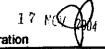
104(a) Citations

Fiscal Year 2005

Mine Citation/	O	rde.	r
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ne Citation/Order		Mine Safety and Health Administration					
ction I-Violation Data							
Date Mo Da Yr 10/19/2004	2. Time (24 Hr. Clock) 1000		3. Citation/ 709380 Order Number 709380	03			
Served To		5. Operator	NIA MINING COMPAN	IV.			
IM SWARTZ Mine		7.40 . 15	NIA MINING COMI AL				
SAGO MINE	·	7. Mine ID 46-08791		(Contractor)			
. Condition or Practice				Notice (103g)			
#32, was not bei examine. 2 light	n Mains, the Fletche ng maintained in per s (1 at the operator ot secure. Bolts were	missible condition compartment and 1	at the time of at the bolter	the helper			
9. Violation A. Health ☐ Safety ✓	B. Section of Act	C. Part/Section of Title 30 CFR	See Continuation Form (MSH	A Form 7000-3a)			
Other Section II-Inspector's Evaluation	<u> </u>		· · · · · · · · · · · · · · · · · · ·				
A. Injury or Illness (has) (is): B. Injury or illness could reasonably be expected to be: C. Significant and Substantial	<u> </u>	Reasonably Likely Workdays Or Restricted Duty	Permanently Disabling D. Number of Persons Affected:	Fatel			
	TES [] NO [V]						
11. Negligence (check one)	A. None B. Low	C. Moderate 🗹 D. High [ard 🗌			
2. Type of Action 104	(a) 13. Type of	Issuance (check one) Ci	ation 🗹 Order 🗌	Safeguard [
14. Initial Action A. Citation B. Order	C. Safeguard D. Written Notice	E. Citation/ Order Number	1				
15. Area or Equipment 16. Termination Due	Mo Da Yr						
A. Date	B. Time (24 Hr. Clo	ck) 1550					
Section IIITermination Action 17. Action to Terminate							
A. Date	o Da Yr B. Time (24 Hr. Clock)		<u> </u>				
Section IV-Automated System Data	 						
19. Type of Inspection (activity code) AAA	20. Event Number 405450	3 21. Primary or Mill					
22. Signature (6		23. AR Number	6			
enforcement actions of MSHA, you r	in accordance with the provisions of the siness and Agriculture Regulatory Ombudemar Ombudeman annually evaluates enforcement ac may call 1-888-REG-FAIR (1-888-734-3247), or ston, DC 20416. Please note, however, that you	n and 10 Regional Fairness Boards to rec tivities and rates each agency's responsis write the Ombutamen at Small Rusiness	eive comments from small business eness to small business. If you wis Administration, Office of the Nation man is in addition to any other right	tes about federal h to comment on the			

Mine	Citation/Order
Conti	nuation

\subset	Y.)
	u	

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Sommudation							
Section ISubsequent Ac	ction/Continuation Data	1				<u> </u>	
1. Subsequent Action	1a. Continuation	2. Dated (Original Issue)	Mo 10/	Da /19/20	Yr)04	3. Citation/ Order Number	7093803 - 01
4. Served To					5. Operat	or	TALL S COLOR OF THE STATE OF TH
Jim Swartz					ANKE.	R WEST VIRG	INIA MINING COMPANY
6. Mine	-				7. Mine II	46-0879	(Contracto
SAGO MINE						-10-0072	*
Section II-Justification for	or Action						

The listed lights were properly secured.

Section III-Subse	quent Action Take	n .		· · · · · · · · · · · · · · · · · · ·			· ·	See Continuation Form
8. Extended To		Da	Υr	B. Time (24 Hr. Clock)		C. Vacated	☑ D. Terminated	E. Modified
9. Type of Inspe			10. E	vent Number 4054503		-		
11. Signatum MSHA Form 7000	3a, Mar 85 (revis			AR Number	12. Date	Mo Da Yr 10/20/2004	13. Time (24 Hr. Ck	ock)

Mine Citation/Order							S. Depa ne Safe				17 nistratio		P	<u>></u>
Section I-Violati	on Data													
1. Date Mo Da Yr 2. Time (24 Hr. Clock)										3. Citat	ion/ r Number	70938	104	
10/25/2004 1000 4. Served To							Operator			1		<u></u>		
AL SCHOO	NOVE	R SAF	ETY					WEST	VIRG	INIA N	IINING	COMPA	NY	
6. Mine),\O\I	24, 0211	DI 1				Mine ID							
SAGO MIN	NE							40-	0879	1			(Contract	or)
8. Condition or													Notice (103g)	
shuttle	car	CO #	6 was	bein	king sect g anchore conditio	d on a	a ten	sine	d ro	ol bo	olt i	nstalle	ed in th	е
9. Violation	i	ty 📝 🔝	B. Section of Act				Section o	i	·		Continue	······································	HA Form 7000-3a)	
Section II-Inspe	Other		<u></u>			ш				• **				
C. Significant and Substantial: Yes No 🗹					t Workdays		ricted Du	=	D. Numl	nanently D				
12. Type of Ac	ction	1046	(a)		13 Type	of issuance	(check o			itation 🗸	0	rder 🗍	Safeguar	d \square
14. Initial Action	XI	order 🗀	C. Safegu		D. Written Notice	E.	Citation/			The state of the s		F. Dated	Mo Da `	
15. Area or Eq		Augus []	C. Salego	MG []	D. Witten Notice		CACAS INC	in Dec			<u></u>			
16. Terminatio	on Due	A. Date	Mo Da 10/25/2		B. Time (24 Hr. C	lock)	1200)						
17. Action to			olt wa	s in	stalled f	or the	e and	hor	of t	he s	huttl	e car.		
18. Terminate	A. Uar	10/	Da Yr 25/2004	B. Time	e (24 Hr. Clock)	113	0							
19. Type of in (activity or	spection	AAA	20. Event	Numbe	40545	03	21. F	rimary o	r Mill					
22. Signati	~!~!	Auto	مأ		40545		_1				3. AR Nun	nber	b	7
agency entorce	l a National ment action Alons of MS 140 2120	Small Bur Ns. The O MA, you n Westing!	siness and Ag mbudsman an ray call 1-888- on, DC 20416	REG-FAI Please	Regulatory Ombudern Riguates enforcement of R (1-888-734-3247), note, however, that yes and obtain a hearin	an and 10 Re activities and or write the C	egional Fa rates eac Imbudsma	imest Bo tragency's in at Sma	ards to re Frespons Busines	ceive com iveness to s Adminis	ments from small busi tration, Off	small busines ness. If you wi ice of the Natio	ish to comment on	i 1 tha

10/25 mpl

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





Section IVi	olation Data				
1. Date	Mo Da Yr 10/26/2004	2. Time (24 Hr. Clock) 0850		3. Citation/ Order Number	7096804
4. Served 1 AL SCH	OONOVER, SA	FETY	5. Operator ANKER WES	T VIRGINIA MINING C	OMPANY
6. Mine SAGO N	MNE		7. Mine 1D 40	5-08791	(Contractor)
	n or Practice				a, Written Notice (103g)

The starter switch for the 550 volt AC pump located in the #1 entry return of the Trubie Run Mains construction area is not maintained in permissible condition. The gromet for the cable entrance gland is not the proper size and an opening in excess of .005 of an inch exist around the cable into the switch. The cable will move freely within the entrance gland.

									See C	ontinuation	Form (MSH	A Form 7000)-3a)
. Violation	A. Health Safety Othe	√	3. Section of Act			C. Part/Sec Title 30 C			7	5.503			
ection II-Inspe	ctor's Evalu	ation											
0. Gravity:												_	
A. Injury or	Illness (ha	s) (is):	No Likelih	ood 🗌	Unlikely 🗌	Reas	onably Likely		Highly Llk	aly 🗌	Occur	rred 🗌	
B. Injury or sonably	illness cou be expecte		No Los	t Workdays [_ Lost V	Vorkdays Or	Restricted [Outy 🗹	Permar	ently Disa	bling 🗌	Fatal [
C. Significa	ent and Sul	ostantial:	Yes	No No			_		D. Number	of Person	s Affected:	001	
11. Negligeno	e (check or	ne)	A. None] B. L	ow 🗌	C. Moderate	7	D. High		E. Reck	less Disreg	ard 🗌	
2. Type of Ac	ction	104(a)		13. Type of I	Issuance (ch	eck one)	C	itation 🗹	Orde	r 🗆 _	Safe	guard 🗌
4. Initial Action A. Citation		rder 🗀	C. Safegua	ard D.W	ritten Notice	E. Citz	ition/ ler Number				F. Dated	Mo D	a Yr
6. Terminatio	on Due	A. Date	Mo Da 10/26/2		me (24 Hr. Cloc		1200	1	·			· · · · · · · · · · · · · · · · · · ·	, , , , , , , , , , , , , , , , , , ,
Section III—Terr	nination Act	on				······································	-						
entranc					oper sing is no							ole	
8. Terminate	A. Date	10/2	oa Yr 6/2004	B. Time (24 h	fr. Clock)	1045							
Section IV-Auto		em Data											
19. Type of In: (activity co		AAA	20. Event	Number	4054503	3	21. Primary	or Mill					
22. \$	 	_	ِ مِا							AR Numbe		6	I
MSHAT om 70 nas established			in accon on And Asse	dance with the priculture Regular	rovisions of the S	mell Busines:	s Regulatory I	Enforcement	Fairness Ac	t of 1996, ti	e omali Bus	inees Admiri	istration

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.

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3		1.110	1
			A 1000





Mine Citation/Order	U.S. Department of Labor Mine Safety and Health Administration
Section IViolation Data	<u> </u>
1. Date Mo Da Yr 2. Time (24 Hr. Clock) 10/26/2004 0945	3. Citation/ Order Number 7093805
4. Served To	5. Operator
AL SCHOONOVER, SAFETY	ANKER WEST VIRGINIA MINING COMPANY
6. Mine	7. Mine ID 46-08791 (Contractor)
SAGO MINE	(Contractor)
8, Condition or Practice	8a. Written Notice (103g)
not being maintained in permissibl battery lids and cable plugs were lids and plugs. Also the batteries	Ins, the 35C Fairchild workhorse scoop was be condition at the time of the examine. The not provided with lock rings to secure the shad dirt and mud accumulated on top of them a could create a fire and/or shock hazard.
Safety ☑ of Act	See Continuation Form (MSHA Form 7000-3a)
Other]	
Section II—inspector's Evaluation	
10. Gravity: A. Injury or Illness (has) (is): No Likelihood Unlikely	Reasonably Likely W Highly Likely Occurred .
B. Injury or iffness could rea-	Lost Workdays Or Restricted Duty Permanently Disabling 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. Typ	pe of Issuance (check one) Citation ✔ Order ☐ Safeguard ☐
14. Initial Action A. Citation B. Order C. Safeguard D. Written Noti	E. Citation/ F. Defed Mo Da Yr
15. Area or Equipment 16. Termination Due A. Date Mo Da Yr 10/26/2004 B. Time (24 Hr	r. Clock) 1400
Section III—Termination Action	
	ow secured and the batteries have been
cleaned to remove mud and dirt.	Jw secured and the patternes have been
18. Terminated A. Date Mo Da Yr 10/26/2004 B. Time (24 Hr. Clock)	1225
Section IV—Automated System Data	
19. Type of Inspection (activity code) AAA 20. Event Number 4054	1503 21. Primary or Mili

MSHA Form 7000.3, Mar & (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 Ombudamen and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudamen annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish is completed and in the complete of the Small Business and Indiana.

22. Sign

cciolak words

23. AR Number

Mine Citatio	on/Order		U.S. Departmen Mine Safety and	nt of Labor Health Administration 17 NOV 200		
Section IViolati	ion Data			V		
1. Date	Mo Da Yr	2. Time (24 Hr. Clock)		3. Citation/ 7096805		
	10/26/2004	0945		Order Number 7070803		
4. Served To			5. Operator			
AL SCHOO	ONOVER, SAF	ETY	ANKER WEST	VIRGINIA MINING COMPANY		
6. Mine			7. Mine ID 46-I	08791 (Contract		
SAGO MI		<u></u>		Comaco) - 구국	
8. Condition or			· · · · · · · · · · · · · · · · · · ·	8a. Written Notice (103g)		
The min	e roof ov	er the Trubie Run Ma	ins construct	ion area haulroad between the	.16	
track s	upply are	a and the section is	not adequate	ly supported or controlled.	Α	
piece o	f roof ro	ck 3' thick by 5' lo	ong by 3' wide	is hanging loose between		
roof bo	olts and a	ppears as if it will	fall without	warning. Several smaller		
pieces	of rock a	re also present arou	and the larger	rock up to 1' by 1' that a	re	
broken,	loose an	d hanging. Persons r	coutinely use	this haulroad to walk back		
and for	th to the	section and to use	the scoop to	haul supplies from the supp	ly	
area to	the sect	ion. The area is loc	cated between	the 3rd and 4th open crossco	ut	
		the No.4 entry.				
9. Violation	A. Health ☐ Safety ✓	B. Section of Act	C. Part/Section of Title 30 CFR	See Continuation Form (MSHA Form 7000-3e) 75.202(a)		
	Other _		<u> </u>			
	ector's Evaluation					
10. Gravity:	r Illness (has) (is):	No Likelihood T Untikely	Reasonably Likely	✓ Highly Likely ☐ Occurred ☐		
	illness could rea-	140 Emeraldos Ottaker)	(Casoriany Chary	Tright, since,		
	be expected to be:	No Lost Workdays Lost	Workdays Or Restricted Du	rty Permanentty Disabling Fatal		
C. Signific	ant and Substantial:	Yes 🗹 No 🗌		D. Number of Persons Affected: 001		
11. Negligeno	e (check one)	A. None B. Low	C. Moderate 🗹 🛚	D. High E. Reckless Disregard		
12. Type of A	ction 104(a) 13. Type of	f Issuance (check one)	Citation ☑ Order ☐ Safeguard	j 🗌	
14. Initial Action E. Citation/ F. Dated Mo Da Yr A. Citation B. Order C. Safeguard D. Written Notice Order Number						
15. Area or E	quipment					
16. Terminati	on Due A. Date	Mo Da Yr 10/26/2004 B. Time (24 Hr. Clo	ock) 1000			
	mination Action					
17. Action to	Terminate The	loose roof rock was	s scaled down	and the area made safe.		

MSTA Folm 7000-3, Vier 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 actions and stee 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.

1000

21. Primary or Mill

23. AR Number

18. Terminated

19. Type of Inspection

(activity code)

A. Date

Section IV-Automated System Data

Mo Da Yr

AAA

10/26/2004

20. Event Number

B. Time (24 Hr. Clock)

4054503

C C (DIZI)

Mine Cita	ation/Order		U.S. Department of Labor Mine Safety and Health Administration					
Section I-Vi	olation Deta							
1. Date	Mo Da Yr 10/26/2004	2. Time (24 Hr. Clock) 1015	3. Citation/ Order Number 7096806					
4. Served To AL SCHOONOVER, SAFETY			5. Operator ANKER WEST VIRGINIA MINING COMPANY					

6. Mine

SAGO MINE

8a. Condition or Practice

8a. Written Notice (103g)

When checked, the velocity of air on the belt line was less than 50 FPM. Using a smoke tube, the air on the Trubie Run Mains construction area belt line was traveling at 27 FPM and direction of the air was traveling onto the section. The ventilation plan calls for the belt air to be maintained at least 50 FPM and direction of air is directed outby.

7. Mine ID

46-08791

								See C	noiteuniino:	Form (MSHA F	orm 7000-3	a) []
9. Violation A. Health Safel Othe	y 🗹	. Section of Act			Part/Section Title 30 CFR	of		7 5.3	3 7 0(a)(1)		
Section II—Inspector's Eval	uation											
10, Gravity:												
A. Injury or Illness (h	es) (is):	No Likellhoo	xd	Jnlikely 📝	Reasonal	biy Likely		Highly Llik	ety 🔲	Occurre	1 🗌	
B. Injury or Illness co sonably be expected		No Lost	Workdays 🕢	Lost Wor	kdays Or Rea	stricted D	Outy 🗌	Permar	nently Disa	bling 🗌	Fatal []	
C. Significant and Su	bstantial:	Yes	☐ No ₩	<u> </u>				D. Number	of Person	s Affected:	001	
11. Negligence (check o	ne)	. None	B. Lov	v 🗌 C.1	Vloderate ✓]	D. High		E. Reck	ess Disregaro	ı 🗆	
12. Type of Action	104(a)		13. Type of Issu	ance (check	one)		itation 🗹	Orde	<u> </u>	Safegua	ard 🗌
14. Initial Action A. Citation B. C	order 🔲	C. Safeguar	d D. Wni	tten Notice	E. Citation Order N	-			1	F. Dated	Mo Da	Yr
16, Termination Due	A. Date	Mo Da Y	1 D Time	e (24 Hr. Clock)	120	00			 -			
Section III—Termination Ac	tion		<u> </u>				 ,					
17. Action to Terminate	Adiu	stment	s were	made to	the ha	ckup	chec	ks and	dair	is now	······································	
greater than	150 F	PM and	i travel	ling is t	he pro	per	direc	ction.	7 011	15 110		
18. Terminated A. Dat	Δ .	Yr 5/2004	B. Time (24 Hr.	. Clock)	1110				<u> </u>	-		
Section IV—Automated Sys	tem Data											
19. Type of Inspection (activity code)	AAA	20. Event N	iumber	4054503	21.	Primary	or Mill		•			
22, Signati		6	_		 	<u></u>		23. /	AR Numbe	1 6		
MSHA Formation-3, Mar 8 has established a National agency enforcement action enforcement actions	Small Busin	ess and Agric udsman ann:	xulture Regulator e setsulave vilau	Morcement activitie	l 10 Regional I s and rates es	Fairness B ich aganci	Spands to re Vis. resinone	sceive comme viveness to sn	na mort atno seniard llan	nail businesses	about feden	el on the

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.

CC (10/2)

(Contractor)

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 11.	•

Mine	Citatio	on/Order
MINITE	Lanent III	

Section I-Vio	letion Date				
1. Date	Mo Da Yr 11/01/2004	2. Time (24 Hr. Clock) 0210		3. Citation/ Order Number	7096807
4. Served To			5. Operator ANKER WEST VIRO	GINLA MINING	COMPANY
6. Mine SAGO M			7. Mine ID 46-0879	91	(Contractor)
O Continu					8a. Written Notice (103g)

When testing the communication system on the 1 Right (001) working section from the surface to the section, the incoming communication (mine phone) was not provided with an audible alarm or visual alarm that can heard or seen by a miner regularly employed on the working section.

										See C	ontinuation	Form (MSI	IA Form 70	00-3a)
9. Violation	A. Health Safety Other	V	B. Section of Act					nt/Section of e 30 CFR		75.1	 600-2(b)		_
Section il Inap	ector's Evelu	ation		** · · ·		···								
10. Gravity:	4									10.64.10.	-t. C3			
	r liliness (ha		No Likelil	1000	.	nlikely 🗸		Reasonably Like	<u>y U</u>	Highly Llk	eny []	Occi	rred [····
	r iliness cou		No Lo	st Work	days 🔽	Lost	Workda	rys Or Restricted	Duty 🗌	Permar	ently Disa	oling 🗌	Fatal	
C. Signific	ant and Sub	stantial	Y	× 🗌	No 🗹	<u> </u>				D. Number	of Person	s Affected	: 00	1
11. Negligend	e (check on	e)	A. None		B. Low		C. Mo	derate 🗹	D. High		E. Reck	ess Disre	pard 🗌	
12. Type of A	ction	104	(a)			13. Type of	Issuan	ce (check one)		Citation 🗹	Orde	· 🗆	Saf	eguard 🗌
14. Initial Acti A. Citation		der 🗀	C. Safeg	uard [D. Writt	ten Notice [E. Citation/ Order Number			1	. Dated	Мо	Da Yr
16. Terminati	on Due	A. Dete	Mo Da		B. Time	e (24 Hr. Clo	ick)	1000			 			
Section III-Ter	mination Acti	on												
17. Action to		Мо	Da Yr	B. Tim	e (24 Hr.	Clock)				- 		 -	· · · · · · · · · · · · · · · · · · ·	
Section IV-Aut	tornated Syst	em Deta			······································			· - · · · · · · · · · · · · · · · · · ·						
19. Type of Ir (activity o		AAA		nt Numbe	r	405450	3	21. Primar	y or Mill		•			
22. Signatur				6		2		7		23.	AR Numbe	r	6	7
agency enforcement a anforcement a 3rd Street, SW	d a National (ement actions ctions of MS) / MC 2120, \	Small Bu The C A, you n Nashing	siness and A mbudeman s nay cail 1-88i ton, DC 2041	griculture i innually ev 3-REG-FA 6. Please	Regulaton siustes er IR (1-588- note, how	y Ombudema forcement at 734-3247), or rever, that you	n and 10 ctivities of rwite the r right h	usiness Regulatory) Regional Fairness and rates each age • Ombudsman at S • file a comment wi • Federal Mine Sa	Boards to r ncy's respon imail Busine th the Ombu	eceive commi siveness to sr rss Administra rdumen is in s	ents from so mail busines dion, Office ddition to so	nalibusine is. If you wi of the Nation wather rist	ises about i ish to comm nat Ombud	federal nent on the lamen, 409

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Mine	Citation/Order
Conti	nuation

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Section 1-Subsequent Action/Continu	ation Data			
1. Subsequent Action 1a. Contin	uation 2. Dated (Original Issue)	400 Ca 11 [3. Citation/ Order Number	7096807 - 01
4. Served To AL SCHOONOVER, SAI	FETY	5. Operato ANKER	WEST VIRG	GINIA MINING COMPANY
6. Mine SAGO MINE		7. Mine ID	46-0879	(Contractor)
Section 8. Justification for Action				

The incoming communication system (mine phone) is now provided with audible alarm and visual alarm that can be heard or seen by a miner regularly employed on the working section.

								See Continuation Form
Section III—Subsec	quent Action Take	n						
8. Extended To	A. Date Mo	De	Yr B. Time	(24 Hr. Clock)		C. Vacated	D. Terminated	E. Modified
Section IV-Inspec	tion Data		·		· · · · · · · · · · · · · · · · · · ·			
9. Type of Inspe	ction AAA		10. Event Num	ber 4054503				
MSHA Form 7000	6		(atchan	AR Number	12. Dete	Mo Da Yr 11/02/2004	13. Time (24 Hr. Cl 0850	

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

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				<u> </u>		Mine Safety a	no Hear	n Adminis	CLACIOL		
Section IViola	tion Data										
1. Date	Mo Da Yr		e (24 Hr. Cl					3. Citation Order N		709680	8
	11/02/200	4	082	20		5 Onember		Cidaii	-		
4. Served To	ONOVED	n a frances?				5. Operator ANKER WES	T VIRC	INTA MI	NTNG (COMPANY	7
	ONOVER,	SAFELY				7 17 17			1110	001411 151 4	
6. Mine SAGO MI	NE					1. Name 15 4	6-0879	1			(Contractor)
8. Condition o			,	- <u></u>		<u> </u>				8a. Written N	otice (103g)
and #13 quantit dust, a collect	B entrie lies tha and othe led i n to lshed to	s 20 f t the er dust this ar	eet in incomb shall ea to	on, the probable spad stoustible contraction be not lessubstantial ator to set	ati nte ss ite	ion #3247 ent of the than 65 r citation.	is no comb er ce Term	t main pined contum. pination	tain oal Samp n ti	ed 1 5 s dust, r les whe me beir	ock re g
9. Violetion	A. Health Safety V	B. Sectof A				Part/Section of title 30 CFR			ontinuatio	n Form (MSHA	Form 7000-3e)
Section II-Insp	ector's Evaluatio	n			L,						
10. Gravity:											<u> </u>
A. Injury o	r Iliness (has) (is): No Li	relihood 🗌	Unlikely 🗹		Reasonably Like	y 🗆 🗀	Highly Like	y 🗌	Occurre	d []
	r illness could r		Lost Work	days Dost	World	days Or Restricted	Duty 🔽	Perman	ently Dis	abling [Fatei 🗌
	be expected to	De.						, .		ns Affected;	
C. Signino	eant and Substa	knosi:	Yes 🗌	No ₩				D. Number	or Perso	ns Attecaed.	000
11. Negligen	ce (check one)	A. Nor	e []	B. Low	C. M	loderate 🗸	D. High		E. Reci	dess Disregar	d [
12. Type of A	ction	104(a)		13 Type of	lenus	ince (check one)		itation 🗸	Ont	er []	Safeguard
***************************************		104(a)		13. type of	10000	,	······································				
14. Initial Acti A. Citation	-	C. Sat	eguard [D. Written Notice		E. Citation/ Order Number				F. Dated	Mo Da Yr
15. Area or E	quipment		" = . "								
16. Terminati	on Due A.		Da Yr 9/2004	B. Time (24 Hr. Clo	ick)	0800					
	rmination Action										
17. Action to	Terminate										
18. Terminate	A. Uate	Mo Da Yr	B. Tim	e (24 Hr. Clock)							
	formated System			 _							
19. Type of it (activity of	rspection (ode) A	AA 20. E	vent Numbe	405450	3	21. Primar	y or Mill				

MSHA Form 7009-3, 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 business about federal agency enforcement actions. The Ombudsman annualty 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 20418. 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.

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23. AR Number

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Continuation		Mine Safety and Health Administration 47							
Section I-Subsequent	Action/Continuation Data								
1. Subsequent Actio	n 1a, Continuation	Dated (Original Issue)	Mo Da 11/02/20	• • •	3, Citation/ Order Number	7096808 - 01			
4. Served To AL SCHOONO	VER SAFETY			5. Operat ANKE	r R WEST VIRG	INIA MINING COM			
6. Mine SAGO MINE				7. Mine II	46-0879	1	(Contractor)		
SAGO MINE	t A ()	اجلاند سازین سیدنی							

Area listed in citation has been re-rockdusted and the rock dust appears to be adequate. Citation is hereby abated.

Section III-Subse	rauget Action Take	Ma		· · · · · · · · · · · · · · · · · · ·	·····	 		See Continuation Form
8. Extended To		Da	Yr	B. Time (24 Hr. Clock)	 	C. Vacated	D. Terminated	E. Modified
Section IVInspec	ction Data					. 	<u> </u>	·
9. Type of inspe			10. Ev	vent Number 4054503				· · · · · · · · · · · · · · · · · · ·
34. Signatur	6			AR Number	12. Date	Mo Da Yr 11/10/2004	13. Time (24 Hr. Ci	ock)
MSHA Form 7000	L3a Mar R5 (revis	- 10 V	<u>.</u>					

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

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Secret I A loration Lorat						
1. Date Mo Da Yr 11/03/2004 2. Time (24 Hr. Clock) 1210	3. Citation/ 7147366 Order Number					
4. Served To	5. Operator					
Johnny Garrett	ANKER WEST VIRGINIA MINING COMPANY					
6. Mine	7. Mine ID 46-08791 (Contractor)					
SAGO MINE	(Contactor)					
8. Condition or Practice	8a. Written Notice (103g)					
The approved mine ventilation plan was	not being complied with on the Truble					
Run construction area belt line. Using	a smoke tube, from the 5th crosscut					
outby, to the dumping point, the air cu	rrents were traveling at 32 fpm and the					
direction of air was traveling onto the	section. The air currents when tested					
at the 8th crosscut outby the section,	were traveling in an outby, (proper)					
direction, however the velocity of thes	se air currents were measured at 20 fpm.					
	air to be maintained at least 50 fpm in					
an outby direction. The operator stated	that the affected belt line would be					
examined as stated in the ventilation p	olan for a failure of the CO monitoring					
system until the air currents were trav	reling in the proper direction at the					
required velocity.						
	See Continuation Form (MSHA Form 7000-3a)					
9. Violation A. Health B. Section C. F	art/Section of					
	itle 30 CFR 75.370(a)(1)					
Other _						
Section IIInspector'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 Workdays Lost Workd	ays Or Restricted Duty 🗸 Permanently Disabling 🗌 Fatal 🗍					
C. Significant and Substantial: Yes ☐ No ✓	D. Number of Persons Affected: 008					
11. Negligence (check one) A. None B. Low C. Mc	oderate 🗹 D. High 🗌 E. Reckless Disregard 🗌					
12. Type of Action 104(a) 13. Type of Issue	ance (check one) Citation 🗹 Order 🗌 Safeguard 🗍					
14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice	E. Citation/ F. Dated Mo Da Yr Order Number					
15. Area or Equipment	<u> </u>					
13. Area of Equipment						
16. Termination Due A. Date Mo Da Yr A. Date B. Time (24 Hr. Clock)	1500					
Section IIITermination Action						
17. Action to Terminate						
18. Terminated Mo Da Yr						
A. Date B. Time (24 Hr. Clock						
Section IVAutomated System Data						
19. Type of Inspection 20. Event Number	21. Primary or Mill					
(activity code) AAA 2054503						
22. Signature	23. AR Number					

MSAR Form 7000-3, Mar 85 (garlsed) 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 500 W. Madison Street, Suite 1240, Chicago, Illinois 60661. 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.



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Continuation				Mine :	Mine Safety and Health Administration				
Section I-Subsequent A	ction/Continuation Data				**				
Subsequent Action	1a. Continuation	2. Dated (Original Issue)	М о 11/	Da Yr 03/2004	3. Citation/ Order Number 7	147366 - 01			
4. Served To				5. Oper	ator				
John Parker				ANKI	ER WEST VIRGINI	A MINING COMPANY			
6. Mine				7. Mine	ID 16 00 TO	(Contractor)			
SAGO MINE					46-08791				
Coeffee II buelle - t - 4									

When tested with chemical smoke clouds, the air current along the Trubie Run area belt line, were traveling in excess of 50 fpm and in the proper direction.

Section III-Subsequent Action Taken				· · · · · · · · · · · · · · · · · · ·	See Continuation Form
8. Extended To A. Date Mo D	B. Time (24 Hr.	Clock)	C. Vacated	D. Terminated	E. Modified
Section IVInspection Data					
9. Type of Inspection AAA	10. Event Number	4054503			
11. Signature	7500	Number 12. Date	Mo Da Yr	13. Time (24 Hr. Clo	ck)
MSHA Form 7000-3a, Mar 45 (revised)			11/05/2004	1025	

8. Condition or Practice

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			Mine Sarety and Health Administration	
Section I-Vic				
1. Date	Mo Da Yr 11/03/2004	2. Time (24 Hr. Clock) 1100	3. Citation/ Order Number	7147367
4. Served To Johnny Garrett			5. Operator ANKER WEST VIRGINIA MINING C	OMPANY
6. Mine SAGO MINE			7. Mine ID 46-08791	(Contractor)
8. Condition	n or Practice			Ba. Written Notice (103g)

Permanent ventilation controls had not been installed in the last two crosscuts of the Trubie Run section to separate the intake air course from the belt haulage entry. This intake air is used to provide air to active working places.

				See	Continuation Form (MSHA	Form 7000-3a) 📗
9. Violation A. Health Safet Othe	y √ of Act		C. Part/Section of Title 30 CFR	75.	333(b)(3)	
Section IIInspector's Evalu	ation			_		
10. Gravity:	_					
A. Injury or Illness (h		Unlikely 🗸	Reasonably Likel	y 🗌 Highly Lli	kely Occurre	ed []
 B. Injury or illness or sonably be expect 	8/- 1 4 \6/-	rkdays 🗌 Lost W	orkdays Or Restricted	Duty 🗹 Permai	nently Disabling	Fatal 🗌
C. Significant and St	ubstantial: Yes	No 🗹		D. Numbe	er of Persons Affected:	008
11. Negligence (check o	one) A. None	B. Low 🗌 🤾	C. Moderate 🗹	D. High	E. Reckless Disregar	rd 🗌
12. Type of Action	104(a)	13. Type of	Issuance (check one)	Citation 🗹	Order 🗌	Safeguard
14. Initial Action A. Citation B. O	rder C. Safeguard	D. Written Notice	E. Citation/ Order Number		F. Dated	Mo Da Yr
	-			·		
16. Termination Due	A. Date Mo Da Yr 11/04/2004	B. Time (24 Hr. Cloc	*) 0800		·	
Section IIITermination Act	ion					
17. Action to Terminate						
18. Terminated A. Date		me (24 Hr. Clock				
Section IVAutomated Sys						
Type of Inspection (activity code)	AAA 20. Event Num	4054503	21. Primar	y or Mill		
22. Signature	6	7	- <u></u>	23.	AR Number	6

MSHA Form 7000-3, Mar 85 (fevised) 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 500 W. Madison Street, Suite 1240, Chicago, Illinois 60661. 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.



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Continuation		Mine Safety and Health Administration	· (%)
Section I-Subsequent Action/Cont	inuation Data		
1. Subsequent Action 1a. Con	tinuation 2. Dated (Original Issue	Mo Da Yr 3. Citation/ Order Number 7147367 - 01	
4. Served To		5. Operator	
John Parker		ANKER WEST VIRGINIA MINING COMPANY	
6. Mine	-	7. Mine ID (Contract	or)
SAGO MINE		46-08791	
Section II-Justification for Action			

Permanent stoppings were installed at the cited locations, separating the intake and belt haulage entries.

Section III-Subse	quent Actio	on Take	и					<u> </u>		See Continuation Form	
8. Extended To	A. Date	Мо	Da	Yr	B. Time (24 Hr. Cloc	:k)	**	C. Vacated	D. Terminated	E. Modified	-
Section IV-Insper	tion Data	·			<u></u>						
9. Type of Inspe	oction A	AA		10. É	vent Number 4()54503	· · · · · · · · · · · · · · · · · · ·	 -			
11. Signatur		•			TAR Nur	7 J	12. Date	Mo Da Yr 11/05/2004	13. Time (24 Hr. Clo 1120	ck)	
MSHA Form 7000	-3a,4Mar 8	5 (revis	ed)		- •	. 1111		-		OL A	5.04

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Section IVi	iolation Data							
1. Date	Mo Da Yr 11/05/2004	2. Time (24 Hr. Clock) 1035		3. Citation/ Order Number	7147368			
4. Served 1	Го		5. Operator		N			
John Parker			ANKER WEST VIRGI	ANKER WEST VIRGINIA MINING COMPANY				
6. Mine SAGO N	MINE		7. Mine ID 46-08791		(Contractor)			
	n or Practice			82	a. Written Notice (103g)			
Retur	n air curre	ents were being use	ed to ventilate the n	on-permissi	ible section			

Return air currents were being used to ventilate the non-permissible section belt feeder of the Trubie Run working section. When tested with chemical smoke clouds, the air currents from the No. 5 entry face area were traveling outby the last line of open crosscuts and across the electrical box components of the feeder.

				See Cor	ntinuation Form (MSHA	Form 7000-3a) 🔽
9. Violation A. Heafth Safety 7 Other	B. Section of Act		nt/Section of e 30 CFR	75.50)7-1(a)	
Section II-Inspector's Evaluation					·	
10. Gravity:		_	_	_		
A. Injury or Illness (has) (is):	No Likelihood	Unlikely 🗌	Reasonably Likely	Highly Likely	Occurre	xd 📋
B. Injury or illness could rea- sonably be expected to be:	No Lost Workdays	Lost Workda	rys Or Restricted Duty	Permane	ntly Disabling	Fatal 🗌
C. Significant and Substantial	Yes 🗹 No [D. Number o	f Persons Affected:	001
11. Negligence (check one)	A. None 🗍 8. Lo	w 🗹 C. Mo	derate 🗍 D.	High 🗌	E. Reckless Disregar	d []
12. Type of Action 104	(a)	13. Type of Issuan	ce (check one)	Citation 🗹	Order [Safeguard 🗌
14. initial Action A. Citation B. Order	C. Safeguard D. Wi	ritten Notice	E. Citation/ Order Number		F. Dated	Mo Da Yr
16. Termination Due A Date	Mo Da Yr B Tin	ne (24 Hr. Clock)	1155			
	11/05/2004		1133			
Section IIITermination Action						
17. Action to Terminate The	e section vent	ilation co	ntrol devic	es were a	djusted to	
maintain the air crosscuts. When						
		Chemical 5	moke Clouds	, incake a	all Cullen	
ŁA Date	Da Yr /05/2004 B. Time (24 H	r. Clock)	125			J
Section IVAutomated System Data					···································	
19. Type of Inspection (activity code) A.A.A	20. Event Number	4054503	21. Primary or I	Aill I		
22. Signatur			1	23. AF	R Number	6

MSHA Form 7000-3, May 55 (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 actions and proposed penalties 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 500 W. Madison Street, Suite 1240, Chicago, Illinois 60681. 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.

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Section IViolati	ion Data														
1. Date	Mo Da		2. Time (2								3. Citatio	on/ · Number	7147	374	
	12/06/2	004	<u> </u>	100	5			5 00			Cide	INUITIDES			
4. Served To								5. Operator	THE T	улр С	TNITA NA	TNIING	COMPA	NV	
James Scho	onover		·					 	WEST	VIKU	III/IV IAI	пипи	COMITA	7/1	
6. Mine	. TIC							7. Mine ID	46-0	0879	1			(Ce	ontractor)
8. Condition or								l					8a Writte	n Notice (1	
The bel		al = ==	of the	Mode		at i m	mir	ing so	ctio	7 147	36 70	t he			
The Der	L lee	der '	or the	. Mari	iis a	CCTAE	; IIIT1:	dition	mb.	o do	as 110	+he	alect	rical	J
maintai	.nea t	o as	sure s	are o	oper	ating	COL	dicton	1110	e ao	OL LO	CITE	erecc	250 1	onde
breaker							was	open e	xpos.	rng	the e	nerg	izeu b	are r	caus
of the							1								
The pow	er wa	s re	movea	rom	the	reed	er.								
9. Violation Section II-Inspe	A. Health Safet Othe	/ 2	B. Section of Act					art/Section of	f			Continual 75.512	ion Form (MS	SHA Form 70	000-3a) 🔲
10. Gravity:						_	_			_		_	_	. —	
A. Injury or			No Likelih	100d 🗌	L	Jniikely [Reasonabl	y Likely (<u> </u>	Highly LI	kely 📋	000	urred 🔃	
B. Injury or sonably	iliness cou be expecte		NoLo	st Workd	lays 🗌	Lo	st Work	days Or Rest	ricted Dul	y 🗹	Perma	anently D	isabiling	Fata	
C. Significa	ant and Sui	bstantial:	Ye	s 🗸	No 🗌]					D. Numbe	er of Pen	sons Affecte	d: 00	1
11. Negligeno	e (check or	ie)	A. None		B. Low	/ 🗆	C. M	oderate 🗸	C). High		E. Re	ckless Disre	egard 🗌	
12. Type of A	ction	104((a)			13. Type	of Issua	nce (check o	ne)	C	itation 🗹	Or	der 🗍	Sat	eguard 🗌
14. Initial Action		rder 📋	C. Safegu	ard	D. Writ	ten Notice	• 🗆	E. Citation/ Order Nu	mber				F, Dated	Мо	Da Yr
15. Area or Ed	quipment						-								
16. Termination	on Due	A. Date	Mo Da 12/06/2		B. Time	(24 Hr. (Clock)	1010	0						·
Section III-Terr	mination Act	ion			·						 _				
17. Action to 1	Terminate	The	door	was	bolt	ed in	n pla	ace.		<u></u>					
18. Terminate	d A. Date	•	Da Yr 06/2004	B, Time	(24 Hr.	Clock)		1009			·		<u></u>		
Contine N/ 5 4			00/2004						<u> </u>						
Section IVAuto														·	
Section IVAuto 19. Type of in (activity co	spection			t Number		40770)34	21. F	Primary or	Mill					

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 business 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 500 W. Madison Street, Suite 1240, Chicago, Illinois 80661. 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.

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

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Section IViola	tion Data			Mine Safety an	u nealth Adh	IIIISU ARIOII	
1. Date	Mo Da Yr	2. Time (24 Hr. Cl	ock)	Ţ	3. Ci	tation/	17375
	12/06/2004	103	·	<u> </u>	OI	der Number / 14	11313
4. Served To				5. Operator	T T T T T T T T T	LANDIC COLE	D A X TSZ
James Scho	oonover					MINING COM	ran i
6. Mine SAGO MI	NE			7. Mine ID 46	-08791		(Contractor)
8. Condition of				<u> </u>		8a. W	ritten Notice (103g)
The app	proved roof	f control	plan was not	being comp	olied wit	h on the N	Mains active
mining the No. inby. T the No. Page 13	section. Some section. Some section. Some section is a section of the appropriate of the	Tunnel Lin to the tai ce in the is 160 fee oproved pl	ers had not b l piece prio: No. 2 entry b	peen instal r to the be needing Tur at the Turr	lled in telt being nnel Line nel Line	the No. 2 of advanced ers is 145 rs will be	entry and further feet and installed
						See Continuation Form	(MSHA Form 7000-3a)
9. Violation	A. Health Safety Other	B. Section of Act		Part/Section of title 30 CFR	,	75.220(a)(1)	
Section II-Insp	ector's Evaluation						
10. Gravity:	- Ulasas (bas) (is).			Deer		al Books 🗀	Nanumad [7]
	r Illness (has) (is): r illness could rea-	No Likelihood	Unlikely 🔽	Reasonably Likely	C night	/ Likely C	occurred
	be expected to be:	No Lost Work	days 🗌 Lost Work	days Or Restricted D	uty 🗹 Pe	rmanently Disabling	Fatal .
C. Signific	ant and Substantial:	Yes 🗍	No 🗸		D. Nu	mber of Persons Affe	cted: 001
11. Negligeno	e (check one)	A. None		loderate	D. High 🔲	E. Reckless D	ieronani 🗍
12. Type of A					Citation [Safeguard
		1)	13. Type or issu	ance (check one)	Clumon		
14. Initial Acti A. Citation		C. Safeguard	D. Written Notice	E. Citation/ Order Number		F. Date	ed MoDaYr
15. Area or E				·		·····	
16. Terminati	A. Date	Mo Da Yr 12/20/2004	B. Time (24 Hr. Clock)	0800			
	mination Action			···			
17. Action to	l eminate						
18. Terminate	A. Date Mol	Da Yr B. Time	(24 Hr. Clock)		<u></u>		
	tomated System Data						
19. Type of Ir (activity c	nspection ode) CEA	20. Event Number	4077034	21. Primary	or Mill		
22. Signatul	6			<u>l</u>		23. AR Number	6 7
MSHA Form 7	00-3. Mar 85./revised)	la accordence un	the provisions of the Small	Continue Description For		- 1 - 1 - 5 4000 11 - 0 1	1 Duning and Automatics

MSHA Form 7000-3, Mar 85./fevised) 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 (1-868-734-3247), or write the Ombudsman at 500 W. Madison Street, Suite 1240, Chicago, Illinois 60861. 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.

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Mine	Citation/Order
Conti	nuation

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Section ISubseque	nt Action/Continuation Data						
1. Subsequent Ac	ction 1a. Continuation	2. Dated (Original Issue)	Mo 12/9	Da 06/200		Citation/ Order Number	7147375 - 01
4. Served To] 5	. Operat	or	
James Schoon	over			A	ANKE	R WEST VIRG	INIA MINING COMPANY
6. Mine				7	7. Mine II)	(Contractor)
SAGO MINE				j		46-0879	1
Section IIJustification	on for Action						

The installation of the Tunnel Liners in the cited area, has been completed with the exception of 45 feet of the outby end in the No. 4 entry. The mine floor at this location must be removed for the Tunnel Liners to clear the mine roof, therefore additional time is needed and granted to complete the installation.

Section IIISubsequent Action Taken			See Continuation Form
8. Extended To A. Date Mo Da 12/28/2	Yr .004 B. Time (24 Hr. Clock) 09	000 C. Vacated	D. Terminated E. Modified
Section IVInspection Data			
9. Type of Inspection CEA	10. Event Number 4077038		
11. Signa urb MSHA Form 7000-3a, Mar 85 (revised)	176 3	12. Date Mo Da Yr 12/20/2004	13. Time (24 Hr. Clock) 1045

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0 6 JAN AND U.S. Department of Labor Mine Citation/Order Mine Safety and Health Administration Continuation Section I--Subsequent Action/Continuation Data 3. Citation/ 7147375 - 02 Da Yr 1. Subsequent Action 1a. Continuation Мо 2. Dated Order Number 12/06/2004 (Original Issue) 5. Operator ANKER WEST VIRGINIA MINING COMPANY 4. Served To Bill Currence (Contractor) 7. Mine ID 46-08791 6. Mine SAGO MINE Section II—Justification for Action

Tunnel Liners have been installed in the cited areas.

Section III-Subsequent Action Taken			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 Data		 	
9. Type of Inspection CEA	10. Event Number 4077038		
11. Signature	R Number 12. Date	Mo Da Yr 12/28/2004	13. Time (24 Hr. Clock) 1035

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

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			Mine Salety and He	ailli Administration				
Section IVi	olation Data				<u> </u>			
1 Date	Mo Da Yr 12/09/2004	2. Time (24 Hr. Clock) 0720	I Order Number ' ' ' '					
4. Served To AL SCHOONOVER, SAFETY			5. Operator ANKER WEST VIRGINIA MINING COMPANY					
6. Mine SAGO MINE			7. Mine ID 46-08		(Contractor)			
	n or Practice				8a. Written Notice (103g)			
In the	e 1 Right (le car was	001-0) working section being anchored on a temporary to the condition could	ensioned roof	bolt install	ed in the roof			

See Continuation Form (MSHA Form 7000-3a) A. Health C. Part/Section of 9 Violation B. Section Title 30 CFR 75.204(f)(7) Safety 🗸 of Act Other Section II-Inspector's Evaluation 10. Gravity. Occurred [A. Injury or Illness (has) (is): No Likelihood Unlikely 🗸 Reasonably Likely Highly Likely B. Injury or illness could rea-Fatal 🗍 Permanently Disabling No Lost Workdays [Lost Workdays Or Restricted Duty 📝 sonably be expected to be: C. Significant and Substantial: D. Number of Persons Affected: 001 Yes 🗍 No 🔽 11. Negligence (check one) E. Reckless Disregard A. None 🔲 B. Low 🔲 C. Moderate 🗸 D. High Order [Safeguard [12. Type of Action 104(a) 13. Type of Issuance (check one) Citation 🗸 14. Initial Action E. Citation/ F. Dated Mo Da Yr A. Citation B. Order C. Safeguard C. D. Written Notice Order Number 15. Area or Equipment 16. Termination Due Mo Da Yr A. Date B. Time (24 Hr. Clock) 1000 12/09/2004 Section III-Termination Action 17. Action to Terminate A bolt was installed for the anchor of the shuttle car. 18. Terminated Mo Da Yr A. Date B. Time (24 Hr. Clock) 0745 12/09/2004 Section IV-Automated System Data 19. Type of Inspection 20. Event Number 21. Primary or Mill 4054503 (activity code) 22. 5 23. AR Number MSHA Form 7000-3, Mer \$5 (revised) the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administrat

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.

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

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Section i-Violat	ion Data									
1. Date	Mo Da Yr	2. Time (24 Hr.	Clock)				3. Citation	7 1 7	8310	
	12/20/2004	0	730				Order	Number / 17		
4. Served To					5. Operator ANKER WEST VIRGINIA MINING COMPANY					
Al Schoonover						SI VIKUI	NIA MII	NING COM	PANI	
6. Mine				7. Mine	^{1D} 4	6-08791				(Contractor)
SAGO MI		<u>.</u>						Ra W	ritten Notic	<u> </u>
8. Condition of		.1				ما اممید	··· +ho			
Based C	on the res	uits of i	ive valid s	ampres	COTTE	ccea r	y one	operace	1 12-1	5-
Novembe	r-pecembe	r bi-mont	hly sample	cacre	(AQVIS	POLA NO	. +ba	.s, dated	a 12 1	ronment
2004),	tne avera	ge concen	tration of	respira	ibte c	lust II	i tile	working	- 003 	MMTI
		a occupat	ion, 036, c	OUCTUR	ous ma	ruer of	eracc	or our cur	= ∪∨∠ ੨ ਯਾਮ	
was 2.461 mg/m3. This exceeds the applicable standard of 2.0 mg/m3. The operator shall take corrective action to lower the respirable dust levels,										
operato	or snall t	ake corre	ctive actio	H LO IO	wer i	id roc	hirar	le dust	Teve	log are
then sa	umbre eacu	producti	on shift un		hla a	ing res	Shirar	ring lab	rator	cy in
COTTECT	ed and su	omitted t	o the MSHA	respira	abre d	ust pr	ocess.	sing rap	J1ac01	- Y - TII
			respirator		SCTIO	ı snaıı	. be m	lace ava.	LIODIC	; LO
all ber	rsons work	ing in th	e affected	area.						
							Sec. (*)	ontinuation Form	MISHA For	7000-3a)
9. Violation	A. Health	B. Section	<u> </u>	C. Part/Sec	ion of		3600	Omnuación Form	(NOTES TOT	117000 (32)
S. VIOIGIOII	Safety	of Act	l e	Title 30 C			70	.100(a)		
	Other 🗍			 						
	ector's Evaluation								· · · · · · · · · · · · · · · · · · ·	
10. Gravity:		=		_					s	 -1
	r lilness (has) (is):	No Likelihood [Unlikely [_	Reaso	nably Like	y 🔽	Highly Like	ely 📋 🤇	Occurred	
- , , .	r illness could rea- be expected to be:	No Lost Wo	rkdays Lost	Workdays Or	Restricted	Duty 🗌	Perman	ently Disabling	✓ F	atal 🗍
C. Signific	ant and Substantial:	Yes 🗸	No 🗌			1	D. Number	of Persons Affe	cted:	002
11. Negligeno	e (check one)	A. None	B. Low	C. Moderate	V	D. High]	E. Reckless D	isregard [
12. Type of A	ction 104(a)	13. Type of	issuance (ch	ock one)	Cit	ation 🗹	Order 🗌		Safeguard 🗌
14. Initial Action A. Citation		C. Safeguard	D. Written Notice	E. Cital	ion/ r Number			F. Date	ed .	Mo Da Yr
15. Area or Ed	ulpment									
	()									
40 = 1 0										
16. Termination	A. Date	Mo Da Yr	B. Time (24 Hr. Cloc	ck)	1000	}				
Section III-Ten	minotion Action	12/23/2004	<u> </u>						 	
17. Action to 1						·				
Tr. Actor to	CHAIR MACE									
										
18. Terminate	A. Date Mo	Da Yr B. Tie	me (24 Hr. Clock)		-					
Section IV-Aut	omated System Data			······································						
19. Type of in (activity of		20. Event Numic	4076989	9	21. Primar	y or Mill				<u> </u>
22. Signature		6					23. A	R Number	<u> </u>	7
MSHA Form 70	00-3, Mar 85 (revised)	- In								
has established	a National Small Bus	iness and Agriculture	with the provisions of the S Regulatory Ombudsman	end 10 Region	al Fairness	Roands to rece	aius commo	nte from small hus	inaceae ahr	urt forfamil
Signification at III control	mentacions, ine O	nducsman annually (Waluates enforcement act	ivities and rates	each anan	CV'S OBSDODSOA	eness to sm	ralibusinasa Kun	a i wich to co	anment on the
HOWEVER, KREET YE	our right to the a count	neht with the Ombud	AIR (1-888-734-3247), or sman is in addition to any	write the Ombu other rights voi	osman et 50 I may have	JUW. Medison including the	Street, Suit right to cont	le 1240, Chicago, set citations and n	Hinois 6066 rooosad ne	31. Please note, nakties ≃nd
obtain a hearing	perfore the Federal M	ine Safety and Healt	h Review Commission.		,			the carry h		

Jul 12:20:04

Mine Citation/Order Continuation

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



Section I—Subsequent Action/Continuation Data
1. Subsequent Action 1a. Continuation (Original Issue) 1 2 0 0 1 3 Citation/Order Number 7 1 4 8 3 1 6 - 6 1 4 Served To
Certified Mail Anker West Virginia Mining
6. Mine Sago Mine 10 46-08791- 9Contractor)
Section II—Justic Cation for Action
The Operator has made improvements to the dust control
parameters of MMU OPZ, whose DO 036 is under citation
These improvements have been approved by the District
Manager. This citation is extended to allow the Operator
to implement this improvements and collect five consecutive
valid respirable dust samples. Any parameters used in excess
of the currently approved parameters (Minimums) may be
adopted into the currently approved ventilation plan.
See Continuation Form
Section III—Subsequent Action Taken
8. Extended To A. Date Mo I Da Yr B. Time (24 Hr. Clock) B. Time (24 Hr. Clock) C. Vacated D. Terminated E. Modified D. Section IV—Inspection Data
9. Type of inspection DGC 10. Event Number AR Number 12. Date Mo Da Yr 13. Time (24 Hr. Clock)
123004
MSHA Form 7000-3a, Mar 85 (revised)

Mine	Citation/Order
Conti	nuction

2	Ú	JAN	2005 MAS
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Continuation				Mine Safety and Health Administration			
Section ISubseque	nt Action/Continuation Data						
1. Subsequent Ac	tion 1a. Continuation	2. Dated (Original Issue)	Mo Da 12/20/20	Yr 104	3. Citation/ Order Number	7148310 - 02	
4. Served To				5. Opera	tor		
Al Schoonover	r			ANKE	R WEST VIRG	INIA MINING COM	PANY
6. Mine				7. Mine I	D 46 0070	.4	(Contractor)
SAGO MINE					46-0879	'i	
Continue II despitational	an days Aleskins						

Based on the results of five valid samples submitted by the operator, the average concentration of respirable dust in the working environment of the continuous miner operator (designated occupation 036-0) on the 002-0 MMU is 0.999 mg/m3 which is less than the applicable standard of 2.0 mg/m3

Section IIISubsec	work Action	Tolos						See Continuation Form
8. Extended To		Mo Da	Y٢	B. Time (24 Hr. Clock)	-, ,	C. Vacated	☑ D. Terminated	E. Modified
Section IVInspec 9. Type of Inspe		GC	10, E	vent Number 9746141				
11. Signatur	▽	6	1	AR Number	12. Date	Mo Da Yr 01/13/2005	13. Time (24 Hr. Clo 1309	ck)
MSHA Form 7000	So Mar 95	(rouised)						

Mine	Cita	tion	/Or	der
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4	JAN	ə 5	

1. Date Mo Do Yr 2. Three (24 Hr. Clock) 3. Clusteron 71.48311	Section IViolati	on Data					
4. Served To			12 Time (24 Hr. Clock)		[3	3. Citation/ 71 4 9 2 1	1
4. Served To AN Schoonover Shore SACO MINE SACO MINE SACO MINE SACO Practice The approved ventilation plan was not complied with on the Mains section (002 The approved ventilation plan was not complied with on the Mains section (002 The approved ventilation plan was not complied with on the Mains section (002 0.78 methane was detected in the face. In the No. 3 entry the curtain was 15 feet from the idle bolted face. 0.78 methane was detected in the face. In the No. 3 entry the curtain was 15 feet from the idle bolted face. 0.78 methane was detected in the face. The approved ventilation plan requires the curtain to be maintained within 10 feet of the idle bolted face. 9. Violation A Health Saction Elimpotory Evaluation 10. Gravity: A highly of Miness (has) (a): No Likelihood Unification 10. Gravity: A highly of Miness (has) (a): No Likelihood Unification 11. Negligenoe (sheet) cone) No Lost Workdays Unification 12. Type of Action 14. Initial Action A. Otale 15. A rea or Equipment 16. A rea or Equipment 17. Action to Termination Duse A. Date 18. Termination A. Date 19. Type of Impectors 19. Type of Impecto	i. Date					Order Number / 14031	1
9. Wholeston Practice 7. Miner D 46-08791 (Contractor) 8a. Writtan Notice (103g) The approved ventilation plan was not complied with on the Mains section (002 The approved ventilation plan was not complied with on the idle bolted face. 0. 7% methane was detected in the face. In the No. 3 entry the curtain was 15 feet from the idle bolted face. 0. 7% methane was detected in the face. In the No. 3 entry the curtain was 15 feet from the idle bolted face. 0. 1% methane was detected in the face. The approved ventilation plan requires the curtain to be maintained within 10 feet of the idle bolted face. 9. Violation A Health B. Section of Act C. Part/Section of Time 30 CFR 75.370(a)(1) Section II-Impector's Evaluation 10. Gravity: A highly of Riness could reasonably likely Reasonably Likely Highly Likely Occurred 8. Inhility of Riness could reasonably to be: C. Significant and Substantiat Yes No William Ves No No No No No No No N	4. Served To					** * *********************************	
SACOMINE A Contractor	Al Schoono	ver	•	ANKE	R WEST VIRGIN	IA MINING COMPAN	<u> </u>
SACOMINE General Companies General Compani		_		7. Mine II	46-08791		(Contractor)
The approved ventilation plan was not complied with on the Mains section (002 MMU). In the No. 5 entry the curtain was 16 feet from the idle bolted face. No. 7% methane was detected in the face. In the No. 3 entry the curtain was 15 feet from the idle bolted face. O. 1% methane was detected in the face. The approved ventilation plan requires the curtain to be maintained within 10 feet of the idle bolted face. See Continuation Form (MSHA Form 7000-3a) [] 9. Violation A. Health B. Section Safety Order Title 30 GFR 75.370(a)(1) Section 1-Impactor's Embassion 10. Granky: A. Injury or liness (ras) (se): No Likelihood Unlikely Reasonably Likely Highly Likely Occurred 11. Negligenoce (check one) A. None B. Low C. Moderats D. High E. Reckless Disrogard 12. Type of Action [04(a) 13. Type of Issusance (check one) Crebr Safeguard 14. Initial Action A. Catation B. Order C. Safeguard D. Written Notice E. Chattony 15. Area or Equipment 16. Termination Due A. Date Mo Da Yr 12/20/20044 B. Time (24 Hr. Clock) 0920 Section III-Termination Action CED CED Safeguard D. Written Number D. Formation Date D. The Central Number D. The Central						8a Written N	
MMUD. In the No. 5 entry the curtain was 16 feet from the idle bolted face. No. 78 methane was detected in the face. In the No. 3 entry the curtain was 15 feet from the idle bolted face. O.18 methane was detected in the face. The approved ventilation plan requires the curtain to be maintained within 10 feet of the idle bolted face. See Continuation Form (MASHA Form 7000-3a) 9. Violation A. Heasth B. Section of Title 30 GFR 75.370(a)(1) Section Hampedota's Evaluation O. Gravity: A injury or Hibeas (has) (a): No Likelihood Unlikely Reasonably Likely Reasonably Likely Cocurred B. Injury or Hibeas could reasonably be expected to be: No Lost Workdays Lost Workdays Or Restricted Duty Permanently Disabiling Fatal C. Significant and Substantial: Yes No D. Number of Persons Affected: O01 11. Megligence (check one) A. None B. Low C. Moderate D. D. High E. Rackless Disregard 12. Type of Action 104(a) 13. Type of issuance (check one) Citation Order Safeguard 14. Initial Action A. Date C. Safeguard D. Written Notice E. Citation F. Dated Mo Da Yr 16. Termination Due A. Date Mo Da Yr 12/20/2004 B. Time (24 Hr. Clock) 0920 Section Hill-Terminated A. Date Mo Da Yr 12/20/2004 B. Time (24 Hr. Clock) 0920 Section Hill-Terminated A. Date Mo Da Yr 12/20/2004 B. Time (24 Hr. Clock) 0920 Section Hill Terminated A. Date Mo Da Yr 12/20/2004 B. Time (24 Hr. Clock) 0920 Section Hill Terminated A. Date Mo Da Yr 12/20/2004 B. Time (24 Hr. Clock) 0920 Section Hill Terminated A. Date Mo Da Yr 12/20/2004 B. Time (24 Hr. Clock) 0920 Section Hill Terminated A. Date Mo Da Yr 12/20/2004 B. Time (24 Hr. Clock) 0920 Section Hill Terminated A. Date Mo Da Yr 12/20/2004 B. Time (24 Hr. Clock) 0920 Section Hill Terminated Mo Da Yr 12/20/2004 B. Time (24 Hr. Clock) 0920 Section Hill Terminated Mo Da Yr 12/20/2004 B. Time (24 Hr. Clock) 0920	8. Condition or	Practice	-il-tion mlon ve	s not compli	od with on		
0.7% methane was detected in the face. In the No. 3 entry the curtain was 15 feet from the idle bolted face. 0.1% methane was detected in the face. The approved ventilation plan requires the curtain to be maintained within 10 feet of the idle bolted face. See Continuation Form (MSHA Form 7000-3a)	The app	roved veni	cliation plan wa	is not compil	foot from	the idle holted	face.
feet from the idle bolted face. 0.1% methane was detected in the face. The approved ventilation plan requires the curtain to be maintained within 10 feet of the idle bolted face. See Continuation Form (MSHA Form 7000-3e)	MMU).	in the No	. 5 entry the Cu	irtain was it	reec rrom	the lute borce of the curtain	was 15
approved ventilation plan requires the curtain to be maintained within 10 feet of the idle bolted face. See Continuation Form (MSHA Form 7000-3a) 9. Violation A. Health B. Section of Act Circle Of							
See Continuation Form (MSHA Form 7000-3a) 9. Violation A. Health B. Section of Act Circle* C. Part/Section of Title* 30 CFR 75.370(a)(1) Section III-Tempector's Equivation of Act Circle* A. Injury or lineses (hase) (is): No Likelihood Unlikely P. Reasonably Likely Highly Likely Cocurred	approve	d ventile	te poited race.				
Section Section -				.co che cure	111 00 20 110		
9. Violation A. Health Safety Saf	Or the	TOTE DOTE	ca race.				
9. Violation A. Health Safety Saf							
9. Violation A. Health Safety Saf							
9. Violation A. Health Safety Saf							
9. Violation A. Health Safety Saf							
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9. Violation A. Health Safety Saf						One Continue From ASCUA	5a 7000 3a)
Safety Order Title 30 CFR 75,370(a)(1) Section III—Inspector's Evaluation 10. Gravity: A. Injury or Illness (has) (is): B. Injury or Illness (has) (is): No Likelihood Unlikely Reasonably Likely Highly Likely Cocurred Described to be: C. Significant and Substantial: Yes No W D. Number of Persons Affected: 001 11. Negligence (check one) A. None B. Low C. Moderate D. High E. Reckless Disregard 1. 12. Type of Action 104(a) 13. Type of Issuance (check one) C. Safeguard D. Written Notice E. Citation Order Number 14. Initial Action B. Order C. Safeguard D. Written Notice E. Citation F. Dated Mo Da Yr 15. Area or Equipment 16. Termination Due A. Date Mo Da Yr 12/20/2004 B. Time (24 Hr. Clock) Section III—Termination Action 17. Action to Terminate Curtain was extended to within 10 feet of the face. 18. Terminated A. Date Mo Da Yr 12/20/2004 B. Time (24 Hr. Clock) Section IV—Automated System Duta 19. Type of Inspection (activity code) CED 20. Event Number 4076989 21. Primery or Mill 22. Primery or Mill	O Visibilities	A Useria I	D Couling	C Ded/Certie		See Continuation Form (MSFIA	Form 7000-3a)
Section III-Tramination Due A. Date D. Written Notice D. Written Notice E. Citation Order Number D. Written Notice D. Written Notice	9. Violation	=		1 -,		75 370(a)(1)	
10. Gravity: A. Injury or litness (has) (is): B. Injury or litness could reasonably be expected to be: C. Significant and Substantial: Yes: No W 11. Negligence (check one) A. None B. Low C. Moderate D. High E. Reckless Disregard 12. Type of Action 104(a) 13. Type of Issuance (check one) C. Safeguard D. Written Notice E. Citation A. Citation B. Order C. Safeguard D. Written Notice E. Citation Order Number 15. Area or Equipment 16. Termination Due A. Date Mo Da Yr 12/20/2004 B. Time (24 Hr. Clock) Mo Da Yr 18. Terminated A. Date Mo Da Yr 12/20/2004 B. Time (24 Hr. Clock) Mo Da Yr 18. Terminated A. Date Mo Da Yr 12/20/2004 B. Time (24 Hr. Clock) Mo Da Yr 12/20/2004 B. Time (24 Hr. Clock) Mo Da Yr 12/20/2004 CED 20. Event Number 21. Primary or Mill Section IV-Automated System Data 19. Type of Inspection (activity code) CED 20. Event Number 4076989 21. Primary or Mill			V	}			
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B. Injury or Illness could reasonably be expected to be: C. Significant and Substantial: Yes No D No D 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. Type of Issuance (check one) Citation Order Safeguard D. Written Notice E. Citation Order Number 14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice E. Citation Order Number 15. Area or Equipment 16. Termination Due A. Date No Da Yr 12/20/2004 B. Time (24 Hr. Clock) 0920 Section III—Termination Action 17. Action to Terminate Curtain was extended to within 10 feet of the face. 18. Terminated A. Date Mo Da Yr 12/20/2004 B. Time (24 Hr. Clock) 0920 Section IV—Automated System Data 19. Type of Inspection CED 20. Evertt Number 4076989 21. Primary or Mills	•						
Sonably be expected to be: No Lost Workdays			No Likelihood Unki	(ely 🗹 Reason	bly Likely _ H	ighly Likely Uccum	80 [_]
C. Significant and Substantial: Yes No No D. Number of Persons Affected: 001 11. Negligence (check one) A. None B. Low C. Moderate D. D. High E. Reckless Disregard 12. Type of Action 104(a) 13. Type of Issuance (check one) Citation D. Order Safeguard D. Written Notice E. Citation F. Dated Mo Da Yr 15. Area or Equipment 16. Termination Due A. Date Mo Da Yr 12/20/2004 B. Time (24 Hr. Clock) 920 Section III—Termination Action 17. Action to Terminate Curtain was extended to within 10 feet of the face. 18. Terminated A. Date Mo Da Yr 12/20/2004 B. Time (24 Hr. Clock) 9920 Section III—Termination Date A. Date Mo Da Yr 12/20/2004 B. Time (24 Hr. Clock) 9920 Section IV—Automated System Data 19. Type of Inspection (activity code) CED 20. Event Number 4076989			No Lost Workdays	Lost Workdays Or Re	stricted Duty	Permanently Disabling	Fatal
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12. Type of Action [04(a)] 13. Type of Issuance (check one) Citation Order Safeguard 14. Initial Action	O. Significa	THE CONTROL OF THE CO	Yes No 🗸			Trumber of Ferancia Amounts.	001
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 12/20/2004 B. Time (24 Hr. Clock) 0920 Section III—Termination Action 17. Action to Terminate Curtain was extended to within 10 feet of the face. 18. Terminated A. Date Mo Da Yr 12/20/2004 B. Time (24 Hr. Clock) 0920 Section IV—Automated System Data 19. Type of Inspection (activity code) CED 20. Event Number 4076989 21. Primary or Mili	11. Negligence	e (check one)	A. None B. Low	C. Moderate	D. High	E. Reckless Disregar	d 🗌
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A. Citation B. Order C. Safeguard D. Written Notice Order Number 15. Area or Equipment 16. Termination Due A. Date Mo Da Yr 12/20/2004 B. Time (24 Hr. Clock) 0920 Section illTermination Action 17. Action to Terminate Curtain was extended to within 10 feet of the face. 18. Terminated A. Date Mo Da Yr 12/20/2004 B. Time (24 Hr. Clock) 0920 Section IVAutomated System Data 19. Type of Inspection (activity code) CED 20. Event Number 4076989 21. Primary or Mill	14 Initial Actio	on		E Citatio		F. Dated	Mo Da Yr
16. Termination Due A. Date Mo Da Yr 12/20/2004 Section III-Termination Action 17. Action to Terminate Curtain was extended to within 10 feet of the face. 18. Terminated A. Date Mo Da Yr 12/20/2004 B. Time (24 Hr. Clock) 0920 Section IV-Automated System Data 19. Type of Inspection (activity code) CED 20. Event Number 4076989 21. Primary or Mill			C. Safeguard D. Written		=	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	,,,,,
16. Termination Due A. Date Mo Da Yr 12/20/2004 Section III-Termination Action 17. Action to Terminate Curtain was extended to within 10 feet of the face. 18. Terminated A. Date Mo Da Yr 12/20/2004 B. Time (24 Hr. Clock) 0920 Section IV-Automated System Data 19. Type of Inspection (activity code) CED 20. Event Number 4076989 21. Primary or Mill	15 Area or Eq	I knment				· · · · · · · · · · · · · · · · · · ·	
Section IIITermination Action 17. Action to Terminate Curtain was extended to within 10 feet of the face. 18. Terminated A. Date Mo Da Yr 12/20/2004 B. Time (24 Hr. Clock) 0920 Section IV-Automated System Data 19. Type of Inspection (activity code) CED 20. Event Number 4076989 21. Primary or Mill	10.71.00 Of Eq	(diprilork					
Section IIITermination Action 17. Action to Terminate Curtain was extended to within 10 feet of the face. 18. Terminated A. Date Mo Da Yr 12/20/2004 B. Time (24 Hr. Clock) 0920 Section IV-Automated System Data 19. Type of Inspection (activity code) CED 20. Event Number 4076989 21. Primary or Mill							
Section IIITermination Action 17. Action to Terminate Curtain was extended to within 10 feet of the face. 18. Terminated A. Date Mo Da Yr 12/20/2004 B. Time (24 Hr. Clock) 0920 Section IV-Automated System Data 19. Type of Inspection (activity code) CED 20. Event Number 4076989 21. Primary or Mill							
Section III-Termination Action 17. Action to Terminate Curtain was extended to within 10 feet of the face. 18. Terminated A. Date Mo Da Yr 12/20/2004 B. Time (24 Hr. Clock) 0920 Section IV-Automated System Data 19. Type of Inspection (activity code) CED 20. Event Number 4076989 21. Primary or Milli	16. Terminatio	n Due A. Date	ID Time /2	4 Hr Clock) 00	20		
18. Terminated A. Date Mo Da Yr 12/20/2004 B. Time (24 Hr. Clock) 0920 Section IV-Automated System Data 19. Type of Inspection (activity code) CED 20. Event Number 4076989 21. Primary or Milli			12/20/2004	······	20		
18. Terminated A. Date Mo Da Yr 12/20/2004 B. Time (24 Hr. Clock) 0920 Section IV—Automated System Data 19. Type of Inspection (activity code) CED 20. Event Number 4076989 21. Primary or Mill							
Section IV-Automated System Data 19. Type of Inspection (activity code) CED B. Time (24 Hr. Clock) 0920 20. Event Number 4076989 21. Primary or Mili	17. Action to T	eminate Cur	tain was extende	ed to within	10 feet of	the face.	
Section IV-Automated System Data 19. Type of Inspection (activity code) CED B. Time (24 Hr. Clock) 0920 20. Event Number 4076989 21. Primary or Mili							
Section IV-Automated System Data 19. Type of Inspection (activity code) CED B. Time (24 Hr. Clock) 0920 20. Event Number 4076989 21. Primary or Mili							
Section IV-Automated System Data 19. Type of Inspection (activity code) CED 20. Event Number 4076989 21. Primary or Mill	18. Terminated	I A Date	B Time /24 Ur Ch	velo 0020			
19. Type of Inspection (activity code) CED 20. Event Number 4076989 21. Primary or Mill		12/2	20/2004 S. Tille (2471). CR	U920			
(activity code) CED 4076989							
	19. Type of Ins	spection CFT	20. Event Number	76989	Primary or Mill		
44. SIGNATURE 23 AR Number 1		CED	4				
	LL. Signature		, T			23. AR Number	6 1
MSHA Form 7000-5, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Falmess Act of 1996, the Small Business Administration	MSHA Form 700	00-5. Mar 85 (revised)	In accordance with the provision	ns of the Small Business Ro	guistory Enforcement Fei	mess Act of 1996, the Small Husbridge	ess 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 500 W. Madison Street, Suite 1240, Chicago, Illinois 60661. 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			U.S. Department of La Mine Safety and Health		W) W	
Section IVi	olation Data					
1. Date	Mo Da Yr 12/20/2004	2. Time (24 Hr. Clock) 1003		3. Citation/ Order Number	7148312	
4. Served T	o		5. Operator	DUA MINUNIC	COMBANY	
Al Schoo	onover		ANKER WEST VIRG	INIA MINING	COMPANI	
6. Mine SAGO N	MINE		7. Mine ID 46-08791			(Contractor)
	n or Practice				8a, Written Noti	ce (103g)

The approved ventilation plan was not complied with on the Joy 14CM-15 continuous mining machine on the Mains section (002 MMU). When checked, the water pressure on the right side of the head was only 50 psi. The approved ventilation plan requires 60 psi water pressure. This MMU is currently under citation for excessive dust.

				See Continuation Form (MS	SHA Form 7000-3a)
9. Violation A. Health Safety Other	B. Section of Act	,	t/Section of a 30 CFR	75.370(a)(1)	
Section II—Inspector's Evaluati	on				
10. Gravity:					
A. Injury or illness (has)	<u>`</u>	Unlikely 🗌	Reasonably Likely 🗹	Highly Likely Cox	curred 🗍
 B. injury or litness could sonably be expected in 		days Lost Workda	ys Or Restricted Duty	Permanently Disabling	Fatal []
C. Significant and Subst	antial: Yes 🗹	No 🗌		D. Number of Persons Affecte	^{d:} 001
11. Negligence (check one)	A. None 🗌	B. Low C. Moo	terate 🗹 D. Higt	E. Reckless Disre	egard 🗌
12. Type of Action	104(a)	13. Type of Issuan	e (check one)	Citation 🗹 Order 🗌	Safeguard [
14. Initial Action A. Citation B. Orde	er C. Safeguard	D. Written Notice	Citation/ Order Number	F. Dated	Mo Da Yr
16. Termination Due	. Date Mo Da Yr 12/20/2004	B. Time (24 Hr. Clock)	1052		
Section HI-Termination Action					
17. Action to Terminate	The water fil	ter was cleane	ed to get 60	psi.	
18. Terminated A. Date	12/20/2004	(24 Hr. Clock) 10	52		
Section IV-Automated System					
19. Type of Inspection (activity code)	CED 20. Event Number	4076989	21. Primary or Mill		
22. Signature	6	7		23. AR Number	67
	evised) In accordance wit				

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 agency sincreament actions. The Crimentalities instituting or access of MSHA, you may call 1-888-REG-FAR (1-888-734-3247), or write the Ombudarnan at 500 W. Madison Street, Suite 1240, Chicago, Itinois 80561. Please note, however, that your right to file a comment with the Ombudarnan 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.

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Mine Citation/Order	U.S. Department of Labor Mine Safety and Health Administration
Section IViolation Data	
1. Date Mo Da Yr 2. Time (24 Hr. Clock)	3. Citation/ 7097101
01/06/2005 0755	Order Number
4. Served To	5. Operator
AL SCHOONOVER	ANKER WEST VIRGINIA MINING COMPANY
6. Mine	7. Mine ID 46-08791 (Confractor)
SAGO MINE	8a. Written Notice (103g)
8. Condition or Practice	LAN, IS NOT BEING FOLLOWED, ON THE 1ST RIGHT
SECTION, 001-0 MMU. THE FLETCHER 3715-A1, WAS OPERATING AT THE FACE THE END OF THE LINE CURTAIN WAS 0. PARAGRAPH 2, STATES, A MINIMUM OF	ROOF BOLTING MACHINE, SER. NO. 82001, 2G- E OF THE NO. 1 ENTRY AND THE AIR QUANTITY AT
9. Violation A. Flearin B. Section Safety 7 of Act Other	Title 30 CFR 75.370(a)(1)
Section II—Inspector's Evaluation	
10. Gravity:	Reasonably Likely Highly Likely Cocurred
A. Injury or Illness (has) (is): No Likelihood Unlikely	Reasonably Likely Highly Likely Occurred
Injury or itness 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: 001
11. Negligence (check one) A. None B. Low	C. Moderate D. High E. Reckless Disregard
12. Type of Action 104(a) 13. Ty	pe of issuance (check one) Citation ☑ Order ☐ Safeguard ☐
14. Initial Action A. Citation B. Order C. Safeguard D. Written Not	E. Citation/ F. Dated Mo Da Yr Crder Number
15. Area or Equipment 16. Termination Due A. Date Mo Da Yr 01/06/2005 Section III—Termination Action 17. Action to Terminate 3000CFM OF AIRFLOW	WAS DIRECTED TO THE END OF THE LINE CURTAIN.
18. Terminated A. Date Mo Da Yr 01/06/2005 B. Time (24 Hr. Clock)	0805
Section IV—Automated System Data	
19. Type of Inspection 20. Event Number 4054	4553 21. Primary or Mill

MSHA Form 700U-3, Mar 45 (revised) In accordance with title 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 the 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 Ombudamen at Small Business Administration, Office of the National Ombudamen, 409 3rd Street, SW actions of wishly, you may call 1-988-744-3247), or write the Ombudaman at Small Diversess Administration, Oracle of the Netional Uniquestrent, 409 of all oursel, 409 of 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 penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

When the Commission of the Netion of the Netion

22. Signature

23. AR Number

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

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Section IVi	olation Data					
1. Date	Mo Da Yr 01/06/2005	2. Time (24 Hr. Clock) 0840	3. Citation/ Order Number	7097102		
4. Served To AL SCHOONOVER			5. Operator ANKER WEST VIRGINIA MINING COMPANY			
6. Mine SAGO MINE			7. Mine ID 46-08791	(Contractor)		
	n or Practice		8a	. Written Notice (103g)		

THE DRY CHEMICAL FIRE SUPPERESSION SYSTEM FOR THE SCOOP BATTERY CHARGING STATION, LOCATED ON THE 1ST RIGHT SECTION, 001-0 MMU, NO. 15 BLOCK, IN THE 6 TO 7 CROSS CUT, WAS NOT ENERGIZED. THE DRY CHEMICAL CANNISTERS WERE HUNG BUT NOT CONNECTED TO THE CONTROL BOX. THE AIR VENTILATING THE SCOOP BATTERY CHARGER TRAVELS TOWARD THE FACE AREA.

