U. S. Department of Labor

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

JUL 0 1 2009

DENIAL

Mr. Chris Blanchard
President
Performance Coal Company
POB 69
Naoma, WV 25140

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, dated June 08, 2009, received by MSHA on June 10, 2009, for the subject mine. The revision requests to show the ventilation scheme for the future long wall mining and ventilation for gate road entries, cross over entries, and bleeder entries; shows the installation of a bleeder fan for the proposed Northern district bleeder system; shows the ventilation changes in the Old North Mains and Parallel North Mains areas when the bleeder fan installation is complete as shown on two (2) phase portions of the mine map, dated June 02, 2009, and submitted with the request.

The revision, as submitted, cannot be approved and is hereby denied. Please refer to the attached marked-up copy of the revision map and narrative, which notes the deficiencies found upon review.

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

Performance Coal Company
P.O. Box 69 Naoma, WV 25140

June 08, 2009

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

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

Dear Sir:

Attached for your review and approval is a revision to Performance Coal Company's, Upper Big Branch Mine (46-08436).

This revision consists of two phases.

Phase one depicts the ventilation scheme during the development of the proposed Northern District coal reserves for further longwall mining and the proposed ventilation for gateroad entries, cross over entries, and bleeder entries. Also depicted in phase one is the activation of the bleeder fan for continued development and anticipated air flow directions and quantities, prior to the retreat mining of the No. 1 North Longwall Panel.

Phase two depicts the ventilation scheme for further development of the Northern Districts and the start-up and activation of the No. 1 North Longwall Panel, the establishment of bleeder evaluation check points along the active longwall face (MP's and EP's) and the surface EP at the top of the Bleeder return shaft.

Also attached is a description of the Northern District Longwall Bleeder System as shown on the Line Diagram Map and proposed evaluation and maintenance of the bleeder system. A typical face sketch has also been included.

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

Respectfully Submitted,
Performance Coal Company, Inc.

Eric Lilly

Eric Lilly
Mine Engineer

MSHA COPY

MSHA
MOUNT HOPE WV
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VENTILATION

Northern District Longwall Bleeder System

The overall bleeder system for the Northern District will consist of a total of five longwall panels. The panel lengths vary due to the lay of the coal reserves.

The bleeder design and panel development layout typically utilizes four-entry gateroads. Bleeder entries are developed across the back-end of each longwall panel, separate from the longwall set-up entries. This design allows for proper evaluation of individual panels.

The ventilation of the initial longwall panel and the subsequent panels in this district will direct air through the headgate entries, across the longwall face, into the tailgate entries, and then into the bleeder entries. The air will exit out of the bleeder entries at the bleeder return airshaft.

Water Control:

The water in the Northern District will be controlled by natural drainage and dewatering systems currently in place in the mine. Water in the bleeder entries and gateroads will be pumped to a central location within the district and removed from the mine via deep-well turbine pumps.

Roof Control:

The immediate and main mine roof will be supported in accordance with the approved roof control plan. Additional supplementary roof support, which may consist of cribs, jacks, post, propsetters or other approved roof support material, will be installed in the bleeder entries as necessary to maintain these airways throughout the life of the bleeder system.

Bleeder System Evaluation:

The bleeder system is designed to maintain positive ventilating pressure against the gob while providing an adequate quantity and quality of air to the longwall face. This system will allow for effective ventilation of the gob area as each panel is mined and to prevent and minimize methane accumulation within the bleeder system. As the air exits the longwall face and enters the tailgate it will split and the air will travel inby into the gob and outby for at least one crosscut before entering the bleeder system.

Bleeder evaluation checkpoints, Evaluation Points (EP's), and Monitoring Points (MP's), will be established and maintained within the bleeder system district as each longwall panel is completed. EP's and MP's will be established in the headgate and tailgate entries of the retreating longwall face, to assure proper air flow quality and quantity. These checkpoints will be located inby on the headgate side and outby on the tailgate. During mining the EP's LW - 1 and LW - 2 and MP's A and B will move outby as the longwall face advances (See Typical Longwall Face Sketch).

MP's will also be established along the headgate entries, starting at the set-up face and at intervals of approximately 2,000 feet. These MP's will become active once the longwall face passes by the pre-established points (See Longwall Bleeder Map). These MP's will assure proper airflow inby the longwall face headgate entries. These points

* Additional Safety Precautions is Required for All longwall mining. If methane Levels increase 1 percent or more AT an EP between weekly examinations, then management shall immediately evaluate the entire bleeder system to increase its effectiveness & To maintain safe methane levels.

will be established on each consecutive longwall panel and will remain part of the bleeder system evaluation and will be examined on a weekly basis, until the active panel is completed.

As each longwall panel is completed, bleeder evaluation check points will be established in the existing gateroads just outby the longwall recovery face. Stoppings and regulators will be installed in the entries and adjusted for proper airflow direction and quantity. EP's will also be established at the back end of each active and mined out longwall panel as the district is developed. These EP's will be examined weekly for proper airflow direction, air quality, air quantity, and methane and oxygen content. The information obtained during the weekly exam shall determine the effectiveness of the bleeder system. EP's are located at strategic locations to allow a thorough review and evaluation of the bleeder system. The locations of these points are shown on the Line Diagram Map.

Additional intake air to assist in the dilution of methane gas being liberated along the longwall face during mining will be supplied from the belt entry. This additional air quantity will also help remove respirable rock and coal dust away from the longwall face. The belt air will be monitored and comply with 30 CFR 75-350. Pyatt Boone (Model 980A and 1703 or equivalent) CO monitors will be installed to comply with 30 CFR 75-351.

