



November 18, 2010

Mr. Robert V. Blandenburg  
Superintendent  
KY No. 2 Mine  
Middle Fork Mining Co., Inc.  
10405 Highway 221  
Pineville, KY 40988

Dear Mr. Blandenburg:

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 KY No. 2 Mine, MSHA ID No. 15-18516. 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all subsequent violations designated as Significant and Substantial (S&S) be issued as closure orders with all persons withdrawn from the affected area except those necessary to correct the violation.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 KY No. 2 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 KY No. 2 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.

KY No. 2 Mine was issued 16.14 S&S violations per 100 inspection hours during the 12-month review period. If the KY No. 2 Mine implements an appropriate corrective action program, the mine must maintain an S&S rate of 8.07 or lower during the evaluation period (i.e., a 50 percent reduction from the 12-month review period). If a corrective action program is not implemented, the mine must maintain an S&S rate of 4.84 or lower during the evaluation period (i.e., a 70 percent reduction from the 12-month review period). 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 KY No. 2 Mine must meet one of these goals to avoid being issued a pattern of violations notice during this POV review cycle.<sup>1</sup>

Whether or not you implement a corrective action program, MSHA will conduct a complete inspection of the KY No. 2 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 KY No. 2 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

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<sup>1</sup> 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.

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.

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 KY No. 2 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 KY No. 2 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.

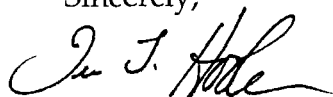
Termination of a Pattern of Violations notice shall occur when an inspection of the entire mine results in no significant and substantial violations or no withdrawal order is issued by MSHA in accordance with section 104(e)(1) of the Act within 90 days of the issuance of the pattern letter.

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 606-546-5123 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:  
3837 S US HWY 25E, Barbourville, KY 40906

Sincerely,

A handwritten signature in black ink, appearing to read "Irvin T. Hooker". The signature is written in a cursive style with a large initial "I" and a long, sweeping underline.

Irvin T. Hooker  
District Manager

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.

<b>Overall Results</b>  <span style="font-size: 1.5em; color: red; font-weight: bold;">PPOV</span>
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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**

<b>Query Run Date</b>
Oct-18-2010

**DISTRICT 07**    **Barbourville KY Field Office**  
**Mine ID:**        **15-18516**  
**Mine Status:**    **Active (on screening date)**  
**Mine Name:**     **KY No. 2**  
**Mine Type:**      **Underground Coal**  
**Controller:**     **Jon E Nix**  
**Operator:**        **Middle Fork Mining Inc.**

12 Month Date Range Used	
<b>Start Date:</b>	Sep-01-2009
<b>End Date:</b>	Aug-31-2010

Criteria	Criteria Description	Does the Mine Meet the Criteria?	
<b>Initial Criteria 1</b>	<b>1</b> At least 50 citations/orders for significant and substantial (S&S) violations issued in the most recent 12 months.	113 <b>YES</b>	<b>YES</b> This mine meets all four Initial Criteria 1
	<b>2</b> A rate of eight or more S&S citations/orders issued per 100 inspection hours during the most recent 12 months, or <i>113 S&amp;S C/O's were issued during 700 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>10 of the 113 S&amp;S C/O's issued were either high or reckless disregard.</i>	16.14 <b>YES</b>  8.8% <b>NO</b>	
	<b>3</b> 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>19 elevated C/O's were issued during 700 inspection hours.</i>	2.71 <b>YES</b>	
	<b>4</b> 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 1142.6 is more than the industry SM of 541.4.</i>	1142.6 <b>YES</b>	
<b>Initial Criteria 2</b>	<b>1</b> At least 100 S&S citations/orders issued in the most recent 12 months. <i>113 S&amp;S C/O's were issued.</i>	113 <b>YES</b>	<b>NO</b> This mine does not meet both Initial Criteria 2
	<b>2</b> 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>19 elevated C/O's were issued.</i>	19 <b>NO</b>	
<b>Final Order Criteria</b>	<b>1</b> 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>9 C/O's of standard 75.512 became final orders.</i>	9 <b>YES</b>	<b>YES</b> This mine meets at least one of the Final Order Criteria
	<b>2</b> At least 2 S&S unwarrantable failure citations/orders [104(d)] became final orders of the commission during the most recent 12 months. <i>5 unwarrantable failure C/O's became final orders.</i>	5 <b>YES</b>	

**Note: This mine has not been identified for a PPOV review before.**

MSHA Mine ID: 15-18516

Mine: KY No. 2

Operator: Middle Fork Mining Inc.