		· · · · · · · · · · · · · · · · · · ·	·····	 					See C	continuation Fo	rm (MSH/	Form 7000	1-3a) [
9. Violation	A. Health Safety Other		3. Section of Act				Section of 30 CFR		75	.340(a)			
ection II—Inepe	ctor's Evalua	tion											
0. Gravity:				. —		_			16.14.44				
A. Injury or	· · · · · · · · · · · · · · · · · · ·		No Likelih)00 U	Unlikely 🗹	K	easonably Lik	ery [Highly Uk	ely 📋	Occur	red 🔲	
	iliness cou be expecte		No Los	t Workdays [Lost	Workday	Or Restricte	d Duty 🗹	Permar	ently Disabl	ng 🗌	Fatal	
C. Significa	ant and Sut	stantial:	Ye	No I	Ø		, .		D. Number	r of Persons	Affected	001	
1. Negligeno	e (check or	e)	A. None] B. i.c	w 🗌	C. Mode	rate 🗸	D. High		E. Reckles	s Disreg	ard []	
2. Type of A	ction	104(a)	· ·	13. Type of	Issuance	(check one)	·. (Citation 🗸	Order [Safe	guard [
4. Initial Action A. Citation		der 🔲	C. Safegui	ard D.W	ritten Notice [Citation/ Order Numbe			F.	Dated	Mo [Da Yr
6. Terminatio	on Due	A. Date	Mo Da 01/06/2	· ip T.	me (24 Hr. Clo	ock)	0900		······································				_,
ection III-Tem	reination Actic	<u> </u>	01/00/2	703		···	 -						
7. Action to	Terminate	TH	E DRY	CHEMIC	AL FIRE	SUP	PRESSIC	N WAS	OPERA:	rional	•		
		Mo D	a Yr 5/2005	B. Time (24 h	ir. Cłock)	091	.0	·					
8. Terminate	A. Date	01/06	72405									-	
Section IV-Aut	A. Date		72005										
Section IV-Aut	A. Date ometed System espection		20. Event	Number	405455	3	21. Prim	ary or Mili					
18. Terminate Section IV-Aut 19. Type of in (activity or 22. Signatur	A. Date ometed System espection	m Deta		Number	405455	3	21. Prim	ary or Mili	23. /	AR Number	r –	6	7

in accordance byth 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 Ombudeman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudeman 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 Ombudeman at Small Business Administration, Office of the National Ombudeman, 409 3rd Street, SW MC 2120, Washington, DC 20416. 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 citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

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Mine Citation/Order	Mine Safety and Health Administration
Section I-Violation Data	
1. Date Mo Da Yr 2. Time (24 Hr. Clock) 01/09/2005 0725	3. Citation/ Order Number 7097103
4. Served To	5. Operator
LONNIE SHORT	ANKER WEST VIRGINIA MINING COMPANY
6. Mine	7. Mine ID 46-08791 (Contractor)
SAGO MINE	(0000000)
8. Condition or Practice	8a, Written Notice (103g)
THE 1ST RIGHT, 001-0 MMU, COAL CONVEYOR A MEASURED 3 FEET WIDE, 3 FEET LONG AND ROLLER AND 12 FEET LONG, 1 FOOT WIDE AND	D 16 INCHES DEEP AT THE TAIL PIECE, TAIL ND 12 INCHES DEEP ALONG BOTH SIDES OF UBBING ON THE ACCUMULATION AND THE TAIL
	See Continuation Form (MSHA Form 7000-3a)
	Title 30 CFR 75.400
Other Section II—Inspector's Evaluation	
10. Gravity: A. Injury or illness (has) (is): No Likelihood Unlikely B. Injury or illness could reasonably be expected to be: No Lost Workdays Lost Work	Reasonably Likely Highly Likely Occurred days Or Restricted Duty Permanently Disabling Fatal
C. Significant and Substantial: Yes V No	D. Number of Persons Affected: 001
	loderate ✓ D. High E. Reckless Disregard
12. Type of Action 104(a) 13. Type of issue	ance (check one) Citation ☑ Order ☐ Safeguard ☐
14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice	E. Citation/ Order Number F. Dated Mc Da Yr
15. Area or Equipment 16. Termination Due Mo Da Yr	
A. Date 01/09/2005 B. Time (24 Hr. Clock)	0725
Section III—Termination Action	
17. Action to Terminate THE ACCUMULATION WAS RE	MOVED AND THE AREA WAS ROCK DUSTED.
18. Terminated A. Date Mo Da Yr 01/09/2005 B. Time (24 Hr. Clock) Section IV—Automated System Data	0800
19. Type of Inspection (activity code) AAA 20. Event Number 4054553	21. Primary or Mill
22. Signature	23. AR Number
MSHA Form 7000-3, Mer 85 (revised) In accordance with the provisions of the Small established a National Small Business and Agriculture Regulatory (Institutement and 10 Re	Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has gioral Fairness Boards to receive comments from exact businesses should faderal anymout

established a National Small Business and Agriculture Regulatory @infoudement and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudaman and unusually 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 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 penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Mine	Citation	n/Order
10111162	L-HERHLIN	IX A LICE

U.S. Department of Labor

2 4	JAN	2005
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AKER WEST VIRGINIA MINING COMPANY Nive 7. Mine 0 46-08791					Mine Safe	ety and Health	Administration	on	
Served To S. Operation			To The Oak He Clock				3 Citation/	T-0.051	•
Served To S. Operatory S. Operatory S. Operatory S. SCHONOVER S. SCHONOVER S. OPERATOR	, vate				1			_x 709710)4
AGO MINE	. Served To	01/10/2003							
AGO MINE Condition or Practice Sea Written Notice (1059) NO CONTROL SWITCH WAS PROVIDED FOR THE JUG PUMP, OPERATING BETWEEN THE AIR OCK DOORS ON THE MAIN SUPPLY TRACK. See Continuation Form (MSHA Form 7000-34) Violation A. Health Set For Washington Of Act This 30 CFR 75.520 Control Set Forward A Injury or linese good free- socially be expected to be. No Local Workdays Local Workdays Or Restricted Duty W Permanently Deathing Fabil Shippy or linese good free- socially be expected to be. No Local Workdays No Set	AL SCHOO	ONOVER			ANKER	WEST VIRG	INIA MININO	G COMPAN	Y
Sea Confirmation Form (MSHA Form 7000-3a) NO CONTROL SWITCH WAS PROVIDED FOR THE JUG PUMP, OPERATING BETWEEN THE AIR OCK DOORS ON THE MAIN SUPPLY TRACK. Sea Confirmation Form (MSHA Form 7000-3a) Violation A. Health B. Section Of Act This 30 CPR 75.520 Control Indian Supply Track Supply This state This sta	Mine				7. Mine ID	46-08791	l		(Contractor)
NO CONTROL SWITCH WAS PROVIDED FOR THE JUG PUMP, OPERATING BETWEEN THE ATR OCK DOORS ON THE MAIN SUPPLY TRACK. Mointon A. Health B. Section G. Part/Section of Title 30 CPR 75.520				· · · · · · · · · · · · · · · · · · ·	<u> </u>			Re Written	
See Confinuation Form (MSHA Form 7000-3a)			TOU WAS DROUTE	DED EOD TI	IF THE	DIIMD ODI	PRATTNG F		
Violation A. Health B. Section Of Act C. Past/Section of Title 30 CPR 75,520					111 000	10111, 01.			
Violation A. Health Safety B. Section of Title 30 CPR 75,520 Combre Other Combre Co									
Violation A. Health Safety B. Section of Title 30 CFR 75,520 Collection IIII - Inspector's Evaluation C. Part/Section of Title 30 CFR 75,520									
Violation A. Health B. Section of Act C. Part/Section of Title 30 CFR 75.520									
Violation A. Health B. Section of Act C. Part/Section of Title 30 CFR 75.520									
Violation A. Health Safety Safety Other Of Act C. Part/Section of Title 30 CFR 75.520									
Violation A. Health B. Section of Act C. Part/Section of Title 30 CFR 75.520									
Violation A. Health B. Section of Act C. Part/Section of Title 30 CFR 75.520									
Violation A. Health Safety B. Section of Title 30 CFR 75,520 Collection IIII - Inspector's Evaluation C. Part/Section of Title 30 CFR 75,520									
Violation A. Health Safety Safety Officer C. Part/Section of Title 30 CFR 75.520									
Safety							See Continua	tion Form (MSHA	Form 7000-3a)
Cother	9. Violation					f	75 50	n	
Caravity: A Injury or Bliness (has) (is): No Likekinood Unlikely Reasonably Likely Highly Likely Occurred B. Injury or Bliness could reasonably be expected to be: No Lost Workdays Lost Workdays Or Restricted Duty Permanently Disabling Fatal			OI ACT	'	100 30 CFR		73.320	J	
A. Injury or Illness (has) (a): No Likelihood Unlikely Reasonably Likely Highly Likely Occurred B. Injury or illness coald 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: 001 I. Negligence (check one) A. None B. Low C. Moderate D. Highl E. Reckless Disregard Z. Type of Action 104(a) 13. Type of Issuance (check one) Citation Order Safeguard S. Initial Action A. Otto D. Written Notice E. Citation Order Number S. Area or Equipment B. Termination Due A. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 S. Termination Lockton A. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 S. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 S. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 S. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 S. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 S. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 S. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 S. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 S. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 S. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 S. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 S. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 S. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 S. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 S. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 S. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 S. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 S. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 S. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 S. Term	ection (I—Inspe								
B. Injury or filness could reasonably be expected to be: No Lost Workdays Lost Workdays D. Restricted Duty Dermanently Disabling Fatal D. Number of Persons Affected: O01 I. Negligence (check one) A None B. Low C. Moderate D. High E. Reckless Diaregard I. Negligence (check one) A None B. Low C. Moderate D. High E. Reckless Diaregard I. Type of Action 104(a) 13. Type of Issuance (check one) Citation Order Safeguard I. Initial Action A. Citation B. Order C. Safeguard D. Written Notice E. Citation Mo Da Yr S. Area or Equipment J. Termination Due A. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 J. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 J. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 J. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 J. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 J. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 J. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 J. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 J. Type of Inspection 1600 J. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 J. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 J. Type of Inspection 1600 J. Terminated M. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 J. Terminated M. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 J. Terminated M. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 J. Terminated M. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 J. Terminated M. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 J. Terminated M. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 J. Terminated M. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 J. Terminated M. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 J. Terminated M. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 J. Terminated M. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 J. Terminated M. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 J. Terminated M. Date Mo Da Yr B. Time (24 Hr. Clock) 1600 J. T	0. Gravity:							_	
sonably be expected to be: No Lost Workdays Lost Workdays Or Restricted Duty Permanently Desabling Patal C. Significant and Substantial: Yes No D. Number of Persons Affected: 00 I. Negligence (check one) A. None B. Low C. Moderate D. High E. Reckless Diaregard Z. Type of Action 104(a) 13. Type of Issusance (check one) Citation Order Safeguard J. Initial Action B. Order C. Safeguard D. Written Notice E. Citation F. Dated Mo Da Yr A. Citation B. Order C. Safeguard D. Written Notice E. Citation F. Dated Mo Da Yr J. Area or Equipment A. Date Mo Da Yr J. Termination Due A. Date Mo Da Yr J. Termination Action A. Date Mo Da Yr J. Terminated A. Date Mo Da Y			No Likelihood 🗌	Unlikely 🗹	Reasonably	/ Likely	Highly Likely	Occur	red 🗌
C. Significant and Substantial: Yes No D. Number of Persons Affected: 00 L. Negligence (check one) A. None B. Low C. Moderate D. D. High E. Reckless Diaregard C. Type of Action 104(a) L. Type of Issuance (check one) Citation D. Crider Corder Safeguard C. Safeguard D. Type of Issuance (check one) Citation D. Crider C. Safeguard C. Safeguard D. Written Notice C. Safeguard D. Safeguard D. Written Notice C. Safeguard D. Written Notice C. Safeguard D. Safegua			No Lost Workdays] Lost Work	days Or Restr	icted Duty 🗸	Permanently I	Disabling 🔲	Fatal 📋
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/1/ 2/1/	Contact citation	sund proposed penalt	es and obtain a hearing before t	ignt to tile a comment he Federal Mine Safel	with the Ombu ty and Health R	osman is in addition eview Commission	to any other rights y	rou mey have, inci	luding the right to
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Mine	Citation/Order	
Conti	inuation	

2 4	JAN	2005
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Continuation	Mine Safety and Health Administration					
Section I-Subsequent Action/Continuation Det	ba					
1, Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 01/10/20	• • •	3. Citation/ Order Number 70	97104 - 01	
4. Served To			5. Operat	Of .		
AL SCHOONOVER			ANKE	R WEST VIRGINIA	A MINING COMPANY	
6. Mine	<u> </u>		7. Mine II)	(Contractor	
SAGO MINE			L	46-08791		
Section II—Justification for Action						

A CONTROL SWITCH WAS PROVIDED FOR THE JUG PUMP, OPERATING BETWEEN THE AIR LOCK DOORS ON THE MAIN SUPPLY TRACK.

Section III-Subsequent Action Taken		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 Data		<u> </u>
9. Type of Inspection AAA	10. Event Number 4054553	
11. Signatue	R Number 12. Date	Mo Da Yr 13. Time (24 Hr. Clock) 1700
MSHA Form 7000-3e, Mar 85 (revised)		

Mine Citation/Order	U.S. Department of Labor
	Mine Safety and Health Administration
Section I-Violation Data	
1. Date Mo Da Yr 2. Time (24 Hr. Clock) 01/10/2005 0650	3. Citation/ Order Number 7097105
4. Served To AL SCHOONOVER	5. Operator ANKER WEST VIRGINIA MINING COMPANY
6. Mine	7. Mine ID 46-08791 (Contractor)
SAGO MINE	(condition)
8. Condition or Practice	8a. Written Notice (103g)
	See Continuation Form (MSHA Form 7000-34)
9. Violation A. Health B. Section Safety Other Other	C. Part/Section of Title 30 CFR 75.807
Section II—Inspector's Evaluation	
10. Gravity: A. injury or litness (has) (is): No Likelihood Unlikely	Reasonably Likely Highly Likely Occurred
B. Injury or illness could reasonably be expected to be: No Lost Workdays Lo	ost Workdays Or Restricted Duty 😿 Permanently Disabling 📋 📑 Fatal 🗌
C. Significant and Substantial: Yes No 🛂	D. Number of Persons Affected: 001
11. Negligence (check one) A. None B. Low D	C. Moderate D. High E. Reckless Disregard
12. Type of Action 104(a) 13. Type	e of Issuance (check one) Citation 🗹 Order 🗌 Safeguard 📋
14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice	E. Citation/ F. Dated Mo Da Yr

16. Termination Due

15. Area or Equipment

Mo Da Yr A. Date 01/10/2005

B. Time (24 Hr. Clock)

1600

Section III-Termination Action 17. Action to Terminate

18. Terminated

Mo Da Yr A. Date B. Time (24 Hr. Clock)

Section IV-Automated System Data

19. Type of Inspection AAA (activity code)

20. Event Number

21. Primary or Mill

23, AR Number

22. Signatur

4054553

MSHA Form 760-3, Mef 85 (revised)
In according 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 Ombudaman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudaman annually evaluates enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudaman at Small Business Act of 1996, the Small Business Administration businesses. 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 Ombudaman, 409 3rd Street, SW Machinette DO 20149. Blue of the Small Business Administration and the Indiana and I MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudamen 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.

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

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Continuation		Mine Safety and Health Administration			
Section I-Subsequent Action/Continua	tion Data				
1. Subsequent Action 1a. Continu	ation 2. Dated (Original Issue)	Mo Da Yr 01/10/2005	3. Citation/ Order Number 709	7105 - 01	
4. Served To AL SCHOONOVER		5. Opera ANKE		MINING COMPANY	
6. Mine SAGO MINE		7. Mine II	46-08791	(Contractor)	
Section II-Justification for Action					

THE HIGH VOLTAGE CABLE WAS GUARDED.

Section III-Subsequent Action Taken			See Continuation Form [
8. Extended To A. Date Mo Da	Yr B. Tirne (24 Hr. Clock)	C. Vacated	☑ D. Terminated ☐ E. Modified
Section IV-Inspection Data 9. Type of Inspection AAA	10. Event Number 4054553		
Tonnature 6	AR Number 12. Date	Mo Da Yr 01/19/2005	13. Time (24 Hr. Clock) 1720



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

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Section I-Vio	lation Data					
1. Date	Mo Da Yr 01/10/2005	2. Time (24 Hr. Clock) 0920	3	Citation/ Order Number	7097106	
4. Served To AL SCHOONOVER		5. Operator ANKER WEST VIRGINIA MINING COMPANY				
6. Mine SAGO N	IINE		7. Mine ID 46-08791		(Contractor)	
	n or Practice	· · · · · · · · · · · · · · · · · · ·			8a. Written Notice (103g)	

LOOSE COAL AND FINE COAL, HAS ACCUMULATED, IN HAY STACKS, UNDER THE BOTTOM BELT OF THE NO. 1 COAL CONVEYOR BELT. THE HAYSTACKS ARE ACCUMULATED, UNDER THE FIRST THREE BOTTOM BELT ROLLERS, IN-BY NO. 1 BELT DRIVE. THE BOTTOM BELT ROLLERS ARE TURNING IN THE HAYSTACKS.

									See (Continuation Fo	orm (MSHA	Form 7000-3a)	
. Violation	A. Health Safety Other	☑	B. Section of Act	l			/Section of 30 CFR		7	75.400			
section IIInspe	ector's Evalue	tion									 		
0. Gravity:												_	
A. Injury o	r Mness (ha:	s) (is):	No Likelii	bood 📋	Unlikely	₹	teasonably Like	y 🔲	Highly Lik	ely 🗌	Occur	red 🗌	
	r illness cou be expecte		No Lo	st Work	days 🗌 🔝 I	.ost Workday	s Or Restricted	Duty 🛂	Perma	nentiy Disab	ing 🗌	Fatal []	
C. Signific	ant and Sut	etantial:	Y	es 🗌	No 🗹				D. Numbe	r of Persons	Affected:	001	
11. Negligeno	ce (check or	æ)	A. None		B. Low	C. Mode	orate ✔	D. High		E. Reckle	ss Disrega	ard 📋	
12. Type of A	etion	104((a)		13. Ty	pe of Issuanc	e (check one)		itation 🗸	Order		Safeguar	<u> </u>
14. Initial Acti A. Citation		der []	C. Safeg	nard 🗍	D. Written Not		. Citation/ Order Number			F.	Dated	Mo Da `	'n
16. Terminati	on Due	A. Date	Mo Da 01/10/2		B. Time (24 H	. Clock)	1600	1				-	
ection III—Ten	mination Actio	חו										-	
17. Action to		Mo	Da Yr		on Marker Classic			<u> </u>			· · · · · · · · · · · · · · · · · · ·	· · · · · · · · · · · · · · · · · · ·	
				B. IIII	e (24 Hr. Clock)			<u></u>					
Section IV-Aut		m Deta											
19. Type of In activity o		AAA	20. Ever	nt Numbe	4054	1553	21. Prima	y or Mill					
	7								23.	AR Number		6	

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.

2 4 JAN 2005



			Trans Darety and Floatal Flattin institution							
Section ISubsequent Action/Continuation Data										
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 01/10/2005	Yr 3. Citation/ Order Number 70	097106 - 01						
4. Served To		5	. Operator							
AL SCHOONOVER		Α	NKER WEST VIRGIN	IA MINING COMPANY						
6. Mine		7	. Mine ID	(Contractor)						
SAGO MINE		1	46-08791							
Section IIJustification for Action										

THE ACCUMULATIONS WERE REMOVED AND THE AREA WAS ROCK DUSTED.

8. Extended To A. Date Mo Da Yr B. Time (24 Hr. Clock) C. Vacated D. Term	inated E Modified
Section IV-Inspection Data	midded modified
P. Type of Inspection AAA 10. Event Number 4054553	
11. Signa AR Number	4 Hr. Clock) 1730

	ion/Order		U.S. Department of Labor Mine Safety and Health Admini	istration FEE COST
ection 1Viole	tion Data			
Date	Mo Da Yr 01/24/2005	2. Time (24 Hr. Clock) 1600	3. Citatio Order	on/ 7148704
Served To	02/2//2000		5. Operator	
ndy Tinn	el		ANKER WEST VIRGINIA M	INING COMPANY
Mine	A 1750		7. Mine ID 46-08791	(Contractor)
AGO MI Condition o				(Contractor) 8a. Written Notice (103g)
loes no	ot have the	required amount	eks out-by the power cent of rock dust. (240 lbs.) andition will cause a del	This charging
			See	Continuation Form (MSHA Form 7000-3a)
. Violation	A. Health ☐ Safety ✓ Other ☐	B. Section of Act	C. Part/Section of Title 30 CFR 75.1	100-2(e)(2)
	ector's Evaluation			
0. Gravity: A injury o	r Illness (has) (is):	No Likelihood Unlikely	Reasonably Likely Highly Li	kely Occurred
B. Injury o	r illness could rea-			anently Disabling Fatal
	be expected to be: cant and Substantial:	Yes □ No ✔		er of Persons Affected: 001
1. Negligeno	ce (check one)	A. None B. Low	C. Moderate ☑ D. High	E. Reckless Disregard
2. Type of A	Action 104(a) 13. Ty ₁	pe of Issuance (check one) Citation ✓	Order Safeguard
4. Initial Act A. Citation		C, Safeguard D. Written Noti	E. Citation/ Order Number	F. Dated Mo Da Yr
5 Ame or E	quipment			
0. A104 01 E				
	ion Due A. Date	Mo Da Yr 01/24/2005 B. Time (24 Hr	. Clock) 1630	
6. Terminati	A. Date	01/24/2005 B. Time (24 Hr		
6. Terminati section III—Te 7. Action to	mination Action Terminate Ter	01/24/2005 B. Time (24 Hr	1630 O lb of rockdust being pr	covided at this
6. Terminati ection NI-Ter 7. Action to LOCati 8. Terminat	A. Date Mo A. Date A. Date Mo 01/2	01/24/2005 B. Time (24 Hr		covided at this
6. Terminati Section III—Ter 17. Action to 10 Cati	mination Action Terminate Terminate On • A. Date Mo 01/2 stomated System Data	minated due to 240	2220	covided at this

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 actions of MSHA, you may call 1-888-REG-FAIR/(1-888-73-247), or write the Ombudsman at 500 W. Madison Street, Suite 1240, Chicago, Illinois 80661. 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

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

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			Mine Safety and Realth Administration							
Section I-Vid	Section I-Violation Data									
1. Date	Mo Da Yr 01/24/2005	2. Time (24 Hr. Clock) 1610	3. Citation/ Order Number 7148705							
4. Served T	o		5. Operator							
Owen Jones			ANKER WEST VIRGINIA MINING COMPANY							
6. Mine			7. Mine ID 46-08791 (Contractor)							
SAGO M	INE		40°08/91 (Contractor)							
	n or Practice		8a, Written Notice (103g)							

The No. 3 Shuttle car on the 001-0 MMU is being repaired while still energized. The shuttle car is connected (plugged in) to the power center and the on-board breaker is still on. This condition creates a crushing hazard as this piece of equipment is trammed while being repaired. The repairs are being made on the off side of the shuttle car, which will impair the vision of an operator to recognize the repairs being made.

					See C	ontinuation Form (MSHA F	form 7000-3a) 📋
9. Violation	A. Health Safety V	B. Section of Act	1	Part/Section of little 30 CFR	75.	1725(c)	
Section II-insp	ector's Evaluation						
10. Gravity:		·					_
	r Iliness (has) (is):	No Likelihood	Unlikely 🗌	Reasonably Likely	Highly Like	y Occurre	d []
	r illness could rea- be expected to be:	No Lost Workdays	Lost Work	days Or Restricted D	uty 🗌 Perman	ently Disabling 🗹	Fatal 🗌
C. Signific	ant and Substantial	Yes 🗹 N	o 🗌		D. Number	of Persons Affected:	001
11. Negligeno	e (check one)	A. None B.	Low 🗌 C. N	foderate 🗸	D. High 🗌	E. Reckless Disregard	
12. Type of A	ction 104	(a)	13. Type of Issu	ance (check one)	Citation ✓	Order 🗌	Safeguard [
14. Initial Acti A. Citation		C. Safeguard D.	Written Notice	E. Citation/ Order Number	-	F. Dated	Mo Da Yr
16. Terminati	on Due A. Date	Mo Da Yr 01/24/2005 B.	Time (24 Hr. Clock)	1620			
Section III-Ter	mination Action	01/2 1/2 003			<u> </u>		
17. Action to	ad Mo	minated due			eing locked	d and tagged	lout.
	A. Date 01/	24/2005 B. Time (24	4 Hr. Clock)	1620			· · · · · · · · · · · · · · · · · ·
	tomated System Data				···		
19. Type of ir (activity c		20. Event Number	4054553	21. Primary o	or Milli		_
22. Signatur		6	1	•	23. /	AR Number	5 T
has establishe		I) in accordance with a siness and Agriculture Regional Agriculture Regi	ílstory Ombudsman and les enforcement activitie	10 Regional Fairness 8	cards to receive comme	nell business. If you wish t	s about federal to comment on the

has established a Mational Small Business and Agriculture Regulatory Ombudaman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudaman 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 500 W. Madison Street, Suite 1240, Chicago, Illinois 80661. 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 penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

AUL 1.27.05

Mine Citation/Order

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

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					Mine S	afety and Hea	ith Adminis	stration	
Section I-Violat	tion Deta								
1. Date	Mo Da Y 01/24/20	-	2. Time (24 Hr. Cl	· ·			3. Citation Order	^{1/} Number 71487	06
4. Served To					5. Opera				
Owen Jone	S				ANKE	R WEST VIR	GINIA MI	NING COMPAN	₹Y
6. Mine					7. Mine I	D 46-087	91		
SAGO MII					l	40-007	<i>7</i> 1		(Contractor)
8. Condition o				· <u>-</u>					Notice (103g)
the 001	0 MMU .ng mai	∫ in .ntai	that the ned in th	minimum re e number s	equired on tr	quantity y while r	of 3,50 oof bol	ng complied 00 CFM (pag ting is ta a velocity	e 6a) is king
							See C	continuation Form (MSH)	A Form 7000-3e)
9. Violation	A. Health [Sefety] Other[B. Section of Act		C. Part/Section Title 30 CFI		75.3	370(a)(1)	
Section II-Inspi	ector's Evaluat	ion							
10. Gravity: A. Injury or	Illness (has)) (ls):	No Likelihood	Unlikely 🗸	Reason	ably Likely 🗌	Highly Like	ely 🗍 Occur	red 🗍
	iliness could be expected		No Lost Work		Workdays Or R	estricted Duty 🗹	Permar	nently Disabling	Fatal _
C. Significa	ent and Subs	tantial:	Yes []	No ✓		· · · · · · · · · · · · · · · · · · ·	D. Number	of Persons Affected:	001
11. Negligeno	e (check one)	A. None	B. Low	C. Moderate	D. High		E. Reckless Disrega	ard []
12. Type of A	ction	104(a	1)	13. Type of	Issuance (chec	k one)	Citation 🗹	Order _	Safeguard
14. Initial Action A. Citation		ier 🗌	C. Safeguard	D. Written Notice	E. Citatio	n/ Number		F. Dated	Mo Da Yr
15. Area or Ed	quipment					·			
16. Termination	/	A. Date	Mo Da Yr 01/24/2005	B. Time (24 Hr. Clo	ock) 17	710			
Section III—Ten									
17. Action to 1				e to 4,070	CFM be	ing provi	ded at	the end of	the
18. Terminate	A. Date	01/2	Da Yr 4/2005 B. Time	e (24 Hr. Clock)	1720				
Section IVAut		m Deta	1		 				
19. Type of in (activity or		MA	20. Event Number	405455	3	. Primary or Mill			
22. Signature			6				23. /	AR Number	• 7
MISHA Form 70	Man of		1		0				

MSHA Form 70005, Mer 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 Ombudaman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudaman 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-R2FAR (1-888-734-3247), or write the Ombudaman at 500 W. Madison Street, Suite 1240, Chicago, Illinois 60861. 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 penelties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

JUL 1-27.05

Mine	Citation/	Order
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ANDE

			wife Safety and Health Administration							
Section I-Vi	Section IViolation Data									
1. Date	Mo Da Yr 01/24/2005	2. Time (24 Hr. Clock) 2125	3. Citation/ Order Number 7148707							
4. Served Tandy Tit			5. Operator ANKER WEST VIRGINIA MINING COMPANY							
6. Mine SAGO N			7. Mine ID 46-08791 (Contractor)							
8. Conditio	n or Practice		8a. Written Notice (103g)							

The currently approved mine ventilation plan is not being complied with on the 002-0 MMU in that more than 50 percent of the throat sprays are inoperative. Only one of the five throat sprays are operating. (page 2a requires at least 50 percent of the sprays in each block will be working) This section has had two high inspector respirable dust samples taken on 1/18/2005 on the 036 and 073 occupations.

									See C	Continuatio	n Form (MSHA	Form 7000-3e)
9. Violation	A. Health Safety Other		B. Section of Act				/Section of 30 CFR		75.3	370(a)(1)	
Section II—Inspe	ctor's Evalue	tion		· · · · · · · · · · · · · · · · · · ·								
10. Gravity:												
A. Injury or	lilness (has) (is):	No Likelih	xod 🗌	Unlikely 🗌		Reasonably Like	ty 🗹	Highly Lik	ety 🗌	Occurr	ed 🗌
B. Injury or sonably	iliness coul be expected		No Los	t Workdays	Lost	Workday	s Or Restricted	Duty [Perma	nently Dis	abling 🗹	Fatal 🗌
C. Significa	ant and Sub	stantial:	Yes	₩ No					D. Number	r of Perso	ns Affected:	002
11. Negligence	e (check on	9)	A. None] 8.	Low 🗌	C. Mod	erate 🗹	D. High		E. Rec	kless Disrega	rd []
12. Type of Ac	tion	104(a	ι)		13. Type of	Issuanc	e (check one)		Citation 🗹	Ord	er 🗌	Safeguard [
14. Initial Action A. Citation	- • •	der 🔲	C. Safegua	and [] D. Y	Written Notice [E	. Citation/ Order Number				F. Dated	Mo Da Yr
16. Termination	n Due	A. Date	Mo Da 01/24/2		Time (24 Hr. Clo		2135		<u></u>			
Section IIITerr	ninetion Acti	203	0112-112	003								
17. Action to 1	Terminate	Teri	ninate	d due	to the w	vater	sprays	bein	g made	oper	ative.	
18. Terminate	d A. Date		Da Yr 4/2005	B. Time (24	Hr. Clock)	21	35					
Section IV-Aut	omated Syste	m Data										
19. Type of in (activity co		AAA	20. Event	Number	405455	3	21. Primar	y or Milt				
22. Signatur												_

MSHA Form 1989 d, Mar 85 (revised) in accordance 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 500 W. Medicon Street, Suite 1240, Chicago, Illinols 60861. 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

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

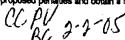
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			Willie Galety and I reduct / terriminations	_
Section IVic	plation Data			_
1. Date	Mo Da Yr 02/02/2005	2. Time (24 Hr. Clock) 0735	3. Citation/ Order Number 7097121	
4. Served T	o Y GARRETT		5. Operator ANKER WEST VIRGINIA MINING COMPANY	_
6. Mine SAGO N	AINE		7. Mine ID 46-08791 (Contractor)
8. Condition	n or Practice		8a. Written Notice (103g)	

THE CIRCULAR MAIN MINE FAN PRESSURE RECORDING CHART WAS NOT CHANGED BEFORE THE BEGINNING OF A SECOND REVOLUTION.

							See C	ontinuation Form (MSHA	Form 7000-3a)
9. Violation	A. Health Safety Other	_	Section f Act		C. Part/Section of Title 30 CFR		75.	312(e)	·
Section II—Inspe	ctor's Evaluation	ก							
10. Gravity:									
A. Injury or	r lilness (has)	(is): No	Likelihood [Unlikely 🗹	Reasonably	Likely 🔲	Highly Like	ely Occum	red 🗌
	r illness could be expected		No Lost Worl	days 🗌 Los	t Workdays Or Restri	cted Duty 🗹	Perman	ently Disabling	Fatal 🗌
C. Signific	ant and Subst	antial:	Yes 🗌	No 🗹			D. Number	of Persons Affected:	001
11. Negligeno	e (check one) A.N	ione 🗌	B. Low	C. Moderate	D. High		E. Reckless Disrega	rd 🗌
12. Type of A	ction	104(a)		13. Type	of Issuance (check or	ne)	Citation 🗸	Order 🗌	Safeguard
14. Initial Action A. Citation		r 🔲 C.5	Safeguard [D. Written Notice	E. Citation/ Order Nur	nber		F. Dated	Mo Da Yr
16. Terminatio	on Due A	Date	o Da Yr	B. Time (24 Hr. C	lock) 1400		•	· · · · · · · · · · · · · · · · · · ·	
Section III-Terr	nimetion Action	- 02	/02/2005	<u> </u>	- 1100	L	·		
17. Action to							•		
18. Terminate	A. Date	Mo Da	Yr B. Tin	ne (24 Hr. Clock)					
Section IV-Aut	omated System	Data			··· · · · · · · · · · · · · · · · · ·	 	·		
19. Type of In (activity co		AAA 20). Event Numb	er 40545:	53 21. Pi	rimary or Mill			·····
22. Signa								R Number	

MSHA Form 700-3, 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 Ornbudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ornbudsman 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 Ornbudsman at Small Business Administration, Office of the National Ornbudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please nots, however, that your right to file a comment with the Ornbudsman 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.



HP2/03

Mine	Citation/Order
Conti	nuation

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00:10:14				1411110	noty and House Francis		
Section ISubsequer	nt Action/Continuation Data						
1. Subsequent Act	ion 1a. Continuation	2. Dated (Original Issue)	Mo Da 02/02/20	**	3. Citation/ Order Number 7097121	- 01	
4. Served To				5. Operat	OF .	<u> </u>	
BILL CURRE	NCE			ANKE	R WEST VIRGINIA MINII	NG COMPANY	
6. Mine				7. Mine IC		(Contractor)	
SAGO MINE					46-08791	·	
Section II-Justification	on for Action			•			

THE CIRCULAR MAIN MINE FAN PRESSURE RECORDING CHART WAS REPLACED.

Section III—Subsequent Action Taken		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 Data		
9. Type of inspection AAA	10. Event Number 4054553	
11. Signation C.	AR Number 12. Date	Mo Da Yr 13. Time (24 Hr. Clock) 03/01/2005 0600
MSHA Form 7000-3a, Mar 85 (revised)		0000

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<i>\\\\</i>			

Mine Citati	on/Order			U.S. Departn Mine Safety a				
Section I-Violet	ion Data							
1. Date	Mo Da Yr 02/02/2005	2. Time (24 Hr. Clo 1000			3.	Citation/ Order Number	7097122	
4. Served To				5. Operator				
JOHNNY	GARRETT			ANKER WE	ST VIRGIN	IA MINING (COMPANY	
6. Mine				7. Mine ID	6-08791			(0.1
SAGO MI	NE			<u> </u>	0-00771			(Contractor)
8. Condition of	or Practice						8a. Written Not	
IS NOT	INSTALLED	INKLER SYST AS REQUIRE COMPONENTS	ED. THE SPE	ING THE NATIONALERS A	RE NOT I	L CONVEY		
						See Continuatio	n Form (MSHA Fo	rm 7000-3a}
9. Violation	A. Health ☐ Safety ✓ Other	B. Section of Act	C	. Part/Section of Title 30 CFR		75.1101-8((a)	
Section IIInec	pector's Evaluation		<u>l</u>					
10. Gravity:		····						
•	or Illness (has) (is):	No Likelihood	Unlikely 🔽	Reasonably Like	elv 🗀 Hi	ghly Likely	Occurred	
B. Injury o	or illness could rea-	No Lost Workd	<u> </u>	rkdays Or Restricted		Permanently Dis		Fatal
	cant and Substantial:	Yes 🗌	No 🗹		D.	Number of Person	ons Affected:	001
11. Negligen	ce (check one)	A. None	B. Low C.	Moderate 🔽	D. High	E. Rec	kless Disregard	
12. Type of A	Action 104(a)	13. Type of Iss	uance (check one)	Citati	lon 🗹 Ord	er 🗌	Safeguard [
14. Initial Act A. Citation		C. Safeguard	D. Written Notice	E. Citation/ Order Numbe	r		F. Dated	Mo Da Yr
15. Area or E	Equipment	<u> </u>			·····			
16. Terminat	ion Due A. Date	Mo Da Yr 02/02/2005	B. Time (24 Hr. Clock)	1400				
Section III—Ter	mination Action							
17. Action to	Terminate							
18. Terminat	A. Date Mo	Da Yr B. Time	(24 Hr. Clock)					<u></u>
Section IV-Au	ntomated System Data		· · · · · · · · · · · · · · · · · · ·	•				
19. Type of I		20. Event Number	4054553	21. Prima	ery or Mill		······································	
22. Signatu	5 - T					23. AR Numl	00	5

MSHA Form 7000 , Mar/ct. (Levinor, the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration mass established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regionel 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

~	Ą	MAR	2005
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O OTTENTIONAL TOTAL	Willo Caloty and Hoditi Administration				
Section I-Subsequent Action/Contin	ustion Deta				
1. Subsequent Action 1a. Cont	ruation 2. Dated (Original Issue)	Mo Da Yr 02/02/2005	3. Citation/ Order Number	7097122 - 01	·
4. Served To		5. Ope	rator		
BILL CURRENCE		ANK	ER WEST VIRG	INIA MINING COMPANY	
6. Mine		7. Mine	1D	(Contracto	r)
SAGO MINE		1	46-0879	1	
Section II—Justification for Action					

THE SPRINKLER SYSTEM WAS INSTALLED AS REQUIRED.

Section III-Subse	quent Action Taken		See Continuation Form
8. Extended To		Yr B. Time (24 Hr. Clock)	☐ C. Vacated ☑ D. Terminated ☐ E. Modified
Section IV-Inspec			
9. Type of Inspe	ection AAA	10. Event Number 4054553	
11. Signal	6	AR Number 12. Date	Mo Da Yr 13. Time (24 Hr. Clock) 03/01/2005 0730
MSHA Form 7000	3a Mar 85 (misses)	<i>i</i> //	



Mine Citation/Order

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



Section I—Vio	olation Data			
l. Date	Mo Da Yr 02/02/2005	2. Time (24 Hr. Clock) 0920	3. Citation/ Order Number	7097123
Served	o Y GARRETT		5. Operator ANKER WEST VIRGINIA MINING	COMPANY
5. Mine SAGO N	ONE		7. Mine ID 46-08791	(Contractor)
	n or Practice			8a. Written Notice (103g)

THE SCOOP CHARGERS FOR THE MAINS SECTION 002 MMU IN THE NO. 5 ENTRY 50 FEET OUTBY MINE MARKER NO. 3375 IN CROSSCUT BETWEEN 5 AND 6 ENTRY AND 6 AND 7 ENTRY LOCATED IN THE MAIN INTAKE AIR COURSE IS CHARGEING IN THE AIR VENTILATING THE WORKING FACES AND IS NOT VENTILATED WITH INTAKE AIR THAT IS COURSED INTO THE RETURN AIR COURSE.

										See C			
. Violation	A. Health Safety Other		B. Section of Act	•			C. Part/Sec Title 30 C			75.3	40(a)(2)(i))	
Section II—Inspi	ector's Evalua	tion					<u> </u>						
0. Gravity:		•			•								. —
A. Injury o	r läness (has	i) (is):	No Likeliho	od 🗌	Un	likely 🗌	Rease	onably Likel	<u>y</u> 🗹	Highly Lik	ely	Occurr	ed 📋
	r illness coul be expecte		No Los	Work	iays 🗌	Lost	Workdays Or	Restricted	Duty 🗹	Perma	nently Disabl	ing 🗌	Fatal 🗍
C. Signific	ant and Sub	stantial:	Yes	V	No 🗌					D. Numbe	r of Persons	Affected:	001
1. Negligeno	ce (check or	e)	A. None]	B. Low		C. Moderate	V	D. High		E. Reckles	ss Disrega	rd 🗌
2. Type of A	vetion	104(a)		1	3. Type o	f Issuance (ch	eck one)	C	itation 🔽	Order []	Safeguard [
									~		T _E	Dated	Mo Da Yr
A. Citation	☐ B. Or	der 📋	C. Safegua	ird 🗌	D. Writte	n Notice	E. Citz Ord	ation/ ler Number			<u> </u>		mo Da Ti
A. Citation 5. Area or E	B. On Equipment	der []	Mo Da	Yr	<u> </u>	n Notice	Ord					Dated	WO DE TI
A. Citation 15. Area or E	B. On quipment	A. Date		Yr	<u> </u>		Ord	er Number	I		<u> </u>	Paled	WO DE TI
A. Citation 15. Area or E 16. Terminati Section III—Ten 17. Action to	B. On Equipment ion Due mination Action	A. Date	Mo Da 02/02/20	Yr 005 RGER	B. Time ((24 Hr. CI	Ord	ler Number	LATE) WITH			
A. Citation 15. Area or E 16. Terminati Section III—Ten 17. Action to	B. On Equipment ion Due mination Action Terminate D. INTO	A. Date T A R	Mo Da 02/02/20 HE CHA	Yr 005 RGER AIR	B. Time ((24 Hr. CI RE MO) SE.	Ord	ler Number	LATE) WITH			
A. Citation 15. Area or E 16. Terminati Section III—Ten 17. Action to COURSEL 18. Terminati	B. On Equipment ion Due mination Action Terminate D. INTO	A. Date T A R	Mo Da 02/02/20 HE CHA ETURN	Yr 005 RGER AIR	B. Time ((24 Hr. CI RE MO) SE.	ock) VED AND	ler Number	ILATEI) WITH			
14. Initial Acti A. Citation 15. Area or E 16. Terminati Section III—Ten 17. Action to COURSEI 18. Terminate Section IV—Aut 19. Type of In (activity o	B. On Equipment ion Due mination Action Terminate D. INTO ed A. Date tornated Systemspection	A. Date T A R	Mo Da 02/02/20 HE CHA ETURN	Yr 005 RGER AIR B. Time	B. Time (RS WEF COURS)	(24 Hr. CI RE MO) SE.	ock) VED AND	ler Number) WITH			

MSTA Form 700-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1998, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudaman and 10 Regional Fairness Boards to receive comments from small businesses about tederal agency emforcement actions. The Ombudaman 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 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 penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

CPU 2-2-05

Mine Citation/Order

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





			time during and reductive termination.				
Section I-Viola	Section I-Violation Data						
1. Date	Mo Da Yr 03/03/2005	2. Time (24 Hr. Cłock) 0900	3. Citation/ Order Number 7148634				
4. Served To BILL CUF		E FOREMAN	5. Operator ANKER WEST VIRGINIA MINING COMPANY				
6. Mine SAGO MI	NE		7. Mine ID 46-08791 (Contractor				
8. Condition	or Practice		8a. Written Notice (103g)				

Records indicate that the Intake airway located in the middle entry of the old 1-right section, has not been traveled in it's entirety, at least every 7 days, by a certified person, for an examination for hazardous conditions. The approximately total distance is 1300 feet.

				See Continuatio	n Form (MSHA Form 7000-3a)
9. Violation A. Healt Safet Othe	y of Act		C. Part/Section of Title 30 CFR	75.364(b)(1)
Section II—Inspector's Eval	uation				
10. Gravity:					
A. Injury or Illness (h	as) (is): No Likelihood	Unlikely 🔽	Reasonably Likely	Highly Likely	Occurred
B. Injury or illness co sonably be expect	41-1	orkdays Lost W	orkdays Or Restricted Duty	Permanently Disa	abling Fatal 🗍
C. Significant and Si	ubstantial: Yes	No 🔽		D. Number of Perso	ons Affected: 001
11. Negligence (check o	one) A. None 🗌	B. Low 🗍 C	C. Moderate 🗹 D. Hi	gh 🗌 E. Reck	less Disregard 📋
12. Type of Action	104(a)	13. Type of I	Issuance (check one)	Citation 🗹 Orde	er 🗌 Safeguard 🔲
14. Initial Action A. Citation B. O	rder C. Safeguard [D. Written Notice	E. Citation/ Order Number		F. Dated Mo Da Yr
16. Termination Due	A. Date 03/03/2005	B. Time (24 Hr. Cloc	(x) 1300		
	A. Date 03/03/2005	B. Time (24 Hr, Cloo	(*) 1300		
Section fil-Termination Act	A. Date 03/03/2005			making the o	vamination and
Section fill-Termination Act 7. Action to Terminate	A. Date 03/03/2005	due to a cert	tified person,	making the e	xamination and
Section fil—Termination Act 7. Action to Terminate Seconded in	A. Date 03/03/2005	due to a cert	tified person,	making the e	xamination and
Fection III—Termination Act 7. Action to Terminate 1. Cecorded in 8. Terminated A. Date	Terminated the book pro-	due to a cert vided for tha	tified person, at purpose.	making the e	xamination and
8 Terminated	Terminated the book pro-	due to a cert vided for tha ime (24 Hr. Clock	tified person, at purpose.		xamination and
Section fill-Termination Act 7. Action to Terminate recorded in 18. Terminated A. Date Section IVAutomated Sys 9. Type of Inspection	A. Date 03/03/2005 ion Terminated the book produce MoDa Yr 03/03/2005 B. Term Data	due to a cert vided for tha ime (24 Hr. Clock	tified person, at purpose.		

established a National Small Business and Agriculture Regulatory O'muddsman 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 500 W. Madlson Street, Suite 1240, Chicago, Illinois 60681. 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.

CCEP BC 3/3/2025

2	Mar	10A
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	/nA
1	OA US
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			Time Carety and Treatment		
Section IVi	olation Data				
1. Date	Mo Da Yr 03/03/2005	2. Time (24 Hr. Clock) 1200		3. Citation/ Order Number	7148635
4. Served To BILL CURRENCE, MINE FOREMAN		E FOREMAN	5. Operator ANKER WEST VIRG	INIA MINING	COMPANY
6. Mine SAGO N	MINE		7. Mine ID 46-0879	1	(Contractor)
8 Conditio	n or Practice				8a Written Notice (103g)

The operator did not follow the approved ventilation plan as required. The water pressure on the left side on the Joy 14CM-15 continuous miner measured 50 PSI at the water spray with the scrubber running. The miner is operating on the Mains section, 002 MMU. The mine ventilation plan on page 2b requires 60 PSI.

		See Continuation Form	n (MSHA Form 7000-3a)
9. Violation A. Health B. Section of Act Other	C. Part/Section of Title 30 CFR	75.370(a)(1)	
Section IIInspector'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 A	ffected: 001
11. Negligence (check one) A. None B. Low	C. Moderate 🗹 D. H	igh E. Reckless I	Disregard [
12. Type of Action 104(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. Da	ated Mo Da Yr
16. Termination Due A. Date Mo Da Yr 8. Time (24 Hr. C	Slock) 1230		
Section IIITermination Action			
17. Action to Terminate Terminated due the wat			
providing more water pressure to the measured at the sprays, with the sc		t the miner. 75	PSI was
18. Terminated A. Date Mo Da Yr 03/03/2005 B. Time (24 Hr. Clock	1230	With the second	
Section IV-Automated System Data			
19. Type of Inspection (activity code) CCC 20. Event Number 407760	03 21. Primary or Mi	II .	
22. Signature		23. AR Number	

MSHA Form 7000-3, Mar 85 (revised)
In accordance with the pravisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Oribudsman 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-FAR (1-884-734-3247), or write the Ombudsman at 500 W. Madison Street, Suite 1240, Chicago, Illinois 60661. 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.

CC EP BC 3/3/2005

N 4:	A4-4:	10-2
MICA	Citation	/C)rder

,	
	7/

				Mine Safet	y and Heal	th Administration	on	
Section I-Violation Data								
1. Date	Mo Da Yr 03/16/2005	2. Time (24 Hr. Clock) 0900				3. Citation/ Order Numb	er 7097588	
4. Served AL SCH				5. Operator ANKER V	VEST VIRO	GINIA MININ	G COMPANY	
6. Mine SAGO N	AINE			7. Mine ID	46-0879	91		Contractor)
8. Conditio	n or Practice						8a. Written Notice	(103g)
BA	SED ON ADVI	SORY NO. 0024, I	DATED 03	3-07-200	D5, THE	OPERATOR	HAS FAILED	TO

BASED ON ADVISORY NO. 0024, DATED 03-07-2005, THE OPERATOR HAS FAILED TO SUBMIT, THE REQUIRED FIVE DESIGNATED OPERATOR SAMPLES, 036, CONTINUOUS MINER OPERATOR, FOR THE BI-MONTHLY CYCLE, JAN-FEB 2005, FOR MECHANIZED MINING UNIT I. D. 001-0.

					See Continuation	Form (MSHA I	orm 7000-3a)
9. Violation A. Health Safet Othe	y of Act		C. Part/Section Title 30 CFR	of	70.207		
Section II-Inspector's Evalu	ation						
10. Gravity:		. 53				_	. ==
A. Injury or Illness (he		ood Unlike	ay 🔽 Reasonab	ly Likely 🔲 H	ighly Likely	Occurre	<u> </u>
B. Injury or illness co sonably be expect		st Workdays	Lost Workdays Or Res	tricted Duty	Permanently Disa	ibling 🗌	Fatal 🗌
C. Significant and Su	bstantial; Ye	s No 🗹		D.	Number of Person	ns Affected;	001
11. Negligence (check o	ne) A. None [B. Low	C. Moderate 🗸	D. High	E. Reck	less Disregar	d 🗌
12. Type of Action	104(a)	. 13.	Type of Issuance (check	one) Citat	ion 🗹 Orde	r 🗌	Safeguard
14. Initial Action A. Citation B. O	rder 🔲 C. Safegu	ard D. Written N	E. Citation			F. Dated	Mo Da Yr
16. Termination Due	A. Date Mo Da 03/16/2	D T /24	Hr. Clock) 090	0			
Section III—Termination Act							
17. Action to Terminate	SAMPLIN	NG CYCLE JA	N-FEB 2 0 05 H	AS PASSED.			
18. Terminated A. Dat	Mo Da Yr 03/16/2005	B. Time (24 Hr. Cloc	*) 0900				
Section IV-Automated Syst				1			
19. Type of Inspection (activity code)	AAA 20. Even	t Number 40:	54553	Primary or Mill			
22. Sign	<u></u>	7		<u>-</u>	23. AR Number	× -	

MSHA Form 7000-3, Mar (5) (revised) In scandary provisions of the Small Businese Regulatory Enforcement Fairnese Act of 1996, the Small Businese Administration has established a National Small Businese and Agriculture Regulatory Ombuderman and 10 Regional Fairnese Boards to receive comments from small businesees about federal agency enforcement actions. The Ombuderman annually evaluatese enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombuderman at Small Businese Administration, Office of the National Ombuderman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombuderman 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	U.S. Department of Labor Mine Safety and Health Administration APR Zes
Section (-Violation Data	
1. Date Mo Da Yr 2. Tirne (24 Hr. Clock)	3. Citation/ 7097717
04/06/2005 0630	5. Operator
4, Served To	ANKER WEST VIRGINIA MINING COMPANY
Bill Currence Mine Foreman	
6. Mine SAGO MINE	7. Mine ID 46-08791 (Contractor)
8. Condition or Practice	8a, Written Notice (103g)
0 MMU working section. The approved curtain being used for ventilate the 10 feet of the face or on the secondurtain was found approximately 110 feet from the last permanent roof second section.	is not being complied with on the Mains 002-d ventilation plan states that the line he #5 entry face is not maintained to within he had row of permanent roof support. The line of feet from the #5 entry face, which was 80 support bolt to the end of the existing line permanent roof support bolt outbid the face.
9. Violation A. Health B. Section of Act Other Section II—Inspector's Evaluation	See Continuation Form (MSHA Form 7000-3e) C. Part/Section of Title 30 CFR 75.370
10. Gravity: A. injury or illness (has) (is): No Likelihood Unlikely B. Injury or illness could reasonably be expected to be: No Lost Workdays Lo C. Significant and Substantial: Yes No 11. Negligence (check one) A. None B. Low	Reasonably Likely Highly Likely Occurred Duty Permanently Disabling Fatal D. Number of Persons Affected: C. Moderate D. High E. Reckless Disregard
	of issuance (check one) Citation Order Safeguard
14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice	E. Citation/ F. Dated Mo Da Yr
15. Area or Equipment	
16. Termination Due A. Date Mo Da Yr 04/06/2005 B. Time (24 Hr. 0	Clock) 0640
Section III—Termination Action	
the previous line curtain, inby to from the #5 face. 18 Terminated A Date Mo Da Yr 8 Time (24 Hr Clock)	the second row of permanent roof support
04/06/2005 B. Tarie (24 Fit. Citota) Section IVAutomated System Data	0040
19. Type of Inspection (activity code) E01 20. Event Number 40547	21. Primary or Mili

MSHA Forth 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 Ombudaman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudaman 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 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 penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.



Mina	Citat	loni	Order
MINE	CHE	BUI I/	UIUCI



Se⁄ation I—Vic	oletion Data		
1. Date	Mo Da Yr 04/06/2005	2. Time (24 Hr. Clock) 0840	3. Citation/ Order Number 7097718
4. Served T Bill Curr			5. Operator ANKER WEST VIRGINIA MINING COMPANY
6. Mine SAGO M			7. Mine ID 46-08791 (Contractor)
	or Practice		8a. Written Notice (103g)

The #6 AWG trailing cable for the #1 scoop charger being operated on the Mains 002-0 MMU working section has the trailing cable plugged into a circuit breaker that has the instantaneous setting set on 750 amperes. The maximum instantaneous amperes setting for a #6 AWG trailing cable is 300 amperes. The mine operator immediately removed the #1 scoop charger trailing cable from service.

		See Continuation Form (MSHJ	Form 7000-3e)
9. Violation A. Health B. Section of Act Other	C. Part/Section of Title 30 CFR	75.601-1	
Section II—Inspector's Evaluation			<u></u>
10, Gravity:	_	_	. —
A. Injury or Iliness (has) (is): No Likelihood [Unlikely 🗹 Reasonably Likely 🗌	Highly Likely 🗌 Occur	red
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 [v	<u></u>	D. Number of Persons Affected:	001
11. Negligence (check one) A. None B. Lov	v 🗌 C. Moderate 🗹 D. High	h 🗌 E. Reckless Diaregs	ard 🗌
12. Type of Action 104(a)	13. Type of Issuance (check one)	Citation 🗹 Order 🗌	Safeguard
14. Initial Action A. Citation B. Order C. Safeguard D. Writ	E. Citation/ Order Number	F. Dated	Mo Da Yr
16. Termination Due A. Date Mo Da Yr B. Time	e (24 Hr. Clock) 0920		
Section III—Termination Action		_	
17. Action to Terminate Terminated of	due to the #1 scoop cha	arger trailing cab	le being
plugged into a circuit breaker amperes.	_	-	-
18. Terminated A. Date Mo Da Yr 04/06/2005 B. Time (24 Hr.	Clock) 0920		
Section IVAutomated System Data			
19. Type of Inspection (activity code) E01	4054745 21. Primary or MiR		
22. Signatur		23. AR Number	,]

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 Ombudemen and 10 Regional Fairness Boards to receive comments from small business about federal agency enforcement actions. The Ombudeman 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 Ombudeman at Small Business Administration, Office of the National Ombudeman, 409 3rd Street, SW MC 2120, Washington, DC 20416. 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 citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

William

Mine Citatio	on/Order	r		_	U.S. Departm Mine Safety a	ent of Labo nd Health Ad	r Iministration	2 GA	PR 2005
Section I-Violati	ion Data								
1. Date	Mo Da 04/06/2		2. Time (24 Hr. Cl 08:			3.	Order Number	7097719)
4. Served To	0-110012	.002			5. Operator				
Bill Curren	ce _ Mii	ne Forem	nan		ANKER WES	ST VIRGINI	A MINING	COMPANY	
6. Mine					7. Mine ID 4	6-08791			(Contractor)
8. Condition or							 -	8a. Written No	
Th Mains 0 breaker	e #6 102-0 that	MMU w has is set	orking se the insta ting for	cable for the ection has to intaneous se a #6 AWG tr red the #4 s	the trailing tting set of ailing cabl	g cable on 500 a le is 30	plugged mperes. 0 ampere	into a The max s. The	circuit imum mine
9. Violation	A. Health Safel	y 🗹	B. Section of Act	1	C. Part/Section of Title 30 CFR		See Continuatio	on Form (MSHA F	orm 7000-3e)
Section II-Inspe	<u> </u>								
10. Gravity: A. Injury of	Illness (ha	as) (is):	No Likelihood	Uniikely 🗸	Reasonably Like		phly Likely 🔲	Occurre	d []
B. injury or sonably	illness co		No Lost Work	days Lost W	orkdays Or Restricted	Duty 🗹	Permanently Dis	abiling [Fetal
C. Significa			Ye6 [No 🗹		ם. ו	Number of Penso	ons Affected:	001
11. Negligence	e (check o	ne)	A. None	B. Low 🗌 💢 C	. Moderate 🗹	D. High 🔲	E. Rec	kiess Disregard	<u> </u>
12. Type of Ac	ction	104(a)	13. Type of Is	suance (check one)	Citatio	on 🗹 Ord	er 🗌	Safeguard 🗌
14. Initial Action A. Citation		rder 🔲	C. Safeguard	D. Written Notice	E. Citation/ Order Number			F. Dated	Mo Da Yr
15. Area or Ed	quipment								
16. Termination	on Due	A. Date	Mo Da Yr 04/06/2005	B. Time (24 Hr. Clock	0930				
Section III-Terr	nination Ac	tion							
	into	a ci		ed due to t eaker with t					
amperes		2	0a Yr 6/2005 B, Time	e (24 Hr. Clock)	0930				· · · · · · · · · · · · · · · · · · ·
Section IV-Auto	omated Syst		012003						
19. Type of Ins	spection	E01	20. Event Numbe	4054745	21. Primar	y or Mill		····	 _
22. Signatur		-	6	7			23. AR Numb	1 6	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 Ombudaman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudaman 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 cell 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 penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Mine	Cita	tion.	/Oi	mler

•	2010APR	2005

Mine Citatio	on/Order			Mine Saf	ety and Healt	apor h Administræ	tion	APR 2005
Section I-Violat	tion Data	· · · · · · · · · · · · · · · · · · ·						
1. Date	Mo Da Yr 04/07/2005	2. Time (24 Hr. C				3. Citation/ Order Num	_{ber} 709772	20
4. Served To			· <u>-</u>	5. Operator				••
Bill Curren	ce _ Mine Fore	man	· .	ANKER	WEST VIRC	INIA MINII	NG COMPAN	<u>Y</u>
6. Mine				7. Mine ID	46-0879	1		(Contractor)
SAGO MII		., - <u> </u>				· · · · · ·	Sa Mrittan I	Votice (103g)
8. Condition o				10 05 1				
Approva working jacket energiz of an i have th leads of The mir trailir	al no. 2G- g section of the tr zed power inch wide. ne insulate can be see ne floor r	3936-0, be is not installing calling calleads of a All three ion cut when through anges from anged from anged from the canged	or the Joy eing operated ade to be as a control of the indicate of the indicate cut indicate of the cut in	ed on the equately a cut, which is conditioner insulates the bar in the outest on this	e Mains O and fully n exposes tion is 1 lated ene re power er jacket s section	protect the inc. 1/2 inc. 1/2 inc. rgized reads. To the inc. The inc.	I right some check the control of th	ide outer ated by 3/8 ds also power cable. s of the
9. Violation	A. Health	B. Section		C. Part/Section	of ·		nuetion Form (MSHA	Form 7000-3a)
	Safety 🗸	of Act		Title 30 CFR		75.5	17	
Section II—Insp	ector's Evaluation							
10. Gravity:				•				
	r lilness (has) (is):	No Likelihood	Unlikely 🗍	Reasonal	ly Likely 🗹	Highly Likely	Occurr	ed 🗌
	r illness could rea- be expected to be:	No Lost Worl	days 🗌 Lost	Workdays Or Res	tricted Duty 🗹	Permanenti	y Disabling 🔲	Fatal 🔲
	ant and Substantial	Yes 🗹	No 🗌			D. Number of F	Persons Affected:	001
11. Negligeno	e (check one)	A. None	B. Low 📋	C. Moderate	D. High	□ E .	Reckless Disrega	rd []
12. Type of A	ction 104	(a)	13. Type of	Issuance (check	one) (Otation 🗹	Order 🔲	Safeguard 🗌
14. Initial Acti A. Citation		C. Safeguard	D, Written Notice [E. Citation/ Order N		•	F. Dated	Mo Da Yr
15. Area or E	quipment							
16. Termination	on Due A. Date	Mo Da Yr 04/07/2005	B. Time (24 Hr. Clo	ock) 102	5			
	mination Action			·			·····	
17. Action to protect			ted due to nsulated ad					outer
18. Terminate	I & Date	Da Yr 07/2005 B. Tim	e (24 Hr. Clock)	1025		· · · · · · · · · · · · · · · · · · ·		
	ometed System Data							
19. Type of in (activity co		20. Event Numbe	405474	5 21.1	Primary or Mill		· —	
22. Signature		6	1			23. AR N	lumber L	

MSHA Form 7000-3, Mar 85 (revised) In accordance with me provisions of the Small Business Regulatory Enforcement Fairness Act of 1995, 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.

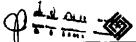
Mine Citation/Order	U.S. Departme Mine Safety an	ent of Labor d Health Administration
Section I-Violation Data		
1. Dake Mo Da Yr 2. Time (24 Hr. Clock)		3. Citation/ 7097721
04/11/2005 0925	5. Operator	
Served To	ANKER WES	T VIRGINIA MINING COMPANY
Bill Currence Mine Foreman		
3. Mine SAGO MINE	46	-08791 (Contracto
), Condition or Practice		8a. Written Notice (103g)
	LY PROTECTED. N AWAY, LEAVING SPOSED FOR A ON SPLICE HAS TO INCH AREA ALT ON THIS SECTION ROOF BOLTER AN	THE INSULATION ON TWO NG THE INNER INSULATED NE INCH AREA ALL THE WAY THE INNER INSULATED, ENERGIZE L THE WAY AROUND THE TRAILING ION. THIS CONDITION IS LOCATE
D. Violation A. Health B. Section of Act	C. Part/Section of Title 30 CFR	See Continuation Form (MSHA Form 7000-3a) 75.517
Other		
Section II—Inspector's Evaluation	<u> </u>	
ection II-Inspector's Evaluation	Reasonably Likely	✓ Highly Likely ☐ Occurred ☐
Section II-Inspector's Evaluation 10. Gravity: A. Injury or Illness (has) (is): B. Injury or Illness could res-		
Section II—Inspector's Evaluation O. Gravity: A. Injury or Illness (has) (is): No Likelihood Unlikely	Reasonably Likely st Worldays Or Restricted D	
Section II-Inspector's Evaluation 10. Gravity: A. Injury or Illness (has) (is): B. Injury or Illness could reasonably be expected to be: C. Significant and Substantial: Yes V No		Outy Permanently Disabling Fatal
Section II-Inspector's Evaluation 10. Gravity: A. Injury or Illness (has) (is): B. Injury or Illness could reasonably be expected to be: C. Significant and Substantial: Yes No No Lost Workdays No	st Worldays Or Restricted D	Duty Permanently Disabling Fatal D. Number of Persons Affected: 001
Section II—Inspector's Evaluation 10. Gravity: A. Injury or Illness (has) (is): B. Injury or Illness could reasonably be expected to be: C. Significant and Substantial: Yes No 11. Negligence (check one) A. None B. Low 12. Type of Action 104(a) 13. Type	C. Moderate of issuance (check one)	D. Number of Persons Affected: 001 D. High E. Reckless Disregard
Section II—Inspector's Evaluation 10. Gravity: A. Injury or Illness (has) (is): No Likelihood Unflikely B. Injury or Illness could reasonably be expected to be: C. Significant and Substantial: Yes No Unflikely No Lost Workdays Lost C. Significant and Substantial: Yes No Unflikely 11. Negligence (check one) A. None B. Low 12. Type of Action 104(a) 13. Type 14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice	C. Moderate of issuance (check one)	Duty Permanently Disabling Fatal D. Number of Persons Affected: 001 D. High E. Reckless Disregard Citation Order Safeguard
Section II—Inspector's Evaluation 10. Gravity: A. Injury or Illness (has) (is): B. Injury or Illness could reasonably be expected to be: C. Significant and Substantial: Yes V No 11. Negligence (check one) A. None B. Low 12. Type of Action A. Citation B. Order C. Safeguard D. Written Notice 15. Area or Equipment	C. Moderate of issuance (check one) E. Citation/ Order Number	Duty Permanently Disabling Fatal D. Number of Persons Affected: 001 D. High E. Reckless Disregard Citation Order Safeguard
Section II—Inspector's Evaluation 10. Gravity: A. Injury or Illness (has) (is): B. Injury or Illness could reasonably be expected to be: C. Significent and Substantial: Yes V No 11. Negligence (check one) A. None B. Low 12. Type of Action A. Citation B. Order C. Safeguard D. Written Notice 15. Area or Equipment A. Date Mo Da Yr 04/11/2005 B. Time (24 Hr. C.) Section III—Termination Action	c. Moderate C. Moderate of Issuance (check one) E. Citation/ Order Number	Duty Permanently Disabling Fatal D. Number of Persons Affected: 001 D. High E. Reckless Disregard Catation Order Safeguard F. Dated Mo Da Yr
Section II—Inspector's Evaluation 10. Gravity: A. Injury or Illness (has) (is): B. Injury or Illness could reasonably be expected to be: C. Significant and Substantial: Yes No Lost Workdays Lost C. Significant and Substantial: Yes No Da 11. Negligence (check one) A. None B. Low 12. Type of Action 104(a) 13. Type 14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice 15. Area or Equipment 16. Termination Due A. Date Mo Da Yr 04/11/2005 B. Time (24 Hr. C	C. Moderate C. Moderate of issuance (check one) E. Citation/ Order Number Clock) 1000	Duty Permanently Disabling Fatal D. Number of Persons Affected: 001 D. High E. Reckless Disregard Catation Property Order Safeguard F. Dated Mo Da Yr
Section II—Inspector's Evaluation 10. Gravity: A. Injury or Illness (has) (is): B. Injury or Illness could reasonably be expected to be: C. Significant and Substantial: Yes No Da No Da Yr O4/11/2005 16. Termination Due A. Date Mo Da Yr O4/11/2005 A. Date O4/11/2005 Mo Da Yr O4/11/2005 B. Time (24 Hr. Clock) 18. Terminated A. Date Mo Da Yr O4/11/2005 A. Date O4/11/2005 B. Time (24 Hr. Clock)	C. Moderate C. Moderate of issuance (check one) E. Citation/ Order Number Clock) 1000	Duty Permanently Disabling Fatal D. Number of Persons Affected: 001 D. High E. Reckless Disregard Catation Property Order Safeguard F. Dated Mo Da Yr
Section II—Inspector's Evaluation 10. Gravity: A. Injury or Illness (has) (is): No Likelihood Unflikely B. Injury or Illness could reasonably be expected to be: C. Significant and Substantial: Yes No Da No Da Yr Date Od/11/2005 16. Termination Due A. Date Od/11/2005 18. Time (24 Hr. C Date Od/11/2005 18. Terminated A. Date Mo Da Yr Date Od/11/2005 18. Terminated A. Date Mo Da Yr Date Od/11/2005 18. Terminated A. Date Mo Da Yr Date Od/11/2005 A. Date Date Od/11/2005 B. Time (24 Hr. C Date Date Date Date Date Date Date Date	C. Moderate Confidence of issuance (check one) E. Citation/ Order Number Clock) 1000 TO THE TRAILINGSOTH # (1) AND	Duty Permanently Disabling Fatal D. Number of Persons Affected: 001 D. High E. Reckless Disregard Catation Property Order Safeguard F. Dated Mo Da Yr
Section II—Inspector's Evaluation 10. Gravity: A. Injury or Illness (has) (is): B. Injury or Illness could ressonably be expected to be: C. Significant and Substantial: Yes No D 11. Negligence (check one) A. None B. Low D 12. Type of Action 104(a) 13. Type D 14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice 15. Area or Equipment A. Date Mo Da Yr D4/11/2005 B. Time (24 Hr. C Section III—Termination Action 17. Action to Terminate TERMINATED DUE T ADEQUATELY AND FULLY PROTECTED AT B 18. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock)	C. Moderate C C. Moderate C of issuance (check one) E. Citation/ Order Number Clock) 1000 TO THE TRAILING BOTH # (1) AND	Duty Permanently Disabling Fatal D. Number of Persons Affected: 001 D. High E. Reckless Disregard D. Safeguard F. Dated Mo Da Yr G CABLE BEING INSULATED # (2) SPLICES.

has established a National Small Business and Agriculture Regulatory Combudsman and 10 Regional Fairness Boards to receive comments from small business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small business about federal agency enforcement actions. The Ombudsman annually evaluates enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-886-734-3247), 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 penelties and obtain a hearing before the Federal Mine Safety and Health Review Commission.



Mine Citation/Order

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



Section I-Violation Data	
1. Date Mo Da Yr 2. Time (24 Hr. Clock) 04/11/2005 0945	3. Citation/ Order Number 7097722
4. Served To Bill Currence _ Mine Foreman	5. Operator ANKER WEST VIRGINIA MINING COMPANY
6. Mine SAGO MINE	7. Mine ID 46-08791 (Contractor)
9. Condition or Droptice	8a. Written Notice (103g)

The Fletcher roof bolting machine serial no. 2003334, Approval no. 2G-3715A-1, being operated on the 001-0 MMU working section is not maintained in a permissible condition. The 110 VAC power cable for the operators side area light has been cut. The conduit is cut, the power cable, souter jacket has been cut and the inner insulated power leads have the insulation cut which exposes the inner bare power leads for approximately 1/8 of an inch wide by 1/4 of an inch long.

										See C	ontinuatio	on Form (MSH	A Form 7000-3e)
	A. Health Safety Other		B. Section of Act			C. Part/Se Title 30				7	5.503		
Section II—Inspec	tor's Evelu	ation											·
10. Gravity:								_	_		_	_	. —
A. Injury or I	llness (ha	s) (isa):	No Likelih	ood 🗌	Unlikely 📃	Rea	sonably	Likely	Y	Highly Like	y 📗	Occu	rred 🗌
B. Injury or il sonably b			No Lo	t Work	iays 🗌 Los	t Workdays C	or Restric	ted Duty	y 🔽	Perman	ently Dis	abling 🗌	Fatal 🗌
C. Significar	nt and Sut	stantiai;	Ye	• 🔽	No 🔲					D. Number	of Perso	ons Affected:	001
11. Negligence	(check on	e)	A. None]	B. Low 🗌	C. Moderat	• 🗹	D	. High		E. Rec	kless Disreg	ard 🗌
12. Type of Acti	ion	104(a	1)		13. Type o	of Issuance (d	heck on	9)	C	itation 🗹	Ord	ler 🗌	Safeguard [
14, Initial Action A. Citation	-	der 📙	C. Safegu	and [D. Written Notice	,	tation/ der Nurr	ber				F. Dated	Mo Da Yr
15. Area or Equ			Mo Da	Yr									
		A. Date	04/11/2	005	B. Time (24 Hr. Cl	оск)	1030						<u></u>
Section IIITermi		ÒR											
and the cable.					l due to t ired to p			-	-			_	
18. Terminated	A. Date		Da Yr 1/2005	B. Time	(24 Hr. Clock)	1030							
Section IVAutor	nated Syste	m Data											
19. Type of insp (activity cod		E01	20. Event	Number	405474	15	21. Pri	mary or	Mill				
22. Signa u			6		1					23. #	R Numi	per _	6]

MSHA Form 7000-3, Mar 85 (revised) In accordance with two 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 business about federal agency enforcement actions. The Ombudsman annualty 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.

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	۱	line	Citation/Order	
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ation	4	*

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Mine Citatio	n/Order 				ty and Health		on 🗡	
Section I-Violatio						la 02-4(
1. Date	Mo De Yr 04/11/2005	2. Time (24 Hr. Class) 110				3. Citation/ Order Numb	_{er} 709772	23
4. Served To				5. Operator	umon innoi	NIT A BATNITSK	C COMBAN	v
Bill Currence	e Mine Fore	man			WEST VIRGI	NIA MININ	G CUMPAN	<u> </u>
6. Mine				7. Mine ID	46-08791			(Contractor)
SAGO MIN							An Written I	Notice (103g)
8. Condition or	Practice		or belt is	rubbing.	hard on	hottom		
hanger's bottom l floor i	s in a ro belt roll	w atthe the er hanger' wet. The	ird block o s range fro mine operat	utby the m very w	Mains se arm to ho	ection to ot to the	ailpiece e touch.	. The The mine
9. Violation	A. Health Safety (B. Section of Act		C. Part/Section o Title 30 CFR	· .	See Continu	setion Form (MSH/	A Form 7000-3s)
Section IIInspe	ctor's Evaluation	<u>. </u>			······································			
10. Gravity:								
A. Injury or	litness (has) (is):	No Likelihood 🔲	Unlikely 🔲	Reasonabl	y Likely 🗹	Highly Likely	Оссил	red 🗌
	itiness could rea- be expected to be:	No Lost Work	days Lost W	orkdays Or Rest	ricted Duty 🔽	Permanently	Disabling	Fatal 🗌
C. Significa	nt and Substantial	Yes 🗹	No 🗌			D. Number of Pe	eraons Affected:	001
11. Negligence	(check one)	A. None	B. Low C	. Moderate 🗹	D. High	E. F	Reckless Disregs	ard []
12. Type of Ac	tion 104	(a)	13. Type of is	suance (check o	ne) Cr	tation 🗹 🤇	Order 🗌	Safeguard []
14. Initial Action A. Citation		C. Safeguard	D. Written Notice	E. Citation/ Order Nu	mber		F. Dated	Mo Da Yr
15. Area or Eq	uipment							
16. Terminatio	n Due A. Date	Mo Da Yr 04/11/2005	B. Time (24 Hr. Clock) 1120)			
Section III—Term								
17. Action to T			ed due to t					
			outby the					veyor
belt is	now runr	ning straig	ght with out	rubbing	f the beli	t hanger	's.	
18. Terminated	I A Data	Da Yr 11/2005 B. Tim	e (24 Hr. Clock)	1120				
Section IVAuto	mated System Data							
19. Type of ins (activity co	spection de) E01	20. Event Numbe	4054745	21. F	rimary or Mill			
22. Signatura		6	1			23. AR Nu	Imber 4	

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

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

X	1.
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Section A Health B. Section A Health B. Section	Section i-Violation Deta	Mille Salety and Health Administration.
4 Served To BILL CUTTENCE Mine Foreman 5. Operator ANKER WEST VIRGINIA MINING COMPANY 5. More of Practice The trailing cable for the #6 Joy 10 SC Shuttle car scrial no. 2007 The trailing cable for the #6 Joy 10 SC Shuttle car scrial no. 2007 Approval no. 2G-3619A-00 being operated on the Mains 002-0 MMU working section is not insulated adequately and fully protected. The trailing cable has three separate previous splices with the insulation worn away which exposes the inner energized leads exposed for approximately 3/4 of an inch wide all the way around the trailing cable. (2) Splice has the inner energized leads exposed for approximately 1/2 of an inch wide all the way around the trailing cable at both ends of the splice. (3) Splice has the inner energized leads exposed for approximately 1 inch wide all of the way around the trailing cable at both ends of the splice. (3) Splice has the inner energized leads exposed for approximately 1 inch wide all of the way around the trailing cable. (4) Is a cut in the outer jacket of the trailing cable that measured 1/2 of an inch wide by 1 1/2 inches long which exposes the Section 1 A Health Section Steely B. Section C. Part/Section of Total CFR T.5.17 Section 2 Inspector Examination D. William D. William D. Number of Persons Affected D. William D. Number of Persons D. Number D. Number of Persons D. Number D. Number D. Number D. Number D. Number D. Number		3. Citation/ 2007724
Service Superator Superator Superator ANKER WEST VIRGINIA MINING COMPANY Superator ANKER WEST VIRGINIA MINING COMPANY Superator Supe	1. Date	Order Number 7037724
Serion Description Serion Serio	4. Served To	
SACO MINE The trailing cable for the #6 Joy 10 SC Shuttle car scrial no. 2007 Approval no. 26-3619A-00 being operated on the Mains 002-0 MMU working section is not insulated adequately and fully protected. The trailing cable has three separate previous splices with the insulation worn away which exposes the inner insulated energized power leads of 600 VAC. (1) Splice has the inner energized leads exposed for approximately 3/4 of an inch wide all the way around the trailing cable. (2) Splice has the inner energized leads exposed for approximately 1/2 of an inch wide all the way around the trailing cable. (3) Splice has the inner energized leads exposed for approximately 1 inch wide all of the way around the trailing cable. (4) Is a cut in the outer jacket of the trailing cable that measured 1/2 of an inch wide by 1 1/2 inches long which exposes the wide by 1 1/2 inches long which exposes the See Continuation Form (MSHA Form 7000-30) 9. Volation A Health B. Section C. Part/Section of Table 30 GFR T5.517 Soction E-Temperator Evaluation D. Number of Persons Affected D. Witten Notice D. Witten Notice D. Witten Number D. Number of Persons Affected D. Witten Notice D. Witten Number D. Number of Persons Affected D. Witten Number D. Witten	Bill Currence _ Mine Foreman	
Section Fraction Section Serion Section Section Section Serion Section Secti	- · · · · · · · · · · · · · · · · · · ·	1 · · · · · · · · · · · // / / / / / / /
The trailing cable for the #6 Joy 10 SC Shuttle car scrial no. 2007 Approval no. 2G-3619A-00 being operated on the Mains 002-0 MMU working section is not insulated adequately and fully protected. The trailing cable has three separate previous splices with the insulation worn away which exposes the inner insulated energized power leads of 600 VAC. (1) Splice has the inner energized leads exposed for approximately 3/4 of an inch wide all the way around the trailing cable. (2) Splice has the inner energized leads exposed for approximately 1/2 of an inch wide all the way around the trailing cable. (3) Splice has the inner energized leads exposed for approximately 1 inch wide all of the way around the trailing cable at both ends of the splice. (3) Splice has the inner energized leads exposed for approximately 1 inch wide all of the way around the trailing cable. (4) Is a cut in the outer jacket of the trailing cable that measured 1/2 of an inch wide by 1 1/2 inches long which exposes the See Continuation Form (MSHAForm 7000-3e) 9. 9. Volston A Health Section A Health Section A India Of Act Other Section B Health Section B Section B Health Section B Se		
Approval no. 2G-3619A-00 being operated on the Mains 002-0 MMU working section is not insulated adequately and fully protected. The trailing cable has three separate previous splices with the insulation worn away which exposes the inner insulated energized power leads of 600 VAC. (1) Splice has the inner energized leads exposed for approximately 3/4 of an inch wide all the way around the trailing cable. (2) Splice has the inner energized leads exposed for approximately 1/2 of an inch wide all the way around the trailing cable. (3) Splice has the inner energized leads exposed for approximately 1 inch wide all of the way around the trailing cable. (4) Is a cut in the outer jacket of the trailing cable that measured 1/2 of an inch wide by 1 1/2 inches long which exposes the See Confination Form (MSHA Form 7000-3a) 9. Violetion A Health Section of Act States (has) (hs). No Likelinood Unlikely Research Likely W Highly Likely Cocurred Section Form (MSHA Form 7000-3a) 10. Gravity: A highy or linesse (has) (hs). No Likelinood Unlikely Research Likely W Highly Likely Cocurred District Section Form and Substantial: Yes W No D D. No Likelinood Unlikely D. No Likelinood D. No Likelin	8. Condition or Practice	
See Continuation Form (MSHA Form 7000-3a) 9 9 Violation A Health B B Section C Part/Section of Title 30 CFR 75.517	Approval no. 2G-3619A-00 being opera- is not insulated adequately and fully separate previous splices with the in- inner insulated energized power leads energized leads exposed for approxima around the trailing cable. (2) Splice for approximately 1/2 of an inch wide both ends of the splice. (3) Splice approximately 1 inch wide all of the	ted on the Mains 002-0 MMU working section y protected. The trailing cable has three nsulation worn away which exposes the s of 600 VAC. (1) Splice has the inner ately 3/4 of an inch wide all the way has the inner energized leads exposed has the inner energized leads exposed has the inner energized leads exposed for way around the trailing cable. (4) Is a
9. Violation A. Health B. Section of Act C. Part/Section of Title 30 CFR 75.517 Section 8-Inspector's Evaluation 10. Gravity: A. Injury or Illness (has) (ls): No Likelinood Unlikely Reasonably Likely Highly Likely Occurred B. Injury or Illness could reasonably be expected to be: No Lost Workdays Lost Workdays Or Restricted Duly Permanently Disabling Fetal 11. Negligence (check one) A. None B. Low C. Moderate D. High E. Reckless Diaregard 12. Type of Action 104(a) 13. Type of Issuance (check one) Citation D. Order Sefeguard 14. Initial Action B. Order C. Sefeguard D. Written Notice E. Citation F. Dated Mo De Yr 15. Area or Equipment Termination Action T. Action to Terminate Terminated due to all three of the splices and the cut place being insulated adequately and fully protected. 16. Terminated A. Date Mo Da Yr 04/12/2005 B. Time (24 Hr. Clock) 0945 Section III—Terminated A. Date Mo Da Yr 04/12/2005 B. Time (24 Hr. Clock) 0945 Section IV—Automated A. Date Mo Da Yr 04/12/2005 B. Time (24 Hr. Clock) 0945 Section IV—Automated System Data 20. Event Number 4054745 21. Primary or Mill 23. AR Number 24. Data 24. Data 25. Revision E01 20. Event Number 24. Data 25. Revision E01 20. Event Number 24. Data 25. Revision E01 20. Event Number 24. Data 25. Revision E01 26. Event Number 24. Data 26. Event Number		
9. Violetion A. Health Safety B. Section of Act Other C. Part/Section of Title 30 CFR 75.517 Section B-Impector's Evaluation C. Gravity: Reasonably Likely Highly Likely Occurred R. Injury or litness could reasonably be expected to be: No Lost Workdays Lost Workdays Or Restricted Duty Permanently Disabling Fetal 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. Type of Issuance (check one) C. Sefeguard D. Written Notice E. Citation Order Sefeguard 14. Initial Action B. Order C. Sefeguard D. Written Notice E. Citation Order Number F. Deted Mo Da Yr O/4/12/2005 B. Time (24 Hr. Clock) 0945 Section IB-Termination Action Terminated A. Date Mo Da Yr O/4/12/2005 B. Time (24 Hr. Clock) 0945 Section IB-Terminated A. Date Mo Da Yr O/4/12/2005 B. Time (24 Hr. Clock) 0945 Section IB-Terminated A. Date Mo Da Yr O/4/12/2005 B. Time (24 Hr. Clock) 0945 Section IB-Terminated A. Date Mo Da Yr O/4/12/2005 B. Time (24 Hr. Clock) 0945 Section IB-Terminated A. Date Mo Da Yr O/4/12/2005 B. Time (24 Hr. Clock) 0945 Section IB-Terminated A. Date Mo Da Yr O/4/12/2005 B. Time (24 Hr. Clock) 0945 Section IB-Terminated A. Date Mo Da Yr O/4/12/2005 B. Time (24 Hr. Clock) 0945 Section IB-Terminated A. Date Mo Da Yr O/4/12/2005 B. Time (24 Hr. Clock) 0945 Section IB-Terminated A. Date Mo Da Yr O/4/12/2005 B. Time (24 Hr. Clock) 0945 Section IB-Terminated A. Date Mo Da Yr O/4/12/2005 B. Time (24 Hr. Clock) 0945 Section IB-Terminated A. Date O/4/12/2005 B. Time (24 Hr. Clock) 0945	wide by 1 1/2 inches long which expo-	
10. Gravity: A. Injury or Illness (has) (is): No Likelihood	Safety 🗹 of Act	C. Part/Section of
A. Injury or Illness (has) (is): No Likelihood Unlikely Ressonably Likely PHighly Likely Cocurred B. Injury or Illness could ressonably be expected to be: No Lost Workdays Lost Workdays Or Restricted Duty Permanently Disabling Fettal D. Number of Persons Affacted: 001 11. Negligence (check one) A. None B. Low C. Moderate D. High E. Reckless Disregard 1. Negligence (check one) A. None B. Low D. High E. Reckless Disregard D. Number of Persons Affacted: 001 12. Type of Action 104(a) 13. Type of Issuance (check one) Ctation Order Safeguard D. High Initial Action A. Citation B. Order C. Safeguard D. Written Notice E. Citation Order Number F. Deted Mo De Yr 15. Area or Equipment 16. Termination Due A. Date Mo Da Yr 04/12/2005 B. Time (24 Hr. Clock) 0945 Socion Ill-Termination Action 17. Action to Terminate Terminated due to all three of the splices and the cut place being insulated adequately and fully protected. 18. Terminated A. Date Mo Da Yr 04/12/2005 B. Time (24 Hr. Clock) 0945 Section IV-Automated System Data 19. Type of Inspection (activity code) E01 20. Event Number 4054745 21. Primary or Mill 23. AR Number 22. Signals	Section II—Inspector's Evaluation	
B. Injury or liness could ressonably be expected to be: C. Significant and Substantial: Yes No D. Number of Persons Affacted: 001 11. Negligence (check one) A. None B. Low C. Moderate D. High E. Reckless Disregard 12. Type of Action 104(a) 13. Type of Issuance (check one) C. Moderate D. High E. Reckless Disregard 14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice E. Citation Order Number F. Deted Mo Da Yr 04/12/2005 B. Time (24 Hr. Clock) 15. Area or Equipment Terminated due to all three of the splices and the cut place being insulated adequately and fully protected. 16. Terminated A. Date Mo Da Yr 04/12/2005 B. Time (24 Hr. Clock) 17. Action to Terminate Terminated adequately and fully protected. 18. Terminated A. Date Mo Da Yr 04/12/2005 B. Time (24 Hr. Clock) 0945 Section IV-Automated System Data 19. Type of inspection (activity code) E01 20. Event Number 4054745 21. Primary or Mill 23. AR Number	<u> </u>	Reasonably Likely W Highly Likely Occurred
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. Rackless Disregard 1. 12. Type of Action 104(a) 13. Type of Issuance (check one) Citation D. Citation D. Order Sefeguard D. Written Notice E. Citation D. Citation D. D. Written Notice D. Written	B. injury or illness could rea-	
11. Negligence (check one) A. None B. Low C. Moderate D. High E. Reckless Disregard 12. Type of Action 104(a) 13. Type of Issuance (check one) Ctation D. Order C. Safeguard 14. Initial Action B. Order C. Safeguard D. Written Notice E. Citation Order Number 15. Area or Equipment 16. Termination Due A. Date Mo Da Yr 04/12/2005 Section III—Termination Action 17. Action to Terminate Terminated due to all three of the splices and the cut place being insulated adequately and fully protected. 18. Terminated A. Date Mo Da Yr 04/12/2005 B. Time (24 Hr. Clock) 0945 Section IV—Automated System Data 19. Type of Inspection (activity code) E01 20. Event Number 4054745 21. Primary or Mili 23. AR Number 24.	sorius, se expecte to se.	
12. Type of Action 104(a) 13. Type of Issuance (check one) Citation Order Order Mo Da Yr A. Citation B. Order C. Safeguard D. Written Notice E. Citation Order Number 16. Termination Due A. Date Mo Da Yr 04/12/2005 B. Time (24 Hr. Clock) 0945 Section IIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIIII	C. Significant and Substantial: Yes ☑ No □	D. Number of Persons Affected: 001
14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice E. Citation/Order Number F. Dated Mo Da Yr Order Number F. Dated Mo Da Yr Order Number F. Dated Mo Da Yr Order Number F. Dated Mo Da Yr Order Number F. Dated Mo Da Yr Order Number 16. Termination Due A. Date Od/12/2005 B. Time (24 Hr. Clock) O945 Section IIII—Termination Action Terminated Terminated due to all three of the splices and the cut place being insulated adequately and fully protected. 18. Terminated A. Date Od/12/2005 B. Time (24 Hr. Clock) O945 Section IV—Automated System Data 19. Type of Inspection (activity code) E01 20. Event Number 23. AR Number	11. Negligence (check one) A. None B. Low B. Low	C. Moderate 🗹 D. High 🗋 E. Reckless Disregard 🗍
A. Citation B. Order C. Safeguard D. Written Notice Order Number 15. Area or Equipment 16. Termination Due A. Date Mo Da Yr 04/12/2005 B. Time (24 Hr. Clock) 0945 Section III—Termination Action 17. Action to Terminate Terminated due to all three of the splices and the cut place being insulated adequately and fully protected. 18. Terminated A. Date Mo Da Yr 04/12/2005 B. Time (24 Hr. Clock) 0945 Section IV—Automated System Data 19. Type of Inspection (activity code) E01 20. Event Number 4054745 21. Primary or Mills 22. Signalur 23. AR Number	12. Type of Action 104(a) 13. Type of	Issuance (check one) Citation 🗹 Order 🗌 Safeguard 🗍
16. Termination Due A. Date Mo Da Yr (04/12/2005) Section IN-Termination Action 17. Action to Terminate Terminated due to all three of the splices and the cut place being insulated adequately and fully protected. 18. Terminated A. Date Mo Da Yr (04/12/2005) B. Time (24 Hr. Clock) 0945 Section IV-Automated System Data 19. Type of Inspection (activity code) 20. Event Number 4054745 21. Primary or Mill 23. AR Number		= 1 = 1
Section IN-Termination Action 17. Action to Terminate Terminated due to all three of the splices and the cut place being insulated adequately and fully protected. 18. Terminated A. Date Mo Da Yr 04/12/2005 B. Time (24 Hr. Clock) 0945 Section IV-Automated System Data 19. Type of Inspection (activity code) E01 20. Event Number 4054745 21. Primary or Mills 22. Signalar		
17. Action to Terminate Terminated due to all three of the splices and the cut place being insulated adequately and fully protected. 18. Terminated A. Date Mo Da Yr 04/12/2005 B. Time (24 Hr. Clock) Section IV-Automated System Data 19. Type of Inspection (activity code) E01 20. Event Number 4054745 21. Primary or Mili 23. AR Number		*0 0945
place being insulated adequately and fully protected. 18. Terminated A. Date Mo Da Yr 04/12/2005 B. Time (24 Hr. Clock) 0945 Section IV-Automated System Data 19. Type of Inspection (activity code) E01 20. Event Number 4054745 21. Primary or Mill 23. AR Number 23. AR Number	Section III-Termination Action	
place being insulated adequately and fully protected. 18. Terminated A. Date Mo Da Yr 04/12/2005 B. Time (24 Hr. Clock) 0945 Section IV-Automated System Data 19. Type of Inspection (activity code) E01 20. Event Number 4054745 21. Primary or Mills 22. Signal Ir 23. AR Number	17. Action to Terminate Terminated due to	all three of the splices and the cut
Section IV-Automated System Data 19. Type of Inspection (activity code) E01 20. Event Number 4054745 21. Primary or Mill 23. AR Number		fully protected.
19. Type of Inspection (activity code) E01 20. Event Number 4054745 21. Primary or Mill 23. AR Number 23. AR Number	1 B 1386 1 B Time /24 Uz Clank)	0945
(activity code) E01 4054745 22. Signatur 23. AR Number	Section IV—Automated System Data	
4	19. Type of Inspection (activity code) E01 20. Event Number 4054745	5 21. Primary or MIII
	22. Signatur MSHA Formating May	

has established a National Small Business and Agriculture Regulatory Combudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ornbudsman annually evaluates enforcement activities and rates each agency's responsiveness to small businesses about federal agency enforcement actions of MSHA, you may call 1-888-REG-FAR (1-888-734-3247), or write the Ornbudsman at Small Business Administration, Office of the National Ornbudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ornbudsman 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.

