From: Patrick, John R.
Sent: Wednesday, October 28, 2009 2:22 PM
To: Adkins, Chris; Asbury, Robert; Blankenship, Don L.; Chamberlin, Elizabeth; Clemens, Mark; Conn, Charles; Duba, Sabrina; Frampton, Gary; Hainer, Keith; Moore, Donna (Marcum); Ojeda, Stephanie; Owings, David; Ross, Bill; Salyer, Eric; Segsworth, John; Snelling, Mike; Suboleski, Stan; Tolbert, Eric; Whitehead, Jason
Subject: Daily Violation Report

Attachments: ViolationReport.pdf; DailyList.pdf

Massey Energy
Daily Violation Report 10/27/2009

MSHA Violations	Day (10/27/2009) # Violations	Day (10/27/2009) Est. Penalty	MTD # Violations	MTD Est. Penalty	YTD # Violations	YTD Est. Penalty
Massey Energy Total	**39**	**$85,923**	**546**	**$494,558**	**7,583**	**$10,253,461**
Marfork/UBB	12	$51,165	73	$115,783	991	$1,703,262
Delbarton	3	$5,363	12	$32,459	410	$1,188,523
Sidney	2	$2,173	127	$84,103	1,421	$1,181,822
Mammoth	2	$782	39	$15,620	617	$1,020,902
Independence	4	$1,436	47	$41,295	689	$891,756
Aracoma	-	-	52	$69,649	552	$890,919
Elk Run	-	-	35	$10,077	565	$823,305
Knox Creek	9	$7,513	31	$22,277	616	$738,132
Long Fork	-	-	38	$33,948	453	$446,422
Goals/Edwight	3	$15,587	5	$39,412	176	$340,561
Green Valley	1	$112	4	$881	220	$156,681
Progress	-	-	-	-	34	$155,110
Black Castle	-	-	2	$405	114	$145,838
Nicholas	-	-	23	$7,070	152	$125,251
Coalgood	-	-	24	$6,367	142	$100,495
Martin County	3	$1,792	28	$11,523	214	$90,671
Republic	-	-	-	-	44	$76,951
LCMS Surface	-	-	-	-	47	$61,030
North Surface	-	-	-	-	28	$49,150
West Cazy	-	-	1	$112	35	$38,890
Superior/Stirral	-	-	4	$3,465	46	$14,811
Sidney Surface	-	-	-	-	15	$12,767
Rawl Sales & Processing	-	-	1	$112	1	$112
TCC	-	-	-	-	1	$100

