June 17, 2009

MEMORANDUM FOR:	MICHAEL A. DAVIS Deputy Assistant Secretary for Operations Mine Safety and Health Administration
THROUGH:	PETER J. MONTALI Acing Director of Accountability for Mine Safety and Health Administration
FROM:	ARLIE A. WEBB Accountability Specialist
SUBJECT:	MSHA Office of Accountability Audit, McAlester, Oklahoma, Field Office, and

Introduction

This memorandum summarizes the Office of Accountability audit of the subject mine and field office. Audit subjects included MSHA supervisory and managerial oversight, MSHA field activities, level of enforcement, Field Activity Reviews (FARs), Accompanied Activities, the Uniform Mine File, mine plans, the Emergency Response Plan, and the conditions and practices at the mine. The audit was conducted during the week of the week of the transmission of the by Arlie A. Webb and Charles J. Thomas. Positive findings and issues requiring attention are included in this audit report.

Overview

The accountability specialists traveled to the McAlester, Oklahoma Field Office and to the conditions. Accompanying the specialists were Also

accompanying the audit team were

Underground areas of the mine examined during this audit included all belt conveyor entries, fire detection and fire-fighting materials, portions of the main intakes and returns, the working section, selected pieces of equipment, SCSR caches, escapeways, lifelines, and provisions for post-accident tracking, communications and emergency shelters. Record books, maps, and other required postings on the surface were also examined. The roof control plan and ventilation plans were also compared to the conditions and practices in the mine.

S&S Rate Comparison

S&S rates for the McAlester, Oklahoma, field office are comparable to the national average and are higher than the district rates for both FY2008 and to-date in FY2009.

Fiscal Year	Field Office	Coal District 9	National Avg.
2008	33.8	28.9	35.0
2009	36.3	24.0	36.0

However, a close examination of enforcement actions at this particular mine during the fist half of FY 2009 indicate that gravity, negligence, and S&S determinations are not consistent with the seriousness of the violations observed.

Time and Activity Comparison

A review of time distribution for the McAlester field office indicates the need to decrease "other" time and increase on-site time.

		Surfac	e Facilities	– E01 Insp	ections	
	Travel	Other	Total	Citations	Citations	Total
	Time	Time	On-Site	Written	Written	Percent
				On-Site	Off-Site	
% in FY 2008	29.2	38.7	32.0	2.1	0.0	100
% in FY 2009	60.0	20.0	20.0	0.0	0.0	100

		Surfa	ce Mines -	- E01 Inspec	ctions	
	Travel	Other	Total	Citations	Citations	Total
	Time	Time	On-Site	Written	Written	Percent
				On-Site	Off-Site	
% in FY 2008	25.8	17.7	56.2	2.3	0.4	100
% in FY 2009	30.5	11.0	56.5	3.1	2.0	100

		Undergr	ound Min	es – E01 Ins	pections	
	Travel	Other	Total	Citations	Citations	Total
	Time	Time	On-Site	Written	Written	Percent
				On-Site	Off-Site	
% in FY 2008	21.9	21.5	55.9	3.8	0.7	100
% in FY 2009	25.2	17.0	57.8	5.4	0.0	100

Audit Results

The audit revealed positive findings in several categories, including the following:

- 1.
- 2. The Mine Rescue Station maintained nearby was in excellent condition and well stocked with supplies.
- 3. Methane monitors and face equipment were maintained in permissible condition (except as otherwise stated in this report) at this gassy mine.
- 4. The audit team observed two different inspectors conducting quality imminent danger examinations.

The audit also revealed issues in several categories that require corrective actions, including the following:

- 1. Lack of oversight including:
 - a. No documentation for Field Activity Reviews and Accompanied Activities.
 - b. Inadequate review of inspection reports, forms, and citations.
- 2. did not conduct mine visits at a mine with high methane liberation rate and poor compliance history.
- 3. Excessive termination dates for citations.
- 4. Insufficient time spent on off shifts and weekends during E01 inspections.
- 5. E02 spot inspections were not conducted in accordance with the Mine Act and MSHA policy.
- 6. Deficiencies within the approved roof control and ventilation plans were not immediately identified and resolved.
- 7. Peer Reviews were not thorough.

The attached checklist addresses the findings of the audit. Positive issues as well as issues requiring action are covered in detail in the checklist.

Attachments

- A. Audit checklist, with comments, recommendations, and references
- B. Citations involving excessive termination time
- C. Citations were S&S determination were questionable
- D. Citations issued during this audit

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E. Analysis of rock dust surveys taken during this audit

Attachment A.	United States Department of Labor
	Mine Safety and Health Administration
	Office of Accountability
District Coal Dist 9	Field Office McAlester, OK Mine ID Date
Evaluate	supervisory review of inspection reports and
	tation for completeness.
uocumen	
Adequate	Inadequate X Not Applicable Comments Below
	had a full-time supervisor in more than a year. Although acting
supervisors are bein	ng used to perform those duties in the interim, the work product
review process lack	s consistency as evidenced by the additional issues listed below.
1	5
Action Promined Th	nic field office much he promided with a full time current icor to properly
,	is field office must be provided with a full-time supervisor to properly
review work products	<i>s, travel with inspectors, and ensure consistency.</i>
Note - This issue ha	as been resolved. A full-time supervisor is now in place.
	· · · · · · · · · · · · · · · · · · ·
L	

2. Determine if supervisors ad	dress report deficier	ncies im	mediately.
Adequate Inadequate X	Not Applicable		Comments Below
Same as No. 1 above.			

3. Determine if supervisors are visiting each assigned mine at least annually.
Adequate Inadequate X Not Applicable Comments Below
Although the acting supervisors have been visiting mines assigned to the field office,
these visits have been done in an enforcement mode rather than as accompanied activities or in an oversight capacity.
Action Required – This field office must be provided with a full-time supervisor to properly review work products, travel with inspectors, and ensure consistency.
Note - This issue is in the process of being resolved. A full-time supervisor is now in place. Monitoring of mine visits by the ADM is recommended to ensure complete resolution of this issue.

Attachment A.	United States Department of Labor Mine Safety and Health Administration Office of Accountability
District Coal Dist 9 I	Field Office McAlester, OK Mine ID Date Date
	e quality of Field Activity Review reports (FARs). adequate X Not Applicable Comments Below
	not provided to show that Field Activity Reviews were conducted IcAlester, Oklahoma, field office within the past Fiscal Year.
Action Required – Field	l Activity Reviews must be conducted as per Agency requirements.
<i>Reference – Coal Mine Section IV.</i>	Safety and Health Supervisor's Handbook (AH-08-III-1), Chapter 1,

 Determine if supervisors/managers are identifying and addressing performance or behavior based issues during and after accompanied inspections are conducted
Adequate Inadequate X Not Applicable Comments Below
Documentation was not provided to show that any Accompanied Activities were conducted on personnel at the McAlester, Oklahoma, field office within the past Fiscal Year.
Action Required – Accompanied Activities must be conducted as per Agency requirements.
Reference – Coal Mine Safety and Health Supervisor's Handbook (AH-08-III-1), Chapter 1, Section VI.

6. Evaluate the quality of Accompanied Inspections.
Adequate Inadequate X Not Applicable Comments Below
Documentation was not provided to show that any Accompanied Activities were
conducted on personnel at the McAlester, Oklahoma, field office within the past Fiscal
Year.
Action Required – Accompanied Activities must be conducted as per Agency requirements.
<i>Reference – Coal Mine Safety and Health Supervisor's Handbook (AH-08-III-1), Chapter 1, Section V.</i>

Attachment A.	United States Department of Labor Mine Safety and Health Administration Office of Accountability
District Coal Dist 9	Field Office McAlester, OK Mine ID Date Date
7. Determine	e if supervisors are thoroughly reviewing mine files at least annually
Adequate X	Inadequate Not Applicable Comments Below
UMF reviews were o	conducted by acting supervisors.

 B. Determine if Assistant District Manager is holding supervisor accountable for general mine visits, FARs, and accompanied activities Adequate Inadequate X Not Applicable Comments Below
Although persons had been temporarily promoted to the position of field office supervisory matrix no documentation was produced to indicate the ADM was holding the acting field office supervisors responsible for conducting Field Activity Reviews or Accompanied Activities at the McAlester, Oklahoma, field office within the past Fiscal Year.
Action Required – The Assistant District Manager is to hold subordinate supervisors accountable for conducting reviews of inspector work products.
Reference – Coal Mine Safety and Health Supervisor's Handbook (AH-08-III-1), Chapter 1, Section XI.

11. Determine if ADMs and DMs are visiting mines with poor compliance at least monthly
Adequate Inadequate X Not Applicable Comments Below
The mine visited by the audit team liberates in excess of 2.5 million cubic feet of methane per 24 hours and has a poor compliance history. The spreadsheet provided for supervisor/manager mine visits indicates no visits to this mine by district-level supervisors, ADMs or the District Manager during the first half of Fiscal Year 2009.
Spreadsheets indicate the District Manager made only 6 of the required 12 mine visits during FY 2008, and only 5 visits during the first half of FY 2009.
<i>Action Required – Mines with indications of poor compliance or low enforcement levels should be visited by district-level management (ADM/DM). These visits should then be recorded on the spreadsheet provided by headquarters for that purpose.</i>

Attachment A.	United States Department of Labor Mine Safety and Health Administration Office of Accountability
District Co	pal Dist 9 Field Office McAlester, OK Mine ID
	CMS&H Memo No. HQ-07-081-A (SEC-103) Mine Visits and Accompanied /Managerial Activities.
14	Evaluate supervisory and management review of 103(i) (spot inspection) racking system for compliance with time frames Inadequate X Not Applicable Comments Below
E02s were c E02s were c E02s were c	spections are not conducted as required by the Mine Act and MSHA Policy. conducted on three consecutive Mondays - conducted on three consecutive Tuesdays - conducted on three consecutive Wednesdays - conducted on three consecutive Thursdays -
day of the w	e seven other occasions where E02 inspections were conducted on the same week during consecutive weeks. There were four instances when the time 02 inspections at this mine exceeded 9 working days.
This mine l	iberates in excess of 2.5 million cubic feet of methane per 24 hour period.
insure that E	uired – Supervisors, Assistant District Managers, and the District Manager must E02 inspections are conducted at irregular intervals and in accordance with time ished by the Mine Act.
	1977 Mine Act - §103(I), and Sago, Darby, Aracoma Internal Review – Corrective , Pages B-5 & B-6.
1 E	Determine if supervisors and managers are ensuring that 103(i) inspections

15.		ne if supervisors an combined with any o	0	0	at 103(i) inspections
Adequate	e X	Inadequate	Not Applicable		Comments Below

Attachment A. United States Department of Labor Mine Safety and Health Administration Office of Accountability
District Coal Dist 9 Field Office McAlester, OK Mine ID
16. Determine if supervisors, staff assistants, and other management personnel are reviewing work products for accuracy and completeness
Adequate Inadequate X Not Applicable Comments Below
Action Required – Inspector work products must be reviewed for completeness to
determine if those products indicate that thorough inspections are being conducted.
Reference - Sago, Aracoma, and Darby Internal Reviews, Pages B-3 through B-18
Reference - Coal Mine Safety and Health Supervisor's Handbook (AH-08-III-1)

17. Determine if supervisors are monitoring inspector time and activity documentation to ensure proper use of time by inspector				
Adequate Inadequate X Not Applicable Comments Below				
Oversight of time usage at this field office is not always adequate. A review of time and activity data for E01 inspections during Fiscal Years 2008 and 2009 revealed:				
Other time ranged from a low of 12.4% to a high of 26.9%. 13 instances when mmu time was shown without any outby time. 10 instances for E02 inspections when mmu time was shown without any outby time. 8 instances where Time and Activity sheets did not match the inspection event calendar.				
Action Required – Supervisors and managers must exercise proper oversight of inspector work products to ensure complete, thorough inspections, proper use of inspection time, and to enhance the supervisors' ability to mentor subordinates.				
Reference - Coal Mine Safety and Health Supervisor's Handbook (AH-08-III-1), Chapter 1.				

Determine if supervisors are using the Performance Management System to
hold inspectors accountable for properly evaluating gravity and negligence,
termination due dates, and timely termination of citationsAdequateInadequateXNot ApplicableComments BelowLack of adequate oversight resulted in excessive abatement times, termination times,

Attachment A. United States Department of Labor	
Mine Safety and Health Administration Office of Accountability	
Office of Accountability	
District Coal Dist 9 Field Office McAlester, OK Mine ID Date Date	
	_
and S&S determinations for citations issued at this mine during Fiscal Year 2008-2009.	
Examples excessive times are listed in Attachment B.	
Examples of questionable S&S determination are listed in Attachment C.	
Action Required – Supervisors must monitor and mentor inspection personnel in properly	
evaluating citations and orders.	
Reference - Coal Mine Safety and Health Supervisor's Handbook (AH-08-III-1), Chapter 1.	
Reference - Sago, Aracoma, and Darby Internal Reviews, Page B-12	
Determine if second level reviews are used to assess supervisory review of	
23. enforcement actions	
Adequate Inadequate X Not Applicable Comments Below	
Documentation was not provided to show that any Second Level Reviews were	
conducted on activities or work products at the McAlester, Oklahoma, field office	
within the past Fiscal Year.	
1	

Action Required – Second-level reviews must be completed as per Agency requirements.

Reference - Coal Mine Safety and Health Supervisor's Handbook (AH-08-III-1), Chapter 1, Section XI.

25.		e inspector/specialis for completing PKW	0	cumenta	tion required and
Adequate	X	Inadequate	Not Applicable		Comments Below

26.		e the district's proces eviews and initiatin	1 0	0.
Adequate	e X	Inadequate	Not Applicable	Comments Below

Attachment A.	United States Department of Labor Mine Safety and Health Administration
	Office of Accountability
District Coal Dist 9	Field Office McAlester, OK Mine ID
/9	ne if complete and thorough inspections are being conducted and
adequate	ely documented
Adequate	Inadequate X Not Applicable Comments Below
See Items 1, 14, 17,	52, 53, 54, 58, 59, 100, and 117.

