

Preventable Non-fatal Accidents, Fiscal Year 2005

Mine ID	Mine Name	Date Issued	Provision of 30 CFR Cited	Preventable Injuries	Condition or Practice
1517228	#2; MRI Mining; Floyd Co., WV	8/18/2005	75.202(a)	1	PROTECTION FROM THE MINE ROOF WHERE PERSONS WORK AND TRAVEL WAS NOT SUPPORTED OR OTHERWISE CONTROLLED TO PROTECT PERSONS FROM HAZARDS. A PIECE OF DRAW ROCK (18 INCHES BY 23 INCHES AND 2 INCHES THICK) WAS PRESENT 5 FOOT OUT-BY THE NO. 3 UNDERGROUND CONVEYOR BELT TAIL PIECE THAT FELL ON AN EMPLOYEE CAUSING A LOSS TIME ACCIDENT.
1518776	#7; J&R Coal; Letcher Co., KY	9/20/2005	75.370(a)(1)	1	The mine operator failed to comply with the current approved ventilation plan. Page No. 3 of the approved plan stipulates curtain setback distances from the end of the line curtain to the deepest point of penetration of the working face shall not exceed the specified distance of 14 feet where coal is being cut, mined, loaded, or drilled for blasting in the following locations: (1) There was no line curtain installed in the No.3 entry on the active 001-0 working section on September 12, 2005 when a methane ignition occurred causing serious injuries to the coal drill operator Timothy D. Hall while he was in the process of performing drilling operations in this entry. (2) There was no line curtain installed in the No. 2 Entry where coal was being drilled for blasting. (3) There was no line curtain installed in the No. 9 Entry where coal was being loaded by Scoops. (4) There was no line curtain installed in the No. 9 Left Entry where coal was being loaded by Scoops. Page No. 4 of the approved ventilation plan stipulates the use of box check curtains to direct and maintain air on the working section. The operator failed to install several check curtains.
4605121	Camp Creek Mine; Rock-spring Development, Wayne Co., WV	5/9/2005	75.202(a)	1	The roof in the number four face of the number two section (mmu 014) was not adequately supported or otherwise controlled to protect persons from hazards of the roof. Brandon Ferguson, roof bolter operator received a broken back injury while walking along side the DBT, model RB8, roof bolter, when a piece of rock measuring 72" long, 26" wide and ranging from 5" to 12" thick broke loose from the roof along the right rib between the row of permanent roof supports and the rib, striking Ferguson in the back. The roof in the number four face of the number two section (mmu 014) was not adequately supported or otherwise controlled to protect persons from hazards of the roof. Brandon Ferguson, roof bolter operator received a broken back injury while walking along side the DBT, model RB8, roof bolter, when a piece of rock measuring 72" long, 26" wide and ranging from 5" to 12" thick broke loose from the roof along the right rib between the row of permanent roof supports and the rib, striking Ferguson in the back. The roof in the number four face of the number two section (mmu 014) was not adequately supported or otherwise controlled to protect persons from hazards of the roof. Brandon Ferguson, roof bolter operator received a broken back injury while walking along side the DBT, model RB8, roof bolter, when a piece of rock measuring 72" long, 26" wide and ranging from 5" to 12" thick broke loose from the roof along the right rib between the row of permanent roof supports and the rib, striking Ferguson in the back.