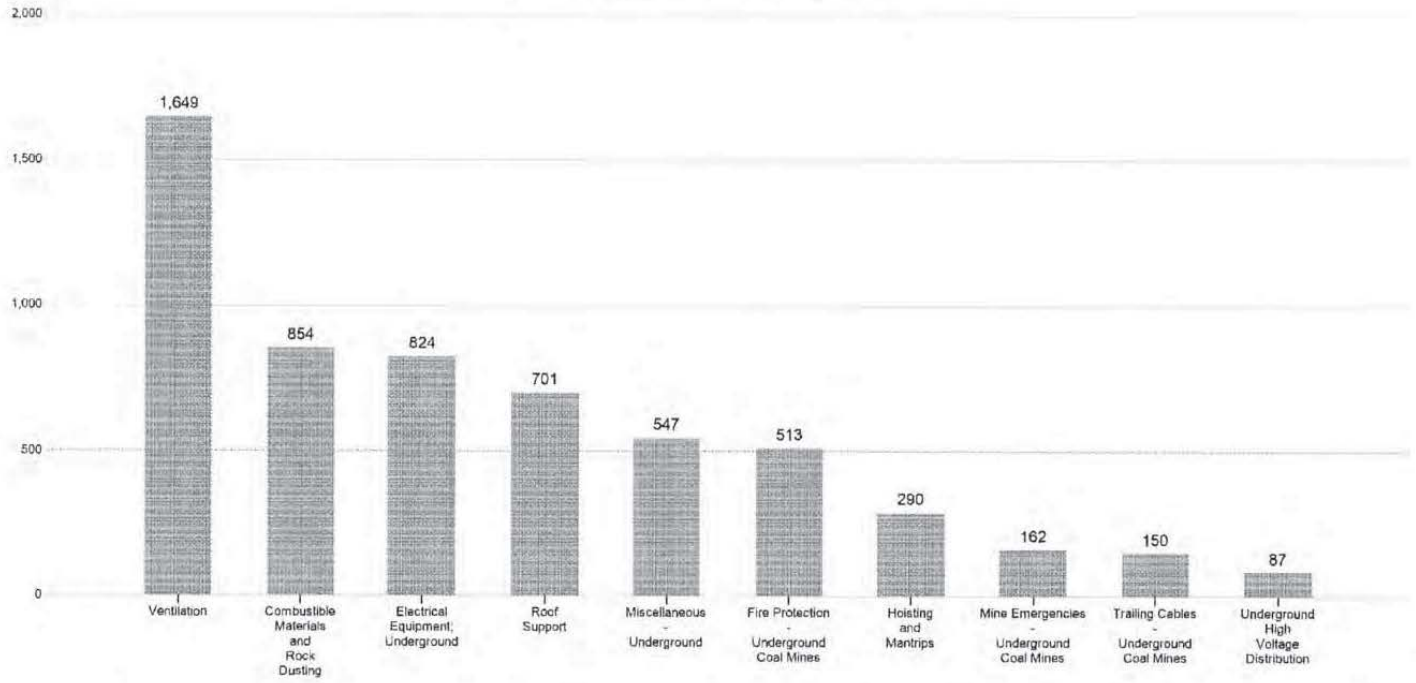
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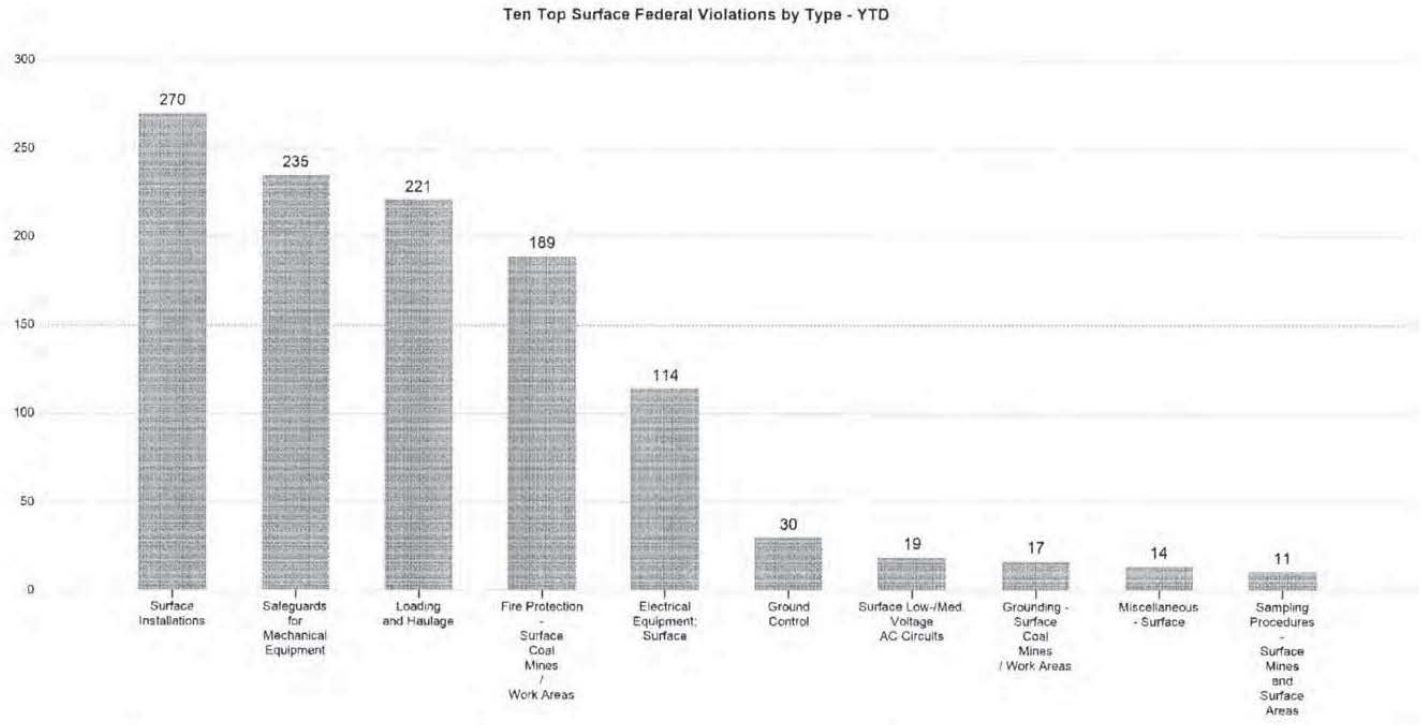
WV State Violations	Day (10/27/2009) # Violations	Day (10/27/2009) Est. Penalty	MTD # Violations	MTD Est. Penalty	YTD # Violations	YTD Est. Penalty
Massey Energy Total	**4**	**$684**	**191**	**$46,806**	**763**	**$158,002**
Marfork/UBB	4	$684	68	$16,318	250	$69,288
Elk Run	-	-	32	$7,500	126	$21,544
Goals/Edwight	-	-	23	$10,856	52	$19,598
Aracoma	-	-	10	$1,562	88	$12,070
Green Valley	-	-	8	$624	100	$8,986
Mammoth	-	-	1	$138	40	$7,084
Independence	-	-	21	$5,282	21	$5,282
Knox Creek	-	-	-	-	30	$4,826
Nicholas	-	-	17	$2,568	22	$3,308
Republic	-	-	1	$176	12	$1,742
Delbarton	-	-	2	$648	6	$1,556
Black Castle	-	-	1	$276	3	$1,010
Superior/Stirrat	-	-	2	$192	4	$766
LCMS Surface	-	-	5	$666	5	$666
Rawl Sales & Processing	-	-	-	-	2	$120
West Cazy	-	-	-	-	1	$96
Progress	-	-	-	-	1	$60

