

U. S. Department of Labor

Mine Safety and Health Administration
100 Bluestone Road
Mount Hope, WV 25880-1000



FEB 22 2008

Mr. Chris Blanchard, Pres.
Performance Coal Company
P O Box 69
Naoma, West Virginia 25140

Dear Mr. Blanchard:

Subject: Mine Ventilation Plan, Section 75.335(b)(1), 30 CFR 75, Upper Big Branch Mine, ID No. 46-08436, Performance Coal Company, Montcoal, Raleigh County, West Virginia.

This will acknowledge receipt of your letter, received February 21, 2008, requesting an extension on the specified time requirements of the recently denied alternative protocol plan for ingassing sealed areas. The extension was requested to allow additional time for Dr. Andrzej Wala to conduct a ventilation survey of the mine and to acquire data. Your request has been considered and an additional 2-week extension is granted. Please submit your revised plan no later than 2-weeks from receipt of this letter.

Should you have any questions concerning this matter, please contact Joseph C. Mackowiak at (304) 877-3900/Ext. 115.

Sincerely,

/s/ ROBERT G. HARDMAN

Robert G. Hardman
District Manager
Coal Mine Safety and Health, District 4

cc: Mount Hope Field Office
Inspector
Field Office Supervisor
Files/sbg

Initials

sbg
2/22

Date

STANDARD OPERATING PROCEDURE

10 or Priority
Mail
Years

U. S. Department of Labor

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Sincerely,

A handwritten signature in cursive script that reads "Robert G. Hardman".

Robert G. Hardman
District Manager
Coal Mine Safety and Health, District 4



Performance Coal Company

P.O. Box 69

Naoma, WV

25140

Mr. Robert Hardman
MSHA
100 Bluestone Road
Mount Hope, WV 25880

Re: Performance Coal Company, Inc.
Upper Big Branch Mine
MSHA ID: 46-08436
Mine Ventilation Plan – 30 CFR 75.3335(b)(1)

Dear Mr. Hardman,

Performance Coal Company, Inc, is respectfully requesting an extension on the specified time requirements of the recently denied alternative protocol plan for ingassing sealed areas submitted to your office for the Upper Big Branch Mine. The request is for an additional 14 days to acquire data from Dr. Andrzej M. Wala at the University of Kentucky. Dr. Wala has been conducting a ventilation and pressure survey of the mine and currently has not provided us with his findings. Performance Coal Company, Inc. wishes to take Dr. Wala's findings into consideration prior to developing an effective means to evaluate the atmosphere of the sealed areas. The results of the ventilation survey will prove an invaluable tool in considering our approach to maintain compliance with the ETS. Once these findings can be taken into consideration, a revised plan will be submitted to your office for achieving and maintaining compliance with the Emergency Temporary Standard.

Should you have any questions concerning this matter, please contact me at your convenience.

Respectfully submitted,
Performance Coal Company, Inc.

Chris Blanchard
President

Cc: Joseph Mackowiak
Bill Ross