Mine Activity Data



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

on	

1. Action: a. New Entry b	. Update	✓	2. Ac Code	ctivity e· E	02		3. E	vent Nu	nber: 6	2843	19			
4. Date Event Started:	- 	7/29/2009	5. D	ate Event shed:		8/3/20	6. M	line ID:	46-0	8436				
7a Organization Code	20401			rk Group)1	9. Comp	oany Name	PE	RFORM	ANCE C	OAL CO	MPANY	7	
8a. Organization Code (AR Assignment)	20401		b. Wo Group)1	10, Min	e Name	UI	PPER BIO	3 BRAN	CH MINI	E-SOUT	Н	
11. Report Type (check a. First		b. Interim		c. Last	d. Not Ap	oplicable		2. Area on a spection		a. Active Sections	, 1		Idle ctions	
c, Outby d. Sh Areas Slope		e. Su Areas	rface s (UG)	f. Surfac Working		g. Comp Records		h. ATT	· 🔲	i. Impou	ndments		j. Refus Piles	;
k. Major (1) S Construction Slope Sinki		(2) lmp Constr	oundment uction	0 (3	3) Buildings (l) Dragline/ hovel:	0	(5) Oth	er ()	I. Mi	iscellane	ous 🗌	
m. MMU/Pit Number	029	(4) 040												1
13. Number of Samples Collected a. Air Sam	1 nples		Rock Dust	0	c. Rock Dust Survey	0	d. Respii Dust	rable +	0	e. Noise	0	f. O	ther 0	
14. Impoundments/Refuse l					Independent Co (Major Constru									
a. Number	b. FHC	c. Confi	guration	///	tion Results							.,		-
				To. Hispec	non resuns									
							Citation	าร	Order	s.	Safegu	ards	Othe	•
				a. This	Inspection		Citatior Coal Onr	Ind	Order Coal Opr	Ind	Safegu Coal Opr	Ind	Othe Coal Opr	Ind
					Inspection						-			
				(1) 1	•	acations	Coal Opr	Ind Con	Coal Opr	Ind Con	Coal Opr	Ind Con	Coal Opr	Ind Con
				(1) 1	New Issuances		Coal Opr	Ind Con	Coal Opr	Ind Con	Coal Opr	Ind Con	Coal Opr	Ind Con
				(1) N (2) T (3) N	New Issuances		Coal Opr . 0	Ind Con 0	Coal Opr 3	Ind Con 0	Coal Opr 0	Ind Con 0	Coal Opr 0	Ind Con 0
				(1) N (2) T (3) N (4) I b. Prev	New Issuances Ferminations/V Modifications/F Left Pending viously Issued	Extensions	Coal Opr . 0 0/0 0	Ind Con 0 0 0 0	Coal Opr 3 3/0 0	Ind Con 0 0 0	Coal Opr 0 0 0 0	Ind Con 0 0 0 0	Coal Opr 0 0 0 0	Ind Con 0 0 0 0
			·	(1) N (2) T (3) N (4) I b. Prev (1) N	New Issuances Ferminations/V Modifications/E Left Pending viously Issued Modifications/E	Extensions	Coal Opr 0/0 0/0 0/0	Ind Con 0 0 0 0 0 0	Coal Opr 3 3/0 0 0	Ind Con 0 0 0 0 0	Coal Opr 0 0 0 0 0	Ind Con 0 0 0 0 0	Coal Opr 0 0 0 0	Ind Con 0 0 0 0 0 0
				(1) N (2) T (3) N (4) I b. Prev (1) N	New Issuances Ferminations/V Modifications/F Left Pending viously Issued	Extensions	Coal Opr . 0 0/0 0	Ind Con 0 0 0 0	Coal Opr 3 3/0 0	Ind Con 0 0 0	Coal Opr 0 0 0 0	Ind Con 0 0 0 0	Coal Opr 0 0 0 0	Ind Con 0 0 0 0
18. Signature and Card Nu Right of Entry Person(umber of a	Authorized I	etivity	(1) N (2) T (3) N (4) I b. Prev (1) N (2) T	New Issuances Ferminations/V Modifications/E Left Pending viously Issued Modifications/E Ferminations/V	Extensions Extensions acations	Coal Opr 0/0 0/0 0/0	Ind Con 0 0 0 0 0 0	Coal Opr 3 3/0 0 0	Ind Con 0 0 0 0 0	Coal Opr 0 0 0 0 0	Ind Con 0 0 0 0 0	Coal Opr 0 0 0 0	Ind Con 0 0 0 0 0 0
18. Signature and Card Nu Right of Entry Person(.	umber of a	Authorized l asible for Ac	etivity	(1) N (2) T (3) N (4) I b. Pret (1) N (2) T	New Issuances Ferminations/V Modifications/E Left Pending viously Issued Modifications/E Ferminations/V	Extensions Extensions acations	Coal Opr 0/0 0/0 0/0	Ind Con 0 0 0 0 0 0	Coal Opr 3 3/0 0 0	Ind Con 0 0 0 0 0	Coal Opr 0 0 0 0 0	Ind Con 0 0 0 0 0	Coal Opr 0 0 0 0	Ind Con 0 0 0 0 0 0
Right of Entry Person(s	imber of a	Authorized I	etivity	(1) N (2) T (3) N (4) I b. Pret (1) N (2) T	New Issuances Ferminations/V Modifications/E Left Pending viously Issued Modifications/E Ferminations/V	Extensions Extensions acations	Coal Opr 0/0 0/0 0/0	Ind Con 0 0 0 0 0 0	Coal Opr 3 3/0 0 0	Ind Con 0 0 0 0 0	Coal Opr 0 0 0 0 0	Ind Con 0 0 0 0 0	Coal Opr 0 0 0 0	Ind Con 0 0 0 0 0 0
a. b. c.	imber of a	Authorized I	etivity	(1) N (2) T (3) N (4) I b. Prev (1) N (2) T	New Issuances Ferminations/V Modifications/E Left Pending viously Issued Modifications/E Ferminations/V	Extensions Extensions acations	Coal Opr 0/0 0/0 0/0	Ind Con 0 0 0 0 0 0	Coal Opr 3 3/0 0 0	Ind Con 0 0 0 0 0	Coal Opr 0 0 0 0 0	Ind Con 0 0 0 0 0	Coal Opr 0 0 0 0	Ind Con 0 0 0 0 0 0

