## 103(k) Orders

Mine Cita	ation/Order		•	U.S. Department of Labor Mine Safety and Health Administration				
Section IVie	olation Data				3. Citation/	7140266		
1. Date	Mo Da Yr	2. Time (24 Hr, Clock) 0550			Order Number	7149366		
4. Served	08/22/2005	0000		5. Operator				
BRAD PHIIPS				ANKER WEST VIRGINIA MINING COMPANY INC				
DIGUD I				7 Mice ID 46 00701				

 6. Mine
 7. Mine ID
 46-08791
 (Contractor)

 SAGO MINE
 8. Written Notice (103g)
 8. Written Notice (103g)
 1

 8. Condition or Practice
 8. Or fall has occurred in the number 1 entry of the 2-left working
 2
 2

 A roof fall has occurred in the number 1 entry of the 2-left working
 3
 3
 3

section, 003 mmu. Only the persons selected by the company, state officials, representative of the miners, and MSHA personnel may enter the effective area.

This order is issued to assure the safety of the miners

The company may add additional roof support at all approaches to the roof fall.

					See Con	liquation Form (MS	HA Form 7000-3a)
Violation A. Health Saloty Other	B. Section of Act		Part/Section of Title 30 CFR				
ction II-Inspector's Evaluatio	a	1.5 - J. m.					
), Gravity: A. Injury or Illness (has)		Unlikely	Reasonably Likely	<u>ا ا</u>	lighly Likely		urred 🔲
B. Injury or illness could sonably be expected	rea-	ys 🗌 Lost Work	days Or Restricted Du	ty []	- Children and	ntly Disabling	Fatal
C. Significant and Subs		No 🗌					
1. Negligence (check one	) A. None			D. High		E. Reckless Disre	Saleguard
	103(k)	13. Type of Issi	uance (check one)	Cit	ation 🗌		
4. Initial Action A. Citation B. Orde		D. Written Notice	E. Citation/ Order Number			F. Dated	
		- The Ind He Clock	<b>N N N</b>	2 C			
16. Termination Due Section IIITermination Actio	Dato	B. Time (24 Hr. Clock	)				
Section IIITermination Actio	A, Date n Mo Da Yr B. Time	B. Time (24 Hr. Clock 9 (24 Hr. Clock		<u> </u>			
Section IIITermination Actio 18. Terminated Section IVAutomated Syste	A, Date n Mo Da Yr B. Time am Data	e (24 Hr. Clock	) 21. Priman	y or Mill			
Section IIITermination Actio	A, Date n Mo Da Yr B. Time	e (24 Hr. Clock		y or Mill	23.	AR Number	

Mine Citation/Order Continuation		U.S. Department of Labor Mine Safety and Health Administration	K <sup>/E</sup>
Section I-Subsequent Action/Continuation Data	1	مراجع به المراجع	
1. Subsequent Action 1a. Continuation	2. Dated Mo Da (Original Issue) 08/22/2	7140266 01	
4. Served To BRAD PHILIPS		5. Operator ANKER WEST VIRGINIA MINING CO	OMPANY INC
6 Mino SAGO MINE		<sup>7. Mine ID</sup> 46-08791	(Contractor)
Section II-Justification for Action			

An investigation of the area has been conducted. The company has submitted a change to the roof control plan. The order is terminated.

B. Extended To A. Date Mo Da	Yr	B. Time (24 Hr. Clock)		C. Vacated	D. Terminated C E. Mod	ified
Section IV-Inspection Data						
9. Typo of Inspection E08	10. E	vent Number 4077387				
15. Signature	1	AR Number	12. Date	Mo Da Yr 08/22/2005	13. Time (4 Hr. Clock) 1550	
ISHA Form 7090-38, Mar 85 (revised)		L 67 -				
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						me

Mine Citation/Order

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

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Section IVi	iolation Data						
1. Date	Mo Da Yr 08/11/2005	2. Time (24 Hr. Clock) 0900			3. Citation/ Order Number	7149365	
4. Served To			5. Operator				
Ty Coleman			ANKER WEST VIRGINIA MINING COMPANY				
6. Mine			7. Mine ID				
SAGO N				46-08791			(Contractor)
8. Conditio	on or Practice					8a. Written Not	ice (103g)

The mine has experience a serious accident during mining operations in the 3 to 2 cross -cut of the 2 left, 003 MMU section. A rock measuring 36 inches by 26 inches and 10 inches thick fell from the right rib to the roof bolt striking the miner operation on the head and back; this order is issued to assure the safety of any persons on the 2 left section. Only those persons selected from company officials, state officials, miners' representative and other persons who are deemed by MSHA to have information relevant to the investigation may enter or remain in the effected area.

