

104(b) Order

Mine Citation/Order

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

03 MAY 2005  X7.

Section I--Violation Data

1. Date Mo Da Yr 04/18/2005	2. Time (24 Hr. Clock) 0740	3. Citation/ Order Number 7097730
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 Ba. Written Notice (103g) <input type="checkbox"/>		

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 The #4 scoop charger is ordered withdrawn from service until the canister can be repaired or replaced.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.

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health <input type="checkbox"/> Safety <input checked="" type="checkbox"/> Other <input type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR 75.1107-16(b)
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Section II--Inspector's Evaluation

10. Gravity:

A. Injury or illness (has) (is): No Likelihood Unlikely Reasonably Likely Highly Likely Occurred

B. Injury or illness could reasonably be expected to be: No Lost Workdays Lost Workdays Or Restricted Duty Permanently Disabling Fatal

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

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

12. Type of Action 104(b)

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 7097727 F. Dated Mo Da Yr
04/13/2005

15. Area or Equipment The # 4 scoop charger located at SS#3768 in the crosscut between #8 and #9 entries.

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

17. Action to Terminate

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

19. Type of Inspection (activity code) E01	20. Event Number 4054745	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 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.

Wpt
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Mine Citation/Order
Continuation

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

03 MAY 2005 K1

Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/> 1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) 04/18/2005 Mo Da Yr	3. Citation/ Order Number 7097730 - 01
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)	

Section II—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.

See Continuation Form

Section III—Subsequent Action Taken

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

9. Type of Inspection E01	10. Event Number 4054745	
11. Signature [Signature]	12. Date Mo Da Yr 04/18/2005	13. Time (24 Hr. Clock) 1740

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