Controller: Jon E Nix

Mine Status: Active

Mine Status Date: 01/05/2010

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	3.00	1	0	0	0	0	0	0	0	0.00	0.00	
Oct 2009	9.00	2	5	1	0	0	0	0	0	8.33	0.00	
Nov 2009	48.50	8	10	9	0	0	0	0	0	16.53	0.00	
Dec 2009	72.50	9	18	11	0	2	0	0	2	15.79	1.50	
Jan 2010	68.50	10	23	12	4	0	0	0	4	16.38	2.98	
Feb 2010	59.25	7	26	23	1	2	0	0	3	21.48	3.45	
Mar 2010	45.00	5	7	1	3	0	0	0	3	18.64	3.92	
Apr 2010	47.00	5	7	14	1	1	0	0	2	20.13	3.97	
May 2010	172.00	11	19	12	0	0	0	0	0	15.82	2.67	
Jun 2010	112.75	9	22	21	1	3	0	1	5	16.31	2.98	
Jul 2010	62.50	8	16	9	0	0	0	0	0	16.14	2.71	
Aug 2010												
Totals	700.00	75	153	113	10	8	0	1	19			

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		

Operator: Middle Fork Mining Inc.

Controller: Jon E Nix

Mine Status: Active

Mine Status Date: January 05, 2010

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	8360432	11/02/09 08:30 AM	75.311(e)	104(a)	C	N	U	L	1	M	1		
2	8360433	11/02/09 08:30 AM		104(a)	C	N	U	L	1	M	1		
3	8360447	11/19/09 06:50 AM	75.512-2	104(a)	C	N	U	N	1	M	1		
4	8360448	11/19/09 07:10 AM	75.1403	314(b)	S								
5	8360451	11/19/09 09:00 AM	77.904	104(a)	C	Y	R	L	1	M	1	1	
6	8360449	11/19/09 11:15 AM	75.364(b)(2)	104(a)	C	N	U	L	6	M	1		
7	8360450	11/19/09 11:45 AM	75.364(g)	104(a)	C	N	U	L	6	M	1		
8	8360454	12/04/09 09:10 AM	75.364(b)(2)	104(a)	C	N	U	L	7	M	2		
9	8360455	12/04/09 09:20 AM	75.1200(c)	104(a)	C	N	N	N	1	M	1		
10	8360456	12/04/09 09:25 AM	75.202(a)	104(a)	C	Y	R	L	1	M	1	2	
11	8360457	12/04/09 10:30 AM	75.370(a)(1)	104(a)	C	N	U	L	7	M	1		
12	8360460	12/08/09 10:25 AM	72.630(b)	104(a)	C	N	N	N	1	M	1		
13	8360471	12/14/09 10:45 AM	75.310(a)(3)	104(a)	C	N	U	L	7	M	1		
14	8360472	12/14/09 11:30 AM	77.1109(e)(1)	104(a)	C	N	U	L	1	M	1		
15	8360473	12/14/09 12:50 PM	75.904	104(a)	C	Y	R	L	1	M	1	3	
16	8360474	12/14/09 01:20 PM	75.512	104(a)	C	Y	R	L	1	M	1	4	
17	8360475	12/14/09 01:35 PM	75.380(f)(3)(iii)	104(a)	C	Y	R	L	1	M	1	5	
18	8360476	12/14/09 02:05 PM	75.512	104(a)	C	Y	R	L	1	M	2	6	
19	8360477	12/14/09 02:34 PM	75.904	104(a)	C	Y	R	L	1	M	2	7	
20	8360478	12/14/09 02:46 PM	75.512	104(a)	C	Y	R	L	1	M	3	8	
21	8360479	12/14/09 02:53 PM	75.1100-2(e)	104(a)	C	N	U	L	1	M	1		
22	8360480	12/14/09 03:00 PM	75.380(f)(3)(iii)	104(a)	C	Y	R	L	1	M	2	9	
23	8360481	12/14/09 03:10 PM	75.701	104(a)	C	N	U	L	1	M	1		
24	8360482	12/15/09 11:25 AM	75.380(d)(1)	104(a)	C	N	U	L	7	M	1		
25	8360486	12/23/09 03:00 PM	75.1725(a)	104(a)	C	Y	R	L	1	M	1	10	
26	8360487	12/29/09 10:40 AM	75.380(d)	104(a)	C	N	U	L	8	M	1		
27	8401878	01/05/10 10:30 AM	75.512	104(a)	C	N	U	L	1	M	4		
28	8401879	01/05/10 11:00 AM	75.513	104(a)	C	N	U	L	1	M	1		
29	8401880	01/05/10 11:35 AM	75.512	104(a)	C	N	U	L	1	M	5		
30	8401881	01/05/10 11:45 AM	75.520	104(a)	C	N	U	L	1	M	1		
31	8360491	01/06/10 09:00 AM	75.1103-4(a)	104(a)	C	N	U	L	9	M	1		
32	8360492	01/06/10 09:55 AM	75.1505(a)(1)	104(a)	C	Y	R	L	9	M	1	11	
33	8360493	01/06/10 11:55 AM	75.1718	104(a)	C	N	U	L	9	M	1		
34	8360494	01/06/10 02:00 PM	75.333(c)(2)	104(a)	C	N	U	L	9	M	1		
35	8360495	01/11/10 08:30 AM	77.505	104(a)	C	N	U	L	1	M	1		
36	8360496	01/11/10 09:10 AM	75.1715	104(a)	C	N	U	L	1	M	1		
37	8360497	01/11/10 09:30 AM		104(a)	C	Y	R	L	3	M	2	12	
38	8360498	01/11/10 10:15 AM		104(a)	C	N	U	L	1	M	3		
39	8360499	01/11/10 11:30 AM	75.1722(a)	104(d)(1)	C	Y	H	P	1	H	1	13	1
40	8342600	01/11/10 12:48 PM	75.220(a)(1)	104(d)(1)	O	Y	R	L	9	H	1	14	2
41	8342601	01/14/10 10:50 AM	77.1608(a)	104(a)	C	Y	R	L	2	M	1	15	