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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 04/12/20		3. Citation/ Order Number 7	097724
4. Served To			5. Operato	7	
Bill Currence Mine Foreman			ANKER	WEST VIRGIN	ILA MINING COMPANY
6. Mine			7. Mine ID	46.00=01	(Contracto
SAGO MINE			į	46-08791	
Section II—Justification for Action					

Continuation of 3. Condition or Practice

inner insulated energized power leads, and the inner insulated leads also have the insulation cut which exposes the bare power leads of 600 VAC. The opening measured 1/2 of an inch wide by 3 inches long. The mine floor ranges from wet to sloppy wet. The miners normally handle the trailing cables.

Section III—Subsequent Action Taken			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 Data			
9. Type of Inspection E01	10. Event Number 4054745		· · · · · · · · · · · · · · · · · · ·
11. Signati	AR Number 12. Date	Mo Da Yr 13. Time (24 Hr. 04/12/2005 090	•
MSHA Form 7000-3a, Mar 85 (revised)	7 - 3		

Mine	Citation/Order
IMILIA	CRAUDINCIDO

(3) X1	
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Section I-Vic	olation Duta						
1. Date	Mo Da Yr 04/12/2005	2. Time (24 Hr. Clock) 1030	3. Citation/ Order Number 7	097725			
4. Served To Bill Currence _ Mine, Foreman			5. Operator ANKER WEST VIRGINIA MINING COMPANY				
6. Mine SAGO M			7. Mine ID 46-08791	(Contractor)			
	n or Practice		8a	. Written Notice (103g)			

The trailing cable for the #7 10 5C Shuttle car serial no. 2009, Approved no. 2G-3936-0 being operated on the Mains 001-0 MMU working section is not insulated adequately and fully protected. The trailing cable has a cut in the outer jacket that measured 1/8 of and inch wide by 1 inch long and the inner insulated energized power leads of 600 VAC are exposed and also the inner leads have the insulation cut which exposes the bare energized power leads for 1/8 of an inch wide by 1 inch long. This condition is located at the shuttle car trailing cable reel where the bare energized power leads can become grounded on the frame of the reel. The mine floor is wet to sloppy wet. The mine operator remove the shuttle car from service immediately.

								See C	ontinuetion	Form (MSHA F	orm 7000-3e) 🔲
9. Violation	A. Health Safet Othe	y 🔽	B. Section of Act			C. Part/Section of Title 30 CFR		7:	5.517		
Section II—Insp	ector's Evalu	ation									
10. Gravity:				. 🗝					. –	•	. 🗂
	r iliness (ha		No Likelih	ood [_]	Unlikely	Ressonabl	y Likely 🔽	Highly Llia	"Y	Occurred	
	r iliness co be expecte		No Los	st Workdays	Lost V	Vorkdays Or Rest	ricted Duty 🔽	Perman	ently Disa	bling 🗌	Fatal [
C. Signific	ant and Su	betantial:	Ye	. ₩ No				D. Number	of Person	s Affected:	001
11. Negligeno	ce (check o	ne)	A. None	B. !	Low 🗍	C. Moderate	D. High		E. Reck	less Disregard	
12. Type of A	ction	104((a)		13. Type of Is	sauance (check o	ne)	Citation 🗸	Orde		Safeguard
14. Initial Acti A. Citation		rder 🗀	C. Safegu	ard D.V	Vritten Notice	E. Citation/ Order Nu	mber			F. Dated	Mo Da Yr
16, Terminati	on Due	A. Date	Mo Da 04/12/2	IRT	ime (24 Hr. Cloci) 1230	, 			·····	
Section IIITer	mination Act	ion	0 17 1272	005_1							
17. Action to	Terminate						· ·				
18, Terminate	A. Date	Мо	Da Yr	B. Time (24	Hr. Clock)						
Section IVAut	omated Syst	em Data					L 	 			
19. Type of In (activity or		E01	20. Event	Number	4054745	21. P	rimary or Mill				
22, Signer	£		6					23. A	R Numbe	6	7
MSHA Form	Bors Mar 86	(enimari)	la aaaaa		a di ba	- If Sandana D					

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 business 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.

word

Mine Citation/Order Continuation	U.S. Department of Labor Mine Safety and Health Administration				APR 3305 (\$)		
Section I-Subsequent Action/Continuation Date	9						
1. Subsequent Action 1a, Continuation	2. Dated (Onginal Issue)	Mo Da 04/12/20		3. Citation/ Order Number	7097725 - 01		
4. Served To			5. Operato	ж			
Bill Currence Mine Foreman			ANKER	WEST VIRG	INIA MINING C	OMPANY	
6. Mine SAGO MINE			7. Mine ID	46-0879	1	(Contractor)	
Section II-Justification for Action							

Terminated due to trailing cable being reentered into the #7 shuttle car's cable reel.

Section III-Subseq	uent Action Take	ก	- <u>-</u>					See Continuation Form
	A. Date Mo	Da	Yr	B. Time (24 Hr. Clock)	☐ C. V	/acated	✓ D. Terminated	E. Modified
9. Type of Inspect			10. E	rent Number 4054745				
11. Signator.	-	6	<u></u>	AR Number 12	Date Mo Da 04/13		13. Time (24 Hr. Clo 0830	ck)

Mine	Citation	/Order
DATE:		

Z	7	APR	2005
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Section Violation Data					
1. Date Mo Da Yr 2. Time (24 Hr. Clock) 1050	3. Citation/ Order Number 7097726				
04/12/2005 1050 4. Served To	5. Operator				
Bill Currence Mine Foreman	ANKER WEST VIRGINIA MINING COMPANY				
6. Mine	7. Mine ID 46-08791 (Contractor)				
SAGO MINE	(Contractor) 8a. Written Notice (103g)				
8. Condition or Practice					
001-0 MMU working section where the Joy	not being complied with on the Mains				
UUI-U MMU Working section where the Joy	ock. The ventilation plan plainly states				
that minimum quantity of air with the	crubber on is 6000 cfm at the end of				
the line curtain. When this inspector	ried to take a air reading at the end				
of the line curtain with the approved a	and calibrated anemometer serial no.				
6365 the ventilation was not adequate	enough to turn the wheel on the				
anemometer. The mine operator immediate	ely shut down the continuous mining				
machine until the minimum amount of 600	00 cfm could be obtained at the end of				
the line curtain. The Mains has fish to	ail blowing ventilation with 001-0 and				
002-0 MMU's running on this super sect:					
•					
	See Continuation Form (MSHA Form 7000-3e)				
	Part/Section of title 30 CFR 75.370(a)(1)				
Safety of Act Other	15.570(a)(1)				
Section II—Inspector's Evaluation					
10. Gravity:	man and a state of the state of				
A. Injury or liness (has) (is): No Likelihood Unlikely	Reasonably Likely Highly Likely Occurred				
B. Injury or illness could res- sonably be expected to be: No Lost Workdays Lost Work	days Or Restricted Duty 🗌 Permanently Disabling 🗹 Fatal 🗌				
C. Significant and Substantial: Yes 🗹 No 🗌	D. Number of Persons Affected: 001				
11. Negligence (check one) A. None B. Low C. M	oderate 🗹 D. High 🗌 E. Reckless Disregard 🗍				
12. Type of Action 104(a) 13. Type of lasus	nce (check one) Citation 🗹 Order 🗌 Safeguard 🗍				
14, Initial Action A. Citation B. Order C. Safeguard D. Written Notice	E. Citation/ Order Number				
15. Area or Equipment					
in the second of					
16. Termination Due Mo Da Yr					
16. Termination Due A. Date Mo Da Yr 04/12/2005 B. Time (24 Hr. Clock)	1125				
Section III-Termination Action					
17. Action to Terminate Terminated due to a	run through curtain being installed in				
crosscut from #4 to #5 entry's at #44 h					
tightened. After taking another air rea					
18 Terminated Mc Da Yr					
A. Date 04/12/2005 B. Time (24 Hr. Clock)	125				
Section IV—Automated System Data					
19. Type of Inspection (activity code) E01 20. Event Number 4054745	21. Primary or Mill				
22. Signat	23. AR Number				
MSHA Form 7000-3, Mar 85 (revised) In accordance were use provisions of the Small	Susiness Regulatory Enforcement Fairness Act of 1998, the Small Business Administration				
has established a National Small Business and Agriculture Regulatory Ombudamen and 1	Regional Fairness Boards to receive comments from small businesses about federal				
enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write it	and rates each agency's responsiveness to small business. If you wish to comment on the				
3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right i including the right to contest challons and proposed penalties and obtain a hearing before	o file a comment with the Ornhyderson is in addition to any other rights may been				

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Continuation						
Section I-Subsequent Action/Continuation Data						
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 04/12/20	., 1,	3. Citation/ Order Number	7097726	
4. Served To			5. Operator		STATE OF A	CONTRANTV
Bill Currence Mine Foreman			ANKER	WEST VIRC	GINIA MINING	
6. Mine			7. Mine ID	46-0879)1	(Contractor)
SAGO MINE			<u> </u>	40-0077		
Section II-Justification for Action		·				and the contract of

Continuation of 17. Action to Terminate

the end of the line curtain is now Q-6,930 cfm.

					See Continuation Form
8. Extended To A. Date Mo		B, Time (24 Hr. Clock)	C. Vacated	D. Terminated [
Section IV-Inspection Date					
9. Type of Inspection E01	10.	Event Number 4054745			· · ·
^	~ 1				
11. Signature		AR Number	12. Date Mo Da Yr	13. Time (24 Hr. Clock)	
	9	167	04/12/2005	1050	
MSHA Form 7000-3a, Mar 85 (rev	rised)				

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Mine Citation/Order	U.S. Department of Labor Mine Safety and Health Administration
Saction I-Violation Data	
1. Date Mo Da Yr 2. Time (24 Hr. Clock)	3. Citation/ 7097727
04/13/2005 1100	Order Number 1031121
4. Served To	5. Operator
Bill Currence _ Mine Foreman	ANKER WEST VIRGINIA MINING COMPANY
6. Mine	7. Mine ID 46–08791 (Contractor)
SAGO MINE	8a. Written Notice (103g)
sections is not provided with a chemical canister type fire supprovide protection for the scoop charging station is located at	ing station for the Mains 601-0 and 602-0 MMU's operational fire suppression system. The pression system is not wired up and ready to battery's while charging. The battery #40 block in the #8 intake entry. The mine #4 battery charger from service. Parts for
	See Continuation Form (MSHA Form 7000-3e)
9. Violation A. Health B. Section Safety Other B. Act	C. Part/Section of Title 30 CFR 75.1107~16(b)
Section II—Inspector's Evaluation	
10. Gravity:	
	ikely 🗸 Reasonably Likely 📗 Highly Llkely 📗 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: 001
11. Negligence (check one) A. None B. Low	C. Moderate ☑ D. High ☐ E. Reckless Disregard ☐
12. Type of Action 104(a) 13	3. Type of Issuance (check one) Citation Order Safeguard
14. Initial Action A. Citation B. Order C. Safeguard D. Written	E. Citation/ F. Dated Mo Da Yr Notice Order Number
15. Area or Equipment	
16. Termination Due A. Date Mo Da Yr 04/14/2005 B. Time (2)	24 Hr. Clock) 1600
17. Action to Terminate	
18. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clo	xck)

MSHA Form 7000-3, Mer 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 business about federal agency enforcement actions. The Ombudsman annualty evaluates enforcement activities and rates each agency is 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.

21. Primary or Mill

23. AR Number

4054745

20. Event Number

E01

Section IV-Automated System Data

19. Type of Inspection

22. Sign

(activity code)



1 2 MAY 2005 Mine Citation/Order U.S. Department of Labor Mine Safety and Health Administration Section I-Violation Data 3. Citation/ 2. Time (24 Hr. Clock) 7097728 1. Date Mo Da Yr Order Number 1415 04/13/2005 5. Operator 4. Served To ANKER WEST VIRGINIA MINING COMPANY Bill Currence _ Mine Foreman 7. Mine ID 46-08791

8. Condition or Practice The mine operator failed to summit a valid respirable dust sample for the Bi-monthly sampling cycle for February - March on the 001-0 MMU section.

SAGO MINE

				See Continuatio	n Form (MSHA Form	7000-3e)
9. Violation A. Health Safety Other	B. Section of Act	C. Part/S Title 3		-75.20 8	70.208	
Section II—inspector's Evaluation						
10. Gravity:				177-61 16-6-5	5 4 [7
A. Injury or Illness (has) (is)		Unlikely 🕢 Re	asonably Likely	Highly Likely	Occurred [<u> </u>
 B. Injury or illness could rea sonably be expected to b 		Lost Workdays	Or Restricted Duty 🗹	Permanently Dis	abling Fa	atal []
C. Significant and Substant	ist: Yes 🗌 No	✓		D. Number of Perso	ns Affected:	001
11. Negligence (check one)	A. None 🗌 B.	Low C. Modern	te 🗹 D. High	E. Red	kless Disregard []
12. Type of Action 10	4(a)	13. Type of Issuance (check one)	Citation 🗹 Orde	et []	Safeguard 🗌
14. Initial Action A. Citation B. Order	C. Safeguard D. V	. —	itation/ rder Number		F. Dated I	Mo Da Yr
15. Area or Equipment						
16. Termination Due A. D.	Mo Da Yr 04/13/2005 B. 1	Fime (24 Hr. Clock)	1420			
Section III—Termination Action			<u> </u>			
17. Action to Terminate		d due to no a				
the sampling cycycle.	cle can only	be satisfied	during the	established	sampling	ŗ
18. Terminated A Date	Mo Da Yr 4/13/2005 B. Time (24	Hr. Clock) 1420				
Section (V-Automated System Da						
19. Type of Inspection (activity code) E0	20. Event Number	4054745	21. Primary or Mill			
22. Signatur	6	1		23. AR Numb	16	7
MSHA Follows 00-3, Mar 85 (revisions a stablished a National Small bearing enforcement actions. The enforcement actions of MSHA, you 3rd Street, SW MC 2120, Washin including the right to contest citation.	Business and Agriculture Regult Ombudsman annually evaluate may call 1-888-REG-FAIR (1-4 lgton, DC 20416. Please note.	s enforcement activities and n 388-734-3247), or write the Or however, that your right to file	jional Faimess Boards to : ates each agency's respon nbudsman at Small Busine a comment with the Ombu	receive comments from a seiveness to small busine less Administration, Office stamen is in addition to a	mall businesses abo ss. If you wish to co of the National Omb	ut federal Inment on the

8a, Written Notice (103g)

Mine Citation/Order Continuation		U.S. Department of Labor Mine Safety and Health Administration				
Section 1-Subsequent Action/Continuation E)ata					
1. Subsequent Action 1a. Continuation	2. Dated Mo Da (Original Issue) 04/13/2	Yr 3. Citation/ 005 Order Number 7097728	- 01			
4. Served To Bill Currence Mine Foreman		5. Operator ANKER WEST VIRGINIA MINI	NG COMPANY			
6. Mine SAGO MINE		7. Mine ID 46-08791	(Contractor)			
Section II-Justification for Action						
Change	From	To				

8. Condition Or Practice

Reason Change summit to submit and add the following to the body of the citation. The designated area sampling point I.D 9011 for the intake - roof bolter on the 001-0 mechanized mining unit as identified in advisory no. 0025 dated April 07, 2005.

Wrote summit in error and also did not put all of the information needed in the body of the condition and practice of the citation.

Section III-Subseque	ent Action Take					See Continuation Form
8. Extended To	. Date Mo	Da	Yr B. Time (24 Hr. Clock)	C. Vacated	D. Terminated	E. Modified
Section IV-Inspection	on Date			<u> </u>		
9. Type of Inspecti	on E01	1	0. Event Number 4054745			
11. Signar	6	ı	12. Date	Mo Da Yr 04/14/2005	13. Time (24 Hr. Clo 0811	ck)
MSHA Form 7000 20		_			<u></u>	

ine Citation/Order	·	U.S. Department of Labor 1 2 MAY 2005 Mine Safety and Health Administration			
Section 1-Subsequent Action/Continu	ation Data				
1. Subsequent Action 1a. Continu	zation 2. Dated Mo D (Original Issue) 04/13/	" " " " " " " " " " " " " " " " " " "	- 02		
4. Served To		5. Operator			
Bill Currence Mine Fores	man	ANKER WEST VIRGINIA MININ	G COMPANY		
6. Mine SAGO MINE	•	7. Mine ID 46-08791	(Contractor)		
Section II—Justification for Action					
Change	From	To	<u></u>		
9. C. Part/Section	75.208	70.208			
Reason Accidently hit 5 ar	nd should have hit 0 when issuing.				

Issued under the wrong section of the 30 CFR in error.

See Continuation Form Section III-Subsequent Action Taken 8. Extended To A. Date B. Time (24 Hr. Clock) C. Vacated D. Terminated ✓ E. Modified Section IV-Inspection Data 9. Type of Inspection E01 10. Event Number 4054745 12. Date Mo Da Yr 13. Time (24 Hr. Clock) 05/11/2005 1436 MSHA Form 7000-34, Mar 85 (revised)



Aine Citation/Order Section I-Violation Data Date Mo Da Yr 2 Time (24 Hr. Clock) 04/18/2005 0710	Mine Safety and Health	bor 0 3 MAY 2005 🦝				
. Date Mo Da Yr 2 Time (24 Hr. Clock)	Mine Safety and Health Administration					
		la avie				
		3. Citation/ 7097729				
. Served To	5. Operator	<u></u>				
Bill Currence Mine Foreman	ANKER WEST VIRG	NIA MINING COMPANY INC				
3. Mine	7. Mine ID 46-08791					
SAGO MINE	40-08777	(CONTRACTOR)				
Combustible materials in the		8a. Written Notice (103g)				
to 20 inches deep by 12 inches to 8 in several locations on the 001-0 are located in the haulroad entries crosscut's. The mine operator immedicleaning up the accumulations.	nd 002-0 MMU section # 1 through #9 and	on's. These accumulations d also in some of the				
), Violation A. Health B. Section Safety V of Act Other	C. Part/Section of Title 30 CFR	See Continuation Form (MSHA Form 7000-3e)				
	<u> </u>					
Section #-Inspector's Evaluation						
0. Gravity:						
0. Gravity: A. Injury or Illness (has) (is): No Likelihood Unlikely 🗹	Reasonably Likely	Highly Likely Occurred				
O. Gravity: A. Injury or Itlness (has) (is): No Likelihood Unlikely B. Injury or illness could rea-	Reasonably Likely Workdays Or Restricted Duty	Highly Likely Occurred Permanently Disabling Fatal				
O. Gravity: A. Injury or Illness (has) (is): No Likelihood Unlikely B. Injury or Illness could reasonably be expected to be: No Lost Workdays Lost C. Significant and Substantial						
10. Gravity: A. Injury or Illness (has) (is): No Likelihood ☐ Unlikely ☑ B. Injury or Illness could reasonably be expected to be: No Lost Workdays ☐ Lost C. Significant and Substantial: Yes ☐ No ☑		Permanently Disabling Fatal D. Number of Persons Affected: 001				
B. Injury or illness could reasonably be expected to be: No Lost Workdays Lost C. Significant and Substantial: Yes No V 11. Negligence (check one) A. None B. Low	Workdays Or Restricted Duty C. Moderate D. High	Permanently Disabling Fatal D. Number of Persons Affected: 001				
10. Gravity: A. Injury or Illness (has) (is): No Likelihood Unlikely B. Injury or Illness could reasonably be expected to be: No Lost Workdays Lost C. Significant and Substantial: Yes No 11. Negligence (check one) A. None B. Low 12. Type of Action 104(a) 13. Type of	Workdays Or Restricted Duty C. Moderate D. High Issuance (check one) Ci E. Citation/	Permanently Disabling				
10. Gravity: A. Injury or Illness (has) (is): No Likelihood Unlikely B. Injury or Illness could reasonably be expected to be: No Lost Workdays Lost C. Significant and Substantial: Yes No 11. Negligence (check one) A. None B. Low 12. Type of Action 104(a) 13. Type of 14. Initial Action	C. Moderate D. High Issuance (check one) E. Citation/ Order Number	Permanentity Disabling ☐ Fatal ☐ D. Number of Persons Affected: 001 E. Reckless Disregard ☐ tation ☑ Order ☐ Safeguard ☐				

MSHA Form 7000-3, Mar 85 (revised)
In accordance with me provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsmen and 10 Regional Fairness Boards to receive comments from small business 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.

1130

21. Primary or Mill

23. AR Number

Mo Da Yr

04/18/2005

E01

20. Event Number

B. Time (24 Hr. Clock)

4054745

18. Terminated

22. Sig

19. Type of Inspection

(activity code)

A. Date

Section IV-Automated System Data

•	0	3	MAY	20 36 X1
	•	•	MAY.	LUGSTY

Section I-V	iolation Data			
1. Date	Mo Da Yr 04/18/2005	2. Time (24 Hr. Clock) 0740	3. Citation/ Order Nurr	7097730
4. Served To Bill Currence Mine Foreman			5. Operator ANKER WEST VIRGINIA MINI	NG COMPANY INC
6. Mine SAGO I			7. Mine ID 46-08791	(Contractor)
	on or Practice			8a. Written Notice (103g)

No apparent effort was made to replace the wiring for the canister on the chemical type fire suppression system for the #4 scoop charger located on the mains 001-0 & 002-0 MMU sections. The #4 scoop charger is ordered withdrawn from service until the canister can be repaired or replaced. This inspector went to the #4 scoop charger to terminate citation no. 7097727 when he found the scoop charger energized and in operation charging a set of scoop batteries.

			ion Form (MSHA Form 7000-3a)
Safety 🗸 of Act Other	C. Part/Section of Title 30 CFR	75.1107-16	6(b)
Section II—Inspector's Evaluation			
10, Gravity:		_	
A. Injury or Illness (has) (is): No Likelihood Unlikely	Reasonably Likely	Highty Likely	Occurred
B. Injury or illness could reasonably be expected to be: No Lost Workdays Lost Workdays	orkdays Or Restricted Duty	Permanently Di	sabling Fatal
C. Significant and Substantial: Yes No No		D. Number of Pers	ons Affected:
11. Negligence (check one) A, None B, Low C	. Moderate D.	High 🗌 E. Re	ckless Disregard 🗌
12. Type of Action 104(b) 13. Type of Iss	suance (check one)	Citation On	der 🗹 Safeguard 🗌
14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice	E. Citation/ Order Number	7097727	F. Dated Mo Da Yr 04/13/2005
between #8 and #9 entrys.	er located at	55#3/60 In	
16. Termination Due A. Date Mo Da Yr B. Time (24 Hr. Clock))		
Section III—Termination Action			
17. Action to Terminate			
18. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock)			
Section IVAutomated System Data			
19. Type of Inspection (activity code) E01 20. Event Number 4054745	21. Primary or M	itil	
22. Signa u		23. AR Num	ber 6

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 business about federal agency enforcement actions. The Ombudsman annually evaluates 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.

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Mine Citation/Order Continuation				partment of Lafety and Healt	abor h Administration	YAM & O	2005
Section (-Subsequent Action/Continuation Date	a						
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo De 04/18/20		3. Citation/ Order Number	7097730 - 01		
4. Served To			5. Operati				
Bill Currence Mine Foreman			ANKEI	R WEST VIRG	INIA MINING CO	MPANY INC	
6. Mine SAGO MINE			7. Mine ID	46-0879	1	(Contractor)	
Section It—Justification for Action							

Terminated due to the chemical type fire suppression canister's over the scoop batteries at the #4 scoop charger being replaced with new canister's. The canister's are wired up and ready for service to provide fire protection for the #4 scoop charger batteries.

Section III—Subsequent Action Taken			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 Data		<u> </u>	
9. Type of Inspection E01	10. Event Number 4054745		
11. Signature;	2R Number 12. Date	Mo Da Yr 13. Time (24 Hr. Clor 04/18/2005 1740	ck)
MSHA Form 7000-3a, Mar 85 (revised)		·	

Mine	Citat	lion	n	der
Mine	Cara	uon	וטי	uer

0	3	MAY	2005
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	Willie Calety and Fleath Administration				
Section I Violation Data					
1. Date Mo Da Yr 2. Time (24 Hr. Clock)	3. Citation/ Order Number 7097731				
04/18/2005 1015	Order Number				
4. Served To	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC				
Bill Currence _ Mine Foreman					
6. Mine	7. Mine ID 46-08791 (Contractor)				
SAGO MINE	8a, Written Notice (103g)				
8. Condition or Practice					
The trailing cable for the #1 Joy 1	0 SC 32 shuttle car serial no. ET14258,				
Approval no.2G-3619A-00 on the 001-0 MM	Working section is not insulated				
adequately and fully protected. The ins	sulation on three previous splices has				
worn away leaving the inner insulated e	energized power leads exposed for 1 inch				
area all of the way around the trailing	cable on each of the three splices.				
The outer jacket of the trailing cable	has 4 cut's which range from 1 inch to				
2 inches in length by 1/4 of an inch to	o 1/2 of an inch wide and exposes the				
inner insulated leads. The inner insula					
which exposes the bare power leads for	approximately 1/4 to 3/8 of an inch				
wide by 1 to 2 inches in length. The mi	ne floor ranges from damp to wet on				
this section. The miners normally handl	e the trailing cables.				
-					
	See Continuation Form (MSHA Form 7000-3e)				
	art/Section of				
	tte 30 CFR 75.517				
Other Section #I-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-	lays Or Restricted Duty 🗹 Permanently Disabling 🗌 Fatal 🗍				
C. Significant and Substantial: Yes 🗹 No 🗌	D. Number of Persons Affected: 001				
11. Negligence (check one) A. None B. Low C. Mk	oderate 🗹 D. High 🗌 E. Reckless Disregard 🗍				
12. Type of Action 104(a) 13. Type of Issuar	nce (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					
To. Area of Equipment					
16. Termination Due A. Date Mo Da Yr B. Time (24 Hr. Clock)	1200				
04/18/2005	1200				
Section III—Termination Action					
17. Action to Terminate	·				
18. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock)					
Section IV-Automated System Data					
19. Type of Inspection (activity code) E01 20. Event Number 4054745	21. Primary or Mill				
22. Signal -					
Out 1	23. AR Number				
MSHA Form 7000-3 Mar 85 (revised) In accordance with the presidence of the Country					

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.

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Mine Citation/Ord	er
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U.S. Department of Labor



Mine Citation/Order	U.S. Department of Labor Mine Safety and Health Administration
Section I-Viginition Data	
1. Date Mo Da Yr 2. Time (24 Hr. Clock)	3. Citation/ Order Number 7097732
04/20/2005 1130	5. Operator
1. Served To Bill Currence Mine Foreman	ANKER WEST VIRGINIA MINING COMPANY INC
Bill Currence Mine Foreman	- La Lui- 10
SAGO MINE	7. Mine ID 46-08791 (Contractor)
3. Condition or Practice	8a. Written Notice (103g)
escapeway are not maintained to les MMU sections. The distance from the naulage to the personnel door at #4	he primary escapeway and the secondary ss than 600 feet on the mains 001-0 & 002-0 e personnel door at #27 block along #4 43 block along #4 haulage is approximately approximately 7 feet high.
	See Continuation Form (MSHA Form 7000-3e)
. Violation A. Health B. Section of Act	C. Part/Section of Title 30 CFR 75.333(c)(1)
Section II—Inspector's Evaluation	
O. 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 Lo	est Workdays Or Restricted Duty 📝 Permanently Disabling 🗌 Fatal 🗌
C. Significant and Substantial: Yes No V	D. Number of Persons Affected: 001
1. Negligence (check one) A. None B. Low D	C. Moderate D. High E. Reckless Disregard □
2. Type of Action 104(a) 13. Type	e of Issuance (check one) Citation 🗹 Order 🗌 Safeguard 🗌
4. Initial Action A. Citation B. Order C. Safeguard D. Written Notice	E, Citation/ F, Dated Mo Da Yr Order Number
5. Area or Equipment	
16. Termination Due A. Date Mo Da Yr 04/21/2005 B. Time (24 Hr. C	Clock) 0330
Section IIITermination Action	
7. Action to Terminate	
8. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock)	
ection IVAutomated System Data	
19. Type of Inspection (activity code) E01 20. Event Number 40547	745 21. Primary or Mill
22, Signa un	23. AR Number

MSHA Form 1900-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration MSHA Form-Factured, Mar so (revised) in accordance must see provisions of the Small Business Regulatory Enforcement Farmess Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Farmess Boards to receive comments from small business 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
Conti	nuation

0 4 MAY 2005

Section I-Subsequent Action/Continuation Data	1				
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 04/20/2		3. Citation/ Order Number	7097732 - 01
4. Served To			5. Operato	yr .	
Bill Currence Mine Foreman			ANKER	WEST VIRG	SINIA MINING COMPANY INC
6. Mine			7. Mine ID	4 < 2070	(Contractor)
SAGO MINE			_	46-0879	4
Section II—Justification for Action					

Terminated due to personnel doors being installed in the permanent ventilation controls (stoppings) at #37 block and at #32 block to provide the miners access to the primary escape way from the track entry.

Section III—Subsequent Action Taken			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 Data		·L	
9. Type of Inspection E01	10. Event Number 4054745		
11. Signatur.	AR Number 12. Date	Mo Da Yr 13. Time (24 Hr. Ck 04/29/2005 1000	ock)
MSHA Form 7000-3a, Mar 85 (revised)	- 16 - 3	04/29/2005 1000	

Mine Citation/Order

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



Section I-Violation Data	
1. Date Mo Da Yr 2. Time (24 Hr. Clock 04/26/2005 0750	3. Citation/ Order Number 7097733
4. Served To Bill Currence Mine Foreman	5. Operator ANKER WEST VIRGINIA MINING COMPANY
6. Mine SAGO MINE	7. Mine ID 46-08791 (Contractor)
O Condition on Denotion	8a. Written Notice (103g)

The #6 AWG trailing cable for the water pressure pump being operated on the 2 Right, 003-0 MMU working section has the trailing cable plugged into a circuit breaker that has the instantaneous setting set on 700 amperes. The maximum instantaneous amperes setting for a #6 AWG trailing cable is 300 amperes. The mine operator immediately reset the instantaneous setting on the circuit breaker that provides 600 VAC for the water pressure pump down to 300 amperes.

						See C	ontinuation Form (MSHA	Form 7000-3a)
	lealth Safety v / Other	B. Section of Act		C. Part/Section of Title 30 CFR	,	75	.601-1	
Section II-Inspector's	Evaluation				<u> </u>			
10. Gravity:								
A. Injury or iline:	ss (has) (is):	No Likelihood] Unlikely 🗹	Reasonably	Likely	Highly Like	Hy Occum	ed [_]
B. Injury or illner sonably be ex		No Lost Wor	kdays 🗀 Lost	Workdays Or Restr	icted Duty 🗹	Perman	ently Disabling	Fatal [
C. Significant as	nd Substantial:	Yes [No 🗹			D. Number	of Persons Affected;	001
11. Negligence (ch	eck one)	A. None	B. Low 🔲	C. Moderate	D. High		E. Reckless Disregal	rd 🗌
12. Type of Action	104((a)	13. Type of	issuance (check or	ne)	Citation 🗹	Order 🗌	Safeguard
14. Initial Action A. Citation	B. Order	C. Safeguard	D. Written Notice [E. Citation/ Order Nur	nber		F. Dated	Mo Da Yr
16. Termination Du		Mo Da Yr	т			·····		
TO. TERMINATOR DO	A. Date	04/26/2005	B. Time (24 Hr. Clo	ck) 0755				
Section III-Terminati	on Action							
17. Action to Termi instantan			ted due to down to 30		_	re pump	circuit b	reaker
18. Terminated A	Date	Da Yr 26/2005 B. Tin	ne (24 Hr. Clock)	0755				
Section IV-Automate								
19. Type of Inspect (activity code)	ion E01	20. Event Numb	^{br} 405474	5 21. P	rimary or Mill			<u> </u>
22. \$ignaufe_	Į	•	1			23. A	AR Number	6 7

MSHA Form 7000-3, Mar 85 (revised) In accuration 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.

1917 1/21

Mine Citation/Order

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





-			Mine Safe	ty and Health	Administ	tration	
Section I-Violati	on Date						
1. Date	Mo Da Yr	2. Time (24 Hr. Cłock)			3. Citation/ Order N		4
	04/26/2005	1030	5.0	 	Crueria	CHINOS	
4. Served To	M. P.		5. Operator	VEST VIRGI	NIA MIN	NING COMPAN	Y INC
	ce Mine Foren	nan	7. Mine ID			TING COMMITTEE	1 2.10
6. Mine SAGO MIN	ATE:		7. WHIRE ID	46-08791			(Contractor)
8 Condition of	Practice		1			8a. Written I	
no. 200 working an inch inner i long by	4096, Appropriate the section. Wide and Insulated 1 3/8 of an arrangement of the section of the	trailing cable for to roval no. 2G-3715A-1 The outer jacket is exposes the inner in leads also have the n inch wide which ext to the #4 Fletcher in	being oper cut for insulated insulation reposes the	erated or 1 1/2 inc energized n cut whi bare ene	n the ches i l powe ch me ergize	2 Right, 00 n length by r leads and asured 1 1,	y 3/4 of i the /2 inches
9. Violation	A. Health Safety	B. Section of Act	C. Part/Section of Title 30 CFR			ontinuation Form (MSHA	Form 7000-3a)
Continuit I	Other ector's Evaluation		<u> </u>				
10. Gravity:	ACION & E. AGIDAGIONI					·····	
•	r Illness (has) (is):	No Likelihood Unlikely	Reasonably	Likely 🔽	Highly Like	ly 🗌 Occum	ed 🗌
- , ,	r illness could rea- be expected to be:	No Lost Workdays Lost	Workdays Or Restr	icted Duty 🗹	Perman	ently Disabling	Fatal 🗌
C. Signific	ant and Substantial:	Yes 🗹 No 🗌			D. Number	of Persons Affected:	001
11. Negligeno	e (check one)	A. None B. Low	C. Moderate ✓	D. High		E. Reckless Disrega	rd 🗌
12. Type of A	ction 104(a) 13. Type o	f Issuance (check or	ne) Ci	ation 🗹	Order 🗌	Safeguard 🗌
14. Initial Acti A. Citation		C. Safeguard D. Written Notice	E. Citation/ Order Nur	nber		F. Dated	Mo Da Yr
15. Area or E							
16. Terminati	A. Date	Mo Da Yr 04/26/2005 B. Time (24 Hr. Ck	ock) 1045	·			
	mination Action						
17. Action to adequat		Terminated due to a ully protected.	the traili	ng cable	being	, insulated	
18. Terminate	/ Δ \sate	Da Yr 26/2005 B. Time (24 Hr. Clock)	1045				
19. Type of Ir (activity co	nspection	20. Event Number 405474	15 21. P	rimary or Mill			 ·. · ·
22. Sigraiu:	7 1				23. A	R Number	

MSHA Ferritro00-3, 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 Ombudaman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudaman 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 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 penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.



Mine Citation/On Continuation	der				epartment of Lafety and Healt	abor th Administration	
Section I-Subsequent A	Action/Continuation Deta	1					
1. Subsequent Action	1a. Continuation	2. Dated (Original Issue)	Mo Da 04/26/20	Yr 105	3. Citation/ Order Number	7097734 - 01	
4. Served To				5. Opera	tor		
Bill Currence N	Mine Foreman			ANKE	R WEST VIRG	INIA MINING COMP	ANY INC
6. Mine SAGO MINE				7. Mine I	d6-0879	1	(Contractor)
Section II—Justification	for Action						
Change	F	rom			To		
P. Condition On Decidi	inn						

Add the following to the body of the citation: The #4 Fletcher roof bolting machine trailing cable is not insulated Reason adequately and fully protected.

Did not put this in the body of the citation before issuing.

3. Extended To A. Date	Mo Da	Yr B	. Time (24 Hr. Clock)		C. Vacated	D. Terminated	✓ E. Modified
ection IV-Inspection Data		·					
. Type of Inspection E	01	10. Eve	nt Number 4054745	···			· · · · · · · · · · · · · · · · · · ·
1. Signa dit	1_	1	AR Number	12. Date	Mo Da Yr	13. Time (24 Hr. Clo	ck)
,	Y	•	U 6 1	ŀ	04/26/2005	1215	

	Mine	Citati	ion	/Or	de	r
--	------	--------	-----	-----	----	---

			Mille Salety and nea	atti Administration	
Section I-Vio	elation Data				
1. Date	Mo Da Yr 04/26/2005	2. Time (24 Hr. Clock) 1100		3. Citation/ 70977 Order Number 70977	135
4. Served To Bill Curre			5. Operator ANKER WEST VII	RGINIA MINING COMPA	NY INC
6. Mine SAGO M		•	7. Mine ID 46-087		(Contractor)
8. Condition	or Practice				n Notice (103g)
	The #3 sco	op charging station :	for the 2 Right, track switch and	003-0 MMU section is energized cha	n is rging a

The #3 scoop charging station for the 2 Right, 003-0 MMU section is located one block inby the 2 Right track switch and is energized charging a set of scoop batteries without having fire suppression provided over the scoop batteries. This charging station has a chemical canister type fire suppression system and the canister was not located over the charging scoop batteries when this inspector found this condition. The mine operator immediately positioned the chemical canister over the charging scoop batteries.

								See Con	tinuation Form (MS	HA Form 7000-3e)
9. Violation	A. Health Safet Othe		B. Section of Act			/Section of 30 CFR		75.11	07-16	
Section II-Insp	ector's Evalu	etion								
10. Gravity:				. =		S		Himbb. 1 floor		urred 🗍
	r Illness (ha		No Likelih	ood Uniii	kely 🗹 F	Reasonably Likel	<u>у 📋</u>	Highly Likely		unieu 📋
	rillness cou be expecte		No Los	t Workdays 🗌	Lost Workday	s Or Restricted	Duty 🗹	Permaner	ntly Disabling	Fetal 🗌
C. Signific	ant and Sui	bstantial	Yes	No ₩				D. Number of	Persons Affecte	d: 001
11. Negligeno	e (check or)e)	A. None	B. Low	C. Mode	erate 🗹	D. High		E. Reckless Disre	gard [
12. Type of A	ction	104	(a)	13	. Type of issuance	e (check one)	-	itation 🗹	Order _	Safeguard [
4. Initial Acti A. Citation		rder 🗀	C. Safegu	ard ☐ D. Written	• • • • • • • • • • • • • • • • • • • •	Citation/ Order Number			F. Dated	Mo Da Yr
16. Terminati	on Due	A. Date	Mo Da 04/26/2	· LD Time 10	4 Hr. Clock)	1105				
Section III-Ter	minetion Act	ion								
17. Action to	Terminate arging	sco		minated di teries.	ue to the	chemica	al Car	nister 1	peing pla	ced over
		Mo	De Yr	B. Time (24 Hr. Cic	nck) 11(05				<u>-</u>
···	A. Date	04/	26/2005							
18. Terminate	A. Date	04/	26/2005							
18. Terminate	A. Date ometed Syst	04/	20. Event	Number 4()54745	21. Primary	or Mill	:	·	
18. Terminate Section IVAut 19. Type of In	A. Date ometed Syst	04/ em Deta		Number 40)54745	21. Primary	or Mill	23. AR	Number	6 1

MSTA PormYLOU-3, Mar 85 (revised) In accordance with the previsions 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 (1-885-734-3247), 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.

Continuation			Mine Safety and Health Administration				
Section I-Subsequent Action/Co	ntinuation Data			V			
1. Subsequent Action 1a. Co	ntinuation 2. Dated (Original Issue)	Mo Da Yr 04/26/2005	3. Citation/ Order Number 7097735 - 01				
4. Served To	· · · · · · · · · · · · · · · · · · ·	5. Operat					
Bill Currence Mine F	oreman	ANKE	ANKER WEST VIRGINIA MINING COMPANY INC				
6. Mine SAGO MINE		7. Mine 1	46-08791	(Contractor)			
Section II-Justification for Action			-				
Change	From		То	•			
9. C. Part/Section	75.1107-16		75.1107-16(b)				
Reason Issued under	the wrong section of the 30 CI	and a					

Issued under the wrong section of the 30 CFR.

	quent Action Ta	aken					-		See Continuation Form
. Extended To	A. Date M	o Da	Υr	B. Time (24 Hr.	Clock)		C. Vacated	D. Terminated	✓ E. Modified
ection IV—Inspec						** , , , 			
Type of Inspe	ction E01		10. E	vent Number	4054745				
	^		ı						
1. Sid lature		I _		TAR.	Number 🝆	12. Date	Mo Da Yr	13. Time (24 Hr. Cloc	4/
1		LA -		_		1 Date	INC DE II	TIVE TIME (24 DI, CIU)	承」



Mine	Cits	tion	10	mer

9)



Section Violation Data	
1. Date Mo Da Yr 2. Time (24 Hr. Ck 04/26/2005 111	3. Citation/ Order Number 7097736
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)

The #7 mantrip charging station located at the 2 Right track switch and is energized charging the #6 mantrip batteries without having fire suppression provided over the mantrip batteries. This charging station has a chemical canister type fire suppression system and the canister was located over the charging mantrip batteries and is not wired up to provide protection for the mantrip batteries when this inspector found this condition. The mine operator immediately removed this #7 mantrip charger from service until the fire suppression system can be wired up and fire protection can be provided at the #7 mantrip charging station.

						See Conti	nuation Form (MSHA Form	7000-34)
9. Violation A. Hea Saf Ot	ety 🗹 of Act			nt/Section of le 30 CFR		75.110	07-16		
Section II—Inspector's Evi	luction								
10. Gravity.			_						
A. Injury or Illness (*	hood Unlike	ely 🗸	Reasonably Likely	<u>/ н</u>	ighly Likely		ccurred [
B. Injury or lilness of sonably be expect		st Workdays 🗌	Lost Workd	ays Or Restricted D	Outy 🗹	Permanent	ly Disabling (Fa	tal 🗌
C. Significant and S	substantial: Ye	×s ☐ No 🗹			D.	Number of	Persons Affec	sted: (201
11. Negligence (check	one) A. None [B. Low	Ç. Ma	derate 🗹	D. High 📋	E	. Reckless Di	sregard 🗌	
12. Type of Action	104(a)	13.	Type of Issuar	ice (check one)	Citat	ion 🗹	Order []	S	afeguard 🗌
14. Initial Action A. Citation B.	Order C. Safegu	uard ☐ D. Written N		E. Citation/ Order Number		····	F. Date	d N	lo Da Yr
16. Termination Due	A. Date Mo Da 04/26/2	1 D Time /04	Hr. Clock)	1400				· · · · · · · · · · · · · · · · · · ·	
Section III-Termination A									
17. Action to Terminate									
18. Terminated A. Da	Mo Da Yr te	B. Time (24 Hr. Cloc	ik)						
1			·····		···				
Section IV-Automated Sy	stem Data								
Section IV—Automated Sy 19. Type of Inspection (activity code)	E01 20. Even	t Number 40:	54745	21, Primary	or Mill			<u> </u>	

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 ections. The Ombudsman annually evaluates enforcement activities and rates each agency ensurements to small businesses about federal agency 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.

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Mine	Citation/	'Order
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U.S. Department of Labor





Continuation	Mine Safety and Health Administration					
Section I-Subsequent Action/Continuation Date	9					
1. Subsequent Action 1a. Continuation	2. Dated Mo (Original Issue) 0/	De Yr 4/26/2005	3. Citation/ Order Number 7	97736 - 01		
4. Served To		5. Operato	or .			
Brad Hamrick	·	ANKEI	R WEST VIRGIN	A MINING COM	PANY INC	
6. Mine		7. Mine ID	16.00701		(Contractor)	
SAGO MINE		1	46-08791			_
Section II—Justification for Action						

Terminated due to the chemical canister type fire suppression system being wired up to provide fire protection for the #7 mantrip charging station.

Section III—Subsequent Action Taken			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 Date			
9. Type of Inspection E01	10. Event Number 4054745		
11. Signate	AR Number 12. Date	Mo Da Yr 13. Time (24 Hr. Clc 04/27/2005 0935	ock)
MSHA Form 7000-3s, Mar 65 (revised)			

Mine Citation/Order Continuation		U.S. Department of Labor Mine Safety and Health Administration	
Section I-Subsequent Action/Co	ontinuation Data		
1. Subsequent Action 1a. Co	ontinuation 2. Dated (Original Issue)	Mo Da Yr 04/26/2005 3. Citation/ Order Number, 7097736 - 02	
4. Served To		5. Operator	
Bill Currence Mine I	Foreman	ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	•	7. Mine ID (Contractor) 46-08791	
Section II—Justification for Action	0		
Change	From	To	
9. C. Part/Section	75.1107-16	75.1107-16(b)	
Resear Issued under t	the wrong section of the 30 CFR		

Issued under the wrong section of the 30 CFR.

Section III—Subsequent Action Taken		See Continuation Form
B. Extended To A. Date Mo Da Yr B. Time (2	Hr. Clock)	C. Vacated D. Terminated F. B. Modified
Section IV-Inspection Data		
7. Type of Inspection E01 10. Event Number	4054745	
11. Signat		
		Da Yr 13. Time (24 Hr. Clock)
	04/	/29/2005 1428
MSHA Form 7000-3e, Mer 85 (revised)		



1 1 MAY



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Section I-Vi	iolation Data				
1. Date	Mo Da Yr 04/27/2005	2. Time (24 Hr. Clock) 0620			tation/ 7097737
4. Served Brad Ha	Го		5. Operator ANKER	WEST VIRGINIA	MINING COMPANY INC
6. Mine SAGO N		1	7, Mine ID	46-08791	(Contractor)
	on or Practice	· · · · · · · · · · · · · · · · · · ·	1		8a. Written Notice (103g)

The fire suppression system that provides fire protection for the #2 conveyor belt drive and take-up will not de-energize the 600 VAC when the fire suppression system was tested by this inspector.

										See C	ontinuatio	on Form (MSH/	N Form 7000-3a)
9. Violation	A. Health Safet	√	B. Section of Act				art/Section of tle 30 CFR			75.1	107-16	(b)	
Section II-Insp	ector's Evelu	ation											
10. Gravity: A. injury o	r lilness (ha	s) (is):	No Likelih	od [Unlikely 🔽		Reasonably	y Likely		Highly Llk	ely 🔲	Occur	red
- , ,	r illness cou be expecte		No Los	t Workdays	Lost	Workd	ays Or Restr	ricted Du	ty 🔽	Permar	ently Dia	sabling 🗌	Fatal 🗌
C. Signific	ant and Sui	betantial:	Yes	☐ No	V	·				D. Number	of Pers	ons Affected:	001
11. Negligeno	e (check or	10)	A. None	B. i	Low []	C. M	oderate 🗹	C	O. High		E. Rec	kless Diarega	rd 🗌
12. Type of A	ction	104(a)		13. Type o	issua	nce (check o	ne)	С	itation 🗹	Orc	ler 🗌	Safeguard
14. Initial Acti A. Citation		rder [C. Safegua	erd 🔲 D.V	Vritten Notice		E. Citation/ Order Nu	mber		_		F. Dated	Mo Da Yr
15. Area or E		A. Date	Mo Da	`` 6 7	ime (24 Hr. Ck		070/		<u> </u>				
			04/27/2	005	nie (24 m. Ok	~n)	0700	J	<u> </u>				
Section III-Ter		ion											
17. Action to energi:		#2			due to t head o								now de-
18. Terminate	A. Date	04/2	Da Yr 27/2005	B. Time (24	Hr. Clock)	0	700						
Section IVAut	tomated Syst	em Data											
19. Type of In		E01	20. Event	Number	405474	5	21. P	rimary o	Mill				
22. Sig.	v. • = - ⁶		6							23. /	AR Numi	per	6 7

MSHA Form 7000-3, Mar 85 (revised)
In accordance with the provision is of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudamen and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudaman 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 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 penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.



Mine Citation	on/Order					U.S. Den Mine Saf			abor h Adminis		WYY .	2005
Section I-: Violat	ion Data										1	
1. Date	Mo Da Yr 04/27/200		2. Time (24 Hr	Clock) 0635					3. Citation Order I	n/ Number	709773	38
4. Served To	041211200	<u> </u>		,055	·	5. Operator						
Brad Hamr	ick					ANKER	WEST	VIRG	INIA MI	NING	COMPAN	Y INC
6. Mine						7. Mine ID	46-	0879	1			(Contractor)
SAGO MII 8. Condition of		_									8a. Written I	Notice (103g)
conveyo	or belt es of th	and ne t	l take-u	p does eyor be	not pr elt. A	t provide fibranch l	re p	rote	ction	for	the top	ρ
									See (Continuatio	on Form (MSHA	l Form 7000-3e)
9. Violation	A. Health Safety V Other		B. Section of Act		(C. Part/Section of Title 30 CFR	ł		75.1	107-16	(b)	
B. Injury or sonably	Illness (has) (illness could r be expected to ant and Substa e (check one)	be: ntial;	No Likelihood No Lost W Yes A. None			Reasonab	ricted Du	ty 🗹	D. Number	of Perso	Occurr sabling ons Affected:	Fatal OOI
								<u> </u>				Safeguard
12. Type of Ac 14. initial Action	on	104(a	C. Safeguard		n Notice	E. Citation/ Order Nu	<u> </u>		itation 🔽	- Ord	er 🗌 F. Dated	Mo Da Yr
15. Area or Ed	on Due		Mo Da Yr	1								
	Α.	Date	04/27/2005	B. Time (24 Hr. Clock)	160	0					
Section IIITerr 17. Action to T							•					
18. Terminate	A. Date		a Yr B. T	ime (24 Hr. C	lock)							
19. Type of Installed	omated System spection de)	Data EO 1	20. Event Num	ber 4	054745	21. F	rimary or	Mili				
22. Signature	, I	-vi		7	334743		<u> </u>		23. 4	AR Numb	er 6	, 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 Ornbudaman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ornbudaman 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 Ornbudaman at Small Business Administration, Office of the National Ornbudaman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ornbudaman 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 ISubsequent A	ction/Continuation Data			,	-	,					
1. Subsequent Action	1a. Continuation	2. Dated (Original lesue)	Mo Da 04/27/20	1	3. Citation/ Order Number	7097738 - 01					
4. Served To Brad Hamrick				5. Operator ANKER		GINIA MINING CO	DMPANY INC				
6. Mine SAGO MINE	· · · · · · · · · · · · · · · · · · ·			7. Mine ID	46-0879	1	(Contractor)				

Terminated due to the fire suppression system being provided with a additional branch line to supply water to the top surface of the top conveyor belt at the #3 head drive and take-up.

Section II—Justification for Action

Section III—Subsequent Action Taken		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 Data		
9. Type of Inspection E01	10. Event Number 4054745	
11. Signatu		
TT Signatu	AR Mismber 12. Date	Mo Da Yr 13. Time (24 Hr. Clock)
	<u> </u>	04/29/2005 1330
MSHA Form 7000-3a, Mar 85 (revised)	~ 	

Mine Citation/Order

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

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Santina L_\/s	olation Deta			
1. Date	Mo Da Yr 04/27/2005	2. Tirne (24 Hr. Clock) 0640	3. Citation/ Order Numbe	7097739
4. Served T Brad Hai	o .		5. Operator ANKER WEST VIRGINIA MINING	G COMPANY INC
6. Mine SAGO N			7. Mine ID 46-08791	(Contractor)
	ar Drastice	· · · · · · · · · · · · · · · · · · ·		8a. Written Notice (103g)

Combustible materials in the form of loose coal, coal fines and a heavy coating of float coal dust is allowed to accumulate at the #3 conveyor belt head drive rollers and take-up. The float coal dust is powder dry and black in color and has accumulated on previously rock dusted surfaces of the mine floor, ribs, water line and belt structure. The accumulations of loose coal, coal fines mixed with rock range from 6 to 12 inches deep by 48 inches wide by 25 feet in length. The bottom conveyor belt is running in the accumulations for approximately 15 feet in length under the take-up.

		See Continuation Form (MSHA Form 7000-3a)
9. Violation A. Health B. Section Safety of Act Other	C. Part/Section of Title 30 CFR	75.400
Section II—Inspector's Evaluation		
10. Gravity:		49 43 49 44 F
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 Workdays	Lost Workdays Or Restricted Duty	Permanently Disabling Fatal
C. Significant and Substantial: Yes 🗹 No [D. Number of Persons Affected: 001
11. Negligence (check one) A. None B. Lo	w 🗌 C. Moderate 🗹 D. Hi	gh : E. Reckless Disregard :
12. Type of Action 104(a)	13. Type of Issuance (check dite)	Citation ☑ Order ☐ Safeguard ☐
14. Initial Action A. Citation B. Order C. Safeguard D. W.	E. Citation/ Order Number	F. Dated Mo Da Yr
16. Termination Due Mo Da Yr		
A. Dete 04/27/2005 B. Tin	ne (24 Hr. Clock) 0710	
A. Dete 04/27/2005 B. Tin	ne (24 Hr. Clock) 0710	
Section III—Termination Action		ons being cleaned from the
Section III—Termination Action	due to the accumulati	ons being cleaned from the coated with a heavy
Section NI—Termination Action 17. Action to Terminate #3 head drive and take-up and	due to the accumulati	
Section MI—Termination Action 17. Action to Terminate #3 head drive and take-up and coating of rock dust. 18. Terminated A Date Mo Da Yr R Tree (24 bit)	due to the accumulati	
Section MI—Termination Action 17. Action to Terminate #3 head drive and take-up and coating of rock dust. 18. Terminated A. Date Mo Da Yr 04/27/2005 B. Time (24 Hi	due to the accumulati	

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 Cribudsman and 10 Regional Fairness Boards to receive comments from small business about federal agency enforcement actions. The Ombudsman annually evaluates enforcement actions of MSHA, you may call 1-888-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 naddition 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.

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Mino	Cito	tion	/Order
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U.S. Department of Labor

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,				Mine S	afety and	Health.	Administr	ation		
Section I-Violation	Data									
	Mo Da Yr 14/27/2005	2. Tirne (24 Hr. Clos 0740			- <u>-</u> -		3. Citation/ Order Nu	mber 70	97740	
4. Served To			<u> </u>	5. Open				D.O. CO.	CD 4 3 B7	D.C
Brad Hamric	k				R WEST	<u>VIRGII</u>	NIA MIN	ING CON	APANY	INC
6. Mine				7. Mine	^{ID} 46-0	8791			•	(Contractor)
SAGO MINI							 .	Sa V	Vritten Not	
8. Condition or P	ractice	aterials in	the form	7 F 3 7 7 7	en coal	(:0	al fir			
Compu	stable m	cumulate al	ong and un	der th	26 COU	nvev	or hel	t at i	129 h]	ock.
15 allow	ed to act	s of loose	ong and un	fince	mived	with	rock	range	from	6 to 12
inches d	muration:	8 inches wi	de by 25 f	eet in	length	and	range	from	damp	to dry
to the t	ouch Th	e accumulat	ions range	from	6 to 1	inc	hes de	ep by	24 to	36
inches w	ide by 7	0 feet in 1	ength and	the bo	ttom co	nvev	or bel	t is i	runnir	ng in
the accu	mulation.	s for appro	ximately 3	0 feet	in ler	nath.	See o	itatio	on no.	,
7097741	for bad 1	bottom conv	vevor belt	roller	s in th	nīs a	rea.			
										•
							See Cor	tinustion For	n (MSHA Fo	orm 7000-3a)
9. Violation A	\. Health ☐ Safety ✔	B. Section of Act	<u></u>	C, Part/Section Title 30 CF			75.	400		
	Other									
Section II—Inspecto	or's Evaluation									
10. Gravity:	ness (has) (is):	No Likelihood	Unlikely [Ressor	ably Likely R	-	Highly Likely		Occurred	П
	ness could rea-									
	expected to be:	No Lost Workda	ys Lost W	orkdays Or R	estricted Duty	<u> </u>	Permaner ———	ntly Disabling	<u> </u>	Fatel
C. Significant	and Substantial;	Yes 🗹	No 🗌			[), Number o	f Persons Af	fected:	001
11. Negligence (check one)	A. None	B. Low 🗍 C	. Moderate	2 D	. High [E. Reckless	Disregard	
12. Type of Actio	n 104(a)	13. Type of is	suance (chec	k one)	Cita	ition 🗹	Order 🗌		Safeguard
14. Initial Action A. Citation	B, Order	C. Safeguard [D. Written Notice 🔲	E. Citatio	on/ Number			F. D	sted Deta	Mo Da Yr
		C. Salegoald	D. VVIALEIT IVOLGE	Olue	Hamber	·		1	-	<u> </u>
15. Ares or Equip	pment									
	,									
16. Termination I	Due A. Date	Mo Da Yr	B. Time (24 Hr. Clock	o 1	000					
A		04/27/2005		, ı	-	_				
Section #I-Termin 17. Action to Termin		m		4.7.		<u> </u>	-,		1.6	
			ted due to							
	of rock	at #29 blo	ock and the	cited	area i	being	coate	ea witi	nane	eavy
18. Terminated		De Yr								
10. Terrificated	A Data	7/2005 B. Time ((24 Hr. Clock)	1045						
Section IVAutoma								·		
19. Type of Inspe (activity code)	ection E01	20. Event Number	4054745	2	. Primary or	Mill				
22. Signar	X7		-				1 100 40	Number ¶		

MSHA Form 701 A3, war so (reviseu)

MSHA 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	Cita	ition	/Ord	ler
------	------	-------	------	-----

1 1 MAY 2006	1	1	MAY	2006	
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	•		Tomic Carety
Section I-Wk	elation Data		
1. Date	Mo Da Yr 04/27/2005	2. Time (24 Hr. Clock) 0745	3. Citation/ Order Number 7097741
4. Served T			5. Operator
Brad Har	mrick		ANKER WEST VIRGINIA MINING COMPANY INC
6. Mine			7. Mine ID 46-08791 (Contractor)
SAGO M	IINE		(CONTROL)
	or Proviles		8a. Written Notice (103g)

The #3 conveyor belt is not maintained in a safe operating condition at #29 block. The #3 bottom conveyor belt is rubbing on three stuck bottom belt rollers and four bottom belt rollers have the bearings worn out and the rollers are rubbing metal to metal and are warm to the touch. These bottom belt rollers are gobbed out with loose coal, coal fines mixed with rock. The accumulations around the seven bad bottom belt rollers is powder dry and the rollers are warm to the touch. Four of these rollers are in a row and the other three are in a row.

						See Co	ontinuation Form	(MSHA Form 7000-3	(e)
9. Violation	A. Health Safety 🗸	B. Section of Act	C.	Part/Section of Title 30 CFR		75.1	1725(a)		
Section II-Insp	ector's Evaluation	<u> </u>							
10. Gravity,					_		_		
A. Injury o	r liliness (has) (is):	No Likelihood	Unlikely 🗌	Reasonably L	ikely 🗹	Highly Like	<u>v 🗆 </u>	Occurred	
	r illness could rea- be expected to be:	No Lost World	days 🗌 Lost Wo	rkdays Or Restric	ed Duty 🗹	Perman	ently Disabling	Fatai 🗌	!
C. Signific	cant and Substantial	Yes 🗹	No 🗀			D. Number	of Persons Affe	octand: 001	
11. Negligeno	ce (check one)	A. None	B. Low C.	Moderate 🗸	D. High		E. Reckless D	isregard [
12. Type of A	ction 104	(a)	13. Type of Issu	uance (check one)	Citation 🗹	Order 🗌	Safegue	ard 🔲
14. initial Acti A. Citation		C. Safeguard	D. Written Notice	E. Citation/ Order Numb	er		F. Det	ed Mo Da	Yr
15. Area or E		Mo Da Yr					·		
ID, Terminati	A. Date	04/27/2005	B. Time (24 Hr. Clock)	0945	L				
	minetion Action								
17. Action to		Terminate	ed due to the	e bad bot	tom co	nveyor	belt ro	llers bei	ng
18. Terminate	A. Date 04/	Da Yr 27/2005 B. Time	(24 Hr. Clock)	1040					
Section IVAu	tomated System Data								
19. Type of in (activity or		20. Event Number	4054745	21. Prin	nary or Milit				
22. Signar		6				23. A	R Number		
MSHA Form 70	000-3, Mar 85 (revised	n in accordance wi	n metorovisions of the Small	f Business Regulat	nov Enforcemen	of Fairness Act	of 1006 the Sma	Il Business Administ	ration

has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small business about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and tates 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 Faderal Mine Safety and Health Review Commission.

Weston

14:00	Citation	/Order
MIDE	C.RSTION	/L/mer

1 (YMAY	2005

			White Carety and Floaters, Estimated
Section I-	Violation Data		
1. Date	Mo Da Yr 04/27/2005	2. Tirrie (24 Hr. Clock) 0810	3. Citation/ Order Number 7097742
4. Served Brad H	To		5. Operator ANKER WEST VIRGINIA MINING COMPANY INC
6. Mine SAGO			7. Mine ID 46-08791 (Contractor)
	on or Practice		8a. Written Notice (103g)
		materials in the fo	orm of loose coal and coal fines mixed with

Combustible materials in the form of loose coal and coal fines mixed with rock is allowed to accumulate the #4 conveyor belt drive and take-up. The accumulations are under the head drive and take-up for a distance of 40 feet. The accumulations measured 6 to 12 inches deep by 24 to 34 inches wide. The bottom conveyor belt is also running in the accumulations for a distance of 8 feet in length.

						See Continu	ution Form (MSHA	Form 7000-3a)
	alth	B. Section of Act		C. Part/Section of Title 30 CFR		75.40	0	
Section II—Inspector's E	valuation							
10. Gravity:								_
A. Injury or Iliness	(has) (is):	No Likelihood [Unilikely 🔃	Reasonably L	ikely 🗸	Highly Likely	Occum	ed 🗌
B. Injury or illness sonably be expe		No Lost Wo	rkdays 📋 Lost	Workdays Or Restrict	ed Duty 😿	Permanently	Disabling 🗌	Fatal 🗍
C. Significant and	Substantial:	Yes 🗹	No 🗌			D. Number of Pe	reons Affected;	001
11. Negligence (chec	(one)	A, None 🗌	B. Low	C. Moderate 🔽	D. High	E. F	Reckless Disraga	rd 🗍
12. Type of Action	104(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 Numb	er		F. Dated	Mo De Yr
16. Termination Due	A. Date	Mo Da Yr 04/27/2005	B, Time (24 Hr. Clo	ck) 1010	Τ			
Section III—Termination	Action	04/2/12003	<u>. </u>					
17. Action to Termina area rock	ie		ed due to t	he accumul	ations	being cl	eaned up	and the
18. Terminated A. D	o4/2	Da Yr 27/2005 B. Tir	ne (24 Hr. Clock)	1010	_			<u> </u>
Section IV-Automated 5	yslem Data			<u></u> _				
19. Type of Inspection (activity code)	E01	20. Event Numb	405474	5 21. Prin	nery or Mill			
22. Signa (*		•	1			23. AR Nu	mber	6]

MSHA Form 700-3, Mar 85 (revised) in sociousmo man any provisions of the Small Business Regulatory Enforcement Fairness Act of 1995, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesse 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, 5W 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.

	<u> </u>		· · · · · · · · · · · · · · · · · · ·						
Mine Cita	ntion/Order				U.S. Depar Mine Safety	tment of L y and Heaf	_abor th Administr	ation 1 1	MAY 2
Section I-Vio	lation Data			****					
1. Date	Mo Da Yr	2. Time (24	Hr. Clock)				3. Citation/ Order Nu	709774	3
<u>*.</u>	04/27/2005		1130		5. Operator		Order 140	TI DOT	
4. Served To Brad Han						EST VIRO	GINIA MIN	ING COMPAN	Y INC
6. Mine	IU IÇK		,		7. Mine ID	46-0879)1		
SAGO M	IINE					40-0072		8a. Written N	(Contractor)
8. Condition	or Practice			1	<u> </u>	6 1.3	L 40 40	and #4 co	
#70977 were corrected entry examination conduction found	737, #7097 observed as ctive action of "clear nations. To cted along during to	738, #79 and shous bon takes lister here con the of day's i	097739, ld have n. The d for e uld not f side nspect:	, #70977 e been ic preshif each of t be any of any ion. Ter	40, #70977 dentified t book mai the belts evidence of the con mination s	41 and by a prontained for the that and the that and the that and the that and the that are the the that are the that are the that are the that are the the that are the that are the the that are the the that are the the that are the the that are the the that are the the that are the that are the the the the that are the the that are the the that are the the that are the the the the the the the the the th	#709774 rudent e d on the e past 3 ny exami belt dri equire a	on citation is citation in citation is considered to the citation is citation in citation	this date and the state and th
9. Violation	A. Health Safety V	B. Section of Act	.		C. Part/Section of Title 30 CFR	·		ntinuation Form (MSHA	Form 7000-3a)
Section II-In	repector's Evaluation							· · · · · · · · · · · · · · · · · · ·	
10. Gravity					_				
	y or illness (has) (is):		ood [_	Unlikely	Reasonably	Likely 🗹	Highly Likel	y 🗌 Occurr	<u> </u>
	y or illness could rea- bly be expected to be		t Workdays	Lost 1	Workdays Or Restric	ated Duty 🗹	Permane	ntly Disabling 🗌	Fatal 🗌
C. Sign	ificant and Substanti	al: Yes	. ₩ No				D. Number o	of Persons Affected:	001
11. Neglios	ence (check one)	A. None	_=	Low 🗆	C. Moderate	D. High		E. Reckless Disrega	rd 🗍
12. Type of					Issuance (check one		Citation 🗸	Order 🗌	Safeguard
14. Initial A		4(a) □ C. Safegu	ard 🗀 D. V		E. Citation/			F. Dated	Mo Da Yr
	r Equipment			<u> </u>	_		-		
16. Termin	nation Due A. Da	Mo Da te 04/28/2	107	Time (24 Hr. Clo	ck) 0800				·····
	Termination Action		 						
17. Action	to Terminate								
18. Termin	A. Date	10 Da Yr	B. Time (24	Hr. Clock)					
Section IV-	Automated System Da	la .					 		

MSHA Formess53, Mar 85 (revised)
In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1995, the Small 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 Ombudaman 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 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 penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

4054745

21. Primary or Mill

23. AR Number

19. Type of Inspection

22. Signat

(activity code)

20. Event Number

E01



Mine	Citation/Order
Conti	nuation

1	1	MAY	2005
			(6.0)

ļ	MAY	2005	K
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1. Subsequent Action	1a. Continuation	2. Dated	Мо	Da Yr	3. Citation/	7007742 01	
\mathbf{Z}		(Original Issue)	04/27	7/2005	Order Number	7097743 - 01	
4. Served To				5. Oper	etor		
Brad Hamrick				ANKI	ER WEST VIRG	INIA MINING CO	MPANY INC
6. Mine		-		7. Mine	ID 46 DO TO		(Contractor)
SAGO MINE					46-0879	1	
Section II-Justification fo	or Action	-					

Terminated due to Bill Currence (Mine Foreman) going over the requirements of conducting a pre-shift examination of the mine, with all of the Foreman's and mine examiner's on all shift's.

Section III—Subse	quent Action Tak						-				See Continuation Form
8. Extended To		Də	Ϋ́r	B. Time (24 Hr. Clock)			□ c.\	/acated	✓ D. Terminated	E. Modified
Section IV—Inspector 9. Type of Inspector			10.5								
	Crion E01	\sim	110. E	vent Numb	er 4054	745					
11. Signatur	•	6		1	AR Number	I	12. Date	Mo Da 05/02	Yr 2/2005	13. Time (24 Hr. Ck	ock)
MSHA Form 7000-	-3e. Mar 85 (revis	ed))—				

Mine	Cits	ation	/Or	der

1	7	M.A.	2005	111
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Section I-Viol	ation Data							
1. b	Mo Da Yr 05/02/2005	2, Time (24 Hr. Clock) 0706		Order Number 7096478				
4. Served To Brad Han			5. Operator ANKER WEST VIRGINIA MINING COMPANY INC					
6. Mine SAGO M	INE		^{7. Mine ID} 46-08791	(Contractor)				
8 Condition				8a. Written Notice (103g)				

The #3 mantrip which is used to transport miners in and out of the mine is not maintained in a safe operating condition. The sanding device's on this mantrip will not provide sand to the wheels and track for traction purpose's. This mine has several grade's and the track ranges from dry to wet. This condition will cause the mantrip to become out of control and also cause derailment which poses a hazard to the miners.

			See Continuation Form (M	SHA Form 7000-3a) 🗹
D: 0101011011 711 110 11	Section of Act	C. Part/Section of Title 30 CFR	75.1725(a)	
Section #-Inspector's Evaluation				
10. Gravity:		_	<u></u>	_
A. Injury or Illness (has) (is): N	lo Likelihood 🗍 Unlikely 🗍	Reasonably Likely	Highly Likely 🔲 Oc	curred [
B. Injury or liness could rea- sonably 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 Affects	od: 006
11. Negligence (check one) A.	None [C. Moderate 🗸 D. H	ligh . E. Reckless Disr	egard 🗌
12. Type of Action 104(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
A Data	Wo Da Yr 5/02/2005 8. Time (24 Hr. Clo	ok) 0715		
Section III—Termination Action	3/02/2003		<u></u>	
17. Action to Terminate T sanding device's s device will now pr		and filling wi	ith dry sand. The	
18. Terminated A. Date Mo Da 05/02/2	D Time (24 Hr Check)	0715		· · · · · · · · · · · · · · · · · · ·
Section IV-Automated System Data				
19. Type of Inspection (activity code) E01	0. Event Number 405474	5 21. Primary or Mi		
22. Signati /)			23. AR Number	6 7

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 Ombudsmen and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsmen 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 Ombudsmen 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.



Min	e	Cit	tati	ion.	/O	rde	

46-08791



(Contractor)

Continuation			Mine Safety and Hearth Administration							
Section I-Subsequent A	ction/Continuation Date									
1. Subsequent Action	1a. Continuation	Dated (Original Issue)	Mo 05/0	Da 02/200	Yr)5_	3. Citation/ Order Number	7096478			
4. Served To				•	5. Oper	ator				
Brad Hamrick					ANKI	ER WEST VIRG	INIA MINING COMPANY	INC		

7. Mine ID

Section II--Justification for Action

Continuation of 17. Action to Terminate

traction.

SAGO MINE

6. Mine

Section III—Subsequent Action Taken				See Continuation Form
8. Extended To A. Date Mo D	a Yr	B. Time (24 Hr. Clock)	C. Vacated D. Ter	minated E. Modified
Section IV-Inspection Data 9. Type of Inspection E01	10. E	vent Number 4054745		
11. Sig' [٦	TAR Number 12 Date	Mo Da Yr 13. Time 05/02/2005	(24 Hr. Clock) 0706

Mine	Citation/Order	

ì	7	MAY	2005	1

Section I-Vi	olation Data	······						
1. Date	Mo Da Yr 05/02/2005	2. Time (24 Hr. Clock) 0712	3. Citat Orde	tion/ 7096479				
4. Served 1			5. Operator					
Brad Ha	mrick		ANKER WEST VIRGINIA MINING COMPANY INC					
6. Mine		•	7. Mine ID 46-08791					
SAGO N	MINE		40-00751	(Contractor)				
	n or Practice			8a. Written Notice (103g)				

The #CO3 mantrip which is used to transport miners in and out of the mine is not maintained in a safe operating condition. The sanding device's on this mantrip will not provide sand to the wheels and track for traction purpose's. This mine has several grade's and the track ranges from dry to wet. This condition will cause the mantrip to become out of control and also cause derailment which poses a hazard to the miners.

