# 314(b) Safeguards

See Continuation Form (MSHA Form 7000-3a)

9. Violation A. Health B. Section

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



	Mine Safety and Health Administration
Section I-Viplation Data	MINISTER OF THE TRANSPORT OF THE TRANSPO
Date Mo Da Yr 2. Time (24 Hr. Clock) 08/08/2005 1045	3. Citation/ Order Number 7098134
I. Served To Lonnie Short	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC
5. Mine SAGO MINE	7. Mine ID 46-08791 (Contractor)
3. Condition or Practice	8e. Written Notice (103g)
On August 08,2005 the coal feeder	which is equipped with a crusher was

On August 08,2005 the coal feeder which is equipped with a crusher was observed in operation on the 1-Left, 006-0 MMU section at Sago #3 mine. The load end of the feeder is approximately 14 inches above the mine floor and a miner could easily step or fall onto the moving conveyor chain and be transported into and through the crusher. Such an incident would result in fatal injuries to the miner. Becoming entangled in feeder conveyors and being pulled into the crusher has fatally injured several miners.

This is a Notice to Provide Safeguards requiring that an emergency stop device, which is properly designed, be maintained between the load end and the crusher of all such feeders at this mine. The device shall be designed and located so that a miner entangled in the conveyor chain can stop the feeder before he reaches the crusher.

C. Part/Section of

Safety			Title 30 CFR		75.1403	3	
Section II-Inspector's Evalu	The state of the s						
10. Gravity:							
A. Injury or Illness (ha	s) (is): No Likeliho	od Unlikely	Reasonably	Likely [	Highly Likely	Occum	ed 🗌
<ol> <li>Injury or illness cou sonably be expecte</li> </ol>		Workdays Lost	Workdays Or Restr	cted Duty	Permanently D	isabling 🗌	Fatal
C. Significant and Sul	bstantial: Yes	□ No □			D. Number of Per	sons Affected:	
11. Negligence (check or	ne) A. None	B. Low	C. Moderate				
12. Type of Action	314(b)	13. Type of	f Issuance (check or	ie) (	Citation 🗌 Or	der 🗌	Safeguard 🗸
14. Initial Action A. Citation B. O	rder C. Safeguar	rd D. Written Notice	E. Citation/ Order Nu	nber		F. Dated	Mo Da Yr
16. Termination Due	A. Date	IR Time /24 Hr Ck	ock) 1115				
Section III-Termination Act	ion						
	being relo	inated due to cated on the d he power from	coal feede	r. The	emergency		
18. Terminated A. Date	Mo Da Yr 08/08/2005	B. Time (24 Hr. Clock)	1115				
Section IVAutomated Sys	tem Data						
19. Type of Inspection (activity code)	20. Event	Number 405474	19 21. P	rimary or Mill			
	6		<u> </u>		23. AR Nur		o T

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of 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

SAFFGUARD

U.S. Department of Labor

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			Mine Sa	afety and Healt	h Administration	A	((4))
Section ISubsequent Action/Continuation Data			-				
1. Subsequent Action 1a. Continuation	Dated     (Original Issue)	Mo Da 08/08/20		3. Citation/ Order Number	7098134		P-1
4. Served To Lonnie Short 6. Mine			5. Operato ANKER		INIA MINING C	COMPANY INC	
SAGO MINE Section IIJustification for Action			7. Mine ID	46-0879		(Contractor)	<u> </u>
				<del></del>			واستوار بالنائب
Continuation of 17. Action to Terminate							

emergency stop switch pull cord is pulled.

Section III—Subsequent Action Taken  8. Extended To Mo Da				See Continuation Form
A. Date	Yr B. Time (24 Hr. Clock)	C. Vacated	D. Terminated	E. Modified
Section IV-Inspection Data				
9. Type of Inspection E01	10. Event Number 4054749			
11. Signatu	AR Number 12. Date	Mo Da Yr	140 ==	9-
		Mo Da Yr 08/08/2005	13. Time (24 Hr. Ck	ock)
MSHA Form 7000-3a, Mar 85 (revised)			<u></u>	

1 - APARILLED

Mine Citation/Order	U.S. Department of Labor Mine Safety and Health Administration
Section I-Violation Dela	
1. Date Mo Da Yr (2. Time (24 Hr. Clock) 06/14/2005 1130	3. Citation/ Order Number 7097925
4. Served To Bill Currence _ Mine Foreman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC
6. Mine SAGO MINE	7. Mine ID 46-08791 (Contractor)
8. Condition or Practice	8a. Written Notice (103g)
1 personnel carrier struck the No. 3 is suggested wording.  "On 05/07/2005, a miner was injured i slid on the supply track haulage rail which was stopped. The injured miner carrier and struck his head against t track mounted personnel carrier which devices being operational. This is a pieces of haulage equipment traveling	the canopy at the time of impact. The slid was being operated without sanding large, complex coal mine with numerous on track haulage  See Continuation Form (MSHA Form 7000-3e)
Safety of Act Other	C. Part/Section of Title 30 CFR 75.1403
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	orkdays 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. Recklass Disregard
12. Type of Action 314(b) 13. Type of Iss	suance (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 or Equipment	
16. Termination Due A. Date Mo Da Yr 06/18/2005 B. Time (24 Hr. Clock)	0800
Section III—Termination Action	
17. Action to Terminate	
18. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock)	

MSHA Form 7030-3, Mar 85 (revised) In accordance with the provisions of 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 N=":mall 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.

