**U.S. Department of Labor** 

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



JUN 3 0 2010

MEMORANDUM FOR GREGORY R. WAGNER, M.D. Deputy Assistant Secretary for Policy Mine Safety and Health

THROUGH:

PETER J. MONTALI (Diter). Montolic Acting Director of Accountability for Mine Safety and Health

FROM:

**JERRY J. KISSELL** Leter J. Montali for BILLY RANDOLPH **ARLIE A. WEBB** Accountability Specialists

SUBJECT:

MSHA Office of Accountability Audit, Coal District 10, the Madisonville, KY Field Office

## Introduction

This memorandum summarizes the Office of Accountability audit of the subject district office, field office and mine. Audit subjects included MSHA field activities, level of enforcement, Field Activity Reviews (FARs), Accompanied Activities (AAs), MSHA supervisory and managerial oversight, mine plans, Hazard complaints, PKW's, ACR review, and the conditions and practices at the mine. The audit was conducted by Accountability Specialists Arlie A. Webb, Jerry Kissell, and Acting Accountability Specialist Billy Randolph during the week of Positive findings and issues requiring

attention are included in this audit report.

## <u>Overview</u>

The district portion of the audit was conducted from through through The field office portion of the audit was conducted on and the on-site portion of the audit was conducted on and Accompanying the audit team were

The subject mine is a large, complex underground mine. Examination of on-site areas during the audit was conducted by two inspection parties. The first inspection party concentrated on preshift/onshift records, MMU-009-0 and MMU-010-0 (Unit #3 super-section), the imminent danger run, air readings in the last open cross-cut, permissibility, the 11 North Main primary

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escape (intake), the #11 North Main conveyor belt, fire suppression systems, the #11 North Main right return, and the #11 North Main header. Clean-up and rock dusting were examined on the section and other areas traveled. Lifelines in the primary and alternate escapeways were examined, along with SCSR caches and an alternative refuge chamber. Also examined were the Matrix wireless tracking and paging communications system, two way radio communications, and two separate hardwire phone systems. The inspection also included an examination of construction of the "Y" seals.

The second inspection party concentrated on preshift/onshift records and examinations, MMU 001-0 (Main East #1 Unit), imminent danger run, section ventilation, roof conditions, clean up and rock dusting, permissibility, and lifelines from the elevator to the section. The 1154 belt drive, fire suppression system, and portions of the belt conveyor system were examined. The variable frequency drive power center was housed in a crosscut lined with fire resistant concrete block-sand material. The examination also included the No. 2 belt drive and Matrix refuge chamber. Several fire taps and fire hoses, selected at random, were tested. Miners were interviewed to determine their familiarity with fire fighting procedures and the emergency evacuation plan. In addition, the bulletin board, bathhouse, and areas where miners congregate were also examined.

## **S&S Rate Comparison**

S&S Rate Comparison				
Fiscal Year	Madisonville, KY Field Office	District 10	National Average	
2008	38.9%	36.9%	34.0%	
2009	41.1%	42.6%	35.0%	
2010 (to date)	23.2%	25.2%	33.4%	

S&S rates for District 10 and the Madisonville, KY field office were above the national levels for FY 2008 and FY 2009, but have fallen below the national average at this point in FY 2010.

## **Time and Activity Comparison**

Time distribution for E01 inspections at surface facilities conducted out of the Madisonville, KY field office from FY 2008 to present is commendable, with an average of 72.27 percent of the total inspection time being spent on-site at this point in FY 2010.

	Time D	Time Distribution (Percent) – E01 Inspections at Surface F				
	Travel	Other	Total On-Site	Citations Issued On-site	Citations Issued Off-site	Total Percent
2008	11.13%	14.31%	73.07%	7.38%	1.49%	100.0%
Nat'l Avg 2008	17.06%	18.56%	64.07%	5.82%	0.30%	100.0%
2009	13.05%	9.94%	76.83%	4.98%	0.19%	100.0%
Nat'l Avg 2009	16.99%	16.93%	65.88%	5.40%	0.20%	100.0%
2010(to date)	16.47%	11.27%	72.27%	4.47%	0.00%	100.0%
Nat'l Avg 2010	17.56%	16.06%	65.98%	4.84%	0.39%	100.0%

Likewise, the time distribution for E01 inspections at surface mines averages 71.21 percent of the total inspection time being spent on-site at this point in FY 2010.

	Time	Time Distribution (Percent) – E01 Inspections at Surface Mines				
	Travel	Other	Total On-Site	Citations Issued On-site	Citations Issued Off-site	Total Percent
2008	18.51%	11.77%	69.40%	9.55%	0.33%	100.0%
Nat'l Avg 2008	18.74%	16.88%	64.00%	5.14%	0.38%	100.0%
2009	17.62%	7.46%	74.68%	7.98%	0.24%	100.0%
Nat'l Avg 2009	18.83%	14.64%	66.14%	5.01%	0.39%	100.0%
2010(to date)	17.62%	10.86%	71.21%	4.92%	0.31%	100.0%
Nat'l Avg 2010	18.90%	13.45%	67.10%	4.52%	0.55%	100.0%

Time distribution for E01 inspections at underground mines from FY 2008 to present is highly commendable, with an average of 80.94 percent of the total inspection time being spent onsite at this point in FY 2010.

	Time Dis	stribution	Percent) – E01 Inspections at Underground Mine			und Mines
	Travel	Other	Total On-Site	Citations Issued On-site	Citations Issued Off-site	Total Percent
2008	8.74%	12.96%	76.34%	7.81%	1.96%	100.0%
Nat'l Avg 2008	15.44%	18.28%	65.80%	6.30%	0.49%	100.0%
2009	8.02%	10.64%	80.76%	6.96%	0.58%	100.0%
Nat'l Avg 2009	15.43%	16.97%	67.20%	5.94%	0.40%	100.0%
2010(to date)	8.48%	10.18%	80.94%	6.18%	0.40%	100.0%
Nat'l Avg 2010	15.99%	15.43%	68.11%	5.77%	0.47%	100.0%

# Audit Results

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

- 1. The F.O. Supervisor provided documentation on Quarterly mine assignments, inspection targets and accomplishments and additional targets and goals that are reviewed with the inspection staff.
- 2. MSHA personnel conducted them selves in a professional and courteous manner to the OA and the mine operator at all times.
- 3. Complete and thorough discussions of violations and evaluations were observed.
- 4. Mine plans kept at the district office were immaculate, up to date, and easily understood.
- 5. Mine visits made by supervisors and managers far exceeded the required numbers.

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

1. A review of the two previous E01 inspection reports and accompanying citations indicate that evaluations for gravity, negligence, number of persons affected, and the

overall level of enforcement is not commensurate with the nature of the violations cited. (See Attachment C).

- 2. Reports of Field Activity Reviews and Accompanied Activities did not contain sufficient documentation to give feedback to inspection personnel for improvement.
- 3. Six 103(i) inspections (E02) were conducted on consecutive Tuesdays at the Beaver Dam field office.
- 4. Hazard Complaint inspection files did not always contain the required information and/or documentation. Citations for violations not related to the complaint allegations were cited on the same event.
- 5. Plans (specifically the ventilation and roof control plans) in the Uniform Mine File contained outdated materials and were difficult to understand.

# **Attachments**

- A. Office of Accountability Checklist with comments, recommendations, and references
- B. Citations/Orders issued during this audit

1.	75.220(a)(1)
2.	109(a) of the Mine Act
3.	75.402
4.	75.516-2(c)
5.	75.202(a)
6.	75.202(a)
7.	75.1100-2(e)
8.	75.400
9.	75.400
10.	75.360(f)
11.	75.1731(b)
12.	47.41(a)
13.	75.1100-2(f)
14.	75.333(h)
15.	75.204(c)(1)

C. Enforcement actions with questionable evaluations

United States Department of Labor Mine Safety and Health Administration Office of Accountability				
District Coal Dist 10 Field Office Madisonville, KY Mine ID Date Date				
1. Evaluate supervisory review of inspection reports and documentation for completeness.				
Adequate     Inadequate     x     Not Applicable     Comments Below				
Inspection reports appear to be complete and document that all areas of the mines were inspected. However, the narrative of numerous citations, along with the inspector's notes, do not support the evaluation of gravity, negligence, number of persons affected, or level of enforcement. (See Attachment C)				
2. Determine if supervisors address report deficiencies immediately				
Adequate Inadequate X Not Applicable Comments Below				
See Item 1 above. See Attachment C				
3. Determine if supervisors are visiting each assigned mine at least annually				
Adequate x Inadequate Not Applicable Comments Below				
4. Evaluate the quality of Field Activity Review reports (FARs)				
Adequate Inadequate x Not Applicable Comments Below				
Although all Field Activity Reviews were completed for inspectors and specialists during the period audited, there were few constructive comments included in the reviews.				
<i>Recommendation</i> : Supervisors should ensure this tool is used to document needed improvements and extraordinary performance as a means to provide feedback to inspectors and specialists.				

United States Department of Labor Mine Safety and Health Administration Office of Accountability					
District Coal Dist 10 Field Office Madisonville, KY Mine ID Date Date					
5. Determine if supervisors/managers are identifying and addressing performance or behavior based issues during and after accompanied inspections are conducted					
Adequate Inadequate Not Applicable Comments Below x					
There were no behavior or performance based issues identified during FY 2009					
·					
6. Evaluate the quality of Accompanied Inspections					
Adequate Inadequate X Not Applicable Comments Below X					
Although all Accompanied Activities were completed for inspectors and specialists during the period audited, there were few constructive comments included in the review documentation.					
<i>Recommendation</i> : Supervisors should ensure this tool is used to document needed improvements and extraordinary performance noted during accompanied activities as a means to provide feedback to inspectors and specialists.					
7. Determine if supervisors are thoroughly reviewing mine files at least annually					
Adequate X Inadequate Not Applicable Comments Below					
<ul> <li>Determine if Assistant District Manager is holding supervisor accountable for</li> <li>general mine visits, FARs, and accompanied activities</li> </ul>					
Adequate Inadequate X Not Applicable Comments Below					
See Items 4 and 6					
<ul> <li>Determine if District Manager is using Performance Management System to hold</li> <li>ADMs accountable for oversight of subordinates</li> </ul>					
Adequate x Inadequate Not Applicable Comments Below					

United States Department of Labor Mine Safety and Health Administration Office of Accountability
District Coal Dist 10 Field Office Madisonville, KY Mine ID Date Date
Determine if ADMs and DMs are visiting mines with poor compliance at least 11. monthly
Adequate x Inadequate Not Applicable Comments Below
12. Evaluate required monthly reports of supervisory and management mine visits
Adequate x Inadequate Not Applicable Comments Below
·
13. Evaluate the location, workload, and availability of specialists (roof control, ventilation, electrical, etc.) within the district
Adequate Inadequate Not Applicable Comments Below
The Enforcement Division and the Technical Division are under the supervision of a single Assistant District Manager. This position oversees four specialist supervisors and ten specialists located in the district office, as well as four field office supervisors and more than twenty inspectors in three field offices.
During FY2009 a total of 578 plans and addendums were processed by the plan approval group. At this point in FY2010, a total of 262 plans have already been processed. At the time of this audit, there were 15 large, complex underground mines (62 producing mines 9 surface mines (21 producing pits), and 18 surface facilities in this district.
Evaluate supervisory and management review of 103(i) (spot inspection) tracking14.system for compliance with time frames
Adequate Inadequate X Not Applicable Comments Below

Evaluation of 103(i) inspections revealed that two field offices had issues with back-to-back E02 inspections on the same weekday. The Beaver Dam field office conducted six E02 inspections at the same mine on consecutive Tuesdays (August 04 through September 08, 2009). The Madisonville field office conducted three E02 inspections at the same mine on

Attachment A - Audit Checklist

United States Department of Labor Mine Safety and Health Administration Office of Accountability
District Coal Dist 10 Field Office Madisonville, KY Mine ID Date Date
consecutive Wednesdays (December 02 through December 16, 2009).
Required Action – 103(i) inspections are to be made at irregular intervals. Reference – 1977 Mine Act, Section 103(i)
15. Determine if supervisors and managers are ensuring that 103(i) inspections are not combined with any other type of inspection
Adequate X Inadequate Not Applicable Comments Below

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					
See Item 1,							
See Attachment C							

<ul> <li>Determine if supervisors are monitoring inspector time and activity</li> <li>17. documentation to ensure proper use of time by inspector</li> </ul>						
Adequate Inadequate Not Applicable Comments Below						

Determine if Standard Operating Procedures (SOPs) are in place, current, and in 18. compliance with MSHA policies and procedures					
Adequate	x	Inadequate	Not Applicable	<sup>-</sup> Comments Below	

United States Department of Labor Mine Safety and Health Administration Office of Accountability					
District Coal Dist 10 Field Office Madisonville, KY Mine ID Date Date					
19. 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 citations					
Adequate Inadequate X Not Applicable Comments Below					
See Attachment C regarding evaluation of gravity, negligence, number of persons affected, and level of enforcement.					
20. Determine if supervisors are adequately evaluating the level of enforcement by visiting each producing mine					
Adequate Inadequate X Not Applicable Comments Below					
Mine visit data indicates each producing mine was visited. However, see Items 1, 19 & Attachment C regarding level of enforcement.					

21. Determine if District Manager is monitoring the ACRI program and using the Performance Management System to ensure that CLRs justify changes				
Adequate X Inadequate Not Applicable Comments Below				

22. Determine if District Manager is using discretion in granting conferences					
Adequate	x	Inadequate	Not Applicable	Comments Below	

<ul> <li>Determine if second level reviews and Peer Reviews are used to assess supervisory</li> <li>review of enforcement actions</li> </ul>				
Adequate Inadequate x Not Applicable Comments Below				
Second-level reviews are not adequately addressing supervisory issues regarding assessment of the inspector's evaluation of gravity, negligence, number of persons affected, and level of enforcement. (See Attachment C)				

United States Department of Labor Mine Safety and Health Administration Office of Accountability					
District Coal Dist 10 Field Office Madisonville, KY Mine ID Date Date					
24. Determine if appropriate actions are taken by supervisors and manager with respect to issues of misconduct and/or poor performance					
Adequate Inadequate Not Applicable Comments Below x					
There were no instances of misconduct or poor performance documented from FY 2009 to this point in FY 2010					

<ul> <li>Evaluate inspector/specialist knowledge of documentation required and process</li> <li>for completing PKW Forms.</li> </ul>				
Adequate	x	Inadequate	Not Applicable	Comments Below

Evaluate the district's process for performing Possible Knowing/Willful (PKW) 26. reviews and initiating or denying special investigations					
Adequate X Inadequate Not Applicable Comments Below					
Note: The audit revealed there is only one full-time Special Investigator in District 10. The district has selected three persons (whose primary function will remain the conducting of E01 inspections) to perform collateral Special Investigation duties. Two of these three persons have already been credentialed.					

Determine if District Manager is using Performance Management System to hold 27. the Supervisory Special Investigator accountable for properly evaluating potential cases Adequate x Inadequate Not Applicable Comments Below

<ul> <li>28. Determine if managers and supervisors are using required "standardized reports"</li> <li>28. to review critical data relevant to inspections and investigations</li> </ul>				
Adequate	x	Inadequate	Not Applicable	Comments Below
Key Indicator reports are used during staff meetings and during meetings with supervisors				

# Attachment A - Audit Checklist

United States Department of Labor Mine Safety and Health Administration Office of Accountability
District Coal Dist 10 Field Office Madisonville, KY Mine ID Date Date
on a regular basis. In addition to standard reports, the Staff Assistant provides a variety of "customized reports" for the District Manager.
29. Determine if complete and thorough inspections are being conducted and adequately documented
Adequate x Inadequate Not Applicable Comments Below
<u></u>
30. Determine if inspection notes, air samples, rock dust samples, and tracking entirety
Adequate x Inadequate Not Applicable Comments Below
31. Determine that the inspector spent sufficient time on off-shifts and on weekends
Adequate X Inadequate Not Applicable Comments Below
Note: The majority of mines in this area work 1 or 2 production shifts, 5 days per week.
<ul> <li>Determine if the SCSR inventory database has been implemented to track</li> <li>inspections of SCSRs</li> </ul>
Adequate X Inadequate Not Applicable Comments Below
33. Determine if areas deemed "too wet" for rock dust surveys are re-visited.
Adequate x Inadequate Not Applicable Comments Below

United States Department of Labor Mine Safety and Health Administration Office of Accountability				
District Coal Dist 10 Field Office Madisonville, KY Mine ID Date Date				
34.Determine if all mine record books, postings, and other required materials are examined during the inspection				
Adequate x Inadequate Not Applicable Comments Below				
Citation Issued for postings				
36. Determine if the amount of time expended on regular inspection activity and area of the mine is sufficient to accomplish inspection goals				
Adequate         x         Inadequate         Not Applicable         Comments Below				
<ul> <li>Evaluate each citation/order/safeguard for inspector's determination of gravity,</li> <li>negligence, number of persons affected, and the level of enforcement</li> </ul>				
Adequate Inadequate X Not Applicable Comments Below				
See Attachment C regarding evaluation of gravity, negligence, number of persons affected, and the level of enforcement.				
38. Accompany and evaluate inspector's imminent danger run				
Adequate x Inadequate Not Applicable Comments Below				
39. Check adequacy of preshift/onshift examinations				
Adequate x Inadequate Not Applicable Comments Below				

United States Department of Labor Mine Safety and Health Administration Office of Accountability				
District Coal Dist 10 Field Office Madisonville, KY Mine ID Date Date				
<ul> <li>Evaluate inspector's observation of roof conditions. Is a copy of the currently</li> <li>approved roof control plan maintained on the section?</li> </ul>				
Adequate x Inadequate Not Applicable Comments Below				
The inspectors evaluated the roof conditions and appropriately issued 3 citations. The inspector also carried a copy of current roof control plan with him during the inspection.				

