

State of Illinois
Department of Natural Resources
Office of Mines and Minerals
Land Reclamation Division
One Natural Resources Way
Springfield, IL 62702-1271

APPLICATION FOR SURFACE COAL MINING AND RECLAMATION OPERATIONS
PERMIT – UNDERGROUND OPERATIONS
UCM-1

PART I

(Application to be submitted 120 days (180 days for NPDES) prior to the desired effective date of the permit)

DATE: September 14, 2014

NOTICE

This state agency is requesting disclosure of information that is necessary to accomplish the statutory purpose as outlined under Ill. Rev. Stat. 1989, ch. 96 1/2, par. 7901 et seq. Disclosure of this information is voluntary, however failure to comply may result in this form not being processed. This form has been approved by the Forms Management Center.

1) A) General Information

(~~±~~) (~~We~~) (The) Hillsboro Energy, LLC
(Name of Company, Corporation, Partnership or Individual)
925 South Main Street, Hillsboro, IL 62049 (217) 532-3983
(Address) (Telephone Number)

hereby submit application # 399 for a permit to mine during a permit term of 5 years.

Type of Application:

- ☐ Underground Mining
☒ Revision No. 2 to Permit No. 399
☒ Shadow Area Addition
☐ Renewal No. _____ to Permit No. _____
☐ Transfer of Permit No. _____
☐ Acres to be added under renewal

Applicant's Social Security No. _____ (Voluntary) and/or Federal Employer
Identification No. 20-5231639

Name of Mine Deer Run Mine MSHA ID No. 11-03182

List the Mine Safety and Health Administration (MSHA) number(s) for all mine associated structures that require MSHA approval.

RESPONSE: N/A

I, Clayton Cross Clayton Cross Authorized Person
Name Signature Title

under penalties of perjury declare that I have examined this application, including accompanying statements and documents and to the best of my knowledge it is true, and correct. (Signee must be at least a vice president or duly authorized representative for NPDES 35 Ill. Adm. Code 309.103(e))

This application is also to be used to apply for a:

IEPA Subtitle D (State) Permit Yes _____ No X NPDES Yes _____ No X

New _____

Renewal No. _____ Date: _____

Renewal No. _____ Date: _____

Modification No. _____ Date: _____

Modification No. _____ Date: _____

If this is an application for a NPDES permit, the Consolidated Permits Program - Application Form 2C (renewal), Form 2D (new), or Form 2E (sanitary) must be completed.

B) I _____
(vice president or his duly authorized representative)

hereby waive my right of the 90-day permit issuance deadline as required by the Illinois Environmental Protection Act, Section 39(a)(4) and the Illinois Pollution Control Board Rules and Regulations, 35 Ill. Adm. Code 309.225(c).

C) Who will be the operator of the permit site?
Name Patton Mining, LLC

Pursuant to 62 Ill. Adm. Code 1701.5 an operator is any person engaged in coal mining who removes or intends to remove more than 250 tons of coal.

If the operator is different from the applicant, provide the following information.

1) Operator's address 925 South Main Street
Hillsboro, Illinois 62049

2) Operator's telephone No. (217) 532-7310

3) Operator's Social Security No.
(voluntary) and/or Federal Employer Identification No. 26-4027251

D) Who will extract coal under this permit?

Name Patton Mining, LLC

If different from applicant or operator provide the following:

1) Address N/A

2) Telephone No. _____

3) Social Security No. (Voluntary) and/or federal employer
identification No. _____

E) Who will pay abandoned mine land reclamation fees?

Name Hillsboro Energy, LLC

If the person paying the abandoned mine land reclamation fee is different from the applicant, provide the following information.

1) Address 925 South Main Street, Hillsboro, IL 62049

2) Telephone No. (217) 532-3983

3) Payee's Social Security No. _____
(voluntary) and/or Federal Employer Identification No. 20-5231639

F) The permittee requests a permit on the following area as shown on the permit map.

Mine Address	Pit No. or Name	Acres to be Permitted	Sec.	Location		County
				Twp.	Range	
925 South Main Street (office)	<i>Proposed South Panels Shadow Area</i>	233.3	25 and 36	T8N	R4W	Montgomery
	<i>Proposed South Panels Shadow Area</i>	360.3	1, 12, and 13	T7N	R4W	Montgomery
	<i>Proposed South Panels Shadow Area</i>	2,863.6	27 thru 34	T8N	R3W	Montgomery
	<i>Proposed South Panels Shadow Area</i>	4,274.6	4 thru 9, 16 thru 18	T7N	R3W	Montgomery

Total Acres 7,731.8

Refer to Map 1 – General Location Map.

G. Indicate the type of disturbance and associated acreage.

RESPONSE: *N/A. This application is for a Shadow Boundary Revision. No additional surface disturbance is being proposed by this permit revision. Refer to Page 3 in UCM-1 Part I of Permit 399 and the applicable permit revisions and boundary revisions for information on the types of disturbance and the associated acreages within the Permit 399 permit boundary.*

<u>Acres</u>	<u>Type of Disturbance</u>
	Deep Mine Entries, Ventilation, Air Shafts
	Mine Waste Areas
	Processing Areas & Support Facilities
	Access, Haul Roads, & Transport Facilities
	Soil Storage Areas
	Diversions
	Other
	Not to be Disturbed

- H) For each phase (permit) of the proposed surface coal mining and reclamation operation over the life of the mine provide the anticipated or actual starting and termination date and the anticipated number of acres to be affected. Designate the boundaries of each phase on the pre-mining land use map or other designated map.

Phases (Permits)	Starting Date	Termination Date	Acres to be Affected

RESPONSE: *Refer to Part I, Page 4 of the approved Permit 399; Revision No. 1 – Supplemental Information, Volume I of III for additional information.*

- 2) A) Provide name and address of every legal or equitable owner of record of the permit area, and the mineral property to be mined.

RESPONSE: *Refer to Attachment I.2.A – Surface and Coal Ownership Within and Adjacent to Shadow Area and Map 2 - Identification of Interests for a list of surface owners. Natural Resource Partners L.P., 601 Jefferson Street, Houston, TX 77002 is the mineral owner.*

- B) Provide name and address of the owner of record for all surface and subsurface areas contiguous to any part of the proposed permit area.

RESPONSE: *Refer to Attachment I.2.A – Surface and Coal Ownership Within and Adjacent to Shadow Area and Map 2 – Identification of Interests for the requested information.*

- C) Show location of owners of record of those lands, both surface and subsurface, included in or contiguous to the permit area on premining land use map or another map, if necessary.

RESPONSE: *Refer to Map 2 - Identification of Interests.*

- 3) A) Provide name and address of any holder of record of leasehold interest for the permit area, and the mineral property to be mined.

RESPONSE: *Refer to Attachment Part I.2.A – Surface and Coal Ownership Within and Adjacent to Shadow Area and Map 2 - Identification Of Interests for information. Hillsboro Energy, LLC 925 South Main Street, Hillsboro, IL 62049 holds the lease from Natural Resource Partners L.P., 601 Jefferson Street, Houston, TX 77002.*

- B) Provide a statement of all lands, interest in lands, options or pending bids on interest held or made by the applicant for lands, which are contiguous to the permit area.

RESPONSE: *N/A*

- 4) Provide name and address of any purchaser of record under a real estate contract of the property for the permit area.

RESPONSE: N/A

- 5) A) The applicant is: X corporation, _____ partnership,
_____ single proprietorship, _____ association or other business entity.
- B) For the resident agent who will accept service of process for the applicant provide the following information.
- 1) Name of resident agent Corporate Service Company
- 2) Address 2711 Centreville Road
Wilmington, DE 19808
- 3) Telephone No. _____
- 4) Social Security No. _____ (voluntary) and/or Federal
Employer Identification No. 41-2178049

6) OWNERSHIP AND CONTROL INFORMATION

Ownership and control is evidenced by being the permittee of a surface coal mining operation, or by being the owner of record of 50 percent or more of an entity controlling a surface coal mining operation or by having any relationship, which gives direct or indirect authority over an entity controlling a surface coal mining operation.

Ownership and control is presumed if an entity is an officer or director; is an operator of a surface coal mining operation; has the authority to commit the financial or real property assets or working resources of an entity; is the owner of record of ten (10) through fifty (50) percent of an entity; is a general partner of a partnership; owns or controls coal to be mined by another entity and has the right to receive that coal after mining; or has the authority to determine how the surface coal mining operations will be conducted.

For an entity to refute a presumed ownership and control relationship, the entity must demonstrate to the satisfaction of the Department that the entity subject to the presumption does not have the authority directly or indirectly to determine the manner in which the relevant surface coal mining operation is conducted.

RESPONSE: *Hillsboro Energy, LLC, the Applicant, is a Limited Liability Company registered to do business in the State of Illinois. Its business address is 925 South Main Street, Hillsboro, IL 62049.*

One hundred percent of the Membership Interests of Hillsboro Energy, LLC are owned by Foresight Reserves, LP.

Foresight Reserves, LP is a limited partnership in which the voting interest is controlled by Insight Resource, LLC, the General Partner.

Refer to Attachment Part I.6 – Ownership and Control Information.

A) For each entity who owns or controls the applicant provide the following information.

- 1) Name of entity ***Foresight Reserves, LP***
- 2) Address _____

- 3) Social Security No. _____ (voluntary) and/or Federal Employer Identification No. _____
- 4) The entity's specific ownership and control relationship with the applicant **100% owner of the applicant**

If more than one ownership and control relationship exists, list each relationship separately under this part providing all information requested.

- a) Percentage of ownership if any ***N/A***
- b) Location in organizational structure ***N/A***

- c) Position title ***N/A***
 - i) Date position was assumed _____
 - ii) Date of departure from position _____

- 1) Name of entity ***Foresight Management, LLC***
- 2) Address _____

- 3) Social Security No. _____ (voluntary) and/or Federal Employer Identification No. _____
- 4) The entity's specific ownership and control relationship with the applicant **Manager**

If more than one ownership and control relationship exists, list each relationship separately under this part providing all information requested.

a) Percentage of ownership if any N/A

b) Location in organizational structure N/A

c) Position title N/A

i) Date position was assumed July 18, 2006

ii) Date of departure from position N/A

1) Name of entity Insight Resources, LLC

2) Address 430 Harper Park Drive, Beckley, WV 25801

3) Social Security No. _____ (voluntary) and/or Federal Employer Identification No. 20-1796775

4) The entity's specific ownership and control relationship with the applicant General Partner of Applicant's Owner

If more than one ownership and control relationship exists, list each relationship separately under this part providing all information requested.

a) Percentage of ownership if any N/A

b) Location in organizational structure N/A

c) Position title N/A

i) Date position was assumed _____

ii) Date of departure from position _____

B) For each surface coal mining and reclamation operation in the United States either presently owned or controlled or owned or controlled within the five (5) years preceding the date of the application by the entity listed in (A) above provide the following information.

RESPONSE: N/A

- 1) Name _____
- 2) Address _____
- 3) Name of regulatory authority _____
- 4) Identification number:
 - a) Social security No. _____ (voluntary) and/or federal employer identification No. _____
 - b) Federal permit No. _____
 - c) State permit No. _____
 - d) MSHA No. _____ and date of issuance _____

- 7) For each surface coal mining operation in the United States owned or controlled by the applicant provide the following information.

RESPONSE: Refer to Attachment Part I.7 – Mining Operation Control Information

- a) Name of Operation Deer Run Mine
- b) Address of Operation 12051 9th Avenue
Hillsboro, IL 62049
- c) Name of regulatory authority Illinois Department of Natural Resources
- d) Identification number:
 - i) Social Security No. _____ (voluntary) and/or Federal Employer Identification No. 20-5231639
 - ii) Federal permit No. _____
 - iii) State Permit No. 399
 - iv) MSHA No. 11-03182 and date of issuance 03/02/2009

- 8) A) Has the applicant, any subsidiary, affiliate or entity controlled by or under common control with the applicant had:
- 1) A State or Federal coal mining permit suspended or revoked in the five (5) years prior to the date of submission of the application?
Yes _____ No X

- 2) A forfeiture of a performance bond under a coal mining permit?
Yes _____ No X

B) If the response to A)1) or 2) was yes, provide the following information:

- 1) Provide the identification number of the permit.
- 2) Provide the date of permit issuance.
- 3) Provide the date of permit suspension or revocation and/or the date of bond forfeiture.
- 4) Provide the name of regulatory authority who suspended or revoked the permit and/or forfeited the bond.
- 5) Provide a statement of the reason for the suspension, revocation and/or forfeiture action.
- 6) Provide the current status of the permit and/or bond.
- 7) For any administrative or judicial proceedings initiated concerning the suspension, revocation, and/or forfeiture provide the following:
 - a) Date of proceeding,
 - b) Location of proceeding, and
 - c) Current status of proceedings.

C) If the response to A)2) was yes, provide information on the applicant's present financial condition to provide assurances satisfactory to the Department that forfeiture will not again be necessary.

9) Violation history

- A) For the three (3) year period preceding the date of submission of the application, provide a listing of Notices of Violation received for any provision of the Federal Act or any Federal State law, rule, or regulation pertaining to air or water environmental protection incurred in connection with any surface coal mining operations. The listing shall include the following:
- 1) Notice of violation number or other identifier.
 - 2) Date of NOV issuance.
 - 3) Permit identification number.

- 4) MSHA number.
- 5) Name of entity to whom NOV was written.
- 6) Name of regulatory authority or agency which issued the NOV.
- 7) A brief description of the alleged violation.
- 8) For any administrative or judicial proceedings initiated concerning the violation, provide the following:
 - a) Type of proceedings.
 - b) Date of proceedings
 - c) Location of proceedings.
 - d) Current status of proceedings.
- 9) Actions, if any, to abate the alleged violation.

RESPONSE: Refer to Attachment Part I.9 – History of Violations

- B) For any unabated cessation orders or unabated air and water quality violation notices received prior to the date of submission of the application for any surface coal mining and reclamation operation owned or controlled by the applicant or by any entity which owns or controls the applicant, provide a listing of the unabated cessation orders or violation notices which include the following:
 - 1) Cessation order or notice of violation number or other identifier.
 - 2) Date of CO or NOV issuance.
 - 3) Permit identification number.
 - 4) MSHA number
 - 5) Name of entity to whom CO or NOV was written
 - 6) Name of regulatory authority or agency which issued the CO or NOV.
 - 7) A brief description of the alleged cessation order or violation.
 - 8) For any administrative or judicial proceedings initiated concerning the cessation order or violation, provide the following:

- a) Type of proceedings.
 - b) Date of proceedings
 - c) Location of proceedings
 - d) Current status of proceedings.
- 9) Actions, if any, to abate the alleged cessation order or violation.

RESPONSE: Refer to Attachment 1.9.B Violation Support Document

10) Affidavits, Certifications, Insurance Certificate

A) Complete affidavit regarding applicant's legal right to enter and begin surface coal mining and reclamation operations in the permit area and whether that right is the subject of pending litigation. Identify the documents upon which affidavit is based by type and date of execution and identify specific lands to which each document pertains and explain the legal rights claimed by the applicant (Section 1778.15(a)). If the private mineral estate to be mined has been severed from the private surface estate, provide copies of the documents required under Section 1778.15(B)(1)-(3). On the permit map or other designated map show the boundaries of land within the permit area upon which the applicant has the legal right to enter and begin mining activities.

RESPONSE: Refer to Attachment Part I.10.A – Mining Affidavits

B) Complete certification for engineering aspects of the application. In addition to the general certification, three specific certifications are included which are applicable only if the box in front of each is marked. The first two cover special permit requirements and should be marked only when they occur for the proposed permit. The third certification covers the Illinois Environmental Protection Agency permit requirements. In most cases, an Illinois registered engineer will be required to certify I.E.P.A. permit requirements. Except as otherwise provided all maps, plans and cross-sections included in the permit application shall be prepared by, or under the direction of, and sealed by a qualified registered professional engineer licensed under the Illinois Professional Engineering Act, a qualified registered structural engineer licensed under the Illinois Structural Engineering Act or if authorized by state law, a qualified registered professional land surveyor licensed under the Illinois Land Surveyors Act with assistance from experts in related fields.

RESPONSE: Refer to Attachment Part I.10.B – Engineering Certification

C) A certificate of liability insurance or evidence that the applicant is self-insured is required prior to permit issuance. The certificate may be submitted with the application or when fee and bond are submitted. Minimum insurance coverage required is for bodily injury \$300,000 for each occurrence, and \$500,000 aggregate and for property damage \$300,000 each occurrence, and \$500,000 aggregate.

RESPONSE: Refer to Attachment Part I.10.C – Insurance Certificate

- 11) Provide a draft copy of proposed newspaper notice, and the name of local newspaper of general circulation in which advertisement of the application will be published. Certificate of publication is to be submitted not later than four weeks after the last date of publication.

RESPONSE: *Refer to Attachment Part I.11 – Draft Public Notice*

- 12) Areas Designated Unsuitable for Mining

RESPONSE: *N/A. This application is for a Shadow Boundary Revision. Office of Surface Mining has determined that prohibitions under 62 Ill. Adm. Code 1761.11, do not apply to subsidence caused by underground coal mining.*

- A) Does proposed permit area include and/or shadow area include

Areas designated unsuitable for surface coal mining and reclamation operations, or under study for designation in an administrative proceeding as unsuitable for surface coal mining and reclamation operations? (Sections 1762 and 1764)

Yes _____ No _____

- B) Does proposed permit area include and/or shadow area include –

- 1) Lands within boundaries of the National Park System, National Wildlife Refuge System, the National System of Trails, the National Wilderness Preservation System, the Wild and Scenic Rivers System, and National Recreation Areas, etc. (Section 1761.11(a))?

Yes _____ No _____

- 2) National Forest land?

Yes _____ No _____

- 3) Any land which will adversely affect any publicly-owned park or places included in the National Register of Historic Places, etc. (per Sections 1761.11(c))?

Yes _____ No _____

If yes, complete Part II, Section 10, B) and C).

- 4) Any public roads, which are to be removed, relocated or temporarily closed?

Yes _____ No _____

Indicate on the pre-mining land use map or other designated map the location of the public roads and attach a copy of the written agreement from the appropriate authority authorizing the relocation, removal or temporary closure. Describe the measures to be used to insure that the interest of the public and land owners affected will be protected.

C) Within the proposed permit area will Surface Coal Mining and Reclamation operations be located --

1) Within 100 feet of the right-of-way line of any public road?
Yes _____ No _____

If yes, explain proposed procedures for complying with regulation Section 1761.14(b), including request for variance, if relevant. Provide location of public roads on pre-mining land use map or other designated map. Describe the measures to be used to insure that the interest of the public and land owners affected will be protected.

2) Within 300 feet measured horizontally from any occupied dwelling?
Yes _____ No _____

If so, is waiver provided meeting requirements of Section 1761.12(d)?

3) Within 300 feet measured horizontally of any public building, school, church, community or institutional building or public park?
Yes _____ No _____

4) Within 100 feet measured horizontally of a cemetery?
Yes _____ No _____

D) Are valid existing rights claimed for any part of the permit area?
Yes _____ No _____

If yes, provide documentation to substantiate claim.

Attachment I.2.A - Surface and Coal Owners Within and Adjacent to Shadow Area

Parcel	Site Address	City	First Name	Last name	Mailing Address	Address 2	City	State	Zip Code	Land Lot (acre)	Farmland (acre)	Deed Total (acre)	Coal Owner*	Inside Shadow Area	Adjacent to Shadow Area
16-25-100-005	7150 South Illinois Route 127	Hillsboro	Betty	McFarlin	7150 Illinois Route 127	P.O. Box 67	Hillsboro	Illinois	62049	37.51		37.51	NRP	X	
16-25-100-007	400 Rountree Street	Hillsboro	Roger	McFarlin	400 Rountree Street		Hillsboro	Illinois	62049		18.75	18.75	NRP	X	
16-25-200-001	7291 Buckeye Trail	Hillsboro	Joseph	Boas	11091 Brushy Trail		Irving	Illinois	62051		160.00	160.00	Partial		X
16-25-300-005	7140 Illinois Route 127	Hillsboro	Bruce	Finley	7140 Illinois Route 127		Hillsboro	Illinois	62049	1.59	32.31	33.90	NRP	X	
16-25-300-009	11148 North 7th Avenue	Hillsboro	Edward & Susan	Boyd	422 West Fairground Avenue		Hillsboro	Illinois	62049			0.00	NRP	X	
16-25-300-010	7012 Illinois Route 127	Hillsboro	Arlen & Allen	Kasten	13314 Illinois Route 185		Hillsboro	Illinois	62049		24.25	24.25	NRP		X
16-25-300-017	10110 Holloway Trail	Hillsboro	Scott	Strausgaugh	130 Bander Circle		Hillsboro	Illinois	62049		29.00	29.00	NRP		X
16-25-400-001	123 North Broad	Hillsboro	New River Royalty, LLC		208 Public Square	4th Floor	Benton	Illinois	62812		40.00	40.00	NRP	X	
16-25-400-004	7199 Buckeye Trail	Hillsboro	Larry	Schraut	7199 Buckeye Trail		Hillsboro	Illinois	62049	0.28	39.72	40.00	NRP	X	
16-25-400-006	North 7th Avenue	Hillsboro	David & Carol	Schluckebier	14099 Mt. Moriah Avenue		Donnellson	Illinois	62019		30.00	30.00	NRP	X	
16-25-400-007	Coffeen Road	Hillsboro	New River Royalty, LLC		208 Public Square	4th Floor	Benton	Illinois	62812		0.70	0.70	NRP	X	
16-25-400-008	7th Avenue & Buckeye Trail	Hillsboro	Connie	Garrett	828 CR 3840		Bridgeport	Texas	76426		39.30	39.30	NRP	X	
16-36-100-002	11106 North 7th Avenue	Hillsboro	John & Patricia	Robinson	11106 North 7th Avenue		Hillsboro	Illinois	62049	1.00		1.00	NRP		X
16-36-100-004	11148 North 7th Avenue	Hillsboro	Edward & Susan	Boyd	422 West Fairground Avenue		Hillsboro	Illinois	62049	0.28	17.22	17.50	NRP	X	
16-36-100-008	6252 Illinois Route 127	Hillsboro	Mary	Rikli	6252 Illinois Route 127		Hillsboro	Illinois	62049	1.01	38.99	40.00	NRP	X	
16-36-100-009	North 7th Avenue	Hillsboro	David & Carol	Schluckebier	14099 Mt. Moriah Avenue		Donnellson	Illinois	62019		17.00	17.00	NRP	X	
16-36-100-010	11180 North 7th Avenue	Hillsboro	Rhonda	Huber	11180 North 7th Avenue		Hillsboro	Illinois	62049			0.00	NRP		X
16-36-200-001	11228 North 7th Avenue	Hillsboro	David & Carol	Schluckebier	11228 North 7th Avenue		Hillsboro	Illinois	62049	1.16	38.84	40.00	NRP	X	
16-36-200-002	Buckeye Trail	Hillsboro	David & Carol	Schluckebier	14099 Mt. Moriah Avenue		Donnellson	Illinois	62019		63.00	63.00	NRP	X	
16-36-200-003	Buckeye Trail	Hillsboro	David & Carol	Schluckebier	14099 Mt. Moriah Avenue		Donnellson	Illinois	62019		40.00	40.00	NRP	X	
16-36-200-004	Buckeye Trail	Hillsboro	David & Carol	Schluckebier	14099 Mt. Moriah Avenue		Donnellson	Illinois	62019		17.00	17.00	NRP	X	
16-36-300-002	6252 Illinois Route 127	Hillsboro	Daniel	Chappelear	5358 Waveland Road		Hillsboro	Illinois	62049		40.00	40.00	NRP		X
16-36-300-006	11201 North 6th Avenue	Hillsboro	Kenneth & Betty	Weiss	312 West Third North Street		Mt. Olive	Illinois	62069		39.90	39.90	NRP		X
16-36-400-001	6252 Illinois Route 127	Hillsboro	Daniel	Chappelear	5358 Waveland Road		Hillsboro	Illinois	62049		40.00	40.00	NRP		X
16-36-400-002	Buckeye Trail	Hillsboro	David & Carol	Schluckebier	14099 Mt. Moriah Avenue		Donnellson	Illinois	62019		40.00	40.00	NRP	X	
16-36-400-005	North 6th Avenue	Hillsboro	Forrest	Delong	P.O. Box 334		Hillsboro	Illinois	62049		30.00	30.00	NRP		X
16-36-400-006	North 6th Avenue	Hillsboro	Kenneth & Betty	Weiss	312 West Third North Street		Mt. Olive	Illinois	62069		50.00	50.00	NRP		X
17-27-100-002	Coffeen Road	Hillsboro	Illinois Department of Natural Resources	c/o Raetta Realty	One Natural Resources Way		Springfield	Illinois	62702		80.00	80.00	NRP	X	
17-27-100-003	Illinois Route 185	Coffeen	Illinois Department of Natural Resources	c/o Raetta Realty	One Natural Resources Way		Springfield	Illinois	62702		13.65	13.65	NRP	X	
17-27-100-004	Illinois Route 185	Coffeen	Illinois Department of Natural Resources		One Natural Resources Way		Springfield	Illinois	62702		66.35	66.35	NRP		
17-27-100-502	Coffeen Road	Hillsboro	Illinois Department of Natural Resources	c/o Gary Laurent	822 Powder Avenue		Donnellson	Illinois	62019		69.33	69.33	NRP		X
17-27-100-503	Illinois Route 185	Hillsboro	Illinois Department of Natural Resources	c/o Gary Laurent	822 Powder Avenue		Donnellson	Illinois	62019		8.79	8.79	NRP	X	
17-27-100-504	Illinois Route 185	Coffeen	Illinois Department of Natural Resources	c/o Gary Laurent	822 Powder Avenue		Donnellson	Illinois	62019		23.90	23.90	NRP	X	X
17-27-200-005	Coffeen Road	Hillsboro	Dean	Huber	5263 East 14th Road		Coffeen	Illinois	62017		40.00	40.00	NRP		X
17-27-200-006	7225 Coffeen Road	Hillsboro	New River Royalty, LLC		208 Public Square	4th Floor	Benton	Illinois	62812		38.47	38.47	NRP	X	
17-27-200-007	Illinois Route 185	Coffeen	Illinois Department of Natural Resources	c/o Raetta Realty	One Natural Resources Way		Springfield	Illinois	62702		22.25	22.25	NRP		X
17-27-200-008			Illinois Department of Natural Resources		One Natural Resources Way		Springfield	Illinois	62702		20.40	20.40	NRP	X	
17-27-200-009	Coffeen Road	Coffeen	New River Royalty, LLC		208 Public Square	4th Floor	Benton	Illinois	62812		25.00	25.00	NRP	X	
17-27-200-010	Coffeen Road	Coffeen	New River Royalty, LLC		208 Public Square	4th Floor	Benton	Illinois	62812		14.60	14.60	NRP	X	
17-27-200-507	Illinois Route 185	Coffeen	Illinois Department of Natural Resources	c/o Gary Laurent	822 Powder Avenue		Donnellson	Illinois	62019		11.69	11.69	NRP		X
17-27-300-001	Illinois Route 185	Coffeen	Illinois Department of Natural Resources		One Natural Resources Way		Springfield	Illinois	62702		51.00	51.00	NRP		X
17-27-300-005	15020 Illinois Route 185	Hillsboro	Elzie	Garrett	1715 Summit Street		Hillsboro	Illinois	62049	0.65	14.02	14.67	NRP	X	
17-27-300-006	Illinois Route 185	Hillsboro	Vistra Energy, Inc.		601 Travis Street	Suite 1400	Houston	Texas	77002	11.48		11.48	NRP		X
17-27-300-010	Illinois Route 185	Hillsboro	Brian	Huber	6653 Majestic Way		Carpentersville	Illinois	60110	4.65		4.65	NRP	X	
17-27-300-011	15116 Illinois Route 185	Hillsboro	New River Royalty, LLC	Rocky & Rebecca Starkey	208 Public Square	4th Floor	Benton	Illinois	62812	1.87		1.87	NRP	X	
17-27-300-012	15056 Illinois Route 185	Hillsboro	Celene	Harrelson	P.O. Box 293		Coffeen	Illinois	62017	5.74		5.74	NRP	X	
17-27-300-013	52 McDavid Cemetery Lane	Coffeen	Celene	Harrelson	P.O. Box 293		Coffeen	Illinois	62017			0.00	NRP	X	
17-27-300-014	15039 Illinois Route 185	Hillsboro	Kenneth & Karen	Blankenship	15039 Illinois Route 185		Hillsboro	Illinois	62049	0.46	43.54	44.00	NRP		x
17-27-300-015	Illinois Route 185	Hillsboro	Randall & Rose	Huber	1201 University		Hillsboro	Illinois	62049	1.77		1.77	NRP		X
17-27-300-016	Illinois Route 185	Hillsboro	Brian	Huber	6653 Majestic Way		Carpentersville	Illinois	60110		8.13	8.13	NRP		X
17-27-300-501	Illinois Route 185	Coffeen	Illinois Department of Natural Resources	c/o Gary Laurent	822 Powder Avenue		Donnellson	Illinois	62019		42.02	42.02	NRP		X
17-27-400-001	15039 Illinois Route 185	Hillsboro	Kenneth & Karen	Blankenship	15039 Illinois Route 185		Hillsboro	Illinois	62049		20.00	20.00	NRP		X
17-27-400-003	Coffeen Road	Hillsboro	New River Royalty, LLC		208 Public Square	4th Floor	Benton	Illinois	62812		57.75	57.75	NRP	X	
17-27-400-004	Illinois Route 185	Hillsboro	Brian	Huber	6653 Majestic Way		Carpentersville	Illinois	60110	7.90		7.90	NRP		X
17-27-400-005	Coffeen Road	Hillsboro	New River Royalty, LLC		208 Public Square	4th Floor	Benton	Illinois	62812		40.00	40.00	NRP	X	
17-27-400-007	Illinois Route 185	Hillsboro	Matthew	Elam	1465 Country Club Way		Smithboro	Illinois	62284		61.98	61.98	NRP	X	
17-28-100-004	East 14th Road	Hillsboro	Earl	Seltzer	904 Smith Lane	P.O. Box 502	Hillsboro	Illinois	62049		79.53	79.53	NRP	X	
17-28-100-005	14232 Illinois Route 185	Hillsboro	New River Royalty, LLC		208 Public Square	4th Floor	Benton	Illinois	62812	0.75		0.75	NRP	X	
17-28-100-006	14107 Illinois Route 185	Hillsboro	New River Royalty, LLC	George Elam	208 Public Square	4th Floor	Benton	Illinois	62812	1.93		1.93	NRP	X	
17-28-100-007	Illinois Route 185	Hillsboro	New River Royalty, LLC		208 Public Square	4th Floor	Benton	Illinois	62812		77.40	77.40	NRP	X	
17-28-200-001	East 14th Road	Hillsboro	New River Royalty, LLC		208 Public Square	4th Floor	Benton	Illinois	62812		12.73	12.73	NRP	X	

Attachment I.2.A - Surface and Coal Owners Within and Adjacent to Shadow Area

Parcel	Site Address	City	First Name	Last name	Mailing Address	Address 2	City	State	Zip Code	Land Lot (acre)	Farmland (acre)	Deed Total (acre)	Coal Owner*	Inside Shadow Area	Adjacent to Shadow Area
17-28-200-002	East 14th Road	Hillsboro	David & Stephen	Spinner	715 East Union Avenue		Litchfield	Illinois	62056		27.54	27.54	NRP		X
17-28-200-003	Illinois Route 185	Hillsboro	Earl	Seltzer	904 Smith Lane	P.O. Box 502	Hillsboro	Illinois	62049		40.00	40.00	NRP	X	
17-28-200-005	Illinois Route 185	Hillsboro	Earl	Seltzer	904 Smith Lane	P.O. Box 502	Hillsboro	Illinois	62049		79.78	79.78	NRP	X	
17-28-300-004	Illinois Route 185	Hillsboro	Earl	Seltzer	904 Smith Lane	P.O. Box 502	Hillsboro	Illinois	62049		316.60	316.60	NRP	X	
17-28-400-002	14401 Illinois Route 185	Hillsboro	New River Royalty, LLC		208 Public Square	4th Floor	Benton	Illinois	62812	2.00		2.00	NRP	X	
17-28-400-003	14329 Illinois Route 185	Hillsboro	New River Royalty, LLC		208 Public Square	4th Floor	Benton	Illinois	62812	1.40		1.40	NRP	X	
17-29-100-001	North 7th Avenue	Hillsboro	Larry	Schraut	7199 Buckeye Trail		Hillsboro	Illinois	62049		80.00	80.00	NRP	X	
17-29-100-002	North 7th Avenue	Hillsboro	New River Royalty, LLC		208 Public Square	4th Floor	Benton	Illinois	62812		80.00	80.00	NRP	X	
17-29-200-001	13314 Illinois Route 185	Hillsboro	New River Royalty, LLC	Arlen & Patricia Kasten	208 Public Square	4th Floor	Benton	Illinois	62812	0.51	79.49	80.00	NRP	X	
17-29-200-003	Illinois Route 185	Hillsboro	Wright Trust	c/o First National Bank	P.O. Box 40		Vandalia	Illinois	62471		68.75	68.75	NRP	X	
17-29-200-004	Illinois Route 185	Hillsboro	Earl	Seltzer	904 Smith Lane	P.O. Box 502	Hillsboro	Illinois	62049		10.16	10.16	NRP	X	
17-29-300-001	13013 North 7th Avenue	Hillsboro	Larry	Schraut	7199 Buckeye Trail		Hillsboro	Illinois	62049		40.00	40.00	NRP	X	
17-29-300-002	13013 North 7th Avenue	Hillsboro	Larry	Schraut	7199 Buckeye Trail		Hillsboro	Illinois	62049	0.49	119.51	120.00	NRP	X	
17-29-400-004	7170 East 14th Road	Hillsboro	Larry	Schraut	7199 Buckeye Trail		Hillsboro	Illinois	62049		1.00	1.00	NRP	X	
17-29-400-006	7179 East 14th Road	Hillsboro	Larry	Schraut	7199 Buckeye Trail		Hillsboro	Illinois	62049		159.00	159.00	NRP	X	
17-30-100-001	Buckeye Trail	Hillsboro	Joseph	Boas	11091 Brushy Trail		Irving	Illinois	62051		216.00	216.00	NRP		X
17-30-200-001	North 7th Avenue	Hillsboro	Joseph	Boas	11091 Brushy Trail		Irving	Illinois	62051		80.00	80.00	NRP		X
17-30-300-001	7108 Buckeye Trail	Hillsboro	Richard	Elam	7108 Buckeye Trail		Hillsboro	Illinois	62049	0.49	137.51	138.00	NRP	X	
17-30-400-001	Buckeye Trail	Hillsboro	Joseph	Boas	11091 Brushy Trail		Irving	Illinois	62051		40.00	40.00	NRP		X
17-30-400-002	12188 North 7th Avenue	Hillsboro	Gerald	Young	12188 North 7th Avenue		Hillsboro	Illinois	62049		40.00	40.00	NRP		X
17-30-400-003	12188 North 7th Avenue	Hillsboro	Gerald	Young	12188 North 7th Avenue		Hillsboro	Illinois	62049		80.00	80.00	NRP		X
17-31-100-001	7199 Buckeye Trail	Hillsboro	Larry	Schraut	7199 Buckeye Trail		Hillsboro	Illinois	62049		83.73	83.73	NRP	X	
17-31-100-003	12188 North 7th Avenue	Hillsboro	Gerald	Young	12188 North 7th Avenue		Hillsboro	Illinois	62049	1.00	5.00	6.00	NRP		X
17-31-100-004	12188 North 7th Avenue	Hillsboro	Gerald	Young	12188 North 7th Avenue		Hillsboro	Illinois	62049		40.54	40.54	NRP	X	
17-31-200-001	12248 North 7th Avenue	Hillsboro	Gerald	Young	12188 North 7th Avenue		Hillsboro	Illinois	62049	0.79	154.21	155.00	NRP	X	
17-31-200-002	12188 North 7th Avenue	Hillsboro	Gerald	Young	12188 North 7th Avenue		Hillsboro	Illinois	62049		5.00	5.00	NRP	X	
17-31-300-001	Buckeye Trail	Coffeen	David & Carol	Schluckebier	14099 Mt. Moriah Avenue		Donnellson	Illinois	62019		17.50	17.50	NRP	X	
17-31-300-002	Buckeye Trail	Coffeen	David & Carol	Schluckebier	14099 Mt. Moriah Avenue		Donnellson	Illinois	62019		13.00	13.00	NRP	X	
17-31-300-003	12057 North 6th Avenue	Hillsboro	Jerry & Wanda	Mercer	12057 North 6th Avenue		Hillsboro	Illinois	62049	3.40	27.10	30.50	NRP		X
17-31-300-004	6061 - 6063 Buckeye Trail	Hillsboro	Richard & Margaret	Harms	6063 Buckeye Trail		Hillsboro	Illinois	62049	2.87	56.38	59.25	NRP	X	
17-31-300-005	12179 North 6th Avenue	Hillsboro	Brian Weston	c/o Litchfield Community Savings	P.O. Box 445		Litchfield	Illinois	62056	1.00		1.00	NRP		X
17-31-400-001	6063 Buckeye Trail	Coffeen	Richard & Margaret	Harms	6063 Buckeye Trail		Hillsboro	Illinois	62049		80.00	80.00	NRP	X	
17-31-400-007	6063 Buckeye Trail	Coffeen	Richard & Margaret	Harms	6063 Buckeye Trail		Hillsboro	Illinois	62049		8.87	8.87	NRP	X	
17-31-400-008	North 6th Avenue	Coffeen	Benjamin	Kenny	5250 East 18th Road		Coffeen	Illinois	62017		86.99	86.99	NRP		X
17-31-400-010	North 6th Avenue	Coffeen	Nicholas	Kenny	1402 Kweit Lane		Greenville	Illinois	62246		28.50	28.50	NRP	X	
17-31-400-011	92 McQuern Lane	Hillsboro	Ben	Kenny	13001 North 6th Avenue		Hillsboro	Illinois	62049	0.93	4.11	5.04	NRP		X
17-32-100-002	6265 East 14th Road	Coffeen	Stella	Kasten	6265 East 14th Road		Hillsboro	Illinois	62049		40.00	40.00	NRP		X
17-32-100-003	6265 East 14th Road	Coffeen	Stella	Kasten	6265 East 14th Road		Hillsboro	Illinois	62049		40.00	40.00	NRP		X
17-32-100-004	13030 North 7th Avenue	Hillsboro	New River Royalty, LLC	John Clark	208 Public Square	4th Floor	Benton	Illinois	62812	4.50		4.50	NRP	X	
17-32-100-006	13130 North 7th Avenue	Hillsboro	Brad & Dawn	Young	13130 North 7th Avenue		Hillsboro	Illinois	62049	5.00		5.00	NRP	X	
17-32-100-007	North 7th Avenue	Hillsboro	Brad & Dawn	Young	13130 North 7th Avenue		Hillsboro	Illinois	62049		70.50	70.50	NRP	X	
17-32-200-001	6265 East 14th Road	Coffeen	Stella	Kasten	6265 East 14th Road		Hillsboro	Illinois	62049		80.00	80.00	NRP	X	
17-32-200-002	6265 East 14th Road	Hillsboro	Stella	Kasten	6265 East 14th Road		Hillsboro	Illinois	62049	0.61	79.39	80.00	NRP	X	
17-32-300-004	13253 North 6th Avenue	Hillsboro	Donald & Brenda	Edwards	13253 North 6th Avenue		Hillsboro	Illinois	62049		74.31	74.31	NRP	X	
17-32-300-005	13253 North 6th Avenue	Hillsboro	Donald & Brenda	Edwards	13253 North 6th Avenue		Hillsboro	Illinois	62049		36.29	36.29	NRP	X	
17-32-400-001	13253 North 6th Avenue	Hillsboro	Donald & Brenda	Edwards	13253 North 6th Avenue		Hillsboro	Illinois	62049	0.81	79.19	80.00	NRP	X	
17-32-400-002	13253 North 6th Avenue	Hillsboro	Donald & Brenda	Edwards	13253 North 6th Avenue		Hillsboro	Illinois	62049		40.00	40.00	NRP	X	
17-32-400-003	13253 North 6th Avenue	Hillsboro	Donald & Brenda	Edwards	13253 North 6th Avenue		Hillsboro	Illinois	62049		40.00	40.00	NRP	X	
17-33-100-002	East 14th Road	Hillsboro	Earl Seltzer Enterprises		P.O. Box 502		Hillsboro	Illinois	62049		300.00	300.00	NRP	X	
17-33-200-001	Illinois Route 185	Hillsboro	Vistra Energy, Inc.		601 Travis Street	Suite 1400	Houston	Texas	77002		20.00	20.00	NRP		X
17-33-300-001	North 6th Avenue	Coffeen	Donald & Brenda	Edwards	13253 North 6th Avenue		Hillsboro	Illinois	62049		40.00	40.00	NRP	X	
17-33-300-003	5263 East 14th Road	Coffeen	Dean	Huber	5263 East 14th Road		Coffeen	Illinois	62017		40.00	40.00	NRP		X
17-33-300-004	5263 East 14th Road	Coffeen	Dean	Huber	5263 East 14th Road		Coffeen	Illinois	62017		40.00	40.00	NRP		X
17-33-300-005	North 6th Avenue	Coffeen	Donald & Brenda	Edwards	13253 North 6th Avenue		Hillsboro	Illinois	62049	1.41	35.13	36.54	NRP	X	
17-33-300-006	14061 North 6th Avenue	Coffeen	Wade Edwards	c/o Corelogic	1 Corelogic Drive		Westlake	Texas	76262		3.46	3.46	NRP	X	
17-33-400-001	5263 East 14th Road	Coffeen	Dean	Huber	5263 East 14th Road		Coffeen	Illinois	62017		47.00	47.00	NRP		X
17-33-400-002	5263 East 14th Road	Coffeen	Dean	Huber	5263 East 14th Road		Coffeen	Illinois	62017		25.00	25.00	NRP		X
17-33-400-003	Rural Lake Area	Coffeen	Vistra Energy, Inc.		601 Travis Street	Suite 1400	Houston	Texas	77002	15.00		15.00	NRP		X
17-33-400-004	5263 East 14th Road	Coffeen	Dean	Huber	5263 East 14th Road		Coffeen	Illinois	62017		15.00	15.00	NRP		X
17-33-400-005	5263 East 14th Road	Coffeen	Dean	Huber	5263 East 14th Road		Coffeen	Illinois	62017		18.00	18.00	NRP		X

