West Virginia Office of Miner’s Health, Safety and Training

December 17, 2006

Report of a Roof Fall Fatality
(Underground Coal Mine)

Dana Mining Company
Prime No. 1 Mine
Permit No. U-251A

Region One Office
205 Marion Square
Fairmont, West Virginia 26554
Brian Mills, Inspector-at-Large
Table of Contents

Map 3
Sketch 4
General Information 5
Description 5, 6
Findings of Fact 6, 7
Conclusion 7
Enforcement Action 7, 8
Recommendations 8
Acknowledgement 9
Appendix 10
FATAL ACCIDENT DRAWING

For

DANA MINING COMPANY, INC.

PRIME No. 1 MINE

MSHA ID# 46-04387
WVMHS&T U00000251A

In
Cass District Monongalia County
West Virginia

Scale: 1" = 10'
Accident Date: December 17, 2006
Fatal Roof Fall Accident Investigation Report
Dana Mining Company
Prime No. 1 Mine
Permit No. U-251-A

General Information

A fatal roof fall accident occurred at approximately 7:30 pm on Sunday, December 17, 2006 at the Dana Mining Co. Prime #1 Mine. The accident occurred on the active roadway, travelway in the mine at #18 block in the #2 entry. Mr. John Elliot, age 26, was struck by falling roof and pinned against a battery powered rubber tired personnel carrier. Mr. Elliot had a total of 1 year and 5 months of experience all at this mine. The West Virginia Mine Safety Hotline was notified at 7:35 pm. Mine Superintendent Steve Polce notified Inspector at Large Brian Mills at 8:10 pm. A joint investigation with the Mine Safety and Health Administration and Dana Mining Co. was started immediately.

Description

The Dana Mining Company, Prime #1 Mine is a drift opening mine producing coal from the Sewickley seam. The mine is located near Maidsville on Lazzelle Union Road in Monongalia County West Virginia. The height of the coal seam is approximately 52 inches. Coal is transported via shuttle cars and conveyor belt. Employees and supplies are transported by rubber tired battery powered equipment. The company has 66 employees and 5 contract employees. The mine works three shifts per day. Coal is produced on the midnight and day shifts with the afternon shift doing maintenance work. Continuous mining methods are currently being used on the two sections in which both advance and pillar mining are currently being performed.

Mr. Kenneth Losh, Section Foreman arrived at the mine at approximately 6:10 pm to start the pre-shift examination of the mine. It should be noted that the mine had been idle for more than 24 hours due to a normal weekend shut down. Mr. Richard Croasmun was the responsible person on the surface. Mr. Losh entered the mine at approximately 6:30 pm on a battery powered rubber tired personnel carrier to conduct a pre-shift examination of the active roadway, travelway. Mr. Losh arrived at the South section feeder location at approximately 7:00 p.m.

Mr. James Brandon, Section Foreman, Mr. Gary Mayle, Miner Operator and Mr. John Elliot, Electrician arrived at the mine at between approximately 6:50 p.m. to 7:00 p.m. At approximately 7:00 p.m. Mr. Brandon received a call from Mr. Losh on the mine phone who asked if Mr. Mayle and Mr. Elliot were at the mine. Mr. Losh informed Mr. Brandon that the active roadway, travelway was clear and that he was coming outside to get Mr. Mayle and Mr. Elliot to take them to the South section to do preparation work to load coal. Mr. Mayle was instructed to water the roadways and Mr. Elliot was instructed
to clean the shuttle cars on the South section. Mr. Brandon, Mr. Mayle and Mr. Elliot prepared to enter the mine as Mr. Losh traveled from the South section to the surface, arriving on the surface at approximately 7:25 p.m.