41. Evaluate operator's work	place examinations	F
Adequate Inadequate x	] Not Applicable 🗌	Comments Below
The inspector issued citation <sup>(b) (6)</sup> (See Attachment B)	regarding workplace exam	inations.

42. Evaluate conditions on working section and observe work cycle
Adequate x Inadequate Not Applicable Comments Below x
Conditions on the working section appeared good. Portions of the work cycle observed during this audit indicated that safe work practices were being observed.

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43.	Observe	air quantity, quality	, and gas checks by inspec	tor
Adequate	x	Inadequate	Not Applicable	Comments Below

44. Dete	ermine adequacy of Eme	ergency Response Plan train	ning (interview miners)
Adequate 5	k Inadequate	Not Applicable	Comments Below
		lom indicated a good know	wledge of the ERP and the
proper actions	to be taken in the event	of an emergency.	
Attachment A -	Audit Checklist		14

United States Department of Labor Mine Safety and Health Administration Office of Accountability
District Coal Dist 10 Field Office Madisonville, KY Mine ID Date Date
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
Interviews with miners selected at random indicated a good knowledge of the roof control and ventilation plans.
46. Evaluate Self-Contained, Self-Rescuer condition, storage, signage
Adequate x Inadequate Not Applicable Comments Below
47. Determine if the mine operator has conducted SCSR donning expectation training and if the inspector has observed and evaluated the training
Adequate X Inadequate Not Applicable Comments Below
48. Examine electrical cables on several pieces of equipment
Adequate X Inadequate Not Applicable Comments Below
49. Evaluate several pieces of equipment for permissibility
Adequate X Inadequate Not Applicable Comments Below

United States Department of Labor Mine Safety and Health Administration Office of Accountability	
District Coal Dist 10 Field Office Madisonville, KY Mine ID	Date
· · · · · ·	
50. Examine lifelines, mandoors, and related signage	
Adequate X Inadequate Not Applicable	Comments Below

5 <b>1</b> .	Examine	escapeway map for	compliance with regulation	าร
Adequate	x	Inadequate	Not Applicable	Comments Below

52. Evaluate	e integrity of primary	y and alternate escapeways	
Adequate	Inadequate X	Not Applicable	Comments Below
See Attachment B- (	Citation #	······································	

53. Evaluate integrity of return side stopping line	5
Adequate Inadequate X Not Applicable Comments Below	
See Item #52	

Travel and e54.structures, at		and maintenance of section	ı conveyor belt,
Adequate 🗌 Ina	adequate x	Not Applicable	Comments Below
Citation Notice w rubbing on belt structur	0	the audit following observa	tion of conveyor belt

United States Department of Labor Mine Safety and Health Administration Office of Accountability
District Coal Dist 10 Field Office Madisonville, KY Mine ID Date Date
55. Evaluate conveyor belt isolation from other air courses
Adequate x Inadequate Not Applicable Comments Below
56. Evaluate fire valves and hoses (condition, compatibility of fittings, pressure test)
Adequate x Inadequate Not Applicable Comments Below
57. Observe and evaluate fire detection methods
Adequate x Inadequate Not Applicable Comments Below
58. Evaluate cleanup of accumulations and application of rock dust
Adequate Inadequate X Not Applicable Comments Below
Citations were issued during the audit upon observation of accumulations of combustible materials in belt conveyor entries. (See Attachment B)
59. Evaluate condition of conveyor belt drives, and fire suppression systems
Adequate x Inadequate Not Applicable Comments Below

United States Department of Labor Mine Safety and Health Administration Office of Accountability
District Coal Dist 10 Field Office Madisonville, KY Mine ID Date Date
Determine if all required record backs are a description completed and in
60. Determine 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 mine bulletin board and evaluate adequacy of all required postings
Adequate Inadequate X Not Applicable Comments Below
Citation was issued for non-compliance with required postings in an area that is
easily visible to all persons. (See Attachment B)

<ul> <li>63. Interview responsible person(s) and evaluate knowledge of emergency response,</li> <li>evacuation procedures, and fire fighting processes</li> </ul>				
Adequate	x	Inadequate	Not Applicable	Comments Below

64.	Determi and equ		address and are compatibl	e with mining conditions	
Adequate	x	Inadequate	Not Applicable	Comments Below	
	й. 1				

United States Department of Labor Mine Safety and Health Administration Office of Accountability				
District Coal Dist 10 Field Office Madisonville, KY Mine ID Date Date				
Examine and evaluate at least one set of seals, including methods for obtaining 65. samples from sealed area				
Adequate X Inadequate Not Applicable Comments Below				
The "Y" seals were being constructed at the time of the auditors mine visit. The construction lead man was able to explain the construction design and process in detail. A copy of the approved seal plan for this set of seals (Micron 120) was at the construction site.				
66. Determine if districts are conducting sufficient, in-depth Peer Reviews				
Adequate x Inadequate Not Applicable Comments Below				
Peer Reviews are in-depth. The district also maintains documentation on the monitoring of corrective actions and tracks them from origin to completion.				
67. Determine if MSHA headquarters is conducting sufficient, in-depth Peer Reviews				
Adequate     Inadequate     Not Applicable     Comments Below       x				
No headquarters-level Peer Reviews have been conducted in District 10 since August 22, 2005. Headquarters-level Peer Reviews (Accountability Reviews) were temporarily suspended following the Sago, Darby, and Aracoma accidents. After receiving recommendations from the Office of the Inspector General, the Accountability Handbook was re-written and reviews were resumed in FY 2008. The new handbook requires four Headquarters-level reviews per Fiscal Year, and District 10 is on that schedule.				

 68.
 Determine if Peer Reviews identify root causes of deficiencies, corrective actions, set time lines for corrections, and identify a method for accurately measuring the success or failure of corrective actions.

 Adequate
 x
 Inadequate
 Not Applicable
 Comments Below

 The district provided documentation on the monitoring and tracking of corrective actions.

Attachmont A \_ Audit Checklist

United States Department of Labor Mine Safety and Health Administration Office of Accountability					
District Coal Dist 10 Field Office Madisonville, KY Mine ID Date Date					
69. Determine if Peer Reviews are being used to assess supervisors and managers performance					
Adequate X Inadequate Not Applicable Comments Below					
Interviews with managers and supervisors indicated that Peer Review results are discussed with them at the completion of the review process.					
<ul> <li>Determine if Peer Reviews include a visit to the mine, and include observation of</li> <li>the producing section, conveyor belt entries, escapeways and the ERP provisions</li> </ul>					
Adequate     x     Inadequate     Not Applicable     Comments Below					
Well documented in the Peer Review reports.					
Determine if Peer Reviews accurately reflect and evaluate MSHA activities at all71.71.types of mining (underground/surface/surface facilities) within the district					
Adequate x Inadequate Not Applicable Comments Below					
Although the majority of Peer Reviews conducted from FY 2008 to present have involved an evaluation of the district's actions at underground mines, surface mines and surface facilities have also been included.					
<ul> <li>Determine if approved plans and the Uniform Mine File books are addressed</li> <li>during each Peer Review</li> </ul>					
Adequate x Inadequate Not Applicable Comments Below					
73. Evaluate the approved roof control plan after in-mine visit					
Adequate X Inadequate Not Applicable Comments Below					
The roof control plan appears adequate to address conditions and practices at the mine.					
However, Citation was issued for excessive bolt widths at 3E Belt Head; Citation					
Attachment A – Audit Checklist 20					

United States Department of Labor Mine Safety and Health Administration Office of Accountability					
District Coal Dist 10 Field Office Madisonville, KY Mine ID Date Date					
was issued for failure to post plans in an area readily accessible to miners (bulletin board); Citation was issued for an improperly installed roof support in 11 North Main; and Citations were issued for inadequately supported roof in the 1154 Belt entry and the 2 <sup>nd</sup> Main East entry respectively . (See Attachment B)					
74. Evaluate approved ventilation plan after in-mine visit					
Adequate x Inadequate Not Applicable Comments Below					
Although the ventilation plan appeared adequate for the conditions and practices in the mine, Citation was issued for failure to post plans in an area readily accessible to miners (bulletin board) as mentioned in Item 73 above. (See Attachment B)					

75. Evaluate approved training plan after discussion with miners					
Adequate	x	Inadequate	Not Applicable		Comments Below
conditions a area readily	Although interviews with miners indicated the training plan was appropriate for the conditions and type of mining, Citation was issued for failure to post plans in an area readily accessible to miners (bulletin board) as mentioned in Item 73 above. (See Attachment B)				

Evaluate the two most current completed E01 (regular) inspection reports (two quarters)				
Adequate	x	Inadequate x	Not Applicable	Comments Below

United States Department of Labor Mine Safety and Health Administration Office of Accountability				
District Coal Dist 10 Field Office Madisonville, KY Mine ID Date				
78. Ten most current completed E02 (103(i) spot) inspection reports				
Adequate x Inadequate Not Applicable Comments Below				
The reports appear complete and document thorough spot inspections. Issues regarding E02 scheduling and coverage are addressed in Item No. 14 above.				
79. Citations, orders, and safeguards issued during previous two quarters				
Adequate Inadequate X Not Applicable Comments Below				
Twelve (12) violations issued under 75.400 during FY 2010 1 <sup>st</sup> quarter at the mine were evaluated with moderate negligence and four (4) of the 12 evaluated as non-S&S violations, these appear questionable in both areas. Additionally, persons affected were evaluated as one (1) on several of these violations which also appears questionable. (See Attachment C)				
80. Determine if 104(d) tracking system is in place at the office being audited, and is being kept up to date				
Adequate x Inadequate Not Applicable Comments Below				
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				
Although the Uniform Mine Files in the field office contained the necessary plans, they were not maintained to the same standard as the files in the district office (District Manager's File). At the district level, the plans clerk replaces plan pages each time a revision, or addendum is approved. This creates a plan with no excess or obsolete pages.				
Recommendation – Plans in the Uniform Mine File books should be maintained in the same manner as the district files. Doing so will result in more concise plans that are easier to read, understand, and enforce.				

United States Department of Labor Mine Safety and Health Administration Office of Accountability				
District Coal Dist 10 Field Office Madisonville, KY Mine ID Date Date				
82. Determine if all applicable plan reviews were performed within six months, or within the timeframes required				
Adequate x Inadequate Not Applicable Comments Below				
83. Determine if plan review and approval process provides reasonable assurance that miners are protected				
Adequate x Inadequate Not Applicable Comments Below				
Betermine if approved plans are being properly implemented and continue to be84.revised/adequate as conditions in the mine change				
Adequate x Inadequate Not Applicable Comments Below				
<ul> <li>Betermine if miners are adequately trained in the provisions of any new plan prior</li> <li>to its implementation</li> </ul>				
Adequate X Inadequate Not Applicable Comments Below				
Interviews indicate miners are trained in all plan revisions prior to implementation.				
86. Determine if Standard Operating Procedures (SOPs) adequately address requirements of MSHA Program Policy Manual				
Adequate X Inadequate Not Applicable Comments Below				
Standard Operating Procedures are in place, and are being updated/revised as needed to maintain compliance with agency policies and procedures.				

United States Department of Labor Mine Safety and Health Administration Office of Accountability					
District Coal Dist 10 Field Office Madisonville, KY Mine ID Date Date					
87. Determine if district management reviewed the final version of all approved plans					
Adequate x Inadequate Not Applicable Comments Below					
· · ·					
Determine if time frames for approval/disapproval of plans were set, and are88.being met					
Adequate x Inadequate Not Applicable Comments Below					
89. Determine if the plan is tracked from date of submission through the review process					
Adequate x Inadequate Not Applicable Comments Below					
A tracking form, documenting the approval process, is attached to each plan. The tracking form contains departments, dates, and initials for each level of review.					
90. Determine if dated copy of approval/disapproval letter is in file					
Adequate x Inadequate Not Applicable Comments Below					
91. Determine if copies of the plan are distributed as per an established list					
Adequate x Inadequate Not Applicable Comments Below					

United States Department of Labor Mine Safety and Health Administration Office of Accountability				
District Coal Dist 10 Field Office Madisonville, KY Mine ID Date Date				
92. Determine if a copy of the most recent plan is provided for inclusion in the Uniform Mine File				
Adequate x Inadequate Not Applicable Comments Below	ŝ			

93. Determine if a due date for formal review of plans is identified					
Adequate	x	Inadequate	Not Applicable	Comments Below	

94.	Determi	ne if required inform	nation is submitted in the p	lan
Adequate	x	Inadequate	Not Applicable	Comments Below

.

95.		e recommendations 1 l/disapproval of pla	made to the District Manager m	proposing
Adequate	×	Inadequate	Not Applicable	Comments Below
Commen	ts from sp	ecialists, inspectors	and supervisors are docume	nted on the tracking form.

96. Determine if comments from miner's representatives are addressed
Adequate x Inadequate Not Applicable Comments Below
There were no documented cases of a miner's representative commenting on a plan, but interviews with specialists and supervisors indicate that any such comments would be documented on the tracking sheet that accompanies each plan through the review process.

United States Department of Labor Mine Safety and Health Administration Office of Accountability	
District Coal Dist 10 Field Office Madisonville, KY Mine ID	Date
98. Determine if proposed plans are evaluated for provisions regulations	contrary to standards or
Adequate x Inadequate Not Applicable	Comments Below

D	Petermine if all plan approval groups communicate to prevent conflicting
100. el	lements of plans
	-
Adequate	x   Inadequate   Not Applicable   Comments Below
Interviews in	dicate a high level of communication exists between plan approval groups such
as ventilation	n, roof control, training, health, etc.
D	etermine if technical specialists conduct on-site, in-mine reviews as necessary,
A DEPEND	rior to plan approval
Adequate	x     Inadequate     Not Applicable     Comments Below
D	etermine if input is solicited from field office inspectors/supervisors, and
102. re	commendations are addressed prior to approval
Adequate	x     Inadequate     Not Applicable     Comments Below

103.			nel from the plan approva tion from the operator wh	
Adequate	x	Inadequate	Not Applicable	Comments Below
				e e e e e e e e e e e e e e e e e e e

	United States Department of Labor Mine Safety and Health Administration Office of Accountability
District 🤇	Coal Dist 10 Field Office Madisonville, KY Mine ID Date Date
105.	Determine if the plan review process includes documentation of the entire review process
Adequate	x     Inadequate     Not Applicable     Comments Below
с <u> </u>	
107.	Determine if the overall violation history, plan compliance history, accident and injury reports were considered during plan review
Adequate	x     Inadequate     Not Applicable     Comments Below
L	
108.	Determine if projected mining relative to overlying, underlying, and adjacent workings was checked
Adequate	x Inadequate Not Applicable Comments Below
L	
109.	Determine if projected mining in relation to overlying bodies of water was checked
Adequate	x Inadequate Not Applicable Comments Below
L	
111.	Determine if plans contain required safety precautions for operating remote controlled equipment
Adequate	x     Inadequate     Not Applicable     Comments Below

	United States Department of Labor Mine Safety and Health Administration Office of Accountability
District (	Coal Dist 10 Field Office Madisonville, KY Mine ID Date Date
113.	Determine if all affected plans were compared (such as ventilation, training, roof control, etc.) to eliminate conflicts prior to approval of a plan
Adequate	x     Inadequate     Not Applicable     Comments Below
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
115.	Evaluate the effectiveness of management's support of, and communication with, inspectors and specialists
Adequate	x     Inadequate     Not Applicable     Comments Below
116.	Review documentation of staff meetings/safety meetings to determine their effectiveness and relevance to the Agency's mission and current issues
Adequate	x     Inadequate     Not Applicable     Comments Below
-	
117.	Are MSHA Forms 7000-1 accurately reviewed for proper information and potential violations, unsafe practices, or conditions?
Adequate	x     Inadequate     Not Applicable     Comments Below

