									6-01
Mine Activity Data			М		-	rtment o Health A			
1. Action: 2. A a. New Entry 🗹 b. Update 🗌 Cod	ctivity e: E02	3. 1	Event Nu	<sup>mber:</sup> 4	1106	72			
11/15/0005	ate Event shed: 11/15/2	005 <sup>6. 1</sup>	vine ID:	46-08	3436	×			
7a. Organization Code (Mine Assignment)b. Wo 20401Identification IdentificationIdentification Identification		pany Name	PE	RFORM	ANCE C	OAL CO	MPANY		
8a. Organization Codeb. Wo(AR Assignment)20401Identi	31000000000000000000000000000000000000	ne Name	U	PER BIO	BRAN	CH MINE	-SOUTI	ł	
11. Report Type (check one) a. First b. Interim	c. Last . d. Not Applicable	,	2. Area of the section		a. Active Sections			Idle ctions	
c. Outby d. Shafts/ e. Surface Areas Slopes Areas (UG)	f. Surface g. Com Workings Record		h. ATI		. Impou	ndments		j. Refus Piles	•
k. Major (1) Shaft/ (2) Impoundment Construction Slope Construction Sinking		(4) Dragline Shovel:	(	(5) Oth	3 <b>r</b>	l. Mi	scellaned	ous 🗌	<u></u>
13. Number of Samples Collected a. Air 0 b. Rock Dust Samples Spot	0 c. Rock Dust 0 Survey	d. Respi Dust		0	e. Noise	0	f. O	ther 0	
<ul><li>4. Impoundments/Refuse Piles:</li><li>a. Number</li><li>b. FHC</li><li>c. Configuration</li></ul>	15. Prime Independent Contractor Codes (Major Construction)								
	16. Inspection Results								_
		Citatio	ons	Orders	•	Safegu	ards	Othe	er
	a. This Inspection	Coal Opr	Ind Con	Coal Opr	Ind Con	Coal Opr	Ind Con	Coal Opr	Ind Con
•	(1) New Issuances	2	0	2	0	0	0	0	0
•	(2) Terminations/Vacations	0/0	0/0	0/0	0/0	0/0	0/0	0/0	0/0
-	(3) Modifications/Extensions	0/0	0/0	0/0	0/0	0/0	0/0	0/0	0/0
	(4) Left Pending	. 2	0	2	0	· 0	0	0	0
	b. Previously Issued								
	(1) Modifications/Extensions	0/1	0/0	0/0	0/0	0/0	0/0	0/0	0/0
									0,0
	(2) Terminations/Vacations	0/0	0/0	0/0	0/0	0/0	0/0	0/0	0/0

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

Card Number 23855 1

Date

19. Key Entered By

Ð.

с. d.

MSHA Form 2000-22. Oct. 85 (Revised) Previous editions are Obsolete

Activity Calendar		vent Number: 411	067 <b>2</b>		Mine ID: 4608436					
		Sun	Mon	Tue	Wed	Thur	Fri	Sat		
	Shift	1 2 3	123	1 2 3	1 2 3	1 2 3	1 2 3	1 2 3		
	Week 1 11/13/2005									

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)

	R.2 6-05
Mine Citation/Order	U.S. Department of Labor Mine Safety and Health Administration
Section IViolation Data	
1. Date Mo Da Yr 2. Time (24 Hr. Clock)	3. Citation/ Order Number 7247492
<u>11/15/2005</u> 1835 4. Served To	5. Operator
JIM GRISWOLD, FOREMAN	PERFORMANCE COAL COMPANY
6. Mine	
UPPER BIG BRANCH MINE-SOUTH	7. Mine ID 46-08436 (Contractor)
8. Condition or Practice	8a. Written Notice (103g)
Water is being allowed to accumulat between 28 and 29 cross cuts. The wate 36 feet.	e over both track rails in the east main er is 2" over the rails and extends for
	• •
	See Continuation Form (MSHA Form 7000-3a)       Part/Section of       Title 30 CFR       75.1403
Section IIInspector's Evaluation	
10. Gravity:	· · · · · · · · · · · · · · · · · · ·
A. Injury or Illness (has) (is): No Likelihood Unlikely	Reasonably Likely 🔽 Highly Likely 🗌 Occurred 🗌
B. Injury or illness could rea- sonably be expected to be: No Lost Workdays Lost Work	kdays Or Restricted Duty 🕢 🛛 Permanently Disabling 🗌 Fatal 🗌
C. Significant and Substantial: Yes 🖌 No	D. Number of Persons Affected: 001
	Moderate 🖌 D. High 🗍 E. Reckless Disregard 🗍
12. Type of Action 104(a) 13. Type of Issu	uance (check one) Citation 🖌 Order 🗌 Safeguard 🗌
14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice	E. Citation/ 7189887 F. Dated Mo Da Yr Order Number 11/29/1999
15. Area or Equipment	
16. Termination Due     A. Date     Mo Da Yr 11/16/2005     B. Time (24 Hr. Clock)	1600
Section IIITermination Action	
17. Action to Terminate	
18. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock)	
Section IVAutomated System Data	
19. Type of Inspection E02 20. Event Number 4110672	21. Primary or Mill
22. Signature	23. AR Number 23855
has established a National Small Business and Agriculture Regulatory Ombudsman and agency enforcement actions. The Ombudsman annually evaluates enforcement activitie	a business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration 1 10 Regional Fairness Boards to receive comments from small businesses about federal es and rates each agency's responsiveness to small business. If you wish to comment on the e the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 It to file a comment with the Ombudsman is in addition to any other rights you may have, re the Federal Mine Safety and Health Review Commission.

