

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 191-0348-2018  
Via. No 1

Company/Operator PAY CAR MINING, INC. Contractor: Yes  No   
Permit Number U00401398C Mine Name NO. 57 MINE  
Date of Issue 3/20/2018 Time 11:15  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 JOY 14-15 #4153 CONTINUOUS PLACE CHANGE MINER BEING OPERATED ON THE MAIN SECTION IS NOT REFITTED WITH THE REQUIRED PROXIMITY DETECTION SYSTEM AS REQUIRED BY THIS ARTICLE OF LAW. MANGEMENT AND THE FIRE BOSS REPORT BOOK INDICATE THAT COAL WAS PRODUCED ON 3-16-18 & 3-19-18. THIS IS PAST THE 3-16-18 DEAD LINE. MANAGEMENT HAS ELECTED TO TAKE THIS EQUIPMENT OUT OF SERVICE.

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

The foregoing violation shall be totally abated by 8:00 A.M. \_\_\_\_\_ P.M. on 4/3/2018  
The foregoing violation was totally abated by \_\_\_\_\_ A.M. \_\_\_\_\_ P.M. on \_\_\_\_\_  
Action taken to abate violation: \_\_\_\_\_

Company / Operator Agent Served: KENNY LAMBERT  
Authorized Representative: /S/ 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%)	
No compliance (extenuating circumstances) (0%), Extra effort (-15%)	<u>0</u>