## Mine Activity Data

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

5											**
1. Action: a. New Entry  b. Upda	2. A	ctivity e: E02		3. I	Event Nu	<sup>mber:</sup> 4	1234	79			
4. Date Event Started:	7/22/2000	ate Event	7/22/200	6. Mine ID: 46-08436							
7a. Organization Code (Mine Assignment) 20401	b. Wo Identi	rk Group fier 01	9. Comp	pany Name PERFORMANCE COAL COMPANY							
8a. Organization Code (AR Assignment) 20401	b. Wo Group	111	10. Mine	e Name UPPER BIG BRANCH MINE-SOUTH							
11. Report Type (check a. First	b. Interim	c. Last	d. Not Applicable		12. Area Inspection		a. Active Sections			Idle ections	1
c. Outby d. Shafts/ Areas Slopes	e. Surface Areas (UG)	f. Surface Workings	g. Compo	any 🗸	h. AT	F []	i. Impou	ndments		j. Refu Piles	se
k. Major (1) Shaft/ Construction Slope Sinking	(2) Impoundment Construction	(3) Bu		) Dragline lovel:	/	(5) Oth	er	1. M	iscellane	ous 🗌	
n. MMU/Pit Number (1) 029 (2) 040											
13. Number of Samples Collected a. Air Samples	b. Rock Dust Spot		Lock Dust Survey	d. Resp Dust			e. Noise	:	f. O	ther	
14. Impoundments/Refuse Piles: a. Number b. FH	C c. Configuration		pendent Contractor jor Construction)								
		16. Inspection	Results			<del></del>					
				Citatio	ns	Order	3	Safegu	ards	Oth	er
		a. This Insp	ection	Coal Opr	Ind Con	Coal Opr	Ind Con	Coal Opr	Ind Con	Coal Opr	Ind Con
		(1) New 1	Issuances	. 2	0	0	0	0	0	0	0
		(2) Term	inations/Vacations	2/0	0/0	0/0	0/0	0/0	0/0	0/0	0/0
	•	(3) Modi	fications/Extensions	0/0	0/0	0/0	0/0	0/0	0/0	0/0	0/0
		(4) Left F	Pending	0	0	0	0	0	0	0	0
÷		b. Previous	•	2.42		2 /2	0.10	2 /2	2.42		
			fications/Extensions	0/0	0/0	0/0	0/0	0/0	0/0	0/0	0/0
		(2) Term	inations/Vacations	4/0	0/0	0/0	0/0	0/0	0/0	0/0	0/0
18. Signature and Card Number of Right of Entry Person(s) Resp		cive/ Card Number	17. Remarks:			·					

Date

đ.

19. Key Entered By

Activity Calendar

Event Number: 4123479

Mine ID: 4608436

	Sun	Mon	Tue	Wed	Thur	Fri	Sat
Shift	1 2 3	1 2 3	1 2 3	1 2 3	1 2 3	1 2 3	1 2 3
Wee <b>k</b> 1 7/19/2009							

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 8086141
07/22/2009 1035	5. Operator
Mine Foreman	PERFORMANCE COAL COMPANY
6. Mine	7. Mine ID 46-08436 (Contractor)
UPPER BIG BRANCH MINE-SOUTH  8. Condition or Practice	8a. Written Notice (103g)
and provided the contraction of the form the contraction of the contra	mometer, the air reaching the last open
cross-cut between no. 3 and 4 entr 7,296 CFM.	ies, on the MMU-029/040 section was only
9. Violation A. Health B. Section	See Continuation Form (MSt M. Form 7000 9s)
Safety of Act Other Section II-Inspector's Evaluation	75.325(b)
10. Gravity:	to the second se
A. Injury or Illness (has) (is): No Likelihood Unlikely	Reasonably Likely Highly Likely Occurred
B. Injury or illness could real sonably be expected to be: No Lost Workdays 🗹 Lo	st Workdays Or Restricted Duty 📋 Permanently Disabling 📋 Fatal 📋
C. Significant and Substantial: Yes ☐ No ✔	D. Number of Persons Affected: 002
11. Negligence (check one) A. None B. Low D	C. Moderate ☑ D. High ☐ E. Reckless Disregard ☐
12. Type of Action $104(a)$ 13. Type of	lssuance (check one) . Citation ☑ Order ☐ Safeguard ☐ Written Notice ☐
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 Do Yr 07/22/2009 B. Timo (24 ris.	Grack) 1100
Section IIITermination Action	
17. Action to Torribote The air was restored	to 9,202 CFM.
18. Terminated A. Date Mo De Yr 07/22/2009 B. Time (24 Hr. Clock	1055
Section IVAutomated System Data	
(activity code) 20 Treet Number A.1.23	479 21. Primary or Mill
22. Signature	23. AR Number

