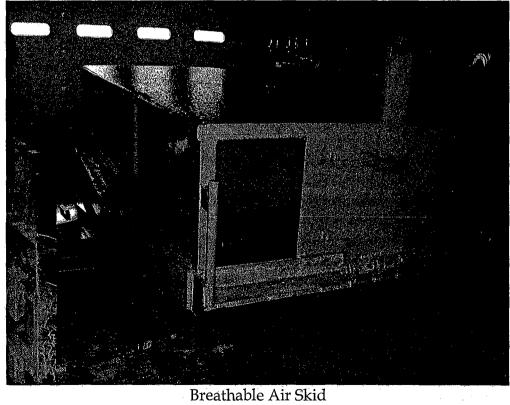
Attachments

- A. Photos of breathable air sled and diesel powered air pump for safe havens.
- B. Summary of the review for E01 inspection report for the 1st quarter of CY 2006 (2nd FY quarter)
- C. Summary of the review for E01 inspection report for the 2nd quarter of CY 2006 (3rd FY quarter)
- D. Citations issued during this audit





Diesel-Powered Air Blower for Safe Haven Boreholes



Attachment A

District 10 Madisonville, Kentucky

CY 2006 1st Quarter Inspection Report - Event No.

Positive Comments

- 1. The inspector's notes indicate attention to detail regarding the company's examination record books and the recording of observed hazards and corrective actions.
- 2. Field notes also indicate the mine is being inspected in its entirety.
- 3. Notes also indicate that safety talks were held frequently, on all shifts, with various relevant subjects being discussed.

Issues Requiring Attention

- 1. Recurring problems with damaged trailing cables do not appear to be adequately addressed in that all citations were issued as 104(a) and most were evaluated as moderate negligence. Considering the number of citations issued, and the recurring nature of this problem, a higher level of enforcement may be warranted.
- 2. Gravity and negligence evaluations did not always appear consistent with the narrative of the citations and supporting field notes.
- 3. In many instances, the facts relative to conditions or practices cited were not recorded in the inspector's field notes as required by the Coal General Inspection Procedures Handbook. Specifically, the questions regarding the person or persons who should have known the condition or practice existed and how long it existed were answered with "unknown" or "undetermined." In many of the instances cited, a deeper examination of company record books may have revealed the answers to both questions.

District 10 Madisonville, Kentucky

CY 2006 2st Quarter Inspection Report - Event No

Positive Comments

- 1. Inspection records and field notes indicate that complete, thorough inspections are being made of the entire mine.
- 2. All shifts were inspected as required.

Issues Requiring Attention

- 1. The problem with damaged cables continues as evidenced by the citations issued during this inspection. However, citations are still being issued as 104(a) and evaluated as moderate negligence. There is no apparent increase in the enforcement level.
- 2. Supporting documentation in the inspector's field notes for some citations did not provide information to reflect the inspector's reasons for evaluating exposure, likelihood, and negligence. In many cases, the notes did not explain why a citation was determined to be S&S or why it was determined to be non S&S.
- 3. In numerous instances, the facts relative to conditions or practices cited were not recorded in the inspector's field notes as required by the Coal General Inspection Procedures Handbook. Specifically, the field notes for citation numbers all indicate "unknown" regarding who knew the violation existed and for how long. In many of the instances cited, a deeper examination of company record books may have revealed the answers to both questions.

Attachment C

Attachment D

Mine Citation/Order	U.S. Department of Labor Mine Safety and Health Administration	
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Attachment D

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MSSA Form 7000 3 Mar ds. (revised) In accordance with the provisions of the Small Buestablished a National Small Bushess and Agriculture Regulatory Ombudsman and 10 Reg	isliness Regulatory Enforcement Fairness Act of 1996; th Onal Fairness Boards to receive comments from angill b Pact) abendy's responsivement to small business. If you	usinesses about federal agency

In secondaries of the Small Business and Agriculture Regulatory O'mbutsman and 10 Regional Fall research for protections of the Small Business Regulatory Enforcement Fall measures. Act of 1999, the Small Business and Agriculture Regulatory O'mbutsman and 10 Regional Fall rese Beards to receive comments from small business are southered set and agriculture and agriculture of the Chibudsman annually evaluates enforcement activities and rates each agency's responsiveness to small gusiness. If you wish to comment from a small gusiness, if you wish to comment from an annually evaluates enforcement activities and rates each agency's responsiveness to small gusiness. If you wish to comment to comment of the small gusiness and might act of the National Comment of the Small gusiness and might act of the National Comment of the Small gusiness and might act of the National Comment of the Small gusiness and might gust gust from the Small gusiness and might gust gust from the Small gusiness and proposed panalties and obtain a fleating Refore the Rederal Mine Safety and Health Review Commission.

