

From: Patrick, John R.

Sent: Wednesday, August 12, 2009 2:23 PM

To: Adkins, Chris; Asbury, Robert; Blankenship, Don L.; Chamberlin, Elizabeth; Clemens, Mark; Conn, Charles; Duba, Sabrina; Frampton, Gary; Hainer, Keith; Marcum, Donna; Ojeda, Stephanie; Owings, David; Ross, Bill; Salyer, Eric; Segsworth, John; Snelling, Mike; Suboleski, Stan; Tolbert, Eric

Subject: Daily Violation Report

Attachments: ViolationReport.pdf; DailyList.pdf

Massey Energy
Daily Violation Report (8/11/2009)



Group	Day 08/11/2009		MTD		YTD	
	# Violations	Est. Penalty	# Violations	Est. Penalty	# Violations	Est. Penalty
Massey Energy Total	44	\$38,026	356	\$422,643	6,011	\$8,193,937
Marfork/UBB	17	\$14,240	42	\$83,098	753	\$1,237,154
Mammoth	3	\$1,045	30	\$12,436	468	\$957,251
Delbarton	-	-	34	\$69,352	341	\$946,887
Sidney	-	-	35	\$7,336	1,081	\$850,650
Elk Run	1	\$1,140	15	\$72,194	461	\$771,457
Aracoma	2	\$279	27	\$18,704	462	\$759,177
Knox Creek	4	\$6,982	29	\$42,863	496	\$620,087
Independence	14	\$10,780	77	\$83,281	540	\$609,371
Goals/Edwight	-	-	6	\$1,471	161	\$296,376
Long Fork	1	\$167	23	\$17,657	350	\$212,584
Progress	-	-	-	-	26	\$151,068
Green Valley	-	-	20	\$7,149	186	\$150,355
Black Castle	2	\$3,393	2	\$3,393	102	\$141,438
Nicholas	-	-	4	\$809	121	\$116,364
Coalgood	-	-	-	-	110	\$91,295
LCMS Surface	-	-	-	-	46	\$60,737
Republic	-	-	1	\$230	36	\$59,420
Martin County	-	-	10	\$2,558	160	\$55,999
North Surface	-	-	-	-	28	\$49,150
West Cazy	-	-	1	\$112	31	\$36,095
Superior/Stirrat	-	-	-	-	42	\$11,346
Sidney Surface	-	-	-	-	9	\$9,576
TCC	-	-	-	-	1	\$100
Rawl Sales & Processing	-	-	-	-	-	-

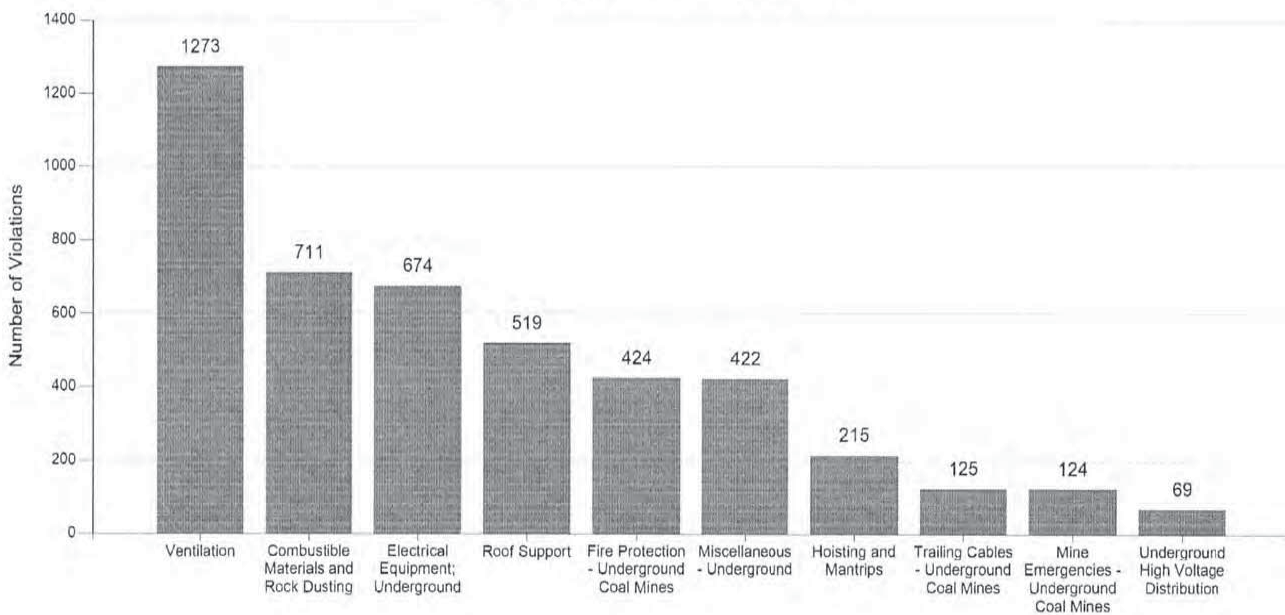
Massey Energy
Daily Violation Report (8/11/2009)



