

U. S. Department of Labor

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

Denial



MAY 04 2006

Mr. Craig Boggs
President
Performance Coal Company
P.O. Box 69
Naoma, WV 25140

Dear Mr. Boggs:

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 April 3, 2006. This revision shows the proposed ventilation changes to convert the Headgate 18 (015-0 MMU) miner unit from split ventilation to sweep ventilation. It also includes ventilation changes to establish common returns and EP-56 in the cross-panel recently mined from Headgate 18 to Headgate 19.

This revision has been reviewed and cannot be approved based on discrepancies as shown on the marked-up-map, also attached.

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

Sincerely,

/s/ JESSE P. COLE

Jesse P. Cole
District Manager
Coal Mine Safety and Health, District 4

cc: Mt. Hope Field Office
Field Office Supervisor (Letter Only)
Inspector
Files/llr

*No 5-10-06
MAP -
Where's the MAP AR*

SUPERVISORY ACKNOWLEDGEMENT
Initials *BR*
Date *5-2-06*

U. S. Department of Labor

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



MAY 04 2006

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President
Performance Coal Company
P.O. Box 69
Naoma, WV 25140

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Mine-South, I.D. No. 46-08436, Performance Coal Company, Montcoal,
Raleigh County, West Virginia

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Sincerely,

A handwritten signature in cursive script that reads "Jesse Cole".

Jesse P. Cole
District Manager
Coal Mine Safety and Health, District 4



Performance Coal Company

P.O. Box 69

Naoma, WV

25140

March 31, 2006

Mr. Jesse P. Cole
District Manager
Mine Safety and Health Administration
100 Bluestone Road
Mt. Hope, West Virginia 25880-0112

RE: Performance Coal Company - Upper Big Branch Mine-South
Federal I.D. 46-08436, State I. D. U-3042-92 – Ventilation Plan

Dear Mr. Cole:

Performance Coal Company, Upper Big Branch Mine-South (ID 46-08436), is submitting the attached plan to convert the Headgate 18 miner unit from double split face ventilation to single split face ventilation. This will be accomplished by adding a regulator in the left return to reduce it to air movement and by removing a stopping between the intake and left return to convert the left return into a parallel intake. These proposed changes are shown on the attached map.

Your timely review and approval of this revision would be greatly appreciated. If you have any questions, or require further information, please call me at (304) 854-1761.

Respectfully Submitted,

Performance Coal Co.
George T. Levo
Mining Engineer