 Determine if inspection notes, air samples, rock dust samples, and tracking 30. map/diagram support the inspector's assertion that the mine was inspected in its entirety
Adequate Inadequate X Not Applicable Comments Below
Rock dust surveys were not conducted during the two most recently completed E01 inspections. The last documented record of a rock dust survey was dated Inspection notes and/or other records did not document any reason for the lack of rock dust surveys. In response to this issue, the audit team required that rock dust surveys be conducted during the team's mine visit.
Action Required – Rock dust surveys must be conducted to determine whether or not the mine is in compliance with incombustible content requirements.
Reference – General Coal Inspection Procedures and Inspection Tracking System Handbook (PH08-V-1), Section III, Item G-13. Sago, Aracoma, Darby Internal Review – Corrective Action Plan, Pages B-4 & B-5.

31	31. Determine that the inspector spent sufficient time on off-shifts and on weekends				
Adequate	Inadequate X	Not Applicable		Comments Below	
According to data submitted by the operator, interviews with the operator, and information entered into MSHA databases by MSHA personnel, this mine has worked at least 6 days per week since the first quarter of Fiscal Year 2006. The min produced coal on 2 shifts per day and had 1 maintenance shift per day. The mine employed an average of 50 persons during that time.					
Off-shift and weekend inspection activities during the two E01 inspections completed prior to this audit were insufficient.					
230.00 man hours were charged to E01 Event Only 6.75 hours were charged on					

Attachment A.	United States Department of Labor
	Mine Safety and Health Administration Office of Accountability
District Coal Dist 9	
off shifts (<u>none of</u> charged on Sature	<u>which was underground</u>). There was no inspection activity time days or Sundays.
charged on off shi	were charged to E01 Event Of this total, 40.00 hours were ifts (26.50 hours of which was underground). Although there were ed on Saturdays and Sundays, <u>none of that time was underground.</u>
,	Inspections must be conducted on off shifts and weekends to permit the ine the attitudes and practices of the miners and mine managers on those
5	l Coal Mine Inspection Procedures and Inspection Tracking System V-1), Page 14, Item 6.
Determ	ine if the SCSR inventory database has been implemented to track

Adequate X Inadequate Not Applicable Comments Below	ow	

34.		ne if all mine record ed during the inspec	1 0	nd other	required materials are
Adequate	e X	Inadequate	Not Applicable		Comments Below

35. Determine if all provisions of the MINER Act are evaluated during the inspection					
Adequat	e X	Inadequate	Not Applicable		Comments Below

Attachment A. United States Department of Labor Mine Safety and Health Administration Office of Accountability	
District Coal Dist 9 Field Office McAlester, OK Mine ID	
37. Evaluate each citation/order/safeguard for inspector's determination gravity, negligence, number of persons affected, and the level of enforce	cement
Adequate Inadequate X Not Applicable Comments Be	low
See Attachments B and C for citations that were deemed questionable regarding gravity, negligence, persons affected, S&S, and level of enforcement.	
Likewise, citations issued by inspectors during the audit contain inconsistencies i evaluations of conditions and practices.	n the
 does not give an indication of how long the violation may existed, nor does it identify specifically where the violation is located. Citations do not consider the number of persons who are located inby the violation (on the working section) 	
 Citations does not describe how long, how wide, nor h deep the accumulations were, and does not consider the number of person are located inby (downwind) of the violation. 	
• Citation does not specify how much air was leaking from the belt into the return air course, and does not consider the number of persons we located inby the violation.	-
<i>Recommendation – Citations should describe, with particularity, the condition or practice in violation.</i>	e that is
Reference – Federal Mine Safety and Health Act of 1977, §104(a).	
Accompany and evaluate inspector's imminent danger run]

 38.
 Accompany and evaluate inspector's imminent danger run

 Adequate
 X

 Inadequate
 Not Applicable

 Comments Below

Attachment A. United States Department of Labor Mine Safety and Health Administration Office of Accountability				
District Coal Dist 9	Field Office McAlester, OK Mine ID Date Date			
39. Check adequacy of preshift/onshift examinations				
Adequate X Inadequate Not Applicable Comments Below				

40. Evaluate inspector's observation of roof conditions. Is a copy of the currently approved roof control plan maintained on the section?					
Adequate	e X	Inadequate	Not Applicable		Comments Below

42. Evaluate conditions on working section and observe work cycle				
Adequate Inadequate X Not Applicable Comments Below				
Conditions on the working section did not reflect the level of care and attention to detail expected for a mine that liberates approximately 2.5 million cubic feet of methane each 24 hours.				
See the following citations in Attachment D, Citations Issued During the Audit:				
Rock dust was not maintained to within 40-feet of the face Accumulations of combustible material under the section feeder Employee tracking system was not maintained Trailing cable on shuttle car was not properly maintained				

43. Observe air quantity, quality, and gas checks by inspector				
Adequate X Inadequate Not Applicable Comments Below				

Attachment A. United States Department of Labor Mine Safety and Health Administration Office of Accountability			
District Coal Dist 9	Field Office McAlester, OK Mine ID		
44. Determine adequacy of Emergency Response Plan training (interview44. miners)			
Adequate X	Inadequate Not Applicable Comments Below		

45.	45. Determine adequacy of training regarding roof, ventilation, and other plans (interview miners). Do inspection notes document evaluation of this type				
training? Adequate X Inadequate Not Applicable Comments Below				Comments Below	

47. Determine if the mine operator has conducted SCSR donning expectation47. training and if the inspector has observed and evaluated the training					
Adequate	e X	Inadequate	Not Applicable		Comments Below

50. Examine lifelines, mandoors, and related signage					
Adequate	X	Inadequate	Not Applicable		Comments Below

51. Examine escapeway map for compliance with regulations					
Adequate Inadequate X Not Applicable Comments Below					
The location of SCSR caches was not marked on the escapeway map. Citation No. (See Attachment D) was issued during the audit.					

Attachment A. United States Department of Labor Mine Safety and Health Administration Office of Accountability					
District Coal Dist 9 Field Office McAlester, OK Mine ID					
52. Evaluate integrity of primary and alternate escapeways					
Adequate Inadequate X Not Applicable Comments Below					
The integrity of the alternate escapeway was questionable because the operator did not properly maintain stoppings and there was a provision within the ventilation plan allowing "drainage holes" in stoppings. Citation No. was issued for accumulations of combustible materials in the primary escapeway.					
Note – This issue has been resolved. Upon being notified of this plan discrepancy, the District Manager took immediate action and required a revision of the ventilation plan, eliminating that provision.					

53. Evaluate integrity of return side stopping line					
Adequate		Inadequate X	Not Applicable		Comments Below
Citation N			re issued during th		1 1 5
maintaining a stopping line. These stoppings separate the belt entries from the					
alternate escapeway.					

Travel and evaluate condition and maintenance of section conveyor belt,					
54. structures, and entries					
Adequate Inadequate X Not Applicable Comments Below					
In addition to citations issued to the operator not properly maintaining the required					
incombustible content of rock dust and not properly maintaining stopping lines,					
citations were issued for lack of proper guarding at a belt drive and an improperly					
maintained power cable bushing at a belt drive starter box.					
1 0					

Attachment A.	Mine Safety	tes Department of Labe and Health Administra e of Accountability			
District Coal Dist 9	Field Office McAles	ster, OK Mine ID			
Evaluate fire valves and hoses (condition, compatibility of fittings, pressure test)					
Adequate X	Inadequate	Not Applicable		Comments Below	

57.	Observe	and evaluate fire de	etection methods	
Adequate	e X	Inadequate	Not Applicable	Comments Below

58. Evaluate cleanup of accumulations and application of rock dust					
Adequate Inadequate X Not Applicable Comments Below					
As mentioned previously in Item 30, rock dust surveys were not conducted during the two most recent E01 inspections. The last record of a survey was dated					
In response to this issue, the audit team required that rock dust surveys be conducted during the team's mine visit. One survey was conducted in an area outby the active section, and the other was in support of a citation issued on the active section. Analysis of samples collected in the outby survey was 16.67% non-compliant. The survey conducted on the active section was 100% non-compliant (Appendix E).					
Action Required – Rock dust surveys must be conducted to determine whether or not the mine is in compliance with incombustible content requirements. Proper enforcement actions must be taken regarding all non-compliant surveys.					
Reference – General Coal Inspection Procedures and Inspection Tracking System Handbook (PH08-V-1), Section III, Item G-13. Sago, Aracoma, Darby Internal Review – Corrective Action Plan, Pages B-4 & B-5.					

Attachment A.United States Department of LaborMine Safety and Health Administration Office of Accountability
District Coal Dist 9 Field Office McAlester, OK Mine ID
59. Evaluate condition of conveyor belt drives, and fire suppression systems
Adequate Inadequate X Not Applicable Comments Below
Although fire suppression systems on belt conveyor drives were adequate, the drives themselves were not well maintained as mentioned in Item No. 54 above. Citations were issued to the operator for not examining and testing the fire suppression systems on four belt drives.
ObservationDetermine if all required record books are adequately completed and in compliance with applicable standards
Adequate X Inadequate Not Applicable Comments Below
61. Examine mine map for accuracy of workings and escapeway locations
Adequate X Inadequate Not Applicable Comments Below

62.	Examine	e mine bulletin boar	d and evaluate ade	quacy of	all required postings
Adequate	e X	Inadequate	Not Applicable		Comments Below

63. Interview responsible person(s) and evaluate knowledge of emergencyresponse, evacuation procedures, and fire fighting processes					
Adequate X Inadequate Not Applicable Comments Below					Comments Below

Attachment A.	United States Department of Labor Mine Safety and Health Administration Office of Accountability		
District Coal Dist 9	Field Office McAlester, OK Mine ID		
Determine if approved plans address and are compatible with mining			
64. condition	ns and equipment		
Adequate X	Inadequate Not Applicable Comments Below		

Examine and evaluate at least one set of seals, including methods forobtaining samples from sealed area				
Adequate	e X	Inadequate	Not Applicable	Comments Below

66. Determine if districts are conducting sufficient, in-depth Peer Reviews		
Adequate Inadequate X Not Applicable Comments Below		
A review was conducted at the McAlester, OK, field office in FY 2009 (). The review was conducted at a surface mine located in Texas. The review involved a mine visit, determination of root causes, proposed corrective actions, and due dates for those actions. However, the report did not contain any provisions for follow-up or measurement of the effectiveness of the corrective actions.		
Recommendation – All accountability reviews should address follow-up and measurement of the effectiveness of corrective actions. Headquarters should also consider including mines with a combination of high methane liberation and a low level of enforcement as a concern to the Administrator, Deputy Administrator, and District Managers.		
<i>Reference - Accountability Program Handbook (AH08-III-4), Cover Memo, Page 2 and Page 8.</i>		

Determine if MSHA headquarters is conducting sufficient, in-dep67. Reviews	Determine if MSHA headquarters is conducting sufficient, in-depth Peer Reviews			
Adequate Inadequate X Not Applicable Comme	ents Below			
The headquarters-level accountability review conducted in was				
thorough and contained findings, requirements, root causes, corrective actions, and				

Attachment A.	United States Department of Labor Mine Safety and Health Administration Office of Accountability	
District Coal Dist 9	Field Office McAlester, OK Mine ID	
planned dates for con	npletion of corrective actions.	1
However, there were effectiveness of the co	no means identified for follow-up and measurement of the prrective actions.	
,	necessary follow-up tool, the district must establish a means for eness of each corrective action.	
<i>Reference – Follow-up and Evaluation – Page 8, Accountability Program Handbook (AH08-III- 4).</i>		

	Determine if Peer Reviews include a visit to the mine, and include
70.	observation of the producing section, conveyor belt entries, escapeways and
	th <u>e ERP</u> provisions
Adequate	e X Inadequate Not Applicable Comments Below

73. Evaluate the approved roof control plan after in-mine visit		
Adequate X Inadequate Not Applicable Comments Below		
With the exceptions noted in Item No. 100 below, the roof control plan appeared to adequately address conditions and equipment in the mine.		
Recommendations are included in Item No. 100		

74. Evaluate approved ventilation plan after in-mine visit
Adequate Inadequate X Not Applicable Comments Below
Item 3 on Page 2 of the currently approved ventilation plan (stamped "Approved - states that "In the event water develops in the mine and accumulates against established permanent ventilation controls, an opening in the permanent ventilation device (excluding seals) shall be made to relieve the water."

Attachment A.	United States Department of Labor Mine Safety and Health Administration Office of Accountability		
District Coal Dist 9	Field Office McAlester, OK Mine ID		
This provision of the approved ventilation plan is in direct conflict with regulations requiring the isolation of intake and return entries from belt entries.			
Action Required – Revision of ventilation plan to comply with regulations.			
<i>Reference – 30CFR, §75.333(b)(2), 30CFR, §75.333(b)(3), and 30CFR, §75.333(b)(4)</i>			
<u>Note – This issue has been resolved. The ventilation plan has been revised to prohibit</u> <u>this practice. No further action is required.</u>			

75.	Evaluate	approved training	plan after discussio	on with r	niners
Adequate	X	Inadequate	Not Applicable		Comments Below

Determine if 104(d) tracking system is in place at the office being audited, and80.is being kept up to date		
Adequate Inadequate X Not Applicable Comments Below		
Although interviews indicated that most inspectors were familiar with tracking of 104(d) issuances, there was no Standard Operating Procedure (SOP) in the field office to provide guidance.		
Recommendation – The Office of Accountability has observed that most districts provide an SOP in the Uniform Mine File to guide inspectors in the process of tracking 104(d) issuances. Adopting this procedure would enhance the consistency and effectiveness of 104(d) tracking.		
Referenc <u>e</u> – PH94-V-9(2) Uniform Mine File Procedures Handbook, Chapter 2, B-3, Section 104(d) Unwarrantable Failure		

Attachment A.	United States Department of Labor Mine Safety and Health Administration Office of Accountability		
District Coal Dist 9	Field Office McAlester, OK Mine ID		
81.Determine if all plans and documents in the Uniform Mine File are legible, and up to date			
Adequate X	Inadequate Not Applicable Comments Below		

83. Determine if plan review and approval process provides reasonable83. assurance that miners are protected					
Adequate Inadequate X Not Applicable Comments Below					
The plan review and approval process did not identify and initiate corrections for plan discrepancies as noted in Items 52, 53, and 74 above.					

