

U. S. Department of Labor

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



Denial

JAN 07 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, dated November 20, 2009, received by MSHA on November 23, 2009, for the subject mine. The proposed revision shows six phases: Phase one is the current ventilation; Phase two depicts the ventilation to mine LBB#5 Headgate; Phase three depicts the ventilation to mine LBB Crossover, Phase four depicts the ventilation to set up the longwall; Phase five depicts the ventilation to start the longwall; and Phase six depicts the ventilation after completion of the longwall panel.

The revision is denied. Substantial changes, to the intake and neutral air courses are proposed, appear unlikely to be successful. Please provide ventilation survey information including nodes, pressure drops, and resistance. In addition, 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,

/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

RK 1/6/10

Initials *Jan 1/6/09* Date



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Performance Coal Company
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Sincerely,

A handwritten signature in black ink, which appears to read "Robert G. Hardman", is written over the typed name.

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



Performance Coal Company

P.O. Box 69

Naoma, WV

25140

November 20, 2009

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

**MSHA
MOUNT HOPE, WV**

NOV 23 2009

**RECEIVED
VENTILATION**

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 six phases.

Phase one shows the ventilation at the current time.

Phase two depicts the ventilation for mining the LBB #5 Headgate Panel. Intake will be coursed down the Ellis Mains to LBB 2 #4 and then to LBB#5. Where LBB 2#4 intersects the Ellis Mains, a regulator will be installed to allow a portion of the intake air to exit the mine at the Birchtown Portals. A regulator will also be placed in this area to allow intake air to enter the belt air course. The air entering at this point feed will not be used to ventilate a working a section or where MMU equipment is being removed or installed, therefore the requirements of 30CFR75.350(d) do not apply. The proposed primary and secondary escapeways are also shown on the map.

The phase three map shows the ventilation scheme for mining the LBB Crossover. The Crossover will be mined once the LBB Headgate Panel has been connected to the Parallel North Mains. Prior to the crossover mining into the adjacent panel, stoppings will be constructed to isolate the No. 7 entry. Also in phase 3, DPP 1 and EP-1 will be abandoned.

Phase four shows the ventilation for setting up the longwall. When the longwall is being installed, entries one and two of the LBB Crossover will be converted to intake airways. EP-1 will be reactivated in phase four.

Phase five depicts the ventilation scheme for starting the longwall. When the longwall beings mining EP's 9, 10, 11, 12, and 13 will be activated. Also, EP - LW1, EP - LW2, MP "A", and MP "B" will be activated; these EP's and MP's will move outby with the longwall face.

The final phase of the revision, Phase Six, shows the longwall panel completed. At this time the longwall EP's and MP's will be abandoned and the area will be monitored through the use of EP's. Proposed EP's 14 and 15 along with the proposed controls are depicted on the map.

Respectfully Submitted,
Performance Coal Company, Inc.



Eric Lilly
Mine Engineer

MSHA
MOUNT HOPE, WV
NOV 23 2009
RECEIVED
VENTILATION