



NOV 19 2010

Mr. Tommy Fluty
Superintendent
Ruby Energy Mine
Spartan Mining Co., Inc.
Rt. 65
Delbarton, WV 25670

Dear Mr. Fluty:

In accordance with Section 104(e) of the Federal Mine Safety and Health Act of 1977 (Mine Act) and 30 CFR Part 104, the Mine Safety and Health Administration (MSHA) has conducted a pattern of violation (POV) screening of compliance records for the 12 months ending August 31, 2010 and of accident and employment records for the 12 months ending June 30, 2010, for the Ruby Energy Mine, MSHA ID No. 46-08808. A POV screening is used to determine if Section 104(e) is applicable to a particular mine. If implemented, Section 104(e) requires all subsequent violations designated as Significant and Substantial (S&S) be issued as closure orders with all persons withdrawn from the affected area except those necessary to correct the violation. An operator can be removed from Section 104(e) sanctions only after an inspection of the entire mine results in no significant and substantial violations.

This letter is your notification that a potential pattern of violations exists at the Ruby Energy Mine. This notification is based upon the initial screening and pattern criteria review, which were conducted in accordance with 30 C.F.R. §§ 104.2 and 104.3. A *Screening Criteria Results* report is enclosed. This report details the methodology used for the initial screening and pattern criteria review and summarizes your mine's performance relative to the criteria.

Prior to MSHA implementing Section 104(e) sanctions at the Ruby Energy Mine, you are provided the opportunity, not to exceed 20 days from the date of this notification, to take any or all of the following steps:

Review all documents upon which the pattern of violations evaluation is based and provide additional mitigating information.

Submit a written request for a conference with me (I shall hold any conference within 10 days of a request).

Provide a written plan to me indicating that you will institute a corrective action program to avoid repeated significant and substantial violations at

the operation. Guidance on what constitutes an appropriate corrective action program is contained in the enclosed document entitled *Pattern of Violations Procedures Summary*.

Please note that 30 C.F.R. § 104.4(d) requires that you post a copy of this letter on the mine bulletin board until you are notified of MSHA's final determination with respect to your status pursuant to Section 104(e) of the Mine Act.

Ruby Energy Mine was issued 9.53 S&S violations per 100 inspection hours during the 12-month review period. If the Ruby Energy Mine implements an appropriate corrective action program, the mine must maintain an S&S rate of 4.88 or lower during the evaluation period (i.e., within the top 50th percentile of similar type mines for the 12-month review period). If a corrective action program is not implemented, the mine must maintain an S&S rate of 3.68 or lower during the evaluation period (i.e., within the top 35th percentile of similar type mines). Therefore, I encourage you to implement a corrective action program as soon as practicable. An explanation of these rates, as well as guidelines for an appropriate corrective action program, are contained in the enclosed document entitled *Pattern of Violations Procedures Summary*. Absent mitigating circumstances, the Ruby Energy Mine must meet one of these goals to avoid being issued a pattern of violations notice during this POV review cycle.¹

Whether or not you implement a corrective action program, MSHA will conduct a complete inspection of the Ruby Energy Mine. This inspection may start as soon as December 9, 2010. I will analyze the results of this complete inspection and other on-site enforcement activities conducted during the corrective action period to evaluate whether the Ruby Energy Mine has effectively controlled the occurrence of S&S violations during the review period.

If you implement a corrective action program which does not achieve a rate of S&S violations at or below the applicable levels set forth in the paragraph above, pursuant to 30 C.F.R. section 104.5(b), I will submit an evaluation report to the Administrator for Coal Mine Safety and Health within 120 days from the date of this notification. If you choose not to implement a program to reduce S&S violations, I will submit the report of the evaluation to the Administrator within 60 days from the date of this notification.

¹ However, all mines will be considered for potential pattern of violation notices during the next and subsequent review cycles. MSHA is required to conduct evaluations at least annually but can conduct the evaluations more frequently.

In both cases, a copy of the report of evaluation will be provided to you 10 days before the report is sent to the Administrator. You will have 10 days from the receipt of the report to submit written comments to the Administrator.

Within 30 days of receipt of my report to the Administrator, the Administrator will issue a decision as to whether the Ruby Energy Mine is to be issued a Notice of a Pattern of Violations. A copy of the decision will be provided to you.

If the Administrator decides to issue a Notice of Pattern of Violations, I will issue the Notice of Pattern of Violations to you. Following issuance of a Notice of Pattern of Violations, I will initiate appropriate inspection activities to ensure that the Ruby Energy Mine is inspected in its entirety during the following 90-day time frame and each succeeding inspection cycle until the Pattern of Violation order is terminated.


If upon any inspection after the issuance of the Pattern of Violations Notice an authorized representative finds any violation of a mandatory health or safety standard which could significantly and substantially contribute to the cause and effect of a safety or health hazard, the inspector shall issue an order requiring the withdrawal of all persons in the area affected by the violation except those persons listed in 104(c) of the Mine Act. All persons, except as listed in 104(c) of the Mine Act, shall also be prohibited from entering that area until the inspector determines that such violation has been abated.

Termination of a Pattern of Violations notice shall occur when an inspection of the entire mine results in no significant and substantial violations or no withdrawal order is issued by MSHA in accordance with section 104(e)(1) of the Act within 90 days of the issuance of the pattern letter.

You may request an inspection of the entire mine or portions of the mine at any time. No advance notice of the inspection shall be provided and MSHA will determine the scope of each inspection. Partial inspections that cumulatively cover the entire operation within the 90-day period will constitute an inspection of the entire operation for the purposes of termination of a Pattern of Violations Notice.

Please contact me at (304) 877-3900 if you have any questions regarding this matter. Additional mitigating information, requests for a conference and/or a written plan to institute a corrective action program should be sent to me at: 100 Bluestone Road, Mt. Hope WV 25880.

Sincerely,

A handwritten signature in black ink that reads "Robert G. Hardman". The signature is written in a cursive style with a large, prominent initial "R".

Robert G. Hardman

District Manager

Coal Mine Safety and Health, District 4

Enclosures

Screening Criteria Results for Pattern of Violations

The following screening criteria are used to perform the initial screening required under 30 CFR §104.2 and 30 CFR §104.3. If the mine meets either Initial Criteria 1 or Initial Criteria 2, the mine will be considered for a PPOV if the Final Order Criteria is also met.

Overall Results <div style="font-size: 1.5em; font-weight: bold; color: red; text-align: center;">PPOV</div>
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Does the mine meet Initial Criteria 1 (30 CFR §104.2) ? - **YES**
 Does the mine meet Initial Criteria 2 (30 CFR §104.2) ? - **NO**
 Does the mine meet Final Order Criteria (30 CFR §104.3) ? - **YES**

Query Run Date
Oct-18-2010

DISTRICT 04 Logan WV Field Office
Mine ID: 46-08808
Mine Status: Active (on screening date)
Mine Name: Ruby Energy
Mine Type: Underground Coal
Controller: Massey Energy Company
Operator: Spartan Mining Co., Inc.