85. Determine if miners are adequately trained in the provisions of any new planprior to its implementation					
Adequate	e X	Inadequate	Not Applicable		Comments Below

90. Determine if dated copy of approval/disapproval letter is in file					
Adequate	X	Inadequate	Not Applicable		Comments Below

91.	91. Determine if copies of the plan are distributed as per an established list					
Adequate	X	Inadequate	Not Applicable		Comments Below	

Attachment A. United States Department of Labor Mine Safety and Health Administration Office of Accountability					
District Coal Dist 9	Field Office McAlester, OK Mine ID				
Determine if a copy of the most recent plan is provided for inclusion in the92. Uniform Mine File					
Adequate X	Inadequate Not Applicable Comments Below				

94. Determine if required information is submitted in the plan					
Adequate	X	Inadequate	Not Applicable		Comments Below

Evaluate recommendations made to the District Manager proposing				
95. approval/disapproval of plan				
Adequate Inadequate X Not Applicable Comments Below				
Interviews revealed that on several occasions, inspection personnel questioned the				
ventilation plan provision permitting holes or openings in permanent stoppings. Such				
comments should have been transmitted from to the				
and However, no evidence could be found to				
indicate this matter was brought to the District Manager's attention				
indicate this matter was brought to the District manager o attendion				
Action Required – The district's plan approval group must note and take action whenever				
discrepancies are identified regarding plan inadequacies.				
under op undered in e tue trifted regul unity plant triuded undered				
Reference – MSHA Form 2000-204 and instructions in the Mine Ventilation Plan Approval				
Procedures Handbook (PH92-V-6), Chapter 6				
110ccuures 11uluoook (11102 V 0), Clupiel 0				
Note - This issue has been resolved. Upon being notified of this plan discrepancy, the				
District Manager took immediate action and required a revision of the ventilation				
plan, eliminating that provision.				

Attachment A.	United States Department of Labor Mine Safety and Health Administration Office of Accountability				
District Coal Dist 9 F	Field Office McAles	ster, OK Mine ID			
98. Determine if proposed plans are evaluated for provisions contrary to					
Adequate Inadequate X Not Applicable Comments Below					
See Item No. 95 above	<u>)</u>				

Determine if all plan approval groups communicate to prevent conflicting 0. elements of plans				
Adequate Inadequate X Not Applicable Comments Below				
There is an apparent conflict between the approved roof control plan and the approved ventilation plan regarding cut depths. The ventilation plan specifies a maximum cut depth of either 20 feet or 30 feet depending on the type of face ventilation utilized, while the roof control plan allows a 40 foot cut depth.				
Recommendation – Since all mine plans affects each other in some degree, plan approval groups should ensure approved plans do not contain conflicting information.				

114.	Determine if spreadsheets and/or databases provided for tracking of mine visits by supervisors and managers is kept up to date				
Adequate	X Inadequate Not Applicable Comments Below				
Supervisors and Managers appear to be completing the spreadsheets for mine visits.					

115. Evaluate the effectiveness of management's support of, and communication with, inspectors and specialists					
Adequate Inadequate X Not Applicable Comments Below					
Communication between the district office and the McAlester, Oklahoma field office does not appear to be effective based on the negative results regarding Items 4, 5, 6, 8, 11, 14, 23, 29, 74, and 80.					
Recommendations are included in each of the aforementioned Items.					

per information and
Comments Below
tely complete MSHA 00-1 forms submitted six involved ts were completed ompliance. Section B, e accident. 1 7000-1 and require ide MSHA with valuable e measures toward
supplies to conduct
Comments Below
ormation indicates the ation of one that is ources necessary to addition, gas detection cors must be able to m remote locations. <i>y from the field office to</i> <i>sting gas detection</i>

Attachment A.	Mine Safety a	tes Department of Labor and Health Administratic e of Accountability	on		
District Coal Dist 9	Field Office McAles	ter, OK Mine ID			
119	ine if adequate close inspection.	-out conferences ar	re being o	conducted at th	ne end
Adequate X	Inadequate	Not Applicable		Comments Bo	elow

121.		1	he field office is suf tigations, and other	1
Adequate	X	Inadequate	Not Applicable	Comments Below
	FTE to the	22 2	bility suggests the dis e to perform collateral	e

United States Department of Labor Mine Safety and Health Administration Office of Accountability

District	Coal Dist 9	Field Office	McAlester, OK	Mine ID	3	

Issuances with excessive termination time/past due

iolation No. Issue Date	30 CFR	Due Date	Term Date	Days Given	Days to Term	Days Past Du
	75.400			2	50	48
oal dust and float coal dus	t accumulations or	n mine ribs and	floor in the return	aircourse (alter	rnate escapewa	y) for 2000'
	000050					
iolation No. Issue Date	30 CFR	Due Date	Term Date	Days Given		Days Past Du
xcessive water pressure at	8 75.1100-1(f)(2)		and the state of t	4	52	48
xcessive water pressure at	HOSE HOZZIE. TOU	/ p.s.i.g. 1 1/2 i	Steaks outby the s	ection reeder of		
iolation No. Issue Date	30 CFR	Due Date	Term Date	Days Given	Days to Term	Days Past Du
	875.364(b)(2)			1	36	35
adequate Weekly examina	tions in the alterna	ate escapeway	. Nine violations w	vere found along	g the Alternate E	Escapeway.
1.0 N N D	000000		T 0.1		D I T	0 0 10
olation No. Issue Date	30 CFR	Due Date	Term Date	Days Given		the second s
	75.202(a)			0	23	23
oof bolts not firmly against	the root in the ma	in haul road ar	nd primary escape	way. Unsuppor	ted area measu	res 12'by 8'.
olation No. Issue Date	30 CFR	Due Date	Term Date	Days Given	Days to Term	Days Past Du
olation no. Insuce Date	8 75.370(a)(1)	Due Dute	Tenn Bate	61	80	19
ilure to comply with the ap		mlan udiah m	mulana avana ka k		(T) T	1.F.
plation No. Issue Date	30 CFR	Due Date	Term Date	Days Given		
	8 75.202(a)			0	18	18
		aul road and pi	rimary escapeway	. The area mea	sured 7'X 7'. Th	nis road way is
aveled on a frequent and r	egular basis. 30 CFR	aul road and pr	rimary escapeway	Days Given	Days to Term	Days Past Du
olation No. Issue Date	egular basis. 30 CFR 75.311(f)	Due Date	Term Date	Days Given 0	Days to Term 18	Days Past Du 18
olation No. Issue Date	egular basis. <u>30 CFR</u> 75.311(f) al substantial coal l	Due Date has been allow	Term Date	Days Given 0	Days to Term 18	Days Past Du 18
olation No. Issue Date	30 CFR 75.311(f) al substantial coal l 'X 14'and up to 36	Due Date has been allow "in depth.	Term Date	Days Given 0 under the belt a	Days to Term 18 and adjacent to	Days Past Du 18 it. The
olation No. Issue Date	al substantial coal 1 30 CFR 75.311(f) al substantial coal 1 'X 14'and up to 36 30 CFR	Due Date has been allow	Term Date	Days Given 0 under the belt a Days Given	Days to Term 18 and adjacent to Days to Term	Days Past Du 18 it. The Days Past Du
veled on a frequent and robotic no. Issue Date ithin 25'of the #2 belt porta cumulations measured 25 plation No. Issue Date	30 CFR 75.311(f) al substantial coal l 'X 14'and up to 36 30 CFR 7 75.400	Due Date has been allow "in depth. Due Date	Term Date ved to accumulate	Days Given 0 under the belt a Days Given 0	Days to Term 18 and adjacent to Days to Term 16	Days Past Du 18 it. The Days Past Du 16
olation No. Issue Date ithin 25'of the #2 belt porta cumulations measured 25 olation No. Issue Date illure to clean the active 3	agular basis. 30 CFR 75.311(f) al substantial coal l 'X 14'and up to 36 30 CFR 7 75.400 West section from	Due Date has been allow "in depth. Due Date entry #2 to #4	Term Date ved to accumulate Term Date	Days Given 0 under the belt a Days Given 0 n entry #3 from	Days to Term 18 and adjacent to Days to Term 16 crosscut #18 to	Days Past Du 18 it. The Days Past Du 16 #20, and in
veled on a frequent and re- plation No. Issue Date ithin 25'of the #2 belt porta cumulations measured 25 plation No. Issue Date illure to clean the active 3 try #4 from crosscut #19 t	agular basis. 30 CFR 75.311(f) al substantial coal l 'X 14'and up to 36 30 CFR 7 75.400 West section from	Due Date has been allow "in depth. Due Date entry #2 to #4	Term Date ved to accumulate Term Date	Days Given 0 under the belt a Days Given 0 n entry #3 from	Days to Term 18 and adjacent to Days to Term 16 crosscut #18 to oths measured u	Days Past Du 18 it. The Days Past Du 16 #20, and in ip to 6".
veled on a frequent and re- plation No. Issue Date ithin 25'of the #2 belt porta cumulations measured 25 plation No. Issue Date illure to clean the active 3 try #4 from crosscut #19 t	agular basis. 30 CFR 75.311(f) al substantial coal l X 14'and up to 36 30 CFR 75.400 West section from o #20. Loose coal	Due Date has been allow "in depth. Due Date entry #2 to #4 and coal dust	Term Date ved to accumulate Term Date in crosscut #20, i was rib to rib in th	Days Given 0 under the belt a Days Given 0 n entry #3 from he area with dep	Days to Term 18 and adjacent to Days to Term 16 crosscut #18 to oths measured u	Days Past Du 18 it. The Days Past Du 16 #20, and in ip to 6".
aveled on a frequent and re olation No. Issue Date ithin 25'of the #2 belt porta comulations measured 25 olation No. Issue Date illure to clean the active 3 ailure to clean the active 3 try #4 from crosscut #19 to olation No. Issue Date in Joy 10 SC22 shuttle ca	30 CFR 75.311(f) al substantial coal l 'X 14'and up to 36 30 CFR 75.400 West section from o #20. Loose coal 30 CFR 30 CFR 875.503	Due Date has been allow "in depth. Due Date entry #2 to #4 and coal dust	Term Date Term Date In crosscut #20, i was rib to rib in th Term Date	Days Given 0 under the belt a Days Given 0 n entry #3 from he area with dep Days Given 2	Days to Term 18 and adjacent to Days to Term 16 crosscut #18 to oths measured u Days to Term 8	Days Past Du 18 t. The Days Past Du 16 #20, and in p to 6". Days Past Du 6
aveled on a frequent and re olation No. Issue Date ithin 25'of the #2 belt porta cumulations measured 25 olation No. Issue Date allure to clean the active 3 atry #4 from crosscut #19 to olation No. Issue Date olation No. Issue Date the Joy 10 SC22 shuttle cal ermissible condition.	30 CFR 75.311(f) al substantial coal l 'X 14'and up to 36 30 CFR 75.400 West section from o #20. Loose coal 30 CFR 30 CFR 875.503	Due Date has been allow "in depth. Due Date entry #2 to #4 and coal dust	Term Date Term Date In crosscut #20, i was rib to rib in th Term Date	Days Given 0 under the belt a Days Given 0 n entry #3 from he area with dep Days Given 2	Days to Term 18 and adjacent to Days to Term 16 crosscut #18 to oths measured u Days to Term 8 not being maint	Days Past Du 18 it. The Days Past Du 16 #20, and in pp to 6". Days Past Du 6 ained in
aveled on a frequent and re olation No. Issue Date ithin 25'of the #2 belt porta comulations measured 25 olation No. Issue Date allure to clean the active 3 itry #4 from crosscut #19 to olation No. Issue Date the Joy 10 SC22 shuttle ca ermissible condition.	agular basis. 30 CFR 75.311(f) al substantial coal l 'X 14'and up to 36 30 CFR 75.400 West section from o #20. Loose coal 30 CFR 30 CFR 30 CFR 30 CFR 30 CFR 30 CFR 30 CFR	Due Date has been allow "in depth. Due Date entry #2 to #4 and coal dust Due Date	Term Date Term Date In crosscut #20, i was rib to rib in th Term Date ng operated on M	Days Given 0 under the belt a 0 n entry #3 from he area with dep Days Given 2 MU 002-0, was	Days to Term 18 and adjacent to Days to Term 16 crosscut #18 to oths measured u Days to Term 8 not being maint	Days Past Du 18 it. The Days Past Du 16 #20, and in pp to 6". Days Past Du 6 ained in
aveled on a frequent and re olation No. Issue Date ithin 25'of the #2 belt porta cumulations measured 25 olation No. Issue Date illure to clean the active 3 atry #4 from crosscut #19 t olation No. Issue Date ermissible condition. olation No. Issue Date	agular basis. 30 CFR 75.311(f) al substantial coal l 'X 14'and up to 36 30 CFR 75.400 West section from 0 #20. Loose coal 30 CFR 8 75.503 r, company # 1, 20 30 CFR 08 75.208 visible sign, or a p	Due Date has been allow "in depth. Due Date entry #2 to #4 and coal dust Due Date Due Date Due Date Due Date	Term Date Term Date Term Date in crosscut #20, ii was rib to rib in th Term Date ng operated on M Term Date r to impede travel	Days Given 0 under the belt a 0 n entry #3 from e area with dep Days Given 2 MU 002-0, was Days Given 4 into an area wh	Days to Term 18 and adjacent to Days to Term 16 crosscut #18 to oths measured u Days to Term 8 not being maint Days to Term 9 ich had caved. /	Days Past Du 18 it. The Days Past Du 16 #20, and in pto 6". Days Past Du 6 ained in Days Past Du 5 A fall had
ne operator failed to post a ocurred between entries 4	agular basis. 30 CFR 75.311(f) al substantial coal l 'X 14'and up to 36 30 CFR 75.400 West section from 0 #20. Loose coal 30 CFR 8 75.503 r, company # 1, 20 30 CFR 08 75.208 visible sign, or a p and 5 at crosscut #	Due Date has been allow "in depth. Due Date entry #2 to #4 and coal dust Due Date Due Date Due Date Due Date Due Date	Term Date Term Date Term Date in crosscut #20, ii was rib to rib in th Term Date ng operated on M Term Date r to impede travel h area and had no	Days Given 0 under the belt a 0 n entry #3 from e area with dep Days Given 2 MU 002-0, was Days Given 4 into an area wh t been barricad	Days to Term 18 and adjacent to Days to Term 16 crosscut #18 to oths measured u Days to Term 8 not being maint Days to Term 9 ich had caved. / led at either end	Days Past Du 18 it. The Days Past Du 16 #20, and in p to 6". Days Past Du 6 ained in Days Past Du 5 A fall had of the fall.
aveled on a frequent and re olation No. Issue Date fithin 25'of the #2 belt porta comulations measured 25 olation No. Issue Date allure to clean the active 3 atry #4 from crosscut #19 t olation No. Issue Date armissible condition. olation No. Issue Date accurred between entries 4 colation No. Issue Date	agular basis. 30 CFR 75.311(f) al substantial coal l 'X 14'and up to 36 30 CFR 75.400 West section from 0 #20. Loose coal 30 CFR 8 75.503 r, company # 1, 20 30 CFR 08 75.208 visible sign, or a p	Due Date has been allow "in depth. Due Date entry #2 to #4 and coal dust Due Date Due Date Due Date Due Date	Term Date Term Date Term Date in crosscut #20, ii was rib to rib in th Term Date ng operated on M Term Date r to impede travel	Days Given 0 under the belt a 0 n entry #3 from e area with dep Days Given 2 MU 002-0, was Days Given 4 into an area wh	Days to Term 18 and adjacent to Days to Term 16 crosscut #18 to oths measured u Days to Term 8 not being maint Days to Term 9 ich had caved. /	Days Past Du 18 it. The Days Past Du 16 #20, and in p to 6". Days Past Du 6 ained in Days Past Du 5 A fall had of the fall.