21. Primary or Mill

23. AR Number

4054745

20. Event Number

Section IV-Automated System Data 19. Type of Inspection

(activity code) 22. Signature

E01

#### Mine Citation/Order Continuation

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

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stration	<b>(3)</b>

Subsequent Action 1a. Continuation	Dated     (Original Issue)	100/2010	Da Yr 1/2005	3. Citation/ Order Number	7097925
4. Served To Bill Currence Mine Foreman			5. Opera ANKE		GINIA MINING COMPANY INC
6. Mine SAGO MINE			7. Mine I		(Contractor)

#### Continuation of 8. Condition or Practice

that has numerous switches, derails, and turns. The track is subject to frequent changes in elevation. The track rails are subject to moisture due to water and condensation from temperature changes. Failure to provide and maintain properly operational sanding devices could easily contribute to run away haulage equipment, a collision between two pieces of track mounted equipment resulting in a serious accident, or a miner traveling on foot being struck by the vehicle. This is a Notice to Provide Safeguard requiring personnel carriers that are designed to transport in excess of five miners and locomotives be provided with properly installed and well-maintained sanding devices at each wheel that will deposit sand on the track rails in both directions of travel. When sanding devices are required, sand reservoirs shall be checked and filled with sand as necessary before a vehicle is used to transport persons, and sand shall be maintained in the sand reservoirs of each track-mounted vehicle while persons are being transported in the mine."

Section III-Subse	equent Action Take							See Continuation Form
<del>-</del>	A. Date Mo	Da	Yr	B. Time (24 Hr. Clock)		C. Vacated	D. Terminated	E. Modified
Section IV-Inspe	ction Data							
9. Type of Inspe	ection E01		10. E	vent Number 4054745				
11. Signaturi	<u> </u>	)	<del>/- )</del>	AR Nurober	12. Date	Mo Da Yr 06/14/2005	13. Time (24 Hr. Ck	ock)
MSHA Form 7000	32, Mar 85 (revis	ed)						

Mine C	itation/Order
Continu	ation

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





Section I-Subsequent Action/Co		Anno Carety and Ficality Administration	1
1. Subsequent Action 1a. Co	ontinuation 2. Dated (Original Issue	Mo Da Yr 3. Citation/ 06/14/2005 Order Number 7097925 - 01	
4. Served To		5. Operator	
Lonnie Short		ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine		7 AC ID	-
SAGO MINE		46-08791 (Contractor)	
Section II-Justification for Action			_

Terminated due to the safety director training the miners on what is required during the pre-operational check's on the following dates: 06/21/2005, 06/22/2005 and 06/23/2005.

Section III-Subse	quent Action Take	en					See Continuation Form
	A. Date Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated	D. Terminated	☐ E. Modified
Section IV-Inspec	tion Deta	140		<u> </u>			
<ol><li>Type of Inspe</li></ol>	ction E01		10. E	vent Number 4054745			
44 Cincetus			•				
11. Signatur		0		AR Number 12. Date	Mo Da Yr 06/27/2005	13. Time (24 Hr. Clo 0400	ck)



Mine Citation/Ord Continuation	er				epartment of L afety and Healt	abor th Administration	Slay	<b>(A)</b>
Section I-Subsequent Ac	tion/Continuation Data						0.0	
1. Subsequent Action	1a. Continuation	2. Dated (Original Issue)	Mo Da 06/14/20	Yr 105	3. Citation/ Order Number	7097925 - 02		<del></del>
4. Served To				5. Operat	or			
Lonnie Short				ANKE	R WEST VIRG	INIA MINING CO	MPANY INC	
6. Mine SAGO MINE				7. Mine II			(Contractor)	-+
Section II—Justification for	Action			-				<del></del>
Change	Fre	rd			To			- TSREE
2. Issue Time	11:	30			16:00			
Reason Entered	the wrong time on	the citation when	issuing.					