Operator: Middle Fork Mining Inc.

Controller: Jon E Nix

Mine Status: Active

Mine Status Date: January 05, 2010

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	8342602	01/14/10 02:00 PM	75.360(b)(6)(ii)	104(a)	C	N	U	L	9	M	1		
43	8342603	01/21/10 08:55 AM	75.1702-1	104(a)	C	Y	R	L	5	M	1	16	
44	8342604	01/21/10 09:40 AM	77.400(a)	104(a)	C	Y	R	L	1	M	1	17	
45	8342605	01/21/10 09:55 AM	75.380(d)(4)(ii)	104(a)	C	N	U	L	9	M	1		
46	8342606	01/21/10 10:10 AM	75.400	104(a)	C	N	U	L	9	M	1		
47	8342607	01/21/10 11:25 AM	75.380(d)(1)	104(a)	C	Y	R	L	9	M	2	18	
48	8342608	01/21/10 11:40 AM	75.362(b)	104(a)	C	Y	R	L	9	M	1	19	
49	8342609	01/21/10 12:05 PM	75.1100-3	104(a)	C	N	U	L	9	M	1		
50	8342617	01/26/10 08:55 AM	75.364(c)	104(a)	C	N	U	L	9	M	1		
51	8342618	01/26/10 12:10 PM	77.1109(e)(1)	104(a)	C	N	U	L	1	M	2		
52	8342619	01/28/10 01:00 PM	75.220(a)(1)	104(a)	C	Y	R	L	9	M	2	20	
53	8342620	01/28/10 01:10 PM	75.203(b)	104(a)	C	N	U	L	9	M	1		
54	8342621	01/28/10 01:30 PM	75.400	104(a)	C	N	U	L	9	M	2		
55	8342622	01/28/10 01:50 PM	75.220(a)(1)	104(a)	C	Y	R	L	1	M	3	21	
56	8401894	02/03/10 01:30 PM	75.1102	104(a)	C	N	U	L	1	M	1		
57	8401895	02/03/10 02:55 PM	77.516	104(a)	C	N	U	L	1	M	1		
58	8342627	02/05/10 12:30 AM	75.1714-3(b)	104(a)	C	Y	R	L	1	M	1	22	
59	8342628	02/09/10 11:15 AM	75.1722(b)	104(a)	C	Y	R	L	1	M	1	23	
60	8342629	02/09/10 11:30 AM	75.1100-2(b)	104(a)	C	N	U	L	1	M	1		
61	8342630	02/09/10 11:40 AM	75.1107-16	104(a)	C	N	U	L	1	M	1		
62	8342631	02/09/10 11:45 AM	75.1100-2(b)	104(a)	C	N	U	L	1	M	2		
63	8342632	02/09/10 12:00 PM	75.1103-1	104(a)	C	Y	R	L	10	M	1	24	
64	8342633	02/09/10 12:15 PM	75.1100-2(b)	104(a)	C	N	U	L	10	M	3		
65	8342634	02/09/10 12:40 PM	75.400	104(a)	C	Y	R	L	10	M	3	25	
66	8342635	02/09/10 12:50 PM	75.1731(b)	104(a)	C	Y	R	L	10	M	1	26	
67	8342636	02/09/10 03:00 PM	75.310(a)(4)	104(a)	C	N	U	L	1	M	1		
68	8342637	02/12/10 02:00 PM	75.517	104(a)	C	Y	R	L	1	M	1	27	
69	8342638	02/12/10 02:30 PM	75.904	104(a)	C	Y	R	L	1	M	3	28	
70	8342639	02/12/10 02:40 PM	75.904	104(a)	C	Y	R	L	1	M	4	29	
71	8342640	02/12/10 03:33 PM	75.400	104(a)	C	N	U	L	10	M	4		
72	8342641	02/12/10 04:00 PM	75.503	104(a)	C	N	U	L	10	M	1		
73	8342642	02/12/10 05:00 PM	75.380(d)(7)(vii)(A)	104(a)	C	N	U	L	10	M	1		
74	8342643	02/18/10 12:00 PM	77.1104	104(a)	C	N	U	L	1	M	1		
75	8342644	02/18/10 12:15 PM	77.1605(d)	104(a)	C	N	U	L	1	M	1		
76	8342645	02/18/10 12:30 PM	77.410(a)(1)	104(a)	C	Y	R	L	1	M	1	30	
77	8342646	02/18/10 01:11 PM	75.1505(a)	104(a)	C	N	U	L	10	M	1		
78	8342647	02/18/10 02:00 PM	75.364(h)	104(a)	C	N	U	N	1	M	1		
79	8342648	02/18/10 03:00 PM	75.342(a)(4)(ii)	104(a)	C	N	N	N	1	M	1		
80	8342650	02/19/10 05:45 PM	75.517	104(a)	C	Y	R	L	1	M	2	31	
81	8342651	02/19/10 05:55 PM	75.701	104(a)	C	N	U	L	1	M	2		
82	8342652	02/19/10 06:30 PM	75.503	104(a)	C	N	U	L	10	M	2		



