



Section I—Violation Data

1. Date	Mo 04	Da 05	Yr 10	2. Time (24 Hr. Clock)	1600	3. Citation/Order Number	4642503
4. Served To	David Taraczkoey			5. Operator Performance Coal Company			
6. Mine	Upper Big Branch Mine, West			7. Mine ID 46-08436 (Contractor)			
8. Condition or Practice							8a. Written Notice (103g) <input type="checkbox"/>

An accident occurred at this operation on 04/05/2010 at approximately 3:27 pm. This order is being issued under the Federal Mine Safety and Health Act of 1977 Section 103(j), to prevent destruction of any evidence which would assist in investigating the cause or causes of the accident. It prohibits all activity in the underground areas of the mine except to rescue and recover miners.

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health Safety Other <input type="checkbox"/>	B. Section of Act	-	C. Part/Section of Title 30 CFR	
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Section II—Inspector's Evaluation

10. Gravity:

A. Injury or Illness (has) (is): No Likelihood Unlikely Reasonably Likely Highly Likely Occurred

B. Injury or Illness could reasonably be expected to be: No Lost Workdays Lost Workdays or Restricted Duty Permanently Disabling Fatal

C. Significant and Substantial (See Reverse): Yes No D. Number of Persons Affected

11. Negligence (check one)
A. None B. Low C. Moderate D. High E. Reckless Disregard

12. Type of Action 103-j-1, -2, -3, -4, -5, -6, -7, -8, -9, -10, -11, -12, -13, -14, -15, -16, -17, -18, -19, -20, -21, -22, -23, -24, -25, -26, -27, -28, -29, -30, -31, -32, -33, -34, -35, -36, -37, -38, -39, -40, -41, -42, -43, -44, -45, -46, -47, -48, -49, -50, -51, -52, -53, -54, -55, -56, -57, -58, -59, -60, -61, -62, -63, -64, -65, -66, -67, -68, -69, -70, -71, -72, -73, -74, -75, -76, -77, -78, -79, -80, -81, -82, -83, -84, -85, -86, -87, -88, -89, -90, -91, -92, -93, -94, -95, -96, -97, -98, -99, -100

13. Type of Issuance (check one)
Citation Order Safeguard

14. Initial Action
A. Citation B. Order C. Safeguard D. Written Notice E. Citation/Order Number

15. Area or Equipment

16. Termination Due
A. Date Mo Da Yr B. Time (24 Hr. Clock)

Section III—Termination Action

17. Action to Terminate

18. Terminated
A. Date Mo Da Yr B. Time (24 Hr. Clock)

Section IV—Automated System Data

19. Type of Inspection (activity code) E09 20. Event Number 6286065 21. Primary or Mill

22. Signature [Redacted] 23. AR Number [Redacted]



Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) Mo: 04, Da: 05, Yr: 10	3. Citation/Order Number 4642503-01
4. Served To Elizabeth Chamberlain		5. Operator Performance Coal Company	
6. Mine Upper Big Branch Mine-South		7. Mine ID 46-08436- (Contractor)	

Section II—Justification for Action

The initial order is modified to reflect that MSHA is now proceeding under the authority of Section 103(K) of the Federal Mine Safety and Health Act of 1977. This Section 103(K) order is intended to protect the safety of all persons on-site, including those involved in rescue and recovery operations or investigation of the accident. The mine operator shall obtain prior approval from an Authorized Representative of the Secretary for all actions to recover and/or restore operations in the affected area. Additionally, the mine operator is reminded of its existing obligations to prevent the destruction of evidence that would aid in investigating the cause or causes of the accident.

Section II, Item 12 is modified to 103(K).

See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date Mo: , Da: , Yr:	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV—Inspection Data

9. Type of Inspection FOI	10. Event Number 6286065	11. Signature [Redacted]	12. Date Mo: 04, Da: 05, Yr: 10	13. Time (24 Hr. Clock) 1720
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Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) Mo: 04, Da: 25, Yr: 10	3. Citation/Order Number 4642503-02
4. Served To Elizabeth Chamberlain		5. Operator Performance Coal Company	
6. Mine Upper Big Branch Mine—South		7. Mine ID 146-08436- (Contractor)	

Section II—Justification for Action

103K) order 4642503 is hereby modified to allow establishment of a fresh air base at 35 crosscut and to permit two mine rescue teams to enter the mine.

See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV—Inspection Data

9. Type of Inspection 200	10. Event Number 0286065	11. Signature [Redacted]	12. Date Mo: 04, Da: 25, Yr: 10	13. Time (24 Hr. Clock) 1730
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Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 04 05 10	3. Citation/Order Number 4642503-03
4. Served To Chris Adkins		5. Operator Performance Coal Company	
6. Mine Upper Big Branch Mine-South		7. Mine ID 46-08936 (Contractor)	

Section II—Justification for Action

103(K) order 4642503 is hereby modified to allow the fresh air base to be moved inby to 78' cut and mine rescue teams to explore inby.

See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date Mo Da Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV—Inspection Data

9. Type of Inspection FOI	10. Event Number 6286065	11. Signature [Redacted]	AR Number [Redacted]	12. Date Mo Da Yr 04 05 10	13. Time (24 Hr. Clock) 1515
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Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 04 05 10	3. Citation/Order Number 4642583-04
4. Served To Chris Adkins		5. Operator Performance Coal Company	
6. Mine Upper Big Branch Mine South		7. Mine ID 46-08436- (Contractor)	

Section II—Justification for Action

03(K) order number 4642583 is hereby modified to allow four mine rescue team to enter the mine and travel to the fresh air base at 78Kcut and explore inby with two teams.

See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV—Inspection Data

9. Type of Inspection 509	10. Event Number 6286065	11. Signature [Redacted]	AR Number [Redacted]	12. Date Mo Da Yr 04 05 10	13. Time (24 Hr. Clock) 1957
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Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue)	Mo 04	Da 05	Yr 10	3. Citation/Order Number	4642503-05
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4. Served To <i>Chris Adkins</i>	5. Operator <i>Performance Coal Company</i>
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6. Mine <i>Upper Big Branch Mine-South</i>	7. Mine # <i>46-08436</i>	(Contractor) <input type="checkbox"/>
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Section II—Justification for Action

103(k) order 4642503 is hereby modified to allow the fresh air base to be moved only to 98 West, and to allow trams to explore only.

See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV—Inspection Data

9. Type of Inspection <i>HA</i>	10. Event Number <i>6286065</i>					
11. Sign <i>[Redacted]</i>	AR Number <i>[Redacted]</i>	12. Date	Mo 04	Da 05	Yr 10	13. Time (24 Hr. Clock) <i>2147</i>



Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 04 25 10	3. Citation/Order Number 4642503-06
4. Served To Chris Adkins		5. Operator Performance Coal Company	
6. Mine Upper Big Branch Mine-South		7. Mine ID 46-08436- (Contractor)	

Section II—Justification for Action

103(K) order 4642503 is hereby modified to allow the fresh air base to be moved to 401 X cut and explore entry.

See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV—Inspection Data

9. Type of Inspection FOI	10. Event Number 6286065	11. Sign [Redacted]	AR Number [Redacted]	12. Date Mo Da Yr 04 25 10	13. Time (24 Hr. Clock) 2136
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Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue)	Mo	Da	Yr	3. Citation/Order Number 4642503-07														
4. Served To Chris Atkins						5. Operator Performance Coal Company														
6. Mine Upper Big Branch Mine - South						7. Mine ID 46-08436- (Contractor)														

Section II—Justification for Action

103K) Order Number 4642503 is modified to allow two mine rescue teams to enter the mine and travel to the fresh air base at Vent 101.

See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV—Inspection Data

9. Type of Inspection EOP	10. Event Number 6286095	AR Number	12. Date	Mo	Da	Yr	13. Time (24 Hr. Clock) 2148
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Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) Mo: 04, Da: 05, Yr: 10	3. Citation/Order Number 4642503-08
4. Served To Chris Adkins		5. Operator Performance Coal Company	
6. Mine Upper Big Branch Mine - South		7. Mine ID 46-08436- (Contractor)	

Section II—Justification for Action

1001 Order number 4642503 is hereby modified to allow the fresh air base to be moved to West 105 and to exp. flow only.

See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV—Inspection Data

9. Type of Inspection	10. Event Number 6286065		
11. Signature [Redacted]	AR Number [Redacted]	12. Date Mo: 04, Da: 05, Yr: 10	13. Time (24 Hr. Clock) 2329



Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 04 25 10	3. Citation/Order Number 4642503-09
4. Served To Chris Atkins		5. Operator Performance Coal Company	
6. Mine Upper Big Branch Mine		7. Mine ID 46-08436	(Contractor)

Section II—Justification for Action

143(k) order is hereby modified to remove all persons from the mine due to air quality issues. Elevated CH₄, CO, and low O₂ have been encountered on the HG22 section.

