



DEC 04 2009

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 the ventilation revision dated November 30, 2009, and received by MSHA on November 30, 2009. The ventilation revision requests to reroute the return off of MMU 029-0, down the left side of North Glory Mains, crossing overcasts on Headgate 1 North and up the Tailgate 1 North isolated return (not a part of the longwall ventilation air courses); change the number 3 entry of the Headgate 1 North to a return air course common with the worked out area inby the location of the longwall; and to convert the number 3 entry of Headgate 1 North to an additional intake air course common with the existing primary escapeway outby the longwall face; and revised face sketches for both longwall gate road development and the longwall face.

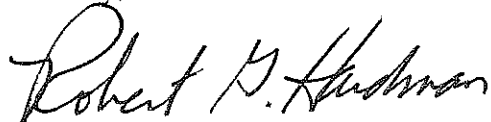
The revision cannot be approved as submitted. The submittal contains numerous errors and discrepancies which are detailed on the marked-up copy of the submitted map. The errors and discrepancies include: ventilation controls shown conflict with ventilation plan revisions which were approved on September 4, 2009, October 29, 2009, and November 13, 2009; roof falls which impede travel and which eliminate the potential for compliance with 30 CFR 75.384 for the 2<sup>nd</sup> longwall panel in the district are not shown nor addressed; water accumulations within the active areas and within adjacent areas are not shown; a means for compliance with 30 CFR 75.334(c) is not provided (additional information is requested due to the recent shut-down resulting from blocked air courses due to water); actual air readings are not provided despite production has been on-going since September, 2009; belt air from the development section is shown to be ventilating the longwall face; and belt air from the number 1 entry

of the Headgate 1 North does not meet the requirements of newly promulgated regulations (December 2008).

In addition, the submittal does not clarify how the return stopping line shown on the longwall face sketch is to be traveled or maintained, adequate details if the air courses are to become common or if the return stopping line is to be reconstructed. Measuring Points (MP) shown on the face sketch must also be checked for proper air direction. Furthermore, the gate road development face sketch (3-entry) contains a statement, "Number of entries may vary provided the ventilation scheme does not change." which is inappropriate for the projections and system shown on the attached maps.

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

Sincerely,

A handwritten signature in cursive script that reads "Robert G. Hardman".

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



Denial

DEC 04 2009

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

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Big Branch Mine-South, I.D. No. 46-08436, Performance  
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Initials DM Date 12/4/09

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Sincerely,

**/s/ ROBERT G. HARDMAN**

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

Cc: Mt. Hope Field Office (3incl.)/ Files/nlc



# Performance Coal Company

P.O. Box 69

Naoma, WV

25140

November 30, 2009

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

MSHA  
MOUNT HOPE, WV  
NOV 30 2009  
RECEIVED  
VENTILATION

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

Dear Sir:

Please find the enclosed ventilation revision for your review and approval. This revision is to add an additional typical face sketch to the Ventilation Base Plan. The face sketch to be added is to show development of the longwall gateroads with the belt in the #1 entry.

This mine currently has no miner's representative. If you have any questions or comments, feel free to contact me at (304) 854-3516.

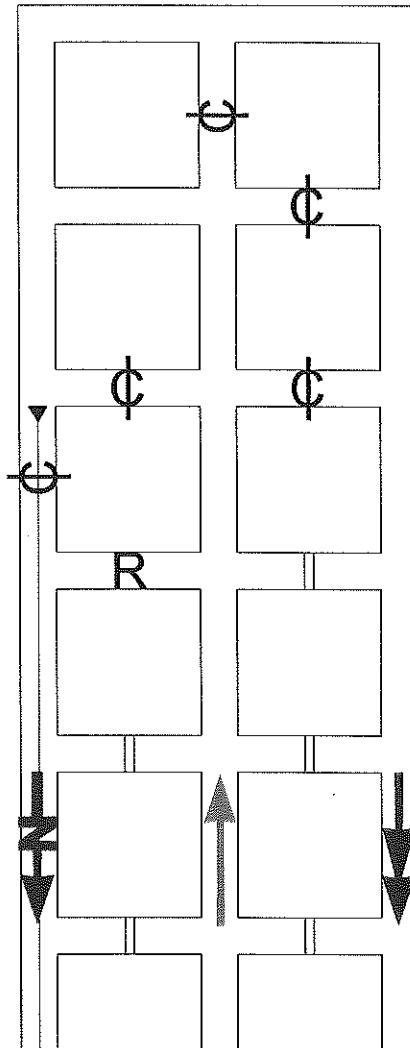
Respectfully Submitted,  
Performance Coal Company, Inc.

Eric Lilly  
Mine Engineer

MSHA  
MOUNT HOPE, WV

NOV 30 2009

RECEIVED  
VENTILATION



- Intake Air
- ⇨ Return Air
- ⇦ Secondary Intake Air
- || Permanent Stopping
- ▼ Belt Tailpiece
- R Regulator
- ⊘ Curtain
- ⊙ Box Check

- \* Where any equipment will run through ventilation controls, they shall be substantially constructed as follows:  
Fly boards shall be installed rib to rib and fly pads will be installed overlapping so that a double thickness of ventilation material is achieved.
- \* Where any portion of the face line curtain is to be run through, the line curtain shall overlap the fly pads by at least 4ft to ensure ventilation is not interrupted.
- \* Number of entries may vary provided the ventilation scheme does not change.

	PERFORMANCE COAL COMPANY, INC. P.O. BOX 69, NAOMA, WV 25140		
	UPPER BIG BRANCH MINE		
	M.S.H.A. ID No. 46-08438	WV ID No. U-3042-92	
	Date: 11/30/09	SCALE: NA	DWG No. 1 of 1
	DRAWN BY: RL 3 Staff	CHECKED BY:	
	Face Ventilation Typical Gateroad Development		
VENTILATION PLAN			