Activity Calendar Event Number: 6284319 Mine ID: 4608436

Sun Mon Tue Wed Thur Fri
Shift 1 2 3 1 2 3 1 2 3 1 2 3 1 2 3

Mine Citation/Order

22. Signature



U.S. Department of Labor

770/1	•
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				7	· Mir	ne Safety a	ınd Health	Administrati	on 'l'	10(4 - 1889)
Section IViola	ation Data									
1. Date	Mo Da Yi 07/29/200		ime (24 Hr. C					3. Citation/ Order Num	_{ber} 80849	65
4 Served To	mine forer		- Charles and the control of the con			Operator REORMA	NCF CO.	AL COMPA	NV	
6. Mine	inine forci	нап				#:		.) —, —, — — — — — — — — — — — — — — — —	18.1	وموردة سرور وروس والموارد فسرواه فسواها والموارد
	IG BRANC	H MINE-	SOUTH		/- "	4	6-0843	6		(Contractor)
8. Condition									8a. Written	Notice (103g)
The	operato:	r had	4 open	cross cuts	on t	he ret	urn si	de in th	e number	1
section	n. Two	of the	se stop	oping's wer	e tak	en out	to gra	ade bott	om in th	e right
return	for wat	ter dr	ainage.	,						_
			_							
						•				
					•					
								,		
										_
		1						See Continu	ation Form (MSHA	Form 7000-3a)
9. Violation	A. Health ☐ Safety ✓		ection Act		C. Part/S Title 30			75,333(1	b)(1)	
	Other		rioi		1100 50	V OI IX		15,555(1	0)(1)	
Section IIInsp	ector's Evaluatio	n		***************************************						
10. Gravity:										
	or Illness (has)		ikelihood 🗌	Unlikely 🗌	Rea	sonably Like	ly 🗌	Highly Likely	Occurr	ed
	or illness could y be expected		o Lost Work	days 🗌 Lost V	Vorkdays C	Or Restricted	Duty 📋	Permanently	Dìsabling 🗸	Fatal
C. Signific	cant and Subsi	tantial:	Yes 🗸	No 🗌				D. Number of P	ersons Affected:	003
11. Negligen	ce (check one)		na 🗀	B. Low						
	co (oncor one)	A. No		D. LOW	C. Modera	ite 🗌	D. High	√ E. F	teckless Disrega	rd 🗌
12. Type of A	·) A. No (d)(2)	mie []	13. Type of Issu			D. High		teckless Disrega Safeguard 🔲	rd Written Notice
12. Type of A 14. Initial Act A. Citation	Action 104	(d)(2)	afeguard		uance (che		itation 80	·		Written Notice Mo Da Yr
14. Initial Act A. Citation	Action 104	(d)(2) r y C. Sa	afeguard [13. Type of Issu D. Written Notice	uance (che	ck one) C	itation 80	Order 📝	Safeguard 🗌	Written Notice
14. Initial Act	Action 104	(d)(2) r y C. Sa		13. Type of Issu D. Written Notice	uance (che	ck one) C	itation 80	Order 📝	Safeguard 🗌	Written Notice Mo Da Yr
14. Initial Act A. Citation	Action 104	(d)(2) r y C. Sa	afeguard [13. Type of Issu D. Written Notice	uance (che	ck one) C	itation 80	Order 📝	Safeguard 🗌	Written Notice Mo Da Yr