Mr. Losh, Mr. Mayle and Mr. Elliot immediately started back in the mine riding on the personnel carrier, which was operated by Mr. Losh. Mr. Brandon followed on a separate personnel carrier to conduct a pre-shift examination of the conveyor belts and the North section. Mr. Brandon traveled on the active roadway, travelway to the #2 belt head, then moved to the beltline to begin his examinations. Mr. Losh, Mr. Mayle and Mr. Elliot proceeded on the active roadway, travelway to #18 block where Mr. Mayle noticed the roof starting to fall. Mr. Mayle informed Mr. Losh, who then stopped the personnel carrier and attempted to back up. Mr. Mayle, Mr. Losh and Mr. Elliot jumped off the vehicle and attempted to run out by. Mr. Mayle made it safely out by, Mr. Losh was knocked down by falling roof but was unhurt and crawled to safety. Mr. Elliot was struck by falling roof and pinned against the personnel carrier receiving fatal injuries. Mr. Losh saw Mr. Elliot at the rear of the personnel carrier and removed rock from around his arms and felt for a pulse but did not detect one. Mr. Losh then instructed Mr. Mayle to inform Mr. Brandon that there had been an accident. Mr. Brandon who was examining the #2 belt head heard a sound similar to a roof fall and then the power went off. Mr. Mayle went to Mr. Brandon’s location and informed him of the accident, both men immediately went to the accident scene. Mr. Losh instructed Mr. Brandon to go outside to summon help and to notify authorities. Mr. Brandon left his personnel carrier at the accident scene and he and Mr. Mayle walked outside. After notifications were made Mr. Brandon and Mr. Mayle loaded supplies on another personnel carrier and went back underground to start recovery efforts. They were soon joined by Mr. Steve Polce, Mine Superintendent, Mr. James Laurita Jr., Company Owner, Mr. Curtis Shannon, Mine Foreman, Mr. Vaughn Forman, Maintenance Foreman, Mr. Brian Friend, Assistant Foreman/Crew Leader and Mr. Steve Simms, Electrician. The victim was recovered and then transported to the surface. Dr. Sean Smith through radio communication with Paramedic William Boyd pronounced Mr. Elliot dead at 10:46 p.m. An on-site investigation was started immediately.

Findings of Fact

1. The mine had been idle the proceeding 24 hours before Mr. Losh began the pre-shift examination.

2. Mr. Losh testimony states he examined the active roadway, travelway from the surface to the South section feeder only.

3. The active workings of the mine had not been completely examined by the pre-shift examiners before the miners of such shift were allowed to enter the mine.

4. The victim was struck by a large section of roof rock and pinned against the personnel carrier.

5. The accident occurred approximately 1150 feet underground at the intersection of
6. The dimensions of the roof fall were approximately 28 feet in length, 20 feet in width and 5.5 feet thick.

7. The battery powered rubber tired personnel carrier involved was a Johnson Industries Four Wheel Super Car. Model number: SXSC36V Serial number: SXSC05836V

8. Mr. Kenneth Losh and Mr. Gary Mayle both escaped the roof fall without injury.

9. At approximately 1:00 pm on December 16, 2006 at the #18 block, three cribs were built, two in the #1 to #2 crosscut, one on the inby corner and one in the center of the crosscut, the other crib in the #2 to #3 crosscut on the inby corner.

Conclusion

Mr. John Elliot was fatally injured when the personnel carrier he was a passenger on was struck by a falling section of roof at the #18 block, four way intersection, on the active roadway/travelway.

Enforcement Action

A Non-Assessed Order was issued in accordance with Title 36, Series 19, Section 7.1 of the West Virginia Mining Administrative Regulations to preserve the accident scene.

The West Virginia Office of Miner’s Health, Safety and Training issued two notices of violation during this investigation. One is considered to have contributed to the accident and is listed as follows.

The West Virginia Code Chapter 22a, Article 2, Section 25(a),
The roof of the active underground roadway/travelway was not supported or otherwise controlled adequately to protect persons from the falls of roof in that on December 17, 2006 at approximately 7:30 pm Mr. John Elliot received fatal injuries from a roof fall while traveling through a 4 way intersection in the #2 entry at the #18 block on the active underground roadway/travelway.

Recommended Special Assessment

West Virginia Code Chapter 22a-2-14:
During the investigation of a fatal accident that occurred on December 17, 2006 at approximately 7:30 pm it was revealed through testimony that the active workings of the mine were not completely examined by the pre-shift examiners within 3 hours before the miners of such shift entered the mine. Mr. Ken Losh, South Section Foreman stated that he traveled to the feeder area only on the South Section and did not examine the face area. Also, testimony revealed that the South section power center was energized. Mr. Gary Mayle and Mr. John Elliot entered the mine under Mr. Losh’s supervision before
supervision before the pre-shift exam was completed.
Note: Also the North Section and the roadway/travelway to the North Section had not been examined.