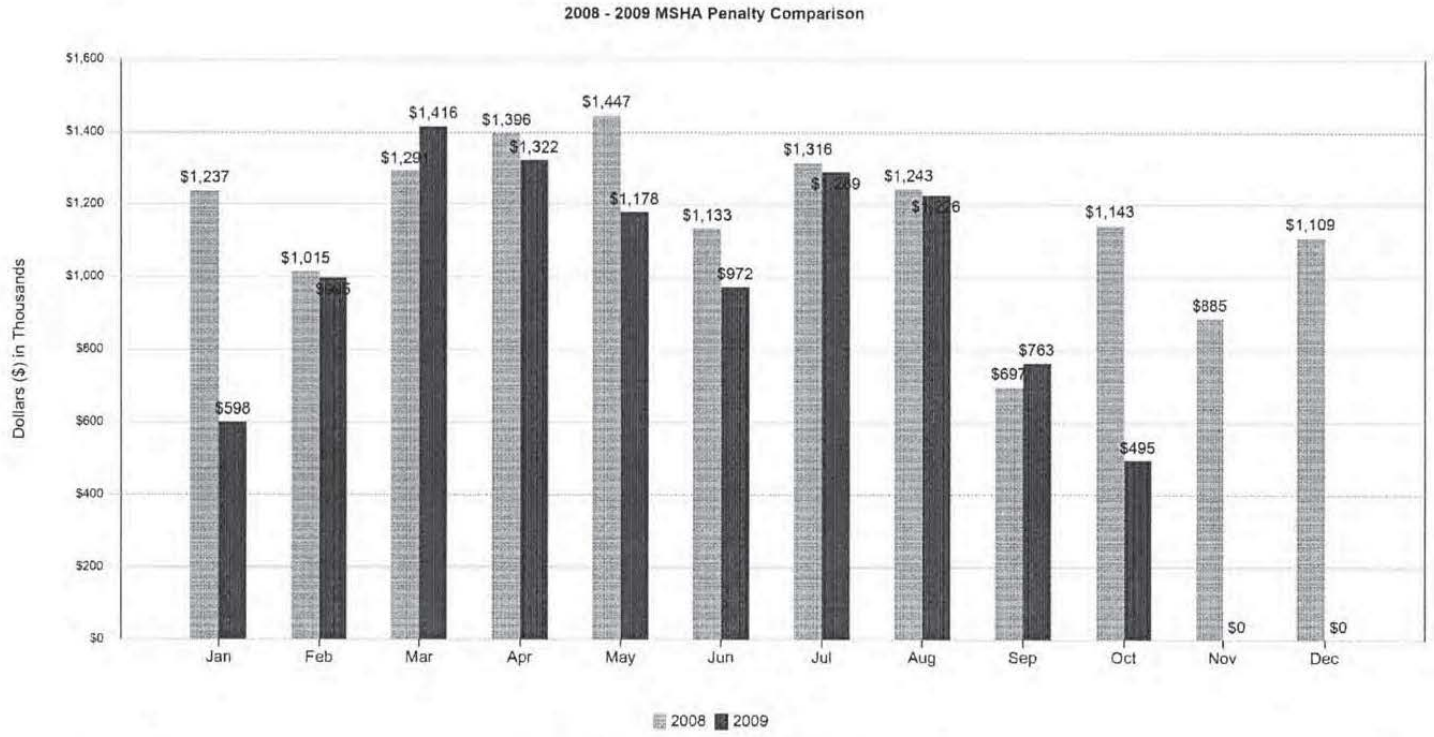
Massey Energy
Daily Violation Report 10/27/2009