Operator: Middle Fork Mining Inc.

Controller: Jon E Nix

Mine Status: Active

Mine Status Date: January 05, 2010

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	8342653	02/19/10 07:30 PM	75.503	104(a)	C	N	U	L	10	M	3		
84	8342654	02/19/10 08:10 PM	75.503	104(a)	C	N	U	L	10	H	4		
85	8342655	02/19/10 09:30 PM	75.503	104(a)	C	N	U	L	10	H	5		
86	8401907	02/22/10 11:30 AM	75.604(b)	104(a)	C	Y	R	L	1	M	1	32	
87	8401908	02/22/10 01:20 PM	75.517	104(a)	C	Y	R	L	1	M	3	33	
88	8401909	02/22/10 02:10 PM	75.512	104(a)	C	N	U	L	2	M	6		
89	8401910	02/22/10 02:20 PM	75.810	104(a)	C	N	U	L	1	M	1		
90	8342656	02/23/10 07:25 AM	77.1104	104(b)	O								3
91	8342657	02/23/10 07:40 AM	77.1605(d)	104(b)	O								4
92	8342658	02/23/10 07:45 AM	77.410(a)(1)	104(b)	O								5
93	8342659	02/23/10 10:00 AM	75.503	104(b)	O								6
94	8342660	02/23/10 02:55 PM	75.1100-2(b)	104(a)	C	N	U	L	10	H	4		
95	9866009	03/10/10 07:30 AM	70.100(a)	104(a)	C	Y	R	P	10	M	1	34	
96	8319961	03/10/10 10:15 AM	75.220(a)(1)	104(a)	C	Y	R	P	6	M	4	35	
97	8319962	03/10/10 10:30 AM	75.402	104(a)	C	N	U	L	5	M	1		
98	8319963	03/10/10 11:30 AM	75.370(a)(1)	104(a)	C	Y	R	P	10	M	2	36	
99	8319970	03/10/10 11:40 AM	75.1720(a)	104(a)	C	Y	R	L	1	M	1	37	
100	8319964	03/10/10 11:55 AM	75.362(a)(2)	104(a)	C	Y	R	P	10	M	1	38	
101	8319965	03/10/10 12:05 PM	75.503	104(a)	C	N	U	L	4	M	7		
102	8319966	03/10/10 12:05 PM	72.630(b)	104(a)	C	Y	R	P	4	M	2	39	
103	8319967	03/10/10 12:58 PM	75.503	104(a)	C	N	U	L	2	M	8		
104	8319968	03/10/10 01:35 PM	75.333(b)(2)	104(a)	C	Y	R	P	10	M	1	40	
105	8319969	03/10/10 01:50 PM	75.1731(b)	104(a)	C	Y	R	P	10	M	2	41	
106	8319971	03/10/10 02:05 PM	75.202	104(a)	C	Y	R	P	1	M	1	42	
107	8342691	03/10/10 07:09 PM	75.1100-2(b)	104(b)	O								7
108	8401930	03/22/10 02:10 PM	75.521	104(a)	C	N	U	L	4	M	1		
109	8401931	03/23/10 09:30 AM	75.521	104(a)	C	N	U	L	1	M	2		
110	8401932	03/23/10 09:50 AM	75.1102	104(a)	C	N	U	L	1	M	2		
111	8401933	03/23/10 10:45 AM	75.208	104(a)	C	Y	R	L	1	M	1	43	
112	8401934	03/23/10 11:15 AM	75.503	104(a)	C	N	U	L	1	M	9		
113	8401935	03/23/10 11:45 AM	75.604(b)	104(a)	C	Y	R	L	1	M	2	44	
114	8401936	03/23/10 11:46 AM	75.514	104(a)	C	N	U	L	1	M	1		
115	8401937	03/23/10 11:55 AM	75.512	104(a)	C	N	U	L	1	M	7		
116	8401938	03/23/10 02:05 PM	75.503	104(a)	C	N	U	L	1	M	10		
117	8319983	03/25/10 11:05 AM	77.208(d)	104(a)	C	N	U	L	1	M	1		
118	8319984	03/26/10 07:15 AM	75.220(a)(1)	104(a)	C	Y	R	P	2	H	5	45	
119	8319985	03/26/10 08:40 AM	75.1106-3(a)(2)	104(a)	C	N	U	L	1	M	1		
120	8357936	03/30/10 09:30 AM	75.364	104(a)	C	Y	R	L	10	M	1	46	
121	8357937	03/30/10 09:40 AM	75.1506(c)(1)	104(a)	C	N	U	L	10	M	1		
122	8357938	03/30/10 09:50 AM	77.505	104(a)	C	N	U	L	1	M	2		
123	8357939	03/30/10 09:55 AM	77.505	104(a)	C	N	U	L	1	M	3		

Operator: Middle Fork Mining Inc.