Attachment I.2.A - Surface and Coal Owners Within and Adjacent to Shadow Area

Parcel	Site Address	City	First Name	Last name	Mailing Address	Address 2	City	State	Zip Code	Land Lot (acre)	Farmland (acre)	Deed Total (acre)	Coal Owner*	Inside Shadow Area	Adjacent to Shadow Area
17-33-400-006	5263 East 14th Road	Coffeen	William, Cleola, & Cherlyn	Brackett	5204 East 14th Road		Coffeen	Illinois	62017		40.00	40.00	NRP	X	
17-34-100-004	72 McDavid Cemetery Lane	Coffeen	McDavid Point Cemetery		R.R. 1		Hillsboro	Illinois	62049		1.27	1.27	No	X	
17-34-100-005	95 McDavid Cemetery Lane	Coffeen	Kenneth & Linda		95 McDavid Cemetery Lane		Hillsboro	Illinois	62049	0.85	20.75	21.60	NRP	X	
17-34-100-006	15212 Illinois Route 185	Hillsboro	Ralph	Ray	15212 Illinois Route 185		Hillsboro	Illinois	62049	0.51	58.99	59.50	NRP	X	
17-34-200-001	15172 Illinois Route 185	Hillsboro	Shawn & Hope	Titworth	15172 Illinois Route 185		Hillsboro	Illinois	62049	4.00		4.00	NRP	X	
17-34-200-007	Coffeen Road	Hillsboro	New River Royalty, LLC		208 Public Square	4th Floor	Benton	Illinois	62812		12.00	12.00	NRP	X	
17-34-200-008	Coffeen Road	Hillsboro	New River Royalty, LLC		208 Public Square	4th Floor	Benton	Illinois	62812		32.14	32.14	NRP	X	
17-34-200-009	15448 Illinois Route 185	Hillsboro	Kenneth & Brenda	Timpe	15323 Irving Road		Irving	Illinois	62051	2.22		2.22	NRP	X	
17-34-200-011	Illinois Route 185	Hillsboro	Arlen	Kasten	13314 Illinois Route 185		Hillsboro	Illinois	62049		6.01	6.01	NRP		X
17-34-200-012	1322 CIPS Trail	Coffeen	New River Royalty, LLC		208 Public Square	4th Floor	Benton	Illinois	62812	1.00		1.00	NRP	X	
17-34-200-015	1255 CIPS Trail	Coffeen	William	Kershaw	1255 CIPS Trail		Coffeen	Illinois	62017	2.50		2.50	NRP		X
17-34-200-019	13314 Illinois Route 185	Hillsboro	Arlen	Kasten	13314 Illinois Route 185		Hillsboro	Illinois	62049		28.26	28.26	NRP		X
17-34-200-020	1335 CIPS Trail	Coffeen	Danny	Lilley	1335 CIPS Trail		Coffeen	Illinois	62017	0.75	4.25	5.00	NRP		X
17-34-200-021	Illinois Route 185	Hillsboro	New River Royalty, LLC		208 Public Square	4th Floor	Benton	Illinois	62812		27.90	27.90	NRP	X	
17-34-300-001	Border North Coffeen Lake	Coffeen	Vistra Energy, Inc.		601 Travis Street	Suite 1400	Houston	Texas	77002	203.00		203.00	NRP		X
17-34-300-007	15112 North 6th Avenue	Coffeen	Brooks	Moreland	15112 North 6th Avenue		Coffeen	Illinois	62017		6.00	6.00	NRP	X	
17-34-300-008	15177 North 6th Avenue	Coffeen	Kathy	Turner	15177 North 6th Avenue		Coffeen	Illinois	62017	1.69		1.69	NRP		X
17-34-300-009	CIPS Trail	Coffeen	Robert	Ray	6550 Oleatha		St. Louis	Missouri	63139		55.64	55.64	NRP	X	
17-34-451-008	1057 CIPS Trail	Coffeen	Wade & Natalie	Fuller	1057 CIPS Trail		Coffeen	Illinois	62017	0.51	51.83	52.34	NRP	X	
17-34-451-009	15201 North 6th Avenue	Coffeen	Schylar & Amanda	Fuller	15201 North 6th Avenue		Coffeen	Illinois	62017	3.44		3.44	NRP	X	
20-01-100-008	5338 Illinois Route 127	Hillsboro	Gerald	Zumwalt	5338 Illinois Route 127		Hillsboro	Illinois	62049		9.30	9.30	NRP		X
20-01-100-009	13314 Illinois Route 185	Hillsboro	Arlen	Kasten	13314 Illinois Route 185		Hillsboro	Illinois	62049		17.68	17.68	NRP		X
20-01-100-011	North 6th Avenue	Hillsboro	Karen Funk	c/o Farmers State Bank & Trust	200 West State		Jacksonville	Illinois	62650		52.83	52.83	NRP	X	
20-01-200-003	11202 North 6th Avenue	Hillsboro	Mary June	Koontz	11202 North 6th Avenue		Hillsboro	Illinois	62049	0.55		0.55	NRP		X
20-01-200-005	11400 North 6th Avenue	Hillsboro	Douglas & Brenda	Johnson	11400 North 6th Avenue		Hillsboro	Illinois	62049	7.02		7.02	NRP		X
20-01-200-006	12056 North 6th Avenue	Hillsboro	Randolph & Susan	Schneider	12056 North 6th Avenue		Hillsboro	Illinois	62049		72.98	72.98	NRP	X	
20-01-200-008	North 6th Avenue	Hillsboro	Karen Funk	c/o Farmers State Bank & Trust	200 West State		Jacksonville	Illinois	62650		71.04	71.04	NRP	X	
20-01-200-009	11204 North 6th Avenue	Hillsboro	William & Ruth	Schroeder	11204 North 6th Avenue		Hillsboro	Illinois	62049	0.61	11.35	11.96	NRP	X	
20-01-300-008	Illinois Route 127	Hillsboro	David & Luann	Chappelear	10110 Holloway Trail		Hillsboro	Illinois	62049		1.95	1.95	NRP		X
20-01-300-009	Illinois Route 127	Hillsboro	Rodney	Bergmann	4 Deer Hollow		Litchfield	Illinois	62056		40.00	40.00	NRP		X
20-01-300-011	169 Funk Lane	Hillsboro	Thomas & Mary	Murray	169 Funk Lane		Hillsboro	Illinois	62049	7.41		7.41	NRP	X	
20-01-300-015	5126 Illinois Route 127	Hillsboro	Ronald	Hunshe	12610 Niggli Road		Highland	Illinois	62249		24.34	24.34	NRP		X
20-01-400-010	253 Rock Lane	Hillsboro	Terri	Mackey	253 Rock Lane		Hillsboro	Illinois	62049		32.78	32.78	NRP	X	
20-01-400-012	Rock Lane	Hillsboro	Dolores	Yarbrough	1105 Devonshire Drive		Champaign	Illinois	61821		20.00	20.00	NRP		X
20-01-400-013	Funk Lane	Hillsboro	Karen Funk	c/o Farmers State Bank & Trust	200 West State		Jacksonville	Illinois	62650		30.00	30.00	NRP	X	
20-01-400-014	12056 North 6th Avenue	Hillsboro	Randolph & Susan	Schneider	12056 North 6th Avenue		Hillsboro	Illinois	62049		30.00	30.00	NRP	X	
20-01-400-015	Funk Lane	Hillsboro	Thomas	Boehler	379 South Starr Street		Waggoner	Illinois	62572		12.00	12.00	NRP		
20-01-400-018	266 Rock Lane	Hillsboro	Jean	Snyder	266 Rock Lane		Hillsboro	Illinois	62049	4.99		4.99	NRP	X	
20-01-400-019	259 Rock Lane	Hillsboro	Todd & Alicia	Kelly	8312 North State Route 159		Dorsey	Illinois	62021	9.96		9.96	NRP		X
20-01-400-020	190 Page Lane	Hillsboro	Charles	Page	190 Page Lane		Hillsboro	Illinois	62049	1.26	16.29	17.55	NRP	X	
20-01-400-021	172 Page Lane	Hillsboro	Brian & Edina	Page	P.O. Box 341		Morrisonville	Illinois	62546	2.00		2.00	NRP	X	
20-01-400-022	204 Page Lane	Hillsboro	Charles & Daniel	Page	204 Page Lane		Hillsboro	Illinois	62049	2.00		2.00	NRP	X	
20-12-100-008	Illinois Route 127	Hillsboro	Dennie & Dee	Goedecke	338 Bens Drive		Chatham	Illinois	62629		37.67	37.67	NRP	X	
20-12-100-011	Illinois Route 127	Hillsboro	Roy & Cherlann	Rapien	4292 Illinois Route 127		Hillsboro	Illinois	62049		11.46	11.46	NRP	X	
20-12-100-013	4292 Illinois Route 127	Hillsboro	Roy & Cherlann	Rapien	4292 Illinois Route 127		Hillsboro	Illinois	62049	1.00	12.60	13.60	NRP	X	
20-12-200-002	181 Adams Lane	Hillsboro	Ronald	Cooper	181 Adams Lane		Hillsboro	Illinois	62049	0.38	79.62	80.00	NRP	X	
20-12-200-003	204 Funk Lane	Hillsboro	Charles & Daniel	Page	204 Funk Lane		Hillsboro	Illinois	62049		39.00	39.00	NRP	X	
20-12-200-006	253 Rock Lane	Hillsboro	Norman	Compton	253 Rock Lane		Hillsboro	Illinois	62049	0.51	38.16	38.67	NRP	X	
20-12-300-001	4121 Illinois Route 127	Hillsboro	P & B Trust		4121 Illinois Route 127		Hillsboro	Illinois	62049		39.00	39.00	NRP	X	
20-12-300-005	3538 Illinois Route 127	Hillsboro	Charles & Nancy	McDowell	3538 Illinois Route 127		Hillsboro	Illinois	62049	0.99	9.01	10.00	NRP	X	
20-12-300-011	3570 Illinois Route 127	Hillsboro	Corey	Beatty	502 Pine Street		Hillsboro	Illinois	62049	6.71		6.71	NRP	X	
20-12-300-012	Illinois Route 127	Hillsboro	Rande & Diane	Gibbs	10866 Lake Road		Highland	Illinois	62249		19.79	19.79	NRP	X	
20-12-300-013	4121 Illinois Route 127	Hillsboro	P & B Trust		4121 Illinois Route 127		Hillsboro	Illinois	62049	0.52	39.04	39.56	NRP	X	
20-12-400-001	181 Adams Lane	Hillsboro	Ronald	Cooper	181 Adams Lane		Hillsboro	Illinois	62049		20.00	20.00	NRP		X
20-12-400-002	181 Adams Lane	Hillsboro	Ronald	Cooper	181 Adams Lane		Hillsboro	Illinois	62049		20.00	20.00	NRP		X
20-12-400-003	3127 Illinois Route 127	Hillsboro	Wanda	Bee	3127 Illinois Route 127		Hillsboro	Illinois	62049		40.00	40.00	NRP		X
20-12-400-005	4003 Buckeye Trail	Hillsboro	Earl	Law	4003 Buckeye Trail		Hillsboro	Illinois	62049	0.61	39.39	40.00	NRP		X
20-12-400-006	140 Adams Lane	Hillsboro	Stacey Carroll	c/o Corelogic	1 Corelogic Drive		Westlake	Texas	76262	0.51	19.49	20.00	NRP		X
20-12-400-007	142 Adams Lane	Hillsboro	Gary	Sneed	142 Adams Lane		Hillsboro	Illinois	62049	20.00		20.00	NRP	X	
20-13-100-007	3538 Illinois Route 127	Hillsboro	Charles & Nancy	McDowell	3538 Illinois Route 127		Hillsboro	Illinois	62049		83.78	83.78	NRP	X	

Attachment I.2.A - Surface and Coal Owners Within and Adjacent to Shadow Area

Parcel	Site Address	City	First Name	Last name	Mailing Address	Address 2	City	State	Zip Code	Land Lot (acre)	Farmland (acre)	Deed Total (acre)	Coal Owner*	Inside Shadow Area	Adjacent to Shadow Area
20-13-100-009	3141 Illinois Route 127	Hillsboro	Samual Elizondo	c/o Corelogic	1 Corelogic Drive		Westlake	Texas	76262	0.64	4.65	5.29	NRP	X	
20-13-100-010	Illinois Route 127	Hillsboro	Barbara	Wright	P.O. Box 40		Vandalia	Illinois	62471		21.34	21.34	NRP	X	
20-13-200-002	Illinois Route 127	Hillsboro	Barbara	Wright	P.O. Box 40		Vandalia	Illinois	62471		30.00	30.00	NRP	X	
20-13-200-003	Bear Creek Lane	Hillsboro	Larry	Casarta	2618 Morganfair Lane		Katy	Texas	77450		80.00	80.00	NRP		X
20-13-200-005	3127 Illinois Route 127	Hillsboro	Wanda	Bee	3127 Illinois Route 127		Hillsboro	Illinois	62049	1.00	88.70	89.70	NRP	X	
20-13-300-004	Bear Creek Lane	Donnellson	Barbara	Wright	P.O. Box 40		Vandalia	Illinois	62471		39.45	39.45	NRP	X	
20-13-400-001	Bear Creek Lane	Donnellson	Barbara	Wright	P.O. Box 40		Vandalia	Illinois	62471	0.31	158.59	158.90	NRP		X
21-03-100-002	15034 North 6th Avenue	Coffeen	Robert & Clara	Dale	15034 Noth 6th Avenue		Coffeen	Illinois	62017	0.82		0.82	NRP		X
21-03-100-003	15034 North 6th Avenue	Coffeen	Robert & Clara	Dale	15034 Noth 6th Avenue		Coffeen	Illinois	62017	0.33		0.33	NRP		X
21-03-100-004	15034 North 6th Avenue	Coffeen	Robert & Clara	Dale	15034 Noth 6th Avenue		Coffeen	Illinois	62017	0.33		0.33	NRP		X
21-03-100-005	15010 North 6th Avenue	Coffeen	Mary	Shelbourne	15010 North 6th Avenue		Coffeen	Illinois	62017	0.33		0.33	NRP	X	
21-03-100-007	North 6th Avenue	Coffeen	Terry & Brenda	Young	73 Young Lane		Coffeen	Illinois	62017		22.00	22.00	NRP	X	
21-03-100-008	15010 North 6th Avenue	Coffeen	Mary	Shelbourne	15010 North 6th Avenue		Coffeen	Illinois	62017	0.33		0.33	NRP	X	
21-03-100-009	15034 North 6th Avenue	Coffeen	Robert & Clara	Dale	15034 Noth 6th Avenue		Coffeen	Illinois	62017	0.82		0.82	NRP		X
21-03-100-012	15112 North 6th Avenue	Coffeen	Brooks	Moreland	15112 North 6th Avenue		Coffeen	Illinois	62017	1.56		1.56	NRP	X	
21-03-100-013	15112 North 6th Avenue	Coffeen	Brooks	Moreland	15112 North 6th Avenue		Coffeen	Illinois	62017	0.83		0.83	NRP	X	
21-03-100-014	15138 North 6th Avenue	Coffeen	Kevin & Gena	Lewey	15138 North 6th Avenue		Coffeen	Illinois	62017	1.00		1.00	NRP		X
21-03-100-015	15152 North 6th Avenue	Coffeen	Doris	Graham	15152 North 6th Avenue		Coffeen	Illinois	62017	0.81		0.81	NRP	X	
21-03-100-016	15170 North 6th Avenue	Coffeen	Randy	White	3362 South Spring Street		Springfield	Illinois	62703	4.31		4.31	NRP		X
21-03-100-017	15194 North 6th Avenue	Coffeen	Randy	White	3362 South Spring Street		Springfield	Illinois	62703	2.35		2.35	NRP		X
21-03-300-001	CIPS Trail	Coffeen	Vistra Energy, Inc.		601 Travis Street	Suite 1400	Houston	Texas	77002		311.00	311.00	NRP		X
21-03-300-002	151 Fox Lane	Coffeen	Drury	Emerson	151 Fox Lane		Coffeen	Illinois	62017	1.28	8.72	10.00	NRP	X	
21-04-100-001	North 6th Avenue	Coffeen	Illinois Power Company	c/o Ameren Services	P. O. Box 66149		St. Louis	Missouri	63166	4.80		4.80	NRP	X	
21-04-100-002	5264 East 14th Road	Coffeen	Dean	Huber	5264 East 14th Road		Coffeen	Illinois	62017		75.50	75.50	NRP		X
21-04-100-007	14198 North 6th Avenue	Coffeen	Dean	Huber	5263 East 14th Road		Coffeen	Illinois	62017		17.50	17.50	NRP		X
21-04-100-008	5204 East 14th Road	Coffeen	William & Cleola	Brackett	5204 East 14th Road		Coffeen	Illinois	62017	1.35	38.10	39.45	NRP	X	
21-04-100-010	North 6th Avenue	Coffeen	Dean	Huber	5263 East 14th Road		Coffeen	Illinois	62017		14.00	14.00	NRP		X
21-04-200-001	13253 North 6th Avenue	Coffeen	Donald & Brenda	Edwards	13253 North 6th Avenue		Hillsboro	Illinois	62049		40.00	40.00	NRP	X	
21-04-200-004	Lake Boundary	Coffeen	Vistra Energy, Inc.		601 Travis Street	Suite 1400	Houston	Texas	77002	94.00		94.00	NRP		X
21-04-200-005	14330 North 6th Avenue	Coffeen	New River Royalty, LLC		208 Public Square	4th Floor	Benton	Illinois	62812	3.00		3.00	NRP	X	
21-04-200-007	14358 North 6th Avenue	Coffeen	Bob & Alice	Reynolds	14358 North 6th Avenue		Coffeen	Illinois	62017		47.00	47.00	NRP	X	
21-04-200-008	15010 North 6th Avenue	Coffeen	Mary	Shelbourne	15010 North 6th Avenue		Coffeen	Illinois	62017	1.00		1.00	NRP	X	
21-04-300-003	East 14th Road	Coffeen	Brian	Suhre	8233 Brickyard Hill Road		Worden	Illinois	62097		40.00	40.00	NRP	X	
21-04-300-004	5204 East 14th Road	Coffeen	William & Cleola	Brackett	5204 East 14th Road		Coffeen	Illinois	62017		40.00	40.00	NRP	X	
21-04-300-005	6265 East 14th Road	Hillsboro	Stella	Kasten	6265 East 14th Road		Hillsboro	Illinois	62049		40.00	40.00	NRP	X	
21-04-300-006	East 14th Road	Coffeen	Brian	Suhre	8233 Brickyard Hill Road		Worden	Illinois	62097		40.00	40.00	NRP		X
21-04-400-001	5204 East 14th Road	Coffeen	William & Cleola	Brackett	5204 East 14th Road		Coffeen	Illinois	62017		70.00	70.00	NRP	X	
21-04-400-002	5204 East 14th Road	Coffeen	William & Cleola	Brackett	5204 East 14th Road		Coffeen	Illinois	62017		40.00	40.00	NRP	X	
21-04-400-003	5204 East 14th Road	Coffeen	William & Cleola	Brackett	5204 East 14th Road		Coffeen	Illinois	62017		21.00	21.00	NRP	X	
21-04-400-004	5204 East 14th Road	Coffeen	William & Cleola	Brackett	5204 East 14th Road		Coffeen	Illinois	62017		13.75	13.75	NRP	X	
21-05-100-003	13253 North 6th Avenue	Hillsboro	Donald & Brenda	Edwards	13253 North 6th Avenue		Hillsboro	Illinois	62049		16.25	16.25	NRP	X	
21-05-100-004	13253 North 6th Avenue	Hillsboro	Donald & Brenda	Edwards	13253 North 6th Avenue		Hillsboro	Illinois	62049		16.25	16.25	NRP	X	
21-05-100-005	13214 Flat Avenue	Hillsboro	Mark	Huber	9121 Briarfield Lane		Bunker Hill	Illinois	62014		40.00	40.00	NRP		X
21-05-100-006	North 6th Avenue	Coffeen	Brian, Dacia, & Dean	Brown	12167 North Road		Hillsboro	Illinois	62049		94.25	94.25	NRP		X
21-05-200-001	13253 North 6th Avenue	Hillsboro	Donald & Brenda	Edwards	13253 North 6th Avenue		Hillsboro	Illinois	62049		39.50	39.50	NRP	X	
21-05-200-002	East 14th Road	Coffeen	Dennis	Dressler	656 Lily Road		Lenzburg	Illinois	62255		39.50	39.50	NRP		X
21-05-200-004	East 14th Road	Coffeen	Dennis	Dressler	656 Lily Road		Lenzburg	Illinois	62255		77.76	77.76	NRP		X
21-05-200-005	5263 East 14th Road	Coffeen	Dean	Huber	5263 East 14th Road		Coffeen	Illinois	62017	1.24		1.24	NRP		X
21-05-300-001	Flat Avenue	Hillsboro	Randolph & Susan	Schneider	12056 North 6th Avenue		Hillsboro	Illinois	62049		40.00	40.00	NRP	X	
21-05-300-003	North 5th Lane	Hillsboro	Bank & Trust		P.O. Box 410		Litchfield	Illinois	62056		75.00	75.00	NRP		X
21-05-300-007	Flat Avenue	Coffeen	Mark	Huber	9121 Briarfield Lane		Bunker Hill	Illinois	62014		38.00	38.00	NRP		X
21-05-300-008	13214 Flat Avenue	Hillsboro	Phyllis	Simonton	13214 Flat Avenue		Coffeen	Illinois	62017	2.00		2.00	NRP	X	
21-05-400-001	13214 Flat Avenue	Coffeen	Mark	Huber	9121 Briarfield Lane		Bunker Hill	Illinois	62014		40.00	40.00	NRP	X	
21-05-400-006	North 5th Lane	Hillsboro	Joyce Brothers	c/o Bank & Trust Company	401 North Madison	P.O. Box 410	Litchfield	Illinois	62056		43.40	43.40	NRP	X	
21-05-400-008	East 14th Road	Coffeen	Dean	Huber	5264 East 14th Road		Coffeen	Illinois	62017		79.52	79.52	NRP		X
21-05-400-009	5073 East 14th Avenue	Coffeen	Bruce	Guckian	5073 East 14th Road		Coffeen	Illinois	62017	0.48		0.48	NRP	X	
21-05-400-011	North 5th Lane	Hillsboro	Jason Huston	c/o Countrywide Tax Service	P.O. Box 10211		Van Nuys	California	91410	1.60		1.60	NRP		X
21-06-100-003	11400 North 6th Avenue	Hillsboro	Douglas & Brenda	Johnson	11400 North 6th Avenue		Hillsboro	Illinois	62049	3.08		3.08	NRP		X
21-06-100-004	12056 North 6th Avenue	Hillsboro	Randolph & Susan	Schneider	12056 North 6th Avenue		Hillsboro	Illinois	62049	1.59	63.87	65.46	NRP	X	

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Parcel	Site Address	City	First Name	Last name	Mailing Address	Address 2	City	State	Zip Code	Land Lot (acre)	Farmland (acre)	Deed Total (acre)	Coal Owner*	Inside Shadow Area	Adjacent to Shadow Area
21-06-100-005	12198 North 6th Avenue	Hillsboro	Roberta	Meyer	12198 North 6th Avenue		Hillsboro	Illinois	62049	1.29	31.96	33.25	NRP		X
21-06-100-006	North 6th Avenue	Hillsboro	Roberta	Meyer	12198 North 6th Avenue		Hillsboro	Illinois	62049		33.25	33.25	NRP	X	
21-06-200-007	North 6th Avenue	Coffeen	New River Royalty, LLC		208 Public Square	4th Floor	Benton	Illinois	62812	0.68	14.68	15.36	NRP	X	
21-06-200-008	North 6th Avenue	Hillsboro	Austin	Meyer	449 Bobwhite Road		Pocahontas	Illinois	62275		11.24	11.24	NRP	X	
21-06-200-009	North 6th Avenue	Hillsboro	Randolph & Susan	Schneider	12056 North 6th Avenue		Hillsboro	Illinois	62049		108.00	108.00	NRP	X	
21-06-300-002	253 Rock Lane	Hillsboro	Norman	Compton	253 Rock Lane		Hillsboro	Illinois	62049		9.00	9.00	NRP	X	
21-06-300-007	Buckeye Trail	Hillsboro	Randolph & Susan	Schneider	12056 North 6th Avenue		Hillsboro	Illinois	62049		58.92	58.92	NRP	X	
21-06-300-008	188 Rock Lane	Hillsboro	Patrick & Lora	Eck	188 Rock Lane		Hillsboro	Illinois	62049	0.56	14.52	15.08	NRP	X	
21-06-300-009	Buckeye Trail	Hillsboro	Patrick	Jarnagin	4441 Buckeye Trail		Hillsboro	Illinois	62049		56.38	56.38	NRP		X
21-06-300-010	4441 Buckeye Trail	Hillsboro	Carrie	Baron	4441 Buckeye Trail		Hillsboro	Illinois	62049	2.55	7.79	10.34	NRP		X
21-06-400-001	4441 Buckeye Trail	Hillsboro	Randolph & Susan	Schneider	12056 North 6th Avenue		Hillsboro	Illinois	62049		40.00	40.00	NRP	X	
21-06-400-002	4441 Buckeye Trail	Hillsboro	Randolph & Susan	Schneider	12056 North 6th Avenue		Hillsboro	Illinois	62049		40.00	40.00	NRP	X	
21-06-400-003	4441 Buckeye Trail	Hillsboro	Randolph & Susan	Schneider	12056 North 6th Avenue		Hillsboro	Illinois	62049		80.00	80.00	NRP	X	
21-07-100-002	4255 Buckeye Trail	Hillsboro	Andrew Stritzel	c/o National Bank	P.O. Box 310		Hillsboro	Illinois	62049	4.76	0.26	5.02	NRP		X
21-07-100-007	Buckeye Trail	Hillsboro	Travis & Aimee	Klump	17135 Illinois Route 185		Coffeen	Illinois	62017		9.40	9.40	NRP		X
21-07-100-008	Buckeye Trail	Hillsboro	Justin & Brandi	Reynolds	1510 South Main Street		Hillsboro	Illinois	62049		5.33	5.33	NRP	X	
21-07-100-009	Buckeye Trail	Hillsboro	Tracy	Dressler	305 Washington Street		Donnellson	Illinois	62019		5.13	5.13	NRP		X
21-07-100-010	Buckeye Trail	Hillsboro	Klump & Atterberry	c/o Phillip Klump	807 Keller Avenue		Hillsboro	Illinois	62049		38.06	38.06	NRP		X
21-07-100-011	Buckeye Trail	Hillsboro	Terri	Mackey	253 Rock Lane		Hillsboro	Illinois	62049		10.01	10.01	NRP		X
21-07-200-002	Buckeye Trail	Hillsboro	Randolph & Susan	Schneider	12056 North 6th Avenue		Hillsboro	Illinois	62049		184.89	184.89	NRP	X	
21-07-300-003	4201 Buckeye Trail	Hillsboro	John & Edna	Balla	4201 Buckeye Trail		Hillsboro	Illinois	62049	11.97		11.97	NRP		X
21-07-300-007	4201 Buckeye Trail	Hillsboro	John & Edna	Balla	4201 Buckeye Trail		Hillsboro	Illinois	62049		15.82	15.82	NRP		X
21-07-300-012	4121 Buckeye Trail	Hillsboro	Michelle Stritzel	c/o National Bank	P.O. Box 310		Hillsboro	Illinois	62049		5.01	5.01	NRP		X
21-07-300-014	Buckeye Trail	Hillsboro	Larry	Casarta	2618 Morganfair Lane		Katy	Texas	77450		35.07	35.07	NRP		X
21-07-300-015	Buckeye Trail	Hillsboro	Donna	Stritzel	13 Johnson Street		Hillsboro	Illinois	62049		104.61	104.61	NRP		X
21-07-400-002	5263 East 14th Road	Coffeen	Dean	Huber	5263 East 14th Road		Coffeen	Illinois	62017		40.00	40.00	NRP		X
21-07-400-003	5263 East 14th Road	Coffeen	Dean	Huber	5263 East 14th Road		Coffeen	Illinois	62017		40.00	40.00	NRP		X
21-07-400-004	4441 Buckeye Trail	Hillsboro	David, Carol, & Nicholas	Schluckebier	14099 Mt. Moriah Avenue		Donnellson	Illinois	62019		40.00	40.00	NRP	X	
21-07-400-005	Buckeye Trail	Hillsboro	Kenneth & Lonna	Durbin	16130 East 7th Avenue		Butler	Illinois	62015		80.00	80.00	NRP	X	
21-08-100-001	4441 Buckeye Trail	Hillsboro	Randolph & Susan	Schneider	12056 North 6th Avenue		Hillsboro	Illinois	62049		40.00	40.00	NRP	X	
21-08-100-002	North 5th Lane	Hillsboro	Joyce Brothers	c/o Bank & Trust Company	401 North Madison	P.O. Box 410	Litchfield	Illinois	62056		40.00	40.00	NRP		X
21-08-100-003	North 5th Lane	Hillsboro	Eldon & Gerald Joyce	c/o Bank & Trust Company	401 North Madison	P.O. Box 410	Litchfield	Illinois	62056		40.00	40.00	NRP		X
21-08-100-004	North 5th Lane	Hillsboro	Joyce Brothers	c/o Bank & Trust Company	401 North Madison	P.O. Box 410	Litchfield	Illinois	62056		40.00	40.00	NRP	X	
21-08-200-001	North 5th Lane	Hillsboro	Eldon & Gerald Joyce	c/o Bank & Trust Company	401 North Madison	P.O. Box 410	Litchfield	Illinois	62056		40.00	40.00	NRP		X
21-08-200-002	East 14th Road	Coffeen	Nancy	Blackburn	899 County Road 800 East		Champaign	Illinois	61822		40.00	40.00	NRP	X	
21-08-200-003	East 14th Road	Coffeen	Nancy	Blackburn	899 County Road 800 East		Champaign	Illinois	61822		40.00	40.00	NRP	X	
21-08-200-004	East 14th Road	Coffeen	Nancy	Blackburn	899 County Road 800 East		Champaign	Illinois	61822		40.00	40.00	NRP		x
21-08-300-001	North 4th Avenue	Donnellson	Dean	Huber	5263 East 14th Road		Coffeen	Illinois	62017		80.00	80.00	NRP		X
21-08-300-002	5263 East 14th Road	Coffeen	Dean	Huber	5263 East 14th Road		Coffeen	Illinois	62017		20.00	20.00	NRP		X
21-08-300-003	5263 East 14th Road	Coffeen	Dean	Huber	5263 East 14th Road		Coffeen	Illinois	62017		20.00	20.00	NRP		X
21-08-300-004	North 4th Avenue	Donnellson	Robert	Elmore	10724 Burlington Lane		Marion	Illinois	62959		40.00	40.00	NRP	X	
21-08-400-001	13295 North 4th Avenue	Donnellson	Roger	Reeves	605 Hickory		Hillsboro	Illinois	62049	0.72	137.78	138.50	NRP	X	
21-08-400-002	4177 East 14th Road	Hillsboro	Nancy	Blackburn	899 County Road 800 East		Champaign	Illinois	61822	0.62	19.38	20.00	NRP		X
21-09-100-001	Mentors Lane	Coffeen	Brian	Suhre	8233 Brickyard Hill Road		Worden	Illinois	62097		40.00	40.00	NRP	X	
21-09-100-002	Mentors Lane	Coffeen	Nancy	Blackburn	899 County Road 800 East		Champaign	Illinois	61822		40.00	40.00	NRP	X	
21-09-100-003	14171 Mentors Lane	Coffeen	Stella	Kasten	6265 East 14th Road		Hillsboro	Illinois	62049		80.00	80.00	NRP	X	
21-09-200-005	14280 Mentors Lane	Coffeen	William & Cleola	Brackett	14280 Mentors Lane		Coffeen	Illinois	62017		71.40	71.40	NRP		X
21-09-200-006	5204 East 14th Road	Coffeen	William & Cleola	Brackett	5204 East 14th Road		Coffeen	Illinois	62017			0.00	NRP		X
21-09-200-008	14243 Mentors Lane	Coffeen	Rose	Beard	14243 Mentors Lane		Coffeen	Illinois	62017	0.98		0.98	NRP		X
21-09-200-010	Mentors Lane	Coffeen	William & Cleola	Brackett	5204 East 14th Road		Coffeen	Illinois	62017		9.97	9.97	NRP	X	
21-09-200-011	5204 East 14th Road	Coffeen	William & Cleola	Brackett	5204 East 14th Road		Coffeen	Illinois	62017		25.03	25.03	NRP		X
21-09-200-012	Mentors Lane	Coffeen	Vistra Energy, Inc.		601 Travis Street	Suite 1400	Houston	Texas	77002	2.96		2.96	NRP	X	
21-09-300-001	4178 East 14th Road	Coffeen	Nancy	Blackburn	899 County Road 800 East		Champaign	Illinois	61822		60.00	60.00	NRP		X
21-09-300-003	North 4th Avenue	Coffeen	Michael & Paula	Shelton	14089 Ticky Point Trail		Donnellson	Illinois	62019		89.76	89.76	NRP	X	
21-09-300-004	14171 North 4th Avenue	Donnellson	Michael & Paula	Shelton	14089 Ticky Point Trail		Donnellson	Illinois	62019		6.54	6.54	NRP	X	
21-09-400-001	5204 East 14th Road	Coffeen	William & Cleola	Brackett	5204 East 14th Road		Coffeen	Illinois	62017		23.00	23.00	NRP	X	
21-09-400-002	Border Coffeen Lake	Coffeen	Vistra Energy, Inc.		601 Travis Street	Suite 1400	Houston	Texas	77002	0.00		0.00	NRP		X
21-09-400-004	14223 North 4th Avenue	Donnellson	Nathan & Christy	Hemken	14223 North 4th Avenue		Donnellson	Illinois	62019		24.10	24.10	NRP		X
21-09-400-005	14223 North 4th Avenue	Donnellson	Nathan & Christy	Hemken	14223 North 4th Avenue		Donnellson	Illinois	62019		7.00	7.00	NRP		X
21-09-400-006	14261 North 4th Avenue	Donnellson	Collin	Wasson	14261 North 4th Avenue		Donnellson	Illinois	62019	3.03		3.03	NRP	X	

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Parcel	Site Address	City	First Name	Last name	Mailing Address	Address 2	City	State	Zip Code	Land Lot (acre)	Farmland (acre)	Deed Total (acre)	Coal Owner*	Inside Shadow Area	Adjacent to Shadow Area
21-09-400-009	14261 North 4th Avenue	Donnellson	Collin	Wasson	14261 North 4th Avenue		Donnellson	Illinois	62019	1.97		1.97	NRP		X
21-09-400-012	14305 North 4th Avenue	Coffeen	Joel	Thacker	14305 North 4th Avenue		Donnellson	Illinois	62019		8.54	8.54	NRP	X	
21-09-400-013	15001 North 4th Avenue	Coffeen	Michael & Candace	Ellington	15001 North 4th Avenue		Donnellson	Illinois	62019		23.94	23.94	NRP	X	
21-09-400-014	North 4th Avenue	Coffeen	Joel	Thacker	14305 North 4th Avenue		Donnellson	Illinois	62019	0.66	5.86	6.52	NRP		X
21-10-100-002	Border Coffeen Lake	Coffeen	Vistra Energy, Inc.		601 Travis Street	Suite 1400	Houston	Texas	77002		543.81	543.81	NRP		X
21-10-300-003	North 4th Avenue	Coffeen	Traylor Cemetery	c/o Dorothy White	325 CIPS Trail		Coffeen	Illinois	62017		1.00	1.00	NRP	X	
21-10-300-004	15001 North 4th Avenue	Coffeen	Michael	Ellington	15001 North 4th Avenue		Donnellson	Illinois	62019	6.00		6.00	NRP	X	
21-10-300-005	15025 North 4th Avenue	Coffeen	William & Deborah	Withers	15025 North 4th Avenue		Coffeen	Illinois	62017	7.00		7.00	NRP		X
21-15-100-001	15020 North 4th Avenue	Coffeen	Joseph & Nancy	Blasko	14392 North 4th Avenue		Donnellson	Illinois	62019		18.64	18.64	NRP		X
21-15-200-001	Border Coffeen Lake	Coffeen	Vistra Energy, Inc.		601 Travis Street	Suite 1400	Houston	Texas	77002	554.00		554.00	Partial	X	
21-16-100-001	14092 North 4th Avenue	Donnellson	Mary Beth Wolf	c/o Sue Lehr	P.O. Box 161		Ramsey	Illinois	62080		160.00	160.00	NRP	X	
21-16-200-003	Walnut Grove Road	Donnellson	Harriet	Gibson	3178 Buckeye Trail		Donnellson	Illinois	62019		62.88	62.88	No	X	
21-16-200-005	14392 North 4th Avenue	Coffeen	Joseph & Nancy	Blasko	14392 North 4th Avenue		Donnellson	Illinois	62019	0.75	4.25	5.00	NRP		X
21-16-200-007	North 4th Avenue	Coffeen	Monroe	Reynolds	14304 North 4th Avenue		Donnellson	Illinois	62019		20.00	20.00	NRP	X	
21-16-200-008	North 4th Avenue	Coffeen	Robert	Coleman	1407 East Cloverfield		Greenville	Illinois	62246		40.00	40.00	NRP		X
21-16-200-009	14300 North 4th Avenue	Coffeen	Linda	Mathena	14300 North 4th Avenue		Donnellson	Illinois	62019		15.00	15.00	NRP		X
21-16-300-001	Arrow Trail	Donnellson	David & Carol	Schluckebier	14099 Mt. Moriah Avenue		Donnellson	Illinois	62019		80.00	80.00	NRP	X	
21-16-300-002	3095 Walnut Grove Road	Donnellson	Michael & Paula	Shelton	14089 Ticky Point Trail		Donnellson	Illinois	62019		80.00	80.00	NRP	X	
21-16-400-003	3176 Walnut Grove Road	Donnellson	Don & Alta	Betoche	3176 Walnut Grove Road		Donnellson	Illinois	62019		15.53	15.53	NRP		X
21-16-400-005	Walnut Grove Road	Donnellson	Vistra Energy, Inc.		601 Travis Street	Suite 1400	Houston	Texas	77002	129.00		129.00	NRP		X
21-16-400-007	Border Coffeen Lake	Donnellson	Vistra Energy, Inc.		601 Travis Street	Suite 1400	Houston	Texas	77002	0.19		0.19	No	X	
21-16-400-009	3176 Walnut Grove Road	Donnellson	Don & Alta	Betoche	3176 Walnut Grove Road		Donnellson	Illinois	62019	2.42		2.42	No		X
21-17-100-001	North 4th Avenue	Donnellson	David, Carol, & Nicholas	Schluckebier	14099 Mt. Moriah Avenue		Donnellson	Illinois	62019		80.00	80.00	NRP	X	
21-17-100-003	3178 Buckeye Trail	Donnellson	Harriet	Gibson	3178 Buckeye Trail		Donnellson	Illinois	62019		155.80	155.80	NRP	X	
21-17-200-002	Arrow Trail	Donnellson	Mary Beth Wolf	c/o Sue Lehr	P.O. Box 161		Ramsey	Illinois	62080		80.00	80.00	NRP		X
21-17-200-003	Arrow Trail	Donnellson	Michael & Paula	Shelton	14089 Ticky Point Trail		Donnellson	Illinois	62019		25.80	25.80	NRP	X	
21-17-200-004	3289 Arrow Trail	Donnellson	Micheal & Paula	Shelton	14089 Ticky Point Trail		Donnellson	Illinois	62019		49.60	49.60	NRP	X	
21-17-400-002	Arrow Trail	Donnellson	David & Carol	Schluckebier	14099 Mt. Moriah Avenue		Donnellson	Illinois	62019		20.00	20.00	NRP	X	
21-17-400-003	Arrow Trail	Donnellson	David & Carol	Schluckebier	14099 Mt. Moriah Avenue		Donnellson	Illinois	62019		60.00	60.00	NRP	X	
21-17-400-004	14383 East 14th Road	Irving	David	Schluckebier	14099 Mt. Moriah Avenue		Donnellson	Illinois	62019		60.00	60.00	NRP	X	
21-17-400-005	North 4th Avenue	Donnellson	Michael & Paula	Shelton	14089 Ticky Point Trail		Donnellson	Illinois	62019		22.50	22.50	NRP	X	
21-18-100-004			Tammy Huffman	c/o Corelogic	1 Corelogic Drive		Westlake	Texas	76262	10.26		10.26	NRP		X
21-18-100-005	North 4th Avenue	Hillsboro	Larry	Casarta	2618 Morganfair Lane		Katy	Texas	77450		46.49	46.49	NRP		X
21-18-200-006	3178 Buckeye Trail	Donnellson	Harriet	Gibson	3178 Buckeye Trail		Donnellson	Illinois	62019		60.00	60.00	NRP	X	
21-18-200-009	North 4th Avenue	Donnellson	David, Carol, & Nicholas	Schluckebier	14099 Mt. Moriah Avenue		Donnellson	Illinois	62019		20.00	20.00	NRP	X	
21-18-200-010	North 4th Avenue	Hillsboro	Ben	Kenny	13001 North 6th Avenue		Hillsboro	Illinois	62049		59.51	59.51	NRP		X
21-18-200-011	Buckeye Trail	Donnellson	David & Carol	Schluckebier	14099 Mt. Moriah Avenue		Donnellson	Illinois	62019		30.50	30.50	NRP	X	
21-18-200-012	3358 Buckeye Trail	Donnellson	Craig	Foster	3358 Buckeye Trail		Donnellson	Illinois	62019	0.43	9.07	9.50	NRP		X
21-18-300-001	12316 North 3rd Avenue	Donnellson	Scott	Schluckebier	12316 North 3rd Avenue		Donnellson	Illinois	62019		75.00	75.00	NRP	X	
21-18-300-003	12227 North 3rd Avenue	Donnellson	Mildred	Balla	12227 North 3rd Avenue		Donnellson	Illinois	62019		30.00	30.00	NRP		X
21-18-400-005	3177 Buckeye Trail	Donnellson	Harriet	Gibson	3178 Buckeye Trail		Donnellson	Illinois	62019	1.05	162.45	163.50	NRP	X	

*Minerals owned by Natural Resource Partners, L.P.

