U. S. Department of Labor

Mine Safety and Health Administration

2/0,

1. Action: a. New Entry 🗹 b. Update	2, A Code	ctivity e: E02		3.1	Event N	umber:	41199	934			
4. Date Event Started:	5. D	ate Event shed:	2/5/200	6.1	Mine ID	^e 46-(08436	-			
7a. Organization Code (Mine Assignment) 20401	b. Wo Identi	rk Group fier 01	9. Compa	iny Name	e F	PERFOR	MANCE	COAL CC	MPAN	Y	
8a. Organization Code (AR Assignment) 20401	b. Wo Group		10. Mine	Name	ι	JPPER B	IG BRAN	ICH MINI	e-sou	ГН	
11. Report Type (check a. First	b. Interim		ot Applicable		12. Area Inspecti		a, Activ Section:			. Idle ections	
c. Outby 🖌 d. Shafts/ 🗌 Areas Slopes	e. Surface Areas (UG)	f. Surface 🗌 Workings	g. Compa Records	iny 🔽	h. A1	ſF	i. Impor	Indments		j. Refuse Piles	;
k. Major (1) Shaft/ Construction Slope Sinking	(2) Impoundment Construction	(3) Building		Dragline ovel:	/	(5) O	ther	l. Mi	scellan	eous	
m. MMU/Pit Number											
(1) 040											
13. Number of Samples Collected a. Air 3 Samples	b. Rock Dust Spot	c. Rock I Survey		d. Resp Dust			e. Nois	5	f. ()ther	
 Impoundments/Refuse Piles: a. Number b. FHC 	c. Configuration	15. Prime Independe Codes (Major Co									
		16. Inspection Result	ts								
				Citatic		Orde		Safegu		Other	
		a. This Inspection		Coal Opr	Ind Con	Coal Opr	Ind Con	Coal Opr	Ind Con	Coal Opr	Ind Con
		(1) New Issuan		. 3							
		(2) Termination (3) Modification		1/0							
		(4) Left Pendin		2							
		b. Previously Issu	ıed	_							
		(1) Modificatio									
		(2) Termination	ns/Vacations								
 18. Signature and Card Number of A Right of Entry Person(s) Respons a. b. c. d. 	ible for Activity		Remarks: 32, B1242, B124	0							
19. Key Entered By	Date										

Activity Calendar	E	vent Number: 411	9934	Mine ID: 4608436						
		Sun	Mon	Tue	Wed	Thur	Fri	Sat		
	Shift	123	1 2 3	1 2 3	1 2 3	1 2 3	1 2 3	1 2 3		
	Week 1									

2/1/2009

Key Codes: 1- Owl Shift, 2- Day Shift & 3- Evening Shift (Mark "X" in appropriate Block to Indicate Shift)

