

U. S. Department of Labor

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



SEP 05 2008

Mr. Chris Blanchard
President
Performance Coal Company
P. O. Box 69
Naoma, WV 25140

Denial

Dear Mr. Blanchard:

Subject: Mine Ventilation Plan, Section 75.370, 30 CFR 75, Upper
Big Branch Mine - South, I.D. No. 46-08436, Performance
Coal Company, Montcoal, Raleigh County, West Virginia

This will acknowledge receipt of a revision to the ventilation plan, submitted to this office and dated August 1, 2008, requesting to make a proposed ventilation change that will change the airflow direction in a portion of the Parallel North Mains and the old Unit #2 working section. The revision is shown on a portion of the mine map, dated August 1, 2008, and submitted with the request.

The revision cannot be approved as submitted and is hereby denied. Please refer to the attached copy of the submittal map which has been marked-up with corrections and comments that need addressed prior to re-submittal.

Should you have any questions concerning this matter, please contact the Ventilation Department at (304) 877-3900/Ext. 142.

Sincerely,

ROBERT G. HARDMAN

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

Cc: Mt. Hope Field Office (3 incl.)
Files/nlc

SUPERVISORY ACKNOWLEDGEMENT

Initials

RLH a/c/08
gm 9/4

Date



SEP 05 2008

Mr. Chris Blanchard
President
Performance Coal Company
P. O. Box 69
Naoma, WV 25140

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Sincerely,

A handwritten signature in black ink, appearing to read "Robert G. Hardman", is written over a horizontal line.

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



Performance Coal Company

P.O. Box 69

Naoma, WV

25140

August 1, 2008

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

MSHA Copy

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

Dear Sir:

Please find the enclosed ventilation revision for your review and approval. This plan is to change the airflow direction in Parallel North Mains panel and the old Unit #2 working sections to the right of Parallel North Mains. The attached map shows the direction the air will flow after this revision has been completed.

Also, it appears the airtype will be changed in several areas-address

This mine currently has no miner's representative. If you have any questions or comments, feel free to contact me at (304)854-3516.

in letter!

Respectfully Submitted,
Performance Coal Company, Inc.

Eric Lilly

Eric Lilly
Mine Engineer

MSHA
MOUNT HOPE, WV

AUG 04 2008

RECEIVED
VENTILATION