							See C	ontinuation Form (MSI	-IA Form 7000-3a)		
	iealth Safety 🛂 Other	B. Section of Act			Part/Section of Itle 30 CFR		75.	75.1725(a)			
Section II—Inspector's	Evaluation										
10, Gravity:											
A. Injury or Illner	ss (has) (is):	No Likelihood	Unlikely		Reasonably	Likely 🗸	Highly Like	rty 🗌 Occa	irred 🗌		
B. Injury or illner sonably be so		No Lost V	Vorkdays 🗌	Lost Work	days Or Restr	icted Duty	Perman	ently Disabling 🔲	Fatal 📋		
C. Significant ar	nd Substantiel:	Yes 5	No 🗌				D. Number	of Persons Affected	t: 006		
11. Negligence (che	ock one)	A. None	B. Low 🔲	C. N	loderate 🗹	D. Hi	igh 🔲	E. Reckless Disre	gard 🗌		
12. Type of Action	104(a)	13. T	ype of Issua	ance (check o	ne)	Citation 🗹	Order 🗌	Safeguard		
14. Initial Action A. Citation	B. Order	C. Safeguard	D. Written No	tice [E. Citation/ Order Nu	mber		F. Dated	Mo Da Yr		
16. Termination Du	e A. Derte	Mo Da Yr									
	A. Date	05/02/200	5 B. Time (24 H	ir. Clock)	0715)					
Section III-Termination	on Action										
17. Action to Termin	nate	Termina	ated due t	o the	wet sa	nd bei	ng clear	ed from t	he		
sanding dedevice wi	evice's ll_now	storage	compartm	ent a	nd fill	ing Wi	th dry s	and. The	sanding		
18. Terminated A.	Contract	Da Yr 02/2005 B.	Time (24 Hr. Clock)	(0715						
Section IV-Automate	d System Data										
19. Type of Inspecti (activity code)		20. Event Nu	nber 4054	1745	21. P	rimary or Mili			- , - ' , , 		
22. Sign		6		7	<u></u>		23. A	R Number	6 7		
MSHA Form 7000-3, i		in accordance	e with the provisions of	f the Small I	Business Regul	story Enforcer	nent Fairness Act	of 1996, the Small Bu	siness Administration		

MSHA Form 7000-3, Mar 85 (revised) —In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1995, 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 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 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.

W5/03

Mine Citation/Ord Continuation	ler				epartment of Lafety and Healt	abor h Administration	1 7 MAY 2005
Section I-Subsequent A	ction/Continuation Data						
1. Subsequent Action	1a. Continuation	2. Dated (Original Issue)	Mo Da 05/02/20		3. Citation/ Order Number	7096479 - 01	
4. Served To				5. Operat	or		
Brad Hamrick				ANKE	R WEST VIRG	INIA MINING CO	OMPANY INC
6. Mine SAGO MINE				7. Mine 10	46-0879	1	(Contractor)
Section II—Justification for	or Action						
Cuange	ř'r	om	-		То		•
8. Condition Or Practic	xe						

Reason Change the mantrip no. from #CO3 to #CO2 in the condition and practice body of the citation.

Wrote #CO3 in error.

Section III—Subseque	ent Action Tak	en						See Continuation For
8. Extended To	Date Mo	Da	Yr B. Time (24	Hr. Clock)		C. Vacated	D. Terminated	✓ E. Modified
Section IV—Inspection	n Dete					<u>-1</u>		
9. Type of Inspection	n E01		10. Event Number	4054745				
11. Signatur		1_	` '	AR Number	12. Date	Mo Da Yr	13. Time (24 Hr. Ck	ock)
L	•	V	ے۔	<u> </u>		05/02/2005	1257	-
45H4 Form 7000 2-	34 05			_				

Mine Citati	ion/Order							U.S. Department of Labor Mine Safety and Health Administration								
Section -Viola	tion Deta															
1. Date	Mo Da Y 05/02/20	-	2. Time (2	4 Hr. C							3. Cita Ord	tion/ er Numbe	, 7(09648	0	
4. Served To	USIULIZU	05						5. Operate								
Brad Ham	rick							ANKE	WES	T VIRG	INLA!	MININ	G CO	MPANY	INC	
6. Mine SAGO MI				,	,			7. Mine IC	46	-0879	1				(Con	tractor)
8. Condition of													8a.	Written N	atice (10.	3g) 🔲
inch wiexposed cable. inch wiexposed power of	rn away (1) In ide all d throu (3) In ide all d throu	on ner gh ner of gh s s	four insul the wa open insul the wa open loppy	prevated ay a ing ated ay a ing wet	ious lead round of 3/ lead round of 1 and i	splid s are 8 of s are the inch s har	ces e ex cab an e ex cab wid ngin	which posed le. (inch posed le. (e all g ove	expo through wide through of r the	oses ough nner all ough nner the w	the a op insu of ta op insu a op insu ack w	inner ening lated he wa ening lated round here	en of leave a point of leave a	ergiz 1/2 ads a round 1/2 ads a e cab	of a re of a re of a re of a trav	n This
a. Violetori	Safety		of Act					le 30 CFR	V.			75.51	7			
Section II-Insp	ector's Evaluati	on														
10, Gravity:	- 111 (ha)	#-X-	50- 1 A-1/6-		1 0-4	m		n	- h . I II h .		L limbb.	t Heate	1	0		
	r Illness (has) r illness could		No Likeliho			likely		Reasona	NY LIKINY		nigiriy	Likely _		Occurre	<u>" </u>	
	be expected t		No Los	Work	iays 🗌	Lost	Workd	ays Or Re	stricted D	luty 🔽	Реп	nanently (Disablin	c 🗆	Fatal (<u></u>
C. Signific	ant and Subs	antial:	Yes	2	No 🗌						D. Num	ber of Pe	nsons A	affected;	001	
11. Negligeno	e (check one)		A. None]	B. Low [C. Mc	derate 🗸		D. High		E. R	eckless	o Disregan	d 🗌	
12. Type of A	ction	104(a)		1	3. Type o	flssuæ	nce (check	one)		itation 🖳		rder []	Safe	juard 🗌
14. Initial Acti A. Citation	ion B. Orde	r 🗀	C. Safegua	rd 🗀	D. Writter	n Notice		E. Citation Order N				**	F. 0	Dated	Mo D	e Yr
15. Area or Ed	quipment									-						
16. Terminatio	on Due A	. Date	Mo Da \\05/02/20		B. Time (2	24 Hr. Ck	ock)	112	20							
	mination Action															
and ful	Terminate lly pro	tec	Terminated in						cab	le be	eing	insul	late	d ade	equat	ely
18, Terminate	d A. Date		Da Yr	B. Time	(24 Hr. CI	 ock)	10	000	1							

MSHA Form 70:0-3, Mar 85 (revised) In accordance with the Combudamen and 10 Regional Feirness Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudamen and 10 Regional Feirness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudamen 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 Ombudamen at Small Business Administration, Office of the National Ombudamen, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudamen 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. MSHA Form 70(10-3, Mar 85 (revised)

21. Primary or Mill

23. AR Number

B. Time (24 Hr. Clock)

4054745

05/02/2005

E01

20. Event Number

Section IV-Automated System Data

19. Type of Inspection

(activity code)

22. Signa

Mine Citation/Order
Continuation

|--|

Section 1-Subsequent Action/	Continuation Data		- AD 41(
1. Subsequent Action 1a.	Continuation 2. Dated (Original Iss	1110 00	3. Citation/ Order Number 7096480)
4. Served To		5, Operato	Y	DIC COLONARY BIC
Brad Hamrick			WEST VIRGINIA MIN	(Contractor)
6. Mine		7. Mine ID	46-08791	(Comacoo)
SAGO MINE			40 00/31	
Section II. kertification for Act	ion			

Continuation of 8. Condition or Practice

miner's can easily come into contact with the exposed inner insulated energized leads.

Caria III Subaa	anne de la line Tolono								See Continuation Form
8. Extended To	A. Date	Da	Yr B.	Time (24 H	r. Clock)		C. Vacated	D. Terminated	E. Modified
Section IV—Inspec Fig. Type of Inspe		<u> </u>	10. Event	Number	4054745				
11. Sign	6 3a, Mar 85 (revise	d)		It	R Number 3	12. Date	Mo Da Yr 05/02/2005	13. Time (24 Hr. Cl 1000	•

Mine Gitatio	on/Ordei	•					rtment of l	_abor th Administ	ration .	1 7 MAY 1	200
Section I-Violat	ion Data	····									
1, Date	Mo Da		2. Time (2					3. Citation/ Order N		96481	
4. Consid To	05/02/2	2005		08	14	5. Operator		0.00.			
4. Served To Brad Hamr	iak					ANKER	VEST VIR	GINIA MIN	ING CON	MPANY INC	
6. Mine	ICK					7. Mine ID					
SAGO MI	NF.				·		46-087	71		(Co	ntractor)
8. Condition or	r Practice									Written Notice (1	
and the Personn	e cabl nel do nsted	e mea ors a	asured are lo scut a	fro cate nd t	line cabl om 60 inche ed in this he foot pr cut.	s to 65 in line of c	nches f rosscut	rom the s. This	mine is a p	rioor. previous	
9. Violation	A. Healti Safet Otty	y 🔽	B. Section of Act			C. Part/Section of Title 30 CFR			ntinuation For	m (MSHA Form 70	00-3a) [
Section II—Inspe 10, Gravity:	BCTOF EVAN	MOU		<u> </u>					· · · <u>· · · · · · · · · · · · · · · · </u>		
A. Injury or	r Iliness (ha	is) (is):	No Likelih	cod [Unlikely 🗸	Reasonably	Likely 📋	Highty Likel	y 🗆	Occurred [
B. Injury or	iliness co	ıld rea-				Maded on the Co. Do and		D	ntly Disabling	Fatal	
sonably	be expecte	d to be:	INO LOS	SI VVCXX	days Lost	Workdays Or Restri	CIBC DUTY M	T GITTIES A	Tuy Disability		
C. Signific	ant and Su	bstantial:	Ye	s 🗌	No 🗹			D. Number	of Persons A	ffected: 00	1
11. Negligeno	e (check o	ne)	A, None	7	B. Low	C. Moderate	D. High		E. Reckless	Diaregard	
12. Type of A	ction	104(, -	Issuance (check on		Citation 📝	Order		eguard 🗌
14. Initial Action		104			1.0,	E. Citation/			F. D	<u> </u>	Da Yr
A, Citation		rder 🗀	C. Safegu	ard 🗀	D. Written Notice	Order Nun	nber		["		<i>Da ,</i> ,
15. Area or Ed	· ·	A. Døte	Mo Da		B. Time (24 Hr. Clo	ck) 0200					
Section III-Ten	mination Act	ion.	05/03/2	003	<u> </u>						
17. Action to		<u> </u>									
18. Terminate	A. Date	Mo	Da Yr	B. Time	e (24 Hr. Cłock)						·
Section IVAuto		em Data									
			100 -	A b		_ 21 Pr	imery or Mill	1			
19. Type of In: (activity co		E01	20. Event	Mnwoe	405474	5 2		ł			

MSHA POTO 700-3, 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 Ombudarnan and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudarnan 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 Ombudarnan al Small Business Administration, Office of the National Ombudarnan, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudarnan 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
Conti	nuntion

Section I—Subsequent Action/Continuation D	ata				
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 05/02/2	,,	3. Citation/ Order Number	7096481 - 01
4. Served To Brad Hamrick			5. Operat ANKE	R WEST VIRO	GINLA MINING COMPANY INC
6. Mine SAGO MINE			7. Mine II	46-0879	(Contractor)
Section II - I settination for Action					

Terminated due to the high voltage power line being guarded at the #22 block on the mains.

								See Continuation Form
Section III-Subse	equent Action Take	BO						
8. Extended To	A. Date Mo	Da	Υr	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. Signature		6		JLR Number	12. Date	Mo Da Yr 05/05/2005	13. Time (24 Hr. Cl 0740	•
MSHA Form 7000	0-3a, Mar 85 (revis	sed)						

Mine Citation/Order	Mine	Citati	on/C	rder
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1 7 MAY 2005

7

Section i–Violation Data	· · · · · · · · · · · · · · · · · · ·					
1. Date Mo Da Yr	2. Time (24 Hr. Clo	ock)		3. Citatio	709648	27
05/03/2005	1		1	Order	Number / 09040	
4. Served To			5. Operator		nmvo co: m :::	N DIG
Bill Currence _ Mine Fo	oreman		ANKER WES	T VIRGINIA M	INING COMPAN	Y INC
6. Mine SAGO MINE		•	7. Mine ID 46	-08791		(Contractor)
8. Condition or Practice					8a. Written (Notice (103g)
The #4 Fl. 1021 being oper in a safe oper roof bolting macauses the oper This tram level lever. The oper when I observe mine operator service.	rated on the ating condit achine is st rator side or does not s rator was tr d the roof b	ion. The tra icking in th f the roof b elf center w amming the r olting machi	-0 MMU worm lever for tram posolting machen the opof boltin ne suddenl	king section the oper ition in both the to commend to commend the commend of the	on is not mater side of oth direction of the transfer of the transfer of the transfer of the right.	aintained f the ons which ming. ram ace entry side. The
				See	Continuation Form (MSH/	Form 7000-3a)
9. Violation A. Health Safety V	B. Section of Act	1	Part/Section of Title 30 CFR	75	i.1725(a)	
Section II—Inspector's Evaluation						
10. Gravity:						
A. Injury or Iliness (has) (k		Unlikely 🔝	Reasonably Likely	Highly Li	kely Occun	ea
B. Injury or illness could re sonably be expected to	No look More	days Lost Wor	kdays Or Restricted D	Outy Perms	anently Disabling	Fatal 🗍
C. Significant and Substan	ntial: Yes 🗹	No 🗌		D. Numbe	er of Persons Affected:	002
11. Negligence (check one)	A. None	B. Low 🗀 C. I	Moderate 🗸	D. High	E. Reckless Disrega	rd 🗌
12. Type of Action 1	04(a)	13. Type of Issu	rance (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. I	Mo Da Yr 05/03/2005	B. Time (24 Hr. Clock)	1035			
Section Iff-Termination Action		· · · · · · · · · · · · · · · · · · ·	· · · · · · · · · · · · · · · · · · ·			
17. Action to Terminate		ed due to th				
the #4 Fletche	r roof bolti	ng machine b	eing repai	red and th	e tram leve	rs will
now self cente		TCKING When	testea.			
18. Terminated A. Date	Mo De Yr 05/03/2005 B. Time	(24 Hr. Clock)	1035			
Section IV-Automated System E	lete					
19. Type of Inspection (activity code)	01 20. Event Number	4054745	21. Primary	or Mill		
22. Signatu e	<u> </u>	_		23.	AR Number	6 7

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.

	Y
*>>>	

Mine Citation	n/Order			U.S. Departme Mine Safety ar			tration	, I	<u> </u>	<u> </u>
Section I-Violation	n Dete		<u></u>							
1. Date	Mo Da Yr	2. Time (24 Hr. Clock)		T		3. Citation		70972	29	
(05/02/2005	0700				Order N	lumber			
. Served To				5. Operator	- 1 IID OD		mia	CO1 (0.4)	NEW DATE	
Brad Hamric	k			ANKER WES	T VIKGIN	IA MII	NING	COMPA	NY INC	
i. Mine				7. Mine ID 46	-08791				(Contra	~~\
SAGO MINI				<u> </u>				On 18/eller	Notice (103g)	"
. Condition or F	ractice	entrip which is		1						
1111U CO.	TOT CTOIL WI	ill cause the	musser in	,						
derailme	ent which	poses a hazar	d to the	miners.	out 01					
derailme	ent which	poses a hazar	d to the	miners.	04 0 01				HA Form 7000-3	
derailme	A. Health Safety Other	poses a hazard	d to the	miners. Part/Section of little 30 CFR		See C		on Form (MS		
derailme	A. Health ☐ Safety ☑ Other ☐	poses a hazaro	d to the	miners.		See C	ontinusti	on Form (MS		
9. Violation Section W-Inspection W-Inspecti	A. Health Safety Other Solor's Evaluation	poses a hazar	d to the	miners, Part/Section of Title 30 CFR		See C	ontinusti 1725(a	on Form (MS	HA Form 7000-3	
9. Violation Section Herepec 10. Gravity: A. Injury or III	A. Health Safety Other Solver Evaluation	poses a hazar	d to the	miners.		See C	ontinusti 1725(a	on Form (MS		
9. Violation Section II Image 10. Gravity: A. Injury or II B. Injury or II	A. Health Safety Other Solor's Evaluation	poses a hazar	d to the	miners, Part/Section of Title 30 CFR	, 	See C. 75.	ontinusti 1725(a	on Form (MS	HA Form 7000-3	
9. Violation Section II—Inspect 10. Gravity: A. Injury or II sonably be	A. Health Safety Other O	B. Section of Act	d to the	miners. Part/Section of little 30 CFR Reasonably Likely	/ ☑ →	See C. 75.	ontinuati 1725(a	on Form (MS) a) Occo	HA Form 7000-3	
9. Violation Section II—Inspec 10. Gravity: A. Injury or II sonably b	A. Health Safety Other O	B. Section of Act No Likelihood U No Lost Workdays	d to the	miners. Part/Section of little 30 CFR Reasonably Likely	/ ☑ →	See C. 75 lighly Like Perman. Number	ontinuati 1725(a	on Form (MS	HA Form 7000-3	
9. Violation Section IIII Images 10. Gravity: A. Injury or III sonably be	A. Health Safety Other Street Sevaluation Imess (has) (is): Iness could read expected to be: It and Substantial: (check one)	B. Section of Act No Likelihood U No Lost Workdays U Yes V No A. None B. Low	C. F	Part/Section of Fitte 30 CFR Reasonably Likely days Or Restricted (/ ☑ F Duty ☑ D. High □	See C. 75 lighly Like Perman. Number	ontinusti 1725(a saly entity Dia of Pens	Occi	HA Form 7000-3	

16. Termination Due Mo Da Yr A. Date 05/02/2005

B. Time (24 Hr. Clock)

0726

Section If-Termination Action

17. Action to Terminate Terminated due to the wet sand being cleaned from the sanding device's storage compartment and filling with dry sand.

18. Terminated A. Date

Mo Da Yr 05/02/2005

B. Time (24 Hr. Clock)

0726

Section IV-Automated System Data

19. Type of Inspection (activity code)

22. Signatu

20. Event Number E01

4054745

21. Primary or Mill

23. AR Number

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 Ombudaman and 10 Regional Fairness Boards to receive comments from small businesses about federal has established a realizations and agriculture regulatory Ombudaman and 10 regional halmess absence to receive comments from arms premises about leaderst agency enforcement actions. The Ombudaman annually evaluates enforcement actions and nates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-88-REG-FAIR (1-88-734-3247), 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 penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.



Mine Citat	ion/Order				_	I.S. Departm			ation	P .1 7	MAY 200
Section i=Viole	tion Data		<u> </u>	···		inio Galoty a	ilo i iodicii	, tolling			
t Date	Mo Da 05/03/2		2. Time (24 Hr. Cl					3. Citation/ Order Nu	mber	709780	5
4. Served To James Sco			ın			. Operator GMS Mine Re	pair and	Maintance	, Inc.		
6. Mine					7	. Mine ID 4	5-08791	MVK			(Contractor)
SAGO MI										Ba. Written N	
B. Condition	or Practice		rator fai	1-4 +0 00	mrle+	n +bn 70	100-1	-hwi wa			
compan msha o	y name n 04/2	was 5/200	not enter	ed on the	, 7000)-1 form.	This	iorm w	rd5 I	eCelve	eu by
9. Violation	A. Health Safety Othe	y 🗆 📗	B. Section of Act			t/Section of e 30 CFR			ntinuation 20(a)	Form (MSHA	Form 7000-3a)
Section II—Ins	pector's Evalu	ation									
10. Gravity.			B. 17 M	4.6.1784	-		. –	16-61-18-4	. —	0	- a 🖂
<u> </u>	or Iliness (ha or iliness cou	<u></u>	No Likelihood	Unlikely		Reasonably Likel	<u> </u>	Highly Likely	/ ⊔	Occum	
	y be expecte		No Lost Work	days 🗹 Lo	st Workda	ys Or Restricted	Duty 🗌	Permaner	ntly Disai	bling 🗌	Fatal [
C. Signifi	cant and Sul	bstantial:	Yes 🗌	No 🗹				D. Number o	f Person	Affected:	001
11. Negligen	ce (check or	10)	A. None	B. Low 🗹	C. Mod	lerate 🗌	D. High	_	E. Recki	less Disrega	rd 🗌
12. Type of A	Action	104(a	1)	13. Type	of Issuance	e (check one)	Ci	tation 🗹	Order		Safeguard
14. Initial Act A. Citation		rder 🗌	C. Safeguard [D. Written Notice	- 1 -	Citation/ Order Number			ſ	F. Dated	Mo Da Yr
15. Area or £	quipment				<u> </u>				•		
16. Terminat	ion Due	A. Date	Mo Da Yr 05/09/2005	B. Time (24 Hr. C	Clock)	0800					
Section III—Te 17. Action to		ion									
18. Terminat	ed A. Date	Mo D	Da Yr B. Time	e (24 Hr. Clock)	 -			···	<u> </u>		<u> </u>
Section IV-A	tornated Syst	em Data				. <u></u>					
19: Type of I (activity o		E01	20. Event Number	40547	45	21. Primary	or Mili				- 12

MSHA Form 700C-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1995, 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 here, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

22. Signatu

Weston

23. AR Number

Mine Citation/Order Continuation

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

A.	MAY	2005	

Section I-Subsequent Action/Continuation Data						
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 05/03/20	••	3. Citation/ Order Number	7097805 - 01	<u> </u>
4. Served To James Scott Mine Foreman			5. Operato GMS M	INE REPAIR		
6. Mine SAGO MINE	•		7. Mine ID	46-0879	1	(Contractor) MVK
Section II—Justification for Action						

Terminated due to the operator sending a completed 7000-1 form for the accident that occurred on 04/09/2005 at 9:00 am. The completed form was received at the MSHA office on 05/04/2005.

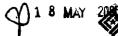
Carling III Color	 					See Continuation Form
8. Extended To	 Da	Ϋ́г	B. Time (24 Hr. Clock)	C. Vacated	D. Terminated	E. Modified
Section IV—Inspec 9. Type of Inspe		10. E	vent Number 4054745		<u> </u>	
11. Signature	 P	1	AR Number 12. Date	Mo Da Yr 05/10/2005	13. Time (24 Hr. Ck	,

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



Mine	CHO	tion	10	mer
MINE	Lana	uneon	/	ıucı

22. Signatu



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7,344	
-1274	
((*))	
- W//	

Mine Citati	ion/Order				partment of fety and H		inistration	9.	
Section I-Viola	ition Date								
1. Date	Mo Da Yr 05/04/2005	2. Time (24 Hr. 0	clock) 705			3. Citi Ord	ation/ der Number	709780	)6
4. Served To				5. Operat		TD CIBITA	mmic	COMBAN	V INIC
Bill Currer	nce <u>Mine F</u>	oreman				IKGINIA	MINING	COMPAN	1 INC
6. Mine				7. Mine II	46-08	3791			(Contractor)
SAGO MI								Sa Written I	Notice (103g)
8. Condition of	or Practice	antrip whic	1	a this implement	art mi	ore in	200 0		
is not mantrip The san not fun wet. When we want to the san wet.	maintai p will n nding de nction. hen the	ned in a sa ot provide vice storag This mine h sanding dev n become ou	fe operatin sand to the e container as several ices are no	g condit wheels 's are p grade's t mainta	ion. The and trace and the and the and the and ined in	ne sand ack for up wit e track n a ope	ling de tract h wet range	vice's ion pur sand ar es from al con	on this rpose's. nd will dry to
9. Violation	A. Health	B. Section		C. Part/Section			ee Continuati 75.1725(2		Form 7000-3e)
	Safety 🗸	of Act		I Inde 30 CFF	ı		13.1123(2	.,	
Section II-insp	pector's Evaluation	· · · · · · · · · · · · · · · · · · ·		·					
10. Gravity: A. Injury o	or Iliness (has) (i	s): No Likelihood [	Unlikely	Reasona	ibly Likely 🗹	Highly	Likely 🔲	Occurr	red [
	or illness could re y be expected to		kdays 🔲 Lost	Workdays Or Re	stricted Duty	<b>☑</b> Per	manently Di	sabling 📋	Fatal 🗌
C. Signific	cant and Substa	ntial: Yes ✔	No 🗀			D. Nur	nber of Pers	ons Affected:	006
11. Negligen	ce (check one)	A. None	B. Low	C. Moderate	D. i	ligh 🗌	E. Rex	kless Disrega	rd 🗌
12. Type of A	Action ]	04(a)	13. Type of	Issuance (check	one)	Citation	<b>√</b> Ord	ler 🔲	Safeguard [
14. Initial Act	tion	· · · ·	D. Written Notice	E. Citation Order I	n/ Number			F. Dated	Mo Da Yr
15. Area or E	Equipment					•			
16. Terminat	ion Due A.	Date Mo Da Yr 05/04/2005	B. Time (24 Hr. Clo	ck) 07	15			·. · · · ·	
	rmination Action								
17. Action to			ed due to t						
		's storage					ry sand	d. The	sanding
device	will no	w provide s	and to the	wheel's	and tr	ack.			
18. Terminat	IA Date	Mo Da Yr 05/04/2005 B. Tir	ne (24 Hr. Clock)	0715				<u> </u>	
Section IV-Au	ntomated System I					<del></del>	· · · · · · · · · · · · · · · · · · ·		
19. Type of It	nspection code)E	20. Event Numb	er 405474	5 21	. Primary or M	iii			

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 heering before the Federal Mine Safety and Health Review Commission.



23. AR Number

Mine	Citation/Order
------	----------------

(activity code)

22. Signal

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

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8	MAY	2005	
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Section I-Violation Data							
1. Date Mo Da Yr 05/04/2005	2. Time (24 Hr. Clock) 0800			ľ	<ol><li>Citation/ Order Number</li></ol>	7097807	<u> </u>
4. Served To  Bill Currence Mine Fo			5. Operator ANKER WI	EST VIRGIN	NIA MINING	COMPANY	INC
6. Mine SAGO MINE	TOTAL	1		46-08791			(Contractor)
8. Condition or Practice						8a. Written No	otice (103g)
mine is not mainthis locomotive purpose's. Two wet sand and wiranges from dry operational conderailment.	e will not pro of the sanding ill not function to wet. When	safe operat vide sand t g device st on. This mi the sandin	ing cond o the whorage con ne has s g device	lition. leels an entainer several es are n	The sand d track 's are p grade's ot maint	ing devi for trac lugged u and the ained in	ce's on tion p with track a
9. Violation A. Health Safety V	B. Section of Act		art/Section of tle 30 CFR	<del></del>	See Continual 75.1725(	ion Form (MSHA F	Form 7000-3a) 🗹
Section II—Inspector's Evaluation							
10. Gravity: A. Injury or Illness (has) (is	): No Likelihood 🗀	Unlikely	Reasonably Lit	celv 🗗 I	Highly Likely	Occurre	d 🗔
B. Injury or iliness could rea	<u>.                                    </u>		lays Or Restricte		Permanently D		Fatai 🗍
sonably be expected to b			aya Oi Resulue		. Number of Pers		
C. Significant and Substan	Ves ✓ No				. Number of Fes	COIS ATTOCKEL	002
11. Negligence (check one)	A. None B.	Low C. M	oderate 🗸	D. High	E. Re	ckless Disregard	
12. Type of Action 10	)4(a)	13. Type of Issuar	nce (check one)	Cita	tion 🗹 Or	der 🗍	Safeguard [
14. Initial Action A. Citation B. Order	C. Safeguard D. V	Vritten Notice	E. Citation/ Order Number	er		F. Dated	Mo Da Yr
15. Area or Equipment						,	
16. Termination Due A. E	Orate 05/04/2005 B.	Time (24 Hr. Clock)	1000				
Section III-Termination Action							
17. Action to Terminate sanding device	Terminated 's storage con	tainer's an	d refil:	ling wit	h dry sa	nd and a	
IA Owle	Mo Da Yr 5/04/2005 B. Time (24		000	s to S	nbbia sa	na to	
Section IV-Automated System D				·············		<del></del>	· · · · · · · · · · · · · · · · · · ·
19. Type of Inspection (activity code) E	20. Event Number	4054745	21. Prim	ary or Mill		···	·- ·

MSHA Form 7000-3, Mer 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 Ombudeman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudeman 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 Ombudeman et Small Business Administration, Office of the National Ombudeman, 409 3rd Street, SW MC 2120, Washington, DC 20416. 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 citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

23. AR Number

Continuation

## U.S. Department of Labor





Continuation	Mine Safety and Health Administration					W		
Section I-Subseque	ent Action/Continuation Data							
1. Subsequent Ac	tion 1a. Continuation	Dated     (Original Issue)	Mo Da 05/04/20		3. Citation/ Order Number	7097807		
4. Served To Bill Currence	Mine Foreman			5. Operato ANKER		GINIA MINING COM	PANY INC	
6. Mine SAGO MINE				7. Mine ID	46-0879	01	(Contractor)	
Section il-Justificat	ion for Action				<u> </u>			

Continuation of 17. Action to Terminate

the track and wheels. The sanding device will now provide sand to the wheel's and track.

ection III-Subsequent Action Taken		See Continuation For
A. Date Mo Da	Yr B. Time (24 Hr. Clock)   C. Vacated D. Terminated	E. Modified
ection IV-Inspection Data		<del></del>
. Type of Inspection E01	10. Event Number 4054745	
1. Signature	AR Number 12. Date Mo Da Yr 13. Time (24 Hr. C	Clock)
	05/04/2005 0800	

	<del>_</del>							
Mine Citatio	on/Order			U.S. Depar Mine Safety	tment of L y and Healt	abor h Administra	1 8 MAY	2005
Section I-Violeti	on Date							
1. Date	Mo Da Yr	2. Time (24 Hr. C	lock)		<del>,</del>	3. Citation/	709780	08
	05/04/2005	060	00	<u></u>		Order Num	iber	<del></del> _
4. Served To				5. Operator				nz nio
Bill Current	ce Mine Fore	man		ANKER W	EST VIRG	INIA MINI	NG COMPAN	IY INC
6. Mine			,	7. Mine ID	46-0879	1		
SAGO MIN	NE					<u></u>		(Contractor)
8. Condition or				full shift	<del></del> _			Notice (103g)
Thi The protect mining	s machine machine or must b	e was a Joy operator v e provided	y model 140 vas not wea d and worn	vel of 100% CM15 serial aring a hea by the min s reduced t	no. C1 ring pr er oper	1430. otector ating th	. A heari he contin	ng wous
9. Violation	A. Health 🗹 Safety 🗌 Other	B. Section of Act	<del></del>	C. Part/Section of Title 30 CFR		See Conti	nuation Form (MSH)	4 Form 7000-3e)
Section II—Inspe	ctor's Evaluation							
10. Gravity:								
A. Injury or	Illness (has) (is):	No Likelihood	Unlikely	Reasonably L	ikely 🗸	Highly Likely	Occur	red [_
	illness could rea- be expected to be:	No Lost Work	udays 🗌 Lost	Workdays Or Restrict	ted Duty	Permanenti	ly Disabling 🗸	Fatal 🔲
	and Substantial	Yes 🗹	No 🗌			D. Number of	Persons Affected:	001
11. Negligeno	e (check one)	A. None	B. Low	C. Moderate 🗹	D. High	□ E.	. Reckless Disrega	ed 🗌
12. Type of Ac	tion 104	(a)	13. Type of	f Issuance (check one	) C	itation 🗹	Order 🗌	Safeguard
14. Initial Action A. Citation		C. Safeguard	D. Written Notice	E. Citation/ Order Numi	ber		F. Dated	Mo Da Yr
15. Area or Ec								
16. Terminatio	A. Dete	Mo Da Yr 05/04/2005	B. Time (24 Hr. Clo	ock) 0610				
Section III—Term								
17. Action to T	• •			ne (036 occ				
retrain	ed in the	requireme	ents of the	e hearing c	onserva:	tion pro	ogram and	the

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Feirness 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.

0610

21. Primary or Mill

23. AR Number

wearing of a hearing protector.

E01

A. Date

Section IV—Automated System Data 19. Type of Inspection

Mo Da Yr

05/04/2005

20. Event Number

B. Time (24 Hr. Clock)

4054745

18. Terminated

(activity code)

22. Signatu



#### 1 8 MAY ZUUD U.S. Department of Labor Mine Citation/Order Mine Safety and Health Administration Section I-Violation Data 3. Citation/ 1. Date Mo Da Yr 2. Time (24 Hr. Clock) 7097809 Order Number 0615 05/04/2005 5. Operator 4. Served To ANKER WEST VIRGINIA MINING COMPANY INC James Scott _ Mine Foreman 7. Mine ID 6. Mine 46-08791 (Contractor) SAGO MINE 8a. Written Notice (103g) 8. Condition or Practice The operator failed to provide a record to indicate that the required testing, inspecting and maintenance is being conducted on the SR-100 Self Contained Self Rescuers which are provided for the miners. See Continuation Form (MSHA Form 7000-3e) C. Part/Section of 9 Violation A Health B. Section Safety 🗸 75.1714-3(c) of Act Title 30 CFR Other Section II Inspector's Evaluation 10. Gravity. Unlikely 🗸 Reasonably Likely Highly Likely Occurred [ A. Injury or Ifiness (has) (is): No Likelihood B. Injury or illness could rea-Fatal 🔲 No Lost Workdays Lost Workdays Or Restricted Duty 🗹 Permanently Disabling sonably be expected to be: D. Number of Persons Affected: C. Significant and Substantial: 005 Yes 🔲 No 🗸 11. Negligence (check one) B. Low C. Moderate V D. High E. Reckites Ditregard [ A. None [ 12. Type of Action 13. Type of Issuance (check one) Citation 🗸 Order Safeguard 104(a) 14. Initial Action E. Citation/ F. Deted Mo Da Yr

Order Number

0630

Terminated due to SAGO Mine safety director testing,

21. Primary or Mill

23. AR Number

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1995, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudamen and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudaman 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 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 penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

inspecting the SR-100 Self Contained Self Rescuers and recording the results

0630

B. Time (24 Hr. Clock)

in a record book for the GMS Mine Repair and Maintenance, Inc.

4054745

B. Time (24 Hr. Clock)

A. Citation B. Order C. Safeguard D. Written Notice

Mo Da Yr

05/04/2005

20. Event Number

A. Date

E01

Mo Da Yr

05/04/2005

15. Area or Equipment

16. Termination Due

18. Terminated

22. Signature

(activity code)

Section W-Termination Action 17. Action to Terminate

A. Date

Section IV—Automated System Data 19. Type of Inspection

W5/05

Min	e	Cit	atic	n/	Ord	er
-						



Continuation Mine Safety

Section I—Subsequent Action/Continuation Data				
1. Subsequent Action 1a. Continuation	Dated Mo     (Original lasue) (	o Da Yr 05/04/2005	3. Citation/ Order Number	7097809
4. Served To		5. Operati	or	
James Scott Mine Foreman		ANKEI	NEST VIRG	INIA MINING COMPANY INC
6. Mine	•	7. Mine ID	16.0050	(Contractor)
SAGO MINE			46-0879	1
Section II—Justification for Action				

Continuation of 17. Action to Terminate contracting company.

Extended To A. Date Mo Da	Yr	B. Time (24 Hr.	Clock)	C. Vacated	D. Terminated	E. Modified
Type of Inspection E01	10.	vent Number	40/4846			
	1		4054745			
1. Signatury		- AR	Number 12. Date	Mo Da Yr	13. Time (24 Hr. Ck	xck)
				05/04/2005	0615	

Mine Citation/Order Continuation		Mine Safety and Health Administration	<u>&gt;&gt;</u>
Section I—Subsequent Action/Continue	tion Date	16 Annual	
1. Subsequent Action 1a. Continu	ation 2. Dated Mo Da (Original Issue) 05/04/2	Yr   3. Citation/ 005   Order Number   7097809 - 01	
4. Served To		5. Operator	
James Scott Mine Forema	an	ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO MINE	•	7. Mine ID (Contractor) 46-08791	
Section II—Justification for Action			
	From	То	
Chrage	·		
5. Operator	ANKER WEST VIRGINIA MIN	VING GMS Mine Repair and Maintenance, Inc.	

Reason

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

Issued to the wrong operator in error

							See Continuation Form
Section IIISubse	quent Action Take	en					
8. Extended To	A. Date Mo	Da	Υr	B. Time (24 Hr. Clock)	C. Vacated	D. Terminated	E. Modified
Section IV-Inspec	ction Data						
9. Type of Inspe	ection E01		10. E	vent Number 4054745			
11. Signature		•		AR Number 12. Date	Mo Da Yr 05/04/2005	13. Time (24 Hr. Clo 1200	ck)

W5/05

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### U.S. Department of Labor

L	8	MAY 2005	
'n		7	

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accum e follo ocated in the	2. Time (24 Hr. Clock) 0830  nan  ole material in the control of t	iously rooms: Starti ck and ext centry's	7. Mine ID 46 cm of a cock dusted ing at the tends outb including	surfaces of No.1 convey by for approx	8a Writte at coal the mine or belt imately	(Contractor) en Notice (103g)   dust is floor and tailpiece 210 feet
Mine Forer  mbustile accumule folloocated in the	nan  ole material in the previous properties on previous procession at No.23 block No.4 and No.5	iously rooms: Starti ck and ext centry's	ANKER WES  7. Mine ID 46  cm of a cock dusted ing at the tends outb including	order Nur  ST VIRGINIA MINI 6-08791  Dating of flo surfaces of No.1 convey by for approx	8a Write at coal the mine or belt imately	(Contractor) en Notice (103g)   dust is floor and tailpiece 210 feet
Mine Forer  mbustil accumu e follo ocated in the	nam  ole material in the previous states on previous location at No.23 block No.4 and No.5	iously rooms: Starti ck and ext centry's	ANKER WES  7. Mine ID 46  cm of a cock dusted ing at the tends outb including	6-08791  Oating of flo surfaces of No.1 convey by for approx	8a Writte at coal the mine or belt imately	(Contractor) an Notice (103g) [ dust is floor and tailpiece 210 feet
mbustik accumu e follo ocated in the	ole material in plate on previous location at No.23 block No.4 and No.5	iously rooms: Starti ck and ext centry's	ANKER WES  7. Mine ID 46  cm of a cock dusted ing at the tends outb including	oating of flo surfaces of No.1 convey by for approx	8a Write at coal the mine or belt imately	(Contractor) an Notice (103g) [ dust is floor and tailpiece 210 feet
mbustik accumu e follo ocated in the	ole material in plate on previous location at No.23 block No.4 and No.5	iously rooms: Starti ck and ext centry's	7. Mine ID 46 cm of a cock dusted ing at the tends outb including	oating of flo surfaces of No.1 convey by for approx	8a Write at coal the mine or belt imately	(Contractor) an Notice (103g) [ dust is floor and tailpiece 210 feet
mbustile accumule follo ocated in the	plate on previousing location at No.23 block No.4 and No.5	iously rooms: Starti ck and ext centry's	cm of a cock dusted ing at the tends outb	oating of flo surfaces of No.1 convey by for approx	at coal the mine or belt imately	dust is floor and tailpiece 210 feet
mbustile accumule follo ocated in the	plate on previousing location at No.23 block No.4 and No.5	iously rooms: Starti ck and ext centry's	ck dusted ing at the tends outb including	surfaces of No.1 convey by for approx	at coal the mine or belt imately	dust is floor and tailpiece 210 feet
mbustile accumule follo ocated in the	plate on previousing location at No.23 block No.4 and No.5	iously rooms: Starti ck and ext centry's	ck dusted ing at the tends outb including	surfaces of No.1 convey by for approx	at coal the mine or belt imately	dust is floor and tailpiece 210 feet
accum e follo ocated in the	plate on previousing location at No.23 block No.4 and No.5	iously rooms: Starti ck and ext centry's	ck dusted ing at the tends outb including	surfaces of No.1 convey by for approx	the mine or belt imately	floor and tailpiece 210 feet
e follo ocated in the	owing location at No.23 bloc No.4 and No.5	ns: Starti ck and ext 5 entry's	ing at the tends outb including	No.1 convey by for approx	or belt imately	tailpiece 210 feet
Safety 🗸 Other 🗌	B. Section of Act					HA Form 7000-3a)
Evaluation						
<u> </u>	No Likelihood	Unlikely 🕢	Reasonably Likely	iy 🗌 Highly Likely	O	curred 🗌
	No Lost Workdays	Lost Work	days Or Restricted I	Duty 🗹 Permanen	tly Disabling 🔲	Fatal 🗌
d Substantial:	Yes 🗌 No 🖫	Z		D. Number of	Persons Affects	dt 001
ck one)	A. None B. Lov	w [] C. N	loderate 🗸	D. High 🗌 🛚 E	. Reckless Diane	agard 🗌
104(	a)	13. Type of Issue	ance (check one)	Citation 🗹	Order 📋	Safeguard [
B. Order [T]	C. Safeguard D. Wri	itten Notice	E. Citation/ Order Number		F. Dated	Mo Da Yr
	lealth Safety Or Other Seventation  See (has) (is): Secould respected to be: d Substantial: sck one)	Safety of Act Other	Safety  of Act	Safety of Act Other Devaluation  See (has) (is): No Likelihood Deval	B. Section of Act   C. Part/Section of Title 30 CFR   75.	Safety of Act

Section III—Termination Action 17. Action to Terminate

16. Termination Due

18. Terminated Mo Da Yr A. Date B. Time (24 Hr. Clock)

Section IV-Automated System Data

19. Type of Inspection E01 (activity code) 22. Signatur

20. Event Number

Mo Da Yr

05/04/2005

B. Time (24 Hr. Clock)

A. Dete

21. Primary or Mill 4054745

1030

23. AR Number

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Falmess Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Falmess Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement actions agency's responsiveness to small businesses, 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

K	1	,

Section I-Subsequent Action/Continuation Data					
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 05/04/20	Yr 905	3. Citation/ Order Number 7097810 - 01	<u>.</u>
4. Served To Bill Currence Mine Foreman			5. Operat ANKE	R <u>WEST VIRGINIA MINING COMPA</u>	
6. Mine SAGO MINE			7. Mine II	46-08791	iontractor)
Section IIJustification for Action					

Terminated due to the area being covered with a coating of rock dust. Which diluted the combustible content.

Section III—Subsec	quent Action Tel	ven						See Continuation Form
3. Extended To	A. Date Mo		Yr	B. Time (24 Hr. Clock)	<del> </del>	C. Vacated	D. Terminated	E. Modified
Section IV—Inspect 9. Type of Inspec			10. Ew	ent Number 405474	15			
11. Signature	_	6	d	AR Number	12. Date	Mo Da Yr 05/05/2005	13. Time (24 Hr. Cl	
ASHA Form 7000-	3e, Mar 85 (revi	sed)						

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	Ø	MAY	ZON.

•		
Mine	Cifation	/Order

	K	1.
<b>\</b> //		

Section I-Vid	dation Data			
1. Date	Mo Da Yr 05/05/2005	2. Time (24 Hr. Clock) 0715	3. Citation/ Order Number	7097811
4. Served To Bill Currence _ Mine Foreman			5. Operator ANKER WEST VIRGINIA MINING C	OMPANY INC
6. Mine SAGO N			7. Mine ID 46-08791	(Contractor)
	n or Practice			8a. Written Notice (103g)

The #4 mantrip which is used to transport miners in and out of the mine is not maintained in a safe operating condition. The sanding device's on this mantrip will not provide sand to the wheels and track for traction purpose's. One sanding device storage container's is plugged up with wet sand and will not function and the other three are empty of sand. This mine has several grade's and the track ranges from dry to wet. When the sanding devices are not maintained in a operational condition the mantrip can become out of control which can cause derailment.

			See Continua	tion Form (MSHA F	orm 7000-3a) 🗹
9. Violation A. Health B. Section of Act		Part/Section of Title 30 CFR	75.1725	(a)	
Section II—Inspector's Evaluation					
10. Gravity:				_	. —
A. Injury or illness (has) (ls): No Likeling	ood Unlikely	Reasonably Likely	Highly Likely	Occurre	<b>0</b>
B. Injury or illness could rea- sonably be expected to be: No Los	t Workdays 🗌 Lost Worl	kdays Or Restricted Du	ty 🗹 Permanentty D	isabling 🗌	Fatal 🗌
C. Significant and Substantial: Yes	₩ No 🗆		D. Number of Per	sons Affected:	006
11. Negligence (check one) A. None	B. Low C. M	Aoderate ☑ □	D, High 🗌 E. Re	ecidees Disregard	
12. Type of Action 104(a)	13. Type of issu	ance (check one)	Citation 🗹 O	rder 🗌	Safeguard
14. Initial Action A. Citation B. Order C. Safegua	rd D. Written Notice	E. Citation/ Order Number		F. Dated	Mo Da Yr
16. Termination Due A. Date Mo Da 05/05/20	D Time /2/Lite Chock	0725	· · · · · · · · · · · · · · · · · · ·		
Section III—Termination Action	70.7				
17. Action to Terminate Terminate sanding device's storadry sand. The sanding		nd filling	all storage c	ontainer	
18. Terminated A. Date Mo Da Yr 05/05/2005	B. Time (24 Hr. Clock)	0725			
Section IV—Automated System Data		<del></del>			
19. Type of Inspection (activity code) E01	Number 4054745	21. Primary or	Mill		
22. Signatur	I	<u>-</u>	23. AR Nun	nber	6 7

MSPA Form 7000-3, Mer 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Falmess Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ornbudsman and 10 Regional Falmess Boards to receive comments from small businesses shout federal agency enforcement actions. The Ornbudsman 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 Ornbudsman at Small Business Administration, Office of the National Ornbudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ornbudsman 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
Conti	austion



Onthingtion	Military and resident continued and resident					
Section I-Subsequent Action/Continuation Data						
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da Yr 05/05/2005	3. Citation/ , Order Number	7097811		
4. Served To		5. Opera	tor			
Bill Currence Mine Foreman		ANKE	R WEST VIRGI	NIA MINING COMPANY II	NC	
6. Mine SAGO MINE		7. Mine (	^D 46-08791	(Contract	or)	
Section II—Justification for Action		<del></del>				
Custinuation of 17. Action to Terminate						
track.						

See Continuation Form Section III--Subsequent Action Taken 8. Extended To Мо A. Date B. Time (24 Hr. Clock) C. Vacated D. Terminated E. Modified Section IV-Inspection Data

9. Type of Inspection E01 10. Event Number 4054745 11. Signature Number 12. Date Mo Da Yr 13. Time (24 Hr. Clock) 05/05/2005 0715 MSHA Form 7000-3a, Mar 85 (revised)

Mine Cital	tion/Order		· ·		nent of Labor and Health Ad			2005
Section 4-Viol	stion Osta					·	·	
I. Date	Mo Da Yr 05/10/2005	2. Time (24 Hr. Clock 0600				litation/ Order Number	709780	)4
4. Served To Bill Curre	)	man		5. Operator ANKER WE	ST VIRGINIA	MINING	COMPAN	Y INC
6. Mine			•	<del>-  -  -  -  -  -  -  -  -  -  -  -  -  -</del>	6-08791			(Contractor)
SAGO M B. Condition							8a. Written I	Notice (103g)
in the in the 0+00 i	no. 8 int no. 6 int n the no.	ake entry i ake entry i 5 intake en	s 50.5% i s 62.5% i	ombustible, ncombustibl ncombustibl	e, 1-A-4 e and 1-A	sample 1-5 samp The mini	located ole loca imum	d at 0+00 ated at
have a also t is a n	means to the mine li notice that	mechanicall berates aro all areas	ed in the y apply r und 100,0	Intake ent ock dust to 00 cubic fe ne shall be	ry's is 6 the outh et of met	55%. The by areas thane in	s of the n 24 hou	e mine, urs. This
have a also t is a n	means to the mine li	mechanicall berates aro all areas	ed in the y apply r und 100,0	Intake ent ock dust to 00 cubic fe	ry's is 6 the outh et of met	55%. The by areas thane in thed in o	s of the 24 house complian	e mine, urs. This
have a also t is a n the 30	means to the mine li notice that	mechanicall berates aro all areas	ed in the y apply r und 100,0	Intake ent ock dust to 00 cubic fe	ry's is 6 the outh et of met	55%. The by areas thane in thed in o	s of the 24 house complian	e mine, urs. This nce with
have a also t is a n the 30 Violation	A Health Safety Other	mechanicall berates aro all areas 75.403.	ed in the y apply r und 100,0	Intake ent ock dust to 00 cubic fe ne shall be	ry's is 6 the outh et of met	55%. The py areas hane in continuation	s of the 24 house complian	e mine, urs. This nce with
have a also tale of the solution section II—Ins	A Health Safety Other	mechanicall berates aro all areas 75.403. B. Section of Act	ed in the y apply r und 100,0 of the mi	Intake ent ock dust to 00 cubic fe ne shall be C. Part/Section of Title 30 CFR	ry's is 6 the outh et of met maintair	55%. The py areas hane in the in the continuation of the continuat	s of the 24 house complian	e mine, urs. This nce with
nave a also tris a rithe 30 . Violation  Section II—Ins.  A. Injury B. Injury	A Health Safety Office Sevaluation  or liness (has) (is):	mechanicall berates aro all areas 75.403.	ed in the y apply rund 100,0 of the mi	Intake ent ock dust to 00 cubic fe ne shall be	ry's is 6 the outh et of met maintair	55%. The py areas hane in continuation	on Form (MSHA	e mine, urs. This nce with
have a also the is a rithe 30 Modelion II—Insury B. Injury sonab	A Health Safety of Miness (has) (is):	mechanicall berates aro all areas 75.403.  B. Section of Act  No Likelihood   No Lost Workday	ed in the y apply rund 100,0 of the mi	Intake ent ock dust to 00 cubic fe ne shall be C. Part/Section of Title 30 CFR	ry's is 6 the outh et of met maintair  ely  High	55%. The py areas hane in the in the continuation of the continuat	Occurr	e mine, urs. This nce with Form 70003a)
have a also the solution of the solution is a rection in the solution in the solution in the solution is a rection in the solution in the solution is a rection in the solution in the solution in the solution is a rection in the solution in the solution in the solution is a rection in the solution in the solution in the solution is a rection in the solution in the solution in the solution is a rection in the solution in the solution in the solution is a rection in the solution in the solution in the solution is a rection in the solution in the sol	A. Health Safety Other or lineas (has) (is):	mechanicall berates aro all areas 75.403.  B. Section of Act  No Likelihood   No Lost Workday	ed in the y apply rund 100,0 of the mi	Intake ent ock dust to 00 cubic fe ne shall be C. Part/Section of Title 30 CFR	ry's is 6 the outh et of met maintair  ely  High	55%. The py areas thane in the din of the secontinuation of the second purpose of the se	Occurr	e mine, urs. This nce with Form 7000-3a)
have a also that is a rithe 30 section II—Inc.  Section II—Inc. A. Injury sonab C. Signiff	A Health Safety of liness (has) (is):  or liness (has) (is): or liness could really be expected to be: licent and Substantial:	mechanicall berates aro all areas 75.403.  B. Section of Act  No Likelihood   No Lost Workday  Yes   A. None   A. None	ed in the y apply r und 100,0 of the mi  Unikely   to Lost  No   Lost	Intake ent ock dust to 00 cubic fe ne shall be C. Parl/Section of Title 30 CFR  Reasonably Like Workdays Or Restricted	ry's is 6 the outh et of met maintair  ely  High	55%. The py areas hane in led in Continuation 75.403  The property of Person E. Recommend to the person of Person E. Recommend to the person of Person entire to the person	Occurr	e mine, urs. This nce with Form 7000-3a)
have a also the solution is a method of the solution in the solution is a method of the solution in the solution is a method of the solution in the solution is a method of the solution in the solution is a method of the solution in the solution is a method of the solution in the solution in the solution is a method of the solution in the solution in the solution is a method of the solution in the solution in the solution is a method of the solution in the solution in the solution is a method of the solution in the solution in the solution is a method of the solution in the solution in the solution is a method of the solution in the solution in the solution is a method of the solution in the solution in the solution is a method of the solution in the solution in the solution is a method of the solution in the solution in the solution in the solution is a method of the solution in th	A. Health Safety of Other Spector's Evaluation or lifness (has) (is): or lifness could ready be expected to be: licant and Substantial: nice (check one)  Action 1044	mechanicall berates aro all areas 75.403.  B. Section of Act  No Likelihood   No Lost Workday Yes   A. None   a)	ed in the y apply r und 100,0 of the mi  Unikely   to Lost  No   Lost	Intake ent ock dust to 00 cubic fe ne shall be C. Part/Section of Title 30 CFR  Ressonably Like Workdays Or Restricted	ry's is 6 the outh et of met maintair  Bluty F D. N  D. High Citation	55%. The py areas hane in led in Continuation 75.403  The property of Person E. Recommend to the person of Person E. Recommend to the person of Person entire to the person	Occurr  sabling  ons Affected:	e mine, urs. This nce with Form 7000-3a)
have a also t is a rithe 30 y. Violation II—Ins. Section II—Ins. A. Injury B. Injury sonab C. Signiff 11. Negliger 12. Type of	A. Health Safety Sortiness (has) (is): or liness could ready be expected to be: licent and Substantial: nce (check one) Action 104(	mechanicall berates aro all areas 75.403.  B. Section of Act  No Likelihood   No Lost Workday Yes   A. None   a)	ed in the y apply r und 100,0 of the mi  Un#kely  Lost No  13. Type of	Intake ent ock dust to 00 cubic fe ne shall be C. Part/Section of Title 30 CFR  Reasonably Like Workdays Or Restricted C. Moderate	ry's is 6 the outh et of met maintair  Bluty F D. N  D. High Citation	55%. The py areas hane in led in Continuation 75.403  The property of Person E. Recommend to the person of Person E. Recommend to the person of Person entire to the person	Occurr  sabling  ons Affected:  ckless Disrega	e mine, urs. This nce with Form 7000-3a)

MSHA Form 7000-3, Mer 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-FAR (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.

1015

coating of rock dust.

A. Date

Section IV-Automated System Data 19. Type of Inspection

(activity code)

Mo Da Yr

05/10/2005

E01

20. Event Number

B. Time (24 Hr. Clock)

4054745

18. Terminated

22. Signature -

Terminated due to the cited areas being covered with a

21. Primary or Mill

23. AR Number



			<del>-</del>		$\mathcal{A}$		•
Mine Citation	on/Order			nent of Labor and Health Admi	inistration	3 JUN	2005
Section I-Violet	ion Data						
1. Date	Mo Da Yr	2. Time (24 Hr. Clock)		3. Cita Oro	rtion/ ter Number	7097812	
4. Served To	05/10/2005	0610	5. Operator				<del></del>
	ce Mine Forer	nan		ST VIRGINIA	MINING (	COMPANY	
6, Mine			7. Mine ID	6-08791			
SAGO MII				10-00771	<del>-</del>	On 166-How Mark	(Contractor)
8. Condition o		rator failed to subr		1 3		8a. Written Not	
designa	ated area : mechanized	ing cycle for Februa sampling point I.D.S mining unit as iden	9010 for the	Return -	roof b	olter or	n the
			<b>_</b>	s	ee Continuatio	n Form (MSHA Fo	orm 7000-3a)
9. Violation	A. Health Safety Other V	B. Section of Act	C. Part/Section of Title 30 CFR		<del>-75.208</del> 	70.208	
Section II—Insp 10. Gravity:	ector's Evaluation	<del></del>					
•	r Illness (has) (is):	No Likelihood Uniikely	Reasonably Lik	ety 🗌 Highty	Likely [	Occurred	
	r illness could rea- be expected to be:	No Lost Workdays 🗌 Loss	t Workdays Or Restricted	Duty 🗹 Per	manently Disa	abling []	Fatal [
C. Signific	ant and Substantial:	Yes ☐ No 🗹		D. Nun	nber of Perso	ns Affected:	001
11. Negligeno	e (check one)	A. None B. Low	C. Moderate	D. High 📋	E. Reck	dess Disregard	
12. Type of A	ction 104(	a) 13. Type o	of Issuance (check one)	Citation 6	Orde	<b>T</b>	Safeguard [
14. Initial Acti A. Citation		C. Safeguard D. Written Notice	E. Citation/ Order Numbe	r		F. Dated	Mo Da Yr
15. Area or E	quipment		<del></del>	<del></del>			<del></del>
16. Terminati		Mo Da Yr 05/10/2005 B. Time (24 Hr. Ck	ook) 0615				
	mination Action						
17. Action to		Terminated due to	o no action	required h	y the	operator	r as
the sar	mpling cyc	le can only be satis	sfied during	the estab	olished	samplin	ıg
18. Terminate	7 A 1344 A 1	Da Yr B. Time (24 Hr. Clock)	0615		<del></del>	<del></del>	<del></del> _
Section IV-Au	05/] tomated System Data	0/2005 B. Title (24 At. Citch)					
19. Type of in	spection	20. Event Number 405474	21. Prima	ry or Mili	· · · · · · · · · · · · · · · · · · ·	<del></del>	<del> </del>
(activity of	<b>_</b> ~ 1		1	12	3. AR Numb	* *	

MSHA Form 7000-3, Mer 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Falmess Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudamen and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudamen annually evaluates enforcement activities and raise 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 Ombudamen at Small Business Administration, Office of the National Ombudamen, 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 penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.



Mine Citation/Order Continuation				U.S. Do Mine S	epartment of L afety and Healt	abor h Administration	§ JUN 20	005
Section I-Subsequent Action/	Continuation Data				la an wal		<del></del>	
1, Subsequent Action 1a.	Continuation	2. Dated (Original Issue)	Mo De 05/10/20	Yr 05	3. Citation/ Order Number	7097812 - 01		
4. Served To	Foreman		<u> </u>	5. Opera ANKE	tor R WEST <u>VIRG</u>	INIA MINING CO	MPANY	
6. Mine	Torana			7. Mine			(Contractor)	
SAGO MINE Section II—Justification for Ac	tion	<del></del>		<u> </u>				<del></del>
Charge	Fre	ाता			To	<u> </u>	•	
9. C. Part/Section	75.3				70,208			

Section III—Subse	quent Action Take	<b></b>			<del> </del>		See Continuation Form
8. Extended To	<del> </del>	Da	Υr	B. Time (24 Hr. Clock)	C. Vacated	D. Terminated	✓ E. Modified
Section IV-Inspec 9. Type of Inspe	ection E01			vent Number 4054745			
11. Signature		6	•	AR Number 12. Date	Mo Da Yr 05/11/2005	13. Time (24 Hr. Clo 1426	ck)

4. Served To John Travise - Shift Foreman  6. Mine SAGO MINE 8. Condition or Practice The mine operator failed to submit five valid respirable dust samples from the (036) designated occupation for the Bi-monthly sampling cycle March - April on the 003-0 mechanized mining unit section. The designated occupation sampling point I.D. 003-0 Designated occupation 036, continuous mining machine as identified in advisory no. 0027 dated May 09, 2005. Samples that were submitted are the following no.50773198, no.50773203, no.50773152 contaminated and no.50752709.  See Continuation Form (MSHA Form 70003a)							
1. Date	Mine Citat	ion/Order			Labor	$\boldsymbol{\varphi}$	ъ О <b>(%)</b>
Date   Mo Da				Milite Gallety Life 1.102			
Served To   S220/2005   11110     S. Operator   OS/20/2005   OS/20/2	Section I-Viole			_ <del></del>	2 Citation/		
ANKER WEST VIRGINIA MINING COMPANY INC  6. Mine  7. Mine ID  8. Written Notice (105g)  9. Violation II A Health II B. Section of Act Order II Mine II Mi	1, Date		•			709782	3
Name	4. Served To				OBILL MINIS		U TNIC
SAGO MINE  8. Contractor)  8. Contractor)  8. Contractor)  8. Contractor)  8. Contractor)  8. Contractor)  The mine operator failed to submit five valid respirable dust samples  from the (036) designated occupation for the Bi-monthly sampling cycle March - April on the 003-0 mechanized mining unit section. The designated occupation  sampling point I.D. 003-0 Designated occupation 036, continuous mining machine  as identified in advisory no. 0027 dated May 09, 2005. Samples that were  submitted are the following no.50773198, no.50773203, no.50773152 contaminated  and no.50752709.  Section I A Health   B. Saction  Section I A Health   B. Saction  Other   D. Safety   D. Nurber of Persons Affected:  10. Gravity:  A highy of linese (has) (is):  B. Inpury of linese (has) (is):  No Loss Workdays   Loss Workdays Or Restricted Duty   Permanently Disabling   Febal    C. Safety   D. Nurber of Persons Affected:  Oli  11. Negligence (check one)   A. None   B. Low   C. Moderate   D. High   E. Reckess Disregard    12. Type of Action   D. Other   C. Safeguard   D. Written Notice   E. Chistory  Order Number  15. Area or Equipment  16. Termination Due   A. Date   Mo. De Yr O. S/20/2005   B. Time (24 Hr. Clock)   1115    Section III-Termination Action   Terminated due to no action required by the operator as the	John Travi	ise - Shift Forer	пал	ANKER WEST VIR	GINIA MINING	COMPAN	YINC
SAGO MINE  Condition of Practice  The mine operator failed to submit five valid respirable dust samples from the (036) designated occupation for the Bi-monthly sampling cycle March April on the 003-0 mechanized mining unit section. The designated occupation sampling point I.D. 003-0 Designated occupation 036, continuous mining machine as identified in advisory no. 0027 dated May 09, 2005. Samples that were submitted are the following no.50773198, no.50773203, no.50773152 contaminated and no.50752709.  Section   Inspective Evolution	6. Mine			7. Mine ID 46-0879	91		
The mine operator failed to submit five valid respirable dust samples from the (036) designated occupation for the Bi-monthly sampling cycle March - April on the 003-0 mechanized mining unit section. The designated occupation sampling point I.D. 003-0 Designated occupation 036, continuous mining machine as identified in advisory no. 0027 dated May 09, 2005. Samples that were submitted are the following no.50773198, no.50773203, no.50773152 contaminated and no.50752709.  Section 1	SAGO MI	INE			<u> </u>		
from the (036) designated occupation for the Bi-monthly sampling cycle March April on the 003-0 mechanized mining unit section. The designated occupation sampling point I.D. 003-0 Designated occupation 036, continuous mining machine as identified in advisory no. 0027 dated May 09, 2005. Samples that were submitted are the following no.50773198, no.50773203, no.50773152 contaminated and no.50752709.    See Continuation Form (MSHA Form 7000-3e)							
9. Violetion A. Health B. Section of Act C. Part/Section of Title 30 CFR 70.207(a)  Section II—inspector's Evaluation  10. Gravity: A. hjury or Illness (has) (is): No Likelihood Unlikely M. Reasonably Likely Highly Likely Occurred D. Highly Likely Occurred D. No Lost Workdays D. Restricted Duty M. Permanently Disabling Fetal D. Number of Persons Affected: 001  11. Negligence (check one) A. None B. Low C. Moderate D. High E. Reckless Disregard D. Litelion D. High E. Reckless Disregard D. Litelion M. Order D. Safeguard D. A. Citation B. Order C. Safeguard D. Written Notice E. Citation M. De Yr Order Number  16. Termination Due A. Date Mo Da Yr O5/20/2005 B. Time (24 Hr. Clock) 1115  Section II—Terministion Action  17. Action to Terminate Terminated due to no action required by the operator as the	as ide: submit	ntified ir ted are th	n advisory no. 0027 o ne following no.50773	lated May 09, 200	5. Samples	that we	ere
Section III—Inspector's Evaluation  10. Gravity:  A. Injury or Illness (has) (is):  B. Injury or Illness could reasonably Likely   Gravity:  C. Significant and Substantial:  Yes   No	9. Violation	Safety 🛄					Form 7000-3a)
10. Gravity:  A. Injury or Illness (has) (is):  No Likelihood			<u> </u>	<u> </u>			
A. Injury or Illness (has) (is): No Likelihood		pector's Evaluation	<del></del>				
B. Injury or litness could reasonably be expected to be:  C. Significant and Substantial:  Yes No   No Lost Workdays Cr Restricted Duty Permanenty Disabling Fatal   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. Type of Issuance (check one)  A. Citation Order C. Safeguard D. Written Notice E. Citation  A. Citation B. Order C. Safeguard D. Written Notice D. Written Notice D. Time (24 Hr. Clock)  16. Termination Due A. Date Mo Da Yr 05/20/2005  B. Time (24 Hr. Clock)  1115  Section III—Termination Action  Terminated due to no action required by the operator as the	•	ne Illanea (han) (in):	No Likelihaad	Pennanghhi Libahi	Highly I Ilyahr	Occurr	ed [1]
Sonably be expected to be: No Lost Workdays   Lost Workdays Or Restricted Duty   Permanently Disabiling   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 Disregerd    12. Type of Action   104(a)   13. Type of Issuance (check one)   Citation   Order   Safeguard    14. Initial Action   B. Order   C. Safeguard   D. Written Notice   E. Citation   Order Number    15. Area or Equipment   A. Date   Mo Da Yr   05/20/2005   B. Time (24 Hr. Clock)   1115    Section III—Termination Action    17. Action to Terminate   Terminated due to no action required by the operator as the			No Likelinood U Chilikely	. Reasonably Likely	rigitly Likely	Occur	
11. Negligence (check one)  A. None  B. Low  C. Moderate  D. High  E. Reckless Disregard  12. Type of Action  104(a)  13. Type of Issuance (check one)  Citation  Order  Safeguard  14. Initial Action  A. Citation  B. Order  C. Safeguard  D. Written Notice  E. Citation  Order Number  F. Dated  Mo Da Yr  Order Number  16. Termination Due  A. Date  Mo Da Yr  05/20/2005  B. Time (24 Hr. Clock)  1115  Section III—Termination Action  17. Action to Terminate  Terminated due to no action required by the operator as the			No Lost Workdays Lost	Workdays Or Restricted Duty 🗹	Permanently D	isabling 🔲	Fatal 🗌
12. Type of Action 104(a) 13. Type of Issuance (check one) Citation  Order  Safeguard   14. Initial Action  B. Order  C. Safeguard D. Written Notice  E. Citation/ Order Number  E. Citation/ Order Number  F. Dated Mo Da Yr Order Number  16. Termination Due  A. Date  O5/20/2005 B. Time (24 Hr. Clock) 1115  Section III—Termination Action  17. Action to Terminate  Terminated due to no action required by the operator as the	C. Signifi	cant and Substantia	Yes 🗌 No 🗹		D. Number of Pers	sons Affected:	001
14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice E. Citation/Order Number  F. Dated Mo Da Yr Order Number  16. Termination Due A. Date 05/20/2005 B. Time (24 Hr. Clock) 1115  Section III—Termination Action  17. Action to Terminate Terminated due to no action required by the operator as the	11. Negligen	ice (check one)	A. None B. Low	C. Moderate 🗹 D. High	E. Re	ckless Disreger	rd 🗀
A. Citation B. Order C. Safeguard D. Written Notice Order Number  15. Area or Equipment  16. Termination Due A. Date 05/20/2005 B. Time (24 Hr. Clock) 1115  Section III—Termination Action  17. Action to Terminate Terminated due to no action required by the operator as the	12. Type of	Action 104	(a) 13. Type of	Issuance (check one)	Citation 🕢 Or	der 🗌	Safeguard
16. Termination Due  A. Date Mo Da Yr 05/20/2005  B. Time (24 Hr. Clock) 1115  Section III—Termination Action  17. Action to Terminate  Terminated due to no action required by the operator as the			C. Safeguard D. Written Notice [	· ·		F. Dated	Mo Da Yr
16. Termination Due  A. Date Mo Da Yr 05/20/2005  B. Time (24 Hr. Clock) 1115  Section III—Termination Action  17. Action to Terminate  Terminated due to no action required by the operator as the	15 Area or F	quinment			<del></del>	<del></del>	
Section III—Termination Action  17. Action to Terminate  Terminated due to no action required by the operator as the	•	tion Due		ck) 1115			
17. Action to Terminate Terminated due to no action required by the operator as the	<del></del>		05/20/2005	, 1113			<del></del>
retainated due to no action required by the operator as the		<del></del>					
sampling cycle can only be satisfied during the established sampling cycle.	17. Action to	Terminate	Terminated due to	no action requir	ed by the	operator	r as the
	sampli	ng cycle o	an only be satisfied	during the esta	blished sa	mpling o	cycle.

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 Sefety and Health Review Commission.

1115

21. Primary or Milt

23. AR Number

Mo Da Yr

05/20/2005

E01

20. Event Number

B. Time (24 Hr. Clock)

4054745

18. Terminated

22. Signatus

19. Type of Inspection

(activity code)

A. Date

Section IV--Automated System Data



Mine	Citation/Order
Conti	กและโดย

# U.S. Department of Labor

p. 3	JUN	

Continuation	Mine Safety and Health Administration				
Section I-Subsequent Action/Continuation D	nia				
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 05/2 <u>0/200</u>	'' [	3. Citation/ Order Number 7097823 - 01	
4. Served To Bill Currence Mine Foreman		5	5. Operato ANKER	WEST VIRGINIA MINING CO	
6. Mine SAGO MINE		7	7. Mine ID	46-08791	(Contractor)
Section II-Justification for Action					to male
Change	From			To	1
1. Issue Date	05/20/2005			05/19/2005	
Reason Issued citation date as	05/20/2005 in error.				

Issued the citation on the date of 05/20/2005 and it should have been issued on 05/19/2005.

Section III—Subse	quart Action Take							See Continuation Form
8. Extended To	<u> </u>	Da	Yr B. Time (24)	ir. Clock)	· · · · · · · · · · · · · · · · · · ·	C. Vacated	D. Terminated	E. Modified
Section IV-Inspection IV-Inspection IIII III III III III III III III III			10. Event Number	405474	5		<del></del>	
11. Signature	· (	•	7	AR Number	- 12. Date	Mo Da Yr 05/23/2005	13. Time (24 Hr. Ci	•

_	3	JUN	200
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Mine Citation/Order	U.S. Department of Labor  Mine Safety and Health Administration  - 3 JUN 2006						
Section IViolation Data							
1. Date Mo Da Yr 05/19/2005	2, Time (24 Hr. Clock) 1145				Order Number	7097824	
4. Served To			5. Operator		_		
John Travise - Shift Forema	an	ļ	ANKER WES	T VIRGINI	A MINING	COMPANY	INC
6. Mine	•		7. Mine ID 46	-08791			(0
SAGO MINE					<u>.</u>	<u> </u>	(Contractor)
8. Condition or Practice	charging station		<del></del>			8a. Written Not	
is not provided we energized at the	vith a fire suppres time this condition otor charger from s	ssion on wa	system.	The #4 : The min	motor cn e operat	arger is	; diately
9. Violation A. Health Safety V	B. Section of Act		art/Section of the 30 CFR		See Continuation 75.1725(a	on Form (MSHA Fo	orm 7000-3e)
Section II-Inspector's Evaluation							
10. Gravity:							_
A. Injury or Illness (has) (is):	No Likelihood Unlikely	<u> </u>	Reasonably Likely	/ 🔲 Hig	phly Likely	Occurred	
<ul> <li>B. Injury or illness could rea- sonably be expected to be:</li> </ul>	No Lost Workdays 🗌 Lo	ost World	lays Or Restricted D	Duty 🗹	Permanently Dis	sabiing 🗌	Fatal
C. Significant and Substantial:	Yes 🗌 No 🗹			D. I	Number of Person	ons Affected:	001
11. Negligence (check one)	A. None B. Low	C. Mc	oderate 🗹	D. High 🔲	E. Rec	kless Disregard	
12. Type of Action 104(a	а) 13. Тури	e of Issua	nce (check one)	Citatio	n 🗹 Ord	ler 🗌	Safeguard [
14. Initial Action A. Citation B. Order	C. Safeguard D. Written Notice	e 🗌	E, Citation/ Order Number			F. Dated	Mo Da Yr
15. Area or Equipment						_	
16. Termination Due A. Date	Mo Da Yr 05/20/2005 B. Time (24 Hr.	Clock)	0400				
Section III-Termination Action							
17. Action to Terminate							
18. Terminated A. Date Mo	Da Yr B. Time (24 Hr. Clock)			_			
Section IV-Automated System Data							
19. Type of Inspection (activity code) E01	20. Event Number 40547	745	21. Primary	or Mill		<del></del>	•
22, Signature	'^ <b>b</b>				23. AR Numi	xer	6

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	Cita	atic	n/O	rder
<u> </u>	-	- 4		

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Continuation			William Co.	aloty and thous		<del></del>
Section I-Subsequent Action/Continuation Data						
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 05/19/20	•••	3. Citation/ Order Number	7097824 - 01	
4. Served To Bill Currence Mine Foreman	<u></u>		5. Operat ANKE	or R WEST VIRC	GINIA MINING CO	MPANY INC
6. Mine SAGO MINE	•		7. Mine II	46-0879	<b>)</b> 1	(Contractor)
Section IIJustification for Action			<u></u>			

Terminated due to the #4 motor charger being removed from service by removing the trailing cable plug from the trailing cable and recording in the weekly electrical record book as the #4 motor charger out of service.

, Vacated D. Terminated E. Modified
Andrea A D. Louisianian T. T. Market
he Yr 13. Time (24 Hr. Clock) 23/2005 0940

Mine Citation/Order	U.S. Department of Labor Mine Safety and Health Administration	\$ JUN 2005
Section I\Zolation Data		
1. Date Mo Da Yr 2. Time (24 Hr. Clock) 05/20/2005 0105	3. Citation/ Order Number	7097826
4. Served To John Travise - Shift 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)
The rib is not adequately supp a person from the hazards related to haulage. Located one block inby stati gapping and separated from the solid right rib in the track heading, this high and is gapping open from 1/2 of of the same block there is a second r	the fall of ribs on the ma on 3763 at block 42. The r rib. The rock had broken a rock measured 10 feet long a inch to 2 1/2 inches. In	in line the was loose, way from the g, 3 1/2 feet the cross-cut

measuring 8 feet long and 6 feet wide. This main line haulage is the primary walkway for all the miners to travel to the mains section MMU 001-0 and 002-0. Both of these rocks appear as if it will fall with out warning. Management

dangerathis area off so miners will not be exposed.

See Continuation Form (MSHA Form 7000-34) 9. Violation A. Health B. Section C. Part/Section of Safety 🔽 Title 30 CFR 75.202(a) of Act Other [ Section II-Inspector's Evaluation 10. Gravity. No Likelihood Unlikely Highly Likely Occurred | A. Injury or Illness (has) (is): Reasonably Likely 🗸 B. Injury or illness could rea-Fetal 🔲 No Lost Workdays 🔲 Lost Workdays Or Restricted Duty 😿 Permanently Disabling sonably be expected to be: C. Significant and Substantial: D. Number of Persons Affected: 001 Yes 🗸 No 🗌 11. Negligance (check one) E. Reckless Disregard A. None B. Low C. Moderate D. High 🔲 Safeguard [_] 12. Type of Action Citation 🗸 Order 🗔 13. Type of Issuance (check one) 104(a) 14. Initial Action E. Citation/ F. Dated Mo Da Yr A. Citation B. Order C. Safeguard D. Written Notice Order Number 15. Area or Equipment 16. Termination Due Mo Da Yr A. Date B. Time (24 Hr. Clock) 1200 05/20/2005 Section III-Termination Action 17. Action to Terminate 18. Terminated Mo Da Yr A. Date B. Time (24 Hr. Clock) Section IV-Automated System Data 19. Type of Inspection 20. Event Number 21. Primary or Mill (activity code) E01 4054745 22. Signature 23. AR Number MSHA Form 7000-3, Mar 85 (revised)

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 business about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities are sech 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
A	

Anni	2005

			<u> </u>
2. Dated (Original Issue)	Mo Da Yr 05/20/2005	3. Citation/ 70	97826 - 01
	5. Open ANKI	ntor ER WEST VIRGINI.	A MINING COMPANY INC
	7. Mine	46-08791	(Contractor)
		2. Dated Mo Da Yr (Original Issue) 05/20/2005 5. Open	2. Dated Mo Da Yr 3. Citation/ Order Number 70 Order Number 70 NKER WEST VIRGINIA

Extended due to the area being cribbed off by five cribs being built and the #52 block crosscut being dangered off. The mine operator has ordered seven arches to install at the #52 block. Additional time is granted for the mine operator to receive the materials, arches and to install the seven arches.

Spetion III Cuba	augst Antique	Talan					See Continuation Form
Section III—Subse B. Extended To	<del></del>	Wo Da Yr 05/27/2005	B. Time (24 Hr. Clock	0800	C. Vacated	D. Terminated	E. Modified
Section IV—Inspec 3. Type of Inspe		1 10.1	Event Number 40	54745			
11. Signature		6	AR Num	· · · · · · · · · · · · · · · · · · ·	Mo Da Yr 05/23/2005	13. Time (24 Hr. Ck	ock)
MSHA Form 7000	-3a. Mar 85 (	revised)	46		05/23/2005	1100	

W/5/24

Mine Citation/Order Continuation		Mine Safety and Health Administration					
Section I—Subsequent Action/Continuation Deta							
Subsequent Action 1a. Continuation	2. Dated	Mo	Da	Yr Ne	3. Citation/ Order Number 7097826 - 02		

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Continuation	Mico Cafety and Health Administration					
Section ! Subseque	ent Action/Continuation Data					
	tion 1a. Continuation	2. Dated Mo D (Original Issue) 05/20/	a Yr 3. Citation/ Corder Number	7097826 - 02		
4. Served To  John Travise	Shift Foreman		5. Operator ANKER WEST VIR	GINIA MINING COM		
6. Mine SAGO MINE			7. Mine ID 46-087	91	(Contractor)	
Section II—Justificat						
Change	Fr	om	То		•	
8. Condition Or P	ractice					
Reason Adblock	dd the following modit c inby spad station no.	fication to the body of the con 3763 at block 42 to just outb	ndition and practice. Char y spad station no. 3882 at	ge the location of the cita no. 52 block.	ition from one	
Is	sued at the w	rong spad number	and also the v	wrong block nu	mber in	

See Continuation Form Section III--Subsequent Action Taken B. Time (24 Hr. Clock) C. Vacated D. Terminated ✓ E. Modified Section IV-Inspection Date 9. Type of Inspection E01 10. Event Number 4054745 13. Time (24 Hr. Clock) 11. Signature 12. Date Mo Da Yr 05/23/2005 1110 MSHA Form 7000-3e, Mar 85 (revised)

Mine	Citation/Order
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n	$\mathcal{L}$	



Section ISubsequent Action/Continuation Data  1. Subsequent Action 1a. Continuation	2. Dated (Original issue)		Da Yr	3. Citation/ Order Number	7097826 - 03
4. Served To Brad Hamrick	(Original Issue)	05/20	/2005 5. Open ANKE	ntor	GINIA MINING COMPANY INC
6. Mine SAGO MINE	•		7. Mine	46-0879	(Contractor)

Terminated due to arches being installed in the #6 track entry on the outby side of #52 block and 2 arches being installed on the inby side of the #52 block. The miners are protected from the rock deteriorating from the mine roof and rib's as they travel in and out of the mine at this location by these arches.

Section III—Subsequent	Action Taken							See Continuation Form
8. Extended To		Da Yr	B. Time (24 H	r. Clock)		C. Vacated	☑ D. Terminated	E. Modified
9. Type of Inspection		10. [	Event Number	4054745				
11. Signature, MSHA Form 7000-3a, I	<u></u>	·	1	R Number	12. Date	Mo Da Yr 05/31/2005	13. Time (24 Hr. Ck 0830	ock)

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Mino	Citation	/Order
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# 1 5 JUN -2085 JUN 18985

Mine Citation/Order	Mine Safety and Health Administration
Section I-Violation Data	
1. DQU Mo Da Yr 2. Time (24 Hr. Clock) 05/31/2005 0700	3. Citation/ -7097833 70 97 833
4. Served To	5. Operator
Brad Hamrick	ANKER WEST VIRGINIA MINING COMPANY INC
6. Mine	7. Mine ID 46-08791 (Contractor)
SAGO MINE 8. Condition or Practice	8a. Written Notice (103g)
rock dusted surfaces of the mine floor crosscuts. This no.3 entry run's para- located in the no.4 entry. The float belt head drive and extends inby for	st is allowed to accumulate on previously r and rib's in the no.3 entry and llel with the no.3 conveyor belt which is coal dust start's at the no.3 conveyor approximately 1500 feet. The float coal nd ranges from light gray to dark gray in
Safety ✓ of Act	See Continuation Form (MSHA Form 7000-3a)  C. Part/Section of Title 30 CFR 75.400
Other 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 🗍
A 01-25 - 1-20-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1	D. Number of Persons Affected: 001
102 10 14	
11. Negligence (check one) A. None B. Low C.	. Moderate ☑ D. High ☐ E. Reckless Disregard ☐
12. Type of Action 104(a) 13. Type of Iss	suance (check one) Citation 🗹 Order 🗌 Safeguard 🗌
14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice	E. Citation/ F. Dated Mo Da Yr Order Number
15. Area or Equipment	
16. Termination Due A. Date Mo Da Yr 05/31/2005 B. Time (24 Hr. Clock)	1100
Section III-Termination Action	<del></del>
17. Action to Terminate	
18. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock)	
Section IV-Automated System Data  19. Type of Inspection 20. Event Number 40.5.4.7.4.7.	24 5
(activity code) E01 20. Event Number 4054745	21. Primary or Mill
22. Signatur	23, AR Number
MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Sme has established a National Small Business and Agriculture Regulatory Conhedermen and	all Business Regulatory Enforcement Fairness Act of 1995, the Small Business Administration of 10 Regional Fairness Boards to receive comments from small businesses about faderal

agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small businesses. 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. De Mine Sa	partment of L Ifety and Healt	abor th Administration	1 5 JUN	2005 <b>65</b> X 1	
Section I—Subsequent Action/Continuation Data  1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 05/31/20	••	3. Citation/ Order Number	7097833 - 01		
4. Served To Bill Currence Mine Foreman 6. Mine SAGO MINE			5. Operat	R WEST VIRO	GINIA MINING CO	OMPANY IN (Contractor	
Section Il—Justification for Action							The state of the s

Terminated due to the cited area of the mine floor and rib's in the #3 entry being covered with a heavy coating of rock dust.

