



State of West Virginia
Joe Manchin III, Governor

WV Office of Miners' Health, Safety & Training
Ronald L. Wooten, Director
1615 Washington Street East • Charleston, West Virginia • 25311-2126
Telephone 304-558-1425 • Fax 304-558-1282
www.wvminesafety.org

August 14, 2009

Mr. Gary R. Midkiff
Chief Operations Officer
Carbonoks, LLC
314 Virginia Avenue
St. Albans, WV 25177

Dear Mr. Midkiff:

After the evaluation of the documentation submitted from the U. S. Department of Labor, Mine Safety and Health Administration and with the recommendation of our technical reviewer the Office of Miner's Health Safety and Training modifies the August 2008 approval of the Carbonoks, LLC Safe Haven™ for use in meeting the Emergency Shelters/Chambers requirements outlined in the West Virginia Rule Governing Protective Clothing and Equipment, §56-4-8.

The approval is hereby modified to indicate approval of the Safe Haven™ for 16 miners in underground mines for use when built and provisioned as designed, including the use of desiccant, and providing a minimum of 96 hours life support.

No claims for performance regarding performance of this product under conditions of ongoing fire or pressures above 15 psi are validated by this approval.

Carbonoks, LLC shall, upon request, provide this office with verification of valid orders, delivery dates, and status of delivery as required for this office to enforce §56-4-8.

Any changes required or enhancements to the approved design affecting the ability to meet any provision of §56-4-8 shall require approval of this Office prior to any affected Carbonoks, LLC Safe Haven™ being placed into operation.

Sincerely,

A handwritten signature in cursive script that reads "Ronald Wooten".

Ronald Wooten
Director