Mine Citation/Order Continuation	U.S. Department of Labor Mine Safety and Health Administration	RR 29-03
Section ISubsequent Action/Continuation Data		
1. Subsequent Action 1a. Continuation 12. Dated Me	lo Da Vr 3. Citation/	Denormalization and a statistical denormality of the second second second second second second second second s

(Original Issue) 11/15/20	05 Order Number 7247492 - 01
4. Served To	5. Operator
DEAN JONES, BLOCK SUPER	PERFORMANCE COAL COMPANY
6. Mine	7. Mine ID (Contractor)
UPPER BIG BRANCH MINE-SOUTH	46-08436
Section IIJustification for Action	

The water has been pumped off the east mains track between 28 and 29 cross cuts.

-		in According to the State	-					Contract Building and Contract			unanya dama yana yana kata kata kata kata kata kata kata k	See Continuation Form
Section IIISubsequ	ent Actic	n Take	n						10000000000000000000000000000000000000	17		
8. Extended To	A. Date	Мо	Da	Yr	B. Time (24	Hr. Clock)		ļ	C, Va	acated	D. Terminated	E. Modified
Section IV-Inspection	on Data											
9. Type of Inspect	tion P	202	1999 - 1999 - 1999 - 1999 - 1999 - 1999 - 1999 - 1999 - 1999 - 1999 - 1999 - 1999 - 1999 - 1999 - 1999 - 1999 -	10. Ev	/ent Number	4110673		na n	22 year of the state		dennin μέματα ματά τη της της της της της της της της της	
11. Signatore						AR Number	12. Date	Мо	Da	Yr	13. Time (24 Hr. Cit	ock)
-	_					23855	_	1	1/22/	2005	1245	an a

	RR 1-16-05
Mine Citation/Order	U.S. Department of Labor Mine Safety and Health Administration
Section IViolation Data	
1. Date Mo Da Yr 2. Time (24 Hr. Clock) 11/15/2005 1920	3. Citation/ Order Number 7247493
4. Served To	5. Operator
JIM GRISWOLD, FOREMAN	PERFORMANCE COAL COMPANY
6. Mine UPPER BIG BRANCH MINE-SOUTH	7. Mine ID 46-08436 (Contractor)
8. Condition or Practice	Ba. Written Notice (103g)
	being maintained in a safe operating nd broken rollers in various locations operator is taking the belt out of
9. Violation A. Health B. Section Safety ✓ of Act	See Continuation Form (MSHA Form 7000-3a)       C. Part/Section of Title 30 CFR       75.1725(a)
Section IIInspector's Evaluation	
10. Gravity: A. Injury or Illness (has) (is): No Likelihood 🗍 Unlikely 🧻	Reasonably Likely V Highly Likely Occurred
B Injury or illness could rea-	
sonably be expected to be: No Lost Workdays L Lost W	Vorkdays Or Restricted Duty V Permanently Disabling Fatal D. Number of Persons Affected:
C. Significant and Substantial: Yes V No	
	C. Moderate 🗹 D. High 🗌 E. Reckless Disregard 🗍
12. Type of Action 104(a) 13. Type of Is	ssuance (check one) Citation 🗹 Order 🗌 Safeguard 🗌
14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice	E. Citation/ F. Dated Mo Da Yr Order Number
15. Area or Equipment	
16. Termination Due A. Date Mo Da Yr 11/16/2005 B. Time (24 Hr. Clock	k) 0800
Section IIITermination Action	
17. Action to Terminate	
18. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock)	
Section IVAutomated System Data	
19. Type of Inspection E02 20. Event Number 4110672	21. Primary or Mill
22. Signatur	23. AR Number 23855
has established a National Small Business and Agriculture Regulatory Ombudsman a agency enforcement actions. The Ombudsman annually evaluates enforcement activ enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or w	mall Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration and 10 Regional Fairness Boards to receive comments from small businesses about federal vities and rates each agency's responsiveness to small business. If you wish to comment on the vrite the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 right to file a comment with the Ombudsman is in addition to any other rights you may have, efore the Federal Mine Safety and Health Review Commission.