Notice of individual Violations – Issued to Mr. Ken Losh
West Virginia Code Chapter 22a-2-14

During the investigation of the fatal accident involving John Elliot on December 17, 2006 at approximately 7:30 PM, your testimony stated that you took John Elliot and Gary Mayle underground under your supervision before the active workings of the mine were completely examined. Your statement was that you traveled to the South Section feeder only on your pre-shift exam. Your testimony also is that the South Section power center was energized. Your testimony also stated that the employees job assignment was on the South Section. Mr. Elliot was to wash shuttle cars and Mr. Mayle was to water roadways. Also the North Section and the roadway/travelway to the North Section had not been examined. The only statement in the pre-shift book is as follows:
Haulage clear outside to South 6:30 – 7:00 PM KL (Copy Attached)

Recommendations

1. Revisions were made to the roof control plan and approved on Dec. 18, 2006, please see a copy attached in the appendix

2. Mine management has reviewed pre-shift requirements prior to mine foremen performing pre-shift duties.
## Appendix

* Mine Information  11
* Victim Information  12
* List of persons present during interviews and investigation  13, 14, 15, 16
* Roof Control Addendum  17, 18, 19
* Copy of Violations  20, 21
* Copy of I.P.A.  22
* Copy of Page out of Pre-Shift Book  23
Mine Information

COMPANY: Dana Mining Company, Inc.

MINE NAME: Prime #1 Mine

WV PERMIT: U-251A

ADDRESS: 2121 Lazzelle Union Road, Maidsville, WV 26541

COUNTY: Monongalia

DATE PERMIT ISSUED: June 27, 1996

WORKING STATUS: Active

LOCATION: Near Maidsville, WV

UNION: NON-UNION Yes

DAILY PRODUCTION: 4,000 ANNUAL PRODUCTION TO DATE: 

TOTAL EMPLOYEES: 70

NUMBER OF SHIFTS: 3

COAL SEAM AND THICKNESS: Sewickley

ACCIDENT INCIDENT RATE: 4.29 LOST TIME ACCIDENTS: 3

TYPE OF HAULAGE: Belt

WVOMHST INSPECTOR: Jeff Bennett

DATE OF LAST INSPECTION: December 15, 2006

NOTIFIED BY: WV Mine Safety Hotline / Steve Polce

TIME OF NOTIFICATION: 8:10 P.M.

CMSP-ANNIVERSARY DATE: July 26, 2007

CMSP-CONTACT PERSON: Steve Polce
Investigation

The following persons were present during the on site investigation conducted on December 17, 2006

Dana Mining Company

Curtis Shannon
Steve Simms
Brian Friend

Mine Foreman
Electrician
Assistant Foreman/Crew Leader

Mine Safety and Health Administration

Ron Tulasoski
Jason Rinehart
* Jerry Vance

Coal Mine Inspector/Roof Control
Acting Staff Assistant
Mine Safety and Health Specialist, Training

WV Office of Miners’ Health, Safety and Training

Mark Wilfong
Barry Fletcher
Jeff Bennett
* Brian Mills

Assistant Inspector-At-Large
Roof Control Inspector
District Mine Inspector
Inspector -At-Large

*Denotes on surface

Investigation

The following persons were present during the on site investigation conducted on December 18, 2006

Dana Mining Company

Curtis Shannon

Mine Foreman

WV Office of Miners’ Health, Safety and Training

Mark Wilfong
Barry Fletcher
*Jeff Bennett

Assistant Inspector-At-Large
Roof Control Inspector
District Mine Inspector

*Denotes on surface
Investigation

The following persons were present during the on site investigation conducted on December 19, 2006.