escapeway.

United States Department of Labor Mine Safety and Health Administration Office of Accountability

District	Coal Dist 9	Field Office	McAlester, OK	Mine ID		Date	
	Q		C		2 - 2 - 2 - 2 - 2		T

Issuances with questionable determination of S&S

Violation	30 CFR	Brief Summary of Condition or Practice	S&S
	75.364(b)(2)	The Weekly examinations was not performed on the Alternate Escapeway. Nine violations were found along the Alternate Escapeway. Some of these violations (i.e.,) were just a few feet from observed Date, Times and Initials and were obvious.	N
Violation	30 CFR	Brief Summary of Condition or Practice	S&S
	75.311(f)	Within 25'of the #2 belt portal substantial amounts of coal accumulations has been allowed to accumulate under the belt and adjacent to it. The accumulations measured 25'X 14'and up to 36''in depth. Also lying within 12'of the portal is an empty wooden pallet and a 3''X 8''X 4'wooden board.	N
Violation	30 CFR	Brief Summary of Condition or Practice	S&S
	75.202(a)	There is unsupported roof in the 2 South Panel main haul road and primary escapeway in #5 entry, just inby crosscut #20 on the right hand side looking inby. Immediate roof has broken away from the roof bolt leaving it hanging loosely and not against the roof. The area measured 7'X 7'. This road way is traveled on a frequent and regular basis.	Ν
Violation	30 CFR	Prief Summany of Condition or Practice	S&S
VIOIATION	JU OFR	Brief Summary of Condition or Practice	
	5.330(b)(2)	Ventilation control devices were not installed at a distance no greater than 10 feet from the area of deepest penetration. The face located in the 1 South, No.1 entry, inby 5 crosscut was not ventilated to within 10 ft. of the face. The curtain Had been torn down to a distance of 28 ft. back from the face.	N
Violation	30 CFR	Brief Summary of Condition or Practice	S&S
	75.4	Loose coal and coal dust was allowed to accumulate in the #6 belt entry inby the air lock doors between #8 and #9 crosscuts to the overcast at crosscut #10. The accumulations were measured up to 7"in depth by 55"in width and approximately 80'long on top of rock dusted surfaces. A rock dust sample of the accumulations was collected for analysis. No apparent and readible ignition source in the area. The 3 South section crew were inby this area.	N
			000
Violation	30 CFR	Brief Summary of Condition or Practice	S&S
	75.202(a)	The mine operator failed to control and support the roof and rib in the 3 West Panel, #2 return entry, crosscut #9 where the alternate escapeway travels. The rib and roof has broken away from the Laft inby side corner. The distance from the rib to the nearest bolt is 6'3", with that bolt not secrely against the roof. The roof bolt plate is 3"from the roof. The immediate roof is badly cracked with loose cap rock in the crosscut. Some of the cracks are 1/2"wide.	N
Violation	30 CFR	Brief Summary of Condition or Practice	S&S
	75.360(b)	An inadequate examination for hazards was conducted on the #2 and #3 belts. As noted from the following issued citations: preceding citation were two (2) citations for accumulations on drives, one (1) citation for accumulations on the #3 belt line, and one (1) citation for a missing strainer on the #3 belt drive sprinkler type fire suppression system. Each condition noted was obvious in nature. The mine is on a five (5) day 103 (i) spot inspection cycle, the mine liberates over 2,000,000 cubic feet of methane a day and has had three (3) ignitions in it's history of operation. This violation is an unwarrantable failure to comply with a mandatory standard.	N

inter Coal Dist 9 Field Office McAlester, OK Mine 10 Mine Citation/Order U.S. Department of Labor Mine Safety and Health Administration Image: Comparison of Comparison o	achment D.	United States Department of Labor Mine Safety and Health Administration Office of Accountability
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	Mine Citation/Order	U.S. Department of Labor
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Aline Citation/Order U.S. Department of Labor Mine Safety and Health Administration	achment D.	Ν	United States De Mine Safety and He Office of Ae		istration			
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Accumulations of coal dust, and loose coal fines were deposited inside the First airlock on the number one belt entry. The black colored accumulations were dry and wouldn't ball up when pressed together in the hand. The dry accumulations covered the mine floor and where approximately one inch in ispetth. The affected area was approximately fifth feet in length. Intervention See Continuation Form (MSHA Form 7000-3a)								
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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								
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	established a National Si	mall Business and Agriculture Re						
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						See Continuation	on Form (MSHA	Form 7000-3a)
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	D.		Mine Safety a	1	nent of Labor Administration tability			
trict	Coal Dist 9	Field Offi	ce McAlest	er, OK	Mine ID		Date	
								A ²
Mine Citati	on/Order				Department of La	hor		4
					Safety and Health		on	
Section IViolat 1. Date	Mo Da Yr	2. Time (24,1	r Clock)			3. Citation/ Order Num		
						1 Order Nom		
	B							(Contractor)
B. Condition of The Mir		r failed	to examine	and tes	st the wate	r suppre		or the 2
indicat			sion device l the excha					
						See Contin	uation Form (MS	HA Form 7000-3a) 🗌
9. Violation	A. Health Safety V Other	B. Section of Act		C. Part/Sect Title 30 C		75.1103	-8(a)	
Section II-Insp 10. Gravity:	ector's Evaluation							S
	r Illness (has) (is): r illness could rea-				nably Likely			
sonably	be expected to be	No Lost W	/orkdays 🗌 Los	t Workdays Or F	Restricted Duty 🖌	Permanently D. Number of F	Disabling	Fatal
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achment D.		ted States Departn				
	Mine S	afety and Health		ition		
		Office of Accoun	tability			
trict Coal Dist 9	Field Office	IcAlester, OK	Mine ID	5	Date	
		ier nester) ert		-		-
Mine Citation/Order			Department	of Labor lealth Administra	tion	
Section I-Violation Data		Willie	Salety allu h	leann Administra		
1. Date				3. Citation/		
4. Served To		5. Ope	erator	Order Nu	mber	
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						itractor)
8. Condition or Practice					8a. Written	Notice (103g)
the second se	tor failed to ex	amine and tes	st the w	ater suppr		the start of the s
belt exchanges	in the mine. Th	e normal Mine	e Examin	er was off	work due	to a
	he replacement E					
	re suppression c	levices. The	last da	te require	d on the	books
indicated	All the	exchanges wil	11 need	to be exam	inea.	
9. Violation A. Health Safety	B. Section of Act	C. Part/Sec Title 30 C		See Cont 75.110	inuation Form (MSH/)3-8(a)	A Form 7000-3a)
	of Act					A Form 7000-3a)
Safety V Other Section II–Inspector's Evaluation 10. Gravity:	of Act	Title 30 C		75.110)3-8(a)	
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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 Officiousman, 409 3 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.

tachme	ent D.		М	United States line Safety and					
					f Accounta				
	Cult		T: 110(()	Madada					
strict	Coal D	ist 9	Field Office	McAlester	, OK	Mine ID] Date	
Mine	Citation/Ord	ler				epartment of Lai	hor		11.
04050050						afety and Health		n	
Section I	IViolation Data	Da Yr	2. Time (24 Hr. C	lock)			3. Citation/	-	
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4. Serv	ed To-								
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						Examiner w			
						naware that last date r			
	icated	, ITTC				l need to b			DOOKS
	() _								
							See Continua	ation Form (MSF	iA Form 7000-3a)
9. Viola			B. Section		C. Part/Section		75 1102	9(-)	
		fety 🖌	of Act		Title 30 CF	·ĸ	75.1103-	·8(a)	
Section 10. Gra	II-Inspector's Ev	aluation							
	njury or Illness	(has) (is):	No Likelihood	Unlikely 🔽	Reason	ably Likely 🗌 🛛 H	Highly Likely	Occu	irred 🗌
	njury or illness onably be exp			davs Lost W	Vorkdavs Or R	estricted Duty 🔽	Permanently (Disabling 🗌	Fatal
	Significant and						D. Number of Pe		
-	-		Tes 🔄	No 🔽					001
	gligence (cheo	k one)	A. None		C. Moderate			eckless Disreg	
	be of Action	104(a)		13. Type of Issu			Order S	Safeguard	Written Notice
	ial Action itation 🗍 B.	Order	C. Safeguard	D. Written Notice	E. Citati	on/ Number		F. Dated	Mo Da Yr
-	a or Equipme					Humber			
19. 110	a or Equiprice	ĸ							
16. Ten	mination Due		Mo Da Yr						
		A. Date	2	B. Time (24 Hr. Clo	ick)				
	IIITermination								
17. Act	ion to Termina	te							
18. Ter	minated .	Mc	Da Yr			1			
	A. D	ate	B. Time	e (24 Hr. Clock					
	IV-Automated §				1-	1 Odman and			
(act	be of Inspection tivity code)	n E01	20. Event Numbe	1	2	1. Primary or Mill			
22. Sig							23. AR Nu	umber	
	hed a National S			atory Umbudsman and	10 Regional Fair	egulatory Enforcement Fa ness Boards to receive or	omments from sm	all businesses al	bout federal agency
enforcen	ment actions. Th	e Ombudsm	nan annually evaluates e	inforcement activities an	nd rates each age	mcy's responsiveness to man at Small Business A	small business. If	you wish to com	ment on the
Street, S	SW MC 2120, V	Vashington, I	DC 20416. Please note	, however, that your righ	nt to file a comme	int with the Ombudsman fety and Health Review C	is in addition to an		
and ingrit		me end prop	AAAA housings and 000	an a nearing cerure the	- overal mille Oa	ery and repaid review C	on annaoidel.		

achme	ent D.	Mine Saf	d States Department of La Tety and Health Administra Office of Accountability			
strict	Coal Dist 9 F	ield Office Mc	Alester, OK Mine ID			
Mine (Citation/Order		U.S. Department			
	Violation Data		Mine Safety and	Health Administrat	ion	
1. Date		Time (21 Hr. Cleck)		3. Citation/ Order Num	iber	
A Serve	ed To					
						intractor)
-	dition or Practice					Notice (103g)
The	following desc	ribes the pro	ntain several stopp blems encountered o dated ventilation o	during the e	examinati	
allo 2.Th	ows a large vol here is several	ume of air to stopping lea	ng the metal cap or mix from the intak king along the stop volume of air is v	e entry to oping row be	the #3 b tween th	elt. e belt
3.Th	ne air lock doo	r at cross cu	t # 8 in #3 belt er	ntry betweer	n the ret	urn
9. Viola	ation A. Health B.	Section	C. Part/Section of	See Contin	uation Form (MSHA	Form 7000-3a)
5. VI01a	Contraction of the contraction o	of Act	Title 30 CFR	75.333	(b)(1)	
10. Gra A. In B. In	것(해외 - 것)는 - 것이 - 것(!!!) 것	D Likelihood D Uni No Lost Workdays D Yes V No D	ikely Reasonably Likely Likely Likely Likely	Permanently	Occurr Disabling Persons Affected:	Fatal 🗹
11. Neg	gligence (check one) A.	None 🗌 🛛 B. Low [C. Moderate 🗹 D.	High 🗌 E.	Reckless Disrega	Ird 🗌
	be of Action 104(a)	13. Ty		on 🖌 Order 🗌	Safeguard	Written Notice
	ial Action Itation 🔲 B. Order 🔲 C.	Safeguard 🔲 D. Written	E. Citation/ Order Number		F. Dated	Mc Da Yr
15. Are	a or Equipment				, A 1197 /	
-	mination Due A. Date					
17. Acti	ion to Terminate					
	minated A. Date Mo Da	Yr B. Time (24 Hr. C	Slock			
	and the second se	0. Event Number	Primary or	Mill	-	
(act						
(act 22. Sign	nat					

Attachment D.	United States Department of Labor Mine Safety and Health Administration Office of Accountability	
District Coal Dist 9	Field Office McAlester, OK Mine ID Date Date	
Mine Citation/Order Continuation	U.S. Department of Labor Mine Safety and Health Administration	
Section I-Subsequent Action/Continuati 1. Subsequent Action 1a. Continuation 	ation 2. Dated Mo Da Yr 3. Citation/ (Original Issue) O Da Yr Order Numbe	
Section II-Justification for Action	5. Operator	(10

and the air lock chamber has a broken hinge. This condition allows a large volume of air to be released from the belt entry to the return.

