The mine operator did not submit the required respirable dust sample/samples during the February/March 2009 bimonthly sampling cycle on 850-0 for the Designated Area as shown in the attached Advisory No. 0197 dated April 7, 2009.
ADVISORY OF NONCOMPLIANCE, FAILURE TO SUBMIT
(PART 90 MINER)
ADVISORY NO 0197

PERFORMANCE COAL COMPANY
UPPER BIG BRANCH MINE-SOUTH

CURRENT BIMONTHLY SAMPLING CYCLE APR-May 2009

PART 90 MINER HALSTEAD, SCOTT D., M59315064, OCCUPATION 462 FIRE BOSS PRE-SHIFT EXAMINER

ACCORDING TO MSHA RECORDS A RESPIRABLE DUST SAMPLE, RELATIVE TO THE
PART 90 MINER IDENTIFIED ABOVE, WAS NOT RECEIVED AS REQUIRED BY 30 CFR 90 FOR THE
BIMONTHLY SAMPLING CYCLE OF FEB-MAR 2009.

CASSETTE NO. DATE SAMPLING START TIME MRE EQUIV CONCENTRATION
51004870 03-24-2009 06 MINER NOT ACTIVE WITH Q&C

PERFORMANCE COAL COMPANY
UPPER BIG BRANCH MINE-SOUTH
ATTN: CHRIS BLANCHARD
POB 69
NAOMA, WV 25140

---0401---081---46-08436---B ---A

min: AA
mmq: Avail.