14. Initial Act A. Citation 15. Area or E	Action 104 ion B. Order	(d)(2) r∳ C.Sa Number	afeguard [] I sect	13. Type of Issu D. Written Notice	uance (che	ck one) C	itation 80	Order 📝	Safeguard 🗌	Written Notice Mo Da Yr
14. Initial Act A. Citation	Action 104	(d)(2) r∳ C.Sa Number	afeguard [13. Type of Issu D. Written Notice	uance (che	ck one) C	itation 80	Order 📝	Safeguard 🗌	Written Notice Mo Da Yr
14. Initial Act A. Citation 15. Area or E 16. Terminat	Action 104 ion B. Order cuipment p	(d)(2) r ☑ C.Sa Number	afeguard [] I sect	13. Type of Issu D. Written Notice	uance (che	ck one) C	itation 80	Order 📝	Safeguard 🗌	Written Notice Mo Da Yr
14. Initial Act A. Citation 15. Area or E 16. Terminat	Action 104 ion B. Order Equipment 1	(d)(2) y C. Sa Number Date Mo	afeguard [] I sect	D. Written Notice	E. C O	ck one) C	itation 80	Order 📝	Safeguard 🗌	Written Notice Mo Da Yr
14. Initial Act A. Citation 15. Area or E 16. Terminat Section III—Ter	Action 104 ion B. Order Equipment 1	(d)(2) y C. Sa Number Date Mo	afeguard [] I sect	13. Type of Issu D. Written Notice	E. C O	ck one) C	itation 80	Order 📝	Safeguard 🗌	Written Notice Mo Da Yr
14. Initial Act A. Citation 15. Area or E 16. Terminat Section III—Ter	Action 104 ion B. Order Equipment 1	(d)(2) y C. Sa Number Date Mo	afeguard [] I sect	D. Written Notice	E. C O	ck one) C	itation 80	Order 📝	Safeguard 🗌	Written Notice Mo Da Yr
14. Initial Act A. Citation 15. Area or E 16. Terminat Section III—Ter 17. Action to	Action 104 ion B. Order equipment properties of the control of t	(d)(2) C. Sa Number Date Mo	nfeguard [] I sect Da Yr oppings	D. Written Notice [Lion. B. Time (24 Hr. Clo	eck)	ck one) C	itation 80	Order 📝	Safeguard 🗌	Written Notice Mo Da Yr
14. Initial Act A. Citation 15. Area or E 16. Terminat Section III—Ter	Action 104 ion B. Order cquipment properties ion Due A. mination Action Terminate 1	(d)(2) yumber Date Mo Two st	I sect Da Yr oppings	D. Written Notice	E. C O	ck one) C	itation 80	Order 📝	Safeguard 🗌	Written Notice Mo Da Yr
14. Initial Act A. Citation 15. Area or E 16. Terminat Section III—Ter 17. Action to	Action 104 ion B. Order equipment properties of the control of t	(d)(2) C. Sa Number Date Mo Two st MoDa Y 07/29/20	I sect Da Yr oppings	D. Written Notice [Lion. B. Time (24 Hr. Clo	eck)	ck one) C	itation 80	Order 📝	Safeguard 🗌	Written Notice Mo Da Yr