Total preventable accidents = 3

Total non-fatal Injuries = 3

Fiscal Year 2005

Preventable Non-fatal Accidents, Fiscal Year 2006

Mine ID	Mine Name	Date Issued	Provision of 30 CFR Cited	Preventable Injuries	Condition or Practice
1508079	Mine No 3; Excel Mining; Pike Co.,KY	2/25/2006	75.202(a)	1	THE ROOF, FACE AND RIBS WHERE PERSONS WORK AND TRAVEL WERE NOT ADEQUATELY SUPPORTED. A RIB ROLLED OFF INJURING THE ROOF BOLTER OPERATOR ON 02/25/2006.
1509571	Mine No 2; Excel Mining; Pike Co.,KY	6/8/2006	75.220(a)(1)	1	OPENINGS THAT CREATE AN INTERSECTION SHALL BE FULLY SUPPORTED OR HAVE AT LEAST 3 ROWS OF PERMANENT SUPPORT INSTALLED IN THE OPENING BEFORE ANY WORK OR TRAVEL IN OR INBY THE INTERSECTION. THE DBT JOY STICK SCOOP (SERIAL NO. 488-255A), USED FOR CLEANING AND HAULING SUPPLIES ON THE 060-0 MMU, WAS BEING USED TO PUSH COAL INTO THE UNSUPPORTED CUT-THRU OF THE NO.2 ENTRY WHILE THE MINER WAS STILL MINING IN THE OPEN CUT-THRU. THIS CONDITION EXPOSED THE SCOOP OPERATOR TO THE HAZARDS OF THE UNSUPPORTED ROOF AND THE TURNING RIPPER CUTTING HEAD OF THE 14-15 JOY MINER (SERIAL NO. JM-4988).THIS IS ONE OF THE CONTRIBUTING FACTORS THAT THE 103-K ORDER NO.7427683 WAS ISSUED WHEN THE SCOOP OPERATOR SUBSTAIN A SERIOUS CRUSHING INJURY TO HIS HEAD AND FACE AREA.
1516036	Mine #26; McCoy Elkhorn Coal; Pike Co., KY	6/5/2006	75.220(a)(1)	1	On June 3, 2006, an electrician was seriously injured when he was struck by falling roof rock as a pillar block was being mined in the No. 2 entry of the 002 MMU working section.The approved roof control plan was not being complied with on the 002-0 MMU working section. Minimum block stumps were reduced and/or completely removed, timbers were not set on proper spacing, timbers were missing, more than 50% of the pillar block was being mined from one side of the block, and persons were traveling inby dashed lines shown on the pillar sketch. These conditions were also present in the No. 1 entry and the No. 8 entry.The approved roof control plan specifies that timbers be set no more than 4 feet apart, 8 feet by 8 feet minimum stumps left on each corner and between each pillar lift, no more than 50% of the pillar be mined from either side of the block and that no persons shall work or travel inby the dashed lines as shown on the pillar sketch on page 21.
1516823	No. 4; Coalburg Enterprises; Lawrence Co., KY	5/19/2006	75.220(a)(1)	1	THE APPROVED ROOF CONTROL PLAN FOR THIS MINE WAS NOT BEING FOLLOWED ON THE 003 MMU IN THE NO. 12 ENTRY WHERE A NON-FATAL ROOF FALL ACCIDENT OCCURRED THIS DATE: THE SPACING BETWEEN THE LAST AND NEXT-TO-LAST ROWS OF ROOF BOLTS EXCEEDED 48 INCHES. THE MEASURED DISTANCE WAS FROM 51"TO 52.5".ROOF CAPS WERE NOT BEING USED TO ASSIST IN CONTROLLING DRAW ROCK FROM THE LAST OPEN CROSSCUT TO THE FACE FOR A DISTANCE OF APPROXIMATELY 70 FEET.
1518589	Jones Fork E-3; Consol of KY; Lawrence Co., KY	2/25/2006	75.202(a)	1	Additional roof supports is needed along the No. 3 entry beginning four crosscut outby survey station No. 4707 to two crosscut inby and adjoining crosscuts. An accident has occurred in this location. Draw rock measuring up to 2 ft X 2 ft has been taken down in the area. Bearing plates is not contacting the mine roof in various locations in the affected area. Four citations has been issued this quarter to this mine. This area is located immediately outby the 001 MMU.