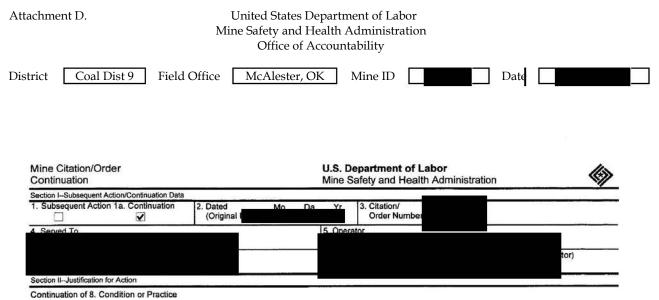
These conditions constitute a serious problem if a fire were to occur in the belt entry. The fumes from the fire would be pulled from the belt entry into return at dangerous rate

; exposing the miner(s) in the secondary escapeway to a potentially deadly condition. This citation will service as notice to the Mine Operator that stopping shall be maintained for the purpose for which they were originally built.

						See Continuation Form	
Section III-Subsec	quent Action Take	n			the second s	91 A	
8. Extended To	A. Date Mo	Da	B. Time (24 Hr. Clock)	C. Vacated	D. Terminated	E. Modified	- 20
Section IVInspec	tion Data			1 - 2 - 4	1		
9. Type of Inspe		1). Event Number				
11.					Lis our o		
MSHA Form 7000	-3a, Mar 85 (revis	ed)				li.	

Continuation of 8. Condition or Practice

ttachment D.	United States Department of La Mine Safety and Health Administr Office of Accountability		
strict Coal Dist 9 Field Offic	ce McAlester, OK Mine ID	Date	
Mice Citation/Order			
Mine Citation/Order	U.S. Department Mine Safety and H	Health Administration	<u>></u>
Section IViolation Data 1. Date		3. Citation/	-
4. Served To		Order Number	_
8. Condition or Practice	cores contraction of the	(Contractor 8a. Written Notice (103g)	r)
The Mine Operator failed		ing alone the #4 belt entry	<u>.</u>
	the problems encountered d dilapidated ventilation o	during the examination this control devices:	
	in the bottom of the cross ide of #4 entry that is su		
	om the fire would be pulle	a fire were to occur in the ed from the belt entry into	
		See Continuation Form (MSHA Form 7000-3a)	
9. Violation A. Health B. Section Safety G of Act Other	C. Part/Section of Title 30 CFR	75.333(b)(1)	
 Gravity: A. Injury or Illness (has) (is): No Likelihood B. Injury or illness could reasonably be expected to be: No Lost With the expected to be: No Lost With the expected to be: Yes ✓ 	orkdays Lost Workdays Or Restricted Duty		_
11. Negligence (check one) A. None	B. Low C. Moderate 🖌 D.	High E. Reckless Disregard	
12. Type of Action 104(a)	13. Type of Issuance (check one) Citation	on 🗹 Order 🗌 Safeguard 🗌 Written Notice	
14. Initial Action A. Citation B. Order C. Safeguard [D. Written Notice	F. Dated Mo Da Yr	
15. Area or Equipment	45		
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. 1 Section IV-Automated System Data Section IV-Automated System Data B. 1	Fime (24 Hr. Clock		
19. Type of Inspection (activity code) E01 20. Event Nur	mber 21. Primary or	Mill	
22. Sign			
enforcement actions. The Ornbudsman annually evaluate enforcement actions of MSHA, you may call 1-888-REG- Street, SW MC 2120, Washington, DC 20416. Please	tes enforcement activities and rates each agency's responsi- FAIR (1-888-734-3247), or write the Ombudsman at Small E	Business Administration, Office of the National Ombudsman, 409 budsman is in addition to any other rights you may have, includin	
	8		



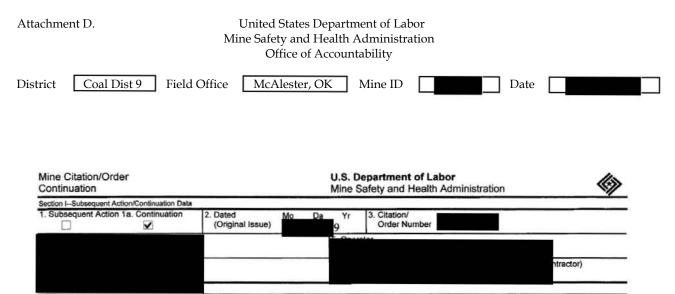
; exposing the miner(s) in the secondary escapeway to a potentially deadly condition. This citation will service as notice to the Mine Operator that stopping shall be maintained for the purpose for which they were originally built.

S.'Extended To	A. Date Mo	Da Y	B. Time (24 Hr. Clock)	C. Vacated D. Terminated E. Modified	i
Section IV-Inspec	tion Data				
9. Type of Inspe	ection E01	10.	Event Number		

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

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trict C	Coal Dist 9	Field Office	McAlester	r, OK Min	e ID		Date	
Mine Citati	ion/Order				rtment of L	abor Administration		۲
Section I-Viola				Wille Salet	y and rieald			
1. Date	Mo Do Ve	2 Time /24 Hr Clo	nek)			3. Citation/ Order Number		
				E-Ocounter				
		·						
8. Condition	or Practice	<u>.</u>					8a Written M	(Contractor) Notice (103g)
Manager and Party and Part		or failed to	o maintair	n the guard	for th	e #4 belt	and the second se	
potent: adjacer contact conveyo	ial of a s nt to the t with the or drive t ard the ab	crack. The serious hand broken guar said guard o make repa patement tir	d and arm rd and the d. The Mi airs. Due	injuries t ere is a po ine Operato to the fak	o occur otential or locke oricatic	. There is for a min d and tagg on requirem	a wal) er to c ed the ent to	way come into belt repair
						See Continuatio	n Form (MSHA	Form 7000-3a)
9. Violation	A. Health Safety V Other	B. Section of Act		C. Part/Section of Title 30 CFR		75.1722(c)	
Section II-Insp	Safety 🗸		- Colline II			75.1722(c)	
Section II-Insp 10. Gravity: A. Injury c	Safety Other ector's Evaluation	of Act No Likelihood	Unlikely 🗌	Title 30 CFR	.ikely 🖌	75.1722(c Highly Likely 📋) Occum	ed 🗌
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	ent D.	Mine Safety and He	partment of Labor ealth Administration ecountability			
trict	Coal Dist 9 Field Offi	ce McAlester, Ol	K Mine ID			
Mine C	Citation/Order		U.S. Department of La Mine Safety and Health			
Section I- 1. Date	Violation Data	r, Clock)		3. Citation/	7	
			1	Order Number	Ô	
			1			
a. cond	mon or Practice		L		(itractor)
	Mine Operator failed mirborne float coal d					
colo rock	1 conveyor belt is d or. The mine operator dust to prevent a p belt entries.	will be requir	red to cover th	e said are	ea with	encugh
2 mi	to the natural of th illion cubic feet of leve that insufficien	methane a day :	is reason enoug	h for this		
9. Violat	tion A. Health B. Section	I C. F	Part/Section of	See Continuati	ion Form (MSHA F	orm 7000-3a) 🖌
	Safety of Act		Title 30 CFR	75.402		
10. Gran A. In B. In	njury or Illness (has) (is): No Likelihood njury or illness could rea-		Reasonably Likely 🔽	Highly Likely	Occurre	f 🗌
	onably be expected to be: No Losi W Significant and Substantial: Yes		lays Or Restricted Duty	D. Number of Per		001
11. Neg	gligence (check one) A. None		oderate 🔽 D. High	E. Rec	kless Disregard	
12. Typ	be of Action 104(a)	13. Type of Issuance	-			Vritten Notice
	ial Action	D. Written Notice	E. Citation/ Order Number		F. Dated	Mo Da Yr
	a or Equipment			- 11-11-11		
1.1000.000	mination Due A. Date Mo De Yr	B. Time (24 Hr. Clock)				
The second second	III-Termination Action					
18 Ter	minated Mo Da Yr					
		Time (24 Hr. Clock				
Section I 19. Typ	A. Date B. IV-Automated System Data De of Inspection 20. Event Nu		21. Primary or Mill	- 1		
Section I 19. Typ	A. Date B. IV-Automated System Data De of Inspection trivity code) E01		21. Primary or Mill	23. AR Nun	nber	
Section I 19. Typ (act 22. Sig	A. Date B. IV-Automated System Data De of Inspection 20. Even: Nu tivity code) E01	mber e Small B	Business Regulatory Enforcement	Fairness Act of 1996,	the Small Busines	s Administration has
Section I 19. Typ (act 22. Sig MSHA I enforcem street, S	A. Date B. IV-Automated System Data De of Inspection trivity code) E01	b Small B egulatory Omouosman and 10 Re tes enforcement activities and rate FAIR (1-888-734-3247), or write to note, however, that your right to fi	Business Regulatory Enforcement egional Fairness Boards to receive se each agency's responsiveness the Ombudsman at Small Busines le a comment with the Ombudsma	Fairness Act of 1996, comments from small to small business. If y s Administration, Offici an is in addition to any	the Small Busines I businesses about ou wish to comme e of the National C	t federal agency nt on the Imbucsman, 409 3rd
Section I 19. Typ (act 22. Sig MSHA I enforcem street, S	A. Date B. IV-Automated System Data De of Inspection tivity code) E01 20. Even: Nu tivity code) E01 hed a National Smail Business and Agriculture i ment actions. The Ombudsman annually evalue ment actions of MSHA, you may call 1-888-REG SW MC 2120, Washington, DC 20416. Please	b Small B egulatory Omouosman and 10 Re tes enforcement activities and rate FAIR (1-888-734-3247), or write to note, however, that your right to fi	Business Regulatory Enforcement egional Fairness Boards to receive se each agency's responsiveness the Ombudsman at Small Busines le a comment with the Ombudsma	Fairness Act of 1996, comments from small to small business. If y s Administration, Offici an is in addition to any	the Small Busines I businesses about ou wish to comme e of the National C	t federal agency nt on the Imbucsman, 409 3rd



Continuation of 8. Condition or Practice

serious contributor to a mine fire or explosion. Please note that during this inspection it was brought to the Mine Operators attention that there was a bad top conveyor roller and also a metal to metal contact with the damaged guard for the # 4 sprocket pulley. It should also be note that there were several problems the permanent ventilation control device along the #3, and #4 belt entries.

This citation will service as notice to the Mine Operator that lack of rock dust in the conveyor entries will be viewed as aggravated conduct if it occurs again.

8. Extended To	A. Date Mo	Da Y	B. Time (24 Hr. Clock)		C. Vacated	d 🗌 D. Terminated	E. Modified
Section IV-Inspec	tion Data						
9. Type of Inspe	ection E01	10.	Event Number				
14 Cianaturo e		-	AP Number	12. Date	Mo Da Yr	13. Time (24 Hr. C	look)