Section III—Subsequent Action Taken		Sec	e Continuation F
. Extended To A. Date Mo Da	Yr B. Time (24 Hr. Clock)	C. Vacated D. Terminated	E. Modified
Section IV-Inspection Data			
F. Type of Inspection E01	10. Event Number 4054745		
1. Signaturr	AR Number 12. Date	Mo Da Yr 13. Time (24 Hr. Clock)	
	116	06/02/2005 1145	



Mine	Citat	lion.	$\cap$	lor
MINE	Lana	116 26 12	ил	11:1

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19	JUN	2005

			Wille Salety and Health Administration	
Section (Vir	olation Data			
¼ Date	Mo Da Yr 05/31/2005	2. Time (24 Hr, Clock) 0825	3. Citation/ Order Number	7097834
4. Served T Brad Har	o		5. Operator ANKER WEST VIRGINIA MINING (	COMPANY INC
6. Mine SAGO N	MINE		7. Mine ID 46-08791	(Contractor)
	or Desetion	<del> </del>		8a. Written Notice (103d)

The air lock doors located at #49 block is not maintained in a useable condition. The structure of the air lock door on the track side at #49 block is damaged and these doors are open and can not be closed due to the damage. The mine operator is going to build a stopping in place of this set doors and move the air lock doors closer to the section.

								See C	Continuation	Form (MSH	A Form 7000-34)
. Violation	A. Health Safety Other		B. Section of Act		C	. Part/Section of Title 30 CFR	,	75.3	333( <b>d</b> )(3	)	
ection II—insp	ector's Evelu	ation									
0 Gravity:			** * * * **	. —				10.44.10			
·	r Iliness (ha		No Likelihoo	<u> </u>	nlikely 🔽	Reasonably Lik		Highly Lik	ery	Uccu	red [
	r iliness cou be expecte		No Lost	Workdays 🗌	Lost Wo	orkdays Or Restricted	Duty 🗹	Permai	nently Disa	ibling 🗌	Fatal
C. Signific	ant and Sul	stantial.	Yes	No <b>☑</b>				D. Numbe	r of Persor	s Affected:	001
11. Negligeno	e (check or	e)	A. None	B. Low	c	Moderate 🗸	D. High		E. Reck	less Diareg	ard [
12. Type of A	ction	104(a	)		13. Type of Isa	suance (check one)		Citation 🗹	Orde	r 🗆	Safeguard (
			• •	ſ		•					
A. Citation	☐ B. O	der 📋	C. Safeguan		en Notice	E. Citation/ Order Number				F. Dated	Mo Da Yr
A. Citation	B. O	A. Date	C. Safeguan	D. Writh		Order Numbe				F. Deted	Mo Da Yr
15. Area or E	B. Or	A. Date	C. Safeguan	D. Writh	en Notice	Order Numbe				F. Dated	Mo Da Yr
A. Citation 15. Area or E 16. Terminati Section III—Term	Quipment on Due	A. Date	C. Safeguan	D. Writh	en Notice	Order Numbe				F. Dated	Mo Da Yr
A. Citation 15. Area or E 16. Terminati Section III—Ter 17. Action to	on Due mination Act Terminate	A. Date	Mo Da Y 05/31/200	D. Writh	en Notice	Order Numbe				F. Dated	Mo Da Yr
A. Citation	on Due mination Act Terminate	A. Date	Mo Da Y 05/31/200	D. Writh	en Notice	Order Numbe				F. Dated	Mo Da Yr
A. Citation 15. Area or E 16. Terminati Section III—Ter 17. Action to	on Due mination Act Terminate  A. Date tomaled Syst	A. Date	Mo Da Y 05/31/200	D. Writh  B. Time  3. Time (24 Hr. (	en Notice	Order Numbe				F. Dated	Mo Da Yr

In accordance with the provisions of the Simel Business requisitory entorcement is at the second and second and a second a second

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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•	\$	70.147		/1/-

Section I-Subsequent Action/Continuation De	ta			
1. Subsequent Action 1a. Continuation	Dated     (Original Issue)	Mo Da Yr 05/31/2005	3. Citation/ Order Number	7097834 - 01
4. Served To		5. O _i	perator	
Bill Currence Mine Foreman		AN	<u>KER WEST VIRC</u>	SINIA MINING COMPANY INC
6. Mine	•	7. Mi	ne ID	(Contractor)
SAGO MINE		j	46-0879	'I
Section II—Justification for Action				

Terminated due to the air lock doors at #49 block being moved inby to #59 block and a permanent ventilation control (stopping) being built in the crosscut between #6 and #7 entry at #49 block.

Section III-Subsequent Action Taken			
A. Date Mo Da	Yr B. Time (24 Hr. Clock)	☐ C. Vacated ☑ D. Terminated ☐ E. Modifie	d
ection V-Inspection Data			
. Type of Inspection E01	10. Event Number 4054745		
1. Signature	AR Number 12. Date	Mo Da Yr 13. Time (24 Hr. Clock)	
		06/02/2005 0635	

	Mine	· Cit	ation	/Orde	ł
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Section I-Violation Data				<u> </u>		
1. Date Mo Da Yr 2. Time (24 Hr. Clock) 06/02/2005 0725				3. Citation/ Order Number	709783	36
4. Served To Bill Currence Mine Foreman		5. Operator ANKER V	VEST VIRGI	NIA MINING	COMPAN	Y INC
6. Mine		7. Mine ID				
SAGO MINE	[		46-08791			(Contractor)
8. Condition or Practice						Notice (103g)
The pre-shift examination fo	r the #	5 scoc	p chargi	ng statio	n and	scoop
supply haulroad is inadequate in	that th	ne foll	owing co	onditions	were o	bserved
by this inspector and should have	e been r	recogni	zed by a	any pruder	nt mine	examiner
given the responsibility of condu	icting a	a mine	examinat	ion to de	etect ha	azards at
their earliest possible stages.	(1) The	#3 scc	op batte	ery charg:	ing sta	tion was
found by this inspector in the #7	/ intake	e entry	7 at #58	block cro	osscut 1	between
the #6 entry (secondary escape wa	ay ) and	d #7 ir	itake ent	ry. (2)	[he #3	scoop
charger is energized and charging	g a set	of sco	op batte	eries Whic	ch is n	ot
ventilated directly to a return a	a course	e. (3)	This #3	scoop cha	arging	station
is ventilated with the main intak	ke air t	that ti	avels di	irectly to	the 0	01-0 &
002-0 mmu working super section a				s used for	r face	
ventilation purposes. (4) The #3	scoop h	battery	7			
	<del></del> _			See Continuati	on Form (MSH/	Form 7000-3a) 🗹
9. Violation A. Health B. Section Safety 🖟 of Act		rt/Section of e 30 CFR		75.360(a)	(1)	
Other	'**	e 00 01 10		15.500(2)	(1)	
Section (i-Inspector's Evaluation						
10. Gravity: A. Injury or Itiness (has) (is): No Likelihood Uniike	<b>.</b> • □	Reasonably	Likely 🗸	Highly Likely	Occum	red 🗌
B. Injury or illness could reasonably be expected to be:  No Lost Workdays	Lost Workda	rys Or Restric	ated Duty 🔽	Permanently Di	sabling []	Fatal 🗌
C. Significant and Substantial: Yes V No				D. Number of Pers	ons Affected:	001
11. Negligence (check one) A. None B. Low B.	C. Mod	derate []	D. High	E. Re	ckless Disrega	wd []
12. Type of Action 104(d) <del>(2)</del> (/) 13. 1	Type of Issuani	ce (check on	e) Cit	lation 🗌 Ore	der 🗹	Safeguard
14. Initial Action A. Citation ■ B. Order ☑ C. Safeguard ■ D. Written N	4 -	E. Citation/ Order Nurr	70	97827	F. Dated	Mo De Yr 05/20/2005
15. Area or Equipment The #3 scoop cl	haraina	gtati	on locate	ed in the	#7 Int	
entry at #58 block which is along					т, ттс	anc
16. Termination Due Mo Da Yr	<del>_</del>	······································			<u> </u>	
A. Date B. Time (24)	Hr. Clock)			<del></del>		
Section III—Termination Action					<del></del>	
17. Action to Terminate Terminated due						
calling out the condition that he	e detec	ted on	his on-	shift exa	minatio	n to
Bill Currence Mine Foreman and th	he cond	itions	were re	corded		
18. Terminated A. Date Mo Da Yr 06/02/2005 B. Time (24 Hr. Clock	k) 13	300				
Section IV—Automated System Data						
19. Type of Inspection (activity code) _ E01 20. Event Number 405	4745	21. Pr	mary or Mill			
22. Signatur	1			23. AR Num	ber 24	033
MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions	of the Small Ru	miness Recul	tory Enforcement 1	Foirness Art of 100s	the Small Barri	ness Administration
has established a National Small Business and Agriculture Regulatory Ombagency enforcement actions. The Ombudsman annually evaluates enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-30 Street, SW MC 2120, Washington, DC 20416. Please note, however, tincluding the right to contest citations and proposed penalties and obtain a li	udsman and 10 ment activities a 247), or write the that your right to	Regional Fain nd rates each e Ombudsman	ness Boards to rec agency's responsiv at Small Business it with the Ombude	eive comments from reness to small busin Administration, Offic	small business ess. If you wish se of the Nationa	s about federal to comment on the

### Mine Citation/Order

Continuation _

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



Section I-Subsequent Action/Continuation D	eta				
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 06/02/20		3. Citation/ Order Number	7097836
4. Served To			5. Operato		
Bill Currence Mine Foreman			ANKER	WEST VIKE	SINIA MINING COMPANY INC
6. Mine			7. Mine ID		(Contractor)
SAGO MINE		!	<u></u> _	46-0879	1
Section II- Justification for Action					

Continuation of 8. Contiliion or Practice

charging station is not provided with a operational fire suppression system. (5) No evidence could be found by this inspector to indicate that a pre-shift examination was conducted for the #3 scoop charging station. (6) This #3 scoop charging station is located along the #7 intake entry which is also the scoop supply haulroad and this haulroad is regularly traveled by the miners. A pre-shift examination report was called out by John Travise, received by at 6:00 A.M. on 06/02/2005 as no hazards observed. John Travise has engaged in aggravated conduct by his failure to record and take action on a known hazard. This violation is an unwarrantable failure to comply with a mandatory standard.

Note: order no. 7097835 has been issued in conjunction with order. Continuation of 17. Action to Terminate

in the pre-shift and on-shift examination record book.

Section III-Subsec		en .						See Continuation Form
3. Extended To	A. Date Mo	Da	Yr B. Tane (24	Hr. Ciock)		C. Vacated	D. Terminated	E. Modified
Section IV-Inspec						- <u></u>		<del></del>
9. Type of Inspect ■	ction E01	ĺ	10. Event Number	4054745				
11. Signature		6	17	AR Number	12. Date	Mo Da Yr	13. Time (24 Hr. Ck	rtl)

# Mine Citation/Order Continuation

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

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Section I-Subsequent Action	√Continuation Data					
1. Subsequent Action 1a	. Continuation	2. Dated (Original Issue)	Mo Da 06/02/20	Yr 05	3. Citation/ Order Number	7097836 - 01
4. Served To				5. Opera		
Bill Currence Mine	e Foreman			ANKE	<u>R WEST VIRG</u>	INIA MINING COMPANY INC
6. Mine				7. Mine	D 46 00 70	(Contractor)
SAGO MINE				ł	46-0879	l
Section II—Justification for Ad	ction					
Change	F	Om			To	,
12. Type of Action1	10	4(d)(2)			104(d)(1)	
Reason Issued under the wrong type of action in error.						

Issued under the wrong type of action in error.

ection III—Subse	quent Action Take	<b>S</b> 0			····				See Continuation Fo
. Extended To	A. Date Mo	Da	Yr	B. Time (24	Hr. Clock)		C. Vacated	D. Terminated	✓ E. Modified
Section IV—Inspec			10 Eu	ent Number					
	F01		110. 24		4054745				
1. Signature	-	6			AR Number	12. Date	Mo Da Yr	13. Time (24 Hr. Cid	xck)
				- 4	(	1	06/07/2005	0355	

# Mine Citation/Order Continuation

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

H	

Section I-Subsequent Action/Continuation	n Deta	
1. Subsequent Action 1a. Continuation		Mo Da Yr sue) 06/02/2005 3. Citation/ Order Number 7097836 - 02
4. Served To Bill Currence Mine Forema	n	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC
6. Mine SAGO MINE		7. Mine ID (Contractor) 46–08791
Section II—Justification for Action		
Change	From	То
14. Initial Action	Order	Citation
Reason Failed to modify li	ne #14 from box (B)	) Order to box (A) Citation when line #12 was modified.
14. E. Citation/Order Number	7097827	7097825
Reason Failed to modify li	ne #14, E from Orde	ler #7097827 to Citation #7097825 when line #12 was modified.

Missed modifying line no. 14, Initial Action from box (B) Order to box (A) Citation and line #14, E from Order #7097827 to Citation #7097825 when line no.12, Type of Action was modified.

Section III_Subse	equent Action Take	^						See Continuation Form
8. Extended To	<del></del>	Da	Yr	B. Time (24 Hr. Clock)		C. Vacated	D. Terminated	E. Modified
Section IV—Inspe 9. Type of Inspe			10. E	vent Number 4054745		· · · · · · · · · · · · · · · · · · ·		
11. Signature	- 6		•	4 AR Number	12. Date	Mo Da Yr 06/09/2005	13. Time (24 Hr. Ck	•
MSHA Form 700	0-3a, Mar 85 (revis	ed)	-		··· <b>-</b>			

MULIB

		<del></del>					2 8 JUN 200	<b>K</b>
Mine Citat	tion/Order		_	U.S. Depar Mine Safety		ibor Administrat	$\mathcal{C}_{\mathcal{X}\mathcal{I}}$	
Section I-Viol	ation Date							
1. Date	Mo Da Yr 06/14/2005	2. Time (24 Hr. Clo 060	_			3. Citation/ Order Numi	709792	4
4. Served To				5. Operator			10 001 ID 11B	/ DVC
Bill Curre	nce _ Mine Fore	man			EST VIRG	NIA MININ	IG COMPANY	INC
6. Mine				7. Mine ID	46-08793	ł		(Contractor)
SAGO M 8. Condition							8a, Written N	<del>`</del> _
mine i this m purpos and wi sand. the sa	s not main antrip wille's. One sall not fun This mine anding devi	tained in l not provem anding devocation and has severaces are no	ch is used to a safe operatide sand to ice storage three of the l grade's art maintained which can ca	ting con the whee containe sand st nd the tr d in a op	dition. ls and r r is pluorage co ack randeration	The san track fo ugged up ontainer ges from al condi	or traction with wet the dry to with wet to with wet to with the without the without the dry to without the dry the dry to without the dry the dr	ce's on n sand pty of et. When
9, Violation	A. Health Safety	B. Section of Act	(c	, Part/Section of Title 30 CFR	<u> </u>	See Contin	nuetion Form (MSHA	Form 7000-3e) 🔽
Section II. Inc	Other							
10. Gravity.	<del></del>			<del></del>				
•	or Illness (has) (is):	No Likelihood	Unlikely 🗌	Reasonably L	ikely 🔽	Highly Likely	Occurre	nd []
	or illness could rea- ty be expected to be:	No Lost Work	days Lost Wo	rkdays Or Restrict	ed Duty 📝	Permanenti	/ Disabling 🗌	Fatal .
C. Signif	ficant and Substantial	Yes 🗹	No 🗌			D. Number of F	Persons Affected:	006
11. Negliger	nce (check one)	A. None	B. Low C.	Moderate 🗸	D. High	E.	Reckless Disregar	d []
12. Type of	Action 104	(a)	13. Type of Iss	uance (check one)	) C	tation 🗹	Order 🔲	Safeguard 🔲
14. Initial Ac A. Citatio		C. Safeguard	D. Written Notice	E. Citation/ Order Numb	èr		F. Dated	Mo Da Yr
15. Area or								
16. Termina	A. Date	Mo Da Yr 06/14/2005	B. Time (24 Hr. Clock)	0730				
	ermination Action							
	o Terminate		ed due to the					
			tainer and a					
			. The sandi	ng device	MITT D	ow provi	ide sand t	:0
18. Termina	A. Date 06/	Da Yr 14/2005 B. Time	e (24 Hr. Clock)	0730				
	utomated System Data							
19. Type of (activity	code) E01	20. Event Number	4054745	21. Prin	ary or Mill			
22. Signatu	re <u>T</u>	6	$'$ $\overline{\mathbf{J}}$	· <del></del> _		23. AR N	lumber 6	7

MSHA Form 700-0, 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.

Wulz

Mine	Citation/Order	
Conti	nuation	



1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 06/14/2		3. Citation/ Order Number	7097924
4. Served To			5. Operat	or	
Bill Currence Mine Foreman			ANKE	R WEST VIRG	INIA MINING COMPANY INC
6. Mine	ŧ		7. Mine II		(Contractor)
SAGO MINE			1	46-0879	1

Continuation of 17. Action to Terminate

the wheel's and track for traction purpose's.

Section III—Subsequent Action Taken			See Continuation Form
8. Extended To A. Date Mo Da \	B. Time (24 Hr. Clock)	C. Vacated D.	Terminated
9. Type of Inspection E01	D. Event Number 4054745		
11. Signaturi	AR Number 12. Date	Mo Da Yr 13. Ta 06/14/2005	rne (24 Hr. Clock) 0605

Mine Citation/Order	Mine	Citation	v/Order
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JUH	

	_		mino data y	
Section I-V	iolation Data			
1, Date Mo Da Yr 2. Time (24 Hr. Clock) 06/14/2005 0645				3. Citation/ Order Number 7097842
4. Served To Bill Currence _ Mine Foreman			5. Operator ANKER WEST VIRO	GINIA MINING COMPANY INC
6. Mine SAGO MINE			7. Mine ID 46-0879	(Contractor)
	on or Practice			8a, Written Notice (103g)

The #2 locomotive which is used to transport supplies in and out of the mine is not maintained in a safe operating condition. The sanding device's on this locomotive will not provide sand to the wheels and track for traction purpose's. One of the sanding device's storage container's are plugged up with wet sand and will not function and one sanding device is not provided with a sand supply hose to direct the sand to the wheel and track. Both of these non-functional sanding device's are located on the off side of this #2 locomotive. This mine has several grade's and the track ranges from dry to wet. When the sanding devices are not maintained in a operational condition the locomotive can become out of control which can cause a accident.

				See Co	ntinuation Form (MSHA	Form 7000-3a) 💆
9. Violation A. Health Safety Other	B. Section of Act		C. Part/Section of Title 30 CFR	75,1	725(a)	
Section II-Inspector's Evaluet	юп					
10. Gravity:						
A. Injury or Illness (has)	) (is): No Likelihoo	d 🗍 Unlikely 🗍	Reasonably Likely 🗸	Highly Lillosh	y 🗌 Occum	<b>Id</b> 🗌
<ul> <li>B. Injury or illness could sonably be expected</li> </ul>	Man I and I	Workdays Lost W	orkdays Or Restricted Duty	✓ Permane	ntly Disabling 🗌	Fatal 🗌
C. Significant and Subs	stantial: Yes	✓ No 🗌		D. Number o	of Persons Affected:	002
11. Negligence (check one	A. None	B. Low 🗌 🤇	C. Moderate 🗹 D. H	ligh 🔲	E. Reckless Diaregar	d 🗌
12. Type of Action	104(a)	13. Type of Is	ssuance (check one)	Citation 🗹	Order 🔲	Safeguard [
14. Initial Action A. Citation B. Ord 15. Area or Equipment	er C. Safeguard	D. Written Notice	E. Citation/ Order Number	<u></u>	F. Dated	Mo Da Yr
A. Citation B. Ord	Mo Da Yr	B Time (24 ktr Clock	Order Number		F. Dated	Mo Da Yr
A. Citation B. Ord  15. Area or Equipment  16. Termination Due	A. Date Mo Da Yr	B Time (24 ktr Clock	Order Number		F. Dated	Mo Da Yr
A. Citation B. Ord  15. Area or Equipment  16. Termination Due  Section III—Termination Action  17. Action to Terminate  sanding device	A.Date Mo Da Yr 06/14/200 Termin ce's storag	B. Time (24 Hr. Clock ated due to the container's	Order Number	with dry	ed from one	e also one
A. Citation  B. Ord  15. Area or Equipment  16. Termination Due  Section III—Termination Action  17. Action to Terminate  sanding device of the sandin  18. Terminated  A. Date	Termin ce's storag device's MoDa Yr 06/14/2005	B. Time (24 Hr. Clock ated due to the container's	Order Number  0 0715  ne wet sand bei and refilling	with dry	ed from one	e also one
A. Citation  B. Ord  15. Area or Equipment  16. Termination Due  Section III—Termination Action  17. Action to Terminate  sanding device of the sandin  18. Terminated A. Date	Termin ce's storag device's MoDa Yr 06/14/2005	B. Time (24 Hr. Clock ated due to the container's was provided	Order Number  0 0715  ne wet sand bei and refilling with a hose to	with dry	ed from one	e also one
A. Citation B. Ord  15. Area or Equipment  16. Termination Due  Section III—Termination Action  17. Action to Terminate  sanding device of the sanding	Termin ce's storag device's MoDa Yr 06/14/2005	B. Time (24 Hr. Clock)  ated due to the container's was provided  Time (24 Hr. Clock)	Order Number  0 0715  ne wet sand bei and refilling with a hose to	with dry supply	ed from one	e also one

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 Ornbudsman and 10 Regional Fairness Boards to receive comments from small business about federal agency enforcement actions. The Ombudsman annually evaluates enforcement actions of MSHA, you may call 1-888-REG-FAR (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 20418. 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.

Welsh

Mine Citation/Order
Continuation

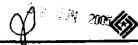
•	

1. Subsequent Action 1a, Continuation	2. Dated	Мо	Da	Yr :	3. Citation/	2002043
	(Original Issue)	06/1	4/2005		Order Number	7097842
4. Served To			5.	Operato	T	
Bill Currence Mine Foreman			A	NKER	WEST VIRG	<b>SINIA MINING COMPANY INC</b>
6. Mine			7.	Mine ID	46 0050	(Contractor)
SAGO MINE			1		46-0879	1

Continuation of 17. Action to Terminate

track and wheels. The sanding device will now provide sand to the wheel's and track.

Section III-Subsequent Action Taken	·			ee Continuation Form
8. Extended To A. Date Mo Da	Yr B. Time (24 Hr. Clock)	C. Vacated	D. Yerminated	E. Modified
Section IVInspection Data				
9. Type of Inspection E01	10. Event Number 4054745			
11. Signature	AR Number	12. Date Mo Da Yr (15/14/20/)5	13. Time (24 Hr. Clock) 0645	
MSHA Form 7000-3e, Mar 85 (revised)			. 00.5	



Mine Cital	tion/Order		U.S. Departme Mine Safety and	nt of Labor d Health Administration	(f) 200 (h)
Section I-Viol	etion Data				
1. Date	Mo Da Yr	2. Time (24 Hr. Clock)		3. Citation/	7097843
	06/14/2005	0600		Order Number	
4. Served To			5. Operator	T VIRGINIA MINING (	COMBANIV INIC
Bill Currence Mine Foreman				· · · · · · · · · · · · · · · · · · ·	COMPANTING
6. Mine			7. Mine ID 46-	-08791	(Contractor)
8. Condition			<u>l</u>		8a, Written Notice (103g)
mine i this m purpos and wi dry to	s not main antrip wil e's. The s ll not fun wet. When ion the ma	antrip which is used tained in a safe ope 1 not provide sand t anding device storag ction. This mine has the sanding devices ntrip can become out	rating condit o the wheels e container's several grad are not mair	tion. The sanding and track for a sare plugged up the track to the track tracks and the tracks are a open to the tracks a	ng device's on traction p with wet sand ack ranges from erational
9. Violation	A. Health Safety 7	B. Section of Act	C. Part/Section of Title 30 CFR	See Continuation 75.1725(a)	n Form (MSHA Form 7000-3a)
Section II-Ins	pector's Evaluation				
10. Gravity:					
	or Illness (has) (is):	No Likelihood Unlikely	Reasonably Likely	Highly Likely	Occurred
	or illness could rea- y be expected to be:	No Lost Workdays 🗌 Lost \	Workdays Or Restricted Di	uty 🗹 Permanently Disa	abling 🔲 💮 Fatal 🔲
	icant and Substantial:	Yes 🗹 No 🗌		D. Number of Person	ns Affected: 006
11. Negligen	ice (check one)	A. None B. Low	C. Moderate	D. High 🗌 E. Reck	dess Disregard 🗌
12. Type of /	Action 104(	a) 13. Type of	Issuance (check one)	Citation 🗹 Orde	r Safeguard 🗌
14. Initial Act A. Citation		C. Safeguard D. Written Notice	E. Citation/ Order Number	]	F. Dated Mo Da Yr
15. Area or E		Mo Da Yr 06/14/2005 B. Time (24 Hr. Clos	*) 0615		
Section IIITe	ermination Action				

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 Ombudamen and IR Regional Fairness Boards to receive comments from arneal businesses about federal agency enforcement activities and rates each agency's responsiveness to small businesses. 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.

sanding device's storage container's and reflling with dry sand. The sanding

0615

device will now provide sand to the wheel's and track.

B. Time (24 Hr. Clock)

4054745

Mo Da Yr

06/14/2005

E01

20. Event Number

Terminated due to the wet sand being cleaned from the

21. Primary or Mill

23. AR Number

17. Action to Terminate

A. Date

Section IV-Automated System Data 19. Type of Inspection

18. Terminated

(activity code) 22. Signature

Mine Cita	tion/Order			U.S. Departi			is _{JUL}	2005
				Mine Safety	and Healtr	Administration	1	
Section I-Viol		1				3. Citation/		
1. Date	Mo Da Yr	2. Time (24 Hr. Cl 083		į		Order Number	714826	8
4. Served To	06/28/2005	1 00.	,,	5. Operator	<del></del>	<u> </u>		
Johnny St			•		EST VIRG	INIA MINING	COMPANY	INC
6. Mine	empie	. <del></del>		7. Mine ID	46 00701		<del></del>	
SAGO M	INE			· · · · · · · · · · · · · · · · · · ·	46-08791	<b>!</b>		(Contractor)
8. Condition				lene and ox			8a. Written N	
supply	<b>,</b>							
9. Violation	A Health  Safety  Other	B. Section of Act		C, Part/Section of Title 30 CFR		See Continuati 77.208(d	ion Form (MSHA I	Form 7000-3e)
Section II-Ins	pector's Evaluation							
10. Gravity:		_	_				_	. —
	or lliness (has) (is):	No Likelihood 🗍	Unlikely [	Reasonably Lik	aly (x)	Highly Likely 🔲	Occurre	d [_]
	or itiness could rea- ly be expected to be:	No Lost Work	days 🗌 Lost	Workdays Or Restricted	d Duty 🐼	Permanently Di	gnildssi	Fatal 🔲
	icant and Substantial	Yes 🔽	No 🗌			D. Number of Pers	ons Affected:	001
11. Negligen	nce (check one)	A. None	B. Low	C. Moderate 🔽	D. High {	E. Rec	ckless Disregard	1 🗆
12. Type of	Action 104	(a)	13. Type of	Issuance (check one)	Ci	itation 🗹 Or	der 🗍	Safeguard [
14. Initial Ac A. Citatio	<u></u>	C. Safeguard [	D. Written Notice [	E. Citation/ Order Number	r		F. Deted	Mo Da Yr
15. Area or I		Mo Da Yr 06/28/2005	B. Time (24 Hr. Clo	ck) 0840				
Section IIITs	ermination Action	3012012003		· · · · · · · · · · · · · · · · · · ·				<del></del>
17. Action to		gas cylin	ders were	removed fro	m the	area and	secured	in a
	anner.	ges Cyrrii	COLD WOLC	TCHIOTCU IIO	-211 C11C (	arca and .	SCOULCU	III G

MSHA Form 7000-3, iklar 85/(fevised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1995, 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.

0840

21. Primary or Mill

23. AR Number

Mo Da Yr

06/28/2005

E01

20. Event Number

B. Time (24 Hr. Clock)

4054745

18. Terminated

(activity code)

22. Signature

A. Date

Section IV—Automated System Data
19. Type of Inspection

### Mine Citation/Order

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

2	6	JUL	2005
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. Date											
	Mo Da Yi 07/12/200		2. Time (24	Hr. Clock) 0830	· <del></del>		_	3, Citation/ Order N		942	
. Served To	U11144U	<u>~~</u>	<u> </u>			5. Operator	<del></del>				
Carl Crum	rine - Mine	Foren	nan			ANKER WE	ST VIRG	INIA MIN	ING COMPA	ANY	
. Mine						7. Mine ID 4	6-0879	1		(Ce	entractor)
AGO MII						<u> </u>			Se Writt	en Notice (1	
. Condition or	r Practice	. 1 2.		£ 5-1-1-	- moabi	no Modol I	DDO-15	cori		on none (	<u> </u>
MMU word pressure pressure broken the open management of operate obvious operate 9. Volation	2004320 cking s re hydr re hydr steel erators ment re these or with	, Ap ecti auli auli wire hea move weak hot shoul	proval on is c hose c hose 's bra d and ed the cened h t hydra ld have	no. 2G- not main to the to the tids. The face du machine nydrauli aulic oi	-3715A bentained right she left ese hose ring nor from sec hose's lunder etected	ne Model leing operain a safe ide bolte side bolt 's are lo mal roof rvice imm is reaso high pres by a prud	ated of operary head er head cated boltinediate nably sure (	n the ting c rotat d rota within g actily. The likely 2500 peroper	2-Left may ondition and have a few in vities. It is failure to spray si). Concerning	A hire nume nches Mine e of a dition check.	gn igh rous of ny is Both
10. Gravity:					····						
	or Iliness (has		No Likeliho	od 🗌 U	Inlikely []	Reasonably Lik	ety 🔽	Highly Like	aly 🗌 🖎	curred 🗌	
	or illness could y be expected		No Lost	Workdays [	Lost Wor	idays Or Restricted	Duty 🔽	Perman	ently Disabling	Fata	<b> </b>
-2011		10 00.			<del></del>	<del></del>		D. Number	of Persons Affect	hed: or	)2
C. Signific	cant and Sub	stantial:	Yes	✓ No	j			D. NURIDE	0, , 0,00,12,11100		-
	cant and Subi		Yes			Moderate 🗹	D. High	<u> </u>	E. Reckless Dis		
11. Negligen	ce (check one		A. None		C.	Moderate 🗹		<u> </u>		regard 🗌	feguard
11. Negligen	ce (check one Action	104(2	A. None	B. Low	C.				E. Reckless Dis	regard 🗌	
11. Negligeno 12. Type of A 14. Initial Act A. Citation	Action tion B. Orc	104(2	A. None	B. Low	C.1	uance (check one)  E. Citation/			E. Reckless Dis	regard 🗌	feguard
11. Negligeni 12. Type of A 14. Initial Act A. Citation 15. Area or E	ce (check one Action tion B. Ore Equipment tion Due	104(a	A. None Ca  a)  C. Safegua  Mo Da  07/12/20	B. Low	C.13. Type of Issue ten Notice	E. Citation/ Order Numbe		☐ Citation ☑	E. Reckless Dia Order  F. Datex	segard Sa	feguard Da Yr
11. Negligeni 12. Type of A 14. Initial Act A. Citation 15. Area or E 16. Terminat Section III—Te 17. Action to	Action  Ition B. Ord Equipment  Ition Due	104(aler	A. None [a)  C. Safegua  Mo Da  07/12/20	Pr B. Time	13. Type of Issi ten Notice   e (24 Hr. Clock)	E. Citation/ Order Numbe	c hose	☐ Citation ☑	E. Reckless Dia Order  F. Datex	segard Sa	feguard Da Yr
11. Negligeni 12. Type of A 14. Initial Act A. Citation 15. Area or E 16. Terminat Section III—Te 17. Action to	Action  Ition B. Ord Equipment  Ition Due	104(aler	A. None [a)  C. Safegua  Mo Da  07/12/20	Pr B. Time	13. Type of Issi ten Notice   e (24 Hr. Clock)	E. Citation/ Order Numbe	c hose	☐ Citation ☑	E. Reckless Dia Order  F. Datex	segard Sa	feguard Da Yr
11. Negligeni 12. Type of A 14. Initial Act A. Citation 15. Area or E 16. Terminat Section III—Te 17. Action to	Action  tion  Equipment  tion Due  similation Action  Terminate  politing	A. Date mac	A. None [a)  C. Safegua  Mo Da  07/12/20	Pr B. Time	c.  13. Type of Issa  ten Notice   e (24 Hr. Clock)  e to the aced with	E. Citation/ Order Numbe	c hose	☐ Citation ☑	E. Reckless Dia Order  F. Datex	segard Sa	feguard Da Yr
11. Negligen  12. Type of A  14. Initial Act A. Citation  15. Area or E  16. Terminat  Section III—Te  17. Action to  18. Terminat	Action  Ition  B. Ord  Equipment  Ition Due  Similation Action  Terminate  Colting	A. Date mac:	A. None [a)  C. Safegua  Mo Da 07/12/20  Termin hine a	Yr B. Time	c.  13. Type of Issa  ten Notice   e (24 Hr. Clock)  e to the aced with	E. Citation/ Order Numbe	c hose	☐ Citation ☑	E. Reckless Dia Order  F. Datex	segard Sa	feguard Da Yr
11. Negligen  12. Type of A  14. Initial Act A. Citation  15. Area or E  16. Terminat  Section III—Te  17. Action to  roof b  18. Terminat	Action  tion  Equipment  tion Due  Terminate  Outing  ted  A. Date  utomated Syste  Inspection	A. Date mac:	A. None [a)  C. Safegua  Mo Da 07/12/20  Termin hine a	Yr B. Time  ated due nd repla  B. Time (24 Hr.	c.  13. Type of Issa  ten Notice   e (24 Hr. Clock)  e to the aced with	0930  E. Citation/ Order Number  0930  hydraulical new hose	c hose	☐ Citation ☑	E. Reckless Dia Order  F. Datex	segard Sa	feguard Da Yr
11. Negligen  12. Type of A  14. Initial Act A. Citation  15. Area or E  16. Terminat  Section III—Te  17. Action to 18. Terminat  Section IV—A  19. Type of I	Action  Ition B. Ord Equipment  Ition Due  Similarition Action Terminate Dolting  Ited A. Date Utomated Syste	A. Date macl	A. None [a)  C. Safegua  Mo Da  07/12/20  Termin hine a  Da Yr 12/2005	Yr B. Time  ated due nd repla  B. Time (24 Hr.	c.  13. Type of Issa  tien Notice   e (24 Hr. Clock)  e to the aced with	0930  E. Citation/ Order Number  0930  hydraulical new hose	c hose	Station 🗹	E. Reckless Dia Order  F. Datex	segard Sa	feguard Da Yr

has established a National Small Business and Agriculture Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Combudaman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudaman 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 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 penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.



Mine	Citatio	n/Order
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2 6	JUL	7005
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6	JUL	2005/17
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Section I-V	iclation Data			
1. Date	Mo Da Yr 07/12/2005	2. Time (24 Hr. Clock) 0950	3. Citation/ Order Number 7097943	
4. Served			5. Operator ANKER WEST VIRGINIA MINING COMPANY	
	THE - MILLE FOR	TELLIAN		
6. Mine SAGO N	MINE		40-08/91 (Cont	nactor)
	on or Practice		8a. Written Notice (103	g)

The fire suppression system of the Joy 14CM15 Remote control continuous mining machine serial no.JM5574, Company #2 being operated on the 2-Left 003 MMU working section is not properly maintained. When the system was activated water would only spray from 1 of the 10 surface sprays provided. This machine uses combustible hydraulic oil. This is a remote controlled mining machine that is operated in extended cuts. The approved ventilation requires that this system be tested daily.

								See Co	ntinuation Form (MS)	iA Form 7000-3a)
9. Violetion	A. Health Safety Other		B. Section of Act		C	. Part/Section of Title 30 CFR		75,11	07-16(b)	
Section II—Inspe	octor's Evalu	ation								
10. Gravity:							_			. #
	illness (ha		No Likeliho	od 🗌	Unlikely 🗹	Reasonably	Likely 🗌	Highly Like	y [ ] Occu	rred [_]
	iliness cou be expected		No Lost	Workdays [	Lost Wo	rkdays Or Restric	cted Duty 🔽	Permane	ontly Disabiling 🗌	Fatal 🗌
C. Signific	ant and Suit	etantia):	Yes	☐ No	<b>V</b>			D. Number	of Persons Affected	001
11. Negligeno	e (check on	e)	A. None	) B. L	ow 🗌 C.	Moderate 🗹	D. High		E. Reckless Disre	gard 🗌
12. Type of A	ction	104(	a)		13. Type of iss	wance (check on	e)	Citation 🗸	Order 🗌	Safeguard
14. Initial Acti A. Citation		der 🗌	C. Safegua	rd 🗍 D.W	/ritten Notice	E. Citation/ Order Num	aber		F. Dated	Mo Da Yr
16. Terminatio	on Due	A. Date	Mo Da `07/12/2(		me (24 Hr. Clock)	1150				
Section III-Ten	mination Acti	on						<del></del>	<del></del>	<del>-</del>
17. Action to	Terminate									
18. Terminate	A. Date	Мо	Da Yr	B. Time (24 h	ir. Clock)					
Section IV-Aut	omated Syst	em Date	<del></del>							
19. Type of in (activity or		EUI	20. Event	Number	4054749	21. Pr	imary or Mili		·····	<del></del>
22. Signature			6				·	23. A	R Number	67

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1995, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudaman and 10 Regional Fairness Boards to receive comments from small business about federal agency enforcement actions. The Ombudaman annually evaluates enforcement activities and rates each agency's responsivenees 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 Ombudaman, 409 3rd Street, SW MC 2120, Washington, DC 20418. 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 penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Mine	Citation/Order
Conti	nuation

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Continuation		Willie Galety at	Id i Idalii Adilliinsi elivii	<u> </u>
Section I-Subsequent Action/C	ontinuation Data			
1. Subsequent Action 1a. C	ontinuation 2. Dated (Original is	Mo Da Yr 3. Citatio sue) 07/12/2005 Order	on/ r Number 7097943 - 01	
4. Served To		5. Operator		
Carl Crumrine - Mine	Foreman	ANKER WES	T VIRGINIA MINING COMPAN	Y
6. Mine		7. Mine ID	(Conf	tractor)
SAGO MINE		\ 46	5-08791	
Section II-Justification for Action	on .			

Terminated due to the fire suppression system being cleaned on the #2 mining machine and the system will now provide proper protection:

Section III-Subsec	quent Action Take	n				<del></del>			See Continuation Form
8. Extended To	A. Date Mo	Da	Yr	B. Time (24 H	r. Clock)		C. Vacated	D. Terminated	E. Modified
Section IV-Inspect 9. Type of Inspec			10. E	vent Number	4054749				
11. Sign	_	,			P Nrimber	12. Date	Mo Da Yr 07/13/2005	13. Time (24 Hr. Ck	ock)

ė	Jine.	A4.	-4:		400
R	Jino.	r:n:	ATION	וג או	ner

15. Area or Equipment

16. Termination Due

Section III-Termination Action 17. Action to Terminate

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

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Section (Vic	eletion Data				
. Date	Mo Da Yr	2. Time (24 Hr. Clock)		3. Citation/ 709794	44
	07/12/2005	0940		Order Number	
Served T	Ö		5. Operator	CDIIA MADDIC COMBAN	nv
Carl Cru	mrine - Mine Fore	man		GINIA MINING COMPAN	1
. Mine			7. Mine ID 46-087	<b>'</b> 91	(Contractor)
AGO M				Sa Written	Notice (103g)
Condition	n or Practice	uppression system of	+1 - T 14CM1 E		
nses o	combustible	spray from 3 of the hydraulic oil. This in extended cuts. The daily.	is a remote con	ntrolled mining ma	cnine
9. Violation	A Health 🗍	B. Section	C. Part/Section of	See Continuation Form (MSH	A Form 7000-3a)
9. Violetion	Safety 🗸	of Act	Title 30 CFR	75.1107-16(b)	
Section IIIr	nepector's Eveluation				
10. Gravity A. Injury	r. y or Illness (has) (ls):	No Likelihood ☐ Unlikely 🗹	Reasonably Likely	Highly Likely 🗌 Occus	
	y or illness could rea-				rred 🗌
	bly be expected to be:	No Lost Workdays Lost	Workdays Or Restricted Duty 😧	Permanently Disabling	rred 🗌
C. Sign			Workdays Or Restricted Duty	Permanently Disabling   D. Number of Persons Affected:	Fatal 🗌
	bly be expected to be:		Workdays Or Restricted Duty   C. Moderate   D. Hi	D. Number of Persons Affected:	Fatal  001
	bly be expected to be: inficent and Substantial: ence (check one)	Yes ☐ No ☑  A. None ☐ B. Low ☐		D. Number of Persons Affected:	Fatal  001

18. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock)

Section IV-Automated System Data

19. Type of Inspection (activity code)

20. Event Number 4054749

21. Primary or Mill 23. AR Number

B. Time (24 Hr. Clock)

Order Number

1140

A. Citation B. Order C. Safeguard D. Written Notice

A. Date

Mo Da Yr

07/12/2005

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 Ombudaman and 10 Regional Fairness Boards to receive comments from small business about federal egency enforcement actions. The Ombudaman 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 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 penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

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### U.S. Department of Labor

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Mine Safety and Health Administration

Continuation Mine Salety and Health Administration					n Auministration		
Section ISubsequent Ad	tion/Continuation Data						
1. Subsequent Action	1a. Continuation	2. Dated (Original Issue)	Mo Da 07/12/20	**	Citation/ Order Number	7097944 - 01	
4. Served To		<u> </u>		5. Operato	уг		
Carl Crumrine - N	Mine Foreman			ANKE	WEST VIRG	INIA MINING COMP	ANY
6. Mine				7. Mine IC	45.0000	4	(Contractor)
SAGO MINE				<u>.</u>	46-0879	1	
Section II—Justification for	or Action		_				

Terminated due to the fire suppression system being cleaned on the #1 continuous mining machine and the system will now provide proper protection.

Section III-Subse	Quent Action To	long						See Continuation Form
8. Extended To			Yr B. Time (24	Hr. Clock)		C. Vacated	✓ D. Terminated	☐ E. Modified
Section IVInspec						<u></u>		
9. Type of Inspe	ction E01	_	10. Event Number	4054749			<del></del>	
11. Signature/	_	6	7	AR Number	12. Date	Mo Da Yr 07/13/2005	13. Time (24 Hr. Ck	ock)
MSHA Form 7000	- -30 Mor 85 (m)	i	,			01/15/2005	1 0/20	<del></del>



Mino	Citation	
MISSE	CHAIRII	// CHUEL

2	6	JUL	200
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Section I-Vi	olation Data	·				
1. Pate	Mo Da Yr 07/12/2005	2. Time (24 Hr. Clock) 0945		3. Citation/ Order Number 7097	945	
4. Served To Carl Crumrine - Mine Foreman			5. Operator ANKER WEST VIR	GINIA MINING COMPA	G COMPANY	
6, Mine SAGO N	MINE		7. Mine ID 46-087	91	(Contractor)	
	n or Practice			8a, Writte	en Notice (103g)	

The Joy 14CM15 continuous mining machine serial no. JM5530, Company #1 being operated on the 003 MMU working section is not maintained in a permissible condition. The following conditions were found (1) The right rear area light has an opening in excess of ,005 of an inch under the access lid. (2) The emergency stop button located on the operator's side of the mining machine will not de-energize the power source when the stop button is activated.

				See Continuation Form	(MSHA Form 7000-3e)
9. Violation A. Health Safety V Other	B. Section of Act	(C.	Part/Section of Title 30 CFR	75.503	
Section II—Inspector's Evaluation					
10. Gravity:  A. Injury or Illness (has) (is)	: No Likelihood [7]	Unlikely 🗸	Reasonably Likely	Highly Likely	Occurred [
B. Injury or illness could rea sonably be expected to b		days Lost Wo	kdays Or Restricted Duty	Permanently Disabling	Fetal
C. Significant and Substant	ial: Yes 🗌	No 🗹		D. Number of Persons Affe	icted: 001
11. Negligence (check one)	A. None	B. Low 🗌 C.	Moderate 🗹 D. H	ligh 🗌 E. Reckless D	Disregard
12. Type of Action 10	4(a)	13. Type of iss	uance (check one)	Citation 🗹 Order 🗌	Safeguard [
14. Initial Action A. Citation B. Order	C. Safeguard	D. Written Notice	E. Citation/ Order Number	F. Dat	ed MoDaYr
16. Termination Due A. D.	Mo Da Yr ate 07/12/2005	B. Time (24 Hr. Clock)	1145		
Section IIITermination Action					
17. Action to Terminate  18. Terminated A. Date	Mo De Yr B. Tim	e (24 Hr. Clock)			
Section IV-Automated System Da	te		<del></del>	<del></del>	<u> </u>
19. Type of Inspection (activity code) E	20. Event Numbe	4054749	21. Primary or M	ÚH.	
22. Signature	6			23. AR Number	F67
MSHA Form 7000-3, Mar 85 (revisional Small)	Business and Agriculture	Keguatory Ombudamen and	If Business Regulatory Enforce 1 10 Regional Falmess Board	ement Fairness Act of 1996, the Sma s to receive comments from small bu	Il Business Administration sinesses about federal

has established a visitional small sustness and Agriculture Regulatory Ombudaman and 10 Regional hashes boards to receive comments from 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 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 penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Mine Citation/Orde	er 	U.S. Department of Labor  9 6 JUL 2015  Mine Safety and Health Administration			20			
Section i-Subsequent Act	ion/Continuation Data							
1. Subsequent Action	a. Continuation	2. Dated (Original Issue)	Mo Da 07/12/20	- ' '	3. Citation/ Order Number	7097945 - 01		
4. Served To Carl Crumrine - M	line Foreman			5. Operato ANKER		GINIA MINING CO	MPANY	
6. Mine SAGO MINE				7. Mine ID	46-0879	01	(Contractor)	

Terminated due to the opening in the area light being closed and the emergency stop button being repaired, the emergency stop will now properly stop the machine.

Section II-Justification for Action

8. Extended To A. Date Mo Da Yr B. Time (24 Hr. Clock)   Section IVInspection Data 9. Type of Inspection E01	Section III—Subsequent Action Taken		See Continuation Form
9. Type of Inspection E01 10. Event Number 4054749	8. Extended To Mo De	Yr B. Time (24 Hr. Clock)	☐ C. Vacated ☑ D. Terminated ☐ E. Modified
11 Street in 5	Section IVInspection Data		
11. Signature 1 12 Date No. Do. Vr. 113 Time (24 b) Clarks	9. Type of Inspection E01	10. Event Number 4054749	
	· · · / / _ / _	AR Number 12. Date	Mo Da Yr 13. Time (24 Hr. Clock) 07/13/2005 0725



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

2	6	JUL	2005
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Section IVi	iolation Data								
1. Date	Mo Da Yr 07/12/2005	2. Time (24 Hr. Clock) 0835	3. Citation/ Order Number 709794	16					
4. Served 7 Carl Cru		reman	5. Operator ANKER WEST VIRGINIA MINING COMPANY						
6. Mine SAGO N			7. Mine ID 46-08791	(Contractor)					
	n or Dractice		8a. Written	Notice (103g)					

The #6 power cable that provides 575 VAC to the #3 scoop battery charger is not hung to prevent the power cable from coming into contact with combustible material's. The power cable is laying on the mine floor for approximately 70 feet in length just outby SS3951 located in the #1 return entry.

									See C	ontinuation Form (MS)	IA Form 7000-3e) 🗌
9. Violetion	A. Health Safet Othe	y 🔯 📗	B. Section of Act			,	art/Section of tie 30 CFR		7	5.516	
Section II-Insp	ector's Evalu	etion									
10. Gravity:						_					. —
<u> </u>	r iliness (ha		No Likelih	ood 📙	Unlikely •		Ressonably	Likely	Highly Llk	ely Ucci	rred _
	r liiness co be expects		No Los	t Workd	kirys 🗌 Lo	et World	lays Or Restri	cted Duty 😧	Permar	nently Disabling 🗌	Fatal 🗌
C. Signific	ant and Su	batantiai:	Yes	• <b></b>	No 🗹				D. Number	of Persons Affected	^E 001
11. Negligeno	ce (check o	ne)	A. None	]	B. Low 🗌	C. M	oderate 🗹	D. Hig	ah 🗌	E. Reckless Disre	pard 🗌
12. Type of A	ction	104(	(a)		13. Type	of Issua	nce (check on	e)	Citation 🗹	Order 🗌	Safeguard
14. Initial Act A. Citation		rder 📋	C. Safegu	ard 🗌	D. Written Notice		E. Citation/ Order Nun	nber		F. Dated	Mo Da Yr
16. Terminati	on Due	A. Date	Mo Da 07/12/2		B. Time (24 Hr. (	Clock)	0838	<u> </u>			
Section III-Te	mination Ac	tion	01/12/2	003	<u> </u>						
17. Action to			Termin	ated	due to	the :	#3 scoo	n char	der now	er cable b	eina huna
to whe	re the	e cab	le doe	s no	t contact	t coi	mbustib	le mat	erials,	roof, or	ribs.
18. Terminat	A. Date	07/	Da Yr 12/2005	B. Time	(24 Hr. Clock)	(	0840			· · · · · · · · · · · · · · · · · · ·	
Section IVAu	tomated Sys	tem Data			•						
19. Type of I		E01	20. Event	Number	40547	49	21. Pr	imary or Mill			
22. Signature			6		7	*			23.7	AR Number	67

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 Smell Business and Agriculture Regulatory Ombudaman and 10 Regional Fairness Boards to receive comments from small business about federal agency enforcement actions. The Ombudaman 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 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 obtations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

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

2 6 JUL 706	1	1
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Section I-V	olation Data								
1. Date	Mo Da Yr 07/12/2005	2. Time (24 Hr. Clock) 0837	3. Citation/ Order Number 7097947						
4. Served 1			5. Operator ANKER WEST VIRGINIA MINING COMPANY						
6. Mine SAGO N	<u></u>		7. Mine ID 46-0879	(Optidation)					
	o or Practice	<u> </u>		8a. Written Notice (103g)					

No evidence could be found to indicate that a pre-shift examination was conducted for the day shift on 07/12/2005 for the haulroad leading to the scoop battery chargers and also including the #4 and #3 scoop battery charger station. Miners normally travel or work in these area's.

									See Co	ntinuetion	Form (MSH/	N Form 7000-3a)
9. Violation	A. Health Safety Other	<b>'</b>	B. Section of Act				Section of 30 CFR	-	75.30	60( <b>a</b> )(1	)	
Section II-Insp	ector's Evalu	ation	.,						<del></del>			<del> </del>
10. Gravity: A. Injury o	r iliness (ha	s) (is):	No Likeliho	xd 🗌	Unlikely 🗹	F	teasonably l	ikely 🗌	Highly Like	y 🗆	Occur	red 🔲
	r illness cou be expecte		No Lost	Workdays [	Lost	Workday	s Or Restric	ted Duty 🗹	Permane	ently Disa	abling 🗌	Fatal 🗌
C. Signific	ant and Sul	ostantial:	Yes	☐ No 6	Z				D. Number	of Person	ns Affected:	001
11. Negligeno	ce (check or	ne)	A. None	B. Lo	w 🗆	C. Mode	erate 🗹	D. High		E. Reck	less Disrega	ard 🗌
12. Type of A	ction	104(	a)		13. Type o	f Issuance	check one	)	Citation 🗹	Orde	эr 🗀	Safeguard 🗌
14. Initial Act		rder 📋	C. Safegua	d 🔲 D. Wr	itten Notice	<b>.</b>	Citation/ Order Num	ber			F. Dated	Mo Da Yr
15. Area or E		<b>-</b>	Mo Da N	<del> </del>								
10. Гегтинац	ION DUE	A. Date	07/12/20	' lo Tin	ne (24 Hr. Ck	ock)	0848					
Section III-Te	rmination Act	ion		· · · · · ·			•	-				
17. Action to examin		in t		nated d ed area		the s	ection	n forem	an cond	lucte	d an c	n-shift
18. Terminat	A. Date	07/	Da Yr 12/2005	B. Time (24 H	r. Clock)	084	18					
Section IVAu	tomated Syst	om Data										
19. Type of to (activity of		E01	20. Event	Vumber	405474	19	21. Pri	mary or Mill				
22. Signature	• 1		6	•	7				23. A	R Numb	er 5	6-1

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1995, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudaman and 10 Regional Fairness Boards to receive comments from small business about federal agency enforcement actions. The Ombudaman 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-FEG-FAIR (1-888-734-74), 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 penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

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				Mine Safe	ty and Heal	th Administ	ration				
Section   Violati	on Data										
1. Date	Mo Da Yr 07/13/2005	2. Time (24 Hr. Cld 073				3. Citation/ Order Nt.	mber 709794	49			
4. Served To	ine - Mine For	eman		5. Operator ANKER	5. Operator ANKER WEST VIRGINIA MINING COMPANY						
6. Mine	ALL VI			7, Mine ID	46-0879	)1					
SAGO MIN	√E				40-0073	71 		(Contractor)			
8, Condition or								Natice (103g)			
clearly provide pump is	v marked f s 575 VAC plugged	nco water or identif for this into is mar pump fro	ication to pump. The rked #2 sh	correspo circuit b uttle car	nd with reaker t	the cir that the	rcuit brea e #10 Stan	ker that co water			
							nünsetica Form (MSH	A Paren Nobel 200			
7.14	1		<u> </u>			589 C0	KINDBOCKI FORM VINST	A PORTIT 7000-38)			
9. Violation	A. Health Safety V	B. Section of Act		C. Part/Section of Title 30 CFR		75	5,512				
Section II Insp	ector's Evaluation										
10. Gravity: A. injury o	r Iliness (has) (is):	No Likelihood	Unlikely 🗹	Reasonabl	/Likely 🔲	Highly Likel	у 🗌 Оссы	rred [			
	r illness could rea- be expected to be:	No Lock Work	days 🗌 Lost	: Workdeya Or Rest	icted Duty 🗹	Permana	ently Disabiling 🔲	Fatai 🗌			
C, Signific	ant and Substantial	Yes 🗌	No 🗹			D. Number	of Persons Affected:	. 001			
11. Negligeno	ce (check one)	A. None	B. Low	C. Moderate	D. High		E. Rackless Disreg	ard []			
12, Type of A	ction 104	(a)	13. Type o	of Issuance (check o	1e)	Citation 🗹	Order 🔲	Safeguard 🗌			
14. Initial Acti A. Citation		C. Safeguard	D. Written Notice	E. Citation/ Order Nu	mber		F. Dated	Mo Da Yr			
15. Area or E	duipment	· · · · · · · · · · · · · · · · · · ·		<del></del>							
	4-4-			•							
			**								
16. Terminati	on Due A. Date	Mo Da Yr	B. Time (24 Hr. Ci	lock) 074	7	<del></del>		7			
Section III. Tax	rmination Action	07/13/2005									
17. Action to		m					<del></del>				
		Termina	ited due t	o the #10	Stanco	water p	ump locate	ed at on			
COESSE.	merr, vos	MMU section	on being c	rearly man	ked for	identi	fication t	to			
COTTES	pond with	the circu	it breaker	that prov	'ides 57	5 VAC f	or this p	. qmu			
18. Terminate	A. Date 07/	13/2003	e (24 Hr. Clock)	0747							
	tomated System Date										
19. Type of it (activity o	$code$ ) $\sim$ E01	20. Event Number	405474	19 21, 1	timary or Mill						
22. Signature				<del></del>		Ton a		<del></del>			

MSHA Form 7000-3, Mar 85 (travised) In accordance with the provisions of the Small Business Regulatory Enforcement Paintings Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudemen and 10 Regional Paintees Boards to receive comments from small business administration agency enforcement actions. The Ombudement attitudity 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-PAIR (1-888-734-3247), or write the Ombudement at Small Business Administration, Office of the National Ombudement, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to fite a comment with the Ombudement 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 Citatio				U.S. Department of Labor Mine Safety and Health Administration						
Section, I-Violati	on Data					I				
1. Delle	Mo Da Yr 07/13/2005	2 Time (24 Hr. Clo 085				3. Citation/ Order Nun	_{ther} 7097950	)		
4. Served To	07/13/2003	1		5. Operator						
	ine -, Mine Fore	em ara		ANKER W	ST VIRC	HNIA MINI	NG COMPANY			
	Mic -, Millie Pole	- Illati	<del></del>							
6. Mine	.ne		,	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	46-0879	1		(Contractor)		
SAGO MI							8a, Written No	tice (103g)		
B. Condition of	Practices	1 F 7 00-	tinuous min	ing machir	A SOT	al no d	M-5574 is	not		
The	! #Z, ±4UM	TO JOA COU	CTITIONS WYN	dition	The	2202	ght on the	off		
maintai	ned in a	permissibi	e operating	COHOLUION	1 9	GIEG AL	gate on the	144		
side of	the mini	ng machine	has an ope	ning under	. rue i	.ignt ac	cess cover	1.10		
that is	in exces	s of .005	of an inch.	The mine	operat	or rmme	diately ti	gntened		
the lic	} .									
C110 110	• •									
		€								
							•			
			**							
						See Conf	inuation Form (MSHA)	form 7000-3e)		
0 14 1-4	J	I D AL III		C D-4/6+45						
9. Violetian	A. Health	B. Section	1	C. Part/Section of Title 30 CFR		75.	503			
	Safety ✓ Other	of Act	1	TIME OU OFF		,,,	J0J			
Section IL Indo	ector's Evaluation	ł					· · · · · · · · · · · · · · · · · · ·			
10. Gravity:	SOUR E LESINGATIONS	<del></del>								
	r lilness (has) (ls);	No Likelihood	Unlikely 🔽	Reasonably Li	keety 🔲	Highly Likely	Occurre	d 🗍		
	be expected to be:	No Lost World	days Dest V	/enkdays Or Restrict	ed Duty 🕢	Permanen	tly Disabling 🔲	Fotal 🔲		
	ani and Substantia	Yes 🗌	No 🔽			D. Number of	Persons Affected;	001		
11. Negligent	e (check one)	A. None		C. Moderate 🔽	D, High	<u></u>	E. Reckless Disregan			
12, Type of A	ction 104		~ <del>~~~</del> ~~~	ssuance (check one)		Citation 🔽	Order 🔲	Safeguard [		
		\ay								
14. Initial Acti				E. Citation/			F. Dated	Mo Da Yr		
A. Citation	B. Order	C. Safeguard [	D. Written Notice	Order Numb	er ————————————————————————————————————					
15. Area or E	quipment									
	• •				•			\$		
								١		
	_							•		
16. Terminati	on Due	Mo Da Yr	1				·	*		
	A. Dati	e 07/13/2005	B. Time (24 Hr. Cloc	k) <b>090</b> 0						
Section III-Ter	mination Action	01/13/2003	<u> </u>							
17. Action to		W								
		Terminated	due to the	a area lig	ht acc	ess cove	er lid beir	ıg		
Elghte	ned and th	ne opening	is now clos	sed.						
18, Terminati	-d	Do Yr								
१०, १कामिका	IA Data		e (24 Hr. Clock)	0900						
C-41	1 07/	13/2003	- fariat award	0,500						
	tomated System Date				*****					
19. Type of II	rapection ode) EU]	20. Event Number	4054749	21. Prìm	ary or Mil					
22. Signa		,	4			- J				

MSHA Form 7000-3, Mar 88 (revised)
In accordance with the provisions of the Small Business Regulatory Enforcement Falmess Act of 1998, the Small Business Administration has established a National Small Business and Agriculture Regulatory Combudamen and 10 Regional Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudaman aroundly evaluates enforcement activities and mises each agency's responsivements to small businesses about federal activities and mises each agency's responsivements to small business. If you wish to comment on the autorosmont actions of MSPIA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudaman at Small Business Administration, Office of the National Organization, Office of the National Organization and State of Stat

23. AR Number

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

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707		

Section IVi	olation Data								
1. Date	Mo Da Yr 07/13/2005	2. Time (24 Hr. Clock) 0735	3. Citation/ Order Number 7097948						
4. Served T		reman	5. Operator ANKER WEST VIRGINIA MINING COMPANY						
6. Mine			7. Mine ID 46-08791 (Co						
SAGO N	NINE n or Practice	- <del>,, -, -, -, -, -, -, -, -, -, -, -, -, -</del>			8a. Written Notice (103g)				

The # 6 AWG trailing cable for the #10 Stanco water pump located on the 2-Left, 003 MMU working section is plugged into a circuit breaker that has the instantaneous setting range from 500 to 1000 amperes and the instantaneous setting is set on 750 amperes at the time of this inspection. The maximum allowable instantaneous setting for a #6 AWG trailing cable is 300 amperes. The mine operator immediately de-energized the trailing cable and disconnected the trailing cable from the circuit breaker.

										See C	ontinuation	Form (MSH	A Form 700	)-3e)
9. Violation	A. Health Safety Other		B. Section of Act				art/Section of itle 30 CFR			75	.601-1			
Section II—Inspe	ector's Evalu	ation												
10. Gravity: A. Injury or	iliness (ha	s) (is):	No Likelih	od [	Unlikely [	<b>✓</b>	Reasonably	Likely		Highly Life	Bly 🗌	Occu	rred 🗌	
	illness cou be expecte		No Los	Workd	kanys. □ Lu	ost Work	days Or Restr	icted Du	ty 🗹	Permar	ently Disa	bling 🗌	Fatal	
C. Signific	ant and Sui	ostantial:	Yes		No <b>☑</b>					D. Number	of Person	s Affected	001	
11. Negligeno	e (check or	ne)	A. None	]	B. Low	C. N	loderate 🗸		). High		E. Reck	ess Disreg	ard 🗌	<u></u>
12. Type of A	ction	104	(a)		13. Тур	of Issue	ance (check or	10)	C	itation 🗹	Orde	r 🗆 🗀	Safe	guard 🗌
14. Initial Acti A. Citation		rder 🗌	C. Safegua	erd 🗌	D. Written Notice	e []	E. Citation/ Order Nur	mber				F. Dated	МоЕ	Na Yr
16. Terminati	on Due	A. Date	Mo Da 07/13/2		B. Time (24 Hr.	Clock)	0745	 5	· ·			· · · · · <u></u>	<u></u>	
Section IIITer	mination Act	ion	07/13/2	005				•						
17. Action to	Terminate	<del></del>	Term	inat	ed due t	o th	e trail	ina	cabl	e bei	na co	nnect	ed to	a
circui	t brea	ker			he insta									
18. Terminate	A. Date	07/	Da Yr 13/2005	B. Time	(24 Hr. Clock)		0745							
Section IV-Au	tornated Syst	em Data												
19. Type of Ir (activity c		E01	20. Event	Number	4054	749	21. P	rimary o	r Mill					
22. Signature			6							23.	AR Numbe	r [	6_	7

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 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 heve, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Sefety and Health Review Commission.

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

11

Section I-Vi	olation Data			<u> </u>			
1. Date	Mo Da Yr 07/13/2005	2. Time (24 Hr. Clock) 0830	3, Citation/ Order Number	7097951			
4. Served To Carl Crumrine - Mine Foreman			5. Operator ANKER WEST VIRGINIA MINING COMPANY				
6. Mine SAGO MINE			7. Mine ID 46-08791	(Contractor)			
	o or Practice			8a. Written Notice (103g)			

The Joy 10SC32 shuttle car serial no. ET-16527, Approval no. 2G-3619A, Company #3 being operated on the 2-Left, 003 MMU is not maintained in a permissible condition. An opening in excess of .005 exist in the plane flange joint between the inspection cover and the operator's side tram motor.

9. Violation A. Health					See Contin	uation Form (MSHA	PORTE /UUU-SH)
Safety Other			C. Part/Section of Title 30 CFR		75.50	03	
Section II—inspector's Evalua	tion						<del> </del>
10. Gravity:				****			
A. Injury or Illness (has	i) (is): No Liketih	ood Unlikely	✓ Reasonably	Likely	Highly Likely	Occurre	XI [
B. Injury or illness coul sonably be expected		t Workdays 🗌 Lo	ost Workdays Or Restri	eted Duty 🔽	Permanently	/ Disabling 🗌	Fatal 🗌
C. Significant and Sub	stantial: Ye	□ No 🗹			D. Number of P	Persons Affected:	001
11. Negligence (check on	A. None	B. Low	C. Moderate 🗹	D. High	E.	Reckless Disregan	d 🗌
12. Type of Action	104(a)	13. Тур	e of Issuance (check on	e) C	tation 🗸	Order 🗌	Safeguard
14. Initial Action A. Citation B. Ore	der C. Safegu	ard D. Written Notic	E. Citation/ order Num	aber .	-	F. Dated	Mo Da Yr
16. Termination Due	A. Dete Mo Da 07/13/2	D Time (04 He	Clock) 1130	-		<u> </u>	
Section III—Termination Acti		.005		<u> </u>	<del></del>	<del></del>	
17. Action to Terminate	·	<u> </u>					
18. Terminated A. Date	Mo Da Yr	B. Time (24 Hr. Clock)					
Section IVAutomated Syste	em Data					<del></del>	
19. Type of Inspection (activity co-14)	E01 20. Even	Number 4054	749 21. Pr	imary or Mill			
22. Signature	6	· — — — — — — — — — — — — — — — — — — —			23. AR N	lumber	7

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

2	?	èrut	grup (A)

Section I-Subsequent Action/Continuation Data								
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 07/13/2	Yr 005	3, Citation/ Order Number	7097951 - 01			
4. Served To			5. Opera	OF				
Carl Crumrine - Mine Foreman			ANKE	R WEST VIRG	INIA MINING CON	MPANY		
6. Mine			7. Mine I	D 46 00 70	4	(Contractor)		
SAGO MINE			46-08791					
Section II—Justification for Action								

Terminated due to the opening on the #3 shuttle car tram motor being closed.

Section IN-Subsequent	Action Taken								See Continuation Form
8. Extended To A. D.		Da	Yr	B. Time (24 )	ir. Clock)		C. Vacated	D. Terminated	☐ E. Modified
Section IV-Inspection D	ata								
9. Type of Inspection	E01		10. Ev	ent Number	4054749			· · · · · · · · · · · · · · · · · · ·	
11. Signatur	6	, ` ,	•	][	R Number	12. Date	Mo Da Yr 07/15/2005	13. Time (24 Hr. Cl 0735	•
MSHA Form 7000-30 M	or 85 (routes				_ <del></del> _ <del></del>	<u> </u>	07/13/2003	1 0735	

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Mine Citatio	on/Order					U.S. Department of Labor Mine Safety and Health Administration					
Section IVioleti	on Deta										
1. Date	Mo Da 07/13/20		2. Time (24 Hr. 0)	Clock) 340				3. Citation/ Order N		709795	2
4. Served To						5. Operator		A	ITA IO	~^14D 4 1/5	7
Carl Crum	ine - Mir	e Fore	man			ANKER WES	T VIRGI	NIA MII	JING	COMPAN	<u> </u>
8. Mine						7. Mine ID 46	5-08791				(Contractor)
SAGO MI	Æ									8a, Written N	
8. Condition or	Practice					o. 2007, A		<u> </u>			
permiss positic machine cables.	ible n and and The	condi not has s box a	ition. (1 center. slid out appears t	) The co (2) The about 5 the have	nveyor main o inches had a	(003) MMU r start sw contactor s and is s chain arc	box is tartir ound it	vill n s not ng to : at o	ang secu plac ne t	red to ce strai	the .n on the a effort
9. Violation	A. Health Safety		B. Section of Act			Part/Section of little 30 CFR			ontinuatio	on Form (MSHA	Form 7000-3a)
	Othe										
Section IIInsp	ector's Evalu	ation									
10. Gravity:											
A. Injury o	illness (ha	s) (is):	No Likelihood [	Unlike	y 🔽	Reasonably Like	ly . □	Highly Like	rly 🔲	Оссип	ed 🗌
	iliness cou be expecte		No Lost Wo	rkdays 🗌	Lost Work	days Or Restricted	Duty 🗹	Perman	ently Dis	abling 🗌	Fatal 🗌
C. Signific	ant and Sul	ostantial:	Yes 🗌	No 🔽	· · · · · · · · · · · · · · · · · · ·			D. Number	of Pers	ons Affected:	001
11. Negligeno	e (check or	<b>xe</b> )	A. None	B. Low 🗌	C. N	foderate 🔽	D. High		E. Rec	klass Diaregar	d 🗌
12. Type of A	ction	104(	a)	13.1	Type of Isau	ance (check one)	Cit	ation 🗹	Ord	ler 🗌	Safeguard 🔲
14. Initial Acti A. Citation		rder 🗌	C. Safeguard	D. Written N	lotice	E. Citation/ Order Number			·	F. Dated	Mo Da Yr
15. Area or E	quipment			-							
16. Termination	on Due	A. Date	Mo Da Yr 07/13/2005	B. Time (24	Hr. Clock)	1140					
Section III-Ter	mination Act	ion									
17. Action to	Terminate										
18. Terminate	A. Date		Da Yr B. Ti	ime (24 Hr. Cloc	k)						
Section IV—Aut  19. Type of in  (activity of	spection	E01	20. Event Num	ber 40.	54749	21. Primar	y or Mill				

MSHA Form 7000-3, Mar 86 (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 business 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.

(activity code) 22. Signature

23. AR Number

Mine Citation/Order
<b>-</b>

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Continuation		Mine Safety and Health Administration						
Section I-Subsequent Action/Conti	nustion Data							
1. Subsequent Action 1s. Cont	inuation 2. Dated (Original Issue)	Mo Da Y 07/13/2005	r 3. Citation/ Order Number	7097952 - 01				
4. Served To		5. 0	perator	<u> </u>				
Carl Crumrine - Mine Fo	reman _	AN	KER WEST VIRO	INIA MINING CO	DMPANY			
6. Mine SAGO MINE		7. N	tine ID 46-0879	1	(Contractor)			
Section II—Justification for Action								

Terminated due to the #6 shuttle car conveyor switch being repaired and the main contactor box being slid back in place and secured to the frame of the shuttle car.

Section III-Subsequent Action Taken			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 Data			
9. Type of inspection E01	10. Event Number 4054749		
11. Signature	AR Number 12. Date	Mo Da Yr 13. Time (24 Hr. Ck	ock)
MSH4 Form 7000.3n After 95 (miles 4)		07/15/2005 0740	

Mine Citation/Order	U.S. Department of Labor
	Mine Safety and Health Administra
Section I—Violation Data	

2 7 JUL 2005

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Section I-Violati	ion Date							4						
1. Date	Mo Da Y	·	2. Time (2	Hr Clor	40					3. Citatio	n/	709795	2	<del></del>
1. Date	07/13/20		2. 11116 12	0845		1				Order	Number	109193	J	
4. Served To	<u> </u>						5. Operator							
Carl Crumr	ine - Mine	Forer	nan				ANKER V	WEST	VIRG	INIA M	INING	COMPAN	<u>Y</u>	
6. Mine							7. Mine ID	46-	08791	l			(Contra	actor)
<u>SAGO MIR</u>												8a, Written N		
8. Condition or	Practice	2020		- 7			<b>₽</b> ₩_1	6527	7/201	22022	l no			<u> </u>
The	JOA TO	SC32	snut	сте с	ar serial	no	. FI-T	004/	, Abi	etion.	ie r	not main	ion, itaine	d
Company	#3 be	ing	opera	cea c	on the 2-L	ert	, (003		of d	005 0	fan	inch e	rigt i	n
in a pe	rmissi	рте	condi	cion.	. An openia	ng	In exc	255 255	hov	ooo o	t an	nenect	ion co	ver
lid of						Q 1,11	Conca	CLOI	DOA	and				
9. Violation	A. Health [		B. Section				art/Section of			·		on Form (MSHA	. Form 7000-	3a) 📋
	Safety Other	ן כ	of Act			Ti	tle 30 CFR				75.503			
Section II-Insp	ector's Evaluat	ion							<del></del>					
10. Gravity:	r Iliness (has)	(le)	No Likelih	~d []	Unlikely 🗸		Reasonably	ı i ikahı	$\overline{}$	Highly Lli	kelv []	Оссил	ed 🗀	
	illness could		NO LIKON		Oldanial A		TOBBO RADI	LINGIY	<u> </u>	CINETAL EL	MOIY			
	be expected		No Los	t Workd	ays 🗌 Lost 1	<b>Vork</b> ¢	lays Or Restr	icted D	Ay 🔽	Perma	anently Di	sabling [	Fatel _	]
C. Signific	ant and Subs	stantial:	Yes		No 🗹					D. Numbe	er of Pers	ons Affected:	001	
11. Negligeno	e (check one	)	A. None		B. Low 🗌	C. M	oderate 🗹		D. High		E. Re	ckiess Disrega	rd 🗌	
12. Type of A	ction	104(a	a)		13. Type of	lesus	nce (check o	ne)	С	itation 🗹	Ort	der 🗌	Safegu	nard 🗌
14. Initial Acti A. Citation		ler 🔲	C. Safegu	ard 🔲	D. Written Notice		E. Citation/ Order Nu	nber				F. Dated	Mo Da	Yr
15. Area or E	quipment													
16. Terminati	on Due	A. Date	Mo Da 07/13/2		B. Time (24 Hr. Clo	ck)	0845	;		<del>-</del>				
Section III-Ter	mination Actio	n												
17. Action to	Terminate													
18, Terminate	A. Date	Мо	Da Yr	B. Time	(24 Hr. Clock)		<del></del>					<del></del>		
Section IVAut	ometed System	n Deta	<del></del>					L				<del></del>	<del></del>	
19. Type of Ir	epection	E01	20. Event	Number	405474	9	21. P	rimary o	or Mill			<u> </u>	<del></del>	
22. Sign	5		6		7-			·		23.	AR Num	ber T	7 1	
MSHA Form 70	000-3. Mor 85 (	(revised)	in accord	rlance with	the provisions of the S	incli	Bueirone Con	latan, Er	formers -		-4 -4 400-	the Corell Proje	لــــ	

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 Ombudaman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudaman 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 1-868-REG-FAIR (1-883-734-3247), 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 penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

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Mine Citation/Ord	er				partment of Lab		'2 7 JUL	2005
Section I-Subsequent Ac	tion/Continuation Date							
Subsequent Action	1a. Continuation	2. Dated Mo (Original Issue) 07	Da 7/13/200	•••	3. Citation/ Order Number 7	097953 - 01		
4. Served To			1	5. Operat	or			<del></del>
Carl Crumrine - N	line Foreman			ANKE	<b>WEST VIRGIN</b>	IA MINING CO	MPANY	
6. Mine SAGO MINE				7. Mine IC	46-08791		(Contracto	or)
Section II—Justification for	r Action							
Change	Fn	om.			To			
8. Condition Or Practic	e							
no. 2G-30 Change t	619A, Company # o (The PMS 10SC	ce in the body of the cita 3 being operated on the 5 shuttle car serial no. 20 maintained in a permissi	2-Left, ( 08, App	(003) MI roval no	MU section is not m	aintained in a per	rmissible con	dition.)

Issued using the identification numbers from the wrong shuttle car in error.

Section III-Subsequ	uent Action Take	n					······································	See Continuation Form
8. Extended To	A. Date Mo	Da	Yr	B. Time (24 Hr. Clock)		C. Vacated	D. Terminated	E. Modifled
Section IV-Inspecti 9. Type of Inspect			10. E	vent Number 40547	40			
11. Skgnatus	ط		<b>i</b>	AR Number	12. Date	Mo Da Yr 07/14/2005	13. Time (24 Hr. Ck	ock)

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Mine Citation/Order Continuation				partment of lifety and Heal	_abor th Administration	P2 ? JUL (*)
Section I—Subsequent Action/Continuation Data						
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 07/13/20		3. Citation/ Order Number	7097953 - 02	
4. Served To Carl Crumrine - Mine Foreman			5. Operato ANKEI		GINIA MINING CO	MPANY
6. Mine SAGO MINE			7. Mine ID	46-0879	)1	(Contractor)
Section II—Justification for Action						

Terminated due to the opening on the #5 shuttle car main contactor box being closed.

Section III—Subse		ken	·				<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-Inspec							<del></del>	
9. Type of Inspe	ction E01		10. Event Number	4054749				
11. Signature		6	· 	AR Number	12. Date	Mo Da Yr 07/15/2005	13. Time (24 Hr. Ck	ick)
MSHA Form 7000	-3a, Mar 85 (revi	ised)	7-	~~ ~	<del></del>	01113/2003	1 0/30	

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Mine Citation/Order	U.S. Department of Labor Mine Safety and Health Administration
Section I-Violation Data	
1. Date Mo Da Yr 2. Time (24 Hr. Clock)	3. Citation/ 7097954
07/13/2005 1015	Croer Number
4. Served To	5. Operator
Carl Crumrine - Mine Foreman	ANKER WEST VIRGINIA MINING COMPANY
6. Mine	7. Mine ID 46-08791 (Contractor)
SAGO MINE	8a, Written Notice (103g)
8. Condition or Practice	
The Fairchild scoop model 35C-Wi	H, serial no. T3390327, Approval no. 2G-3599-
2, Company #2 is not maintained in	a permissible condition due to the
following: (1) Batteries are not p	rovided with IId locks. (2) Cable
connector's are not provided with	locks. (3) Batteries are not maintained due
to 1 inch of mud, water, dirt is a	llowed to accumulate on the top surface's of
both batteries and 3 battery cap's	are popped up. (4) The emergency stop
	of the operators deck has fallen off and is
hanging loose by the power wire's.	
9. Violation A. Health ☐ B. Section of Act Other	Sae Continuation Form (MSHA Form 7000-3a)  C. Part/Section of Title 30 CFR  75.503
Section If—Inspector's Evaluation	
10. Gravity:	<u>_</u>
A. Injury or Illness (has) (is): No Likelihood Unlikely	Reasonably Likely Highly Likely Occurred
B. Injury or illness could res- sonably be expected to be: No Lost Workdays L	ost Workdays Or Restricted Duty 🗹 Permanently Disabling 🗌 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. Typ	be of Issuance (check one) Citation 🗹 Order 🗌 Safeguard 🗌
14, Initial Action A. Citation B. Order C. Safeguard D. Written Notice	E. Citation/ F. Dated Mo Da Yr ce Order Number
15. Area or Equipment	
A. Date Mo Da Yr 07/13/2005 B. Time (24 Hr.	Clock) 1215
Section III—Termination Action	
17. Action to Terminate	

MSHA Form 7000-3, Mar 86 (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 Ombudaman and 10 Regional Fairness Boards to receive comments from small business about federal agency enforcement actions. The Ombudaman 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 1-858-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 obtains and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

21. Primary or Mill

23. AR Number

Mo Da Yr

E01

20. Event Number

B. Time (24 Hr. Clock)

4054749

18. Terminated

22. Signature

(activity code)

A. Date

Section IV-Automated System Data 19. Type of Inspection

Mine	Citation/Order
C-4	mation

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

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

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COntinuation	
Section I-Subsequent Action/Continuation Data	
1. Subsequent Action 1a. Continuation 2. Dated (Original Iss	Mo Da Yr Sue) 07/13/2005 3. Citation/ Order Number 7097954 - 01
4. Served To	5. Operator ANKER WEST VIRGINIA MINING COMPANY
Carl Crumrine - Mine Foreman	
6. Mine	7. Mine ID (Contractor)
SAGO MINE	10 00.71

Terminated due to the #2 Fairchild scoop (1) Battery locks being replaced, (2) Cable locks being replaced. (3) Batteries being cleaned by washing with water. (4) The emergency stop switch being restored to a operational condition.