8. Extended To	quent Action Tak	en Da	Yr					
o. Extended 10	A. Date	Ua	"	B. Time (24 Hr. Clock)		C. Vacated	D. Terminated	✓ E. Modified
Section IVInspec	ction Data							
<ol><li>Type of Insper</li></ol>	ection E01		10. Ev	vent Number 4054745				
11.5		1		<b>—</b>				
11. Signatur=		W		AR Number	12 Date	Mo Da Yr	13. Time (24 Hr. Ck	ick)
_		-		- 1 6		06/29/2005	0814	

Mine	Citation	/Order

### SAFEGUARD U.S. Department of Labor

Mine Safety and Health Administration



Section I-Violation Data				<del></del>			ila i ioait				-		
1. Date Mo Da		2. Time (		-				3 Citati		709	7926		
06/14/ 4. Served To	2005	<u> </u>	11	45	5	Operator	-	Orde	r Number	,,,,			
Bill Currence Mi	ne Foren	nan				NKER WES	T VIRG	INIA M	IINING	COMP	ANY	INC	
6. Mine	110 1 0101					A2: 1D	5-0879						
SAGO MINE						<del></del>	)-0019					-	ractor)
33 == 3								10/05		8a. Writ		ice (103	g)
"The inspect													
revealed tha													9
space along													
being operat observed:	eu at	. norm	iaı s	speeds. The	101	rowing ii	azatu	Jus C	OHOL	.10115	wer	е	
observed.				·									
5/10/05	The t	rack	haul	age equipm	ent 1	was rubb	ing t	he co	al r	ib alo	ona	the	
tight side o													ce
was obstruct													
blocks along													
dragging as									.24 F	Block	alo	ng N	10.
4 conveyor b	pelt w	as ob	stru	icted with	6 cr	oss bars	(6"b)	-	<b></b>				
9. Violation A. Health		B. Section			C Part/	Section of		See	Continuati	on Form (M	SHA FO	m /UUU-	30)
Safel	=	of Act				30 CFR		7	75.1403				
Othe													
Section II—Inspector's Evaluation III—Inspector's Evaluation IIII—Inspector's Evaluation IIII—I	lation												
A. Injury or Illness (ha	ss) (is):	No Likelih	ood 🗔	Unlikely -	, R	easonably Likely	$\Box$	Highly LI	kely	Oc	curred		
B. Injury or illness co			4 19/2-1	dan		<u>`</u> _				- <b>L</b> II	7		-
sonably be expects	-	NO LOS	R WORK	days Lost I	vvonkaays	Or Restricted D	ruty 📋			sabling _		Fatal _	J
C. Significant and Su	bstantial:	Yes	s 🗌	No 🗌				D. Numbe	er of Perso	ons Affects	ed:		
11. Negligence (check or	xe) ,	A. None		B. Low	C. Moder	rate [	D. High [	]	E. Rec	kless Disn	egard [		
12. Type of Action	314(b)	)		13. Type of	Issuance	(check one)	Cit	ation 🗌	Ord	er 🗌		Safegu	ard 🔽
14. Initial Action			CAROLINA S			Citation/		111-1-12		F. Dated		Mo Da	Yr
A. Citation B. O	rder	C. Safegua	and _	D. Written Notice		Order Number							-
<ol><li>Area or Equipment</li></ol>													
16. Termination Due	A. Date	Mo Da		B. Time (24 Hr. Cloc	:k)	0800							
		06/15/20	005				<u> </u>						
C-4' W T A A							-						
Section III—Termination Act	on												
Section III—Termination Acti 17. Action to Terminate	ion												
	Ori												
17. Action to Terminate		a Vr. I	<del>-</del>					<del></del>				····	
	Mo Di	a Yr	B. Time	(24 Hr. Clock)				<del></del>			<u>.                                    </u>	7	
17. Action to Terminate	Mo Da	a Yr	B. Time	(24 Hr. Clock)				······································			_		
17. Action to Terminate  18. Terminated A. Date	Mo Da	a Yr 20. Event			5	21. Primary (	or Mill	T			_		
17. Action to Terminate  18. Terminated A. Date  Section IV-Automated Systems  19. Type of Inspection	Mo Da				5	21. Primary o	or Mill	23.	AR Numb	er T	6	<u> </u>	
17. Action to Terminate  18. Terminated A. Date  Section IV—Automated Syst  19. Type of Inspection (activity code)	Mo Da em Data E01	20. Event	Number									J. Administ	ration

egency 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 3trd Street, SW MC 2120, Washington, DC 20116. Please and a however, that your right in file a comment with the Ombudsman is in caldification 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

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1, Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 06/14/20		3. Citation/ Order Number	7097926
4. Served To Bill Currence Mine Foreman			5. Operato	•	INIA MINING COMPANY INC
6. Mine SAGO MINE			7. Mine ID		(Contractor)

Continuation of 8. Condition or Practice

by 16'). The haulage equipment was dragging on the bars as they passed. 5/19/05 --- Steel track rails were lying in the wide side clearance space at the No. 2 belt head switch. The haulage equipment was barely clearing the ends of the rails as they passed.