Mine Citation/Order	U.S. Department of Labor	
Annual Edge - The Company of the Com	Mine Safety and Health Administra	tion U
Section I-Violation Data		
1. Date Me Da Yi 2. Time (24 Hi. Clock)	3. Citation/ Order Nut	nber -
A Sawed TA	The Constant of	
8. Mine	7. Mine ID	
8, Condition of Pragice	<u></u>	(Contractor Be, Written Notice (193g)
The Trailing Cable on Joy Shutt # 2 has openings in the outer The Trailing cables are handled the car and cable. The mine flo	jacket exposing the inner insu by the miners to move the cal	ulated conductors
	See Confir	ruation Form (MSHA Form 7000 ga)
), Violation A. Health B. Section of Act Other	C. Part/Section of Title 30 CFR 75.5	
Section II-Inspector's Evaluation	3	
	ikely 📝 Reasonably Likely 🗌 Highly Likely [Occurred [
B. Injury or illness could rea- sonably be expected to be: No Lost Workdays	Lost Workdays Or Restricted Duty 🛂 Permanently	Disabling 🔲 🛮 Fatal 🗌
6. Significant and Substantial: Yes [] No [2]	D. Number of F	Persons Affected: 001
1. Negligence (check one) A. None 🗌 🖰 B. Low [🗋 C. Moderate 📝 D. High 🗀 E. (Reckless Disregard [
2. Type of Action 104(a) 13	3. Type of Issuance (check one) Citation 🗹	Order Safeguard
A. Initial Action A. Citation B. Order C. Safeguard D. Written	Notice Calculon/ Order Number	F. Dated Mo Da Yr
5, Area of Equipment		
	24:Hr. Clock)	
eclipi III-Temination Action 7. Action to Teminate The Trailing cable	was repaired.	
6. Terminated A. Date Mo Da Yr 8. Time (24 Hr. Ch	ock:	
ection IVAutomated System Data		
9. Type of Inspection E01 20. Event Number (activity code)	21. Primary of Mill	
2. Signature	23. AR N.	umber -

MSHA Form 7003. Man 95 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a Majorial Small Business and Agriculture Regulatory Ombudsman sind to Regional Fairness Boards to receive comments from small businesses about federal agency enforcement additions. The Ombudsman sind business and accordance and the second states accordance regionally regulated and the second states accordance regionally accordance to the Majorian sind sind business. If you want to comment on the enforcement additions of MSHA, you may see 1 Haber 186 (FARI) (1988) 734 -327), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman 408 and Sheet (WA 212), Westington, DC 20416. Please note, notever, that you right to like a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest clations and proposed penalties and obtain a free right to contest clations and proposed penalties and obtain a free right to contest clations and proposed penalties and obtain a free right to contest clations and proposed penalties and obtain a free right of the Safety and Health Review Commission.

Mine C Continu	tation/Order ation	Anna Santa	U.S. Department of Labor Mine Safety and Health Administration	
Section I-	Subsequent Action/Continuation	ń Data.		
1. Supse	guent Action 1a: Gontinuat	ion 2. Dated Mo (Original Issue)	ha Yr 3. Citation/ Order Number	
4. Served	To		io. Operator	
6: Mine			75 Mine (D	(Contractor)
Section II∞	Justification for Action			Company of the Compan
Change		From	T _o	
8. Condil	on Or Practice			
Reason	The Trailing Cable ha	s 4 openings in the outer jacket,	3 are exposing the inner bare conductor and 1 exp	osing the inner
9. C. Part	/Section	75.517		
Reason		•	•	
10; A. Inju	ny or Uliness	Unlikely	Reasonably Likely.	
	Bare conductors	· · · · · · · · · · · · · · · · · · ·		
10. G. Sig	nificant and Substantial Bare conductors.	No	Yes	