Group	YTD # Violations	YTD % S&S	YTD Largest Violation Area
Sidney	1,081	27.0%	Combustible Materials and Rock Dusting - 75.400 (16.2%)
Marfork/UBB	753	38.6%	Combustible Materials and Rock Dusting - 75.400 (11.7%)
Independence	540	39.4%	Combustible Materials and Rock Dusting - 75.400 (8.7%)
Knox Creek	496	39.1%	Combustible Materials and Rock Dusting - 75.400 (13.9%)
Mammoth	468	25.9%	Combustible Materials and Rock Dusting - 75.400 (9.6%)
Aracoma	462	39.2%	Combustible Materials and Rock Dusting - 75.400 (11.5%)
Elk Run	461	33.2%	Combustible Materials and Rock Dusting - 75.400 (10.2%)
Long Fork	350	16.0%	Combustible Materials and Rock Dusting - 75.400 (7.7%)
Delbarton	341	43.4%	Combustible Materials and Rock Dusting - 75.400 (12.3%)
Green Valley	186	40.3%	Ventilation - 75.370 (12.4%)
Goals/Edwight	161	40.4%	Ventilation - 75.360 (9.3%)
Martin County	160	15.0%	Combustible Materials and Rock Dusting - 75.400 (5.0%)
Nicholas	121	26.4%	Fire Protection - Surface Coal Mines / Work Areas - 77.1104 (8.3%)
Coalgood	110	26.4%	Roof Support - 75.220 (7.3%)
Black Castle	102	54.9%	Safeguards for Mechanical Equipment - 77.404 (22.5%)
LCMS Surface	46	56.5%	Safeguards for Mechanical Equipment - 77.404 (26.1%)
Superior/Stirrat	42	50.0%	Safeguards for Mechanical Equipment - 77.400 (23.8%)
Republic	36	41.7%	Loading and Haulage - 77.1606 (25.0%)
West Cazy	31	29.0%	Loading and Haulage - 77.1605 (25.8%)
North Surface	28	75.0%	Safeguards for Mechanical Equipment - 77.404 (46.4%)
Progress	26	34.6%	Loading and Haulage - 77.1606 (19.2%)
Sidney Surface	9	55.6%	Training and Retraining of Surface Miners - 48.26 (22.2%)
TCC	1	0.0%	Surface Installations - 77.216 (100.0%)
Rawl Sales & Processing	-	0.0%	- (0.0%)
Total	6,011	33.9%	