United States Department of Labor Mine Safety and Health Administration Office of Accountability
District Coal Dist 10 Field Office Madisonville, KY Mine ID Date Date
118.Determine if inspectors have sufficient equipment and supplies to conduct thorough inspections.
Adequate x Inadequate Not Applicable Comments Below
119. Determine if adequate close-out conferences are being conducted at the end of each inspection.
Adequate X Inadequate Not Applicable Comments Below
120. Determine if E01 inspections at surface mines includes an observation/evaluation of blast hole drilling, loading, and blasting operations.
Adequate Inadequate Not Applicable Comments Below x
This audit did not include observation of surface mining.
121. Determine if manpower at the field office is sufficient to ensure adequate, complete inspections, investigations, and other activities.
Adequate x Inadequate Not Applicable Comments Below
122. Determine if Hazard Complaint inspections are being conducted according to policy and procedures.
Adequate Inadequate X Not Applicable Comments Below
Twelve Hazard Complaint inspection reports from FY 2009 to present were selected at random and evaluated. The following issues were identified:
<ol> <li>A notice of negative findings was not always issued to the operator following the completion of a 103(g) inspection. On occasion, a notice of negative findings was issued to the operator following an "other type" of inspection, even though this is not required. <i>Reference - Hazard Complaint Procedures Handbook (PH02-I-8), Chapter I, page 5</i></li> </ol>
Attachment A – Audit Checklist 29

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

District	Coal Dist 10	Field Office	Madisonville, KY	Mine ID			Date		
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- 2) Violations not directly related to the 103(g) complaint were cited under the complaint event, and not under a separate event as required by MSHA policy. Reference *Hazard Complaint Procedures Handbook (PH02-I-8), Chapter J, page 5.*
- 3) MSHA Form 7000-33 (Verbal Complaint Information), and Form 7000-34 (Notification of Hazardous Condition) were not always included in the appropriate file. *Reference Hazard Complaint Procedures Handbook (PH02-I-8), Chapter K, page 7*
- 4) There was no documentation to indicate that complaints found to be outside MSHA's jurisdiction were forwarded or reported to other agencies or enforcement entities for investigation. Reference Hazard Complaint Procedures Handbook (PH02-I-8), Chapter J, page 6
- 5) Investigation into allegations of advance notification of inspections should not be conducted by the district mentioned in the allegation, but should be referred to the appropriate Administrator for action. Reference *Program Policy Manual, Volume 1*
- 6) At the time of this audit, the Beaver Dam and Morganfield field offices have only one properly trained complaint processor each. The Office of Accountability recommends action to ensure that complaints can be properly processed in the event one of these persons is absent.

Action Required – Hazard Complaint inspections must be conducted according to the current handbook, policies and procedures.

			Mine Safety	tates Departi y and Health ice of Accour	Administrat			
District	Coal Dist 10	Field Offic	ce Madisonv	ille, KY M	line ID		Date	
Mine Citati	ion/Order				partment of i	abor		
						th Administrati	n	
Section I-Viola 1. Data	tion Data Mo Da Yr	2. Time (24 Hr.	Clock)	<u> </u>	· · · · · · · · · · · · · · · · · · ·	3. Citation/		
A Secret To				5. Operat	of	Order Num	190	
6 Mine				7. Mine IL				(Contractor)
8. Condition	the second se		AS NOT BEI				and the second se	Notice (103g)
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9. Violation	A. Health	B. Section of Act		C. Part/Section Title 30 CFR		See Continu 75.220(a	ation Form (MSH/	A Form 7009-3a)
						•		
Contraction of the local division of the loc	ctor's Evaluation	·····						
10. Gravity:		No Likelihood [	] Unlikely []	Reasonab	ly Likely 🔽	Highly Likely [	] Occur	ned []
10. Gravity: A. Injury or B. Injury or	ctor's Evaluation	No.1 and 18/ad		Reasonab Norkdaya Or Resi		Highly Likely [ Permanently [		vet [] Fatal []
10. Gravity: A. Injury or B. Injury or sonably	r Illness (has) (is): r illness could rea-	No Lost Wor					Xaabiing 📋	Fatel 🗋
10. Gravity: A. Injury or B. Injury or sonably	ctor's Evaluation r Illness (has) (is): r illness could rea- be expected to be ant and Substantia	No Lost Wor	kdays 🗌 Lost 1			Permanently I D. Number of Pe	Xaabiing 📋	Fatal [] 001
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## United States Department of Labor Mine Safety and Health Administration Office of Accountability

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rict	Coal Dist 10	) Field Of	fice Madisony	rille, KY Mine I			Date	
ne Cita	tion/Order			U.S. Departme Mine Safety an		istration		
tion I-Viol								
Date	No De Yr	2. Time (24. H	ir Clock)		3. Cital Orde	ion/ or Number		
Served To	ò			5. Operator				
Mine		•• <u>••••••</u> ••••••		7. Mine ID				
-	or Practice	·				Ra	(C Written Notice	Contractor)
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osted	in an ar	ea that w	as easily v	isible to all	persons d	lesiring	to read	l
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*								
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	Safety V Other	of Act	109(a)	Title 30 CFR			5	
the second value of the second	actor's Evaluation	·		Les <u></u>				
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	<u> </u>	A. None			). High	E. Reckless D		Nation [7]
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Area or Ec	quipment			0	5			
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reminated	A. Date Mo	Da Yr B. Tin	ne (24 Hr. Clock					
on IV-Autor	nated System Data							
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activity co Signature	G6) E01					R Number		
- Summer								
A Form 7000 dished a Nat	0-3, Apr 08 (revised) tonal Small Business	In accordance wi and Agriculture Regi	In the provisions of the Sm Autory Ombudaman and 1	al Business Regulatory Enforce Regional Fairness Boards to	ement Faimess Act o receive comments fro	f 1996, the Small E m small businesse	Susiness Administ a about federal ag	ration has gency
cement actic	ans. The Ombudama ons of MSHA, you ma	in annually evaluates ry call 1-888-REG-FA	enforcement activities and R (1-888-734-3247), or with	raise each agency's responsiv Is the Ombudaman at Small B	eness to small busine usiness Administratio	ise. If you wish to a n, Office of the Nat	comment on the tional Ombudama	n, 409 3rd
K, SW MC	2120, Washington, C	C 20418. Please not	e, however, that your right i	io file a comment with the Omb ideral Mine Safety and Health I	udaman is in addition	to any other rights	you may have, in	cluding

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

District Coal Dist 10	Field Office Madiso	nville, KY Mine ID	Date [
Mine Citation/Order Continuation		U.S. Department of Labor Mine Safety and Health Administration	
Section I-Subsequent Action/Contin			
1. Subsequent Action 1a. Conti	nuation 2. Dated (Original Issue)	Mo Da Yr 3. Citation/ Order Number	
4. Served To		15. Ocerator	
		7. Mine ID	(Contractor)
Secon e-restance of Actor			
Change	From	То	
11. Negligence	Moderate	Low	

Reason No history of this violation at this mine.

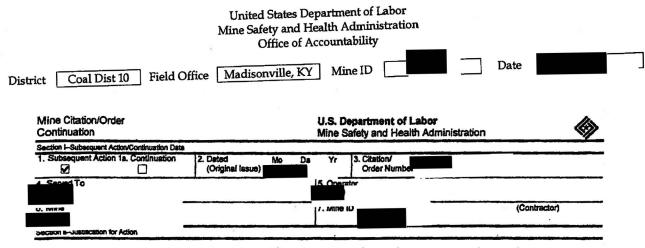
					12				See Continuation Form	1
Section III-Subsec	uent Action Take	n	2.00							
8. Extended To	A. Date Mo	Da	Yr	B. Time (24 Hr. Clock)		C. Vac	ated	D. Terminated	E. Modified	-
Section IV-Inspec	tion Data					1				-
9. Type of Inspe	ction E01		10. E	ivent Number						-
11. Signatun			<u> </u>	AR Number	12. Date	Mo Da	Yr	13. Time (24 Hr. Cl	ock)	-
			-		<u> </u>			ļ		_
MSHA Form 7000-	3a, Mar 85 (revise	d)								

Attachment R Citations Issued During Audit

	United States Department of I	Labor	
	Mine Safety and Health Admini Office of Accountability		
strict Coal Dist 10 Field	Office Madisonville, KY Mine ID	Date	
1			
Mine Citation/Order	U.S. Department	t of Labor	
Section I-Violation Data	Mine Safety and	Health Administration	W/
	(24 Hr Clock)	3. Citation/	
( Second To	5 Operator	Order Number	
	7. Mine ID	(Contra	ictor)
	n #1 unit, MMU-001-0,2nd Main	8a. Written Notice (103g	
not rock dusted to with the face that was not pose an ignition haza	thin 40 foot of the face. The dusted. This area was 11 foo	ere was an area 27 foot fro t long.This violation could t	om
			_
Violation A Health B. Section	C. Part/Section of	See Continuation Form (MSHA Form 7000-3a	
Safety 2 of Act Other	Title 30 CFR	75.402	
ection II-Inspectore Evaluation			
D. Gravity: A. Injury or Illness (has) (is): No Likelih	rood 🗌 Uniñkely 🖌 Reasonably Likely 🗍	Highly Likely Occurred	
B. Injury or illness could rea- sonably be expected to be: No Los	t Workdays 🗌 Lost Workdays Or Restricted Duty	🗹 Permanently Disabling 🗌 Fatal 💭	
C Clauffornt and Cubatastich	s 🗋 No 🖌	D. Number of Persons Affected: 004	
Negligence (check one) A. None [	B. Low [] C. Moderate 🗹 D. H	tigh E. Reckless Disregard	
. Type of Action 104(a)	13. Type of Issuance (check one) Citation	Order Safeguard Written Notic	• 🔲
I. Initial Action	E. Citation/	F. Dated Mo Da Y	'n
A. Citation B. Order C. Safegua	ard D. Written Notice Order Number	L	
A. Date Mo Da	Yr B. Time (24 Hr. Clock)	10	1
ction III-Termination Action			
	dust was applied to the affect	cted area. The dusting is	
dequate at this time.			
A Data Mo Da Yr	B. Time (24 Hr. Clock		
ction IV-Automated System Data			
7. Type of Inspection (activity code) E01 20. Event	Number 21. Primary or Mi	81	
2. Signature		23. AR Number	
abilished a National Small Business and Agricultus procement actions. The Ombuddman annually eve procement actions of MSHA, you may call 1-888-R ext, SW MC 2120, Washington, DC 20416. Plea	Ince with the provisions of the Small Business Regulatory Enforcem re Regulatory Ombudaman and IN Regional Fairness Boards to roc luctos enforcement activities and rates each agency's responsivem EG-FAR (1-888-734-3247), or write the Ombudaman at Small Busi isse note, however, that your right to file a comment with the Ombud and obtain a hearing before the Federal Mine Safety and Health Re-	elve comments from small businesses about lederal agancy ses to small business. If you wish to commerri on the ness Administration, Office of the National Ombudaman, 408 sman is in addition to any other rights you may have, includin	3rd
2 (A)			