		Department of Labor Jealth Administration
		Accountability
	Eald Office Madlaster (
trict Coal Dist 9	Field Office McAlester, C	DK Mine ID
Mine Citation/Order		U.S. Department of Labor
Section IViolation Data		Mine Safety and Health Administration
1. Date Mo Da Yr	2 Time (24 Hr. Clock)	3. Citation/ Order Number
4. Served To		5. Operator
		(contractor)
The Mine Operato	r failed to apply enor	8a. Written Notice (103g)
of airborne float		llowing area along the Mines conveyor
belt. The 2 conveyor be	elts are dry in sever	al areas and the mine floor is black in
color. The mine	operator will be requ	ired to cover the said area with enough
rock dust to pre- the belt entries		of a coal dust ignitions and fires along
		and the fact that the mine liberates over
		is reason enough for this Inspector to ock dust could be a serious contributor
		ote that during this inspection it was
	ine Operators attention	
9. Violation A. Health		. Part/Section of
Safety 🖌 Other	of Act	Title 30 CFR 75.402
Section II-Inspector's Evaluation 10. Gravity:		
	No Likelihood	Reasonably Likely V Highly Likely Occurred
A. Injury or Illness (has) (is):		
B. Injury or illness could reasonably be expected to be:	No Lost Workdays D Lost Wor	kdays Or Restricted Duty 📋 Permanently Disabling 🗌 Fatal 🗹
B. Injury or illness could rea-	No Lost Workdays D Lost Wor	
B. Injury or illness could reasonably be expected to be:	No Lost Workdays Lost WorkdaysLost Workdays	kdays Or Restricted Duty Dermanently Disabling Fatal 🗹
B. Injury or illness could rea- sonably be expected to be: C. Significant and Substantial	No Lost Workdays Lost WorkdaysLost Workdays	kdays Or Restricted Duty Permanently Disabling Fatal D. Number of Persons Affected: 001 Moderate D. High E. Reckless Disregard
B. Injury or illness could rea- sonably be expected to be: C. Significant and Substantial 11. Negligence (check one)	No Lost Workdays Lost Workdays Yes No A. None B. Low C.	kdays Or Restricted Duty Permanently Disabling Fatal D. Number of Persons Affected: 001 Moderate D. High E. Reckless Disregard
B. Injury or illness could rea- sonably be expected to be: C. Significant and Substantial 11. Negligence (check one) 12. Type of Action 104(a) 14. Initial Action	No Lost Workdays Lost Workdays Lost Workdays Lost Workdays A. None B. Low C.	kdays Or Restricted Duty Permanently Disabling Fatal D. Number of Persons Affected: 001 Moderate D. High E. Reckless Disregard ce (check one) Citation Order Safeguard E. Citation/ F. Dated Mo Da Yr
B. Injury or illness could rea- sonably be expected to be: C. Significant and Substantial 11. Negligence (check one) 12. Type of Action 104(a) 14. Initial Action A. Citation B. Order	No Lost Workdays Lost Workdays Lost Workdays Lost Workdays A. None B. Low C.	kdays Or Restricted Duty Permanently Disabling Fatal D. Number of Persons Affected: 001 Moderate D. High E. Reckless Disregard ce (check one) Citation Order Safeguard E. Citation/ F. Dated Mo Da Yr
B. Injury or illness could reasonably be expected to be: C. Significant and Substantial 11. Negligence (check one) 12. Type of Action 104(a) 14. Initial Action A. Citation B. Order 15. Area or Equipment	No Lost Workdays Lost Workdays Lost Workdays Lost Workdays A. None B. Low C.	kdays Or Restricted Duty Permanently Disabling Fatal D. Number of Persons Affected: 001 Moderate D. High E. Reckless Disregard ce (check one) Citation Order Safeguard Written Notice E. Citation/ F. Dated Mo Da Yr
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B. Injury or illness could rea- sonably be expected to be: C. Significant and Substantial 11. Negligence (check one) 12. Type of Action 104(a) 14. Initial Action A. Citation B. Order 1 15. Area or Equipment 16. Termination Due A. Date Section III-Termination Action 17. Action to Terminate 18. Terminated A. Date Mo Section IVAutomated System Data 19. Type of Inspection (activity code) E01 22. Signat MSHA Form 7000-3, Apr 08 (revised)	No Lost Workdays ☐ Lost Wor Yes ♥ No ☐ A. None ☐ B. Low ☐ C. 13. Type of Issuan C. Safeguard ☐ D. Written Notice ☐ Mo Da Yr Time (24 Hr. Clock Da Yr B. Time (24 Hr. Clock 20. Event Number (D In accordance with the provisions of the Small	kdays Or Restricted Duty Permanently Disabling Fatal D. Number of Persons Affected: 001 Moderate D. High E. Reckless Disregard cc (check one) Citation Order Safeguard Written Notice E. Citation/ F. Dated Mo Da Yr Order Number F. Dated Mo Da Yr 21. Primary or Mill Illusiness Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has
B. Injury or illness could rea- sonably be expected to be: C. Significant and Substantial 11. Negligence (check one) 12. Type of Action 104(a) 14. Initial Action A. Citation B. Order 1 15. Area or Equipment 16. Termination Due A. Date Section III-Termination Action 17. Action to Terminate 18. Terminated A. Date Mo Section IVAutomated System Data 19. Type of Inspection (activity code) E01 22. Signati MSHA Form 7000-3, Apr 08 (revised) established a National Small Business enforcement actions. The Ombudsman	No Lost Workdays Lost Workdays Yes No A. None B. Low A. None B. Low C. 13. Type of Issuar C. Safeguard D. Written Notice Mo Do Yr Time (24 Hr. Clock 20. Event Number In accordance with the provisions of the Sma an annually walkates enforcement activities and 10 an annually walkates enforcement activities.	kdays Or Restricted Duty Permanently Disabling Fatal I D. Number of Persons Affected: 001 Moderate D. High E. Reckless Disregard cc (check one) Citation I Order Safeguard Written Notice E. Citation/ Order Number F. Dated Mo Da Yr Order Number Isolated Mo Da Yr Isolated Isolated Isolated Isolated Image: State of the State of
B. Injury or illness could reasonably be expected to be: C. Significant and Substantial 11. Negligence (check one) 12. Type of Action 104(a) 14. Initial Action A. Citation B. Order 15. Area or Equipment 16. Termination Due A. Date Section III-Termination Action 17. Action to Terminate 18. Terminated A. Date Monopolity code) E01 22. Signati MSHA Form 7000-3, Apr 08 (revised) enforcement actional Small Business enforcement actions. The Ombudsme enforcement actions of MSHA, you mistreet, SW MC 2120, Washington, D	No Lost Workdays Lost Workdays Yes No A. None B. Low C. Safeguard D. Written Notice Mo Do Yr Mo Do Yr Time (24 Hr. Clock 20. Event Number (Da annually evaluates enforcement activities and ray call 1-868-REG-FAIR (1-868/54-3247), or writioned to an annually evaluates enforcement activities and ray call 1-868-REG-FAIR (1-868/54-3247), or writioned to an annually evaluates enforcement activities and ray call 1-868-REG-FAIR (1-868/54-3247), or writioned to an annually evaluates enforcement activities and ray call 1-868-REG-FAIR (1-868/54-3247), or writing and However, that your right to your dight	kdays Or Restricted Duty Permanently Disabling Fatal D. Number of Persons Affected: 001 Moderate D. High E. Reckless Disregard ce (check one) Citation Order Safeguard Written Notice E. Citation/ Order Safeguard Mo Da Yr Order Number F. Dated Mo Da Yr Order Number F. Dated Mo Da Yr Italian Safeguard Mo Da Yr Order Number F. Dated Mo Da Yr Italian Safeguard Mo Da Yr Order Number F. Dated Mo Da Yr Italian Safeguard Mo Da Yr Italian Safeguard Mo Da Yr Order Number F. Dated Mo Da Yr Italian Safeguard Safeguard Italian Safeguard Mo Da Yr
B. Injury or illness could reasonably be expected to be: C. Significant and Substantial 11. Negligence (check one) 12. Type of Action 104(a) 14. Initial Action A. Citation B. Order 15. Area or Equipment 16. Termination Due A. Date Section III-Termination Action 17. Action to Terminate 18. Terminated A. Date Monopolity code) E01 22. Signati MSHA Form 7000-3, Apr 08 (revised) enforcement actional Small Business enforcement actions. The Ombudsme enforcement actions of MSHA, you mistreet, SW MC 2120, Washington, D	No Lost Workdays Lost Workdays Yes No A. None B. Low C. Safeguard D. Written Notice Mo Do Yr Mo Do Yr Time (24 Hr. Clock 20. Event Number (Da annually evaluates enforcement activities and ray call 1-868-REG-FAIR (1-868/54-3247), or writioned to an annually evaluates enforcement activities and ray call 1-868-REG-FAIR (1-868/54-3247), or writioned to an annually evaluates enforcement activities and ray call 1-868-REG-FAIR (1-868/54-3247), or writioned to an annually evaluates enforcement activities and ray call 1-868-REG-FAIR (1-868/54-3247), or writing and However, that your right to your dight	kdays Or Restricted Duty Permanently Disabling Fatal D. Number of Persons Affected: 001 Moderate D. High E. Reckless Disregard cc (check one) Citation Order Safeguard Written Notice E. Citation/ Order Safeguard Mo Da Yr Order Number F. Dated Mo Da Yr 21. Primary or Mill Il Business Regulatory Enforcement Pairness Act of 1996, the Small Business Administration has Regional Fairness Boards to receive comments from small businesses about federal agency ates each agency's responsiveness to small business. If you wish to comment on the et the Ombudsman at Small Business to small business. If you wish to comment on the et the Ombudsman at Small Business to small business. If you wish to comment on the et the Ombudsman at Small Business to small business. If you wish to comment on the et the Ombudsman at Small Business to small business. If you wish to comment on the et the Ombudsman at Small Business to small business. If you wish to comment on the et the Ombudsman at Small Business to small business. If you wish to comment on the etformation to the ethologing of the Small Business Administration has Regional Fairness Boards to receive comments from small businesses about federal agency

Attachment D.			artment of Labo th Administrat			
		ffice of Acco		1011		
District Coal Dist 9	Field Office McA	Alester, OK	Mine ID		Date	
Mine Citation/Order Continuation			I.S. Department (line Safety and Ho	o f Labor ealth Administratio	n	
Section I–Subsequent Action/Con 1. Subsequent Action 1a. Co		Mo Da	Yr 3. Citation/ Order Nun	nber		
4. Served To			and a second second			
					ontractor)	
Section II-Justincation for Action						

was a bad top conveyor roller and also a metal to metal contact with the damaged guard for the # 4 sprocket pulley. It should also be note that there were several problems the permanent ventilation control device along the #3, and #4 belt entries.

This citation will service as notice to the Mine Operator that lack of rock dust in the conveyor entries will be viewed as aggravated conduct if it occurs again.

Section III-Subsequent A	ction Taken							See Continuation Form
8. Extended To A. Da	Mo	Da Yr	B. Time (24 Hr. Clock)		🗌 C. Va	acated	D. Terminated	E. Modified
Section IVInspection Da	ta				11111			
9. Type of Inspection	E01	10.	Event Number	i e e	(
11.			AR Number	12. Date	Mo Da	Yr	13. Time (24 Hr. C	lock)

Continuation of 8. Condition or Practice

Section IViolation Data				and Health A		on	
1. Date	In The OALL O	Ma alc)			3. Citation/		
4 Served To			5. Operator		Order Num	De	
8. Condition of Practice						Ro Writton	(vontractor) Notice (103g)
The Mine Operat						the pro	pagation
of airborne flo belt.	at coal dus	st in the it	bilowing a	rea alon	g the M	ines con	veyor
The 4 conveyor							
color. The mine rock dust to pr							
the belt entrie	s.						
Due to the nat over 2 million				방법이 가장하는 것은 것 같아?			
to believe that							
contributor to							6
inspection it v	as brought	to the Mine	e operator	s attent		uation Form (MSH	A Form 7000-3a)
9. Violation A. Health Safety Other	B. Section of Act		C. Part/Section of Title 30 CFR		75.4	02	
Section II-Inspector's Evaluation	1						
10. Gravity: A. Injury or Illness (has) (it	i): No Likelihood	Unfikely	Reasonably Li	kely 🔽 H	ighly Likely	Occur	red 🗌
B. Injury or illness could re	a- No Look Med		orkdays Or Restricte	21.22		Disabling	Fatal 🖌
c. Significant and Substar		No 🗌				Persons Affected	E CO1
11. Negligence (check one)	A. None		C. Moderate	D. High) EI	Reckless Disreg	
		-	ance (check one)	Citation 🖌	Order	Safeguard	Written Notice
12. Type of Action 104(a)	15. Type of issue	E. Citation/			F. Dated	Mo Da Yr
A. Citation B. Order	C. Safeguard	D. Written Notice] Order Numb	ber		r, Dated	
15. Area or Equipment							
		1					
16. Termination Due	Mo Da Yr	B. Time (24 Hr. Cloc	эк)				
16. Termination Due A. D	ate Mo Da Yr						
A. D Section III-Termination Action	ate Mo Da Yr	L					
A. D	ate Mo Da Yr						
A. D Section III-Termination Action 17. Action to Terminate	MoDa Yr						
A. D Section III-Termination Action 17. Action to Terminate 18. Terminated A. Date	Mo Da Yr B. Tin	ne (24 Hr. Clock					1
A. D Section III-Termination Action 17. Action to Terminate 18. Terminated A. Date Section IV-Automated System Di 19. Type of Inspection	Mo Da Yr B. Tin Ita 20. Event Numb		21. Prin	nary or Mill	T		
A. D Section III-Termination Action 17. Action to Terminate 18. Terminated A. Date Section IV-Automated System D	Mo Da Yr B. Tin Ita 20. Event Numb		21. Prin	nary or Mill	23. AR N		·

Attachment D.	United States Dep Mine Safety and Hea Office of Acc		
District Coal Dist 9 Field	Office McAlester, OK	Mine ID	
Mine Citation/Order Continuation		U.S. Department of Labor Mine Safety and Health Administration	
Section I–Subsequent Action/Continuation Data 1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	3. Citation/ Order Number	
			actor)

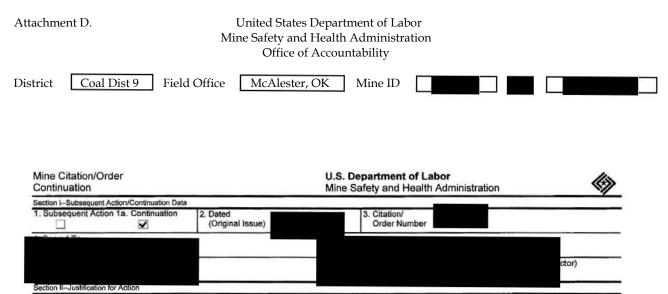
	Continuation	of 8.	Condition	or	Practice
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was a bad top conveyor roller and also a metal to metal contact with the damaged guard for the # 4 sprocket pulley. It should also be note that there were several problems the permanent ventilation control device along the #3, and #4 belt entries.

This citation will service as notice to the Mine Operator that lack of rock dust in the conveyor entries will be viewed as aggravated conduct if it occurs again.