See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date Mo Da Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV—Inspection Data

9. Type of Inspection 509	10. Event Number 6286065		
11. Signat [Redacted]	AB Number [Redacted]	12. Date Mo Da Yr 04 06 10	13. Time (24 Hr. Clock) 0845



Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) 04/05/10	Mo 04	Da 05	Yr 10	3. Citation/Order Number 4642503-10			
4. Served to Chris Edkins		5. Operator Performance Coal Company							
6. Mine Upper Big Branch Mine South		7. Mine ID 46-08436		(Contractor)					

Section II—Justification for Action

103(K) order 4642503 is hereby modified to allow drilling two boreholes in the HG22 panel and one bore hole in the panel left and immediately entry the HG22 panel. These boreholes are referenced on a map dated 04/05/2010 @ 550 AM.

See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV—Inspection Data

9. Type of Inspection 2. EQ9	10. Event Number 6286065	11. Signat [Redacted]	AR Number [Redacted]	12. Date 04/05/10	13. Time (24 Hr. Clock) 0550
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Section I--Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) 04 05 10	Mo	Da	Yr	3. Citation/Order Number 4642503-11													
4. Served To Jason Whitehead-MCS Representative Performance Coal Company						5. Operator													
6. Mine Upper Big Branch Mine - South						7. Mine ID 46-08436- (Contractor)													

Section II--Justification for Action

103K Order number 4642503 is hereby modified to allow the refueling of the diesel aircompressors that run bleeder pumps. This modification to allow refueling is limited to todays date of 04-06-2010. Refueling after this date will require an additional modification. While diesel generators are being refueled, the atmosphere will be monitored by MSHA and Company personell at the diesel fuel truck. The air compressors will be filled from the furthest extent that the hose allows, during the refueling.

See Continuation Form

Section III--Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV--Inspection Data

9. Type of Inspection E09	10. Event Number 6286065	AR Number	12 Date	Mo	Da	Yr	13. Time (24 Hr. Clock) 1116
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Section I--Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) Mo: 04, Da: 07, Yr: 10	3. Citation/Order Number 4642503-12
4. Served To Randy Tackett		5. Operator Performance Coal Company	
6. Mine Upper Big Branch Mine South		7. Mine ID 46-08436- (Contractor)	

Section II--Justification for Action

Order No. 4642503 is modified to allow the operator to install an exhausting fan on the #1 drill hole that was drilled into the HG #22 panel. The fan installation shall be in compliance with the plan that was acknowledged at 6:34am on this date.

See Continuation Form

Section III--Subsequent Action Taken

8. Extended To	A. Date Mo: , Da: , Yr:	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV--Inspection Data

9. Type of Inspection [Redacted]	10. Event Number 6286045	11. Signature [Redacted]	12. Date: Mo: 04, Da: 07, Yr: 10 [Redacted] (24 Hr. Clock) 0641
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Section I--Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 04 05 10	3. Citation/Order Number 4642503-13
4. Served To Gary Frampton - Massy Coal Services Performance Coal Company		5. Operator	
6. Mine Upper Big Branch Mine South		7. Mine ID 46-08436- (Contractor)	

Section II--Justification for Action

103K order number 4642503 is hereby modified to allow the refueling of the diesel operated exhaust Fans that are installed on the drilled bore holes. This modification only allows refueling on the condition that no one will be exposed to the Fan exhaust during the refueling process.

See Continuation Form

Section III--Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV--Inspection Data

9. Type of Inspection E09	10. Event Number 6286065	AR Number	12. Date	Mo	Da	Yr	13. Time (24 Hr. Clock) 1254
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Section I--Subsequent Action/Continuation Data

1. Subsequent Action	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue)	Mo	Da	Yr	3. Citation/Order Number	4642503-14		
4. Served To	Larry Hampton				5. Operator	Performance Coal Company			
6. Mine	Upper Big Branch Mine				7. Mine ID	46-08436			(Contractor)

Section II--Justification for Action

103(K) order number 4642503 is hereby modified to allow an extension tubing to be placed on the exhausting fan installed a drill site number 1; hole number 1. The fan will be stopped to perform this action. After the extensor is installed per the plan submitted 04/07/2010 @ 1540 hours, the fan may be restarted. After gas monitoring as stated in the stated above plan is established, the drilling of site 1 borehole 2 may be restarted. After the provisions have been completely provided as required by the above referenced plan, site 1 borehole 3 may commence near survey spud # 24574.

See Continuation Form

Section III--Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV--Inspection Data

9. Type of Inspection	EO9	10. Event Number	628 00065						
11. Signature	[Redacted]			AR Number	12. Date	Mo	Da	Yr	13. Time (24 Hr. Clock)
						04	07	10	1540



Section I--Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) 2/4/85	Mo 2	Da 4	Yr 85	3. Citation/Order Number 4642503-15			
4. Served To Gary Frampton		5. Operator Performance Coal Co							
6. Mine Upper Big Branch Sewal		7. Mine ID 46-08436				(Contractor)			

Section II--Justification for Action

103(k) order number 4642503 is hereby modified to allow a 75 HP Diesel Fan to be installed over Hole #3 at site #2. A 4 inch flexible Tube shall be installed on the fan exhaust & extend 75' down the hill. Only persons responsible for the operation of the drill shall be allowed inside the yellow caution tape. A person qualified to make gas examinations will continuously monitor methane, Oxygen, & Carbon monoxide at the drill operator's location, or the examination can be monitored remotely. All persons shall be removed from the drill, Fan or any location if Oxygen is at or below 19.5%, or if methane is 3.5% or greater, or if carbon monoxide is 50PPM or greater. A person qualified in gas detection shall continuously monitor methane, Oxygen and carbon monoxide during the installation of fans and tubing.

See Continuation Form

Section III--Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input type="checkbox"/>
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Section IV--Inspection Data

9. Type of Inspection EOG	10. Event Number 6286065	AR Number		12. Date	Mo	Da	Yr	13. Time (24 Hr. Clock) 1610
				2/4/85	2	4	85	



Section I--Subsequent Action/Continuation Data

1. Subsequent Action	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue)	Mo	Da	Yr	3. Citation/Order Number	4642503-16			
4. Served To	Chris Adkins				5. Operator	Performance Coal Company				
6. Mine	Upper Big Branch Mine - South				7. Mine ID	46-08436- (Contractor)				

Section II--Justification for Action

Order No. 4642503 is modified to allow the operator to implement their exploration and recovery plan that was approved 04-08-10 at 2:41AM.

See Continuation Form

Section III--Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV--Inspection Data

9. Type of Inspection	10. Event Number				11. AR Number				12. Date				13. Time (24 Hr. Clock)			
	6286065				[Redacted]				040810				0350			



Section I--Subsequent Action/Continuation Data

1. Subsequent Action	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue)	Mo	Da	Yr	3. Citation/Order Number	4642503-17		
4. Served To	Craig Roggs				5. Operator	Performance Coal Company			
6. Mine	Upper Big Branch Mine - South				7. Mine ID	46-08436-			(Contractor)

Section II--Justification for Action

Order No. 4642503 is modified to allow the operator to implement their victim recovery plan upon completion of their exploration and recovery plan. The victim recovery plan was approved 04-08-10 at 4:36am.

See Continuation Form

Section III--Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV--Inspection Data

9. Type of Inspection	10. Event Number				12. Date			13. Time (24 Hr. Clock)
PEP	6286065				04 08 10			0440
11. S	AR Number				12. Date			13. Time (24 Hr. Clock)
					04 08 10			0440



Section I--Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 46 5 10	3. Citation/Order Number 4642503-18
4. Served To Greg Thompson/season whitehead		5. Operator Performance Coal Company	
6. Mine Upper Big Branch Soud		7. Mine ID 46-08436- (Contractor)	

Section II--Justification for Action

After all rescue team members have exited the Upper Big Branch mine, Drilling will resume on site 1 Borehole #2 and all other holes previously approved.

