**Mine Activity Data**

1. **Action:**
   - New Entry [ ]
   - Update [X]

2. **Activity Code:** E02

3. **Event Number:** 4123477

4. **Date Event Started:** 7/9/2009

5. **Date Event Finished:** 7/9/2009

6. **Mine ID:** 46-08436

7a. **Organization Code (Mine Assignment):** 20401

7b. **Work Group Identifier:** 01

8a. **Organization Code (AR Assignment):** 20401

8b. **Work Group:** 01

9. **Company Name:** PERFORMANCE COAL COMPANY

10. **Mine Name:** UPPER BIG BRANCH MINE-SOUTH

11. **Report Type (check):**
   - First [ ]
   - Interim [ ]
   - Last [ ]
   - Not Applicable [X]

12. **Area of Inspections (check):**
   - Active Sections [ ]
   - Idle Sections [ ]

13. **Outby Areas:** [X]

14. **Ships/Slopes [ ]

15. **Surface Areas (UG) [ ]

16. **Surface Workings [ ]

17. **Company Records [ ]

18. **Company [ ]

19. **Impoundments [ ]

20. **Refuse Piles [ ]

21. **ATF [ ]

22. **Impoundments [ ]

23. **Refuse Piles [ ]

24. **Other [ ]

25. **Miscellaneous [ ]

26. **MMU/Pit Number [ ]
   - 029 [ ]
   - 040 [ ]

27. **Number of Samples Collected [ ]
   - Air Samples [ ]
   - Rock Dust Spot [ ]
   - Rock Dust Survey [ ]
   - Respirable Dust [ ]
   - Noise [ ]
   - Other [ ]

28. **Impoundments/Refuse Piles:**
   - Number [ ]
   - FHC [ ]
   - Configuration [ ]

29. **Prime Independent Contractor Codes (Major Construction):**

30. **Inspection Results:**

<table>
<thead>
<tr>
<th>Citations</th>
<th>Orders</th>
<th>Safeguards</th>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>Coal Opr</td>
<td>Ind Con</td>
<td>Coal Opr</td>
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<td>1</td>
<td>1/0</td>
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31. **New Issuances:**
   - 1

32. **Terminations/Vacations:**
   - 1/0

33. **Modifications/Extensions:**
   - 1/0

34. **Left Pending:**
   - 1/0

35. **Previously Issued:**
   - 1/0

36. **Modifications/Extensions:**
   - 1/0

37. **Terminations/Vacations:**
   - 1/0

38. **Key Entered By:**

39. **Date:**

**MSHA Form 2000-22. Oct. 85 (Revised) Previous editions are Obsolete**
<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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<tbody>
<tr>
<td>Week 1</td>
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</tbody>
</table>

7/9/2009

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Reverse, MSHA Form 2000-22, Oct 85 (Revised)

Key Codes: 1- Owl Shift, 2- Day Shift & 3- Evening Shift (Mark "X" in appropriate Block to Indicate Shift)
The operator is failing to properly maintain the 029-040 MMU section. Loose coal has been allowed to accumulate in several locations of the section. The no.4 entry has coal measuring 1 inch to 24 inches deep for a distance of 112 feet on both ribs and the roadway. The 3 right cross-cut has coal accumulations measuring 1 inch to 24 inches deep on both ribs and the roadway for a distance of 79 feet in length. The no.3 entry, just outby the last open cross-cut has coal measuring 1 inch to 24 inches deep on both ribs and the roadway. The 2 left cross-cut has coal accumulations measuring 1 inch to 15 inches deep on both ribs and the roadway for a distance of 40 feet.

With the citation issued on 07/08/2009 citing over 2% methane in the same...
location and the problems encountered today with excessive methane, the above conditions create a hazard.

This violation is an unwarrantable failure to comply with a mandatory standard.
Air was restored to 10,631 CFM.
**UNITED STATES DEPARTMENT OF LABOR**  
**MSHA LABORATORIES - MOUNT HOPE, WEST VIRGINIA**  
**ANALYSIS OF AIR SAMPLES**

Mine: UPPER BIG BRANCH MINE SOUTH  
Company: PERFORMANCE COAL COMPANY  
Mine ID: 4608436  
Date(s) Collected: 07/09/2009  
Inspector:  
Office: 401

<table>
<thead>
<tr>
<th>BOTTLE NUMBER</th>
<th>LOCATION IN MINE</th>
<th>CARBON DIOXIDE</th>
<th>OXYGEN</th>
<th>METHANE</th>
<th>ETHANE</th>
<th>CUBIC FEET AIR PER MINUTE</th>
<th>CUBIC FEET METHANE IN 24 HOURS</th>
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</thead>
<tbody>
<tr>
<td>D1414</td>
<td>#1 SECTION - #4 ENTRY - MAIN RETURN</td>
<td>0.160</td>
<td>20.67</td>
<td>0.960</td>
<td>0.000</td>
<td>10631</td>
<td>146963</td>
</tr>
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</table>

The percentage of nitrogen can be determined by subtracting the sum of the reported values from 100.00.

2 Rec. 07/10/2009  
Page: 1