MSHA Violations	YTD # Violations	YTD % S&S	YTD Largest Violation Area
Sidney	1,421	28.5 %	Combustible Materials and Rock Dusting - 75.400 (%15.1)
Marfork/UBB	991	35.0 %	Combustible Materials and Rock Dusting - 75.400 (%10.4)
Independence	689	39.6 %	Combustible Materials and Rock Dusting - 75.400 (%9.6)
Mammoth	617	26.1 %	Combustible Materials and Rock Dusting - 75.400 (%8.4)
Knox Creek	616	39.0 %	Combustible Materials and Rock Dusting - 75.400 (%13.8)
Elk Run	565	30.1 %	Combustible Materials and Rock Dusting - 75.400 (%10.1)
Aracoma	552	40.4 %	Combustible Materials and Rock Dusting - 75.400 (%11.2)
Long Fork	453	18.1 %	Combustible Materials and Rock Dusting - 75.400 (%8.2)
Delbarton	410	42.9 %	Combustible Materials and Rock Dusting - 75.400 (%10.2)
Green Valley	220	38.6 %	Ventilation - 75.370 (%11.4)
Martin County	214	20.6 %	Loading and Haulage - 77.1605 (%5.1)
Goals/Edwight	176	40.3 %	Ventilation - 75.360 (%9.1)
Nicholas	152	25.0 %	Fire Protection - Surface Coal Mines / Work Areas - 77.1104 (%7.2)
Coalgood	142	24.6 %	Roof Support - 75.220 (%7.0)
Black Castle	114	53.5 %	Safeguards for Mechanical Equipment - 77.404 (%21.1)
LCMS Surface	47	55.3 %	Safeguards for Mechanical Equipment - 77.404 (%25.5)
Superior/Stirrat	46	50.0 %	Safeguards for Mechanical Equipment - 77.400 (%21.7)
Republic	44	43.2 %	Loading and Haulage - 77.1606 (%27.3)
West Cazy	35	34.3 %	Loading and Haulage - 77.1605 (%22.9)
Progress	34	29.4 %	Loading and Haulage - 77.1606 (%17.6)
North Surface	28	75.0 %	Safeguards for Mechanical Equipment - 77.404 (%46.4)
Sidney Surface	15	53.3 %	Safeguards for Mechanical Equipment - 77.404 (%20.0)
Rawl Sales & Processing	1	0.0 %	Electrical Equipment; Surface - 77.502 (%100.0)
TCC	1	0.0 %	Surface Installations - 77.216 (%100.0)
Total	**7,583**	**33.4 %**	