MSHA Form 7000-3, Apr up (reviseu) 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.

23. AR Number

Mine Citation/Order

22. Signature



Made	
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\(\frac{1}{2}\)	Mine Safety and Health Administration
Section IViolation Data	
1. Date Mo Da Yr 2. Time (24 Hr. Clock) 07/29/2009 1130	3. Citation/ Order Number 8084966
4. Served To	5. Operator
mine foreman	PERFORMANCE COAL COMPANY
6, Mine	7. Mine ID 46-08436 (Contracts)
UPPER BIG BRANCH MINE-SOUTH	(Contractor)
8. Condition or Practice The operator did not have the requirements of the condition of the requirements of the condition of	8a. Written Notice (103g) \square ired 13,500 CFM in the LOB in the number 1
section. When checked there was only	
	See Continuation Form (MSHA Form 7000-3a)
9. Violation A. Health ✓ B. Section of Act Other	C. Part/Section of Title 30 CFR 75.370(a)(1)
Section IIInspector's Evaluation	
10. Gravity: A. Injury or Illness (has) (is): No Likelihood Unlikely	Reasonably Likely Highly Llkely 📝 Occurred [
B. Injury or illness could reasonably be expected to be: No Lost Workdays Lost W	orkdays Or Restricted Duty 🗌 Permanently Disabling 🗹 Fatal 🗌
C. Significant and Substantial: Yes ✔ No	D. Number of Persons Affected: 003
11. Negligence (check one) A. None B. Low C	C. Moderate ☐ D. High ☑ E. Reckless Disregard ☐
12. Type of Action 104(d)(2) 13. Type of Issue	ance (check one) Citation ☐ Order ☑ Safeguard ☐ Written Notice ☐
14. Initial Action A. Citation ☐ B. Order ✔ C. Safeguard ☐ D. Written Notice ☐	E. Citation/ 8082692 F. Dated Mo Da Yr 03/17/2009
15. Area or Equipment Number 1 section.	
16. Termination Due A. Date Mo Da Yr B. Time (24 Hr. Clock	;k)
Section IIITermination Action	
	lt in the right return and the 10,080 CFM ntilation plan requirement of 9,000 CFM.
18. Terminated A. Date Mo Da Yr 07/29/2009 B. Time (24 Hr. Clock	1500
Section IVAutomated System Data	24 Drimon on Mill
19. Type of Inspection (activity code) E02 20. Event Number 6284319	21. Primary or Mill

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 you'r 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.