12 Month Date Range Used	
Start Date:	Sep-01-2009
End Date:	Aug-31-2010

Criteria	Criteria Description		Does the Mine Meet the Criteria?
Initial Criteria 1	1 At least 50 citations/orders for significant and substantial (S&S) violations issued in the most recent 12 months.	154 YES	YES This mine meets all four Initial Criteria 1
	2 A rate of eight or more S&S citations/orders issued per 100 inspection hours during the most recent 12 months, or <i>154 S&S C/O's were issued during 1616.75 inspection hours.</i> The degree of negligence for at least 25 percent of the S&S C/O's issued during the most recent 12 months is "high" or "reckless disregard." <i>14 of the 154 S&S C/O's issued were either high or reckless disregard.</i>	9.53 YES 9.1% NO	
	3 At least 0.5 elevated citations and orders [under section 104(b); 104(d); 104(g); or 107(a) of the Mine Act] issued per 100 inspection hours during the most recent 12 months. <i>16 elevated C/O's were issued during 1616.75 inspection hours.</i>	0.99 YES	
	4 The Injury Severity Measure (SM) for the mine is greater than the overall Industry SM for all mines in the same mine type and classification over the most recent 12 months. <i>The mines SM of 5186.3 is more than the industry SM of 541.4.</i>	5186.3 YES	
Initial Criteria 2	1 At least 100 S&S citations/orders issued in the most recent 12 months. <i>154 S&S C/O's were issued.</i>	154 YES	NO This mine does not meet both Initial Criteria 2
	2 At least 40 elevated citations and orders [under section 104(b); 104(d); 104(g); or 107(a) of the Mine Act] issued during the most recent 12 months. <i>16 elevated C/O's were issued.</i>	16 NO	
Final Order Criteria	1 At least 5 S&S citations/orders of the same standard that became final orders of the commission during the most recent 12 months, or <i>11 C/O's of standard 75.202(a) became final orders.</i>	11 YES	YES This mine meets at least one of the Final Order Criteria
	2 At least 2 S&S unwarrantable failure citations/orders [104(d)] became final orders of the commission during the most recent 12 months. <i>4 unwarrantable failure C/O's became final orders.</i>	4 YES	

Note: This mine has been identified for a PPOV review before.

MSHA Mine ID: 46-08808

Mine: Ruby Energy

Operator: Spartan Mining Co., Inc.

Controller: Massey Energy Company

Mine Status: Active

Mine Status Date: 01/20/2003

Month	Inspector Hours Worked	Calendar Days Inspector(s) at Mine	Citations and Orders Issued During the 12 Month Review Period							Cumulative percent S&S	Cumulative S&S/100 Inspection Hours	Cumulative Elevated/100 Inspection Hours	
			Non S&S	S&S	Elevated				Total				
					104(b)	104(d)	104(g)	107(a)					
Sep 2009	139.25	16	13	8	0	1	0	0	0	1	38.10%	5.75	0.72
Oct 2009	61.00	9	11	11	0	1	0	0	0	1	44.19%	9.49	1.00
Nov 2009	146.75	17	32	20	0	3	0	0	0	3	41.05%	11.24	1.44
Dec 2009	177.75	14	17	17	2	0	0	0	1	3	43.41%	10.67	1.52
Jan 2010	56.75	8	17	3	0	0	0	0	0	0	39.60%	10.15	1.38
Feb 2010	207.00	16	32	9	0	1	0	0	0	1	35.79%	8.62	1.14
Mar 2010	200.75	18	24	15	0	1	0	0	0	1	36.24%	8.39	1.01
Apr 2010	159.25	14	42	22	0	4	0	0	0	4	35.84%	9.14	1.22
May 2010	231.50	18	15	20	0	1	0	0	0	1	38.11%	9.06	1.09
Jun 2010	66.75	9	9	8	0	0	0	0	1	1	38.55%	9.19	1.11
Jul 2010	80.00	10	19	9	0	0	0	0	0	0	38.07%	9.30	1.05
Aug 2010	90.00	14	22	12	0	0	0	0	0	0	37.84%	9.53	0.99
Totals	1,616.75	163	253	154	2	12	0	0	2	16			

Inspection hours are from the inspectors Weekly Activity in IPAL.

- (1) The inspection time is the sum of the Site Inspection Time.
- (2) Supervisor and Trainee time are not included.
- (4) The following event hours will be included in the analysis:

E01	E02	E03	E04	E05	E06
E07	E08	E15	E16	E17	E18
E19	E20	E21	E22	E23	E24
E25	E27	E28	E33		

Mine: Ruby Energy

Operator: Spartan Mining Co., Inc.

Controller: Massey Energy Company

Mine Status: Active

Mine Status Date: January 20, 2003

Cumulative
During Review
Period

Issuance	Citation No.	Date/Time Issued	30 CFR	Type Action	Type	S&S	Likelihood	Injury/Illness	Persons Affected	Negligence	Times this Standard Cited	S&S Count	Elevated Count
1	8095066	09/01/09 11:10 AM	75.202(a)	104(a)	C	Y	R	L	1	M	1	1	
2	8095067	09/01/09 11:35 AM	75.364(b)(2)	104(a)	C	N	U	L	1	M	1		
3	8087233	09/03/09 11:00 AM	75.370(a)(1)	104(a)	C	Y	R	L	10	M	1	2	
4	8087234	09/03/09 11:30 AM	75.370(a)(1)	104(d)(2)	O	Y	R	L	10	H	2	3	1
5	8095068	09/04/09 10:50 AM	75.1725(a)	104(a)	C	Y	R	L	1	M	1	4	
6	8095069	09/09/09 09:45 AM	75.333(d)(3)	104(a)	C	N	U	L	1	M	1		
7	8095070	09/09/09 10:00 AM	75.333(e)(1)(ii)	104(a)	C	N	U	L	1	M	1		
8	8095071	09/09/09 10:20 AM	75.364(b)(4)	104(a)	C	N	U	L	1	M	1		
9	8095072	09/09/09 10:25 AM	75.403	104(a)	C	N	U	L	1	M	1		
10	8095073	09/09/09 10:30 AM	75.202(a)	104(a)	C	Y	R	L	1	M	2	5	
11	8095074	09/14/09 11:10 AM	75.362(d)(1)(iii)	104(a)	C	Y	R	L	2	M	1	6	
12	7166527	09/15/09 09:25 AM	48.11(a)	104(a)	C	N	U	L	1	M	1		
13	8095075	09/15/09 03:55 PM	50.20(a)	104(a)	C	N	N	N	0	M	1		
14	8095076	09/16/09 09:45 AM	75.1403	104(a)	C	N	U	L	1	M	1		
15	8095077	09/16/09 10:05 AM	75.512	104(a)	C	N	U	L	1	M	1		
16	8095078	09/16/09 01:05 PM	75.1106-2(a)(1)	104(a)	C	Y	R	L	1	M	1	7	
17	8095079	09/17/09 08:30 AM	72.520(b)	104(a)	C	N	N	N	0	M	1		
18	8095080	09/17/09 10:35 PM	50.20(a)	104(a)	C	N	N	N	0	M	2		
19	8095081	09/21/09 12:05 PM	75.211(c)	104(a)	C	Y	R	L	1	M	1	8	
20	8095082	09/22/09 09:35 AM	70.210(b)	104(a)	C	N	N	N	0	M	1		
21	8095083	09/22/09 10:20 AM		104(a)	C	N	N	N	0	M	1		
22	8097727	10/07/09 06:05 AM	77.1104	104(a)	C	Y	R	L	1	M	1	9	
23	8097730	10/07/09 06:10 AM	77.404(a)	104(a)	C	Y	R	L	1	M	1	10	
24	8097728	10/07/09 01:01 PM	75.1714-7(a)	104(a)	C	N	U	L	2	M	1		
25	8097731	10/13/09 10:30 AM	75.1106-2(a)(1)	104(a)	C	N	U	L	1	M	2		
26	8097732	10/13/09 03:20 PM	75.1906(d)	104(a)	C	N	U	L	1	M	1		
27	8097736	10/19/09 07:45 AM	75.904	104(a)	C	Y	R	F	1	M	1	11	
28	8097737	10/19/09 09:05 AM	75.904	104(a)	C	Y	R	F	1	M	2	12	
29	8097738	10/19/09 10:50 AM	75.333(d)(3)	104(a)	C	Y	R	L	20	M	2	13	
30	8097741	10/22/09 11:02 AM		104(a)	C	N	U	F	9	M	2		
31	8097742	10/27/09 11:45 AM	75.202(a)	104(a)	C	Y	R	L	1	M	3	14	
32	8097743	10/27/09 12:50 PM	75.1107-13(l)	104(a)	C	N	U	L	1	M	1		
33	8097744	10/27/09 01:01 PM	75.512	104(a)	C	N	U	L	1	M	2		
34	8097747	10/28/09 09:35 AM	75.515	104(a)	C	N	U	L	1	M	1		
35	8097746	10/28/09 11:05 AM	75.515	104(a)	C	N	U	L	1	M	2		
36	8097748	10/28/09 11:40 AM	75.1722(a)	104(a)	C	Y	R	P	1	M	1	15	
37	8097745	10/28/09 12:03 PM		103(k)	O								
38	8097749	10/29/09 10:01 AM	75.512	104(a)	C	Y	R	F	1	M	3	16	
39	8097750	10/29/09 10:05 AM	75.360(e)	104(a)	C	N	U	L	2	M	1		
40	8097751	10/29/09 11:40 AM	75.904	104(a)	C	Y	R	F	1	M	3	17	
41	8097752	10/30/09 08:45 AM	75.701	104(a)	C	N	U	L	1	M	1		

Mine: Ruby Energy

Operator: Spartan Mining Co., Inc.