After site 1, Borehole #2 has been completed, a high pressure diesel powered fan will be installed to assist in the ventilation of head gate #2 panel

See Continuation Form

Section III--Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input type="checkbox"/>
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Section IV--Inspection Data

9. Type of Inspection ED9	10. Event Number 6286065	11. AR Number	12. Date Mo Da Yr 04 08 10	13. Time (24 Hr. Clock) 1015
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Section I - Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 04 05 10	3. Citation/Order Number 4 6 4 2 5 0 3 - 1 9
4. Served To CHRIS ADKINS		5. Operator PERFORMANCE COAL COMPANY	
6. Mine UPPER BIG BRANCH SOUTH		7. Mine ID 4 6 - 0 8 4 3 6 -	(Contractor)

Section II - Justification for Action

Order No 4642503 is Modified To Allow the operator to implement the Search & Rescue Plan TG-22 & HG 22 shelters approved 12:13 AM

See Continuation Form

Section III - Subsequent Action Taken

8. Extended To	A. Date Mo Da Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV - Inspection Data

9. Type of Inspection 2 RE OPEN	10. Event Number 6 2 8 6 0 6 5	11. Signat [Redacted]	12. Date Mo Da Yr 0 2 0 9 1 0	13. Time (24 Hr. Clock) 0 1 0 4
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Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue)	Mo 04	Da 05	Yr 10	3. Citation/Order Number	4642503-20
4. Served To CHRIS ADKINS					5. Operator PERFORMANCE COAL COMPANY		
6. Mine UPPER BIG BRANCH SOUTH					7. Mine ID 46-08436- (Contractor)		

Section II—Justification for Action

SUBSEQUENT ACTION No. 4642503-10 IS MODIFIED TO INDICATE THE CORRECT DATE IN ITEM No. 12 AS 04/06/2010 INSTEAD OF 04/05/2010 AS ORIGINALLY INDICATED. ADDITIONALLY, THE ORIGINAL ORDER IS BEING MODIFIED TO PERMIT THE MINE OPERATOR TO MOVE THE No. 6 BROOKVILLE MANTRIP FROM THE MAIN ELLIS PORTALS TO THE MAIN TRUCK SHOP. THE MANTRIP SHALL BE TRANSPORTED BY TRUCK AND COVERED WITH BRATTICE OR OTHER MATERIAL THAT IS SUITABLE TO PRESERVE AND PREVENT THE DESTRUCTION OF ANY EVIDENCE.

See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV—Inspection Data

9. Type of Inspection	EO9	10. Event Number	6286065	
11. Signature	AR Number	12. Date	Mo Da Yr	13. Time (24 Hr. Clock)
			04 09 10	1210



Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 04 05 10	3. Citation/Order Number 4642503-21
4. Served To Chris Adkins		5. Operator Performance Coal Company	
6. Mine Upper Big Branch Mine - South		7. Mine ID 146 - 08436 - (Contractor)	

Section II—Justification for Action

103(K) order number 4642503 is hereby modified to allow the company to implement the provisions of a search and rescue plan dated 4/9/2010 @ 1350 hours.

See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date Mo Da Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV—Inspection Data

9. Type of Inspection EO9	10. Event Number 6286065		
11. Signature [Redacted]	AR Number	12. Date Mo Da Yr 04 09 10	13. Time (24 Hr. Clock) 1400



Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 04 05 10	3. Citation/Order Number 4642503-22
4. Served To Chris Adkins	5. Operator Performance Coal Company		
6. Mine Upper Big Branch Mine - South	7. Mine ID 46-08436-		(Contractor)

Section II—Justification for Action

Order No. 4642503 is modified to allow the recovery of [redacted] in accordance with the approved plan for this recovery.

See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date Mo Da Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV—Inspection Data

9. Type of Inspection FOI	10. Event Number 6286065	11. Signature [redacted]	AR Number [redacted]	12. Date Mo Da Yr 04 10 10	13. Time (24 Hr. Clock) 1225
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Section I--Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue)	Mo 04	Da 05	Yr 10	3. Citation/Order Number	4642503-23		
4. Served To Chris Adkins		5. Operator Performance Coal Company							
6. Mine Upper Big Branch Mine - South		7. Mine ID 46-08436-						(Contractor)	

Section II--Justification for Action

Order No. 4642503 is modified to allow recovery of [REDACTED] from the area at No. 2 shield on the headgate, following the same procedures and plan for this recovery approved 12:25am on 4-10-10.

See Continuation Form

Section III--Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV--Inspection Data

9. Type of Inspection	10. Event Number	6286065					
11. Signature	AB Number	12. Date	Mo	Da	Yr	13. Time (24 Hr. Clock)	1254



Section I--Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 04 25 10	3. Citation/Order Number 4642503-24
4. Served To Wayne Persinger		5. Operator Performance Coal Company	
6. Mine Upper Big Branch Mine		7. Mine ID 46-08436	(Contractor)

Section II--Justification for Action

103(K) order number 4642503 is hereby modified to implement phase I of the HG 22 Recovery Plan dated 04/10/2010 at 1040 hours.

See Continuation Form

Section III--Subsequent Action Taken

8. Extended To	A. Date Mo Da Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV--Inspection Data

9. Type of Inspection EOA	10. Event Number 6286065	11. Signature [Redacted]	AR Number	12. Date Mo Da Yr 04 10 10	13. Time (24 Hr. Clock) 1040
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Section I - Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) 04/05/10	Mo 04	Da 05	Yr 10	3. Citation/Order Number 4642503-25			
4. Served To Wayne Persinger					5. Operator Performance Coal Company				
6. Mine Upper Big Branch Mine - South					7. Mine ID 46-08436- (Contractor)				

Section II - Justification for Action

103(K) order number 4642503 is hereby modified to implement Phase 2 of the Recovery Plan dated 04/10/2010 at 2130 hours. Phase 2 will consist of 3 stages, stage 1 - Replace the Exhaust Panel & install loose check curtains as indicated on the map. Replace TG22 Panel stage 2 - install curtains sequentially at locations D, C, B, & A. All mines will be withdrawn from the mine. After stabilization & upon recovery the quality & airflow direction will be checked on the headgate side of the crossbelt. stage 3 - Install curtains sequentially as noted on the attached map until the H922 section is ventilated to & including the second crosscut of the face.

See Continuation Form

Section III - Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV - Inspection Data

9. Type of Inspection	E09	10. Event Number	6786065						
11. Signat		AR Number		12. Date	Mo	Da	Yr	13. Time (24 Hr. Clock)	2130



Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 04 05 10	3. Citation/Order Number 4642503-26
4. Served To Chris Blanchard		5. Operator Performance Coal Company	
6. Mine Upper Big Branch Mine - South		7. Mine ID 46-08436-	(Contractor)

Section II—Justification for Action

103(K) order number 4642503 is hereby modified to implement the submital dated 4/11/10 @ 4:32 p.m. to move two rail mounted units from the Performance Ellis Portal to the Performance North Portal. The company numbers for the units are MT #4 Brookville 8258 & MT #7 Brookville 8128.

See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV—Inspection Data

9. Type of Inspection EO9	10. Event Number 62810065		
11. Signatur	AR Number	12. Date Mo Da Yr 04 11 10	13. Time (24 Hr. Clock) 0443



Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue)	Mo 04	Da 15	Yr 10	3. Citation/Order Number	4642503-27		
4. Served To Chris Atkins		5. Operator Performance Coal Company							
6. Mine Upper Big Branch Mine-South		7. Mine ID 46-08436-				(Contractor)			

Section II—Justification for Action

103(K) order number 4642503 is hereby modified to implement a plan submitted on 4/10/2002 to install six temporary seals in the 8 North Panel.

See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV—Inspection Data

9. Type of Inspection	509	10. Event Number	6286065		
11. Signature		AR Number			
12. Date	Mo 04	Da 11	Yr 10	13. Time (24 Hr. Clock)	1019



Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) Mo: 04, Da: 05, Yr: 10	3. Citation/Order Number 4642503-28
4. Served To Chris Adkins		5. Operator Performance Coal Company	
6. Mine Upper Big Branch Mine-South		7. Mine ID 46-08436- (Contractor)	

Section II—Justification for Action

103(K) order number 4642503 is hereby modified to require removal of all persons from the two seams that overlay the Upper Big Branch Mine-South. The pearless and Rowletton seams are actively being mined under MSHA ID# 4607009 as Elk Run Coal Company Inc, Castle Mine. An in-mine slope connects the two coal seams. This mine is in an active-non-producing status with no active producing working sections. Power to run essential de-watering pumps and the AMS system may remain on.

See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV—Inspection Data

9. Type of Inspection 5109	10. Event Number 6286065		
11. Signature [Redacted]	AR Number	12. Date Mo: 04, Da: 11, Yr: 10	13. Time (24 Hr. Clock) 1335



Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue)	Mo 04	Da 05	Yr 10	3. Citation/Order Number	4642503-29		
4. Served To Chris Becke						5. Operator Performance Coal Company			
6. Mine Upper Big Branch Mine - South						7. Mine ID 46-08436-			(Contractor)

Section II—Justification for Action

103(K) order number 4642503 is hereby modified to require a minimum of 5 hours of uninterrupted ventilation to the mine & 30 minute sampling intervals as the Bandytown fan for atmospheric qualities of carbon monoxide, methane & oxygen. The 5 hour minimum time requirement shall begin after the last mine rescue team exits the portal & the mine atmosphere stabilizes.

As stage 2 is defined & modified in 4642503-25 & 4642503-27.