5/20/05 --- The clearance spaces along both sides of the track at No. 42 block along No. 4 conveyor belt were obstructed with mud and water to the point the frames of the haulage equipment were dragging as they traveled through the area. The area also has 15 fly boards, 6 concrete blocks, 2 hydraulic oil cans, rock and other extraneous material present that the haulage equipment were dragging on. There were 9 steel track rails laying in the wide side clearance space at No. 44 block along the No. 4 conveyor belt and the haulage equipment were rubbing them as they passed. There was rock present for 30' distance in the wide side clearance space at No. 45 block along the No. 4 conveyor belt and the haulage equipment was dragging on it as they passed. 6/02/05 --- There were 2 scoop tires present in the wide side clearance space at No. 54 block along the No. 4 conveyor belt and the haulage equipment barely cleared them. The miners had to climb over the tires to use the travel way to the working section located inby. The listed obstructions create derailment hazard as well as the hazard of the obstructions being caught between the mine floor, rib or track and the frame of track mounted equipment which could cause the material to enter track mounted equipment and strike the operator, passengers or pedestrians, which could easily result in serious injury. The track haulage system is used each shift to transport men and materials into and out of the mine. This is Notice to Provide Safeguard requiring the mine operator to maintain a continuous clearance of at least 24 inches on the wide side and a continuous clearance of at least 12 inches on the tight side from the furthest projection of normal traffic on all track haulage roads. The clearance space along all track haulage shall be maintained free of loose rock, supplies, rail components, conveyor belting, belt components, roof bolts, flyboards, and other extraneous materials which would contribute to a derailment or be struck by rail mounted equipment and injure passengers or pedestrians."

Codon III Cubacqu	ent foto	i Taken					<del></del>		See Continuation Form
8. Extended To	A. Date	Mo	Da	Yr B. Time (24)	Hr. Clock)		C. Vacated	D. Terminated	E. Modified
Section IV-Inspection	on Data								
9. Type of Inspect	tion E	01		10. Event Number	4054745	<del></del>			
11. Signature T		6	)	17	AR Number	12. Date	Mo Da Yr	13. Time (24 Hr. Cl	lock)
					<u> </u>		06/14/2005	1145	

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

#### Mine Citation/Order Continuation

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





	Willie Galety and Health Administration					, , U	\//
Section I-Subsequent Action/Continuation	Production of the Control of the Con						
1, Subsequent Action 1a. Continuation	n 2. Dated (Original Issue)	Mo Da 06/14/20	- 1	3. Citation/ Order Number	7097926 - 01		
4. Served To			5. Operato	<del></del>		***	
Lonnie Short			ANKER	WEST VIRG	INIA MINING CO	MPANY INC	
6. Mine	•		7. Mine ID			(Contractor)	
SAGO MINE				46-0879	1	(COILI, GOLOI)	
Section II—Justification for Action							_

Terminated due to all of the material's in the clearance space's being removed. The required clearance space is now provided along all of the track haulage in this mine.

Section III-Subsequent Action Tak	en			See Continuation	Form
B. Extended To A. Date Mo	Da Yr	B. Time (24 Hr. Clock)	C. Vacated	☑ D. Terminated ☐ E. Modified	
Section IV-Inspection Data					
9. Type of Inspection E01	10. 1	Event Number 4054745			,
11. Signaturr	6	AR Number 1:	2. Date Mo Da Yr	13. Time (24 Hr. Clock)	
	•	7 1 6 1 1	06/27/2005	0430	

Mine (	Citation	n/Order
- 44		

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

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Subsequent Action	1a. Continuation	2. Dated (Original Issue)	Mo Da 06/14/20	Yr 3. Citation/ Order Numbe	7097926 - 02	
4. Served To Lonnic Short				5. Operator ANKER WEST VIR	GINIA MINING CO	MPANY INC
6. Mine SAGO MINE				7. Mine ID 46-087	1	(Contractor)
Section II—Justification for	Action				***************************************	
Cuange	Fr	om	- PARTIES AND	To		
2. Issue Time	11	:45		16:30		
Reason Entered t	he wrong time or	the citation when	issuing.			

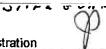
Section III—Subse	quent Action Tak	en	-						See Continuation Form
8. Extended To		Da	Yr	B. Time (24	Hr. Clock)		C. Vacated	D. Terminated	☑ E. Modified
Section IV-Inspect 9. Type of Inspe			10. E	vent Number	4054745				
11. Signatur*	[	6	1	ונ	AR Number	12. Date	Mo Da Yr 06/29/2005	13. Time (24 Hr. Ck	ock)