21419

Mine Citati	on/Ordor				Demonte	ment of L	obor		2/1/19
wine Ollau	QII/OIUEI						h Administrati	on	
Section IViola	tion Data	n an an an Anna an Anna Anna Anna Anna					n yy fel an		
1. Date	Mo Da Yr	2, Time (24 Hr.)				********	3. Citation/	ar 80747	48
	02/05/2009	1()35				Order Numb	er 00717	
4 Served To	N.C C-				perator		AL COMPAN	NV.	
0.14	Mineforema	111						N I	
6. Mine	G BRANCH M	NF-SOUTH		7. IVI	ne ID Z	16-0843	6		(Contractor)
8. Condition o		IIII - 500 III				******		8a. Writter	Notice (103g)
methane behind	dust con the line	trol plan curtain w	to comply for the 04 here the co 5400 CFM to	0 MMU.	Ther us mi	e was ner wa	only 4560 s loading	O CFM of g in the	f air e #5
	1						See Continu	ation Form (MSF	łA Form 7000-3a)
9. Violation	A. Health ☐ Safety ✔	B. Section of Act		C. Part/Se Title 30			75.370(a	0(1)	
	Other	017101		1.10 00	onn		75.570(a	IJ(1)	
Section IIInspe	ector's Evaluation							***************************************	
10. Gravity:		NI 1/2 1/2 1		_					
Manual Association (Association)	' lliness (has) (is):	No Likelihood] Unlikely 🗌	Rea	sonably Like	eiy 🖌	Highly Likely	J Uccu	rred
	llness could rea- be expected to be:	Na Lost Wor	kdays 🗌 🛛 Lost V	Workdays O	r Restricted	d Duty 🗌	Permanently	Disabling 🖌	Fatal
	ant and Substantial:	Yes ✔	No 🗌	2011-10-00-00-00-00-00-00-00-00-00-00-00-	30112014		D. Number of Pe	rsons Affected	003
11. Negligenc	e (check one)	A. None 🗌	B. Low 🖌	C. Moderate	• 🗌	D. High	E. F	eckless Disreg	jard
12. Type of Ac	ction 104(a)		13. Type of Issu	ance (check	one)	Citation 🖌	Order 🗌 🖇	Safeguard	Written Notice
14. Initial Action	on	C. Safeguard	D. Written Notice	E. Cit	ation/ der Number	. <u></u>		F. Dated	Mo Da Yr
15. Area or Ec	quipment								
16. Terminatio	A. Date	Mo Da Yr 02/05/2009	B. Time (24 Hr. Cloo	ck)	1045			19-03-11-2-511-1512-11-0-0-51-0-0-1-0-1-0-1-	
Section IIITerr 17. Action to 1		re is now	7360 CFM 0	of air	prese	nt beh	ind the 1	line cu	rtain.
18. Terminate	LA Lista	Da Yr 15/2009 B. Tin	e (24 Hr. Clock)	1042					
19. Type of In		20, Event Numb	er :	4	21. Prima	rv or Mill			
(activity co	ode) E02		[∎] 4119934	4					
22. Signature		Artic	2019-11	THEY'Y MAARTONING THOUGHAAD ALL PAR			23. AR Nu	mber	
has established agency enforce enforcement ac 3rd Street, SW	ment actions. The On tions of MSHA, you ma MC 2120, Washingto	ness and Agriculture ibudsman annually e iy call 1-888-REG-F/ n, DC 20416. Pleas	ith the provisions of the S Regulatory Ombudsman valuates enforcement act AIR (1-888-734-3247), or e note, however, that your ies and obtain a hearing b	and 10 Regi livities and rat write the Oml r right to file a	onal Fairnes es each age oudsman at s comment wi	s Boards to re ncy's responsi Small Busines ith the Ombud	ceive comments fro iveness to small bus is Administration, Of Isman is in addition	m small busines siness. If you wis ffice of the Nation to any other right	ses about federal sh to comment on the nal Ombudsman, 409

Mine Citation/Order							J.S. Depa /line Safe				nistratio		10/9:	
