FEB 11 2010

Mr. Chris Blanchard
President
Performance Coal Company
POB 69
Naoma, WV 25140

Dear Mine Operator:

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 February 02, 2010. This revision request to relocate MMU 004-0 Section from No. 16 Panel to No. 11 Panel.

This revision cannot be approved as submitted and is denied. Please refer to the attached, marked-up copy of the map, which provides the basis for this denial.

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

Sincerely,

/R/ ROBERT G. HARDMAN

Robert G. Hardman
District Manager
Coal Mine Safety and Health, District 4

cc: Mt. Hope Field Office
   Inspector
   Field Office Supervisor
   Files/nlc

SUPERVISORY ACKNOWLEDGEMENT
LEC/ESR 2/10/10
Initials 2/9/10 Date
FEB 11 2010

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Sincerely,

[Signature]
Robert G. Hardman
District Manager
Coal Mine Safety and Health, District 4
February 1, 2010

Mr. Robert G. Hardman  
Mine Safety and Health Administration  
100 Bluestone Road  
Mount Hope, WV 25880

Re: Performance Coal Company  
Upper Big Branch Mine  
MSHA ID: 46-08436  
State ID: U-3042-92  
Ventilation Revision

Dear Sir:

Please find the enclosed ventilation revision for your review and approval. This revision is to move the 004 Section from the No. 16 Panel to the No. 11 Panel once mining is completed. The attached map shows the ventilation controls to be installed and/or removed to begin mining the No. 11 Panel.

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.

[Signature]

Eric Lilly  
Mine Engineer

[Additional handwritten text]