9: Type of Inspection Egg 10. Event Number 12. Date Mo Da Yr (13: Time (24 Hr. Clock)	Section III-Subsequent Action Taken 8. Extended To A. Date Mo Da	Yr	B. Time (24 Hr. Clòck)	C. Va	cated D. Terminate	☑ E. Modified
	Section IV-inspection Data					
17. Signati 12. Date Mo Da Yr 113. Time (24 Hr. Clock)	a Type of Inspection E01	10. E	vent Number		*	
MSNA Form 7000 3a, Mer 86 (revised)	11. Signati		AR Number	12. Date Mo Da	Yr 13. Time (24 Fir.	Clock)
			بالتصميت والمستعدد			
	MSNA Form 7000-3a, Mac 85 (revised)				D	-
	MSNA Form 7000 3a, Mec 86 (revised))	•

Mine Eliation/Order	U.S. Department of Labor Mine Safety and Health Administration
Secución J-Violellon Data	
1) Date: Ma Na Yr 2. Time (24 Hr. Clock)	3. Citatlon/ Order Number
4. Served To	5. Operator
6. Mine	7 Mha ID
8, Condition of Practice	(Gontractor) 8a. Written Notice (103g)
	no. 4019 ET-16480 located on unit# 2 has
burs and sharp edges on the wing. The openings, that are cited, in the outer conductors.	Trailing Cable has a total of 4
2	
•	
·	See Continuation Form (MSHA Form 2000-38)
	Part/Section of
Safety of Act	75.1725(a)
Section III-hispector's Evaluation	
10. Gravity: A holygy or lilness (has) (is). No Likelihood ☐ Unfikely ☑	Reasonably Likely Highly Likely Occurred
B. injury or liness could reason to be: No Lost Workdays Lost Workdays Lost Workdays	ays Of Restricted Duty 🕢 Rermanently Disabiling 🔲 Fatal 🗍
6. Significant and Substantial: Yes No 🗹	D. Number of Persons Affected: 001
11. Negligence (check one) A. None 🗆 B. Low 🗍 C. M.	oderate: 🛂 D. High: 🗌 E. Reckless Distegard 🗍
12. Type of Adion 104(a) 13, Type of Issue	ance (check one). Citation 🗹 Order 🗌 Safequard 🗌
14- Initial Action A, Oltation B. Order C. Sefeguerd D. Written Notice	E. Citation/ F. Dated Mo:Da Yr Order Number
15: Area of Equipment	
**	•
· · · · · · · · · · · · · · · · · · ·	and the second s
16. Termination Dive A. Date Md Da Yr B. Time (24 Hr. Clock)	
Segion III-Termination Actor	
	vere grinned off leaving a smooth
surface.	
18: Terminated A. Date Mo Da. Yr B. Time (24 Hr, Clock	
Section IV-Automated System Data	the state of the s
19. Type of Inspection (activity code) B01.	21. Primary or Mill
22. Signature	23: AR Number
established a National Small Business and Agriculture Regulatory Ombudsman and 10 Reg enforcement actions. The Ombudsman annually evaluates enforcement activities and rates	usiness Regulatory, Enforcement Falmess Act of 1936, the Smail Business Administration has jonal Falmess Boards to receive comments from small businesses about federal agency seach agency's responsiveness to small business. If you wish to comment on the 6 Ombudenten at Small Business Administration, Office of the National Ombudenan, Ade 3rd