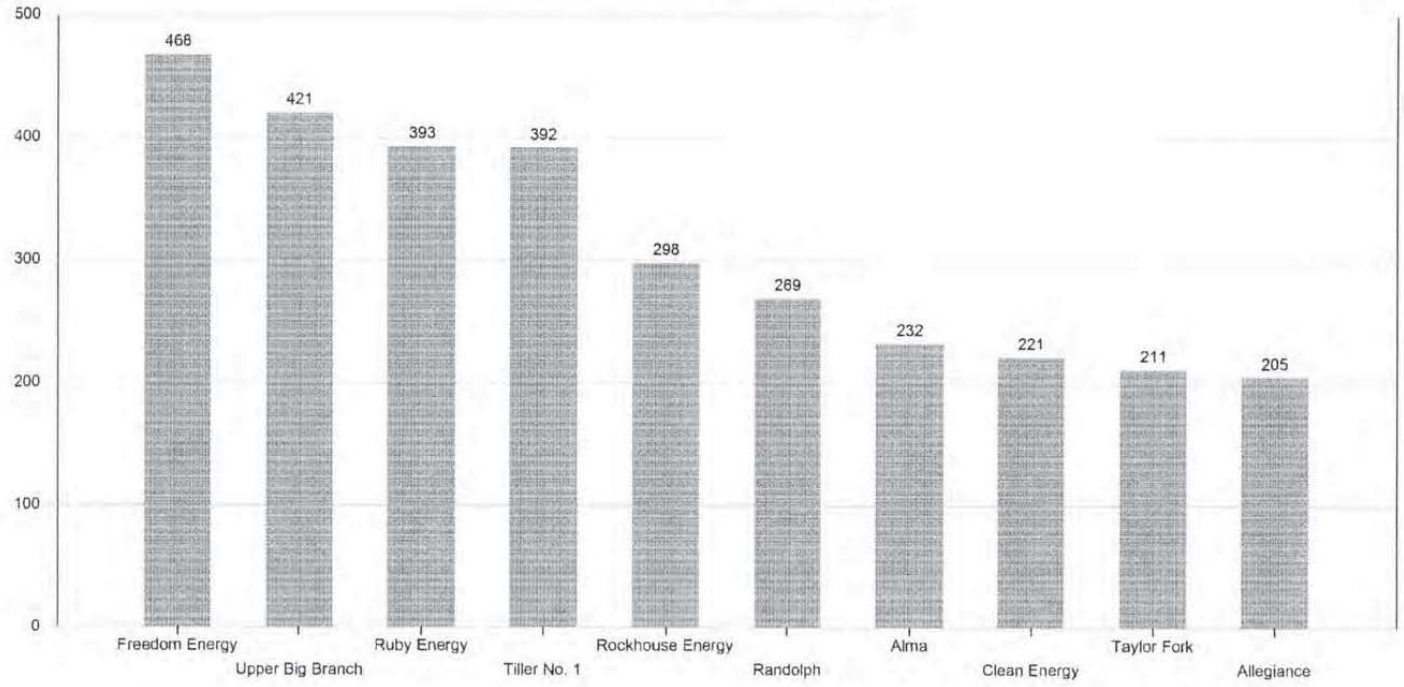
Ten Top Underground Federal Violations by Type - YTD




Ten Top Surface Federal Violations by Type - YTD
300
250
200
150
100
50
0
270
235
221
189
114
30
19
17
14
11
Surface Installations
Safeguards for Mechanical Equipment
Loading and Haulage
Fire Protection - Surface Coal Mines / Work Areas
Electrical Equipment; Surface
Ground Control
Surface Low-/Med. Voltage AC Circuits
Grounding - Surface Coal Mines / Work Areas
Miscellaneous - Surface
Sampling Procedures - Surface Mines and Surface Areas


2008 - 2009 MSHA Penalty Comparison
Dollars ($) in Thousands
$1,600
$1,400
$1,200
$1,000
$800
$600
$400
$200
$0
$1,237
$598
$1,015
$1,291
$1,416
$1,396
$1,322
$1,447
$1,178
$1,133
$972
$1,316
$1,243
$697
$763
$1,143
$495
$885
$0
$1,109
$0
Jan
Feb
Mar
Apr
May
Jun
Jul
Aug
Sep
Oct
Nov
Dec
2008
2009

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Daily Violation Report 10/27/2009



Massey Energy
Daily Violation Listing (10/27/2009)