Dana Mining Company

Curtis Shannon
Roger Summerfield

Mine Foreman
Section Foreman

Marshall Miller & Associates

Jerry Enigk

Consultant –
Spillman, Battle and Thomas

Mine Safety and Health Administration

Ron Tulanowski
Nelson Blake
Paul Tyrna
John Cook

Coal Mine Inspector/Roof Control
Chief-Roof Control Section
Technical Support
Technical Support

WV Miners’ Health, Safety and Training

Barry Fletcher
Jeff Bennett

Roof Control Inspector
District Mine Inspector
Interviews

The following people were present during interviews conducted on December 18, 2006.

Dana Mining Company

Gary Dixon
Kevin O'Dell
David Hardy
* Ken Losh
* Gary Mayle
* James Brandon
* Steve Polce
* Curtis Shannon
* Steve Simms
* Brian Friend
* Vaughn Forman

Human Resources
Human Resources Director
Attorney, Spillman, Battle and Thomas
Section Foreman
Miner Operator
Section Foreman
Mine Superintendent
Mine Foreman
Electrician
Outby Foreman
Maintenance Foreman

*Denotes persons interviewed

Mine Safety and Health Administration

Ron Tulanowski
Jason Rinehart
Jerry Vance

Coal Mine Inspector/Roof Control
Acting Staff Assistant
Mine Safety and Health Specialist, Training

West Virginia Office of Miner Health Safety and Training

Mark Wilfong
Barry Fletcher
Jeff Bennett

Assistant Inspector at Large
Roof Control Inspector
District Mine Inspector
Interviews

The following persons were present during interviews conducted on January 16, 2007.

Dana Mining Company

Gary Dixon
Kevin O'Dell
Chris Harich
*Richard Croasmun
*Tony Johnson II
*Ken Losh
*Gary Mayle
*James Brandon

Human Resources
Human Resources Director
Attorney, Spillman, Battle & Thomas
Outside Person
Outside Person
Section Foreman
Miner Operator
Section Foreman

*Denotes persons interviewed

Mine Safety and Health Administration

Jason Rinehart
Acting Staff Assistant

West Virginia Miners' Health, Safety and Training

Mark Wilfong
Barry Fletcher

Assistant Inspector-at-Large
Roof Control Inspector
COMPANY: Dana Mining Co., Inc.

ADDRESS: P.O. Box 1170, Morgantown, WV 26507

This is to acknowledge receipt of your Roof Control Plan for:

Prime No.1 Mine
Mine Name

U-251A
Permit No.

Your submitted plan has been:

X Accepted

Rejected

REMARKS: Your request dated December 19, 2006 to add Addendum #8 to the Approved Roof Control Plan is approved as submitted.
December 19, 2006

Mr. Brian Mills
Inspector at Large
WV Office of Miner's Health, Safety & Training
205 Marion Square
Fairmont, WV 26554

RE: Prime No. 1 Mine

Roof Control Addendum #8

Dear Mr. Mills:

Dana Mining Company, Inc. is submitting the following addendum to the approved roof control plan. The addendum addresses the installation of a minimum of eight foot cable bolts in the intersections along the regularly traveled haulroad in the mine as well as the re-measuring of intersection along this route as well. With additional support added to intersections measuring over sixty feet in diagonal.

The installations which are necessary with this addendum will be ongoing and with a good faith commitment by Dana Mining Company, Inc. this work shall be completed on or before January 15, 2007.

Please feel free to contact either myself at (304) 328-5275 or Samantha Stahle at the telephone number listed above if you should have any questions or require additional information about the attached addendum to the approved roof control plan for the Prime No. 1 Mine.

Sincerely,

Steve Polce
Superintendent

18
Roof Control Plan: Addendum #8

In addition to the approved roof control plan in place:

1. There will be six (6) cable bolts with a minimum length of eight (8) feet installed with 18" by 18" monster mats in each intersection along the regularly traveled haulroad from the #1 Belt Head to the #2 Belt Tail Piece.