Mine Citation/Order	U.S. Department of Labor Mine Safety and Health Administration
Section i-Violation Cata 1. DateMo Tra Yr \ 2. Time (24 Hr. Glock)	3. Citation/
13 DAG	Order Number
4; Served To	A Gnarator
6. Mine	7. Mine 19
6. Nune	(Contractor)
8. Qondillon or Practice	8a. Written Notice (103g)
accumulated on Auxier-Welder Shuttle	al, loose coal and hydraulic oil, has car-B co. no. 4035 Ser.# 1012 in the reel to Trailing Cable was cited under 75.517 tet and bare conductors.
	See Continuation Form (MSHA-Form 7600-3a)
	2. Part/Section of
Safety of Act	75.400
Section II-Inspectors Evaluation	
70. Gravity:	Reasonably Likely 🙀 Highly Likely 🗍 Occurred 🗍
A: Injuty-or lithess (has) (is): No Likelihood [] Unlikely [] B. Injuty-or lithess could rea-	
sonably be expected to be; No Lost Workdays Lost Wo	rkdays Or Restricted Duty 🕢 Permanently Disabling 🗌 Fatal 🗍
C. Significant and Substantial: Yes 🔽 No 🗌	D. Number of Persons Affected: 002
11. Negligence (check one) A. None . B. Low . C.	Moderate ☑ D. High ☐ E. Reckless Disregard ☐
12. Type of Action: 1.04(a) 18. Type of 18	suance (check one) Citation 📝 Order 🗌 Safeguard 🗍
14. Initial Action A. Citation B. Order C. C. Safeguard D. Written Notice	E. Ciliation/ F. Dated Mb Da: Yr Order Number
13. Area or Edulpment	
16. Termination Due A. Date Mo Da Yr B. Time (24 Hr. Clock	
Section III-Termination Action	
17. Action to Terminate The accumulations of com	bustible material was cleaned from the
reel compartment.	
18. Terminated A. Date Mona Vi Time (24.Hr. Glock	
Section IV-Automated System Data 19. Type: of Inspection 20, Event Number	21. Primary of Mill*
(activity code) E01	Sur Likidal A of who
22. Signalure	23. AR Number
MSHA Form 70000, Mar. 85 ((evised) In accordance with the provisions of the Sma established a Nellonal Small Business and Agriculture Regulatory Orrbudaman and 10	il Bosiness Regulatory Enforcement Falmess Act of 1996, the Small Business Administration has Regional Falmass Boards to receive comments from small businesses about federal agency

MSIA_Form?70Qus_mares-(ceveed) In accordance with the provisions of the Small Business Republished at National Republished at Rep

Mine Citation/Order	U.S. Department of Labor Mine Safety and Health Administration
Segion (-Vidialon Pala 1. Date: 340 Da Vc 12. Time (24 Hr. Clock)	3. Citation/
1, Dátě 340 Da Yr 2, Time (24 Hr., Clock)	S. Chadyn Orde: Number
4. Served To	5. Operator
A MATE	7. Mine ID
THE PROPERTY AND ADDRESS OF THE PARTY AND ADDR	(Contractor) 8a: Written Notice (103g)
e conductivation of the late o	
accumulations of coal dust, 1/16 inch	h deep, rib to rib, and on top of the belt in color and on top of rock dusted
tangangan pengangan kanggan pengangan pengangan pengangan pengangan pengangan pengangan pengangan pengangan pe	
	See Continuation Form (MSHA Form 7000 sa)
Safety / of Act	C. ParVSection of Trille 30 CFR 75.400
Section II-(hibrettors Eyellumler) 10: Gravity:	
A. Injury of Iliness (has) (is): No Likelihood Unlikely 🗸	Reasonably tikely Highly Likely Opsumed
B. Injury ociliness could rea- sonably be expected to ba: No Lost Workdays ☐ Lost Wo	orkdays Or Restricted Duty 🙋 Permanently Disabling 🔲 Rata] 🗍
C. Significant and Substantial: Yes No 🗹	D. Number of Persons Affected; 002
	Moderate ☑ D. High ☐ E. Reckless Disregard ☐
12. Type of Action 104(a) 13. Type of Is	ssuance (check one) Citation Order Safeguard
14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice	E. Citation/ F. Dated Mio Dá Yr Order Númber
15. Ajéa of Equipment	
16. Términation Due A. Date Mo. Da Yr B. Time (24 Hr. Clock)	
Section III- Termination Action	and the second s
17. Adion to Terminate	
18. Terminated A. Date: Mo Da Yr B. Time (24 Hr. Clock	
Section N – Auch aled System Data 19. Type of Inspection (activity code) E01. 20. Event Number	21. Primary or Mill
22. Signature	23. AR Nümber
established w Mallonal Small Rusiness and Appropriate Regulatory Conformat and 10	Ill Business Regulatory Enforcement Fairness Act of 1998, the Small Business Administration has Regional Fairness Boards to receive commons from small businesses about leggraf agancy also such agency's responsitiveness to small business. If you wish to common the et he Ombudsmain at Small Business Administration, Office of the National Ombudsmain, 400 3rd office, commont with the Ombudsman is in addition to any other rights you may have, including