Controller: Massey Energy Company

Mine Status: Active

Mine Status Date: January 20, 2003

Cumulative
During Review
Period

Issuance	Citation No.	Date/Time Issued	30 CFR	Type Action	Type	S&S	Likelihood	Injury/Illness	Persons Affected	Negligence	Times this Standard Cited	S&S Count	Elevated Count
42	8097755	10/30/09 12:01 PM	75.360(b)(6)(ii)	104(d)(2)	O	Y	R	P	12	H	1	18	2
43	8097753	10/30/09 12:50 PM	75.701	104(a)	C	N	U	L	1	M	2		
44	8097754	10/30/09 01:38 PM	75.380(d)(1)	104(a)	C	Y	R	F	10	M	1	19	
45	8097756	11/02/09 12:20 PM	77.1111	104(a)	C	N	U	L	1	L	1		
46	8097757	11/02/09 01:01 PM	77.1605(d)	104(a)	C	N	U	L	1	M	1		
47	8097758	11/03/09 10:30 AM	72.630(b)	104(a)	C	N	U	P	2	M	1		
48	8097759	11/03/09 11:20 AM	75.342(a)(4)	104(a)	C	Y	R	F	8	M	1	20	
49	8097761	11/04/09 10:45 AM	75.523-3(c)(2)	104(a)	C	N	U	L	1	M	1		
50	8097760	11/04/09 11:00 AM	75.333(c)	104(a)	C	N	U	F	1	M	1		
51	8097764	11/05/09 08:05 AM	75.1107-4(a)(2)	104(a)	C	N	U	L	1	M	1		
52	8097765	11/05/09 08:15 AM	75.1107-4(a)(2)	104(a)	C	N	U	L	1	M	2		
53	8097766	11/05/09 09:40 AM	75.380(d)(7)(vi)	104(a)	C	N	U	L	1	M	1		
54	8097767	11/05/09 10:20 AM	75.1100-2(b)	104(a)	C	N	U	L	1	M	1		
55	8097768	11/05/09 11:05 AM	75.351(c)(4)	104(a)	C	Y	R	P	10	M	1	21	
56	8097769	11/05/09 11:32 AM		104(a)	C	Y	R	P	10	M	4	22	
57	8097770	11/06/09 12:50 PM	75.516	104(a)	C	N	U	L	1	M	1		
58	8097771	11/06/09 01:20 PM	75.400	104(a)	C	Y	R	F	4	M	1	23	
59	8097772	11/06/09 01:40 PM	75.1101-10	104(a)	C	Y	R	F	4	M	1	24	
60	8097773	11/10/09 10:20 AM	75.400	104(a)	C	N	U	L	1	M	2		
61	8097774	11/10/09 11:30 AM	75.514	104(a)	C	N	U	L	1	M	1		
62	8097776	11/13/09 09:03 AM	75.400	104(a)	C	N	U	L	1	M	3		
63	8097775	11/13/09 10:22 AM	75.380(d)(7)(vii)(A)	104(a)	C	N	U	F	10	M	1		
64	8097778	11/13/09 12:10 PM	75.202(a)	104(a)	C	Y	R	P	2	M	4	25	
65	8097777	11/13/09 12:25 PM	75.514	104(a)	C	Y	R	P	1	M	2	26	
66	8097779	11/16/09 08:40 AM	75.1715	104(a)	C	N	U	N	1	M	1		
67	8097780	11/16/09 09:40 AM	75.1715	104(a)	C	N	U	N	1	M	2		
68	8097781	11/16/09 02:02 PM	77.505	104(a)	C	N	U	L	1	M	1		
69	8097782	11/16/09 02:04 PM	77.505	104(a)	C	N	U	L	1	M	2		
70	8097783	11/17/09 10:45 AM	75.202(a)	104(a)	C	Y	R	P	10	M	5	27	
71	8097784	11/18/09 08:15 AM	75.1403	104(a)	C	Y	R	P	1	M	2	28	
72	8097785	11/18/09 09:05 AM	75.515	104(a)	C	N	U	L	1	M	3		
73	8097786	11/18/09 11:15 AM	75.605	104(a)	C	Y	R	P	1	M	1	29	
74	8097788	11/19/09 11:20 AM	75.380(d)(7)(vii)(A)	104(a)	C	N	U	F	10	M	2		
75	8097789	11/19/09 11:32 AM	75.380(d)(7)(vii)(B)	104(a)	C	N	U	F	10	M	1		
76	8097790	11/19/09 11:38 AM	75.1506(h)(1)	104(a)	C	N	U	F	10	M	1		
77	8097787	11/19/09 12:50 PM	75.503	104(a)	C	N	U	L	1	M	1		
78	8097791	11/20/09 11:32 AM	75.333(c)(2)	104(a)	C	N	U	L	1	M	1		
79	8095705	11/23/09 08:30 AM	75.700	104(a)	C	N	U	N	1	M	1		
80	8097796	11/23/09 08:30 AM	75.514	104(a)	C	Y	H	F	1	M	3	30	
81	8097794	11/23/09 11:40 AM	75.360(f)	104(a)	C	N	U	N	10	M	1		
82	8097797	11/23/09 11:50 AM	75.512	104(a)	C	Y	H	F	1	M	4	31	

Mine: Ruby Energy

Operator: Spartan Mining Co., Inc.