Table 1.3.1 Ownership and Control

List of entities and individuals own/controlling company

Patton Mining, LLC (Operator)

[illegible]

Table 1.3.1 Ownership and Control

List of entities and individuals own/controlling company

Hillsboro Energy, LLC

[illegible]

Table 1.3.1 Ownership and Control

List of entities and individuals own/controlling company

Foresight Energy, LLC

[illegible]

Table 1.3.1 Ownership and Control

List of entities and individuals own/controlling company

Foresight Energy, LP

Company/Individual	Tax ID/SSN (Optional)	Position/Title, Ownership Type	Extended Desc.	% Ownership	Begin Date	End Date
Murray Energy Corporation	31-1956752	Shareholder	-	52%	3/28/2017	-
Christopher Cline	-	Shareholder	-	14%	2/28/2018	-
Cline Trust Company	-	Shareholder	-	14%	12/31/2017	-
Foresight Energy GP LLC	-	General Partner	-	-	-	-
Robert D. Moore	-	Chief Executive Officer	-	-	5/31/2015	-
Robert D. Moore	-	President	-	-	5/31/2015	-
Jeremy J. Harrison	-	Chief Accounting Officer	-	-	9/30/2017	-
Jeremy J. Harrison	-	Principal Accounting Officer	-	-	9/30/2017	-
Cody Nett	-	Corporate Secretary	-	-	7/21/2017	6/19/2020
Rashda M. Buttar	-	Senior Vice President	-	-	11/5/2015	7/23/2017
Rashda M. Buttar	-	General Counsel	-	-	11/5/2015	7/23/2017
Rashda M. Buttar	-	Secretary	-	-	11/5/2015	7/23/2017
Chris Cline	-	Chairman of the Board	-	-	-	3/28/2017
Chris Cline	-	Corporate Officer	-	-	-	3/28/2017
John F Dickinson	-	Director	-	-	-	12/31/2015
E Hunter Harrison	-	Director	-	-	-	9/10/2015
E Bartow Jones	-	Director	-	-	-	1/30/2015
Matthew H. Keyes	-	Corporate Secretary	-	-	6/19/2020	-

Table 1.3.1 Ownership and Control

List of entities and individuals own/controlling company

Foresight Energy GP, LLC

Company/Individual	Tax ID/SSN (Optional)	Position/Title, Ownership Type	Extended Desc.	% Ownership	Begin Date	End Date
Murray Energy Corporation	31-1956752	Shareholder	-	80%	4/16/2015	-
Foresight Reserves	-	Shareholder	-	20%	2/28/2018	-
Robert D. Moore	-	Director	-	-	5/31/2015	-
Robert D. Moore	-	Chief Executive Officer	-	-	5/31/2015	-
Robert D. Moore	-	President	-	-	5/31/2015	-
Robert D. Moore	-	Chairman	-	-	3/28/2017	-
Daniel Hermann	-	Director	-	-	9/15/2014	-
Paul Vining	-	Director	-	-	1/1/2016	2/15/2019
Brian Sullivan	-	Director	-	-	8/10/2016	-
G Casey	-	Director	-	-	9/10/2015	-
Robert Edward Murray	-	Director	-	-	3/28/2017	-
Cody E. Nett	-	Corporate Secretary	-	-	7/21/2017	6/19/2020
Jeremy J. Harrison	-	Chief Accounting Officer	-	-	9/30/2017	-
Jeremy J. Harrison	-	Principal Financial Officer	-	-	9/30/2017	-
James Murphy	-	Corportate Officer	-	-	6/10/2015	9/30/2017
Rashad Buttar	-	Senior Vice President	-	-	6/17/2014	7/23/2017
Rashad Buttar	-	General Counsel	-	-	6/17/2014	7/23/2017
Rashad Buttar	-	Secretary	-	-	6/17/2014	7/23/2017
Lesslie H. Ray	-	Director	-	-	3/25/2019	-
Matthew H. Kegyes	-	Corporate Secretary	-	-	6/19/2020	-

Table 1.3.1 Ownership and Control

List of entities and individuals own/controlling company

Murray Energy Corporation

Company/Individual	Tax ID/SSN (Optional)	Position/Title, Ownership Type	Extended Desc.	% Ownership	Begin Date	End Date
Murray Energy Holdings Company	20-0100463	Owner	-	100%	10/21/2003	-
Robert Eugene Murray	-	Director	-	-	2/23/2001	-
Henry W. Fayne	-	Director	-	-	1/28/2005	-
Robert D. Moore	-	Director	-	-	12/17/2004	-
Richard L. Lawson	-	Director	-	-	1/28/2005	1/22/2020
Robert Eugene Murray	-	Chief Executive Officer	-	-	2/23/2001	10/29/2019
Robert D. Moore	-	Executive V.P.	-	-	12/17/2004	10/29/2019
Robert D. Moore	-	Chief Financial Officer	-	-	8/15/2012	-
Robert Eugene Murray	-	Chairman of the Board	-	-	2/23/2001	-
Robert Eugene Murray	-	President	-	-	2/23/2001	10/29/2019
Michael O. McKown	-	Secretary	-	-	2/24/2001	-
Michael D Loiacono	-	Treasurer	-	-	2/23/2001	6/1/2019
B. J. Cornelius	-	Sr. VP – Marketing & Sales	-	-	8/15/2012	1/15/2019
Ryan Michael Murray	-	Vice President-Operations	-	-	9/11/2007	-
Michael O. McKown	-	Senior VP – Law & Admin	-	-	8/15/2012	-
Robert D. Moore	-	Chief Operating Officer	-	-	8/15/2012	-
Michael T.W. Carey	-	VP – Govt. Relations	-	-	6/1/2012	-
Robert Edward Murray	-	Executive VP - Marketing and Sales	-	-	9/11/2007	-
Jason D. Witt	-	Assistant Secretary	-	-	4/30/2013	-
Paul B. Piccolini	-	VP - H.R. & Employee Relations	-	-	1/4/2014	-
Anthony C. Vcelka, II	-	Assistant Treasurer	-	-	7/29/2014	6/1/2019
James R. Turner, Jr.	-	Senior Vice President	-	-	1/1/2015	-
Eric S. Grimm	-	Assistant VP of Operations	-	-	5/21/2017	-

Table 1.3.1 Ownership and Control

List of entities and individuals own/controlling company

Murray Energy Corporation

Company/Individual	Tax ID/SSN (Optional)	Position/Title, Ownership Type	Extended Desc.	% Ownership	Begin Date	End Date
Casey D. Crooks	-	Assistant VP of Operations	-	-	4/25/2018	-
Anthony C. Vcelka, II	-	Treasurer	-	-	6/1/2019	-
James M. Spigarelli	-	Asst. Treasurer	-	-	6/16/2019	-
Robert D. Moore	-	Chief Executive Officer	-	-	10/29/2019	-
Robert D. Moore	-	President	-	-	10/29/2019	-
Mark B. Cox	-	Director	-	-	9/30/2019	-
Jeremy J. Harrison	-	Chief Accounting Officer	-	-	1/1/2020	-
Roy A. Heidelberg	-	Asst. Vice President-Operations	-	-	9/11/2007	4/30/2018
John R. Forrelli	-	Senior Vice President	-	-	11/1/2010	4/1/2016
Robert Edward Murray	-	VP – Marketing & Sales	-	-	8/15/2012	7/29/2014
Robert Edward Murray	-	VP – External Affairs	-	-	8/15/2012	7/29/2014

Table 1.3.1 Ownership and Control

List of entities and individuals own/controlling company

Murray Energy Holdings Company

Company/Individual	Tax ID/SSN (Optional)	Position/Title, Ownership Type	Extended Desc.	% Ownership	Begin Date	End Date
Robert Eugene Murray	-	Director	-	-	6/30/2003	-
Robert D. Moore	-	Director	-	-	4/23/2007	-
Michael O. McKown	-	Director	-	-	6/30/2003	-
Michael D Loiacono	-	Treasurer	-	-	1/10/2005	6/1/2019
Michael O. McKown	-	Secretary	-	-	6/30/2003	-
Robert Eugene Murray	-	President	-	-	6/30/2003	10/29/2019
Robert Eugene Murray	-	Chief Executive Officer	-	-	6/30/2003	10/29/2019
Robert D. Moore	-	Chief Financial Officer	-	-	4/23/2007	-
Robert Eugene Murray	-	Chairman of the Board	-	-	6/30/2003	-
Robert D. Moore	-	Chief Executive Officer	-	-	10/29/2019	-
Robert D. Moore	-	President	-	-	10/29/2109	-
Murray, Robert Eugene Trustee, (REM Family Trust)	-	Shareholder - 20% Class B Non- Voting Stock	-	-	5/10/2010	-
Robert Edward Murray	-	Shareholder - 20% Class B Non- Voting Stock	-	-	6/30/2003	-
Ryan Michael Murray	-	Shareholder - 20% Class B Non- Voting Stock	-	-	6/30/2003	-
Fifth Third Bank of NE Ohio - Trustee (Murray 2003 Trust)	-	Shareholder - 20% Class B Non- Voting Stock	-	-	10/13/2003	-
Jonathan Robert Murray	-	Shareholder - 20% Class B Non- Voting Stock	-	-	6/30/2003	-
Murray, Robert Eugene Trustee, (REM Family Trust)	-	Shareholder	-	Class A Voting	5/10/2010	-

**Table 1.3.2 Mining Operations for
 Owners/Controllers and Applicant**

List of operations owned/controlled by the applicant and its owners/controllers

Owner/Entity from Table 1.3.1 or Applicant	Company/ Mine	Position/Title with Company (Ownership)	(Column B) Company EIN	Federal/State Permit No.	State	Regulatory Authority	MSHA No/ Date of Issue
Foresight Energy LLC	Hillsoboro Energy LLC	Member	20-5231639	399, 424	IL	IDNR	IL08-1211: 1/30/12; IL08-03216-03: 1/15/14
Foresight Energy LLC	Macoupin Energy LLC	Member	26-2809005	56, 209, 265, 291, 302, 419	IL	IDNR	IL08-00726: 2/26/90
Foresight Energy LLC	Sugar Camp Energy LLC	Member	41-2178049	382, 434	IL	IDNR	IL08-03189-03: 1/6/12
Foresight Energy LLC	Williamson Energy LLC	Member	81-0669143	375, 417	IL	IDNR	IL08-03141-01: 6/26/07; IL-08- 03141-02: 12/3/10
Cody E. Nett	Energy Resources, Inc.	Assistant Secretary	31-1044044	17930120, 24880103	PA	PADEP	3602695: 5/25/1988
Cody E. Nett	Energy Resources, Inc.	Vice President	31-1044044	17930120, 24880103	PA	PADEP	3602695: 5/25/1988
James T. Murphy	Hillsoboro Energy LLC	Vice President	20-5231639	399, 424	IL	IDNR	IL08-1211: 1/30/12; IL08-03216-03: 1/15/14
James T. Murphy	Macoupin Energy LLC	Vice President	26-2809005	56, 209, 265, 291, 302, 419	IL	IDNR	IL08-00726: 2/26/90
James T. Murphy	Sugar Camp Energy LLC	Vice President	41-2178049	382, 434	IL	IDNR	IL08-03189-03: 1/6/12
James T. Murphy	Williamson Energy LLC	Vice President	81-0669143	375, 417	IL	IDNR	IL08-03141-01: 6/26/07; IL-08- 03141-02: 12/3/10
Rashda M. Buttar	Hillsoboro Energy LLC	General Counsel	20-5231639	399, 424	IL	IDNR	IL08-1211: 1/30/12; IL08-03216-03: 1/15/14
Rashda M. Buttar	Hillsoboro Energy LLC	Secretary	20-5231639	399, 424	IL	IDNR	IL08-1211: 1/30/12; IL08-03216-03: 1/15/14
Rashda M. Buttar	Hillsoboro Energy LLC	Senior Vice President	20-5231639	399, 424	IL	IDNR	IL08-1211: 1/30/12; IL08-03216-03: 1/15/14
Rashda M. Buttar	Macoupin Energy LLC	Secretary	26-2809005	56, 209, 265, 291, 302, 419	IL	IDNR	IL08-00726: 2/26/90
Rashda M. Buttar	Macoupin Energy LLC	Senior Vice President	26-2809005	56, 209, 265, 291, 302, 419	IL	IDNR	IL08-00726: 2/26/90

Owners/Controllers and Applicant							
<i>List of operations owned/controlled by the applicant and its owners/controllers</i>							
Owner/Entity from Table 1.3.1 or Applicant	Company/ Mine	Position/Title with Company (Ownership)	(Column B) Company EIN	Federal/State Permit No.	State	Regulatory Authority	MSHA No/ Date of Issue
Rashda M. Buttar	Sugar Camp Energy LLC	General Counsel	41-2178049	382, 434	IL	IDNR	IL08-03189-03: 1/6/12
Rashda M. Buttar	Sugar Camp Energy LLC	Secretary	41-2178049	382, 434	IL	IDNR	IL08-03189-03: 1/6/12
Rashda M. Buttar	Sugar Camp Energy LLC	Senior Vice President	41-2178049	382, 434	IL	IDNR	IL08-03189-03: 1/6/12
Rashda M. Buttar	Williamson Energy LLC	General Counsel	81-0669143	375, 417	IL	IDNR	IL08-03141-01: 6/26/07; IL-08-03141-02: 12/3/10
Rashda M. Buttar	Williamson Energy LLC	Secretary	81-0669143	375, 417	IL	IDNR	IL08-03141-01: 6/26/07; IL-08-03141-02: 12/3/10
Rashda M. Buttar	Williamson Energy LLC	Senior Vice President	81-0669143	375, 417	IL	IDNR	IL08-03141-01: 6/26/07; IL-08-03141-02: 12/3/10
Robert D. Moore	American Energy Corp	Assistant Secretary	31-1550433	D-0425, D-1159	OH	ODNR	
Robert D. Moore	Keystone Coal Mining Corp (Operator for CONSOL Mining Company LLC) (Operator Considered O&C)	Vice President		03703072, 03793072, 03813704, 03931305, 03951601, 32101701, 32803010, 32803712, 32890109, 32921301, 32940105, 33723006	PA	PADEP	3602854, 3600823, 3607688, 3600821, 3602853, 3607756, 3608401, 3608403, 3607341
Robert D. Moore	Andalex Resources Inc	Treasurer	61-0931325	C0070019, C0070033	UT	UT-DOGM	4202233: 8/9/2006; 4201864: 6/20/2011
Robert D. Moore	Canterbury Coal Co	President	25-1127473	03950701, 03900115, 03743701, 03841302	PA	PADEP	3608544: 2/1/1996

Owners/Controllers and Applicant							
<i>List of operations owned/controlled by the applicant and its owners/controllers</i>							
Owner/Entity from Table 1.3.1 or Applicant	Company/ Mine	Position/Title with Company (Ownership)	(Column B) Company EIN	Federal/State Permit No.	State	Regulatory Authority	MSHA No/ Date of Issue
Robert D. Moore	Canterbury Coal Co	Treasurer	25-1127473	03950701, 03900115, 03743701, 03841302	PA	PADEP	3608544: 2/1/1996
Robert D. Moore	Eighty Four Mining Co	Vice President	25-1695903	63743702, 63831302	PA	PADEP	3600958: 9/30/1998
Robert D. Moore	Energy Resources Inc.	Director	31-1044044	17930120, 24880103	PA	PADEP	3602695: 5/25/1988
Robert D. Moore	Genwal Resource Inc	Treasurer	87-0533099	C015032	UT	UT-DOGM	4202356-4201715: 1/1/1981
Robert D. Moore	Hillsboro Energy LLC	Chief Executive Officer	20-5231639	399, 424	IL	IDNR	IL08-1211: 1/30/12; IL08-03216-03: 1/15/14
Robert D. Moore	Hillsboro Energy LLC	President	20-5231639	399, 424	IL	IDNR	IL08-1211: 1/30/12; IL08-03216-03: 1/15/14
Robert D. Moore	KenAmerican Resources Inc	Assistant Treasurer	61-1264385	8895009, 8895011, 8899044, 8890147	KY	DSMRE	
Robert D. Moore	Macoupin Energy LLC	Chief Executive Officer	26-2809005	56, 209, 265, 291, 302, 419	IL	IDNR	IL08-00726: 2/26/90
Robert D. Moore	Macoupin Energy LLC	President	26-2809005	56, 209, 265, 291, 302, 419	IL	IDNR	IL08-00726: 2/26/90
Robert D. Moore	Murray Alabama Minerals, LLC	Vice President	83-4194047	P-3199, P-3257, P-3222	AL	ASMC	
Robert D. Moore	Murray American Energy Inc	President	46-4091556	U010083, U007083, U043100, U019183, U004584, U005383, U008683; 30841319, 30743702	WV;PA	WVDEP;PADEP	
Robert D. Moore	Murray Keystone Preprocessing Inc	Vice President	46-4068709	3951601	PA	PADEP	3608540: 9/22/1998

Owners/Controllers and Applicant							
List of operations owned/controlled by the <i>applicant and its owners/controllers</i>							
Owner/Entity from Table 1.3.1 or Applicant	Company/ Mine	Position/Title with Company (Ownership)	(Column B) Company EIN	Federal/State Permit No.	State	Regulatory Authority	MSHA No/ Date of Issue
Robert D. Moore	Murray Maple Eagle, LLC	Vice President	83-4194435	U301607, S300795, U301906, H066700, S304387, I068600, S304191, H002500,S3004 12, S303188, U057000, O004785, O004885, O300390, O300390, O602289, S602089	WV	WVDEP	4604236
Robert D. Moore	OhioAmerican Energy Inc.	President	20-3044610	D-2180, D- 2291, D-2304, D-2312, D- 2362, D-2382, D-2411	OH	ODNR	
Robert D. Moore	Sugar Camp Energy LLC	Chief Executive Officer	41-2178049	382, 434	IL	IDNR	IL08-03189-03: 1/6/12
Robert D. Moore	Sugar Camp Energy LLC	President	41-2178049	382, 434	IL	IDNR	IL08-03189-03: 1/6/12
Robert D. Moore	The American Coal Company	Treasurer	73-1543124	2, 255, 257, 306, 352, 344, 401	IL	IDNR	1102752: 11/7/1983; 1103232: 9/23/2010
Robert D. Moore	The Franklin County Coal Company	Vice President	46-4797001	202, 274, 43, 281	IL	IDNR	1100601: 11/14/1986
Robert D. Moore	The Harrison County Coal Company	Vice President	46-4067631	U010483, U102592	WV	WVDEP	4601318: Unk
Robert D. Moore	The Marion County Coal Company	Vice President	46-4067755	U007883, O104491	WV	WVDEP	4601433: Unk

Owners/Controllers and Applicant							
<i>List of operations owned/controlled by the applicant and its owners/controllers</i>							
Owner/Entity from Table 1.3.1 or Applicant	Company/ Mine	Position/Title with Company (Ownership)	(Column B) Company EIN	Federal/State Permit No.	State	Regulatory Authority	MSHA No/ Date of Issue
Robert D. Moore	The Marshall County Coal Company	Vice President	46-4064123	U102692, O102392, U003383, U200707, O200211	WV	WVDEP	4601437: Unk
Robert D. Moore	The Monongalia County Coal Company	Vice President	46-4067864	U004684, O101193; 30841312, 30950701	WV;PA	WVDEP;PADEP	4601968: unk
Robert D. Moore	The Ohio County Coal Company	Vice President	46-4054000	U102591, U104591, U200306, O100100, O200706, O201806; 63981301	WV;PA	WVDEP;PADEP	4601436: Unk
Robert D. Moore	The Washington County Coal Company	Vice President	46-5087540	63841302	PA	PADEP	
Robert D. Moore	UtahAmerican Energy Inc	Treasurer	34-1874726	ACT007013	UT	UT-DOGM	4202241: 2/24/1999
Robert D. Moore	West Ridge Resources Inc	Treasurer	87-0585129	C007041	UT	UT-DOGM	4202233: 8/9/2006
Robert D. Moore	Williamson Energy LLC	Chief Executive Officer	81-0669143	375, 417	IL	IDNR	IL08-03141-01: 6/26/07; IL-08- 03141-02: 12/3/10
Robert D. Moore	Williamson Energy LLC	President	81-0669143	375, 417	IL	IDNR	IL08-03141-01: 6/26/07; IL-08- 03141-02: 12/3/10
Jeremy J. Harrision	Hillsboro Energy LLC	Chief Accounting Officer	20-5231639	399, 424	IL	IDNR	IL08-1211: 1/30/12; IL08-03216-03: 1/15/14
Jeremy J. Harrision	Hillsboro Energy LLC	Principal Accounting Officer	20-5231639	399, 424	IL	IDNR	IL08-1211: 1/30/12; IL08-03216-03: 1/15/14
Jeremy J. Harrision	Macoupin Energy LLC	Chief Accounting Officer	26-2809005	56, 209, 265, 291, 302, 419	IL	IDNR	IL08-00726: 2/26/90

Owners/Controllers and Applicant							
<i>List of operations owned/controlled by the applicant and its owners/controllers</i>							
Owner/Entity from Table 1.3.1 or Applicant	Company/ Mine	Position/Title with Company (Ownership)	<i>(Column B)</i> Company EIN	Federal/State Permit No.	State	Regulatory Authority	MSHA No/ Date of Issue
Jeremy J. Harrision	Macoupin Energy LLC	Principal Accounting Officer	26-2809005	56, 209, 265, 291, 302, 419	IL	IDNR	IL08-00726: 2/26/90
Jeremy J. Harrision	Sugar Camp Energy LLC	Chief Accounting Officer	41-2178049	382, 434	IL	IDNR	IL08-03189-03: 1/6/12
Jeremy J. Harrision	Sugar Camp Energy LLC	Principal Accounting Officer	41-2178049	382, 434	IL	IDNR	IL08-03189-03: 1/6/12
Jeremy J. Harrision	Williamson Energy LLC	Chief Accounting Officer	81-0669143	375, 417	IL	IDNR	IL08-03141-01: 6/26/07; IL-08-03141-02: 12/3/10
Jeremy J. Harrision	Williamson Energy LLC	Principal Accounting Officer	81-0669143	375, 417	IL	IDNR	IL08-03141-01: 6/26/07; IL-08-03141-02: 12/3/10

**TABLE 1.4.3 Violations for
 Applicant and Owners/Controllers of the Applicant**

Issuing Agency	State and Permit No. or MSHA Number	State Violation No. or MSHA Violation No.	Issue Date	Name of Company or Person to Whom Violation Issued	Description of the Violation	Date, Location and Type of Administrative or Judicial Proceeding	Violation Status	Abatement Actions
WVDEP	U010483	NOV 100	8/10/2020	The Harrison County Coal Co.	Blasted material went off-permit.		Issued	Abatement date is 8/28/20.
IDNR	375	67-03-20	8/6/2020	Williamson Energy, LLC.	A non-compliant discharge from Outfall No. 006 and 007 left the permit area.		Abated	Abatement date is 8/8/2020.
IDNR	382	85-06-20	7/28/2020	Sugar Camp Mining, LLC	A non-compliant discharge from Outfall No. 013 left the permit area.		Issued	Abatement date is 8/31/2020.
IDNR	382	85-05-20	7/21/2020	Sugar Camp Mining, LLC	Water pumped from underground works escaped from Sugar Camp support facilities. The mine water flowed off-permit, contaminating nearby water resources and also affecting fish and wildlife resources.		Issued	Abatement date is 9/7/2020.
WVDEP	U007883	NOV #69	7/17/2020	The Marion County Coal Co.	Permittee failed to prevent excessive erosion within the drainage control system on the slope below the refuse bin at Harvey Run I Slurry Impoundment.		Extended	Extended until 8/28/20
WVDEP	U004684	Nov-48	7/14/2020	The Monongalia County Coal Company	Permittee has failed to properly maintain the approved drainage system, in that erosion had caused a breach in the berm around Pond 1, resulting in erosion across the flat area between Pond 1 and Pond 2, with discharging occurring not according to the correct sediment control design. this breach has caused the pond to lose its retention capability.		Abated	
WVDEP	U007883	Nov-68	6/17/2020	The Marion County Coal Co.	Failed to minimize the disturbance to the prevailing hydrologic balance at the mine site and in associated off-site areas by allowing emulsion fluid to escape into the Right Branch of Miracle		Abated	
IDNR	375	67-03-20	6/8/2020	Williamson Energy, LLC.	A non-compliant discharge of water from Outfall 006 left the permit area.		Abated	
IDNR	382	85-04-20	6/5/2020	Sugar Camp Mining, LLC	Water pumped from underground works escaped from Sugar Camp support facilities at a valve located at IBR 10 within Permit No 382.		Abated	
KDMRE	892-0127	NOV 13-2061	5/28/2020	Western Kentucky Resources	Permittee failed to submit the required annual certification of maintenance on sediment basin LC-13 within the required timeframe. The permittee certified the structure a month late.		Abated	

**TABLE 1.4.3 Violations for
 Applicant and Owners/Controllers of the Applicant**

Issuing Agency	State and Permit No. or MSHA Number	State Violation No. or MSHA Violation No.	Issue Date	Name of Company or Person to Whom Violation Issued	Description of the Violation	Date, Location and Type of Administrative or Judicial Proceeding	Violation Status	Abatement Actions
IDNR	375	67-02-20	5/28/2020	Williamson Energy, LLC.	Failure to maintain adequate storage volume, and detention time in Sediment Pond 007/008/ Also, failure to conduct periodic sediment removal in sediment Pond 007/008 sufficient to maintain adequate volume for the designed precipitation event.		Issued	Required action plan submitted 4/30/20, pond dredging ongoing according to the action plan. - Ongoing Dredging
WVDEP	U003383	NOV #86	5/19/2020	The Marshall County Coal Co.	The company has failed to repair, replace or compensate for subsidence damages related to the Knight compliant. No Revision with associated escrow bond addressing structure damage and water loss has been submitted and no agreement has been executed with the landowner by the 90-day deadline of 5/18/2020.		Abated	
WVDEP	U004684	NOV #47	5/14/2020	The Monongalia County Coal Company	Permittee has failed to pass all runoff from disturbed area through a sedimentation control system, in that a culvert near upper refuse loading bin had become clogged, resulting in unauthorized discharge off the permitted area. In addition, a failure in a nearby air relief valve caused treated water and solids from the AMD plant to discharge down the same hillside off the permitted area. Both sources of runoff had flowed into a ravine, being channeled into the back end of the fresh water impoundment.		Abated	
KYDEP	KYGW40042	NOV	4/13/2020	The Western Kentucky Coal Company	There permittee has a BMP Plan. However, per DNR records, TWKCC is listed in A1 mining status. Per the requirements of its KPDES Permit, a BMP Plan must be maintained on site and available for review upon request by EEC personnel. At the time of inspection, the BMP plan was located off site at April Spears' office, which is on permit 892-5013, which does not meet KPDES records maintenance.		Abated	
WVDEP	U010483	NOV #99	3/30/2020	The Harrison County Coal Co.	Permittee failed to properly maintain the approved drainage system at the Knight Pump Station by allowing water to be discharged into the unnamed tributary of Quaker Run.		Abated	

**TABLE 1.4.3 Violations for
 Applicant and Owners/Controllers of the Applicant**

Issuing Agency	State and Permit No. or MSHA Number	State Violation No. or MSHA Violation No.	Issue Date	Name of Company or Person to Whom Violation Issued	Description of the Violation	Date, Location and Type of Administrative or Judicial Proceeding	Violation Status	Abatement Actions
Water Quality	WVDEP	NOV #99	3/30/2020	The Harrison County Coal Co.	Permittee failed to properly maintain the approved drainage system at the Knight pump station by allowing water to be discharged into the unnamed tributary of ...		Abated	
WVDEP	S304191	NOV #61	3/26/2020	Seminole West Virginia Mining Complex*	Permittee placed material outside of the bonded area.		Abated*	Civil Penalty payment received by WVDEP on 8/18/20. Permittee placed material outside of the bonded area.
WVDEP	S304191	NOV #63	3/26/2020	Seminole West Virginia Mining Complex*	Permittee failed to maintain the IFUAR#4 that is located in Armstrong Creek. The ditch is full of sediment in multiple locations. Water is running across the road surface in many areas causing erosion. Some culverts have been covered with sediment.		Abated*	Civil Penalty payment received by WVDEP on 8/18/20. NOV issued for failure to remove trees, brush, and organic material before placing spoil material in laurel Branch Valley Fill.
WVDEP	S304191	NOV #62	3/26/2020	Seminole West Virginia Mining Complex*	NOV issued for failure to remove trees, brush, and organic material before placing spoil material in laurel Branch Valley Fill.		Extended*	EXTENDED 10/14/20. Civil Penalty payment received by WVDEP on 8/18/20. Permittee failed to maintain the IFUAR#4 that is located in Armstrong Creek. The ditch is full of sediment in multiple locations. Water is running across the road surface in many areas causing erosion. Some culverts have been covered with sediment.
KDMRE	892-0120	NNC 13-1868	3/26/2020	The Western Kentucky Coal Company	Permittee failed to submit the required annual Certification of Maintenance on Impoundment MW-06 by the required deadline.		Abated	
WVDEP	S-3007-95	NOV #45	3/23/2020	Seminole West Virginia Mining Complex*	Permittee failed to protect off-site areas from slides or damage occurring during surface mining operations. A slide has occurred at Outlet 018 causing damage to the hillside and depositing material on an access road.		Extended*	EXTENDED TO 9/21/20. Civil Penalty payment received by WVDEP on 8/18/20. Permittee failed to protect off-site areas from slides or damage occurring during surface mining operations. A slide has occurred at Outlet 018 causing damage to the hillside and depositing material on an access road.

**TABLE 1.4.3 Violations for
 Applicant and Owners/Controllers of the Applicant**

Issuing Agency	State and Permit No. or MSHA Number	State Violation No. or MSHA Violation No.	Issue Date	Name of Company or Person to Whom Violation Issued	Description of the Violation	Date, Location and Type of Administrative or Judicial Proceeding	Violation Status	Abatement Actions
WVDEP	WVDEP	NOV #60	3/16/2020	The Ohio County Coal Co.	The permittee submitted permit Revision 51 containing repair quotes for the Ordonez property, but no bond was submitted as part of the Revision. A bond is to be submitted part of the requirements to extend the 90-day period to address subsidence		Abated	
WVDEP	WVDEP	NOV #61	3/16/2020	The Ohio County Coal Co.	The permittee submitted permit Revision 50 containing one appraisal for the Patel property, but no bond was submitted as part of the Revision. A bond is to be submitted as part of the requirements to extend the 90-day period to address subsidence		Abated	
WVDEP	WVDEP	NOV #59	3/12/2020	The Ohio County Coal Co.	The permittee submitted permit Revision 49 containing one appraisal for the West / One World property, but no bond was submitted as part of the Revision. A bond is to be submitted as part of the requirements to extend the 90-day period to address subsidence damage.		Abated	
KYDEP	KYGW40019	NOV	3/12/2020	Western Kentucky Resources	The permittee has a BMP plan. However, per DNR records, Western Kentucky Resources, LLC is listed in P1, A1 mining status. Per the requirements of its KPDES Permit, a BMP plan must be maintained on-site and available for review upon request by EEC Personnel. At the time of inspection, the BMP plan was located off-site at (office on permit 892-5013), which does not meet KPDES records maintenance requirements		Abated	
IDNR	2	60-2-20	3/11/2020	The American Coal Company	Failure to follow approved plan. Operator siphoned water from the E/W Impoundment cell into pond 002 and then disposed of that water underground in direct violation of condition No. 1 to Insignificant Permit Revision (IPR)		Abated	
KDMRE	889-5020	NNC 13-2059	3/2/2020	The Muhlenberg County Coal Company	Permittee has failed to submit required ground water monitoring report for Martwick 2A/MW-02A for the 4th quarter 2019 as required by approved permit plans and regulations		Abated	

**TABLE 1.4.3 Violations for
 Applicant and Owners/Controllers of the Applicant**

Issuing Agency	State and Permit No. or MSHA Number	State Violation No. or MSHA Violation No.	Issue Date	Name of Company or Person to Whom Violation Issued	Description of the Violation	Date, Location and Type of Administrative or Judicial Proceeding	Violation Status	Abatement Actions
IDNR	2	60-1-20	2/28/2020	The American Coal Company	Failure to report flow from Outfall 013 on 4th Quarter 2019 DMRs.		Abated	
WVDEP	U007883	NOV #67	2/24/2020	The Marion County Coal Co.	Permittee failed to establish a permanent water supply system at the Price Residence.		Abated	
IDNR	382	85-03-20	2/13/2020	Sugar Camp Mining, LLC	The permittee conducted surface coal mining operations without requesting or obtaining approval from Department authorizing such operations to be conducted.		Abated	
PADEP	63743702	CO 201007	2/5/2020	Eighty Four Mining Company	Failure to timely dewater Coal Refuse Slurry Impoundment No. 6 as required by Coal Refuse Disposal (CRD) Permit No. 63743702, Special Condition No. 43 c. Failure to timely install Collection Channel CD-1 in accordance with reclamation plans as required by CRD Permit No. 637437023, Special Condition No. 43 e; Section 7 of the Coal Refuse Disposal Act, 52 P.S. 30.57. Failure to diligently carry out reclamation of all areas covered by the coal refuse disposal permit as required by CRD Permit NO. 63743702, Special Condition No. 43.		Appealed	Appeal filed 2/24/20 and is still under appeal. We are currently in negotiations with PADEP to resolve this issue through a Consent Order and Agreement.
PADEP	63743702	CO 191043A	2/5/2020	Eighty Four Mining Company	Causing or allowing an unpermitted discharge of industrial waste from coal refuse disposal area to the waters of the Commonwealth.		Appealed	Appeal filed 3/9/2020 and is still under appeal. We are currently in negotiations with PADEP to resolve this issue through a Consent Order and Agreement.
ASMC	P-3222	20LWK002	1/30/2020	Murray Alabama Minerals, LLC	Failure to submit hydrologic monitoring data as required.		Abated	
ASMC	P-3257	20LWK003	1/30/2020	Murray Alabama Minerals, LLC	Failure to submit hydrologic monitoring data as required.		Abated	
ASMC	P-3199	20LWK004	1/30/2020	Murray Alabama Minerals, LLC	Failure to submit hydrologic monitoring data as required.		Abated	
WVDEP	WV1009311	NOV #9	1/30/2020	Seminole West Virginia Mining Complex*	Failure to comply with effluent limitations (Outfall 051 - Se)		Abated*	Failure to comply with effluent limitations (Outfall 051 - Se)
WVDEP	U003383	NOV #85	1/21/2020	The Marshall County Coal Co.	Failure to submit escrow bond related to citizen complaint (Keaton)		Abated	
IDNR	382	85-02-20	1/17/2020	Sugar Camp Mining, LLC	Water pumped from underground works escaped from Sugar Camp support facilities at three separate locations. The mine water flowed off-permit, contaminating nearby water and soil resources.		Abated	

**TABLE 1.4.3 Violations for
 Applicant and Owners/Controllers of the Applicant**

Issuing Agency	State and Permit No. or MSHA Number	State Violation No. or MSHA Violation No.	Issue Date	Name of Company or Person to Whom Violation Issued	Description of the Violation	Date, Location and Type of Administrative or Judicial Proceeding	Violation Status	Abatement Actions
WVDEP	S-6020-89	NOV #66	1/14/2020	Seminole West Virginia Mining Complex*	Permittee failed to follow permit conditions in that the refuse pile is not being constructed as stated in the approved plan. The drainage system has not been constructed properly resulting in water running over the face of the slopes causing erosion. Some of the out slopes are steeper than 2:1, terraces/benchers are smaller than 20ft across, and lifts exceed 50 ft.		Extended*	EXTENDED 10/14/20. Permittee failed to follow permit conditions in that the refuse pile is not being constructed as stated in the approved plan. The drainage system has not been constructed properly resulting in water running over the face of the slopes causing erosion. Some of the out slopes are steeper than 2:1, terraces/benchers are smaller than 20ft across, and lifts exceed 50 ft.
KDMRE	859-5020	NNC 13-1555	1/14/2020	The Muhlenberg County Coal Company	Permittee failed to submit required ground water monitoring reports for Martwick-2A/MW-02A for the 3rd quarter 2019 as required by the approved permit plans and regulations.		Abated	
WVDEP	O-6022-89	NOV #8	1/6/2020	Seminole West Virginia Mining Complex*	Failure to submit an application for permit renewal at least 120 prior to the expiration of the valid permit.		Abated*	Terminated 5/15/20. Renewal approved
KDMRE	892-9003	NNC 13-1837	12/23/2019	The Western Kentucky Coal Company	Permittee has failed to submit the required surface and ground water monitoring reports for the 3rd quarter of 2019 as required.		Abated	
PADEP	63743702	CO 191043	12/23/2019	Washington County Coal Company	Causing or allowing an unpermitted discharge of industrial waste from coal refuse disposal area to the waters of the Commonwealth.		Abated	
WVDEP	S-3043-87	NOV #52	12/20/2019	Seminole West Virginia Mining Complex*	Permittee failed to submit 3rd quarter certification for refuse pile.		Abated*	Permittee failed to submit 3rd quarter drainage certification.
WVDEP	U-3016-07	NOV #7	12/20/2019	Seminole West Virginia Mining Complex*	Permittee failed to submit 3rd quarter drainage certification and valley fill.		Abated*	Permittee failed to submit 3rd quarter drainage certification.
WVDEP	O-0048-85	NOV #17	12/20/2019	Seminole West Virginia Mining Complex*	Permittee failed to submit 3rd quarter drainage certification.		Abated*	Permittee failed to submit 3rd quarter certification for refuse pile.
WVDEP	S-3007-95	NOV #44	12/20/2019	Seminole West Virginia Mining Complex*	Permittee failed to submit 3rd quarter drainage certification and valley fill.		Abated*	Permittee failed to submit 3rd quarter drainage certification and valley fill.
WVDEP	S-3041-91	NOV #60	12/20/2019	Seminole West Virginia Mining Complex*	Permittee failed to submit 3rd quarter certification for refuse pile.		Abated*	Permittee failed to submit 3rd quarter drainage certification and valley fill.
WVDEP	S-6020-89	NOV #65	12/20/2019	Seminole West Virginia Mining Complex*	Permittee failed to submit 3rd quarter drainage certification.		Abated*	Permittee failed to submit 3rd quarter certification for refuse pile.

**TABLE 1.4.3 Violations for
 Applicant and Owners/Controllers of the Applicant**

Issuing Agency	State and Permit No. or MSHA Number	State Violation No. or MSHA Violation No.	Issue Date	Name of Company or Person to Whom Violation Issued	Description of the Violation	Date, Location and Type of Administrative or Judicial Proceeding	Violation Status	Abatement Actions
KDMRE	892-6008	NNC 13-1836	12/16/2019	The Western Kentucky Coal Company	Permittee has failed to submit the required surface and ground water monitoring reports for the 3rd quarter of 2019 as required.		Abated	
KYDNR	892-5013	NNC 13-1834	12/16/2019	Western Kentucky Resources	Permittee has failed to submit the required surface and ground water monitoring reports for the 3rd quarter of 2019 as required.		Abated	
KDMRE	892-9002	NNC 13-1778	12/12/2019	The Western Kentucky Coal Company	Permittee has failed to submit the required surface and ground water monitoring reports for the 3rd quarter of 2019 as required.		Abated	
KDMRE	892-5012	NNC 13-1833	12/12/2019	The Western Kentucky Coal Company	Permittee has failed to submit the required surface and ground water monitoring reports for the 3rd quarter of 2019 as required.		Abated	
KYDNR	892-6006	NNC 13-1777	12/9/2019	Western Kentucky Resources	Permittee has failed to submit the required surface and ground water monitoring reports for the 3rd quarter of 2019 as required.		Abated	
KDMRE	892-8010	NNC 13-1770	12/4/2019	The Western Kentucky Coal Company	Permittee has failed to submit the required surface and ground water monitoring reports for the 3rd quarter of 2019 as required.		Abated	
KDMRE	892-0129	NNC 13-1769	12/4/2019	The Western Kentucky Coal Company	Permittee has failed to submit the required surface and ground water monitoring reports for the 3rd quarter of 2019 as required.		Abated	
KYDNR	892-5014	NNC 13-1753	12/2/2019	Western Kentucky Resources	Permittee has failed to submit the required surface and ground water monitoring reports for the 3rd quarter of 2019 as required.		Abated	
KDMRE	889-5020	NNC 13-1550	11/15/2019	The Muhlenberg County Coal Company	Permittee has failed to submit the required surface and ground water monitoring reports for the 3rd quarter of 2019 as required.		Abated	
KDMRE	889-5021	NNC 13-1553	11/15/2019	The Muhlenberg County Coal Company	Permittee has failed to submit the required surface and ground water monitoring reports for the 3rd quarter of 2019 as required.		Abated	
KDMRE	889-9007	NNC 13-1551	11/15/2019	The Muhlenberg County Coal Company	Permittee has failed to submit the required surface and ground water monitoring reports for the 3rd quarter of 2019 as required.		Abated	
KDMRE	889-0163	NNC 13-1552	11/15/2019	Western Kentucky Resources	Permittee has failed to submit the required surface and ground water monitoring reports for the 3rd quarter of 2019 as required.		Abated	
KYDNR	892-0127	NNC 13-1746	11/15/2019	Western Kentucky Resources	A review of Surface and Ground Water Monitoring Reports was conducted on 11/15/2019. The permittee has failed to submit the required surface and ground water monitoring reports for the 3rd quarter of 2019 as required.		Abated	

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Issuing Agency	State and Permit No. or MSHA Number	State Violation No. or MSHA Violation No.	Issue Date	Name of Company or Person to Whom Violation Issued	Description of the Violation	Date, Location and Type of Administrative or Judicial Proceeding	Violation Status	Abatement Actions
WVDEP	U003383	NOV #84	11/13/2019	The Marshall County Coal Co.	Permittee failed to maintain treatment facilities in order to keep discharged water from the permit area in compliance with applicable effluent limits. Outlet 020 was found discharging with a calibrated pH meter measurement of 1.73. The associated pond is supposed to be pumped controlled to avoid discharge or receive alkaline treatment to keep the discharge in compliance. Neither of these was occurring at the time of inspection.		Abated	
KDMRE	892-0119	NNC 13-1741	11/13/2019	The Western Kentucky Coal Company	A review of Surface and Ground Water Monitoring Reports was conducted on 11/13/2019. The permittee has failed to submit the required surface and ground water monitoring reports for the 3rd		Abated	
KDMRE	892-0120	NNC 13-1742	11/13/2019	The Western Kentucky Coal Company	A review of Surface and Ground Water Monitoring Reports was conducted on 11/13/2019. The permittee has failed to submit the required surface and ground water monitoring reports for the 3rd		Abated	
KDMRE	892-0121	NNC 13-1743	11/13/2019	The Western Kentucky Coal Company	A review of Surface and Ground Water Monitoring Reports was conducted on 11/13/2019. The permittee has failed to submit the required surface and ground water monitoring reports for the 3rd		Abated	
KDMRE	892-0122	NNC 13-1735	11/13/2019	The Western Kentucky Coal Company	A review of Surface and Ground Water Monitoring Reports was conducted on 11/13/2019. The permittee has failed to submit the required surface and ground water monitoring reports for the 3rd		Abated	
KDMRE	892-0123	NNC 13-1744	11/13/2019	Western Kentucky Resources	A review of Surface and Ground Water Monitoring Reports was conducted on 11/13/2019. The permittee has failed to submit the required surface and ground water monitoring reports for the 3rd		Abated	
KDMRE	892-0124	NNC 13-1745	11/13/2019	Western Kentucky Resources	A review of Surface and Ground Water Monitoring Reports was conducted on 11/13/2019. The permittee has failed to submit the required surface and ground water monitoring reports for the 3rd		Abated	

**TABLE 1.4.3 Violations for
 Applicant and Owners/Controllers of the Applicant**

Issuing Agency	State and Permit No. or MSHA Number	State Violation No. or MSHA Violation No.	Issue Date	Name of Company or Person to Whom Violation Issued	Description of the Violation	Date, Location and Type of Administrative or Judicial Proceeding	Violation Status	Abatement Actions
WVDEP	U004684	NOV #46	10/24/2019	The Monongalia County Coal Company	Permittee has failed to maintain adequate storage capacity in your sediment control system, in that Pond 1 was allowed to get below 60% of design capacity.		Abated	
Surface Mining Commission	P-3222	19LWK023	10/21/2019	Murray Alabama Minerals, LLC	Failure to comply with the approved reclamation plan.		Abated	
WVDEP	O100100	NOV #13	10/21/2019	The Ohio County Coal Co.	The permittee failed to pass all runoff through certified sediment control resulting in erosion and material damage outside the permit area. Ditch E around the permit's northern perimeter has not been completed and temporary sediment control has not been maintained.		Abated	
WVDEP	S-3007-95	NOV #43	10/2/2019	Seminole West Virginia Mining Complex*	Failure to fill out a blast log and/or failure to make available for inspection at the site on a form formatted in a manner prescribed by the Secretary.		Abated*	Failure to fill out a blast log and/or failure to make available for inspection at the site on a form formatted in a manner prescribed by the Secretary.
WVDEP	S-6020-89	NOV #64	10/2/2019	Seminole West Virginia Mining Complex*	Failure to follow permit conditions in that the pH readings and the daily amendment log sheet was not attached to the 2nd quarter refuse pile certification.		Abated*	Failure to follow permit conditions in that the pH readings and the daily amendment log sheet was not attached to the 2nd quarter refuse pile
IDNR	56 and 209	38-04-2019	9/9/2019	Macoupin	Failure to remove and segregate topsoil prior to disturbance. Topsoil was not removed prior to placement of road construction material for the trencher platform road. Failure to protect topsoil from contamination. Operator's mad contractor's trucks were allowed to drive across topsoil stockpile. Failure to follow the approved operations plan. Alternate sediment control measures were not used during installation of the groundwater migration control system. Failure to conduct surface mining and reclamation operations only within the approved permit area. Surface disturbance occurred approximately sixty (60) feet outside of the approved permit area (IBR No. 14).		Abated	

**TABLE 1.4.3 Violations for
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Issuing Agency	State and Permit No. or MSHA Number	State Violation No. or MSHA Violation No.	Issue Date	Name of Company or Person to Whom Violation Issued	Description of the Violation	Date, Location and Type of Administrative or Judicial Proceeding	Violation Status	Abatement Actions
WVDEP	U200707	NOV #7	9/6/2019	The Marshall County Coal Co.	The company failed to maintain the temporary sediment control on the 6S #1 site in that the silt fence and haybales have failed or proved inadequate in multiple places and been bypassed in others due to sediment accumulation.		Abated	
IDNR	375	67-04-2019	9/4/2019	Williamson Energy, LLC.	Failure to follow the correct procedures for stockpiling and storing topsoil, failure to protect a topsoil stockpile from contamination, and failure to follow the permitted plan in the placement of a topsoil stockpile. Specifically, the operator placed a topsoil stockpile in an unapproved location on the south side of the IBR No 83; then, improperly moved a portion of the stockpile to complete installation of a utility borehole, and spilled concrete associated with the borehole construction on the topsoil stockpile.		Abated	
WVDEP	U102592	NOV #22	8/23/2019	The Harrison County Coal Co.	Permittee failed to properly maintain the approved drainage control system.		Abated	
WVDEP	S-6020-89	NOV #63	8/16/2019	Seminole West Virginia Mining Complex*	Failed to submit an application for permit renewal at least 120 days prior to the expiration of the valid permit. (Extended to 12/12/2019)		Abated*	TERMINATED 3/24/20

**TABLE 1.4.3 Violations for
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Issuing Agency	State and Permit No. or MSHA Number	State Violation No. or MSHA Violation No.	Issue Date	Name of Company or Person to Whom Violation Issued	Description of the Violation	Date, Location and Type of Administrative or Judicial Proceeding	Violation Status	Abatement Actions
WVDEP	U102692	NOV #8	8/15/2019	The Marshall County Coal Co.	The company failed to construct all required drainage system components and roads necessary for site construction in accordance with the approved plan prior to any disturbance for site development. The access road and culverts at the 18-E2 de-gas borehole site were not fully completed, and silt fence was not properly installed.		Abated	
IDNR	375	67-03-2019	8/2/2019	Williamson Energy, LLC.	Failure to notify Dept of the following surface water discharge excursions within five days of receiving analytical results of water sample: a) Outfall 002: CI 690 mg/L; b) Outfall 002: SO4 1040 mg/L.		Abated	
IDNR	382	63-06-2019	7/26/2019	Sugar Camp Mining, LLC	Water pumped from underground works escaped from a buried pipeline and contaminated soil resources.		Abated	
WVDEP	U004684	NOV #45	7/11/2019	The Monongalia County Coal Company	Failed to properly maintain the approved drainage and sediment control system, in that a pump failure led to high water in Pond 2 and an unauthorized discharge of discolored water from outlet 002.		Abated	
IDNR	382	63-05-2019	7/9/2019	Sugar Camp Mining, LLC	FAILURE TO INSTALL PIPELINE ON PERMITTED AREA. SECTIONS OF UNDERGROUND, BURIED PIPELINE, IBR38 WERE INSTALLED OUTSIDE APPROVED PERMIT AREA.		Abated	
WVDEP	U200707	NOV #6	7/8/2019	The Marshall County Coal Co.	The company failed to construct all required drainage system components and roads necessary for site construction in accordance with the approved plan prior to any disturbance for site development.		Abated	

**TABLE 1.4.3 Violations for
 Applicant and Owners/Controllers of the Applicant**

Issuing Agency	State and Permit No. or MSHA Number	State Violation No. or MSHA Violation No.	Issue Date	Name of Company or Person to Whom Violation Issued	Description of the Violation	Date, Location and Type of Administrative or Judicial Proceeding	Violation Status	Abatement Actions
WVDEP	U200707	NOV #5	7/8/2019	The Marshall County Coal Co.	The company failed to maintain the temporary sediment control on the site in that the silt fence has failed in multiple places and been bypassed in others due to sediment accumulation.		Abated	
IDNR	434	63-04-2019	6/27/2019	Sugar Camp Mining, LLC	Non-compliant water was discharged from Outfall 013 into Middle Fork Big Muddy River. Lab analysis of the discharge indicated pH reading of 4.68.		Abated	
PADEP	30950701	CO 191017	6/24/2019	The Monongalia County Coal Company	Failure to conduct mining activities in a manner that protects and prevents disturbances and adverse impacts to fish, wildlife, plant life and related environmental values in and around the permit area. (Clawson Shaft)		Abated	
WVDEP	U007883	NOV #66	6/19/2019	The Marion County Coal Co.	Permittee failed to maintain the approved treatment system in that noncompliant water was being discharged through outlet 015.		Abated	
KYDES	KYGW40062	NOV	6/14/2019	The Muhlenberg County Coal Company	Outfall 001 was found out of compliance in December 2018 for Total Recoverable Iron (TRFe). The limits are average 3.0 mg/l and a daily maximum of 4.0 mg/l. It was reported as a monthly average of 5.509 and a daily maximum of 10.7 mg/l.		Abated	
IDNR	382	63-03-2019	6/4/2019	Sugar Camp Mining, LLC	Water pumped from underground works escaped from Sugar Camp support facilities at three separate locations. The mine water flowed off-permit, contaminating nearby water and soil resources.		Abated	
IDNR	382	63-02-2019	5/30/2019	Sugar Camp Mining, LLC	Water pumped from underground works escaped from a buried pipeline and contaminated soil resources.		Abated	
DOGM	015/032	21216	5/7/2019	UAEI	Failure to maintain surface drainage issued.		Abated	