Mine Citation/Order	U.S. Department of Labor Mine Safety and Health Administration	
Specifon - Violation Data T. Date: Mo Da Yr 12. Time (24 H) Clock	[3, Cifatlon/	
The state of the s	Order Number	
4. Served To	5: Obstator	
C Mine	TO DESCRIP	(Contractor)
B. Gendulon or Practice		Nolice (103g)
The II 54 belt conveyor drive fire fig in a usable and operative condition. the fire hoses provided at the drive d	The fire hose nozzle would not	attach to
•	2	
•		
9. Violation A. Health B. Section C.	See Continuation Form (MSHA: Part/Section of	Form 7000-3e)
	Title 30 OFR 75.1100-3	•
Section II-Inspectors Evaluation		
10. Gravity: A. (njury:or.filness:(has).(is): No Eikelihood [] Unlikely [V]	Reasonably Likely Highly Likely Occurre	ed 🗇
A hijing he liness could rea-	days O'r Restricted Duty 📝 Permanently Disabling 🗍	Fatal 🗍
sonably be expected to be: No Lost Workdays Lost Workd G. Significent and Substantial: Yes No 🗹	D. Number of Persons Affected;	
162 [140 M.	<u> بران آنته با بازین معرب تعمیم ایند در بران می برود بازی بران بازی بران بازی بران بازی بران بازی بران بازی برا</u>	008
	loderate D. High E. Reckless Disregard rance (check one) Cifation: ☑ Order	
12. Type of Action 104(a) 13. Type of Issu	unge (check one) Citation 🕢 Order 🗍	Şafeğuard 🗍
A. Clation B. Order C. Saleguard D. Written Notice	Order Number	Mo Da Yr
15. Alea or Equipment		
_	•	
16. Terminatión Due Mo Da Yr	la mandi da kapa aya kapa kababa kab	<u> </u>
A. Date B. Time (24 Hr. Glock)		
Section III-Termination Action		
17. Adminto Tembrie A proper fire hose nozzle belt drive.	has been provided and tested for	r the
16. Teminated A. Date Ms Da Yr B. Time (24 Hr. Clack		
Section N-automated Statem Data 19, Type of Inspection 20, Event Number	21. Frimary or MIII	
(activity code) B01		lant
22. Signature	23, AR Number	Mr. paragraphy of the state of
MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business and Agriculture Regulatory Oribudsman and 10 Rec	lusiness Regulatory Enforcement Falmess Act of 1995, the Small Business	Administration has
estroplisting a National Small dusiness and Agricultura regulatory unpudsman and three enforcement actions. The Ombudsman annually evaluates enforcement activities and rates enforcement actions of MSHA: you may call 1988-RGC-FAIR (1988-794-9247), or write the Street, SV MC2120, Washington, DC 20416. Please pate, notivers, that your right to file	generic ministrative or receive symmetric montangui cumingsgarappoint e gach agencys responsiveness to small business. If you wish to confident in Ombudanan at Small Business Administration, Office of the National Offi s a comment with the Ombudanan is in addition to any other norths you man	euera agency on the ibudsmah, 409 and /have, including

U.S. Department of Labor

Attachment D (cont.)

Mine Citation/Order

AND THE RESERVE AND ADDRESS OF THE PARTY OF	Mine Safety and Health Administration
Section J-Videlich Pate 1. Date Mo Da Yr 2. Time (24 Hr. Olock)	3. Citation/
1, Date 41 (2, 1000)	Order Number
4. Served 70	S Oherafor
a Mide	7. Mine ID
8. Condition or Practice	(Contractor) 8a: Written Notica (1936)
falling loose roof material on #5 Uni- roof is on the right side of the 2nd of entry. The loose roof measures 2 fee- line with the center of the adjacent	open intersection outby the face of #1 to by 4 feet by 2 inches thick and is in
	See Continuation Form (MSHA, Form 7000-3a) [
Selety V of Act	Part/Section of Thie 30 OFR 75,202(a)
Section II-Inspectors Evaluation 10. Gravity: A. Injury or Illness (has) (is): No Likelihood Unlikely Onlikely	Reasonably Likely Highly Likely Øccurred
B. Injury of Illness could rea- sonably be expected to be: No Lost Workdays Lost Work	days Or Restricted Duty 🗹 Permanently Disability 🔲 Fatal 🗍
Q, (Significant and Substantial: Yes ☐ No ☑	D. Number of Persons Affected: 001
ff. Negligence (check one) A. None B. Low C.	vloderate 🕢 D. High 🗌 E. Reckless Disregard 🗍
12. Type of Action 104(a) 13. Type of iss	uance (check one) Citation 📝 Order 🗋 Safeguard 🗍
14. initial Action A Citation B. Order C. Safeguard D. Written Notice	E. Citation/ F. Dated Mo Da Yr Order Number
15. Area or Equipment	
16. Termination Due A. Date Mo Da Yr B. Time (24 Hr. Clock)	
Section III-Termination Action	
77. Adults terminate The loose roof has been s the location.	caled down and a roof bolt spotted at
18. Terminated A. Date Mo Da. Yr B. Time (22 Ht. Clock	
Section IV-Automated System Data	
19. Type of Inspection (activity code) E.0.1	2.1. Primary.or Mill
22. Signatore	23. AR Nümber
established a National Small Business and Agricultura Regulatory Ombudamen and 10 R	Business Regulatory/Enforcement Fairness Act of 1988, the Small Business Administration has epional Fairness Boards to receive comments from small business as about federal agency se each agency's responsiveness to small business. If you wish to comment on the the Ombudeman at Small Business Administration, Office of the National Onfoudamen, 409.3rd