Controller: Massey Energy Company

Mine Status: Active

Mine Status Date: January 20, 2003

Cumulative
During Review
Period

Issuance	Citation No.	Date/Time Issued	30 CFR	Type Action	Type	S&S	Likelihood	Injury/Illness	Persons Affected	Negligence	Times this Standard Cited	S&S Count	Elevated Count
83	8097792	11/23/09 12:01 PM	75.333(h)	104(a)	C	N	U	N	1	M	1		
84	8097793	11/23/09 12:10 PM	75.202(a)	104(a)	C	Y	R	L	1	M	6	32	
85	8097795	11/23/09 12:30 PM	75.400	104(a)	C	N	U	F	2	M	4		
86	8095706	11/24/09 07:30 AM	75.370(a)(1)	104(a)	C	N	U	N	2	M	3		
87	8095708	11/24/09 09:10 AM	75.1101-7(b)	104(d)(2)	O	Y	R	F	5	H	1	33	3
88	8095707	11/24/09 09:10 AM	75.1722(a)	104(a)	C	Y	R	P	1	M	2	34	
89	8095710	11/24/09 11:45 AM	75.364(a)(1)	104(d)(2)	O	Y	R	F	5	H	1	35	4
90	8095709	11/24/09 11:45 AM	75.360(a)(1)	104(d)(2)	O	Y	R	F	5	H	1	36	5
91	8097798	11/30/09 08:45 AM	75.370(a)(1)	104(a)	C	N	U	L	5	M	4		
92	8097799	11/30/09 10:01 AM	75.512	104(a)	C	Y	R	L	1	M	5	37	
93	8097800	11/30/09 10:15 AM	75.1722(a)	104(a)	C	Y	R	P	1	M	3	38	
94	8097801	11/30/09 11:01 AM	75.1100-2(b)	104(a)	C	N	U	F	1	M	2		
95	8097802	11/30/09 01:01 PM	75.400	104(a)	C	N	U	F	2	M	5		
96	8097803	11/30/09 01:20 PM	75.202(a)	104(a)	C	Y	R	F	1	M	7	39	
97	8097804	12/01/09 08:30 AM	75.1909(b)(5)	104(a)	C	N	U	L	1	M	1		
98	8097805	12/01/09 10:30 PM		103(k)	O								
99	8097806	12/03/09 10:30 AM	75.514	104(a)	C	Y	R	L	1	M	4	40	
100	8097807	12/03/09 10:55 AM	75.333(c)(2)	104(a)	C	N	U	F	1	M	2		
101	8097808	12/03/09 11:35 AM	75.400	104(a)	C	N	U	F	4	M	6		
102	8097809	12/07/09 08:05 AM	75.807	104(a)	C	N	U	F	4	M	1		
103	8097810	12/07/09 09:05 AM	75.220(a)(1)	104(a)	C	Y	R	F	2	M	1	41	
104	8095711	12/07/09 11:25 AM	75.333(h)	104(a)	C	N	U	L	1	M	2		
105	8095714	12/09/09 09:20 AM	75.1731(b)	104(a)	C	Y	R	P	1	M	1	42	
106	8095715	12/09/09 10:00 AM	75.1731(b)	104(a)	C	Y	R	P	1	M	2	43	
107	8095716	12/09/09 10:15 AM	75.1731(b)	104(a)	C	Y	R	P	1	M	3	44	
108	8095717	12/09/09 10:15 AM	75.400	104(a)	C	Y	R	L	1	M	7	45	
109	8095719	12/09/09 10:20 AM	75.380(d)(7)(iv)	104(a)	C	N	U	P	1	M	1		
110	8095720	12/09/09 10:20 AM	75.516-2(a)	104(a)	C	N	U	N	1	M	1		
111	8095718	12/09/09 10:20 AM	75.1731(b)	104(a)	C	Y	R	P	1	M	4	46	
112	8095721	12/09/09 10:20 AM		107(a)	O								6
113	8099999	12/10/09 09:50 AM	75.203(e)	104(a)	C	Y	R	L	1	M	1	47	
114	8095722	12/10/09 10:50 AM	75.360(f)	104(a)	C	N	U	N	27	M	2		
115	8095723	12/10/09 10:50 AM	75.360(f)	104(a)	C	N	U	N	27	M	3		
116	8100000	12/10/09 10:55 AM	75.202(a)	104(a)	C	Y	R	L	1	M	8	48	
117	8100001	12/10/09 11:00 AM	75.400	104(a)	C	Y	R	L	1	M	8	49	
118	8100002	12/10/09 11:20 AM	75.1731(b)	104(a)	C	Y	R	L	1	M	5	50	
119	8095724	12/10/09 12:20 PM	75.1731(b)	104(b)	O								7
120	8095725	12/10/09 12:40 PM	75.1731(b)	104(b)	O								8
121	8095726	12/10/09 12:45 PM	75.202(a)	104(a)	C	Y	R	L	1	M	9	51	
122	8100003	12/10/09 01:30 PM	75.202(a)	104(a)	C	Y	R	L	1	M	10	52	
123	8100004	12/10/09 01:50 PM	75.1101-10	104(a)	C	N	U	L	1	M	2		

Mine: Ruby Energy

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124	8097811	12/10/09 02:05 PM	75.360(b)(2)	104(a)	C	N	U	L	1	M	1		
125	8097812	12/11/09 09:10 AM	75.1106-3(a)(2)	104(a)	C	Y	R	L	1	M	1	53	
126	8097813	12/11/09 09:30 AM	75.380(d)(4)(ii)	104(a)	C	N	U	L	1	M	1		
127	8097814	12/11/09 12:10 PM	75.1403	314(b)	S								
128	8097815	12/14/09 10:12 AM	75.202(a)	104(a)	C	Y	R	P	1	M	11	54	
129	8095729	12/16/09 07:35 AM	75.362(f)	104(a)	C	N	U	N	1	M	1		
130	8097816	12/16/09 09:30 AM	75.364(b)(2)	104(a)	C	N	U	L	1	M	2		
131	8097818	12/16/09 09:45 AM		103(k)	O								
132	8097817	12/16/09 11:05 AM	75.360(f)	104(a)	C	N	U	N	8	M	4		
133	8100005	12/21/09 12:00 PM	75.351(q)(2)	104(a)	C	N	U	L	1	M	1		
134	8097819	12/22/09 08:55 AM	75.512	104(a)	C	Y	R	P	1	M	6	55	
135	8097820	12/22/09 11:10 AM	75.1100-2(g)	104(a)	C	N	U	L	1	M	1		
136	8097821	12/28/09 12:55 PM	75.202(a)	104(a)	C	Y	R	P	1	M	12	56	
137	8097822	01/04/10 01:05 PM	75.370(a)(1)	104(a)	C	N	U	P	2	M	5		
138	8097833	01/13/10 11:15 AM	75.701	104(a)	C	N	U	L	1	M	3		
139	8097834	01/13/10 11:45 AM	75.604(b)	104(a)	C	N	U	L	1	M	1		
140	8097837	01/19/10 07:45 AM	75.1715	104(a)	C	N	U	N	1	M	3		
141	8097838	01/19/10 10:40 AM	75.1719-2(b)	104(a)	C	N	U	L	2	M	1		
142	8097839	01/19/10 10:45 AM	75.512	104(a)	C	Y	R	L	1	M	7	57	
143	8097843	01/25/10 07:35 AM	75.1107-4(a)(2)(i)	104(a)	C	N	U	L	1	M	1		
144	8097844	01/25/10 08:05 AM	75.503	104(a)	C	N	U	L	1	M	2		
145	8097846	01/25/10 08:40 AM	75.400	104(a)	C	N	U	L	1	M	9		
146	8097845	01/25/10 08:50 AM	75.400	104(a)	C	Y	R	L	2	M	10	58	
147	8097847	01/25/10 10:20 AM	75.220(a)(1)	104(a)	C	Y	R	P	1	M	2	59	
148	8097848	01/25/10 11:15 AM	75.1107-13(l)	104(a)	C	N	U	L	1	M	2		
149	8097849	01/26/10 12:10 PM	75.515	104(a)	C	N	U	L	1	M	4		
150	8097850	01/28/10 08:15 AM	75.516	104(a)	C	N	U	L	1	M	2		
151	8097851	01/28/10 09:50 AM	75.400	104(a)	C	N	U	L	2	M	11		
152	8097852	01/28/10 11:30 AM	75.1100-2(a)	104(a)	C	N	U	P	8	M	1		
153	8097853	01/28/10 12:20 PM	75.360(f)	104(a)	C	N	U	L	8	M	5		
154	8097854	01/29/10 09:05 AM	75.360(f)	104(a)	C	N	U	L	8	M	6		
155	8097855	01/29/10 10:55 AM	75.202(a)	104(a)	C	N	U	L	1	M	13		
156	8097856	01/29/10 11:25 AM	75.351(e)(1)(iv)	104(a)	C	N	U	P	8	M	1		
157	8097858	02/02/10 08:25 AM	75.342(a)(4)	104(a)	C	N	U	F	2	M	2		
158	8097859	02/02/10 10:25 AM	75.340(a)(2)(i)	104(a)	C	N	U	L	1	M	1		
159	8097861	02/03/10 07:30 AM	75.370(a)(1)	104(a)	C	N	U	P	1	L	6		
160	8097860	02/03/10 11:05 AM	75.204(g)	104(a)	C	N	U	L	2	M	1		
161	8097863	02/03/10 11:50 AM	75.351(c)(4)	104(a)	C	N	U	F	8	M	2		
162	8097862	02/03/10 12:10 PM	75.360(f)	104(a)	C	N	U	L	8	M	7		
163	8097864	02/04/10 10:05 AM	75.523-3(c)(2)	104(a)	C	N	U	P	1	M	2		
164	8097865	02/04/10 10:55 AM	75.503	104(a)	C	N	U	P	1	M	3		