4601459	Clear Fork Under-ground Mine; Atlantic Leaseco; Nicholas Co., WV	9/11/2006	75.220(a)(1)	1	THE APPROVED ROOF CONTROL PLAN WAS NOT BEING COMPLIED WITH ON THE 002-0 MMU. THE CONTINUOUS MINING MACHINE WAS MINING THE FIRST CUT IN THE NUMBER 3-4 CROSSCUT AND HAD ADVANCED THE RIGHT SIDE OF THE CUT 36 FEET INBY THE LAST FULL ROW OF PERMANENT SUPPORTS WHEN THE MACHINE OPERATOR WAS STRUCK AND INJURED BY FALLING MINE ROOF. EVIDENCE INDICATES THE MINER OPERATOR WAS LOCATED APPROXIMATELY 8 FEET INBY THE LAST ROW OF ROOF SUPPORTS WHEN THE ACCIDENT OCCURRED. THE APPROVED ROOF CONTROL PLAN LIMITS THE INITIAL CUT DEPTH FROM A 90 DEGREE ANGLE TO 20 FEET. THIS CONDITION WAS EXTENSIVE AND OBVIOUS.
4608589	No 2 Mine; Dakota LLC; Boone Co., WV	5/23/2006	75.202(a)	1	The operator has failed to adequately support the ribs on the MMU-002 Section (Spruce West Mains). An accident occurred on May 22, 2006 when a falling rib struck the right side roof bolter (model JH Fletcher RR II-13-B.-C-F, s/n 98010) operator, breaking his left leg while he was working in the #1 entry. Upon inspection it was determined that the operator was taking no pro-active measures to prevent the ribs from falling. Rib deterioration was noted in all seven entries on the section. For example, the number three entry from the last open break had entry widths of 26 feet nine inches measured at the corner of the last open break tapering gradually for a distance of 36 feet to 21 foot, three inches. No additional rib or roof support was installed at this location. This area was not dangered off and men had been allowed to work and travel in this area. The operator has displayed a high degree of negligence in allowing this condition to exist.

Total preventable accidents = 7

Total non-fatal Injuries = 7

Fiscal Year 2006

Preventable Non-fatal Accidents, Fiscal Year 2007

Mine ID	Mine Name	Date Issued	Provision of 30 CFR Cited	Preventable Injuries	Condition or Practice
1517497	#68; Leeco; Perry Co., KY	9/4/2007	75.220(a)(1)	1	The operator is not complying with his approved roof control plan (dated 7/13/2005). Page 19 of the approved plan allows for a maxium transition zones where the crosscut is turned into the entry of 5 feet by 5 feet. The area where a injury accident occurred measured 11 feet 10 inches by 7 feet 9 inches. (A 103K order was issued in conjunction with the injury accident from the fall of the roof.)
1518022	#74; Blue Diamond Coal; Perry Co., KY	1/12/2007	75.202(a)	1	On 01-11-2007 the mine experienced an injury accident when a miner was struck by falling draw rock. Two roof bolt plates (6"X6") were bent down on one corner so that a piece of angle iron could be welded to the plates. A piece of draw rock measuring approximately 72 inches long by 29 inches wide by 1 to 3 inches thick fell, striking the victim causing injuries. The location of the accident was in the number 1 entry, between the number 91 and 92 cross cuts along the number 14 beltline (002 section charging station entrance roadway).
1518939	Moseley Spur; Bell County Coal;, Bell Co., KY	3/8/2007	75.202(a)	1	Loose cracked ribs with an approx. 4 inch to 6 inch displacement at approx. 6 ft. height of the approx. 10 ft. high ribs. The displacement existed through out the pillar line from 1 thru 6 entries and extended to the first cross cut outby the pillar line in the 1 thru 6 entries on the 001 pillaring section.Note: A none fatal accident has occurred as a result of a rib roll in the #6 entry approx. 10 ft. outby the last open break of the pillar line on the 001 section as a result of the above listed condition.
4406929	Deep Mine #26; Paramont Coal Va; Wise Co., VA	9/14/2007	75.202(a)	1	THE OPERATOR FAILED TO ADEQUATELY SUPPORT OR OTHERWISE CONTROL THE COAL RIBS WHERE PERSONS WORK OR TRAVEL ON THE 001-0 ACTIVE PILLAR SECTION. ON 9/14/07 APPROXIMATELY 745 PM THE SECTION FOREMAN RECEIVED SERIOUS INJURIES AFTER BEING STRUCK BY A ROCK/COAL RIB MEASURING 12"IN LENGTH, 16"WIDE AND 5"TO 11"THICK. AS RESULT OF THESE INJURIES THE FOREMAN WAS TRANSPORTED TO THE DICKENSON MEDICAL ASSOCIATES.
4608730	Mountaineer Alma A; Mingo Logan Coal;, Mingo Co., WV	11/8/2006	75.202(a)	1	Mine Management failed to support or otherwise control the mine roof to protect persons from hazards related falls of roof where persons work or travel. A non fatal injury roof fall accident has occurred in the No. 3 entry of the 9 Left cross over entry in the No. 35 cross cut between survey station 9L101 and 9L105 location.