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

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#### Mine Citation/Order

### U.S. Department of Labor





				Mine Safety	and Health Administ	tration					
Section I-Viola											
1. Date	Mo Da Yr	2. Time (24 Hr.			3. Citation/	/ ( NU / I	027				
	06/14/2005	1	210		Order Number 7097927						
4. Served To					5. Operator						
6. Mine	ice _ Mine For	eman	<del></del>		ST VIRGINIA MIN	IING COMPA	NY INC				
SAGO MI	NE		•	7. Mine ID 4	6-08791		(Contractor)				
8. Condition o						8a Writte	n Notice (103g)				
"An ins	spection o	of track h	aulage betwe	en 4/07/05	and 6/02/05	in leaves	that the				
track h	aulage s	stem was	not being pi	coperly main	ntained in go	and condi	tion to				
insure	the safe	passage c	of the haulac	re equipmen	t being opera	eted et n	ormal				
speeds.	The fol:	lowing haz	ardous condi	itions were	observed:	reed at m	DIMAI				
-		<b>J</b>			02001.00.						
On 4/7/	'05, a mar	trip tran	sporting min	ners into the	he mine derai	iled at b	lock No.				
34, alc	ng No. 4	conveyor	belt, becaus	se of a seve	ere dip in th	ne rails.	The rails				
were in	stalled 2	24" above	the mine flo	or and loo	sely blocked	with wood	d. No				
additio	nal balla	st had be	en added to	secure the	blocking. Th	ne wood b	locking				
had fal	len out	rom under	the rails a	and ties; or	n 04/13/05, a	mantrip	derailed				
in the	switch at	No. 2 be	lt head beca	use the sw	itch was	<b>-</b>					
					See Con	tinuation Form (MSI	HA Form 7000-3e)				
9. Violation	A. Health	B. Section		C. Part/Section of							
	Safety ✓ Other	of Act		Title 30 CFR	75	1403					
Section II-Inspe	ctor's Evaluation	1	<u>I</u> _			<del></del>					
10. Gravity:											
A. Injury or	Illness (has) (is):	No Likelihood	Unlikely [	Reasonably Like	ly 🗌 Highly Likely	Occu	rred				
	illness could rea- be expected to be:	No Lost Wor	kdays Lost W	orkdays Or Restricted	Duty Permanen	ntly Disabling	Fatal				
	nt and Substantial	Yes [	No 🗌		<del></del> -	Persons Affected					
11. Negligence	(check one)	A. None	B. Low 🗍 C	. Moderate	D. High [] E	E. Reckless Disreg	pard [				
12. Type of Ac	tion 314	Ъ)	13. Type of is	suance (check one)	Citation [	Order [	Safeguard 🗹				
14. Initial Actio	·			E. Citation/		F. Dated					
A. Citation	B. Order	C. Safeguard [	D. Written Notice	Order Number							
15. Area or Equ	uipment						The state of the s				
16. Termination	Due A. Date	Mo Da Yr	D. Time (OALI) Charles		1						
	A. Date	06/23/2005	B. Time (24 Hr. Clock)	0800							
Section III—Term											
17. Action to Te	erminate										
18. Terminated	A. Date Mo	Da Yr B. Tim	e (24 Hr. Clock)								
Partian D/ Auto-	nated System Data										
19. Type of Insi		20 Event Number		[04 5:-	1479						
(activity cod		20. Event Number	4054745	21. Primary	or Mill						
22. Signature	r	la	· ·	7	23. AR I	Number 1					
40U4 F 700	L.	6		<u> </u>			0 1				

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of 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.

SAFEGUAR

### Mine Gitation/Order Continuation

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

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"

1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo 06/1	Da 14/20	Yr 05	Citation/     Order Number	7097927
4. Served To				5. Operat	or	
Bill Currence Mine Foreman				ANKE	R WEST VIRG	INIA MINING COMPANY
6. Mine				7. Mine II		(Contrac
SAGO MINE					46-0879	1
Section II—Justification for Action						

Continuation of 8. Condition or Practice

not properly maintained. The wheels of the mantrip picked the switch points; on 4/19/05, the main line track was not properly supported at several locations allowing the rails to slide sideways. Severe kinks were created that cause the haulage equipment to change directions abruptly. Numerous loose or missing rail joint bolts increased the severity of the kinks; on 4/29/05, a flat car transporting mine supplies into the mine derailed in the 1-right track switch because the switch was not properly installed and adjusted; on 5/4/05, a mantrip transporting miners into the mine derailed at the No. 2 belt head switch. The switch had loose bolts, was misaligned; on 5/10/05, a flat car derailed 2 blocks outby the No. 2 right track switch because of loose rail joints and a severe dip in the rails; on 5/19/05, the No. 2 track switch had loose bolts, missing bolts, a broken rail and the switch would not tighten when thrown for the turn. Tracks on the mine floor indicated recent derailments at the switch; on 5/20/05, water had been allowed to accumulate in the roadbed at No. 38, along No.4 conveyor belt, block in a depth that covered the rails. The rail joints of the area were loose and pumped up and down as the haulage equipment passed. The wheels of the haulage equipment were tracking the water down the rails for several feet in both directions leaving them slick. This water also acted to stop up the sanders of the haulage equipment. On 5/20/05, a similar water accumulation was present at No. 42 block, however, the mine floor was soft and the ties and rails were being pushed into the bottom. The frame of the haulage equipment was dragging in the slop and mud as it passed. Water was 3" to 8" over the rails; on 6/02/05, the road bed at No. 53 block was not being properly maintained. Water had been allowed to accumulate and the wood blocking had floated out from under the rails. The rail joints were pumping under the weight of the haulage equipment and water was being tracked for several feet in both directions, leaving the rails slick. The above specified conditions present a derailment hazard of track mounted equipment, which can result in serious injury to miners. The track haulage system is used each shift to transport men and materials into and out of the mine. This is a Notice to Provide Safeguard requiring that the mine operator maintain the rails of the track haulage system free of defects, such as, but not limited to, loose or displaced rail ends at joints, missing bolts at joints, damaged, distorted, or missing components of directional track