Attachment B - Citations Issued During Audit

Miles Safety and Health Administration         Number Safety and Health Administration         In Date       Miles Dr. Yr         I. Date       Miles Dr. Yr         I. Served To       I. Operator         I. Served To       I. Operator         Number To       I. Operator         Additional Insulation was not provided for the communication line was touching the hitrory of Lage Line from #1 unit to x-cut 88 on the 2nd Main East. The hybore line was touching the hitrory of Lage Line from #1 unit to x-cut 88 on the 2nd Main East. The hybore line was touching the hitrory of Lage Line from #1 unit to x-cut 88 on the 2nd Main East. The hybore from 90544 from 700400 [         Operator Section Of Tas 30 CFR       75.516-2(c)         Constraint of Substander       Operator Section of Tas 30 CFR         Significant and Substander       No D         C. Significant and Substander       No D	Mi	United States Department of I ne Safety and Health Admini Office of Accountability	abor stration
Mine Safety and Health Administration         Mine Safety and Health Administration         In Date       Mine D         I. Served To       I. Operator         I. Served To       I. Operator         Additional Insulation was not provided for the communication line was touching the hitrorolitage calls in several locations. This could on sever an electrical shock hazard to miners.         Violation       A Meath         I. Section       C. PartSection of Tas 30 CFR         Set Outget Interview       Research Statute         Oceaned       Interview         Set Outget Interview       Research Statute         Oceaned       Interview         Set Outget Interview       Research Statute         Oceaned       Interview         Set Outget Interview       No D         Set Outget Interview       No D         Set Outget Interview       No D         Set Outget Interview       Research Statute         Outget Interview       Research Statute         Set Outget Interview       No D         Set Outget Interview <t< th=""><th>ict Coal Dist 10 Field Office M</th><th>ladisonville, KY Mine ID</th><th>Date</th></t<>	ict Coal Dist 10 Field Office M	ladisonville, KY Mine ID	Date
I: Det       Mo De Y       2 Time (24 Hc Gladd)          Source Number          4. Served To           S. Operator           Source Number          A. Monta           A difficient           Source Number           Source Number          A. Monta           A difficient           A difficient           Source Number           Source Number          A. Monta           A difficient           A difficient           Source Number           Source Number          Monta           A difficient           B. Social           C. Part/Social           Source Number           Source          Monta           B. Social           C. Part/Social           Tops           Source           Counted          Monta           B. Social           C. Part/Social           Tops         Social        <	Mine Citation/Order		
A. Servet To       I. Operative         S. Addition       I. Man D         Redition       Contraction         Redition or VPECCES       See Written Notes (UEB)         It passed over or under a power conductor. The phone line was hanging with the energized hi voltage line from #1 unit to x-cut 88 on the 2nd Main East. The phone line was hanging with the energized hi voltage cable in several locations. This could posse an electrical shock hazard to miners.         Violation       A Headh.       Section         Orange Contraction Form MSNM Form 780-340       Section of 75.516-2(c)         action Hamsetric Formation       Occurred (Interpret Notes)       Pathogenetic (Interpret Notes)         A highly or linese (Nat) (Interpret Notes)       Unlikely (Interpret Notes)       Pathogenetic (Interpret Notes)         A highly or linese (Nat) (Interpret Notes)       Unlikely (Interpret Notes)       Pathogenetic (Interpret Notes)         A highly or linese (Nat) (Interpret Notes)       Unlikely (Interpret Notes)       Pathogenetic (Interpret Notes)       Pathogenetic (Interpret Notes)         A highly or linese (Nat) (Interpret Notes)       Unlikely (Interpret Notes)       Pathogenetic (Interpret Notes)       Pathogenetic (Interpret Notes)         A highly or linese (Nat) (Interpret Notes)       Intergret Notes (Interpret Notes)       Pathogenetic (Interpret Notes)       Pathogenetic (Interpret Notes)         C. Significant end Substantiat       Yes (Interp		<u> </u>	
A Health       Contractor         Additional insulation was not provided for the communication line where it passed over or under a power conductor. The phone line was hanging with the energized hi voltage line from #1 unit to x-cut 88 on the 2nd Main East. The phone line was touching the hi-voltage cable in several locations. This could pose an electrical shock hazard to miners.         Violation       A Health       B. Section       C. PartSection of Time 30 CFR       To5516-2(c)         Order       Order       Order       Order       Order         B hipty of lines could ne- sonably be sepacted to be: No Lost Worklays C Restorably Likely       Highly Likely       Occurred         C. Significant and Substantiat       Yes No G       D. Number of Persona Afflected 001       Older         A restore       B. Order       Safety G       D. Number of Persona Afflected       001         No G       C. Safety C       Safety G       D. Number of Persona Afflected       001         No G       D. Number of Persona Afflected       001       Insign of the Action of Trans afflected       01         No G       D. Writen Notice       E Chatton       F. Dated       Mo Da Yr         A remninetion Dua       A Date       B. Time (24 Hr. Clock)       Internet Advector 100, 100, 100, 100, 100, 100, 100, 100	4. Served To	5. Operator	
Base Written Notice       Base Written Notice (1059)         Additional insulation was not provided for the communication line where         it passed over or under a power conductor. The phone line was hanging with the energized hi voltage line from #1 unit to x-cut 88 on the 2nd Main East. The phone line was touching the hi-voltage cable in several locations. This could pose an electrical shock hazard to miners.         Violation       A Meath       B. Section         . Violation       A Meath       B. Section         . Violation       A Meath       B. Section         . Staty       C. PartSection of Tab 30 CPR       75.516-2(c)         . Staty       C. PartSection of Tab 30 CPR       75.516-2(c)         . Staty of Bess (has) (b): No LBaikhood       Unlikely gr Ressonably Likely       Highly Likely       Occurred         . Significant and Substantiat       Yes       No [gr       O. Number of Persons Afficad: 001         . No for       Is. Low       C. Moderato [gr. United Y Order]       Safeguard       Written Notice         . Type of Action 104(a)       13. Type of Issuance (dreck one)       O. High       E. Recides Diarrogad         . A classion       B. Order       C. Safeguard       D. Written Notice       Crister Number         . Action to Terminate       A. Date       Mo Da Yr       B. Time (24 Hr. Clock)       If. Terminated Actor       F. Dated	s, Mine	7. Mine 1D	
it passed over or under a power conductor. The phone line was hanging with the energized hi voltage line from #1 unit to x-cut 88 on the 2nd Main East. The phone line was touching the hi-voltage cable in several locations. This could pose an electrical shock hazard to miners.         i. Violation       A.Heath       B.Sector       See Continuation Form #45WA form 7000.5a)         i. Violation       A.Heath       B.Sector       See Continuation Form #45WA form 7000.5a)         i. Violation       A.Heath       B.Sector       See Continuation Form #45WA form 7000.5a)         i. Violation       A.Heath       B.Sector       Title 30 GFR         offer       Table 2000       Grady       A. Heath         See Continuation Form #45WA form 7000.5a)       Mode       Grady         A. Injury or linesa (rush (ds):       No Linesibood       Unlikely @ Researchey Likely       Highly Linely       Cocurned         B. Injury or linesa could may fait.       Yes       No Eo       D. Workdays Or Researchey Disabiling       Faid         C. Significant and Substantiate Yes       No Eo       Low @ C. Moderate Ø D. Heap on ARhebet 001       On the Yes         C. Significant and Substantiate Action       B. Low @ C. Moderate Ø D. Heap @ Checker Ø Persons ARhebet 001       On the Yes         C. Significant and Substantiate Yes       No Eo       E. Checker Ø Order Ø Settom Ø Workdays       E. Recheckes Disrugged	ويستعد والمحادث والمحادث والمحاد المحاد والمحاد والمحاد والمحاد والمحاد والمحاد والمحاد والمحاد والمحاد والمحاد		8a. Written Notice (103g)
Violation       A. Heating       B. Sacial of Act       C. Part/Section of Table 30 CFR       75.516-2(c)         Other       Or Act       Table 30 CFR       75.516-2(c)         Or Act       Or Act       Table 30 CFR       75.516-2(c)         Or Act       Or Act       Table 30 CFR       75.516-2(c)         Or Act       Or Act       Or Act       Table 30 CFR       75.516-2(c)         Or Act       Or Act       Unlikely       Ressonably Likely       Highly Likely       Occurred         B. Injury or Illness could me- sonably be expected to be       No Lost Workdays Or Restricted Duty Ø       Permanently Disabiling       Fatal         C. Significant and Substantiat:       Yes       No Ø       O. Number of Persons Affected:       001         I. Negligence (check one)       A None       B. Low       C. Moderate       O. High       E. Reckless Disregard         C. Type of Action       104(a)       13. Type of Issuence (check one)       Order       Safeguard       Written Notice         J. Initial Action       B. Order       C. Safeguard       D. Written Notice       E. Chatton/       F. Dated       Mo Da       Yr         A. ctation       B. Order       B. Time (24 Hr. Clock       Internation       Intererninated       A Date       Mo Da       <	energized hi voltage line fro phone line was touching the h	om #1 unit to x-cut 88 ni-voltage cable in se	on the 2nd Main East. The
I. Violation       A. Heating       B. Section       C. Part/Section of       75.516-2(c)         ection B-hapedoxit Evaluation       O. Careky:       Reasonably Likely       Highly Likely       Occurred         B. Injury or Illesse (nas) (b):       No Likelihood       Unlikely       Reasonably Likely       Highly Likely       Occurred         B. Injury or Illesse acut masses       C. Stignificant and Substantiat       Yes       No Lost Workdays Or Restricted Duty       Permanently Disabiling       Fatal         C. Significant and Substantiat       Yes       No Io       A. None       B. Low       C. Moderate       D. Number of Persons Affected:       001         1. Negligence (check one)       A. None       B. Low       C. Moderate       Order       Safeguard       Written Notice         2. Type of Action       104(a)       13. Type of Issuence (check one)       Order       Safeguard       Written Notice         3. Area or Equipment       B. Croir       C. Safeguard       D. Written Notice       Order Number         4. Terminated       A. Date       Mo Da       Yr       B. Time (24 Hr. Clock       Interpretion         citon II-Terminated       A. Date       Mo Da       Yr       B. Time (24 Hr. Clock       Interpretion         citon II-Terminated       A. Date       M			
I. Violation       A. Heating       B. Section       C. Part/Section of       75.516-2(c)         ection B-hapedoxit Evaluation       O. Careky:       Reasonably Likely       Highly Likely       Occurred         B. Injury or Illesse (nas) (b):       No Likelihood       Unlikely       Reasonably Likely       Highly Likely       Occurred         B. Injury or Illesse acut masses       C. Stignificant and Substantiat       Yes       No Lost Workdays Or Restricted Duty       Permanently Disabiling       Fatal         C. Significant and Substantiat       Yes       No Io       A. None       B. Low       C. Moderate       D. Number of Persons Affected:       001         1. Negligence (check one)       A. None       B. Low       C. Moderate       Order       Safeguard       Written Notice         2. Type of Action       104(a)       13. Type of Issuence (check one)       Order       Safeguard       Written Notice         3. Area or Equipment       B. Croir       C. Safeguard       D. Written Notice       Order Number         4. Terminated       A. Date       Mo Da       Yr       B. Time (24 Hr. Clock       Interpretion         citon II-Terminated       A. Date       Mo Da       Yr       B. Time (24 Hr. Clock       Interpretion         citon II-Terminated       A. Date       M		а.,	
Safety S       of Act       Title 30 CFR       75.516-2(c)         ection II-respector Evaluation       A. Indury or Illness (has) (b): No Likelihood   Unlikely Ressonably Likely   Highly Likely   Occurred           B. Injury or Illness (has) (b): No Likelihood   Unlikely Ressonably Likely   Highly Likely   Occurred         B.         B. Injury or Illness (has) (b): No Likelihood   Unlikely Ressonably Likely   Highly Likely   Occurred         B.         C. Significant and Substantiat       Yes   No R       No R         J. Negligence (cleakt one)       A None   B. Low   C. Moderate R       D. Highl   E. Reckless Disregard           I. Negligence (cleakt one)       A None   B. Low   C. Moderate R       D. Highl   E. Reckless Disregard           Z. Type of Action 104(a)       13. Type of Issuance (check one)       Order   Safeguard   Written Notice           Z. Type of Action   B. Order   C. Safeguard   D. Written Notice         E Chatlon /       F. Daied       Mo Da Yr         A. Classion   B. Order   C. Safeguard   D. Written Notice         Item (24 Hr. Clock)	•		See Continuation Form (MSHA Form 7000-3a)
action II-Inspector Evolution         0. Gravity:         A. Injury or Illness (has) (b):       No Lost Workdays         Lost Workdays Or Restricted Dudy Permanently Disabiling         Fatal           B. Injury or Illness could research to be:       No Lost Workdays         Lost Workdays Or Restricted Dudy Permanently Disabiling         Fatal           C. Significant and Substantiat       Yes         No Ø       D. Number of Persons Affected:       001         1. Negligence (cleack one)       A None         B. Low         C. Moderate Ø       D. High         E. Reckless Disregard           2. Type of Action         D(4(a)       13. Type of Issuance (check one)       Order         Safeguard         Written Notice           4. Initial Action       A. Catelon         B. Order         C. Safeguard         D. Written Notice         F. Dated       Mo Da Yr         5. Areas or Equipment       A. Date       Mo Da Yr       B. Time (24 Hr. Clock)	Safety 🖌 of Act		75.516-2(c)
A. Injury or libress (has) (b):       No Likelihood       Unlikely       Ressonably Likely       Highly Likely       Occurred         B. Injury or libress could nea- sonably be expected to be:       No Lost Workdays       Lost Workdays Or Restricted Duty       Parmanently Disabiling       Fatal         C. Significant and Substantiat:       Yes       No Ø       D. Number of Persons Affected:       001         1. Negligence (check one)       A. None       B. Low       C. Moderata       D. High       E. Reckless Disregand         2. Type of Action       104(a)       13. Type of Issuance (check one)       Order       Safeguard       Written Notice         4. Initial Action       B. Order       C. Safeguard       D. Written Notice       E. Chation/ Order Number       F. Dated       Mo Da Yr         5. Area or Equipment       B. Time (24 Hr. Clock)       Image Safe Safe Safe Safe Safe Safe Safe Saf	Other		
2. Type of Action 104(a)  13. Type of Issuance (check ane) Citation Order Safeguard Written Notice  4. Initial Action  A. Clariton B. Order C. Safeguard D. Written Notice C. Citation/  A. Clariton Due  A. Date  Mo Da  Yr  B. Time (24 Hr. Clock)  Cition III-Terminated  A. Date  Mo Da  Yr  B. Time (24 Hr. Clock)  Cition IV-Automated System Data  Type of Inspection E01  20. Event Number  21. Primary or Mill  23. AR Number  Xreament addions of MGNA, you may call 1-488-REG-RAIR (1-488-74-24-7), or write the Ombudenses to small Business addministration, Office of the Station I feases and Administration, Office of the Station I feases and Administration, Office of the Station I feases and Administration, Office of the Station I feases and Administration for the Station of Stations of MGNA, you may call 1-488-REG-RAIR (1-488-742-547), or write the Ombudenses to small Business addministration, Office of the Station I feases and Administration, Office of the Stational Conductane, 409 3rd  recement addions of MGNA, you may call 1-488-REG-RAIR (1-488-742-547), or write the Ombudenses if Stations to the frage agency recement addions of MGNA, you may call 1-488-REG-RAIR (1-488-742-547), or write the Ombudenses if Stations to the frage agency recement addions of MGNA, you may call 1-488-REG-RAIR (1-488-742-547), or write the Ombudense if Stations to the frage agency recement addions of MGNA, you may call 1-488-REG-RAIR (1-488-742-547), or write the Ombudense if Statem stations to recement addions of MGNA, you may call 1-488-REG-RAIR (1-488-742-547), or write the Ombudense if Statem stations to receive and you may call 1-488-REG-RAIR (1-488-742-547), or write the Ombudense if Statem stations to receive and you with the ombudense if the Statema station and you have, in the owned with the Ombudense if the Statema station addion to any other frage you may call 1-488-REG-RAIR (1-488-742-74), or write the Ombudense if the Statema station to any other frage you may call 1-	c. Significant and Substantial: Yes [] No [		D. Number of Persons Affected: 001
A. Citarion       B. Order       C. Sarfeguard       D. Written Notice       Order Number         3. Area or Equipment       S. Area or Equipment       B. Termination Due       A. Data       Mo Da       Yr       B. Terme (24 Hr. Clock)         cition III-Terminateion Action       Mo Da       Yr       B. Terme (24 Hr. Clock)       Image: Clock State Stat			
			F. Dated Mo Da Yr
A. Data       B. Time (24 Hr. Clock)         cction III-Termination Action         . Actian to Terminate         A. Data       Mo Da         Yr       B. Time (24 Hr. Clock)         . Terminated       A. Data         Mo Da       Yr         B. Time (24 Hr. Clock)         . Terminated       A. Data         Mo Da       Yr         B. Time (24 Hr. Clock)         cction IV-Automated System Data         . Type of Inspection (activity code)       E01         20. Event Number       21. Primary or Mili         . Signature       23. AR Number         . HA Form 7000-3, Apr 08 (revised)       In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has sublished a National Small Business and Agriculture Regulatory Ombudaman and 10 Regional Fairness Boards to raceive comments from small businesses about federal agency provement actions. The Ombudaman ananally evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the provisional Small Business and Agriculture Regulatory Ombudaman and 10 Regional Fairness Boards to raceive comments from small business. How over, that your right to fibre a comment with the Ombudaman at Small Business. If you wish to comment on the provisional Class - Table Prime Pairs and to the sectional on the National Ombudaman, 400 3rd yer, two you may heave, individue of the Strate your right to fibre a comment with the Ombudaman at addifton to any other righ	. Area or Equipment	······································	i
Action to Terminate         Action to Terminate         I. Terminated       A. Date       Mo Da       Yr       B. Time (24 Hr. Clock         ction IV-Automated System Data       . Type of Inspection (activity code)       E01       20. Event Number       21. Primary or Mill         . Signature		e (24 Hr. Clock)	
A. Date       B. Time (24 Hr. Clock         ction IV-Automated System Data         Type of Inspection (activity code)       E01         Signature       21. Primary or Milit         HA Form 7000-3, Apr 08 (revised)       In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has ablished a National Small Business and Apriculture Regulatory Ombudaman and 10 Regional Fairness Boards to raceive comments from small businesses about federal agency proement actions. The Ombudaman anually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the proement actions of MSHA, you may call 1-888-REG-FAIR (1-888-74-3247), or write the Ombudaman at Small Business. Administration, Office of the National Ombudaman, 409 3rd proement actions of MSHA, you may call 1-888-REG-FAIR (1-888-74-3247), or write the Combudaman at Small Business. Administration, Office of the National Ombudaman, 409 3rd proement actions of MSHA, you may call 1-888-REG-FAIR (1-888-74-3247), or write the Combudaman at Small Business. Administration, Office of the National Ombudsman, 409 3rd proement actions of MSHA, you may call 1-888-REG-FAIR (1-888-74-3247), or write the Combudaman at Small Business.	A Date B. Ter		
Type of Inspection (activity code) E01     20. Event Number     21. Primary or Mill     23. AR Number     24. Form 7000-5, Apr 08 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has     bisted a National Small Business and Apriculture Regulatory Ombudsman and 10 Regional Fairness Boards to raceive comments from small businesses about federal agency     proement actions. The Ombudsman analaty evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the     xrcement 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     yet, SW MAC 2120, Washington, DC 20416. Presse note, however, that your right to fite a comment with the Ombudsman addition to any other rights you may have, including	ction II-Termination Action		×
Signature     23. AR Number     24. Form 7000-3, Apr 08 (revised)     In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1998, the Small Business Administration has     ablished a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to noceive comments from small businesses about federal agency     proament actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the     proceeding 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     proceeding of MSHA, you may call 1-888-REG-FAIR (1-688-734-3247), or write the Combudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd     proceeding of MSHA, you may call 1-888-REG-FAIR (1-688-734-3247), or write the Combudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd     proceeding of MSHA, you may call 1-888-REG-FAIR (1-688-734-3247), or write the Combudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd     proceeding of MSHA, you may have, including	A Date E. Tem cition II-Termination Action . Action to Terminate	. Clock	
ablished a National Small Business and Agriculture Regulatory Ombudaman and 10 Regional Falmess Boards to raceive comments from small businesses about federal agency proement actions. The Ombudaman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the proement actions of MSHA, you may call 1-886-REG-FAIR (1-886-734-3247), or write the Ombudaman at Small Business Administration, Office of the National Ombudaman, 409 3rd etc., SW MC 2120, Washington, OC 20416. Please note, however, that your right to file a comment with the Ombudaman is in addition to any other rights you may have, including	A Date La Date		· · · · · · · · · · · · · · · · · · ·
	A. Date     B. Time (24 Hr.       Cition IV-Automated System Data     Type of inspection (activity code)		
*	A. Date     B. Time       ction II-Terminated     A. Date       Mo Da     Yr       B. Time (24 Hr.       ction IV-Automated System Data       Type of Inspection (activity code)       E01       Signature       HA Form 7000-3, Apr 08 (revised)       In accordance with the provibilished a National Snall Susiness and Agriculture Regulatory Om- progement actions of MSHA, you may call 1-888-REG-FAIR (1-888- ref, SW MC 2120, Washington, DC 20418, Please note, however	21. Primary or MB 21. Primary or MB 21. Primary or MB 2019 State of the Small Business Regulatory Embrocem budaman and 10 Regional Falmess Boards to race and activities and rates each agency's responsivens 734-3247), or while the Ombudaman at Small Busin 734 3247 right to file a comment with the Ombuda	23. AR Number ant Fairness Act of 1996, the Small Business Administration has the comments from small businesses about federal agency as to small business. If you wish to comment on the ease Administration, Office of the National Ombudsman, 409 3rd man is in addition to any other rights your may have, including
	A. Date     B. Time       ction II-Terminated     A. Date       Mo Da     Yr       B. Time (24 Hr.       ction IV-Automated System Data       Type of Inspection (activity code)       E01       Signature       HA Form 7000-3, Apr 08 (revised)       In accordance with the provibilished a National Snall Susiness and Agriculture Regulatory Om- progement actions of MSHA, you may call 1-888-REG-FAIR (1-888- ref, SW MC 2120, Washington, DC 20418, Please note, however	21. Primary or MB 21. Primary or MB 21. Primary or MB 2019 State of the Small Business Regulatory Embrocem budaman and 10 Regional Falmess Boards to race and activities and rates each agency's responsivens 734-3247), or while the Ombudaman at Small Busin 734 3247 right to file a comment with the Ombuda	23. AR Number ant Fairness Act of 1996, the Small Business Administration has the comments from small businesses about federal agency as to small business. If you wish to comment on the ease Administration, Office of the National Ombudsman, 409 3rd man is in addition to any other rights your may have, including



The communication line for the #1 unit was moved to the opposite side of the hi-voltage line from the unit to x-cut 88 and is adequately insulated at this time.

