

*Denial*



DEC 04 2009

Mr. Chris Blanchard  
President  
Performance Coal Company  
P. O. Box 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 November 13, 2009, received by MSHA on November 17, 2009, for the subject mine. The proposed revision requests to install and remove ventilation controls in order to shear pillars for a new longwall belt.

The revision cannot be approved as submitted. Please refer to the attached marked-up copy of the revision map, which notes the deficiencies found upon review. The deficiencies found include the potential for return air to contaminate the neutral belt air course where non-permissible equipment is in use, proposed ventilation controls are shown as existing on previous ventilation revisions (see Ventilation Revision approved October 29, 2009, neutral air courses near the Glory Hole flow in directions that are not likely to occur without additional in-mine controls, and ventilation quantities are missing in all areas which are critical to mine ventilation.

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 (3 copies) / files / nlc

SUPERVISORY ACKNOWLEDGEMENT

*RE* 12/3/09  
Initials *JM* 12/2/09 Date



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President  
Performance Coal Company  
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Sincerely,

A handwritten signature in black ink, appearing to read "Robert G. Hardman". The signature is written in a cursive style with a large initial "R".

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



# Performance Coal Company

P.O. Box 69

Naoma, WV

25140

November 13, 2009

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

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

MSHA  
MOUNT HOPE, WV

NOV 17 2009

RECEIVED  
VENTILATION

Dear Sir:

Please find the attached ventilation revision for the Upper Big Branch Mine for your review and approval. This revision shows the ventilation controls to be installed and removed when shearing blocks for the new longwall belt.

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