4608891	Dingess Tunnel No 1 Deep Mine; Alpha & Omega Coal; Mingo Co., WV	5/8/2007	75.202(a)	1	The operator failed to control the roof in the number four face to protect the miners from injury due to the fall of roof where they are required to work or travel. An accident occurred on 05/03/2007 when a piece of draw slate fell from between the roof bolts and struck the roof bolter operator. The operator will revise the approved roof control plan to attempt to prevent these type accidents from occurring.
4609017	Mine No. 37; XMV, Inc.; Mc-Dowell Co., WV	1/29/2007	75.202(a)	1	On the 001 first left section the roof is not being adequately supported or otherwise controlled to protect persons from hazards related to falls of the roof. The roof starting in the No. 6 entry at survey station 515 and continuing across the last row of open crosscuts to the No. 4 entry is broken up and sloughing out around the blots up to the rider seam which is approximately two feet thick. A accident has occurred in the No. 6 pillar entry to the foreman due to the roof not adequately supported. this violation is an unwarrantable failure to comply with a mandatory standard.

Total preventable accidents = 7

Total non-fatal Injuries = 7

Fiscal Year 2007

Preventable Non-fatal Accidents, Fiscal Year 2008

Mine ID	Mine Name	Date Issued	Provision of 30 CFR Cited	Preventable Injuries	Condition or Practice
1518627	Emily Creek Energy; Martin County Coal; Martin Co., KY	7/30/2008	75.202(a)	1	THE ROOF AND RIBS ON THE NORTHEAST MAINS SECTION IS NOT BEING CONTROLLED TO PROTECT PERSONS WORKING OR TRAVELING IN THE AREAS. A NON-FATAL ACCIDENT HAS OCCURRED IN THE X-CUT BETWEEN THE NO.1 AND NO.2 ENTRIES AT SS# 794. COAL AND ROCK RIBS MEASURING 9 FEET HIGH AND EXTENDING FOR 40 FEET ON BOTH RIBS WAS LOOSE. THE AREA IS WITHIN ONE X-CUT OF THE SECTION FEEDER AND A SHUTTLE CAR HAS BEEN WORKING IN THE AREA. ALSO LOOSE RIBS WAS PRESENT ON THE RIGHT RIB AT X-CUT 36 AND ROOF BOLTS WERE MEASURED 7 FT ON THE INBY CORNER AT SS#794. THE IMMEDIATE ROOF AT THIS MINE VARIES FROM CUT TO CUT WITH SLICKENSIDE'S, COAL RIDERS, SLATE AND SANDSTONE.
4608676	Lick Branch Mine No 2; Little Eagle Coal; Fayette Co., WV	6/4/2008	75.202(a)	1	THE ROOF, IN AN AREA WHERE PERSONS WORK OR TRAVEL, WAS NOT ADEQUATELY SUPPORTED OR OTHERWISE CONTROLLED TO PROTECT PERSONS FROM HAZARDS RELATED TO FALLS OF THE ROOF. THE NUMBER 2 ENTRY, ON THE 001-0 MMU, CONTAINED A RUNNER ALONG THE LEFT RIB AND A MINER WAS INJURED ON 06/03/2008 WHEN A PIECE OF DRAW ROCK, MEASURING 5 FEET LONG, 3 FEET WIDE, AND UP TO 3 INCHES THICK, FELL FROM THE RUNNER, STRIKING THE MINER ON THE LEFT SHOULDER.
4608763	Fork Creek No 1; Coal River Mining; Lincoln Co., WV	3/13/2008	75.202(a)	1	A non fatal accident occurred on the MMU-003 C-section resulting in a rib (rock, coal) striking a employee Jerry Bryant with injuries, areas were employees are required to work or travel roof, ribs shall be supported or otherwise controlled to protect persons from the fall of roof and ribs. Portion of the rib had fell and was recognized with no action taken to assure the remaing rib was supported or pulled down. Mine management engaged in aggravated conduct constituting more than ordinary negligence, to take corrected action of unsafe condition. This violation is an unwarrantable failure to comply with a mandatory standard. This violation is in reference to 103K order No.7152675.