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WVDEP	U003383	NOV #83	4/30/2019	The Marshall County Coal Co.	Permittee failed to submit a written report of the results of a survey of the structures and water supplies on parcel 3-3-7 prior to full extraction mining.		Abated	
WVDEP	U007883	NOV #65	4/29/2019	The Marion County Coal Co.	Permittee failed to maintain sediment control in the at excess sediment went off-site and into the receiving stream.		Abated	
IDNR	56	38-03-19	4/16/2019	Macoupin	Failure to report a surface water discharge excursion within five days of receiving analytical results of the water sample from the Shay No. 1 Mine, as outlined in 62 Ill. Adm. Code 1817.41€(2).		Abated	
IDNR	56	38-03-2019	4/16/2019	Macoupin	Failure to report surface water discharge excursion within five days of receiving analytical results of the water sample		Abated	
PADEP	30841312	CO 191014	3/27/2019	The Monongalia County Coal Company	Construction and use of a (dam/pond/embarkment/impoundment) which does not meet the requirements of 25 pa. Code Chapter 105. Failure to submit plans for enlargement, reduction in size, reconstruction or other modification of dams or impoundments to the Department.		Abated	
DWQ	UTG040024	LOV	3/27/2019	UAEI	TSS levels in discharge water were over limit several months in a row		Abated	
WVDEP	S-3007-95	NOV #42	3/26/2019	Seminole West Virginia Mining Complex*	Failed to maintain the approved haulage way		Extended*	Permitted failed to maintain the approved drainage system, in that S.D. A-11 is full of sediment and other debris
WVDEP	S-6020-89	NOV #62	3/26/2019	Seminole West Virginia Mining Complex*	Permitted failed to maintain the approved drainage system, in that S.D. A-11 is full of sediment and other debris		Extended*	Failed to maintain the approved haulage way
IEPA	IL0078565	W-2019-50002	3/25/2019	Sugar Camp Mining, LLC	IEPA site investigation regarding a spill of high chloride water. A transmission line to RDA ruptured. Several violations noted during investigation		Issued	Ongoing negotiations with IEPA to resolve Issues
WVDEP	S-3007-95	NOV #41	3/19/2019	Seminole West Virginia Mining Complex*	Failed to certify new ditch before initiating mining activities		Extended*	EXTENDED 10/14/20. Failed to certify new ditch before initiating mining activities

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WVDEP	S-3007-95	NOV #40	3/19/2019	Seminole West Virginia Mining Complex*	Failure to clean out Pond 1		Extended*	Failure to clean out Pond 1
WVDEP	U200707	NOV #4	3/19/2019	The Marshall County Coal Co.	Permittee failed to leave the soil stockpiles in place until used for redistribution. Topsoil and subsoil was being removed from the stockpile areas of SN #3 Airshaft. It was being hauled off permit to the Cameron Baseball fields for subsidence remediation. This material was to remain at the shaft site, on bonded area, and used for reclamation of the site.		Abated	
WVDEP	U-0570-00	NOV #21	3/18/2019	Seminole West Virginia Mining Complex*	Failure to maintain the approved primary/Haul road		Extended*	EXTENDED 9/23/20 Failure to maintain the approved primary / Haulroad
WVDEP	U-0570-00	NOV #20	3/18/2019	Seminole West Virginia Mining Complex*	Failure to clean out Pond 1A and Pond 1		Extended*	EXTENDED 9/23/20 Failure to clean out Pond 1A and Pond 1
WVDEP	O-0047-85	NOV #20	3/15/2019	Seminole West Virginia Mining Complex*	Failure to clean out Pond 1		Extended*	EXTENDED 10/14/20. Failure to maintain the approved primary / Haulroad
WVDEP	O-0047-85	NOV #18	3/15/2019	Seminole West Virginia Mining Complex*	Failure to maintain the approved primary/Haul road		Extended*	EXTENDED 10/14/20. Failed to protect off-site areas from mining operations.
WVDEP	O-0048-85	NOV #15	3/15/2019	Seminole West Virginia Mining Complex*	Failed to protect off-site areas from mining operations		Extended*	EXTENDED 09/23/20. Failure to clean out Pond 1
WVDEP	O-0048-85	NOV #16	3/15/2019	Seminole West Virginia Mining Complex*	Failure to maintain the approved drainage system		Abated*	Abated 7/1/20.
IDNR	417	67-01-2019	3/13/2019	Williamson Energy, LLC.	Failed to follow the approved plan. Operator failed to remove saturated clay prior to placement of coarse refuse material as specified in Permit No. 471.		Abated	
WVDEP	S-3041-91	NOV #59	3/12/2019	Seminole West Virginia Mining Complex*	Failed to maintain the approved drainage system		Extended*	Failed to maintain the approved drainage system
WVDEP	H-0667-00	NOV #13	3/7/2019	Seminole West Virginia Mining Complex*	Failed to maintain the approved drainage system		Extended*	EXTENDED 10/14/20. Failed to maintain the approved haulage way.
WVDEP	S-3041-91	NOV #58	3/7/2019	Seminole West Virginia Mining Complex*	Failed to maintain the approved haulage way		Extended*	Failed to maintain the approved drainage system

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WVDEP	S-3007-95	NOV #38	3/6/2019	Seminole West Virginia Mining Complex*	Failure to submit revision for top soil substitute		Extended*	EXTENDED 9/23/20. Failure to submit revision for top soil substitute
WVDEP	U004684	NOV #44	2/28/2019	The Monongalia County Coal Company	Failed to adequately spread and compact material on the course refuse pile in layers not exceeding two feet. Extended until 4/5/19.		Abated	
WVDEP	S-3041-91	NOV #57	2/27/2019	Seminole West Virginia Mining Complex*	Failure to clean out pond LB 9		Extended*	Failure to clean out pond LB 9
WVDEP	U007883	NOV #64	2/21/2019	The Marion County Coal Co.	Permittee failed to properly maintain the approved treatment system.		Abated	
PADEP	30841312	CO 191007	2/20/2019	The Monongalia County Coal Company	Failure to construct adequate erosion and sedimentation controls at 5 South #3 construction site.		Abated	
IDNR	2	CO 02-19	2/15/2019	TACC	Release of non-compliant water through NPDES Outfall 003.		Abated	
WVDEP	U007883	NOV #63	2/14/2019	The Marion County Coal Co.	Permittee failed to properly maintain the approved treatment system.		Abated	
WVDEP	S-3043-87	NOV #51	2/12/2019	Seminole West Virginia Mining Complex*	Failed to maintain infrequently used access road "IFUAR"		Extended*	Failed to maintain infrequently used access road "IFUAR"
WVDEP	S-3043-87	NOV #50	2/12/2019	Seminole West Virginia Mining Complex*	Failed to maintain the approved haulage way		Extended*	Failed to maintain the approved haulage way
IDNR	399	38-02-2019	2/11/2019	Hillsboro	The Operator failed to publish a renewal application public notice within the time frame to conduct an informal conference and allow time for issuance of the renewal decision prior to permit expiration.		Abated	
WVDEP	U102592	NOV #21	2/11/2019	The Harrison County Coal Co.	Permittee failed to properly maintain the approved drainage system of the box cut sediment channel for outlet 003. Extended until 3/29/19.		Abated	
WVDEP	U-3016-07	NOV #6	1/29/2019	Seminole West Virginia Mining Complex*	Failure to maintain the approved drainage system		Extended*	EXTENDED 10/14/20. Failure to maintain the approved drainage system
IDNR	399	38-01-2019	1/16/2019	Hillsboro	Failure to report surface water discharge excursion within five days of receiving analytical results of the water sample.		Abated	

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WVDEP	S-3041-91	NOV #56	1/14/2019	Seminole West Virginia Mining Complex*	Failure to follow permit conditions with reclamation plan for Laurel Branch valley fill		Extended*	Failure to follow permit conditions with reclamation plan for Laurel Branch valley fill
KDMRE	892-0127	13-1729	1/14/2019	Western Kentucky Resources	Use of explosives in that the permittee monitored blast LCW 1-19 with a seismograph located at a structure that was not the nearest dwelling from the blast.		Abated	
WVDEP	U007883	NOV #62	1/6/2019	The Marion County Coal Co.	Modified from IHCO 60.		Abated	
WVDEP	U007883	NOV #61	1/5/2019	The Marion County Coal Co.	Permittee failed to maintain the drainage control system of the haulage way in that it did not prevent additional contributions of solids to the stream flow.		Abated	
WVDEP	U007883	IHCO #60	1/5/2019	The Marion County Coal Co.	Permittee failed to minimize the disturbance of the hydrologic balance in receiving streams by discharging black water from outlet 015. Black/gray water was observed downstream of outlet for approximately 12 miles.		Abated	
IDNR	2	60-1-19	1/4/2019	TACC	Release of non-compliant water through NPDES Outfall 003.		Abated	
WVDEP	O201806	NOV #7	1/2/2019	The Ohio County Coal Co.	Permittee failed to protect off-site areas from damage resulting from mining operations in that a slip originated on bonded area, left bonded area and went on to a public road.		Abated	
WVDEP	S-3007-95	NOV #34	12/20/2018	Seminole West Virginia Mining Complex*	Failure to maintain the approved drainage system		Extended*	Failure to maintain the approved drainage system
WVDEP	U003383	NOV #82	12/11/2018	The Marshall County Coal Co.	A violation occurred in the permittee failed to comply with all provisions of the approved permit by undermining parcels that are listed on the Certificate of Counsel of Revision 33. Parcel 3-16-17, 3-2-13, 3-2-13.1, and 3-15-43 were not allowed to be subsided.		Abated	

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 Applicant and Owners/Controllers of the Applicant**

Issuing Agency	State and Permit No. or MSHA Number	State Violation No. or MSHA Violation No.	Issue Date	Name of Company or Person to Whom Violation Issued	Description of the Violation	Date, Location and Type of Administrative or Judicial Proceeding	Violation Status	Abatement Actions
KDMRE	892-9003	13-1728	12/10/2018	Western Kentucky Resources	Permittee has failed to maintain diversions according to their design. Extended until 6/29/19.		Abated	
PADEP	30950701	CO 181038	12/3/2018	The Monongalia County Coal Company	A plan to address the issues shall be submitted to the New Stanton and California District Mining Offices no later than 8am on 12/29/18.		Abated	
PADEP	30950701	CO 181037	10/29/2018	The Monongalia County Coal Company	Discharge of water from an area disturbed by mining activities as evidenced by sample number 389, collected on 9/28/18, with an acidity of 226 mg/L which exceeds alkalinity of 0.0 mg/L and an iron concentration of 16.241 mg/L.		Abated	
IDNR	382	63-07-2018	10/24/2018	Sugar Camp Mining, LLC	Water from underground works escaped from a buried pipeline, flowed off-permit and into a drainage ditch.		Abated	
IDNR	382	63-05-2018	10/18/2018	Sugar Camp Mining, LLC	Water pumped from underground works escaped from a buried pipeline, flowed off-permit and into a stream, contaminating downstream water and soil resources. (IBR No. 90 area) ...2nd interim date shown as 1/19/*2018* pending Mod Letter.		Abated	
IDNR	382	63-06-2018	10/18/2018	Sugar Camp Mining, LLC	Water pumped from underground works escaped from a buried pipeline, flowed off-permit and into a stream, contaminating downstream water and soil resources. (IBR No. 87 area) ...2nd interim date shown as 1/19/*2018* pending Mod Letter.		Abated	
IDNR	399	38-01-2018	10/15/2018	Hillsboro	Failure to report surface water discharge excursion within five days of receiving analytical results of the water sample.		Abated	
WVDEP	O102392	NOV #38	10/11/2018	The Marshall County Coal Co.	The Permittee failed to protect off-site areas from damage resulting from mining operations in that seeps from the Conner Run Impoundment contributed to a mud slide that covered Fish Creek		Abated	

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PADEP	30950701	CO 181031	9/28/2018	The Monongalia County Coal Company	The operator shall collect all runoff from the disposal area into stable channels which meet the requirements of 25 Pa. Code §§ 90.104, 90.105 and 90.122(o). Specifically, the operator should immediately prevent any unapproved discharge of runoff from the site. The operator should also ensure all runoff is directed as shown in the approved reclamation plans or submit an acceptable plan to the California District Mining Office for the handling of runoff from the fill material.		Abated	
WVDEP	U200707	NOV #3	9/26/2018	The Marshall County Coal Co.	Failure to install sediment fence at the 6 South #1 Airshaft.		Abated	
WVDEP	U004684	NOV #43	9/25/2018	The Monongalia County Coal Company	Permittee failed to maintain adequate capacities in sediment control structures, in that both sediment control ponds 1 and 2 adjacent to the coal stockpile were allowed to get below 60% of design		Abated	
WVDEP	O200706	NOV #3	9/23/2018	The Ohio County Coal Co.	IHCO 2 modified to a NOV, the permittee failed to protect off-site areas from damage by allowing coal to run off of the stockpile and onto Boggs Run Road.		Abated	
WVDEP	O200706	ICHO #2	9/23/2018	The Ohio County Coal Co.	the permittee failed to protect off-site areas from damage resulting from mining operations by allowing a coal water mixture to run off of the stockpile and on to Boggs Run Road. This blocked two lanes of a county road and also ran into Boggs Run.		Abated	
WVDEP	U007883	NOV #59	9/12/2018	The Marion County Coal Co.	Permittee failed to maintain the approved drainage control in the water was overtopping the channel/ditch between Sediment Pond 1 and Sediment Pond 2 near the 6 South #1 Airshaft.		Abated	
PADEP	03841302	CO 181025	9/6/2018	Canterbury CC	Discharge of water with an iron concentration of 12.517 mg/L, aluminum concentration of 19.390 mg/L, and a TSS of 290 mg/L.		Abated	
IDNR	209	78-01-2018	8/13/2018	Macoupin	Failure to submit the required ownership and control information for the permit renewal application to Permit No. 209 in a timely manner.		Abated	

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IDNR	382	63-03-2018	8/10/2018	Sugar Camp Mining, LLC	The permittee conducted surface coal mining operations without first obtaining a permit from the Department authorizing such operations to be conducted upon the land.		Abated	
KDMRE	892-0110	13-1685	8/9/2018	Western Kentucky Resources	Regrade, fill or otherwise stabilize the rills and gullies; on these 3 increments and seed and mulch all disturbed areas. The permittee also needs to seed and mulch all the topsoil areas with permanent species as approved in the permit package at the next level available seeding season.		Abated	
KDMRE	892-0115	13-1655	8/8/2018	Western Kentucky Resources	Regrade, fill or otherwise stabilize the rills and gullies; on these 4 increments and seed and mulch all disturbed areas. The permittee also needs to seed and mulch all the topsoil areas with permanent species as approved in the permit package at the next available seeding season.		Abated	
IDNR	274	67-3-18	6/29/2018	Franklin County CC	Failure to submit a plan that demonstrates how public safety will be protected from the open borehole located on permit 274.		Abated	
KDMRE	892-0123	13-1685	6/7/2018	Western Kentucky Resources	Failed to adequately protect topsoil stockpiles from erosion on increments 6 and 13. Didn't seed and mulch these topsoil piles during last seeding season. Immediately start regrading, seeding with temp species and mulching all inactive topsoil piles to provide protection of the topsoil piles. Corrective action required by 7-6-18 at 12PM.		Abated	
KDMRE	892-0127	13-1655	6/7/2018	Western Kentucky Resources	Failed to adequately protect topsoil stockpiles from erosion on increments 1, 8 and 9. Didn't seed and mulch these topsoil piles during last seeding season. Immediately start regrading, seeding with temp species and mulching all inactive topsoil piles to provide protection of the topsoil piles. Corrective action required by 7-6-18 at 12PM.		Abated	

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 Applicant and Owners/Controllers of the Applicant**

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DOGM	007/019	21214	6/1/2018	UAEI	Leaking GVH wells (repaired and abated) CO to force reclamation of all GVH sites (modified to include only those outside the Mathies Lease)		Abated	
WVDEP	U007883	NOV #58	5/31/2018	The Marion County Coal Co.	Permittee failed to properly maintain the approved drainage system, in that there was a leak in a pipeline that pumps water from the underground mine pool through 10 North Pump to the 1-D pump and then to St. Leo AMD treatment facility. The leak was near an unnamed tributary of		Abated	
DOGM	007/013	21204	5/15/2018	UAEI	failure to follow approved permit (Equipment stored in non-storage areas)		Abated	
DOGM	007/013	21205	5/15/2018	UAEI	Failure to control non-coal waste (improper storage in non-storage areas. Excess trash.)		Abated	
WVDEP	U043100	NOV #9	5/14/2018	Murray American Energy, Inc.	Failed air pressure release valve on RO Line.		Abated	
IDNR	274	67-2-18	5/8/2018	Franklin County CC	failure to notify department of the discharge excursions within the required timeframe for outfall 006 for the 1st quarter monitoring period. NOV abated on May 9.		Abated	
WVDEP	WV1009311	NOV #5	4/27/2018	Seminole West Virginia Mining Complex*	TSS discharge from outfall 008 out of compliance		Abated*	TSS discharge from outfall 008 out of compliance
DOGM	007/013	21203	4/18/2018	UAEI	Failure to permit prior to construction activities.		Abated	
IDNR	2	60-4-18	3/30/2018	TACC	Non-compliant discharge from outfall 003.		Abated	
WVDEP	U010483	NOV #97	3/29/2018	The Harrison County Coal Co.	NOV withdrawn as it was issued in lieu of HPU SEV violations. SEV violations are being issued to address the issues.		Abated	
WVDEP	U010483	NOV #98	3/23/2018	The Harrison County Coal Co.	IHCO #96 reduced to NOV #98. Firefighting cleanup of coal silo fire. Coal material in Robinson Run. Drainage controls damaged and require maintenance.		Abated	
IDNR	382	63-02-2018	3/20/2018	Sugar Camp Mining, LLC	High chloride mine water flowed approximately 200 feet down grade from the source of the spill and off permit. (pipeline leak)		Abated	

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WVDEP	U010483	IHCO #96	3/19/2018	The Harrison County Coal Co.	Created condition or practice that created imminent harm to Robinson Run. Failed to prevent coal from accumulating in the stream culvert, plugging the culvert entrance and thereby impounding water on the		Abated	
PADEP	03841302	CO 181008	3/1/2018	Canterbury CC	Effluent limits on outfall 001 and attendant treatment facilities did not comply with the terms and conditions of the permit. Iron staining visible in the immediate		Abated	
IDNR	375	67-01-2018	2/20/2018	Williamson Energy, LLC.	FAILED TO PROTECT SURFACE WATER AND FAILED TO MAINTAIN SUPPORT FACILITIES.		Abated	
WVDEP	U007883	NOV #57	2/17/2018	The Marion County Coal Co.	Caused material damage of surface lands in the headwaters of the Little Dents Run Impoundment by reducing the surface elevation causing the impoundment pool to obstruct county route 5/4.		Abated	
PADEP	03841302	CO 181014	2/16/2018	Canterbury CC	Noncompliant discharges sampled from Outfall 001 and 002. Water at outfall 001 field pH tested at 5.0.		Abated	
WVDEP	U043100 / WV0065269	NOV #8	2/7/2018	Murray American Energy, Inc.	Permittee failed to maintain approved drainage system due to a line break near Huey Run in the reverse osmosis pipeline which goes from Knight pump station to		Abated	
IDNR	382	63-01-2018	2/5/2018	Sugar Camp Mining, LLC	Failure to follow approved plan for IBR No. 80 of Permit No. 382 by affecting stream buffer zone with vehicular traffic		Abated	
WVDEP	U010483	NOV #95	2/1/2018	The Harrison County Coal Co.	Permittee failed to install silt fence/ sediment control prior to any disturbance for the development, per the approved		Abated	
WVDEP	O102591	NOV# 58	1/12/2018	The Ohio County Coal Co.	Permittee failed to maintain effluent limits at outlet 009 for total Aluminum and Iron		Abated	
IDNR	375	67-04-2017	12/15/2017	Williamson Energy, LLC.	Failure to notify the surface owner with a description of measures that would be taken to prevent subsidence and/or to mitigate subsidence damages which may occur.		Abated	
PADEP	63831302 / PA 0213608	CO 176004	12/12/2017	The Washington County Coal Co.	Operator affected McCauley water supply.		Abated	

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IDNR	306	60-5-17	11/20/2017	TACC	Failure to publish the public notice for the renewal application within 10 days of it being declared complete.		Abated	
WVDEP	U010483	NOV #94	11/15/2017	The Harrison County Coal Co.	Water discharging from outlet 032 did not meet effluent limits.		Abated	
WVDEP	U003383 / WV0020834	NOV #81	11/14/2017	The Marshall County Coal Co.	Water discharged at outlet 031 did not meet effluent limits. Total aluminum had a reading of 1.61mg/L when the limit is 0.75mg/L.		Abated	
IDNR	2	60-6-17	11/13/2017	TACC	Uncontrolled unmonitored discharge from pond 002 and/or 003 to the Middle Fork Saline River with a non-compliant pH.		Abated	
IDNR	382	63-05-2017	10/30/2017	Sugar Camp Mining, LLC	Mining related materials (sodium silicate) were deposited within and outside the permitted area in an uncontrolled manner, impacting an adjacent road side drainage ditch and unnamed tributaries to Akin Creek.		Abated	
IDNR	382	63-04-2017	10/3/2017	Sugar Camp Mining, LLC	The permittee failed to properly plug and abandon groundwater monitoring well MW-1 as required and described under Condition I(a) of the Department's June 8, 2017 approval letter for IPR #50.		Abated	
WVDEP	O201806 / WV1023217	NOV #6	9/21/2017	The Ohio County Coal Co.	Permittee failed to minimize disturbance to hydrologic balance by discharging water into Bogg's Run.		Abated	
DOGM	007/019	21197	9/18/2017	UAEI	excess thistle on GVH pads		Abated	
IDNR	382	63-03-2017	9/11/2017	Sugar Camp Mining, LLC	The permittee failed to follow the approved plan (IPR No. 50, Condition 5(a)) by plugging groundwater monitoring wells MW-3 and MW-47 without first obtaining Department approval to		Abated	
IDNR	375	67-03-2017	9/6/2017	Williamson Energy, LLC.	Failure to follow the approved plan; specifically, the operator implemented a relocation of the specific areas where planned subsidence was approved to occur prior to that plan change being submitted to and approved by the Department.		Abated	

**TABLE 1.4.3 Violations for
 Applicant and Owners/Controllers of the Applicant**

Issuing Agency	State and Permit No. or MSHA Number	State Violation No. or MSHA Violation No.	Issue Date	Name of Company or Person to Whom Violation Issued	Description of the Violation	Date, Location and Type of Administrative or Judicial Proceeding	Violation Status	Abatement Actions
WVDEP	U003383 / WV0020834	NOV #80	8/30/2017	The Marshall County Coal Co.	Water with suspended solids overtopped the thickener tank and exited the permit via a storm drain and eventually discharged into the Ohio river without passing through an approved sediment control system.		Abated	
WVDEP	U0102392 / WV0020834	NOV #37	8/23/2017	The Marshall County Coal Co.	failed to submit a certification for the quarterly inspection of the Ireland refuse area for the 2nd QTR of 2017		Abated	
WVDEP	U004684	NOV #42	8/23/2017	The Monongalia County Coal Company	Coal slurry leaked into WV fork of Dunkard Creek from outlet 002.		Abated	



COMMONWEALTH OF PENNSYLVANIA
ENVIRONMENTAL HEARING BOARD

Received Electronically
Dept of Natural Resources
Aug 26, 2020
Office of Mines and Minerals
Land Reclamation Division



NOTICE OF APPEAL

By filing this Notice of Appeal with the Environmental Hearing Board, you are choosing to initiate a legal proceeding that asks the Board to review an action of the Department of Environmental Protection. Please read the instructions appended to this form in their entirety and follow closely the rules governing filing a Notice of Appeal, located at 25 Pa. Code § 1021.51. Failure to follow Board rules and orders may result in the dismissal of your appeal.

Pages 1 through 3 of the following form and any required attachments must be received by the Environmental Hearing Board within 30 days after your receipt of notice of the action of the Department that you are appealing. You may mail, fax, or hand-deliver your Notice of Appeal to:

**ENVIRONMENTAL HEARING BOARD
Rachel Carson State Office Building – 2nd Floor
400 Market Street, P.O. Box 8457
Harrisburg, PA 17105-8457
Fax: (717) 783-4738**

You may wish to send your appeal to the Environmental Hearing Board by certified mail, return receipt, so that you know your appeal was received within the required time.

Attorneys may electronically file a Notice of Appeal at <http://ehb.courtapps.com/>

**NOTICE OF APPEAL FORM
APPEAL INFORMATION**

1. Name, address, telephone number, and email address (if available) of Appellant:

**Eighty Four Mining Company
46226 National Road
Saint Clairsville, OH 43950
740-338-3100**

2. Describe the subject of your appeal:

(a) What action of the Department do you seek review?

(NOTE: If you received written notification of the action, you must attach a copy of the action to this form.)

The Compliance Order contained in Coal Refuse Disposal Inspection Report dated February 5, 2020, attached as Exhibit A. This Compliance Order was later docketed at No. 201007.

(b) Which Department official took the action?

Matthew Somogyi, Monitoring & Compliance Inspector, Bureau of District Mining Operations.

(c) What is the location of the operation or activity which is the subject of the Department's action (municipality, county)?

Somerset Township, Washington County.

(d) How, and on what date, did you receive notice of the Department's action?

February 6, 2020 by electronic mail.

3. Describe your objections to the Department's action in separate, numbered paragraphs.

(NOTE: The objections may be factual or legal and must be specific. If you fail to state an objection here, you may be barred from raising it later in your appeal. Attach additional sheets, if necessary.)

See Exhibit B.

4. Specify any related appeal(s) now pending before the Board. If you are aware of any such appeal(s) provide that information.

This Notice of Appeal concerns a Compliance Order based on an alleged failure to comply with Special Conditions 43, including but not limited to Special Conditions 43(c), 43(e), and 45 of CRDA Permit 63743702, and mandating compliance with Special Conditions 43(c) and (e)-(g) at a minimum of the same Permit. Eighty Four appealed the issuance of Permit 63743702 on August 9, 2019, which remains pending at EHB Docket No. 2019-099-L. Simultaneously with this Notice of Appeal, Eighty Four is filing an appeal regarding the January 21, 2020 Compliance Order that relates to both the Compliance Order that is the subject of this Appeal, and the subject of the appeal pending at EHB Docket No. 2019-099-L.

NOTICE OF APPEAL FORM
PROOF OF SERVICE

In addition to filing this form with the Environmental Hearing Board, the Appellant *must* certify, by indicating below, how the Notice of Appeal was served on the Department under numbers (2) and (3) below, and where applicable, upon other interested parties indicated by numbers (4) and (5). Failure to do so may result in dismissal of your appeal. Please check the box indicating the method by which you served the following:

- | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (1) Environmental Hearing Board
2 nd Floor Rachel Carson State Office Bldg.
400 Market St., P.O. Box 8457
Harrisburg, PA 17105-8457 | <i>via</i> | <input type="checkbox"/> first class mail, postage paid
<input type="checkbox"/> overnight delivery
<input type="checkbox"/> personal delivery
<input checked="" type="checkbox"/> electronic filing |
| (2) Department of Environmental Protection
Office of Chief Counsel
Attn: Administrative Officer
16 th Floor Rachel Carson State Office Bldg
400 Market Street, P.O. Box 8464
Harrisburg, PA 17105-8464 | <i>via</i> | <input type="checkbox"/> first class mail, postage paid
<input type="checkbox"/> overnight delivery
<input type="checkbox"/> personal delivery
<input checked="" type="checkbox"/> electronic filing |
| (3) The officer of the Department
who took the action being appealed | <i>via</i> | <input type="checkbox"/> first class mail, postage paid
<input type="checkbox"/> overnight delivery
<input type="checkbox"/> personal delivery
<input checked="" type="checkbox"/> electronic filing |

Note to Attorneys who *electronically* file a Notice of Appeal: A copy is automatically served on the Department's Office of Chief Counsel. There is no need for you to independently serve the Department.

Additionally, if your appeal is from the Department of Environmental Protection's issuance of a permit, license, approval, or certification to another person, you *must* serve the following, as applicable:

- | | | |
|--------------------------------------------------------------------------------------|------------|------------------------------------------------------------------------------------------------------------------------------------------------------|
| (4) The entity to whom the permit, license
approval, or certification was issued. | <i>via</i> | <input type="checkbox"/> first class mail, postage paid
<input type="checkbox"/> overnight delivery
<input type="checkbox"/> personal delivery |
|--------------------------------------------------------------------------------------|------------|------------------------------------------------------------------------------------------------------------------------------------------------------|
- (5) Where applicable, any of the following:
- ☐ Any affected municipality, its municipal authority, and the proponent of the decision, where applicable, in appeals involving a decision under Sections 5 or 7 of the Sewage Facilities Act, 35 P.S. §§ 750.5, 750.7;
 - ☐ The mining company in appeals involving a claim of subsidence damage or water loss under the Bituminous Mine Subsidence and Land Conservation Act, 52 P.S. § 1406.1 et seq.;
 - ☐ The well operator in appeals involving a claim of pollution or diminution of a water supply under Section 3218 of the Oil and Gas Act, 58 Pa.C.S. § 3218;
 - ☐ The owner or operator of a storage tank in appeals involving a claim of an affected water supply under Section 1303 of the Storage Tank and Spill Prevention Act, 35 P.S. § 6021.1303.

NOTICE OF APPEAL FORM
SIGNATURE PAGE

By filing this Notice of Appeal with the Environmental Hearing Board, I hereby certify that the information submitted is true and correct to the best of my information and belief. Additionally, I certify that a copy of this Notice of Appeal was served upon each of the individuals indicated on Page 2 of this form on the following date: February 24, 2020.

/s/ Kevin K. Douglass
Signature of Appellant or Appellant's Counsel

Date: February 24, 2020

If you have authorized counsel to represent you, please supply the following information (*Corporations must be represented by counsel*):

Kevin K. Douglass
Sean M. McGovern
Alexandra G. Farone
Attorney Name (Type or Print)

Babst, Calland, Clements and Zomnir, P.C.

Two Gateway Center, 6th Floor

Pittsburg, PA 15222
Address

Telephone No.: 412-394-5400

Email: kdouglass@babstcalland.com
smcgovern@babstcalland.com
afarone@babstcalland.com

TDD users please contact the Pennsylvania Relay Service at 1-800-654-5984. If you require an accommodation or this information in an alternative form, please contact the Secretary to the Board at 717-787-3483.

Please see the attached Filing Instructions for additional information and requirements regarding the filing of this form.

FILING INSTRUCTIONS

Please read and follow these instructions in their entirety. If you fail to follow the requirements outlined below (including submitting a copy of the action you are appealing and serving process to other parties), the Board may dismiss your appeal.

By filing this Notice of Appeal with the Environmental Hearing Board, you are choosing to initiate *legal proceedings*, which ask the Board to review an action of the Department of Environmental Protection. The proceedings will require you to file documents, participate in discovery, and may ultimately require you to participate in a hearing before the Board. In addition to the Board, the proceedings will also involve interaction with, including you being required to send copies of your filings to, the Department of Environmental Protection and possibly other parties, such as those who have received a permit from the Department.

How to File a Notice of Appeal

Your Notice of Appeal, along with any required documents and information, shall be filed either by facsimile or by mail, hand or other delivery service at the following address:

Secretary to the Board
Environmental Hearing Board
Rachel Carson State Office Building – 2nd Floor
400 Market Street – P.O. Box 8457
Harrisburg, PA 17105-8457
Fax: (717) 783-4738

Attorneys also have the option to file a Notice of Appeal electronically at <http://ehb.courtapps.com/>. A Notice of Appeal filed by *mail, hand, or other delivery service* that is received after the close of the business day at 4:30 PM Eastern Time shall be deemed to be filed on the following business day. A Notice of Appeal filed by *facsimile* shall be deemed filed on the day it is received by the Board. A notice of appeal filed by facsimile should be followed up with a hard copy. A Notice of Appeal filed *electronically* before midnight EST will be considered to be filed on that date.

Filling out the Notice of Appeal Form—Appeal Information

1. When filing a new appeal, provide your name (and that of the business which you represent, if applicable), address, telephone number, and an email address.
2. (a) You must specify on the Notice of Appeal form the action of the Department that you seek to have the Board review, for example, the permit, determination, or other act.
(b) If you have received written notification of an action of the Department, you must attach a copy of the action to the Notice of Appeal (for example, the letter, order, or permit that you are appealing).
(c) You should also identify the Department official that took the action and the location (the municipality and county) of the operation or activity that is the subject of the action.
(d) Additionally, you must describe when and how you were notified of the Department's action.

Aug 26, 2020

Office of Mines and Minerals
Land Reclamation Division



3. When describing your objections to the Department's action, you must do so in separate numbered paragraphs for each objection. The objections must be specific, and may be factual or legal.

Rather than use the space on the Notice of Appeal form, you may type your objections on separate paper if you require more space. Note that if you fail to state an objection to the action in your Notice of Appeal, you may be barred from raising that objection later.

4. Finally, you must specify on the Notice of Appeal form any related appeal already pending before the Board of which you are aware.

Filling out the Notice of Appeal Form—Proof of Service

You must provide proof of service of the Notice of Appeal to the agency taking the action (typically the Department of Environmental Protection), as well as certain other individuals that may be affected by the appeal.

This means that, in addition to filing the Notice of Appeal with the Board, a copy of the Notice of Appeal must be delivered to each the following:

- (1) The Department of Environmental Protection Office of Chief Counsel at:

Department of Environmental Protection
Office of Chief Counsel
Attention: Administrative Officer
16th Floor, Rachel Carson State Office Building
400 Market Street, P.O. Box 8464
Harrisburg, PA 17105-8464

- (2) The officer of the Department of Environmental Protection (or other agency) that took the action being challenged. If you do not know the correct address for the agency office involved in the appeal, you should contact that agency directly, or you may contact the Secretary to the Environmental Hearing Board to obtain the appropriate address.
- (3) If you are appealing an action by the Department that involves someone else (for example, if you want to appeal a permit issued to another person or business), you must also send that person or business a copy of your Notice of Appeal. This is required by the Environmental Hearing Board's rules at 25 Pa. Code § 1021.51(g)-(h). Please see the Proof of Service page of the Notice of Appeal form for more details.

Note: For Attorneys who file an appeal electronically, only the party listed in (3) above must be served (if applicable). Electronically filed Notices of Appeal are automatically served on the Department's Office of Chief Counsel. There is no need to independently serve the Department.

Additional Information on Appeals Involving a Penalty Assessment

In the case of a penalty assessment, many environmental statutes require the amount of the penalty or a bond in that amount to be submitted within the 30-day period required for the filing of the appeal.

Aug 26, 2020

Office of Mines and Minerals
Land Reclamation Division



Where the statute requires that prepayment be made to the Board, the appellant shall submit to the Board with the Notice of Appeal a check in the amount of the penalty, or an appropriate bond securing payment of the penalty as required by statute. A check shall be made payable to the *Commonwealth of Pennsylvania*; a bond shall be in favor of the Board, and these shall be sent to the following address:

Environmental Hearing Board
Rachel Carson State Office Building – 2nd Floor
400 Market Street – P.O. Box 8457
Harrisburg, PA 17105-8457

Where the statute requires that prepayment be made to the Department of Environmental Protection, the appellant shall submit the prepayment to the Department at the following address in accordance with the Department's instructions:

Department of Environmental Protection
Office of Chief Counsel
Attention: Administrative Officer
16th Floor, Rachel Carson State Office Building
400 Market Street, P.O. Box 8464
Harrisburg, PA 17105-8464

If the appellant claims an inability to prepay, that claim must be submitted within the 30-day period by a verified statement either with the Notice of Appeal or in a supplementary document.

Pro Bono Information

Individuals filing an appeal on their own behalf before the Environmental Hearing Board do not need a lawyer. However, important legal rights may be at stake, and proceedings before the Environmental Hearing Board are legal and technical in nature. Therefore, it is strongly recommended that you seek legal counsel. If you cannot afford a lawyer, you may qualify for free legal representation. If your household income is less than 200% of the federal poverty level, then, within fifteen calendar days of filing the Notice of Appeal, you may submit a written request for pro bono representation to the Pro Bono Committee of the Pennsylvania Bar Association's Environmental & Energy Law Section at the following address:

Thomas M. Duncan, Esq.
PBA Environmental & Energy Law Section
Chair, Pro Bono Committee
c/o Manko, Gold, Katcher & Fox, LLP
401 City Avenue, Suite 901
Bala Cynwyd, PA 19004
Phone: 484-430-2358
Fax: 484-430-5711
tduncan@mankogold.com

Please also mail a copy of your request to the Environmental Hearing Board. Even if you are deemed financially eligible, a pro bono referral is not guaranteed and is instead based on the current availability of volunteers. In addition, you may contact your local or county bar association for more information.

Effective October 6, 2016, small corporations owned by no more than three (3) individuals are also eligible for a pro bono referral if each of the owners' household income is less than 300% of the federal poverty level.

COMPANY REPRESENTATIVE: _____ DATE: _____



Received Electronically
Dept of Natural Resources
Aug 26, 2020
Office of Mines and Minerals
Land Reclamation Division

July 15, 2020

Ryan Thomas
Environmental Inspector
WV Department of Environmental Protection
1159 Nick Rahall Greenway
Fayetteville, WV 25840

RE: H-0667-00 NOV 13 – Maintaining Haulage Way

Mr. Thomas,

On behalf of Seminole West Virginia Mining Complex, LLC, Murray Maple Eagle Coal, LLC, and Panther Creek Mining, LLC, I wish to request an extension beyond the current abatement date for abating NOV#13 of the above referenced permit number. Panther Creek Mining, LLC, is in the process of acquiring the above referenced permit. We request an extension of 90 days, in order to give adequate time to review what work has been completed by Murry Maple Eagle, LLC and evaluate Panther Creek's method of abatement going forward with weather conditions permitting. Additionally, this extension will give time for the permits to be transferred from Seminole WV Mining Complex, LLC to Murray Maple Eagle Coal, LLC and then transferred again to Panther Creek Mining, LLC.

Regards,

A handwritten signature in black ink, appearing to read "Kelly Duty", with a long horizontal line extending from the end of the signature.

Kelly L. Duty
Environmental Engineer
Panther Creek Mining, LLC
Office: 304-380-0415
Cell: 304-881-2236

I recommend approval
up to 10-14-20.
A handwritten signature in blue ink, appearing to read "Ryan Thomas", with the date "7-15-20" written below it.



COMMONWEALTH OF PENNSYLVANIA
ENVIRONMENTAL HEARING BOARD

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Dept of Natural Resources
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Land Reclamation Division

NOTICE OF APPEAL

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Pages 1 through 3 of the following form and any required attachments must be received by the Environmental Hearing Board within 30 days after your receipt of notice of the action of the Department that you are appealing. You may mail, fax, or hand-deliver your Notice of Appeal to:

**ENVIRONMENTAL HEARING BOARD
Rachel Carson State Office Building – 2nd Floor
400 Market Street, P.O. Box 8457
Harrisburg, PA 17105-8457
Fax: (717) 783-4738**

You may wish to send your appeal to the Environmental Hearing Board by certified mail, return receipt, so that you know your appeal was received within the required time.

Attorneys may electronically file a Notice of Appeal at <http://ehb.courtapps.com/>



COMMONWEALTH OF PENNSYLVANIA
ENVIRONMENTAL HEARING BOARD

Received Electronically
Dept of Natural Resources
Aug 26, 2020
Office of Mines and Minerals
Land Reclamation Division

NOTICE OF APPEAL FORM
APPEAL INFORMATION

1. Name, address, telephone number, and email address (if available) of Appellant:

Eighty Four Mining Company
46226 National Road
Saint Clairsville, OH 43950
740-338-3100

2. Describe the subject of your appeal:

(a) What action of the Department do you seek review?

(NOTE: If you received written notification of the action, you must attach a copy of the action to this form.)

Compliance Order No. 191043A contained in the Coal Refuse Disposal Inspection Report dated February 5, 2020, attached as Exhibit A.

(b) Which Department official took the action?

Matthew Somogyi, Monitoring & Compliance Inspector, Bureau of District Mining Operations.

(c) What is the location of the operation or activity which is the subject of the Department's action (municipality, county)?

Somerset Township, Washington County.

(d) How, and on what date, did you receive notice of the Department's action?

February 6, 2020, by electronic mail.

3. Describe your objections to the Department's action in separate, numbered paragraphs.

(NOTE: The objections may be factual or legal and must be specific. If you fail to state an objection here, you may be barred from raising it later in your appeal. Attach additional sheets, if necessary.)

See Exhibit B.



**COMMONWEALTH OF PENNSYLVANIA
ENVIRONMENTAL HEARING BOARD**

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Land Reclamation Division

4. Specify any related appeal(s) now pending before the Board. If you are aware of any such appeal(s) provide that information.

N/A

**NOTICE OF APPEAL FORM
PROOF OF SERVICE**

In addition to filing this form with the Environmental Hearing Board, the Appellant *must* certify, by indicating below, how the Notice of Appeal was served on the Department under numbers (2) and (3) below, and where applicable, upon other interested parties indicated by numbers (4) and (5). Failure to do so may result in dismissal of your appeal. Please check the box indicating the method by which you served the following:

- | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (1) Environmental Hearing Board
2 nd Floor Rachel Carson State Office Bldg.
400 Market St., P.O. Box 8457
Harrisburg, PA 17105-8457 | <i>via</i> | <input type="checkbox"/> first class mail, postage paid
<input type="checkbox"/> overnight delivery
<input type="checkbox"/> personal delivery
<input checked="" type="checkbox"/> electronic filing |
| (2) Department of Environmental Protection
Office of Chief Counsel
Attn: Administrative Officer
16 th Floor Rachel Carson State Office Bldg
400 Market Street, P.O. Box 8464
Harrisburg, PA 17105-8464 | <i>via</i> | <input type="checkbox"/> first class mail, postage paid
<input type="checkbox"/> overnight delivery
<input type="checkbox"/> personal delivery
<input checked="" type="checkbox"/> electronic filing |
| (3) The officer of the Department
who took the action being appealed | <i>via</i> | <input type="checkbox"/> first class mail, postage paid
<input type="checkbox"/> overnight delivery
<input type="checkbox"/> personal delivery
<input checked="" type="checkbox"/> electronic filing |

Note to Attorneys who *electronically* file a Notice of Appeal: A copy is automatically served on the Department's Office of Chief Counsel. There is no need for you to independently serve the Department.

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- | | | |
|--------------------------------------------------------------------------------------|------------|------------------------------------------------------------------------------------------------------------------------------------------------------|
| (4) The entity to whom the permit, license
approval, or certification was issued. | <i>via</i> | <input type="checkbox"/> first class mail, postage paid
<input type="checkbox"/> overnight delivery
<input type="checkbox"/> personal delivery |
|--------------------------------------------------------------------------------------|------------|------------------------------------------------------------------------------------------------------------------------------------------------------|

(5) Where applicable, any of the following:

- ☐ Any affected municipality, its municipal authority, and the proponent of the decision, where applicable, in appeals involving a decision under Sections 5 or 7 of the Sewage Facilities Act, 35 P.S. §§ 750.5, 750.7;
- ☐ The mining company in appeals involving a claim of subsidence damage or water loss under the Bituminous Mine Subsidence and Land Conservation Act, 52 P.S. § 1406.1 et seq.;
- ☐ The well operator in appeals involving a claim of pollution or diminution of a water supply under Section 3218 of the Oil and Gas Act, 58 Pa.C.S. § 3218;
- ☐ The owner or operator of a storage tank in appeals involving a claim of an affected water supply under Section 1303 of the Storage Tank and Spill Prevention Act, 35 P.S. § 6021.1303.

NOTICE OF APPEAL FORM
SIGNATURE PAGE

By filing this Notice of Appeal with the Environmental Hearing Board, I hereby certify that the information submitted is true and correct to the best of my information and belief. Additionally, I certify that a copy of this Notice of Appeal was served upon each of the individuals indicated on Page 2 of this form on the following date: March 9, 2020.

/s/ Kevin K. Douglass

Signature of Appellant or Appellant's Counsel

Date: March 9, 2020

If you have authorized counsel to represent you, please supply the following information (*Corporations must be represented by counsel*):

Kevin K. Douglass

Sean M. McGovern

Alexandra G. Farone

Attorney Name (Type or Print)

Babst, Calland, Clements and Zomnir, P.C.

Two Gateway Center, 6th Floor

Pittsburgh, PA 15222

Address

Telephone No.: 412-394-5400

Email: kdouglass@babstcalland.com
smcgovern@babstcalland.com
afarone@babstcalland.com

TDD users please contact the Pennsylvania Relay Service at 1-800-654-5984. If you require an accommodation or this information in an alternative form, please contact the Secretary to the Board at 717-787-3483.

Please see the attached Filing Instructions for additional information and requirements regarding the filing of this form.

FILING INSTRUCTIONS

Please read and follow these instructions in their entirety. If you fail to follow the requirements outlined below (including submitting a copy of the action you are appealing and serving process to other parties), the Board may dismiss your appeal.

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How to File a Notice of Appeal

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Secretary to the Board
Environmental Hearing Board
Rachel Carson State Office Building – 2nd Floor
400 Market Street – P.O. Box 8457
Harrisburg, PA 17105-8457
Fax: (717) 783-4738

Attorneys also have the option to file a Notice of Appeal electronically at <http://ehb.courtapps.com/>. A Notice of Appeal filed by *mail, hand, or other delivery service* that is received after the close of the business day at 4:30 PM Eastern Time shall be deemed to be filed on the following business day. A Notice of Appeal filed by *facsimile* shall be deemed filed on the day it is received by the Board. A notice of appeal filed by facsimile should be followed up with a hard copy. A Notice of Appeal filed *electronically* before midnight EST will be considered to be filed on that date.