Controller: Jon E Nix

Mine Status: Active

Mine Status Date: January 05, 2010

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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
124	8357940	03/30/10 10:00 AM	77.400(a)	104(d)(2)	O	Y	H	P	1	H	2	47	8
125	8357941	03/30/10 10:03 AM	75.400	104(a)	C	N	U	L	10	M	5		
126	8357942	03/30/10 10:08 AM	75.516	104(a)	C	N	U	L	1	M	1		
127	8357943	03/30/10 10:10 AM	75.512	104(a)	C	Y	H	P	1	M	8	48	
128	8357944	03/30/10 10:20 AM	77.205(a)	104(a)	C	Y	R	L	1	M	1	49	
129	8357945	03/30/10 10:30 AM	75.1725(a)	104(a)	C	Y	R	L	10	M	2	50	
130	8357946	03/30/10 10:34 AM	75.1725(a)	104(a)	C	Y	R	L	1	M	3	51	
131	8357947	03/30/10 10:45 AM	75.512	104(a)	C	Y	R	L	1	M	9	52	
132	8357949	03/30/10 11:10 AM	75.1101-1(b)	104(a)	C	N	U	L	1	M	1		
133	8357948	03/30/10 11:10 AM	75.380(d)(1)	104(a)	C	N	U	L	1	M	3		
134	8357958	03/30/10 11:11 AM	75.1107-16(b)	104(a)	C	N	U	L	1	M	1		
135	8357950	03/30/10 11:14 AM	75.1722(a)	104(d)(2)	O	Y	H	P	1	H	2	53	9
136	8357951	03/30/10 11:35 AM	75.333(h)	104(a)	C	N	U	L	1	M	1		
137	8357952	03/30/10 11:40 AM	75.364(b)	104(a)	C	Y	R	L	1	M	1	54	
138	8357953	03/30/10 11:45 AM	75.364(g)	104(a)	C	N	U	L	1	M	2		
139	8357954	03/30/10 11:53 AM	75.507-1(a)	104(a)	C	N	U	L	1	M	1		
140	8357955	03/30/10 12:04 PM	75.517	104(a)	C	N	U	L	1	M	4		
141	8357956	03/30/10 12:06 PM	75.517	104(a)	C	N	U	L	1	M	5		
142	8357957	03/30/10 12:14 PM	75.904	104(a)	C	Y	R	L	1	M	5	55	
143	8357959	03/30/10 04:02 PM	75.512	104(a)	C	Y	R	L	1	M	10	56	
144	8401948	03/31/10 10:15 AM	75.380(d)(7)(iv)	104(a)	C	N	U	L	8	M	1		
145	8401956	04/08/10 01:00 PM	75.512	104(a)	C	N	U	L	1	M	11		
146	8401957	04/08/10 01:10 PM	75.523-2(c)	104(a)	C	N	U	L	1	M	1		
147	8401958	04/08/10 02:00 PM	75.1103-4(a)(1)(i)	104(a)	C	N	U	L	8	M	1		
148	8401959	04/08/10 03:20 PM	75.507-1(a)	104(a)	C	N	U	L	1	M	2		
149	8357962	04/08/10 04:50 PM	75.517	104(a)	C	N	U	L	1	M	6		
150	8357963	04/08/10 06:00 PM	75.333(h)	104(a)	C	N	U	L	1	M	2		
151	8357964	04/08/10 06:25 PM	75.214(a)	104(a)	C	N	U	L	1	M	1		
152	8357966	04/09/10 12:25 PM	75.202(a)	104(a)	C	Y	R	L	1	M	2	57	
153	8357965	04/09/10 12:25 PM	75.523-2(c)	104(b)	O								10
154	8357967	04/09/10 01:30 PM	75.1725(a)	104(b)	O								11
155	8357968	04/09/10 03:00 PM	75.400	104(b)	O								12
156	8357983	05/12/10 10:50 AM	75.400	104(a)	C	N	U	L	1	M	7		
157	8357984	05/12/10 11:25 AM	75.203(e)	104(a)	C	Y	R	L	1	M	1	58	
158	8357985	05/12/10 01:15 PM	75.400	104(a)	C	Y	R	L	1	M	8	59	
159	8357986	05/12/10 01:45 PM	75.370(a)(1)	104(a)	C	N	U	L	1	M	3		
160	8357987	05/12/10 02:15 PM	75.1101-10	104(a)	C	Y	R	L	2	M	1	60	
161	8357988	05/12/10 02:25 PM	75.400	104(a)	C	N	U	L	1	M	9		
162	8357989	05/12/10 02:28 PM	75.517	104(a)	C	Y	R	L	1	M	7	61	
163	8357990	05/12/10 02:40 PM	75.203(e)	104(a)	C	Y	R	L	1	M	2	62	
164	8357991	05/12/10 02:45 PM	75.400	104(a)	C	Y	R	L	1	M	10	63	

Operator: Middle Fork Mining Inc.