Mine Citation/Order		Mary Call Co.		Departm Safety a		abor i Administ	ration	
Section I-Violation Data			, , , , , , , , , , , , , , , , , , , 		, , , , , , , , , , , , , , , , , , ,			
. Date Ma Da Vi	2. Time (24 Hr. Ci	(66k)	1			3. Citation Order N		
L Sarvár Tr	A Same management	2.13	5.0	erator		<u>-4</u>	<u> </u>	
- Audition of the state of the								
Mine		,	7. MI	ne ID		ľ		(Contracto
i.Consummy France The #5 Unit, MM grounded to the broken.								
					•			* .
	•							
				-				
Violation A Health	B. Section		C. Part/Se	A		See Cor	tinuation Form (MS	HA Form 7000-3a)
Safety 🗸 Other	of Act		Title 30			75.	701	
Safety ☑ Öther ☐ ection U-inapectors Evaluation		-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1				75.	701	a to take 18 anne gazar
Salety Other action U-inacectors Evaluation G. Gravity		Únlikělý:	Title 30		· —			rined [7]
Safety Other Sellon U-Inspector's Evaluation G. Gravity: A. Injury of liness (has) (is): B. Injury of liness could rea-	of Aut No Likelihood	Unlikely.	Title 30 ✓ Reas	CER onably Likely		Highly Likely	[] О осц	smed
Safety	of Act No Likelihood □ No Lost Workda	(,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	Title 30	CER onably Likely	oty 🔀	Highly Likely Permanen		Falal [
Safety Only Safety Only Safety Only Safety Only Safety Only Safety Safet	of Act No Likelihood □ No Lost Workda	nys □ Lo No ☑	Title 30 Reas	CER onably Likely Restricted C	iuty 🗷	Highly Likely Permanen 5. Number o	Occu	Failaf [] d: 001
Safety Other Section U-Inspector's Evaluation O. Gravity: A. Injury of Illness could reasonably be expected to be C. Significant and Substantia 1. Negligenos (check one)	No Likelihood No Lost Workda I: Yes A. None	nys 🗌 Lo No 🗷 B. Low 🗍	Title 30 Reas	CER mably Likely Restricted C	D. High	Highly Likely Permanen 5. Number o	Occu fly Disabiling 1 I Persons Affects Reckless Disrec	Failefd: 100 L
Safety Only Other Section U-Inspectors Evaluation O. Gravity: A. Injury of liness could reasonably be expected to be c. Significant and Substantia 1. Negligence (check one) 2. Type-of-Action 104(No Likelingod No Lost Workda II Yes A. None	ys	Title 30 Reasonst Workdays On C. Moderate De of Issuance (C.	enably Likely Restricted L 2 neck one)	D. High	Highly Likely Permanen 5. Number o	Occu	Failaf [] d: 001
Safety Online Safety Online Section Uninspector's Evaluation Of Gravity: A finjury or Illness (fres) (is): B. Injury or Illness could reasonably be expected to be C. Significant and Substantia 1. Neigligenos (check one) 2. Typesof Action 104(4. Initial Action A. Citation B. Order	No Likelingod No Lost Workda II Yes A. None 18)	ys	Title 30 Reasonst Workdays On C. Moderate De of Issuance (C.	onably Likely Restricted C 2 heck one)	D. High	Highly Likely Permanen 5. Number o	Occupity Disabiling Thersone Affects Reckless Disrect Order T	Falal d: 1001 pard Saleguard _
Safety Only Other Section U-Inspectors Evaluation O. Gravity: A. Injury of liness could reasonably be expected to be c. Significant and Substantia 1. Negligence (check one) 2. Type-of-Action 104(No Likelingod No Lost Workda II Yes A. None	ys	Title 30 Reasonst Workdays On C. Moderate De of Issuance (C.	enably Likely Restricted L 2 neck one)	D. High	Highly Likely Permanen 5. Number o	Occupity Disabiling Thersone Affects Reckless Disrect Order T	Falal d: 1001 pard Saleguard _