See Continuation Form Section III--Subsequent Action Taken 8. Extended To Мо Da Y٢ A. Date B. Time (24 Hr. Clock) C. Vacated D. Terminated E. Modified Section IV-Inspection Data 9. Type of Inspection E01 10. Event Number Yr 13. Time (24 Hr. Clock) 12. Date Da M

Mine C	itation/Order				urtment of La	The second second second second second		
Section I-	Violation Data		Á	Mine Safe	ty and Health	Administrat	ion	1
1. Date	He Da Va	2. Time (2414-0	leel.)			3. Citation/ Order Num	nber	-
4. Served	d To							
		-		-				
8. Condit	tion or Practice						8a. Writte	(Contracto n Notice (103g)
cause for t	ing. There h e as a lack the lack of Inspector:	of a suffi	cient exami	nation.T	herefore	this ci	tation :	is issued
The 2	lack of rock	dust, the	problems w	ith the	ventilat:	ion cont	rol devi	ices, the
lack the r serio	of the exam metal to met bus re-look natural of t on A Health Safety	ination of al contact at the exa	the fire s points dis mination me nine and the	suppressi covered thods em	on device are worr: ployed by at the m:	es on th isome ar y the ex ine	ne exchar nd warrar Kaminers Nuation Form (MSH	nges, and nt a
lack the r seric the r 9. Violati	of the exam metal to met bus re-look hatural of t on A. Health Safety / Other -Inspector's Evaluation	ination of al contact at the exa his coal m B.Section	the fire s points dis mination me nine and the	suppressi covered thods em fact th C. Part/Section of	on device are worr: ployed by at the m:	es on th isome ar y the ex ine See Contin	ne exchar nd warrar Kaminers Nuation Form (MSH	nges, and nt a . Due to
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lack the r seric the r 9. Violati 10. Grav A. Inju 8. Inju 90 C. Sig 11. Negli 12. Type 14. Initial A. Cita 15. Area 16. Term Section III 17. Actio	of the exam metal to met bus re-look hatural of t on A. Health Safety O -Inspector's Evaluation ity: ury or Illness (has) (is): ury or Illness (has) (is): ury or Illness (has) (is): ury or Illness could rea- mably be expected to be sinficant and Substantia gence (check one) of Action 104(a) I Action tion B. Order or or Equipment -Termination Action n to Terminate	Ination of al contact at the exa his coal m B. Section of Act No Likelihood No Lost Works I: Yes A. None C. Safeguard C. Safeguard Mo Da Yr	the fire s points dis mination me ine and the Unlikely [] days [] Lost Wo No [] B. Low [] C. 13. Type of Issual D. Written Notice []	euppressi covered thods em fact th C. Part/Section of Title 30 CFR Reasonably orkdays Or Restri Moderate E. Citation/ Order Nu	Likely D. High [Citation]	es on th isome ar y the es ine See Contir 75.36 Highly Likely Permanently D. Number of I	ne exchar nd warran kaminers nuation Form (MSH 2(b) 2(b) 0 Occu / Disabling Persons Affecte Reckless Disreg Safeguard	nges, and nt a . Due to the Form 7000-3a) irred Fatel d: 001 gard Written Notice
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Continuation of 8. Condition or Practice

liberates over 2 million cubic feet of methane a day is reason enough for this Inspector to believe that lack of care given to the examination could contribute to a serious accident.

This citation will service as notice to the Mine Operator that lack of an adequate examination of the belt entries again will be viewed as aggravated conduct on part of the Mine Operator.

Section III-Subsequ	ent Action Take	1	-				See Continuation Form
8 Extended To	A. Date Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated	D. Terminated	E. Modified
Section IVInspection	Statement of the local division of the local		10 E	vent Number			
9. Type of Inspec	tion E01		10. E	vent Number			
1							ock)

Intel Cal Dist9 Field Office McAlester, OK Mine ID	achment E).	М	United State ine Safety ar Office		Administra					
Mine Safety and Health Administration 1. Date 3. Gradion 3. Date 3. Gradion 4. Served To 5. Operator 6. Condition of Practice 6. Contractor) 8. Condition of Practice 6. Contractor) 9. Volation A leasting 10. Gradie and Practice 8. Written Notice (103) 9. Volation A leasting 10. Gradie and Practice 1. Contractor) 8. Volation A leasting 10. Gradie and Practice 1. Contractor) 10. Gradie and Practice 1. Section and Tractor	trict C	Coal Dist 9	Field Office	McAleste	er, OK	Mine ID			Date		
1. Date 3. Classion 4. Served To 3. Classion 3. Condition or Practice 3. Operator 3. Operator 3. Operator 4. Highty of Miles Notes 3. Operator 5. Operator 3. Operator 6. Volation A Health 6. Volation A Health 7. Diagonal Healphones (heal (bit) 0. Part/Section of Title 30 CFR 7. S15 0. Operator 6. Operator No Lock Wondays Or Restricted Duty 7. Diagonal Healphones (heal (bit) No Lock Wondays Or Restricted Duty 6. Significant and Substantiati Yee No Ø 11. Hegigence (check one) A None B Low C Audorate 12. Typ	AND 2011 C 144010									5	
	in a second s	ion Data									
8. Condition or Practice Ba. Written Notice (1050) The power cable suppling power to the \$4 belt drive motor has pulled out of the bushing where it enters the starter box. The Mine Operator was notified of this condition over the mine phone. We discussed it. He is sending someone to repair it. 8. Violation A Health B. Section C. Part/Section of The Source of	4. Served To				5.Ope	rator	-				
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Attachment D.	United States Department Mine Safety and Health Adm Office of Accountabil	ninistration	
District Coal Dist 9 Field	d Office McAlester, OK Min	ne ID	
Mine Citation/Order		r tment of Labor ty and Health Administration	
Section I–Violation Data	e (Odde Olesia)	3. Citation/ Order Number	
	tied to maintain several s bes the problems encounter		
day and the state of	the dilapidated ventilati	ion control devices:	
allows a large volume These conditions con belt entry. The fume return at dangerous a potentially deadly	le was missing the metal of e of air to mix from the is stitute a serious problem s from the fire would be p rate; exposing the miner's condition. This citation topping shall be maintained	intake entry to the #3 if a fire were to occu pulled from the belt en s) in the secondary eso n will service as notic	belt. ar in the atry into capeway to

					See Continuation F	form (MSHA Form 7030-3a)
9. Violation	on A. Health B. Section Safety G of Act Other		C. Part/Section of Title 30 CFR	75.333(b)(3)	j	
Section II-Insp	ector's Evaluation					
10. Gravity:	1. ⁻					
A. Injury o	or lilness (has) (is):	No Likelihood	Unlikely 🗌	Reasonably Likely 🖌	Highly Likely	Occurred
	or illness could rea- y be expected to be:	No Lost Workd	lays 🗌 🛛 Lost W	/orkdays Or Restricted Duty	Permanently Disabl	ling 🔲 🛛 Fatal 🗹
C. Signific	cant and Substantial	: Yes 🗹	No 🗌		D. Number of Persons	Affected: 001
11. Negligen	ce (check one)	A. None	B. Low	C. Moderate 🗹 D. Hig	h 🗌 E. Reckler	ss Disregard 🗌
12. Type of A	Action 104(a)		13. Type of Issu	ance (check one) Citation	Order 🗌 Safegu	uard 🗌 Written Notice 🗌
14. Initial Act A. Citation	When the second s	C. Safeguard	D. Written Notice	E. Citation/ Order Number	F.	Dated Mo Da Yr
15. Area or E	Equipment					

16. Termination Due	A. Date	B. Ti	ime (24 Hr. Clock)				
Section III-Termination Ac	tion				-	in the second	
17. Action to Terminate steel cap or			s terminated	. The hole	e was :	sealed b	by placing a
18. Terminated A. Dat	e A B Y	B. Time (24)	Hr. Clock				
Section IV-Automated Sys	lem Data						
19. Type of Inspection (activity code)	E01 20. 6	Event Number		21. Primary or	Mill		
enforcement actions. The enforcement actions of MS	Ombudsman annu HA. vou mav call 1	ally evaluates enforce 888-REG-FAIR (1-88	ement activities and rates en 88-734-3247), or write the C	ch agency's responsiv mbudsman at Small B	veness to sma susiness Adm	Il business. If you inistration. Office	businesses about federal agency u wish to comment on the of the National Ombudsman. 409 other rights you may have, includin

Mine Safety and		
d Office McAlester,	OK Mine ID	
	U.S. Department of Labor Mine Safety and Health Administration	
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B. Time (24 Hr. Clock)	C Vacated D Terminate	d E. Modified
B. Time (24 Hr. Clock)	C. Vacated D. Terminate	d 🗌 E. Modified
B. Time (24 Hr. Clock)	C. Vacated D. Terminate	d 🗌 E. Modified
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strict Coal Dist 9	Field Office	McAleste	r, OK M	line ID		Date	
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Mine Citation/Order				artment of lease	Labor th Administra	tion	
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9. Violation A. Health B	. Section		C. Part/Section d	4	See Conti	nuation Form (MSH	A Form 7000-3a)
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Other	of Act				75.17	14-5	
	of Act				75.17	14-5	
Other Other Section II-Inspector's Evaluation 10. Gravity: A. Injury or Illness (has) (is): N	of Act	Unlikely 🔽			75.17 Highly Likely	14-5	rred
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Bobby	Meadows						(Contractor)
escar depti 9. Violati <u>Section II-</u> 10. Grav	peway from c h for the en ion A. Health Safety ✓ Other -Inspector's Evaluation	rosscut 23 tire width B.Section of Act	to crosscut of the road	32 rang way. Part/Section of Title 30 CFR	ing from	e primary inta two to six in See Continuation Form (MS 75.400	sHA Form 7000-3a)
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Mine Cita	ation/Order				rtment of l	abor		115
Section I-Vio						th Administratio	on	
1. Date	Sauon Data					3. Citation/ Order Numb		
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Section I-Violati	ion Data			Mine	Safety and He	ealth Administ	ration	
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4. Served To				5-04	orotor	Order	umbei	
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						See Co	ntinuation Form (MSH	IA Form 7000-3a)
9. Violation	A. Health	B. Section		C. Part/Se		-	100	
	Safety V Other	of Act		Title 30	GFR	1:	5.400	
Section II-Inspe	ctor's Evaluation							
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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									

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chaint Carl Dist 0	Tiald Office	Madlastan			-		r
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Mine Citation/Order			U.S. Depart Mine Safety			ation	
Section I-Violation Data			initia catory	und mound			
1. Date					3. Citation/ Order Nu		
4 Served 1		· · · · · · · · · · · · · · · · · · ·			- Order H	ambert	
		2					
							(Contractor)
						8a. Written	Notice (103g)
The operator fa	iled to main	tain a 4 fo	ot unobs	tructed	walkwa	y from th	e number
7 belt entry at						There were	
(3) joints of t							
door leading fi							perator
immediately det	ailed miners	working ne	arby to	remove	the pip	be.	
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					See Cor	ntinuation Form (MSH/	A Form 7000-3a)
CONTRACTOR CONTRA	B. Section of Act		Part/Section of Fitle 30 CFR				A Form 7000-3a)
Safety V Other						ntinuation Form (MSH/ (d)(4)(ii)	A Form 7000-3a)
Safety V Other Section II-Inspector's Evaluation							A Form 7000-3a)
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strict	Coal Dist 9	Field Office	McAlester,	, OK M	line ID			
Mine Citatio	n/Order			IIS Dens	artment of L	abor		
Section I-Violati						n Administratio	on	
1. Date	on Data	2.0 F				3. Citation/ Order Num	ber	
A Second To	8					Older Hum		
				-				
a. Condition of			9				8a, Written I	(Contractor) Notice (103g)
The ope	rator fai	led to main permissibl					80VAC, Se	erial
		land on top electrical			pump wa	s not in	use and	was not
						See Continu	ation Form (MSHA	Form 7003-3a)
9. Violation Section II-Inspe	A. Health Safety V Other	B. Section of Act	C	2. Part/Section of Title 30 CFR	t	75.51	2	
10. Gravity:								
B. Injury or	Illness (has) (is): illness could rea-	No Likelihood No Lost Workda	Unlikely 🖌	Reasonably	-	Highly Likely	Disabling	Fatal 🗍
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C. Significa				Moderate V	D. High		teckless Disrega	
-	e (check one)	A None	u. 2011 [_] U.	moderate (•)	2. mgn	1.4. 1 . 1.	control proroga	• L.
11. Negligence		A. None	13. Type of Issuan	ce (check one)	Citation V	Order 3	Safeguard	Written Notice
-	tion 104(a)		13. Type of Issuan	E. Citation/ Order Nur	Citation 🖌	Order 🛄 🚦	Safeguard F. Dated	Written Notice 🗍 Mo Da Yr
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strict Coal Dist 9 Field Office McAlester, OK Mine ID	
	3
Mine Citation/Order U.S. Department of Labor	>
Section I-Violation Data Mine Safety and Health Administration	_
1. Date 3. Citation/	_
Order Number	
(Contractor	r)
8. Condition of Practice 8a. Written Notice (103g)	ÉΓ
The Stancor, Model P20CE, Serial 3011A, located in the main return of the 2	240
South section was not provided with the correct capacity circuit breaker. The pump starter box contained a 10.75 amp breaker. This breaker exceed the	e
maximum allowable amperage to provide overload and short circuit protection	
for a 1.5 horsepower 480VAC electrical motor. The pump was not plugged into	
an electrical power sourse. The pump had not been used to pump water for more than a week.	
chan a week.	
See Continuation Form (MSHA Form 7000-3a)	
9. Violation A. Health 🗍 B. Section C. Part/Section of	
Safety of Act Title 30 CFR 75.518	
Section II-Inspector's Evaluation	_
10. Gravity: A. Injury or Illness (has) (is): No Likelihood Unlikely V Reasonably Likely Highly Likely Occurred	
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Section I-Viola 1. Date	Mo Da Yr	2. Time (24 Hr. C	Clock)		3	Citation/	
4 Served To				men di		Order Number	·
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8. Condition of		ale was not	nronerla	, clamped to	the real	8a. Writte of the #2 Jo	n Notice (103g)
Car on	the 2 Sou	th sectior	$r_{\rm property}$	able had pu	lled out o	of the restrai	ning clamp
and the	e clamp wa	as resting	on the in	nsulated 480	OVAC power	conductors.	The cable
leads w	were insul	lated and t	the ground	d pilot wire	e and grou	nds were conn	ected.
9. Violation	A. Health	B. Section		C. Part/Section of	1	See Continuation Form (MS	HA Form 7000-3a)
5. VIOIAU011	Safety 🖌	of Act		Title 30 CFR		75.605	
Section II-Insp	Other Other						25-3233 A
10. Gravity:							
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enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Omce of the National Ombudsman, 409 31 Street, SW MC 2120, Washington, DC 20416. Hease 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.

