

**FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION**

601 NEW JERSEY AVENUE, NW  
SUITE 9500  
WASHINGTON, DC 20001

May 12, 2008

TIME AND DATE: 10:00 a.m., Thursday, June 5, 2008

PLACE: The Richard V. Backley Hearing Room, 9th Floor, 601 New Jersey Avenue, N.W., Washington, D.C.

STATUS: Open

MATTERS TO BE  
CONSIDERED:

The Commission will hear oral argument in the matter *Secretary of Labor v. Twentymile Coal Company*, Docket No. WEST 2007-892-E. (Issues include whether the Secretary properly interpreted the breathable air provisions of section 316 of the Mine Act and whether the MSHA District Manager erred in refusing to approve the operator's emergency response plan unless it provided for a refuge chamber in the main entry.)

Any person attending this oral argument who requires special accessibility features and/or auxiliary aids, such as sign language interpreters, must inform the Commission in advance of those needs. Subject to 29 C.F.R. § 2706.150(a)(3) and § 2706.160(d).

CONTACT PERSON  
FOR MORE INFO:

Jean Ellen (202) 434-9950 / (202) 708-9300 for TDD Relay /  
1-800-877-8339 for toll free.