Section III-Subsequent Action Taken       3. Extended To A. Data     Mo Da     Yr     B. Time (24 Hr. Clock)     C. Vacated     D. Terminated     E. Modified       Section IV-Inspection Data       1. Signature     IO. Event Number       1. Signature       I. Signature       I. Signature       I. Signature       I. Signature       I. Signature       I. Signature							See Continuation Form	_
Section M-Inspection Data           1. Type of Inspection E01         10. Event Number           1. Signature         AR Number         12. Date         Mo         Da         Yr         13. Time (24. Hr. Clock)           1.SHA Form 7000-3e, Mar 85 (revised)         Instantion         Instantion         Instantion         Instantion	Section III-Subsequent Action Taken							
2. Type of Inspection     E01     10. Event Number       1. Signature     Inspection     Inspection	5. Extended To A. Data Mo Da	Yr	B. Time (24 Hr. Clock)	·	C. Vacated	D. Terminated	E. Modified	
1. Signature     AR Number     12. Date     Mo     Da     Yr     13. Time (24. Hr. Clock)       1.SHA Form 7000-3e, Mar 85 (revised)	Section M-Inspection Data						ونصبة فستبت ويتعقب سالية فك	-
ISHA Form 7000-3e, Mar 85 (revised)	3. Type of inspection E01	10. E	vent Number					
	1. Signature	- <b>-</b>	AR Number	12. Date	Mo Da Yr	13. Time (24 Hr. C	ock)	
	ISHA Form 7000-3a, Mar 85 (revised)							
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Mine Safety	ates Department of Labor and Health Administration ce of Accountability	
District Coal Dist 10 Field Office Madisonvil	Ille, KY Mine ID Date	-
Mine Citation/Order	U.S. Department of Labor Mine Safety and Health Administration	
Section I-Violation Data 1. Date Mo De Yr 2. Time (24 Hr. Clock)	3. Citation/ Order Number	
4. Served To	15 Operator	
6. Mine o. control of Practice	7. Mine ID (Contractor) 8a. Written Notice (103g)	
	ine just inby x-cut 54 was not adequately	

supported or otherwise controlled to protect persons from hazards related to falls of the roof, face, or ribs and coal or rock bursts. There was a gap in the rib and it was pulled with very little effort. The size of the rib was 3.5 by 3.5 ft. and ranged from 1 to 6 inches thick. This belt is examined twice daily. This poses a crushing hazard to miners.

This standard was cited 22 times in two years at this mine.

						See Con	inuation Form (MSI	HA Form 7000-3e)
9. Violation	A. Health Safety // Other	B. Section of Act		C. Part/Section of Title 30 CFR		75.20	)2(a)	
Section #-Inspe	ctor's Evaluation							
10. Gravity:							_	
A. Injury o	r lliness (has) (is):	No Likelihood	Unlikely	Reasonably	likely 🖌	Highly Likely	0000	med []
	illness could rea- be expected to be	No Lost Workda	ys 🗌 Lost V	Vorkdays Or Restric	ted Duty 🖌	Permanent	y Disabling	Fatal
C. Significa	ant and Substantia	l: Yes 🗹	No 📋			D. Number of	Persons Affacts	# 001
11. Negligenc	e (check one)	A. None	B. Low	C. Moderate	D. High (	<u> </u>	Reckless Disreg	ard []
12. Type of A	zion 104(a)		13. Type of Issu	ance (check one)	Citation 🖌	Order 🗌	Safeguard 🗌	Written Notice
14. Initial Actin A. Citation	the second se	C. Safeguard 📋 D	Written Notice	E. Citation/ Order Num	ber		F. Dated	Mo Da Yr
15. Area or Ec	uioment	1 (H)2		······································				
16. Termination	A. Date	Mo Da Yr	. Time (24 Hr. Clo	ck)				
17. Action to T	ومنها المرجعة فبالمرجع ومحادثه ويستهما المر	The lease	mih una	pulled and	+ +		ma asfe	at this
time.		THE TOOSE	IID Was	pulled and	cije are	a appe	113 3016	at this
18. Terminater	A. Date	B. Time (	24 Hr. Clock					
Section N-Auto	nated System Data							
19. Type of Ins (activity co		20. Event Number		21. Prin	nary or Mill			
22. Signature		· · · · · · · · · · · ·				23. AR M	lumber	
stabilished a Na nforcement action forcement action treat, SW MC	ons. The Ombudamai ons of MSHA, you ma 2120. Washington, Di	In accordance with th and Agriculture Regulato n annually evaluates anto y call 1-888-REG-FAR ( 2 20416, Please note, ho used penalties and obtain a	ry Ombudaman and 1 reament activities and -888-734-3247), or w wever, that your right	I rates each agency's re rite the Ombudsman at to file a comment with	series to receive or sponsiveness to Small Business A the Ombudeman i	omments from si small business. dministration, O s in addition to a	mail businesses abo If you wish to comm flice of the National	ut federal agency ant on the Ombudaman, 409 Srd

	Mine Safety and	Department of Labor Health Administration Accountability		•
rict Coal Dist 10	Field Office Madisonville, 1		Date	
		U.S. Department of La Mine Safety and Health		
Section I-Violation Data 1. Date Mo Da Yr	2. Time (24 Hr. Clock)		3. Citation/ Order Number	
4. Served TC		5. Operator		
		7. Mine ID		(Contractor)
				an Notice (103g)

62,#11 2nd Main East was not adequately supported or otherwise controlled to protect persons from hazards related to fails of the roof, face, or ribs and coal or rock bursts. There was loose hanging rock over and around the take up pump. Very little effort was required to pull this rock. One rock measured 4 by 3.5 ft. and ranged from 1 to 4 inches thick. This take up pump is examined 3 times a day. This poses a crushing hazard to miners.

This standard was cited 23 times in two years at this mine.

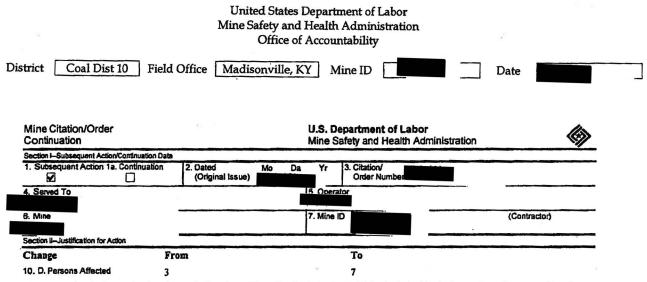
	See Continuation Form (MSHA Form 7000-3a)
C. Part/Section of Title 30 CFR	75.202(a)
ikely 🗋 - Reasonably Likely 🖉	Highly Likely 📋 Occurred 🔲
Lost Workdays Or Restricted Duty 🗹	Permanently Disabling 🔲 Fatal 🗌
	D. Number of Persons Affected: 001
🗌 C. Modenate 🖌 D. High [	E. Reckless Disregard
pe of Issuance (check one) Citation 🖌	Order Safeguard Written Notice
Notice D Citation/ Order Number	F. Dated Mo Da Yr
24 Hr. Clock)	
ck was pulled. The affe	cted area appears safe
ock	
	······
21. Primary or Mill	
	23. AR Number
eman and 10 Regional Fairness Boards to receive co ctivities and raise each agency's responsiveness to e 3247), or write the Ornbudsman at Smail Business A	dministration, Office of the National Ornbudsman, 409 3rd s in addition to any other rights you may have, including
	Title 30 CFR         Ikely

wine Citation/Ord	ier				partment of afety and Hea		ation	
ection I-Violation Data		Ima DA La S	York)			3. Citation		<u>.</u>
		Time (24 Hr. C				3. Citation Order N		
. Served To	1000		-	5. Operat	or			
MITTE				7. Mine il			5	(Contractor)
Longmon or Practi	the second s	fire	tingend -t-	er was not	provid-	d at th	and the second secon	n Notice (103g)
ocated adjustment of a violation.	jacent to	1154 h	dr.The fi	ire exting	uisher w	as disch	narged. I	n the
				р.				
				1				
1		otion		C. Part/Section		See Cor	tinuation Form (MSI	HA Form 7000-3a)
	ath B.Se sty√7 of / her∏			Title 30 CFR		75.11	00-2(c)	
Saf Oti Inction #-Inspector's Eve	ety 🖌 of J					75.11	00-2(e)	
Saf Oti Inction 8-Inspector's Eve Caravity: A. Injury or Illness	sty 🖉 of / her 🗌 hustion (has) (is): No Li		Unlikely 🕁	Title 30 CFR		75.11 Highly Likely		med []
Saf Oti Iction #-Inspector's Eve ). Gravity:	ty y of / her distant	Act		Title 30 CFR	ly Likely	Highly Likely		rred [] Fatal []
Saf Oti Inction & Inspector's Even Constitution Constitut	ty C of J her c of J hustion (has) (is): No Li could rea- cted to be: No	Act Kelihood 🗌		Tate 30 CFR	ly Likely	Highly Likely Permanen	Occur	Fatal []
Saf Oti otion #-Inspector's Even ). Gravity: A. Injury or Illness of B. Injury or Illness of sonably be expe	ty 7 of / her (has) (is): No Li could rea- cled to be: No Substantial:	Act kelihood [] b Lost Workd Yes []	ays 🗌 🛛 Lost	Tate 30 CFR	ty Likely 🗋 Iricled Duty 🖉	Highly Likely Permanen D. Number o	Occu ty Disabling	Fatal [] d: 001
Saf Oti Decion B-Inspector's Evro C. Gravity: A. Injuny or Illness sonably be expe C. Significant and S . Negligence (check	ty 7 of J her (has) (is): No Li could rea- cted to be: No Substantial:	Act kelihood [] b Lost Workd Yes []	ays 🗋 Lost No 🖌 B. Low 🗍	Reasonabi Workdays Or Rest	ly Likely 📋 Iricted Duty 🖌 D. High	Highly Likely Permanen D. Number o	Occu ty Disabling f Persons Affected	Fatal [] d: 001
Saf Oti Decion B-Inspector's Evro C. Gravity: A. Injuny or Illness sonably be expe C. Significant and S . Negligence (check	ty 2 of J her 0 of J hussion (has) (ts): No Li could rea- cted to be: No 3ubstantial: one) A. No 104(a)	Act kelihood [] b Lost Workd Yes [] ne []	ays 🗋 Lost No 🖌 B. Low 🗍	Tate 30 CFR Reasonable Workdays Or Rest C. Moderate suance (check one) E. Citation/	hy Likely iricled Duty D. High Citation 7	Highly Likely Permanen D. Number o	Occu     Occu     Occu     Occu     Occu     Ossbling     Ossbling     Persons Affecte     Reckless Disreg	Fatel [] d: 001 mand []
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Saf Ott Ott Con B-Inspector's Evro C. Gravity: A. Injury or Iliness <u>sonably be expe</u> C. Significant and & Negligence (check Type of Action Inibial Action A. Citation B. C Area or Equipment Termination Due	A Date Mo I	Act keiihood [] b Lost Workd Yes [] he [] leguard [] 4 2a Yr	ays   Lost No 🗹 B. Low   13. Type of is D. Written Notice B. Time (24 Hr. C	Title 30 CFR Ressonabl Workdays Or Rest C. Moderate Suance (check one) E. Citation/ Order Na	hy Likely [] Inicled Duty [2] D. High Citation [2] umber	Highly Likely Permanen D. Number o D. Cruber []	Occu     Ocu     Occu     Occu     Occu     Ocu     Ocu     Ocu     Ocu     Ocu	Fatai [] f= 001 and [] Written Notice []
Saf Oti Decion B-Inspector's Evro ). Gravity: A. Injuny or iliness of <u>sonably be expe</u> C. Significant and 8 . Negligence (check . Type of Action . Initial Action A. Clastion B. C . Area or Equipment . Termination Due Clion III-Termination Ac . Action to Terminate Terminated A. Dat	A Date Mo I Son A Mo Da Yr	Act kelihood [] b Lost Workd Yes [] he [] keguard [] keguard [] new filt	ays   Lost No 🗹 B. Low   13. Type of is D. Written Notice B. Time (24 Hr. C	Tate 30 CFR Reasonabl Workdays Or Rest C. Moderate  Suance (check one) E. Citation/ Order Nt N	hy Likely [] Inicled Duty [2] D. High Citation [2] umber	Highly Likely Permanen D. Number o D. Cruber []	Occu     Ocu     Occu     Occu     Occu     Ocu     Ocu     Ocu     Ocu     Ocu	Fatai [] f= 001 and [] Written Notice []
Saf Oti Otion B-Inspector's Evro ). Gravity: A. Injury or Iliness of <u>sonably be expe</u> C. Significant and S . Negligence (check . Type of Action . Initial Action A. Citation B. C . Area or Equipment . Termination Due tion IL-Termination Ac Action to Terminate Terminated A. Dat tion IV-Automated Sys Type of Inspection	A Date Mo Da Mo Da Yr ation A Mo Da Yr A Date 200	Act kelihood [] b Lost Workd Yes [] he [] keguard [] keguard [] new filt	ays   Lost No 52 B. Low   13. Type of is D. Written Notice B. Time (24 Hr. C ce exting	Tabe 30 CFR Ressonable Workdays Or Rest C. Moderate suance (check one) E. Citation/ Order Na Kock)	hy Likely [] Inicled Duty [2] D. High Citation [2] umber	Highly Likely Permanen D. Number o D. Cruber []	Occu     Ocu     Occu     Occu     Occu     Ocu     Ocu     Ocu     Ocu     Ocu	Fatai [] f= 001 and [] Written Notice []
Saf Oti Otion B-Inspector's Evo D. Gravity: A. Injury or Illness of <u>sonably be expe</u> C. Significant and S . Negligence (check . Type of Action . Initial Action A. Chation B. C . Area or Equipment . Termination Due ction Ill-Termination Action to Terminate	A Date Mo Da Yr	Act kelihood [] b Lost Workd Yes [] he [] keguand [] ke	ays   Lost No 52 B. Low   13. Type of is D. Written Notice B. Time (24 Hr. C ce exting	Tabe 30 CFR Ressonable Workdays Or Rest C. Moderate suance (check one) E. Citation/ Order Na Kock)	ty Likely D. High D. High Citation umber a provida	Highly Likely Permanen D. Number o D. Cruber []	Coccu ty Disabling     Ferzons Affectes Reckless Diareg Safeguard     F. Dated	Fatai [] f= 001 and [] Written Notice []

·	a so	United States D Mine Safety and I Office of J	epartment of La Tealth Adminis Accountability	abor tration			e a
rict Coal Dist 1	0 Field Office	Madisonville, K	Y Mine ID			Date	
Mine Citation/Orde	r -		U.S. Departme Mine Safety and			tion	
Section IViolation Data 1. Date Mo Da	Yr 2. Time (24 Hr.	Clock)	1		3. Citation/		
4. Served To	<u> </u>		5. Operator		Order Nur	nbei	
			7. Mine ID				(Contractor)
Loose C	coal and coal	dust was all	owed to acc	rumula	te unde	and the second division of the second divisio	n Notice (103g)
electric mot miners.	or of the #2A	take up pump	). This coul	ld pos	e a fii	ce hazar	d to
					See Contin	unites Form A/C	
9. Violation A. Health			Part/Section of			And the second designed as	iA Form 7000-3a)
Safety Other Section 8-Inspector's Evalue			Title 30 CFR		75.4	00	
A. Injury of liness (he B. Injury of liness cou sonably be expects C. Significant and Su	uld rea- ed to be: No Lost Work		Reasonably Likely days Or Restricted Du	₩ <b>2</b>		Disabling  Persons Affects	rred [] Fatai [] <sup>1:</sup> 001
11. Nagligence (check of	ne) A. Nona 🗌		ioderate 🖌 D	). High 🔲	E.I	Reckless Disreg	erd []
12. Type of Action 1(	04(a)	13. Type of Issuance	e (check one) Citat	tion 🗹	Order	Safeguard 🗌	Written Notice
14. Initial Action A. Citation 🔲 B. Ord	der 📋 C. Sefeguerd 🗌	D. Written Notice	E. Citation/ Order Number	2		F. Dated	Mo De Yr
15. Area or Equipment			<u> </u>				
16. Termination Due	A. Date Mo Da Yr	B. Time (24 Hr. Clock)					
Section III-Termination Actio	n						
17. Action to Terminate	The ac	umulations we	ere removed	•			
18. Terminated A Date		(24 Hr. Clock					
18. Terminated A. Date Section N-Automated System	B. Time		21. Primary or	Mill			
18. Terminated A. Date Section N-Automated Syster 19. Type of Inspection (activity code)	m usea 20. Event Number		21. Primary or	Mill	23. AR Nu	mber	
18. Terminated A. Date Section IV-Automated System 19. Type of Inspection (activity code) 2. Signature ISHA Form 7000-3, Apr 08 (r Istabilisted e National Small E ricroament actions. The Om ricroament actions of MSHA read, SW MC 2120, Weshin	E01 20. Event Number	the provisions of the Small B tory Ombudaman and 10 Ray docoment activities and rates (1-888-734-3347), or write the however, that your right to fits	usiness Regulatory Enforc jonal Faimess Boards to sech agency's responsiv e Ombudeman at Smail B a comment with the Omb	cement Faim raceive com reness to sm business Adm budsman is k	eas Act of 1996 ments from em all business. If hinistration, Offi n addition to an	, the Small Busin all businesses abo you wish to comm ce of the National	ut faderal agency ent on the Ombucismun, 409 3rd

