



JUL 27 2009

Mr. Gary S. Snyder
Inspector-at-Large, Region Four
West Virginia Office of Miners'
Health, Safety and Training
142 Industrial Drive
Oak Hill, WV 25901-9714

Dear Mr. Snyder:

Subject: 30 CFR 816.79(b); Blasting Permit Within 500 Feet of an Active Underground Mine, Performance Coal Company, Upper Big Branch Mine - South, MSHA ID No. 46-08436, to Conduct Surface Blasting Within 500 Feet of Itself to Excavate Additional Portal Entries, Naoma, Raleigh County, WV

The blasting plan forwarded by your letter dated July 7, 2009, to permit the Performance Coal Company, Upper Big Branch Mine - South, MSHA ID No. 46-08436, to conduct surface blasting within 500 feet of itself, has been reviewed by the Mine Safety and Health Administration.

MSHA concurs with the blasting plan provided all safety precautions listed in the permit application are followed. The permit application consists of the following documents:

1. Your July 7, 2009, letter.
2. Mark King's June 30, 2009, letter.
3. DMM-67.
4. Attachment C - safety precautions for blasting within 500 feet of underground mines and safety precautions for blasting with the intention of intersecting underground mines.
5. Blasting plan - additional openings drawing.
6. Chris Blanchard's June 29, 2009, concurrence letter.

- 7. One - 1" = 500' scale mine map titled, "Performance Coal Company - Blasting Map," dated June 2009.

This concurrence does not grant a waiver to any MSHA regulations.

If you have any questions concerning this matter, please contact Michael R. Wooldridge of this office at (304) 877-3900, Ext 177.

Sincerely,

/s/ ROBERT G. HARDMAN

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

- cc: M. King, Performance Coal Company
- P. McCombs, Performance Coal Company
- E. Lilly, Performance Coal Company
- Ventilation Department
- Roof Control Department
- Mt. Hope Field Office UMF (w/submittal)
- Files/sb (w/submittal)

TZB/sb

SUPERVISORY CONCURRENCE
MCS 7/24/09
Initials: [Signature] Date: 7/24/09