

# 107 (a) Orders

Mine Citation/Order

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



Section I—Violation Data

1. Date Mo Da Yr 01/02/2006	2. Time (24 Hr. Clock) 1220	3. Citation/ Order Number 7098693
4. Served To Al Schoonover	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791	(Contractor)

8a. Written Notice (103g)

DURING THE COURSE OF AN ALLEGED, COAL DUST OR METHANE EXPLOSION, CARBON MONOXIDE, IN EXCESS OF 2000 PPM, WAS DETECTED AT THE PIT MOUTH OF THE NO. 1 RETURN ENTRY. ALL WORKMEN SHALL BE REMOVED FROM THE AFFECTED AREA UNTIL THIS CO CONCENTRATION COMES INTO AN ACCEPTED RANGE. AN ORAL 107 (a), IMMINENT DANGER ORDER WAS ISSUED TO SAM KITTS, PRESIDENT, ICG, AT 1220 HOURS.

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health <input type="checkbox"/> Safety <input type="checkbox"/> Other <input type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR
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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 reasonably be expected to be: No Lost Workdays  Lost Workdays Or Restricted Duty  Permanently Disabling  Fatal

C. Significant and Substantial: Yes  No  D. Number of Persons Affected:

11. Negligence (check one) A. None  B. Low  C. Moderate  D. High  E. Reckless Disregard

12. Type of Action 107(a) 13. Type of Issuance (check one) Citation  Order  Safeguard

14. Initial Action A. Citation  B. Order  C. Safeguard  D. Written Notice  E. Citation/  
Order Number F. Dated Mo Da Yr

15. Area of Equipment THE ENTIRE MINE AND SURFACE AREA

16. Termination Due	A. Date Mo Da Yr	B. Time (24 Hr. Clock)
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Section III—Termination Action

17. Terminated	A. Date Mo Da Yr	B. Time (24 Hr. Clock)
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Section IV—Automated System Data

19. Type of Inspection (activity code) E07	20. Event Number 4054769	21. Primary or Mill
22. Signature [Signature]	23. AR Number [6]	

MSHA Form 7000-3, March 65 (revised) In accordance with the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Mine Citation/Order  
Continuation

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



Section I-Subsequent Action/Continuation Data

1. Subsequent Action <b>1a. Continuation</b> <input checked="" type="checkbox"/> <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 01/02/2006	3. Citation/ Order Number 7098693 - 01
4. Served To Al Schoonover	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791	(Contractor)

Section II-Justification for Action

Change	From	To
8. Condition Or Practice		
Reason:	CONDITION READS, AN ORAL 107 (a), IMMINENT DANGER ORDER WAS ISSUED TO SAM KITTS, PRESIDENT, ICG, AT 1220 HOURS. CONDITION SHOULD HAVE STATED, AN ORAL 107(a) IMMINENT DANGER ORDER WAS ISSUED TO TY COLEMAN, HEAD OF SAFETY FOR ICG, AT 1220 HOURS.	

See Continuation Form

Section III-Subsequent Action Taken

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

9. Type of Inspection	E07	10. Event Number	4054769
11. Signat	I 6	JAR Number	JL 67
12. Date	Mo Da Yr	13. Time (24 Hr. Clock)	01/02/2006 1535

770  
158 1/03



Mine Citation/Order  
Continuation

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



Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/> Continuation <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 01/02/2006	3. Citation/ Order Number 7098693 - 02
4. Served To TYRONE COLEMAN	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	7. Mine ID 46-08791 (Contractor)	

Section II—Justification for Action

THE CARBON MONOXIDE VOLUME , BEING MONITORED AT THE PIT MOUTH OF THE NO. 1 RETURN ENTRY, REACHED AN ACCEPTABLE LEVEL OF 1372 PPM

See Continuation Form

Section III—Subsequent Action Taken

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

9. Type of Inspection E07	10. Event Number 4054769	
11. Signature [ 6 ] [ 6 ]	12. Date Mo Da Yr 01/02/2006	13. Time (24 Hr. Clock) 13:31

*Handwritten:* MK 1/10