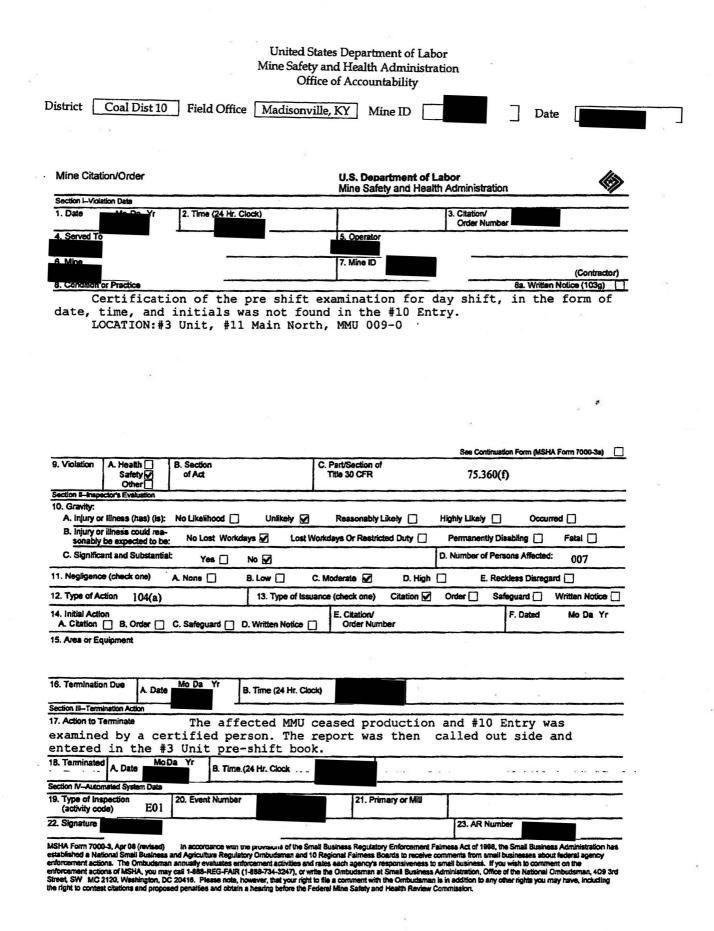
	United States Depart Mine Safety and Health Office of Accou	n Administratio	on	
District Coal Dist 10 Field Office	Madisonville, KY	Aine ID	Date	e
• •	e e		,	
Mine Citation/Order		partment of Lab fety and Health A		
Section I-Violation Data           1. Date         Mo Da         Yr         2. Time (24 Hr. Clock	<)		3. Citation/ Order Number	
4. Served To	5. Operato	or .		
6. Mine 8. Condition of Practice	7. Mine ID		0. 111-11-1	(Contractor) Notice (103g)
Lump coal, 6 inches in ft. in length, was allowed t North Belt. The affected are LOCATION: cross cut # 34.	o accumulate und	erneath the	e operating #11	
			3	
9. Violation A. Health B. Section Safety 9 of Act Other	C. Part/Section Title 30 CFR	of	See Continuation Form (MSHA 75.400	Form 7000-3a)
Section II-Inspector's Evaluation 10. Gravity:				
A. Injury or illness (has) (is): No Likelihood			ghly Likely 🗌 Occurre	
sonably be expected to be: No Lost Workdays C. Significant and Substantial: Yes			Permanently Disabling	Fatal
				003
	Low C. Moderate	D. High	E. Reckless Disregan	Written Notice
4. Initial Action	13. Type of Issuance (check one) Vritten Notice O Order Nu		F. Dated	Mo Da Yr
5. Area or Equipment				
6. Termination Due A. Date Mo Da Yr B. T	Time (24 Hr. Clock)			
ection IIITermination Action				
7. Action to Terminate The accumul affected area adequately rock	lations were remo k dusted.	vea irom t	ne mine and the	*
8. Terminated A. Date Mo Da Yr B. Time (24	Hr. Clock			
ection M-Automated System Data 9. Type of Inspection 20. Event Number (activity code) E01	21. P	rimary or Mill		
(acovity code) EO1		2	23. AR Number	
ASHA Form 7000-3, Apr 08 (revised) In accordance with the p stabilished a Netional Smail Business and Agriculture Regulatory ( inforcement actions of MSHA, you may cal 1–888-REG-FAIR (1-61	rovisions of the Small Business Regula Ombudsman and 10 Regional Faimess ment activities and rates each agency1	Boards to receive comm	ments from small businesses about	federal agency

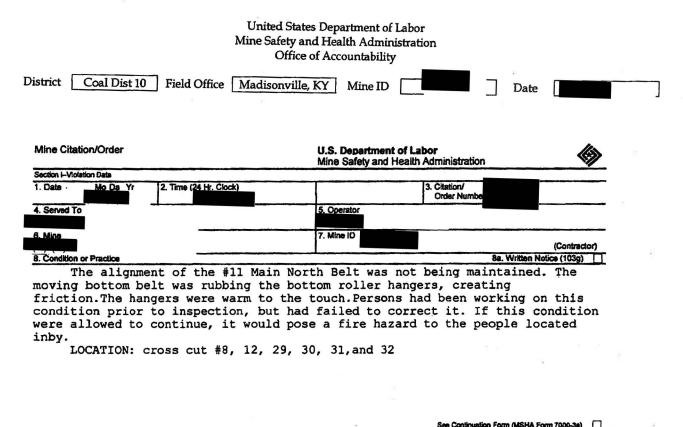
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Reason After further evaluation, doe to the location of the tail roller being located inby the belt airlock, the number of persons affected is increased from 3 to 7

										See Continuation Form	
Section III-Subsec		the second division of		_							
8. Extended To	A. Date Mo	Da	Yr	B. Time (24 H	r. Clock)		C.	Vacated	D. Terminated	E. Modified	
Section N-Inspec	tion Data										
9. Type of Inspe	ection E01		10. E	vent Number						¥.	
11. Signature	Ta Mas SE Invia			A	R Number	12. Date	Mo Da	Yr	13. Time (24 Hr. C	ock)	
MSHA Form 7000-	-38, Mar 85 (18vis	(83)									

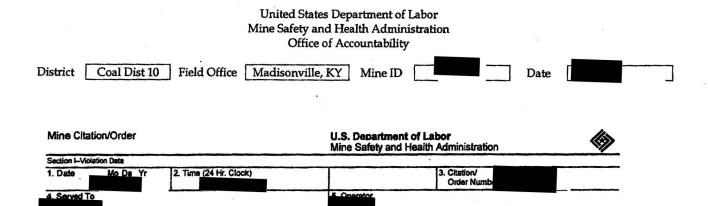




9. Violation A. Health Safety 9 Other	B. Section of Act		C. Part/Section Title 30 CFR	of	75.173	1(b)	
Section I-Inspector's Evaluation							
10. Gravity:					x 8 5		
A. Injury or liness (has) (is):	No Likelihood	Unlikely	Reasonably	y Likely 🖌	Highly Likely [	Occu	med 🔲
<li>B. Injury or illness could rea- sonably be expected to be</li>		aya 🗌 🛛 Lost W	orkdays Or Restr	icted Duty 🖌	Permanently	Disabling 🗌	Fatal 🗌
C. Significant and Substantia	it Yes 🖌	No 🗌			D. Number of P	ersons Affected	± 003
11. Negligence (check one)	A. None	B. Low 🗌 🛛 🗯	C. Moderate 🔽	D. High	🗌 E. A	leckless Disreg	ard 🗌
12. Type of Action 104(a)		13. Type of Issu	ance (check one)	Citation 🖌	Order 🗌	Safeguard 🗌	Written Notice
14. Initial Action A. Citation 3. Order	C. Safeguard 🔲 I	D. Written Notice	E. Citation/ Order Nu	mber		F. Dated	Mo Da Yr
16. Termination Due A. Date	Mo Da Yr	9. Time (24 Hr. Cloc	ж)				
Section III-Termination Action							
17. Action to Terminate hangers .	The botto	om belt was	s aligned	away fr	om conta	ct with	the
8. Terminated A. Date	Da Yr B. Time (	(24 Hr. Clock					
Section IV-Automated System Data	ši –						
9. Type of Inspection (activity code) E01	20. Event Number		21. P	rimary or Mill .			
2. Signatura					23. AR Nu	mber	
MSHA Form 7000-3, Apr vs (remaso) established a National Small Business inforcement actions. The Ombudama	and Agriculture Regulat		0 Regional Faimess rates each agency's	Boards to receive o	comments from sma	all businesses abo	ut federal agency

enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudaman at Small Business Administration, Office of the National Ombudaman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudaman is in addition to any other rights you may have, including the right to contest citations and proposed panalties and obtain a hearing before the Federal Mine Safety and Hearth Raview Commission.

Mir	Inited States Department of La The Safety and Health Administr Office of Accountability		
District Coal Dist 10 Field Office Ma	ndisonville, KY Mine ID	Date	
Mine Citation/Order	U.S. Department of	Labor	
Section I-Violation Data	Mine Safety and Hea	alth Administration	
1. Date <u>Mo Da Y</u> r 2. Time (24 <u>Hr. Clock)</u>		3. Citation/	
4. Served To	5. Operator	Order Numb	
6 Mine	7. Mine ID		(Contractor)
8. Condition or Practice Twenty-six 5 gallon containe	6 h	8a. Written N	and the second se
contents. Not knowing the cont that might require first aid t LOCATION: #11 Main North,	reatment if they were	exposed to the flu	
	14		
	<i>k</i> .		
	•	See Continuation Form (MSHA Fo	orm 7000-3a)
9. Violation A. Health B. Section Safety V of Act Other	C. Part/Section of Title 30 CFR	47.41(a)	
Section II-Inspector's Evaluation 10. Gravity:			
A. Injury or Illness (has) (is): No Likelihood [] U: B. Injury or illness could res-	niikely 😥 Reasonably Likely 🗌	Highly Likely Occurred	
sonably be supected to be: No Lost Workdays	Lost Workdays Or Restricted Duty 🖌	and the second	Fatal []
C. Significant and Substantial: Yes 🗌 No 🖌		D. Number of Persons Affected:	001
11. Negligence (check one) A. None 🗌 B. Low	C. Moderate 🗹 D. High	E. Reckless Disregard	
12. Type of Action 104(a) 13.1	Type of Issuance (check one) Citation	Order Safeguard W	ritten Notice
14. Initial Action A. Citation   B. Order   C. Safeguard   D. Writte	n Notice C Citation/	F. Dated	Mo Da Yr
15. Area or Equipment 18. Termination Due A. Date Mo Da Yr B. Time	(24 Hr. Clock)		
Section til-Termination Action			
77. Action to Terminate The oil cans	were removed from the	mine.	
8. Terminated A. Data Mo Da Yr B. Time (24 Hr. ( action IV-Automated System Data	liock		•
9. Type of Inspection 20. Event Number	21. Primary or Mill	1	·
(activity code) E01		23. AR Number	
stablished a National Small Business and Agriculture Regulatory Ombu		e commenta from small businesses about fe	deral agency
mforcement actions. The Ombudsman sinually evaluates enforcement inforcement actions of MSHA, you may call 1-888-REGFAIR (1-888-73	4-3247), or write the Ombudsman at Small Busines	a Administration, Office of the National Omt	udaman, 409 3rd
	hat your right to file a commant with the Ombudam		neve, including
e right to contest citations and proposed penalties and obtain a hearing	before the Federal Mine Safety and Health Review	v Commission.	-



7. Mine ID

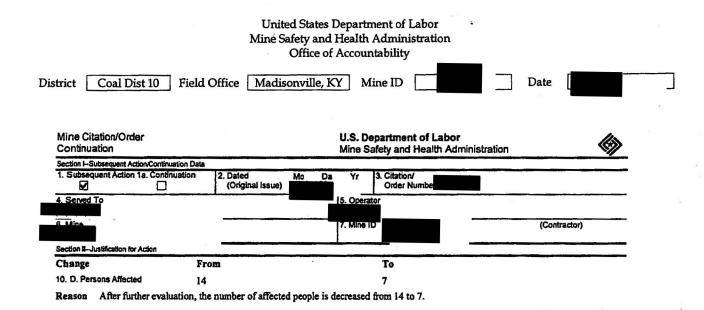
8. Contractor) 8. Contractor (Contractor) 8. Written Notice (103g) Two portable fire extinguishers and 240 lbs. of rock dust were not provided for the oil storage station. The station contained 26 five gallon cans of hydraulic oil and a half case of tube greae. Absence of fire fighting equipment would create a longer response time to fight the fire, if one occurred.

LOCATION: #11 Main North, cross cut #32, adjacent to the belt

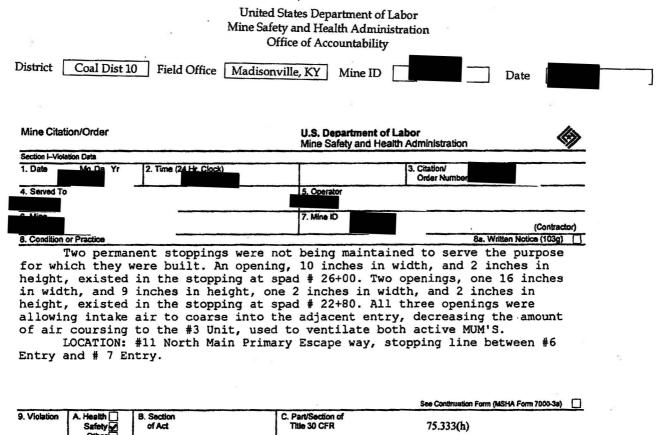
B. Mine

9. Violation								
	A. Health Safety M. Other	B. Section of Act	al a	C. Part/Section of Title 30 CFR		75.11	00-2(f)	
Section II-Inspe	clor's Evaluation							
10. Gravity:	5							
A. Injury or	lliness (has) (is):	No Likelihood	] Unlikely 🖌	Reasonably	Likely 📋	Highly Likely	000	umed 🔲
	illness could rea- be expected to be	No Lost Work	idays 🗌 🛛 Lost \	Norkdays Or Restric	ted Duty 🖌	Permanen	tly Disabling 🔲	Fatal 🗌
C. Significa	int and Substantia	l: Yes 🗌	No 🖌			D. Number of	f Persons Affects	<sup>od:</sup> 014
11. Negligence	e (check one)	A. None	B. Low	C. Moderate 🗹	D. High	() E	. Reckiess Disre	gard 🗌
12. Type of Ac	tion 104(a)		13. Type of Iss	uance (check one)	Citation	Order 🗌	Safeguard 🗌	Written Notice
14. Initial Actio A. Citation	n B. Order	C. Safeguard	D. Written Notice [	E. Citation/	iber		F. Dated	Mo Da Yr
16. Termination	n Due A. Date	Mo Da Yr	B. Time (24 Hr. Ck	ock)			2	
	A. Date	Mo Da Yr	B. Time (24 Hr. Ck	ock)				
Section III-Termi	A. Date				from t	he mìne	removi	ng the
Section III-Termi 17. Action to To	A. Date	The oil	B. Time (24 Hr. Ck		1 from t	he mìne	, removi	ng the
Section III-Termi 17. Action to To need for	A. Date instion Action erminate r fire pr	The oil otection.			i from t	he mîne	, removi	ng the
Section III-Termi 17. Action to To need fo: 18. Terminated	A. Date ination Action erminate r fire pr	The oil otection.	l station w		i from t	he mine	, removi	ng the
18. Terminated	A. Date instion Action erminate r fire pr A. Date Manated System Data pection	The oil otection.	L station w	as removed	i from t nary or Mill	he mine	e, removi	ng the

section a resolver on the consistence on Application of Constant and the C



								See Continuation Form	
Section III-Subse		distant in the local distance in the local d			-				
8. Extended To	A. Date Mo	Da	Yr	B. Time (24 Hr. Clock)	•	C. Vacated	D. Terminated	E. Modified	
Section IV-Inspec	tion Data								
9. Type of Inspe	ection E01		10. E	vent Number					نطيين
11. Signatur				AR Number	12. Date	Mo Da Yr	13. Time (24 Hr. Cl	ock)	
				-			<u> </u>	·····	
MSHA Form 7000-	-3a, Mar 85 (revis	ed)				A.	1		