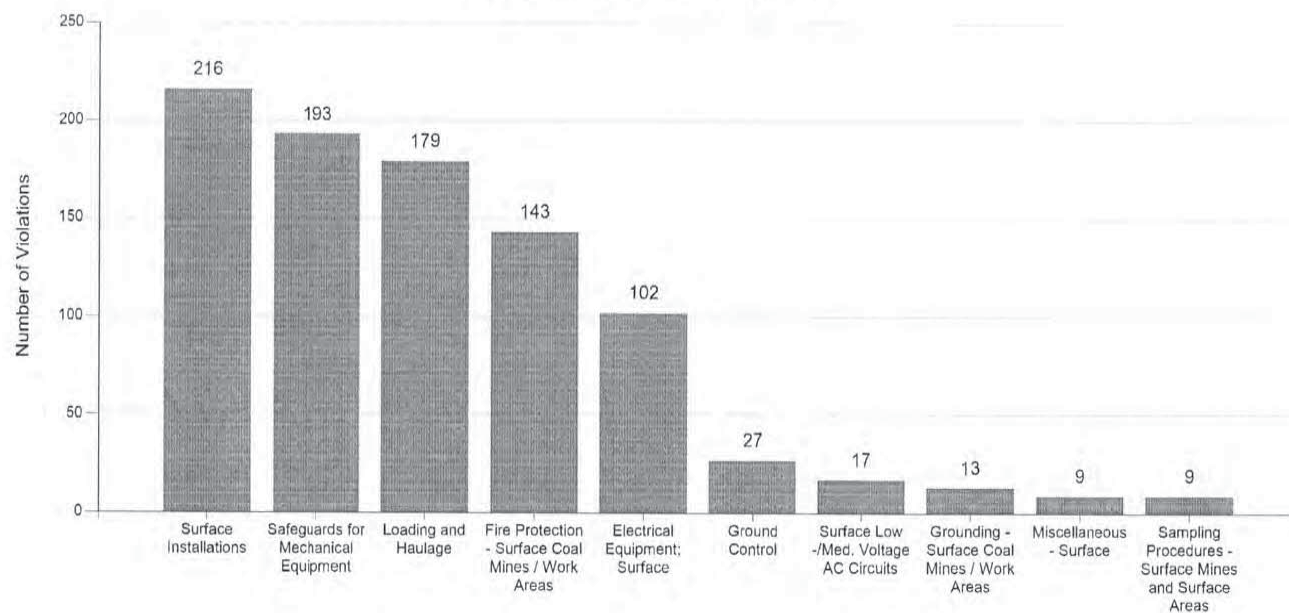


Ten Top Underground Violations by Type - YTD



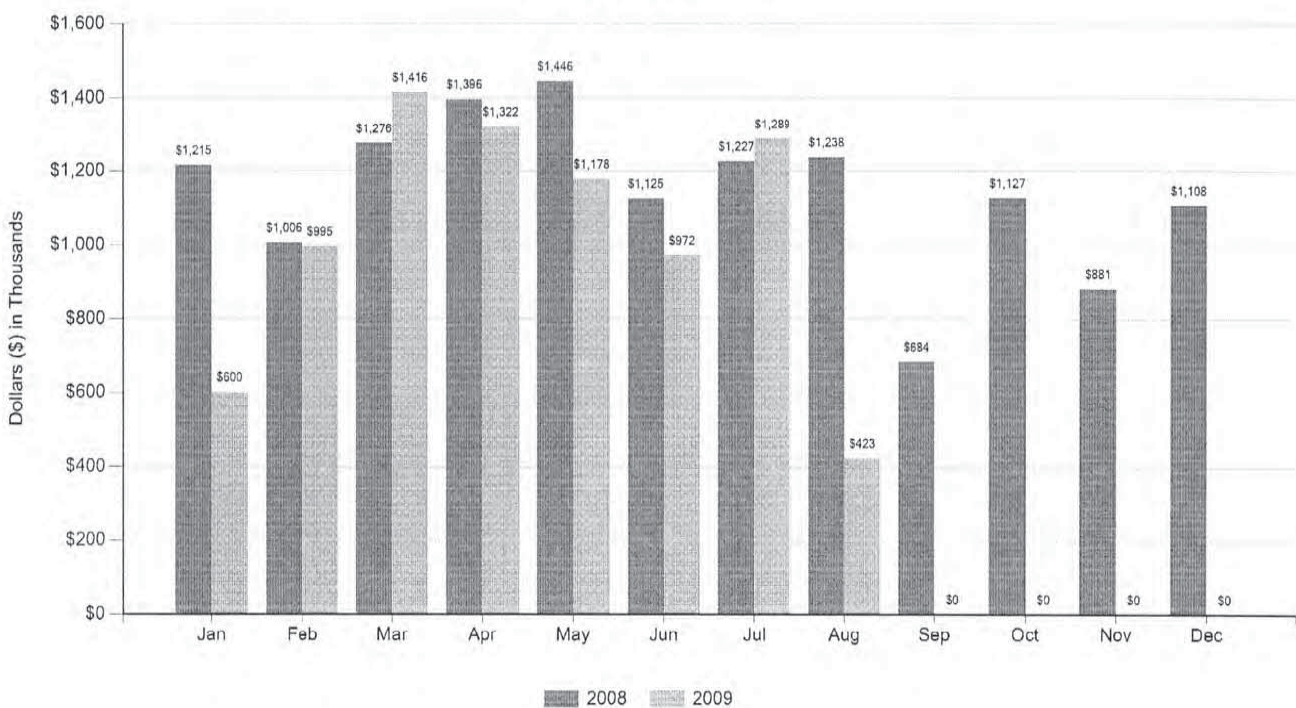


Ten Top Surface Violations by Type - YTD