							See C	ontinuation Form (MSHA	\ Form 7000-3a) []
9. Violation	A. Health Safety Other	B. Section of Act			Part/Section of Itle 30 CFR				
Section II-Insp	ector's Evaluation								
10. Gravity: A. Injury c	or Illness (has) (is):	No Likelihood	Unlike	aly 🔲	Reasonably Likel	у 🗆	Highly Like	Ny 🗌 Occurr	ed 🔲
	or illness could rea- y be expected to be		kdays 🗌	Lost Workd	ays Or Restricted I	Duty 📋	Permane	ently Disabling 🗌	Fatal 🗌
C. Signific	ant and Substantia	al: Yes 🗌	No 📋				D. Number	of Persons Affected:	
11. Negligen	ce (chack ona)	A. None	B. Low	) C. M	oderale	D. High		E. Peckless Disrega	rd 🔲
12. Type of A	otion 103	(k)	13.	Type of lass	ance (check one)		Citation 🗌	(inder 🖌	Safeguard 🗌
14, Initial Act A. Citation	The second s	C. Saleguard	D. Writteen I	Volice 📋	E. Citation/ Order Number			F. Dated	Mo Da Yr
15. Alea or E	iquipment A1]	l entries	inby th	e load:	ing point	on th	ne 2 1e	eft section	•

16. Termination Due	A. Date Mo Da	Yr	B. Time (24 Hr. Clock)	
Section IIITermination Acti	on			

17. Action to Terminate

18. Terminated A. Date Mo	Da Yr B. Time	(24 Hr. Clock	54			
Section IVAutomated System Data						
19. Type of Inspection (activity code)	.20. Event Number	4077386	21. Primary or Mill			
	6			23. AR Number	6	

MSHA Form 2000-3. Mar 85 (fevised) In . Is drive Small Business Reclulatory Enforcement Fairness Act 1996, the Small Business Administration has ostablished a National Small Business and Apriluitude Registratory Onbustman and 10 Regional Fairness Boards to receive comments from simal business about lederal agency enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business 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	Continuation					U.S. Department of Labor Mine Safety and Health Administration			
Section ISubsequent Action/C	ontinuation Data	Contraction of the			,	ion anon anon		( No	
1. Subsequent Action 1a. C	Continuation	2. Dated (Original Issue)	Mo Da 08/11/20	Yr 005	3. Citation/ Order Number 7	149365 - 01			
4. Served To		5.05	States of the local division of the local di	5. Opera	ator	and a second second			
Ty Coleman					R WEST VIRGIN	TA MINING CON	manny		
6. Mine				7. Mine	ID	IN INTIATING CON	the second se		
SAGO MINE				1. 14.0.10	46-08791		(Contractor)		
Section II-Justification for Actio	n							_	
Change	Fre	om			То	-			
8. Condition Or Practice									

Reason The operator may roof bolt, do examinations, and move equipment to facilitate roof bolting.

An investigation of the accident has been conducted and it has been determined that a change in the roof control plan is needed to resume normal activities.