Uther				
Section II-Inspector's Evaluation				
10. Gravity:		*		
A. Injury or Illness (has) (is): No Likelihood	Unlikely 🖌	Reasonably Likely	Highly Likely	Occurred
B. Injury or Illness could rea- sonably be expected to be: No Lost Workda	ays 🗹 🛛 Lost Workd	lays Or Restricted Duty	Permanently Disa	bling [] Fatal []
C. Significant and Substantial: Yes	No 🖌		D. Number of Perso	ns Affected: 014
11. Negligance (check one) A. None	B. Low 🗌 C. M	oderate 🗹 D. High	E. Recki	less Disregard
12. Type of Action 104(a)	13. Type of Issuance	(check one) Citation 🖌	Order 🗌 Safe	guard 🔲 Written Notice 🗌
14. Initial Action A. Citation B. Order C. Safeguard C	). Written Notice	E. Citation/ Order Number		F. Dated Mo Da Yr
15. Area or Equipment				

16. Termination Due	A Date	Mo Da Yr	B. Time (24	Hr. Clock)		a).		
Section III-Termination Ac	tion							
17. Action to Terminate stoppings.	1	The o	penings	were eff	ectively	closed	in the	affected
18. Terminated A. Dat		Yr B.1	fime (24 Hr. Çlo	*				
Section IV-Automated Sys								
19. Type of Inspection (activity code)	E01	20. Event Nur	nber		2t. Primary (	or Mill		
22. Signature					,		23. AR Num	ber

MSK4 Form 7000-3, Apr 08 (wrised) In accordance with the provisions of the Snall Business Regulatory Enforcement Fairness Act of 1996, the Snall Business Administration has established a National Small Business and Agriculture Regulatory Ombudaman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudament 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 Ombudaman at Small Business Administration, Office of the National Ombudamen, 409 3rd Street, SW MC 2120, Washington, DC 20419. Piesae note, however, that your right to file a comment with the Ombudament 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.



District	Coal Dist 10	Field Office	Madiso	onville, KY	Mine ID			Date	[	]
Mine ID	Violation	Issued	Туре	30 CFR	S&S	Likely	Injury	Affected	Negligence	
			104(a)	75.400	N	UL	LD	1	Mod	

Float coal dust and fine coal drippings off the belt has been allowed to accumulate under the 8-54 belt from X-C # 2 to X-C # 7. When measured the accumulation ranged from 0-16 inches in depth, 60 inches in width for a distance of 5 crosscuts. A return bottom roller was turning (rotating) in the accumulation creating a friction/fire hazard.

Was an additional citation issued or considered for inadequate or missing examinations? This standard has been issued 142 times in the previous 24 month period (should be included in the citation). This citation also appears to meet the criteria for S&S. What is the distance of 5 crosscuts? Statement such as this mine liberates 1,057,481 CF of methane in a 24 hour period should be included. When was the last examination completed and by whom?

Mine ID	Violation	Issued	Туре	30 CFR	S&S	Likely	Injury	Affected	Negligence
			104(a)	75.202(a)	N	UL	LD	1	Mod

The roof and rib in the # 3 entry on the left hand corner on # 4 unit MMU-005 in the last open x-cut is not being supported or other wise controlled to protect persons from hazards related to falls of the roof or ribs. The corner roof bolts exceed the 4 ft. max. When measured the roof bolts are off the rib over 5 ft. The corner of the rib has and is still spalling off.

This standard was issued 18 times in the last 24 months (should be included in the citation). Documentation of distances with no support is needed. Citation appears to meet the criteria for S&S.

Mine ID Violation Issued	Туре	30 CFR	S&S	Likely	Injury	Affected	Negligence
	104(a)	75.1731(a)	N	UL	LD	1	Mod

There was a troughing roller that was damaged, bottom bearing worn out, allowing the rotating roller to contact it's hanger creating a metal to metal friction heat source on the 5B beltline under the 5C header. The roller was creating smoke/steam and was hot to the touch.

Was an additional citation issued or considered for inadequate or missing examinations? Citation appears to meet the criteria for S&S based on the smoke, steam, and temperature.

Mine ID	Violation	Issued	Туре	30 CFR	S&S	Likely	Injury	Affected	Negligence
			104(a)	75.400	N	UL	LD	1	Mod

Float coal dust had been allowed to accumulate on the mine floor, ribs and the 480VAC power box Co. # 8027. The accumulation was black in color and when measured ranged from 0-1/4 inch in depth, 18-20 feet in width for a distance of 78 feet. This citation was written in conjunction with citations #(b)(6)

Citation appears to meet the criteria for S&S considering the confluence of factors created by the two additional citations. Based on the nature and extent of the violation, a higher degree of negligence appears appropriate. This standard was issued 133 times during the previous 24 months (should be included in the citation). Do citations (b) (6) address the same, continuous area, or is the power box in a separate location?

Mine ID	Violation	Issued	Туре	30 CFR	S&S	Likely	Injury	Affected	Negligence
			104(a)	75.400	N	UL	LD	1	Mod

The 7-54 belt was not being maintained in that coal, coal fines and float coal dust had been allowed to accumulate on rockdusted surfaces along side, underneath, and on the structures of the belt. When measured, the accumulation ranged from 5-18 feet in width, 0-2 feet in depth for the entire length of the beltline.

What was the length of the beltline? Was an additional citation issued or considered for inadequate or missing examinations? Number of persons affected by the extent of this violation appears low. If this area was examined and no action taken, the level of enforcement should have been elevated. This standard was issued 132 times in the previous 24 months (should be included in the citation). Do citations (b) (6) is the power box in a separate location?

	District	Coal Dist 10	Field Office	Madisonville, KY	Mine ID		Date		]
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Mine ID	Violation	Issued	Туре	30 CFR	S&S	Likely	Injury	Affected	Negligence
			104(a)	75.370(a)(1)	Y	RL	LD	1	Mod

The approved ventilation plan, page 28 was not being followed in that the water spray at the 4A belt where it dumps on the 7-54 was not operating. Fine float coal dust was in suspension in the mine atmosphere and along the mine floor. The is a foreseeable potential of this being a health and safety issure resulting in lung/breathing problems also there are a confluence of factors. Citations **#** 

Was an additional citation issued or considered for inadequate or missing examinations? The inspector appears to have justified the use of a higher level of enforcement, but did not take that action. The number of persons affected does not appear commensurate with the narrative and nature of the violation. This standard was issued 83 times in the previous 24 months (should be included in the citation).

Mine ID	Violation	Issued	Туре	30 CFR	S&S	Likely	Injury	Affected	Negligence
			104(a)	75.400	Y	RL	LD	1	Mod

The 6-54 belt was not being maintained in that coal and float coal dust had been allowed to accumulate along and under the belt. When measured the accumulation ranged from 0-4 inches in depth, 64 inches in width for the entire length of the beltline. There was also 2 bottom rollers turning (rotating) in fine float coal dust at crosscuts #31 and #33 creating a heat/friction hazard. There is a foreseeable potential of a possible fire resulting in smoke inhalation and/or burns.

Was an additional citation issued or considered for inadequate or missing examinations? How long was the belt line? This standard was issued 134 times in the previous 24 months. How long was the entire beltline? Elevated enforcement appears to be justified, but not taken. Were the examination records checked after the violation was observed to help determine the degree of negligence?

Mine ID	Violation	Issued	¥.	Туре	30 CFR	S&S	Likely	Injury	Affected	Negligence
		¥.		104(a)	75.400	N	UL	LD	1	Mod

The 8-54 VFD Room was not being maintained in that float coal dust had been allowed to accumulate inside on and in the 4, 480VAC power boxes, on the floor, walls and ductwork. The accumulation when measured ranged from 0-1/16 inches in depth.

Was an additional citation issued or considered for inadequate or missing examinations? This standard was issued 133 times in the previous 24 months. Were examination records checked after the violation was observed to help determine negligence? The evaluation for S&S does not appear to match the nature of the violation. What was the width and length of the accumulations?

Mine ID	Violation	Issued	Туре	30 CFR	S&S	Likely	Injury	Affected	Negligence
			104(a)	75.400	N	UL	LD	1	Mod

Float dust and coal float dust has been allowed to accumulate on previously rock dusted surfaces of the 1st North 3rd 54 Belt. The accumulations range from paper thin to 1 inch in depth, 10 feet in width, and approximately 700 feet in length. The affected area is located from cross-cut #3 to cross-cut # 14. Was an additional citation issued or considered for inadequate or missing examinations? This standard was issued 134 times in the previous 24 months. Were examination records checked after the violation was observed to help determine negligence? What is the distance between CC3 to CC14?

District	Coal Dist 10	Field Office	Madiso	onville, KY M	line ID	<b>_</b>		Date	
Mine ID	Violation	Issued	Туре	30 CFR	S&S	Likely	Injury	Affected	Negligence
			104(a)	75.400	N	UL	LD	1	Mod
The 6-54 1	Belt was not	being maintai	ned in th	at float coal du	ust had	been allo	wed to a	ccumulate	on rockdust
surfaces r	nine floor, n	nine ribs, and l	belt struc	ture, and adjoi	ining cr	osscuts o	n both s	ides of the l	belt. When
									ne 6-54 header
to the tail					0				
What was	the distance	from the header	to the tail	? Was an additi	onal cit	ation issue	ed or cons	idered for in	adequate or
									evel of
missing ex	aminations?	This citation ap	ppears to a	meet the criteria	for S&	S, and pot	entially fo	or a higher le	
missing ex enforcemer	caminations? nt. This stand	This citation ap lard was issued	ppears to 1 131 times	meet the criteria in the previous	for S&: 24 mon	S, and pot ths (shou	entially fo ld have be	or a higher le en included	in the citation).
missing ex enforcemer <u>This same</u>	caminations? nt. This stand	This citation ap lard was issued s issued on this s	ppears to 1 131 times	meet the criteria in the previous	for S&: 24 mon	S, and pot ths (shou	entially fo ld have be	or a higher le en included	in the citation).
missing ex enforcemen This same	caminations? nt. This stand <u>standard was</u>	This citation ap lard was issued s issued on this s	ppears to 1 131 times	meet the criteria in the previous	for S&: 24 mon	S, and pot ths (shou	entially fo ld have be	or a higher le en included	in the citation).
missing ex enforcemer <u>This same</u> rollers, roli	caminations? nt. This stand <u>standard was</u>	This citation ap lard was issued s issued on this s	ppears to 1 131 times	meet the criteria in the previous	for S&: 24 mon	S, and pot ths (shou	entially fo ld have be	or a higher le en included	in the citation).
missing ex enforcemer <u>This same</u> rollers, roli	aminations? nt. This stand <u>standard was</u> lers turning i	This citation a lard was issued <u>sissued on this</u> : in the coal)?	ppears to 1 131 times same belt	meet the criteria in the previous just 11 days ear	for S& 24 mon <u>lier.</u> We	5, and pot ths (shou re there an	entially fo ld have be ny source	or a higher le en included s of ignition	in the citation). noted (stuck
missing ex enforcemen <u>This same</u> rollers, roli Mine ID	aminations? nt. This stand standard was lers turning i Violation	This citation ap lard was issued sissued on this s in the coal)? Issued	ppears to r 131 times same belt Type 104(a)	meet the criteria in the previous just 11 days ear 30 CFR 75.400	for S& 24 mon lier. We S&S Y	S, and pot ths (shou re there an Likely RL	entially fo ld have be ny source Injury LD	or a higher le en included s of ignition Affected 1	in the citation). noted (stuck Negligence Mod
missing ex enforcemen <u>This same</u> rollers, roll Mine ID The 5 B ta	aminations? nt. This stand standard was lers turning i Violation illpiece was	This citation ap lard was issued sissued on this s in the coal)? Issued	ppears to a 131 times same belt Type 104(a) ntained in	meet the criteria in the previous just 11 days ear 30 CFR 75.400 n that loose coa	for S& 24 mon <u>lier.</u> We S&S Y al, coal	S, and pot ths (shou re there an Likely RL fines, and	entially fo ld have be ny source Injury LD I float co	or a higher le en included s of ignition Affected 1 al dust had	in the citation). noted (stuck Negligence Mod I been allowed
missing ex enforcemen <u>This same</u> rollers, roll Mine ID The 5 B ta to accumu	aminations? nt. This stand standard was lers turning i Violation ilpiece was alate under	This citation a lard was issued issued on this in the coal)? Issued Issued not being main the tailpiece. W	ppears to a 131 times same belt Type 104(a) ntained in When mea	meet the criteria in the previous just 11 days ear 30 CFR 75.400 n that loose coa asured the accu	for S&S 24 mon <u>lier.</u> We S&S Y al, coal amulati	S, and pot ths (shou re there an Likely RL fines, and on range	entially fo ld have be ny sources Injury LD I float co d from 0	or a higher le ten included s of ignition Affected 1 al dust had -10 inches i	in the citation). noted (stuck Negligence Mod I been allowed in depth, 0-4
missing ex enforcemen <u>This same</u> rollers, roll Mine ID The 5 B ta to accumu feet in wid	aminations? nt. This stand standard was lers turning i Violation ilpiece was ilate under i dth and 6 fee	This citation a lard was issued issued on this in the coal)? Issued Inot being main the tailpiece. Wet in length. Th	Type 104(a) 104(a) Type 104(a) Type 104(a) Type 104(a) Type	meet the criteria in the previous just 11 days ear 30 CFR 75.400 In that loose coa asured the accu ulation was dr	for S& 24 mon lier. We S&S Y al, coal umulati y in na	S, and pot ths (shou re there an Likely RL fines, and on range ture unde	Injury LD I float co d from 0 erneath t	or a higher le ren included s of ignition Affected 1 al dust had -10 inches i he left side	in the citation). noted (stuck Negligence Mod I been allowed in depth, 0-4 and back of the
missing ex enforcemen This same rollers, roli Mine ID The 5 B ta to accumu feet in wid tail and da	aminations? nt. This stand standard was lers turning i Violation ilpiece was ilate under i dth and 6 fee	This citation a lard was issued issued on this in the coal)? Issued not being main the tailpiece. We et in length. The right side. The	Type 131 times same belt Type 104(a) ntained in When mea ne accum re is a for	meet the criteria in the previous just 11 days ear 30 CFR 75.400 In that loose coa asured the accu ulation was dr	for S& 24 mon lier. We S&S Y al, coal umulati y in na ntial of	S, and pot ths (shou re there an Likely RL fines, and on range ture under a fire res	Injury LD I float co d from 0 erneath t	or a higher le ren included s of ignition Affected 1 al dust had -10 inches i he left side	in the citation). noted (stuck Negligence Mod I been allowed in depth, 0-4
missing ex enforcemen <u>This same</u> rollers, roli Mine ID The 5 B ta to accumu feet in wid tail and da burns. Cit	aminations? nt. This stand standard was lers turning i Violation illpiece was illate under to dth and 6 fee amp on the station #	This citation a lard was issued issued on this is in the coal)? Issued not being main the tailpiece. We et in length. The right side. The was writte	Type 131 times same belt Type 104(a) ntained in When mea ne accum re is a for en in con	meet the criteria in the previous just 11 days ear 30 CFR 75.400 In that loose coa asured the accu ulation was dr reseeable poter junction with t	for S& 24 mon lier. We S&S Y al, coal umulati y in na ntial of his issu	S, and pot ths (shou re there an Likely RL fines, and on range ture unde a fire rest iance.	Injury LD I float co d from 0 erneath t ulting in	or a higher le ren included s of ignition Affected 1 al dust had -10 inches i he left side smoke inha	in the citation). noted (stuck Negligence Mod I been allowed in depth, 0-4 and back of the

Mine ID	Violation	Issued	Туре	30 CFR	S&S	Likely	Injury	Affected	Negligence
			104(a)	75.400	N	UL	LD	1	Mod

The 10-54 Belt was not being maintained in that coal, fine coal, and float coal dust had been allowed to accumulate under, along side and on the belt structure with the bottom belt and tail roller contacting creating a friction/heat source. The black in color accumulation when measured was 10 feet in width, 15 feet in length, and ranging from 0-10 inches in depth.