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165	8097866	02/08/10 12:05 AM	75.503	104(a)	C	N	U	L	1	M	4		
166	8097867	02/08/10 12:20 AM	75.515	104(a)	C	N	U	L	1	M	5		
167	8097868	02/08/10 01:05 AM	75.400	104(a)	C	N	U	F	1	M	12		
168	8097870	02/08/10 09:50 AM	75.370(a)(3)(iii)	104(a)	C	N	U	N	1	M	1		
169	8097869	02/08/10 09:50 AM	75.370(d)	104(d)(2)	O	Y	R	L	30	H	1	60	9
170	8458062	02/10/10 06:10 AM	75.370(a)(1)	104(a)	C	N	U	N	2	M	7		
171	8458063	02/10/10 08:30 AM	72.630(b)	104(a)	C	Y	R	P	2	H	2	61	
172	8097871	02/10/10 12:45 PM	75.380(d)(7)(iv)	104(a)	C	N	U	F	8	M	2		
173	8097872	02/11/10 10:29 AM	75.400	104(a)	C	N	U	F	2	M	13		
174	8100029	02/11/10 10:30 AM	75.1403	104(a)	C	N	U	L	1	M	4		
175	8100030	02/11/10 11:10 AM	75.202(a)	104(a)	C	Y	R	L	1	M	14	62	
176	8097873	02/11/10 11:47 AM	75.400	104(a)	C	N	U	F	2	M	14		
177	6620121	02/11/10 02:15 PM	75.372(a)(1)	104(a)	C	N	U	L	1	M	1		
178	8097875	02/16/10 02:45 PM	75.202(a)	104(a)	C	Y	R	L	1	M	15	63	
179	8097874	02/16/10 03:05 PM	75.400	104(a)	C	N	U	F	2	M	15		
180	8100031	02/17/10 09:45 AM	75.370(a)(1)	104(a)	C	Y	R	L	2	M	8	64	
181	8097876	02/17/10 12:01 PM	75.333(c)(2)	104(a)	C	N	U	L	1	M	3		
182	8097877	02/17/10 02:15 PM	75.400	104(a)	C	N	U	F	2	M	16		
183	8097878	02/17/10 02:30 PM	75.333(c)(2)	104(a)	C	N	U	L	1	M	4		
184	8107481	02/18/10 09:20 AM	75.1403	314(b)	S								
185	8097880	02/18/10 09:45 AM	75.1403	104(a)	C	N	U	L	1	M	6		
186	8097879	02/18/10 10:01 AM	75.512	104(a)	C	Y	R	L	1	M	8	65	
187	8107961	02/19/10 12:20 PM	75.400	104(a)	C	N	U	L	1	M	17		
188	8107962	02/19/10 01:00 PM	75.1403	104(a)	C	Y	R	L	8	M	7	66	
189	8107963	02/19/10 01:15 PM	75.202(a)	104(a)	C	Y	R	L	1	M	16	67	
190	8107483	02/22/10 10:40 AM	77.208(a)	104(a)	C	N	U	L	1	M	1		
191	8107484	02/22/10 10:55 AM	77.205(b)	104(a)	C	Y	R	L	1	M	1	68	
192	8107487	02/24/10 09:25 AM	75.380(d)(7)(v)	104(a)	C	N	U	L	8	M	1		
193	8107485	02/24/10 09:35 AM	75.380(d)(7)(vi)	104(a)	C	N	U	L	8	M	2		
194	8107486	02/24/10 10:05 AM	75.380(d)(7)(iv)	104(a)	C	N	U	L	8	M	3		
195	8107964	02/24/10 10:20 AM	77.200	104(a)	C	N	U	L	25	M	1		
196	8107965	02/24/10 10:25 AM	77.200	104(a)	C	N	U	N	25	M	2		
197	8107966	02/24/10 12:55 PM	75.807	104(a)	C	N	U	N	8	M	2		
198	8107967	02/24/10 05:30 PM	75.1403	104(a)	C	N	U	L	8	M	8		
199	8107489	03/01/10 12:40 PM	75.202(a)	104(a)	C	Y	R	P	1	M	17	69	
200	8107488	03/01/10 01:02 PM	75.380(f)(5)(ii)	104(a)	C	N	U	L	1	M	1		
201	8107490	03/01/10 01:22 PM	75.212(c)	104(a)	C	N	U	L	1	M	1		
202	8107491	03/03/10 10:30 AM	75.370(d)	104(d)(2)	O	Y	R	L	26	H	2	70	10
203	8107492	03/03/10 05:10 PM	75.212(c)	104(a)	C	N	U	L	1	M	2		
204	8107493	03/03/10 05:45 PM	75.212(c)	104(a)	C	N	U	L	1	M	3		
205	8107968	03/04/10 07:25 AM	75.1722(b)	104(a)	C	Y	R	L	1	M	1	71	

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206	8107969	03/04/10 07:35 AM	75.202(a)	104(a)	C	Y	R	L	1	M	18	72	
207	8107970	03/04/10 07:45 AM	75.1403	104(a)	C	Y	R	L	2	M	9	73	
208	8107971	03/04/10 08:05 AM	75.400	104(a)	C	N	U	N	1	M	18		
209	8107972	03/04/10 09:10 AM	75.400	104(a)	C	N	U	F	2	M	19		
210	8107973	03/04/10 09:15 AM	75.1100-2(f)	104(a)	C	N	U	N	1	M	1		
211	8107494	03/05/10 01:00 PM	75.1505(b)	104(a)	C	N	U	L	10	M	1		
212	8107495	03/05/10 01:10 PM	75.1505(a)	104(a)	C	N	U	L	10	M	1		
213	8107974	03/08/10 09:45 AM	75.400	104(a)	C	N	U	P	2	M	20		
214	8107496	03/08/10 09:50 AM	75.333(h)	104(a)	C	N	U	N	1	M	3		
215	8107975	03/08/10 10:20 AM	72.630(b)	104(a)	C	Y	R	P	2	M	3	74	
216	8107976	03/08/10 10:55 AM	75.204(c)(1)	104(a)	C	N	U	L	2	M	1		
217	8107977	03/08/10 12:00 PM	75.380(d)(7)(i)	104(a)	C	N	U	N	8	L	1		
218	8107497	03/08/10 12:50 PM	75.202(a)	104(a)	C	Y	R	P	1	M	19	75	
219	8107498	03/08/10 01:45 PM	75.202(a)	104(a)	C	Y	R	P	1	M	20	76	
220	8107978	03/09/10 10:50 AM	75.1731(b)	104(a)	C	Y	R	L	1	M	8	77	
221	8107979	03/09/10 11:50 AM	75.220(a)	104(a)	C	Y	R	L	19	H	1	78	
222	8107980	03/09/10 02:50 PM	75.362(b)	104(a)	C	Y	R	F	3	M	1	79	
223	8107981	03/09/10 03:15 PM	75.220(a)	104(a)	C	Y	R	L	3	M	2	80	
224	8107982	03/10/10 12:05 PM	75.333(c)(1)	104(a)	C	N	U	N	1	M	1		
225	8107499	03/10/10 12:10 PM	75.202(a)	104(a)	C	Y	R	P	1	M	21	81	
226	8107501	03/10/10 01:40 PM		103(k)	O								
227	8107500	03/10/10 01:50 PM	75.364(b)(2)	104(a)	C	N	U	L	1	M	3		
228	8107983	03/16/10 11:10 AM	75.1200	104(a)	C	N	U	N	1	M	1		
229	8107502	03/16/10 12:50 PM	77.1605(d)	104(a)	C	N	U	N	1	M	2		
230	8107503	03/16/10 02:50 PM	75.512-2	104(a)	C	N	U	L	2	M	1		
231	8107984	03/17/10 10:10 AM	75.807	104(a)	C	N	U	N	3	L	3		
232	8107985	03/17/10 11:00 AM	75.400	104(a)	C	N	U	L	1	M	21		
233	8107504	03/17/10 11:55 AM	75.370(a)(1)	104(a)	C	Y	R	P	2	M	9	82	
234	8107986	03/17/10 12:45 PM	75.333(c)(1)	104(a)	C	N	U	N	1	M	2		
235	8107987	03/18/10 05:30 PM	75.604(b)	104(a)	C	N	U	L	1	M	2		
236	8107988	03/18/10 09:30 PM	75.380(d)(7)(i)	104(a)	C	N	U	L	9	M	2		
237	8107989	03/22/10 09:40 AM	75.380(d)(7)(vii)(B)	104(a)	C	N	U	N	8	M	2		
238	8107506	03/31/10 09:20 AM	75.403	104(a)	C	Y	R	L	9	M	2	83	
239	8107507	04/02/10 07:05 AM	75.360(g)	104(a)	C	N	U	N	8	M	1		
240	8107508	04/02/10 08:50 AM	75.1403	104(a)	C	Y	R	L	1	M	10	84	
241	8107517	04/12/10 10:55 AM	75.380(d)(7)(vi)	104(a)	C	N	U	F	8	M	3		
242	8107516	04/12/10 11:10 AM	75.1107-4(a)(1)	104(a)	C	N	U	L	1	M	1		
243	8095792	04/13/10 08:00 AM	75.360(g)	104(a)	C	N	U	N	1	M	2		
244	8095793	04/13/10 09:20 AM	75.601-1	104(a)	C	N	U	P	1	M	1		
245	8095794	04/13/10 09:55 AM	75.1719-1(e)(1)(ii)	104(a)	C	N	U	L	1	M	1		
246	8095795	04/14/10 10:25 AM	75.503	104(a)	C	Y	R	P	2	M	5	85	