See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV—Inspection Data

9. Type of Inspection	E09	10. Event Number	6986065						
11. Signature	[Redacted]	AR Number	[Redacted]	12. Date	Mo 04	Da 11	Yr 10	13. Time (24 Hr. Clock)	1900



Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) 04/03/10	Mo 04	Da 03	Yr 10	3. Citation/Order Number 4642503-30					
4. Served To Chris Prater						5. Operator Peel Run Coal Company					
6. Mine Upper Big Branch Mine - Seal						7. Mine ID 46-00436- (Contractor)					

Section II—Justification for Action

103(k) order number 4642503 is hereby modified to include the specific procedures for ventilating the Headgate 22 area. This addendum is identified as stage 3, modification # 4642503-25. The procedures are attached.

See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV—Inspection Data

9. Type of Inspection EO9	10. Event Number 6286065	11. Signature [Redacted]	12. Date 04/01/10	13. Time (24 Hr. Clock) 2105
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Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue)	Mo 04	Da 05	Yr 10	3. Citation/Order Number	4642503-31		
4. Served To Chris Brader						5. Operator Performance Coal Company			
6. Mine Upper Big Branch Mine - South						7. Mine ID 46-08436- (Contractor)			

Section II—Justification for Action

103(k) order number 4642503 is hereby modified to include the attached mine rescue team training & infection control safety presentations.

See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV—Inspection Data

9. Type of Inspection	209	10. Event Number	6286065		
11. Signature	[Redacted]	AB Number	[Redacted]		
12. Date	Mo	Da	Yr	13. Time (24 Hr. Clock)	0136



Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue)	Mo 04	Da 12	Yr 10	3. Citation/Order Number 4642503-32			
4. Served To Chris Adkins						5. Operator Performance Coal Company			
6. Mine Upper Big Branch Mine—South						7. Mine ID 46-08436- (Contractor)			

Section II—Justification for Action

103(K) order number 4642503 is hereby modified to implement the April 12, 2010 Recovery Process Addendum (Safety Precaution STAGE 3 Operations). This will allow removal of [redacted] without ventilating the intake end of Head Gate Panel 22 (19 x-cut to face area). The plan also requires installation of a constant mine exhaust fan on the bore hole in Headgate Panel 22 after the mine is evacuated. The temporary seals at x-cut 140 in 8 north Panel will be left intact.

See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV—Inspection Data

9. Type of Inspection E09	10. Event Number 6286065	11. Signature [redacted]	AR Number	12. Date Mo: 04, Da: 12, Yr: 10	13. Time (24 Hr. Clock) 1900
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Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) 04 05 10	Mo	Da	Yr	3. Citation/Order Number 46 42503-33			
4. Served To Chris Adkins					5. Operator Performance Coal Company				
6. Mine Upper Big Branch Mine-South					7. Mine ID 46-08436- (Contractor)				

Section II—Justification for Action

The 103(k) Order 4642503 is hereby modified to allow reentry and mining to resume in the overlying Peerless and Pawelton seam mine on the second shift of April 13, 2010 (Castle Mine, MSHA ID 46-07009) Precautions outlined in the request dated April 13, 2010 by Chris Pateer and signed by Robert G. Henderson April 13, 2010 at 00:16 hours shall be followed to protect miners.

See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV—Inspection Data

9. Type of Inspection ED9	10. Event Number 6286065	11. Signature [Redacted]	12. Date	Mo	Da	Yr	13. Time (24 Hr. Clock) 0035
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Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) 04/05/10	Mo	Da	Yr	3. Citation/Order Number 4642503-34													
4. Served To Chris Atkins						5. Operator Performance Coal Company													
6. Mine Upper Big Branch Mine-South						7. Mine ID 46-08436- (Contractor)													

Section II—Justification for Action

The 103 (K) order 4642503 is hereby modified to allow drilling to be completed in the 8 North Panel Area and at break 140 of the 8 North Panel (an additional atmospheric monitoring hole), as per request dated April 13, 2010 + signed by [redacted] and signed by [redacted].

See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)				C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV—Inspection Data

9. Type of Inspection ED9	10. Event Number 6286865	AR Number	11. Signature [redacted]	12. Date 04/13/10	Mo	Da	Yr	13. Time (24 Hr. Clock) 0050
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Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 04 05 10	3. Citation/Order Number 4642503-35
4. Served To Chris Adkins		5. Operator Performance Coal Company	
6. Mine Upper Big Branch Mine South		7. Mine ID 46-08436- (Contractor)	

Section II—Justification for Action

The 103(k) Order # 4642503 is hereby modified to prohibit all underground activities. No one can enter the mine. The only areas of the Upper Big Branch Mine South where activities are not prohibited are the South Portal offices, Ellis Portal offices, adjacent parking areas, access roads, mine shops, and areas where examinations on the surface must be conducted in accordance with regulations.

See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date Mo Da Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV—Inspection Data

9. Type of Inspection 502	10. Event Number 6286065 MTD 4642503	11. Signat	12. Date Mo Da Yr 04 13 10	13. Time (24 Hr. Clock) 0330
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Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 04 05 10	3. Citation/Order Number 4642503-36
4. Served To Paul McLamb		5. Operator Performance Coal Company	
6. Mine Upper Big Branch Mine - South		7. Mine ID 46-08436- (Contractor)	

Section II—Justification for Action

103(K) order 4642503 is hereby modified to allow this company to implement the Borehole Installation Stage I plan dated 04/20/2010 at 1615 hours and to modify subsequent actions

07 to show item 2 to read "04/05/10" and item 11 to read "23429";

22 to show item 13 to read "0025";

23 to show item 13 to read "0054";

27 to change the date "4/11/2001" to "4/11/2010"; and

35 to change item 10 from "4642503" to "6286065."

See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date Mo Da Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV—Inspection Data

9. Type of Inspection FOI	10. Event Number 6286065		
11. Signature [Redacted]	AR Number 23429	12. Date Mo Da Yr 04 21 10	13. Time (24 Hr. Clock) 1600



Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue)	Mo 08	Da 15	Yr 10	3. Citation/Order Number	4642503-37		
4. Served To Wayne Persinger						5. Operator Performance Coal Company			
6. Mine Upper Big Branch Mine - South						7. Mine ID 46-08436- (Contractor)			

Section II—Justification for Action

103(K) order 4642503 is hereby modified to allow air quality sampling of the exhausting Tandytown fan at 18 hour intervals.

See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV—Inspection Data

9. Type of Inspection	E09	10. Event Number	0286065
11. Signature		12. Date	Mo Da Yr 08 23 10
		13. Time (24 Hr. Clock)	1200



Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input checked="" type="checkbox"/>	2. Dated (Original Issue)	Mo 04	Da 25	Yr 10	3. Citation/Order Number	464	2583	-	38		
4. Served To Wayne Kessinger						5. Operator Performance Coal Company						
6. Mine Upper Big Branch Mine - South						7. Mine ID 46 - 08436 - (Contractor)						

Section II—Justification for Action

103(K) order 4642583 is modified to allow the Company to implement a Nitrogen injection plan for the S North Area. This plan is dated 04/23/2010 @ 1700 hours.

See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV—Inspection Data

9. Type of Inspection	E09	10. Event Number	6286865	
11. Signature		AR Number		
12. Date	Mo	Da	Yr	13. Time (24 Hr. Clock)
	04	23	10	1700



Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue)	Mo	Da	Yr	3. Citation/Order Number	46	425	23	39		
4. Served To <i>Paul McCombs</i>		5. Operator <i>Performance Coal Company</i>										
6. Mine <i>Upper Big Branch Mine - South</i>						7. Mine ID <i>46-08436</i>						(Contractor)

Section II—Justification for Action

103(K) order 4642523 is hereby modified to allow the operator to implement a GH-1 Breach Plan dated April 27, 2010.

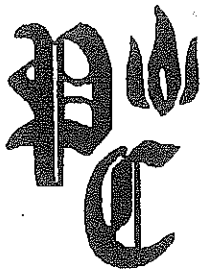
See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV—Inspection Data

9. Type of Inspection <i>E09</i>	10. Event Number <i>0286065</i>	11. Citation <i>[Redacted]</i>	AR Number <i>[Redacted]</i>	12. Date	Mo	Da	Yr	13. Time (24-Hr. Clock)
					<i>04</i>	<i>25</i>	<i>10</i>	<i>1315</i>



Performance Coal Company

P.O. Box 69

Naoma, WV

25140

April 27, 2010

Mr. [REDACTED]
Mine Safety and Health Administration
100 Bluestone Road
Mount Hope, WV 25880



4/28/2010

Mr. [REDACTED]
WVOMHS&T
142 Industrial Drive
Oak Hill, WV 25901

Re: Performance Coal Company
Upper Big Branch Mine
MSHA ID: 46-08436
State ID: U-3042-92
Borehole Plan

Dear Sirs,

Performance Coal Company is requesting permission to drill an additional monitoring hole, GH-1, into the Upper Big Branch Mine. This hole will be drilled into the longwall gob to monitor the atmosphere. The hole location is shown on the included map. The finished diameter of the hole is expected to be 8 inches. A 3/4" steel sampling pipe will be installed from the surface down to the bottom of the hole. The bottom 5' of the sampling pipe will be perforated so that a sample may be drawn from the mine atmosphere.