Safety Onther Other Othe	No Likelingod No Lost Workda II Yes A. None	ys	Title 30 Reasonst Workdays On C. Moderate De of Issuance (C.	enably Likely Restricted L 2 neck one)	D. High	Highly Likely Permanen 5. Number o	Occupity Disabiling Thersone Affects Reckless Disrect Order T	Falal d: 1001 pard Saleguard _
Safety Onther Other Othe	No Likelihood No Lost Workda I: Yes A. None 3 C. Safeguard C. Safegu	ys	Title 30 Reasons C. Moderate De of Issuance (C. Ord	enably Likely Restricted L 2 neck one)	D. High	Highly Likely Permanen 5. Number o	Occupity Disabiling Thersone Affects Reckless Disrect Order T	Falal d: 1001 pard Saleguard _
Safety Other	No Likelihood No Lost Workda I: Yes A. None 3 C. Safeguard C. Safegu	nys Lo No 2 B: Low 13: Typ D: Written Notic	Title 30 Reasons C. Moderate De of Issuance (C. Ord	enably Likely Restricted L 2 neck one)	D. High	Highly Likely Permanen 5. Number o	Occupity Disabiling Thersone Affects Reckless Disrect Order T	Falal d: 1001 pard Saleguard _
Safety Other	No Likelingod No Likelingod No Lost Workda II Y63 A. None A. N	ys □ Lo No ② B. Low □ 13, Typ D. Written Notic	Title 30 Reasonst Workdays On C. Moderate De of Issuance (C. Ord Criock)	enably Likely Restricted L extraction in the control of the cont	D. High Co.	Highly Likely Permanen 5. Number o E ation	Occupity/Disabiling 1 Persons Affects Reckjess Disrect Order P. Dated	Falal d: 1001 pard Saleguard _
Safety Other	No Likelihood No Lost Workda I: Yes A. None 3 C. Safeguard C. Safegu	ys □ Lo No ② B. Low □ 13, Typ D. Written Notic	Title 30 Reasonst Workdays On C. Moderate De of Issuance (C. Ord Criock)	enably Likely Restricted L extraction in the control of the cont	D. High Co.	Highly Likely Permanen 5. Number o E ation	Occupity/Disabiling 1 Persons Affects Reckjess Disrect Order P. Dated	Falal d: 1001 pard Saleguard _
Safety Other	No Likelingod No Likelingod No Lost Workda II Y63 A. None A.	ys □ Lo No ② B. Low □ 13, Typ D. Written Notic	Title 30 Reasonst Workdays On C. Moderate De of Issuance (C. Ord Criock)	enably Likely Restricted L extraction in the control of the cont	D. High Co.	Highly Likely Permanen 5. Number o E ation	Occupity/Disabiling 1 Persons Affects Reckjess Disrect Order P. Dated	Falal d: 1001 pard Saleguard _
Safety Other	No Likelihood No Likelihood No Likelihood No Lost Workda Yes A. None A. No	ys □ Lo No ② B. Low □ 13, Typ D. Written Notic	Title 30 Reasonst Workdays On C. Moderate De of Issuance (C. Ord Criock)	enably Likely Restricted L extraction in the control of the cont	D. High Co.	Highly Likely Permanen 5. Number o E ation	Occupity/Disabiling 1 Persons Affects Reckjess Disrect Order P. Dated	Falal d: 1001 pard Saleguard _
Safety Other	No Likelingod No Likelingod No Lost Workda Yes A. None A. None A. None A. None C. Sefeguard C	No B. Low 13. Typ Written Notic 3. Time (24 Hr	Title 30 Reasons Workdays On C. Moderate De of Issuance (Clock) Clock) Clock)	enably Likely Restricted L Pineck one) Ition/ er Number	D.High [Oth	Highly Likely Permanen 5. Number o E ation	Occupity/Disabiling 1 Persons Affects Reckjess Disrect Order P. Dated	Falal d: 1001 pard Saleguard _
Safety Other	No Likelihood No Likelihood No Likelihood No Lost Workda Yes A. None A. No	No B. Low 13. Typ Written Notic 3. Time (24 Hr	Title 30 Reasons Workdays On C. Moderate De of Issuance (Clock) Clock) Clock)	enably Likely Restricted L extraction in the control of the cont	D.High [Oth	Highly Likely Permanen 5. Number o E ation	Occupity/Disabiling 1 Persons Affects Reckjess Disrect Order P. Dated	Falal d: 1001 pard Saleguard _