Section IViolat	ion Data													
1. Date	Mo Da Yr 02/05/200		2. Time (2		lock) 27					3. Citat Orde	ion/ r Numbe	er 80747	'49	
4 Served To	Minefo		an		92. Destro da fonda de la construcción de la construcción de entre de la construcción de la construcción de la		5. Operator PERFOR	MAN	ICE CO	DAL CO	MPAN	IY	<u></u>	and fit has been and the
6. Mine						17	7. Mine ID	<u></u>	-0843	26				
UPPER BI		ΗM	INE-SOI	JTH				- 1 0	-004.				(Contract	ior)
8. Condition or	****		- 6-11		to proper	1	and t		ll-			*****	Notice (103g)	
miners pump, h	must wo igh lin	ork ne s	or tr sled a	ave nd l	l under it KVA box the above groun	on t e hig	the #2 gh vol	se tag	ctior e cat	n. At ble is	the not	sectior guarde	n pressu	
9. Violation	A. Health	1	B. Section			C. Par	t/Section of			See	Continue	tion Form (MSI-	IA Form 7000-3a)	
	Safety 🖌 Other []	of Act			1	9 30 CFR			·	75.807	7		
Section IIInspe 10. Gravity:	ctor's Evaluatio	on		100 ₂ -222-22										-,
	lliness (has) ((is):	No Likelih	ood	Unlikely 🗸		Reasonably	Likely	Π	Highly L	kely	Occu	rred	
	illness could r		ما منام	4 \\/			******************************		·····	Deeree		Noobling (Estal [d]	
LWORLEW COLOR	be expected to		NO LOS		(days Lost	vvorkua	ys Or Restri	ciea D		1	.)isabling	Fatal 🖌	0-0
C. Significa	int and Substa	antial:	Yes	s []	No 🖌					D. Numb	er of Per	sons Affected:	001	
11. Negligence	e (check one)		A. None]	B. Low	C. Mod	erate 🖌	·	D. High		E. R	eckless Disreg	ard	
12. Type of Ac	tion 104	(a)			13. Type of Issi	uance (cl	neck one)	Cit	ation 🖌	Order [_] S	afeguard 🗌	Written Notice	e 🗌
14. Initial Actio A. Citation	n 🔲 B. Order	r 📋	C. Safegua	ard 🗌	D. Written Notice	E	. Citation/ Order Nun	nber				F. Dated	Mo Da Y	'n
15. Area or Eq	ulpment					<u>nun en conten</u> te de Legend						<u></u>		
16. Terminatio	n Due A.	Date	Mo Da 02/06/2		B. Time (24 Hr. Clo	ock)	0800						/2008/00/2012/02/20 #00/201-91-	
Section IIITerm							10-7-8-14-3/14-30-9-17-19-19-17-18-				· · · · ·			*****
17. Action to T	erminate													
18. Terminatec	A. Date	Mo [Da Yr	B. Tim	e (24 Hr. Clock)									
Section IVAuto	mated System	Data				·								
19. Type of Ins (activity cod		E02	20. Event	Numbe	* 411993	4	21. Pr	imary	or Mill					
22. Signature			· 				L			23.	AR Nur	nber		
agency enforcen enforcement act 3rd Street, SW	a National Sma nent actions. T ions of MSHA, MC 2120, Was	all Busi The Om you ma shingtoi	ness and Agr ibudsman an iy call 1-888- n, DC 20416.	iculture nually ev REG-FA Please	th the provisions of the Regulatory Ombudsma valuates enforcement ac IR (1-888-734-3247), or note, however, that you	n and 10 I ctivities an r write the ır right to l	Regional Fair d rates each Ombudsmar file a comme	ness B agency at Sm nt with t	oards to re /'s respons all Busine: the Ombud	eceive comn siveness to s ss Administr dsman is in s	nents fron small busi ration, Off addition to	n small business ness. If you wis ice of the Nation o any other right	ses about federal h to comment on al Ombudsman, 4	the