MSHA Form 7000-3, Apr 08 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, tire Small Business Administration has established a National Small Business and Agriculture Regulatory Ornbudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Standard Mark Falson, 100 2014 to 1994 the Park Falson Mark Falson and 1995 the Park Falson Mark Falson Mark

the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

1/23/9	
11 -1	

Mine Citat	tion/Order						U.S. Department of Labor Mine Safety and Health Administration								
Section IViol	ation Data		<del>//2001/2007/2007/2007/2007/2007/2007/200</del>	4,,	· · · · · · · · · · · · · · · · · · ·						POWORD NO PORTO DE LA COMPONIONE COMPONION COM				
1. Date	Mo Da Yr 07/22/2009		ime (24 Hr. ( 10	Clock) 050				* -	3	. Citation/ Order Number	808	6142			
4 Served To	Mine Fo	oreman	5. Operator PERFORMANCE COAL COMPANY							PERFORMANCE COAL COMPANY					
	BIG BRANCH MINE-SOUTH 7. Mine ID 46-082							8436			<u>`</u> _	ontractor)			
8. Condition												ten Notice (			
When	checked	with	smoke	the	belt	air	was	enterin	g the	MMU-029	)/040	secti	on.		
			e e												

				See Continuation I	Form (MSHA Form 7000-3a)
	lth ☐ B. Section ety ✔ of Act	C. Part/Se Title 30		75.325(b)	
Section ItInspector's Ev	aluation				
10. Gravity:					
A. Injury or Illness	(has) (is): No Likelihood	Unlikely 🗸 Reas	onably Likely	Highly Llkely	Occurred
B. Injury or illness sonably be expe		ys Lost Workdays O	Restricted Duty 🗸	Permanently Disab	ling Fatal .
C. Significant and	Substantial: Yes 🗌	No 🗹		D. Number of Person	s Affected: 001
11. Negligence (checi	(one) A. None	B. Low C. Moderate	D. High	E. Reckle	ss Disregard
12. Type of Action	104(a)	13. Type of Issuance (chec	k one) - Citation 🗹	Order 🗌 🛚 Safeg	uard Written Notice
14. Initial Action A. Citation B.	Order C. Safeguard D	h	ation/ der Number	F	. Dated Mo Da Yr
15. Area or Equipmer	<b>t</b>			·	
16. Termination Due	A. Date Mo Da Yr 07/22/2009	3. Time (24 Hr. Clock)	1200		
Section IIITermination A	ction				
17. Action to Termina	The operator	repaired the ba	ick up check	cs.	
18. Terminated A. D.	ate Mo Da Yr 07/22/2009 B. Time (	24 Hr. Clock 1200			
Section IVAutomated S	rstem Data				
19. Type of Inspection (activity code)	20. Event Number	4123479	21. Primary or Mill		
22. Signature		······································		23. AR Number	r

MSHA Form 7000-3, Apr 08 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 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/Order Continuation	Ouslight	<u>Mu</u>	2 / N	J.S. De /line S	epartment of La afety and Health	abor n Administration	1/20/9	<b>(%)</b>
Section ISubsequent Action/Continuation Data	1							
1. Subsequent Action 1a. Continuation	2. Dated (Original Issue)	Мо 07/21	Da 1/200	Yr 9	3. Citation/ Order Number	8094524 - 01		and the second seco
4 Served To Mine Foreman				i. Opera PERFC		AL COMPANY		
6. Mine UPPER BIG BRANCH MINE-SO	UTH		7	'. Mine I	46-0843	(Contractor)		
Section ItJustification for Action			melajada en jargi karanca	O managari da kanaki laiki				

