

**STATE OF WEST VIRGINIA  
OFFICE OF  
MINERS' HEALTH, SAFETY AND TRAINING**

Copies: Company  
Inspector  
Assessment  
Regional Office  
Post  
Rep of Miners

**NOTICE OF VIOLATION**

Region TWO  
Case No 191-0349-2018  
Via. No 1

Company/Operator PAY CAR MINING, INC. Contractor: Yes  No   
Permit Number U00401098B Mine Name NO. 58  
Date of Issue 3/21/2018 Time 3:00  AM  PM

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          Article          Section          and/or West Virginia Administrative Regulation:  
Title 36 Series 57 Section 4.3 exists as follows:

THE JM6788 AND JM6118 CONTINUOUS PLACE CHANGE MINERS BEING OPERATOR ON THE MAIN SECTION ARE NOT REFITTED WITH THE REQUIRED PROXIMITY DETECTION SYSTEM AS REQUIRED BY THIS ARTICLE OF LAW. MANAGEMENT AND THE FIREBOSS BOOK INDICATE THAT COAL WAS PRODUCED ON 3-16-18 THUR 3-21-18 ON VARIOUS SHILFS. THIS HAS EXTENDED PAST THE 3-16-18 DEAD LINE. MANAGEMENT HAS ELECTED TO TAKE THIS EQUIPMENT OUT OF SERVICE. THIS EQUIPMENT SHALL NOT BE OPERATED INBY THE TAILPIECE EXCEPT FOR NECESSARY MAINTAINCE.

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

The foregoing violation shall be totally abated by          A.M. 3:00 P.M. on 4/4/2018  
The foregoing violation was totally abated by          A.M.          P.M. on           
Action taken to abate violation:         

Company / Operator Agent Served: DALE RICHMOND  
Authorized Representative: PAUL D. SMITH Inspector No: 191

**VIOLATION ASSESSMENT EVALUATION**

S and S Violation: <u>NO</u>	Recommend Special Assessment: <u>NO</u>
Likelihood of Occurrence: Unlikely (0), Reasonably likely (10), Occurred (20)	<u>0</u>
Severity of Injury Expected: None (0), No lost work days (6), Lost or restricted days (11), Permanently Disabling (15), Fatal (20)	<u>6</u>
No. of Persons Potentially Affected: 0 persons (0), 1 person (1), 2 persons (2), 3 persons (4), 4-5 persons (6), 6-9 persons (8), 9+ persons (10)	<u>0</u>
Negligence: None (0), Low (10), Moderate (15), High (20)	<u>0</u>
Knowing Violation: No Yes	<u>No</u>
Good Faith in Abatement: Lack of good faith (+ 15%)	<u>0</u>
No compliance (extenuating circumstances) (0%), Extra effort (-15%)	<u>0</u>