Mine Citation/Order Continuation				epartment of L Safety and Heal	2ma Co	
Section ISubsequent Action/Continuation Data						
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo D 02/05/		3. Citation/ Order Number	8074749 - 01	
4 Served To Mineforeman			5. Opera PERF		AL COMPANY	
6. Mine UPPER BIG BRANCH MINE-SO	UTH		7. Mine	^{ID} 46-0843	6	(Contractor)
Section IIJustification for Action						

The high voltage cable has been guarded.

Section IIISubse								or a contraction of the second	an 13 web ward in New Saman and Philama			
8. Extended To	A. Date	Мо	Da	Yr	B. Time (24	Hr. Clock)		🗌 C. Va	cated	D. Terminated	E Modified	
Section IVInspection	Section IVInspection Data											
9. Type of Inspe	ction E	01		10. Ev	/ent Number	4119932		**************************************			-	
11. Signature						AR Number	12. Date	Mo Da	Yr	13. Time (24 Hr. Cl	ock)	
								02/10/	2009	1115		

See Continuation Form

U.S. Department of Labor
Mine Safety and Health Administration

													e ^{rr}	44	ĺđ
Mine Citatio	n/Order						J.S. Depa /line Safe				ninistr	ation	ø	90]	<u> (</u>
Section IViolatio			1												
1. Date	Mo Da Yr 02/05/200		2. Time (1	24 Hr. C 111							itation/ order Nu		80747	750	
A Served To	Minefo	oremai	n				5. Operator PERFOR		CE CO	AL (COMP	ANY	,		
6. Mine						1	7. Mine ID	16	-0843	6					
UPPER BIG	BRANCI	H MIN	Æ-SOU	JTH				40	-0643	0					(Contractor)
8. Condition or					taining th								8a. Writte		
followin 1) The I numerous 2) The I 3) The I flyboard	ng cond life li s locat life li life li ds in m life li	ditic Lne v Lions Lne i Lne i Lne i	ons w was n s. is hu cuns iple is hu	ere ot e ng t over loca ng t	ogether wi	the thr reac cabl	e Elli ceflec ch in .es, p	s tr tive nume hone	rack e mat erous e lin	swi eri lo les,	tch al e cati wat	to ever lons cerl	the server the server serve server serve server serve server serv	ecti in and	
9. Violation		al	Section				t/Section o				See Cor	tinuatio	n Form (MSI	IA Form	17000-3a) [
9. Violation	A. Health Safety 🗸 Other		of Act				30 CFR	л			75.38	0(d)(7)		
Section IIInspec	tor's Evaluation	n													
10. Gravity:															
A. Injury or I	lliness (has)	(is): N	lo Likeliho	bod 🗌	Unlikely 🗌	F	Reasonably	Likely	✓	Highl	y Likely	'	Occu	rred	
	illness could be expected t		No Los	t Workd	ays 📃 🛛 Lost V	Vorkday	s Or Restri	icted Du	ity 🗌	Pei	rmanen	tly Dis	abling 🔽	Fa	ital 🗌
C. Significar	nt and Substa	antial:	Yes		No 🗌					D. Nu	imber o	f Perso	ons Affecte	d:	008
11. Negligence	(check one)	A.	None []	B. Low	Č. Mod	erate 🔽	l	D. High		E	E. Reck	less Disreg	ard]
12. Type of Act	tion 104((a)			13. Type of Iss	uance (c	heck one)	Cita	tion 🔽	Ord	er 🗌	Safe	eguard 🗌	Writ	ten Notice
14. Initial Action A. Citation	n B. Order	П С.	. Safegua	ird 🗔	D. Written Notice	E	. Citation/ Order Nur	mber					F. Dated	Ν	/lo Da Yr
15. Area or Equ	uipment			Andre I		<u> </u>						I.			
16. Termination	Due A.	Data	Mo Da)2/05/20	E	B. Time (24 Hr. Clo	ock)	1400)							
Section IIITermin	nation Action								•						
17. Action to Te	erminate														
18. Terminated	A. Date	Mo Da	Yr	B. Time	(24 Hr. Clock										
Section IVAutor										,					
19. Type of Ins (activity coc		302 ²	20. Event	Numbei	411993	4	21. P	rimary c	or Mill						
22. Signature											23. AR	Numb	er		
enforcement actio	ional Small Bus	siness an udsman a	d Agricultu nnually ev	re Regula aluates er	the provisions of the S atory Ombudsman and nforcement activities ar (1-888-734-3247), or	10 Regio nd rates e	nal Fairness ach agency's	Boards t s respons	o receive siveness to	comme o small	nts from business	small b s. If you	usinesses ab I wish to com	out fede ment on	ral agency the

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/Order Continuation

U.S. Department of Labor



See Continuation Form

. Mine Safety and Health Administration

Section ISubsequent Action/Continuation Data			
1. Subsequent Action 1a. Continuation 2. Dated (Original	, - .	Citation/ Order Number 8074750 - 01	
	o2/05/2009		
1 Served To	5. Operator		
Mineforeman	PERFOR	MANCE COAL COMPANY	
0. INDIA	7. Mine ID	16.00106	(Contractor)
UPPER BIG BRANCH MINE-SOUTH		46-08436	
Section IIJustification for Action			

Work has been performed on the life line, but additional corrections are still needed.

Section IIISubsection	Section IIISubsequent Action Taken											
8. Extended To	A. Date	мо 02	Da /12/2	Yr 009	B. Time (24	Hr. Clock)	0800		C. Va	cated	D. Terminated	E. Modified
Section IVInspection Data												
9. Type of Inspe	ction E	201	ľ	10. Ev	/ent Number	4119932						
11. Signatu						AR Number	12. Date	Mo	Da	Yr	13. Time (24 Hr. Clo	ock)
····								0	2/10/2	2009	1200	

Mine Citation/Order Continuation			epartment of Labor afety and Health Administ	3 (20/9
Section ISubsequent Action/Continuation Data				
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da Yr 02/05/2009	3. Citation/ Order Number 807475	50 - 02
4. Served To		5. Opera	tor	
Mineforeman		PERFC	DRMANCE COAL COM	PANY

7. Mine ID

46-08436

(Contractor)

6. Mine

UPPER BIG BRANCH MINE-SOUTH

Section II--Justification for Action

This citation is extended due to the mine fan being down.