23. AR Number

Mine Citation/Order

U.S. Department of Labor



7/20/1

	Mine Safety and Health Administration	
Section IViolation Data		
1. Date Mo Da Yr 2. Time (24 Hr. Clock) 07/29/2009 1130	3. Citation/ Order Number 808496	57
4. Served To mine foreman	5. Operator PERFORMANCE COAL COMPANY	
6. Mine UPPER BIG BRANCH MINE-SOUTH	7. Mine ID 46-08436	(Contractor)
8. Condition or Practice	8a. Written I	Notice (103g)
The operator is using belt air to v	ventilate the number 1 section.	

		See Continuation Form (MSH	IA Form 7000-3a)
9. Violation A. Health B. Section of Act Other	C. Part/Section of Title 30 CFR	75,350(a)	
Section IIInspector's Evaluation	and the second s	A AND DESCRIPTION OF THE PROPERTY OF THE PROPE	
10. Gravity:			
A. Injury or Illness (has) (is): No Likelihood	Unlikely 🗌 Reasonably Likely 📝	Highly Likely 🗌 Occu	rred 🗌
B. Injury or illness could reasonably be expected to be: No Lost Workdays	Lost Workdays Or Restricted Duty	Permanently Disabling 🗸	Fatal 🗌
C. Significant and Substantial: Yes ✓ No.	o 🗌	D. Number of Persons Affected	d: 003
11. Negligence (check one) A. None B.	Low C. Moderate D. High	✓ E. Reckless Disreg	ard 🗌
12. Type of Action 104(d)(2)	13. Type of Issuance (check one) Citation	Order ✔ Safeguard 🗌	Written Notice
14. Initial Action A. Citation ☐ B. Order ☑ C. Safeguard ☐ D. \	Written Notice	8082692 F. Dated	Mo Da Yr 03/17/2009
15. Area or Equipment The number one	·		
A. Date B.	Time (24 Hr. Clock)		
Section III-Termination Action			
17. Action to Terminate The back up be	elt check was re-installe	d.	
18. Terminated A. Date Mo Da Yr B. Time (24)	4 Hr. Clock 1500		
Section IV-Automated System Data			
19. Type of Inspection (activity code) E02 20. Event Number	6284319 21. Primary or Mill		
22. Signature		23. AR Number	territorio de la constitución de

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 Section I-Subsequent Action/Continuation Data	sly issi	U.S Min	Department of Lead	_abor th Administration	1, a ^v
	Dated (Original Issue)	Mo Da Y 07/15/2009	3. Citation/ Order Numbe	r 8078829 - Ø	(02
4. Served To mine foreman	**************************************	5. O	perator CEORMANICE CO	OAL COMPANY	######################################
6. Mine UPPER BIG BRANCH MINE-SOU Section II-Justification for Action			ne ID 46-0843		(Contractor)
A stopping was built the intake escapeway.	to separate	e the long	g wall head	gate elect:	cical box from
			·		
	•				
valent all de fill de de de de de de company de la comp		pins pinkaliti kelaliti oleh kultiki kendangan perususususususus			See Continuation Form
8. Extended To A. Date Mo Da Yr	B. Time (24 Hr. Clock	k)	C. Vacate	ed 🗹 D. Terminated	E. Modified

12. Date

AR Number

Mo Da Yr 07/29/2009 13. Time (24 Hr. Clock)

1639

MSHA Form 7000-3a, Mar 85 (revised)

11. Signature

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



Mine: UPPER BIG BRANCH MINE SOUTH

Mine ID: <u>4608436</u>

Date(s) Collected: 07/29/2009

Company: PERFORMANCE COAL COMPANY

Inspector:

Office: 401

BOTTLE NUMBER	LOCATION IN MINE	CARBON DIOXIDE	OXYGEN	METHANE		CUBIC FEET AIR PER MINUTE	CUBIC FEET METHANE IN 24 HOURS
D2788	1 SECTION RETURN	0.120	20.81	0.430	0.000	12430	76967