Section III-Subse	quent Action Te	ken				-		See Continuation Form
8. Extended To	A. Date Mo	) Da	Yr B. Time (24	Hr. Clock)		C. Vacated	D. Terminated	E. Modified
Section IV-Inspec	ction Date							
9. Type of Inspe	ction E01		10. Event Number	4054745				
11. Signatur		Ü	71	AR Number	12. Date	Mo Da Yr 06/14/2005	13. Time (24 Hr. Ck	ock)
MSH4 En- 2000	3- M 05 (							

SAFE GUARD

Mine.Citation/Order Continuation

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



Section I-Subsequent Action/Continuation Data				tarage <del>state</del> of the language of the state of the language of	
1. Subsequent Action 1a. Continuation	Dated     (Original Issue)	Мо 06/1	Da Yr 4/2005	3. Citation/ Order Number	7097927
4. Served To			5. Oper	ator	
Bill Currence Mine Foreman			ANKI	ER WEST VIRO	GINIA MINING COMPANY INC
6. Mine			7. Mine	ID	(Contractor)
SAGO MINE			1	46-0879	1
Section II - tertification for A-ti-					

switches, damaged, distorted, or missing components of track frogs or derails, broken or distorted track rails, rails with broken or missing flanges, loose track ties, or any other defects in the components of the track haulage system that may cause derailment of track-mounted vehicles or rolling stock. Additionally, water shall not be allowed to accumulate over the ball of the rail along the track haulage and the roadbed shall be maintained reasonably free of water. All components of the track shall be properly aligned, leveled, blocked and ballasted to prevent pumping, kinks, dips, slewing of the track, and damage to the rails"

Section III—Subse	quent Action Take	<b>∍</b> n					See Continuation Form
B. Extended To	A. Date Mo	Da	Yr	B. Tirne (24 Hr. Clock)	C. Vacated	D. Terminated	E. Modified
Section IV—Inspects. Type of Inspe			ho F	vent Number 4054745			
1. Signature		6	1	9 AR Number 12. Date	Mo Da Yr 06/14/2005	13. Time (24 Hr. Clo	ck)

Mine Citation/Order
Continuation

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

5/9



(Original issue)	06/1	14/200		3. Citation/ Order Number	7097927 - 01
					W-1-1
			ANKER	WEST VIRG	INIA MINING COMPANY INC
					(Contractor)
		- 1		46-0879	1
				5. Operato ANKER	5. Operator

Extended due to the mine operator has made a diligent effort to correct these conditions. These conditions are approximately 80% finished at this time.

Section III-Subseque	nt Action Taken					See Continuation Form
Α.	Date Mo Da 07/05/	Yr 2005 B. Time (24 Hr. C	slock) 0600	C. Vacated	D. Terminated	☐ E. Modified
Section IV—Inspection  9. Type of Inspection	) Data	10 = 10	4054745			
11. Signatu	5		4034743   12. Date	Mo Da Yr 06/27/2005	13. Time (24 Hr. Cl	•

Continuation	er 				U.S. Department of Labor Mine Safety and Health Administration					
Section I-Subsequent Act	ion/Continuation Data							7.00		
Subsequent Action 1	a. Continuation	Dated (Original Issue)	7373	Da Y 1/2005	r 3	3. Citation/ Order Number	7097927 - 02			
Lonnie Short					Operator VKER		INIA MINING CO	OMPANY INC		
		,			Mine ID	46-0879		(Contractor)		

To

17:30

12:10 Entered the wrong time on the citation when issuing. Reason

From

Section Il—Justification for Action

Change

2. Issue Time

Section III-Subse	quent Action Tak	en .				See Continuation Form
	A. Date Mo	Da	Yr B. Time (24 Hr. Clock)	C. Vacated	D. Terminated	☑ E. Modified
Section IV-Inspec						
Type of Inspe	ction E01		10. Event Number 4054745			
11. Signature	L	6	AR Number 12. Date	Mo Da Yr 06/29/2005	13. Time (24 Hr. Cloo 0825	<b>;k</b> )

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

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#### MSHA BRIDGEPORT

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

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Mine Citation/Order Continuation		U.S. Department of Labor Mine Safety and Health Administration					
Section I—Subsequent Action/Continuation Date  1. Subsequent Action 1a. Continuation	2 Dated (Original lassue)	Mo De 06/14/20	A   A   A   A   A   A   A   A				
4. Served To Carl Crumrine - Mine Foreman			5. Operate ANKER		GINIA MINING CO	MPANY INC	:
6. Mire SAGO MINE			7. Mine ID	46-0879	1	(Contractor)	
Section II. hadifaction (c. Adion							