Proposed and estimated air quantities are shown on the accompanying maps. Once the bleeder fan is activated, and proposed ventilation controls are installed and/or removed an evaluation of the bleeder system's Northern District will be conducted to assure intended airflow direction and air quantities.

All phases need a STATEMENT that only 2 phase must be operational at one time.

Add WARRATIVE for All ventilation changes To be Added To plan. STATE whom changes ARE To Go in effect AFTER bleeder Fan is STARTed.

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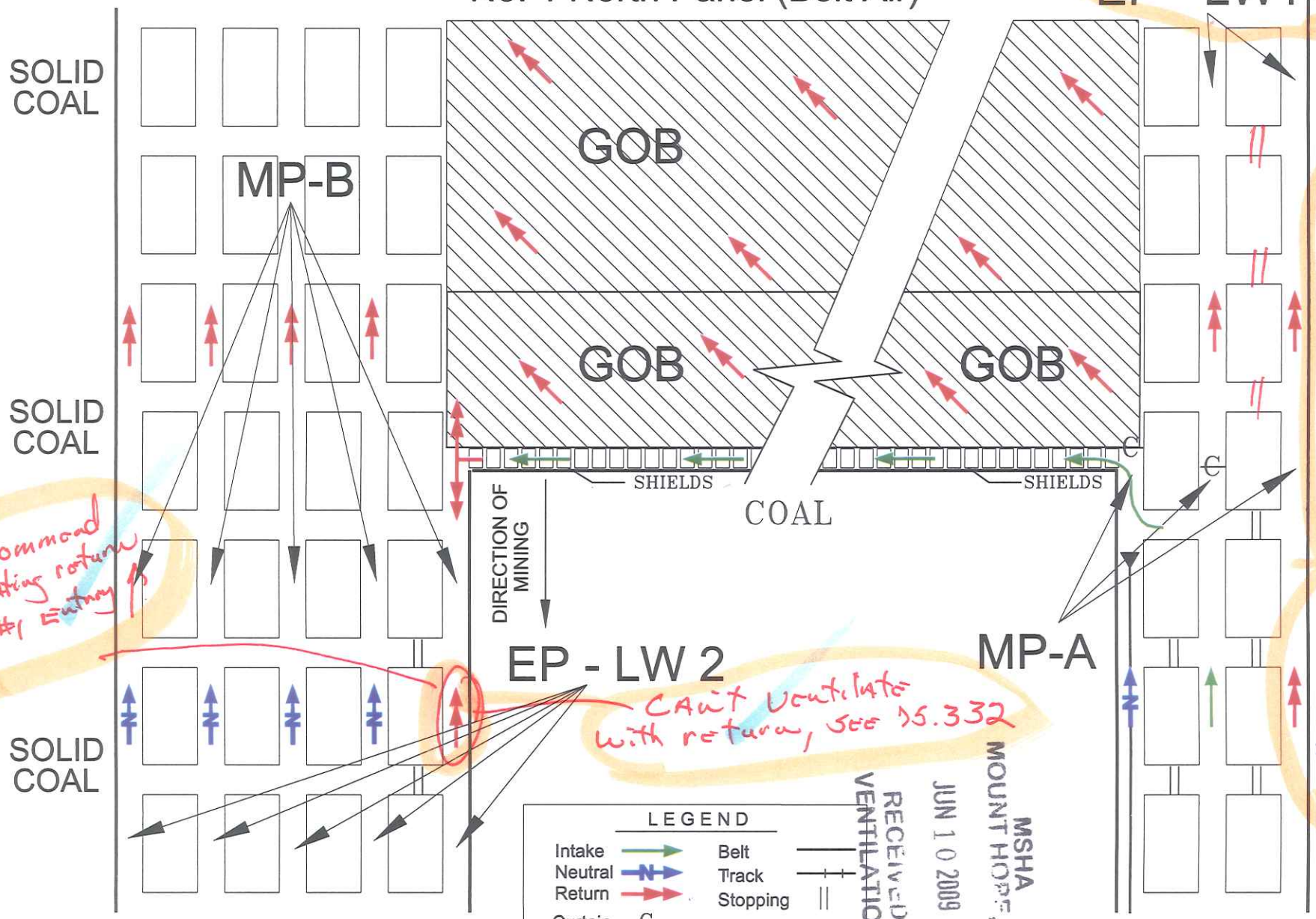
Add Another FACE sketch Showing 4 GATE entrys

STATE STOPPINGS To be Left intact To SEPARATE Active section Return from longwall Gob Also will provides SEPARATION from #1 WALL Gob from #2 WALL Gob.

TYPICAL LONGWALL FACE VENTILATION
Performance Coal Company
Upper Big Branch Mine 46-08436 (U-3042-92)
No. 1 North Panel (Belt Air)



Also need face sketch with 4 Gate Entry's for North Bleeder system

Show Leaving Stoppings in place for Return from Section 028-0 030-0 separate To Fan

Recommend Isolating return To #1 Entry

Can't Ventilate with return, see 75.332

To comply with 75.334 when mining #2 Panel

U. S. Department of Labor

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100 Bluestone Road
Mount Hope, WV 25880-1000

Denial

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President
Performance Coal Company
POB 69
Naoma, WV 25140

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Sincerely,

/s/ ROBERT G. HARDMAN

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

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

SUPERVISORY ACKNOWLEDGEMENT

LEC/RJH 6/30/09

Initials JH 6/29 Date