Filling out the Notice of Appeal Form—Appeal Information

1. When filing a new appeal, provide your name (and that of the business which you represent, if applicable), address, telephone number, and an email address.
2. (a) You must specify on the Notice of Appeal form the action of the Department that you seek to have the Board review, for example, the permit, determination, or other act.
(b) If you have received written notification of an action of the Department, you must attach a copy of the action to the Notice of Appeal (for example, the letter, order, or permit that you are appealing).
(c) You should also identify the Department official that took the action and the location (the municipality and county) of the operation or activity that is the subject of the action.
(d) Additionally, you must describe when and how you were notified of the Department's action.

Aug 26, 2020

Office of Mines and Minerals
Land Reclamation Division

3. When describing your objections to the Department's action, you must do so in separate numbered paragraphs for each objection. The objections must be specific, and may be factual or legal.

Rather than use the space on the Notice of Appeal form, you may type your objections on separate paper if you require more space. Note that if you fail to state an objection to the action in your Notice of Appeal, you may be barred from raising that objection later.

4. Finally, you must specify on the Notice of Appeal form any related appeal already pending before the Board of which you are aware.

Filling out the Notice of Appeal Form—Proof of Service

You must provide proof of service of the Notice of Appeal to the agency taking the action (typically the Department of Environmental Protection), as well as certain other individuals that may be affected by the appeal.

This means that, in addition to filing the Notice of Appeal with the Board, a copy of the Notice of Appeal must be delivered to each the following:

- (1) The Department of Environmental Protection Office of Chief Counsel at:

Department of Environmental Protection
Office of Chief Counsel
Attention: Administrative Officer
16th Floor, Rachel Carson State Office Building
400 Market Street, P.O. Box 8464
Harrisburg, PA 17105-8464

- (2) The officer of the Department of Environmental Protection (or other agency) that took the action being challenged. If you do not know the correct address for the agency office involved in the appeal, you should contact that agency directly, or you may contact the Secretary to the Environmental Hearing Board to obtain the appropriate address.
- (3) If you are appealing an action by the Department that involves someone else (for example, if you want to appeal a permit issued to another person or business), you must also send that person or business a copy of your Notice of Appeal. This is required by the Environmental Hearing Board's rules at 25 Pa. Code § 1021.51(g)-(h). Please see the Proof of Service page of the Notice of Appeal form for more details.

Note: For Attorneys who file an appeal electronically, only the party listed in (3) above must be served (if applicable). Electronically filed Notices of Appeal are automatically served on the Department's Office of Chief Counsel. There is no need to independently serve the Department.

Additional Information on Appeals Involving a Penalty Assessment

In the case of a penalty assessment, many environmental statutes require the amount of the penalty or a bond in that amount to be submitted within the 30-day period required for the filing of the appeal.

Aug 26, 2020

Office of Mines and Minerals
Land Reclamation Division

Where the statute requires that prepayment be made to the Board, the appellant shall submit to the Board with the Notice of Appeal a check in the amount of the penalty, or an appropriate bond securing payment of the penalty as required by statute. A check shall be made payable to the *Commonwealth of Pennsylvania*; a bond shall be in favor of the Board, and these shall be sent to the following address:

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Rachel Carson State Office Building – 2nd Floor
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Harrisburg, PA 17105-8457

Where the statute requires that prepayment be made to the Department of Environmental Protection, the appellant shall submit the prepayment to the Department at the following address in accordance with the Department's instructions:

Department of Environmental Protection
Office of Chief Counsel
Attention: Administrative Officer
16th Floor, Rachel Carson State Office Building
400 Market Street, P.O. Box 8464
Harrisburg, PA 17105-8464

If the appellant claims an inability to prepay, that claim must be submitted within the 30-day period by a verified statement either with the Notice of Appeal or in a supplementary document.

Pro Bono Information

Individuals filing an appeal on their own behalf before the Environmental Hearing Board do not need a lawyer. However, important legal rights may be at stake, and proceedings before the Environmental Hearing Board are legal and technical in nature. Therefore, it is strongly recommended that you seek legal counsel. If you cannot afford a lawyer, you may qualify for free legal representation. If your household income is less than 200% of the federal poverty level, then, within fifteen calendar days of filing the Notice of Appeal, you may submit a written request for pro bono representation to the Pro Bono Committee of the Pennsylvania Bar Association's Environmental & Energy Law Section at the following address:

Thomas M. Duncan, Esq.
PBA Environmental & Energy Law Section
Chair, Pro Bono Committee
c/o Manko, Gold, Katcher & Fox, LLP
401 City Avenue, Suite 901
Bala Cynwyd, PA 19004
Phone: 484-430-2358
Fax: 484-430-5711
tduncan@mankogold.com

Please also mail a copy of your request to the Environmental Hearing Board. Even if you are deemed financially eligible, a pro bono referral is not guaranteed and is instead based on the current availability of volunteers. In addition, you may contact your local or county bar association for more information.

Effective October 6, 2016, small corporations owned by no more than three (3) individuals are also eligible for a pro bono referral if each of the owners' household income is less than 300% of the federal poverty level.

MR-16

West Virginia Department Of Environmental Protection

ERIS

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
O004785	03/15/2019	09:00	6		0200	18	06/29/2020	16:22

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLC

Violation is hereby: ☐ Terminated ☐ Withdrawn ☐ Remains in force as written ☐ Show Cause submitted

☒ Extended to 09/23/2020 at 11:00 ☐ NOV modified to CO # ☐ CO modified to NOV #

Action taken to abate:

Extension request received. Murray has cleaned up a lot of the coal spillage and repaired the erosion. The site has developed an erosion gully again and needs repaired. Provide erosion protection to prevent this from reoccurring. Area needs seeded after repairs. IBR still needs to be submitted to show offsite disturbance.

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☐ 3 ☐ 4 ☒ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Good Faith: 0 ☐ 1 ☒ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE Kelly Duty

DELIVERY METHOD / DATE TIME Mail 6/29/2020 16:22:00

CERTIFIED MAIL NUMBER

ADDRESS 1345 ELK RIDGE ROAD, ELK RIDGE, WV 25161

WV DEP REP. Ryan L. Thomas

Austin Caperton

[Secretary, Department of Environmental Protection]

[WV DEP Representative]

Date _____

Names of individuals at informal Conference:

Results: CO was:	<input type="checkbox"/> Upheld	<input type="checkbox"/> Modified	<input type="checkbox"/> Terminated	<input type="checkbox"/> Withdrawn
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Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____



Received Electronically
Dept of Natural Resources
Aug 26, 2020
Office of Mines and Minerals
Land Reclamation Division

June 25, 2020

Ryan Thomas
Environmental Inspector
WV Department of Environmental Protection
1159 Nick Rahall Greenway
Fayetteville, WV 25840

RE: O-0047-85 NOV 18 – Failure to Protect off-site areas from mining operations

Mr. Thomas,

On behalf of Seminole West Virginia Mining Complex, LLC, Murray Maple Eagle Coal, LLC, and Panther Creek Mining, LLC, I wish to request an extension beyond the current abatement date for abating NOV#18 of the above referenced permit number. Panther Creek Mining, LLC, is in the process of acquiring the above referenced permit. We request an extension of 90 days, in order to give adequate time to review what work has been completed by Murry Maple Eagle, LLC and evaluate Panther Creek's method of abatement going forward with weather conditions permitting. Additionally, this extension will give time for the permits to be transferred from Seminole WV Mining Complex, LLC to Murray Maple Eagle Coal, LLC and then transferred again to Panther Creek Mining, LLC.

Regards,

A handwritten signature in blue ink, appearing to read "Kelly Duty", with a long horizontal flourish extending to the right.

Kelly L. Duty
Environmental Engineer
Panther Creek Mining, LLC.
Office: 304-380-0415
Cell: 304-881-2236

*I recommend
approval up to 9-23-20.
Ryan Thomas
6-29-20*

MR-16

West Virginia Department Of Environmental Protection

ERIS

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
O004785	03/15/2019	09:00	6		1000	20	07/15/2020	16:50

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLC

Violation is hereby: ☐ Terminated ☐ Withdrawn ☐ Remains in force as written ☐ Show Cause submitted

☒ Extended to 10/14/2020 at 11:00 ☐ NOV modified to CO # ☐ CO modified to NOV #

Action taken to abate:

Extension request received. Panther Creek Mining has just recently acquired this permit. They are currently assessing this violation to develop a plan for work to continue on the remedial measures. A few more pipes need repaired/replaced, then certification to abate violation.

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Good Faith: 0 ☐ 1 ☒ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE Kelly Duty

DELIVERY METHOD / DATE TIME Mail 7/15/2020 16:50:00

CERTIFIED MAIL NUMBER

ADDRESS 1345 ELK RIDGE ROAD, ELK RIDGE, WV 25161

WV DEP REP. Ryan L. Thomas

Austin Caperton

[Secretary, Department of Environmental Protection]

[WV DEP Representative]

Date _____

Names of individuals at informal Conference:

Results: CO was:	<input type="checkbox"/> Upheld	<input type="checkbox"/> Modified	<input type="checkbox"/> Terminated	<input type="checkbox"/> Withdrawn
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Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____



Received Electronically
Dept of Natural Resources
Aug 26, 2020
Office of Mines and Minerals
Land Reclamation Division

July 15, 2020

Ryan Thomas
Environmental Inspector
WV Department of Environmental Protection
1159 Nick Rahall Greenway
Fayetteville, WV 25840

RE: O-0047-85 NOV 20 – Cleaning Ditches, Replacing Damaged Culverts

Mr. Thomas,

On behalf of Seminole West Virginia Mining Complex, LLC, Murray Maple Eagle Coal, LLC, and Panther Creek Mining, LLC, I wish to request an extension beyond the current abatement date for abating NOV#20 of the above referenced permit number. Panther Creek Mining, LLC, is in the process of acquiring the above referenced permit. We request an extension of 90 days, in order to give adequate time to review what work has been completed by Murry Maple Eagle, LLC and evaluate Panther Creek's method of abatement going forward with weather conditions permitting. Additionally, this extension will give time for the permits to be transferred from Seminole WV Mining Complex, LLC to Murray Maple Eagle Coal, LLC and then transferred again to Panther Creek Mining, LLC.

Regards,

A handwritten signature in black ink, appearing to read "Kelly L. Duty", is written over a horizontal line.

Kelly L. Duty
Environmental Engineer
Panther Creek Mining, LLC:
Office: 304-380-0415
Cell: 304-881-2236

I recommend approval
up to 10-14-20.
A handwritten signature in blue ink, appearing to read "Ryan Thomas", is written below the text.
7-15-20

MR-16

West Virginia Department Of Environmental Protection

Page 1 of 1,

ERIS

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
O004885	03/15/2019	09:30	6		0400	15	06/29/2020	16:07

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLC

Violation is hereby: ☐ Terminated ☐ Withdrawn ☐ Remains in force as written ☐ Show Cause submitted

☒ Extended to 09/23/2020 at 12:00 ☐ NOV modified to CO # ☐ CO modified to NOV #

Action taken to abate:

Extension request received. All groundwork has been completed. The pond still needs to be certified. Ensure that the inlet of the discharge pipe remains free of debris.

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☒ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Good Faith: 0 ☐ 1 ☒ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE Kelly Duty

DELIVERY METHOD / DATE TIME Mail 6/29/2020 16:12:00

CERTIFIED MAIL NUMBER

ADDRESS 1345 ELK RIDGE ROAD, ELK RIDGE, WV 25161

WV DEP REP. Ryan L. Thomas

Austin Caperton

[Secretary, Department of Environmental Protection]

[WV DEP Representative]

Date _____

Names of individuals at informal Conference:

Results: CO was:	<input type="checkbox"/> Upheld	<input type="checkbox"/> Modified	<input type="checkbox"/> Terminated	<input type="checkbox"/> Withdrawn
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Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____



Received Electronically
Dept of Natural Resources
Aug 26, 2020
Office of Mines and Minerals
Land Reclamation Division

June 25, 2020

Ryan Thomas
Environmental Inspector
WV Department of Environmental Protection
1159 Nick Rahall Greenway
Fayetteville, WV 25840

RE: O-0048-85 NOV 15 – Failure to clean out Pond #1

Mr. Thomas,

On behalf of Seminole West Virginia Mining Complex, LLC, Murray Maple Eagle Coal, LLC, and Panther Creek Mining, LLC, I wish to request an extension beyond the current abatement date for abating NOV#15 of the above referenced permit number. Panther Creek Mining, LLC, is in the process of acquiring the above referenced permit. We request an extension of 90 days, in order to give adequate time to review what work has been completed by Murry Maple Eagle, LLC and evaluate Panther Creek's method of abatement going forward with weather conditions permitting. Additionally, this extension will give time for the permits to be transferred from Seminole WV Mining Complex, LLC to Murray Maple Eagle Coal, LLC and then transferred again to Panther Creek Mining, LLC.

Regards,

A handwritten signature in blue ink, appearing to read "Kelly Duty", with a long horizontal flourish extending to the right.

Kelly L. Duty
Environmental Engineer
Panther Creek Mining, LLC.
Office: 304-380-0415
Cell: 304-881-2236

I recommend approval
up to 9-23-20.
Ryan Thomas
6-29-20.

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
S300795	03/05/2019	10:02	6		2400	38	06/29/2020	16:24

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLC

Violation is hereby: ☐ Terminated ☐ Withdrawn ☐ Remains in force as written ☐ Show Cause submitted

☒ Extended to 09/23/2020 at 10:00 ☐ NOV modified to CO # ☐ CO modified to NOV #

Action taken to abate:

Extension request received. A revision has been submitted and under review.

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☒ 6 ☐ 7 ☐ 8 ☐

Good Faith: 0 ☐ 1 ☒ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE Kelly Duty

DELIVERY METHOD / DATE TIME Mail 6/29/2020 16:24:00

CERTIFIED MAIL NUMBER

ADDRESS 1345 ELK RIDGE ROAD, ELK RIDGE, WV 25161

WV DEP REP. Ryan L. Thomas

Austin Caperton

[Secretary, Department of Environmental Protection]

[WV DEP Representative]

Date _____

Names of individuals at informal Conference:

Results: CO was:	<input type="checkbox"/> Upheld	<input type="checkbox"/> Modified	<input type="checkbox"/> Terminated	<input type="checkbox"/> Withdrawn
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Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____



June 25, 2020

Ryan Thomas
Environmental Inspector
WV Department of Environmental Protection
1159 Nick Rahall Greenway
Fayetteville, WV 25840

RE: S-3007-95 NOV 38 – Revision for Top Soil Substitute

Mr. Thomas,

On behalf of Seminole West Virginia Mining Complex, LLC, Murray Maple Eagle Coal, LLC, and Panther Creek Mining, LLC, I wish to request an extension beyond the current abatement date for abating NOV#38 of the above referenced permit number. Panther Creek Mining, LLC, is in the process of acquiring the above referenced permit. We request an extension of 90 days, in order to give adequate time to review what work has been completed by Murry Maple Eagle, LLC and evaluate Panther Creek's method of abatement going forward with weather conditions permitting. Additionally, this extension will give time for the permits to be transferred from Seminole WV Mining Complex, LLC to Murray Maple Eagle Coal, LLC and then transferred again to Panther Creek Mining, LLC.

Regards,

A handwritten signature in blue ink that reads "Kelly L. Duty".

Kelly L. Duty
Environmental Engineer
Panther Creek Mining, LLC.
Office: 304-380-0415
Cell: 304-881-2236

*I recommend approval
up to 9-23-20.
R. Thomas
6-29-20*

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
S300795	03/19/2019	12:00	6		0500	41	07/15/2020	16:43

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLC

Violation is hereby: ☐ Terminated ☐ Withdrawn ☐ Remains in force as written ☐ Show Cause submitted

☒ Extended to 10/14/2020 at 12:00 ☐ NOV modified to CO # ☐ CO modified to NOV #

Action taken to abate:

Extension request received. Panther Creek Mining has just recently acquired this permit. They are currently assessing this violation to develop a plan for work to continue on the remedial measures.

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☒ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Good Faith: 0 ☐ 1 ☒ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE Kelly Duty

DELIVERY METHOD / DATE TIME Mail 7/15/2020 16:43:00

CERTIFIED MAIL NUMBER

ADDRESS 1345 ELK RIDGE ROAD, ELK RIDGE, WV 25161

WV DEP REP. Ryan L. Thomas

Austin Caperton

[Secretary, Department of Environmental Protection]

[WV DEP Representative]

Date _____

Names of individuals at informal Conference:

Results: CO was:	<input type="checkbox"/> Upheld	<input type="checkbox"/> Modified	<input type="checkbox"/> Terminated	<input type="checkbox"/> Withdrawn
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Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____



Received Electronically
Dept of Natural Resources
Aug 26, 2020
Office of Mines and Minerals
Land Reclamation Division

July 15, 2020

Ryan Thomas
Environmental Inspector
WV Department of Environmental Protection
1159 Nick Rahall Greenway
Fayetteville, WV 25840

RE: S-3007-95 NOV 41 – Failure to Certify New Ditch Before Initiating Mining Activities

Mr. Thomas,

On behalf of Seminole West Virginia Mining Complex, LLC, Murray Maple Eagle Coal, LLC, and Panther Creek Mining, LLC, I wish to request an extension beyond the current abatement date for abating NOV#41 of the above referenced permit number. Panther Creek Mining, LLC, is in the process of acquiring the above referenced permit. We request an extension of 90 days, in order to give adequate time to review what work has been completed by Murry Maple Eagle, LLC and evaluate Panther Creek's method of abatement going forward with weather conditions permitting. Additionally, this extension will give time for the permits to be transferred from Seminole WV Mining Complex, LLC to Murray Maple Eagle Coal, LLC and then transferred again to Panther Creek Mining, LLC.

Regards,

A large, stylized handwritten signature in black ink, appearing to read "Kelly Duty".

Kelly L. Duty
Environmental Engineer
Panther Creek Mining, LLC.
Office: 304-380-0415
Cell: 304-881-2236

I recommend approval
up to 10-14-20.
Ryan Thomas
7-15-20

MR-16

West Virginia Department Of Environmental Protection

ERIS

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
S300795	03/23/2020	12:00	6		0200	45	06/17/2020	15:55

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLC

Violation is hereby: ☐ Terminated ☐ Withdrawn ☐ Remains in force as written ☐ Show Cause submitted

☒ Extended to 09/21/2020 at 15:19 ☐ NOV modified to CO # ☐ CO modified to NOV #

Action taken to abate:

Blackhawk Mining has just recently acquired these permits. They are currently assessing the situation to get familiar with the area and to develop a plan. This area needs to be repaired as soon as possible to prevent further damage.

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☐ 3 ☐ 4 ☒ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Good Faith: 0 ☐ 1 ☒ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE Kelly Duty

DELIVERY METHOD / DATE TIME Mail 6/17/2020 15:56:00

CERTIFIED MAIL NUMBER

ADDRESS 1345 ELK RIDGE ROAD, ELK RIDGE, WV 25161

WV DEP REP. Ryan L. Thomas

Austin Caperton

[Secretary, Department of Environmental Protection]

[WV DEP Representative]

Date _____

Names of individuals at informal Conference:

Results:	CO was:	<input type="checkbox"/> Upheld	<input type="checkbox"/> Modified	<input type="checkbox"/> Terminated	<input type="checkbox"/> Withdrawn
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Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____



Received Electronically
Dept of Natural Resources
Aug 26, 2020
Office of Mines and Minerals
Land Reclamation Division

June 10, 2020

Ryan Thomas
Environmental Inspector
WV Department of Environmental Protection
1159 Nick Rahall Greenway
Fayetteville, WV 25840

RE: S-3007-95 NOV 45 – Slide occurred at outlet off-site

Mr. Thomas,

On behalf of Seminole West Virginia Mining Complex, LLC, Murray Maple Eagle Coal, LLC, and Panther Creek Mining, LLC, I wish to request an extension beyond the current abatement date for abating NOV#45 of the above referenced permit number. Panther Creek Mining, LLC, is in the process of acquiring the above referenced permit. We request an extension of 60 days, in order to give adequate time to review what work has been completed by Murry Maple Eagle, LLC and evaluate Panther Creek's method of abatement going forward with weather conditions permitting. Additionally, this extension will give time for the permits to be transferred from Seminole WV Mining Complex, LLC to Murray Maple Eagle Coal, LLC and then transferred again to Panther Creek Mining, LLC.

Regards,

A handwritten signature in blue ink, appearing to read "Kelly Duty", with a long horizontal flourish extending to the right.

Kelly L. Duty
Environmental Engineer
Panther Creek Mining, LLC.
Office: 304-380-0415
Cell: 304-881-2236

I recommend approval
up to 9-21-20.

A handwritten signature in blue ink, appearing to read "Ryan Thomas", with a long horizontal flourish extending to the right.
6-17-20

MR-16

West Virginia Department Of Environmental Protection

ERIS

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
S304191	03/26/2020	15:00	6		1000	62	07/15/2020	16:53

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLC

Violation is hereby: ☐ Terminated ☐ Withdrawn ☐ Remains in force as written ☐ Show Cause submitted

☒ Extended to 10/14/2020 at 15:58 ☐ NOV modified to CO # ☐ CO modified to NOV #

Action taken to abate:

Extension request received. Panther Creek Mining has just recently acquired this permit. They are currently assessing this violation to develop a plan for work to continue on the remedial measures.

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Good Faith: 0 ☐ 1 ☒ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE Kelly Duty

DELIVERY METHOD / DATE TIME Mail 7/15/2020 16:54:00

CERTIFIED MAIL NUMBER

ADDRESS 1345 ELK RIDGE ROAD, ELK RIDGE, WV 25161

WV DEP REP. Ryan L. Thomas

Austin Caperton

[Secretary, Department of Environmental Protection]

[WV DEP Representative]

Date

Names of individuals at informal Conference:

Results: CO was:	<input type="checkbox"/> Upheld	<input type="checkbox"/> Modified	<input type="checkbox"/> Terminated	<input type="checkbox"/> Withdrawn
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Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____



Received Electronically
Dept of Natural Resources
Aug 26, 2020
Office of Mines and Minerals
Land Reclamation Division

July 15, 2020

Ryan Thomas
Environmental Inspector
WV Department of Environmental Protection
1159 Nick Rahall Greenway
Fayetteville, WV 25840

RE: S-3041-91 NOV 62 – Failure to maintain IFUAR

Mr. Thomas,

On behalf of Seminole West Virginia Mining Complex, LLC, Murray Maple Eagle Coal, LLC, and Panther Creek Mining, LLC, I wish to request an extension beyond the current abatement date for abating NOV#62 of the above referenced permit number. Panther Creek Mining, LLC, is in the process of acquiring the above referenced permit. We request an extension of 90 days, in order to give adequate time to review what work has been completed by Murry Maple Eagle, LLC and evaluate Panther Creek's method of abatement going forward with weather conditions permitting. Additionally, this extension will give time for the permits to be transferred from Seminole WV Mining Complex, LLC to Murray Maple Eagle Coal, LLC and then transferred again to Panther Creek Mining, LLC.

Regards,

A handwritten signature in black ink, appearing to read "Kelly Duty", is written over the typed name and title.

Kelly L. Duty
Environmental Engineer
Panther Creek Mining, LLC.
Office: 304-380-0415
Cell: 304-881-2236

*I recommend approval.
up to 10-14-20.*

A handwritten signature in blue ink, appearing to read "Ryan Thomas", is written below the recommendation text.

7-15-20

COMPANY REPRESENTATIVE: _____ DATE: _____



Received Electronically
Dept of Natural Resources
Aug 26, 2020
Office of Mines and Minerals
Land Reclamation Division
7/15/20

July 15, 2020

Ryan Thomas
Environmental Inspector
WV Department of Environmental Protection
1159 Nick Rahall Greenway
Fayetteville, WV 25840

RE: S-6020-89 NOV 66 – Refuse Pile Construction

Mr. Thomas,

On behalf of Seminole West Virginia Mining Complex, LLC, Murray Maple Eagle Coal, LLC, and Panther Creek Mining, LLC, I wish to request an extension beyond the current abatement date for abating NOV#66 of the above referenced permit number. Panther Creek Mining, LLC, is in the process of acquiring the above referenced permit. We request an extension of 90 days, in order to give adequate time to review what work has been completed by Murry Maple Eagle, LLC and evaluate Panther Creek's method of abatement going forward with weather conditions permitting. Additionally, this extension will give time for the permits to be transferred from Seminole WV Mining Complex, LLC to Murray Maple Eagle Coal, LLC and then transferred again to Panther Creek Mining, LLC.

Regards,

A handwritten signature in black ink, appearing to read "Kelly L. Duty", is written over the typed name and title.

Kelly L. Duty
Environmental Engineer
Panther Creek Mining, LLC.
Office: 304-380-0415
Cell: 304-881-2236

I recommend approval
up to 10-14-20.

A handwritten signature in blue ink, appearing to read "Ryan Thomas", is written below the recommendation text.

7-15-20

James Plumley

From: Nagel, Jon [REDACTED]
Sent: Tuesday, August 25, 2020 12:48 PM
To: James Plumley; Betcher, Kim
Subject: FW: NOV Follow-ups
Attachments: SKM_458e20082513500.pdf

From: Thomas, Ryan L <Ryan.L.Thomas@wv.gov>
Sent: Tuesday, August 25, 2020 1:46 PM
To: Nagel, Jon
Subject: NOV Follow-ups

CAUTION: This email originated from outside of Murray Energy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Jon,

See attachment for the most recent follow-ups. All of these violations are in show cause. They are all still open violations with work needing to be done. With the progress being made daily, a couple of these outstanding violations are near abatement.

From: 12797@wv.gov <12797@wv.gov>
Sent: Tuesday, August 25, 2020 1:51 PM
To: Thomas, Ryan L <Ryan.L.Thomas@wv.gov>
Subject: Message from KM_458e

MR-16

West Virginia Department Of Environmental Protection

Page 1 of 1

ERIS

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
S300795	03/19/2019	12:00	6		0400	40	05/15/2019	00:00

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLC

Violation is hereby: ☐ Terminated ☐ Withdrawn ☐ Remains in force as written ☒ Show Cause submitted
☐ Extended to _____ at _____ ☐ NOV modified to CO # _____ ☐ CO modified to NOV # _____

Action taken to abate:

Show Cause Order #1540 issued/mms

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Good Faith: 0 ☐ 1 ☒ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE _____

DELIVERY METHOD / DATE TIME _____

CERTIFIED MAIL NUMBER _____

ADDRESS 46226 NATIONAL ROAD, ST. CLAIRSVILLE, OH 43950

WV DEP REP. Ryan L. Thomas

Austin Caperton

[Secretary, Department of Environmental Protection]

[WV DEP Representative]

Date

Names of individuals at informal Conference:

Results: CO was: ☐ Upheld ☐ Modified ☐ Terminated ☐ Withdrawn

Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____

MR-16

West Virginia Department Of Environmental Protection

Page 1 of 1

ERIS

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
S300795	03/26/2019	15:30	6		0400	42	05/15/2019	00:00

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLC

Violation is hereby: ☐ Terminated ☐ Withdrawn ☐ Remains in force as written ☒ Show Cause submitted
☐ Extended to _____ at _____ ☐ NOV modified to CO # _____ ☐ CO modified to NOV # _____

Action taken to abate:

30 Day SC Order #1540 issued/mms

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Good Faith: 0 ☐ 1 ☒ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE _____

DELIVERY METHOD / DATE TIME _____

CERTIFIED MAIL NUMBER _____

ADDRESS 46226 NATIONAL ROAD, ST. CLAIRSVILLE, OH 43950

WV DEP REP. Ryan L. Thomas

Austin Caperton

[Secretary, Department of Environmental Protection]

[WV DEP Representative]

Date

Names of individuals at informal Conference:

Results: CO was: ☐ Upheld ☐ Modified ☐ Terminated ☐ Withdrawn

Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____

MR-16

West Virginia Department Of Environmental Protection

Page 1 of 1

ERIS

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
S300795	12/20/2018	15:00	6		0400	34	06/20/2019	12:22

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLC

Violation is hereby: ☐ Terminated ☐ Withdrawn ☐ Remains in force as written ☒ Show Cause submitted
☐ Extended to _____ at _____ ☐ NOV modified to CO # _____ ☐ CO modified to NOV # _____

Action taken to abate:

Show Cause order issued on 5-15-19. Company is continuing to work on remedial measures.

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☐ 3 ☐ 4 ☒ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☒ 5 ☐ 6 ☐ 7 ☐ 8 ☐
 Good Faith: 0 ☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE Hodge Hunter

DELIVERY METHOD / DATE TIME Mail 6/20/2019 12:22:00

CERTIFIED MAIL NUMBER _____

ADDRESS 46226 NATIONAL ROAD, ST. CLAIRSVILLE, OH 43950

WV DEP REP. Ryan L. Thomas

Austin Caperton

[Secretary, Department of Environmental Protection]

[WV DEP Representative]

Date

Names of individuals at informal Conference:

Results: CO was: ☐ Upheld ☐ Modified ☐ Terminated ☐ Withdrawn

Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____

MR-16

West Virginia Department Of Environmental Protection

Page 1 of 1

ERIS

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
S602089	03/26/2019	13:00	6		0400	62	05/15/2019	00:00

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLC

Violation is hereby: ☐ Terminated ☐ Withdrawn ☐ Remains in force as written ☒ Show Cause submitted
☐ Extended to _____ at _____ ☐ NOV modified to CO # _____ ☐ CO modified to NOV # _____

Action taken to abate:

Show Cause order #1539 issued/mms

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☒ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Good Faith: 0 ☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE _____

DELIVERY METHOD / DATE TIME _____

CERTIFIED MAIL NUMBER _____

ADDRESS 46226 NATIONAL ROAD, ST. CLAIRSVILLE, OH 43950

WV DEP REP. Ryan L. Thomas

Austin Caperton

[Secretary, Department of Environmental Protection]

[WV DEP Representative]

Date

Names of individuals at informal Conference:

Results: CO was: ☐ Upheld ☐ Modified ☐ Terminated ☐ Withdrawn

Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____

MR-16

West Virginia Department Of Environmental Protection

ERIS

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
S304191	10/09/2018	10:08	6		2400	56	04/24/2019	00:00

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLC

Violation is hereby: ☐ Terminated ☐ Withdrawn ☐ Remains in force as written ☒ Show Cause submitted

☐ Extended to _____ at _____ ☐ NOV modified to CO # _____ ☐ CO modified to NOV # _____

Action taken to abate:

Show Cause Order issued 4-24-19: SC #1532/mms

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐Good Faith: 0 ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE _____

DELIVERY METHOD / DATE TIME _____

CERTIFIED MAIL NUMBER _____

ADDRESS 46226 NATIONAL ROAD, ST. CLAIRSVILLE, OH 43950WV DEP REP. Ryan L. ThomasAustin Caperton

[Secretary, Department of Environmental Protection]

[WV DEP Representative]

Date

Names of individuals at informal Conference:

Results: CO was: ☐ Upheld ☐ Modified ☐ Terminated ☐ Withdrawn

Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____

MR-16

West Virginia Department Of Environmental Protection

Page 1 of 1

ERIS

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
S304191	02/27/2019	10:00	6		0400	57	04/17/2019	00:00

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLC

Violation is hereby: ☐ Terminated ☐ Withdrawn ☐ Remains in force as written ☒ Show Cause submitted
☐ Extended to _____ at _____ ☐ NOV modified to CO # _____ ☐ CO modified to NOV # _____

Action taken to abate:

Show Cause Order issued 4-17-19: SC #1528/mms

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Good Faith: 0 ☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE _____

DELIVERY METHOD / DATE TIME _____

CERTIFIED MAIL NUMBER _____

ADDRESS 46226 NATIONAL ROAD, ST. CLAIRSVILLE, OH 43950

WV DEP REP. Ryan L. Thomas

Austin Caperton

[Secretary, Department of Environmental Protection]

[WV DEP Representative]

Date

Names of individuals at informal Conference:

Results: CO was: ☐ Upheld ☐ Modified ☐ Terminated ☐ Withdrawn

Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____

MR-16

West Virginia Department Of Environmental Protection

ERIS

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
S304191	03/07/2019	09:30	6		0400	58	04/17/2019	00:00

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLCViolation is hereby: ☐ Terminated ☐ Withdrawn ☐ Remains in force as written ☒ Show Cause submitted☐ Extended to _____ at _____ ☐ NOV modified to CO # _____ ☐ CO modified to NOV # _____

Action taken to abate:

Show cause order issued 4-17-19: SC #1528/mms

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐Good Faith: 0 ☐ 1 ☒ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE _____

DELIVERY METHOD / DATE TIME _____

CERTIFIED MAIL NUMBER _____

ADDRESS 46226 NATIONAL ROAD, ST. CLAIRSVILLE, OH 43950WV DEP REP. Ryan L. ThomasAustin Caperton

[Secretary, Department of Environmental Protection]

[WV DEP Representative]

Date

Names of individuals at informal Conference:

Results: CO was: ☐ Upheld ☐ Modified ☐ Terminated ☐ Withdrawn

Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____

MR-16

West Virginia Department Of Environmental Protection

Page 1 of 1

ERIS

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
S304191	03/12/2019	18:34	6		0400	59	04/17/2019	00:00

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLC

Violation is hereby: ☐ Terminated ☐ Withdrawn ☐ Remains in force as written ☒ Show Cause submitted
☐ Extended to _____ at _____ ☐ NOV modified to CO # _____ ☐ CO modified to NOV # _____

Action taken to abate:

Show Cause order issued 4-17-19: SC #1528/mms

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Good Faith: 0 ☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE _____

DELIVERY METHOD / DATE TIME _____

CERTIFIED MAIL NUMBER _____

ADDRESS 46226 NATIONAL ROAD, ST. CLAIRSVILLE, OH 43950

WV DEP REP. Ryan L. Thomas

Austin Caperton

[Secretary, Department of Environmental Protection]

[WV DEP Representative]

Date

Names of individuals at informal Conference:

Results: CO was: ☐ Upheld ☐ Modified ☐ Terminated ☐ Withdrawn

Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____

MR-16

West Virginia Department Of Environmental Protection

ERIS

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
S304387	02/12/2019	11:00	6		1000	50	04/17/2019	00:00

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLC

Violation is hereby: ☐ Terminated ☐ Withdrawn ☐ Remains in force as written ☒ Show Cause submitted
☐ Extended to _____ at _____ ☐ NOV modified to CO # _____ ☐ CO modified to NOV # _____

Action taken to abate:

Show Cause Order issued 4-17-19: SC #1529/mms

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☒ 5 ☐ 6 ☐ 7 ☐ 8 ☐Good Faith: 0 ☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE _____

DELIVERY METHOD / DATE TIME _____

CERTIFIED MAIL NUMBER _____

ADDRESS 46226 NATIONAL ROAD, ST. CLAIRSVILLE, OH 43950WV DEP REP. Ryan L. ThomasAustin Caperton

[Secretary, Department of Environmental Protection]

[WV DEP Representative]

Date

Names of individuals at informal Conference:

Results: CO was: ☐ Upheld ☐ Modified ☐ Terminated ☐ Withdrawn

Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____

MR-16

West Virginia Department Of Environmental Protection

ERIS

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
S304387	02/12/2019	12:00	6		1000	51	04/17/2019	00:00

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLCViolation is hereby: ☐ Terminated ☐ Withdrawn ☐ Remains in force as written ☒ Show Cause submitted☐ Extended to _____ at _____ ☐ NOV modified to CO # _____ ☐ CO modified to NOV # _____

Action taken to abate:

Show Cause Order issued 4-17-19; SC #1529/mms

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☒ 5 ☐ 6 ☐ 7 ☐ 8 ☐Good Faith: 0 ☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE _____

DELIVERY METHOD / DATE TIME _____

CERTIFIED MAIL NUMBER _____

ADDRESS 46226 NATIONAL ROAD, ST. CLAIRSVILLE, OH 43950WV DEP REP. Ryan L. ThomasAustin Caperton

[Secretary, Department of Environmental Protection]

[WV DEP Representative]

Date

Names of individuals at informal Conference:

Results: CO was: ☐ Upheld ☐ Modified ☐ Terminated ☐ Withdrawn

Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____

James Plumley

From: Kent Desrocher [REDACTED]
Sent: Monday, August 24, 2020 3:36 PM
To: James Plumley; Betcher, Kim; Kelly L. Duty
Subject: RE: Status of Various NOV's associated with Maple Eagle

CAUTION: This email originated from outside of Foresight Energy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

This was a meeting with John Flesher at Kanawha City on June 11 to discuss priorities in regards to issues on the ground while permit were being transferred.

11

1:30pm Maple Env Issues Mtg with
Flesher and Ed; Kanawha City DEP

This was a meeting on July 24 with inspector, inspector supervisor, and bond release specialist to discuss how best to deal with certain NOV's.

23

24

9:00am Review with DEP on Maple
Permits; Maple Admin Office ; Mark A.
Morris

Several of the NOV's require permit actions to facilitate abatement; those permit actions cannot take place until the permits are transferred.

Kent

From: Kent Desrocher
Sent: Monday, August 24, 2020 2:28 PM
To: Betcher, Kim; Kelly L. Duty
Cc: James Plumley
Subject: RE: Status of Various NOV's associated with Maple Eagle

CAUTION: This email originated from outside of Foresight Energy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

James (not used to saying that),

All of the NOV's noted below are in Show Cause. As I think you are aware the permits recently received by Maple and are now in the process of transferring to Panther Creek Mining. We don't expect to fully resolve the Show Cause issues until the permit transfer to Panther Creek is complete. This will likely be done via a reclamation agreement; there have been general discussions with the local WVDEP folks about this, but nothing is formal. We are diligently working to reclaim the VF (NOV 56) and have hopes of completing that by year end. I am not sure how this information helps you in what you are trying to accomplish in your permit actions. If you have any thoughts on this feel free to give me a call.

Kent

From: Betcher, Kim
Sent: Friday, August 21, 2020 3:48 PM
To: Kelly L. Duty
Cc: Kent Desrocher
Subject: Status of Various NOV's associated with Maple Eagle
Importance: High

Kelly,

Hoping you can help me out. We have various permit applications pending in IL and as part of the review process we have to provide an updated list of all NOV's. Since the Maple Eagle permits have not transferred to Blackhawk, our officers are still tied to the Maple Eagle permits.

Would you please provide me with any information regarding the status of the following (i.e. abated, extended, in settlement, etc..) If you have approvals for extensions or anything in writing from WVDEP, that would be a big help.

Sycamore North	S-3007-95	NOV #42	3/26/2019	Extended	Permitted failed to maintain the approved drainage system, in that S.D. A-11 is full of sediment and other debris
Sycamore South	S-6020-89	NOV #62	3/26/2019	Extended	Failed to maintain the approved haulage way
Sycamore North	S-3007-95	NOV #40	3/19/2019	Extended	Failure to clean out Pond 1
Sycamore South Extension	S-3041-91	NOV #59	3/12/2019	Extended	Failed to maintain the approved drainage system
Sycamore South Extension	S-3041-91	NOV #58	3/7/2019	Extended	Failed to maintain the approved drainage system
Sycamore South Extension	S-3041-91	NOV #57	2/27/2019	Extended	Failure to clean out pond LB 9
Chilton Contour/Hlrd	S-3043-87	NOV #51	2/12/2019	Extended	Failed to maintain infrequently used access road "IFUAR"
Chilton Contour/Hlrd	S-3043-87	NOV #50	2/12/2019	Extended	Failed to maintain the approved haulage way
Sycamore South Extension	S-3041-91	NOV #56	1/14/2019	Issued	Failure to follow permit conditions with reclamation plan for Laurel Branch valley fill
Sycamore North	S-3007-95	NOV #34	12/20/2018	Issued	Failure to maintain the approved drainage system

Please feel free to give me a call if you'd like to discuss.

Best Regards,
Kim

James Plumley

From: Kent Desrocher [REDACTED]
Sent: Monday, August 24, 2020 3:40 PM
To: James Plumley; Betcher, Kim; Kelly L. Duty
Subject: RE: Status of Various NOV's associated with Maple Eagle

CAUTION: This email originated from outside of Foresight Energy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Here is the text of an email I sent following the June 11 Flesher meeting.

Mark/Kelly,

Ed and I met with John Flesher yesterday regarding Maple outstanding NOV's. In a nutshell, Flesher said we should focus on those NOV's involving offsite disturbance and drainage issues. We indicated our primary focus was finishing the Laurel VF. I have reformatted your NOV spreadsheet a bit, to make it more suitable for a Consent Order or Reclamation Agreement, if we get that far. I think Ed's intent is to have a meeting at Maple in the near future including you, Big E, and someone from New River to go through the list and try to put together a better priority (vs what I have on the attachment), maybe some timing, and to get started on any permitting actions.

*Kent R. DesRocher
Vice President, Technical Services - WV
Blackhawk Mining, LLC*

Incidentally, we are targeting completion of grading of the Laurel VF by mid-November, but that is a bit optimistic.

14 Feb, 2020

Blackhawk offers \$750,000 in stalking horse bid for Murray Energy met coal mine



Author **Taylor Kuykendall**

Theme **Energy**

Blackhawk Mining LLC subsidiary Panther Creek Mining LLC is offering \$750,000 in cash consideration as a stalking horse bid for the Maple Eagle mining complex, a metallurgical coal operation owned by a Murray Energy Corp. subsidiary, according to a bankruptcy court filing of the company's purchase agreement.

In exchange, Blackhawk would be assuming \$30 million in liabilities associated with the mine through a sale supervised by the U.S. Bankruptcy Court for the Southern District of Ohio. The complex includes the Maple Eagle No. 1 underground mine, the Sycamore surface mine, a preparation plant and other related assets.

The mine was originally opened in 2007 by Walter Energy Inc. The company sold the mine in a bankruptcy auction to Mission Coal Company LLC. Mission sold the mine to Murray Energy Corp. affiliate Murray Metallurgical Coal Holdings in a later bankruptcy auction after it too was forced to restructure.

Murray Met's parent company, Murray Energy Corp., and several of its related subsidiaries filed for bankruptcy restructuring in late 2019, but management said they initially did not anticipate the company's newly purchased metallurgical coal assets would require restructuring. The metallurgical coal focused subsidiary filed for a restructuring on Feb. 12.

The Maple Eagle surface and underground continuous mining complex are located in Powellton, W.Va., and mines from what is known as the Eagle coal seam. The mine is currently idle, but Murray Energy executives wrote in a bankruptcy declaration that the mine produces an average of approximately 435,000 tons of coal per year with access to a total of approximately 18 million tons of recoverable coal in reserves.

In an October 2019 note to investors noting Maple Eagle's idling, Seaport Global Securities LLC analyst Mark Levin estimated that the Maple Eagle mine costs were "probably in the fourth quartile" among its peers. Levin said the mine was a "marginal high-vol asset" and noted a lot of high-vol supply was coming into the market across the world.

"We think the market is moving toward an oversupply of high-vol products," Levin wrote in the October 2019 note.

Murray Met proposed a bid deadline of March 20 for companies seeking to outbid Blackhawk's offer. If necessary, an auction will be held March 24 with a hearing approving the sale to a successful bidder proposed by March 26.

Prior to filing for a Chapter 11 bankruptcy restructuring, Murray Met said they engaged in a marketing process for the complex, resulting in Blackhawk's offer being made in mid-January. Murray Met cited an "urgent need" for liquidity in earlier bankruptcy court filings.

PERMIT NUMBER	INSPECTION				MINE STATUS	PHOTOS	BLASTING	
	DATE	TIME	REASON	TYPE			Last 30 Days?	Ins. Req'd?
U007883	08/07/2020	15:00	IN	P	AM	No	No	No

PERMITTEE NAME		THE MARION COUNTY COAL COMPANY				MSHA #		4601433	
OPERATOR NAME						MR-19 DATE			
NPDES #	WV0040711	NPDES EXPR DATE	09/15/2020		PERMIT EXPR DATE	04/18/2023			
PERMIT ACRES	1,473.93	TOTAL DISTBD	896.00	RECLMD	84.24	ANCIL- LARY	0	UNRECLMD	811.76
DATES: PH I		PH II		LAST AUG SEED		MR-8			
LAST INSP DATE	07/16/2020	TYPE	P	BOND INC	2	INC BONDED ACRES	1,473.93	CUR IBR#	97
								REV#	41
EXPR DATES: INACT		EMER RESP PLAN		07/15/2021	INS	06/01/2021	BLAST AD		
TIME USED (HRS)=> PERMIT REVIEW		0.25	INSPECT	0.50	TRAVEL	2.00	REPORT	0.50	

INSPECTION COMMENTS

Marion County Mine: This inspection is a follow-up to NOV 69. Steve Pachol has provided me with a copy of the approved Purchase Order (PO) to remediate this violation. On this date, the contractor was on-site to construct a roadway to begin repairs. Pachol has verbally given the plan and timeline for the repairs. The plan is to install a pipe the length of the slope and install a stilling basin at the

ENFORCEMENT STANDARD	EVALUATION	VIO#	ENFORCEMENT STANDARD	EVALUATION	VIO#
0100 Distance Prohibited.....			0200 Exceeding Limits.....		
0300 Signs and Markers.....			0400 Sediment Control.....		
0500 Design Certification.....			0600 Effluent Limits.....		
0700 Surface Water.....			0800 Ground Water.....		
0900 Blasting Procedures.....			1000 Haul Roads.....		
1100 Refuse Impoundments.....			1200 Topsoil Handling.....		
1300 Backfill / Grading.....	Comments		1400 Reclamation Schedule.....		
1500 Revegetation Requirements.....			1600 Disposal of Excess Spoil.....		
1700 Highwall Elimination.....			1800 Downslope Spoil Disposal.....		
1900 Postmining Land Use.....			2000 Ceased Mining Temporarily.....		
2100 Acid bearing /Toxic Material.....			2200 Method of Operations.....		
2300 Change of Operator.....			2400 Permit Conditions.....		
2500 Diversions and Drainage Control..			2600 Fugitive Dust Control.....		
2700 Subsidence Plan.....			2800 Insurance Current.....		
2900 Bonding Current.....			3000 Other Conditions.....		