3. Extended To	A. Date Mo	Da	Yr	B. Time (24 Hr. Clock)		C. Vacated	D. Terminated	E. Modified
Section IV-Inspect	ion Data							
<ol> <li>Type of Inspe</li> </ol>	ction EOG		10. Ev	ent Number 4077386				
a a 1990 - 1990 - 1990 - 1990 - 1990 - 1990 - 1990 - 1990 - 1990 - 1990 - 1990 - 1990 - 1990 - 1990 - 1990 - 19	[	6			12. Date	Mo Da Yr 08/11/2005	13. Time (24 Hr. C 1600	•
ASHA Form 7000-	3a	•						
	/							~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~

Mine Citation/Order	
Continuation	

Subsequent Action Te. Continuation	2. Dated (Original Issue)	Mo 08/	Da 11/200	Yr )5	3. Citation/ Order Number	7149365-02			
4. Served To					5. Operator				
Ty Coleman				ANKER WEST VIRGINIA MINING COMPANY					
6. Mine	· · · · · · · · · · · · · · · · · · ·			7. Mine	15		(Contractor)		
SAGO MINE					46-0879	1	(overeasion)		

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The company has submitted changes to the roof control plan. The order is terminated.

See Continuation Form

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Section IV-Inspection Data						
	110. Event Number	4077386				
11. Signature	6 1		12. Date	Mo Da Yr 08/12/2005	13. Time (24 Hr. Clock) 1000	
MSHA Form 70(* **ar 85 (revised)						meslig

Mine Cit	ation/Order	_	U.S. Department of Labor Mine Safety and Health Administration	
Section IVi	iolation Data		Administration	
1. Date	Mo Da Yr 01/02/2006	2. Time (24 Hr. Clock) 0830	3. Citation/ Order Number 7098692	
4. Served	То		 5. Operator	
Al Schor	nnover		ANKER WEST VIRGINIA MINING COMPANY INC	•
6. Mine SAGO N	AINE		7. Mine ID 46-08791	+
SAGON	MINE .			ontractor)

AN ALLEGED EXPLOSION OCCURRED IN-BY THE 1 LEFT SECTION AT APPROXIMATELY 06:30 A. M., 01-02-2005. THERE ARE CURRENTLY 13 WORKMEN UNACCOUNTED FOR. THIS ORDER IS ISSUED TO INSURE THE SAFETY OF ALL PERSONS AT THIS OPERATION. ONLY THOSE PERSONS DEEMED NECESSARY BY MSHA, FROM WV HEALTH AND SAFETY, MINERS REPRESENTATIVE AND COMPANY REPRESENTATIVES, MAY ENTER OR LEAVE THE AFFECTED AREA.

	1						See C	ontinuation	Form (MSHA	Form 7000-3a)
9. Violation	A. Health Salet Othe	y of Act	n		Part/Section of Fitle 30 CFR					
Section II-Insp	ector's Evalu	lation								
10. Gravity:										
A. Injury c	or lliness (h	as) (is): No Likeli	hood 🗌	] Unlikely 📋	Reasonably Like		Highly Like	aly 🗍	Occum	ed 🗍
	vr illness co / be expect		st Worl	kdays 📋 Lost Workd	ays Or Restricted	Duty	Perman	ently Disa		Fatal
C. Signific	ant and Su	ubstantial: Y	•	No 🔲			D. Number	of Person	ns Affected:	
11. Negligen	ce (check d	one) A. None		B. Low C. M	oderate 📃	D. High		E. Reckl	ess Disrega	xd []
12. Type of A	Action	103(k)		13. Type of Issue	ance (check one)	Ŷ	itation 🗌	Orde	r 🗹	Safeguard 🗌
14. Initial Act A. Citation		rder 📃 C. Safeg	uard 📋	D. Written Notice	E. Citation/ Order Number			F	Dated	
15. Area or E		THE ENT	lucioni and	MINE AND SURF?	ACE AREA					an a
		A. Date		B. Time (24 Hr. Clock)						
Sector #-Ter	-sator Acti	ion		J						
18. Terminate	ed A. Date	MoDa Yr	B. Tim	e (24 Hr. Clock	T					
Section N-4.3	Dimaned Syst	ert Data	1		l					
19. Type of in (active)	spection	E07 20 =	"Numb	er 4054769	21. Primár	y of Mill				
	P	. ,		5			23 A	R Numbe	r C	<b>1</b>

MS-2 27 The Strail Business Act of 196, the Strail Business Action 196, the Strail Business and Agrostic Combudeman and 10 Kegional Faitness Boards to motive commonts from shall business about Sectors of the Strail Business and Agrostic Combudeman and 10 Kegional Faitness Boards to motive commonts from shall business about Sectors of the Strail Business and Agrostic Combudeman and 10 Kegional Faitness Boards to motive commonts from shall 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 Ombudeman at Small Business Administration, Office of the National Ombudeman, 409 3rd Street SW MC 2\*20. Massington, DC 20415. Please note, however, that your right to file a comment with the Ombudeman is in addition to any other rights you may have, including the right to contest catalors and Documents and Document the Federal Mine Safety and Health Review Commission.