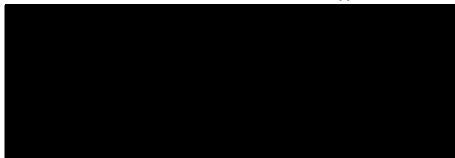
The exact location of the hole may vary slightly as conditions dictate. The hole will be drilled as deep as possible within the gob area, in an attempt to drill to the Eagle Horizon.

Safety Precautions for Drilling GH-1

- Only those necessary to operate the drill rig will be allowed in the drilling area.
- The final 100' of the hole will be drilled using wet drilling procedures.
- A person qualified in gas testing shall continuously monitor Methane, Oxygen, and Carbon Monoxide at the drill operator's location.

Should you have any questions or concerns feel free to contact me at your convenience at (304) 854-1761.

Respectfully Submitted
Performance Coal Company



Chief Engineer

GH-1 Page 1



Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 05 05 10	3. Citation/Order Number 4642503-40
4. Served To Paul McCombs		5. Operator Performance Coal Company	
6. Mine Upper Big Branch Mine-South		7. Mine ID 046-08436 (Contractor)	

Section II—Justification for Action

103(K) order number 4642503 is hereby modified to allow this company to implement a plan dated May 5, 2010 to ventilate the 8 North area with exhausting fans on 2A, 2B and 15B boresholes.

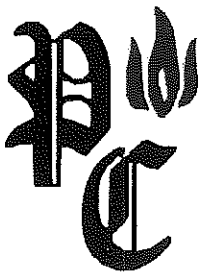
See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date Mo Da Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV—Inspection Data

9. Type of Inspection FOI	10. Event Number 6286065		
11. Signature [Redacted]	AB Number [Redacted]	12. Date Mo Da Yr 05 05 10	13. Time (24 Hr. Clock) 1638



Performance Coal Company

P.O. Box 69

Naoma, WV

25140

May 5, 2010

Mr. [REDACTED]
Mine Safety and Health Administration
100 Bluestone Road
Mount Hope, WV 25880

Mr. [REDACTED]
WVOMHS&T
142 Industrial Drive
Oak Hill, WV 25901

Re: Performance Coal Company
Upper Big Branch Mine
MSHA ID: 46-08436
State ID: U-3042-92
Ventilation of 8 North Area

Dear Sir,

Performance Coal Company is requesting permission to install exhausting fans on boreholes 2A, 2B and 15B. The installation of exhausting ventilation fans on the surface will allow for Performance Coal to ventilate the 8 North Area, prior to re-entry into the Upper Big Branch Mine. Fans to be started simultaneously. Air quantity will immediately be measured and MSHA, OMHS&T and Miner's Representative will be notified immediately.

The exhausting air will be monitored from the 8 North Area to develop a trend line of the atmosphere of the 8 North Area.

Nitrogen injection will cease during ventilation of the 8 North Areas. Should sampling results indicate that the 8 North Area require additional nitrogen injection; Performance Coal Company may re-implement nitrogen injection into the area through borehole 2A, 2B and 15B with MSHA, OMHS&T and Miner's Representative will be notified immediately.

If you should have any questions or concerns feel free to contact me at (304) 854-3508.

Respectfully Submitted
Performance Coal Company

[REDACTED]

Cc: Miners Representative by fax and mail



Section I--Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 04 05 10	3. Citation/Order Number 4642503-41
4. Served To Charlie Bearse		5. Operator Performance Coal Company	
6. Mine Upper Big Branch Mine - Sub		7. Mine ID 46-08436	(Contractor)

Section II--Justification for Action

103(K) order 4642503 is hereby modified to allow this company to implement the "Bandytown Fan - Temporary Shut Down" plan submitted to MSHA on May 11, 2010.

See Continuation Form

Section III--Subsequent Action Taken

8. Extended To	A. Date Mo Da Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV--Inspection Data

9. Type of Inspection EO9	10. Event Number 0286065	AR Number	12. Date Mo Da Yr 05 12 10	13. Time (24 Hr. Clock)
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Section I--Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 04 05 10	3. Citation/Order Number 4642503-42
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4. Served To Charlie Bease	5. Operator Performance Coal Company
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6. Mine Upper Big Branch Mine-South	7. Mine ID 146-08436- (Contractor)
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Section II--Justification for Action

103(k) order 4642503 is hereby modified to allow this company to implement a plan to drill two additional boreholes into the mine. The "2D and 100BH Borehole Plan" submitted to MSHA on May 11, 2010. A sampling pipe will be installed into existing borehole (BH A) also under this plan.

See Continuation Form

Section III--Subsequent Action Taken

8. Extended To	A. Date Mo Da Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV--Inspection Data

9. Type of Inspection FOI	10. Event Number 6286065
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11. Signature [Redacted]	12. Date Mo Da Yr 05 12 10	13. Time (24 Hr. Clock) 0800
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Section I--Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 04 25 10	3. Citation/Order Number 4642503-43
4. Served To Charlie Bease		5. Operator Performance Coal Company	
6. Mine Upper Big Branch Mine-South		7. Mine ID 46-88436	(Contractor)

Section II--Justification for Action

103 (K) order 4642503 is hereby modified to allow the operator of this mine to implement a "Verification of Sample Results Hole 21-2" plan dated May 14, 2010.

See Continuation Form

Section III--Subsequent Action Taken

8. Extended To	A. Date Mo Da Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV--Inspection Data

9. Type of Inspection E09	10. Event Number 6286065		
11. Signature [Redacted]	AR Number [Redacted]	12. Date Mo Da Yr 05 14 10	13. Time (24 Hr. Clock) 1509



Section I--Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) 04/05/10	Mo	Da	Yr	3. Citation/Order Number 4642503-44							
4. Served To Jason Whitehead						5. Operator Performance Coal Company							
6. Mine Upper Big Branch Mine-South						7. Mine ID 146-08436						(Contractor)	

Section II--Justification for Action

105(K) order number 4642503 is hereby modified to allow persons to work on the surface bench area of the Ellis Portal of this mine for the purpose of constructing compressed air lines.

See Continuation Form

Section III--Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV--Inspection Data

9. Type of Inspection F009	10. Event Number 6286065	AR Number	11. Signature	12. Date 05/14/10	Mo	Da	Yr	13. Time (24 Hr. Clock) 1145
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Section I--Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) 04/05/10	Mo	Da	Yr	3. Citation/Order Number 4642503-45							
4. Served by Charlie Beause						5. Operator Performance Coal Company							
6. Mine Upper Big Branch Mine-South						7. Mine ID 46-08436						(Contractor)	

Section II--Justification for Action

103(K) order number 4642503 is hereby modified to allow this company to implement the "Re-Entry Plan for Rapid Assessment of Longwall Area" dated 21, 2010 after H&G-21-1 backhole is completed into the mine, air quality sampling has been completed, and consensus agreement between the Company, State, Miner Representative and MSHA that the air quality at all sampling points is adequate to enter the mine.

See Continuation Form

Section III--Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV--Inspection Data

9. Type of Inspection FOI	10. Event Number 6286065							
11. Signature [Redacted]	AR Number [Redacted]	12. Date	Mo	Da	Yr	13. Time (24 Hr. Clock)		
		05/27/10				1615		



Section I - Subsequent Action/Continuation Data

1. Subsequent Action	1a. Continuation	2. Dated (Original Issue)	Mo	Da	Yr	3. Citation/Order Number	4642503-46		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	04	05	10					
4. Served by						5. Operator			
Charlie Kearse						Performance Coal Company			
6. Mine						7. Mine ID			
Upper Big Branch Mine - South						46-08436 (Contractor)			

Section II - Justification for Action

103(K) order number 4642503 is hereby modified to allow this company to implement a "Temporary Shut Down of Southside Fan" plan dated May 27, 2010.

See Continuation Form

Section III - Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>

Section IV - Inspection Data

9. Type of Inspection	EDP	10. Event Number	6286065				
11. Signature	AR Number	12. Date	Mo	Da	Yr	13. Time (24 Hr. Clock)	1619
		05	27	10			



Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 04 05 10	3. Citation/Order Number 4642503-47
4. Served To Chris Prater		5. Operator Performance Coal Company	
6. Mine Upper Big Branch Mine-South		7. Mine ID 46-08436- (Contractor)	

Section II—Justification for Action

103 (K) order number 4642503 is hereby modified to allow this company to implement "Re-Entry Plan for Rapid Assessment of Longwall-Addendum" dated June 1, 2010 and received by MSHA on June 2, 2010 @ 0700 hours.