									See Continuation Form	
Section IIISubsequent Action Taken										
8. Extended To	A. Date	Mo Da 02/19/	Yr /2009	B. Time (24	Hr. Clock)	0800	C. Vacate	d 🗌 D. Terminated	E. Modified	
Section IVInspec	Section IVInspection Data									
9. Type of Inspe	ection E0)1	10. E	/ent Numbei	4119932					
11. Signature					AR Number	12. Date	Mo Da Yr	13. Time (24 Hr. Cl	ock)	
۵ ۵							02/17/200	9 2338		

λe.						2/20/9	
Mine Citation/Order			U.S. D	epartment of L	- [[
Continuation			Mine S	afety and Healt	\$77		
Section ISubsequent Action/Continuation Data							And the second se
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo Da 02/05/20	Yr 109	3. Citation/ Order Number	8074750 - 03		- <u></u>
4. Served To		· · · · · ·	5. Opera	tor		4	Garan and an and a state of the
Mineforeman			PERF	DRMANCE CO	AL COMPANY		_
6. Mine	••••		7. Mine I		6	(Contractor)	·
UPPER BIG BRANCH MINE-SO	UTH			46-0843	0		

Section II--Justification for Action

The lifeline has been correctly installed.

Section IIISubsequent Action Taken									
8. Extended To A. Date No Da	Yr B. Time (24 Hr. Clock)		D. Terminated E. Modified						
Section IVInspection Data									
9. Type of Inspection E01	10. Event Number 4119932		ан (на самания) на						
11. Signatu	AR Number	12, Date Mo Da Yr	13. Time (24 Hr. Clock)						
		02/19/2009	1800						

See Continuation Form

Mine Citation/Order Continuation	1 issue	o d		epartment of La afety and Healt	abor Administration	2/0/01	
Section ISubsequent Action/Continuation Data	Λ΄						
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Mo D 01/15/	a Yr 2009	3. Citation/ Order Number	8071998 - 03		
4. Served To			5. Opera	tor			
Homer Wallace, supt.			PERFO	RMANCE CO	AL COMPANY		
6. Mine UPPER BIG BRANCH MINE-SOL	7. Mine	^D 46-0843	(Contractor)				
Section IIJustification for Action							

A map has been submitted and waiting approval.

						See Continuation Form
Section IIISubsequent Action Taken				DATE MERCHANISTIC CONTRACTOR OF A DESCRIPTION OF	יין איז	יייינער איז
8. Extended To A. Date Mo Da 02/10/2	Yr 2009 B. Time (24	Hr. Clock)	0800	C. Vacated	D. Terminated	E. Modified
Section IV-Inspection Data						
9. Type of Inspection E02	10. Event Number	4119934	na sa na			
11. Signatu		AR Number	12. Date	Mo Da Yr	13. Time (24 Hr. Clo	ick)
				02/05/2009	1638	
MSHA Form 7000-3a Mar 85 (revised)						

Mine Citation/Order Continuation	(Drun'oru	l'issue		U.S. De	partment of L	a summittee strengthere is a set of the	2/6/9
Section ISubsequent Action	Continuation Data	1					
 Subsequent Action 1a ✓ 	. Continuation	2. Dated (Original Issue)	Mo Da 02/02/20	Yr 09	3. Citation/ Order Number	8074733 - 01	
4. Served To				5, Operat	or		
Homer Wallace, sup	ot.			PERFC	RMANCE CO	AL COMPANY	
6. Mine UPPER BIG BRANCH MINE-SOUTH					46-0843	(Contractor)	
Section IIJustification for Ac	an a			<u>.</u>	ninaidheanna an sinn an shann i an shan i an shan i an shini shini an shini shini shini shini shini shini shini		

The dayshift has conducted and recorded a smoke search on #3 section.

			See Continuation Form
Section IIISubsequent Action Taken			
8. Extended To A. Date Mo Da	Yr B. Time (24 Hr. Clock)	C. Vacated 🗹 D. Terminated	E. Modified
Section IV-Inspection Data			
9. Type of Inspection E02	10. Event Number 4119934		
11. Signatu	AR Number 12. Date	Mo Da Yr 13. Time (24 Hr. Clo 02/05/2009 0715	ock)

Mine Citation/O Continuation	rder MUririsli	1 MAULO	<u> </u>			epartment of La afety and Health	2/5/1		
	t Action/Continuation Data								
1. Subsequent Acti ☑	ion 1a. Continuation	2. Dated (Original Issue)	Мо 02/(Da 02/2009	Yr 9	3. Citation/ Order Number	8074737 - 01		
4. Served To			-		, Opera				
	Chief electrician			P	'ERFC	PRMANCE CO.	AL COMPANY		
6. Mine UPPER BIG BI	RANCH MINE-SOU	JTH	KON SCIENCE STREET, SCIENCE SCIENCE	7	'. Mine I	^D 46-0843	6	(Contractor)	
Section II-Justification	1 for Action				A	and a second			and a subsection of the subsec

The CO monitor is now functional.