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Mine Citation/Ord Continuation	ler				partment of La afety and Healt	abor h Administration		
Section I-Subsequent Ac	tion/Continuation Date							
1. Subsequent Action		2. Dated (Original locue)	Mo Da 01/02/20		3. Citation/ Order Number	7098692 - 01		
TY COLEMAN				5. Operat ANKEI	-	INIA MINING CON		
6. Mine SAGO MINE				7. Mine II	46-0879	1	(Centractor)	
Change	Fror	<u>ບ</u>			To			1
1. Issue Date	01/0	2/2006					:	
Reason								

8. Condition Or Practice

Reason THE MODIFICATION OF THIS ORDER REFLECTS THAT THE WORK CONDUCTED UNDERGROUND IS NO LONGER RESCUE. THEREFORE ANY PLANS SUBMITTED AND APPROVED DURING RESCUE ACTIVITY, WITH THE EXCEPTION OF PLAN NUMBER NINE, ARE NO LONGER NECESSARY AND ARE HEREBY NULLIFIED AND VOIDED. IN THE EVENT OF A POWER INTERRUPTION OR ANY CRITICAL MAINTENANCE NEEDED TO INSURE THE OPERATION OF NO. 2 DEWATERING PUMP, THE AFFECTED AREA IS FURTHER MODIFIED TO ALLOW THE MINE OPERATOR TO MAINTAIN THIS PUMP WITH THE PRESENCE OF AN MSHA REPRESENTATIVE.

8. Extanded To	A, Date Mo Da	Yr	B. Time (24 Hr. Clock)	C. Vacated	📋 D. Terminated 🗹 E. Modified	
Section IV-Inspec	tion Data		······································			
P. Type of Inspe	E07	10. E	went Number 4054769		***************************************	
11. Signature	r	1/	1 e at 12. Date	Mo Da Yr	13. Time (24 Hr. Clock)	
		6		01/05/2006	1205	
 MSHA rom 7000	-36, Mar 85 (revised)					
MSHA Form 7000	-38, Mar 85 (revised)					10

Change		010			То			1	
Section II-Justification for	Antion	يناوحاو المناو المحجود معمور في بالا			<u>ۇ</u>				
SAGO MINE				1	46-0879	L			
6. Mine				7. Mine I		1	(Contractor)		
TYRONE COLEN	IAN					INIA MINING CON	APANY INC		
4. Sarved To				5. Opera					
		(Original lasue)	01/02/20	006	Order Number	7098692 - 02			
1. Subsequent Action	a. Continuation	2. Dated	Mo Da	Yr	3. Citation/				
Section I-Subsequent Actio	on/Continuation Data			and the second second second					
Continuation				1	s an				
Mine Citation/Order				U.S. Department of Labor Mine Safety and Health Administration					

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8, Condition Or Practice

Reason CHANGE DATE 01-02-2005 TO DATE 01-02-2006

Section III-Subsequent Action Taken	. I. alat in a first line to the second s	ang that any sta			See Continuation F	ionn 🗍
All the second sec	Yr B, Time (24 Hr. Clock)		C. Veceted	D. Terminated	E. Modified	
Section W-Inspection Data		وميرالا التمير إذكر منهار للمتعر وارقاعه				
9. Type of Inspection E07	D. Event Number 4054769					
11. Signature	7 AR Number	12. Date	Mo Da Yr 01/06/2006	13. Time (24 Hr, Cla 0915	-ok)	
MSHA Form 7000-3e, Jiar 85 (review/)						Ý
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