The rollers have been removed'

									See Continuation Form		
8. Extended To		n Da	Yr	B. Time (24 H	r. Clock)		☐ C. Vacated	✓ D. Terminated	☐ E. Modified		
Section IVInspection Data											
9. Type of Inspec	etion E02		10. E		4123479	Tido Data	Ada Da Va	13. Time (24 Hr. Cl	oole		
11. \$					R Number	12. Date	Mo Da Yr 07/22/2009	15. Time (24 Hr. Cit			

Mine Citation/Order Continuation	Tushy B	sued		epartment of Labor afety and Health Administration	7/20/1
Section I-Subsequent Action/Continuation Data	//				
1. Subsequent Action 1a, Continuation	2. Dated (Original Issue)	Mo Da 07/21/20	Yr 109	3. Citation/ Order Number 8094525 - 01	
4 Served To Mine Foreman			5. Opera PERFO	ator ORMANCE COAL COMPANY	
6. Mine UPPER BIG BRANCH MINE-SO	UTH		7. Mine	46-08436	(Contractor)
Section IIJustification for Action	CONTRACTOR OF THE PROPERTY OF				

The belt has been cleaned.

Section IIISubsequent Action Taken		gammayannan kaskan kirik ana mpinka kak kan plakanan kan ana ak-a	is design <del>a la composita de la co</del>	dockednos mente Aberla (Adalando en 1822 Adalando en 1822 Adalando en 1822 Adalando en 1822 Adalando en 1822 A		See Continuation Form
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	4123479				
11. S		AR Number	12. Date	Mo Da Yr 07/22/2009	13. Time (24 Hr. Cl	ock)

Mine Citation/Order Continuation	ush iss	ned.		epartment of Labor afety and Health Administration	7/27/9
Section ISubsequent Action/Continuation Data	1				The state of the s
1. Subsequent Action 1a. Continuation	2. Dafed (Original Issue)	Mo Da 07/21/20	Yr )09	3. Citation/ Order Number 8094526 - 01	
4. Served To			5. Opera		
Mine Foreman			PERFO	DRMANCE COAL COMPANY	
6. Mine			7. Mine I	d6-08436	(Contractor)
UPPER BIG BRANCH MINE-SOL	JTH		e de la constante de la consta	40-08430	
Section IIJustification for Action					

The operator has re-instructed the examiners on proper examinations.

					oline-powersterou	and beautiful and			See Continuation Form
8. Extended To A. Date Mo Da	Yr	B. Time (24	Hr. Clock)			C. Vac	ated	✓ D. Terminated	E. Modified
Section IVInspection Data 9. Type of Inspection E02	10. E	vent Number	4123479						
11. 8			AR Number	12. Date		Da 7/22/2	Yr 009	13. Time (24 Hr. Clo	ock)
			······································			THUL	002	1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1, 1	

Mine Citation/Order Continuation  (May Ous us used)	U.S. Department of Labor Mine Safety and Health Administration	7/27/9
Section ISubsequent Action/Continuation Data		
1. Subsequent Action 1a. Continuation 2. Dated Mo Da (Original Issue) 07/21/2	200/57/ 01	
4 Served To Mine Foreman	5. Operator PERFORMANCE COAL COMPANY	
6. Mine UPPER BIG BRANCH MINE-SOUTH	7. Mine ID 46-08436	(Contractor)
Section IIJustification for Action		

The belt has been cleaned.

Section IIISubseq	uent Action Take	n			<del>.</del>			de addisonte a		See Continuation Form
8. Extended To	Colonia na mara na mana na man	Da	Yr	B. Time (24 Hr. Clock)			☐ C. Va	cated	✓ D. Terminated	E. Modified
Section IV-Inspect 9. Type of Inspe			10. E	vent Number	4123479					
11.5					ber	12. Date	Mo Da 07/22/2	Yr 2009	13. Time (24 Hr. Clo	ock)