See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV—Inspection Data

9. Type of Inspection E09	10. Event Number 6286065		
11. Name [Redacted]	AR Number [Redacted]	12. Date Mo Da Yr 06 02 10	13. Time (24 Hr. Clock) 0700



Section I - Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) 04 05 10	3. Citation/Order Number 4642503-48
4. Served To Chris Prater	5. Operator Performance Coal Company		
6. Mine Upper Big Branch Mine-South	7. Mine ID 4608436	(Contractor)	

Section II - Justification for Action

103(K) order 4642503 is hereby modified to allow the removal of two portal lenses which are visible from the surface at the North Portal of this mine.

See Continuation Form

Section III - Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV - Inspection Data

9. Type of Inspection	FOI	10. Event Number	6286065		
11. Signature	AR Number	12. Date	06 02 10	13. Time (24 Hr. Clock)	07:10



Section I--Subsequent Action/Continuation Data

1. Subsequent Action	1a. Continuation	2. Dated (Original Issue)	Mo	Da	Yr	3. Citation/Order Number			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	04 05 10				4642503-49			
4. Served To	5. Operator								
Chris Adkins	Performance Coal Company								
6. Mine	7. Mine ID								
Upper Big Branch Mine South	146-08434					(Contractor)			

Section II--Justification for Action

103 (K) order number 4642503 is hereby modified to allow a two (2) member film crew to shoot footage of the Company, State, and MSHA mine rescue team members entering the mine at the Ellis Portals on June 2, 2010. The film crew must remain at least 100 feet from any mine opening and away from duct-line exposure of any mine opening. The film crew members must be accompanied by a representative of the Company, State, MSHA and a Representative of the Miners at all times while on mine property. The film footage must include the Company, State and MSHA mine rescue team members. No interviews will be allowed. The command center must be notified when the two (2) member film crew leaves mine property. Appropriate hazard training must be provided prior to this project beginning.

See Continuation Form

Section III--Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>

Section IV--Inspection Data

9. Type of Inspection	10. Event Number				11. Date	Mo	Da	Yr	13. Time (24 Hr. Clock)
FOI	6286065				06 02 10				0745
11. Signature	AR Number								



Section I—Subsequent Action/Continuation Data

1. Subsequent Action	1a. Continuation	2. Dated (Original Issue)	Mo	Da	Yr	3. Citation/Order Number	4642503-50		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	04	05	10					
4. Served To	Charles I. Beane III				5. Operator	Performance Coal Company			
6. Mine	Upper Big Branch Mine - South				7. Mine ID	46	Q	8436	(Contractor)

Section II—Justification for Action

103(K) order number 4642503 is hereby modified to allow this operator to implement a plan entitled "Plan to Severe Belt and Track at USB Silo Portal" submitted to MSHA on 6/2/2010.

See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>

Section IV—Inspection Data

9. Type of Inspection	FOI	10. Event Number	6286065					
11. Signature		AR Number	12. Date	Mo	Da	Yr	13. Time (24 Hr. Clock)	0932
			06	03	10			



Section I--Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) Oct 5 2010	Mo	Da	Yr	3. Citation/Order Number 4642503-51														
4. Served To Jason Whitehead						5. Operator Performance Coal Company														
6. Mine Upper Big Branch Mine - South						7. Mine ID 46-08436- (Contractor)														

Section II--Justification for Action

103 (K) order number 4642503 is hereby modified to allow this company to implement a plan entitled "HG 21-1 addendum #1" submitted to MSHA on June 3, 2010. This plan was discussed with the State and the Representative of the Miners and addresses dilution of methane present at the collar of the HG 21-1 borehole.

See Continuation Form

Section III--Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV--Inspection Data

9. Type of Inspection 909	10. Event Number 6286065	11. Signature [Redacted]	AR Number [Redacted]	12. Date 060310	Mo	Da	Yr	13. Time (24 Hr. Clock) 1635
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Section I--Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 04 05 10	3. Citation/Order Number 4642503-52
4. Served To Elizabeth Chamberlain		5. Operator Performance Coal Company	
6. Mine Upper Big Branch Mine South		7. Mine ID 4608436	(Contractor)

Section II--Justification for Action

103(K) order number 4642503 is hereby modified to allow this company to implement a "Revised Mine Re-Entry Plan" dated June 5, 2010 and presented to MSHA on 06/07/2010 at 0745 hours.

See Continuation Form

Section III--Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV--Inspection Data

9. Type of Inspection EOP	10. Event Number 6286065		
11. Signatures [Redacted]	AR Number [Redacted]	12. Date Mo Da Yr 06 07 10	13. Time (24 Hr. Clock) 0800



Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/> 1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) Mo: 04, Da: 05, Yr: 10	3. Citation/Order Number 4642503-53
4. Served by Christopher Prater	5. Operator Performance Coal Company	
6. Mine Upper Big Branch Mine South	7. Mine ID 46-08436	(Contractor)

Section II—Justification for Action

103(k) order number 4642503 is hereby modified to allow this company to implement a plan entitled "Borehole 40' and 87" submitted to MSHA on May 28, 2010.

See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV—Inspection Data

9. Type of Inspection #09	10. Event Number 6286065		
11. Signatures [Redacted]	AR Number	12. Date 06/08/10	13. Time (24 Hr. Clock) 1125



Section I--Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue)	Mo	Da	Yr	3. Citation/Order Number 4642503-54			
4. Served To Chris Proter					5. Operator Performance Coal Company				
6. Mine Upper Big Branch Mine South					7. Mine ID 46-88436- (Contractor)				

Section II--Justification for Action

103(K) order Number 4642503 is hereby modified to allow this operator to implement a "Re-Entry Plan for Rapid Assessment of Longwall Addendum II" received by MSHA on 6/10/10 and dated by the company on June 9, 2010.

See Continuation Form

Section III--Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV--Inspection Data

9. Type of Inspection FRD	10. Event Number 6286065	AR Number	12. Date	Mo	Da	Yr	13. Time (24 Hr. Clock) 0745
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Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue)	Mo	Da	Yr	3. Citation/Order Number	4642503-55
4. Served To Chris Prater					5. Operator Performance Coal Company		
6. Mine Upper Big Branch Mine-South					7. Mine ID 126-28434 (Contractor)		

Section II—Justification for Action

103 (k) order 4642503 is hereby modified to allow this company to implement a "Re-Entry Plan Upper Big Branch Mine - Addendum I" dated June 11, 2010.

See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV—Inspection Data

9. Type of Inspection	EA09	10. Event Number	6286065
11. Signature	[Redacted]	12. Date	12/11/10
		13. Time (24 Hr. Clock)	0800



Section I—Subsequent Action/Continuation Data

1. Subsequent Action	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue)	Mo	Da	Yr	3. Citation/Order Number	4642503-56
4. Served To	Chris Prater		04		05	10	
5. Operator	Performance Coal Company						
6. Mine	Upper Big Branch Mine-South	Mine ID	46	08436			(Contractor)

Section II—Justification for Action

103(K) order 4642503 is hereby modified to allow this company to implement a "Dewatering (old North Main)" plan dated June 11, 2010.

See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV—Inspection Data

9. Type of Inspection	FD9	10. Event Number	6286065				
11. AR Number		12. Date	Mo	Da	Yr	13. Time (24 Hr. Clock)	0805



Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 04 05 10	3. Citation/Order Number 4642503-57
4. Served To Chris Proter		5. Operator Performance Coal Company	
6. Mine Upper Big Branch Mine - South		7. Mine ID 46-08436	(Contractor)

Section II—Justification for Action

103(K) order number 4642503 is hereby modified to allow this company to implement a "Retraining (Old North Mains)-Addendum I" plan dated June 11, 2010. This plan was presented to MSHA on June 11, 2010 at 1800 hours. This plan was discussed with the Representative of the Miners and a State Representative.

See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date Mo Da Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV—Inspection Data

9. Type of Inspection E009	10. Event Number 6286065
11. Signatory [Redacted]	AR Number 23429
12. Date Mo Da Yr 06 11 10	13. Time (24 Hr. Clock) 1800



Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input checked="" type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 04 05 10	3. Citation/Order Number 4642503-58
4. Served To Chris Prater	5. Operator Performance Coal Company		
6. Mine Upper Big Branch Mine-South	7. Mine ID V46-08436		(Contractor)

Section II—Justification for Action

103(k) order 4642503 is hereby modified to allow this company to implement a "Re-Entry Plan Upper Big Branch Mine-Addendum II" dated June 15, 2010. Verbal approval was provided by MSHA on June 15, 2010 at 1657 hours.