Terminated due to all of the condition's at the location's listed in safeguard no.7097927 being corrected.

xtended To	A. Date	Mo De	<b>W</b>	B. Time (24 Hr. Clock)		C. Vacated	D. Terminated	E. Modified	
tion IV-Inspec	tion Data			¥			_		
you of Inspa	ction E	01	10. E	vent Number 40547	49				
Signat	5	1-	•	AR Number	12. Date	Mo Da Yr	13. Time (24 Hr. Ci	oak)	
		V		<b>4</b> 1 1	7	07/13/2005	1045		
		(revised)							

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

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<b>(*)&gt;</b>		

Section I-Violation Data 1. Date 2. Time (24 Hr. Clock) 3 Citation/ 7096483 05/03/2005 1300 Order Number 4. Served To 5. Operator Bill Currence Mine Foreman ANKER WEST VIRGINIA MINING COMPANY INC 6. Mine 7. Mine ID 46-08791 SAGO MINE (Contractor)

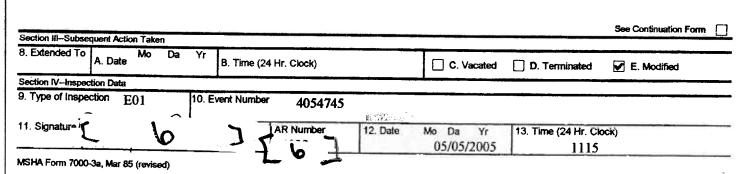
This is a notice to provide a safeguard requiring: (1) A clear unobstructed travelway of at least 24 inches wide be provided along both sides of all conveyor belts including the head, tail, and take-up units. (2) The areas around the tail, head, drive and take-up units shall be maintained free of water, slop, mud of other obstructions that create slip, trip and fall hazards to the miners who routinely travel through the areas for examination and belt maintenance. (3) The water lines along side the conveyor belt drives, take-ups or head units shall not be positioned in such a manner that they will interfere with travel, examination of the required cleaning and other maintenance requirements.

								See C	continuation	n Form (N	ASHA Form 7	'000-3a	0 1/
9. Violation	A. Health Safety Other	V	B. Section of Act			Part/Section of Title 30 CFR			5,1403				7
Section II-Insp	ector's Evalua	ation								-71-10			4
10. Gravity:									- 11				1
The state of the s	r Iliness (has		No Likelihood	Unlik	ely 🔲	Reasonably Lik	ely 🗌	Highly Llk	ely 🗌	Oc	curred [		1
	r illness cou be expected		No Lost Wo	rkdays 🗌	Lost Worl	kdays Or Restricted	d Duty 🗌	Permar	ently Disa	abling [	Fata	1 🗆	in Carro
C. Signific	ant and Sub	estantial:	Yes 🗌	No 🗌	93-700H0-494			D. Number	of Person	ns Affect	ed:		
11. Negligeno	e (check on	e)	A. None 🗌	B. Low	] C. I	Moderate	D. High		E. Reck	less Dis	regard [	S 47 4 . 14	
12. Type of A	ction	314(b	)	13.	Type of Issu	iance (check one)	С	itation 🗌	Orde	r 🗌	Sa	feguar	d 🗸
14. Initial Actio	on					T= an			$\overline{}$	F. Dated		Da `	
A. Citation 15. Area or Ed	B. On	der 🗌	C. Safeguard	D. Written f	Notice	E. Citation/ Order Number	<b>r</b>				MK.	, Da	Yr 
15. Area or Ed	B. On	A. Date	Mo Da Yr	D. Written N						7 . Dated	, MK	, Da	Yr
	B. On quipment	A. Date				Order Number				7 . Dated	MK	Da	Yr
15. Area or Ed	B. On quipment	A. Date	Mo Da Yr			Order Number				. Dated	MK	, Da	Yr
15. Area or Ed  16. Termination  Section IIITerm  17. Action to T	B. On quipment on Due nination Action	A. Date	Mo Da Yr 05/06/2005		Hr. Clock)	Order Number				. Dated	MK		Yr
15. Area or Ed  16. Termination  Section III—Term  17. Action to T	B. On quipment on Due nination Action Ferminate	A. Date	Mo Da Yr 05/06/2005	B. Time (24	Hr. Clock)	Order Number				. Dated	MK		Yr
15. Area or Ed	B. On quipment on Due o	A. Date	Mo Da Yr 05/06/2005	B. Time (24	Hr. Clock)	Order Number				. Dated	MK		Yr

In accordance with the provisions of 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 (1-888-734-7347), 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.

