

U. S. Department of Labor

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



SEP 29 2006

Mr. Graig Boggs
President
Performance Coal Company
P. O. Box 69
Naoma, WV 25140

Dear Mr. Boggs:

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 September 4, 2006, requesting to permanently seal the Jarrell's Branch longwall bleeder and gob, in lieu of driving additional entries to access the location of four (4) evaluation points located behind the mined-out longwall Panel 15A and 16A, as per a previous revision approved by letter dated August 8, 2006. The revision shows the location and sequence of seals to be constructed and the proposed ventilation change to take place once the seals are complete. The seals are proposed to be solid concrete block constructed as per Section 75.335(a)(1). The revision is shown on two (2) portions of the mine map, labeled Map No. 1 and Map No. 2, dated September 22, 2006, and submitted with the revision request.

This revision is hereby approved and will be made a part of the approved plan for this mine. This approval is limited to the requested change as described in the submittal letter and shown on the map.

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

Sincerely,

/s/ ROBERT G. HARDMAN

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

SUPERVISORY ACKNOWLEDGEMENT
Initials BR
Date 9-29-06



Performance Coal Company

P.O. Box 69

Naoma, WV

25140

September 4, 2006

Mr. Robert G. Hardman
Acting District Manager
Mine Safety and Health Administration
100 Bluestone Road
Mt. Hope, West Virginia 25880-0112



RE: Performance Coal Company - Upper Big Branch Mine-South
Federal I.D. 46-08436, State I. D. U-3042-92 – Ventilation Plan

Dear Mr. Hardman:

Performance Coal Company, Upper Big Branch Mine-South (ID 46-08436), is requesting approval to permanently seal the remaining longwall gob and bleeder. This is to be done in lieu of driving additional entries to access four EP's behind the longwall. Attached are two maps of a portion of the mine showing the locations of the proposed thirty two (32) underground seals. The first map shows the ventilation as is but with the 23 "A" seals already built. These seals will not affect ventilation. The second map shows the proposed changes to be made after completion of the "B" seals and while the remaining seal is being built. This change will change the ventilation in North Mains and along the entire main entries to make North Mains sweep ventilation with air going from right to left. The return will be directed past the newly built seals and directed to the outside.

The underground seals will be constructed in accordance with 75.335a1.

Seals are numbered sequentially from south to north and then to the west. Seals with a designation of (A), can be built at any time and in any order. Seals with a designation of (B), can be built at the same time as the adjacent seals with an opening left in the seal equivalent to the size of the EP opening at that location such that the EP can continue to take at least the same amount of air that was flowing through it prior to that seal being started. The seal with the designation of (C), will be partially built when the (a) seals are built. After completion of the (B) seals, seal (C) will be completed as the North Mains air change is started. When this ventilation change takes place, no one will underground except those assisting with the change in accordance with 75.324.

The stoppings just outby seals 1 through 5 in the #1 entry on the mains will be removed prior to the building of seals 1 through 4 to avoid creating a dead air space.

The Jarrell's Branch fan and the main portal fan will be cut back as the (b) seals are completed. When the underground seals have been completed, the Jarrell's Branch fan will be removed and the top of the shaft will be sealed with a 6" reinforced concrete cap. This work will be completed within 60 days of the seal completion. After the fan housing is removed, a steel plate will be put over the shaft and secured until the seal capping is started.

The Jarrell's Branch and West Fork vertical turbine pumps will continue to operate after the seals are completed. The water level control bubbler systems on these pumps will be adjusted so that when each pump cuts off at its low level setting, the water at the bottom of the pump will be roofed. The vertical turbine pump in the HG 15 longwall gob will be removed and the borehole will be grouted to the surface.

Several boreholes for power and water monitoring have been drilled into the mine. All but one of these holes have been cemented from 10' above the eagle coal seam to the surface. The one hole that remains open will be cemented to the surface when sealing is completed. The hole that is not grouted, will be grouted after seals are completed. Any grouted holes with exposed casing on the surface will be cut off at or near ground level and grouted over the end of the casing so that it is not exposed.

Areas inby and outby each seal will be well rockdusted for a distance of 200'. Accessible areas inby each seal for 1000' will be checked for any material that could be considered a projectile and it will be removed. All conductive objects at the seal location will be removed. After seals are completed, and updated map with new air readings will be submitted to MSHA no more than 2 weeks after seals are completed. The mine management person responsible for seeing that the seals are built correctly will be Wendell Wills.

Performance Coal is committed to completing the seals in a timely manner and will be worked on continuously on work days. We have hired a contractor who will provide 8 workers and a foreman who is experienced and trained in the building of conventional seals.

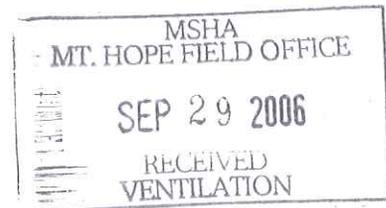
Construction of the "A" seals will start on September 27, 2006. It is also estimated that it will take nine (9) manshifts to build each seal equating to 1 seal every 1.5 days. With this schedule, the first 10 seals should be completed by October 17th. The next ten should be completed by November 7th. The last three "A" seals and what portions of the "B" seals that can be built without affecting ventilation should be completed by November 28th. Completion of the "B" seals, making the ventilation change in North Mains and the building of the "C" seal should be completed by December 6th. MSHA will be given regular updates on the work progress, no less often than every 2 weeks.