8. Extended To A. Date Mo Da Yr B. Time (24 Hr. Clock)   Section IV-Inspection Data  9. Type of Inspection E01				See Continuation Form
9. Type of inspection E01 10. Event Number 4054749  11. Signature 7 AB Number 12. Date Mo Da Yr 13. Time (24 Hr. Clock)	8. Extended To A. Date Mo Da	Yr B. Time (24 Hr. Clock)	☐ C. Vacated ☑ D. Terminated	E. Modified
11. Signature 12. Date Mo Da Yr 13. Time (24 Hr. Clock)	المستحدث والمستحدث والمستح	10. Event Number 40 54 740		
		7 AB Number 12. Date	Mo Da Yr 13. Time (24 Hr. Clo 07/15/2005 0800	ck)

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Mine Citation/Order							ent of Lai		29 J	<b>4</b> 4) 200	5 🙀
Section !Violeti	on Deta		<del></del>							V	
1. Date	Mo Da Yr 07/15/2005	2. Time (2	24 Hr. Clock) 0710					3. Citation Order I		97956	5
4. Served To						5. Operator ANKER WEST VIRGINIA MINING COMPANY					
	ine - Mine Fo	reman	<del></del>			in		NIA MII	NING COP	MPANI	
6. Mine SAGO MIN	ATE:				7. Mine	¹⁰ 46	-08791				(Contractor)
8. Condition or		<del></del>						<del></del>	8a. 1	Written No	rtice (103g)
(003) M inner i measure on the	trailin MU worki nsulated d 1/8 of inner in s sloppy tely.	ng sect power an inc sulated	ion is leads a h wide l power	not insure expose by 1 1/2 leads wh	lated sed thr inche	adequ cough s lon cose	ately a cut g. The the ba	and f in the insu	fully properties outer the court of the cour	rotec r jac is a ads.	ted. The ket that lso cut The mine
9. Violation	A. Health Safety 🗸	B. Section of Act			C. Part/Sect		,,,···································		Continuation For	711 (MSHA I	Form 7000-3a) [
<del></del>	Other	<u> </u>									
B. Injury or sonably	r Illness (has) (is): r Illness could rea be expected to be ant and Substanti	. No Lo	nood est Workdays   es 🗹 No		Reasc Vorkdays Or	nably Likely	Outy 🔽		nently Disablin of Persons A		Fatal 0
11. Negligeno	e (check one)	A. None [	B. L	.ow 🗌 💮	C. Moderate	<b>Y</b>	D. High		E. Reckless	Disregan	d []
12. Type of A	ction 10	4(a)		13. Type of I	seuance (ch	ck one)	Cit	ation 🗸	Order [	]	Saleguaro [
14. Initial Action A. Citation		C. Safegu	aard [ D.V	Vritten Notice	E. Cital	ion/ r Number			F. 0	ated	Mo Da Yr
15. Area or Ed		Mo Da ate 07/15/2	10 1	lme (24 Hr. Cloc	k) (	0800	<u> </u>		···		
Section III-Ten	mination Action							<del></del>			
17. Action to											
18. Terminate	A. Date	MoDa Yr	B. Time (24	Hr. Clock)							
	ometed System Da										
19. Type of in (activity or	ode) Ff	)1   20. Even	t Number	4054749		21. Primary	or Mill				
22. Signature	-	6	<del>-</del>						AR Number	5	67
has established agency enforce enforcement ad 3rd Street, SW	200-3, Mar 85 (revis d a National Small I Iment actions. The otions of MSHA, you MC 2120, Washir ght to contest oltation	Business and Ac Ombudeman as I may call 1-868 roton, DC 20416	priculture Regula Innually evaluated I-REG-FAIR (1-8 S. Please note i	s enforcement acti 88-734-3247), or v sourcer that your	and 10 Region vities and nate write the Ombu	el Faimess sech agend deman et Sr	Boards to rec cy's responsive mail Business	eive comme eness to an Administra	ints from small nell business. I tion, Office of the	businesse fyou wish i	s about federal to comment on the

Mine	Citation/Order

29 JUL	2005	γ
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Continuation Section I--Subsequent Action/Continuation Date

3. Citation/ 7097956 - 01 Order Number

1. Subsequent Action 1a. Continuation 2. Dated Da  $\mathbf{Z}$ (Original Issue) 07/15/2005 4. Served To ANKER WEST VIRGINIA MINING COMPANY Carl Crumrine - Mine Foreman (Contractor) 6. Mine 7. Mine ID 46-08791 **SAGO MINE** Section II—Justification for Action

Terminated due to the trailing cable for the #11 water pump being insulated adequately and fully protected.

Section III—Subse	quent Action Take	n .					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	tion Data			"		<del></del>	
9. Type of Inspe	ction E01		10. Event Number 4054749			<del></del>	
11. Signature		6	AR Number	12. Date	Mo Da Yr 07/18/2005	13. Time (24 Hr. Ck	ock)
MSHA Form 7000-	-3a, Mar 85 (revis	ed)	. 70				



Mine	Citation	/Order
IAIIIIC	Citation	

X (2 9	JUL	

			Willie Salety and Health Administration	
Section i-Vi	lolation Data			<u> </u>
1. Date	Mo Da Yr 07/15/2005	2. Time (24 Hr. Clock) 0830	3. Citation/ Order Number	7097957
4. Served 1 Carl Cru			5. Operator ANKER WEST VIRGINIA MINING	COMPANY
6. Mine SAGO N	MINE		7. Mine ID 46-08791	(Contractor)
	n or Practice			8a. Written Notice (103g)
			الموافرة المراكم فيستريب المراكب	h a um ta data

The 2-Left, (003) MMU working section is not provided with a up to date escapeway map that is readily accessible to the miners on this section.

										See C	Continuatio	on Form (MS	HA Form	7000-3a)
9. Violation	A. Health Safety Other		B. Section of Act				Part/Section of title 30 CFR			75	.383(a)	)		
Section II-Insp	ector's Evelue	tion												
10. Gravity:														
A. Injury or	r Illness (has	) (is):	No Likelih	Doct	Unlikely 🗸	]	Ressonably	Likely [	7	Highly Lik	ely 🗌	000	urred 🗌	
	r illness coul be expected		No Los	t Work	days 🗌 Los	t Work	days Or Restr	icted Dut	y 🔽	Perma	nently Dis	sabling 📋	Fat	al 🗌
C. Signific	ant and Sub	etantial:	Yes		No 🗹					D. Numbe	r of Pens	ons Affecte	d: O	01
11. Negligeno	e (check one	e)	A. None	]	B. Low 🗌	C. N	foderate 🗹	0	. High		E. Rec	kless Disn	gard 📋	
12. Type of A	ction	104(	a)		13. Type o	of Issu	ance (check or	<b>16</b> )	(	itation 🗹	Orc	ler 🗌	s	afeguard 🗌
14. Initial Acti A. Citation		der 🗌	C. Safegua	urd 🔲	D. Written Notice		E. Citation/ Order Nur	mber				F. Dated	М	o Da Yr
16. Termination	on Due	A. Date	Mo Da 07/16/2		B. Time (24 Hr. C	lock)	0800	, [	· <del></del>		<del></del>			***
Section III-Tec	mination Actic		07/10/2	003	<u> </u>		<del></del>				•			<del></del>
17. Action to	Terminate						, <del>1</del>	,			·			
18. Terminate	A. Date	Мо	Da Yr	B. Tim	e (24 Hr. Clock)					<del>-</del>	·			
Section IV-Aut	omated Syste	m Data						·			·			
19. Type of In (activity or		F01	20. Event	Numbe	40547	49	21. P	rimary or	MIII			<del></del>		
22. Sign-*			6		7			···		23.	AR Num	ber )	/	

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Falmess 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 confect citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

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Mine	Citation/Order
Conti	nuation

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Section I-Subsequent Action/Continuation De	المراب والمناطقة المراجات				
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo 07/1	Da Yr 5/2005	3. Citation/ Order Number	7097957 - 01
4. Served To			5. Operal	or	
Carl Crumrine - Mine Foreman			ANKE	R WEST VIRG	INIA MINING COMPANY
6. Mine		*	7. Mine li		(Contra
SAGO MINE			{	46-0879	1
Section II—Justification for Action					

Terminated due to an up to date escapeway map being provided for the 2-Left, (003) MMU section. The section foreman went over the escapeway map with the crew.

Section III—Subsequent Action Taken			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 Data			
9. Type of Inspection E01	10. Event Number 4054749		
11. Signature	AR Number 12. Date	Mo Da Yr 13. Time (24 Hr. Ck	pick)
		07/18/2005 0640	
MSHA Form 7000-3u, Mar 85 (revised)	• • •		

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

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Section IVi	olation Data						
1. Date Mo Da Yr 07/15/2005		2. Time (24 Hr. Clock) 0900	3. Citation/ Order Number 7	097958			
4. Served To Carl Crumrine - Mine Foreman			5. Operator ANKER WEST VIRGINIA MINING COMPANY				
6. Mine SAGO N	ATINE.		7. Mine ID 46-08791	(Contractor)			
	a an Orașilia a		Ra Ra	Written Notice (103a)			

The approved roof control plan is not being complied with at the 2 - Right track switch shelter hole along the main line track haulage. The coal and rock rib has deteriorated way for approximately 14 feet in length which leaves 3 permanently installed roof bolts in excess 4 feet from the rib. These roof bolts range from 5 feet to 6 1/2 feet from the rib.

								See C	ontinuation	Form (MSH4	Form 7000-3a)
9. Violation	A. Heelth Safet Othe		B. Section of Act		С	Part/Section of Title 30 CFR		~ <del>75.2</del>	20(a)(I	7 75.	202 a
Section II-Insp	ector's Evalu	ation									
10. Gravity:							_				
	r Iliness (ha	,	No Likelih	pod []	Unlikely 🗹	Reasonably	Likely	Highly Llk	ely 📙	Occun	red 📋
	r iliness cou be expecte		No Los	t Workdays [	Lost Wo	rkdays Or Restri	cted Duty 🗹	Permar	nently Disa	abling 🔲	Fatal
C. Signific	ant and Su	bstantial:	Yes	No	<b>Y</b>			D. Number	of Perso	ns Affected:	001
11. Negligeno	æ (check o	ne)	A. None	] B. La	w 🗌 C.	Moderate 🗹	D. High		E. Reck	iess Disrega	rd 🗌
12. Type of A	ction	104(	a)		13. Type of las	uance (check on	e)	Citation 🗹	Orde	<b>f</b> 🗌	Safeguard
14. Initial Acti A. Citation		rder 📋	C. Safegua	ard D.W	ritten Notice	E. Citation/ Order Nun	nber			F. Dated	Mo Da Yr
16. Terminati	on Due	A. Date	Mo Da 07/15/2	I D Ti	ne (24 Hr. Clock)	1100	<u> </u>			<del>.,</del> ·	
Section III-Ter	mination Act	ion	0.7.1072								
17. Action to	Terminate								•		
16. Terminate	A. Date	Мо	Da Yr	B. Time (24 H	r. Clock)						
Section IV-Au	tornated Syst	em Data								<del></del>	
19. Type of Ir (activity o		EU I	20. Event	Number	4054749	21. Pr	imary or Mili				·····
22. Signature	14	_	6					23. /	AR Numbe	er / L	6 9
									· · · · · · · · · · · · · · · · · · ·	<u> </u>	

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 business 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 (1-388-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Weshington, 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.

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# 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 07/15/20	1	3, Citation/ Order Number	7097958 - 01
4. Served To		-	5. Operato	<u> </u>	
Carl Crumrine - Mine Foreman			ANKER	WEST VIRG	INIA MINING COMPANY
6. Mine			7. Mine ID	16.0000	(Contrac
SAGO MINE				46-0879	1
Section II—Justification for Action					

Terminated due to 7 metal jacks being set along the rib at the 2-Right track switch to reduce the distance from the rib to the permanent roof support.

Section IIISubsequent Action Taken					See Continuation Form		
8. Extended To		Оa	Yr B. Time (24 Hr. Clock)		C. Vacated	D. Terminated	☐ E. Modified
Section IV-Inspec							
9. Type of inspe	ction E01		10. Event Number 4054749		·····	<u> </u>	
11. Signature 7	7	6	7: AB Number	12. Date	Mo Da Yr	13. Time (24 Hr. Clo	ick)
				<u> </u>	07/18/2005	0620	

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# Mine Citation/Order Continuation

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

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0	11 11 5 - 1	<del></del>		
Section I—Subsequent Action/Con  1. Subsequent Action 1a. Con		Mo Da Y (e) 07/15/2005	r 3. Citation/ Order Number	7097958 - 02
4. Served To Carl Crumrine - Mine F	oreman	1	perator IKER WEST VIRO	SINIA MINING COMPANY
6. Mine SAGO MINE			fine ID 46-0879	(Contracto
Section II—Justification for Action				
Change	From		To	
9, C. Part/Section	75.220(a)(1)		75.202(a)	
Reason Issued under th	he section of the 30 CFR in	error.		

on Taken						See Continuation Form
Mo Da	ı Yr	B. Time (24 Hr. Clock)		C. Vacated	D. Terminated	E. Modified
E01	- 1	vent Number 4054749				
6	` -	AR Number	12. Date	Mo Da Yr 07/18/2005	13. Time (24 Hr. Cic 1430	ock)
	Mo De	Mo Da Yr	Mo Da Yr B. Time (24 Hr. Clock)  E01 10. Event Number 4054749	Mo Da Yr B. Time (24 Hr. Clock)  10. Event Number 4054749  AR Number 12. Date	Mo Da Yr B. Time (24 Hr. Clock)   C. Vacated  10. Event Number 4054749  AR Number 12. Date Mo Da Yr	Mo Da Yr  B. Time (24 Hr. Clock)  C. Vacated  D. Terminated  10. Event Number 4054749  AR Number 12. Date Mo Da Yr 13. Time (24 Hr. Ck

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

g 2 Aug	2005
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Section I-Violation Data								
1. Date Mo Da Yr 2. Time (24 Hr. Clock) 07/18/2005 0735			3. Citation/ Order Number	7097959				
4. Served To Carl Crumrine - Mine Foreman			5. Operator ANKER WEST VIRGINIA MINING COMPANY INC					
6. Mine SAGO MINE			7. Mine ID 46-08791	(Contractor)				
				Sa Written Notice (103a)				

Combustible materials in the form of wooden crib blocks, wooden pallets, card board boxes, old hydraulic oil cans and plastic wrapping off of supplies is allowed to accumulate in the intake entry's. These accumulations start at #54 block along #4 conveyor belt and extend inby to the 2-Left, 003 MMU section. There have been 10 citation's issued for violations of section 75.400 at this mine since 01/09/2005.

								See C	ontinuation	Form (MS	(A Form 700	00-3a) <u></u>
9. Violation	A. Health Safety Othe	/☑	B. Section of Act		C	. Part/Section of Title 30 CFR		7	5.400			
Section II—Insp	ector's Evalu	ation										
10. Gravity:									. —	_		
	illness (ha		No Likeliho	xod 📙	Unlikely 🗸	Reasonably I		Highly Llk	y L	Occu	rred 🗌	
	r ilineas cou be expecte		No Los	t Workdays [	Lost Wo	rkdays Or Restric	ted Duty 🗹	Perman	ently Disal	olling 🗌	Fatal	
C. Signific	ant and Sui	bstantial:	Yes	No	<b>Y</b>			D. Number	of Person	s Affected	[:] 00	[
11. Negligeno	e (check or	ne)	A. Nøne 🗌	B. L.	ow ☐ C.	Moderate 🗹	D. High		E. Racki	ses Disreç	pard 🗌	
12. Type of A	ction	104(a	1)		13. Type of Iss	uance (check one	a) (	Citation 🗹	Order		Safe	eguard 🗌
14. Initial Acti A. Citation		rder 🗌	C. Safegua	ırdi⊡ D.W	ritten Notice	E. Citation/ Order Num	ber		F	. Dated	Mo	Da Yr
16. Termination	on Due	A. Date	Mo Da 07/20/20		ne (24 Hr. Cłock)	0600			·····			
Section III-Ter	mination Act	ion	OTTEOTE	005	<del></del>		<u></u>	· · · · · · · · · · · · · · · · · · ·				<del></del>
17. Action to	Terminate						···	<del></del>	· · · · · · · · · · · · · · · · · · ·	_	****	
18. Terminate	A. Deste	Mo I	Da Yr	B. Time (24 H	r. Clock)		<u> </u>					
Section IVAut	omated Syst	em Deta			<del></del>	<del> – L</del>		······································				
19. Type of Ir (activity o		E01	20. Event	Number	4054749	21. Pri	mary or Mill					
22. Signature			-6			<u> </u>		23. 4	R Number	1	6	
LECUA Factor			-							$\overline{}$		

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 Ombudamen and 10 Regional Fairness Boards to receive comments from small business about federal agency enforcement actions. The Ombudamen annually evaluates enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudamen at Small Business Administration, Office of the National Ombudamen, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudamen is in addition to any other rights you may have, including the right to contest obtains and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

w/1/21

Mine	Citation/Order
Canti	nuction



Mine Citation/Order Continuation			U.S. Department of Labor Mine Safety and Health Administration						
Section I-Subsequent Ac	tion/Continuation Data								
1. Subsequent Action	1a. Continuation	Dated     (Original Issue)	Mc Da 07/18/20	• • •	3. Citation/ Order Number	7097959 - 01			
4. Served To				5. Operate	У	······································			
Carl Crumrine - N	Aine Foreman			ANKE	R WEST VIRG	INIA MINING CO	MPANY INC		
6. Mine		<del></del>	•	7. Mine ID	16.00=0		(Contractor)	<del></del>	
SAGO MINE					46-0879	l			
Section II-Justification for	r Action					<b></b>			

Terminated due to the combustible materials being cleaned from the cited area. The materials are being transported to the surface by track haulage.

Section III-Subsequent Action Taken		See Continuation Form
3. Extended To A. Date Mo Da	B. Time (24 Hr. Clock)	☐ C. Vacated ☑ D. Terminated ☐ E. Modified
Section IV-Inspection Data		
7. Type of Inspection E01	10. Event Number 4054749	
1. Signature /		
'1 /-	AR Number 12 Date	Mo Da Yr 13. Time (24 Hr. Clock)
	7.66	07/20/2005 1230
SHA Form 7000L3s Mar 95 (audious)		

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

,	<b>2</b> , 1.1	

Section I—Violation Data								
1. Date Mo Da Yr 2. Time (24 Hr. Clo 07/18/2005 074	1 Owler Mumber / UZ / ZUV							
4. Served To Carl Crumrine - 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)							

The primary escapeway is not separated from the conveyor belt and track haulage entry's for its entire length, to and including the first connecting crosscut outby each loading point on the 2-Left (003) MMU section. The permanent ventilation controls (stoppings) are not maintained to serve their intended purpose of maintaining separation between these entry's. A hole exist in the stopping located at SS#3981 that measured 14 inches high by 29 inches long and A hole exist in the stopping located at SS#3980 that measured 12 inches high by 10 inches wide. These permanent ventilation controls are located at the tail of #4 conveyor belt.

	<del></del>	<del></del>					See Continuation	n Form (MSHA	Form 7000-	3a) [
. Violation	A. Health Safety 🗸 Other	8. Section of Act			art/Section of the 30 CFR		75.380(g)			
ection   insp	ector's Evaluation									
0. Gravity:				•						
A. Injury o	r Ilineas (has) (is):	No Likelih	ood 🗍 U	nlikely 🗸	Reasonably Like	ly 🗌 Hiệ	ghly Likely 🔲	Occur	<b>16d</b>	
	r illness could rea- be expected to be	Mala	st Workdays 🗌	Loet Work	isys Or Restricted	Duty 🔽	Permanently Dis	abling 🗌	Fatal [	]
C. Signific	ant and Substanti	ai: Ye	s ☐ No 🗹			D.	Number of Perso	ons Affected:	001	
1. Negligeno	e (check one)	A. None	B. Low	☐ C. M	oderate 🗹	D. High 🔲	E. Rec	kless Disrega	nd 🗌	
2. Type of A	ction 10	4(a)		13. Type of Issua	nce (check one)	Citati	on 🗹 Ord	er 🗌	Safegi	uard [
4. Initial Acti A. Citation		C. Safegu	and D. Writt	en Notice 🔲	E. Citation/ Order Number			F. Dated	Mo Da	Yr
6. Terminati	A. De	Mo Da 07/18/2	1 P Time	(24 Hr. Clock)	0900					
	minetion Action									
7. Action to		fo Da. Yr	B. Time (24 Hr. (	Clock)	T	<u>, , , , , , , , , , , , , , , , , , , </u>	<del></del>	·	<del></del>	
ection IV-Au	torneted System Det	te.	<del> </del>	<del></del> -		<del></del>	· · · · · · · · · · · · · · · · · · ·			
9. Type of ir (activity o		20. Even	t Number	1054749	21. Primar	y or Mili		=-		
2. Signatur	1	6	7		<u>-</u>		23. AR Numt	per /	6	7
has establishe agency enforce enforcement a	200-3, Mar 85 (revised a National Small E writers of MSHA, you MC 2120, Washin	Susiness and Ag Ombudsman ar may call 1-888	inculture regulatory inually svaluates ent -REG-FAIR (1-888.)	Ombudemen and ' Orcement activities '34:3247) or write:	Business Regulatory 10 Regional Fairness and rates each agen the Ombudaman at S	Boards to receive by a responsive of trout Business Ad	e comments from : tes to small busine (ministration, Office	email business ses. If you wish a of the Mations	s about fede	on the

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
Conti	nuation

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0-1111-01011										
Section I-Subsequer	nt Action/Continuation Data									
1. Subsequent Act	on 1a. Continuation	2. Dated (Original Issue)	Mo Da 07/18/2	• • •	3. Citation/ Order Number	7097960 - 01				
4. Served To				5. Operat	or					
Carl Crumrine	- Mine Foreman			ANKE	R WEST VIRO	SINIA MINING COL	MPANY INC			
6. Mine				7. Mine (	) 46 00=0	.4	(Contractor)			
SAGO MINE				1	46-0879	1				
Section II-Justification	on for Action			<u> </u>						

Terminated due to the holes in the permanent ventilation controls (stoppings) being closed and plastered.

Section III—Subsequent Action Taken	See Continuation Form
8. Extended To A. Date Mo Da Yr B. Time (24 Hr. Clock)	☐ C. Vacated ☑ D. Terminated ☐ E. Modified
Section IVInspection Date	
9. Type of inspection E01 10. Event Number 4054749	
11. Signature 12. De	
11. Signature 12. Date	To the (E-Till Cook)
	07/19/2005 1255
MSHA Form 7000-30 Mar 95 (cordans)	1233

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Mino	Citation/Or	war
Mine	CRECOLO	uei

2 AUG 2005	<b>1</b> 1
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			Mine Safety and Health Administration				
Section 1-Vi	olation Date						
1, Date	Mo Da Yr 07/18/2005	2. Time (24 Hr. Clock) 0825	3. Citation/ Order Number	7097961			
4. Served To Carl Crumrine - Mine Foreman			5. Operator ANKER WEST VIRGINIA MINING C	OMPANY INC			
6. Mine SAGO N			7. Mine ID 46-08791	(Contractor)			
	n or Practice			Ba. Written Notice (103g)			

The #3 Stanco water pump located along the track haulage, along #4 conveyor belt is not clearly marked for identification to correspond with the circuit breaker that this pump receives 575 VAC is connected. The #3 Stanco water pump is energized.

		See Continuation Form (MSHA Form 7000-3a)
9. Violation A. Health B. Section of Act Other	C. Part/Section of Title 30 CFR	75.904
Section (IInspector'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: 001
11. Negligence (check one) A. None B. L.	ow 🗌 C. Moderate 🗹 D. High	E. Reckless Disregard
12. Type of Action 104(a)	13. Type of Issuance (check one)	Station 🗹 Order 🗌 Safeguard 🗌
14. Initial Action A. Citation B. Order C. Safeguard D. W.	E. Citation/ Order Number	F. Dated Mo Da Yr
16. Termination Due A. Date Mo Da Yr 8. Ti	ime (24 Hr. Clock) 0840	
Section III—Termination Action	·	
17. Action to Terminate		
18. Terminated A. Date Mo Da Yr B. Time (24 h	r. Clock)	· · · · · · · · · · · · · · · · · · ·
Section IVAutomated System Data		
19. Type of inspection (activity code) E01 20. Event Number	4054749 21. Primary or Milf	
22. Signature		23. AR Number L 6

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 Ombudaman and 10 Regional Fairness Boards to receive comments from small businesse about federal agency enforcement actions. The Ombudaman 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 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 penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Weller

Mine	Citation/Order
Conti	nuation

2 AUG 2005



Section ISubsequent Action/Continuation Data				
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	 Da Yr 3/2005	3. Citation/ Order Number	7097961 - 01
4. Served To		 5. Operat	or	
Carl Crumrine - Mine Foreman		ANKE	R WEST VIRG	INIA MINING COMPANY INC
6. Mine		7. Mine il		(Contractor)
SAGO MINE			46-0879	1
Section II-Justification for Action		<del></del>		

Terminated due to the circuit breaker providing 575 VAC for the #3 Stanco water pump being clearly marked for identification.

Section IV-Inspection Data	Continuation Form	Se					Action Taker	quen	on III—Subse
Section IV-Inspection Data	E. Modified	✓ D. Terminated	C. Vacated	fr. Clock)	B. Time (24 H	Da Yr	Dete Mo	Α. Ι	dended To
9. Type of inspection E01 10. Event Number 4054749									
,	<del></del> -			4054749	vent Number	10. E	E01	ction	pe of inspe
11. Signature 12. Date Mo Da Yr 13 Time (24 Hr Clock)				AR Altumber	-7 TA	_ i		>	ignature Y
12. Date Mo Da Yr 13. Time (24 Hr. Clock) 07/19/2005 1305		1		SK Number 12. Date		6			<u></u>

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line Citation/Order	U.S. Departmen
	BB' O - fade - and

2 AUG 2005

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

	Mine Safety and Health Administration					
Section IViolation Data						
1. Date Mo Da Yr 2. Time (24 Hr. Clock) 07/18/2005 0920	3. Citation/ Order Number 709796	52				
4. Served To Carl Crumrine - Mine Foreman	5. Operator ANKER WEST VIRGINIA MINING COMPANY I					
6. Mine SAGO MINE	7. Mine ID 46-08791	(Contractor)				
8. Condition or Practice	8a. Written	Notice (103g)				
The #10 trailing cable for the # track haulage at #25 block along no.	#6 Stanco water pump located along .4 conveyor belt is plugged into a	the circuit				

The #10 trailing cable for the #6 Stanco water pump located along the track haulage at #25 block along no.4 conveyor belt is plugged into a circuit breaker that has the instantaneous setting range from 480 to 1500 amperes and the instantaneous setting is set on 900 amperes at the time of this inspection. The maximum allowable instantaneous setting for a #10 trailing cable is 150 amperes. The mine operator immediately de-energized the trailing cable and disconnected the trailing cable from the circuit breaker.

											See	Continuat	ion Form	(MSHA F	orm 7000-	a) []
9. Violation	A. Health [ Safety other]		B. Section of Act					/Section of 30 CFR			7:	5.601-	l			
Section il-Inspe	ctor's Evaluat	ion														
10. Gravity: A. Injury or	iliness (has)	(is);	No Likelih	ood []	U	nlikely 🗹	F	Reasonably	Likely [		Highly Lli	kely 🗌	(	Occurred		
	Mness could be expected		No Los	t Works	days 🗌	Lost V	Vorkday	s Or Restri	cted Dut	y 🗹	Perma	nently D	isabling		Fatai [	
C. Significa	ent and Subs	tantial:	Yes		No 🗹						). Numbe	of Pers	sone Affe	cted:	001	
11. Negligeno	e (check one	)	A. None	]	B. Low		C. Mode	erate 🗹	ם	). High	]	E. Re	ckless D	isregard		
12. Type of Ac	ction	104(a	a)			13. Type of i	SEUENC	e (check on	re)	Cit	ation 🗹	Or	der 🗌		Safegu	ard 🗌
14. Initial Action A. Citation		er 🗌	C. Safegu	ard [	D. Writt	en Notice	_ E	Citation/ Order Nur	nber				F. Dat	ed	Mo Da	Yr
15. Area or Ed	NO DIME T	A. Date	Mo Da	• 1	D Time	(24 Hr. Cloc		0935	. 1							
	1		07/18/2	005	D. 14176	(24111.000	~) ———	0933	<u>'</u> ]							
Section III—Ten		·														
17. Action to 7						to th										
water p						a circ	uit	break	er t	hat l	nas t	he i	nsta	ntan	eous	
18. Terminate	al	Mol	Da Yr		- /24 Wr	Clock)	09	25		<del></del>	<del></del>		,			
	A. Date	07/1	8/2005	B. Time	8 (24 FT).	CRURY	07	33								
Section IV-Aut	A. Date		8/2005	B. I with	B (24 M).	<del></del>										
Section IV—Aut 19. Type of In (activity co	A. Date omated Systemspection		8/2005 20. Event	·		4054749			rimary or	Mill						

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 Ombudamen and 10 Regional Fairness Boards to receive comments from small business about federal agency enforcement actions. The Ombudamen annually evaluates enforcement actions 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 Ombudamen at Small Business Administration, Office of the National Ombudamen, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudamen 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.



Mino	Citation	n/Order
IWI 111 194	LaitMille	INTURE

				U.S. Department of Labor Mine Safety and Health Administration			
Section IVio	lation Data						
1. Date	Mo Da Yr 07/19/2005	2. Time (24 Hr. Clock) 0700		3. Citation/ Order Number 7097963			
4. Served To Carl Crur		man	5. Operator ANKER WEST VIRG	INIA MINING COMPANY INC			
6. Mine SAGO M 8. Condition			7. Mine ID 46-0879	(Contractor)			
issued	i for viota	tions of section 75	.SI7 at this mine	Since 03/24/2000.			
				See Continuation Form (MSHA Form 7000-3a)			
9. Violation	Safaty <b>√</b> Other ☐	B. Section of Act	C. Part/Section of Title 30 CFR	- <del>75.517</del>			
	spector's Evaluation						
10. Gravity: A. Injury	: / or lliness (has) (is):	No Likelihood Unlikely	Reasonably Likely	Highly Likely Occurred			
B. Injury	or liness could rea- by be expected to be:		t Worldays Or Restricted Duty 🗹	Permanently Disabiling Fatal F			
	ficant and Substantial:	Yes ☑ No 🗌		D. Number of Persons Affected: 001			
11. Neglige	nce (check one)	A. None B. Low	C. Moderate 🕢 D. High	E. Reckless Disregard			

			. —	~ —	•			• —	
B. Injury or illness of sonably be expec		No Los	t Workdays [	Lost Wo	rkdays Or Restric	ted Duty 🗹	Perman	entiy Disabilng 🗌	Fatal 🗌
C. Significant and S	Substantial:	Yes	₩ No [				D. Number	of Persons Affected:	001
11. Negligence (check	one)	A. None	] B. Lo	w 🗌 C.	Moderate 🗹	D. High		E. Røckless Disregan	<b>d</b> 🗆
12. Type of Action	104(	a)		13. Type of Iss	uance (check one	)	Citation 🗹	Order 🗌	Safeguard [
14. Initial Action A. Citation B.	Order [	C. Safegua	rd 🔲 D. W	ritten Notice	E. Citation/ Order Num	ber		F. Dated	Mo Da Yr
15. Area or Equipment						· · · · · · · · · · · · · · · · · · ·			
16. Termination Due	A. Date	Mo Da 07/19/20	i dir	ne (24 Hr. Clock)	0715		<del></del>		
Section III-Termination	Action								<del></del>
17. Action to Terminat 14CM15 cont adequately	- :inuou	s mini	ng mach	ine seria	head lig al no. JN	pht pow (-5574)	er cabl being i	e on the Jo nsulated	У
18. Terminated A. D.	Mo 07/	Da Yr 19/2005	B. Time (24 H		0715	<del></del>		<del></del>	
Section IVAutomated S	ystem Deta								<del></del>
19. Type of Inspection (activity co.	EU1	20. Event	Number	4054749	21. Pri	mary or Mill			
22. Signature	_ (	P		1			23. A	R Number	óJ
MOUS Com. TOMA A AL.	. OF / 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 armal businesses about federal nas established a regional Small business and agriculture regulatory official in regional natural programs actions. The Ombudsman annually evaluates enforcement actions. The Ombudsman annually evaluates 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, 475-2120, Variance, DC 20119. Please note, hence, that you may take the accompanies with the Ombudsman in the different formal proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Continuation	jer				eparument of Lafety and Healt	abor h Administration	2 AUG	200
Section I-Subsequent A	ction/Continuation Data							
1. Subsequent Action	1a. Continuation	2. Dated (Original Issue)	Mo Da 07/19/20	Yr 105	3. Citation/ Order Number	7097963 - 01		
4. Served To				5. Operat				
Carl Crumrine - 1	Mine Foreman			ANKE	R WEST VIRO	<u> INIA MINING CO</u>	MPANY IN	<u> </u>
6. Mine				7. Mine II	46.0000	1	(Contractor)	
SAGO MINE				<u> </u>	46-0879	<u> 1</u>		
Section II-Justification for	or Action							
Change	Fro	m			To			
9. C. Part/Section	75.5	517			75.503			

Issued under the wrong section of the 30 CFR in error.

Reason

See Continuation Form Section III-Subsequent Action Taken 8. Extended To A. Date B. Time (24 Hr. Clock) C. Vacated D. Terminated E. Modified Section IV-Inspection Data
9. Type of Inspection 10. Event Number 4054749 11. Signature AR Number 12. Date Mo Da Yr 13. Time (24 Hr. Clock) 07/21/2005 <u>1017</u> MSHA Form 7000-3a, Mar 85 (revised)

where where

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

<b>.</b>	2	AUG	2005
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Section IViolation Data									
1. Date	Mo Da Yr 07/19/2005	2. Time (24 Hr. Clock) 0705	3. Citation/ Order Number 7098104	<u> </u>					
4. Served To Carl Crumrine - Mine Foreman			5. Operator ANKER WEST VIRGINIA MINING COMPANY	INC					
6. Mine SAGO N			^{7. Mine ID} 46-08791	(Contractor)					
	or Bractica		8a. Written N	otice (103g)					

The 995 VAC trailing cable for the Joy 14CM15 continuous mining machine serial no. JM-5574, Company no. 2 being operated on the 2-Left, (003) MMU working section is not insulated adequately and fully protected. The insulation has worn away from a previous splice leaving the inner energized power leads exposed through an opening that measured 1/2 of an inch wide by 2 inches long. This section is sloppy wet. There have been 10 citations issued for violations of section 75.517 at this mine since 05/24/2005.

						See Co	ntinuation Form (MSI	HA Form 7000-3e)
9. Violation: A. Healt Safe Oth	ty of Act			Part/Section of title 30 CFR		75	.517	
Section II—Inspector's Eval	ustion							
10. Gravity:								
A. Injury or Iliness (h	as) (is): No Likef	ihood 🔲 💮 U	Inlikely 🔲	Reasonably	ikely 🛂	Highly Likel	y 🔲 Occi	ırred 🗌
B. Injury or illness co sonably be expect		ost Workdays 🗌	Lost Work	days Or Restric	ted Duty 🔽	Permane	ntly Disabling 🗌	Fatal 🗌
C. Significant and St	ubetantial: Y	es 🗹 No 🗌	)			D. Number o	of Persons Affects	^{i:} 001
11. Negligence (check o	one) A. None	B. Low	C. N	loderate 🗸	D. Hi <b>g</b> h		E. Reckiess Disre	gard 🗌
12. Type of Action	104(a)		13. Type of Issue	ance (check one	) (	Citation 🗹	Order 🗌	Safeguard 📋
14. Initial Action A. Citation B. C	Order 📋 C. Safeg	uard D. Writ	ten Notice	E. Citation/ Order Num	ber		F. Dated	Mo Da Yr
16. Termination Due	A. Date Mo Da 07/19/	I D Time	e (24 Hr. Clock)	0730	<del></del>	<del></del>		
Section N-Termination Ac		2003						<del></del>
17. Action to Terminate continuous adequately	mining mac	nated due hine seri protected	al no. J	trailing M-5574,	cable company	for th	e Joy 14C being ins	M15 ulated
18, Terminated A. Dal	Mo De Yr 07/19/2005	B. Time (24 Hr.	·	0730				
Section IVAutomated Sys	stem Deta						<u> </u>	
19. Type of inspection (activity code)	E01 20. Eve	nt Number	4054749	21. Prl	mary or Mill			
22. Signature	6	j.			<del></del>	23. AI	R Number	6]
MSHA Form 7000-3, Mar	35 (revised) in acc	ordence with the prov	risions of the Small	Business Regula	lory Enforcemen	t Fairness Act o	of 1996, the Small Bu	siness Administration

has established a National Small Business and Agriculture Regulatory Ombudaman and 10 Regional Fairness Boards to receive comments from small business about federal agency enforcement actions. The Ombudaman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the same to be a small business and agency enforcement activities and states each agency's responsiveness to small business. If you wish to comment on the same to be a small business and agency enforcement activities and states and agency agency's responsiveness to small business. If you wish to comment on the same to be a small business and agency enforcement activities and states and agency agency's responsiveness to small business. If you wish to comment on the same to be a small business and agency a



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# U.S. Department of Labor

2	AUG	2005
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				Mine Safety at	nd Health	Administration		
ection IViolation Data						la o's-ui		
. Date Mo Da 07/19/2		2. Time (24 Hr. Cl 080			:	3. Citation/ Order Number	709810	5
. Served To	003		<u></u>	5. Operator			COMPAND	V DIC
arl Crumrine - Mir	e Fore	man			T VIRGI	NIA MINING	CUMPAN	I INC
Mine				7. Mine ID 4(	5-08791			(Contractor)
AGO MINE  Condition or Practice					·····		8a. Written N	
oy 14CM15 control of the control of	no. e po ugh slo	l is not i wer cable an opening ppy wet. T	nsulated ac is cut and that meas here have	dequately ar the bare ir ured 1/2 of been 9 citat	ner er an ind	ry protect nergized p ch wide by	power le	eads are
. Violation A. Health Safet	===	B. Section of Act		C. Part/Section of Title 30 CFR		See Continuati	on Form (MSHA	Form 7000-3a)
Othe	r 🗌 💮							
ection if Inspector's Evalu	ation							
<ol> <li>Gravity:</li> <li>A. Injury or Illness (ha</li> </ol>	s) (is):	No Likelihood	Unlikely 🗍	Reasonably Like	<b>₩</b> 🔽	Highly Likely	Оссил	red 🗌
B. Injury or illness cou sonably be expecte	uld rea-	No Lost Worl	cdays Lost	Worldays Or Restricted	Duty 🕢	Permanently Di	isabling 🗌	Fatal 🗌
C. Significant and Su		Yes 🗹	No 🗌			D. Number of Pers	ons Affected:	001
11. Negligence (check o	ne)	A. None	8. Low 🗌	C. Moderate	D. High	E. Re	ckless Disrega	ırd []
2. Type of Action	104	(a)	13. Type of	Issuance (check one)	C	itation 🗹 Or	der 🗌	Safeguard [
14. Initial Action A. Citation B. O	nder 🗍	C. Safeguard	D. Written Notice [	E. Citation/ Order Number	-		F. Dated	Mo Da Yr
15. Area or Equipment	·	· · · · · · · · · · · · · · · · · · ·	· · · · · · · · · · · · · · · · · · ·	— ·				
16. Termination Due	A. Dete	Mo Da Yr	B. Time (24 Hr. Clo	ck) 0830			<del></del>	

MSHA Form 7000-3, Mer 85 (ravised) 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 Ormbudsman and 10 Regional Failmess Soards to receive comments from small business as about federal agency enforcement activities and reless each agency's responsiveness to small business. If you wish to comment on the enforcement actions. The Ormbudsman armualty evaluates enforcement activities and reless each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may oull 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ormbudsman, 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.

0830

14CM15 continuous mining machine serial no. JM-5530 being insulated

4054749

B. Time (24 Hr. Clock)

07/19/2005

20. Event Number

adequately and fully protected.

E01

Mo Da Yr

07/19/2005

Section III—Termination Action 17. Action to Terminate

A. Date

Section IV-Automated System Date 19. Type of Inspection

(activity code)...

18. Terminated

22. Signati"

0830

Terminated due to the area light power cable on the Joy

21. Primary or Mill

23. AR Number

Mine Citation/Orde Continuation	er 				Department of L Safety and Healt	abor h Administration	2 AUG 200	5
Section I-Subsequent Act	tion/Continuation Data							
1. Subsequent Action	1a. Continuation	2. Dated (Original Issue)	Mo D 07/19/		3. Citation/ Order Number	7098105 - 01		
4. Served To				5. Ope	rator			
Carl Crumrine - M	line Foreman			ANK	ER WEST VIRG	INIA MINING C	OMPANY INC	
6. Mine SAGO MINE				7. Mine	46-0879	1	(Contractor)	
Section II-Justification for	Action							
Change	F	rom			То		<u> </u>	

75.503

Reason Issued under the wrong section of the 30 CFR in error.

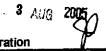
75.517

9. C. Part/Section

Section III-Subse	guest Action Tale			See Continuation Form
8. Extended To		Ďа	Yr B. Time (24 Hr. Clock)	D. Terminated
Section IV-Inspect 9. Type of inspe			10. Event Number 4054749	
11. Signature		0	AR Number 12. Date	13. Time (24 Hr. Clock)
MSHA Form 7000	-3a, Mar 85 (revis	ed)	onenzous 1	1021

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Mine	Citat	ion/	$\cap$	۵r
	Callell	w	LHU	





Section I-Vi	oletion Data					
1. Date	Mo Da Yr 07/20/2005	2. Time (24 Hr. Clock) 0630		3. Citation/ Order Number	7098106	
4. Served T			5. Operator ANKER WEST VIRGINIA MINING COMPANY INC			
6. Mine SAGO N			7. Mine ID 46-0	8791	(Contractor)	
	n or Practice				8a. Written Notice (103g)	

The clearance space's along the track haulage at #52 block along #4 conveyor belt is obstructed in that four 6 inch diameter by 20 feet in length water lines are laying in the 24 inch clearance space (walkway) and three of the same size water lines are laying in the 12 inch clearance space. The track mounted mantrips are barely missing the water lines as they are used to transport miners in and out of the mine. The mine operator immediately removed the water lines from the clearance space.

				See C	Continuation Form (MS	HA Form 7000-3a)
9. Violation A. Health Safety Other	of Act		C. Part/Section of Title 30 CFR	7	5.1403	
Section II—Inspector's Evalu	ation					
10. Gravity:					. –	. 🗖
A. Injury or Iliness (ha		ood Unlikety U	Reasonably Like	ly 🗗 Highly Lik	ely 📋 Occ	urred
B. Injury or illness cou sonably be expects		t Workdays 🗌 Los	Workdays Or Restricted	Duty 🗹 Perma	nently Disabling	Fatai
C. Significant and Sul	ostantial: Yes	No 🗆		D. Numbe	r of Persons Affecte	d: 00/
11. Negligence (check or	(e) A. None	B. Low 🗀	C. Moderate	D. High	E. Reckless Diere	gard 🗌
12. Type of Action	314(b) 104	13. Type o	of Issuance (check one)	Citation 🕑	Order 🗌	Safeguard
14. Initial Action A. Citation B. Or	rder 🗹 C. Safegua	ard D. Written Notice	E. Citation/ Order Number	7097926	F. Dated	Mo Da Yr
16. Termination Due	A. Date Mo Da	∵ D Time /24 He Cl	ook) 0635	1		<u></u>
Section III-Termination Act					·	
17. Action to Terminate	Term	inated due to	the 6 inch	water line	being remo	ved from
the clearanc		(walkway) at				
18. Terminated A. Date	Mo Da Yr 07/20/2005	B. Time (24 Hr. Clock)	0635	····	<del></del>	
Section IV—Automated Syst	em Deta		<del></del>		<del></del>	<del></del>
19. Type of Inspection (activity code)	FO 1 20. Event	Number 405474	19 21. Prima	y or Mill		
22. Signature -	6			23.	AR Number	6
MSHA Form 7000-3, Mar 8	5 (revised) In accord	dance with the provisions of the	Small Business Regulatory	Enforcement Fairness Ar	of 1996 the Small Pe	reiness Administration

MSTA Form 7000-3, Mar 45 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1995, 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 20415. 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-Su	ibeequent Ac	tion/Continuation Data						
1. Subsequ	ent Action	1a. Continuation	2. Dated (Original (seue)	Mo Da 07/20/20	Yr 005	3. Citation/ Order Number	7098106 - 01	
4. Served T	o				5. Opera	lor		
Carl Cru	mrine - N	Mine Foreman			ANKE	R WEST VIRG	<u>INIA MINING COMPAN</u>	IY INC
6. Mine SAGO M	IINE				7. Mine II	46-0879	(Co	ntractor)
Section II-Ju	ustification fo	or Action						
Change	<u>-</u>	Fre	m	<b>4</b>		To		
12. Type of	Action1	314	(b)			104(a)		
Reason	Entered	314(b) in this citat	ion in error.					
13. Type of	issuance	Safe	guard			Citation		
Reason	Entere	d safeguard in this o	itaton in error.					
14. Initial A	ction					Safeguard		
Reason	Missed o	entering safeguard i	n this citation in	error.		ū		
14. E. Citat	ion/Order N	lumber				7097926		
Reason	Missed o	entering the safegua	rd no. in this cita	tion in error				
14. F. Initial	Action Dat	ted				06/14/2005		
Reason	Missed o	entering the safegua	rd date in this cit	ation in erro	r.			

Section III-Subsequent Action Taken			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 Date			
9. Type of Inspection E01	10. Event Number 4054749		······································
11. Signature	AR Number 12. Date	Mo Da Yr 13. Time (24 Hr. Clock 07/28/2005 0600	x)
MSHA Form 7000-3e, Mar 85 (revised)			

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





Continuation	Mille Salety and Health Administration
Section I-Subsequent Action/Continuation Data	
1. Subsequent Action 1a. Continuation 2. Dated Mo (Original issue) 07/20	Da Yr 3. Citation/ 0/2005 Order Number 7098106 - 02
4. Served To	5. Operator
Carl Crumrine - Mine Foreman	ANKER WEST VIRGINIA MINING COMPANY INC
6. Mine	7. Mine ID (Contractor)
SAGO MINE	46-08791
Section II—Justification for Action	
Change From	То
10. A. Injury or Illness	Reasonably Likely
Reason Missed checking box for Reasonably Likely, Line 10-	- <b>A</b> .
10. B. Injury Expected	Lost Workdays
Reason Missed checking box for lost workdays or restricted du	uty, line 10-B.
10. C. Significant and Substantial No Selected	Yes
Reason Missed checking box for Yes, line 10-C.	
10. D. Persons Affected 0	1
Reason Missed checking box for number of persons affected,	Line 10-D.
11. Negligence	Moderate
Reason Missed checking box C for Moderate on Line 11.	
Missed checking these items when	I modified the type of action on this

Missed checking these items when I modified the type of action on this citation from 314(b) to 104(a) on 07/28/2005.

Section III—Subse	quent Ac	tion Tak	on .		<del></del>	·	<del></del>			See Continuation Form
8. Extended To	A. Dat	Mo e	Da	Yr	8. Time (24 h	fr. Clock)	<u> </u>	C. Vacated	D. Terminated	✓ E. Modified
Section IVInspe	ction Det	1					<del></del>	_ <del></del>		
9. Type of Inspe	ection	E01		10. E	vent Number	4054749			<u></u>	
11. Signature		6	)		15	AR Number	12. Date	Mo Da Yr 08/01/2005	13. Time (24 Hr. Ck	ock)
MSHA Form 7000	)-3e, Mer	85 (revis	ed)			~ <del>-</del>			1100	

21: Oil	-4:/	$\sim$	۰
Mine Cit:	aricoco	LWIN	ı

	P		230	N.
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Section iV	olation Data					
1. Date	Mo Da Yr 07/20/2005	2. Time (24 Hr. Clock) 0655	3. Citation/ Order Number	, 7098107		
4. Served 1			5. Operator ANKER WEST VIRGINIA MININC	MINING COMPANY INC		
6. Mine SAGO N			7. Mine ID 46-08791	(Contractor)		
	n or Practice			8a. Written Notice (103g)		

Loose coal and coal fines mixed with rock is allowed to accumulated at the coal feeder located on the 2-Left, (003) MMU working section. The accumulations measured 26 feet in length by 6 to 9 feet wide by 6 to 18 inches deep and range from damp to wet. The accumulations have been generated from the conveyor chain on the Joy shuttle car dragging the material back as the shuttle car dump's on the coal feeder. There have been 11 citations issued for violations of section 75.400 at this mine since 01/09/2005.

									See C	ontinuation For	m (MSHA I	Form 7000-3a)
9. Violation A	A. Health Safety Other		B. Section of Act			C. Part/S Title 3	ection of 0 CFR		7	5.400		
Section II—Inspect	or s Evalu	ation										
<ol> <li>Gravity:</li> <li>A. Injury or III</li> </ol>	ness (ha	8) (is):	No Likelih	ood 🗌	Unlikely 🗹	Re	esonably i	ikely 🔲	Highly Like	hy 🗆	Occurre	d 🗌
B. Injury or ille sonebly be			No Los	t Workd	ays Lost V	Vorkdays	Or Restric	ted Duty 🔽	Perman	ently Disablin	o 🗆	Fatal 🗌
C. Significant	and Sub	ostantial:	Yes		No 🗹				D. Number	of Persons A	ffected:	001
11. Negligence (	check on	<b>(e)</b>	A. None	]	B. Low	C. Moden	gte 🗹	D. High		E. Reckless	Disregare	d 🗌
12. Type of Action	on	104(a	1)		13. Type of	Issuance	(check one	) (	Citation 🗹	Order [		Safeguard
14. Initial Action A. Citation	B. Or	der 🗌	C. Safegua	ard []	D. Written Notice		Citation/ Order Num	ber		F. C	beted	Mo Da Yr
15. Area or Equi	•		···									
16. Termination	Due	A. Date	Mo De 07/20/2		B. Time (24 Hr. Cloc	ck)	0730	- 1				
Section III—Termin	netion Acti	ion										
17. Action to Tel SCOOPING				ated.	due to th	e acc	cumula	tions l	being (	cleaned	up k	уу
18. Terminated	A. Date		0/2005	B. Time	(24 Hr. Clock)	073	0					·
Section IV-Autom	nated Syst	em Dete						<del></del>	<del></del>	······································		
<ol><li>Type of insp (activity code</li></ol>		E01	20. Event	Number	405474	9	21. Pri	mary or Mill				
22. Sign	<b>ک</b>	6	2	_		<del></del>			23. /	R Number	[6	, ]
MSHA Form 7000	-3, Mar 85	(revised)	In accor	dance with	the provisions of the S	Small Busin	ess Regule	tory Enforcemen	nt Fairness Ac	of 1995, the S	mall Busine	na Administration

has established a National Small Business and Agriculture Regulatory Orthodoxnan and 10 Regional Felimess Boards to receive comments from small businesses about federal agency enforcement actions. The Ormbudaman 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 1-858-REG-FAIR (1-858-734-3247), or write the Ombudaman at Small Business. Administration, Office of the National Ormbudaman, 409 3rd Street, SW MC 2120, Washington, DC 20418. 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 penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

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Mine	Citat	ion/	Order

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			Milito Odroty drid 1 roditi 7 to militari					
Section I-Vk	oution Data			<u></u>				
1. Date	Mo Da Yr 08/01/2005	2. Time (24 Hr. Clock) 0340	3. Citation/ Order Number	7098123				
4. Served T			5. Operator ANKER WEST VIRGINIA MINING C	ONDANIV INIC				
Lonnie S	hort			OMPANT INC				
6. Mine			7. Mine ID 46-08791 (Contr					
SAGO M	IINE			Sa Written Notice (103g)				

The #8 mantrip which is used to transport miners in and out of the mine is not maintained in a safe operating condition. The four sanding devices which are located on this mantrip will not provide sand to the wheels and track for traction purpose's. All four of the sanding device's storage container's are plugged up with wet sand. The sanding device's will not provide sand to the wheel's and track for traction purpose's. This mine has several grade's and the track ranges from wet to dry.

											See	Continuatio	n Form (MSI	KA Form 7	)00-3a) 🔲
9. Violation	A. Health Safety Othe		B. Section of Act				C. Part/So Title 30				7	5.1403			
Section II—Insp	ector's Evalu	ation													
10. Gravity:															
A. Injury o	r Ilinees (ha	s) (is):	No Likelih	ood 🗌	Unl	likely	Re	asonably	Likely	✓	Highly Li	cely [_]	Occi	rred 🗌	
	r illness cou be expecte		No Los	t Workde	ys 🗌	Lost W	orkdays (	Or Restri	icted Du	ty 🗹	Perma	inently Dis	abling 🗌	Fata	
C. Signific	ant and Su	petantial:	Yes	• 🗹	No 🗀						D. Numbe	or of Perso	ns Affected	t 00	1
11. Negligeno	ce (check or	<b>xe</b> )	A. None	)	B. Low [		Modera	te 🗹		D. High		E. Rec	klesa Disre	gard 🗌	
12. Type of A	ction	104(	(a)		1	3. Type of is	suance (	check or	ne)	C	itation 🗹	Orde		Sa	feguard 🗌
14. Initial Acti A. Citation		rder 🗀	C. Safegui	ard 🗸	D. Writter	n Notice		itation/ rder Nur	nber	7	097925		F. Dated		Da Yr /14/2005
16. Terminati	ion Due	A. Date	Mo Da 08/01/2		B. Time (	24 Hr. Clock	)	0350	)	1		,		<u> </u>	
Section III-Ter	minetion Act	Lion	00/01/2	003	.··	<del></del>				<u> </u>					
17. Action to	Terminate		Term	inat	ed du	e to t	he w	et s	and	heir	or cle	aned	from	the s	and
storage	e cont	aine													and
sand.	The sa	ndin	a devi	cels	will	now f	ige c	ion	20 1	io De	red	11160	. MT CII	ur y	
18. Terminat	ad	Mo	Da Yr		****	. 110# 1	unce	1011	43 1	. equ.	LI Ca.				
	A. Date	08/	01/2005	8. Time	(24 Hr. C	lock)	0350								
Section IV-Au		om Deta													
19. Type of h (activity c		E01	20. Event	Number	4	054749		21. P	rim <b>a</b> ry o	r Mill					
22. Signature	<del>.</del> [	6	I	,	<del>/</del>		<del></del>	_1			23.	AR Numb	er 5	6	1
MSHA Form 7	000-3. Mer &	5 (nevised	) In access	dance with	the coule	lone of the Sm	and Danie	es Beerl	leten Cal	<u> </u>	- Polymon A	-4-14006	to Const Do		

in accordance with the provisions of the Small Business Regulatory Enforcement Falmess Act of 1995, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudeman and 10 Regional Falmess Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudeman 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 Ombudeman at Small Business Administration, Office of the National Ombudeman, 409 3rd Street, SW MC 2120, Washington, DC 20416. 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 citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.



Mine Citation/Order
Continuation





Section I-Subsequent Action/C	ontinuation Data	V
1. Subsequent Action 1a. C	ontinuation 2. Dated (Original Issue)	Mo Da Yr 08/01/2005 3. Citation/ Order Number 7098123 - 01
4. Served To		5. Operator
Lonnie Short		ANKER WEST VIRGINIA MINING COMPANY INC
6. Mine SAGO MINE		7. Mine ID (Contractor) 46-08791
Section II-Justification for Actio	n	
Change	From	To
2. Issue Time	03;40	15:40
Reason Did not use the	ne 24 hour clock when issuing.	
16. B. Termination Due Time	03;50	15:50
Reason Did not use t	he 24 hour clock when issuing.	
18. B. Terminated Time	03:50	15:50
Reason Did not use th	e 24 hour clock when issuing.	

Section N-Subse	quent Acti	on Taker	,							See Continuation Form
8. Extended To	A. Date	Мо	Da	Yr	B. Time (24	Hr. Clock)		C. Vacated	D. Terminated	✓ E. Modified
Section IV-Inspec	tion Data		-		<del></del>		<del></del>	<u></u>		
9. Type of inspe	ction F	01		10. E	vent Number	4054749				······································
11. Signature	<b>-</b>	6	_			AR Number	12. Date	Mo Da Yr 08/01/2005	13. Time (24 Hr. Cl	ock)
MSHA Form 7000	Ja Mar S	5 (rovina	<u>~</u>			<del>-</del>	<u> </u>	00/01/2003	2038	

22. Signature

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2005	
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h.

Mine Citatio	on/Order					nt of Lab d Health A	or \dministratio	, $\gamma$	
Section I-Violati	on Data	***************************************							
1. Date	Mo Da Yr 08/01/2005	2. Time (24 h	Ir. Clock) 1645			3	3. Citation/ Order Number	709812	4
4. Served To	00/01/2000			5, Ope					
Lonnie Sho	rt			ANK	ER WES	Γ VIRGIN	IA MINING	COMPAN	Y INC
6. Mine				7. Mine	ID 46	-08791			(O t t t)
SAGO MIN								8a. Written N	(Contractor)
8. Condition or			model 35C-W		-	m220	246 3		
3599-2, the fol lid loc	lowing c	#6 is no ondition	ot maintained was found. [	l in a s [1] The	safe on batte:	peratir ries we	ng condi ere not ;	tion, in provided	n that d with
9. Violation	A. Health Safety V	B. Section of Act		C. Part/Sect Title 30 C			See Continuat	ion Form (MSHA	Form 7000-3a)
Section II—Inspe	ector's Evaluation			<del></del>					
10. Gravity:									
	Illness (has) (is):		Untikety 🔽	Reaso	onably Likely	н	fighly Likely 🔲	Occurre	ed 🗌
	illness could rea be expected to be		Workdays 🗌 Lost	Workdays Or	Restricted D	tuty 🗹	Permanently D	isabling 🔲	Fatal 🗌
C. Significa	ant and Substanti	el: Yes [	□ No 🗹			D	. Number of Pers	sons Affected:	001
11. Negligeno	e (check one)	A. None	B. Low 🗌	C. Moderate	Ø	D. High 🔲	E. Re	ckless Disregar	d 🗌
12. Type of Ad	ction 10	4(a)	13. Type of	f Iseuance (ch	eck one)	Cital	tion 🗹 Or	der 🗌	Safeguard [
14. Initial Action A. Citation		C. Safeguard	D. Written Notice	E. Cita	tion/ or Number			F. Dated	Mo Da Yr
15. Area or Ed	quipment								
16. Terminatio	A. De	Mo Da Yr 08/01/200		ock)	1650	T	<del></del>		
Section III-Terr	mination Action								
17. Action to 1	<b>Ferminate</b>	The b	atteries lids	s were	chaine	d, and	they ar	e now se	ecure.
18. Terminate	A. Date 08	701/2005	Time (24 Hr. Clock)	1650		<u>, , , , , , , , , , , , , , , , , , , </u>	<del> </del>		<del></del> -
Section IV-Auto	omated System Dat	9			L	<del></del>			· · · · · · · · · · · · · · · · · · ·
19. Type of in: (activity co	spection (de) E0	20. Event Nu	imber 405474	.9	21. Primary	or Mill	1		<del></del>

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1995, 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 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, 408 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.

23. AR Number



N//	

Section I-Vi	ictation Data			
1. Date	Mo Da Yr 08/01/2005	2. Time (24 Hr. Clock) 1707	3. Citation/ Order Number	7098125
4. Served 1 Lonnie S	Го		5. Operator ANKER WEST VIRGINIA MINING C	COMPANY INC
6. Mine SAGO N			7. Mine ID 46-08791	(Contractor)
	n or Practice			8a. Written Notice (103g)

The Fairchild scoop model 35C-WH, serial no. T339-324, Approval no. 2G-3599-2, Company #1 is not maintained in a permissible condition in that the following conditions were found: (1) The batteries are not provided with lid locks. (2) The emergency stop switch (panic bar) located on the battery side of the operators deck has fallen off and is hanging loose by the power wire's. There have been 16 citation issued for violation's of section 75.503 at this mine since 02/17/2004.

									See C	Continuatio	n Form (MSHA	Form 7000-3e)
9. Violation	A. Health Safety Other		B. Section of Act			C. Part/Se Title 30			7	5.503		
Section II—Inspe	ctor's Evalu	ation	····									
10. Gravity: A. Injury or	lliness (had	s) (is):	No Likeliho	ood 🗌	Unlikely 🗹	Rea	sonably Like	hy 🗆	Highly Llk	ely 🗌	Occurr	ed 🗌
8. Injury or sonably t	illness cou se expected		No Los	t Workd	lays 🗌 Los	t Workdays O	r Restricted	Duty 🔽	Perma	nently Dis	abling 🗌	Fatal 🗌
C. Significa	nt and Sub	stantial:	Yes		No 🗹				D. Numbe	r of Perso	ons Affected:	001
11. Negligence	(check on	e)	A. None	]	B. Low 📋	C. Moderate	• 🗹	D. High		E. Rec	kless Disrega	rd 🗌
12. Type of Ac	tion	104(	a)		13. Type o	of Issuance (c	heck one)	(	Citation 🔽	Ord	er 🗌	Safeguard
14. Initial Actio A. Citation		der 📋	C. Safegua	rd 📋	D. Written Notice	, —,	ation/ der Number				F. Dated	Mo Da Yr
16. Termination	n Due	A. Dute	Mo Da 08/01/2		B. Time (24 Hr. Cl	ock)	1725	T		· · · · · · · · · · · · · · · · · · ·		
Section III—Term	nination Acti	on										
17. Action to T and the back in	y are	now	secur	ed.	due to t The emerg							
18. Terminated	A. Date	08/0	Da Yr 01/2005	B. Time	(24 Hr. Clock)	1725			· ·		·	
Section IV-Auto	mated Syst	em Data										
19. Type of in: (activity co		E01	20. Event	Number	405474	19	21. Prima	y or Mill				
22. Signature			6		1			· · · · · · · · · · · · · · · · · · ·	23.	AR Numb	er /	6

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1995, 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 rate stutement a resulting Shall outsiness and agriculture regulatory Ombudaman and 10 regions pairiess poaros to receive comments from atmess abusinesses about revenue agency enforcement actions. The Ombudaman annually evaluates enforcement ectivities 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 (1-888-73-3247), 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 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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Section I-Subsequent Action/Continuation	Data			
1. Subsequent Action 1a. Continuation	2. Dated (Original issue)	Mo Da Yr 08/01/2005	3. Citation/ Order Number	7098125 - 01
4. Served To		5. Opera	tor	
Carl Crumrine - Mine Forema	n	ANKE	R WEST VIRG	SINIA MINING COMPANY INC
6. Mine		7. Mine f	D 46 0000	(Contractor)
SAGO MINE			46-0879	4
Section II—Justification for Action				
Change	From		То	

8. Condition Or Practice

Reason Remove the following from the body of the condition and practice of this citation. The emergency stop switch (panic bar) located on the battery side of the operator's deck has fallen off and is hanging loose by the power wire's.

Entered the statement about the emergency stop switch (panic bar) in this permissibility violation in error. Citation no. 7098129 has been issued for the condition of the of the emergency stop switch (panic bar) on the #1 Fairchild scoop.

action III-Subsequent A	ction Take	,						See Continuation Form
Extended To A. Da	Mo te	Da	Yr B. Time (2	Hr. Clock)		C. Vacated	D. Terminated	✓ E. Modified
ection IV—Inspection De	la							<del> </del>
Type of inspection	E01		10. Event Numbe	4054749	·			
I. Signature		6	7	AR Number	12. Date	Mo Da Yr 08/03/2005	13. Time (24 Hr. Ck	ock)

W8/0

Mine Citatio	on/Order			U.S. Department of Labor Mine Safety and Health Administration					
Section I-Violet	ion Data								
1. Date	Mo Da Yr 08/02/2005	2, Time (24 Hr. Clock) 1445		3. Citation/ Order Number	709812	6			
4. Served To			5. Operator ANKER WEST VII	POINTA MINING	COMPAN	V INC			
Lonnie Sho	<u>rt</u>		3 Mari 173	<del></del>	COMITA	1110			
6. Mine SAGO MIR	, TE		7. Mine ID 46~081	791		(Contractor)			
8. Condition or					8a. Written N	lotice (103g)			
devices and tra	which ar ck for tr com the sa	e located on this action purpose's. nding device to the	ting condition. The mantrip will not p The tube's that d he track rail is p the track ranges	provide sand irect the lo lugged up wi	d to the ocation ith wet	e wheels of the			
				See Configue	ion Form (MSHA	Form 7000-3a)			
	A. Health Safety (7) Other Selection	B. Section of Act	C, Part/Section of Title 30 CFR	See Continuat 75.1403	ion Form (MSHA	Form 7000-3a)			
9. Violetion Section 8-Insp 10. Gravity:	Safety 🗸					Form 7000-3a)			
Section II—Insp	Safety 🗸 Other		Title 30 CFR						
Section R-Imp 10. Gravity: A. Injury of B. Injury of	Safety V Other  ector's Evaluation	of Act  No Likelihood  Unlikely	Title 30 CFR	75.1403	Occurn				
Section II-Imsp 10. Gravity: A. Injury or B. Injury or sonably	Safety V Other Sector's Evaluation  r Illness (has) (is): r illness could rea-	of Act  No Likelihood Unlikely  No Lost Workdays	Title 30 CFR  Reasonably Likely	75.1403	Occurre	ed []			
Section R-Imsp 10. Gravity: A. Injury of B. Injury of sonably C. Signific	Safety (*) Other (*) ector's Evaluation  r Illness (has) (is): r illness could rea- be expected to be:	No Likelihood Unlikely No Lost Workdays	Title 30 CFR  Reasonably Likely  Lost Workdays Or Restricted Duty	75.1403  Highly Likely  Permanently Di D. Number of Pers	Occurre	Fatal 001			
Section R-Imsp 10. Gravity: A. Injury of B. Injury of sonably C. Signific	Safety Other	of Act  No Likelihood □ Unlikely  No Lost Workdays □  Yes ☑ No □  A. None □ B. Low □	Title 30 CFR  Reasonably Likely  Lost Workdays Or Restricted Duty	75.1403  Highly Likely  Permanently Di D. Number of Pers gh  E. Re	Occurre	Fatni   001			
Section ill-Insp 10. Gravity: A. Injury or B. Injury or sonably C. Signific 11. Negligeno	Safety (**) Other ector's Evaluation  r Illness (has) (is): r illness could reable expected to be: ant and Substantial re (check one) ction 104 on B. Order	of Act  No Likelihood □ Unlikely  No Lost Workdays □  Yes ☑ No □  A. None □ B. Low □	Title 30 CFR  Reasonably Likely   Lost Workdays Or Restricted Duty   C. Moderate   D. Hi  ype of issuance (check one)  E. Citation/	75.1403  Highly Likely  Permanently Di D. Number of Pers	Occurre	ed   Patel   O01			

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1995, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudeman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudeman annually evaluates 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 2120, Washington, 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 obtations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

1945

21. Primary or Mill

23. AR Number

function as required.

A. Date

Section IV-Automated System Data

18. Terminated

19. Type of Inspection

(activity cor**)

Mo Da Yr

08/02/2005

6

EO1 20. Event Number

B. Time (24 Hr. Clock)

4054749



#### Mine Citation/Order

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

	1.
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Section i-Vid	olation Data			
1. Date	Mo Da Yr 08/02/2005	2. Time (24 Hr. Clock) 1622	3. Citation/ Order Number	7098127
4. Served T Lonnie S	ō		5. Operator ANKER WEST VIRGINIA MINING CO	OMPANY INC
6. Mine SAGO M			7. Mine ID 46-08791	(Contractor)
	ar Propries			la, Written Notice (103g)

The track haulage along the #6 conveyor belt is not maintained in a safe condition in that the following condition was found. Water is allowed to accumulate in a dip in the track haulage entry 1 block inby the #6 conveyor belt head drive. The water measured 8 inches to 14 1/2 inches deep from rib to rib for approximately 25 feet in length and ranges from 2 inches to 3 inches deep over the ball of the track rail's.

						See Continuation	Form (MSHA f	form <b>7000-3</b> a)
9. Violation	A. Health Safety 🗹 Other	B. Section of Act		C. Part/Section of Title 30 CFR		75.1403		
Section II—Insp	ector's Evaluation							
10. Gravity:								_
A. injury o	r Illness (has) (is):	No Likelihood	Unlikely [	Ressonably L	ikely 🗹 🛮 Higi	ily Likely 🔲	Оссипе	d 🗌
	r illness could rea- be expected to be:	No Lost V	Vorkdays 🗌 Lost	Workdays Or Restrict	ed Duty 🗹 🛭 F	ermanently Disa	abiling 🗌	Fatal 🗌
C. Signific	cant and Substantial	Yes 🗽	No 🗌		D. N	umber of Persor	ns Affected:	001
11. Negligeno	ce (check one)	A. None	8. Low 🗌	C. Moderate 🗹	D. Higgh 🔲	E. Reck	less Disregard	
12. Type of A	oction 104	(a)	13. Type o	f Issuance (check one	) Citation	<b>☑</b> Orde	r 🗀	Safeguard
14. Initial Act		C. Safeguard	D. Written Notice	E. Citation/ Order Numb	70979	27	F. Dated	Mo Da Yr 06/14/2005
16. Terminati	ion Due A. Date	Mo Da Yr 08/02/200	B. Time (24 Hr. Ck	pok) 2200				
Section IIITer	mination Action	00/02/200	<del>"</del>	<del> </del>				<del></del>
17. Action to	Terminate							
18. Terminati	A. Date Mo	Da Yr B.	Time (24 Hr. Clock)					
Section IV-Au	tomated System Date		<del></del>			· · · · · · · · · · · · · · · · · · ·		
19. Type of II		20. Event Nu	mber 405474	21. Prir	nary or Mill	····		<del></del>
22. Signature		6		<u> </u>		23. AR Numbe	* F6	7
MCNA Com	200 0 14 - 05 4					<del></del>		

MSPA Form 20-3, Mer 65 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Falmess Act of 1996, the Small Business Administration has establis, and a National Small Business and Agriculture Regulatory Ombudsmen and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enfurcement actions. The Cribudsman annually evaluates enforcement actives 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, Weshington, 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 obtains and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.



Mine	Citation/Order
A	

X	1
	X

Continuation	31110 00100					
Section I-Subsequent Action/Continuation Date						
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 08/02/2		3. Citation/ Order Number	7098127 - 01	
4. Served To			5. Opera	or	SPITA ACRIDIC COMBANIVING	
Brad Hamrick			ANKE	K MEZI AIKC	SINIA MINING COMPANY INC	
6. Mine			7. Mine li	46-0879	(Contractor)	
SAGO MINE				10 0013		
Continuit limitination for Artisa						

Terminated due to the water being pumped from the track haulage entry in the cited area along the #6 conveyor belt.

Section III—Subsequent Actio	n Taken			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 Data				
9. Type of Inspection E	01	10. Event Number 4054749		
11. Signature	6	J AR Number	12. Date Mo Da Yr 08/03/2005	13. Time (24 Hr. Clock) 1730
MSHA Form 7000-3a, Mar 8	(revised)			

W8/05

1	9	A110	200
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Atino	Citation	/Order
WHITE H	CHAROL	Clusi

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					Mine Safety and	1 Health	n Administratio	n	
ection I-Viola	ation Date			<del>الاسطان بالكاسا بالمراسين بالكرسان</del>					
. Date	Mo Da Yr 08/02/200		Time (24 Hr. Clo 061				3. Citation/ Order Number	709812	28
. Served To		<u></u>			5. Operator				
Lonnie Sh	ort				ANKER WEST	VIRG	INIA MININC	i COMPAN	Y INC
5. Mine					7. Mine ID 46	-0879	1		(Contractor)
SAGO MI				, <u></u>	<u> </u>			Sa Written I	Notice (103g)
3. Condition	or Practice			ntrol plan is	not boing		nlind wit		
003 MM #6 ent length left r The co leavin rib. ( of 17 in a r to bol	U working y was not starting in the roof g the post of the feet in ow in the feet. (5)	ng se mined ng at ne #6 the erman #2 en leng nis a	ction in from 21 SS4065. entry r #6 to #7 ently in try was th just rea meas 4 entry	that the folfeet to 21.7 (2) Six permange from 51 crosscut at stalled roof mined from 20 inby SS4077. ured from 4.9 was mined from	lowing conditions of the condi	ndition and the stall the	ons were istance of led roof nches fro #6 entry orner 6 f feet wid ly instal o 5.5 fee	found: f 24 fer bolts a m the r has rol eet from le for d led roo t wide	et in long the ib. (3) led off m the istance f bolts from bolt
			eet in l						
		-					See Continue	tion Form (MSH/	A Form 7000-3e) 🗹
9. Violation	A. Health Safety Other		Section of Act		Part/Section of itie 30 CFR		75.202(	a)	
Section II-line	pector's Evaluation	n n	<del></del>	<del></del>					
	or illness (has) or illness could	·	lo Likelihood 🔲	Unlikely	Reasonably Likely		Highly Likely		red [
	ly be expected to		No Lost Work	iays Lost Work	days Or Restricted D	uty 🔽	Permanently (	Disabling [	Fatal
C, Signif	icant and Subst	antial:	Yes 🗹	No 🗌			D. Number of Per	sons Affected:	001
11. Negliger	nce (check one)	A.	None 🔲	B. Low 🗌 C. M	loderate 🗹	D. High	☐ E. R	eckiese Disrega	ard [
12. Type of	Action	104(a)		13. Type of Issue	ince (check one)	C	itation 🗹 🔾	rder 🗌	Safeguard [
14. Initial Ac A. Citatio		r 🗌 C	. Safeguard 📋	D. Written Notice	E. Citation/ Order Number			F. Dated	Mo Da Yr
15. Area or	Equipment		<del></del>						
16. Termina	^	Tiete	Mo Da Yr 08/02/2005	B. Time (24 Hr. Clock)	1100				
	ermination Action								
17. Action to	o Terminate								
18. Termina	A. Date	Mo Da	Yr B. Time	(24 Hr. Clock)		······································			
	utomated System	Data					<del></del>		
19. Type of (activity		E01	20. Event Numbe	4054749	21. Primary	or Mill			
22. Signatui		6					23. AR Nui	nber	6 ]
MSHA Form	7000-3, Mar 85 (r	evised)	In accordance wit	h the provisions of the Small	Business Regulatory F	Morcemen	Fairness Act of 100	6 the Small Chief	nese Administration

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 business 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 Faderal 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 Da	ita					
1. Subsequent Action 1a. Continuation	2. Dated (Original issue)	Mo Da 08/02/200	***	3. Citation/ Order Number	7098128	
4. Served To			5. Operato	r		
Lonnie Short			ANKER	WEST VIRG	<u>INIA MINING COMPANY INC</u>	<u> </u>
6. Mine			7. Mine ID	46.00	(Contractor)	
SAGO MINE				46-0879	<u> </u>	

#### Continuation of 8. Condition or Practice

Section II-Justification for Action

just outby SS4091. A cutter has run along the right rib for approximately 50 feet in length. The cutter ranges from 2 inches to 10 inches deep by 12 inches to 48 inches wide by approximately 50 feet in length. This is the same area in the #4 entry where the entry was mined over the maximum 20 feet entry width provided in the approved roof control plan.

Section IIISubsec	quent Action Take	in .			<del></del>		<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-Inspec								<del></del>
9. Type of inspec	ction E01	10. I	vent Number	4054749	·			
11. Signahun		6	]	R Number	12. Date	Mo Da Yr 08/02/2005	13. Time (24 Hr. Clo	ck)
MSHA Form 7000-	-3a, Mar 85 (revise	ed)						<del></del>

Mine	Citation/Order
A 45	

H	1.

Continuation		Mille Safety and Freatth Administration					
Section I-Subsequent A	ction/Continuation Data	1					
Subsequent Action	1a. Continuation	2. Dated (Original Issue)	Mo D 08/02/		3. Citation/ Order Number	7098128 - 01	
4. Served To	-			5. Open			
Brad Hamrick				ANKI	R WEST VIRO	INIA MINING COMPAN	Y INC
6. Mine				7. Mine	ID 46 0050	(Cont	ractor)
SAGO MINE					46-0879	'1	
Section II., bestification for	v Action						

Terminated due to the entry's on the 2-Left,003-0 MMU being narrowed down to 20 feet wide by installing Heintzmann alternative crib support's along the rib's in the cited areas on this section. Also roof bolt's were installed in the cited areas where the permanent roof bolt spacing's are beyond the maximum allowable distance provided in the approved roof control plan.

Section III-Subsequent Action Taken	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 Data	
Type of Inspection E01 10. Event Number 4054749	
11. Signature / AR Number 12. I	11 1110 (27) 111 01000
1611	08/03/2005 1830
MSHA Form 7000.3a Mar 85 (reviews)	1030

Mine	Citati	ioni	On	der
MILL	CHAIL		~	161

,1	٢	AUG	2005		1.
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Section I-Vic	olation Data					
1. Date	Mo Da Yr 08/01/2005	2. Time (24 Hr. Clock) 1710	3. Citation/ Order Number			
4. Served T			5. Operator ANKER WEST VIRGINIA MINING C	OMPANY INC		
6. Mine SAGO M			7. Mine ID 46-08791	(Contractor)		
	or Practice			Ba. Written Notice (103g)		

The Fairchild scoop model 35C-WH, serial no. T339-324, approval no. 2G-3599-2, company #1 is not maintained in a safe operating condition. The emergency stop switch (panic bar) located on the battery side of the operators deck has fallen off and is hanging loose by the power wire's.

						See Contin	uation Form (MS	HA Form 7000-3a)
9. Violation A. Health Safety Other	of Act			art/Section of itle 30 CFR		75.52	23	
Section II-Inspector's Evalu	etion							
10. Gravity:								
A. Injury or Iliness (ha		00d U	nlikely 🗹	Reasonably	Likely [	Highly Likely [	Occ	urred [_]
B. Injury or illness cou sonably be expecte		t Workdays 🗌	Lost Work	days Or Restri	cted Duty 🗹	Permanently	Disabling	Fatal
C. Significant and Sul	ostantial: Ye	□ No 🗸	l			D. Number of P	ersons Affecte	d: 001
11. Negligence (check or	ne) A. None	B. Low	C. M	loderate 🔽	D. Higt	1 <u> </u>	Reckiess Disn	gard 🗌
12. Type of Action	104(a)		13. Type of Issua	ance (check on	e)	Citation 🗹	Order 🗌	Safeguard
14. Initial Action A. Citation B. O	rder C. Safegu	ard D. Writi	ten Notice	E. Citation/ Order Nun	nber		F. Dated	Mo Da Yr
16. Termination Due	A. Date Mo Da	Yr D The	(24 Hr. Clook)	1730				
	08/01/2	005	(24 HI, OROCK)	1730	<u></u>			
Section III—Termination Aci		<del></del>						
17. Action to Terminate						p switch		
being put ba					#1 Fai	rchild so	coop. Th	ne panic
bar will now	function	properly	when te	sted.				
18. Terminated A. Date	Mo Da Yr 08/01/2005	B. Time (24 Hr.	Clock)	1723		<u></u>		
Section IV-Automated Sys	em Data	····-						
19. Type of Inspection (activity code)	E01 20. Even	Number	4054749	21. Pi	rimary or Mill			····
22. Signature	6	7		· <u></u>		23. AR N	umber	ار ک

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18. Terminated

(activity cod

22. Signature.

A. Date

Section IV-Automated System Data 19. Type of Inspection

Mo Da Yr

08/03/2005

E01

20. Event Number

B. Time (24 Hr. Clock)

4054749

	X	1
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Mine Citatio	on/Orger				y and Heal	adoi Ih Administrati	on	
Section IViolati	on Data							
1. Date	Mo Da Yr 08/03/2005	2. Time (24 Hr. Clo 162)				3. Citation/ Order Numb	_{er} 709813	0
4. Served To		<del></del>		5. Operator				
Brad Hamri	icik			ANKER V	VEST VIRO	SINIA MININ	G COMPAN	Y INC
3. Mine SAGO MIN	VE		- · · · ·	7, Mine ID	46-0879	)1		(Contractor)
. Condition or	Practice	rip Which					8a. Written N	
device' for tra empty o mantrip ground. rail's	s located ction purp f sand. The operator The track range from	d in a safe on this ma cose's. The nis mantrip received a haulage m wet to d	antrip wil ree of the p was insp clearance of this miry. The ha	l not prove sanding of ected just from the one has seven 8	vide same device's dispatch veral gr citation	nd to the s storage the portainer to tra rade's an	wheels a containe l after t avel unde d the tra	and track ers are the er ack
9. Violation	A. Health Safety 🗸	B. Section of Act		C. Part/Section of Title 30 CFR	··· <u> </u>	See Continu	uation Form (MSHA	Form 7000-3a)
	ector's Evaluation							
10. Gravity:	. Ulmana (ham) (la):	No Likelihood	I iniliant.	Buseanabh	läkenhe [af	Highly Likely	Occurn	<b>⊶</b> [ ]
B. Injury or	iliness (has) (is): iliness could res- be expected to be:	No Lost Works	Unlikely Lost	Ressonably Workdaya Or Restri		<del></del>	Disabling [	Fatal 🗍
	ant and Substantial:	Yes 🗹	No 🗌		, , , , , , , , , , , , , , , , , , ,	D. Number of Po	ersons Affected:	001
11. Negligeno	e (check one)	A. None	B. Low	C. Moderate	D. High	E. (	Recidess Disrega	rd []
12. Type of Ad	ction 104(a	a)	13. Type of	Issuance (check on	<b>e</b> )	Citation 🗹 🔻	Order 🗌	Safeguard
14. Initial Action A. Citation		C. Safeguard 🗹	D. Written Notice [	E. Citation/ Order Nun	nber	709 <b>7</b> 925	F. Dated	Mo Da Yr 06/14/2005
15. Area or Ed		Mo Da Yr			<b>—————</b>			
	A. Date	08/03/2005	B. Time (24 Hr. Clo	ck) 1630				<del></del>
	mination Action							
being faction to the second of	filled wit	Terminate h dry sand for tract	d due to a l. The sand ion purpos	ding devic	f the s e's wil	and stora l now pro	ge conta vide san	iners d to the

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 Crobudsman and 10 Regional Fairness Boards to receive comments from small business 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. MSHA Form 7000-3, Mar 85 (revised)

1630

21. Primary or Mill

23. AR Number

#### Mine Citation/Order

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

Section IVi	olation Data						
1. Date	Mo Da Yr 08/03/2005	2. Time (24 Hr. Clock) 1915		Citation/ Order Number 7098131			
4. Served T			5. Operator				
Brad Har	mrick		ANKER WEST VIRGINIA MINING COMPANY INC				
6. Mine			7. Mine ID 46-08791				
SAGO N	<b>IINE</b>		40-00771	(Contractor)			
9 Condition	or Prectice			8a. Written Notice (103g)			

The approved ventilation plan is not being complied with on the 1-Left, 006-0 MMU working section in that the air quantity in the last open crosscut is not being maintained to at least 9000 cubic feet per minute. When this inspector attempted to take a air reading in the last open crosscut between the #2 & #3 entry's the wheel on the approved and calibrated anemometer would not even turn.