WATER QUALITY TESTS

In-Stream Station	pH	Fe	Mn	Al	NF	Flow	Units	Temp	Units	Sp Cond	Units


AUTH. COMPANY REPRESENTATIVE	Steve Pachol	<i>Steve Pachol</i> 8-14-2020
DELIVERY METHOD / DATE TIME	Mail 8/13/2020 12:00:00	
CERTIFIED MAIL NUMBER		
ADDRESS	46226 NATIONAL ROAD, SAINT CLAIRSVILLE, OH 43950	
WV DEP REP.	Leah M Runion	Leah Runion

Digitally signed by Leah Runion
DN: cn = Leah Runion email = leah.m.runion@wvdep.gov, c = US o = WV Dept. of Environmental Protection ou = Mining and Reclamation
Date: 2020.08.13 10:08:00 -0400

PERMIT NUMBER	DATE	INSPECTION			MINE STATUS	PHOTOS	BLASTING	
		TIME	REASON	TYPE			Last 30 Days?	Ins. Req'd?
U007883	08/07/2020	15:00	IN	P	AM	No	No	No

COMMENT (cont.)

bottom. Once the pipe is installed, the area will be backfilled/graded and seeded. NOV 69 is being extended with an abatement date of 8/28/2020.

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
U007883	07/16/2020	09:00	6 (rev 4/20)		1300	69	08/07/2020	15:00
PERMITEE NAME THE MARION COUNTY COAL COMPANY								
Violation is hereby: <input type="checkbox"/> Terminated <input type="checkbox"/> Withdrawn <input type="checkbox"/> Remains in force as written <input type="checkbox"/> Show Cause submitted								
<input checked="" type="checkbox"/> Extended to 08/28/2020 at 16:00 <input type="checkbox"/> NOV modified to CO # _____ <input type="checkbox"/> CO modified to NOV # _____								
Action taken to abate:								
Permittee has obtained an approved Purchase Order (PO) to repair the erosion. Steve Pachol has verbally given the plan and timeline for repairs. On this date, the contractor was on-site to construct a roadway to begin repairs.								
<p align="center">INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)</p> <p>Seriousness: 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input checked="" type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9 <input type="checkbox"/> 10 <input type="checkbox"/> Negligence: 0 <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input checked="" type="checkbox"/> 8 <input type="checkbox"/></p> <p>Good Faith: 0 <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input checked="" type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> Consent Agreement in effect? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Comments:</p>								
AUTH. COMPANY REPRESENTATIVE Steve Pachol  8-17-2020								
DELIVERY METHOD / DATE TIME Mail 8/13/2020 12:00:00								
CERTIFIED MAIL NUMBER _____								
ADDRESS 46226 NATIONAL ROAD, SAINT CLAIRSVILLE, OH 43950								
WV DEP REP. Leah M Runion								
Austin Caperton [Secretary, Department of Environmental Protection]			Leah Runion [WV DEP Representative]			<small>Digitally signed by Leah Runion DN: CN = Leah Runion email = leah.m.runion@wv.gov C = US O = WV Dept of Environmental Protection OU = Mining and Reclamation Date: 2020.08.13 10:06:33 -0400</small> Date _____		
Names of individuals at informal Conference: _____								
Results: CO was: <input type="checkbox"/> Upheld <input type="checkbox"/> Modified <input type="checkbox"/> Terminated <input type="checkbox"/> Withdrawn								
Comments: 								
SUPERVISOR: _____ DATE: _____ TIME: _____								
COMPANY REPRESENTATIVE: _____ DATE: _____								

MR-6 (rev 4/20)
 ERIS

West Virginia Department of Environmental Protection
 MR-6 MINE INSPECTION REPORT

PERMIT NUMBER	DATE	INSPECTION			MINE STATUS	PHOTOS	BLASTING	
		TIME	REASON	TYPE			Last 30 Days?	Ins. Req'd?
U010483	08/10/2020	18:08	RI	P	AM	Yes	Yes	Yes

PERMITTEE NAME		THE HARRISON COUNTY COAL COMPANY				MSHA #		4601318	
OPERATOR NAME						MR-19 DATE			
NPDES #	WV0093505	NPDES EXPR DATE	02/04/2025		PERMIT EXPR DATE	06/01/2023			
PERMIT ACRES	1,908.22	TOTAL DISTBD	1,483.00	RECLMD	100.00	ANCIL-LARY	0	UNRECLMD	1383
DATES: PH I		PH II		LAST AUG SEED		MR-8			
LAST INSP DATE	07/29/2020	TYPE	P	BOND INC	1	INC BONDED ACRES	1,908.82	CUR IBR#	97
								CUR REV#	46
EXPR DATES: INACT		EMER RESP PLAN	02/24/2016	INS	06/01/2021	BLAST AD			
TIME USED (HRS)=>	PERMIT REVIEW	1.00	INSPECT	1.00	TRAVEL	1.50	REPORT	6.00	

INSPECTION COMMENTS

An anonymous complainant was received on 8/11/2020 at 1645 in regard to a blast that had occurred the day prior on 8/10/2020 at the Harrison County Coal Company 7-North #2 Shaft construction site. An additional complaint was also made on 8/12/2020 at 0914 regarding the same event. The shot in question is part of an approved blasting plan under Revision #46 for permit U010483 and was approved on

ENFORCEMENT STANDARD	EVALUATION	VIO#	ENFORCEMENT STANDARD	EVALUATION	VIO#
0100 Distance Prohibited.....			0200 Exceeding Limits.....		
0300 Signs and Markers.....			0400 Sediment Control.....		
0500 Design Certification.....			0600 Effluent Limits.....		
0700 Surface Water.....			0800 Ground Water.....		
0900 Blasting Procedures.....	NOV Issued	100	1000 Haul Roads.....		
1100 Refuse Impoundments.....			1200 Topsoil Handling.....		
1300 Backfill / Grading.....			1400 Reclamation Schedule.....		
1500 Revegetation Requirements.....			1600 Disposal of Excess Spoil.....		
1700 Highwall Elimination.....			1800 Downslope Spoil Disposal.....		
1900 Postmining Land Use.....			2000 Ceased Mining Temporarily.....		
2100 Acid bearing /Toxic Material.....			2200 Method of Operations.....		
2300 Change of Operator.....			2400 Permit Conditions.....		
2500 Diversions and Drainage Control..			2600 Fugitive Dust Control.....		
2700 Subsidence Plan.....			2800 Insurance Current.....		
2900 Bonding Current.....			3000 Other Conditions.....		

WATER QUALITY TESTS

In-Stream Station	pH	Fe	Mn	Al	NF	Flow	Units	Temp	Units	Sp Cond	Units

AUTH. COMPANY REPRESENTATIVE	Steve Pachol	<i>Steve Pachol</i>	8-17-2020
DELIVERY METHOD / DATE TIME			
CERTIFIED MAIL NUMBER			
ADDRESS	46226 NATIONAL ROAD, SAINT CLAIRSVILLE, OH 43950		
WV DEP REP.	Troy Warner		

MR-6 (rev 4/20)
 ERIS

West Virginia Department of Environmental Protection
 MR-6 MINE INSPECTION REPORT

PERMIT NUMBER	DATE	INSPECTION			MINE STATUS	PHOTOS	BLASTING	
		TIME	REASON	TYPE			Last 30 Days?	Ins. Req'd?
U010483	08/10/2020	18:08	RI	P	AM	Yes	Yes	Yes

COMMENT (cont.)

7/21/2020.

The purpose of the shot was to acquire fill material to aid in the construction of the shaft site. The area in question is permitted on both sides of Deadfall road with the borrow area on the North side of the road and the shaft construction area directly to the South of the road. According to the company after the shot swelled a portion of the material on the steeper side of the borrow area slid downslope and into the road. The adjacent borrow area in front of the pond did not have any evidence of blasted material cast beyond the permitted area. The company estimates that the blockage of the road occurred for just over an hour while they worked to remove the material. According to the company Wetzel county emergency services was contacted a week prior and given a general idea of the date and time for when the initial blast was planned. They were also alerted to an alternate route (that was maintained for the public, safely through the construction area) that had been constructed in advance and was being utilized, around the section of road in question in the event a blockage of the main road did occur. Local agencies were then notified through emergency services of the planned blast and alternate route. The public would be directed to use this if the road was blocked. The blasting logs indicate that the area was cleared, and roads were blocked prior to the shot as a safety precaution as outlined in the blasting plan.

The blast was setup and executed by the blasting contractor, Wampum Hardware. The Blaster-in-Charge was Denny Fox, WVDEP Blaster-in-Charge certification #1-533-16. According to the blast logs and seismograph data the blast occurred on 8/10/2020 at 18:08 and recorded an air blast of 120 dB; which is within acceptable limits as per 199-1.3.6.c.1 of the Surface Mine Blasting Rule. Peak particle velocities were also well within limits per 199-1-.3.6.i. of the Surface Mine Blasting Rule. Pre-blast notifications were also sent out via certified mail to each resident within one half mile of the blasting site as per 199-1.3.3.a. of the Surface Mine Blasting Rule.

Refer to MR-6 dated 08/10/2020 18:10 for further comments.

MR-6 (rev 4/20)
 ERIS

West Virginia Department of Environmental Protection
 MR-6 MINE INSPECTION REPORT

PERMIT NUMBER	DATE	INSPECTION			MINE STATUS	PHOTOS	BLASTING	
		TIME	REASON	TYPE			Last 30 Days?	Ins. Req'd?
U010483	08/10/2020	18:10	RI	P	AM	Yes	Yes	Yes

PERMITTEE NAME		THE HARRISON COUNTY COAL COMPANY				MSHA #		4601318	
OPERATOR NAME						MR-19 DATE			
NPDES #	WV0093505	NPDES EXPR DATE	02/04/2025		PERMIT EXPR DATE	06/01/2023			
PERMIT ACRES	1,908.22	TOTAL DISTBD	1,483.00	RECLMD	100.00	ANCIL- LARY	0	UNRECLMD	1383
DATES: PH I		PH II		LAST AUG SEED		MR-8			
LAST INSP DATE	08/10/2020	TYPE	P	BOND INC	1	INC BONDED ACRES	1,908.82	CUR IBR#	97
								CUR REV#	46
EXPR DATES: INACT		EMER RESP PLAN	02/24/2016	INS	06/01/2021	BLAST AD			
TIME USED (HRS)=>	PERMIT REVIEW	1.00	INSPECT	1.00	TRAVEL	1.50	REPORT	6.00	


INSPECTION COMMENTS

Blasting inspection continued from MR-6 dated 08/10/2020 18:08. On 8/13/2020 WVDEP Inspector Specialist Travis Dill and WVDEP Environmental Inspector Troy Warner arrived on site at 08:45 to investigate the blasting complaint and collect available forensic evidence. Photographs of the area were taken and are attached with this report. No report of fly rock was made to the inspector by the company and

ENFORCEMENT STANDARD	EVALUATION	VIO#	ENFORCEMENT STANDARD	EVALUATION	VIO#
0100 Distance Prohibited.....			0200 Exceeding Limits.....		
0300 Signs and Markers.....			0400 Sediment Control.....		
0500 Design Certification.....			0600 Effluent Limits.....		
0700 Surface Water.....			0800 Ground Water.....		
0900 Blasting Procedures.....	Previously Cited		1000 Haul Roads.....		
1100 Refuse Impoundments.....			1200 Topsoil Handling.....		
1300 Backfill / Grading.....			1400 Reclamation Schedule.....		
1500 Revegetation Requirements.....			1600 Disposal of Excess Spoil.....		
1700 Highwall Elimination.....			1800 Downslope Spoil Disposal.....		
1900 Postmining Land Use.....			2000 Ceased Mining Temporarily.....		
2100 Acid bearing /Toxic Material.....			2200 Method of Operations.....		
2300 Change of Operator.....			2400 Permit Conditions.....		
2500 Diversions and Drainage Control..			2600 Fugitive Dust Control.....		
2700 Subsidence Plan.....			2800 Insurance Current.....		
2900 Bonding Current.....			3000 Other Conditions.....		

WATER QUALITY TESTS

In-Stream Station	pH	Fe	Mn	Al	NF	Flow	Units	Temp	Units	Sp Cond	Units

AUTH. COMPANY REPRESENTATIVE	Steve Pachol		8-17-2020
DELIVERY METHOD / DATE TIME			
CERTIFIED MAIL NUMBER			
ADDRESS	46226 NATIONAL ROAD, SAINT CLAIRSVILLE, OH 43950		
WV DEP REP.	Troy Warner		

MR-6 (rev 4/20)
 ERIS

West Virginia Department of Environmental Protection
 MR-6 MINE INSPECTION REPORT

PERMIT NUMBER	INSPECTION				MINE STATUS	PHOTOS	BLASTING	
	DATE	TIME	REASON	TYPE			Last 30 Days?	Ins. Req'd?
U010483	08/10/2020	18:10	RI	P	AM	Yes	Yes	Yes

COMMENT (cont.)

the first complaint, which served as notification of the event, wasn't made until the following evening. The company worked to remove the road blockage immediately following the shot, and shortly thereafter began transporting the borrow material from the original blast site across the road to the shaft construction area. Upon arrival by DEP inspectors, the resulting muck pile and shot material had already been excavated. Therefore, little forensic evidence was left to examine. However as noted by Inspector Specialist Travis Dill there were no impact marks on the berm of the pond, or strike marks on the power poles or trees in the surrounding area. This corroborates the report from the company of the blasted material simply falling downhill into the road.

The investigation findings are that; as a result of the company adhering to the blasting plan, clearing the area, blocking road access before the shot, notification of emergency services, and establishment of alternate access around the site, and review of all available evidence; there doesn't appear to have been an imminent harm to public safety. Per 22-3-35(a) and 199-1.3.6.d. NOV #100 is being issued as a result of blasted material being cast beyond the bounds of the permit area and onto a public road.

Review of the blast log found the following errors. 1) There were three holes per delay. This needs to be corrected on the blast log (717, 717, and 718ms). However, the maximum weight of explosives allowed was not exceeded. 2) The permit number was omitted from the logs. 3) The nearest protected structure does not list the structure number from the blasting map. 4) The shot number is incorrect. 5) There is no North arrow on the delay pattern sketches. 6) The comments say there was no fly rock or material off the permit. Shot material did swell into the road. 7) There is no indication of which holes used IRemix, or how large the charge column was in those holes. These items need to be corrected.

For any future blasts notify the inspector and citizens in the area at least 24 hours prior to blasting. Any future shots on this permit should be video recorded and made available for inspection as part of the blast record for three months.

MR-15

West Virginia Department Of Environmental Protection

ERIS

MR-15 NOTICE OF VIOLATION

PERMIT NUMBER	ORIGINAL INSPECTION		ENF STD DATA			VIOLATION ACTIVITY			INSP ID NUMBER
	DATE	TIME	FORM#	FAC#	ENF STD	DATE	TIME	VIOLATION#	
U010483	08/10/2020	18:08	6 (rev 4/20)		0900	08/10/2020	18:08	100	1075

PERMITTEE NAME THE HARRISON COUNTY COAL COMPANY

OPERATOR NAME _____

MSHA ID# 4601318

NPDES #

WV0093505

OWNER/CONTROLLER _____

If different from above

CONTRACT BLASTING FIRM _____

BLASTER NAME FOX, DENNIS DAVID (1 533 11)
(CERT #)

Whereas an inspection of the above operation by the undersigned Authorized Representative of the Director was completed on the 10th day of August, 2020. The inspection revealed a violation of the provisions of Chapter 22, Article 3 of the Code of West Virginia. You are hereby notified that you are in violation of the provisions listed below.

WV CODE 22, Art. 3, Sect.
35(a)

Reg 38-2-
199-1.6.d.

[DOV] Description of Violation:

Permittee caused blasted material to be cast beyond the bounds of the permitted area onto a public road.

[REM] Remedial Measures:

Correct the errors found on the blast log and resubmit to the inspector. Refer to the MR-6 dated 8/10/2020 18:10 for the corrections. The permittee is to provide the inspector with a causation report and prevention plan. The prevention plan will be a modification to the approved blasting plan. Include the steps that will be taken to prevent this type of incident from happening again. Those steps will then be submitted as a permit modification to the blast plan in section T of the permit via the electronic submission system. The causation report shall include the following at a minimum: 1. Name of the person(s) who ordered/designed the drill bench be made and when. 2. Name of the person(s) who physically created the drill bench (equipment operators name) and when. 3. Name of the person(s) who instructed the drillers on

MUST BE CORRECTED BY DATE 08/28/2020 16:30

☒ NOV Issued

☐ CO Modified to NOV

☒ Resulted in Off-Site Impact

AUTH. COMPANY REPRESENTATIVE Steve Pachol

Steve Pachol 8-17-2020

DELIVERY METHOD / DATE TIME _____

CERTIFIED MAIL NUMBER _____

ADDRESS 46226 NATIONAL ROAD, SAINT CLAIRSVILLE, OH 43950

WV DEP REP. Troy Warner

Austin Caperton

08/14/2020

[Secretary, Department of Environmental Protection]

[WV DEP Rep/Date]

Contact Troy Warner at (304) 457-3219 upon completion. Failure to complete the above measures within the above time period may result in a Cessation Order or revocation of the permit and forfeiture of the performance bond.

MR-15

West Virginia Department Of Environmental Protection

ERIS

MR-15 NOTICE OF VIOLATION

PERMIT NUMBER	ORIGINAL INSPECTION		ENF STD DATA			VIOLATION ACTIVITY			INSP ID NUMBER
	DATE	TIME	FORM#	FAC#	ENF STD	DATE	TIME	VIOLATION#	
U010483	08/10/2020	18:08	6 (rev 4/20)		0900	08/10/2020	18:08	100	1075

REM (cont.)

on how to drill the pattern for the shot.

4. Name of the person(s) who laid out the drill pattern for the driller to follow.

5. Name of the person(s) who drilled or assisted with drilling the shot's pattern.

6. Name of the person(s) who designed the charges to be used, and the timing of the shot.

7. Name of the person(s) who assisting with the loading and wiring of the shot.

8. Name of the person(s) who secured the blast area from unauthorized entry, and where they were stationed.

9. Name of the person(s) who was in charge of ensuring all roadblocks were in the proper place at the proper time

10. Name of the person(s) who sounded warning of pending shot and from what location

11. Name of the person(s) who fired the shot.

12. Name of person(s) who cleared the shot.

13. Name of certified blaster responsible for shot.

14. Permittee is to describe how the certified blaster was involved in items 1 thru 12 above.

15. Permittee is to describe how any contract blasting personnel were involved in items 1 thru 12 above.

16. Permittee is to describe how any of the permittee's employees were involved in items 1 thru 12 above.

17. Permittee is to describe (to the best of their knowledge) what caused the fly rock.

18. Permittee is to have each and every driller and certified blaster involved with the shot, to review the causation section. The names of each and every driller and certified blaster involved in the shot must be printed below the section along with space for signature and date. Each and every driller and certified blaster involved in the shot must acknowledge their agreement with the causation section by signing below the section in the space provided.

19. If concurrence cannot be reached by all those involved, those persons not agreeing may draft their own report, or a statement of how they disagree with the permittee's report and include it with the permittee's report. Each and every driller and certified blaster who submits their own report/statement must sign and date it. The name or the person(s) submitting it is to be clearly printed as well.

MR-16

West Virginia Department Of Environmental Protection

ERIS

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
U057000	03/18/2019	10:30	6		0400	20	06/29/2020	16:30

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLC

Violation is hereby: ☐ Terminated ☐ Withdrawn ☐ Remains in force as written ☐ Show Cause submitted

☒ Extended to 09/23/2020 at 12:00 ☐ NOV modified to CO # ☐ CO modified to NOV #

Action taken to abate:

Extension request received. Blackhawk Mining just acquired this permit and currently assessing this violation to develop a plan.

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Good Faith: 0 ☐ 1 ☒ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE Kelly Duty

DELIVERY METHOD / DATE TIME Mail 6/29/2020 16:30:00

CERTIFIED MAIL NUMBER

ADDRESS 1345 ELK RIDGE ROAD, ELK RIDGE, WV 25161

WV DEP REP. Ryan L. Thomas

Austin Caperton

[Secretary, Department of Environmental Protection]

[WV DEP Representative]

Date

Names of individuals at informal Conference:

Results: CO was:	<input type="checkbox"/> Upheld	<input type="checkbox"/> Modified	<input type="checkbox"/> Terminated	<input type="checkbox"/> Withdrawn
------------------	---------------------------------	-----------------------------------	-------------------------------------	------------------------------------

Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____



June 25, 2020

Ryan Thomas
Environmental Inspector
WV Department of Environmental Protection
1159 Nick Rahall Greenway
Fayetteville, WV 25840

RE: U-0570-00 NOV 20 – Failure to clean out Pond 1A & Pond 1

Mr. Thomas,

On behalf of Seminole West Virginia Mining Complex, LLC, Murray Maple Eagle Coal, LLC, and Panther Creek Mining, LLC, I wish to request an extension beyond the current abatement date for abating NOV#20 of the above referenced permit number. Panther Creek Mining, LLC, is in the process of acquiring the above referenced permit. We request an extension of 90 days, in order to give adequate time to review what work has been completed by Murry Maple Eagle, LLC and evaluate Panther Creek's method of abatement going forward with weather conditions permitting. Additionally, this extension will give time for the permits to be transferred from Seminole WV Mining Complex, LLC to Murray Maple Eagle Coal, LLC and then transferred again to Panther Creek Mining, LLC.

Regards,

A handwritten signature in blue ink, appearing to read "Kelly L. Duty", is written over a horizontal line.

Kelly L. Duty
Environmental Engineer
Panther Creek Mining, LLC.
Office: 304-380-0415
Cell: 304-881-2236

I recommend approval
up to 9-23-20.
A handwritten signature in blue ink, appearing to read "Ryan Thomas", is written below the text.
6-29-20

MR-16

West Virginia Department Of Environmental Protection

ERIS

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
U057000	03/18/2019	10:30	6		1000	21	06/29/2020	16:28

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLC

Violation is hereby: ☐ Terminated ☐ Withdrawn ☐ Remains in force as written ☐ Show Cause submitted

☒ Extended to 09/23/2020 at 12:00 ☐ NOV modified to CO # ☐ CO modified to NOV #

Action taken to abate:

Extension request received. Blackhawk Mining just acquired this permit and currently assessing this violation to develop a plan.

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☒ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Good Faith: 0 ☐ 1 ☒ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE Kelly Duty

DELIVERY METHOD / DATE TIME Mail 6/29/2020 16:29:00

CERTIFIED MAIL NUMBER

ADDRESS 1345 ELK RIDGE ROAD, ELK RIDGE, WV 25161

WV DEP REP. Ryan L. Thomas

Austin Caperton

[Secretary, Department of Environmental Protection]

[WV DEP Representative]

Date _____

Names of individuals at informal Conference:

Results: CO was:	<input type="checkbox"/> Upheld	<input type="checkbox"/> Modified	<input type="checkbox"/> Terminated	<input type="checkbox"/> Withdrawn
------------------	---------------------------------	-----------------------------------	-------------------------------------	------------------------------------

Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____



June 25, 2020

Ryan Thomas
Environmental Inspector
WV Department of Environmental Protection
1159 Nick Rahall Greenway
Fayetteville, WV 25840

RE: U-0570-00 NOV 21 – Failure to maintain the approved primary/haul road

Mr. Thomas,

On behalf of Seminole West Virginia Mining Complex, LLC, Murray Maple Eagle Coal, LLC, and Panther Creek Mining, LLC, I wish to request an extension beyond the current abatement date for abating NOV#21 of the above referenced permit number. Panther Creek Mining, LLC, is in the process of acquiring the above referenced permit. We request an extension of 90 days, in order to give adequate time to review what work has been completed by Murry Maple Eagle, LLC and evaluate Panther Creek's method of abatement going forward with weather conditions permitting. Additionally, this extension will give time for the permits to be transferred from Seminole WV Mining Complex, LLC to Murray Maple Eagle Coal, LLC and then transferred again to Panther Creek Mining, LLC.

Regards,

A handwritten signature in blue ink, appearing to read "Kelly Duty", with a long horizontal line extending from the end of the signature.

Kelly L. Duty
Environmental Engineer
Panther Creek Mining, LLC.
Office: 304-380-0415
Cell: 304-881-2236

I recommend approval
up to 9-23-20.
A handwritten signature in blue ink, appearing to read "Ryan Thomas", with the date "6-29-20" written below it.

West Virginia Department Of Environmental Protection

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLC

☒ Extended to 09/23/2020 at 09:00 ☐ NOV modified to CO # ☐ CO modified to NOV #

Extension request received. Company is continuing to work on remedial measures. Most of the sediment ditches have been cleaned. Ditches still require some additional work and needs to be certified.

Seriousness: 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Consent Agreement in effect? ☐ Yes ☒ No

Comments:

WV DEP REP. Ryan L. Thomas

[Secretary, Department of Environmental Protection]

[WV DEP Representative]

Date _____

Names of individuals at informal Conference:

Comments:

COMPANY REPRESENTATIVE: _____ DATE: _____



June 25, 2020

Ryan Thomas
Environmental Inspector
WV Department of Environmental Protection
1159 Nick Rahall Greenway
Fayetteville, WV 25840

RE: U-3016-07 NOV 6 – Failure to maintain the approved drainage system

Mr. Thomas,

On behalf of Seminole West Virginia Mining Complex, LLC, Murray Maple Eagle Coal, LLC, and Panther Creek Mining, LLC, I wish to request an extension beyond the current abatement date for abating NOV#6 of the above referenced permit number. Panther Creek Mining, LLC, is in the process of acquiring the above referenced permit. We request an extension of 90 days, in order to give adequate time to review what work has been completed by Murry Maple Eagle, LLC and evaluate Panther Creek's method of abatement going forward with weather conditions permitting. Additionally, this extension will give time for the permits to be transferred from Seminole WV Mining Complex, LLC to Murray Maple Eagle Coal, LLC and then transferred again to Panther Creek Mining, LLC.

Regards,

A handwritten signature in blue ink, appearing to read "Kelly Duty", with a long horizontal line extending to the right.

Kelly L. Duty
Environmental Engineer
Panther Creek Mining, LLC.
Office: 304-380-0415
Cell: 304-881-2236

*I recommend approval
up to 8-23-20.
Ryan Thomas
6-29-20*

James Plumley

From: Nicholas S. Johnson [REDACTED]
Sent: Monday, August 03, 2020 2:31 PM
To: James Plumley
Cc: Sallie E. Gilbert
Subject: FW: Sugar Camp Remedial Measures

CAUTION: This email originated from outside of Foresight Energy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: Bonin, Kevin <KBonin@atg.state.il.us>
Sent: Monday, August 03, 2020 2:10 PM
To: Nicholas S. Johnson
Subject: Sugar Camp Remedial Measures

CAUTION: External Email

Good Afternoon Nick,

We are still working on formulating a draft settlement document to propose to you and Sugar Camp. We would appreciate some documentation that would help us better assess the measures that Sugar Camp noted had been taken during our last teleconference call. Could you provide dates and documentation for the items listed below?

1. Date that "Foresight – Standard Specifications for Water Line Construction" guidance document was issued;
2. Date that a check valve was installed at the point of connection of the Viking 12-inch pipeline;
3. Date of disconnection of the Viking Bleeder Shaft 1 pipeline;
4. Documentation associated with the developed routine inspection protocol for process wastewater pipelines;
5. Documentation associated with the engineering study of the pipelines commissioned by Sugar Camp;
6. Documentation associated with the developed internal procedure for notifying IEPA of releases from the process wastewater pipelines; and
7. Documentation associated with the installation of pressure sensors and programming of PLC system.

Any information you can share on these items would be greatly appreciated.

Thank you.

Kevin Bonin

MR-16

West Virginia Department Of Environmental Protection

ERIS

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
O100100	10/21/2019	10:15	6		0400	13	07/01/2020	12:00
PERMITTEE NAME <u>THE OHIO COUNTY COAL COMPANY</u>								
Violation is hereby: <input checked="" type="checkbox"/> Terminated <input type="checkbox"/> Withdrawn <input type="checkbox"/> Remains in force as written <input type="checkbox"/> Show Cause submitted <input type="checkbox"/> Extended to _____ at _____ <input type="checkbox"/> NOV modified to CO # _____ <input type="checkbox"/> CO modified to NOV # _____								
Action taken to abate: <u>The company has completed construction of the ditch and submitted an as-built certification. I have field checked the ditch and the certification only requires the addition of flow calculations. I am terminating this NOV.</u>								
INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check) Seriousness: 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input checked="" type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9 <input type="checkbox"/> 10 <input type="checkbox"/> Negligence: 0 <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input checked="" type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> Good Faith: 0 <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input checked="" type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> Consent Agreement in effect? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Comments:								
AUTH. COMPANY REPRESENTATIVE <u>Joe Williams</u> DELIVERY METHOD / DATE TIME <u>Certified 7/2/2020 12:00:00</u> CERTIFIED MAIL NUMBER _____ ADDRESS <u>46226 NATIONAL ROAD, SAINT CLAIRSVILLE, OH 43950</u> WV DEP REP. <u>James T. Harvey</u>								
Austin Caperton			James Harvey			Digitally signed by James Harvey Date: 2020.07.02 06:17:59 -04'00'		
[Secretary, Department of Environmental Protection]			[WV DEP Representative]			Date		
Names of individuals at informal Conference:								
Results: CO was: <input type="checkbox"/> Upheld <input type="checkbox"/> Modified <input type="checkbox"/> Terminated <input type="checkbox"/> Withdrawn Comments:								
SUPERVISOR: _____ DATE: _____ TIME: _____ COMPANY REPRESENTATIVE: _____ DATE: _____								

MR-6 (rev 4/20)
 ERIS

West Virginia Department of Environmental Protection
 MR-6 MINE INSPECTION REPORT

Page 1 of 2

PERMIT NUMBER	INSPECTION				MINE STATUS	PHOTOS	BLASTING	
	DATE	TIME	REASON	TYPE			Last 30 Days?	Ins. Req'd?
O100100	07/01/2020	11:00	IN	P	A1	No	No	No

PERMITTEE NAME		THE OHIO COUNTY COAL COMPANY				MSHA #		46-01436	
OPERATOR NAME						MR-19 DATE			
NPDES #	WV0004201	NPDES EXPR DATE	01/03/2023	PERMIT EXPR DATE	04/19/2022				
PERMIT ACRES	366.55	TOTAL DISTBD	215.00	RECLMD	5.00	ANCIL- LARY	0	UNRECLMD	200
DATES: PH I		PH II		LAST AUG SEED		MR-8			
LAST INSP DATE	06/05/2020	TYPE	P	BOND INC	1	INC BONDED ACRES	366.55	CUR IBR#	12
EXPR DATES: INACT		EMER RESP PLAN	04/19/2020	INS	06/01/2021	BLAST AD			
TIME USED (HRS)=>	PERMIT REVIEW	0.50	INSPECT	1.00	TRAVEL	1.00	REPORT	0.25	

INSPECTION COMMENTS

Marshall County Coal Co. - Cunningham Hollow: NOV 13 follow-up. The ditch is completed, and a certification has been submitted. A minor correction is pending requiring flow calculations with the as-built certification. I have field checked the ditch and it appears complete as certified. There is an area along the saddle dike where runoff flow is concentrated and is causing erosion which is depositing

ENFORCEMENT STANDARD	EVALUATION	VIO#	ENFORCEMENT STANDARD	EVALUATION	VIO#
0100 Distance Prohibited.....			0200 Exceeding Limits.....		
0300 Signs and Markers.....			0400 Sediment Control.....		
0500 Design Certification.....			0600 Effluent Limits.....		
0700 Surface Water.....			0800 Ground Water.....		
0900 Blasting Procedures.....			1000 Haul Roads.....		
1100 Refuse Impoundments.....			1200 Topsoil Handling.....		
1300 Backfill / Grading.....			1400 Reclamation Schedule.....		
1500 Revegetation Requirements.....			1600 Disposal of Excess Spoil.....		
1700 Highwall Elimination.....			1800 Downslope Spoil Disposal.....		
1900 Postmining Land Use.....			2000 Ceased Mining Temporarily.....		
2100 Acid bearing /Toxic Material.....			2200 Method of Operations.....		
2300 Change of Operator.....			2400 Permit Conditions.....		
2500 Diversions and Drainage Control..	Comments		2600 Fugitive Dust Control.....		
2700 Subsidence Plan.....			2800 Insurance Current.....		
2900 Bonding Current.....			3000 Other Conditions.....		

WATER QUALITY TESTS

In-Stream Station	pH	Fe	Mn	Al	No Flow

AUTH. COMPANY REPRESENTATIVE	Joe Williams		
DELIVERY METHOD / DATE TIME	Certified 7/2/2020 12:00:00		
CERTIFIED MAIL NUMBER			
ADDRESS	46226 NATIONAL ROAD, SAINT CLAIRSVILLE, OH 43950		
WV DEP REP.	James T. Harvey	James Harvey	Digitally signed by James Harvey Date: 2020.07.02 06:17:34 -04'00'

MR-6 (rev 4/20)
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West Virginia Department of Environmental Protection
 MR-6 MINE INSPECTION REPORT

Page 2 of 2

PERMIT NUMBER	INSPECTION				MINE STATUS	PHOTOS	BLASTING	
	DATE	TIME	REASON	TYPE			Last 30 Days?	Ins. Req'd?
O100100	07/01/2020	11:00	IN	P	A1	No	No	No

COMMENT (cont.)

sediment in the ditch. This will eventually cause a problem with blockage in the ditch and needs addressed ASAP. The erosion needs stabilized somehow as well. Monitor the ditch frequently as the low gradient of it means that sediment build-up will likely lead to ponding. NOV 13 is being terminated.

MR-16

West Virginia Department Of Environmental Protection

ERIS

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
O004885	03/15/2019	09:30	6		2500	16	07/01/2020	13:00

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLC

Violation is hereby: ☒ Terminated ☐ Withdrawn ☐ Remains in force as written ☐ Show Cause submitted
☐ Extended to _____ at _____ ☐ NOV modified to CO # _____ ☐ CO modified to NOV # _____

Action taken to abate:

Remedial measures have been completed.

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☒ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Good Faith: 0 ☐ 1 ☒ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE Kelly Duty

DELIVERY METHOD / DATE TIME Mail 7/2/2020 15:55:00

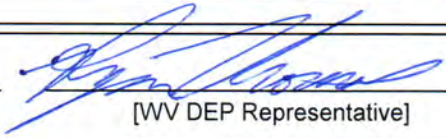
CERTIFIED MAIL NUMBER _____

ADDRESS 1345 ELK RIDGE ROAD, ELK RIDGE, WV 25161

WV DEP REP. Ryan L. Thomas

Austin Caperton

[Secretary, Department of Environmental Protection]

 [WV DEP Representative]

7-2-20
Date

Names of individuals at informal Conference:

Results: CO was: ☐ Upheld ☐ Modified ☐ Terminated ☐ Withdrawn

Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____

MR-16

West Virginia Department Of Environmental Protection

ERIS

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
O602289	01/06/2020	08:00	6		2400	8	05/15/2020	16:00

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLC

Violation is hereby: ☒ Terminated ☐ Withdrawn ☐ Remains in force as written ☐ Show Cause submitted
☐ Extended to _____ at _____ ☐ NOV modified to CO # _____ ☐ CO modified to NOV # _____

Action taken to abate:

The renewal application has been approved.

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Good Faith: 0 ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☒ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE Mark Morris

DELIVERY METHOD / DATE TIME Mail 5/20/2020 10:03:00

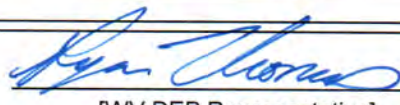
CERTIFIED MAIL NUMBER

ADDRESS 1345 ELK RIDGE ROAD, ELK RIDGE, WV 25161

WV DEP REP. Ryan L. Thomas

Austin Caperton

[Secretary, Department of Environmental Protection]



[WV DEP Representative]

Date

Names of individuals at informal Conference:

Results: CO was: ☐ Upheld ☐ Modified ☐ Terminated ☐ Withdrawn

Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____

MR-6 (rev 4/20)
 ERIS

West Virginia Department of Environmental Protection
 MR-6 MINE INSPECTION REPORT

PERMIT NUMBER	DATE	INSPECTION			MINE STATUS	PHOTOS	BLASTING	
		TIME	REASON	TYPE			Last 30 Days?	Ins. Req'd?
U010483	08/10/2020	18:08	RI	P	AM	Yes	Yes	Yes

PERMITTEE NAME		THE HARRISON COUNTY COAL COMPANY				MSHA #		4601318	
OPERATOR NAME						MR-19 DATE			
NPDES #	WV0093505	NPDES EXPR DATE	02/04/2025		PERMIT EXPR DATE	06/01/2023			
PERMIT ACRES	1,908.22	TOTAL DISTBD	1,483.00	RECLMD	100.00	ANCIL-LARY	0	UNRECLMD	1383
DATES: PH I		PH II		LAST AUG SEED		MR-8			
LAST INSP DATE	07/29/2020	TYPE	P	BOND INC	1	INC BONDED ACRES	1,908.82	CUR IBR#	97
								CUR REV#	46
EXPR DATES: INACT		EMER RESP PLAN	02/24/2016	INS	06/01/2021	BLAST AD			
TIME USED (HRS)=>	PERMIT REVIEW	1.00	INSPECT	1.00	TRAVEL	1.50	REPORT	6.00	

INSPECTION COMMENTS

An anonymous complainant was received on 8/11/2020 at 1645 in regard to a blast that had occurred the day prior on 8/10/2020 at the Harrison County Coal Company 7-North #2 Shaft construction site. An additional complaint was also made on 8/12/2020 at 0914 regarding the same event. The shot in question is part of an approved blasting plan under Revision #46 for permit U010483 and was approved on

ENFORCEMENT STANDARD	EVALUATION	VIO#	ENFORCEMENT STANDARD	EVALUATION	VIO#
0100 Distance Prohibited.....			0200 Exceeding Limits.....		
0300 Signs and Markers.....			0400 Sediment Control.....		
0500 Design Certification.....			0600 Effluent Limits.....		
0700 Surface Water.....			0800 Ground Water.....		
0900 Blasting Procedures.....	NOV Issued	100	1000 Haul Roads.....		
1100 Refuse Impoundments.....			1200 Topsoil Handling.....		
1300 Backfill / Grading.....			1400 Reclamation Schedule.....		
1500 Revegetation Requirements.....			1600 Disposal of Excess Spoil.....		
1700 Highwall Elimination.....			1800 Downslope Spoil Disposal.....		
1900 Postmining Land Use.....			2000 Ceased Mining Temporarily.....		
2100 Acid bearing /Toxic Material.....			2200 Method of Operations.....		
2300 Change of Operator.....			2400 Permit Conditions.....		
2500 Diversions and Drainage Control..			2600 Fugitive Dust Control.....		
2700 Subsidence Plan.....			2800 Insurance Current.....		
2900 Bonding Current.....			3000 Other Conditions.....		

WATER QUALITY TESTS

In-Stream Station	pH	Fe	Mn	Al	NF	Flow	Units	Temp	Units	Sp Cond	Units

AUTH. COMPANY REPRESENTATIVE	Steve Pachol	<i>Steve Pachol</i>	8-17-2020
DELIVERY METHOD / DATE TIME			
CERTIFIED MAIL NUMBER			
ADDRESS	46226 NATIONAL ROAD, SAINT CLAIRSVILLE, OH 43950		
WV DEP REP.	Troy Warner		

MR-6 (rev 4/20)
 ERIS

West Virginia Department of Environmental Protection
 MR-6 MINE INSPECTION REPORT

PERMIT NUMBER	DATE	INSPECTION			MINE STATUS	PHOTOS	BLASTING	
		TIME	REASON	TYPE			Last 30 Days?	Ins. Req'd?
U010483	08/10/2020	18:08	RI	P	AM	Yes	Yes	Yes

COMMENT (cont.)

7/21/2020.

The purpose of the shot was to acquire fill material to aid in the construction of the shaft site. The area in question is permitted on both sides of Deadfall road with the borrow area on the North side of the road and the shaft construction area directly to the South of the road. According to the company after the shot swelled a portion of the material on the steeper side of the borrow area slid downslope and into the road. The adjacent borrow area in front of the pond did not have any evidence of blasted material cast beyond the permitted area. The company estimates that the blockage of the road occurred for just over an hour while they worked to remove the material. According to the company Wetzel county emergency services was contacted a week prior and given a general idea of the date and time for when the initial blast was planned. They were also alerted to an alternate route (that was maintained for the public, safely through the construction area) that had been constructed in advance and was being utilized, around the section of road in question in the event a blockage of the main road did occur. Local agencies were then notified through emergency services of the planned blast and alternate route. The public would be directed to use this if the road was blocked. The blasting logs indicate that the area was cleared, and roads were blocked prior to the shot as a safety precaution as outlined in the blasting plan.

The blast was setup and executed by the blasting contractor, Wampum Hardware. The Blaster-in-Charge was Denny Fox, WVDEP Blaster-in-Charge certification #1-533-16. According to the blast logs and seismograph data the blast occurred on 8/10/2020 at 18:08 and recorded an air blast of 120 dB; which is within acceptable limits as per 199-1.3.6.c.1 of the Surface Mine Blasting Rule. Peak particle velocities were also well within limits per 199-1-.3.6.i. of the Surface Mine Blasting Rule. Pre-blast notifications were also sent out via certified mail to each resident within one half mile of the blasting site as per 199-1.3.3.a. of the Surface Mine Blasting Rule.

Refer to MR-6 dated 08/10/2020 18:10 for further comments.

MR-6 (rev 4/20)
 ERIS

West Virginia Department of Environmental Protection
 MR-6 MINE INSPECTION REPORT

PERMIT NUMBER	DATE	INSPECTION			MINE STATUS	PHOTOS	BLASTING	
		TIME	REASON	TYPE			Last 30 Days?	Ins. Req'd?
U010483	08/10/2020	18:10	RI	P	AM	Yes	Yes	Yes

PERMITTEE NAME		THE HARRISON COUNTY COAL COMPANY				MSHA #		4601318	
OPERATOR NAME						MR-19 DATE			
NPDES #	WV0093505	NPDES EXPR DATE	02/04/2025		PERMIT EXPR DATE	06/01/2023			
PERMIT ACRES	1,908.22	TOTAL DISTBD	1,483.00	RECLMD	100.00	ANCIL- LARY	0	UNRECLMD	1383
DATES: PH I		PH II		LAST AUG SEED		MR-8			
LAST INSP DATE	08/10/2020	TYPE	P	BOND INC	1	INC BONDED ACRES	1,908.82	CUR IBR#	97
								CUR REV#	46
EXPR DATES: INACT		EMER RESP PLAN	02/24/2016	INS	06/01/2021	BLAST AD			
TIME USED (HRS)=>	PERMIT REVIEW	1.00	INSPECT	1.00	TRAVEL	1.50	REPORT	6.00	


INSPECTION COMMENTS

Blasting inspection continued from MR-6 dated 08/10/2020 18:08. On 8/13/2020 WVDEP Inspector Specialist Travis Dill and WVDEP Environmental Inspector Troy Warner arrived on site at 08:45 to investigate the blasting complaint and collect available forensic evidence. Photographs of the area were taken and are attached with this report. No report of fly rock was made to the inspector by the company and

ENFORCEMENT STANDARD	EVALUATION	VIO#	ENFORCEMENT STANDARD	EVALUATION	VIO#
0100 Distance Prohibited.....			0200 Exceeding Limits.....		
0300 Signs and Markers.....			0400 Sediment Control.....		
0500 Design Certification.....			0600 Effluent Limits.....		
0700 Surface Water.....			0800 Ground Water.....		
0900 Blasting Procedures.....	Previously Cited		1000 Haul Roads.....		
1100 Refuse Impoundments.....			1200 Topsoil Handling.....		
1300 Backfill / Grading.....			1400 Reclamation Schedule.....		
1500 Revegetation Requirements.....			1600 Disposal of Excess Spoil.....		
1700 Highwall Elimination.....			1800 Downslope Spoil Disposal.....		
1900 Postmining Land Use.....			2000 Ceased Mining Temporarily.....		
2100 Acid bearing /Toxic Material.....			2200 Method of Operations.....		
2300 Change of Operator.....			2400 Permit Conditions.....		
2500 Diversions and Drainage Control..			2600 Fugitive Dust Control.....		
2700 Subsidence Plan.....			2800 Insurance Current.....		
2900 Bonding Current.....			3000 Other Conditions.....		

WATER QUALITY TESTS

In-Stream Station	pH	Fe	Mn	Al	NF	Flow	Units	Temp	Units	Sp Cond	Units

AUTH. COMPANY REPRESENTATIVE	Steve Pachol		8-17-2020
DELIVERY METHOD / DATE TIME			
CERTIFIED MAIL NUMBER			
ADDRESS	46226 NATIONAL ROAD, SAINT CLAIRSVILLE, OH 43950		
WV DEP REP.	Troy Warner		

MR-6 (rev 4/20)
 ERIS

West Virginia Department of Environmental Protection
 MR-6 MINE INSPECTION REPORT

PERMIT NUMBER	INSPECTION				MINE STATUS	PHOTOS	BLASTING	
	DATE	TIME	REASON	TYPE			Last 30 Days?	Ins. Req'd?
U010483	08/10/2020	18:10	RI	P	AM	Yes	Yes	Yes

COMMENT (cont.)

the first complaint, which served as notification of the event, wasn't made until the following evening. The company worked to remove the road blockage immediately following the shot, and shortly thereafter began transporting the borrow material from the original blast site across the road to the shaft construction area. Upon arrival by DEP inspectors, the resulting muck pile and shot material had already been excavated. Therefore, little forensic evidence was left to examine. However as noted by Inspector Specialist Travis Dill there were no impact marks on the berm of the pond, or strike marks on the power poles or trees in the surrounding area. This corroborates the report from the company of the blasted material simply falling downhill into the road.