1000-000-000-000-000-000-000-000-000-00			See Continuation Form							
Section IIISubsequent Action Taken										
8. Extended To A. Date Mo Da	Yr B. Time (24 Hr. Clock)	C. Vacated 🗹 D. Term	inated E. Modified							
Section IVInspection Data										
9. Type of Inspection E02	10. Event Number 4119934		They are any if we article and the international individual and a state of the state of the state of the state of the s							
11. Signature	AR Number 12. Da		24 Hr. Clock)							
		02/05/2009	0720							

Mine Citation/Order	U.S. Department of Labor Mine Safety and Health Administration	>[le]d
Section ISubsequent Action/Continuation Data	99.00000000000000000000000000000000000	
1. Subsequent Action 1a. Continuation 2. Dated Mo Da Image: Continuation in the second seco	80'/4'/3' = 0'	an na panganan mang kang pang kang kang dan pang kang kang kang kang kang kang kang k
4. Served To	5. Operator	
Chief electrician	PERFORMANCE COAL COMPANY	
6. Wine	7. Mine ID	(Contractor)
UPPER BIG BRANCH MINE-SOUTH	46-08436	
Section IIJustification for Action		

Modify subsequent action 8074737-01 to read" The methane monitors have been calibrated and the results recorded."

				20211111111111111111111111111111111111				See Continuation Form
Section IIISubse	quent Action Take	en						
8. Extended To	A. Date Mo	Da	Yr	B. Time (24 Hr. Clock)		C. Vacated	D. Terminated	E. Modified
Section IVInspec	Section IVInspection Data							
9. Type of Inspe	ection E02		10. E [.]	vent Number 4119934		utaniou/uzzekozieninieko misieko pierotygykon ogo mieroti miejekojnyk		
11. Signature			<u> </u>	AR Number	12. Date	Mo Da Yr 02/05/2009	13. Time (24 Hr. Clo 1726	ock)

UNITED STATES DEPARTMENT OF LABOR MSHA LABORATORIES - MOUNT HOPE, WEST VIRGINIA ANALYSIS OF AIR SAMPLES

	: UPPER BIG BRANCH MINE SOUTH : PERFORMANCE COAL COMPANY	Mine ID: Inspector:	4608436	1	Date(s) (Collected: Office:	02/05/2009 401
BOTTLE NUMBER	LOCATION IN MINE	CARBON DIOXIDE	OXYGEN	METHANE		CUBIC FEET AIR PER MINUTE	CUBIC FEET METHANE IN 24 HOURS
B1232	#5 ENTRY - #2 SECTION	0.060	20.88	0.180	0.000	0	0
B1240	#2 SECTION - L.O.B.	0.060	20.88	0.120	0.000	0	0
B1242	#2 SECTION - IMMEDIATE RETURN	0.060	20.52	0.150	0.000	0	0

THE PERCENTAGE OF NITROGEN CAN BE DETERMINED BY SUBTRACTING THE SUM OF THE REPORTED VALUES FROM 100.00

1 Rec. 02/06/2009

PAGE: 1

U.S. Department of Labor

FROM:

Mine Safety and Health Administration 100 Bluestone Road Mount Hope, WV 25880-1000

411993

DATE:	4	/	8	0	9	

MESSAGE FOR: FIELD OFFICE SECRETARY -

PAGES (INCLUDING COVER): ___

SUBJECT: CONTESTED VIOLATION DATA AT ID NO. 8436

The violations shown below have been contested by the mine operator:

VIOL #	ISSUED	VIOL#	ISSUED
8074723	1/20/09	8074732	1/22/09
8074724	<i>it</i>	8074748	2/5/09 -
8074726	121/09	8074750	
8074727	18	8074752	2/10/09
8074731	1/22/09	8074753	2/11/09

These documents go before lawyers and judges. It is important that all copies be clean and clearly legible.

Please provide a copy of each violation and all subsequent actions for that violation.

I also need a copy of the inspector's notes (including the Daily Cover Sheet) for each violation, as well as any special assessment forms and a copy of appropriate plans related to those violations.

If there are any related violations, such as 107(a) Orders, I need a copy of them too.

Please fax your response back to me today or tomorrow - I have a very short turn-around time to get this material in to the Solicitor's Office in Arlington.

If you have any questions, call me on extension 148. Thank you for your help.