Mine Citation/Order Continuation			U.S. Department of Labor Mine Safety and Health Administration								
Section ISubsequent Action/Continuation Data 1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 11/15/20		3. Citation/ Order Number	7247493 - 01	a far sensen nedenska konstruktion and an and a sense men konstruktion far de partier en ander	altista I				
4. Served To DEAN JONES, BLOCK SUPER			5. Operato PÉRFO	-	AL COMPANY	<b>Υπληθού διά διά μαγγικά τό πλοπό κατά το ποι δια ποι σύμφου το ποι δια ποι το προγοριμο το τρογοριμο το προγοριμο</b>	decada				
6. Mine UPPER BIG BRANCH MINE-SO	UTH	ela di di mana de la docto de cito e come Sur 1998 e	7. Mine IC	46-0843	6	(Contractor)	2043				

₽₽

Section II--Justification for Action

The stuck and broken rollers have been replaced on the 1 south belt conveyor.

									See Continuation Form
Section IIISubsec	uent Action T	aken						(	
8. Extended To	A. Date	o Da	Yr	B. Time	(24 Hr. Clock)	TARGADARMANLICENT PALAGUSTACENT	C. Vacated	D. Terminated	E. Modified
Section IVInspec	tion Data		1						
9. Type of Inspe	ction E02	, ,	10. E	vent Numl	<sup>ber</sup> 4110673	anneen oo	an a	annan seona anna anna anna anna anna anna anna	
11. Signature					AR Number 23855	12. Date	Mo Da Yr 11/22/2005	13. Time (24 Hr. Cl 13,00	ock)

	*											R.R. 6-05
Mine Citatio	on/Order						-	ent of La nd Health		tration		· 🔇
Section IViolati	ion Data				*********						MARGONAL CONTRACTOR OF THE OWNER	
1. Date	Mo Da Yr 11/15/2005	2. Time (2/	4 Hr. Clock) 1920					······································	3. Citation/ Order N		72474	94
4. Served To	VOLD FODE	<b>N</b> <i>I</i> <b>A N</b> I	9/1/2014/11/2014/2014/2014/2014/2014/2014	nn fa faith ann an Anna ann ann an Anna ann an Anna Ann		5. Oper		NCE COA		D A NTV	*	
6. Mine	WOLD, FORE	IMAIN	0,				1			FAINT		
	G BRANCH N	/INE-SOU	TH			7. Mine	<sup>10</sup> 4(	6-08436	•			(Contractor)
8. Condition or											8a. Written	Notice (103g)
of the belt ru	e has beer 1-south k unning on cking on t	coal in	here an n vario	re seven ous loca	ral	bott	om ro	llers	turni	ng i	n coal	and the
								: 	See Co	ontinuatio	n Form (MSH	A Form 7000-3a)
9. Violation	A. Health	B. Section of Act				Part/Secti Title 30 CF			75	5.400		
	ector's Evaluation									·····		
10. Gravity: A. Injury or	r Iliness (has) (is):	No Likeliho	Dod 🗌	Unlikely		Reaso	nabiy Likel	ly 🗌	Highly Like	ly 🗌	Occu	rred
	illness could rea- be expected to be:	No Los	t Workdays	Lost	t Work	days Or I	Restricted	Duty	Permane	ently Dis	abling 🗌	Fatal
C. Significa	ant and Substantia	l: Yes	S 🗌 No	·				(	D. Number (	of Perso	ns Affected:	
11. Negligence	e (check one)	A. None	] B.	Low	C. N	loderate		D. High	]	E. Rec	kless Disreg	ard 🗌
12. Type of Ac	ction 104	(b)		13. Туре о	f Issua	ance (che	ck one)	Cit	ation 🗌	Ord	er 🗸	Safeguard
14. Initial Action A. Citation		C. Safegua	ard D. \	Nritten Notice		E. Citati Orde	on/ r Number	72	43000		F. Dated	Mo Da Yr 10/31/2005
15. Area or Ec	quipment T]	ne 1-so	uth be	lt convo	еуо	r fro	om the	e drive	e to t	he t	ailpie	
16. Terminatio	on Due A. Dat	Mo Da e	Yr B. 1	lime (24 Hr. Cl	ock)	<u></u>						₩₩₩₽₩₽₩₩₽₩₩₩₩₩₩₩₩₩₩₩₩₩₩₩₩₩₩₩₩₩₩₩₩₩₩₩₩
Section IIITerr	mination Action		······			· · ·						
17. Action to 1	Terminate											
18. Terminate	A. Date	o Da Yr	B, Time (24	Hr. Clock)				99 <b>/90000000000000000000000000000000000</b>			1944 - 1944 - 1944 - 1944 - 1944 - 1944 - 1944 - 1944 - 1944 - 1944 - 1944 - 1944 - 1944 - 1944 - 1944 - 1944 -	
	iomated System Data	······································	·····						······································			
19. Type of In (activity co		20. Event 2	Number	411067	72	1	21. Primary	y or Mill				
22. Signatur									23. A	R Numb	er 23	3855
has established agency enforce	200-3, Mar 85 (revise d a National Small B ement actions. The C ctions of MSHA, you	usiness and Agr Ombudsman an	iculture Regul nually evaluate	atory Ombudsma	an and ctivities	10 Regionation and rates	al Fairness each agen	Boards to rece cy's responsiv	eive commen eness to sma	its from s all busine	mall business iss. If you wis	h to comment on the