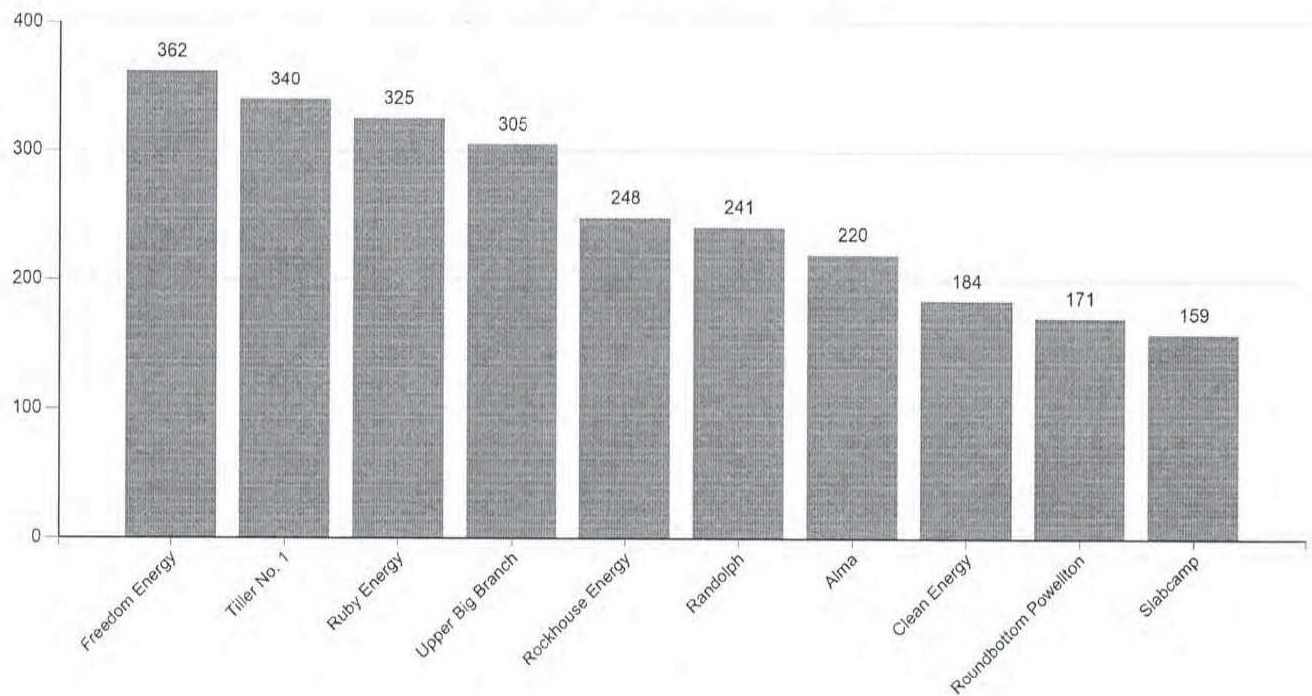


2008 - 2009 Penalty Comparison





Ten Top Mines by Number of Violations - YTD



Massey Energy
Daily Violation Listing (8/11/2009)

