U. S. Department of Labor

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

APR 12 2007

Mr. Chris Blanchard
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 March 28, 2007, describing the procedures and safety precautions to be implemented in order to seal the Jarrell's Branch return shaft. The shaft is to be backfilled and then capped with a 12" thick, reinforced concrete, slab that will be placed on the shaft collar when backfilling is complete.

This revision is hereby approved and will be made a part of the approved plan for this mine. This approval is limited to the shaft filling procedure and the safety precautions to perform the sealing as described in the submittal letter.

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
District Manager
Coal Mine Safety and Health, District 4

SUPERVISORY ACKNOWLEDGEMENT
BR 4-12-07
Initials
RC 4/12/07 Date

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Sincerely,

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

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

March 28, 2007

Mr. Robert G. Hardman
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 – Shaft Sealing Plan

Dear Mr. Hardman:

The sealing of the Jarrell's Branch return air shaft was part of our approved plan for the sealing of the current of Upper Big Branch Mine longwall bleeder. We wish to proceed with the sealing of the air shaft in the near future and therefore are submitting a shaft sealing plan for your approval. Our currently approved plan call for putting a minimum 6" thick concrete cap on the shaft with a vent pipe. We now plan to backfill the air shaft at this time rather that just cap it.

The shaft sealing procedure and precautions will be posted conspicuously at the work site. No smoking or open flames will be allowed in the work area. No smoking and no open flame signs will be posted conspicuously at the work site. All work performed will be supervised by a certified foreman.

After removal of the fan housing and prior to backfilling, the shaft opening will be completely covered with a substantially constructed metal plate. The metal plate will also be placed over the shaft collar when backfilling is not in progress.

Our planned procedure is to fill the approximate first 50' of the bottom of the shaft with incombustible, inert material. Following that, approximately 12" of concrete will be poured on top of the 50' fill. Once the concrete sets up, the remainder of the shaft will be filled with locally available material. A 12" thick reinforced concrete slab will then be placed on the shaft collar.

Safety precautions to be taken during the sealing procedure are as follows:

Prior to any work being performed, hazard training will be conducted on all persons performing the work including a tour of the work areas and discussion of the approved plan for the sealing procedures to be used.

Before any shaft backfilling is done with trucks or front end loader, a substantial berm will be constructed at the shaft collar to block any vehicles or equipment from falling down the shaft. The height of the berm will be at least one half the tire diameter of vehicles dumping material down the shaft.

Examinations for methane and oxygen deficiency by a certified person will be conducted prior to any work being performed and at intervals not to exceed one hour thereafter as long as work is being performed around the shaft collar. Before backfilling is commenced, the above examinations will be done at the shaft bottom and done remotely. Once the backfilling has commenced, the methane and oxygen deficiency examinations will be performed at least 40 feet

below the shaft collar. The results of the methane and oxygen deficiency examinations will be recorded in a book for that purpose. In addition to the down shaft examinations, constant monitoring for methane and oxygen deficiency will be done in the immediate shaft collar area. All remotely performed (down the shaft) examinations will be done using an MSHA approved vacuum pump and tubing to draw samples to the shaft collar to be measured using an MSHA approved methane and oxygen deficiency detector.

Should the methane level 40' below the shaft collar exceed 1%, backfilling work will cease until measures are taken to reduce the methane level below 1%. Should the above mentioned methane reading taken at the shaft bottom exceed 2%, backfilling will not proceed until the methane level is reduced below 2%.

The shaft area is fenced in and will be secured and locked when the backfilling work is not in progress.

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 T. Levo

Performance Coal Co.
George T. Levo
Mining Engineer