3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

Mine Citation/C	Drder				epartment of L afety and Heall	RR N=29	s	
Section ISubsequer	t Action/Continuation Data							
1. Subsequent Acti	on 1a. Continuation	2. Dated (Original Issue)	Mo Da 11/15/2	Yr 005	3. Citation/ Order Number	7247494 - 01		i torran i i
4. Served To				5. Opera	tor			-
DEAN JONES	, BLOCK SUPER			PERFO	DRMANCE CC	AL COMPANY		1.5
6. Mine				7. Mine I	D 16 0040	· /	(Contractor)	
UPPER BIG B	RANCH MINE-SO	UTH			46-0843	· · · · · · · · · · · · · · · · · · ·	· -	
Section II Justification	n for Action			1994 Andrew Construction of the International States of th				alaran darin kasal kana salah

The loose coal has been cleaned up under the bottom rollers of the 1 south belt conveyor.

Section IllSubse	quent Actior	ı Taker	1									
8. Extended To	A. Date	Mo	Da	Yr	B. Time (24	Hr. Clock)		🗋 c. v	acated	🗹 D. Terminated	E. Modified	
Section IVInspec	tion Data											
9. Type of Inspe	ction E	)2		10. Ev	/ent Number	4110673	72009: for for the formation of the second se		(Deltalismos mainternanterna		-	
11. Signature.			·		•	AR Number 23855	12. Date	Mo Da 11/22	Yr /2005	13. Time (24 Hr. Cl 1300	ock)	<b></b>