See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date Mo Da Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV—Inspection Data

9. Type of Inspection 509	10. Event Number 6286065	11. Signature [Redacted]	AR Number [Redacted]	12. Date Mo Da Yr 06 16 10	13. Time (24 Hr. Clock) 0630
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Section I--Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 04 05 10	3. Citation/Order Number 4642503-59
4. Served To Dwayne Person	5. Operator Performance Coal Company		
6. Mine Upper Big Branch Mine-South	7. Mine ID 46-089436	(Contractor)	

Section II--Justification for Action

103(K) order number 4642503 is hereby modified to release the Brookville battery powered personnel carrier designated as the "No. 6 Mantrip" from the restriction of the 103(K) order.

See Continuation Form

Section III--Subsequent Action Taken

8. Extended To	A. Date Mo Da Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV--Inspection Data

9. Type of Inspection FOI	10. Event Number	11. AR Number	12. Date Mo Da Yr 06 16 10	13. Time (24 Hr. Clock) 1437
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Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue)	Mo	Da	Yr	3. Citation/Order Number 4642583-60					
4. Served By Chris Prater						5. Operator Performance Coal Company					
6. Mine Upper Big Branch Mine-South						7. Mine ID 46-88436- (Contractor)					

Section II—Justification for Action

103(k) order number 4642583 is hereby modified to allow this company to implement a "Upper Big Branch Re-Entry Plan-Addendum III" dated 16 June, 2010.

See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV—Inspection Data

9. Type of Inspection 509	10. Event Number 6286065	11. Signature [Redacted]	AR Number	12. Date 06/16/10	13. Time (24 Hr. Clock) 1454
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Section I--Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue)	Mo	Da	Yr	3. Citation/Order Number 4642503-61		
4. Served To Chris Prater					5. Operator Performance Coal Company			
6. Mine Upper Big Branch Mine-South					7. Mine ID 46-08436-			(Contractor)

Section II--Justification for Action

103(k) order 4642503 is hereby modified to allow this company to implement a "Upper Big Branch Re-Entry Plan - Addendum IV." Submitted to the Miner Representatives, the State and MSHA on June 18, 2010.

See Continuation Form

Section III--Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV--Inspection Data

9. Type of Inspection FOI	10. Event Number 6286065	11. Signature [Redacted]	AR Number	12. Date	Mo	Da	Yr	13. Time (24 Hr. Clock) 0645
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Section I - Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue)	Mo	Da	Yr	3. Citation/Order Number 4642503-62		
4. Served To Chris Prater					5. Operator Performance Coal Company			
6. Mine Upper Big Branch Mine South					7. Mine ID 146-08436			(Contractor)

Section II - Justification for Action

103(K) order number 4642503 is hereby modified to allow this company to implement a "Re-Entry Plan Upper Big Branch Mine Addendum V" plan dated June 27, 2010 and to acknowledge a "Upper Big Branch 'Re-Entry Plan - Addendum IV, Revised Copy". Both the Addendum V and the Revised Addendum IV were received by the representative of the Mines, the State and MSHA at 0830 hours on June 21, 2010.

See Continuation Form

Section III - Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV - Inspection Data

9. Type of Inspection EXG	10. Event Number 6286065	11. Signature [Redacted]	AR Number	12. Date	Mo	Da	Yr	13. Time (24 Hr. Clock) 0830
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Performance Coal Company

P.O. Box 69

Naoma, WV

25140

Phone: 304.854.3401 Fax 304.854.3412

June 21, 2010

Mr. [REDACTED]
Mine Safety and Health Administration
100 Bluestone Road
Mount Hope, WV 25880

Mr. [REDACTED]
WVOMHS&T
142 Industrial Drive
Oak Hill, WV 25901

Re: Performance Coal Company
Upper Big Branch Mine
MSHA ID: 46-08436
State ID: U-3042-92
Re-Entry Plan Upper Big Branch Mine – Addendum V

[REDACTED]
6/21/2010
08:30 hrs

Dear Sir,

Performance Coal Company is requesting permission to allow for removal of SCSR units from the most outby existing storage caches in the Upper Big Branch Mine. This storage unit is located at break 60 of North Mains. All units removed will be from locations outby the Ellis Switch. Removal of these units is necessary to allow the company to implement Addendum IV of the Upper Big Branch Mine Re-Entry Plan. Mine rescue members will log the number and location of each unit that is removed from the storage location.

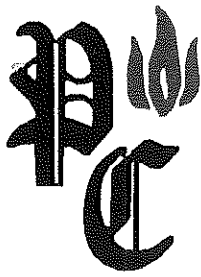
If you have any questions or concerns feel free to contact me at (304) 854-3401.

Respectfully Submitted,

On Behalf of Performance Coal Company

[REDACTED]

Cc: Miners Representative



Performance Coal Company

P.O. Box 69

Naoma, WV

25140

Phone: 304.854.3401

Fax 304.854.3412

June 18, 2010

Mr. [REDACTED]
Mine Safety and Health Administration
100 Bluestone Road
Mount Hope, WV 25880

Mr. [REDACTED]
WVOMHS&T
142 Industrial Drive
Oak Hill, WV 25901

Re: Performance Coal Company
Upper Big Branch Mine
MSHA ID: 46-08436
State ID: U-3042-92
Upper Big Branch Re-Entry Plan – Addendum IV Revised Copy

[REDACTED]
6/21/2010
0800 hrs

Dear Sir,

Performance Coal Company is requesting a modification to the currently approved Upper Big Branch Re-Entry Plan. This modification will affect explorations in Zones 8 – 10. Explorations have been conducted in Zones 1-7 with conditions that have permitted bare-faced explorations. The headgate and tailgate entries, including the longwall face, have also been evaluated up to 1,000 feet inby the longwall face during the Rapid Examination of the Longwall Area phase. The examinations of these areas have also yielded atmospheres capable of being explored under bare-faced explorations. Furthermore sampling results from Borehole 21-2, and the Bandytown fan have indicated that atmospheres are capable of being explored with bare-faced team members.

- Zones 8 – 10 shall be examined with teams leaving their mine rescue apparatus at stations near the Fresh Air Bases established previously at the longwall face, on the headgate and tailgate entries, depending on their examination route. These Fresh Air Bases are established near longwall push up stations 55+00.

Headgate Tailgate Examination (Zone 9)

- All team members (exploration, and backup) shall carry 2 one hour approved SCSR's while exploring inby the longwall face in Zone 9. Should conditions permit each exploration team member shall drop one of their SCSR's at phone location #57 to establish a temporary cache for explorations inby this location.

Tailgate Headgate Examinations (Zone 8)

- All team members (exploration, and backup) shall carry 2 one hour approved SCSR's while exploring inby the longwall face in Zone 8. Each exploration team member shall drop one of their SCSR's at phone location #43 to establish a temporary cache for explorations inby this location. Each backup team member shall drop one of their SCSR's at phone location 47 for explorations inby this location in Zone 10.

Zone 10

- Teams shall carry a one hour approved SCSR during explorations of the Zone 10 area.

Should conditions be found that indicate atmospheres of less than 19.5% Oxygen, or greater than 25 50 PPM CO teams shall immediately retreat to the last established phone location and report the readings to the command center.

Teams shall explore Zones 8 – 10 at the direction of the command center according to conditions as found in the mine.

The Fresh Air Base shall be advanced in 1,000' intervals.

All previously approved plan safety precautions will be followed during explorations of zones 8-10.

If you have any questions or concerns feel free to contact me at (304) 854-3402.

Respectfully Submitted,

On Behalf of Performance Coal Company



Cc: Miners Representative



Section I—Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) 04/05/10	Mo 04	Da 05	Yr 10	3. Citation/Order Number 4642503-03			
4. Served To Chris Prater					5. Operator Performance Coal Company				
6. Mine Upper Big Branch Mine-South					7. Mine ID 46-08436- (Contractor)				

Section II—Justification for Action

103(K) order number 4642503 is hereby modified to allow this company to implement a "Upper Big Branch Re-Entry Plan Addendum II" plan presented to MSHA on 6/23/2010 at 0745 hours. A copy of this plan was also presented to the representatives of the Miners and the State.

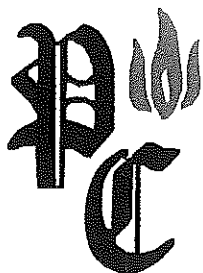
See Continuation Form

Section III—Subsequent Action Taken

8. Extended To	A. Date	Mo	Da	Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV—Inspection Data

9. Type of Inspection 509	10. Event Number 6286065	11. Date	Mo 06	Da 23	Yr 10	13. Time (24 Hr. Clock) 0745
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Performance Coal Company

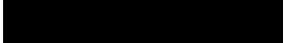
P.O. Box 69


Naoma, WV

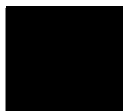
25140

Phone: 304.854.3401 Fax 304.854.3412

June 23, 2010

Mr. 
Mine Safety and Health Administration
100 Bluestone Road
Mount Hope, WV 25880

Mr. 
WVOMHS&T
142 Industrial Drive
Oak Hill, WV 25901



Q-145
6/23/2010

Re: Performance Coal Company
Upper Big Branch Mine
MSHA ID: 46-08436
State ID: U-3042-92
Upper Big Branch Re-Entry Plan Addendum VI

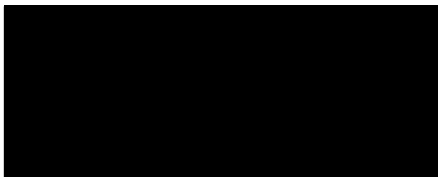
Dear Sir,

Performance Coal Company is requesting permission to implement the attached plan for ventilation of the 8 North, 22 Headgate, and 22 Tailgate Areas. Explorations are completed, to the extents possible in these areas. Safety precautions and a ventilation map are attached.