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247	8095796	04/14/10 10:40 AM	75.400	104(a)	C	Y	R	P	2	M	22	86	
248	8095797	04/14/10 11:00 AM	75.503	104(a)	C	N	U	P	1	M	6		
249	8095798	04/14/10 11:40 AM	75.503	104(a)	C	N	U	P	2	M	7		
250	8095799	04/14/10 12:10 PM	75.1722(a)	104(a)	C	Y	R	P	1	M	4	87	
251	8095800	04/14/10 12:10 PM	75.400	104(a)	C	Y	R	P	1	M	23	88	
252	8105402	04/15/10 11:50 AM	75.400	104(a)	C	Y	R	P	1	M	24	89	
253	8105403	04/15/10 11:50 AM	75.1107-9(a)(1)	104(a)	C	Y	R	P	1	M	1	90	
254	8105401	04/15/10 12:50 PM	75.503	104(a)	C	Y	R	P	1	M	8	91	
255	8105405	04/15/10 01:45 PM	75.503	104(a)	C	N	U	P	1	M	9		
256	8105404	04/15/10 01:45 PM	75.1107-9(a)(1)	104(a)	C	N	U	P	1	M	2		
257	8105406	04/16/10 09:30 AM	75.360(g)	104(a)	C	N	U	N	1	M	3		
258	8105407	04/16/10 02:00 PM	75.1505(b)	104(a)	C	N	U	N	10	M	2		
259	8105408	04/19/10 06:10 AM	75.1712-3(a)	104(a)	C	Y	R	L	17	M	1	92	
260	8105409	04/19/10 06:40 AM	75.1505(b)	104(a)	C	N	U	N	17	M	3		
261	8239853	04/19/10 07:00 AM	75.1202	104(a)	C	N	U	L	1	M	1		
262	8239747	04/19/10 08:20 AM	75.1725(a)	104(a)	C	N	U	L	2	M	2		
263	8105410	04/19/10 09:30 AM	75.604(b)	104(a)	C	N	U	P	2	M	3		
264	8239748	04/19/10 10:30 AM	75.400	104(a)	C	N	U	L	1	M	25		
265	8105411	04/19/10 10:50 AM	75.1107	104(a)	C	N	U	P	5	M	1		
266	8239749	04/19/10 11:10 AM	75.512	104(a)	C	Y	R	L	1	M	9	93	
267	8105413	04/19/10 12:00 PM	75.1714-4(b)	104(a)	C	N	U	N	10	M	1		
268	8105412	04/19/10 12:00 PM	75.1100-2(d)	104(a)	C	N	U	N	10	M	1		
269	8239750	04/19/10 12:45 PM	75.400	104(a)	C	N	U	L	1	M	26		
270	8239854	04/19/10 12:50 PM	75.606	104(a)	C	N	U	L	1	M	1		
271	8239751	04/19/10 01:00 PM	75.1100-2(b)	104(a)	C	N	U	L	1	M	3		
272	8239752	04/19/10 01:20 PM	75.1403	104(a)	C	N	U	L	1	M	11		
273	8239855	04/19/10 02:00 PM	75.1506(g)	104(a)	C	N	U	L	10	M	1		
274	8239856	04/19/10 02:10 PM	75.380(d)(7)(vii)	104(a)	C	N	U	L	10	M	1		
275	8239753	04/19/10 02:10 PM	75.333(c)(2)	104(a)	C	N	U	L	1	M	5		
276	8105414	04/20/10 10:30 AM	75.1731(a)	104(a)	C	Y	R	P	1	M	1	94	
277	8239754	04/20/10 11:15 AM	75.1100-2(b)	104(a)	C	N	U	L	2	M	4		
278	8105417	04/20/10 11:20 AM	75.362(a)(1)	104(d)(2)	O	Y	H	F	1	H	1	95	11
279	8239857	04/20/10 11:30 AM	75.400	104(a)	C	N	U	L	2	M	27		
280	8105415	04/20/10 11:30 AM	75.400	104(d)(2)	O	Y	H	F	1	H	28	96	12
281	8105416	04/20/10 11:30 AM	75.1731(a)	104(d)(2)	O	Y	H	F	1	H	2	97	13
282	8105419	04/22/10 09:30 AM	75.380(d)(7)(i)	104(a)	C	Y	R	L	1	M	3	98	
283	8105418	04/22/10 09:50 AM	75.516	104(a)	C	N	U	P	1	M	3		
284	8105420	04/22/10 09:55 AM	75.333(b)	104(a)	C	N	U	L	1	M	1		
285	8105421	04/22/10 10:20 AM	75.400	104(d)(2)	O	Y	R	P	12	H	29	99	14
286	8105422	04/22/10 11:00 AM	75.362(d)(1)(iii)	104(a)	C	Y	R	P	12	M	2	100	
287	8105423	04/22/10 11:30 AM	75.1731(a)	104(a)	C	Y	R	P	1	M	3	101	

Mine: Ruby Energy

Operator: Spartan Mining Co., Inc.