Total preventable accidents = 3

Total non-fatal Injuries = 3

Fiscal Year 2008

Preventable Non-fatal Accidents, Fiscal Year 2009

Mine ID	Mine Name	Date Issued	Provision of 30 CFR Cited	Preventable Injuries	Condition or Practice
103217	Coke Mine No 1; Shelby Mining; Shelby Co., AL	10/7/2008	75.370(a)(1)	2	The operator is not complying with provisions of the ventilation plan revision approved January 17, 2008, on the No. 1 Section (MMU 001-0). Item 5 of the approved ventilation plan revision requires that the quantity of air delivered by the blowing fan mounted on the continuous mining machine be checked prior to starting the first cut of each operating shift. A frictional ignition of a methane-air mixture occurred in the #4-Right Face on the No. 1 Section at approximately 4:40 p.m. on October 2, 2008, as the continuous mining machine was cutting roof rock on the left side of the working place. Two miners were hospitalized due to burns received as a result of this ignition. According to interviews conducted during the accident investigation, the Evening Shift Section Foreman did not check the quantity of air delivered by the blowing fan at any time during the shift prior to the ignition. This mine has a history of frictional ignitions of methane-air mixtures with 8 having been reported since October 25, 2006 ...
1502263	Darby Fork No 1; Lone Mountain Processing; Harlan Co., KY	3/25/2009	75.370(a)(1)	1	THE OPERATOR IS NOT FOLLOWING THE APPROVED VENTILATION PLAN ON THE ACTIVE 005/MMU. THE CONTINUOUS MINER WAS OBSERVED CUTTING&LOADING COAL IN THE #1 LEFT X-CUT, 60 FT. INBY THE VENTILATING AIR COURSE, WITHOUT A WING CURTAIN EXTENDING ACROSS THE INTERSECTION, TO PROVIDE VENTILATING AIR TO THE CONTINUOUS MINER, AS REQUIRED. THIS CONDITION EXPOSES THE CONTINUOUS MINER OPERATOR&FRONT BRIDGE CARRIER OPERATOR TO PERMANENTLY DISABLING PNEUMOCONIOSIS (BLACK LUNG) AND/OR SILICOSIS CAUSED BY OVER EXPOSURE TO RESPIRABLE COAL/ROCK DUST.
1517587	Freedom; Ohio County Coal; Henderson Co., KY	4/25/2009	75.202(a)	1	The roof and ribs where persons work and travel on #2 unit, 3rd North Mains, was not supported or otherwise controlled to protect persons from the hazards related to the fall of the roof, face or ribs and coal or rock burst. A rock 11ft.long, 2ft. wide and 4 to 10 inches thick fell on a miner on day shift on 04-25-2009 causing a serious injury to the miner at 1201. There is an overhang in the #2 entry 4 ft. in length and up to 16 inches wide. There is an overhang in the left of the #1 face approximately 5 ft. long up to 24 inches wide. Loose rock is present in the #8 face area along the right rib and no supplemental or additional support has been added. There are several rocks that have fallen to the mine floor in various locations across the unit. There are numerous loose rocks across this section that need to be scaled or taken down. These conditions pose a foreseeable potential to cause an injury of a serious nature to the miners on this unit.
1518522	Classic Mine; ICG Knott County; Knott Co., KY	10/30/2008	75.202(a)	1	The operator failed to protect persons from the hazards of roof in the #5 entry 23 feet in by survey station #5276. A rock fell from the roof on the left rib striking a miner. The rock measured 65 inches in length, 1/2 inch to 16 and 1/2 inches thick by 1 inch to 5 and 1/2 inches wide. (a) The roof, face and ribs of areas where persons work or travel shall be supported or otherwise controlled to protect persons from hazards related to falls of the roof, face or ribs and coal or rock bursts.