 # Violations:
Total Penalties:

Group	Mine	Action Type	S&S	CFR Standard Cited	Estimated Penalty
Delbarton	Ruby Energy	104(a)	Yes	Roof Support - Protection from falls of roof, face, and ribs (75.202)	$4,099
Delbarton	Ruby Energy	104(a)	No	Electrical Equipment; Underground - Exam, testing, maintenance; elec. equip. (75.512)	$828
Delbarton	Ruby Energy	104(a)	No	Fire Protection - Underground Coal Mines - Fire suppression devices (75.1107)	$436
Edwight	Edwight Surface	104(a)	Yes	Fire Protection - Surface Coal Mines / Work Areas - Accumulation of combustible materials (77.1104)	$11,597
Edwight	Edwight Surface	104(a)	Yes	Surface Installations - Travelways (77.205)	$1,995
Edwight	Edwight Surface	104(a)	Yes	Surface Installations - Travelways (77.205)	$1,995
Green Valley	Grassy Creek	104(a)	No	Trailing Cables - Underground Coal Mines - Permanent splice (75.604)	$112
Independence	Allegiance	104(a)	No	Ventilation - Ventilation controls (75.333)	$181
Independence	Randolph	104(a)	Yes	Ventilation - On-shift examination (75.362)	$651
Independence	Randolph	104(a)	No	Ventilation - Escapeways; bituminous/lignite mines (75.380)	$473
Independence	Randolph	104(a)	No	Combustible Materials and Rock Dusting - Accumulation of combustible materials (75.400)	$131
Knox Creek	Guyandotte RF #51	104(a)	No	Combustible Materials and Rock Dusting - Accumulation of combustible materials (75.400)	$436
Knox Creek	Guyandotte RF #51	104(a)	No	Fire Protection - Underground Coal Mines - Fire protection; minimum requirements (75.1100)	$167
Knox Creek	Tiller No. 1	104(a)	Yes	Electrical Equipment; Underground - Permissible electric face equipment; maintenance (75.503)	$2,748
Knox Creek	Tiller No. 1	104(a)	Yes	Roof Support - Protection from falls of roof, face, and ribs (75.202)	$2,161
Knox Creek	Tiller No. 1	104(a)	No	Combustible Materials and Rock Dusting - Accumulation of combustible materials (75.400)	$828
Knox Creek	Tiller No. 1	104(a)	No	Electrical Equipment; Underground - Permissible electric face equipment; maintenance (75.503)	$512
Knox Creek	Tiller No. 1	104(b)	No	Fire Protection - Underground Coal Mines - Fire suppression devices (75.1107)	$270
Knox Creek	Tiller No. 1	104(a)	No	Fire Protection - Underground Coal Mines - Fire suppression devices (75.1107)	$270
Knox Creek	Tiller No. 1	104(a)	No	Diesel Powered Equipment - Underground Coal Mines - Fire suppression (75.1911)	$121
Mammoth	Laurel Coalburg Tunnel	104(a)	Yes	Electrical Equipment; Underground - Cable fittings; suitability (75.515)	$601
Mammoth	Laurel Coalburg Tunnel	104(a)	No	Combustible Materials and Rock Dusting - Accumulation of combustible materials (75.400)	$181
Marfork	Allen Powellton	104(a)	Yes	Roof Support - Roof control plan (75.220)	$38,503
Marfork	Allen Powellton	104(a)	No	Electrical Equipment; Underground - Cable fittings; suitability (75.515)	$181
Marfork	Allen Powellton	104(a)	No	Electrical Equipment; Underground - Cable fittings; suitability (75.515)	$181
Marfork	Allen Powellton	104(a)	No	Fire Protection - Underground Coal Mines - Fire protection; minimum requirements (75.1100)	$181
Marfork	Horse Creek Eagle	104(d)(1)	Yes	Roof Support - Roof control plan (75.220)	$9,122
Marfork	Horse Creek Eagle	104(a)	Yes	Miscellaneous - Underground - Machinery and equipment; operation, maintenance (75.1725)	$1,569
Marfork	Horse Creek Eagle	104(a)	No	Trailing Cables - Underground Coal Mines - Permanent splice (75.604)	$142
Marfork	Marshfork Mine	104(a)	No	Ventilation - Mine ventilation plan; submission, approval (75.370)	$112
Martin County	Martin Co. MTR	104(a)	Yes	Safeguards for Mechanical Equipment - Operation and maintenance (77.404)	$343
Martin County	Martin Co. MTR	104(a)	No	Fire Protection - Surface Coal Mines / Work Areas - Exam and maintenance of firefighting equipment (77.1110)	$112

Massey Energy
Daily Violation Listing (10/27/2009)

 # Violations: 39
Total Penalties: $85,923

Martin County	White Cabin #7	104(a)	Yes	Roof Support - Roof control plan (75.220)	$1,337
Performance	Upper Big Branch	104(a)	No	Ventilation - Mine ventilation plan; submission, approval (75.370)	$317
Performance	Upper Big Branch	104(a)	No	Ventilation - Mine ventilation plan; submission, approval (75.370)	$317
Performance	Upper Big Branch	104(a)	No	Misc. - Health Standards for Coal Mines - Drill dust control; underground areas; underground mines (72.630)	$270
Performance	Upper Big Branch	104(a)	No	Misc. - Health Standards for Coal Mines - Drill dust control; underground areas; underground mines (72.630)	$270
Sidney	M-3 Energy	104(a)	Yes	Combustible Materials and Rock Dusting - Accumulation of combustible materials (75.400)	$1,700
Sidney	M-3 Energy	104(a)	No	Underground High Voltage Distribution - Installation; transmission cables (75.807)	$473