



COMMONWEALTH OF KENTUCKY
OFFICE OF MINE SAFETY & LICENSING

07504-031

NOTICE OF NON-COMPLIANCE/CLOSURE ORDER

State File No. 18526

TYPE OF ISSUANCE: Non-Compliance Closure Order Abated

Date: 1-11-2007 Time: 5:00 AM PM

Company Name MURRIEL DON COAL, INC.

Address P.O. BOX 249 STANVILLE, KY. 41659

Mine Name/No. #4 Location HUEYSVILLE / KNOTT, KY.

Person Deemed Responsible BEE HANDSHOE Title PRINCIPAL EXECUTIVE

Miner I.D. No. [REDACTED] Mine Foreman Certification No. A-356-85

Did an injury or fatality occur as a result of Non-Compliance? Yes No

DESCRIPTION OF NON-COMPLIANCE/CLOSURE ORDER, CONDITION OR PRACTICE:

Non-Compliance with: KRS 352.090 (1)

THE ENTIRE ABOVE MINE IS HEREBY CLOSED DO TO THE FACT THAT AT THE COMPANY #3 SET OF SEALS THAT CONSIST OF NINE (9) SEALS LOCATED IN THE RETURN AIR-COURSE WAS NOT DOING THE JOB THAT THE SEALS WAS INTENDED FOR, IN THAT AT THE COMPANY #25 SEAL HIGH LEVELS OF METHANE, & CARBON MONOXIDE WAS DETECTED AROUND THIS SEAL WITH AN APPROVED MULITY GAS DETECTION DEVICE.

NOTE: (SEE REMARK SHEET.) (CH4 - 5% TO OUT OF RANGE, CO - 120ppm TO 150ppm O2 - 14.3% TO 14.1%)

MODIFICATION OF ORDER Date: 1-12-2007 Time: 3:25 AM PM

Explanation)
THE CLOSURE ORDER IS HEREBY MODIFIED ONLY TO ALLOW A MINIMUM OF TWO (2) TO THREE (3) CERTIFIED FOREMAN TO BE UNDERGROUND TO DO THE WORK NECESSARY TO REPAIR SEALS. (SEE REMARK SHEET)

ABATEMENT Date: 3-5-2007 Time: 12:34 AM PM

Remedial Measures Taken: KRS 352.090 (1) HAS BEEN COMPLIED WITH DUE TO THE FACT THAT THE ABOVE MINE IS NO LONGER WORKING AND ALL EQUIPMENT HAS BEEN REMOVED FROM THE MINE.

NOTE: THIS MINE WILL BE ABANDOND IN THE NEAR FUTURE.

ISSUED BY

John Ferrari

INSPECTOR/ANALYST

MARTIN

DISTRICT