

U. S. Department of Labor

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

*Denial*



FEB 11 2010

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

Dear Mine Operator:

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 February 02, 2010. This revision request to relocate MMU 004-0 Section from No. 16 Panel to No. 11 Panel.

This revision cannot be approved as submitted and is denied. Please refer to the attached, marked-up copy of the map, which provides the basis for this denial.

Should you have any questions concerning this matter, please contact 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

cc: Mt. Hope Field Office  
Inspector  
Field Office Supervisor  
Files/nlc

SUPERVISORY ACKNOWLEDGEMENT

*LEC/RSTL* 2/10/10

Initials *John* 2/9/10 Date



FEB 11 2010

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President  
Performance Coal Company  
POB 69  
Naoma, WV 25140

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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

February 1, 2010

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:

Please find the enclosed ventilation revision for your review and approval. This revision is to move the 004 Section from the No. 16 Panel to the No. 11 Panel once mining is completed. The attached map shows the ventilation controls to be installed and/or removed to begin mining the No. 11 Panel.

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  
Mine Engineer

*Is this first mining only  
need to be stated*

MSHA  
MOUNT HOPE, WV

FEB 02 2010

RECEIVED  
VENTILATION