					See Continuation	n Form (MSHA Form 70	)00-3a) 🗌
9. Violation A. Heal Safe Ott	ty 🗹 of Act		C. Part/Section of Title 30 CFR	· · · · · · · · · · · · · · · · · · ·	75: <del>370(a)(</del> 1	3256	
Section II—Inspector's Eve	lustion						
10. Gravity:					_	_	
A. Injury or Illness (I		ood Unlikely	Reasonably	Likely 🗌	Highty Likely	Occurred [	
B. Injury or illness o sonably be expec		t Workdays 🗌 L	ost Workdays Or Restr	cted Duty 🔽	Permanently Dis	abling 🗌 Fata	ı 🗆
C. Significant and S	ubstantial: Yes	No 🗹			D. Number of Perso	ns Affected: 00	)2
11. Negligence (check	one) A. None	B. Low	C. Moderate	D. High	E. Red	dess Disregard 🗌	
12. Type of Action	104(a)	13. Тур	e of Issuance (check or	e) C	tation 🗹 Orde	r Sef	feguard 🗌
14. Initial Action A. Citation B.	Order C. Safegue	rd D. Written Notic	E. Citation/ Order Nur	nber		F. Dated Mo	De Yr
16. Termination Due	Mo Da	Yr L					<del></del>
	A. Date 08/03/2	005 B. Time (24 Hr.	Clock) 1935				
Section III—Termination A	ction						
17. Action to Terminate	Termi	nated due to	the check	curtains	and run t	hrough	
curtains be	ing tighten	. The ventil	ation was r	echecked	and the a	ir quantit	y in
the last li	ne of open	crosscuts is	now 16,758	CFM.		-	-
18. Terminated A. Da	Mo De Ve	B. Time (24 Hr. Clock)	1935				
Section IV-Automated S	etem Data			· · · · · · · · · · · · · · · · · · ·	<del></del>		<del></del>
19. Type of Inspection (activity coch)	FO 1 20. Event	Number 4054	749 ^{21. P}	rimary or Mill			· · · · · · · · · · · · · · · · · · ·
22. Signature	6	]			23. AR Numb	er 56	1
140/14 F	05.				<del></del>		

MSHA Form 7000-3, Mar 86 (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 Ornbudsman 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 20418. 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/Con	tinuation Data		
1. Subsequent Action 1a. Cor	ntinuation 2. Dated (Original Issue)	Mo Da Yr 3. Citation/ 08/03/2005 Order Number 7098131 - 01	
4. Served To		5. Operator	
Brad Hamrick		ANKER WEST VIRGINIA MINING CO	OMPANY INC
6. Mine		7. Mine ID	(Contractor)
SAGO MINE		46-08791	
Section II—Justification for Action			
Change	From	То	
9. C. Part/Section	75.370(a)(1)	75.325(b)	
Reson Issued under ti	he wrong section of the 30 C	FR in error	

Section III—Subse	quent Actio	n Taken			<del></del>			·	····		See Continuation Form
8. Extended To	A. Date	Мо	Da	Yr	B. Tirr	ne (24 Hr. Clock)	<u> </u>		C. Vacated	D. Terminated	✓ E. Modified
Section IV-Inspec	tion Data	*******		~	<del></del>						
9. Type of Inspe	ction E	01	^	10. E	vent Nu	mber 40547	49				
11. Signature /	$\mathcal{L}$	6	^	•	7	AR Number	12. Date		Da Yr	13. Time (24 Hr. C)	•
<del></del>	_						<u>.</u>	08	/04/2005	1230	

#### Mine Citation/Order

15. Area or Equipment

16. Termination Due

18. Terminated

Section III—Termination Action 17, Action to Terminate

A. Date

Section IV-Automated System Data

Mo Da Yr

08/08/2005

A. Date

Mo Da Yr

08/08/2005

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





Section I-Viol		<u> </u>				0.04-4		
1. Date	Mo Da Yr 08/08/2005	2. Time (24 Hr. Clock) 0605			j	<ol><li>Citation/ Order Number</li></ol>	709813	32
4. Served To				5. Operator	<del></del>		.,. <u>.</u> ,	
Lonnie Sh				ANKER WE	ST VIRGI	NIA MINING	COMPAN	Y INC
6. Mine		<del></del>		7. Mine ID	6-08791			
SAGO M	INE			4	0-00//1			(Contractor)
8. Condition	or Practice	trip which is				····		Notice (103g)
device and tr of san This m been 9	s which ar ack for tr d and two line has se	d in a safe of a located on action purpose of the sand veral grade's issued for	this man se's. Two storage of and the	ntrip will a o of the sam containers a e track rand	not pro nd stor are plu ges fro	vide san age cont gged up m wet to	d to the ainers a with we dry. The	e wheels are empty t sand.
						See Continua	tion Form (MSHA	Form 7000-3a)
9. Violation	A. Health Safety V	B. Section of Act		C. Part/Section of Title 30 CFR		75.140	3	· · · · · · · · · · · · · · · · · · ·
	spector's Evaluation							<del></del>
	or iliness (has) (is):	No Likelihood	Untikely	Reasonably Like	ely 🗹	Highly Likely	Occur	red 🗌
	or illness could rea- ly be expected to be:	No Lost Workdays	☐ Lost \	Norkdays Or Restricted	Duty 🔽	Permanently (	Disabling 🗌	Fatal 🗌
C. Signif	ficant and Substantial	Yes 🗹 No				D. Number of Per	sons Affected:	001
11. Negliger	nce (check one)	A. None B.	Low 🗌	C. Moderate	D. High	E. R	eckless Disrega	ırd 🗌
12. Type of	Action 104	a)	13. Type of	Issuance (check one)	Cit	ation 🗹 O	rder 🗌	Safeguard 🗌
14. Initial Ac A. Citatio		C. Safeguard 🗹 D. V	Written Notice	E. Citation/ Order Number	70	97925	F. Dated	Mo Da Yr 06/14/2005

19. Type of Inspection
(activity co. 1... | 20. Event Number | 4054749 | 21. Primary or Mill |
22. Signature | 23. AR Number | 6 |

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 Ombudaman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudaman 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 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 penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

0620

storage containers and all four of the sand storage containers being filled

0620

Terminated due to the wet sand being cleaned from the sand

B. Time (24 Hr. Clock)

with dry sand. The sanding device's will now function as required.

B. Time (24 Hr. Clock)

wylor

		400 1
Mine	Citatio	n/Ordei

2	4 AFG	2005
---	-------	------



			Wille Salety and near	Administration	
Section I-V	iolation Data				
1. Date	Mo Da Yr 08/08/2005	2. Time (24 Hr. Clock) 0725		3. Citation/ Order Number	7098133
4. Served Lonnie S	То		5. Operator ANKER WEST VIRG	INIA MINING	COMPANY INC
6. Mine SAGO I	MINE		7. Mine ID 46-0879	1	(Contractor)
8. Conditio	on or Practice				8a. Written Notice (103g)
Th	e approved	ventilation plan i	s not being complie	d with on	the 2-Left, 003-

The approved ventilation plan is not being complied with on the 2-Left, 003-0 MMU working section in that the air quantity in the last open crosscut is not being maintained to at least 9000 cubic feet per minute. When this inspector attempted to take a air reading in the last open crosscut between the #2 & #3 entry's located one block inby SS4092, the wheel on the approved and calibrated anemometer would not even turn.

12. Type of Action 104(a) 13. Type of Issuance (check one) Citation ☑ Order ☐ Safeguard  14. Initial Action ☐ B. Order ☐ C. Safeguard ☐ D. Written Notice ☐ E. Citation/ Order Number  E. Citation/ Order Number  15. Area or Equipment  16. Termination Due ☐ A. Date Mo Da Yr 08/08/2005 ☐ B. Time (24 Hr. Clock) 0740								See Continuati	on Form (MSHA	Form 7000-3a)
10. Gravity:  A. Injury or illness (has) (is): No Likelihood	9. Violation	Safety	of Act					<del>75.370(a)(</del>	<del>1)</del> 75,3:	2.5a_
A. Injury or Illness (has) (is): No Likelihood Dunlikely Reasonably Likely Dermanently Disabiling Fatal Dunlikely Permanently Disabiling Permanently Disabiling Fatal Dunlikely Permanently Disabiling Dunlikely Permanently Disabiling Dunlikely Dun	Section II—Inspe	ctor's Evalu	ation							
B. Injury or illness could responsibly be expected to be:  C. Significant and Substantial:  Yes No   No Lost Workdays Correstricted Duty   D. Number of Persons Affected:  O02  11. Negligence (check one)  A. None B. Low C. Moderate D. D. High E. Reckless Disregard   12. Type of Action 104(a)  13. Type of Issuance (check one)  A. Citation D. Order Safeguard  A. Citation B. Order C. Safeguard D. Written Notice Corder Number  15. Area or Equipment  16. Termination Due A. Date Mo Da Yr 08/08/2005  B. Time (24 Hr. Clock)  O740  Section III—Termination Action  17. Action to Terminate  Terminated due to the check curtains and run through curtains being tighten. The ventilation was rechecked and the air quantity in	10. Gravity:									
Sonably be expected to be: No Lost Workdays Lost Workdays Cr Restricted Duty Permanently Disabling Fatal Lost Workdays Cr Restricted Duty Permanently Disabling Lost Workdays Affected: 002    D. Number of Persons Affected: 002   D. Number of Persons Affected: 002   D. Number of Persons Affected: 002   D. Number of Persons Affected: 002   D. Number of Persons Affected: 002   D. Number of Persons Affected: 002   D. Number of Persons Affected: 002   D. Number of Persons Affected: 002   D. Number of Persons Affected: 002   D. Number of Persons Affected: 002   D. Number of Persons Affected: 002   D. Number of Persons Affected: 002   D. Number of Persons Affected: 002   D. Number of Persons Affected: 002   D. Number of Persons Affected: 002   D. Number of Persons Affected: 002   D. Number of Persons Affected: 002   D. Number of Persons Affected: 002   D. Number of Persons Affected: 002   D. Number of Persons Affected: 002   D. Number	A. Injury or	Iliness (ha	B) (is): No Likelih	lood 🔲 💮	Unlikely 😿	Reasonably Likel	/ 🗌 High	y Likely 🔲	Occurre	id 🛄
11. Negligence (check one) A. None B. Low C. Moderate D. High E. Reckless Dieregard 11. Type of Action 104(a) 13. Type of Issuance (check one) Citation Order Safeguard 14. Initial Action B. Order C. Safeguard D. Written Notice Corder Number F. Dated Mo Da Yr Order Number 15. Area or Equipment A. Date Mo Da Yr 08/08/2005 B. Time (24 Hr. Clock) 0740  Section III—Termination Action Terminate Terminated due to the check curtains and run through curtains being tighten. The ventilation was rechecked and the air quantity in				st Workdays 🗌	Lost Work	days Or Restricted	Outy 🗹 Po	rmanently Di	sabling 🗌	Fatal []
12. Type of Action 104(a)  13. Type of Issuance (check one)  14. Initial Action A. Citation □ B. Order □ C. Safeguard □ D. Written Notice □ Critation □ F. Dated Mo Da Yr A. Citation □ B. Order □ C. Safeguard □ D. Written Notice □ Order Number  16. Termination Due A. Date Mo Da Yr 08/08/2005  B. Time (24 Hr. Clock)  7. Action to Terminate Terminated due to the check curtains and run through curtains being tighten. The ventilation was rechecked and the air quantity in	C. Signific	ant and Sut	estantial: Ye	s 🗌 No 🖳	3		D. Ni	mber of Pers	ons Affected:	002
14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice  E. Citation/ Order Number  F. Dated Mo Da Yr Order Number  16. Termination Due A. Date Mo Da Yr 08/08/2005 B. Time (24 Hr. Clock) 0740  Section III—Termination Action  17. Action to Terminate Terminated due to the check curtains and run through curtains being tighten. The ventilation was rechecked and the air quantity in	11. Negligeno	e (check on	e) A. None [	] B. Lov	v 🗌 C. N	loderate 🗹	D. High 🗌	E. Rec	kless Diereger	d 🗌
A. Citation B. Order C. Safeguard D. Written Notice Order Number  15. Area or Equipment  16. Termination Due  A. Date Mo Da Yr 08/08/2005  B. Time (24 Hr. Clock) 0740  Section III—Termination Action  17. Action to Terminate Terminated due to the check curtains and run through curtains being tighten. The ventilation was rechecked and the air quantity in	12. Type of A	ction	104(a)		13. Type of Issue	ance (check one)	Citation	<b>✓</b> Ord	ler 🗌	Safeguard [
16. Termination Due  A. Date Mo Da Yr 08/08/2005  B. Time (24 Hr. Clock) 0740  Section NI—Termination Action  17. Action to Terminate Terminated due to the check curtains and run through curtains being tighten. The ventilation was rechecked and the air quantity in			der C. Safegu	nand D. Wri	tten Notice				F. Dated	Mo Da Yr
Section III—Termination Action  17. Action to Terminate Terminated due to the check curtains and run through curtains being tighten. The ventilation was rechecked and the air quantity in	16. Termination	on Due	A Data	10 7-	e (24 Hr. Cłock)	0740	T	<del></del>		<u>.                                    </u>
17. Action to Terminate Terminated due to the check curtains and run through curtains being tighten. The ventilation was rechecked and the air quantity in	Section III—Ten	mination Acti		.003	<del></del>	<del></del>	_↓	<del></del>		
curtains being tighten. The ventilation was rechecked and the air quantity in					<del></del>					
the rate of open crosseds is now is, or critical	17. Action to	Terminate	ו תויום ו	inated di	ie to the	check cui	tains an	d run	through	
18. Terminated A. Date Mo Da Yr 08/08/2005 B. Time (24 Hr. Clock) 0740	curtain	ıs bei	ng tighter	n. The ve	entilatio	n was rech	necked an			ntity in
Section IV-Automated System Data	curtair the las	ns bei st lin d A. Date	ng tighter e of open MoDa Yr 08/08/2005	r. The ve	entilatio ts is now	n was rech 15,029 Cl	necked an			ntity in
19. Type of Inspection (activity code) E0 1 20. Event Number 4054749 21. Primary or Mill	curtain the las 18. Terminate Section IV-Aut	ns bei st lin d A. Date	ng tighter e of open MoDa Yr 08/08/2005	r. The ve	entilatio ts is now	n was rech 15,029 Cl	necked an			ntity in
22. Signature [ 23. AR Number [ 6 ]	curtain the las 18. Terminate Section IV—Aut 19. Type of In	ns bei st lin d A. Date omated Syste	ng tighter e of open  MoDa Yr 08/08/2005 em Data  20. Even	B. Time (24 Hr	entilatio ts is now .Clock)	n was rech 15,029 CI 0740	necked an			ntity in

MSHA Form 700-3, 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 actions of MSHA, you may call 1-888-REG-FAIR (1-888-73-3247), 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 confest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commissions.

Min	0	Citation/Order	
_			

)



Continuation	· .		Mine Sa	fety and Healt	h Administration		<u> </u>
Section i-Subsequent Act	ion/Continuation Data						
1. Subsequent Action	la, Continuation 2. Dated (Original Issue)	Mo Da 08/08/200	•••	3. Citation/ Order Number	7098133 - 01		
4. Served To			5. Operati	X	na Marinio col	ADANIST INC	
Lonnie Short					INIA MINING CO		
6. Mine SAGO MINE			7. Mine ID	46-0879	1	(Contractor)	
Section II—Justification for	Action						
Change	From			To	<del></del>		
9. C. Part/Section	75,370(a)(1)			75.325(a)			
Reason Issued un	der the wrong section of the 30 CFR	in error.					

				See Continuation Fo	omn 🔲
Section III—Subsequent A	ction Taken				
8. Extended To A. Da	Mo Da te	Yr B. Time (24 Hr. Clock)	C. Vacated	D. Terminated    E. Modified	
Section IV-Inspection De	do				
9. Type of inspection	E01	10. Event Number 4054749			
11. Signation	6	AR Number	12. Date Mo Da Yr 08/09/2005	13. Time (24 Hr. Clock) 0434	
MSHA Form 7000-3a, Ma	r 85 (revised)				

#### Mine Citation/Order

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





. Date						
	Mo Da Yr	2. Time (24 Hr. Clo 074:			3. Citation/ Order Number	7098135
Served To	08/09/2005		2	5. Operator	<del></del>	
onnie Sho	ort			ANKER WEST VIRO	SINIA MINING	COMPANY INC
Mine				7. Mine ID 46-0879	01	(Contractor)
AGO MI				l		8a, Written Notice (103g)
Condition o			sustan of the	Tov 14CM15 re	mote conti	
continu -Left, vas act continu continu combust operate system section	ous minimated to the control of the	ing machine and working achine of the ing machine are draulic oil. tended cuts.	serial no. JM section is no 10 sprays lo would not pro for fire prot This is a re The approved ere have been his mine sinc	ot properly man ocated on the covide water to dection purpose emote controlled i ventilation	#4 being of intained. We cop surface the top surface seed. This maked mining replan required issued for	operated on the When the system e of the arfaces of the achine uses machine that is res that this r violations of
	ector's Evaluation					
<ol> <li>Gravity:</li> <li>A Injury of</li> </ol>	or Illiness (has) (is	i): No Likelihood 🗍	Unlikely 🗸	Reasonably Likely	Highly Likely	Occurred
	r illness could re	<u></u>				
	be expected to		days Lost World	days Or Restricted Duty 🔽	Permanently Di	sabling Fatal
C. Signific	cant and Substar	ktial: Yes 🗌	No 🗹		D. Number of Pers	ions Affected: 001
1. Negligen	ce (check one)	A. None	B. Low C. M	loderate 🗹 D. High	E. Re	ckless Disregard
2. Type of A	Action 1	04(a)	13. Type of Issua	ince (check one)	Citation 🗹 Or	der Safeguard
4. Initial Act A. Citation		C. Safeguard	D. Written Notice	E. Citation/ Order Number		F. Dated Mo Da Yr
15. Area or E	quipment					
6. Terminat	ion Due A. (	Mo Da Yr 08/09/2005	B. Time (24 Hr. Clock)	0805		
section III—Te	Mination Action	Os/09/2005	<u></u>			
Section III—Te 17. Action to	Mination Action Terminate	08/09/2005 Terminat	l	e sprays being		or the fire
Section III—Te 17. Action to	Mination Action Terminate	08/09/2005 Terminat	l			or the fire
Section III—Te 17. Action to suppre	mination Action Terminate ssion sy	Terminat stem of the	ted due to the #2 Joy contin	e sprays being		or the fire
Section III—Te 17. Action to SUPPRE 18. Terminat	mination Action Terminate SSION SY ed A. Date	Terminat stem of the MoDa Yr 08/09/2005 B. Time	ted due to the #2 Joy contin	e sprays being nuous mining m		or the fire
17. Action to suppre	mination Action Terminate SSION SY  A. Date  Homated System D	Terminat stem of the MoDa Yr 08/09/2005 B. Time	Led due to the #2 Joy contine e(24 Hr. Clock)	e sprays being nuous mining m		or the fire
Section III—Te 17. Action to Suppre 18. Terminal Section IV—Au 19. Type of i	mination Action Terminate SSION SY  ed A. Date  nomated System D respection	Terminat stem of the  Mo Da Yr 08/09/2005  B. Time	ted due to the #2 Joy contine (24 Hr. Clock)	e sprays being nuous mining m		

has established a National Small Business and Agriculture Regulatory Ombudaman and 10 Regional Fairness Soards to receive comments from small businesses about federal agency enforcement actions. The Ombudaman activates enforcement activities and rates each agency's responsiveness to small businesses about 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 penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Mine	Citatio	n/Order

### U.S. Department of Labor





3. Citation/ Order Number 7098136  WEST VIRGINIA MINING COMPANY INC  46-08791 (Contractor)  8a. Written Notice (103g)  huttle car serial no. 2009,  1-Left, 006-0 MMU working section ed. The outer jacket of the sulating jacket that measured 1/8 expose the inner insulated power the insulation cut for n inch long which exposes the AC to this shuttle car. The mine andle the trailing cables. There of section 75.517 at this mine  See Continuation Form (MSHA Form 7000-3e)
WEST VIRGINIA MINING COMPANY INC  46-08791  (Contractor)  8a. Written Notice (103g)  huttle car serial no. 2009,  1-Left, 006-0 MMU working section ed. The outer jacket of the sulating jacket that measured 1/8 expose the inner insulated power the insulation cut for n inch long which exposes the AC to this shuttle car. The mine andle the trailing cables. There of section 75.517 at this mine
8a. Written Notice (103g) huttle car serial no. 2009, 1-Left, 006-0 MMU working section ed. The outer jacket of the sulating jacket that measured 1/8 expose the inner insulated power the insulation cut for n inch long which exposes the AC to this shuttle car. The mine andle the trailing cables. There of section 75.517 at this mine
46-08791  8a. Written Notice (103g)  huttle car serial no. 2009,  1-Left, 006-0 MMU working section ed. The outer jacket of the sulating jacket that measured 1/8 expose the inner insulated power the insulation cut for n inch long which exposes the AC to this shuttle car. The mine andle the trailing cables. There of section 75.517 at this mine
8a. Written Notice (103g) huttle car serial no. 2009, 1-Left, 006-0 MMU working section ed. The outer jacket of the sulating jacket that measured 1/8 expose the inner insulated power the insulation cut for n inch long which exposes the AC to this shuttle car. The mine andle the trailing cables. There of section 75.517 at this mine
huttle car serial no. 2009, 1-Left, 006-0 MMU working section ed. The outer jacket of the sulating jacket that measured 1/8 expose the inner insulated power the insulation cut for n inch long which exposes the AC to this shuttle car. The mine andle the trailing cables. There of section 75.517 at this mine
1-Left, 006-0 MMU working section ed. The outer jacket of the sulating jacket that measured 1/8 expose the inner insulated power the insulation cut for n inch long which exposes the AC to this shuttle car. The mine andle the trailing cables. There of section 75.517 at this mine  See Continuation Form (MSHA Form 7000-3e)
Likely   Highly Likely   Occurred
ne) Citation 📝 Order 🗌 Safeguard
F. Dated Mo Da Yr
ttle car trailing cable being
iccie car craffing capie being
rimary or Mill

signify smorroment actions. The Ombudantan 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 Ombudantan at Small Business Administration, Office of the National Ombudantan, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudantan is in addition to any other rights you may have, including the right to confect citations and proposed panalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.





Mine Citation/Order	U.S. Department of Labor Mine Safety and Health Administration
Section I-Violation Data	
1. Date Mio Da Yr 2. Time (24 Hr. Clock)	3. Citation/ Order Number 7098137
08/09/2005 1000	5. Operator
4, Served To	ANKER WEST VIRGINIA MINING COMPANY INC
Lonnie Short	3.45-15
6. Mine SAGO MINE	7. Mine ID 46-08791 (Contractor)
8. Condition or Practice	8a. Written Notice (103g)
Left, 006-0 MMU working section for d shall be carried, stored, and otherwi	rinking purposes. All such drinking water see protected in sanitary containers.
9. Violation A. Hasith B. Section Safety Other Of Act	See Continuation Form (MSHA Form 7000-3a)  C. Part/Section of Title 30 CFR  75.1718
Section II—Inspector's Evaluation	
10. Gravity:	
A. Injury or Illness (has) (ie): No Likelihood Unlikely 🗹	Reasonably Likely Highly Likely Occurred
B. Injury or illness could reasonably be expected to be:  No Lost Workdays  Lost W	/orkdays Or Restricted Duty ✓ Permanentty Disabling ☐ Fatal ☐
O Clariffered and Cubalmetal	D. Number of Persons Affected: 001
C. Significant and Substantial: Yes No 2	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. Type of Is	ssuance (check one) Citation 📝 Order 🗌 Safeguard 🗌
14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice	E. Citation/ F. Dated Mo Da Yr Order Number
15. Area or Equipment	
16. Termination Due A. Date Mo Da Yr 08/09/2005 B. Time (24 Hr. Clock	s) 1500
Section III—Termination Action	
17. Action to Terminate	
18. Terminated A. Dete Mo Da Yr B. Time (24 Hr. Clock)	
Section IV—Automated System Data	
19. Type of Inspection (activity code 20. Event Number 4054749	21. Primary or Mill
22. Signature 6	23. AR Number

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 Ombudaman and 10 Regional Fairness Boards to receive commenter from small businesses about federal agency enforcement actions. The Ombudaman 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 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 penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Mine	Citation/Order
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Continuation				والمالية والمالية والمالية والمالية
Section I—Subsequent Action/Cor				
1. Subsequent Action 1a. Co	ntinuation 2. Dated Original Issu	1860 Par 11 }	3. Citation/ Order Number 7098137 - 0	1
4. Served To		5. Operato	recommendate and the	COMMANY INC
Brad Phillips			WEST VIRGINIA MINING	COMPANT INC
6. Mine		7. Mine ID	46-08791	(Contractor)
SAGO MINE				
Section II-Justification for Action				

Terminated due to an adequate supply of drinking water being supplied on the (006-0) MMU working section.

		····	See Continuation	Form
8. Extended To Mo Da	Yr			
8. Extended To A. Date Mo Da	B. Time (24 Hr. Clock)	C. Vacated	D. Terminated	
Section IV-Inspection Data				
9. Type of Inspection E01	10. Event Number 4054749			
11. Signature	AR Number	12. Date Mo Da Yr	13. Time (24 Hr. Clock)	
	11[6]	08/30/2005	0900	
MSHA Form 7000-3e, Mer 85 (revised)				

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#### Mine Citation/Order

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

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Section I-Vid	plation Data			
1, Date	Mo Da Yr 08/16/2005	2. Time (24 Hr. Clock) 1145	3. Citation/ Order Nu	7098155
4. Served T Brad Phi	o		5. Operator ANKER WEST VIRGINIA MIN	ING COMPANY INC
6. Mine SAGO N			7. Mine ID 46-08791	(Contractor)
	n or Practice			8a. Written Notice (103g)

A bar of an adequate length is not provided for taking down loose material on the (003) MMU working section. The bars that are provided on this section are not of a length and design that will allow the removal of loose material from a position that will not expose the person performing this work to injury from falling material. The mining height measured from 7 feet to 10 feet high on this section.

									See C	Continuation Fo	rm (MSHA F	orm 7000-34	) <u> </u>
9. Violation A	. Heelth Safety Other		B. Section of Act				Part/Section of title 30 CFR		75	.211(d)			
Section IIinspecto	x's Evalue	tion											
10. Gravity:	•												
A. Injury or its	ness (has	) (hs):	No Likeliho	od 🗌	Uniikel	y 🗌	Reasonably	Likely 🗸	Highly Lik		Occurred	1 📋	
B. Injury or illa sonably be			No Los	Work	days 🗌	Lost Work	days Or Restr	icted Duty	Perma	nently Disablin	g 🗆	Fatal 🗌	
C. Significant	and Sub	stantial:	Yes	V	No 🔲				D. Numbe	r of Persons A	ffected:	001	
11. Negligence (	check on	9)	A. None	<u> </u>	B. Low 🗌	C. N	loderate 🗹	D. H	igh 🗌	E. Reckless	Disregard		
12. Type of Actio	n	104(a	1)		13. 1	Type of Issue	ance (check or	<b>(e</b> )	Citation 🗹	Order	]	Safegua	rd 🗌
14. Initial Action A. Citation	] B. On	der 🔲	C. Safegua	rd 🗌	D. Written N	otice 🗌	E. Citation/ Order Nur	mber		F. C	Dated	Mo Da	Yr
15. Area or Equi	prince it											•	
16. Termination	Due	A. Date	Mo Da 108/17/20		B. Time (24	Hr. Clock)	080	)					
Section BI-Termin	ation Actio	Xn.								····-			
17. Action to Ter	minate										•	•	·-
18. Terminated	A. Date	Mol	Da Yr	B. Time	e (24 Hr. Cloci	k)		· · · · · · · · · · · · · · · · · · ·	· · · · · · · · · · · · · · · · · · ·				
Section IV-Autom	ated Syste	m Date							·			· · · · · · · · · · · · · · · · · · ·	
19. Type of Inspe (activity or	ection	EAT	20. Event	Numbe	405	4749	21. P	rimary or Mil			, , , , , , , , , , , , , , , , , , ,		
22. Signature			6				<u></u>		23.	AR Number	Γ	J	

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 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 agency enforcement activities and 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, agency and Health Revi w Commission.

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### Mine Citation/Order Continuation

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

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<u> </u>	_

. Subsequent Action	1a. Continuation	2. Dated	Mo Da	Yr	3. Citation/	5000155 01	
<b>Z</b>		(Original Issue)	08/16/2	005	Order Number	7098155 - 01	
4. Served To				5. Operato	7		
Brad Phillips				ANKER	WEST VIRO	INIA MINING COMPA	NY INC
6. Mine				7. Mine ID	46.0000	. (0	Contractor)
SAGO MINE					46-0879	1	
Section II—Justification fo	r Action		<u> </u>				

Terminated due to a bar of the proper length and design being provided on the 2-Left, (003) MMU section for the purpose of taking down loose material.

Section #I—Subsequent	Action Take	Nn					···	See Continuation Form
8. Extended To A. (	Date Mo	Da	Yr B. Tim	ne (24 Hr. Cłock)	· · · · · · · · · · · · · · · · · · ·	C. Vacated	D. Terminated	E. Modified
Section IV—Inspection I								
Type of Inspection	E01		10. Event Nu	mber 405474	19			
11. Signatu	1-	-'		AR Number	12. Date	Mo Da Yr	13. Time (24 Hr. Clo	ck)
	6			1161		08/30/2005	1310	-i.y
WSHA Form 7000-3a, N	Apr 85 (cardo)	•••						

#### Mine Citation/Order

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



Section I-Violation Data								<del> </del>
1. Date Mo Da 08/16/2		(24 Hr. Clock) 0815				3. Citation/ Order No	umber 70981	156
4. Served To Brad Phillips		-	· <del>-</del>	5. Operator ANKER V	VEST VIRG	INIA MIN	IING COMPA	NY INC
6. Mine	<del></del>			7. Mine ID	46-08791	<del></del>		
SAGO MINE					40-06/91	<u> </u>		(Contractor)
8. Condition or Practice								n Notice (103g)
The prima	ary escap	eway for t	he (003)	€ (00€	5) MMU se	ection	s is not	being
maintained i	n a safe	condition	to alway	s assul	e sate p	passag	e or anyon	ne,
including di	sabled pe	rsons. The	e followi	ng con	ditions v	were o	bserved b	y this
inspector in	the prim	ary esacpe	way star	ting a	the #3	conve	yor belt	and un. (1)
extends inby	to where	the mine	rooi scr	reenea a	area sta.	rts at	deterior	uii. (1) ated and
The walkway	is obstru	cted by co	ncrete c	from 6	rock the	at nas	decerior	ateu anu 1 The mine
fallen from	the mine	roor which	ranges	Trom o	rmanantl	u inches	ueep. (2	ly grouted
roof has det roof bolts a	eriorated	away iron	around	the pe.	cmanenci	A THRE	f bolt bl	ates now
range from 8	C #9 D100	k along th	ie #3 COL	factor i	rbo walk	me 100	ading to	the
personnel do								
with rock, c							erc 13 OD	5tructed
WILL LOCK, C	oucrete p	TOCKS and	wooden t	Jairers	· (4) III		ntinuetion Form (MS	HA Form 7000-3e)
9. Violation A. Health	B. Sectio		I C. P	art/Section of			The state of the s	
Safety	= 1	,		itle 30 CFR		75.38	30(d)(1)	
Othe	hand							
Section II—Inspector's Evalu- 10. Gravity:	tion			· · · · · · · · · · · · · · · · · · ·				
A. injury or liiness (ha	B) (is): No Like	lihood 🗌 Ur	nlikely 🗌	Reasonably	Likely 🗹	Highly Like	y	urred [
B. Injury or illness cou sonably be expecte		ost Workdays 🗌	Lost Work	days Or Restri	cted Duty 🔽	Permane	ently Disabling 🗌	Fatal
C. Significant and Sul	estantial:	/es 🗹 No 🗌				D. Number	of Persons Affecte	d: 001
11. Negligence (check or	e) A. None	☐ B. Low	C. M	oderate 🗹	D. High		E. Reckless Disre	gard 🗌
12. Type of Action	104(a)		13. Type of Issua	nce (check on	e) C	itation 🗸	Order	Safeguard
14. Initial Action A. Citation B. Or	der 🔲 C. Safe	guard D. Writte	en Notice 🔲	E. Citation/ Order Nur	nber		F. Dated	Mo Da Yr
15. Area or Equipment	•••							
16. Termination Due	A. Date Mo Da		(24 Hr. Clock)	0000				
	09/01	/2005	(24 HI, OROCK)	0800				
Section III—Termination Act	on							
17. Action to Terminate								
<del></del>								
18. Terminated A. Date	Mo Da Yr	8. Time (24 Hr. 0	Nock)					
Section IVAutomated Syst	em Data		<del></del>					
19. Type of Inspection	20. Eve	ent Number		121 B	imary or Mili		· · · · · · · · · · · · · · · · · · ·	
(activity corin)	FOI		054749		ninary or train			· · · · · · · · · · · · · · · · · · ·
22. Signeture	6					23. A	R Number	6 ]
MSHA Form 7000-3, Mar 85	(revised) in acc	ordance with the provi	sions of the Small !	Business Regul	story Enforcement	Fairness Act	of 1995, the Small Bu	siness Administration
has established a National	ornum Dumunesa and A	Agriculture Regulatory annually evaluates enf	Omhudemen and 1	IO Pacional Fai	ware Roonle to re-	~~~~~~~~~		

has established a National Small Business and Agriculture Regulatory Ombudaman and 10 Regional Fairness Boards to receive commenters from small business about federal agency enforcement actions. The Ombudaman annually evaluates enforcement activities and national street, styling 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 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 ISubsequent Acti	on/Continuation Data					
1. Subsequent Action 1	a. Continuation	2. Dated (Original Issue)	Mo Da 08/16/20	Yr 005	3. Citation/ Order Number	7098156
4. Served To				5. Opera	lor	
Brad Phillips				ANKE	R WEST VIRG	INIA MINING COMPANY INC
6. Mine				7. Mine I	16.00=0	(Contractor)
SAGO MINE					46-0879	1
Section II-Justification for	Action					

Continuation of 8. Condition or Practice

walkway at the outby end of the tunnel liner located at #32 block is obstructed with mud and water that ranges from 10" to 18" deep. (5) loose rock is hanging from the mine roof in several locations of the travelway starting at the #3 conveyor belt head and extends inby to where the screening starts at Trubie Run.

Section Iti-Subsequent Action Taken				S	See Continuation Form
A. Date	B. Time (24 H	r. Clock)	C. Vacated	D. Terminated	E. Modified
Section IVInspection Date				· · · · · · · · · · · · · · · · · · ·	
9. Type of Inspection E01	10. Event Number	4054749	*****		
11. Signature.	78	R Number 12. Date	Mo Da Yr 08/16/2005	13. Time (24 Hr. Clock) 0815	
MSHA Form 7000-3s, Mar 85 (revised)				. 0015	

Mine	Citation/Order
Conti	nuation

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- Committee Comm			 1431110	will during the reality terminoration				
Section I-Subsequent A	ction/Continuation Data	1						
1. Subsequent Action	1a. Continuation	2. Dated (Original Issue)	 Da Yr 5/2005	3. Citation/ Order Number	7098156 - 01			
4. Served To			 5. Opens	ntor				
Brad Phillips			ANKE	R WEST VIRO	INIA MINING COMPANY IN	C		
6. Mine			 7. Mine	ID	(Contractor	)		
SAGO MINE				46-0879	$\Omega$	,		
Section II., testification for	or Action		 	<del></del>	<u> </u>			

Additional time is granted to correct the listed conditions. It took longer to get the additional equipment to the mine site then expected. When the equipment was received at the mine site mechanical work had to be conducted on the equipment before it could be transported underground to start the project. The screening and cleaning of the primary escapeway is in process at this time. Citation is extended until 09/22/2005 and the amount of progress accomplished at that time will determine any further extensions.

Section III—Subse	quent Action	ı Taken				<del> </del>		See Continuation Form
8. Extended To		Mo Da 09/22/2	Yr 2005 B. Time (2	24 Hr. Clock)	0600	C. Vacated	D. Terminated	E. Modified
Section IV-Inspec	tion Data			<del></del>			<del> </del>	
9. Type of Inspe	ction E	)1	10. Event Numb	er 405474	9			
11. Signature	· —		7	AR Number	12. Date	Mo Da Yr	13. Time (24 Hr, C)	ock)



Mine	Citation/Order
0	





Continuation				Mine Safety and Health Administration					
Section I-Subsequer	nt Action/Continuation Data								
1. Subsequent Ac	tion 1a. Continuation	2. Dated (Original Issue)	Mo Da 08/16/20		3. Citation/ Order Number 7	7098156 - 02			
4. Served To		<del></del>		5. Operat	or				
Carl Crumrine	- Mine Foreman			ANKER	WEST VIRGIN	IIA MINING COMI	PANY INC		
6. Mine				7. Mine II	16.00=01		(Contractor)		
SAGO MINE				<u> </u>	46-08791				
Section IIJustification	on for Action					<u> </u>			

Extended due to 29 blocks out of 39 block of the mine roof has been screened in the primary escapeway. Approximately one to two blocks of screening is the average distance that the screening is being installed on the mine roof in the primary escapeway per day.

Section III-Subsequent Action	Taken			<del></del>	<del></del>		See Continuation Form
	Mo Da 10/21/	Yr /2005 B. Time (24	Hr. Clock)	0600	C. Vacated	D. Terminated	E. Modified
Section IV-Inspection Data				<del></del>			
9. Type of Inspection E0	)1	10. Event Number	4054749			<del> </del>	
11. Signature	6	]	AR Number J	12. Date	Mo Da Yr 09/28/2005	13. Time (24 Hr. Ck	ock)
MSHA Form 7000-3a Mar 85 /	touiseel)					1 0023	

4/9/04

Mine	Citation/Order
C4	ation

#### U.S. Department of Labor

Safety and Health Administration





Continuation		Mine Safety and Health Administration						
Section I-Subsequent	Action/Continuation Data							
1. Subsequent Actio	on 1a. Continuation	Dated     (Original Issue)	Mo Da 08/16/20	Yr 005	3. Citation/ Order Number 7098156	5 - 03		
4. Served To				5. Operat	or	<del></del>		
Carl Crumrine -	Mine Foreman			ANKE	R WEST VIRGINIA MINI	NG COMPANY INC		
6. Mine				7. Mine II	16.00701	(Contractor)		
SAGO MINE					46-08791			
Section IIJustification	for Action							
Change	From			То				
17. Action To Termis	nate							

Reason Entered the wrong block numbers in the extension of this citation.

Modify extension of citation no.70989156-02 to read as 55 blocks out of 65 blocks.

Section III-Subsequent Action Taken	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 Data	
9. Type of Inspection E01 10. Event Number 4054749	
11. Signature AR Number 12. Date	Mo Da Yr 13. Time (24 Hr. Clock) 09/28/2005 0628
MSHA Form 7000-3a, Mar 85 (revised)	Λ.

4,0/04

Mina	Citat	ion	/Order
IVIII II		IC JI P	





ection IViolation					<del>,</del>					
	Mo Da Yr	2. Time (2-	4 Hr. Clock) 1000		[		3. Citation Order I	V Number 7	098157	7
I. Served To	8/16/2005	<del></del>			5. Operator			NIDIC CO	A 470 A 3.75	, DIC
Brad Phillips	Brad Phillips				ANKER WEST VIRGINIA MINING COMPANY INC					INC
3. Mine					7. Mine ID	46-08793	1			(Contractor)
SAGO MINE					<u> </u>				Written No	otice (103g)
3. Condition or Pr	actice			LE /0031	5 (006	\ MMTI 6	ection			
The 1	primary	escape	way for	the (003)	· & (000	) PINO S	D36630	re of a	nvone	
maintain	ed in a	sare c	ondition	to alway	ys assur	e sale :	passay	bearve	ad hv	, this
includin	g disab⊥	ed per	sons. Th	e followi	ing cond	itions '	were d	inor I	locate	d at
inspecto.	r in the	prima	ry escap	eway star	rting at	the tu	uner i	TIMET 1	locke	etarting
Trubie R	un. (1)	Mud an	d water	in the wa	arkway r	or dist	ance (	)	COCKS	oon (2)
at #37 b	lock alo	ng the	#3 conv	eyor belt	wnich	ranges	Irom o	)" LO 2	. o u	Trubio
Loose ro	ck is ha	nging	in sever	al locat:	ions of	tue war	xway s	Starti	ig at	ided for
Run and	extends	inby t	o the (0	06) sect:	ion. $(3)$	The ra	mps ti	lat are	brov	taea tot
the mine	rs to tr	avel a	cross th	e overcas	st in th	e escap	eway .	rocated	i at t	he old 2-
Right se	ction ar	e made	of lumb	er which	is wet,	slick,	obst	ructea	MILU	rock
				roof and	these r	amps we	re in:	stalled	on a	step
slope wh	ich make	s it d	ifficult	for						
							See (	Continuation F	orm (MSHA	Form 7000-3s) 🔽
9. Violation A	\. Health	B. Section			Part/Section of Fittle 30 CFR		75	380(d)(1)		
	Safety /	of Act		( '	INDE SO CER		15			
Section II-Inspect										
10. Gravity:				······································						
A. Injury or Ill	ness (has) (ie):	No Likelih	ood 🔲 🗆	Unlikely 🔲	Reasonably I	_ikely 🗹	Highly Lik	ely 🗌	Occurre	<u> </u>
	ness could rea- expected to be:	No Lo	st Workdays 🗌	Lost Work	cdays Or Restric	ted Duty 🗹	Perma	nently Disabl	ing 🗌	Fatel
C. Significan	t and Substantial	Ye	s ☑ No [	]			D. Numbe	r of Persons	Affected:	001
11. Negligence (	check one)	A. None	B. Lov	v 🗌 C. N	Accierate 🗹	D. High		E. Reckle	ss Disregar	d 🗌
12. Type of Action	on 104	(a)		13. Type of issu	ance (check one	) (	Citation 🔽	Order		Safeguard
14. Initial Action A. Citation	B. Order	C. Safegu	ard 🗀 D. Wri	tten Notice	E. Citation/ Order Num	ber		F.	Dated	Mo Da Yr
15. Area or Equi	pment									
•	•									
			<del></del> -	<del></del>		<del></del>				
16. Termination	Due A. Date	Mo Da	I D Tim	e (24 Hr. Clock)	0800	1				
C		09/01/2	2005	···						· · · · · · · · · · · · · · · · · · ·
Section III—Termin			<del></del>	·		<del></del>				<del></del>
17. Accom to 18	TTHERETO									
18. Terminated	A. Date Mo	Da Yr	B. Time (24 Hr	. Clock)				<del>-</del>		.,,
Section IV-Autor	nated System Data	<del></del>	<del></del>		L					
19. Type of Insp (activity code		20. Even	t Number	4054749	21. Pri	mary or Mill		<del></del>		
22. Signature	Γ	4	7			<u> </u>	23.	AR Number	Γ	, 1
MSHA Form 2000	L )-3, Mar 85 (revisor	6 In	rianos salth the	Triping of the Care	I Rusiana Sauri	ton, E=f==	d Eni	u (1000 H		
			CENCE WITH THE DIT	ovisions of the Small	i mariueze kedina	way Emorcemen	н гант <b>ов</b> А	a or 1946, the	awaii pasy	OUS AUTHORSERION

has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about agency enforcement actions. The Ombudsman annually evaluates enforcement activities and raise each agency enforcement actions. The Ombudsman annually evaluates enforcement activities and raise each agency enforcement actions. 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 A	ction/Continuation Data					
1. Subsequent Action	1a. Continuation	2. Dated (Original Issue)	Mo Da 08/16/20	•••	3. Citation/ Order Number	7098157
4. Served To				5. Operat		
Brad Phillips				ANKEI	R WEST VIRG	INIA MINING COMPANY INC
6. Mine				7. Mine IC	15.0050	(Contractor)
SAGO MINE				İ	46-0879	1
Continue II Investigation (	0-41					

#### Continuation of 8. Condition or Practice

miners that are not disabled to cross. (4) The travelway to the personnel door located at #14 block being obstructed with 18" to 30" of mud and rock. (5) A permanently installed roof bolt has the plate and bolt head broken off over the walkway located at #14 block along #4 conveyor belt. (6) The escapeway is not maintained travelable from just outby #18 block to just inby #19 block along the #4 conveyor belt due to excessive mud and water. (7) Loose rock is hanging just inby #26 block along the #4 conveyor belt that ranges from 3" thick by 5' long by 3" to 14" wide. (8) An excessive amount of mud and water that ranges from 10 " to 24'" deep has been allowed to accumulate in the travelway starting from #22 block along #4 conveyor belt and extends inby approximately 3 blocks inby the #6 conveyor belt which is the (006) MMU section conveyor belt. (9) Loose rocks hanging from the mine roof just inby #37 block that measured (1) 12" wide by 20" long by 4" thick, (2) measured 3' by 4' by 5" to 12" thick, (3) measured 5' by 3' by 3" to 12" thick. (10) The ramps that are provided for the miners to travel across the overcast located at the mouth of the (003) MMU section which are located at #51 block along #4 conveyor belt are made of lumber which is wet, slick, these ramps were installed on a step slope which makes it difficult for miners that are not disabled to cross.

Section III—Subsequent Action Tale	en			See Conti	inuation Form
8. Extended To A. Date Mo	Da	Yr B. Time (24 Hr. Clock)	C. Vacated	D. Terminated	odified
Section IV-Inspection Data					<del></del>
9. Type of inspection E01		10. Event Number 4054749		· · · · · · · · · · · · · · · · · · ·	
11. Signatura	6	AR Number	12. Date Mo Da Yr	13. Time (24 Hr. Clock)	
MSHA Form 7000-3e May 85 (mais			08/16/2005	1000	

Mine	Citation/Order
Canti	nuation

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Section I-Subsequent Ad	tion/Continuation Data							
1. Subsequent Action	1a. Continuation	2. Dated (Original Issue)	Mo Da 08/16/20	••	3. Citation/ Order Number	7098157 - 01		
4. Served To				5. Operat	or			
Brad Phillips				ANKE	R WEST VIRG	INIA MINING COMPANY INC		
6. Mine		·· ·		7. Mine II	)	_ (Contractor)		
SAGO MINE					46-0879	1		
Section (I-Justification for	or Action			· · · · · · · · · · · · · · · · · · ·	<del>`</del>			

Additional time is granted to correct the listed conditions. It took longer to get additional equipment to the mine site then expected. When the equipment was received at the mine site mechanical work had to be conducted on the equipment before it could be transported underground to start the project. The screening and cleaning of the primary escapeway is in process at this time. Citation is extended until 09/22/2005 and the amount of progress accomplished a that time will determine any further extensions.

Section III—Subsequent	Action Taken	<del></del>		·			See Continuation Form
B. Extended To A. D.	ate Mo Da 09/22/2	Yr 2005 B. Time (24 Hr	. Clock)	0600	C. Vacated	D. Terminated	E. Modified
Section IV-Inspection D			<del></del>				····
. Type of Inspection	E01	10. Event Number	4054749		****		
1. Signature	6	7/4	R Number	12. Date	Mo Da Yr	13. Time (24 Hr. Clo	ck)
			6 1		08/31/2005	1435	•
4SHA Form 7000-3a M	or QE /route-all	•					

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Mir	1e	Citation	/Order
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	V	



Continuation		Mine 2	arety and Healt	n Administration	!	,		
Section I-Subsequer	nt Action/Continuation Data							
1, Subsequent Ac	tion 1a. Continuation	2. Dated (Original Issue)	Mo Da 08/16/20	Yr 05	3. Citation/ Order Number	7098157 - 02		
4. Served To			5. Operator					
Carl Crumrine	- Mine Foreman			ANKE	R WEST VIRC	SINIA MINING CO	MPANY INC	
6. Mine				7. Mine I	D 46 00 50		(Contractor)	
SAGO MINE					46-0879	71		
Section II-Justification	on for Action					······································		

Extended due to 29 blocks of the mine roof has been screened in the primary escapeway. Approximately 1/2 to one block of screening is the average distance that the screening is being installed on the mine roof in the primary escapeway per day.

Section IIISubse	quent Action Ta	sken					······································	See Continuation Form
8. Extended To	A Data M		B. Time (24 Hi	. Clock)	0600	C. Vacated	D. Terminated	E. Modified
Section IV-Inspec	tion Data		<del></del>					
9. Type of Inspe	ection E01	10. E	vent Number	4054749	)	····		
11. Signature/		6		R Number	12. Date	Mo Da Yr 09/28/2005	13. Time (24 Hr. Clo	ock)
MSHA Form 7000-	-3a, Mar 85 (re	vised)						1 /

Mine (	Cita	tion/	Or	der
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	b
Ø	<b>&gt;</b>

Section IVi	plation Data					
1. Date	Mo Da Yr 08/22/2005	2. Time (24 Hr. Clock) 1115	3. Citation/ Order Number 71	49367		
4. Served BRAD P	Го		5. Operator ANKER WEST VIRGINIA MINING COMPANY INC			
6. Mine SAGO M	IINE	<del></del>	7. Mine ID 46-08791	(Contractor)		
	n or Practice		8a. V	Written Notice (103g)		

The current approved roof control plan for the 2 left working section, 003 mmu was not being complied with in that four of the eight entries was not cut less than 18 feet in width. These entries measured from 19 feet 1 inch to 20 feet in width and another measured 18 feet 11 inches.

Since August 8, 2005 this section has had two roof falls and a fall of roof which result in injury to a worker. On August 12, 2005 a change to the roof control plan for this section was submitted and approved to limit the widths to 18 feet.

									See (	Continuatio	n Form (MSH,	A Form 7000-3a	ı) 🔲
9. Violation	A. Health Safet Othe	y₩	B, Section of Act				Section of OCFR		75	.220(a)			
Section IIInspe	ector's Evalu	ation											
10. Gravity:					_			_		. —		. —	
A. Injury o			No Likelih	∞d <u></u>	Unlikely 🗌	Rea	asonably Likel	y 🛂	Highly Llk	ely 📙	Occur	red 🗌	
	r illness co be expect		No Los	t Workdays [	Lost V	Vorkdays (	Or Restricted I	Duty 🔽	Perman	ently Dis	abling 🗌	Fatal 🗌	
C. Signific	ant and Su	ubstantia -	l: Ye:	No No					D. Numbe	r of Perse	ons Affected	i: 001	
11. Negligeno	ce (check d	one)	A. None	] B. L	ow 🗌	C. Moder	ate 🗹	D. High		E. Reck	dess Disrega	ard 🗌	
12. Type of A	ction	104(	a)		13. Type of	Issuance	(check one)	С	itation 🗹	Orde	er 🗌	Safegua	rd 🗌
14. Initial Acti A. Citation	•	rder 🗌	C. Safegua	ard D.W	ritten Notice [		Citation/ Order Number				F. Dated	Mo Da	Yr
16. Terminati	on Due	,	Mo Da	v. — T				<del></del>					
		A. Date	08/23/2	ID T	ime (24 Hr. Clo	ock)	0800						
Section IIITerr	mination Act	ion	_										
17. Action to	Terminate												
18. Terminate	A. Date	Mo	Da Yr	B. Time (24 I	Hr. Clock				<u>-</u>				
Section IVAut	omated Syst	tem Data		<del></del>			<del></del>						
19. Type of Ir (activity c		E01	20. Even	Number	405474	9	21. Primar	y or Mill				<del> </del>	
22. Signature			_ 6	-	1	81	22/05	-	23.	AR Numb	per [	6]	
MCHA Form 70	m 2 Ma	E (rouine -											

MSHA Form 7000-3, Mar'85 (revised) Infaccorgance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agricoptore Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates 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.

Walon

#### Mine Citation/Order

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

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Continuation				Wille Safety and Health Administration					
Section ISubsequent Action/Continuation Data									
1. Subsequent Ac	tion 1a. Continuation	2. Dated (Original Issue)	Mo 08/2	Da Yr 2/2005	3. Citation/ Order Number	7149367 - 01			
4. Served To				5. Opera	itor				
Carl Crumrine	- Mine Foreman			ANKE	R WEST VIRO	SINIA MINING COMPANY INC			
6. Mine				7. Mine	ID	(Contractor)			
SAGO MINE					46-0879	)1			
Section IIJustification	n for Action				<u></u>				

Terminated due to the entry's being narrowed to within 18 feet wide in the areas listed in the citation by setting timbers.

Section III-Subsequent Action Taken		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 Data 9. Type of Inspection E01	10. Event Number 4054749		
11. Signature 6	AR Number 12. Date	Mo Da Yr 13. Time (24 Hr. Clock) 09/20/2005 0735	

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



Mine	Cito	tion	10	rda
IV/III I I I	1 .1124	1116 IF I	/ L J	1 1 1



			IVIII 10 Sale	Willie Salety and Fleath Activitionation							
Section IVi	olation Data										
1. Date	Mo Da Yr 08/22/2005	2. Time (24 Hr. Clock) 1205			3. Citation/ Order Number	7149368					
4. Served BRAD F	To		5. Operator ANKER	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC							
6. Mine SAGO N	MINE		7. Mine ID	7. Mine ID 46-08791 (Co.							
8. Conditio	n or Practice					8a. Written Notice (	103g)				
The	e left side on, 003 mm	roof bolter (Flet was not being mai	cher dual be	oom) on d a safe wo	the 2-lef rking con	t working dition. Th	.e				

The left side roof bolter (Fletcher dual boom) on the 2-left working section, 003 mmu was not being maintained in a safe working condition. The hydraulic hoses, one hose on each drill head had broken brads. These pressure on these hoses are set at 2000 psi and the machine operator must be in close proximity the hoses went operation the machine.

									See (	Continuatio	n Form (MSH	A Form 700	00-3a)
9. Violation	A. Health Safet Othe	y <b>Z</b> or $\square$	B. Section of Act				Part/Section of little 30 CFR		75	.1725(a	)		
Section IIInsp	ector's Evalu	ation											
10. Gravity:													
A. Injury o	r Iliness (h	as) (is):	No Likeliho	od 🗌	Unlikely 📋		Reasonably Lik	ely 🗸	Highly Lik	ely 🛄	Occui	rred 🔲	
	r illness co / be expect		No Lost	Workdays	Lost V	Norko	lays Or Restricted	d Duty 🗹	Permar	ently Disa	abling 🗌	Fatal	
C. Signific	ant and Su	ubstantial:	Yes	<b>✓</b> N	• []				D. Numbe	or of Perso	ons Affected	i: 00	1
11. Negligend	ce (check d	one)	A. None	] B.	Low 🗌	C. M	oderate 🗹	D. High		E. Reck	less Disreg	ard 🔲	
12. Type of A	action	104(a	a)		13. Type o	f Issu	ance (check one)	)	Citation 🗹	Orde	or 🗌	Safe	guard 🗌
14. Initial Act A. Citation		rder 🗌	C. Safegua	ırd 🔲 D.	Written Notice [		E. Citation/ Order Number	er er	_		F. Dated	Mo 1	Da Yr
16. Terminati	ion Due	A. Date	Mo Da 08/22/20	10	Time (24 Hr. Clo	 ock)	1300						
Section IIITen	mination Act	ion	00.22.2	303							<del></del>		
17. Action to	Terminate					_				<u> </u>			<del></del>
18. Terminate	A. Date	9	Da Yr	B. Time (2	4 Hr. Clock						···		
Section IVAut		tem Data											<del></del>
19. Type of Ir (activity o		E01	20. Event	Number	405474	.9	21. Prima	ary or Mill					
22. Signature	<u>. [</u>	6	<del>' , -</del>	7	00 81	122	105	<del></del> -	23.	AR Numb	er [	<u>6</u> ]	-
MSHA Form 70	000-3 Mar 8	5 (revisea)	r in/accord	ance with the	provisions of the S	Small i	Business Regulator	Enforcemen	nt Fairness Act	nf 1996 th	e Small Busic	ess Admin	istration has

Inforcement Patriness Act or 1996, the Small Business Act or 1

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Mine	Citation/	Order
C4		

			Thinke barety and Fredhill Administration 4: Eby						
Section I-Subsequent Action/Continuation D	ata		-			<del>-</del>			
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 08/22/20		Citation/ Order Number	7149368 - 01				
4. Served To			5. Operate	or					
Carl Crumrine - Mine Foreman	1	*d	ANKER	WEST VIRG	INIA MINING CO	MPANY INC			
6. Mine			7. Mine ID			(Contractor)			
SAGO MINE			1	46-0879	1	•			
Continual Lucification for Action									

Terminated due to the damaged high pressure hydraulic hoses on both drill heads on the left side (Fletcher dual boom) roof bolter being replaced with new hoses.

Section III—Subsec		en					***************************************	
3. Extended To	A. Date Mo	Da Y	B. Time (24 Hr.	Clock)		C. Vacated	☑ D. Terminated ☐ [	E. Modified
Section IV-Inspec	tion Data						<del></del>	<del></del>
Type of Inspe	ction E01	10.	. Event Number	4054749				<del></del>
1. Signatur		6	AR	Number _	12. Date	Mo De Yr 09/20/2005	13. Time (24 Hr. Clock) 0800	

Mine	Ci	tet	lior	VO	mler





Section IVi	olation Data							
1. Date	Mo Da Yr 08/29/2005	2. Time (24 Hr. Clock) 0645	3. Citation/ Order Number	7098172				
4. Served 1 Brad Phi	- To		5. Operator ANKER WEST VIRGINIA MINING COMPANY INC					
6. Mine SAGO N	MINE		7. Mine ID 46-08791	(Contractor)				
	Oti		······································	8a. Written Notice (103a)				

The no.1 coal conveyor belt is not being maintained in a safe operating condition. The bottom coal conveyor belt is allowed to run out of alignment, causing it to rub the carriage for the coal conveyor take-up. The metal on the carriage is hot to the touch and the coal conveyor belt is smoking. This take-up is located in the pit mouth and the area is damp, also the air is flowing to the surface.

											See	Continueti	on Form (MSHA	Form 7000-3a)
9. Violation	A. Health Safet Othe	/☑	B. Section of Act	•				art/Section of itle 30 CFR	•		75	.1725(a	ı)	
Section II—Insp	ector's Evalu	ation												
10. Gravity:		-						<del></del>						
A, Injury o	r Ilineas (ha	s) (is):	No Likelih	ood 🗌	U	niikely 🗸		Reasonably	Likely		Highly LII	cely 🗌	Occur	red 🔲
	r illness cou be expecte		No Los	t Works	lays 🗌	Lost \	Vork	days Or Restr	icted D	ıty 🛂	Perma	nently Di	sabling [	Fatal 🗌
C. Signific	ant and Sui	ostantial:	Yes		No 🗹	İ					D. Numbe	r of Pers	ons Affected:	001
11. Negligeno	æ (check or	ne)	A. None	]	B. Low		C. M	oderate 🗹		D. High		E. Re	kless Disrega	ırd 🗌
12. Type of A	ction	104	(a)			13. Type of	Issua	ince (check o	ne)		Citation 🗹	Orc	der 🗌	Safeguard
14. Initial Acti A. Citation		rder 🗀	C. Safegu	ırd 🗌	D. Writt	en Notice		E. Citation/ Order Nu	mber				F. Dated	Mo Da Yr
16. Termination	on Due	A. Date	Mo Da 08/29/2		B. Time	(24 Hr. Clo	ck)	0710		<del>                                     </del>	· · · · · · · · · · · · · · · · · · ·			
Section #-Ter	mination Act		08/29/2	005	L		<u>.</u>			Щ.				
17. Action to				m b		1	- 1		1			1:		
		. n	ha hal	+ i.	e no	. I CO	<u>.</u>	convey	OF I	oert.	was r	earr	gnea to	correct
convey	or top	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	ne per	LIS	now	runnı	.ng	correc	стА	and	not r	ubbi	ng in t	he coal
	···													<del></del>
18. Terminate	A. Date	08/	Da Yr 29/2005	B. Time	(24 Hr.	Clock)	(	710						
Section IV-Aut	tomated Syst	em Deta			*									
19. Type of In (activity or		Eni	20. Event	Number		405474	9	21. P	rimary o	or Mill				
22. Signature	I		6		- 7	7					23.	AR Num	ber	6]

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.



2 3 SEP 2005

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





Section I—S	ubsequent Action/Continuation	on Data	
1. Subseq	vent Action 1a. Continuat	1	No Da Yr 3. Citation/ 08/29/2005 Order Number 7098172 - 01
4. Served 7	Го	<u> </u>	5. Operator
Brad Ph	illips		ANKER WEST VIRGINIA MINING COMPANY INC
6. Mine SAGO N	MINE		7. Mine 1D (Contractor)
Section II-J	ustification for Action		
Change		From	То
8. Conditio	n Or Practice		
Reason	Add the following t service.	to the body of the citation. Th	he mine operator immediately removed the #1 coal conveyor belt from
10. A. Injui	y or illness	Unlikely	Reasonably Likely
Reason	Coal can become dri	ied out in a short period of ti	me and become ignited easily.
10. C. Sigr	rificant and Substantial	No	Yes
Desenn	Miccod checking thi	s how when the citation nos	ismad

Section III-Subse	quent Action Take	HI.					See Continuation Form
8. Extended To	A. Date Mo	Da Y	B. Time (24 Hr. Clock)	<del></del>	C. Vacated	D. Terminated	✓ E. Modified
Section IV-Inspec					<u> </u>		
9. Type of Inspe	ction E01	10	). Event Number 4054749				
11. Signature	1	6	AR Number	12. Date	Mo Da Yr	13. Time (24 Hr. Clo	ck)
MSHA Form 7000	_		7/6	<u> </u>	08/29/2005	1430	·

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





Section I-Vi	olation Data							
1. Date	Mo Da Yr 08/29/2005	2. Time (24 Hr. Clock) 0745	3. Citation/ Order Number 7098173					
4. Served 7 Brad Phi	0		5. Operator ANKER WEST VIRGINIA MINING COMPANY INC					
6. Mine SAGO N			7. Mine ID	46-08791	(Contractor			
	n or Practice				8a. Written Notice (103g)			
					1 1 1 41 44 44 4			

The #2 conveyor belt head roller is not adequately guarded in that the guarding is missing along both sides of the head roller. The exposed area on the off side measured 6 feet long by 2 feet high and the exposed area on the walkway side measured 4 feet by 2 feet. A miner can easily slip and become caught between the belt and the conveyor belt head roller while the conveyor belt is in motion.

									See C	ontinuatk	on Form (MSh	IA Form 700	0-3a) _ 🔲
9. Violation	A. Health Safet Othe	<b>√</b>	B. Section of Act			C. Part/Section Title 30 CF			<b>75,</b> 1	1 <b>72</b> 2(b	)	*	
Section II—Insp	ector's Evalu	ation											
10. Gravity:				_							_		
<u> </u>	r litness (he		No Likelih	ood [_]	Unlikely 🔙	Reason	ably Likely	⊻	Highly Like	ły 📋	Occu	irred [	·····
	r illness cou / be expecte		No Los	t Workday	/s Lost	Workdays Or R	estricted D	uty 🔀	Perman	ently Dis	abling 🗌	Fatal	
C. Signific	ant and Su	betantial:	Yes	<b>2</b> 1	No []				D. Number	of Perso	ons Affected	t 001	 
11. Negligen	ce (check o	10)	A. None		B. Low 🔲	C. Moderate	<b>y</b>	D. High		E. Rec	kless Disre	gard 🗌	
12. Type of A	<b>action</b>	104(	(a)		13. Type of	lssuance (chec	k one)		Citation 🗹	Ord	er 🗌	Safe	guard 🔲
14. Initial Act A. Citation		rder 🗀	C. Safegua	ard 📋 D	. Written Notice	E. Citatio	on/ Number				F. Dated	Мо	On Yr
16. Terminati	ion Due	A. Date	Mo Da	( 🗈	. Time (24 Hr. Clo	ock) ()	815	T					·
Section III—Te	rmination Asi	<u> </u>	08/29/2	005				ــــــــــــــــــــــــــــــــــــــ					
17. Action to		IOIL .	M						1			·	
•					due to								the
					veyor bel					it pe	ersons	irom	
				n the	belt and	the he	ad ro	ller.					
18. Terminat	A. Date	08/	Da Yr 29/2005	B. Time (2	24 Hr. Clock)	0815							
Section IVAu	tornated Sys	em Date											
19. Type of II (activity o	nspection code)	E01	20. Event	Number	405474	9 2	1. Primary	or Mill					
22. Signature	7		6	-					23. A	R Numi	xer /	6	7

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 Ombudaman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudaman 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 Ombudaman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please mole, 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 penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

MINE CIGNION CIDE	ine Citation/Orde	/Ord	ın/	io	at	it	C	e	lin	M
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Section IV	olation Data			
1. Date	Mo Da Yr 08/29/2005	2. Time (24 Hr. Clock) 0850	3, Cital Orde	tion/ 7098174
4. Served Brad Ph	Го		5. Operator ANKER WEST VIRGINIA M	AINING COMPANY INC
6. Mine SAGO N			7. Mine ID 46-08791	(Contractor)
	n or Practice			8a. Written Notice (103g)

The trailing cable for the Thromor water pump is not insulated adequately and fully protected. The outer protective jacket of the trailing cable is cut and the inner insulated, energized power leads are exposed through an opening that measured 2 inches long by 3/4 of an inch wide. There have been 11 citations issued for violations of section 75.517 at this mine since 04/07/2005.

										See (	Continuetic	on Form (MSHA	Form 7000-3a)	1
9. Violation	A. Health Safety Other		B. Section of Act				art/Section of itle 30 CFR			7	5.517			_
Section II-Insp	ector's Evalu	ation											<del> </del>	_
10, Gravity: A. Injury o	r Iliness (ha	s) (is):	No Likeliho	od []	Unlikely [	]	Reasonably	Likely [	<b>y</b>	Highly Lii	ely 🗌	Occur	ed [] ber	
	r iliness cou be expecte		No Lost	Workd	lays 🗌 Lo	st Work	days Or Restri	cted Dut	y <b></b>	Perma	nently Dis	sabling 🗌	Fatal 🗌	_
C. Signific	ant and Sul	ostantial:	Yes	V	No 🗌					D. Numbe	r of Pens	ons Affected:	001	
11. Negligeno	ce (check or	10)	A. None		B. Low	C. N	oderate 🗹		). High		E. Rec	kless Disrega	rd []	
12. Type of A	action	104(	a)		13. Туре	of Issu	nce (check or	ne)	C	tation 🗹	Orc	ter 🗌	Safeguard [	]
14. Initial Act A. Citation		nder 🔲	C. Safegua	rd 🗌	D. Written Notice	• 🗀	E. Citation/ Order Nun	nber		<del></del>		F. Dated	Mo Da Yr	
16. Terminat	ion Due	<u> </u>	Mo Da	Yr ,					<del></del>					
		A. Date	08/29/20	)05	B. Time (24 Hr.	Clock)	0910							
Section III—Te	mination Act	ion												_
water		eing			d due to adequat			_			the :	#4 Thro	mor	
18. Terminat	A. Dette	08/	Da Yr 29/2005	B. Time	(24 Hr. Clock)		0910							_
Section IV-Au	tornated Syst	em Data												
19. Type of I		E01	20. Event	Number	4054	749	21. P	rimary or	Mill			<u></u>		
22. Signature	•.[		6		7					23.	AR Num	ber [ k	67	_

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1995, 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.

### U.S. Department of Labor

Mille Citati				Mine Safet	and Health Ad	iministration	Ų.	
Section I-Violat	ion Data							
1. Date	Mo Da Yr 08/29/2005	2. Time (24 Hr. Clock) 1000				Citation/ Order Number	7098175	
4. Served To				5. Operator		A A CONTRACT	~~~	DIC
Brad Phillip	ps				EST VIRGINI	A MINING	COMPANI	INC
6. Mine				7. Mine ID	46-08791			(Contractor)
8. Condition of		<del></del>			· · · · · · · · · · · · · · · · · · ·		8a. Written No	tice (103g)
Con	bustible	materials in	the form	of loose	coal, co	al fines	mixed v	with
rock is	allowed	to accumulate	e under th	e take-u	p for the	#4 CONV	eyor bed	ed in
bottom	conveyor	belt roller roller roller. The	is stuck I	rom the	accumurat ured 6 fe	et jona 1002 per	hy 50 ii	nches
around	the beit	inches deep	accumurati	from dan	in to wet	to the t	ouch. Ti	here
wide by	o to 12	ations issue	and range d for viol	ations o	f section	75.400	at this	mine
	01/10/2005					*		
						See Continuation	on Form (MSHA F	form 7000-3a)
9. Violation	A. Health Safety 🔽	B. Section of Act		Part/Section of Title 30 CFR		75.400		
Section II—Insp	ector's Evaluation		·····					
10. Gravity:							_	
	r Iliness (has) (is):	No Likelihood	Unlikely 🗸	Reasonably	Likely [ ] Hig	jhły Likeły 🗌	Occurred	<u> </u>
	r illness could rea- be expected to be:	No Lost Workdays	Lost Wor	kdays Or Restric	ated Duty 🗹	Permanently Dis	abling 🗌	Fatal 🗌
C. Signific	ant and Substantial	Yes No	· <b>2</b>		D. I	Number of Person	ons Affected:	001
11. Negligeno	ce (check one)	A. None B.	Low C.	Moderate 🗹	D. High 🔲	E. Rec	kless Disregard	
12. Type of A	ction 104	(a)	13. Type of Issu	uance (check on	e) Citatio	on 🗹 Ord	er 🗀	Safeguard 🗌
14. Initial Acti A. Citation		C. Safeguard D. V	Written Notice	E. Citation/ Order Num	ber	:	F. Dated	Mo Da Yr
15. Area or E	quipment							
16. Terminati	ion Due A. Date	Mo Da Yr 08/29/2005	Firme (24 Hr. Clock)	1030				
	mination Action							
17. Action to		Terminated	due to the	ne combu	stible mat	erials h	eing cl	eaned
		the take-up	for the	44 conve	yor belt a	and the b	oottom b	elt
<del></del>	unstuck.							
18. Terminat	I A Deta	29/2005 B. Time (24	Hr. Clock)	1030				
	tomated System Data			<b></b>	<del></del>			• • • • • • • • • • • • • • • • • • • •
19. Type of la (activity o		20. Event Number	4054749	21. Pr	imary or Mill			
22. Signatura	7	6 T		L	<del></del>	23. AR Numi	per [	7

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Falmess Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Falmess 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 (1-889-734-3247), 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,

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

2	3	SEP	20 <b>05</b> ;		γ	1.
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Section I-Vic	alation Data								
1. Date	Mo Da Yr 08/30/2005	2. Time (24 Hr. Clock) 0720			itation/ order Number	7098176			
4. Served To Brad Phil	o		5. Operati ANKEJ	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC					
6. Mine SAGO M	· <del></del>		7. Mine II	46-08791		(Contractor)			
	or Practice					8a. Written Notice (103g)			
Trl	ne trailing	cable for the #3.	110 VAC w	ater nump is	not in	sulated			

The trailing cable for the #3, 110 VAC water pump is not insulated adequately and fully protected. The trailing cable has been damaged in an area that measured 1 1/2 inches long by 3/4 of an inch wide. The inner insulated, energized power leads are exposed through an opening that measured 1/8 of an inch wide by 1/8 of an inch long. The mine operator immediately removed the #3 water pump from service. There have been 12 citations issued for violations of section of 75.517 at this mine since 04/07/2005.

										See C	ontinu <b>a</b> tio	on Form (MSHA	Form 7000-3e)
9. Violation	A. Health Safety Othe		B. Section of Act				/Section of 30 CFR			7	5.517		
Section II—Insp	ector's Evalu	ation											
10. Gravity:								_	_		_		_
A. Injury o	r Iliness (ha	6) (is):	No Likelih	ood 🗌	Unlikely 🗌		Reasonably	Likely 1		Highly Llk	ely 📋	Оссил	ed 📙
	r illness cou be expecte		No Los	t Workday	Lost	Workday	s Or Restr	cted Duty	/ <b>2</b>	Permar	ently Dis	sabling 🗌	Fatal 🗌
C. Signific	ant and Su	ostantial:	Ye	<b>✓</b> N	lo 🗀				l	). Numbe	of Perso	ons Affected:	001
11. Negligeno	e (check or	e)	A. None	] <b>E</b>	. Low	C. Mod	erate 🗹	D	. High [		E. Rec	kless Disrega	rd 🗌
12. Type of A	ction	104(	a)		13. Type of	issuanc	e (check or	1e)	Cit	ation 🗹	Ord	ler 🗌	Safeguard
14. Initial Acti A. Citation		nder 🗀	C. Safegua	ard 🔲 D	Written Notice		Citation/ Order Nur	mber				F. Dated	Mo Da Yr
16. Terminati	ion Due	A. Date	Mo Da	Yr ]	Time (O411) Ot	-13			·····	<del>,</del>			
			08/30/2	005 B	Time (24 Hr. Cid	CK)	0840	<u>'</u>					
Section III—Ter		-				· · · · · · · · · · · · · · · · · · ·					·		
water		eing	Termin insul	ated	due to thadequate	ne tr ly ar	ailin d ful	g cal ly p:	ble 1 roted	for the ted.	he #3	3, 110	VAC
18. Terminate	A. Date	08/3	Da Yr 30/2005	B. Time (2	4 Hr. Clock)	08	40				-		
Section IV-Au	tomated Syst	em Data											
19. Type of Ir (activity o		E01	20. Event	Number	405474	9	21. P	rimery or	Mill				
22. Signature			6		7					23.	AR Numi	ber /	6 ]

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 Ombudaman and 10 Regional Fairness Boards to receive comments from small business about federal agency enforcement actions. The Ombudaman 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 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 penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

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

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Section I-Vi	olation Deta								
1. Date	Mo Da Yr 08/30/2005	2. Time (24 Hr. Clock) 1215	3. Citation/ Order Number 7098177						
4. Served 1 Brad Phi	ro .		5. Operator ANKER WEST VIRGINIA MINING COMPANY INC						
6. Mine SAGO N			7. Mine ID 46-08791	(Contractor)					
	e or Proofice			8a. Written Notice (103g)					

The #2 Stamler coal feeder serial no. 13781 being operated on the 1-Left, (006) MUM working section is not maintained in a safe operating condition. This coal feeder is equipped with a crusher and when tested the emergency stop pull cord will not de-energize the power from the crusher in the event of an emergency. 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 moving crusher. The mine operator immediately removed the #2 Stamler coal feeder from service.

										See C	ontinuatio	n Form (MSHA	Form 7000-3ø)
9. Violation	A. Health Safety Other		B. Section of Act				/Section of 30 CFR			75	.1403		
Section II-Insp	ector's Evalue	tion											
10. Gravity:													
A. Injury o	r Illness (has	) (is):	No Likeliho	xod 🗌	Unlikely 🗌		Reasonably	Likely	<u> </u>	Highly Like	ły 🗌	Occum	
	r iliness coul be expected		No Los	t Workdays	Loet	Workday	/s Or Restr	icted Du	ty 🔽	Perman	ently Disa	abling 🗌	Fatal 🔲
C. Signific	ant and Sub	stantiel:	Yes	No						D. Number	of Perso	ns Affected:	100
11. Negligeno	e (check one	•)	A. None	] B. l	Low 🗌	C. Mod	erate 🗹		). High		E. Reci	des Disregai	rd 🗌
12. Type of A	ction	104(:	1)		13. Type of	fissuanc	e (check or	ne)	CI	tation 🗹	Orde	<b>x</b> 🗆	Safeguard 🗌
14. Initial Acti A. Citation		ier [	C. Safegua	ırd. <b>2</b> ⁄ D. V	Vritten Notice		. Citation/ Order Nur	mber	7(	98134		F. Dated	Mo Da Yr 08/08/2005
15. Area or E	loo Due	A. Date	Mo Da	10 4	īme (24 Hr. Ck	ock)	1228	· · · · · ·	<del></del>		···	·	<del> </del>
S2 14	1 A 1		08/30/2	005	····		1220	, i	<u> </u>	<del> </del>	<u> </u>	<u> </u>	<del></del>
Section III—Ter		Nn .			<del></del>								<u>-</u>
17. Action to					due to 1								
adjust	ed and	the	power	MITT 1	now de-e	energ	jize f	rom	the	crushe	er wh	en the	
		op b	ull co	rd is	tested.								
18. Terminate	A. Date		Da Yr 30/2005	B. Time (24	Hr. Clock)	12	28						
Section IV-Au	tomaled Syste	m Deta						<del></del>					·····
19. Type of It (activity o		E01	20. Event	Number	405474	9	21. P	rimary o	Mill				
22. Signatu.			6		7					23. A	R Numb		6 T

MSHA Form 7000-3, Mar 86 (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 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 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 contact citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

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

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N//		

Section I-Violation Data										
1. Date	Mo Da Yr 08/30/2005	2. Time (24 Hr. Clock) 1400	3. Citation/ Order Number	7098178						
4. Served T Brad Phi	То		5. Operator ANKER WEST VIRGINIA MINING CO	OMPANY INC						
6. Mine SAGO N			7. Mine ID 46-08791	(Contractor)						
	o or Brantice		8	a. Written Notice (103g)						

The mine operator failed to submit a valid respirable dust sample from the (001) section feeder for the Bi-monthly sampling cycle June-July on the 001-0 mechanized mining unit section. The designated area sampling point I.D. (501-0) designated sampling area as identified in advisory no.0030 dated June 08, 2005. No sample was received for the sampling area.

											See C	ontinuati	on Form (MSH	A Form 7000-3e)
9. Violation	A. Health Safety Othe	′□	B. Section of Act					art/Section of tie 30 CFR	f		7	0.208		
Section II—Inspi	ector's Evalu	etion												
10. Gravity:	-													
A. Injury or	r Mness (ha	s) (is):	No Likelih	ood 📝	U	Inlikely 🗌		Reasonabi	y Likely		Highly Llk	ely 🔲	Occu	rred 🗌
	illness cou be expecte		No Los	t Work	days 🗌	Lost	Work	iays Or Rest	ricted D	uty 🔽	Permar	nently Di	sabling 🗌	Fatal 🗌
C. Signific	ant and Sui	ostanția):	Yer		No ₩	]					D. Numbe	r of Pers	ons Affected:	001
11. Negligeno	s (check or	ie)	A. None	]	B. Low		C. M	oderate 🗹		D. High		E. Re	ckless Disreg	ard 🗌
12. Type of A	ction	104	(a)	_		13. Type of	lasua	nce (check o	ne)	(	Citation 🗹	On	der 🗌	Safeguard
14. Initial Action A. Citation		der [	C. Safegu	urd []	D. Writ	ten Notice [		E. Citation/ Order Nu	mber				F. Dated	Mo Da Yr
16. Terminatio	on Due	A. Date	Mo Da 08/30/2		B. Time	3 (24 Hr. Clo	ck)	140:		<del>]</del>	<u>.</u>	·		
Section III—Ten	mination Act	ion .	00/30/2	003	ــــــــــــــــــــــــــــــــــــــ	<del></del>				<del></del>				<del></del>
17. Action to			Tarmi	nate	A 411	0 to t		ation	200	liiro	t bee ti	ho 0	porato	as the
samplin	ng cyc	le c												
18. Terminate	A. Date		Da Yr 30/2005	8. Time	e (24 Hr.	Clock)		1405			·			
Section IV-Aut	ometed Syst	em Date										_		
19. Type of in (activity or		E01	20. Event	Number	,	405474	9	21. F	rimery	or Mill			<del> </del>	·······
22. Signati.	T -	_	6	7	7	T		<u>.</u>			23.	AR Num	ber	6]

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-RS6-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
Conti	nuction

2 3 SEP 2005

X	1
·	

		4						
Section I—Subsequent Action/Conti	nuation Data							
1. Subsequent Action 1a. Cont	inuation 2. Dated (Original Issue)	Mo Da 08/30/2005	Yr 3, Citation/ Order Number	7098178 - 01				
4. Served To		5	. Operator					
Brad Phillips		A	NKER WEST VIRG	INIA MINING COMPA	NY INC			
6. Mine		7	. Mine ID	(0	Contractor)			
SAGO MINE		į	46-0879	I				
Section II—Justification for Action								
Change	From		To					
10. B. Injury Expected	Lost Workdays		No Lost Work	days				
Reason Checked the w	rong box in error when issuing	g the citation.						