2. All intersections from #3 Belt Head to the #4 Belt Tail Piece along the regularly traveled haulroad will be re-measured. Any intersections measuring more than sixty (60) feet in diagonal will be supported by cribs or an equivalent support in the crosscuts to bring the intersection to within 60’ in diagonal distance.
STATE OF WEST VIRGINIA
OFFICE OF
MINERS' HEALTH, SAFETY AND TRAINING
1615 Washington Street East
Charleston, West Virginia 25311-2126

NOTICE OF VIOLATION

Company / Operator: Dana Mining Company
Contractor: Yes No X
Permit Number: U-251A
Mine Name: Prime #1 Mine
Date of Issue: Feb. 8, 2007 Time: 7:45 A.M. P.M.

Notice is hereby given that the undersigned authorized representative of the Director of the Office of Miners' Health, Safety and Training, upon making an inspection of this mine finds that the violation referred to in West Virginia Code, Chapter 22A, Article 2, Section 25(a) and/or West Virginia Administrative Regulation: Title , Series , Section exists as follows:

The roof of the active underground roadway/travelway was not supported or otherwise controlled adequately to protect persons from the falls of roof in that on December 17, 2006 at approximately 7:30 PM Mr. John Elliot received fatal injuries from a roof fall while traveling through a 4-way intersection in the #2 Entry at the #18 Block on the active underground roadway/travelway.

Type of Issuance: N.O.V. X Order
Area or equipment (If order is issued):

The foregoing violation shall be totally abated by a.m. p.m. on 20
The foregoing violation was totally abated by 7:45 X a.m. p.m. on Feb. 8 20 07

Action taken to abate the violation: An addendum to the roof control plan was approved on December 21, 2006.

Company / Operator Agent Served: Steve Police

Authorized Representative: Jeff Bennett Inspector No. 155

REVIEW: In accordance with Section 22A-1-17 of the Code, an operator or any representative of the miners may apply to the Director of the Office of Miners' Health, Safety and Training for review of this notice of violation within thirty (30) days from the issued date.

VIOULATION ASSESSMENT EVALUATION

Recommend Special Assessment: [ ]
Likelihood of Occurrence: Unlikely: *(0) Reasonably likely (10) Occurred (20) X
Severity of Injury Expected: None: *(0) No lost work days *(6) Lost or restricted days (11)
Permanently disabling (15) Fatal (20) X
No. of Persons Potentially Affected: 0 (0) 1 (1) X 2 (2) 3 (4) 4-5 (6) 6-9 (8) 9+ (10)
Negligence: None (0) Low (10) X Moderate (15) High (20)
Knowing Violation: No X Yes Repeat
Good Faith in Abatement: Lack of good faith (+15%)
No compliance (extenuating circumstances) (0% X Extra effort (-15%)

20
NOTICE OF VIOLATION

Company / Operator: Dana Mining Company
Contractor: Yes No X

Permit Number: U-251A Mine Name: Prime #1 Mine

Date of Issue: Feb. 8, 2007 Time: 7:48 A.M. P.M.

Notice is hereby given that the undersigned authorized representative of the Director of the Office of Miners' Health, Safety and Training, upon making an inspection of this mine finds that the violation referred to in West Virginia Code, Chapter 22A Article 2 Section 14 and/or West Virginia Administrative Regulation: Title , Series , Section exists as follows:

During the investigation of a fatal accident that occurred on 12/17/06 at approximately 7:30 PM it was revealed through testimony that the active workings of the mine were not examined completely by the pre-shift examiner within 3 hours before the miners of such shift entered the mine. Mr. Ken Losh, South Section Foreman stated that he traveled to the feeder area only on the South Section and did not examine the face area. Also, testimony revealed that the South Section power center was energized. Mr. Gary Mayle and Mr. John Elliot entered the mine under Mr. Losh's supervision before the pre-shift exam was completed.

Note: Also the North Section and the roadway/travelway to the North Section had not been examined.

Type of Issuance: N.O.V. X Order

Area or equipment (if order is issued):

The foregoing violation shall be totally abated by 7:48 a.m. p.m. on Feb. 8, 2007

The foregoing violation was totally abated by 7:48 a.m. p.m. on 20

Action taken to abate the violation: Proper pre-shift requirements were explained to mine management and foreman. Management held meeting with pre-shift examiners before they resumed their duties.