3602022	Buck Mountain Slope; S&M Coal; Dauphin Co., PA	1/6/2009	75.202(a)	1	THE ROOF OF AREAS WHERE PERSONS WORK OR TRAVEL SHALL BE SUPPORTED OR OTHERWISE CONTROLLED TO PROTECT PERSONS FROM HAZARDS RELATED TO FALLS OF ROOF, FACE OR RIBS AND COAL OR ROCK BURSTS. A ROOF FALL OCCURRED IN THE FACE AREA OF NO. 4 BREAST STRIKING AND INJURING A MINER THAT WAS WORKING IN THIS AREA.THIS CONDITION WAS A CONTRIBUTING FACTOR TO THIS ACCIDENT THAT OCCURRED ON 12/10/2008.
4406195	Mine No 3; Cavalier Mineral; Buchanan Co., VA	9/30/2009	75.202(a)	1	The travel ways,on the 001 MMU, from 80 foot outby survery station 1500, in the No.3 entry had loose ribs along several corners of the travelways for a distance of 480 feet. The loose ribs were mostly on corners of the blocks and averaged a foot thick to 3 inches thick. All ribs must be support or taken down, were men regularly travel.The average height of the active section is 54" to 56".This violation is being issue in conjunction with a 103 (K) order, as a contributing factor to the injury of a person at the mine.Add the following statement. The forman, Barry Estep, had made a pre-shift exam of the section prior to the crew starting work on the section. The foreman engaged in aggravated conduct constituting more than ordinary negligence, in that the broken ribs were visible to the ordinary person traveling on the section. The condition spans several entries on the section (beginning at the tailpiece in the No.4 entry, at survey station 1492, and in the No.3 entry beginning 80 foot outby survey station 1500 and extending to the working face.(a distance of approx 480 feet). " This violation is an unwarrantable failure to comply
4609084	Laurel Fork Mine; Harvest-Time Coal; McDowell Co., WV	1/15/2009	75.370(a)(1)	2	As testimonial and physical evidence indicates the approved Ventilation System, Methane and Dust Control Plan was not being complied with on the 004 mmu in the No. 5 entry left cross cut. The Superintendent was operating the continuous mining machine while mining coal in the No. 5 entry left cross cut. The superintendent had developed the left cross cut to a depth of approximately 19 without extending the ventilation line curtain up to the last row of permanent roof supports. At approximately 1530 a frictional methane ignition occurred causing severe burn injuries to the Superintendent and the shuttle car operator located in the left cross cut. The line curtain was observed being installed three rows from the last row of permanent roof supports, approximately 10 from the face, when mining began in the left cross cut. However, the ventilation line curtain had not been advanced to the last row of permanent supports during the development of the cross cut. Measurements indicate the line curtain was approximately 27 from the deepest penetration of the cut ...
4609230	Winchester Mine; Remington LLC; Kanawha Co., WV	11/13/2008	75.202(a)	1	The right rib, in the #3 entry starting 5'in-by spad 1249, was not supported or otherwise controlled to protect persons working or traveling in the area. The loose rib, (rock) measured 10 1/2 feet long by up to 4 feet wide and up to 15 inches thick, fell seriously injuring a miner.

4609241	Stacy Lynn #2 Mine; Stacy Lynn Coal; Barbour Co., WV	2/20/2009	75.220(a)(1)	1	The currently approved mine roof control plan is not being complied with on the 004 Left, 001-0 MMU, for the following: The number 2-3 x-cut has been cut wider than the plan maximum of 15 feet this x-cut measures 16 to 17 1/2 feet wide for a distance of 40 feet. The bolt spacing is wider than than the plan maximum of 4 feet (48 inches), the bolt spacing measures 51 to 60 inches in the location where the miner was struck with the piece of rock. The roof in this x-cut is cracked, gaped, and multiple kettle bottom areas exist. The roof control plan states on page 12 that the primary support is on a 4 feet x 4 feet bolt pattern, and page 12 item 3 states that entry widths are to be 15 feet. The number 3 entry has bolt spacings that are wider than the plan maximum for a distance of 13 feet, that measure from 56 inches to 62 inches from the bolt to the rib. This condition was created when the left rib (looking inby) was slabbed. The plan diagram on page 10 shows a maximum distance of 4 feet from bolt to rib. These conditions are obvious to the most causal observer. This is an unwarrantable failure to comply with a mandatory standard ...
4609243	Jims Branch No 3B; Baylor Mining; Wyoming Co., WV	1/9/2009	75.202(a)	1	THE LEFT RIB OF THE LEFT CROSS CUT (ADJACENT TO SURVEY STATION # 1359) WAS NOT AFFECTIVELY CONTROLLED IN THAT A 9 FEET LONG X 16 INCHES THICK X 24 INCHES WIDE PORTION HAS ROLLED OUT CAUSING ONE EMPLOYEE TO SUSTAIN BROKEN BONES TO THE LOWER PORTION OF HIS RIGHT LEG.

Total preventable accidents = 10

Total non-fatal Injuries = 12

Fiscal Year 2009