Section III—Subse	quent Action Take	m	· · · · · · · · · · · · · · · · · · ·	<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-Inspec			<del></del>		<del></del> _	<u></u>		
9. Type of inspe	ction E01		10. Event Number	4054749	······································		<del></del>	
11. Signature		6	J	AR Number	12. Date	Mo Da Yr 09/06/2005	13. Time (24 Hr. Ck	ock)
MSHA Form 7000	-3e, Mar 85 (revie	ed)	<del>-</del>				1 0430	<del></del>

Mine	Citation	/Order



ection IViolation Data							
. Date Mo Da Yr 08/31/2005	2. Time (24 Hr. Clock) 0742		3. Citation/ Order Number 7098179				
. Served To Carl Crumrine - Mine Fores	man	5. Operator ANKER WEST VIRG	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC				
3. Mine		7. Mine ID 46-08791	1				
SAGO MINE		40-0077	(CONTRACTOR)				
3. Condition or Practice			8a. Written Notice (103g)				
92073, approval responsible of the value of an inch with the value of an inch with the value of an inch with the value of an inch with the value of an inch with the value of an inch with the value of an inch with the value of an inch with the value of an inch with the value of an inch with the value of an inch with the value of an inch with the value of an inch with the value of an inch with the value of an inch with the value of an inch with the value of an inch with the value of an inch with the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of the value of	no. 25B-439, model no ay) 3 blocks outby the equately and fully prix previously insulated rinsulated power leare exposed through a way around the trailing that measured 3/4 (3) power leads are edide all of the way around an opening that	. RR II-15 being e overcast at the otected in that ed splices have ads, which are en opening that ming cable. (2) poof an inch wide apposed through a	ing machine serial no. operated in the intake e 1-right track switch is the following conditions the insulation worn away nergized with 575 VAC. easured 1/2 of an inch wer leads are exposed all of the way around the n opening that measured c cable. (4) power leads  See Continuation Form (MSHA Form 7000-3e)				
A. Injury or Illness (has) (is):     B. Injury or Illness could reasonably be expected to be:     C. Significant and Substantial:     11. Negligence (check one)	Yes V No	Reasonably Likely  orkdays Or Restricted Duty	Permanently Disabiling Fatal D. Number of Persons Affected: 001				
12. Type of Action 104(:		. Moderate D. High suance (check one)	E. Reckless Disregard ☐				
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 08/31/2005 B. Time (24 Hr. Clock	) 1050					
Section III—Termination Action							
17. Action to Terminate			cable on the #41 Fletcher				
roof bolting mac	hine being replaced w	<i>i</i> ith a new traili	ng cable.				
A. Date 08/3	Da Yr 31/2005 B. Time (24 Hr. Clock)	1050					
Section IV-Automated System Data							
19. Type of Inspection (activity cords) E01	20. Event Number 4054749	21. Primary or Mili					
22. Signature	6		23. AR Number [ 6 ]				
MSHA Form 7000-3, Mar 85 (revised) has established a National Small Bus agency enforcement actions. The Or	In accordance with the provisions of the So siness and Agriculture Regulatory Ombudsman and anough well stars enforcement active	ind 10 Regional Fairness Boards to re	t Fairness Act of 1996, the Small Business Administration poeive comments from small businesses about federal themselves a small businesses to small businesses to small businesses. If you wish to comment on the				

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 Ombudaman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudaman annually evaluates enforcement activities and raise each agency's responsiveness to small businesse. 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 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 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



1. Subsequent Action 1a.	Continuation	2. Dated	Мо	Da	Υr	3. Citation/	7000170
	$\overline{\mathbf{Z}}$	(Original Issue)	08/3	1/200	5	Order Number	7098179
4. Served To	· · · · · · · · · · · · · · · · · · ·				5. Operati	У	
Carl Crumrine - Min	e Foreman				ANKEI	<b>WEST VIRG</b>	INIA MINING COMPANY INC
6. Mine					7. Mine ID	44 0070	(Contractor)
SAGO MINE						46-0879	1
Section II kustification for Act	ion	<del></del>					

#### Continuation of 8, Condition or Practice

measured 1 1/4 inches wide all of the way around the trailing cable. (5) power leads are exposed through an opening that measured 2 inches long by 1 1/2 inches wide. (6) power leads are exposed through an opening that measured 1/4 of an inch wide by 1 1/4 of an inch long. The mine floor in this area of the mine is wet. The mine operator immediately removed the #41 roof bolting machine from service. There have been 13 citations issued for violations of section 75.517 at this mine since 04/07/2005.

Section III-Subsequent Action	on Taken					See Continuation Form
8. Extended To A. Date	Mo Da	Yr B. Time (24 Hr. Clor		C. Vacated	D. Terminated	E. Modified
Section IV-Inspection Data						
9. Type of Inspection P	01	10. Event Number 40	4749			
11. Signatur	6	AR Nui	er 12. Date	Mo Da Yr	13. Time (24 Hr. Clo	ck)
MSHA Form 7000-3a, Mar 8	E (condead)			08/31/2005	0742	

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п	wne.	Uali	анс	111/1	U TO	æ:

### U.S. Department of Labor



mile Older	01201001				Mine Safet	and Heal	th Adminis	tration		
ection I-Violat	ion Data									
. Date	Mo Da Yr 08/31/2005	2. Time (24 H	r. Clock) 0822				3. Citation Order N		98180	
. Served To					5. Operator			·mio 001	en arter	D.C
Carl Crum	rine - Mine For	man				EST VIRO	GINIA MII	NING CO	MPANY	INC
Mine					7. Mine ID	46-0879	91			(Contractor)
AGO MI					<u> </u>			8a.	Written Not	
T)	ne #16 S&S	SCOOD	serial	0 488-	-1791 ar	proval	no. 2G			
norsto	ed in the	intake /	nrimary	escape)	vav) 3 b	locks	outby t	he ove	rcast	át 1-
right t	rack swit	ch is no	ot being	operate	ed in a	safe or	peratin	g cond	ition.	When
he par	nic bar is	activat	ed the	circuit	breaker	will	not de-	energi	zed. I	'he
coop r	notor	will sh	nut down	when th	ne emero	ency s	top swi	.tch (p	anıc b	par) is
eld ir	n and when	the eme	ergency .	stop swi	itch (pa	nic ba:	r) is r	elease	d the	scoop
om comin	otor immed	iately s	starts r	unning a	again. T	he sco	op was	remove	d from	n.
service	e immediat	ely by n	nine man	agement.	. There	have b	een 18	citati	ons 18	sued
or vic	olations o	f section	on 75.17	25(a) at	t this n	ine si	nce 04/	11/200	5.	
							Son C	ontinuation Fo	m ASHA F	nom 2000-3a) [
. Violation	A. Health	B. Section		100	Part/Section of	<del></del>	366 C	Originalion P.O.	III (MOTIFIC)	A. (1 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7
, Violation	Safety 🗸	of Act			itie 30 CFR		<b>7</b> 5.	1725(a)		
	Other	<u></u>								
Section H-Insp 10. Gravity:	ector's Evaluation	<del></del>			·····	<del></del>				
•	r Illness (has) (is):	No Likelihood	l 🗍 Uni	kely	Reasonably	Likely 🗸	Highly Like	aly 🗍	Occurred	
B. Injury o	r illness could rea-		Vorkdays 🗍	l oet Work	days Or Restric	ted Duty 🐼		ently Disablin		Fatal
	be expected to be: cant and Substantial					, (2)	<del>-,</del>	of Persons A		001
<del></del>	ce (check one)	186 [				D. Illian		E. Reckless	- Diaragent	<del></del>
12. Type of A		A. None	B. Low [	<del>-</del>	nce (check on	D. High	Citation 🔽	Order		Safeguard [
		(a)	1	o. Type of Isau	<del></del>		CIGION (V)			
<ol> <li>Initial Act</li> <li>A. Citation</li> </ol>	••••	C. Safeguard	D. Writter	Notice .	E. Citation/ Order Num	har		[ F. E	Dated	Mo Da Yr
	<del></del>	C. Dailegualu	D. TTIME	110000	Order Hair	D01				
15, Anna or E	quipment:									
				· · · · · · · · · · · · · · · · · · ·				<del> </del>		
16. Terminat	ion Due A. Date	Mo Da Yr 08/31/200		24 Hr. Clock)	1500	[				
Section IIITe	rmination Action	06/31/200	<u></u>							
17. Action to			<del></del>							
18, Terminat	ed A Date Me	Da Yr B	Time (24 Hr. C	ock)	I					
Section IV-A	nomated System Deta	L		7		<del></del>	<del></del>			
19. Type of I		20. Event No	ımber	~=	21 Pe	mary or Mill	<del></del>			<del></del>
(activity o		1	4	054749	[ * · · · · ·					
22. Signatur	·	- , <del>-</del> ,	<del> 7</del> -		<del></del>		23.4	R Number	77	<del></del>

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 business 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.



23. AR Number

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Mine	Citation/Order
Conti	nuation

**//	

Section I-Subsequent Action/Continuation Data					
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Do 08/31/2		3. Citation/ Order Number	7098180 - 01
4. Served To			5, Oper	etor	STALL AMERIC COMPANY INC
Carl Crumrine - Mine Foreman					INIA MINING COMPANY INC
8. Mine SAGO MINE			7. Mine	46-0879	(Contractor)
Section It—Justification for Action					

Terminated due to the circuit breaker being replaced on the #16 scoop and now when the panic bar is activated the tram motors are de-energize.

		See Continuation Form
8. Extended To Mo Da	Yr	
A. Date	B. Time (24 Hr. Clock) C. Vacated D. Terminated	E. Modified
Section IV-Inspection Data		
9. Type of Inspection E01	10. Event Number 4054749	
11. Signatur.	AR Number 12. Date Mo Da Yr 13. Time (24 Hr. C	lock)
	<u> </u>	
MSHA Form 7000-3a, Mar 85 (revised)		

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	U.S. Department of Labor Mine Safety and Health Administration
Section I-Violation Data	
1. Date Mo Da Yr 2. Time (24 Hr. Clock)	3. Citation/ Order Number 4890527
09/07/2005 0840	
4. Served To	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC
Carl Crumrine - Mine Foreman	
6. Mine CACO MINE	7. Mine ID 46-08791 (Contractor)
SAGO MINE 8. Condition or Practice	8a. Written Notice (103g)
O MMU working section in that the not being maintained to at least inspector attempted to take an a #2 & #3 entry's the wheel on the even turn. A smoke tube air react to travel 10 feet which equals	n is not being complied with on the 2-Left, 006-he air quantity in the last open crosscut is t 9000 cubic feet per minute. When this air reading in the last open crosscut between e approved and calibrated anemometer would not ding was taken an it took the smoke 18 seconds 4,200 cfm in an area of 140 square feet. The ing the miners tightening up the curtains.
9. Violation A. Health B. Section Safety Grant Officer	C. Part/Section of Title 30 CFR 75.325(b)
Section II-Inspector's Evaluation	
10. Gravity:	
A. Injury or Itiness (has) (is): No Likelihood Uni	
	likely 🗹 Reasonably Likely 🗌 Highly Likely 🗍 Occurred 📗
B. Injury or illness could res-	Lost Workdays Or Restricted Duty 📝 Permanently Disabling 🔲 Fata!
B. Injury or illness could rea-	
B. Injury or iffness could reasonably be expected to be: No Lost Workdays	Lost Workdays Or Restricted Duty Permanently Disabling Fata! D. Number of Persons Affected: 001
B. Injury or illness could reasonably be expected to be: C. Significant and Substantial: Yes No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No	Lost Workdays Or Restricted Duty Permanently Disabling Fata! D. Number of Persons Affected: 00 I
B. Injury or illness could reasonably be expected to be: C. Significant and Substantial: Yes No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No	Lost Workdays Or Restricted Duty  Permanently Disabling  Fata!  D. Number of Persons Affected:  00 I  C. Moderate  D. High  E. Reckless Disregard  Safeguard  Safeguard  F. Dated  Mo Da Yr
B. injury or iffness could resonably be expected to be:  C. Significant and Substantial:  Yes No V  11. Negligence (check one)  A. None B. Low 12. Type of Action  104(a)  14. Initial Action  A. Citation B. Order C. Safeguard D. Writter  15. Area or Equipment	Lost Workdays Or Restricted Duty  Permanently Disabling  Fata!  D. Number of Persons Affected:  00 I  C. Moderate  D. High  E. Reckless Disregard  Safeguard  Safeguard  F. Dated  Mo Da Yr
B. injury or iffness could responsibly be expected to be:  C. Significant and Substantial:  Yes No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1.	Lost Workdays Or Restricted Duty  Permanently Disabling  Fatal  D. Number of Persons Affected:  00 I  C. Moderate  D. High  E. Reckless Disregard  Safeguard  Order  Safeguard  F. Dated Mo Da Yr
B. Injury or iffness could responsibly be expected to be:  C. Significant and Substantial:  Yes No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1. No 1.	Lost Workdays Or Restricted Duty Permanently Disabling Fatal D. Number of Persons Affected: 00 I  C. Moderate D. High E. Reckless Disregard D. I. Type of Issuance (check one) Citation Order Safeguard D. F. Dated Mo Da Yr Order Number  E. Citation Order Number F. Dated Mo Da Yr
B. injury or iffness could reasonably be expected to be:  C. Significant and Substantial:  11. Negligence (check one)  A. None  B. Low  12. Type of Action  104(a)  14. Initial Action  A. Citation  B. Order  C. Safeguard  D. Writter  15. Area or Equipment  16. Termination Due  A. Date  Mo Da Yr  09/07/2005  B. Time (continuation Action)  Terminated due	Lost Workdays Or Restricted Duty  Permanently Disabling  Fata!  D. Number of Persons Affected:  00 I  C. Moderate  D. High  E. Reckless Disregard  Safeguard  Order  Safeguard  F. Dated  Mo Da Yr  E. Citation  F. Dated  Mo Da Yr  Order Number  F. Dated  Mo Da Yr
B. injury or iffness could ressonably be expected to be:  C. Significant and Substantial:  Yes No V  11. Negligence (check one)  A. None B. Low [  12. Type of Action 104(a) !  14. Initial Action A. Citation B. Order C. Safeguard D. Writter  15. Area or Equipment  16. Termination Due A. Date Mo Da Yr 09/07/2005  Section III—Termination Action  17. Action to Terminate Terminated due curtains being tightened up and	Lost Workdays Or Restricted Duty Permanently Disabling Fatal D. Number of Persons Affected: 00 I  C. Moderate D. High E. Reckless Disregard D. I. Type of Issuance (check one) Citation Order Safeguard D. F. Dated Mo Da Yr Order Number  E. Citation Order Number F. Dated Mo Da Yr
B. injury or illness could responsibly be expected to be:  C. Significant and Substantial:  Yes No V  11. Negligence (check one)  A. None B. Low 1  12. Type of Action  104(a)  14. Initial Action  A. Citation B. Order C. Safeguard D. Writter  15. Area or Equipment  16. Termination Due  A. Date  Mo Da Yr  09/07/2005  B. Time (constraint)  Section III—Termination Action  17. Action to Terminate  Terminated due	Lost Workdays Or Restricted Duty  Permanently Disabling  Fata!  D. Number of Persons Affected:  00 I  C. Moderate  D. High  E. Reckless Disregard  Safeguard  Order  Safeguard  F. Dated  Mo Da Yr  E. Citation  F. Dated  Mo Da Yr  Order Number  (24 Hr. Clock) 0920  to the check curtains and the run through  the last open crosscut air reading is now Q-
B. Injury or iffness could responsibly be expected to be:  C. Significant and Substantial:  Yes No V  11. Negligence (check one)  A. None B. Low 12. Type of Action  104(a)  14. Initial Action  A. Citation B. Order C. Safeguard D. Writter  15. Area or Equipment  A. Date Mo Da Yr 09/07/2005  Section IN—Termination Action  17. Action to Terminate Terminated due curtains being tightened up and 13,020 cfm.  18. Terminated A. Date Mo Da Yr R. Time (24 Hr. C.)  18. Terminated A. Date Mo Da Yr R. Time (24 Hr. C.)	Lost Workdays Or Restricted Duty Permanently Disabling Fatal D. Number of Persons Affected: 001  C. Moderate D. High E. Reckless Disregard Disabling Safeguard Disabling F. Detect Disregard Disabling F. Detect Disregard Disabling Disabling F. Reckless Disregard Disabling Disabling Disabling F. Reckless Disregard Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Disabling Dis

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Falmess Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudeman and 10 Regional Falmess Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudeman 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 cell 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 2120, Washington, DC 20416. 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 citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

22. Signat ....



23. AR Number

Mine	Cita	tion	,

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Section IVic	olation Date			
1. Date	Mo Da Yr 09/07/2005	2. Time (24 Hr. Clack) 0825	3. Citation/ Order Numl	der 4890528
4. Served T			5. Operator ANKER WEST VIRGINIA MININ	IG COMPANY INC
8. Mine SAGO M			7. Mine ID 46-08791	(Contractor)
	n or Practice			8a, Written Notice (103g)

The #1 Stamler coal feeder serial no. 13717 being operated on the 2-Left, 006-0 MMU working section is not maintained in a safe operating condition. This coal feeder is equipped with a crusher and when tested the emergency pull cord will not de-energize the power from the crusher in the event of an emergency. 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 moving crusher. The mine operator immediately removed the #1 Stamler coal feeder from service.

									See C	continuation	n Form (MSH	A Form 7000-3a)
9. Violation	A. Health Safety Other		3. Section of Act	-		C. Part/Section Title 30 CF			7:	5.1403		
Section II—Inspe	ctor's Evalu	ntion										
10. Gravity:												
A. Injury or	Illness (ha	s) (is):	No Likelihoo	d 🔲 🔃	Unlikely [	Reason	ably Likely	lacksquare	Highly Like	ely 📋	Occur	rred
	ilineas cou be expected		No Lost	Workday	rs Lost	Workdays Or F	estricted D	uty 🔽	Permar	ently Dis	abling 🗌	Fatel 🗌
C. Significa	ant and Sub	etantial:	Yes		No 🗌				D. Number	of Perso	ns Affected	001
11. Negligeno	e (check on	•)	A. None 🔲		3. Low 🗌	C. Moderate	₹	D. High		E. Red	dess Disreg	ard 🗌
12. Type of Ad	ction	104(a	)		13. Type of	Issuance (che	ck one)	C	itation 🗹	Orde	<b>*</b> []	Safeguard [
14. Initial Action  A. Citation		der 🗀	C. Safeguare	ı <b>∑</b>	. Written Notice	E. Citati Order	on/ Number	7	098134		F. Dated	Mo Da Yr 08/08/2005
16. Terminatio	n Due		Mo Da Y	<del>,</del>				<del>7</del>		<del></del>		
		A. Date	09/07/20		. Time (24 Hr. Clo	ick) 1	000	<u> </u>			. <u> </u>	
Section III—Terr		on	<del></del>									
17. Action to 1	<b>Ferminate</b>											
18. Terminate	A. Date	Mo E	a Yr E	3. Time (2	24 Hr. Clock)	<del></del>						······································
Section IV-Aut	omated Syst	em Deta	<del></del>					<del> </del>	······································			
19. Type of In (activity co		E01	20. Event N	lumber	405474	9	1. Primary	or Mill				
22. Signature	<del></del>				<del></del>	<u></u>						

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 actions 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.

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Mine Citation/Order Continuation				p <mark>artment of Labor</mark> fety and Health Administrat	ion 🎾	
Section I-Subsequent Action/Continuation Data					V	
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 09/07/20		3. Citation/ Order Number 4890528	- 01	
4. Served To Brad Hamrick			5. Operate ANKER	or L WEST VIRGINIA MININ	IG COMPANY INC	
6. Mine SAGO MINE			7. Mine IC	46-08791	(Contractor)	

Terminated due to the emergency stop being securely anchored to the frame of the #1 Stamler coal feeder. Also the pull cord was relocated and the emergency stop will now de-energize the crusher when the pull cord is tested.

Section II-Justification for Action

Section III-Subsequent Action Taken		See Continuation Form
8. Extended To A. Date Mo Da	Yr B. Time (24 Hr. Clock)	☐ C. Vacated ☑ D. Terminated ☐ E. Modified
Section IVInspection Data		
9. Type of Inspection E01	10. Event Number 4054749	
11. Signature	AR Number 12. Date	Mo Da Yr 13. Time (24 Hr. Cłock)
		09/12/2005 1650



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

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Section I-Vi	ciation Data			
1. Date Mo Da Yr 09/07/2005		2, Time (24 Hr. Clock) 1015	3. Citation/ Order Number	4890529
4. Served To Carl Crumrine - Mine Foreman			5. Operator	COLDANIV BIC
			ANKER WEST VIRGINIA MINING	COMPANY INC
6. Mine			7. Mine ID 46-08791	(Contractor)
SAGO N	AINE			5 No. 10 - No. 1003-1

The approved ventilation plan is not being complied with on the 1-Left, 003 MMU working section. The #2 entry face has been driven approximately 32 feet inby the inby corner of the #2 right crosscut and the continuous mining machine is setting in this crosscut attempting to cut the #2 to #1 crosscut head on. The line curtain is rolled up across the #2 to #3 crosscut and the #2 entry face is not ventilated. The mine operator immediately hung a curtain from the #3 entry to ventilate the face of the #2 entry.

							See Co	etinuation Form	n (MSHA Fo	rm 7000-3a) 🔽
	with fety <b>_/</b> ther	B. Section of Act			C. Part/Section of Title 30 CFR		75.3	70(a)(1)		
Section II—Inspector's E	ratuation									
10, Gravity: A. Injury or Illness	(has) (is):	No Likeliho	od 🗌 🗀	Unlikely 🗸	Reasonably	Liikely 🗌	Highly Like	<b>y</b> 🗆	Occurred	
B. Injury or illness sonably be expe		No Los	Workdays [	Lost W	orkdays Or Restri	cted Duty 🔽	Perman	ently Disabling		Fatal 🗌
C. Significant and	Substantial:	Yes	□ No S	2			D. Number	of Persons Af	fected:	001
11. Negligence (checl	( one)	A. None	B. Lov	w □ C	. Moderate 🔽	D. High		E. Reckless	Disregard	
12. Type of Action	104(	a)		13. Type of Is	suance (check on	e)	Citation 🗹	Order 🗌		Safeguard [
14. Initial Action A. Citation  B	. Order 🗀	C. Safegua	ird 🔲 D. Wrl	tten Notice	E. Citation/ Order Num	nber		F. Da	ated	Mo Da Yr
16. Termination Due	A. Date	Mo Da	· ID Ti-	ne (24 Hr. Clock	1028		· · · · · · · · · · · · · · · · · · ·	<del> </del>		
	A. Date	Mo Da 09/07/20	· ID Ti-	ne (24 Hr. Clock	0 1028					
	Action	09/07/20	005 B. Tim							
Section III—Termination 17. Action to Termina through the while the	Action te e left #2 lef	Termin cross	ated due	e to a ]	ine curt	ntilate	the fa	ce of	#2 ent	
Section III—Termination 17. Action to Termina through th	Action te e left #2 lef	09/07/20 Termin	ated due	e to a lobe to a lobe ing of	ine curt	ntilate	the fa	ce of	#2 ent	
Section III—Termination 17. Action to Termina through the while the	Action te e left #2 lef Mo Date 09/	Termin cross t cros	ated due cut into scut is	e to a lobe to a lobe ing of	ine curt	ntilate	the fa	ce of	#2 ent	
Section III—Termination 17. Action to Termina through the while the 18. Terminated A. C	Action te e left #2 lef Date Mo 09/05/ystem Data	Termin cross t cros	ated duccut into scut is	e to a lobe to a lobe ing of	ine curt try to ve cut. The	ntilate	the fa	ce of	#2 ent	

MSHA Form 7000-3, Mar 85 (revised) in accordance with the provisions of the Small Business Regulatory Enforcement Fatness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ormbuderman and 10 Regional Fatness Boards to receive comments from small business about federal agency enforcement actions. The Ormbuderman annualty 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 Ormbuderman at Small Business Administration, Office of the National Ormbuderman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ormbuderman 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 1a. Continuation	Dated     (Original Issue)	Mo 09/0	Da 17/200	•••	3. Citation/ Order Number 4890529	
4. Served To			1	5. Operat		
Carl Crumrine - Mine Foreman				ANKE	R WEST VIRGINIA MINING C	OMPANY INC
6. Mine				7. Mine II	46.00001	(Contractor)
SAGO MINE					46-08791	
Section II—Justification for Action						

Continuation of 17. Action to Terminate

ventilated.

Section III-Subsequent Action Taken		<u> </u>	Se	ee Continuation Form
3. Extended To A. Date Mo Da	B. Time (24 Hr. Clock)	C. Vacated	D. Terminated	E. Modified
Type of inspection E01	10. Event Number 4054749			
1. Signature	AB Number 7 12. Date	Mo Da Yr 09/07/2005	13. Time (24 Hr. Clock) 1015	

Mine Citation/Order Continuation

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

2	3	SEP	2005	117
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Section I-Subsequent Action/Continuation Dat	te .					
1. Subsequent Action 1a. Continuation	Dated     (Original Issue)	Mo Da 09/07/20		3. Citation/ Order Number	4890529 - 01	
4. Served To			5. Operato	Y	<u> </u>	
Carl Crumrine - Mine Foreman			ANKER	WEST VIRG	INIA MINING CO	MPANY INC
6. Mine SAGO MINE			7. Mine ID	46-0879	1	(Contractor)
Section II—Justification for Action						
Change 1	From			To	•	

8. Condition Or Practice

Reason Add the following to the body of the citation. The line curtain is not maintained to within 10 feet of the fully bolted face in the #2 entry while the 2 left crosscut is being cut. Page 6 of the approved roof control plan provided that the line curtains are to be maintained to within 10 feet of a fully supported face.

Missed entering this statement in the body of the citation when the citation was issued.

Section III-Subsequent Action Taken				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 Data		<u> </u>	<del></del>	
9. Type of Inspection E01	10. Event Number 4054749	<del></del>	····	
11. Signatur	AR Number 12. Date	Mo Da Yr	13. Time (24 Hr. Clock	9
MSH4 Form 7000 2- May 05 ( )		09/07/2005	1630	

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

8a, Written Notice (103g)

Section I-Violation Data 3 Citation/ 2. Time (24 Hr. Clock) 1. Date Mo Da Yr 4890530 Order Number 69/07/2005 0630 5. Operator 4. Served To ANKER WEST VIRGINIA MINING COMPANY INC Carl Crumrine - Mine Foreman 7. Mine ID 6. Mine 46-08791 (Contractor) SAGO MINE

8. Condition or Practice The track haulage is not being maintained in a safe condition in that a continuous clearance space of at least 12 inches from the furthest projection of normal traffic is not being maintained on the tight side at 16 block track switch along #1 belt. There is 4 inches of clearance from the mantrip to the solid coal rib approximately 50 feet inby the switch going into the motor barn track.

							See C	continuation Form (MSHA	Form 7000-3a)
9. Violation	A. Health [ Safety] Other[		l. Section of Act	T	C. Part/Section of Title 30 CFR		75	5.1403	
Section IIInsp	ector's Evaluat	ion							
10. Gravity:									
A. Injury o	r Iliness (has)	) (ls):	No Liketihood 🗌	Unlikely 🗸	Reasonably Li	kely 🗌	Highly Like	ely 🗍 Occurre	d 🗌
	r illness could be expected		No Lost Work	days 🗌 Lo	st Workdays Or Restrict	ed Duty 🗹	Permar	nently Disabiling	Fetal []
C. Signific	ant and Sube	stantial:	Yes [	No 🗸			D. Number	of Persons Affected:	001
11. Negligeno	e (check one	) /	A. None 🗌	B. Low 🗌	C. Moderate 🗹	D. High		E. Reckless Disregard	<b>.</b> 🗆
12. Type of A	ction	104(a)		13. Type	of Issuance (check one)		Citation 🗹	Order 🗌	Safeguard 📋
14. Initial Acti A. Citation		er 🗀	C. Safeguard 🙀	D. Written Notice	E. Citation/ Order Numb	er ,	7097926	F. Dated	Mo Da Yr 06/14/2005
16. Terminati	on Due	A. Date	Mo Da Yr	B. Time (24 Hr. C	lock) 1600		<del> </del>		
Section III-Ter	mination Auto		09/08/2005		1000				
17. Action to		<u></u>						· · · · · · · · · · · · · · · · · · ·	<del> </del>
18. Terminate	A. Date	Mo D	e Yr B. Tim	e (24 Hr. Clock)				<del></del>	
Section IV—Au	tomated System	n Deta			···	<del></del>			
19. Type of ir (activity o		En1	20. Event Numbe	r 40547	49 21. Print	ary or Mili			<del></del>
22. Signature		6	) ——,	$\supset$ $-$		<del></del>	23. /	AR Number   F	, 7

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 sess and Agriculture Regulatory Ombudaman and 10 Regional Fairness Boards to receive comments from small businesses about federal has established a National Small Busin agency enforcement actions. The Ombudaman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the agency entorcement actions. The critiquesman annually evaluates enforcement activities and rates each agency is responsiveness to small pushness. If you want to continent out 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
Conti	nuation





Continuation							
Section I-Subsequent	Action/Continuation Data						
	on 1a. Continuation	2. Dated (Original Issue)	Mo 09/0	Da 07/200	· · · · · · · · · · · · · · · · · · ·	3. Citation/ Order Number 4890530 - 01	
4. Served To					5. Operat	itor	DIC
Brad Hamrick				1/	<u>ANKEI</u>	R WEST VIRGINIA MINING COMPANY	
6. Mine				7	7. Mine II	D 46-08791 (Contra	actor)
SAGO MINE	<u> </u>					10 00/32	
Section IIJustification	n for Action						

Terminated due to the rib roll being cleaned from the offside walkway along the #4 conveyor belt at #36 block.

			See Continuation Form
8. Extended To A. Date Mo Da Yr B. Tin	ne (24 Hr. Clock)	C. Vacated	☑ D. Terminated ☐ E. Modified
Section IV-Inspection Data	······································		
9. Type of Inspection E01 10. Event No	umber 4054749		
11. Signature 6	AR Number 12. Date	Mo Da Yr 09/12/2005	13. Time (24 Hr. Clock) 1600

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



Mine	Citation/Order
C	nuntion





Continuous		141111	c delicty and incan	17 on mistration	
Section I-Subsequent Action/Continuation Data					
1. Subsequent Action 1a. Continuation	Dated M     (Original Issue)	lo Da Y 09/07/2005	r 3. Citation/ Order Number	4890530 - 02	
4. Served To		5. O	perator		
Carl Crumrine - Mine Foreman		AN	KER WEST VIRO	INIA MINING COMPAN	Y INC
6. Mine		7. M	ine ID	(Con	tractor)
SAGO MINE		]	46-0879	1	
Section IIJustification for Action					
Change F	rom		То		

17. Action To Terminate

Reason Wrote the wrong termination for this citation in error.

Change the body of the termination no. 4890530-01: Change from terminated due to the rib roll being cleaned up from the offside walkway along the #4 conveyor belt at #36 block.

Change to terminated due to the haulage track being slid over and blocked and the corner of the rib being chipped off to provide adequate clearance along the offside rib located in the motor barn.

Section III-Subsequent Action Taken		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 Data			
9. Type of Inspection E01	10. Event Number 4054749		
11. Signature	AR Number 12. Date	Mo Da Yr 13. Time (24 Hr. Clock) 1300	

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

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



					<del></del>			****				
Section I-Violeti			0.75 604	I I a Olasia		<del></del>		13	Citation/		100052	1
1. Date	Mo De 1		2. Time (24	0830		1		Į"	Order Nu	mber	489053	1
4. Served To	09/07/20	303		0650		5. Opera	itor					
Carl Crumr	ine - Min	e Forer	nan			ANKE	R WEST	VIRGIN	IA MIN	ING C	OMPANY	INC
6. Mine	11.0					7. Mine	D 46-0	08791				
SAGO MIN	NE					<u> </u>	40-0	70771			447.94 - 51	(Contractor)
8 Condition or	Practice										a. Written N	
T	he re	turn	air t	nat has	ventilate	ed th	e no.	/, 6,	5, ar	nd 4	laces	or the
MMU 006	-0 2 1	Left	section	on is b	eing cours	sed o	utby the	hrough	the	chec	k curt	ain or
the no.	5 ent	trv a	ind is	being	used to ve	entil	ate the	e non-	permi	LSSID	Te bow	ier
connect	ions (	of th	ie sect	tion po	wer center	r, se	ction :	feeder	and	orne	r non-	•
permiss	sible o	eonir	ment.	When c	chemical su	noke	is rel	eased	at tr	ne cn	eck cu	irtains
in the	#5 en	trv a	and the	e #4 en	itry outby	the	last 1	ine of	oper	n cro	sscuts	it can
be obse	erved	trave	elina (	outby o	over the no	on-pe	rmissi	ble ed	nıbwe	ent.l	ne cne	eck .
curtain	in #.	5 ent	rv had	d 2 hol	es measur:	ing 3	feet	wide k	y 9 1	teet	pradu e	eacn. The
check c	urtai	n in	#4 en	trv had	i 3 holes :	in it	(1) 1	0 inch	ies hi	igh k	3 18 I	eet wide
on the	botto	m.(2)	1 fo	ot wide	by 9 feet	t hig	h on o	ne end	1.(3)	3 fe	et wid	le by 9
feet hi					_	-						
	-											
									See Co	ntinuation	Form (MSHA	Form 7000-3a)
9. Violation	A. Health		B. Section	<u> </u>		Part/Sectk			75	E07		
	Safety		of Act		1	Title 30 CF	-K		13	.507		
Section II—Insp												
10. Gravity:												
•	r Illness (ha	s) (is):	No Likelih	ood 🗌	Unlikely 🗸	Reaso	nably Likely	□ н	ighly Likel	у 🔲	Occum	ed [
	r illness cou		No Los	Workdays	Lost Work	odays Or F	Restricted Du	ty 🗹	Permane	ntly Disa	bling 🗌	Fatal 🗌
	ant and Su		Yes	. No	<b>Y</b>			D	Number o	of Person	s Affected:	001
11. Negligeno	e (check or	ne)	A, None	<b>B</b> . I	Low C. N	/loderate	<b>√</b> (	D, High 📋		E. Reck	ess Disregal	rd 🗌
12. Type of A	ction	104(	a)		13. Type of Issu	ence (che	ck one)	Cital	ion 🗹	Order	· 🗆	Safeguard
14. Initial Acti A. Citation		rder 🗀	C. Safegua	ard [ D. V	Vritten Natice	E. Citati Orde	ion/ r Number			] '	F. Dated	Mo Da Yr
15. Area or E	auinment		<del></del>			1	····				· · · · · · · · · · · · · · · · · · ·	
10.74 <b>02</b> 01 E	drabuseur											
16. Terminati	on Due	A. Date	Mo Da 09/07/2		Time (24 Hr. Clock)	(	925			•		
Section IIITer	mination Act	ion						· · · · · · · · · · · · · · · · · · ·				
17. Action to	17. Action to Terminate The check curtains were repaired and the backup check											
curtain	ns wer				return air							
			_					,	• -	•		
18. Terminate	ed .	Mo	Da Yr			<del></del>		<del></del>				<del> </del>
· · · · · · · · · · · · · · · · · · ·	A. Date		07/2005	B. Time (24	Hr. Clock)	0925	1					
Section IV-Au	tomated Syst		.,,2000	<b></b>			<del>!</del>	<del></del>			<del> </del>	
19. Type of ir		E01	20. Event	Number	4054749		21. Primary o	r Mill				<del></del>
22. Signature		-	,	_	7				1 23 AI	R Numbe	, ,	7 7
	· /		6						25. A	IN TRAKTILING	. 1	6

MSHA Form 7. J.O.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.



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

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			Initio Caroly and Tito					
Section IVic	lation Data							
1. Date	into Da Yr 09/07/2005	2. Tirne (24 Hr. Clock) 1055	3. Citation/ Order Number	4890532				
4. Served T			5. Operator ANKER WEST VIRGINIA MINING COMPANY INC					
6. Mine SAGO M			7. Mine ID 46-08791	(Contractor)				
	Described		8	a. Written Notice (103g)				

A clear unobstructed travelway of at least 24 inches wide is not being maintained on the offside of the #4 coal conveyor belt located just inby 36 block. A rib roll has obstructed the walkway measuring 10 feet long, 2 feet wide and 6 inches to 18 inches high. The weekly examiner has to come out of the impassible return entries at #43 block and travel along #4 belt to #36 block where he re-enters the return.

										See C	ontinuatio	n Form (MS)	1A Form 70	00-3a) 🔲
9. Violation	A. Health Safety Other		B. Section of Act					Pert/Section of Itle 30 CFR		7;	5.1403			
Section II—Insp	ector's Evalu	etion												
10. Gravity: A. Injury o	r Il <b>iness</b> (ha	8) (is):	No Likelih	xod [	Ų	Jnlikely 🔲		Reasonably L	kely 🗸	Highly Llik	ely 🔲	Occu	irred [	
	r illness cou be expecte		No Los	Work	days 🗌	Lost	Work	days Or Restrict	ed Duty 🗹	Permar	ently Dis	abling 🗌	Fatal	
C. Signific	ant and Sul	stantiai:	Yes	<b>V</b>	No [	]				D. Number	of Perso	ns Affected	: 00	1
11. Negligeno	ce (check or	ie)	A. None	)	B. Low		C. N	foderate 🗹	D. High		E. Red	dess Disre	gard 🗌	
12. Type of A	ction	104(	a)			13. Type of	Issu	ance (check one)		Citation 🗹	Orde	<b>x</b> 🗌	Saf	aguard 🗌
14. Initial Acti A. Citation		der 📋	C. Safegu	ırdi 🗹	D. Writ	ten Notice [		E. Citation/ Order Numb	er	7096483		F. Dated		Da Yr 03/2005
15. Area or E	· ·	A. Date	Mo Da 09/07/2		B. Time		ock)	2000		<del>-</del>	-	<u></u>		<del>,</del>
Section III-Ter	mination Act	ion	0370112	003	<u>.                                    </u>	··								
17. Action to	Terminate			. •						· · · · · · ·		<del></del> -		
18. Terminat	ad A. Date	Мо	Da Yr	B. Time	e (24 Hr.	Clock)								
Section IV-Au	tometed Syst	em Deta						<del></del>	<del></del>		•			
19. Type of li (activity o		E01	20. Event	Numbe	Γ	405474	9	21. Prin	nery or Mill					**************************************
22. Signatur	T -	(	6			]		I	****	23.	AR Numb	er /	6	]

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 20418. 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	Citatio	n/Order

### U.S. Department of Labor



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Continuation	Mine Safety and Health Administration					
Section I-Subsequent Action/Continuation Data						
Subsequent Action 1a. Continuation	2. Dated Mo (Original Issue) 0	Da Yr 3 9/07/2005	3. Citation/ Order Number 4890532 -	- 01		
4. Served To		5. Operato				
Brad Hamrick		ANKER	<b>WEST VIRGINIA MININ</b>	G COMPANY INC		
6. Mine		7. Mine ID	16.00.704	(Contractor)		
SAGO MINE			46-08791			
Section IIJustification for Action	<del> </del>					

Terminated due to the rib roll being cleaned up from the offside walkway along the #4 conveyor belt at #36 block.

Section III—Subsequent Action Taken			See Continuation Form	
8. Extended To A. Date Mo Da	Yr B. Time (24 Hr. Clock)	☐ C. Vacated	✓ D. Terminated ☐ E. Modified	
Section IVInspection Data	<del></del>			
	10. Event Number 4054749			
11. Signature 6	AR Number	12. Date Mo Da Yr 09/12/2005	13. Time (24 Hr. Clock) 2015	
MSHA Form 7000-3a, Mar 85 (revised)				

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Section I-Vi	olation Data			
1. Date	Mo Da Yr 09/07/2005	2. Time (24 Hr. Clock) 1230	3. Citation/ Order Number 4890533	
4. Served T Carl Cru			5. Operator ANKER WEST VIRGINIA MINING COMPANY INC	
6. Mine SAGO N	(INE		7. Mine ID 46-08791 (Contracto	r)
	n or Practice		8a. Written Notice (103g)	
	<del></del>			

The return air course can not be traveled in it's entirety in that the following conditions were observed: (1) water is allowed to accumulate over 12 inches deep for 2 blocks in the return entry travel way at #58 block in both #1 and #2 entry's along the #4 conveyor belt. (2) water is allowed to accumulate in the return air course in #1 and #2 entry's along the #5 conveyor belt starting at SS4096 and extends inby for 2 blocks, the water is over 15 inches deep. (3) roof fall's have occurred in the #1 and #2 return entry's at #40 block and the mine examiner leaves the return air course at #43 block and travels outby along the #4 conveyor belt to #36 block where he re-enters the return entry's to get around the roof fall's.

										Şee C	Continuation	Form (MSH	A Form 70	00-3e)
9. Violation	A. Health Safety Other		3. Section of Act			C.	Part/Section o Title 30 CFR	ſ		75.3	164(b)(2)			
Section II-Insp	ector's Evalue	dion												
10. Gravity:									_		_			
A. Injury o	r Illness (hat	) (is):	No Likeliho	od 📋	Unlike	sky 🗹	Reasonabl	y Likely		Highly Llk	eły 🗌	Occu	rred	
	r illness coul be expected		No Los	Workda	lys 🗌	Lost Wo	rkdays Or Rest	ricted Du	ıty 🗷	Pennai	nently Disal	oling 🗌	Fatal	
C. Signific	ent and Sub	stantial:	Yes		No 🗹					D. Numbe	r of Person	Affected	00	1
11. Negligeno	e (check on	8)	A. None	]	B. Low 🗍	C.	Moderate 🗹	Į	D. High		E. Reckle	es Disreg	ard 🗌	
12. Type of A	ction	104(a	)		13.	Type of las	uance (check o	ne)	C	itation 🗹	Order		Saf	eguard 🗌
14. Initial Acti A. Citation		der 🗀	C. Safegue	rd 🔲 🗆	D. Written M	Notice [	E. Citation/ Order Nu	ımber			F	. Dated	Mo	Da Yr
16. Terminati	ion Due	A. Date	Mo Da	• •	B. Time (24	Hr Chath	060		1				<del></del>	
			09/12/2	005	D. 11110 (2.1		V0V	<del></del>	<u></u>					
Section III-Ter		חכ												
17. Action to	Terminate													
18. Terminate	A. Date	Mo	a Yr	B. Time	(24 Hr. Cloc	ck)								
Section IV-Au	tomated Syste	m Data						<del></del>	···	<del></del>				
19. Type of Ir (activity o		E01	20. Event	Number	40	54749	21. (	Primary o	r Mill		<del></del>			<u>-</u>
22. Signature	I		6		J-					23.	AR Number		6.	J

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 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.

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Mine (	Citation/Order
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Section I-Subsequent Action/Continua	tion Data			
1. Subsequent Action 1a. Continu	uation 2. Dated (Original Issue)	Mo Da Yr 3 09/07/2005	3. Citation/ Order Number 4890533 - 01	
4. Served To		5. Operato	r	
Carl Crumrine - Mine Fore	man	ANKER	WEST VIRGINIA MINING CO	MPANY INC
6. Mine		7. Mine ID	46.00504	(Contractor)
SAGO MINE			46-08791	
Section II-Justification for Action				

Terminated due to the water being pumped from the cited area along #4 conveyor belt at #58 block in the return, the water being pumped from the cited area in the 1-left return and the stopping line has been set over to provide additional return entries at #40 block along the #4 conveyor belt. Seven stoppings have been built to provide these additional return entries. The return entry can now be traveled in it's entirety.

Section IIISubsequent Action Taken		See Continuation Form
8. Extended To A. Date Mo Da	B. Time (24 Hr. Clock)	☐ C. Vacated ☑ D. Terminated ☐ E. Modified
Section IVInspection Data		<u> </u>
9. Type of Inspection E01	10. Event Number 4054749	
11. Signature 6	J AAR Number 12. Date	Mo Da Yr 13. Time (24 Hr. Clock) 09/13/2005 1025
MSHA Form 7000-3a, Mar 85 (revised)		1025



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





Section I-Viola	ation Data			
1. Date	Mo Da Yr 09/12/2005	2. Time (24 Hr. Clock) 1845		3. Citation/ Order Number 4890538
4. Served To		7012	5. Operator	
Brad Ham	rick		ANKER WEST VIRO	GINIA MINING COMPANY INC
6. Mine	<del></del>		7. Mine ID 46-0879	01
SAGO M	INE		40-0075	(Contractor)
8. Condition				8a. Written Notice (103g) [] coller which is along the
inches walkwa belt t	high. The y floor and ake-up rol	top of the exposed d a miner can easily	take-up roller is y slip, trip or fa nt between the rol	38 inches wide by 48 s 32 inches above the all into moving conveyor ller and the conveyor
				See Continuation Form (MSHA Form 7000-3a)
9. Violation	A. Health ☐ Safety ✔ Other ☐	B. Section of Act	C. Part/Section of Title 30 CFR	75.1722
Section IIins	pector's Evaluation	······································		
10. Gravity:		At 19 - March 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 - A first 19 -	December that the	Hinkhat Harla Consumed C
	or Illness (has) (is):	No Likelihood Unlikely	Reasonably Likely	Highly Likely Occurred
	or illness could rea- bly be expected to be	No Lost Workdays 🗌 Lost	Workdays Or Restricted Duty 📝	Permanently Disabling Fatal
C. Signi	ficant and Substantia	i: Yes ☑ No 🗌		D. Number of Persons Affected: 001
11. Neglige	nce (check one)	A. None B. Low	C. Moderate 🗸 D. High	E. Reckless Disregard

16. Termination Due

12. Type of Action

14. Initial Action

A. Citation

15. Area or Equipment

104(a)

A. Date

B. Order C. Safeguard D. Written Notice

Mo Da Yr

09/12/2005

Section III--Termination Action 17. Action to Terminate

18. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock

Section IV-Automated System Data

19. Type of Inspection (activity ccd-)

22. Signature 6

23. AR Number 6

13. Type of Issuance (check one)

B. Time (24 Hr. Clock)

E. Citation/

Order Number

2045

Citation 🗸

Order 🗌

F. Dated

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Safeguard 🛚

Mo Da Yr

Mine	Citation/Order
Conti	nustion

P	29 SEP	2005 (6)
		_

Continuation			11,11,10		
Section I-Subsequent Action/Continuation Data					
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo 1 09/12	2005	3. Citation/ Order Number 4890538 - 01	
4. Served To			5. Opera		•
Carl Crumrine - Mine Foreman			ANKE	ER WEST VIRGINIA MINING COMPANY INC	
6. Mine			7. Mine	46-08791 (Contractor)	
SAGO MINE Section II—Justification for Action					

Terminated due to the #4 take-up roller being guarded with wire screen.

Continue III Continuent Antinue Totale						See Continuation Form
Section III—Subsequent Action Taken  8. Extended To A. Date Mo	Da Yr	B. Time (24 Hr. Clock)	<del></del>	C. Vacated	✓ D. Terminated	E. Modified
Section IV-Inspection Data				·		
9. Type of Inspection E01	10. E	vent Number 4054749	)		<u> </u>	
11. Signature	0	AR Number	12. Date	Mo Da Yr 09/13/2005	13. Time (24 Hr. Clo 0800	ock)

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

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B 41	A:4-4:	10-4
Mine	Citation	/Uraer

0	4	OCT	705 (S)
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			Mine Safety and Healt	n Administration ""			
Section i-Violation Data							
1. Date	Mo Da Yr 09/20/2005	2. Tirne (24 Hr. Clock) 0740		3. Citation/ Order Number 7093329			
4. Served To Carl Crumrine - Mine Foreman			5. Operator ANKER WEST VIRO	GINIA MINING COMPANY INC			
6. Mine SAGO N	AINE		7. Mine ID 46-0879	(Contractor)			
8. Condition or Practice				8a. Written Notice (103g)			

The #10 Stanco water pump located in the sump which is in the #1 return entry on the 2-left, 003-0 MMU section is not clearly marked for identification to correspond with the circuit breaker that provides 575 VAC to this water pump. The circuit breaker is marked #10 pump and the water pump is not clearly marked for identification.

								See Co	ntinuation Form (	MSHA Form 700	0-3a)
9. Violation	A. Health Safety Othe		B. Section of Act			C. Part/Section of Title 30 CFR		75	.512		
Section II-Inspe	ctor's Evalu	ation									
10. Gravity:											
A. Injury or	r Iliness (hi	13) (i3):	No Likelih	ood []	Unlikely 🗹	Reasonably	Likely 🔲	Highly Likel	<u>, []                                   </u>	occurred	
В. Injury о sonably	illness co be expect		No Los	t Workdays	Lost Wo	orkdays Or Restri	cted Duty 🔽	Permaner	ntly Disabling	Fatal	
C. Significa	ant and Su	bstantial:	Ye	s 🗌 No 🤄				D. Number	of Persons Affe	ected: 001	
11. Negligeno	e (check o	ne)	A. None	B. Lo	w 🗌 C	. Moderate 🗸	D. High		. Reckless Di	sregard 🗌	
12. Type of A	ction	104(a	a)		13. Type of I	ssuance (check o	ne) C	itation 🗸	Order 🗌	Safe	guard 🗌
14. Initial Acti A. Citation		der []	C. Safegu	ard 🔲 D. Wri	tten Notice	E. Citation/ Order Nur	nber		F. Date	ed <b>M</b> o	Da Yr
16. Termination	on Due	A. Date	Mo Da	· ID Tim	ne (24 Hr. Cloc	k) 0747	<del>- 1 -</del>		_ <del></del>		
C-day III	Al A	·	09/20/2	005							
Section III-Termination Action  17. Action to Terminate Terminated due to the #10 Stanco water pump being clearly marked for identification.											
18. Terminate	A. Date	09/2	Da Yr 0/2005	B. Time (24 H	r. Cłock	0747					
Section IV-Auto		em Data									
19. Type of in (activity c		<b>E0</b> 1	20. Even	t Number	4054749	21. P	imary or Mill				
22. Signature	$\mathcal{L}^{-}$		6	<del></del>	7	<del></del>		23. AF	R Number	6	

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## U.S. Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of Labor ### Department of La

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Section I-Vic	olation Data				
1. Date	Mo Da Yr 09/20/2005	2. Time (24 Hr. Clock) 0830		3. Citation/ Order Number 709	3330
4. Served T Carl Cru	ro mrine - Mine For	reman	5. Operator ANKER WEST VI	RGINIA MINING COMI	ANY INC
6. Mine SAGO M	IINE		7. Mine ID 46-08	· · · · · · · · · · · · · · · · · · ·	(Contractor)
8 Conditio	n or Practice			8a, Wr	itten Notice (103g)

The #6 AWG trailing cable for the #10 water pump located in the sump which is in the #1 return entry on the 2-left, 003-0 MMU section is plugged into a circuit breaker that has an instantaneous setting range from 300 to 700 amperes and the instantaneous setting is set on 700 amperes at the time of this inspection. The maximum allowable instantaneous setting for a #6 trailing cable is 300 amperes. The mine operator immediately adjusted the circuit breakers instantaneous setting.

											Sec	Continua	tion Form (I	MSHA Fort	n 7000-3a	a) 🔽
9. Violation	A. Health Safety Othe	√ 🔽	B. Section of Act				C. Part/Se Title 30					75.601	-1			
Section II-Inspe	ector's Evalu	ation														
10. Gravity:				_						_					_	
	r Iliness (h		No Likelih	ood 🔝	Un	likely 🔽	Reas	onably	Likely		Highly L	lkely	0	ccurred		
	r illness co be expect		No Los	t Workd	ays 🗌	Lost W	orkdays O	r Restric	ted Du	ty 🗹	Perma	nently C	isabling [	F	atal 📋	
C. Signific	ant and Su	ıbstantial	Ye	s 🗌	No 🗹						D. Numt	er of Pe	rsons Affe	cted:	001	
11. Negligeno	ce (check o	ne)	A. None [		B. Low		C. Moderat	e 🗹		D. High		E. Re	ckless Dis	regard [		
12. Type of A	Action	104(	a)			13. Type of	Issuance (	check o	ne)	C	itation 🔽	0	rder 🗌		Safegua	ard 📋
14. Initial Act A. Citation		rder 🗌	C. Safegu	ard []	D. Writte	n Notice [		tation/ der Nun	nber				F. Date	ed	Mo Da	Yr
16. Terminati	ion Due		Mo Da	<del>v.</del>					····		<del></del>		···	·		<u></u>
		A. Date	09/20/2	· · ·	B. Time	(24 Hr. Cloc	ck)	0835		<u> </u>						
Section III-Ten	mination Act	ion														
17. Action to	Terminate		Termir	nated	due	to th	e inst	tant	anec	ous s	setti	ng or	the	circ	uit	
breaker	r that	pro	vides	575	VAC t	o the	#10 5	Stan	CO W	atei	pum	bei	ng se	et ba	ck t	0
300 amp																
18. Terminate	A. Date	<b>D</b>	Da Yr 20/2005	B. Time	(24 Hr. (	Clock	0835									
Section IVAut	omated Sys	tem Data		<u> </u>				<del> </del>								
19. Type of la (activity o		E01	20. Even	t Numbe	^r 4	054749	)	21. Pr	imary o	or Mill						
22. Signature	I		6			]					23	. AR Nu	mber	16		

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### Mine Citation/Order Continuation

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



Section I-Subsequent Action/Continuation Data					
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 09/20/20	1	Citation/ Order Number	7093330
4. Served To	······································		5. Operato	)r	
Carl Crumrine - Mine Foreman			ANKER	WEST VIRG	INIA MINING COMPANY INC
6. Mine			7. Mine ID	1 6 0 0 0 0	(Contractor)
SAGO MINE	(4.14)			46-0879	1
Section IIJustification for Action					

Continuation of 17. Action to Terminate #6 AWG trailing cable.

Section IIISubsequent Action Taken	See Continuation Form
8. Extended To A. Date Mo Da Yr B. Time (24 Hr. Clock)	C. Vacated D. Terminated E. Modified
Section IVInspection Data	
9. Type of Inspection E01 10. Event Number 4054749	
11. Signature 12. D	ate Mo Da Yr 13. Time (24 Hr. Clock)
	ate Mo Da Yr 13. Time (24 Hr. Clock) 09/20/2005 0830
MSHA Form 7000 2n Mar 05 (mulisard)	

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

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Section IVi	olation Data				
1. Date	Mo Da Yr 09/20/2005	2. Time (24 Hr. Clock) 0720	3. Citation Order N		
4. Served To Carl Crumrine - Mine Foreman			5. Operator ANKER WEST VIRGINIA MINING COMPANY INC		
6. Mine SAGO MINE			7. Mine ID 46-08791	(Contractor)	
	n or Practice			8a. Written Notice (103g)	

The approved ventilation plan is not being complied with on the 2-left, 003-0 MMU section. The inby end of the line curtain in the #2 face entry is not maintained to the next to the last row of permanently installed roof support. The line curtain is located on the eighth full row of roof support outby which is approximately 28 feet in length. This face is unsupported for approximately 20 feet past the last full row of roof support. The total distance the line curtain is from the face is approximately 48 feet. There have been 19 citations issued for violations of section 75.370(a)(1) at this mine since 02/17/2005.

	_	See Continuation Form (MSHA	Form 7000-3a)
9. Violation A. Health B. Section of Act Other	C. Part/Section of Title 30 CFR	75.370(a)(1)	
Section II-Inspector's Evaluation			
10. Gravity:			- 4 🖂
	Jnlikely 🔽 Reasonably Likely	Highly Likely Occurr	eo [ ]
B. Injury or illness could reasonably be expected to be:  No Lost Workdays	Lost Workdays Or Restricted Dut	by Permanently Disabling	Fatal 📋
C. Significant and Substantial: Yes No		D. Number of Persons Affected:	001
11. Negligence (check one) A. None B. Lov	w ☐ C. Moderate 🗸 D	). High E. Reckiess Disrega	rd 🗌
12. Type of Action 104(a)	13. Type of Issuance (check one)	Citation 🗹 Order 🗌	Safeguard _
14. Initial Action A. Citation B. Order C. Safeguard D. Writt	E. Citation/ ten Notice  Order Number	F. Dated	Mo Da Yr
15. Area or Equipment			
A. Date Mo Da Yr 09/20/2005 B. Tim	e (24 Hr. Clock) 0730		
Section III-Termination Action			
to the last row of permanently		n being extended to port (roof bolts).	the next
18. Terminated A. Date Mo Da Yr 09/20/2005 B. Time (24 Hr	: Clock 0730		<del>-</del>
Section IVAutomated System Data			
19. Type of Inspection (activity code) E01	4054749 21. Primary o	r Milt	
22. Signature	7	23. AR Number	67

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



Section IV	olation Data				
1. Date	Mo Da Yr 09/20/2005	2. Time (24 Hr. Clock) 1020	3. Citation/ Order Nu	7093332	
4. Served To Carl Crumrine - Mine Foreman		reman	5. Operator ANKER WEST VIRGINIA MINING COMPANY INC		
6. Mine SAGO MINE			7. Mine ID 46-08791	(Contractor)	
	n or Practice			8a. Written Notice (103g)	

The John Deere 675B Skid Steer serial no. M0675BB010106 is not maintained in a safe operating condition in that the steering lever's are sticking and do not self center. This condition allows the Skid Steer to continue traming when the steering lever's are released. The mine operator immediately removed the Skid Steer form service by tagging it out of service.

					See Continuation	Form (MSHA F	orm 7000-3a)
9. Violation A. Healt Safet Othe	y 🗸 of Act		C. Part/Section of Title 30 CFR		77.404(a)		
Section II-Inspector's Eval	ation						
10. Gravity:							
A. Injury or Illness (t	as) (is): No Likelih	ood 🗌 Unlikely 🛄	Reasonably Like	ly 🔽	Highly Likely 🔲	Occurred	i 🗌
B. Injury or illness or sonably be expec		t Workdays Lost	Workdays Or Restricted	Duty 🔽	Permanently Disa	bling 🗍	Fatal 🗍
C. Significant and S	ubstantial: Ye	s 🗹 No 🗌			D. Number of Perso	ns Affected:	001
11. Negligence (check	one) A. None [	B. Low	C. Moderate	D. High (	E. Recki	ess Disregard	
12. Type of Action	104(a)	13. Type o	of Issuance (check one)	Cit	ation 🗹 Orde	r 🗀	Safeguard 🗌
14. Initial Action A. Citation B. C	rder 🔲 C. Safegu	ard D. Written Notice	E. Citation/ Order Number			F. Dated	Mo Da Yr
16. Termination Due	Mo Da	V. 1		<del></del>			
	A. Date 09/20/2	`` ID T: /\4 U- \	lock) 1300				
Section III-Termination Ac			·				
17. Action to Terminate							
18. Terminated A. Dat	Mo Da Yr	B. Time (24 Hr. Clock					
Section IV-Automated Sys	tem Data				<del></del>		
19. Type of Inspection (activity code)	E01 20. Even	t Number 405474	19 21. Primai	y or Mill			
22. Signature	6	_			23. AR Numbe	or I	, ]

MSHA Form 7000-3, Mar 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Falmess 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 20415. 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.

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Section II—Justification for Action

### U.S. Department of Labor

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Continuation	Mine Safety and Health Administration				
Section I-Subsequent Action/Continuation Data					
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 09/20/20	Yr 05	3. Citation/ Order Number 7093332	2 - 01
4. Served To			5. Operat	or	
Al Schonnover			ANKEI	R WEST VIRGINIA MINI	NG COMPANY INC
6. Mine SAGO MINE			7. Mine II	46-08791	(Contractor)

Extended due to parts being ordered for this Skid Steer. Additional time is granted to receive the parts and to repair this Skid Steer.

Section III—Subsequent Action Taken			See Continuation Form
8. Extended To A. Date Mo Da 09/27/	Yr 2005 B. Time (24 Hr. Clock) 0450	C. Vacated	☐ D. Terminated ☐ E. Modified
Section IV-Inspection Data			
9. Type of Inspection E01	10. Event Number 4054749		
11. Signature 6	3B Number 12. Dat	te Mo Da Yr 09/23/2005	13. Time (24 Hr. Clock) 0430
MSHA Form 7000-3a, Mar 85 (revised)			

Mine	Citation/Order
A	





Continuation Mine Safety and Health Administration						
Section I-Subsequent	Action/Continuation Data					▼ <del></del>
1. Subsequent Act	ion 1a. Continuation	2. Dated (Original Issue)	Mo Da 09/20/20	Yr 005	3. Citation/ Order Number 7093332 ~ 02	
4. Served To Carl Crumrine	- Mine Foreman			5. Oper ANKI	rator ER WEST VIRGINIA MINING CC	
6. Mine SAGO MINE				7, Mine	46-08791	(Contractor)
Section II-Justification	n for Action					

Extended due to the parts have not been received. This Skid Steer will remain out of service until the condition is corrected.

						See Continuation Form
Section III-Subsequent Actio	n Taken					
8. Extended To A. Date	Mo Da Yr 10/07/2005	B. Time (24 Hr. Clock)	0600	C. Vacated	D. Terminated	E. Modified
Section IV-Inspection Data						
9. Type of inspection E	01 10. E	vent Number 4054749				
11. Signatur	6	AR Number	12. Date	Mo Da Yr 09/28/2005	13. Time (24 Hr. Clo 1229	ock)

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

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Section IVic	olation Data					
1. Date	Mo Da Yr 09/20/2005	2, Time (24 Hr. Clock) 1045		[3	3. Citation/ Order Number 7093	333
4. Served 1			5. Operator			
Charles I	Lucas		HWM TR	JCK LINES, I	INC.	
6. Mine			7. Mine ID	46-08791	E467	(0
SAGO M	IINE					(Contractor)
8 Condition	n or Practice				8a. Writt	en Notice (103g)

The 1999 Mack truck serial no.1M2AA14YOXW101582 company #131 being operated on mine property to transport coal from the mine site to the cleaning plant is not maintained in a safe operating condition in that the following conditions were observed by this inspector. (1) The air valve for the truck braking system has a excessive air leak when the braking system was tested by applying foot pressure to the brake pedal. (2) The brake lights and the signal lights located on the back of this truck will not burn when tested. The operator immediately removed the truck from service.

										See	Continuatio	on Form (MS)	IA Form 7000-3	ia) 🗌
	A. Health Safety Other		B. Section of Act	,		C. Part/Sec Title 30				7	7.404(a)	)		
Section II-Inspect	or's Evalu	ation												
10. Gravity:														
A. Injury or I	liness (ha	25) (is).	No Likeliho	ood 🗌	Unlikely 📋	Reaso	onably L	ikely (	<b>√</b>	Highly Llk	ely 🗌	Occu	rrred 🔲	
B. Injury or i sonably b			No Los	Workdays	Lost W	orkdays Or	Restrict	ed Dut	y <b>Z</b>	Permai	ently Dis	abling 🗌	Fatal	
C. Significar	nt and Su	bstantial	Yes	✓ No						D. Numbi	er of Pers	ons Affecte	d: 001	
11. Negligence	(check o	ne)	A. None	] <b>B</b> . I	Low 🗌	C. Moderate	<b>V</b>	C	). High		E. Red	kless Disreç	gard 🔲	
12. Type of Act	ion	104(	a)		13. Type of	Issuance (c	heck on	e)	С	itation 🗹	Ord	er 🗌	Safegu	ard 🗌
14. Initial Action A. Citation	n B. Or	der 🔲	C. Safegua	ard D.V	Vritten Notice	E. Cita	ation/ der Num	ber				F. Dated	Mo Da	Yr
16. Termination	n Due	A. Date	Mo Da	101	Fime (24 Hr. Clo		1245		<del></del> -		<del></del>		<u></u>	
Section III-Termin	nation Acti		09/20/2	005		*			<u></u> _	<del></del> -				
17. Action to To			TP o som i m			- l l-	7 '	1- 4-		_1	- 1 7	1 1	1 2	
					ue to th									
replaced					valve f	or the	tru	ick	prak	ing s	yster	n bein	g	
18. Terminated		Мо	Da Yr 20/2005	B. Time (24	Hr, Clock	1245			<del>-</del>					
Section IV-Auton	nated Syst	em Data			· · · · · · · · · · · · · · · · · · ·							<del></del>	·	<del></del>
19. Type of Ins (activity cod	pection de,	E01	20. Event	Number	405474	9	21. Pri	mary o	r Mill				<del></del>	
22. Signature	<u> </u>		6	_	$\mathcal{T}^{}$		·			23.	AR Num	ber	6	7
MSHA Form 7000	1.3 Mar 95	(coviend)	la accorr	. محاد طفار، محمدا	nandajana afitta E		D			F-7 A-				<del></del>

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 Oribudaman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudaman annually evaluates 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 penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

MAi	na	Cite	tio	n/O	rder
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Section I-Vi	olation Data			
1. Date	Mo Da Yr 09/23/2005	2. Time (24 Hr. Clock) 0200	3. Citation/ Order Number	7093337
4. Served Al School	Го		5. Operator ANKER WEST VIRGINIA MINING	COMPANY INC
6. Mine SAGO N	AINE		7. Mine ID 46-08791	(Contractor)
	n or Practice			8a. Written Notice (103g)

The right return air course can not be traveled in it's entirety in that the following conditions were observed by this inspector: (1) The mine roof has fallen in the #7 return entry at SS#3746 the fall is rib to rib by approximately 8 feet high. (2) The mine roof has fallen in the #7 return entry at SS#3744 the fall is rib to rib by approximately 8 feet high. (3) The mine roof has fallen in the #7 return entry at #24 block, the fall is rib to rib by approximately 8 feet high. This #7 return entry can not be traveled through the areas listed.

								See	Continuation Form (M	ISHA Form 7000-3a)
9. Violation	A. Health Safety Other		B. Section of Act	<u></u>		C. Part/Section of Title 30 CFR	of	75.:	364(b)(2)	
Section II-Insp	ector's Evaluat	ion								
10. Gravity:										
A. Injury o	or Iliness (has	s) (is):	No Likelihood	l	Jnlikely 🗸	Reasonabi	Likely 🗌	Highly Llk	cely 🗌 Od	ccurred
	or illness coul y be expected		No Lost Wo	rkdays 🗌	Lost We	orkdays Or Restr	icted Duty	Permar	nently Disabling	Fatal 🗍
C. Signific	cant and Sub	stantial:	Yes 🗌	No ₩				D. Numbe	er of Persons Affec	cted: 001
11. Negligen	ce (check on	e)	A. None 🗌	B. Lov	v 🗀	. Moderate 🗸	D. 1	High [ ]	E. Reckless Dis	regard
12. Type of A	Action	104(a	1)		13. Type of I	ssuance (check	one)	Citation 🗸	Order 🗌	Safeguard
14. Initial Ac A. Citation		er 🔲	C. Safeguard	D. Writ	ten Notice	E. Citation/ Order Nu	ımber		F. Date	d MoDaYr
16. Terminal	tion Due	A. Date	Mo Da Yr 09/30/2005	B. Tim	e (24 Hr. Cloc		<del>-</del>			
Section III_Ter	mination Action		09/30/2003						<del></del>	
17. Action to		·								
18. Terminat	A. Date	Mot	Da Yr B. T	ime (24 Hr	. Clock					
Section IV-Au	tomated System	n Data								
19. Type of i		E01	20. Event Nun	nber	4054749	21. F	Primary or I	Mill		·
22. Signatur	e	_	6	<del></del>	7	<b></b>		23.	AR Number	6 7

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 20418. 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.

W9/21

### Mine Citation/Order Continuation

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

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Subsequent Action 1a. Continuation	2. Dated (Original issue)	Mo 09/23	0a Yr /2005	3. Citation/ Order Number 7093337 - 0	1
. Served To			5. Opera	tor	
leff Toler			ANKE	R WEST VIRGINIA MINING (	COMPANY INC
i. Mine			7. Mine	D 46 00701	(Contractor)
SAGO MINE				46-08791	

submitted a plan to MSHA and West Virginia State on 9-30-2005 to make ventilation change from return airway to common with the intake airway

Section III—Subsequent Action Taken								
8. Extended To		Mo Da Yr 10/21/2005	B. Time (24 Hr.	Clock)	1600	C. Vacated	D. Terminated	E. Modified
Section IV-Inspec	tion Data		<del></del>				<del>'''</del>	
9. Type of Inspe	ction E	01 In F	vent Number	4054434		<del></del>		<del></del>
11. Signature	-	6	JAR	Number 7	12. Date	Mo Da Yr 10/04/2005	13. Time (24 Hr. Clor	<b>&gt;k</b> ⟩
MSHA Form / VUU-	<b>∌a, Ma</b> r 85	(revised)	<del></del>					

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



Section IVi	olation Data			
1. Date	Mo Da Yr 09/23/2005	2. Time (24 Hr. Clock) 0300		Citation/ 7093338
4. Served Al School	То		5. Operator ANKER WEST VIRGINI	A MINING COMPANY INC
6. Mine SAGO N	MINE		7. Mine ID 46-08791	(Contractor)
	n or Practice			8a. Written Notice (103g)

The conveyor belt system in this mine is not maintained in a safe condition in that the wire screen being used for guarding on the #3, #4, #5, and #6 conveyor belt head drive's, take-up's, head roller's and tailpiece's are inadequate due to the holes in the screen are 4 inches by 4 inches. A miner can stick his hand through a hole of this size.

					See Cor	ntinuation Form (MSI	IA Form 7000-3a)
9. Violation A. Health Safety  Other	Safety ✓ of Act		C. Part/Section of Title 30 CFR	75.1	722(b)		
Section II-Inspector's Evaluation							
10. Gravity:		<del></del>					
A. Injury or Illness (has) (is):	No Likelihood	Unlikely 🗸	Reasonably Li	ikely 🗌	Highly Likely	/ 📋 Occi	irred [
<ul> <li>Injury or illness could rea- sonably be expected to be</li> </ul>		rkdays 🗌 Lost W	Vorkdays Or Restrict	ed Duty 🗸	Permaner	ntly Disabling 🔲	Fatal 🗌
C. Significant and Substantia	ıl: Yes 🗌	No 🗹			D. Number o	of Persons Affecte	d: 001
11. Negligence (check one)	A. None	B. Low	C. Moderate 🔽	D. High		. Reckless Disre	gard 🗌
12. Type of Action 104	(a)	13. Type of	issuance (check on	e) (	itation 🗹	Order 🗌	Safeguard 🗌
14. Initial Action A. Citation B. Order	C. Safeguard [	D. Written Notice	E. Citation/ Order Numi	oer		F. Dated	Mo Da Yr
16. Termination Due A. Dat	Mo Da Yr e 09/30/2005	B. Time (24 Hr. Clo	nck) 0600			· · · · · · · · · · · · · · · · · · ·	· · · · · · · · · · · · · · · · · · ·
Section IIITermination Action					<del></del>		
17. Action to Terminate							
A. Date		îme (24 Hr. Clock					
Section IV—Automated System Data							
19. Type of Inspection (activity code) E01	20. Event Nun	105474	9 21. Prir	nary or Mill			
22. Signature		T		<del></del> -	23. AF	R Number	

MSHA Form 700u-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 actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-7324), 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.

M9/21

Mine Citation/Order Continuation		Mine Safety and Health Administration						
Section I-Subsequent Action/Continuation Data							V	
1. Subsequent Action 1a. Continuation	Dated     (Original Issue)	Mo 09/2	Da 3/200	Yr 15	3. Citation/ Order Number	7093338 - 01		
4. Served To				5. Operat	or R WEST VIRG	INIA MINING CO	MPANY INC	
Jeff Toler 6. Mine SAGO MINE				7. Mine li			(Contractor)	

Purchase order records show fencing was ordered on 9-26-2005 and has not been received as of today's date 10-04-2005, additional time is being granted for materials to arrive.

Section II--Justification for Action

						See Continuation Form
Section III-Subsequent Action	Taken					
8. Extended To A. Date	Mo Da Yr 10/21/2005	B. Time (24 Hr. Clock)	0800	C. Vacated	D. Terminated	E. Modified
Section IV-Inspection Data						
9. Type of Inspection E0	)] 10. <u>E</u>	vent Number 4054434				
11. Signature	6	JAR Number	12. Date	Mo Da Yr 10/04/2005	13. Time (24 Hr. Clo 1158	ck)
MSHA Form 7000/3a, Mar 85	(revised)					

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

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Section I-Violat	ion Data													
1. Date	Mo Da Yr 09/30/200		2. Time (24	4 Hr. Cio 100						3. Citatio Order	n/ Number	70983	84	
4. Served To	0 37 55 07 25 0	,,,			. <del>.</del>		5. Operator							
Al Schoone	ver						ANKER WEST VIRGINIA MINING COMPANY INC							
6. Mine SAGO MIR	JF	• •	<del>, , , , . , . , . , . , . , . , . , . ,</del>				7. Mine ID	46-	08791				(Con	tractor)
8. Condition or					··					<del></del>		8a. Written	Notice (10	3g)
		and	rih (	on t	he 2-Left	Mai	ns sec	tion	are	not h	peino	SUPPO	rted	or
					otect pers									
					he followi				110 110	. Dara	, 404	,00100		
					spad #4060				onti	17	2050	hangin	a rih	
	) EIII	rama.	201 11 1 1:	.iDy	to the cor	, 11	r the c	Lack	enci	.y, i	og bi	nungin	girin	/ α 31
								70	05 <del>0</del> 1	1911911	id bi	ow mea spad	44060	y J
					y left cor									OII
lett ri	b, lar	ge (:	2' x	3', X	8") piece	es e	extend	6' l	nto t	ine ti	rack	entry.	4.)	1-
					lt at 9 Ro									
					9 Room In					eede:	r Tei	t and	right	
					easuring u									
					itions in	the	ese are	as a	re lo	ose a	and a	appear	as it	
they wi	.ll fal:	l wi	thout	war	ning.									_
<u></u>										See (	Continueti	on Form (MSH	A Form 700	0-3a) 🔙
9. Violation	A. Health		Section	,			ert/Section of		-					
	Safety <u>√</u>	4	of Act			ĮŢ	itle 30 CFR			75	.202(a	)		
Section II-Inspe	Other _	<u> </u>	<del></del>				<del></del>							
10. Gravity:					<del></del>		· · · · · · · · · · · · · · · · · · ·					<del> </del>		
A. Injury or	lliness (has)	•	No Likeliho	pod 📋	Unlikely 🗌		Reasonably	Likely	<b>Z</b>	Highly Lik	ely 🗍	Occur	med 📋	
	Miness could be expected to		No Los	t Workd	days 🗌 Lost	Work	days Or Restr	icted Du	ty 🛂	Perma	nently Dis	sabling 🗌	Fatal	
C. Significa	ant and Subst	antial:	Yes	<b>Z</b>	No 🗀					D. Numbe	r of Pers	ons Affected:	001	
11. Negligeno	e (check one)	A	A. None	]	B. Low 🔲	C. M	ioderate 🗹	[	). High [	<u></u>	E. Rec	kless Disreg	ard 🗌	
12. Type of A	ction	104(a)	}		13. Type of	Issua	nce (check or	1e)	CH	ation 🗹	Ord	ler 🗌	Safe	guard 🗌
14. Initial Action  A. Citation	***	r 🗆 (	C. Safegua	rd 📋	D. Written Notice	_	E. Citation/ Order Nur	mber			:	F. Dated	Mo D	a Yr
15. Area or Ed	gulpment													
	• •													
16. Terminatio	on Due	. Date	Mo Da `		B. Time (24 Hr. Clo	ck)	1030	,						
			09/30/20	)05 j	(		1030	,	<u> </u>					
Section III—Ten									_			_		
17. Action to	Ferminate '	The	liste	d ha	zardous co	ond:	itions	were	scal	led d	own.			
18. Terminate	A. Date	Mo Da	a Yr 0/2005	B. Time	(24 Hr. Clock)	]	1030				•			,
Section IV-Aut	ometed System				· · · · · · · · · · · · · · · · · · ·			<u> </u>		<del></del>		<u> </u>	· · · · · ·	
19. Type of in (activity co	epection xde)	E01	20. Event	Number	405474	9	21. P	rimaty or	Mill				,, ·	<del> </del>
22. Signature			6		7			<del></del>		23.	AR Numi	xer \	6 7	
MSHA Form 70	 100-3, Mar 85 (n	evised)	in accord	lance wit	h the provisions of the	Small	Business Recui	atory End	orcement !	eimess Ar	t of 1998	the Small Pure	iness Admin	istration

MSHA Form 7000-3, Max 85 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Feirness Act of 1995, 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.

W 10/04

	A11 - 11 -	- 101
MINA	Citatio	n/Order

Mo Da Yr

2. Time (24 Hr. Clock)

Section I-Violation Data

1, Date

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

3. Citation/

Order Number

1	4	OCT	2005
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	<u> </u>	<u> </u>	1012		<del></del>	<del></del>			<del></del>		
4. Served To					5. Operator ANKER WEST VIRGINIA MINING COMPANY INC						
Al Schoone	ver				7. Mine ID			001121			
6. Mine SAGO MII	JTF				1. William ID	46-08791			(Contractor)		
8. Condition or	Practice	<del></del>	<del></del>	· · · · · · · · · · · · · · · · · · ·	_1,			8a. Written N			
It's ob on the on cita should	vious t 2 Left tion #7 have be	Mains Se 098384 i en detec	ction was ssued or ted by a	is not ad	equate. 05 were examin	The haz	he day stardous creand ob hazards	ondition vious, a	ns listed and		
9. Violetion	A. Health	B. Section of Act			Part/Section of Title 30 CFR		See Continue 75.360(a)	tion Form (MSHA)	Form 7000-3a) 📋		
Section II-Insp	ector's Evaluation	<del></del>									
10. Gravity:								<del></del>			
A. Injury or	r iliness (has) (i	B): No Likelit	rood 🔲	Unlikely 🗌	Reasonabiy	Likely 🔽	Highly Likely	Occum	ed []		
	r itiness could no be expected to		st Workdays [	Lost Wor	tidays Or Restr	icted Duty 🔽	Permanently D	isabling []	Fatal		
	ant and Substa	-diele	s ☑ No [	]			D. Number of Pen	sons Affected:	001		
11. Negligeno	e (check one)	A, None [	B. Lo	w 🗌 C. 1	Moderate 🗸	D. High [	_ E.R	ckless Disrega	nd []		
12. Type of A	ction ]	04(a)		13. Type of Issu	ance (check or	ne) Cit	ation 🗹 O	der 🗌	Safeguard [		
14. Initial Acti A. Citation	•	C. Safegu	and D. Wr	itten Notice [	E. Citation/ Order Nu	Mo Da Yr					
15. Area or E		Mo Da	·								
10. Termina	A.	Date 09/30/2		ne (24 Hr. Clock)	1100	)					
	mination Action						·-·				
17. Action to	-	un examin	nation wa	as conduc	ted and	the exa	mination	require	ments		
were d	iscussed	l with mi	ine mana	gement.							
18. Terminate	ξ Δ 13σ1 <b>α</b>	Mo Da Yr 09/30/2005	B. Time (24 Hr	. Clock)	1100		<del></del>	<u></u>			
	iomated System										
19. Type of Ir (activity o		20. Even	t Number	4054749	21. P	rimery or Mill			· <del></del>		
22. Signature	T	(	6	7			23. AR Nur	nber / C			
MSHA Form 70			<del>-</del>		B Burlage Desc	lotory Enforcement	Enimona Ant of 1901	the Small Broke	ann Reteriorista		

in accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1995, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudaman and 10 Regional Fairness Boards to receive comments from ernall businesses about federal agency enforcement actions. The Ombudaman 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 Ombudaman, 409 3rd Street, SW MC 2120, Washington, DC 20418. 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 penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