Controller: Massey Energy Company

Mine Status: Active

Mine Status Date: January 20, 2003

Cumulative
During Review
Period

Issuance	Citation No.	Date/Time Issued	30 CFR	Type Action	Type	S&S	Likelihood	Injury/Illness	Persons Affected	Negligence	Times this Standard Cited	S&S Count	Elevated Count
288	8105424	04/22/10 12:02 PM	75.1731(b)	104(a)	C	Y	R	P	1	M	9	102	
289	8105425	04/22/10 12:20 PM	75.1731(b)	104(a)	C	Y	R	P	1	M	10	103	
290	8105426	04/22/10 12:30 PM	75.1731(b)	104(a)	C	N	U	L	1	M	11		
291	8105427	04/22/10 01:00 PM	75.516	104(a)	C	N	U	N	1	M	4		
292	8105428	04/23/10 10:55 AM	75.700	104(a)	C	Y	R	P	1	M	2	104	
293	8105429	04/27/10 10:00 AM	75.807	104(a)	C	N	U	N	1	M	4		
294	8105430	04/27/10 10:45 AM	75.400	104(a)	C	N	U	N	8	M	30		
295	8105431	04/27/10 11:04 AM	75.604(b)	104(a)	C	Y	R	F	1	M	4	105	
296	8105432	04/27/10 11:40 AM	75.1505(b)	104(a)	C	N	U	N	8	M	4		
297	8105433	04/28/10 10:55 AM	75.1400-4	104(a)	C	N	U	N	1	L	1		
298	8105434	04/28/10 11:53 AM	75.508	104(a)	C	N	U	N	1	L	1		
299	8105435	04/28/10 12:05 PM	77.516	104(a)	C	N	U	P	1	M	1		
300	8105436	04/28/10 12:20 PM	50.20(a)	104(a)	C	N	U	N	1	M	3		
301	8105437	04/28/10 12:46 PM	77.1100	104(a)	C	N	U	P	1	M	1		
302	8105439	04/29/10 10:50 AM	75.700	104(a)	C	N	U	P	1	M	3		
303	8105440	05/04/10 10:25 AM	77.200	104(a)	C	Y	R	L	1	M	3	106	
304	8105441	05/04/10 10:35 AM	77.208(e)	104(a)	C	N	U	L	1	M	1		
305	8105443	05/04/10 11:35 AM	77.1104	104(a)	C	Y	R	P	1	M	2	107	
306	8105442	05/04/10 11:40 AM	75.312(g)(1)	104(a)	C	N	U	N	1	M	1		
307	8105444	05/04/10 11:45 AM	77.1109(c)(1)	104(a)	C	Y	R	P	1	M	1	108	
308	8105445	05/05/10 11:45 AM	75.516	104(a)	C	N	U	N	1	M	5		
309	8105446	05/05/10 12:10 PM	75.202(a)	104(a)	C	Y	R	L	1	M	22	109	
310	8105447	05/06/10 09:00 AM	75.333(b)	104(a)	C	Y	R	F	1	M	2	110	
311	8105448	05/06/10 11:30 AM	75.1505(b)	104(a)	C	N	U	N	1	M	5		
312	8105449	05/07/10 07:24 AM	75.403	104(a)	C	Y	R	F	6	M	3	111	
313	8105451	05/07/10 07:24 AM	75.403	104(a)	C	Y	R	F	6	M	4	112	
314	8105450	05/07/10 11:15 AM	75.1731(b)	104(a)	C	N	U	P	5	M	12		
315	8105452	05/07/10 11:46 AM	75.400	104(a)	C	N	U	P	1	M	31		
316	8105453	05/10/10 12:45 PM		103(k)	O								
317	8105454	05/12/10 10:20 AM	75.1403	104(a)	C	Y	R	L	10	M	12	113	
318	8105455	05/12/10 10:35 AM	75.400	104(a)	C	Y	R	P	2	M	32	114	
319	8105456	05/13/10 10:40 AM	75.1403	104(a)	C	Y	R	L	2	M	13	115	
320	8105457	05/13/10 12:00 PM	75.1914(h)(2)	104(a)	C	N	U	N	1	M	1		
321	8107550	05/14/10 11:20 AM	75.364(b)(2)	104(a)	C	N	U	L	1	M	4		
322	8107551	05/14/10 11:30 AM	75.212(c)	104(a)	C	N	U	L	1	M	4		
323	8107552	05/14/10 12:40 PM	75.360(f)	104(a)	C	N	U	L	18	M	8		
324	8107553	05/18/10 04:30 PM	75.360(g)	104(a)	C	N	U	N	7	M	4		
325	8105458	05/19/10 08:07 AM	75.220(a)(1)	104(a)	C	Y	R	L	2	M	3	116	
326	8112635	05/19/10 12:30 PM	75.380(d)(7)(ii)	104(a)	C	N	U	F	10	M	1		
327	8105459	05/20/10 11:20 AM	75.364(b)(2)	104(a)	C	Y	R	L	1	M	5	117	
328	8105460	05/20/10 11:30 AM	75.364(b)(2)	104(a)	C	Y	R	L	1	M	6	118	

Mine: Ruby Energy

Operator: Spartan Mining Co., Inc.

Controller: Massey Energy Company

Mine Status: Active

Mine Status Date: January 20, 2003

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Issuance	Citation No.	Date/Time Issued	30 CFR	Type Action	Type	S&S	Likelihood	Injury/Illness	Persons Affected	Negligence	Times this Standard Cited	S&S Count	Elevated Count
329	8105461	05/20/10 11:45 AM	75.364(a)(1)	104(d)(2)	O	Y	R	L	1	H	2	119	15
330	8105462	05/20/10 12:30 PM	75.1202	104(a)	C	Y	R	L	1	M	2	120	
331	8105463	05/20/10 02:10 PM	75.371	104(a)	C	Y	R	L	1	M	1	121	
332	8107554	05/20/10 06:50 PM	75.333(c)(2)	104(a)	C	N	U	L	1	M	6		
333	8107555	05/20/10 09:15 PM	75.360(f)	104(a)	C	N	U	L	18	M	9		
334	8111182	05/26/10 10:20 AM	75.1731(c)	104(a)	C	Y	R	L	1	M	1	122	
335	8092741	05/26/10 03:55 PM	50.30	104(a)	C	N	N	N	0	M	1		
336	8105467	05/27/10 07:30 AM	75.370(a)(1)	104(a)	C	Y	R	L	9	M	10	123	
337	8107560	05/31/10 10:40 PM	75.706	104(a)	C	Y	R	L	1	M	1	124	
338	8107561	05/31/10 11:10 PM	75.400	104(a)	C	Y	R	P	1	M	33	125	
339	8107562	06/01/10 06:50 AM	75.1200	104(a)	C	N	U	N	1	L	2		
340	8092742	06/01/10 02:00 PM	50.20	104(a)	C	N	N	N	0	H	1		
341	8092743	06/01/10 02:20 PM	50.20	104(a)	C	N	N	N	0	H	2		
342	8108045	06/16/10 02:15 PM	75.400	104(a)	C	N	U	P	1	M	34		
343	8108046	06/16/10 02:30 PM	75.515	104(a)	C	Y	R	P	2	M	6	126	
344	8108044	06/16/10 03:15 PM	77.208(e)	104(a)	C	N	U	P	4	M	2		
345	8100116	06/17/10 09:45 AM		107(a)	O								16
346	8100117	06/17/10 09:55 AM	75.220(a)(1)	104(a)	C	Y	H	F	2	M	4	127	
347	8105492	06/21/10 12:20 PM	75.402	104(a)	C	N	U	P	1	M	1		
348	8105493	06/21/10 01:12 PM	75.370(a)(1)	104(a)	C	Y	R	P	1	M	11	128	
349	8105504	06/29/10 10:50 AM	75.402	104(a)	C	Y	R	P	5	M	2	129	
350	8105503	06/29/10 10:50 AM	75.400	104(a)	C	Y	R	P	5	M	35	130	
351	8105502	06/29/10 10:50 AM	75.370(a)(1)	104(a)	C	Y	R	P	2	M	12	131	
352	8105506	06/29/10 10:50 AM	75.370(e)	104(a)	C	Y	R	P	9	M	1	132	
353	8105505	06/29/10 10:55 AM	75.203(b)	104(a)	C	N	U	N	1	M	1		
354	8105507	06/29/10 11:35 AM	75.370(a)(1)	104(a)	C	N	U	N	2	M	13		
355	8105508	06/29/10 12:30 PM	75.220(a)(1)	104(a)	C	Y	R	L	2	M	5	133	
356	6620130	06/30/10 12:00 PM	75.372(a)(1)	104(a)	C	N	U	N	1	M	2		
357	8105509	07/01/10 07:50 AM	75.503	104(a)	C	N	U	P	1	M	10		
358	8105510	07/01/10 08:30 AM	75.604(b)	104(a)	C	N	U	P	1	M	5		
359	8107604	07/07/10 07:40 AM	75.1100-2(d)	104(a)	C	N	U	L	2	M	2		
360	8105511	07/13/10 10:50 AM	75.1504	104(a)	C	N	U	N	34	M	1		
361	8105512	07/14/10 10:22 AM	75.1107-9(a)(1)	104(a)	C	N	U	P	1	M	3		
362	8105513	07/14/10 11:10 AM	75.202(a)	104(a)	C	Y	R	L	2	M	23	134	
363	8105514	07/14/10 11:50 AM	75.220(a)(1)	104(a)	C	N	U	L	2	M	6		
364	8105515	07/14/10 11:55 AM	75.370(a)(1)	104(a)	C	Y	H	P	2	M	14	135	
365	8105521	07/21/10 09:00 AM	75.360(g)	104(a)	C	N	U	N	1	M	5		
366	8105522	07/21/10 10:53 AM	75.340(a)(1)(iii)	104(a)	C	N	U	P	1	M	1		
367	8105523	07/21/10 12:00 PM	75.400	104(a)	C	N	U	P	2	M	36		
368	8105524	07/21/10 12:20 PM	75.360(f)	104(a)	C	N	U	F	9	M	10		
369	8105525	07/21/10 12:20 PM	75.370(a)(1)	104(a)	C	Y	H	P	1	M	15	136	

Mine: Ruby Energy

Operator: Spartan Mining Co., Inc.