If you have any questions or concerns feel free to contact me at (304) 854-3402.

Respectfully Submitted,

On Behalf of Performance Coal Company



Cc: Miners Representative

Safety Precautions

Upper Big Branch Re-Entry Plan Ventilation of 8 North, 22 Headgate, and 22 Tailgate

General Safety Precautions

- All work shall be done at the direction of the command center.
- All work shall be done by mine rescue team members.
- Prior to ventilation of any area, a pre-shift style examination shall be conducted in the projected work area for the day.
- Mine Rescue team members shall be permitted to clear a path for battery operated equipment as to allow for sufficient supplies to be delivered to the mouth of 22 Headgate. Prior to removing any object, the area shall be called out to the command center, mapped, and photographed.
- Ventilation controls shall be established utilizing pogo sticks, lock-in-loads, and brattice cloth.
- All members shall carry a 1 hour approved SCSR. Caches of SCSR shall be established as outlined below.
- Should conditions be found that indicate atmospheres of less than 19.5% Oxygen, or greater than 25 PPM CO teams shall immediately retreat to the last established phone location outby the location of the reading and report the readings to the command center.
- Should sampling results from the Bandytown Fan location or borehole 21-2 indicate atmospheres of greater than 0.5% CH₄, oxygen levels below 20.0%, or CO levels in excess of 5 ppm the command center shall be notified immediately, and teams will be withdrawn from the mine.
- Teams shall be permitted to retrieve additional rescuers from outby storage caches. These rescuers shall be retrieved from the most outby storage location, and shall be logged by serial number and location prior to removal.
- Any deviation from the planned location for temporary controls shall be placed on the team map, and the command center shall be notified.

Stage I: Headgate 22

- Examinations of the temporary ventilation controls previously established shall be made while advancing in Headgate 22. Teams shall report their conditions to the command center. No repairs of the temporary controls are permitted without the proper approvals from the command center.
- Ventilation controls A, and B will be removed.
- Temporary controls will be constructed, as conditions allow in the mine, as shown on the attached map. Should conditions prohibit controls to be placed between the #1 and #2 entries, controls shall be constructed, as to ventilate the face area.
- After completion of the ventilation controls as shown on the attached map, the exhausting fan located at borehole location 1B will be removed from service, to facilitate the installation of the Tygon tubing.
- Flexible tubing shall be lowered down borehole 1B, and extended to the furthest point of advance, as conditions allow in the mine, for the purpose of allowing future pre-shift examinations.

- Team members shall establish an SCSR Cache at phone location 71 in the North Glory mains. This storage cache shall be established so that there are an adequate number of SCSR units for every person working inby this location.
- A team member shall monitor the return air course at all times during ventilation of the area. This team member shall immediately notify the working teams, and the command center should methane levels exceed 2% in the return air course.
- Any area where victims were recovered from the mine shall be decontaminated with a 10% Clorox solution by team members.

Stage II: 8 North Area

- Team members shall construct stopping I, at break 130 of the North Glory Mains.
- Stopping K shall be removed.
- Temporary controls C, D, E, F and G shall be constructed next.
- Temporary controls will be constructed, as conditions allow in the mine, as shown on the attached map. Should conditions prohibit controls to be placed between the #3 and #4 entries, controls shall be constructed, as to ventilate the face area.
- After all controls have been established at a point inby the temporary seals location, the exhausting fan located at borehole location 2B will be removed from service, to facilitate the installation of the Tygon tubing.
- Flexible tubing shall be lowered down borehole 2B, and extended to the furthest point of advance, as conditions allow in the mine, for the purpose of allowing future pre-shift examinations.
- Control H will be installed at the direction of the command center.
- All controls previously built near break 130 shall be evaluated and repaired at the direction of the command center.
- The storage cache previously established at phone location 71 shall remain in place for operations in the 8 North Area.
- A team member shall monitor the return air course at all times during ventilation of the area. This team member shall immediately notify the working teams, and the command center should methane levels exceed 2% in the return air course.

Stage III: Tailgate 22

- Temporary controls will be constructed, as conditions allow in the mine, as shown on the attached map. Should conditions prohibit controls to be placed between the #1 and #2 entries, controls shall be constructed, as to ventilate the face area.



Section I--Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 04 05 10	3. Citation/Order Number 4642503-64
4. Served To Chris Proter		5. Operator Performance Coal Company	
6. Mine Upper Big Branch Mine - South		7. Mine ID 146-08436	(Contractor)

Section II--Justification for Action

103(K) order number 4642503 is hereby modified to allow this operator to implement a "Power Installation Plan - Upper Big Branch Mine" submitted to MSHA on June 24, 2010. A copy of this plan was also presented to the Representative of the Mines and State Representatives.

See Continuation Form

Section III--Subsequent Action Taken

8. Extended To	A. Date Mo Da Yr	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV--Inspection Data

9. Type of Inspection [Redacted]	10. Event Number 0286005		
11. Signature [Redacted]	AR Number [Redacted]	12. Date Mo Da Yr 06 24 10	13. Time (24 Hr. Clock) 1500



Section I--Subsequent Action/Continuation Data

1. Subsequent Action <input checked="" type="checkbox"/>	1a. Continuation <input type="checkbox"/>	2. Dated (Original Issue) Mo: 06, Da: 05, Yr: 10	3. Citation/Order Number 4642503-65
4. Served To Chris Prater	5. Operator Performance Coal Company		
6. Mine Upper Big Branch Mine South	7. Mine ID 46-08436		(Contractor)

Section II--Justification for Action

103(K) order 4642503 is hereby modified to allow this company to implement a "Investigation Plan for 6/25/2010" submitted to MSHA on 6/24/2010 @ 1542 hours. This plan is approved for use on 6/25/2010 only and will be null and void after the joint investigation team exits the mine on 6/25/2010. This plan was discussed with the Representatives of the Miners. A full re-entry plan for subsequent dates must be submitted by 12:00 hours on 6/25/2010.

See Continuation Form

Section III--Subsequent Action Taken

8. Extended To	A. Date Mo: , Da: , Yr:	B. Time (24 Hr. Clock)	C. Vacated <input type="checkbox"/>	D. Terminated <input type="checkbox"/>	E. Modified <input checked="" type="checkbox"/>
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Section IV--Inspection Data

9. Type of Inspection 509	10. Event Number 6286065	11. Signature [Redacted]	AR Number [Redacted]	12. Date Mo: 06, Da: 29, Yr: 10	13. Time (24 Hr. Clock) 1545
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Section I--Subsequent Action/Continuation Data

1. Subsequent Action 1a. Continuation <input checked="" type="checkbox"/> <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr 04/05/2010	3. Citation/ Order Number 4642503 - 69
4. Issued To Wayne Persinger Mine Manager	5. Operator PERFORMANCE COAL COMPANY	
6. Mine UPPER BIG BRANCH MINE-SOUTH	7. Mine ID 46-08436	(Contractor)

Section II--Justification for Action

Change	From	To
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8. Condition Or Practice

Reason Change the condition or practice to allow the removable of equipment from the Ellis portal.

This modification is being made to allow for only the removable of the two Jitney personnel carriers, company number 2 serial number 8259 and company number 12 serial number UBB-12 through the Ellis portal. Per request received from Performance Coal Company on June 27, 2010. Removal of these two mantrips shall only take place under the direct supervision of an Authorized Representative of MSHA. If these two mantrips can not be removed under their own power a plan shall be submitted for approval before any other extraction efforts of the above mentioned equipment is made.

See Continuation Form

Section III--Subsequent Action Taken

8. Extended To	A. Date Mo Da Yr	B. Time (24 Hr. Clock)	<input type="checkbox"/> C. Vacated	<input type="checkbox"/> D. Terminated	<input checked="" type="checkbox"/> E. Modified
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Section IV--Inspection Data

9. Type of Inspection E06	10. Event Number 4440347	
11. AR Number	12. Date Mo Da Yr 06/28/2010	13. Time (24 Hr. Clock) 1130