Company / Operator Agent Served: Steve Pole

Authorized Representative: Jeff Bennett Inspector No. 155

REVIEW: In accordance with Section 22A-1-17 of the Code, an operator or any representative of the miners may apply to the Director of the Office of Miners' Health, Safety and Training for review of this notice of violation within thirty (30) days from the issued date.

VIOLATION ASSESSMENT EVALUATION

Recommend Special Assessment: X

Likelihood of Occurrence: Unlikely: *0* Reasonably likely: 10 Occurred: 20

Severity of Injury Expected: None: *0* No lost work days: 8 Lost or restricted days: 11

Permanently disabling injury: 15 Fatal: 20

No. of Persons Potentially Affected: 0 (0) 1 (1) 2 (2) 3 (4) 4-5 (6) 6-9 (3) 9+ (10)

Negligence: None (0) Low (10) Moderate (15) High (20)

Knowing Violation: No Yes Repeat

Good Faith in Abatement: Lack of good faith (+15%)

No compliance (extenuating circumstances) (0%) Extra effort (-15%)
State of West Virginia
OFFICE OF MINERS' HEALTH, SAFETY AND TRAINING
1615 Washington Street, East, Charleston, WV 25311-2126

Notice of Individual Violation
Case Number: 155-0110-2007

Name of person charged: Ken Losh
Social Security Number: ______________
Address: _______________________________
Home phone number: __________________________ Certification number: ___________
Applicable type of certification: Mine Foreman 35926-07
Name of mine operator/company: Dana Mining Company
Mine: Prime #1
Date: Feb. 8, 20 07 Time 8:05 PM AM PM
Location of violation: Portion of underground mine.

Notice is hereby given that you have been found in violation of the following: West Virginia Code,
Chapter 22A, Article 2, Section 14 and/or Administrative Regulation.

Title __________ Series ___________ Section ___________ in that you were: During the investigation of the fatal accident involving John Elliot on 12/17/05 at approximately 7:30 PM, your testimony stated that you took John Elliot and Gary Mayle underground under your supervision before the active workings of the mine were completely examined. Your statement was that you traveled to the South Section feeder only on your pre-shift exam. Your testimony also is that the South Section power center was energized. Your testimony also stated that the employees job assignment was on the South Section. Mr. Elliot was to wash shuttle cars and Mr. Mayle was to water roadways. Also the North Section and the roadway/travelway to the North Section had not been examined. The only statement in the pre-shift book is as follows: Haulage clear outside to South 6:30 - 7:00 PM KL (Copy Attached)

Proposed Order of Assessment

Likelihood of occurrence: Unlikely (0) X Reasonably likely (10) X Occurred (20)
Severity of injury normally expected: None (0) X No lost work days (5) X
Lost workdays/restricted days (10) X Permanently disabled (15) X Fatal (20) X
Number of persons potentially affected: 0 (0) X 1 (5) X 2 (10) X 3 (15) X 4-5 (20) X
6-9 (25) X more than 9 (30) X
History of prior violations during past thirty-six (36) months: 0 (0) X 1 (15) X 2 or more (30) X
Total Points: 15

Authorized representative: Jeff Bennett
Assessment Officer: Mark Wilfong

Assessment Review Officer:

22
PRESHIFT-MINE EXAMINER'S REPORT

Date of Examination: 12-12-96

Section or Area Examined: No

Time of Examination: from a.m. or p.m. to a.m. or p.m.

Was this report phoned or outside: Yes no

Time A.M. PM

(Signed)

Violations and other Hazardous Conditions Observed and Reported

<table>
<thead>
<tr>
<th>Location</th>
<th>Violation or Hazardous Condition</th>
<th>Action Taken</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Air Measurements

<table>
<thead>
<tr>
<th>Location</th>
<th>CFM</th>
<th>Location</th>
<th>CFM</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Remarks:

Haulage Claim Out due to South 1030-7000 ft.

This is to certify that: (a) This section of the mine was properly examined by me. (b) All violations of the W. Va. Mining Laws and the Federal Coal Mine Health and Safety Act of 1969 and other unsatisfactory conditions and practices observed by me are listed in this report.

Signed By
Preshift-Mine Examiner

Certificate No.
328-01069

Supervisor or Assistant