UP 5/06

Mine Citation/Order Continuation		U.S. Department of Labor Mine Safety and Health Administration
Section I Subsequent Action/Com  1. Subsequent Action 1a. Con  2.  4. Served To  Bill Currence Mine Fo  5. Mine  SAGO MINE	tinuation 2. Dated Mo (Original Issue) 05/03	Da Yr   3. Citation/ Order Number   7096483 - 01   5. Operator   ANKER WEST VIRGINIA MINING COMPANY INC   7. Mine ID   46-08791   (Contractor)
ection II—Justification for Action  Thange  Condition Or Practice	From	fo
<b>(eason</b> Add to the boo	dy of the condition and practice: (4) O	retrictions including has not time to do at the terms
and fall hazards.  Did not inc	s, coal, wood, bearing, rollers, mine sir	ostructions including but not limited to the following items: excessive pplies, water line and extraneous materials that will create slip, trip formation in the body of the citation in
and fall hazards.  Did not inc	s, coas, wood, bearing, roners, mine su	pplies, water line and extraneous materials that will create slip, trip
and fall hazards.  Did not inc	s, coas, wood, bearing, roners, mine su	pplies, water line and extraneous materials that will create slip, trip
and fall hazards.	s, coas, wood, bearing, roners, mine su	pplies, water line and extraneous materials that will create slip, trip



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Mine Citation/Order Continuation					U.S. Department of Labor Mine Safety and Health Administration				
Section ISubsequent Action/Continuation Data			-		arety dila rican	an Administra	supii • •		
1. Subsequent Action 1a. Continuation	Dated     (Original Issue)	Mo 05/0	Da 3/20	Yr 05	3. Citation/ Order Number	7096483	- 02		
4. Served To Bill Currence Mine Foreman				5. Opera		INIA MININ	NG COMPANY I	VC	
6. Mine SAGO MINE	,			7. Mine I	46-0879		(Contracto		
Section II—Justification for Action									

The mine operator has made a diligent effort to correct these conditions. Approximately 60% of the work has been finished. The mine operator has miners working on these conditions on every shift during each day.

11. Signature  AR Number 12. Date Mo Da Yr 13. Time (24 Hr. Clock)	Section III—Subse	quent Action Taken	<del></del>					See Continuation Form
9. Type of Inspection E01 10. Event Number 4054745  11. Signature 12. Date Mo Da Yr 13. Time (24 Hr. Clock)		A. Date 05/16		Hr. Clock)	0600	C. Vacated	D. Terminated	E. Modified
11. Signature 12. Date Mo Da Yr 13. Time (24 Hr. Clock)	9. Type of Inspe	ction E01	10. Event Number	4054745	<u> </u>			
05/10/2005 1010	-	<u>Ĉ</u>	)   1	AR Number	12. Date	Mo Da Yr 05/10/2005	13. Time (24 Hr. Ck	ock)

Mine Citation/Order Continuation		U.S. Department of Labor Mine Safety and Health Administration				
Section F-Subsequent Action/Continuation Data	1		-			P 29 0
Subsequent Action 1a. Continuation	Dated (Original Issue)	Mo Da 05/03/20	200	3. Citation/ Order Number	7096483 - 03	
4. Served To Bill Currence Mine Foreman			5. Operato ANKER		SINIA MINING CO	MPANY INC
6. Mine SAGO MINE			7. Mine ID			(Contractor)

Extended due to the operator making a diligent effort to correct these conditions. It is taking longer to correct these conditions due to the conditions being worse and taking longer to correct then what was initially expected. These conditions are approximately 90% finished. More time is granted for the operator to correct these conditions.

Section III—Subsequent Action Taken	
8. Extended To A. Date  Mo Da Yr 05/26/2005  B. Time (24 Hr. Clock)  O600  C. Vacated  D. Terminated  E. Modified	

11. Signature

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

Section Il-Justification for Action

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Mine Citation/Order Continuation				U.S. Department of Labor  Mine Safety and Health Administration			Prevara	para 🍪	
Section ISubsequent Action/Continuation Data									
Subsequent Action	ia. Continuation	Dated (Original Issue)	Mo Da 05/03/20	3550	3. Citation/ Order Number	7096483 - 04			
4. Served To Brad Hamrick				5. Operate ANKER		GINIA MINING CO	MPANY INC		
6. Mine SAGO MINE		•.		7. Mine ID			(Contractor)		

Terminated due to all of the requirements of the safeguard being complied with on the coal conveyor belt of this mine at the time of this inspection. The mine operator is required to maintain the conveyor belts of this mine in the conditions required by this safeguard.

Section Il—Justification for Action

	A. Date Mo	Da	Yr B. Time (24 Hr. Clock)	C. Vacated	D. Terminated E. Modified
ction (VInspe					
ype of insp	ection E01		10. Event Number 4054745		
. Signature	T	10	AR Number 12. D	ate Mo Da Yr	13. Time (24 Hr. Clock)
	H	v	Hard State of the Control of the Con		