See Continuation Form

11-16-05

Mine Citation/Order	U.S. Department of
	Mine Safety and Hea

Mine Citation/Order	U.S. Department of Labor Mine Safety and Health Administration			
Section IViolation Data				
1. Date Mo Da Yr 2. Time (24 Hr. Clock) 11/15/2005 1920	3. Citation/ Order Number 7247495			
4. Served To	5. Operator			
JIM GRISWOLD, FOREMAN	PERFORMANCE COAL COMPANY			
6. Mine UPPER BIG BRANCH MINE-SOUTH	7. Mine ID 46-08436 (Contractor)			
8. Condition or Practice	8a. Written Notice (103g)			
There has been no apparent effort south belt conveyor from the drive to frozen up and can not be turned on.	to repair the fire valves along the 1- 18 cross cut. The handles are still			
	· · · ·			
	See Continuation Form (MSHA Form 7000-3a)			
9. Violation A. Health B. Section C Safety of Act C	C. Part/Section of       Title 30 CFR       75.1100-2(b)			
Section IIInspector's Evaluation				
10. Gravity: A. Injury or Illness (has) (is): No Likelihood 🗍 Unlikely 📋	Reasonably Likely 🗌 Highly Likely 🗍 Occurred 🗍			
B. Injury or illness could rea-	orkdays Or Restricted Duty Permanently Disabling Fatal			
sonably be expected to be:     No Lost Workdays     Lost Workdays       C. Significant and Substantial:     Yes     No	D. Number of Persons Affected:			
11. Negligence (check one) A. None B. Low C	. Moderate D. High E. Reckless Disregard			
12. Type of Action 104(b) 13. Type of Iss	suance (check one) Citation 🗌 Order 🗹 Safeguard 🗌			
14. Initial Action A. Citation B. Order C. Safeguard D. Written Notice	E. Citation/ Order Number 7247481 F. Dated Mo Da Yr 10/31/2005			
	for from the drive to 18 cross cut.			
16. Termination Due A. Date Mo Da Yr B. Time (24 Hr. Clock)	)			
Section IIITermination Action				
17. Action to Terminate				
18. Terminated A. Date Mo Da Yr B. Time (24 Hr. Clock)				
Section IVAutomated System Data				
19. Type of Inspection (activity code) E02 20. Event Number 4110672	21. Primary or Mill			
22. Signature	23. AR Number 23855			
has established a National Small Business and Agriculture Regulatory Ombudsman ar agency enforcement actions. The Ombudsman annually evaluates enforcement activit enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the state of the s	nall Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration and 10 Regional Fairness Boards to receive comments from small businesses about federal tites and rates each agency's responsiveness to small business. If you wish to comment on the rite the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 ight to file a comment with the Ombudsman is in addition to any other rights you may have, fore the Federal Mine Safety and Health Review Commission.			

Mine Citation/Order	U.S. Department of Labor Mine Safety and Health Administration				A ≁^	<sup>A</sup> ↓ 29 - 0 5 ↓ 29 - 0 5		
Section ISubsequent Action/Continuation Data						· · · ·		
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo 11/15	Da 5/204	Yr 05	3. Citation/ Order Number	7247495 - 01	antiper la Chemi kasiminin kanipin di generata yang kang da kan	nayon yan kata a ka
4. Served To	d.dt.dt.m.o.c.d.v.e.t			5. Opera	tor			- · · · ·
DEAN JONES, BLOCK SUPER				PERF(	DRMANCE CO	AL COMPANY		
6. Mine			····	7. Mine I		<i>,</i>	(Contractor)	
UPPER BIG BRANCH MINE-SO	UTH				46-0843	6		

Section II--Justification for Action

The fire valves have been repaired on the 1 south belt conveyor.

			See Continuation Form
Section III-Subsequent Action Taken			**************************************
8. Extended To A. Date Mo Da Yr	B. Time (24 Hr. Clock)	C. Vacated 🗹 D. Terminated	E. Modified
Section IVInspection Data			
9. Type of Inspection E02 10. I	Event Number 4110673		
	d		
	AR Number 12. Date	Mo Da Yr 13. Time (24 Hr. C	lock)
	23855	11/22/2005 1300	)
NISHA FUTTI 1909-38, Mar 63 (TEMSEU)			

Mine Citation/Order Continuation					
Section ISubsequent Action/Continuation Data					
1. Subsequent Action 1a. Continuation 2	2. Dated Mo Da (Original Issue) 10/31/2		3. Citation/ Order Number	7247482 - 01	
4. Served To		5. Operat	ог		
JIM GRISWOLD, FOREMAN		PERFC	RMANCE CO	AL COMPANY	
6. Mine UPPER BIG BRANCH MINE-SOU	ГН	7. Mine II	46-0843	6	(Contractor)
Section II-Justification for Action				20.00 / 10.00 / 10.00 / 10.00 / 10.00 / 10.00 / 10.00 / 10.00 / 10.00 / 10.00 / 10.00 / 10.00 / 10.00 / 10.00 /	

The operator requested additional time to finish cleaning under the bottom rollers of the 1- north belt and additional time is granted due to the work that has been completed.

Section IIISubsequent Action Taken							
8. Extended To A. Date Mo Da A. Date 11/21/2	Yr 005 B. Tíme (24 Hr. Cloc	:k) 0800	C. Vacated	D. Terminated	] E. Modified		
Section IVInspection Data							
EOZ	10. Event Number 41	10672					
11. Signature	AR Nur	nber 12. Date	Mo Da Yr	13. Time (24 Hr. Clock)	**************************************		
	23855	<u> </u>	11/15/2005	2100			

tinuction Form

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