Violations: 44 Total Penalties: \$38,026

Group	Mine	Action Type	S&S	Act / CFR Standard Cited	Estimated Penalty
Aracoma	Diamond	104(a)	No	75.501	\$167
Aracoma	Diamond	104(a)	No	75.380(d)(7)(vii)(B)	\$112
Black Castle	Black Castle Mining	104(a)	Yes	77.404(a)	\$2,341
Black Castle	Black Castle Mining	104(a)	Yes	77.404(a)	\$1,052
Elk Run	Castle Logan's Fork	104(a)	No	75.360f	\$1,140
Independence	Allegiance	104(a)	No	75.400.	\$1,995
Independence	Allegiance	104(a)	No	316(b)	\$1,140
Independence	Allegiance	104(a)	No	75.380(d)(7)(vi)	\$828
Independence	Allegiance	104(a)	No	75.333(c)(2)	\$828
Independence	Allegiance	104(a)	No	75.380(d)(4)(ii)	\$828
Independence	Allegiance	104(a)	No	75.380(d)(7)(vii)	\$828
Independence	Allegiance	104(a)	No	75.1600-3(a)(1)	\$828
Independence	Allegiance	104(a)	No	75.1714-6	\$828
Independence	Allegiance	104(a)	No	75.400.	\$512
Independence	Allegiance	104(a)	No	75.214(a)	\$212
Independence	Justice	104(a)	No	75.807	\$897
Independence	Randolph	104(a)	Yes	75.1722(a)	\$601
Independence	Randolph	104(a)	No	75.1103-3	\$343
Independence	Randolph	104(a)	No	75.1202	\$112
Knox Creek	Tiller No. 1	104(a)	Yes	75.400	\$4,099
Knox Creek	Tiller No. 1	104(a)	Yes	75.202(a)	\$2,161
Knox Creek	Tiller No. 1	104(a)	Yes	75.1731	\$601
Knox Creek	Tiller No. 1	104(a)	No	75.1100-1(a)	\$121
Long Fork	Solid Energy	104(a)	No	77.512	\$167
Mammoth	Slabcamp	104(a)	No	75.360(f)	\$403
Mammoth	Slabcamp	104(a)	No	75.362(f)	\$372
Mammoth	Slabcamp	104(a)	No	75.204(g)	\$270
Marfork	Horse Creek Eagle	104(a)	Yes	75.1101-6	\$1,700
Marfork	Horse Creek Eagle	104(a)	No	75.503	\$230
Marfork	Slip Ridge Cedar Grove	104(a)	No	75.400	\$1,140
Marfork	Slip Ridge Cedar Grove	104(a)	No	75.342(a)(4)	\$317
Marfork	Slip Ridge Cedar Grove	104(a)	No	75.604(b)	\$196
Performance	Upper Big Branch	104(a)	Yes	75.203(e)(2)	\$2,161
Performance	Upper Big Branch	104(a)	Yes	75.400	\$1,700
Performance	Upper Big Branch	104(a)	Yes	75.400	\$1,700
Performance	Upper Big Branch	104(a)	Yes	75.1722(a)	\$1,235
Performance	Upper Big Branch	104(a)	No	75.1714-7(a)	\$705
Performance	Upper Big Branch	104(a)	No	75.1403	\$651
Performance	Upper Big Branch	104(a)	No	75.807	\$555
Performance	Upper Big Branch	104(a)	No	75.1714-7(a)	\$555
Performance	Upper Big Branch	104(a)	No	75.1714-3(b)	\$555
Performance	Upper Big Branch	104(a)	No	75.380(d)(7)(i)	\$403
Performance	Upper Big Branch	104(a)	No	75.333(d)(3)	\$270
Performance	Upper Big Branch	104(a)	No	75.1100-2(e)	\$167