The investigation findings are that; as a result of the company adhering to the blasting plan, clearing the area, blocking road access before the shot, notification of emergency services, and establishment of alternate access around the site, and review of all available evidence; there doesn't appear to have been an imminent harm to public safety. Per 22-3-35(a) and 199-1.3.6.d. NOV #100 is being issued as a result of blasted material being cast beyond the bounds of the permit area and onto a public road.

Review of the blast log found the following errors. 1) There were three holes per delay. This needs to be corrected on the blast log (717, 717, and 718ms). However, the maximum weight of explosives allowed was not exceeded. 2) The permit number was omitted from the logs. 3) The nearest protected structure does not list the structure number from the blasting map. 4) The shot number is incorrect. 5) There is no North arrow on the delay pattern sketches. 6) The comments say there was no fly rock or material off the permit. Shot material did swell into the road. 7) There is no indication of which holes used IRemix, or how large the charge column was in those holes. These items need to be corrected.

For any future blasts notify the inspector and citizens in the area at least 24 hours prior to blasting. Any future shots on this permit should be video recorded and made available for inspection as part of the blast record for three months.

MR-15

West Virginia Department Of Environmental Protection

ERIS

MR-15 NOTICE OF VIOLATION

PERMIT NUMBER	ORIGINAL INSPECTION		ENF STD DATA			VIOLATION ACTIVITY			INSP ID NUMBER
	DATE	TIME	FORM#	FAC#	ENF STD	DATE	TIME	VIOLATION#	
U010483	08/10/2020	18:08	6 (rev 4/20)		0900	08/10/2020	18:08	100	1075

PERMITTEE NAME THE HARRISON COUNTY COAL COMPANY

OPERATOR NAME _____

MSHA ID# 4601318

NPDES # WV0093505

OWNER/CONTROLLER _____ If different from above

CONTRACT BLASTING FIRM _____

BLASTER NAME FOX, DENNIS DAVID (1 533 11)
 (CERT #)

Whereas an inspection of the above operation by the undersigned Authorized Representative of the Director was completed on the 10th day of August, 2020. The inspection revealed a violation of the provisions of Chapter 22, Article 3 of the Code of West Virginia. You are hereby notified that you are in violation of the provisions listed below.

WV CODE 22, Art. 3, Sect.
 35(a)

Reg 38-2-
 199-1.6.d.

[DOV] Description of Violation:

Permittee caused blasted material to be cast beyond the bounds of the permitted area onto a public road.

[REM] Remedial Measures:

Correct the errors found on the blast log and resubmit to the inspector. Refer to the MR-6 dated 8/10/2020 18:10 for the corrections. The permittee is to provide the inspector with a causation report and prevention plan. The prevention plan will be a modification to the approved blasting plan. Include the steps that will be taken to prevent this type of incident from happening again. Those steps will then be submitted as a permit modification to the blast plan in section T of the permit via the electronic submission system. The causation report shall include the following at a minimum: 1. Name of the person(s) who ordered/designed the drill bench be made and when. 2. Name of the person(s) who physically created the drill bench (equipment operators name) and when. 3. Name of the person(s) who instructed the drillers on

MUST BE CORRECTED BY DATE 08/28/2020 16:30

☒ NOV Issued

☐ CO Modified to NOV

☒ Resulted in Off-Site Impact

AUTH. COMPANY REPRESENTATIVE Steve Pachol

Steve Pachol 8-17-2020

DELIVERY METHOD / DATE TIME _____

CERTIFIED MAIL NUMBER _____

ADDRESS 46226 NATIONAL ROAD, SAINT CLAIRSVILLE, OH 43950

WV DEP REP. Troy Warner

Austin Caperton

08/14/2020

[Secretary, Department of Environmental Protection]

[WV DEP Rep/Date]

Contact Troy Warner at (304) 457-3219 upon completion. Failure to complete the above measures within the above time period may result in a Cessation Order or revocation of the permit and forfeiture of the performance bond.

MR-15

West Virginia Department Of Environmental Protection

ERIS

MR-15 NOTICE OF VIOLATION

PERMIT NUMBER	ORIGINAL INSPECTION		ENF STD DATA			VIOLATION ACTIVITY			INSP ID NUMBER
	DATE	TIME	FORM#	FAC#	ENF STD	DATE	TIME	VIOLATION#	
U010483	08/10/2020	18:08	6 (rev 4/20)		0900	08/10/2020	18:08	100	1075

REM (cont.)

on how to drill the pattern for the shot.

4. Name of the person(s) who laid out the drill pattern for the driller to follow.

5. Name of the person(s) who drilled or assisted with drilling the shot's pattern.

6. Name of the person(s) who designed the charges to be used, and the timing of the shot.

7. Name of the person(s) who assisting with the loading and wiring of the shot.

8. Name of the person(s) who secured the blast area from unauthorized entry, and where they were stationed.

9. Name of the person(s) who was in charge of ensuring all roadblocks were in the proper place at the proper time

10. Name of the person(s) who sounded warning of pending shot and from what location

11. Name of the person(s) who fired the shot.

12. Name of person(s) who cleared the shot.

13. Name of certified blaster responsible for shot.

14. Permittee is to describe how the certified blaster was involved in items 1 thru 12 above.

15. Permittee is to describe how any contract blasting personnel were involved in items 1 thru 12 above.

16. Permittee is to describe how any of the permittee's employees were involved in items 1 thru 12 above.

17. Permittee is to describe (to the best of their knowledge) what caused the fly rock.

18. Permittee is to have each and every driller and certified blaster involved with the shot, to review the causation section. The names of each and every driller and certified blaster involved in the shot must be printed below the section along with space for signature and date. Each and every driller and certified blaster involved in the shot must acknowledge their agreement with the causation section by signing below the section in the space provided.

19. If concurrence cannot be reached by all those involved, those persons not agreeing may draft their own report, or a statement of how they disagree with the permittee's report and include it with the permittee's report. Each and every driller and certified blaster who submits their own report/statement must sign and date it. The name or the person(s) submitting it is to be clearly printed as well.

PERMIT NUMBER	INSPECTION				MINE STATUS	PHOTOS	BLASTING	
	DATE	TIME	REASON	TYPE			Last 30 Days?	Ins. Req'd?
U007883	08/07/2020	15:00	IN	P	AM	No	No	No

PERMITTEE NAME		THE MARION COUNTY COAL COMPANY				MSHA #		4601433	
OPERATOR NAME						MR-19 DATE			
NPDES #	WV0040711	NPDES EXPR DATE	09/15/2020		PERMIT EXPR DATE	04/18/2023			
PERMIT ACRES	1,473.93	TOTAL DISTBD	896.00	RECLMD	84.24	ANCIL- LARY	0	UNRECLMD	811.76
DATES: PH I		PH II		LAST AUG SEED		MR-8			
LAST INSP DATE	07/16/2020	TYPE	P	BOND INC	2	INC BONDED ACRES	1,473.93	CUR IBR#	97
								REV#	41
EXPR DATES: INACT		EMER RESP PLAN		07/15/2021	INS	06/01/2021	BLAST AD		
TIME USED (HRS)=> PERMIT REVIEW		0.25	INSPECT	0.50	TRAVEL	2.00	REPORT	0.50	

INSPECTION COMMENTS

Marion County Mine: This inspection is a follow-up to NOV 69. Steve Pachol has provided me with a copy of the approved Purchase Order (PO) to remediate this violation. On this date, the contractor was on-site to construct a roadway to begin repairs. Pachol has verbally given the plan and timeline for the repairs. The plan is to install a pipe the length of the slope and install a stilling basin at the

ENFORCEMENT STANDARD	EVALUATION	VIO#	ENFORCEMENT STANDARD	EVALUATION	VIO#
0100 Distance Prohibited.....			0200 Exceeding Limits.....		
0300 Signs and Markers.....			0400 Sediment Control.....		
0500 Design Certification.....			0600 Effluent Limits.....		
0700 Surface Water.....			0800 Ground Water.....		
0900 Blasting Procedures.....			1000 Haul Roads.....		
1100 Refuse Impoundments.....			1200 Topsoil Handling.....		
1300 Backfill / Grading.....	Comments		1400 Reclamation Schedule.....		
1500 Revegetation Requirements.....			1600 Disposal of Excess Spoil.....		
1700 Highwall Elimination.....			1800 Downslope Spoil Disposal.....		
1900 Postmining Land Use.....			2000 Ceased Mining Temporarily.....		
2100 Acid bearing /Toxic Material.....			2200 Method of Operations.....		
2300 Change of Operator.....			2400 Permit Conditions.....		
2500 Diversions and Drainage Control..			2600 Fugitive Dust Control.....		
2700 Subsidence Plan.....			2800 Insurance Current.....		
2900 Bonding Current.....			3000 Other Conditions.....		

WATER QUALITY TESTS

In-Stream Station	pH	Fe	Mn	Al	NF	Flow	Units	Temp	Units	Sp Cond	Units

AUTH. COMPANY REPRESENTATIVE	Steve Pachol	<i>Steve Pachol</i> 8-14-2020
DELIVERY METHOD / DATE TIME	Mail 8/13/2020 12:00:00	
CERTIFIED MAIL NUMBER		
ADDRESS	46226 NATIONAL ROAD, SAINT CLAIRSVILLE, OH 43950	
WV DEP REP.	Leah M Runion	Leah Runion

PERMIT NUMBER	DATE	INSPECTION			MINE STATUS	PHOTOS	BLASTING	
		TIME	REASON	TYPE			Last 30 Days?	Ins. Req'd?
U007883	08/07/2020	15:00	IN	P	AM	No	No	No

COMMENT (cont.)

bottom. Once the pipe is installed, the area will be backfilled/graded and seeded. NOV 69 is being extended with an abatement date of 8/28/2020.

MR-16

West Virginia Department Of Environmental Protection

ERIS

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
U007883	07/16/2020	09:00	6 (rev 4/20)		1300	69	08/07/2020	15:00

PERMITTEE NAME THE MARION COUNTY COAL COMPANY

Violation is hereby: ☐ Terminated ☐ Withdrawn ☐ Remains in force as written ☐ Show Cause submitted

☒ Extended to 08/28/2020 at 16:00 ☐ NOV modified to CO # ☐ CO modified to NOV #

Action taken to abate:

Permittee has obtained an approved Purchase Order (PO) to repair the erosion. Steve Pachol has verbally given the plan and timeline for repairs. On this date, the contractor was on-site to construct a roadway to begin repairs.

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☒ 8 ☐

Good Faith: 0 ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☒ 5 ☐ 6 ☐ 7 ☐ 8 ☐ Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE Steve Pachol

DELIVERY METHOD / DATE TIME Mail 8/13/2020 12:00:00

CERTIFIED MAIL NUMBER

ADDRESS 46226 NATIONAL ROAD, SAINT CLAIRSVILLE, OH 43950

WV DEP REP. Leah M Runion

Austin Caperton

[Secretary, Department of Environmental Protection]

Leah Runion

[WV DEP Representative]

Date _____

Names of individuals at informal Conference:

Results: CO was:	<input type="checkbox"/> Upheld	<input type="checkbox"/> Modified	<input type="checkbox"/> Terminated	<input type="checkbox"/> Withdrawn
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Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____



Received Electronically
Dept of Natural Resources
Aug 26, 2020
Office of Mines and Minerals
Land Reclamation Division
Handwritten: 7/15/2020

July 15, 2020

Ryan Thomas
Environmental Inspector
WV Department of Environmental Protection
1159 Nick Rahall Greenway
Fayetteville, WV 25840

RE: S-3041-91 NOV 62 – Failure to maintain IFUAR

Mr. Thomas,

On behalf of Seminole West Virginia Mining Complex, LLC, Murray Maple Eagle Coal, LLC, and Panther Creek Mining, LLC, I wish to request an extension beyond the current abatement date for abating NOV#62 of the above referenced permit number. Panther Creek Mining, LLC, is in the process of acquiring the above referenced permit. We request an extension of 90 days, in order to give adequate time to review what work has been completed by Murry Maple Eagle, LLC and evaluate Panther Creek's method of abatement going forward with weather conditions permitting. Additionally, this extension will give time for the permits to be transferred from Seminole WV Mining Complex, LLC to Murray Maple Eagle Coal, LLC and then transferred again to Panther Creek Mining, LLC.

Regards,

A handwritten signature in black ink, appearing to read "Kelly Duty", is written over the typed name and title.

Kelly L. Duty
Environmental Engineer
Panther Creek Mining, LLC.
Office: 304-380-0415
Cell: 304-881-2236

*I recommend approval.
up to 10-14-20.*

A handwritten signature in blue ink, appearing to read "Ryan Thomas", is written below the recommendation text.

7-15-20

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FACILITY #	ENF STD	ORIGINAL VIOL#	DATE	TIME
S300795	03/23/2020	12:00	6		0200	45	04/29/2020	14:00

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLC

Violation is hereby: ☐ Terminated ☐ Withdrawn ☐ Remains in force as written ☐ Show Cause submitted

☒ Extended to 06/01/2020 at 15:19 ☐ NOV modified to CO # ☐ CO modified to NOV #

Action taken to abate:

Blackhawk Mining has just recently acquired these permits. They are currently assessing the situation to get familiar with the area and to develop a plan. This area needs to be repaired as soon as possible to prevent further damage.

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☐ 3 ☐ 4 ☒ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Good Faith: 0 ☐ 1 ☒ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE Blackhawk Mining

DELIVERY METHOD / DATE TIME Mail 5/4/2020 08:00:00

CERTIFIED MAIL NUMBER

ADDRESS 1345 ELK RIDGE ROAD, ELK RIDGE, WV 25161

WV DEP REP. Ryan L. Thomas

Austin Caperton

[Secretary, Department of Environmental Protection]

[WV DEP Representative]

Date _____

Names of individuals at informal Conference:

Results: CO was:	<input type="checkbox"/> Upheld	<input type="checkbox"/> Modified	<input type="checkbox"/> Terminated	<input type="checkbox"/> Withdrawn
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Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____

MR-16

West Virginia Department Of Environmental Protection

ERIS

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
S300795	03/23/2020	12:00	6		0200	45	06/17/2020	15:55

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLC

Violation is hereby: ☐ Terminated ☐ Withdrawn ☐ Remains in force as written ☐ Show Cause submitted

☒ Extended to 09/21/2020 at 15:19 ☐ NOV modified to CO # ☐ CO modified to NOV #

Action taken to abate:

Blackhawk Mining has just recently acquired these permits. They are currently assessing the situation to get familiar with the area and to develop a plan. This area needs to be repaired as soon as possible to prevent further damage.

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☐ 3 ☐ 4 ☒ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Good Faith: 0 ☐ 1 ☒ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE Kelly Duty

DELIVERY METHOD / DATE TIME Mail 6/17/2020 15:56:00

CERTIFIED MAIL NUMBER

ADDRESS 1345 ELK RIDGE ROAD, ELK RIDGE, WV 25161

WV DEP REP. Ryan L. Thomas

Austin Caperton

[Secretary, Department of Environmental Protection]

[WV DEP Representative]

Date _____

Names of individuals at informal Conference:

Results:	CO was:	<input type="checkbox"/> Upheld	<input type="checkbox"/> Modified	<input type="checkbox"/> Terminated	<input type="checkbox"/> Withdrawn
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Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____



June 10, 2020

Ryan Thomas
Environmental Inspector
WV Department of Environmental Protection
1159 Nick Rahall Greenway
Fayetteville, WV 25840

RE: S-3007-95 NOV 45 – Slide occurred at outlet off-site

Mr. Thomas,

On behalf of Seminole West Virginia Mining Complex, LLC, Murray Maple Eagle Coal, LLC, and Panther Creek Mining, LLC, I wish to request an extension beyond the current abatement date for abating NOV#45 of the above referenced permit number. Panther Creek Mining, LLC, is in the process of acquiring the above referenced permit. We request an extension of 60 days, in order to give adequate time to review what work has been completed by Murry Maple Eagle, LLC and evaluate Panther Creek's method of abatement going forward with weather conditions permitting. Additionally, this extension will give time for the permits to be transferred from Seminole WV Mining Complex, LLC to Murray Maple Eagle Coal, LLC and then transferred again to Panther Creek Mining, LLC.

Regards,

A handwritten signature in blue ink, appearing to read "Kelly Duty", with a long horizontal flourish extending to the right.

Kelly L. Duty
Environmental Engineer
Panther Creek Mining, LLC.
Office: 304-380-0415
Cell: 304-881-2236

I recommend approval
up to 9-21-20.

A handwritten signature in blue ink, appearing to read "Ryan Thomas", with a long horizontal flourish extending to the right.
6-17-20

App E - 15



COMMONWEALTH OF PENNSYLVANIA
ENVIRONMENTAL HEARING BOARD

Received Electronically
Dept of Natural Resources
Aug 26, 2020
Office of Mines and Minerals
Land Reclamation Division



NOTICE OF APPEAL

By filing this Notice of Appeal with the Environmental Hearing Board, you are choosing to initiate a legal proceeding that asks the Board to review an action of the Department of Environmental Protection. Please read the instructions appended to this form in their entirety and follow closely the rules governing filing a Notice of Appeal, located at 25 Pa. Code § 1021.51. Failure to follow Board rules and orders may result in the dismissal of your appeal.

Pages 1 through 3 of the following form and any required attachments must be received by the Environmental Hearing Board within 30 days after your receipt of notice of the action of the Department that you are appealing. You may mail, fax, or hand-deliver your Notice of Appeal to:

**ENVIRONMENTAL HEARING BOARD
Rachel Carson State Office Building – 2nd Floor
400 Market Street, P.O. Box 8457
Harrisburg, PA 17105-8457
Fax: (717) 783-4738**

You may wish to send your appeal to the Environmental Hearing Board by certified mail, return receipt, so that you know your appeal was received within the required time.

Attorneys may electronically file a Notice of Appeal at <http://ehb.courtapps.com/>

(rev'd June 2018)

NOTICE OF APPEAL FORM
APPEAL INFORMATION

1. Name, address, telephone number, and email address (if available) of Appellant:

Eighty Four Mining Company
46226 National Road
Saint Clairsville, OH 43950
740-338-3100

2. Describe the subject of your appeal:

(a) What action of the Department do you seek review?

(NOTE: If you received written notification of the action, you must attach a copy of the action to this form.)

The Compliance Order contained in Coal Refuse Disposal Inspection Report dated February 5, 2020, attached as Exhibit A. This Compliance Order was later docketed at No. 201007.

(b) Which Department official took the action?

Matthew Somogyi, Monitoring & Compliance Inspector, Bureau of District Mining Operations.

(c) What is the location of the operation or activity which is the subject of the Department's action (municipality, county)?

Somerset Township, Washington County.

(d) How, and on what date, did you receive notice of the Department's action?

February 6, 2020 by electronic mail.

3. Describe your objections to the Department's action in separate, numbered paragraphs.

(NOTE: The objections may be factual or legal and must be specific. If you fail to state an objection here, you may be barred from raising it later in your appeal. Attach additional sheets, if necessary.)

See Exhibit B.

4. Specify any related appeal(s) now pending before the Board. If you are aware of any such appeal(s) provide that information.

This Notice of Appeal concerns a Compliance Order based on an alleged failure to comply with Special Conditions 43, including but not limited to Special Conditions 43(c), 43(e), and 45 of CRDA Permit 63743702, and mandating compliance with Special Conditions 43(c) and (e)-(g) at a minimum of the same Permit. Eighty Four appealed the issuance of Permit 63743702 on August 9, 2019, which remains pending at EHB Docket No. 2019-099-L. Simultaneously with this Notice of Appeal, Eighty Four is filing an appeal regarding the January 21, 2020 Compliance Order that relates to both the Compliance Order that is the subject of this Appeal, and the subject of the appeal pending at EHB Docket No. 2019-099-L.

NOTICE OF APPEAL FORM PROOF OF SERVICE

In addition to filing this form with the Environmental Hearing Board, the Appellant *must* certify, by indicating below, how the Notice of Appeal was served on the Department under numbers (2) and (3) below, and where applicable, upon other interested parties indicated by numbers (4) and (5). Failure to do so may result in dismissal of your appeal. Please check the box indicating the method by which you served the following:

- | | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>(1) Environmental Hearing Board
 2nd Floor Rachel Carson State Office Bldg.
 400 Market St., P.O. Box 8457
 Harrisburg, PA 17105-8457</p> | <p>via</p> | <p><input type="checkbox"/> first class mail, postage paid
 <input type="checkbox"/> overnight delivery
 <input type="checkbox"/> personal delivery
 <input checked="" type="checkbox"/> electronic filing</p> |
| <p>(2) Department of Environmental Protection
 Office of Chief Counsel
 Attn: Administrative Officer
 16th Floor Rachel Carson State Office Bldg
 400 Market Street, P.O. Box 8464
 Harrisburg, PA 17105-8464</p> | <p>via</p> | <p><input type="checkbox"/> first class mail, postage paid
 <input type="checkbox"/> overnight delivery
 <input type="checkbox"/> personal delivery
 <input checked="" type="checkbox"/> electronic filing</p> |
| <p>(3) The officer of the Department
 who took the action being appealed</p> | <p>via</p> | <p><input type="checkbox"/> first class mail, postage paid
 <input type="checkbox"/> overnight delivery
 <input type="checkbox"/> personal delivery
 <input checked="" type="checkbox"/> electronic filing</p> |

Note to Attorneys who *electronically* file a Notice of Appeal: A copy is automatically served on the Department's Office of Chief Counsel. There is no need for you to independently serve the Department.

Additionally, if your appeal is from the Department of Environmental Protection's issuance of a permit, license, approval, or certification to another person, you *must* serve the following, as applicable:

- | | | |
|------------------------------------------------------------------------------------------|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>(4) The entity to whom the permit, license approval, or certification was issued.</p> | <p>via</p> | <p><input type="checkbox"/> first class mail, postage paid
 <input type="checkbox"/> overnight delivery
 <input type="checkbox"/> personal delivery</p> |
|------------------------------------------------------------------------------------------|------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
- (5) Where applicable, any of the following:
- ☐ Any affected municipality, its municipal authority, and the proponent of the decision, where applicable, in appeals involving a decision under Sections 5 or 7 of the Sewage Facilities Act, 35 P.S. §§ 750.5, 750.7;
 - ☐ The mining company in appeals involving a claim of subsidence damage or water loss under the Bituminous Mine Subsidence and Land Conservation Act, 52 P.S. § 1406.1 et seq.;
 - ☐ The well operator in appeals involving a claim of pollution or diminution of a water supply under Section 3218 of the Oil and Gas Act, 58 Pa.C.S. § 3218;
 - ☐ The owner or operator of a storage tank in appeals involving a claim of an affected water supply under Section 1303 of the Storage Tank and Spill Prevention Act, 35 P.S. § 6021.1303.

NOTICE OF APPEAL FORM
SIGNATURE PAGE

By filing this Notice of Appeal with the Environmental Hearing Board, I hereby certify that the information submitted is true and correct to the best of my information and belief. Additionally, I certify that a copy of this Notice of Appeal was served upon each of the individuals indicated on Page 2 of this form on the following date: February 24, 2020.

/s/ Kevin K. Douglass
Signature of Appellant or Appellant's Counsel

Date: February 24, 2020

If you have authorized counsel to represent you, please supply the following information (*Corporations must be represented by counsel*):

Kevin K. Douglass
Sean M. McGovern
Alexandra G. Farone
Attorney Name (Type or Print)

Babst, Calland, Clements and Zomnir, P.C.

Two Gateway Center, 6th Floor

Pittsburg, PA 15222
Address

Telephone No.: 412-394-5400

Email: kdouglass@babstcalland.com
smcgovern@babstcalland.com
afarone@babstcalland.com

TDD users please contact the Pennsylvania Relay Service at 1-800-654-5984. If you require an accommodation or this information in an alternative form, please contact the Secretary to the Board at 717-787-3483.

Please see the attached Filing Instructions for additional information and requirements regarding the filing of this form.

FILING INSTRUCTIONS

Please read and follow these instructions in their entirety. If you fail to follow the requirements outlined below (including submitting a copy of the action you are appealing and serving process to other parties), the Board may dismiss your appeal.

By filing this Notice of Appeal with the Environmental Hearing Board, you are choosing to initiate *legal proceedings*, which ask the Board to review an action of the Department of Environmental Protection. The proceedings will require you to file documents, participate in discovery, and may ultimately require you to participate in a hearing before the Board. In addition to the Board, the proceedings will also involve interaction with, including you being required to send copies of your filings to, the Department of Environmental Protection and possibly other parties, such as those who have received a permit from the Department.

How to File a Notice of Appeal

Your Notice of Appeal, along with any required documents and information, shall be filed either by facsimile or by mail, hand or other delivery service at the following address:

Secretary to the Board
Environmental Hearing Board
Rachel Carson State Office Building – 2nd Floor
400 Market Street – P.O. Box 8457
Harrisburg, PA 17105-8457
Fax: (717) 783-4738

Attorneys also have the option to file a Notice of Appeal electronically at <http://ehb.courtapps.com/>. A Notice of Appeal filed by *mail, hand, or other delivery service* that is received after the close of the business day at 4:30 PM Eastern Time shall be deemed to be filed on the following business day. A Notice of Appeal filed by *facsimile* shall be deemed filed on the day it is received by the Board. A notice of appeal filed by facsimile should be followed up with a hard copy. A Notice of Appeal filed *electronically* before midnight EST will be considered to be filed on that date.

Filling out the Notice of Appeal Form—Appeal Information

1. When filing a new appeal, provide your name (and that of the business which you represent, if applicable), address, telephone number, and an email address.
2. (a) You must specify on the Notice of Appeal form the action of the Department that you seek to have the Board review, for example, the permit, determination, or other act.
(b) If you have received written notification of an action of the Department, you must attach a copy of the action to the Notice of Appeal (for example, the letter, order, or permit that you are appealing).
(c) You should also identify the Department official that took the action and the location (the municipality and county) of the operation or activity that is the subject of the action.
(d) Additionally, you must describe when and how you were notified of the Department's action.

Aug 26, 2020

Office of Mines and Minerals
Land Reclamation Division



3. When describing your objections to the Department's action, you must do so in separate numbered paragraphs for each objection. The objections must be specific, and may be factual or legal.

Rather than use the space on the Notice of Appeal form, you may type your objections on separate paper if you require more space. Note that if you fail to state an objection to the action in your Notice of Appeal, you may be barred from raising that objection later.

4. Finally, you must specify on the Notice of Appeal form any related appeal already pending before the Board of which you are aware.

Filling out the Notice of Appeal Form—Proof of Service

You must provide proof of service of the Notice of Appeal to the agency taking the action (typically the Department of Environmental Protection), as well as certain other individuals that may be affected by the appeal.

This means that, in addition to filing the Notice of Appeal with the Board, a copy of the Notice of Appeal must be delivered to each the following:

- (1) The Department of Environmental Protection Office of Chief Counsel at:

Department of Environmental Protection
Office of Chief Counsel
Attention: Administrative Officer
16th Floor, Rachel Carson State Office Building
400 Market Street, P.O. Box 8464
Harrisburg, PA 17105-8464

- (2) The officer of the Department of Environmental Protection (or other agency) that took the action being challenged. If you do not know the correct address for the agency office involved in the appeal, you should contact that agency directly, or you may contact the Secretary to the Environmental Hearing Board to obtain the appropriate address.
- (3) If you are appealing an action by the Department that involves someone else (for example, if you want to appeal a permit issued to another person or business), you must also send that person or business a copy of your Notice of Appeal. This is required by the Environmental Hearing Board's rules at 25 Pa. Code § 1021.51(g)-(h). Please see the Proof of Service page of the Notice of Appeal form for more details.

Note: For Attorneys who file an appeal electronically, only the party listed in (3) above must be served (if applicable). Electronically filed Notices of Appeal are automatically served on the Department's Office of Chief Counsel. There is no need to independently serve the Department.

Additional Information on Appeals Involving a Penalty Assessment

In the case of a penalty assessment, many environmental statutes require the amount of the penalty or a bond in that amount to be submitted within the 30-day period required for the filing of the appeal.

Aug 26, 2020

Office of Mines and Minerals
Land Reclamation Division



Where the statute requires that prepayment be made to the Board, the appellant shall submit to the Board with the Notice of Appeal a check in the amount of the penalty, or an appropriate bond securing payment of the penalty as required by statute. A check shall be made payable to the *Commonwealth of Pennsylvania*; a bond shall be in favor of the Board, and these shall be sent to the following address:

Environmental Hearing Board
Rachel Carson State Office Building – 2nd Floor
400 Market Street – P.O. Box 8457
Harrisburg, PA 17105-8457

Where the statute requires that prepayment be made to the Department of Environmental Protection, the appellant shall submit the prepayment to the Department at the following address in accordance with the Department's instructions:

Department of Environmental Protection
Office of Chief Counsel
Attention: Administrative Officer
16th Floor, Rachel Carson State Office Building
400 Market Street, P.O. Box 8464
Harrisburg, PA 17105-8464

If the appellant claims an inability to prepay, that claim must be submitted within the 30-day period by a verified statement either with the Notice of Appeal or in a supplementary document.

Pro Bono Information

Individuals filing an appeal on their own behalf before the Environmental Hearing Board do not need a lawyer. However, important legal rights may be at stake, and proceedings before the Environmental Hearing Board are legal and technical in nature. Therefore, it is strongly recommended that you seek legal counsel. If you cannot afford a lawyer, you may qualify for free legal representation. If your household income is less than 200% of the federal poverty level, then, within fifteen calendar days of filing the Notice of Appeal, you may submit a written request for pro bono representation to the Pro Bono Committee of the Pennsylvania Bar Association's Environmental & Energy Law Section at the following address:

Thomas M. Duncan, Esq.
PBA Environmental & Energy Law Section
Chair, Pro Bono Committee
c/o Manko, Gold, Katcher & Fox, LLP
401 City Avenue, Suite 901
Bala Cynwyd, PA 19004
Phone: 484-430-2358
Fax: 484-430-5711
tduncan@mankogold.com

Please also mail a copy of your request to the Environmental Hearing Board. Even if you are deemed financially eligible, a pro bono referral is not guaranteed and is instead based on the current availability of volunteers. In addition, you may contact your local or county bar association for more information.

Effective October 6, 2016, small corporations owned by no more than three (3) individuals are also eligible for a pro bono referral if each of the owners' household income is less than 300% of the federal poverty level.



COMMONWEALTH OF PENNSYLVANIA
ENVIRONMENTAL HEARING BOARD

Received Electronically
Dept of Natural Resources
Aug 26, 2020
Office of Mines and Minerals
Land Reclamation Division

NOTICE OF APPEAL

By filing this Notice of Appeal with the Environmental Hearing Board, you are choosing to initiate a legal proceeding that asks the Board to review an action of the Department of Environmental Protection. Please read the instructions appended to this form in their entirety and follow closely the rules governing filing a Notice of Appeal, located at 25 Pa. Code § 1021.51. Failure to follow Board rules and orders may result in the dismissal of your appeal.

Pages 1 through 3 of the following form and any required attachments must be received by the Environmental Hearing Board within 30 days after your receipt of notice of the action of the Department that you are appealing. You may mail, fax, or hand-deliver your Notice of Appeal to:

**ENVIRONMENTAL HEARING BOARD
Rachel Carson State Office Building – 2nd Floor
400 Market Street, P.O. Box 8457
Harrisburg, PA 17105-8457
Fax: (717) 783-4738**

You may wish to send your appeal to the Environmental Hearing Board by certified mail, return receipt, so that you know your appeal was received within the required time.

Attorneys may electronically file a Notice of Appeal at <http://ehb.courtapps.com/>

(rev'd June 2018)



COMMONWEALTH OF PENNSYLVANIA
ENVIRONMENTAL HEARING BOARD

Received Electronically
Dept of Natural Resources
Aug 26, 2020
Office of Mines and Minerals
Land Reclamation Division

NOTICE OF APPEAL FORM
APPEAL INFORMATION

1. Name, address, telephone number, and email address (if available) of Appellant:

Eighty Four Mining Company
46226 National Road
Saint Clairsville, OH 43950
740-338-3100

2. Describe the subject of your appeal:

(a) What action of the Department do you seek review?

(NOTE: If you received written notification of the action, you must attach a copy of the action to this form.)

Compliance Order No. 191043A contained in the Coal Refuse Disposal Inspection Report dated February 5, 2020, attached as Exhibit A.

(b) Which Department official took the action?

Matthew Somogyi, Monitoring & Compliance Inspector, Bureau of District Mining Operations.

(c) What is the location of the operation or activity which is the subject of the Department's action (municipality, county)?

Somerset Township, Washington County.

(d) How, and on what date, did you receive notice of the Department's action?

February 6, 2020, by electronic mail.

3. Describe your objections to the Department's action in separate, numbered paragraphs.

(NOTE: The objections may be factual or legal and must be specific. If you fail to state an objection here, you may be barred from raising it later in your appeal. Attach additional sheets, if necessary.)

See Exhibit B.



COMMONWEALTH OF PENNSYLVANIA
ENVIRONMENTAL HEARING BOARD

Received Electronically
Dept of Natural Resources
Aug 26, 2020
Office of Mines and Minerals
Land Reclamation Division

4. Specify any related appeal(s) now pending before the Board. If you are aware of any such appeal(s) provide that information.

N/A

**NOTICE OF APPEAL FORM
PROOF OF SERVICE**

In addition to filing this form with the Environmental Hearing Board, the Appellant *must* certify, by indicating below, how the Notice of Appeal was served on the Department under numbers (2) and (3) below, and where applicable, upon other interested parties indicated by numbers (4) and (5). Failure to do so may result in dismissal of your appeal. Please check the box indicating the method by which you served the following:

- | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (1) Environmental Hearing Board
2 nd Floor Rachel Carson State Office Bldg.
400 Market St., P.O. Box 8457
Harrisburg, PA 17105-8457 | <i>via</i> | <input type="checkbox"/> first class mail, postage paid
<input type="checkbox"/> overnight delivery
<input type="checkbox"/> personal delivery
<input checked="" type="checkbox"/> electronic filing |
| (2) Department of Environmental Protection
Office of Chief Counsel
Attn: Administrative Officer
16 th Floor Rachel Carson State Office Bldg
400 Market Street, P.O. Box 8464
Harrisburg, PA 17105-8464 | <i>via</i> | <input type="checkbox"/> first class mail, postage paid
<input type="checkbox"/> overnight delivery
<input type="checkbox"/> personal delivery
<input checked="" type="checkbox"/> electronic filing |
| (3) The officer of the Department
who took the action being appealed | <i>via</i> | <input type="checkbox"/> first class mail, postage paid
<input type="checkbox"/> overnight delivery
<input type="checkbox"/> personal delivery
<input checked="" type="checkbox"/> electronic filing |

Note to Attorneys who *electronically* file a Notice of Appeal: A copy is automatically served on the Department's Office of Chief Counsel. There is no need for you to independently serve the Department.

Additionally, if your appeal is from the Department of Environmental Protection's issuance of a permit, license, approval, or certification to another person, you *must* serve the following, as applicable:

- | | | |
|--------------------------------------------------------------------------------------|------------|------------------------------------------------------------------------------------------------------------------------------------------------------|
| (4) The entity to whom the permit, license
approval, or certification was issued. | <i>via</i> | <input type="checkbox"/> first class mail, postage paid
<input type="checkbox"/> overnight delivery
<input type="checkbox"/> personal delivery |
|--------------------------------------------------------------------------------------|------------|------------------------------------------------------------------------------------------------------------------------------------------------------|

(5) Where applicable, any of the following:

- ☐ Any affected municipality, its municipal authority, and the proponent of the decision, where applicable, in appeals involving a decision under Sections 5 or 7 of the Sewage Facilities Act, 35 P.S. §§ 750.5, 750.7;
- ☐ The mining company in appeals involving a claim of subsidence damage or water loss under the Bituminous Mine Subsidence and Land Conservation Act, 52 P.S. § 1406.1 et seq.;
- ☐ The well operator in appeals involving a claim of pollution or diminution of a water supply under Section 3218 of the Oil and Gas Act, 58 Pa.C.S. § 3218;
- ☐ The owner or operator of a storage tank in appeals involving a claim of an affected water supply under Section 1303 of the Storage Tank and Spill Prevention Act, 35 P.S. § 6021.1303.

NOTICE OF APPEAL FORM
SIGNATURE PAGE

By filing this Notice of Appeal with the Environmental Hearing Board, I hereby certify that the information submitted is true and correct to the best of my information and belief. Additionally, I certify that a copy of this Notice of Appeal was served upon each of the individuals indicated on Page 2 of this form on the following date: March 9, 2020.

/s/ Kevin K. Douglass

Signature of Appellant or Appellant's Counsel

Date: March 9, 2020

If you have authorized counsel to represent you, please supply the following information (*Corporations must be represented by counsel*):

Kevin K. Douglass

Sean M. McGovern

Alexandra G. Farone

Attorney Name (Type or Print)

Babst, Calland, Clements and Zomnir, P.C.

Two Gateway Center, 6th Floor

Pittsburgh, PA 15222

Address

Telephone No.: 412-394-5400

Email: kdouglass@babstcalland.com
smcgovern@babstcalland.com
afarone@babstcalland.com

TDD users please contact the Pennsylvania Relay Service at 1-800-654-5984. If you require an accommodation or this information in an alternative form, please contact the Secretary to the Board at 717-787-3483.

Please see the attached Filing Instructions for additional information and requirements regarding the filing of this form.

FILING INSTRUCTIONS

Please read and follow these instructions in their entirety. If you fail to follow the requirements outlined below (including submitting a copy of the action you are appealing and serving process to other parties), the Board may dismiss your appeal.

By filing this Notice of Appeal with the Environmental Hearing Board, you are choosing to initiate *legal proceedings*, which ask the Board to review an action of the Department of Environmental Protection. The proceedings will require you to file documents, participate in discovery, and may ultimately require you to participate in a hearing before the Board. In addition to the Board, the proceedings will also involve interaction with, including you being required to send copies of your filings to, the Department of Environmental Protection and possibly other parties, such as those who have received a permit from the Department.

How to File a Notice of Appeal

Your Notice of Appeal, along with any required documents and information, shall be filed either by facsimile or by mail, hand or other delivery service at the following address:

Secretary to the Board
Environmental Hearing Board
Rachel Carson State Office Building – 2nd Floor
400 Market Street – P.O. Box 8457
Harrisburg, PA 17105-8457
Fax: (717) 783-4738

Attorneys also have the option to file a Notice of Appeal electronically at <http://ehb.courtapps.com/>. A Notice of Appeal filed by *mail, hand, or other delivery service* that is received after the close of the business day at 4:30 PM Eastern Time shall be deemed to be filed on the following business day. A Notice of Appeal filed by *facsimile* shall be deemed filed on the day it is received by the Board. A notice of appeal filed by facsimile should be followed up with a hard copy. A Notice of Appeal filed *electronically* before midnight EST will be considered to be filed on that date.

Filling out the Notice of Appeal Form—Appeal Information

1. When filing a new appeal, provide your name (and that of the business which you represent, if applicable), address, telephone number, and an email address.
2. (a) You must specify on the Notice of Appeal form the action of the Department that you seek to have the Board review, for example, the permit, determination, or other act.
(b) If you have received written notification of an action of the Department, you must attach a copy of the action to the Notice of Appeal (for example, the letter, order, or permit that you are appealing).
(c) You should also identify the Department official that took the action and the location (the municipality and county) of the operation or activity that is the subject of the action.
(d) Additionally, you must describe when and how you were notified of the Department's action.

Aug 26, 2020

Office of Mines and Minerals
Land Reclamation Division

3. When describing your objections to the Department's action, you must do so in separate numbered paragraphs for each objection. The objections must be specific, and may be factual or legal.

Rather than use the space on the Notice of Appeal form, you may type your objections on separate paper if you require more space. Note that if you fail to state an objection to the action in your Notice of Appeal, you may be barred from raising that objection later.

4. Finally, you must specify on the Notice of Appeal form any related appeal already pending before the Board of which you are aware.

Filling out the Notice of Appeal Form—Proof of Service

You must provide proof of service of the Notice of Appeal to the agency taking the action (typically the Department of Environmental Protection), as well as certain other individuals that may be affected by the appeal.

This means that, in addition to filing the Notice of Appeal with the Board, a copy of the Notice of Appeal must be delivered to each the following:

- (1) The Department of Environmental Protection Office of Chief Counsel at:

Department of Environmental Protection
Office of Chief Counsel
Attention: Administrative Officer
16th Floor, Rachel Carson State Office Building
400 Market Street, P.O. Box 8464
Harrisburg, PA 17105-8464

- (2) The officer of the Department of Environmental Protection (or other agency) that took the action being challenged. If you do not know the correct address for the agency office involved in the appeal, you should contact that agency directly, or you may contact the Secretary to the Environmental Hearing Board to obtain the appropriate address.
- (3) If you are appealing an action by the Department that involves someone else (for example, if you want to appeal a permit issued to another person or business), you must also send that person or business a copy of your Notice of Appeal. This is required by the Environmental Hearing Board's rules at 25 Pa. Code § 1021.51(g)-(h). Please see the Proof of Service page of the Notice of Appeal form for more details.

Note: For Attorneys who file an appeal electronically, only the party listed in (3) above must be served (if applicable). Electronically filed Notices of Appeal are automatically served on the Department's Office of Chief Counsel. There is no need to independently serve the Department.

Additional Information on Appeals Involving a Penalty Assessment

In the case of a penalty assessment, many environmental statutes require the amount of the penalty or a bond in that amount to be submitted within the 30-day period required for the filing of the appeal.

Aug 26, 2020

Office of Mines and Minerals
Land Reclamation Division

Where the statute requires that prepayment be made to the Board, the appellant shall submit to the Board with the Notice of Appeal a check in the amount of the penalty, or an appropriate bond securing payment of the penalty as required by statute. A check shall be made payable to the *Commonwealth of Pennsylvania*; a bond shall be in favor of the Board, and these shall be sent to the following address:

Environmental Hearing Board
Rachel Carson State Office Building – 2nd Floor
400 Market Street – P.O. Box 8457
Harrisburg, PA 17105-8457

Where the statute requires that prepayment be made to the Department of Environmental Protection, the appellant shall submit the prepayment to the Department at the following address in accordance with the Department's instructions:

Department of Environmental Protection
Office of Chief Counsel
Attention: Administrative Officer
16th Floor, Rachel Carson State Office Building
400 Market Street, P.O. Box 8464
Harrisburg, PA 17105-8464

If the appellant claims an inability to prepay, that claim must be submitted within the 30-day period by a verified statement either with the Notice of Appeal or in a supplementary document.

Pro Bono Information

Individuals filing an appeal on their own behalf before the Environmental Hearing Board do not need a lawyer. However, important legal rights may be at stake, and proceedings before the Environmental Hearing Board are legal and technical in nature. Therefore, it is strongly recommended that you seek legal counsel. If you cannot afford a lawyer, you may qualify for free legal representation. If your household income is less than 200% of the federal poverty level, then, within fifteen calendar days of filing the Notice of Appeal, you may submit a written request for pro bono representation to the Pro Bono Committee of the Pennsylvania Bar Association's Environmental & Energy Law Section at the following address:

Thomas M. Duncan, Esq.
PBA Environmental & Energy Law Section
Chair, Pro Bono Committee
c/o Manko, Gold, Katcher & Fox, LLP
401 City Avenue, Suite 901
Bala Cynwyd, PA 19004
Phone: 484-430-2358
Fax: 484-430-5711
tduncan@mankogold.com

Please also mail a copy of your request to the Environmental Hearing Board. Even if you are deemed financially eligible, a pro bono referral is not guaranteed and is instead based on the current availability of volunteers. In addition, you may contact your local or county bar association for more information.

Effective October 6, 2016, small corporations owned by no more than three (3) individuals are also eligible for a pro bono referral if each of the owners' household income is less than 300% of the federal poverty level.



Received Electronically
Dept of Natural Resources
Aug 26, 2020
Office of Mines and Minerals
Land Reclamation Division
7/15/20

July 15, 2020

Ryan Thomas
Environmental Inspector
WV Department of Environmental Protection
1159 Nick Rahall Greenway
Fayetteville, WV 25840

RE: S-6020-89 NOV 66 – Refuse Pile Construction

Mr. Thomas,

On behalf of Seminole West Virginia Mining Complex, LLC, Murray Maple Eagle Coal, LLC, and Panther Creek Mining, LLC, I wish to request an extension beyond the current abatement date for abating NOV#66 of the above referenced permit number. Panther Creek Mining, LLC, is in the process of acquiring the above referenced permit. We request an extension of 90 days, in order to give adequate time to review what work has been completed by Murry Maple Eagle, LLC and evaluate Panther Creek's method of abatement going forward with weather conditions permitting. Additionally, this extension will give time for the permits to be transferred from Seminole WV Mining Complex, LLC to Murray Maple Eagle Coal, LLC and then transferred again to Panther Creek Mining, LLC.

Regards,

A handwritten signature in black ink, appearing to read "Kelly L. Duty", is written over the typed name.

Kelly L. Duty
Environmental Engineer
Panther Creek Mining, LLC.
Office: 304-380-0415
Cell: 304-881-2236

I recommend approval
up to 10-14-20.

A handwritten signature in blue ink, appearing to read "Ryan Thomas", is written below the recommendation text.

