Mr. Robert G. Hardman  
Mine Safety and Health Administration  
100 Bluestone Road  
Mount Hope, WV 25580

Re: Performance Coal Company  
Upper Big Branch Mine  
MSHA ID: 46-08436  
State ID: U-3042-92  
Seal Construction Notification

Dear Sir:

Performance Coal Company will be building frames and pumping 50psi seals to replace existing seals in Seal Set #3 at the Upper Big Branch Mine. The seals to be replaced are No.'s 14, 15, 17, and 18. This work is expected to begin on Monday, February 22, 2010.

This mine currently has no miner's representative. If you have any questions or comments, feel free to contact me at (304) 854-3516.

Respectfully Submitted,  
Performance Coal Company, Inc.

Eric Lilly  
Mine Engineer