Controller: Jon E Nix

Mine Status: Active

Mine Status Date: January 05, 2010

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165	8357994	05/21/10 08:40 AM	75.1101-10	104(a)	C	Y	R	L	2	M	2	64	
166	8357995	05/21/10 09:05 AM	75.512	104(d)(2)	O	Y	H	P	1	H	12	65	13
167	8357996	05/21/10 10:30 AM	75.333(h)	104(a)	C	N	U	L	2	M	3		
168	8357997	05/21/10 11:25 AM	75.512	104(a)	C	Y	R	L	1	M	13	66	
169	8357999	05/26/10 08:50 AM	77.1103(d)	104(a)	C	N	U	L	1	M	1		
170	8365000	05/26/10 08:55 AM	77.1109(d)	104(a)	C	N	U	L	1	M	1		
171	8365001	05/26/10 09:10 AM	77.512	104(a)	C	N	U	L	1	M	1		
172	8365002	05/26/10 12:00 PM	75.512	104(b)	O								14
173	8365003	05/26/10 03:55 PM	75.360(a)(1)	104(a)	C	Y	R	L	8	M	1	67	
174	8365004	05/26/10 05:50 PM	75.400	104(a)	C	Y	R	L	1	M	11	68	
175	8365006	05/28/10 08:35 AM	75.512	104(a)	C	Y	R	L	1	M	15	69	
176	8365007	05/28/10 01:45 PM	75.364(b)(2)	104(a)	C	Y	R	L	1	M	3	70	
177	8365008	05/28/10 02:35 PM	75.202(a)	104(a)	C	Y	R	L	1	M	3	71	
178	8365009	06/07/10 10:40 AM	75.503	104(a)	C	N	U	L	1	M	11		
179	8365010	06/07/10 11:00 AM	75.1725(a)	104(a)	C	Y	R	L	1	M	5	72	
180	8365011	06/07/10 11:15 AM	75.1725(a)	104(a)	C	Y	R	L	1	M	6	73	
181	8365012	06/07/10 12:15 PM	75.512	104(a)	C	Y	R	L	1	M	16	74	
182	8347220	06/07/10 07:55 PM		103(k)	O								
183	8403045	06/07/10 08:10 PM	75.601-1	104(a)	C	Y	R	L	1	M	1	75	
184	8403043	06/07/10 08:15 PM	75.1403	314(b)	S								
185	8403044	06/07/10 08:20 PM	75.512	104(a)	C	N	U	L	6	M	17		
186	8403047	06/07/10 08:35 PM	75.701	104(a)	C	Y	R	L	2	M	3	76	
187	8403046	06/07/10 08:45 PM	75.904	104(a)	C	Y	R	L	1	M	6	77	
188	8403048	06/07/10 08:55 PM	75.512	104(a)	C	N	U	L	1	M	18		
189	8403049	06/07/10 11:50 PM	75.512-2	104(a)	C	N	U	L	1	M	2		
190	8403050	06/07/10 11:57 PM	75.351(o)(1)(iii)	104(a)	C	N	U	L	1	M	1		
191	8402651	06/08/10 09:55 AM	75.902	104(a)	C	N	U	L	1	M	1		
192	8402652	06/08/10 10:00 AM	75.902	104(a)	C	Y	R	L	1	M	2	78	
193	8402653	06/08/10 10:10 AM	75.900	104(a)	C	Y	R	L	1	M	1	79	
194	8402654	06/08/10 10:17 AM	75.900	104(a)	C	Y	R	L	1	M	2	80	
195	8402655	06/08/10 11:45 AM	75.512	104(a)	C	Y	O	L	1	M	19	81	
196	8402656	06/08/10 01:30 PM	75.900-4	104(a)	C	N	N	N	0	M	1		
197	8402657	06/09/10 11:30 AM	75.400	104(a)	C	N	U	L	1	M	12		
198	8403910	06/09/10 11:55 AM	75.604(c)	104(a)	C	N	U	L	1	M	1		
199	8357132	06/09/10 12:30 PM	75.517	104(a)	C	Y	R	L	1	M	8	82	
200	8403911	06/09/10 01:20 PM	75.512	104(a)	C	N	U	L	1	H	20		
201	8402658	06/09/10 02:10 PM	75.902-4	104(a)	C	N	U	L	1	M	1		
202	8402659	06/09/10 02:45 PM	75.512	104(a)	C	N	U	P	1	L	21		
203	8402660	06/16/10 01:20 PM	75.508	104(a)	C	N	N	N	0	M	1		
204	8402661	06/22/10 01:45 PM	75.342(a)(4)	104(a)	C	N	U	L	1	M	1		
205	8338479	06/29/10 08:00 AM	75.363(b)	104(a)	C	N	U	N	0	M	1		

Operator: Middle Fork Mining Inc.