This standard was issued 133 times in the previous 24 months (should have been included in the citation) and the level of enforcement increased accordingly. This citation also appears to meet the criteria for S&S.

Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	Affected	Negligence

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District Coal Dist 10 Field Office Madisonville, KY Mine ID Date Date										
Mine ID	Violation	Issued	Туре	30 CFR	S&S	Likely	Injury	Affected	Negligence	
			104(a)	75.1909(b)(2)	N	UL	LD	1	Mod	
NON-PEI	RMISSIBLE	DIESEL POWI	ERED EQ	UIPMENT SHA	LL BE	PROVIE	DED WIT	H A NEUI	RAL START	
FEATURE	E WHICH II	<b>NSURES THAT</b>	<b>FENGIN</b>	E CRANKING	TORQ	UE WILL	NOT BE	E TRANSM	ITTED	
THROUG	H THE PO	WERTRAIN A	ND CAU	ISE ENGINE MO	OVEM	ENT ON	VEHICL	ES UTILIZ	ING FLUID	
POWER	RANSMISS	SIONS. WHEN	TESTEL	THE 10 MAN	WALL	ACE DIE	SEL MA	NTRIP WC	OULD START	
IN ALL G	EARS. THIS	S COULD ENI	DANGER	MINERS IN FR	RONT (	OR BACE	OF TH	E VEHICLI	EWHEN	
		HE PARK POS		LOCATION:						
Was an ad	ditional citat	ion issued or cor	isidered fo	or inadequate or n	nissing	examinat	ions? If al	lowed to cor	tinue to operate	
without co	rrection, the	violation would	appear to	affect more than	just 1 p	erson. Th	is also ap	pears to mee	t the criteria for	
S&S.				-						

Mine ID	Violation	Issued	Туре	30 CFR	S&S	Likely	Injury	Affected	Negligence
			104(a)	75.321(a)(2)	N	UL	LD	1	Low

The air quality encountered in the #1 entry of the 3rd North Main at the 4th West Main intersection was measured to be 18.6% Oxygen. The air is coursed through worked out areas of the 4th West Main. This includes several sealed areas separating other worked out areas from the return air course through the 4th West Main worked out areas that are required to be examined weekly.

Was an additional citation issued or considered for inadequate or missing examinations? Negligence appears low for this condition. Were record books checked after the violation was observed to help determine negligence?

Mine ID	Violation	Issued	Туре	30 CFR	S&S	Likely	Injury	Affected	Negligence
			104(a)	75.342(a)(4)	N	UL	LD	1	Mod

The methane monitor for the CMM CO # 5792 was not being maintained in permissible and proper operating condition. When bump tested with a known mixture of 2.5% CH4 the monitor readout displayed 1.5% CH4. Location: No. 4 Unit

Statement such as this mine liberates 1,057,481 CF of methane in a 24 hour period should be included. Methane liberation should always be considered when issuing citations regarding permissibility, methane monitor function, etc. The likelihood of an occurrence if mining were to continue with the condition unabated must be considered. When was the last calibration conducted on the methane monitor? This standard was issued 15 times in the previous 24 months (should have been included in the citation).

Mine ID	Violation	Issued	Туре	30 CFR	S&S	Likely	Injury	Affected	Negligence
			104(a)	75.400	N	UL	LD	1	Mod

There was an accumulation of combustible materials, such as plastic bags, plastic jugs, cardboard boxes, paint cans, empty grease tube cartridges, 7 golf cart batteries, and also an accumulation of loose coal at the old 4th West belt shack, spad # 38+27 in #6 entry. The coal accumulation was 25' long, 5' wide and from 6" to 3' thick. Was an additional citation issued or considered for inadequate or missing examinations? This standard was issued 133 times in the previous 24 months (should have been included in the citation). Based on the number of times accumulations of combustible materials have been cited, this citation appears to meet the criteria for an elevated level of enforcement. What was the extent of the other combustibles? Were the discarded golf cart batteries considered as an ignition source when evaluating likelihood?

Attachment C- Citations With Ouestionable Evaluations

District Coal Dist 10	Field Office	Madis	onville, KY	Mine			Date				
Mine ID Violation	Issued	Туре	30 CFR	S&S	Likely	Injury	Affected	Negligence			
_		104(a)	75.503	N	UL	LD	1	Mod			
The DBT scoop, CO #	6012, operatin	g on the	#4 unit MM	TU-008	-0, 5th No	orth pane	el in #6 entry	was not being			
maintained in a permissible condition. There was an opening in the tram panel, a plane flange joint, in excess of .004 ".											
Statement such as this i	mine liberates 1	,057,481	CF of methan	ie in a 2	4 hour pe	riod shou	ld be included.	Methane			
liberation should always											
This standard was issue											
Mine ID Violation	Issued	Type	30 CFR	S&S	Likely	Injury	Affected	Negligence			
· · · · · · · · · · · · · · · · · · ·		104(a)	75.202(a)	N	UL	LD	1	Mod			
The roof in the # 4 ent	try on #5 unit						L				
and travel. There is a								ic persons work			
This citation appears to								neled through the			
area? What is the extent											
condition recorded in an											
been included in the citi		UUK: 17115	Standard Wa	15 155UCU	<b>1</b> 5 111125	in the pro	colous 2 + mon	1113 (SHOULU 1000			
occir included in the citi							1				
· · ·											
Mine ID Violation	Issued	Туре	30 CFR	S&S	Likely	Injury	Affected	Negligence			
Mine ID Violation	Issued	Type 104(a)	30 CFR 75.503	S&S N	Likely UL	Injury LD	Affected 1	Negligence Mod			
The Long Airdox batt	ery powered s	104(a) coop, Co	75.503 . # 6011, wa	N Is not b	UL eing mai	LD ntained i	1 in permissibl	Mod e condition. The			
The Long Airdox batt	ery powered s	104(a) coop, Co	75.503 . # 6011, wa	N Is not b	UL eing mai	LD ntained i	1 in permissibl	Mod e condition. The			
The Long Airdox batt main breaker panel pl	ery powered s ane flange joir	104(a) coop, Co nt had an	75.503 . # 6011, wa opening, 2	N is not b inches	UL eing mai in length	LD ntained i that wa	1 in permissibl s greater that	Mod e condition. The n .004, when			
The Long Airdox batt main breaker panel pl measured with an app	ery powered s ane flange join proved .005 fee	104(a) coop, Co nt had an eler gaug	75.503 . # 6011, wa opening, 2 e. Locatio	N is not b inches on: No.	UL eing mai in length 2 Unit, 4	LD ntained i that was th South	1 in permissibl s greater that Panel, MMI	Mod e condition. The n .004, when J 004-0			
The Long Airdox batt main breaker panel pl measured with an app Statement such as this n	ery powered s ane flange join proved .005 fea nine liberates 1,	104(a) coop, Co nt had an eler gaug 057,481 (	75.503 . # 6011, wa opening, 2 e. Locatio CF of methan	N inches on: No. e in a 2	UL eing mai in length 2 Unit, 4 4 hour per	LD ntained i that was th South riod shoul	1 in permissibl s greater that Panel, MMU d be included.	Mod e condition. The n .004, when J 004-0 Methane			
The Long Airdox batt main breaker panel pl measured with an app Statement such as this r liberation should always	ery powered s lane flange join proved .005 fea nine liberates 1, s be considered a	104(a) coop, Co nt had an eler gaug 057,481 ( when issu	75.503 . # 6011, wa opening, 2 e. Locations CF of methan ing citations	N inches on: No. e in a 2 regardi	UL eing mai in length 2 Unit, 4 4 hour per ng permis	LD ntained i that was th South riod shoul ssibility, n	1 in permissibl s greater that Panel, MMU d be included. nethane monit	Mod e condition. The n .004, when J 004-0 Methane or function, etc.			
The Long Airdox batt main breaker panel pl measured with an app Statement such as this n liberation should always This standard was issue	ery powered s lane flange join proved .005 fea nine liberates 1, s be considered a d 36 times in th	104(a) coop, Co nt had an eler gaug 057,481 ( when issu te previou	75.503 . # 6011, wa opening, 2 e. Location CF of methan ing citations s 24 months	N inches on: No. e in a 2 regardi (should	UL eing mai in length 2 Unit, 4 4 hour per ng permis have been	LD ntained i that was th South riod shoul ssibility, n u included	1 in permissibl s greater than Panel, MMU d be included. nethane monit in the citation	Mod e condition. The n .004, when J 004-0 Methane or function, etc.			
The Long Airdox batt main breaker panel pl measured with an app Statement such as this r liberation should always This standard was issue	ery powered s lane flange join proved .005 fea nine liberates 1, s be considered a d 36 times in th	104(a) coop, Co nt had an eler gaug 057,481 ( when issu te previou	75.503 . # 6011, wa opening, 2 e. Location CF of methan ing citations s 24 months	N inches on: No. e in a 2 regardi (should	UL eing mai in length 2 Unit, 4 4 hour per ng permis have been	LD ntained i that was th South riod shoul ssibility, n u included	1 in permissibl s greater than Panel, MMU d be included. nethane monit in the citation	Mod e condition. The n .004, when J 004-0 Methane or function, etc.			
The Long Airdox batt main breaker panel pl measured with an app Statement such as this r liberation should always This standard was issue persons affected does not	ery powered s lane flange join proved .005 fea nine liberates 1, s be considered a d 36 times in th	104(a) coop, Co nt had an eler gaug 057,481 ( when issu ne previou nsurate u	75.503 . # 6011, wa opening, 2 e. Location CF of methan ing citations s 24 months	N inches on: No. e in a 2 regardi (should	UL eing mai in length 2 Unit, 4 4 hour per ng permis have been	LD ntained i that was th South riod shoul ssibility, n u included	1 in permissibl s greater than Panel, MMU d be included. nethane monit in the citation	Mod e condition. The n .004, when J 004-0 Methane or function, etc. n). The number of			
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Mine ID	Violation	Issued	Туре	30 CFR	S&S	Likely	Injury	Affected	Negligence
			104(a)	75.400	N	UL	LD	2	Mod
1 1 101 101	D (D )								1 1/1 /1 /

The Fletcher Roof Bolter, CO # 3021, located on # 3 Unit was not being maintained in that coal, coal fines, float coal dust, all being oil soaked had been allowed to accumulate in the 480VAC cable reel compartment and on the oil tank reservoir. When measured, the accumulation was 38 inches in width, 45 inches in length and ranged from 0-3.5 inches in depth.

This citation appears to meet the criteria for S&S in that accumulations in the cable reel have a heat and ignition source. This standard was issued 134 times in the previous 24 months (should have been included in the citation).

Attachment C- Citations With Questionable Evaluations

District Coal Dist 10 Field Office Madia	onville, KY Mine ID	Date
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Mine ID	Vieletier	Towned	Туре	20 CER	CIC	Tileha	Talaana	Affected	Negligence
Mine ID	Violation	Issued	Туре	30 CFR	2023	Likely	injury	Anected	negingence
			104(a)	75.503	N	UL.	LD	2	Mod

The Joy Cont. Miner, Co. # 5313, was not being maintained in permissible condition. When measured with an approved feeler gauge, an opening greater than .004, approximately 6 inches in length, existed in the plane flange joint of the tram control panel. Location: No. 3 Unit, 3rd South, MMU-010-0

Statement such as this mine liberates 1,057,481 CF of methane in a 24 hour period should be included. Methane liberation should always be considered when issuing citations regarding permissibility, methane monitor function, etc. This standard was issued 37 times in the previous 24 months (should have been included in the citation). The number of persons affected does not appear commensurate with the effects of a methane ignition or explosion.

Mine ID	Violation	Issued	Туре	30 CFR	S&S	Likely	Injury	Affected	Negligence
			104(a)	75.370(a)(1)	N	UL	NLD	1	Mod

The approved ventilation plan was not being followed on the #5 unit, MMU 003-0 and 011-0, 2nd Main South just inby spad# 48+10. Number 10 entry was mined 150' deep, # 9 entry was mined 180' deep, # 8 entry was mined 230' deep, and #7 entry was mined 170' from the center of the last open x-cut before the next proposed x-cut was opened. Page #2, item 5 of the plan states that rooms and entries shall not be driven more than 110' from the center of the last opened. At the time of this inspection an addendum had been submitted to MSHA, but had not been approved.

Statement such as this mine liberates 1,057,481 CF of methane in a 24 hour period should be included. Methane liberation should always be considered when issuing citations regarding excessive depth of cuts and other ventilation related violations. The citation does not specify if the addendum submitted to MSHA was relative to the citation issued. If so, the operator's negligence clearly increased by his implementation of a plan prior to approval by the District Manager. The number of persons affected appears to have been evaluated lower than the narrative indicates. Were the miners trained on the existing plan? This standard was issued 88 times in the previous 24 months (should have been included in the citation)

Mine ID	Violation	Issued	Туре	30 CFR	S&S	Likely	Injury	Affected	Negligence
			104(a)	75.503	N	UL	LD	1	Mod

The Fletcher roof bolter, CO # 3013, located on the #2 unit, MMU 002-0, 5th South panel, in #3 entry was not being maintained in a permissible condition. There was an opening in the main panel, a plane flange joint, in excess of .004".

Statement such as this mine liberates 1,057,481 CF of methane in a 24 hour period should be included. Methane liberation should always be considered when issuing citations regarding permissibility, methane monitor function, etc. This standard was issued 37 times in the previous 24 months (should have been included in the citation).

Mine ID Violation	Issued	Туре	30 CFR	S&S	Likely	Injury	Affected	Negligence
		104(a)	75.370(a)(1)	N	UL	LD	1	Mod

The approved ventilation plan was not being followed on the #2 unit, MMU 002-0 and 004-0, 5th South panel, just inby spad # 5+25. The face of #4 entry was mined 113' and the face of #7 entry was mined 112' from the center of the last open x-cut. Page 2, item 5 of the plan states that rooms and entries shall not be driven more than 110' from the center of the last open x-cut until the next proposed x-cut is opened. To terminate this citation management will have a meeting with the section foremen and miner operators at this mine to make sure everyone is aware of what the plan states regarding this matter.

This is the second time this type of citation was issued in less than 2 weeks, which indicates an increased level of negligence. Statement such as this mine liberates 1,057,481 CF of methane in a 24 hour period should be included. Methane liberation should always be considered when issuing citations regarding excessive depth of cuts and other

District Coal Dist 10	Field Office	Madisonville, KY	Mine ID			Date	[	
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ventilation related violations. This standard was issued 89 times in the previous 24 months (should have been included in the citation).

2 (1 100			-		100	1	1	1.00		1.	
Mine ID	Violation	Issued	Туре	30 CFR	S&	b Likel	y Injui	y Affect	ed Ne	gligence	
				75.1106-							
			104(a)	3(a)(2)	N	UL	LD		1 Lov		
A compre	ssed gas cyl	linder was not	securely	stored to prev	ent it fr	om fallir	g or acci	dentally be	ing tipp	ed	
				ol slide one cr					•		
				azard, whether					informat	tion to	
support any evaluation regarding likelihood, injury or negligence.											
M. TD	X 7' X	T 1		00 (777)	010	Y .7 1	<b>T</b> ·	A.C. 1.1	NT		
Mine ID	Violation	Issued	Туре	30 CFR	S&S	Likely	Injury	Affected	Neglig	ence	
104(a) 75.512 N UL LD 1 Low											
The discor	The disconnecting device connected to the #1 unit rectifier that supplies power to the Company No. 2001										
shuttle car	that is open	rated on the #	1 unit wa	as not properly	mainta	ained. Th	e discon	necting dev	vice was	not	
latched in place while under a load. People travel beside this rectifier each shift and could knock the											
				ng in injuries t							
				r inadequate or				S. likelihoo	l. neolige	ence and	
				aluated lower th							
				n included in th				17110 0147144	10 00 10		
	c previous 24	months (should	A THEOR DEC	n munaca m m	e crimito		····				
Mine ID	Violation	Issued	Туре	30 CFR	S&S	Likely	Injury	Affected	Neglige	ence	
			104(a)	75.333(c)(1)	N	UL	LD	1	Mod		
The distan	ice between	mandoors in f	the #11 M	fain North reta	ırn air o	course ex	ceed the	600 feet m	ximum		
distance. T	The brattice	line is 1180 fee	t withou	t an opening b	etween	the air c	ourses.				
the second se	the second se	the second se	the second se	r inadequate or			the second se		1		

Was an additional citation issued or considered for inadequate or missing examinations? Were the examination books checked after the violation was observed to help establish negligence? The number of persons affected appears to be low, especially if the stopping line separates escapeways. The inspector did not provide sufficient information to support the evaluations.

Attachment C- Citations With Questionable Evaluations