Mine Activity Data

2. Activity Code: 02
3. Event Number: 4119283
4. Date Event Started: 4/15/2009
5. Date Event Finished: 4/15/2009
6. Mine ID: 46-08436

7a. Organization Code (Mine Assignment) 20401
8a. Organization Code (AR Assignment) 20401

9. Company Name PERFORMANCE COAL COMPANY
10. Mine Name UPPER BIG BRANCH MINING SOUT

11. Report Type (check one) a. First  b. Interim  c. Last  d. Not Applicable
   c. Outby Areas  d. Shafts/Slopes  e. Surface Areas (UG)  f. Surface Workings  g. Company Records
   h. ATF  i. Impoundments  j. Refuse Piles
   k. Major Construction (1) Shaft/Slope Sinking  (2) Impoundment Construction  (3) Buildings
   (4) Dragline/Shovel:  (5) Other  l. Miscellaneous

m. MMU/Pit Number 6040


15. Prime Independent Contractor Codes (Major Construction)

16. Inspection Results
   a. This Inspection
      (1) New Issuances 2 0 0 0 0 0 0 0
      (2) Terminations/Vacations 0 0 0 0 0 0 0 0
      (3) Modifications/Extensions 0 0 0 0 0 0 0 0
      (4) Left Pending 0 0 0 0 0 0 0 0
   b. Previously Issued
      (1) Modifications/Extensions 0 0 0 0 0 0 0 0
      (2) Terminations/Vacations 4 0 0 0 0 0 0 0

17. Remarks:

18. Signature and Card Number of Authorized Representative/Right of Entry Person(s) Responsible for Activity
   Card Number

19. Key Entered By Date

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<table>
<thead>
<tr>
<th>Shift</th>
<th>Sun</th>
<th>Mon</th>
<th>Tue</th>
<th>Wed</th>
<th>Thur</th>
<th>Fri</th>
<th>Sat</th>
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</thead>
<tbody>
<tr>
<td>Week 1</td>
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4/12/2009

Key Codes: 1- Owl Shift, 2- Day Shift & 3- Evening Shift (Mark "X" in appropriate Block to Indicate Shift)
THE OPERATOR FAILED TO SUPPORT OR CONTROL THE RIGHT RIB (FACING THE #2 SECTION) IN THE BELT ENTRY BETWEEN THE POWER CENTER AND FEEDER. THIS RIB WAS APPROXIMATELY 14 TO 20 INCHES THICK, 10 TO 20 INCHES WIDE, 50 FT. IN LENGTH AND HAD SEPARATED FROM THE BLOCK OF COAL AT THE TOP.
THE VENTILATION CONTROL (STOPPING) LOCATED AT CROSS CUT #105 WAS NOT SERVING THE PURPOSE IN WHICH IT WAS INSTALLED FOR. THIS STOPPING HAD A HOLE IN IT CAUSING THE INTAKE NOT TO BE SEPARATED FROM THE BELT CONVEYOR ON THE #2 SECTION.

9. Violation A. Health [x] Safety [ ] Other [ ] B. Section of Act [ ] C. Part/Section of Title 30 CFR 75.333(h)


11. Negligence (check one) A. None [ ] B. Low [ ] C. Moderate [x] D. High [ ] E. Reckless Disregard [ ]

12. Type of Action 104(a)

13. Type of Issuance (check one) A. Citation [x] B. Order [ ] C. Safeguard [ ] D. Written Notice [ ]

14. Initial Action A. Citation [ ] B. Order [ ] C. Safeguard [ ] D. Written Notice [ ]

15. Area or Equipment

16. Termination Due A. Date 04/15/2009 B. Time (24 Hr. Clock) 0915

17. Action to Terminate THE STOPPING WAS REPAIRED.

18. Terminated A. Date 04/15/2009 B. Time (24 Hr. Clock) 0915

19. Type of Inspection (activity code) E02

20. Event Number 4119283

21. Primary or Mill

22. Signature

23. AR Number
**THE LIFELINE HAS BEEN EXTENDED UP THE SECTION LOADING POINT.**
THE PHONE IS NOW WORKING.
ADDITIONAL JACKS HAVE BEEN INSTALLED IN THE AFFECTED AREA.
THESE DOORS HAVE BEEN CHAINED AND LOCKED TO PREVENT OPENING