Controller: Jon E Nix

Mine Status: Active

Mine Status Date: January 05, 2010

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206	8338481	06/29/10 10:05 AM	75.370(a)(1)	104(a)	C	N	U	N	1	M	4		
207	8338480	06/29/10 11:00 AM	75.1506(h)(1)	104(a)	C	N	U	N	10	M	1		
208	8338484	06/29/10 12:00 PM	75.360(b)(6)(ii)	104(a)	C	Y	R	L	10	M	2	83	
209	8338483	06/29/10 12:15 PM	75.1200	104(a)	C	N	U	L	10	M	1		
210	8338482	06/29/10 12:45 PM	75.370(a)(1)	104(a)	C	N	U	N	2	M	5		
211	8342790	07/02/10 06:30 PM	75.1714-4	104(a)	C	Y	R	L	2	M	1	84	
212	8342791	07/02/10 06:35 PM	75.1714-3(b)	104(a)	C	Y	R	L	1	M	2	85	
213	8364057	07/02/10 06:45 PM	75.380(f)(5)(ii)	104(a)	C	Y	R	P	5	M	1	86	
214	8342792	07/02/10 07:09 PM	75.1714-7(a)	104(a)	C	Y	R	L	1	M	1	87	
215	8357147	07/02/10 07:15 PM	75.370(a)(1)	104(a)	C	Y	R	L	1	M	6	88	
216	8342793	07/02/10 07:23 PM	75.606	104(a)	C	Y	R	F	1	M	1	89	
217	8342794	07/02/10 07:29 PM	75.1714-2(c)	104(a)	C	Y	R	L	1	M	1	90	
218	8364058	07/02/10 08:00 PM	75.1731(a)	104(a)	C	Y	R	P	3	M	1	91	
219	8357148	07/02/10 08:00 PM	75.1714	104(a)	C	Y	R	L	4	M	1	92	
220	8342795	07/02/10 08:10 PM	75.1725(a)	104(a)	C	Y	R	L	1	M	7	93	
221	8364059	07/02/10 08:10 PM	75.400	104(a)	C	Y	R	P	3	M	13	94	
222	8364060	07/02/10 08:20 PM	75.1108	104(a)	C	Y	R	P	3	M	1	95	
223	8342796	07/02/10 08:30 PM		107(a)	O								15
224	8342797	07/02/10 08:30 PM	75.220(a)(1)	104(a)	C	Y	R	F	1	M	6	96	
225	8357149	07/02/10 08:50 PM	75.370(a)(1)	104(d)(2)	O	Y	H	P	3	H	7	97	16
226	8342798	07/02/10 09:00 PM	75.220(a)(1)	104(a)	C	Y	R	L	1	M	7	98	
227	8357150	07/02/10 09:05 PM	75.523	104(a)	C	Y	H	L	1	M	1	99	
228	8357151	07/02/10 09:10 PM	75.503	104(a)	C	Y	R	L	2	M	12	100	
229	8342799	07/02/10 09:10 PM	75.342(a)(4)	104(b)	O								17
230	8357152	07/02/10 09:30 PM	75.1725(a)	104(a)	C	Y	H	P	1	M	8	101	
231	8357153	07/02/10 11:50 PM	75.512	104(d)(2)	O	Y	R	L	1	H	22	102	18
232	8403066	07/06/10 01:00 PM	75.503	104(a)	C	N	U	L	1	M	13		
233	8403067	07/06/10 01:10 PM	75.512	104(a)	C	N	U	L	1	M	23		
234	8403068	07/06/10 02:05 PM	75.811	104(a)	C	N	U	L	1	M	1		
235	8403069	07/06/10 02:15 PM	75.515	104(a)	C	N	U	L	1	M	1		
236	8402664	07/07/10 11:00 AM	77.506	104(a)	C	N	U	L	1	M	1		
237	8402665	07/07/10 11:15 AM	77.506	104(a)	C	N	U	L	1	M	2		
238	8402666	07/07/10 11:30 AM	77.506	104(a)	C	N	U	L	1	M	3		
239	8402667	07/07/10 11:50 AM	77.516	104(a)	C	N	U	N	1	M	2		
240	8403071	07/07/10 01:00 PM	75.1722(a)	104(a)	C	N	U	L	1	M	3		
241	8403070	07/07/10 01:40 PM	75.1101-7(b)	104(a)	C	N	U	L	1	M	1		
242	8403072	07/07/10 03:00 PM	75.512	104(a)	C	N	U	L	1	M	24		
243	8403073	07/07/10 03:35 PM	75.310(a)(4)	104(a)	C	N	U	L	1	M	2		
244	9866055	07/09/10 09:34 AM	70.207(a)	104(a)	C	N	U	P	10	M	1		
245	8342465	07/28/10 09:00 AM	75.1202-1(a)	104(a)	C	N	U	N	1	M	1		
246	8405213	07/28/10 09:00 AM	70.210(b)	104(a)	C	N	N	N	5	M	1		