espapished a National system is placed and organized regularly consustant and to require the reserve comments from shall observe a pour registration and address. The Ombudsman shriftles are related as the relate section of the small business. If you wish to comment on the entire registration of MSHA, you may call 1-868-REG-FAIR (1-868-734-3247), or write the Ombudsman et Small Business Administration, Office of the National Ombudsman, 408 significant and state of the National Ombudsman is in addition to any other rights you may have, including the dight to confect classions and proposed penalties and ordain a hearing before the Federal Mina Safety and Health Royley Commission.

Attachment D (cor

Mine Citation/Order	U.S. Department of Labor Mine Safety and Health Administration
Section I Violation Data 1. Bate Man Da Vr. 12. Time (24 Hr. Clock)	10000000
7. Date Mo De Vr 2. Time (24 Hr. Olock)	3: Challon/ Order Number
A. Served To	6 Operation
B. Mine.	- State - Stat
a. wine:	(Contactor):
8. Condition of Practice	8a. Written Nolice (103g)
The #5 Unit, MMU 032, B shuttle car cathe canopy or cab of the shuttle car.	nopy certification is not attached to
	· ·
	Maria Mariana da Sara Mariana (Mariana da Assaria)
9. Violation A. Heafth B. Section C. I	See Continuation Form (MSHA Form 7000-3s) art/Section of
Safety. ✓ of Act T	tie 30 CFR 75.1710-1(e)
Section (F) is sectors. Evaluation.	en e
fo. Gravity:	
A: Injury or Illness (has) (is): No Likelinood 🕢 Unlikely 🗌	Reasonably Likely Highly Likely Occurred
B. Injury of liness could rea- egoably be expected to be: No Lost Workdays V Lost Workd	ays Or Restricted Duty Dermanently Disabiling Fatel D
C. Significant and Substantial: Yes 🗀 No 📝	b. Number of Persons Affected: 000
11. Negligence (check one) A. None B. Low C. Mi	derate 🗹 D. High 🗌 E. Reckless Disregard 🗍
12. Type of Action 104(a) 13. Type of leasur	nce (check one) Citation 🕢 Order 🗌 Safeguard 🗍
[A. Initial Action A. Oliation B. Order C. Safeguard D. Written Notice	E. Citation/ F. Dated Mc Da. Yr Order Number
(5; Area or Equipment	and the state of t
stage general considerations de	
16: Termination Que. A. Date Mo De Yr B. Time (24 Hr. Clock)	
Can have a second and the second and	
Section W-Temination Action 17. Action to Terminate	delicant programme and the state of the stat
- Or Metabora residence	
18. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock	the house of the second
Section IV-Automated System Date	
19. Type of Inspection (acquirity code) E01	21. Primary of Mill
22. Signature	23. AR Number
MSHA Form 7000-3, Mar 80 (revised) In accordance with the provisions of the Small Bi	siness Regulatory Enforcement Fairness Act of 1998, the Small Business Administration has
estabilished e Neillondi Small Business and Agriculture Regulatory Ombudsman and 10 Rep enforcement actions. The Condodrana namually explusites originary literativities and ress enforcement actions of MSLA, you may call 4.888/REG-FAIR (1886-734-3247), or write him Singer, SW MC 2126, Washington, DC 20416. Please note, however, that your norms of literativities and monocommunities of the scholars and proposed actions and control and a hearth before that Selators.	onal Pairness Poerde in receive comments from small businesses about federal ecanics