		1	Mine Safety a	ites Departmen and Health Adı e of Accountab	ninistratio			
strict [Coal Dist 9	Field Office	McAles	ter, OK Mi	ne ID		Date	
Mine Cita	ation/Order				rtment of L			
Section IVio	iolation Data		- 1.7 - 1.94	Mine Safet	y and Healt	h Administra	ation	
1. Date		2. Time				3. Citation/ Order No	umber	
4. Served 1	То			5 Operator				
								ctor)
The f:	ire suppre	ssion nozze	l located	over the 1	.eft tra	m motor	of the #	2 shuttle
		tected agai						
								0
								8
						See Cor	tinuation Form (MSH	A Form 7000-3a)
9. Violation		B. Section	11.	C. Part/Section of				
	Safety V Other	of Act		Title 30 CFR		/5.110	7-9(a)(1)	
Section II-In 10. Gravity	nspector's Evaluation							
	ry or Illness (has) (is)	: No Likelihood 🗌	Unlikely 🔽	Reasonably I	ikely 🗌	Highly Llkely	Occu	rred
	ry or illness could rea ably be expected to b		lays 🔄 Lost	Workdays Or Restric	ted Duty 🖌	Permanen	tly Disabling 📋	Fatal
_	nificant and Substant		No 🖌			D. Number o	f Persons Affected	^{f:} 001
11. Neglige	ence (check one)	A. None	B. Low	C. Moderate 🔽	D. High		. Reckless Disreg	ard 🗌
12. Type of			T	suance (check one)	Citation 🗸	Order	Safeguard 🗌	Written Notice
14. Initial A			1	E. Citation/			F. Dated	Mo Da Yr
A. Citatio		C. Safeguard	D. Written Notice	Order Num	ber			
15. Area or	or Equipment							
10 T		Ma Da Vi						
16. Termin	A. Da	te	B. Time (24 Hr. C	lock)				
	Termination Action							
		cap was ins	talled ov	er the noza	el to p	prevent	the entra	ance of
moist	ure, dust	or dirt.						
18. Termin	A. Date	B. Time	e (24 Hr. Clock)					
Section N/	Automated System Data							
		20. Event Numbe	r	21. Pri	mary or Mill			
19. Type or (activity								· · · ·
19. Type of	ure							
19. Type of (activity 22. Signatu MSHA Form	n 7000			Small Business Regulate				
19. Type of (activity 22. Signatu MSHA Form established a enforcement	n 7000 a National Small Busine It actions. The Ombuds	ess and Agriculture Regui man annually evaluates e may call 1-888-REG-FAIF	atory Ombudsman ar nforcement activities	d 10 Regional Fairness I and rates each agency's	Boards to receive responsiveness	e comments from to small busines	s small businesses at s. If you wish to com	out federal agency ment on the

	D.	Ν	/line Safety aı	es Departmen nd Health Adr of Accountabi	ninistration		
strict	Coal Dist 9	Field Office	McAlest	er, OK Mi	ne ID	Dat	e
Mine Citatio					tment of Labor y and Health Admi	inistration	
1. Date					3. Cit Or	ation/ der Number	
4 Served To							
							(Contractor)
metal i	n front c		e guide.	Over an ex			iges on the this would
A 17 1 7		0.0	(1)		S	ee Continuation Form (I	MSHA Form 7000-3a)
9. Violation	A. Health Safety ✔ Other	B. Section of Act		C. Part/Section of Title 30 CFR	- 0	75.606	
10. Gravity:	ctor's Evaluation						
	Illness (has) (is):		Unlikely 🗸	Reasonably L	ikely Highly	Likely 🗌 O	ccurred
	illness could rea- be expected to be		ays 🗹 🛛 Lost V	Workdays Or Restric	ed Duty 🗌 🛛 Perr	manently Disabling	Fatal
CONTRACTOR CONTRACTOR		al:	No 🖌		D. Nur	nber of Persons Affe	cted: 001
C. Significa	ant and Substantia	Yes					
-		A. None	B. Low	C. Moderate V	D. High	E. Reckless Dis	the second s
11. Negligenc	e (check one)		B. Low	C. Moderate 🔽 uance (check one)	D. High 🗍 Citation 🖌 Orde		sregard
11. Negligenc	e (check one) ction 104(a)	A. None	B. Low		Citation 🖌 Orde		Sregard
 Negligenc Type of Ac Initial Active A. Citation Area or Ec 	e (check one) ction 104(a) on B. Order quipment	A. None	B. Low	uance (check one) E. Citation/ Order Num	Citation 🖌 Orde	r Safeguard	Sregard
11. Negligenc 12. Type of Ac 14. Initial Acti A. Citation 15. Area or Ec 16. Terminatio	e (check one) ction 104(a) on B. Order quipment on Due A. Date	A. None	B. Low 13. Type of Iss	uance (check one) E. Citation/ Order Num	Citation 🖌 Orde	r Safeguard	Sregard
11. Negligenc 12. Type of Ac 14. Initial Action 14. Initial Action 15. Area or Ec 16. Terminatic Section III-Term 17. Action to 1	e (check one) ction 104(a) on B. Order quipment on Due A. Date nination Action	A. None A. None C. Safeguard C.	B. Low 13. Type of Iss D. Written Notice B. Time (24 Hr. Ck	uance (check one) E. Citation/ Order Num ock)	Citation 🖌 Orde	F. Date	sregard Written Notice nd Mo Da Yr
11. Negligeno 12. Type of Ac 14. Initial Actic A. Citation 15. Area or Ec 16. Terminatic Section III-Term 17. Action to 1 which w 18. Terminate	e (check one) ction 104(a) on B. Order quipment on Due A. Date mination Action Terminate The ras unworr d A. Date	A. None A. None C. Safeguard C I	B. Low 13. Type of Iss D. Written Notice B. Time (24 Hr. Ck	uance (check one) E. Citation/ Order Num ock)	Citation 🖌 Orde	F. Date	sregard Written Notice nd Mo Da Yr
11. Negligeno 12. Type of Ac 14. Initial Actic A. Citation 15. Area or Ec 16. Terminatic Section III-Term 17. Action to 1 which w 18. Terminate	e (check one) ction 104(a) on B. Order quipment on Due A. Date nination Action Ferminate The vas unWorr d A. Date mated System Data spection	A. None A. None C. Safeguard C I	B. Low 13. Type of Iss D. Written Notice B. Time (24 Hr. Ck able guide (24 Hr. Clock)	e was turne	Citation 🖌 Orde	F. Date	sregard Written Notice nd Mo Da Yr
11. Negligeno 12. Type of Ac 14. Initial Actic A. Citation 15. Area or Ec 16. Terminatic Section III-Term 17. Action to 1 which w 18. Terminate Section IV-Auto	e (check one) ction 104(a) on B. Order quipment an Due A. Date ination Action Ferminate The ras unWorr d A. Date spection	A. None A. None C. Safeguard C I	B. Low 13. Type of Iss D. Written Notice B. Time (24 Hr. Ck able guide (24 Hr. Clock)	e was turne	Citation 🗹 Orde	F. Date	sregard Written Notice nd Mo Da Yr
11. Negligenci 12. Type of Ac 14. Initial Activ A. Citation 15. Area or Ec 16. Terminatic Section III-Term 17. Action to T which w 18. Terminate Section IV-Auto 19. Type of In (activity of 22. Signature NSHA Form 7	e (check one) ction 104(a) on B. Order quipment an Due A. Date ination Action Ferminate The ras unWorr d A. Date spection Cfull	A. None A. Non	B. Low 13. Type of Iss D. Written Notice B. Time (24 Hr. Ck able guide (24 Hr. Clock)	uance (check one) E. Citation/ Order Num ock) was turne 21. Pri	Citation 🗹 Orde	F. Date	sregard Written Notice d Mo Da Yr

hm	ent E.		Ν	United States Depar Aine Safety and Healt Office of Acco	th Ad	minist					
ict	Coal Dist	9 Fie	ld Office	McAlester, OK	M	line ID					
	Rock Dust Sa	ample Sul	bmission	Form						Pag	e 1 of 2
	Rock Dust	Sample	Submis				th Adminis		or		
	Spot Sur	vev									
				Field Office McAlester, OK					F.O.C 0901	ode	
1			Supervis	sor Email Cle	rk Emoil	0		,	0901		
			in e			_		C.			
				2n							· · · · ·
					+ Del-t	4			04-00	2002	
10					o Point 0 feet c	outby spa	ad L167 i	n entry	#1		
	Collector's Comme	nts									
	Advancing Retreating										
	Lab	Bag	Sample	Location in Mine			Bottle No.	Bottle	Dust	Required	Compliant
	Number	Number 1A1	Type Rib	#1 Entry 0+0	Return	CH4 0.1	(If App.)	Analysis	Analysis 88.1	80.4	Yes
		1B1	Rib	#2 Entry 0+0	R	0.1			87.5	80.4	Yes
		1C1 1D1	Band Band	#3 Entry 0+0 #4 Entry 0+0	I	0.0			81.7	65 65	Yes Yes
		1E1		#5 Entry 0+0	Ĩ	0.0			63.4	65	No
		1F1	Rib/Floor	#6 Entry 0+0	I	0.0	1		78.7	65	Yes
		1A2X 1B2X	Rib Rib	Cross-Cut 2-1 0+385 feet Cross-Cut 2-3 0+385 feet	R	0.2			72.9	80.8	No No
		1C2X	Band	Cross-Cut 3-4 0+385 feet	Ĩ	0.0			90.9	65	Yes
		1D2X	Band	Cross-Cut 4-5 0+385 feet	Ι	0.0]]	87.8	65	Yes
	-	1E2X 1F2X	Rib/Floor Rib/Floor	Cross-Cut 5-6 0+385 feet Cross-Cut 6-7 0+385 feet	I	0.0	-		85.5	65 65	Yes Yes
		1A3	Rib	#1 Entry 0+420 feet	R	0.0			87.6	80.4	Yes
		1B3	Rib	#2 Entry 0+420 feet	R	0.1			83.4	80.4	Yes
	-	1C3 1D3	Band Band	#3 Entry 0+420 feet #4 Entry 0+420 feet	1	0.0			92.3 90.4	65	Yes
		1E3		#5 Entry 0+420 feet	I	0.0			70.8		
		1F3	Rib/Floor	#6 Entry 0+420 feet	I	0.0		1	68.8	65	Yes
		1A4 1B4	Rib Rib	#1 Entry 0+840 feet #2 Entry 0+840 feet	R R	0.2	s; ;;		<u>92.7</u> 76.2	80.8	Yes No
		1C4	Rib	#3 Entry 0+840 feet	R	0.2			87.9	80.8	Yes
		1D4	Band	#4 Entry 0+840 feet	I	0.0			58.6	65	
		1E4 1F4		#5 Entry 0+840 feet #6 Entry 0+840 feet	I R	0.0			66.1 87.5	65 80.4	Yes Yes
		1A5	No	#1 Entry 0+1260 feet	R	0.2					
		1B5	Sample Rib	#2 Entry 0+1260 feet	R	0.2	- 5		91.2	80.8	Yes
		105	Band	#3 Entry 0+1260 feet	K I	0.2			83.7	65	
		1D5	Band	#4 Entry 0+1260 feet	Ī	0.0	í n		85.2	65	Yes
		1E5		#5 Entry 0+1260 feet	I	0.0			67.7	65	
		1F5 1G5		#6 Entry 0+1260 feet #7 Entry 0+1260 feet	I	0.0		i i	73.4	65 65	
		1A6X	No	Entry Discontinued	R	0.0					
		1B6X	Sample	Cross Cut 2 2 0+1720 f+	P	0.2			72 4	00.0	No
		1B6X 1C6X	Rib Band	Cross-Cut 2-3 0+1720 feet Cross-Cut 3-4 0+1720 feet		0.2			73.4	80.8	
		1D6X	Band	Cross-Cut 4-5 0+1720 feet	Ι	0.0	J]		81.5	65	Yes
		1 TOY	Rib/Floor	Cross-Cut 5-6 0+1720 feet	I	0.0	î ()		83.8	65	Yes
		1E6X 1F6X		Cross-Cut 6-7 0+1720 feet		0.0		1 - 11 - 11 - 11 - 11 - 11 - 11 - 11 -	87.3	65	Yes

Attachmo	ent E.				ed States De afety and H Office of A	ealtl	h Adm	inistra						
District	Coal Dist	9	Field Offi	ce M	IcAlester, O	K	Mir	ne ID			I	Date		
	Rock Dust S	ample	e Submissio	n Form								Page	2 of 2	
		1B7	Rib	#2 Entr	y 0+2100 feet		R	0.2	1	Ĩ	82.6	80.8	Yes	
	For Laboratory Us Date Received	e Only	lab	lumbers						Date F	belien			
	Date Received										in an en		20	
	Lab Comments											SURV NO COMP		
	MSHA Form 2000	-156, Ju	n 81 (revised)											

Attachment E.United States Department of LaborMine Safety and Health Administration Office of Accountability											
District Coal Dist 9 Fi	eld Office	McAlester, OK] M	ine ID							
Rock Dust Sample St	Rock Dust Sample Submission Form						Page 1 of 1				
Rock Dust Sample Submission Form U.S. Department of Labor Mine Safety and Health Administration											
Spot Survey											
	Field Office						F. O. Code				
Inspector Email	Supervi	McAlester, OK sor Email	rk Email			Ma	0901				
		DV									
Mine ID	Mine		1	Compa	any					Ť.	
Samping Area		1/2	o Point	-							
Samping Area				Cross-(Cut #39 l	oreak					
Collector's Comments Citatic	n issued. Fa	ces were not adequately rock	c duste	to with	in 40 fee	et of the	face.				
Advancing											
Retreating											
Lab Bag Number Numbe	Sample Type	Location in Mine	Intake/ Return	Handheld CH4	(If App.)	Bottle Analysis	Dust Analysis	Required	Compliant		
1	Rib	#6 Entry 47 feet outby face		0.2			31.5	67	No		
2	Rib	#5 Face 50 feet outby face	Ι	0.2			23.9	67	No		
3	Rib	Cross-cut #39 halfway	Ι	0.2			27.3	67	No		
For Laboratory Use Only		between #2 and #3 Entry									
Date Received				Date Emailed							
Lab Comments									VEY IS ON-		
									PLIANT		

MSHA Form 2000-156, Jun 81 (revised)