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247	8342466	07/28/10 09:01 AM	75.1202-1(b)(3)	104(a)	C	N	U	N	1	M	1		
248	8342467	07/28/10 09:30 AM	75.1715	104(a)	C	N	U	L	1	M	2		
249	8405214	07/28/10 09:50 AM	75.370(f)(3)	104(a)	C	N	N	N	5	M	1		
250	8342468	07/28/10 11:00 AM	75.500(d)	104(a)	C	Y	R	L	5	M	1	103	
251	8405215	07/28/10 11:20 AM	75.362(a)(2)	104(d)(2)	O	N	U	P	5	H	2		19
252	8342469	07/28/10 12:25 PM	75.360(f)	104(a)	C	N	U	P	6	H	1		
253	8342471	07/28/10 02:30 PM	75.1714-7(a)	104(a)	C	N	U	L	1	M	2		
254	8405216	07/28/10 03:05 PM	75.370(a)(1)	104(a)	C	N	U	P	5	M	8		
255	8342470	07/28/10 04:10 PM	48.6	104(a)	C	Y	R	P	1	M	1	104	
256	8405217	08/04/10 08:10 AM	75.370(a)(1)	104(a)	C	N	U	L	5	M	9		
257	8405218	08/04/10 01:50 PM	47.31(a)	104(a)	C	N	U	N	1	M	1		
258	8405220	08/04/10 02:10 PM	47.51	104(a)	C	N	U	L	1	M	1		
259	8405219	08/04/10 02:10 PM	47.32(b)(1)	104(a)	C	N	U	N	1	M	1		
260	8405221	08/06/10 09:20 AM		104(a)	C	N	N	N	1	M	6		
261	8405222	08/17/10 09:15 AM	75.370(a)(1)	104(a)	C	Y	R	P	7	H	10	105	
262	8405223	08/17/10 10:10 AM	75.700	104(a)	C	N	U	P	1	M	1		
263	8405224	08/17/10 01:45 PM	75.362(a)(2)	104(a)	C	Y	R	P	1	M	3	106	
264	8405225	08/17/10 01:45 PM	75.370(a)(1)	104(a)	C	Y	R	P	1	H	11	107	
265	9866066	08/17/10 03:50 PM	70.208(a)	104(a)	C	N	U	P	2	M	1		
266	8342472	08/18/10 10:45 AM	75.333(d)(3)	104(a)	C	N	U	L	2	M	1		
267	8342473	08/18/10 11:30 AM	75.380(d)(4)	104(a)	C	Y	R	P	5	M	1	108	
268	8342474	08/18/10 12:15 PM	75.380(d)(7)(vii)(B)	104(a)	C	Y	R	L	5	M	1	109	
269	8342475	08/18/10 02:15 PM	75.1200-1(d)	104(a)	C	N	U	L	2	M	1		
270	8342464	08/20/10 10:15 AM	75.380(d)(7)(vi)	104(a)	C	N	U	L	2	M	1		
271	8342476	08/20/10 10:30 AM	75.1731(c)	104(a)	C	N	U	L	2	M	1		
272	8342477	08/20/10 01:15 PM	75.333(d)(2)	104(a)	C	N	U	L	1	M	1		
273	8342478	08/24/10 11:00 AM	75.1403	104(a)	C	Y	R	L	2	M	3	110	
274	8342479	08/24/10 12:45 PM	75.1505(a)(3)	104(a)	C	N	U	L	5	M	1		
275	8342480	08/24/10 01:30 PM	75.211(c)	104(a)	C	Y	R	L	1	M	1	111	
276	8342481	08/24/10 02:15 PM	75.360(g)	104(a)	C	N	U	L	2	M	1		
277	8342484	08/31/10 10:00 AM	75.364(b)(2)	104(a)	C	Y	R	L	2	M	4	112	
278	8342485	08/31/10 10:30 AM	75.333(b)(5)	104(a)	C	Y	R	L	2	M	1	113	
279	8342486	08/31/10 02:00 PM	75.364(h)	104(a)	C	N	U	L	1	M	2		
280	8342487	08/31/10 02:15 PM	75.1202-1(b)(3)	104(a)	C	N	U	L	5	M	2		

The following abbreviations were used in the spreadsheet:

#### Type of Issuance

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- C Citation
- O Order

#### Significant and Substantial

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- N No
- Y Yes

#### Likelihood

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

#### Injury or Illness could reasonably be expected to be

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

#### Negligence

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

#### The four Type Actions used for Elevated issues

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