Controller: Massey Energy Company

Mine Status: Active

Mine Status Date: January 20, 2003

Cumulative
During Review
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Issuance	Citation No.	Date/Time Issued	30 CFR	Type Action	Type	S&S	Likelihood	Injury/Illness	Persons Affected	Negligence	Times this Standard Cited	S&S Count	Elevated Count
370	8105526	07/22/10 11:10 AM	75.211(c)	104(a)	C	Y	H	F	1	M	2	137	
371	8105527	07/22/10 11:30 AM	75.1200	104(a)	C	N	U	N	1	M	3		
372	8105528	07/22/10 01:15 PM	75.370(a)(1)	104(a)	C	Y	H	P	1	M	16	138	
373	8105529	07/22/10 01:20 PM	75.1107-9(a)(1)	104(a)	C	N	U	P	1	M	4		
374	8105530	07/26/10 11:45 AM	75.360(g)	104(a)	C	N	U	N	1	M	6		
375	8105531	07/26/10 01:20 PM	75.1713-7(c)	104(a)	C	N	U	N	1	M	1		
376	8105532	07/26/10 02:45 PM	75.514	104(a)	C	N	U	P	1	M	5		
377	8105533	07/27/10 10:45 AM	75.700	104(a)	C	Y	R	L	1	M	4	139	
378	8105534	07/27/10 10:50 AM	75.700	104(a)	C	N	U	N	1	M	5		
379	8105535	07/27/10 11:10 AM	75.220(a)(1)	104(a)	C	N	U	L	2	M	7		
380	8105536	07/27/10 11:30 AM	75.604(b)	104(a)	C	N	U	P	1	M	6		
381	8105537	07/28/10 10:40 AM	75.1722(a)	104(a)	C	Y	R	P	1	M	5	140	
382	8105539	07/28/10 11:30 AM	75.202(a)	104(a)	C	Y	R	L	1	M	24	141	
383	8105540	07/28/10 12:20 PM	75.1722(a)	104(a)	C	N	U	P	1	M	6		
384	8105541	07/29/10 11:00 AM	75.220(a)(1)	104(a)	C	Y	R	L	1	M	8	142	
385	8105542	08/02/10 07:50 AM	75.202(a)	104(a)	C	Y	R	L	1	M	25	143	
386	8105543	08/02/10 08:30 AM	75.220(a)(1)	104(a)	C	Y	R	L	1	M	9	144	
387	8105544	08/02/10 09:45 AM	75.364(a)(2)	104(a)	C	Y	R	L	1	M	1	145	
388	8105545	08/02/10 11:05 AM	75.333(b)	104(a)	C	N	U	N	1	M	3		
389	8105546	08/03/10 07:30 AM	75.202(a)	104(a)	C	Y	R	L	1	M	26	146	
390	8105547	08/03/10 08:15 AM	75.380(d)(1)	104(a)	C	Y	R	L	10	M	2	147	
391	8105548	08/03/10 09:02 AM	75.370(a)(1)	104(a)	C	Y	H	P	2	M	17	148	
392	8105549	08/03/10 10:05 AM	75.333(e)(1)(ii)	104(a)	C	N	U	N	1	L	2		
393	8105550	08/03/10 10:30 AM	75.202(a)	104(a)	C	Y	R	L	1	M	27	149	
394	8105551	08/04/10 08:40 AM	75.333(b)	104(a)	C	N	U	N	1	M	4		
395	8105552	08/05/10 09:40 AM	75.362(f)	104(a)	C	N	U	N	1	M	2		
396	8105553	08/08/10 08:55 PM	75.360(g)	104(a)	C	N	U	N	1	M	7		
397	8105554	08/08/10 09:00 PM	75.1715	104(a)	C	N	U	N	1	M	4		
398	8105555	08/09/10 12:45 AM	75.807	104(a)	C	N	U	N	4	M	5		
399	8105556	08/09/10 02:15 AM	75.1101-8(b)	104(a)	C	N	U	N	1	M	1		
400	9968948	08/12/10 08:00 AM	70.208(a)	104(a)	C	N	U	N	1	M	1		
401	9968944	08/12/10 08:00 AM	70.208(a)	104(a)	C	N	U	N	1	M	2		
402	9968946	08/12/10 08:00 AM	70.208(a)	104(a)	C	N	U	N	1	M	3		
403	9968947	08/12/10 08:00 AM	70.208(a)	104(a)	C	N	U	N	1	M	4		
404	9968950	08/12/10 08:00 AM	70.208(a)	104(a)	C	N	U	N	1	H	5		
405	9968945	08/12/10 08:00 AM	70.208(a)	104(a)	C	N	U	N	1	M	6		
406	8115510	08/18/10 09:30 AM	75.211(c)	104(a)	C	Y	R	P	1	M	3	150	
407	8105557	08/19/10 09:20 AM	75.512	104(a)	C	N	U	N	1	M	10		
408	8105558	08/19/10 09:30 AM	75.512	104(a)	C	N	U	N	1	M	11		
409	8105559	08/19/10 10:30 AM	75.370(a)(3)(ii)	104(a)	C	N	U	N	1	M	1		
410	8105560	08/19/10 11:30 AM	77.512	104(a)	C	N	U	F	1	M	1		

Mine: Ruby Energy

Operator: Spartan Mining Co., Inc.

Controller: Massey Energy Company

Mine Status: Active

Mine Status Date: January 20, 2003

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Issuance	Citation No.	Date/Time Issued	30 CFR	Type Action	Type	S&S	Likelihood	Injury/Illness	Persons Affected	Negligence	Times this Standard Cited	S&S Count	Elevated Count
411	8118521	08/19/10 11:45 AM	75.1714-3(d)	104(a)	C	N	U	F	6	M	1		
412	8118529	08/25/10 01:45 PM	75.516	104(a)	C	N	U	P	1	M	6		
413	8118530	08/30/10 09:10 AM	77.205(a)	104(a)	C	Y	R	L	1	M	1	151	
414	8118531	08/30/10 10:40 AM	75.1914(a)	104(a)	C	Y	R	L	1	M	1	152	
415	8118532	08/30/10 11:00 AM	77.1104	104(a)	C	Y	R	P	1	M	3	153	
416	8118533	08/30/10 11:05 AM	77.1607(cc)	104(a)	C	Y	R	L	1	M	1	154	
417	8118534	08/31/10 11:30 AM	75.514	104(a)	C	N	U	N	1	M	6		
418	8118535	08/31/10 12:30 PM	75.503	104(a)	C	N	U	N	1	M	11		

The following abbreviations were used in the spreadsheet:

Type of Issuance

- C Citation
- O Order

Significant and Substantial

- N No
- Y Yes

Likelihood

- N No Likelihood
- U Unlikely
- R Reasonably Likely
- H Highly Likely
- O Occurred

Injury or Illness could reasonably be expected to be

- N No Lost Workdays
- L Lost Workdays or Restricted Duty
- P Permanently Disabling
- F Fatal

Negligence

- N None
- L Low
- M Moderate
- H High
- R Reckless Disregard

The four Type Actions used for Elevated issues

- 104(b) - Failure to abate
- 104(d)(1) and 104(d)(2) - Unwarrantable
- 104(g)(1) - Training
- 107(a) - Imminent Danger