All EP's will be examined daily except for the ones at the mouth of Headgate 15 and Headgate 16. These two EP's will be examined every shift. If the quantity or quality of air at any EP changes significantly, immediate steps will be taken to determine the cause of the change and it will be corrected before work commences.

The North Mains section will not produce coal during the seal construction.

This sealing plan with the maps will be posted at the mine. All persons involved in the sealing process will be trained on the plan contents and the training records maintained at the mine.

Your timely review and approval of this revision would be greatly appreciated. If you have any questions, or require further information, please call me at (304) 854-1761.



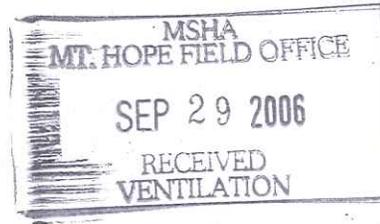
Respectfully Submitted,

George Boggs for

Craig Boggs
President
Performance Coal Co.

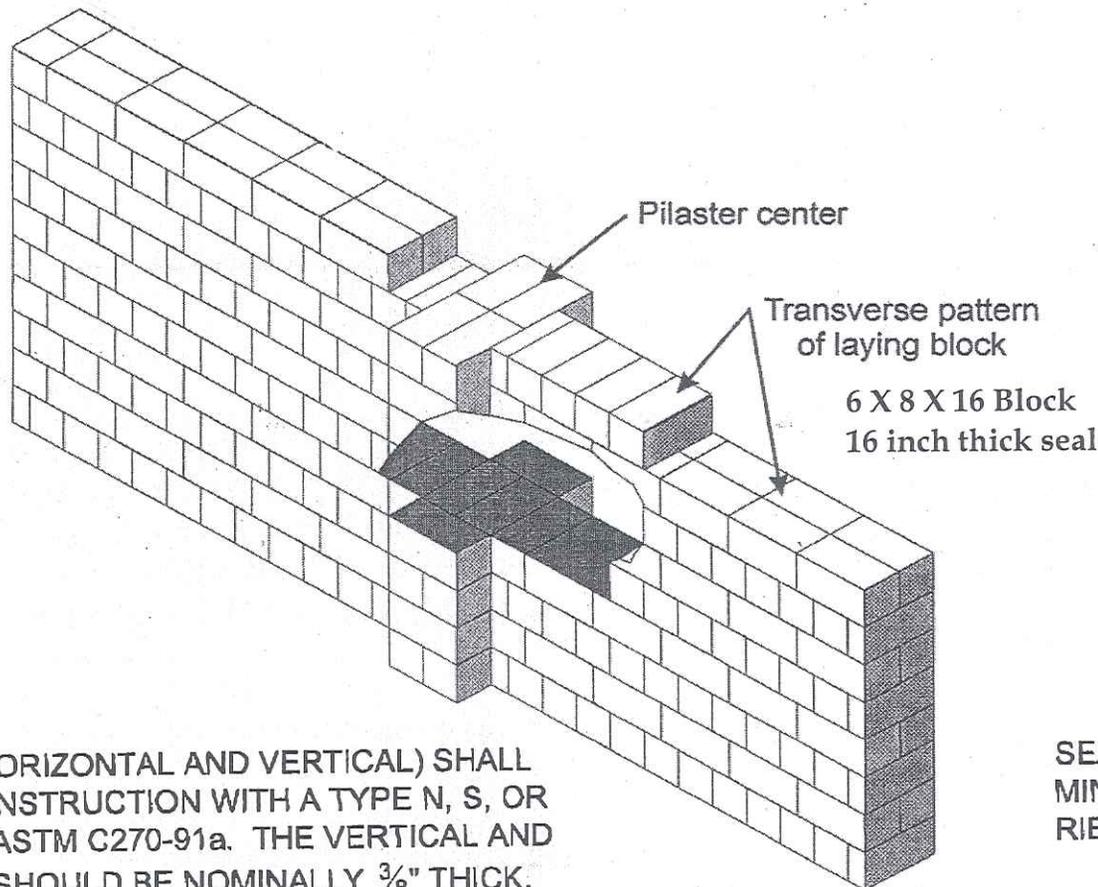
MSHA
MT. HOPE FIELD OFFICE
SEP 29 2006
RECEIVED
VENTILATION

SEAL TO BE HITCHED A MINIMUM OF 4" IN THE FLOOR AND RIBS.



EACH SET OF SEALS WILL BE PROVIDED WITH ADEQUATE SIZE WATER TRAP(S) AND AIR SAMPLING TUBE

SEAL SHALL BE COATED ON ALL ACCESSIBLE SURFACES WITH A FLAME RETARDANT MATERIAL THAT HAS A FLAME SPREAD INDEX OF 25 OR LESS



INTERLOCKED PILASTER OF MINIMUM 16" X 32" SIZE

SEAL MAY BE BUILT 24" OR MORE IN THICKNESS WITHOUT A PILASTER

ALL BLOCK JOINTS (HORIZONTAL AND VERTICAL) SHALL BE FULL WET-BED CONSTRUCTION WITH A TYPE N, S, OR M MORTAR MEETING ASTM C270-91a. THE VERTICAL AND HORIZONTAL JOINTS SHOULD BE NOMINALLY $\frac{3}{8}$ " THICK, NOT TO EXCEED $\frac{5}{8}$ " OR LESS THAN $\frac{1}{4}$ " IN THICKNESS

SEAL TO BE SET BACK A MINIMUM OF 10' FROM THE RIB (BLOCK) CORNER

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President
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Sincerely,

A handwritten signature in cursive script, reading "Robert G. Hardman", is written over a horizontal line.

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