7-15-20

James Plumley

From: Nicholas S. Johnson [REDACTED]
Sent: Monday, August 03, 2020 2:31 PM
To: James Plumley
Cc: Sallie E. Gilbert
Subject: FW: Sugar Camp Remedial Measures

CAUTION: This email originated from outside of Foresight Energy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: Bonin, Kevin <KBonin@atg.state.il.us>
Sent: Monday, August 03, 2020 2:10 PM
To: Nicholas S. Johnson
Subject: Sugar Camp Remedial Measures

CAUTION: External Email

Good Afternoon Nick,

We are still working on formulating a draft settlement document to propose to you and Sugar Camp. We would appreciate some documentation that would help us better assess the measures that Sugar Camp noted had been taken during our last teleconference call. Could you provide dates and documentation for the items listed below?

1. Date that "Foresight – Standard Specifications for Water Line Construction" guidance document was issued;
2. Date that a check valve was installed at the point of connection of the Viking 12-inch pipeline;
3. Date of disconnection of the Viking Bleeder Shaft 1 pipeline;
4. Documentation associated with the developed routine inspection protocol for process wastewater pipelines;
5. Documentation associated with the engineering study of the pipelines commissioned by Sugar Camp;
6. Documentation associated with the developed internal procedure for notifying IEPA of releases from the process wastewater pipelines; and
7. Documentation associated with the installation of pressure sensors and programming of PLC system.

Any information you can share on these items would be greatly appreciated.

Thank you.

Kevin Bonin

MR-16

West Virginia Department Of Environmental Protection

Page 1 of 1

ERIS

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
S300795	03/19/2019	12:00	6		0500	41	07/15/2020	16:43

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLC

Violation is hereby: ☐ Terminated ☐ Withdrawn ☐ Remains in force as written ☐ Show Cause submitted

☒ Extended to 10/14/2020 at 12:00 ☐ NOV modified to CO # ☐ CO modified to NOV #

Action taken to abate:

Extension request received. Panther Creek Mining has just recently acquired this permit. They are currently assessing this violation to develop a plan for work to continue on the remedial measures.

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☒ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Good Faith: 0 ☐ 1 ☒ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE Kelly Duty

DELIVERY METHOD / DATE TIME Mail 7/15/2020 16:43:00

CERTIFIED MAIL NUMBER

ADDRESS 1345 ELK RIDGE ROAD, ELK RIDGE, WV 25161

WV DEP REP. Ryan L. Thomas

Austin Caperton

[Secretary, Department of Environmental Protection]

[WV DEP Representative]

Date _____

Names of individuals at informal Conference:

Results: CO was:	<input type="checkbox"/> Upheld	<input type="checkbox"/> Modified	<input type="checkbox"/> Terminated	<input type="checkbox"/> Withdrawn
------------------	---------------------------------	-----------------------------------	-------------------------------------	------------------------------------

Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____



Received Electronically
Dept of Natural Resources
Aug 26, 2020
Office of Mines and Minerals
Land Reclamation Division

July 15, 2020

Ryan Thomas
Environmental Inspector
WV Department of Environmental Protection
1159 Nick Rahall Greenway
Fayetteville, WV 25840

RE: S-3007-95 NOV 41 – Failure to Certify New Ditch Before Initiating Mining Activities

Mr. Thomas,

On behalf of Seminole West Virginia Mining Complex, LLC, Murray Maple Eagle Coal, LLC, and Panther Creek Mining, LLC, I wish to request an extension beyond the current abatement date for abating NOV#41 of the above referenced permit number. Panther Creek Mining, LLC, is in the process of acquiring the above referenced permit. We request an extension of 90 days, in order to give adequate time to review what work has been completed by Murry Maple Eagle, LLC and evaluate Panther Creek's method of abatement going forward with weather conditions permitting. Additionally, this extension will give time for the permits to be transferred from Seminole WV Mining Complex, LLC to Murray Maple Eagle Coal, LLC and then transferred again to Panther Creek Mining, LLC.

Regards,

A large, stylized handwritten signature in black ink, appearing to read "Kelly Duty".

Kelly L. Duty
Environmental Engineer
Panther Creek Mining, LLC.
Office: 304-380-0415
Cell: 304-881-2236

I recommend approval
up to 10-14-20.
Ryan Thomas
7-15-20

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
U057000	03/18/2019	10:30	6		1000	21	06/29/2020	16:28

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLC

Violation is hereby: ☐ Terminated ☐ Withdrawn ☐ Remains in force as written ☐ Show Cause submitted

☒ Extended to 09/23/2020 at 12:00 ☐ NOV modified to CO # ☐ CO modified to NOV #

Action taken to abate:

Extension request received. Blackhawk Mining just acquired this permit and currently assessing this violation to develop a plan.

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☒ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Good Faith: 0 ☐ 1 ☒ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE Kelly Duty

DELIVERY METHOD / DATE TIME Mail 6/29/2020 16:29:00

CERTIFIED MAIL NUMBER

ADDRESS 1345 ELK RIDGE ROAD, ELK RIDGE, WV 25161

WV DEP REP. Ryan L. Thomas

Austin Caperton

[Secretary, Department of Environmental Protection]

[WV DEP Representative]

Date _____

Names of individuals at informal Conference:

Results: CO was:	<input type="checkbox"/> Upheld	<input type="checkbox"/> Modified	<input type="checkbox"/> Terminated	<input type="checkbox"/> Withdrawn
------------------	---------------------------------	-----------------------------------	-------------------------------------	------------------------------------

Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____



June 25, 2020

Ryan Thomas
Environmental Inspector
WV Department of Environmental Protection
1159 Nick Rahall Greenway
Fayetteville, WV 25840

RE: U-0570-00 NOV 21 – Failure to maintain the approved primary/haul road

Mr. Thomas,

On behalf of Seminole West Virginia Mining Complex, LLC, Murray Maple Eagle Coal, LLC, and Panther Creek Mining, LLC, I wish to request an extension beyond the current abatement date for abating NOV#21 of the above referenced permit number. Panther Creek Mining, LLC, is in the process of acquiring the above referenced permit. We request an extension of 90 days, in order to give adequate time to review what work has been completed by Murry Maple Eagle, LLC and evaluate Panther Creek's method of abatement going forward with weather conditions permitting. Additionally, this extension will give time for the permits to be transferred from Seminole WV Mining Complex, LLC to Murray Maple Eagle Coal, LLC and then transferred again to Panther Creek Mining, LLC.

Regards,

A handwritten signature in blue ink, appearing to read "Kelly Duty", with a long horizontal line extending from the end of the signature.

Kelly L. Duty
Environmental Engineer
Panther Creek Mining, LLC.
Office: 304-380-0415
Cell: 304-881-2236

I recommend approval
up to 9-23-20.
A handwritten signature in blue ink, appearing to read "Ryan Thomas", with the date "6-29-20" written below it.

MR-16

West Virginia Department Of Environmental Protection

ERIS

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
U057000	03/18/2019	10:30	6		0400	20	06/29/2020	16:30

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLC

Violation is hereby: ☐ Terminated ☐ Withdrawn ☐ Remains in force as written ☐ Show Cause submitted

☒ Extended to 09/23/2020 at 12:00 ☐ NOV modified to CO # ☐ CO modified to NOV #

Action taken to abate:

Extension request received. Blackhawk Mining just acquired this permit and currently assessing this violation to develop a plan.

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Good Faith: 0 ☐ 1 ☒ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE Kelly Duty

DELIVERY METHOD / DATE TIME Mail 6/29/2020 16:30:00

CERTIFIED MAIL NUMBER

ADDRESS 1345 ELK RIDGE ROAD, ELK RIDGE, WV 25161

WV DEP REP. Ryan L. Thomas

Austin Caperton

[Secretary, Department of Environmental Protection]

[WV DEP Representative]

Date _____

Names of individuals at informal Conference:

Results: CO was:	<input type="checkbox"/> Upheld	<input type="checkbox"/> Modified	<input type="checkbox"/> Terminated	<input type="checkbox"/> Withdrawn
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Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____



June 25, 2020

Ryan Thomas
Environmental Inspector
WV Department of Environmental Protection
1159 Nick Rahall Greenway
Fayetteville, WV 25840

RE: U-0570-00 NOV 20 – Failure to clean out Pond 1A & Pond 1

Mr. Thomas,

On behalf of Seminole West Virginia Mining Complex, LLC, Murray Maple Eagle Coal, LLC, and Panther Creek Mining, LLC, I wish to request an extension beyond the current abatement date for abating NOV#20 of the above referenced permit number. Panther Creek Mining, LLC, is in the process of acquiring the above referenced permit. We request an extension of 90 days, in order to give adequate time to review what work has been completed by Murry Maple Eagle, LLC and evaluate Panther Creek's method of abatement going forward with weather conditions permitting. Additionally, this extension will give time for the permits to be transferred from Seminole WV Mining Complex, LLC to Murray Maple Eagle Coal, LLC and then transferred again to Panther Creek Mining, LLC.

Regards,

A handwritten signature in blue ink, appearing to read "Kelly L. Duty", is written over a horizontal line.

Kelly L. Duty
Environmental Engineer
Panther Creek Mining, LLC.
Office: 304-380-0415
Cell: 304-881-2236

I recommend approval
up to 9-23-20.
A handwritten signature in blue ink, appearing to read "Ryan Thomas", is written below the text.
6-29-20



Received Electronically
Dept of Natural Resources
Aug 26, 2020
Office of Mines and Minerals
Land Reclamation Division

July 15, 2020

Ryan Thomas
Environmental Inspector
WV Department of Environmental Protection
1159 Nick Rahall Greenway
Fayetteville, WV 25840

RE: O-0047-85 NOV 20 – Cleaning Ditches, Replacing Damaged Culverts

Mr. Thomas,

On behalf of Seminole West Virginia Mining Complex, LLC, Murray Maple Eagle Coal, LLC, and Panther Creek Mining, LLC, I wish to request an extension beyond the current abatement date for abating NOV#20 of the above referenced permit number. Panther Creek Mining, LLC, is in the process of acquiring the above referenced permit. We request an extension of 90 days, in order to give adequate time to review what work has been completed by Murry Maple Eagle, LLC and evaluate Panther Creek's method of abatement going forward with weather conditions permitting. Additionally, this extension will give time for the permits to be transferred from Seminole WV Mining Complex, LLC to Murray Maple Eagle Coal, LLC and then transferred again to Panther Creek Mining, LLC.

Regards,

A handwritten signature in black ink, appearing to read "Kelly L. Duty", written over a horizontal line.

Kelly L. Duty
Environmental Engineer
Panther Creek Mining, LLC:
Office: 304-380-0415
Cell: 304-881-2236

*I recommend approval
up to 10-14-20.
Ryan Thomas
7-15-20*

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
O004785	03/15/2019	09:00	6		0200	18	06/29/2020	16:22

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLC

Violation is hereby: ☐ Terminated ☐ Withdrawn ☐ Remains in force as written ☐ Show Cause submitted

☒ Extended to 09/23/2020 at 11:00 ☐ NOV modified to CO # ☐ CO modified to NOV #

Action taken to abate:

Extension request received. Murray has cleaned up a lot of the coal spillage and repaired the erosion. The site has developed an erosion gully again and needs repaired. Provide erosion protection to prevent this from reoccurring. Area needs seeded after repairs. IBR still needs to be submitted to show offsite disturbance.

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☐ 3 ☐ 4 ☒ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Good Faith: 0 ☐ 1 ☒ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE Kelly Duty

DELIVERY METHOD / DATE TIME Mail 6/29/2020 16:22:00

CERTIFIED MAIL NUMBER

ADDRESS 1345 ELK RIDGE ROAD, ELK RIDGE, WV 25161

WV DEP REP. Ryan L. Thomas

Austin Caperton

[Secretary, Department of Environmental Protection]

[WV DEP Representative]

Date _____

Names of individuals at informal Conference:

Results: CO was:	<input type="checkbox"/> Upheld	<input type="checkbox"/> Modified	<input type="checkbox"/> Terminated	<input type="checkbox"/> Withdrawn
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Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____



June 25, 2020

Ryan Thomas
Environmental Inspector
WV Department of Environmental Protection
1159 Nick Rahall Greenway
Fayetteville, WV 25840

RE: O-0047-85 NOV 18 – Failure to Protect off-site areas from mining operations

Mr. Thomas,

On behalf of Seminole West Virginia Mining Complex, LLC, Murray Maple Eagle Coal, LLC, and Panther Creek Mining, LLC, I wish to request an extension beyond the current abatement date for abating NOV#18 of the above referenced permit number. Panther Creek Mining, LLC, is in the process of acquiring the above referenced permit. We request an extension of 90 days, in order to give adequate time to review what work has been completed by Murry Maple Eagle, LLC and evaluate Panther Creek's method of abatement going forward with weather conditions permitting. Additionally, this extension will give time for the permits to be transferred from Seminole WV Mining Complex, LLC to Murray Maple Eagle Coal, LLC and then transferred again to Panther Creek Mining, LLC.

Regards,

A handwritten signature in blue ink, appearing to read "Kelly Duty", with a long horizontal flourish extending to the right.

Kelly L. Duty
Environmental Engineer
Panther Creek Mining, LLC.
Office: 304-380-0415
Cell: 304-881-2236

*I recommend
approval up to 9-23-20.
Ryan Thomas
6-29-20*

MR-16

West Virginia Department Of Environmental Protection

Page 1 of 1,

ERIS

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
O004885	03/15/2019	09:30	6		0400	15	06/29/2020	16:07

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLC

Violation is hereby: ☐ Terminated ☐ Withdrawn ☐ Remains in force as written ☐ Show Cause submitted

☒ Extended to 09/23/2020 at 12:00 ☐ NOV modified to CO # ☐ CO modified to NOV #

Action taken to abate:

Extension request received. All groundwork has been completed. The pond still needs to be certified. Ensure that the inlet of the discharge pipe remains free of debris.

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☒ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Good Faith: 0 ☐ 1 ☒ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE Kelly Duty

DELIVERY METHOD / DATE TIME Mail 6/29/2020 16:12:00

CERTIFIED MAIL NUMBER

ADDRESS 1345 ELK RIDGE ROAD, ELK RIDGE, WV 25161

WV DEP REP. Ryan L. Thomas

Austin Caperton

[Secretary, Department of Environmental Protection]

[WV DEP Representative]

Date _____

Names of individuals at informal Conference:

Results: CO was:	<input type="checkbox"/> Upheld	<input type="checkbox"/> Modified	<input type="checkbox"/> Terminated	<input type="checkbox"/> Withdrawn
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Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____



June 25, 2020

Ryan Thomas
Environmental Inspector
WV Department of Environmental Protection
1159 Nick Rahall Greenway
Fayetteville, WV 25840

RE: O-0048-85 NOV 15 – Failure to clean out Pond #1

Mr. Thomas,

On behalf of Seminole West Virginia Mining Complex, LLC, Murray Maple Eagle Coal, LLC, and Panther Creek Mining, LLC, I wish to request an extension beyond the current abatement date for abating NOV#15 of the above referenced permit number. Panther Creek Mining, LLC, is in the process of acquiring the above referenced permit. We request an extension of 90 days, in order to give adequate time to review what work has been completed by Murry Maple Eagle, LLC and evaluate Panther Creek's method of abatement going forward with weather conditions permitting. Additionally, this extension will give time for the permits to be transferred from Seminole WV Mining Complex, LLC to Murray Maple Eagle Coal, LLC and then transferred again to Panther Creek Mining, LLC.

Regards,

A handwritten signature in blue ink, appearing to read "Kelly Duty", with a long horizontal flourish extending to the right.

Kelly L. Duty
Environmental Engineer
Panther Creek Mining, LLC.
Office: 304-380-0415
Cell: 304-881-2236

*I recommend approval
up to 9-23-20.
Ryan Thomas
6-29-20.*

MR-16

West Virginia Department Of Environmental Protection

ERIS

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
H066700	03/07/2019	14:43	6		1000	13	07/15/2020	16:47

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLC

Violation is hereby: ☐ Terminated ☐ Withdrawn ☐ Remains in force as written ☐ Show Cause submitted

☒ Extended to 10/14/2020 at 12:00 ☐ NOV modified to CO # ☐ CO modified to NOV #

Action taken to abate:

Extension request received. Panther Creek Mining has just recently acquired this permit. They are currently assessing this violation to develop a plan for work to continue on the remedial measures. Waiting on certification to be submitted.

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Good Faith: 0 ☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE Kelly Duty

DELIVERY METHOD / DATE TIME Mail 7/15/2020 16:48:00

CERTIFIED MAIL NUMBER

ADDRESS 1345 ELK RIDGE ROAD, ELK RIDGE, WV 25161

WV DEP REP. Ryan L. Thomas

Austin Caperton

[Secretary, Department of Environmental Protection]

[WV DEP Representative]

Date _____

Names of individuals at informal Conference:

Results: CO was:	<input type="checkbox"/> Upheld	<input type="checkbox"/> Modified	<input type="checkbox"/> Terminated	<input type="checkbox"/> Withdrawn
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Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____



Received Electronically
Dept of Natural Resources
Aug 26, 2020
Office of Mines and Minerals
Land Reclamation Division
[Handwritten signature]

July 15, 2020

Ryan Thomas
Environmental Inspector
WV Department of Environmental Protection
1159 Nick Rahall Greenway
Fayetteville, WV 25840

RE: H-0667-00 NOV 13 – Maintaining Haulage Way

Mr. Thomas,

On behalf of Seminole West Virginia Mining Complex, LLC, Murray Maple Eagle Coal, LLC, and Panther Creek Mining, LLC, I wish to request an extension beyond the current abatement date for abating NOV#13 of the above referenced permit number. Panther Creek Mining, LLC, is in the process of acquiring the above referenced permit. We request an extension of 90 days, in order to give adequate time to review what work has been completed by Murry Maple Eagle, LLC and evaluate Panther Creek's method of abatement going forward with weather conditions permitting. Additionally, this extension will give time for the permits to be transferred from Seminole WV Mining Complex, LLC to Murray Maple Eagle Coal, LLC and then transferred again to Panther Creek Mining, LLC.

Regards,

A handwritten signature in black ink, appearing to read "Kelly Duty", with a long horizontal line extending from the end of the signature.

Kelly L. Duty
Environmental Engineer
Panther Creek Mining, LLC
Office: 304-380-0415
Cell: 304-881-2236

*I recommend approval
up to 10-14-20.*
[Handwritten signature]
7-15-20



June 25, 2020

Ryan Thomas
Environmental Inspector
WV Department of Environmental Protection
1159 Nick Rahall Greenway
Fayetteville, WV 25840

RE: S-3007-95 NOV 38 – Revision for Top Soil Substitute

Mr. Thomas,

On behalf of Seminole West Virginia Mining Complex, LLC, Murray Maple Eagle Coal, LLC, and Panther Creek Mining, LLC, I wish to request an extension beyond the current abatement date for abating NOV#38 of the above referenced permit number. Panther Creek Mining, LLC, is in the process of acquiring the above referenced permit. We request an extension of 90 days, in order to give adequate time to review what work has been completed by Murry Maple Eagle, LLC and evaluate Panther Creek's method of abatement going forward with weather conditions permitting. Additionally, this extension will give time for the permits to be transferred from Seminole WV Mining Complex, LLC to Murray Maple Eagle Coal, LLC and then transferred again to Panther Creek Mining, LLC.

Regards,

A handwritten signature in blue ink that reads "Kelly L. Duty".

Kelly L. Duty
Environmental Engineer
Panther Creek Mining, LLC.
Office: 304-380-0415
Cell: 304-881-2236

*I recommend approval
up to 9-23-20.
R. Thomas
6-29-20*

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
U301607	01/29/2019	09:30	6		0400	6	06/29/2020	16:26

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLC

Violation is hereby: ☐ Terminated ☐ Withdrawn ☐ Remains in force as written ☐ Show Cause submitted

☒ Extended to 09/23/2020 at 09:00 ☐ NOV modified to CO # ☐ CO modified to NOV #

Action taken to abate:

Extension request received. Company is continuing to work on remedial measures. Most of the sediment ditches have been cleaned. Ditches still require some additional work and needs to be certified.

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Good Faith: 0 ☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE Kelly Duty

DELIVERY METHOD / DATE TIME Mail 6/29/2020 16:27:00

CERTIFIED MAIL NUMBER

ADDRESS 1345 ELK RIDGE ROAD, ELK RIDGE, WV 25161

WV DEP REP. Ryan L. Thomas

Austin Caperton

[Secretary, Department of Environmental Protection]

[WV DEP Representative]

Date _____

Names of individuals at informal Conference:

Results: CO was:	<input type="checkbox"/> Upheld	<input type="checkbox"/> Modified	<input type="checkbox"/> Terminated	<input type="checkbox"/> Withdrawn
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Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____



June 25, 2020

Ryan Thomas
Environmental Inspector
WV Department of Environmental Protection
1159 Nick Rahall Greenway
Fayetteville, WV 25840

RE: U-3016-07 NOV 6 – Failure to maintain the approved drainage system

Mr. Thomas,

On behalf of Seminole West Virginia Mining Complex, LLC, Murray Maple Eagle Coal, LLC, and Panther Creek Mining, LLC, I wish to request an extension beyond the current abatement date for abating NOV#6 of the above referenced permit number. Panther Creek Mining, LLC, is in the process of acquiring the above referenced permit. We request an extension of 90 days, in order to give adequate time to review what work has been completed by Murry Maple Eagle, LLC and evaluate Panther Creek's method of abatement going forward with weather conditions permitting. Additionally, this extension will give time for the permits to be transferred from Seminole WV Mining Complex, LLC to Murray Maple Eagle Coal, LLC and then transferred again to Panther Creek Mining, LLC.

Regards,

A handwritten signature in blue ink, appearing to read "Kelly Duty", with a long horizontal line extending from the end of the signature.

Kelly L. Duty
Environmental Engineer
Panther Creek Mining, LLC.
Office: 304-380-0415
Cell: 304-881-2236

*I recommend approval
up to 8-23-20.
Ryan Thomas
6-29-20*

James Plumley

From: Nagel, Jon [REDACTED]
Sent: Tuesday, August 25, 2020 12:48 PM
To: James Plumley; Betcher, Kim
Subject: FW: NOV Follow-ups
Attachments: SKM_458e20082513500.pdf

From: Thomas, Ryan L <Ryan.L.Thomas@wv.gov>
Sent: Tuesday, August 25, 2020 1:46 PM
To: Nagel, Jon
Subject: NOV Follow-ups

CAUTION: This email originated from outside of Murray Energy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Jon,

See attachment for the most recent follow-ups. All of these violations are in show cause. They are all still open violations with work needing to be done. With the progress being made daily, a couple of these outstanding violations are near abatement.

From: 12797@wv.gov <12797@wv.gov>
Sent: Tuesday, August 25, 2020 1:51 PM
To: Thomas, Ryan L <Ryan.L.Thomas@wv.gov>
Subject: Message from KM_458e

MR-16

West Virginia Department Of Environmental Protection

Page 1 of 1

ERIS

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
S300795	03/19/2019	12:00	6		0400	40	05/15/2019	00:00

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLC

Violation is hereby: ☐ Terminated ☐ Withdrawn ☐ Remains in force as written ☒ Show Cause submitted
☐ Extended to _____ at _____ ☐ NOV modified to CO # _____ ☐ CO modified to NOV # _____

Action taken to abate:

Show Cause Order #1540 issued/mms

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Good Faith: 0 ☐ 1 ☒ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE _____

DELIVERY METHOD / DATE TIME _____

CERTIFIED MAIL NUMBER _____

ADDRESS 46226 NATIONAL ROAD, ST. CLAIRSVILLE, OH 43950

WV DEP REP. Ryan L. Thomas

Austin Caperton

[Secretary, Department of Environmental Protection]

[WV DEP Representative]

Date

Names of individuals at informal Conference:

Results: CO was: ☐ Upheld ☐ Modified ☐ Terminated ☐ Withdrawn

Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____

MR-16

West Virginia Department Of Environmental Protection

Page 1 of 1

ERIS

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
S300795	03/26/2019	15:30	6		0400	42	05/15/2019	00:00

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLC

Violation is hereby: ☐ Terminated ☐ Withdrawn ☐ Remains in force as written ☒ Show Cause submitted
☐ Extended to _____ at _____ ☐ NOV modified to CO # _____ ☐ CO modified to NOV # _____

Action taken to abate:

30 Day SC Order #1540 issued/mms

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Good Faith: 0 ☐ 1 ☒ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE _____

DELIVERY METHOD / DATE TIME _____

CERTIFIED MAIL NUMBER _____

ADDRESS 46226 NATIONAL ROAD, ST. CLAIRSVILLE, OH 43950

WV DEP REP. Ryan L. Thomas

Austin Caperton

[Secretary, Department of Environmental Protection]

[WV DEP Representative]

Date

Names of individuals at informal Conference:

Results: CO was: ☐ Upheld ☐ Modified ☐ Terminated ☐ Withdrawn

Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____

MR-16

West Virginia Department Of Environmental Protection

Page 1 of 1

ERIS

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
S300795	12/20/2018	15:00	6		0400	34	06/20/2019	12:22

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLC

Violation is hereby: ☐ Terminated ☐ Withdrawn ☐ Remains in force as written ☒ Show Cause submitted
☐ Extended to _____ at _____ ☐ NOV modified to CO # _____ ☐ CO modified to NOV # _____

Action taken to abate:

Show Cause order issued on 5-15-19. Company is continuing to work on remedial measures.

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☐ 3 ☐ 4 ☒ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☒ 5 ☐ 6 ☐ 7 ☐ 8 ☐
 Good Faith: 0 ☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE Hodge Hunter

DELIVERY METHOD / DATE TIME Mail 6/20/2019 12:22:00

CERTIFIED MAIL NUMBER _____

ADDRESS 46226 NATIONAL ROAD, ST. CLAIRSVILLE, OH 43950

WV DEP REP. Ryan L. Thomas

Austin Caperton

[Secretary, Department of Environmental Protection]

[WV DEP Representative]

Date

Names of individuals at informal Conference:

Results: CO was: ☐ Upheld ☐ Modified ☐ Terminated ☐ Withdrawn

Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____

MR-16

West Virginia Department Of Environmental Protection

Page 1 of 1

ERIS

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
S602089	03/26/2019	13:00	6		0400	62	05/15/2019	00:00

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLC

Violation is hereby: ☐ Terminated ☐ Withdrawn ☐ Remains in force as written ☒ Show Cause submitted
☐ Extended to _____ at _____ ☐ NOV modified to CO # _____ ☐ CO modified to NOV # _____

Action taken to abate:

Show Cause order #1539 issued/mms

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☒ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Good Faith: 0 ☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE _____

DELIVERY METHOD / DATE TIME _____

CERTIFIED MAIL NUMBER _____

ADDRESS 46226 NATIONAL ROAD, ST. CLAIRSVILLE, OH 43950

WV DEP REP. Ryan L. Thomas

Austin Caperton

[Secretary, Department of Environmental Protection]

[WV DEP Representative]

Date

Names of individuals at informal Conference:

Results: CO was: ☐ Upheld ☐ Modified ☐ Terminated ☐ Withdrawn

Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____

MR-16

West Virginia Department Of Environmental Protection

Page 1 of 1

ERIS

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
S304191	10/09/2018	10:08	6		2400	56	04/24/2019	00:00

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLC

Violation is hereby: ☐ Terminated ☐ Withdrawn ☐ Remains in force as written ☒ Show Cause submitted
☐ Extended to _____ at _____ ☐ NOV modified to CO # _____ ☐ CO modified to NOV # _____

Action taken to abate:

Show Cause Order issued 4-24-19: SC #1532/mms

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Good Faith: 0 ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE _____

DELIVERY METHOD / DATE TIME _____

CERTIFIED MAIL NUMBER _____

ADDRESS 46226 NATIONAL ROAD, ST. CLAIRSVILLE, OH 43950

WV DEP REP. Ryan L. Thomas

Austin Caperton

[Secretary, Department of Environmental Protection]

[WV DEP Representative]

Date

Names of individuals at informal Conference:

Results: CO was: ☐ Upheld ☐ Modified ☐ Terminated ☐ Withdrawn

Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____

MR-16

West Virginia Department Of Environmental Protection

Page 1 of 1

ERIS

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
S304191	02/27/2019	10:00	6		0400	57	04/17/2019	00:00

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLC

Violation is hereby: ☐ Terminated ☐ Withdrawn ☐ Remains in force as written ☒ Show Cause submitted
☐ Extended to _____ at _____ ☐ NOV modified to CO # _____ ☐ CO modified to NOV # _____

Action taken to abate:

Show Cause Order issued 4-17-19: SC #1528/mms

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Good Faith: 0 ☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE _____

DELIVERY METHOD / DATE TIME _____

CERTIFIED MAIL NUMBER _____

ADDRESS 46226 NATIONAL ROAD, ST. CLAIRSVILLE, OH 43950

WV DEP REP. Ryan L. Thomas

Austin Caperton

[Secretary, Department of Environmental Protection]

[WV DEP Representative]

Date

Names of individuals at informal Conference:

Results: CO was: ☐ Upheld ☐ Modified ☐ Terminated ☐ Withdrawn

Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____

MR-16

West Virginia Department Of Environmental Protection

ERIS

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
S304191	03/07/2019	09:30	6		0400	58	04/17/2019	00:00

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLCViolation is hereby: ☐ Terminated ☐ Withdrawn ☐ Remains in force as written ☒ Show Cause submitted☐ Extended to _____ at _____ ☐ NOV modified to CO # _____ ☐ CO modified to NOV # _____

Action taken to abate:

Show cause order issued 4-17-19: SC #1528/mms

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐Good Faith: 0 ☐ 1 ☒ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE _____

DELIVERY METHOD / DATE TIME _____

CERTIFIED MAIL NUMBER _____

ADDRESS 46226 NATIONAL ROAD, ST. CLAIRSVILLE, OH 43950WV DEP REP. Ryan L. ThomasAustin Caperton

[Secretary, Department of Environmental Protection]

[WV DEP Representative]

Date

Names of individuals at informal Conference:

Results: CO was: ☐ Upheld ☐ Modified ☐ Terminated ☐ Withdrawn

Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____

MR-16

West Virginia Department Of Environmental Protection

Page 1 of 1

ERIS

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
S304191	03/12/2019	18:34	6		0400	59	04/17/2019	00:00

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLC

Violation is hereby: ☐ Terminated ☐ Withdrawn ☐ Remains in force as written ☒ Show Cause submitted
☐ Extended to _____ at _____ ☐ NOV modified to CO # _____ ☐ CO modified to NOV # _____

Action taken to abate:

Show Cause order issued 4-17-19: SC #1528/mms

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Good Faith: 0 ☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE _____

DELIVERY METHOD / DATE TIME _____

CERTIFIED MAIL NUMBER _____

ADDRESS 46226 NATIONAL ROAD, ST. CLAIRSVILLE, OH 43950

WV DEP REP. Ryan L. Thomas

Austin Caperton

[Secretary, Department of Environmental Protection]

[WV DEP Representative]

Date

Names of individuals at informal Conference:

Results: CO was: ☐ Upheld ☐ Modified ☐ Terminated ☐ Withdrawn

Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____

MR-16

West Virginia Department Of Environmental Protection

Page 1 of 1

ERIS

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
S304387	02/12/2019	11:00	6		1000	50	04/17/2019	00:00

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLC

Violation is hereby: ☐ Terminated ☐ Withdrawn ☐ Remains in force as written ☒ Show Cause submitted
☐ Extended to _____ at _____ ☐ NOV modified to CO # _____ ☐ CO modified to NOV # _____

Action taken to abate:

Show Cause Order issued 4-17-19: SC #1529/mms

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☒ 5 ☐ 6 ☐ 7 ☐ 8 ☐
 Good Faith: 0 ☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE _____

DELIVERY METHOD / DATE TIME _____

CERTIFIED MAIL NUMBER _____

ADDRESS 46226 NATIONAL ROAD, ST. CLAIRSVILLE, OH 43950

WV DEP REP. Ryan L. Thomas

Austin Caperton

[Secretary, Department of Environmental Protection]

[WV DEP Representative]

Date

Names of individuals at informal Conference:

Results: CO was: ☐ Upheld ☐ Modified ☐ Terminated ☐ Withdrawn

Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____

MR-16

West Virginia Department Of Environmental Protection

Page 6 of 11

ERIS

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FAC #	ENF STD	ORIGINAL VIOL#	DATE	TIME
S304387	02/12/2019	12:00	6		1000	51	04/17/2019	00:00

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLC

Violation is hereby: ☐ Terminated ☐ Withdrawn ☐ Remains in force as written ☒ Show Cause submitted

☐ Extended to _____ at _____ ☐ NOV modified to CO # _____ ☐ CO modified to NOV # _____

Action taken to abate:

Show Cause Order issued 4-17-19; SC #1529/mms

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☒ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Good Faith: 0 ☐ 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE _____

DELIVERY METHOD / DATE TIME _____

CERTIFIED MAIL NUMBER _____

ADDRESS 46226 NATIONAL ROAD, ST. CLAIRSVILLE, OH 43950

WV DEP REP. Ryan L. Thomas

Austin Caperton

[Secretary, Department of Environmental Protection]

[WV DEP Representative]

Date

Names of individuals at informal Conference:

Results: CO was: ☐ Upheld ☐ Modified ☐ Terminated ☐ Withdrawn

Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____

James Plumley

From: Kent Desrocher [REDACTED]
Sent: Monday, August 24, 2020 3:36 PM
To: James Plumley; Betcher, Kim; Kelly L. Duty
Subject: RE: Status of Various NOV's associated with Maple Eagle

CAUTION: This email originated from outside of Foresight Energy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

This was a meeting with John Flesher at Kanawha City on June 11 to discuss priorities in regards to issues on the ground while permit were being transferred.

11

1:30pm Maple Env Issues Mtg with
Flesher and Ed; Kanawha City DEP

This was a meeting on July 24 with inspector, inspector supervisor, and bond release specialist to discuss how best to deal with certain NOV's.

23

24

9:00am Review with DEP on Maple
Permits; Maple Admin Office ; Mark A.
Morris

Several of the NOV's require permit actions to facilitate abatement; those permit actions cannot take place until the permits are transferred.

Kent

From: Kent Desrocher
Sent: Monday, August 24, 2020 2:28 PM
To: Betcher, Kim; Kelly L. Duty
Cc: James Plumley
Subject: RE: Status of Various NOV's associated with Maple Eagle

CAUTION: This email originated from outside of Foresight Energy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

James (not used to saying that),

All of the NOV's noted below are in Show Cause. As I think you are aware the permits recently received by Maple and are now in the process of transferring to Panther Creek Mining. We don't expect to fully resolve the Show Cause issues until the permit transfer to Panther Creek is complete. This will likely be done via a reclamation agreement; there have been general discussions with the local WVDEP folks about this, but nothing is formal. We are diligently working to reclaim the VF (NOV 56) and have hopes of completing that by year end. I am not sure how this information helps you in what you are trying to accomplish in your permit actions. If you have any thoughts on this feel free to give me a call.

Kent

From: Betcher, Kim
Sent: Friday, August 21, 2020 3:48 PM
To: Kelly L. Duty
Cc: Kent Desrocher
Subject: Status of Various NOV's associated with Maple Eagle
Importance: High

Kelly,

Hoping you can help me out. We have various permit applications pending in IL and as part of the review process we have to provide an updated list of all NOV's. Since the Maple Eagle permits have not transferred to Blackhawk, our officers are still tied to the Maple Eagle permits.

Would you please provide me with any information regarding the status of the following (i.e. abated, extended, in settlement, etc..) If you have approvals for extensions or anything in writing from WVDEP, that would be a big help.

Sycamore North	S-3007-95	NOV #42	3/26/2019	Extended	Permitted failed to maintain the approved drainage system, in that S.D. A-11 is full of sediment and other debris
Sycamore South	S-6020-89	NOV #62	3/26/2019	Extended	Failed to maintain the approved haulage way
Sycamore North	S-3007-95	NOV #40	3/19/2019	Extended	Failure to clean out Pond 1
Sycamore South Extension	S-3041-91	NOV #59	3/12/2019	Extended	Failed to maintain the approved drainage system
Sycamore South Extension	S-3041-91	NOV #58	3/7/2019	Extended	Failed to maintain the approved drainage system
Sycamore South Extension	S-3041-91	NOV #57	2/27/2019	Extended	Failure to clean out pond LB 9
Chilton Contour/Hlrd	S-3043-87	NOV #51	2/12/2019	Extended	Failed to maintain infrequently used access road "IFUAR"
Chilton Contour/Hlrd	S-3043-87	NOV #50	2/12/2019	Extended	Failed to maintain the approved haulage way
Sycamore South Extension	S-3041-91	NOV #56	1/14/2019	Issued	Failure to follow permit conditions with reclamation plan for Laurel Branch valley fill
Sycamore North	S-3007-95	NOV #34	12/20/2018	Issued	Failure to maintain the approved drainage system

Please feel free to give me a call if you'd like to discuss.

Best Regards,
Kim

James Plumley

From: Kent Desrocher [REDACTED]
Sent: Monday, August 24, 2020 3:40 PM
To: James Plumley; Betcher, Kim; Kelly L. Duty
Subject: RE: Status of Various NOV's associated with Maple Eagle

CAUTION: This email originated from outside of Foresight Energy. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Here is the text of an email I sent following the June 11 Flesher meeting.

Mark/Kelly,

Ed and I met with John Flesher yesterday regarding Maple outstanding NOV's. In a nutshell, Flesher said we should focus on those NOV's involving offsite disturbance and drainage issues. We indicated our primary focus was finishing the Laurel VF. I have reformatted your NOV spreadsheet a bit, to make it more suitable for a Consent Order or Reclamation Agreement, if we get that far. I think Ed's intent is to have a meeting at Maple in the near future including you, Big E, and someone from New River to go through the list and try to put together a better priority (vs what I have on the attachment), maybe some timing, and to get started on any permitting actions.

*Kent R. DesRocher
Vice President, Technical Services - WV
Blackhawk Mining, LLC*

Incidentally, we are targeting completion of grading of the Laurel VF by mid-November, but that is a bit optimistic.

14 Feb, 2020

Blackhawk offers \$750,000 in stalking horse bid for Murray Energy met coal mine



Author **Taylor Kuykendall**

Theme **Energy**

Blackhawk Mining LLC subsidiary Panther Creek Mining LLC is offering \$750,000 in cash consideration as a stalking horse bid for the Maple Eagle mining complex, a metallurgical coal operation owned by a Murray Energy Corp. subsidiary, according to a bankruptcy court filing of the company's purchase agreement.

In exchange, Blackhawk would be assuming \$30 million in liabilities associated with the mine through a sale supervised by the U.S. Bankruptcy Court for the Southern District of Ohio. The complex includes the Maple Eagle No. 1 underground mine, the Sycamore surface mine, a preparation plant and other related assets.

The mine was originally opened in 2007 by Walter Energy Inc. The company sold the mine in a bankruptcy auction to Mission Coal Company LLC. Mission sold the mine to Murray Energy Corp. affiliate Murray Metallurgical Coal Holdings in a later bankruptcy auction after it too was forced to restructure.

Murray Met's parent company, Murray Energy Corp., and several of its related subsidiaries filed for bankruptcy restructuring in late 2019, but management said they initially did not anticipate the company's newly purchased metallurgical coal assets would require restructuring. The metallurgical coal focused subsidiary filed for a restructuring on Feb. 12.

The Maple Eagle surface and underground continuous mining complex are located in Powellton, W.Va., and mines from what is known as the Eagle coal seam. The mine is currently idle, but Murray Energy executives wrote in a bankruptcy declaration that the mine produces an average of approximately 435,000 tons of coal per year with access to a total of approximately 18 million tons of recoverable coal in reserves.

In an October 2019 note to investors noting Maple Eagle's idling, Seaport Global Securities LLC analyst Mark Levin estimated that the Maple Eagle mine costs were "probably in the fourth quartile" among its peers. Levin said the mine was a "marginal high-vol asset" and noted a lot of high-vol supply was coming into the market across the world.

"We think the market is moving toward an oversupply of high-vol products," Levin wrote in the October 2019 note.

Murray Met proposed a bid deadline of March 20 for companies seeking to outbid Blackhawk's offer. If necessary, an auction will be held March 24 with a hearing approving the sale to a successful bidder proposed by March 26.

Prior to filing for a Chapter 11 bankruptcy restructuring, Murray Met said they engaged in a marketing process for the complex, resulting in Blackhawk's offer being made in mid-January. Murray Met cited an "urgent need" for liquidity in earlier bankruptcy court filings.

MR-16

West Virginia Department Of Environmental Protection

Page 9 of 9

ERIS

MR-16 VIOLATION FOLLOW-UP INSPECTION REPORT

PERMIT NUMBER	ORIGINAL INSPECTION AND VIOLATION DATA						NEW VIOLATION ACTIVITY	
	DATE	TIME	FORM #	FACILITY #	ENF STD	ORIGINAL VIOL#	DATE	TIME
S602089	08/16/2019	12:07	6		2400	63	03/24/2020	10:04

PERMITTEE NAME SEMINOLE WEST VIRGINIA MINING COMPLEX, LLC

Violation is hereby: ☒ Terminated ☐ Withdrawn ☐ Remains in force as written ☐ Show Cause submitted
☐ Extended to _____ at _____ ☐ NOV modified to CO # _____ ☐ CO modified to NOV # _____

Action taken to abate:

Renewal application has been approved.

INSPECTOR'S CIVIL PENALTY ASSESSMENT RECOMMENDATION (check)

Seriousness: 1 ☐ 2 ☒ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ Negligence: 0 ☐ 1 ☒ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Good Faith: 0 ☐ 1 ☐ 2 ☐ 3 ☒ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐

Consent Agreement in effect? ☐ Yes ☒ No

Comments:

AUTH. COMPANY REPRESENTATIVE Hodge Hunter

DELIVERY METHOD / DATE TIME Mail 3/24/2020 10:05:00

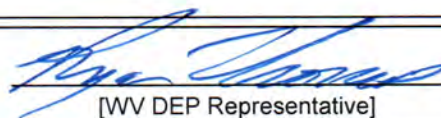
CERTIFIED MAIL NUMBER _____

ADDRESS 1345 ELK RIDGE ROAD, ELK RIDGE, WV 25161

WV DEP REP. Ryan L. Thomas

Austin Caperton

[Secretary, Department of Environmental Protection]


 [WV DEP Representative]

3.24.20

Date

Names of individuals at informal Conference:

Results: CO was: ☐ Upheld ☐ Modified ☐ Terminated ☐ Withdrawn

Comments:

SUPERVISOR: _____ DATE: _____ TIME: _____

COMPANY REPRESENTATIVE: _____ DATE: _____

ATTACHMENT I.10.A
MINING AFFIDAVITS

PLANNED SUBSIDENCE AFFIDAVIT
(Required by 62 Ill. Adm. Code 1778.15(f))

I, Mark Cornell, under penalties of perjury, declare on behalf of the applicant, Hillsboro Energy, LLC, that said applicant has or will possess, prior to mining, each particular parcel documents which bestow upon the applicant a legal right to conduct planned subsidence coal mining and reclamation operations within the approved and proposed areas of planned subsidence. Documents in support of granting the rights herein claimed by the applicant will be provided to the Department upon request.

Date 9-16-2015

Signature Mark Cornell Title Authorized Person

Sworn to and subscribed before me

this 16th day of September, 20 15.

Monica S. Reiher
Notary Public

My Commission Expires: 12-7-15



UNDERGROUND MINING AFFIDAVIT
(Required by 62 Ill. Adm. Code 1778.15(f))

I, Mark Cornell, under penalties of perjury, declare on behalf of the applicant, Hillsboro Energy, LLC, that said applicant has or will possess, prior to mining each particular parcel, documents which bestow upon the applicant all necessary rights to conduct underground mining operations within the approved and proposed shadow area. Documents in support of granting the rights herein claimed by the applicant will be provided to the Department upon request.

Date 9-16-2015
Signature Mark Cornell Title Authorized Person

Sworn to and subscribed before me

this 16th day of September, 2015

Monica S. Reiher
Notary Public

My Commission Expires: 12-7-15



RIGHT OF ENTRY AFFIDAVIT
(Required by 62 Ill. Adm. Code 1778.15(f))

I, Mark Cornell, under penalties of perjury, declare on behalf of the applicant, Hillsboro Energy, LLC, that said applicant has or will possess, prior to planned subsidence impacting drainage, documents which bestow upon the applicant a legal right and all regulatory approvals to enter upon all surface property with the purpose to correct subsidence impacts to said drainage. Documents in support of granting the rights herein claimed by the applicant will be provided to the Department upon request.

Date 9-16-2015

Signature Mark Cornell Title Authorized Person

Sworn to and subscribed before me

this 16th day of September, 20 15.

Monica S. Reiher
Notary Public

My Commission Expires: 12-7-15



ENGINEERING CERTIFICATION (Form A)

Permit No(s): 399 (Leave blank if number has not been issued)
Submittal Name: Revision 2 Submittal Date: August 2020

1. X I hereby certify under penalty of law that **all technical submissions provided within this application** were done by me or under my direct supervision; that to the best of my knowledge and belief, that such technical submissions have been completed in accordance with 62 Ill. Adm. Codes 1700 through 1850 and generally accepted standards and practices of my profession; and the information is accurate and complete. I further certify that all applicable maps and/or drawings have been sealed in accordance with the Professional Engineering Act 225 ILCS 325/15.
2. _____ I hereby certify under penalty of law that the **specific technical submissions itemized below and provided within this application** were done by me or under my direct supervision; that to the best of my knowledge and belief, that such technical submissions have been completed in accordance with 62 Ill. Adm. Codes 1700 through 1850 and generally accepted standards and practices of my profession; and the information is accurate and complete. I further certify that all applicable maps and/or drawings have been sealed in accordance with the Professional Engineering Act 225 ILCS 325/15.

INDIVIDUAL P.E. CERTIFICATION

Clayton A. Cross

Name

062-068486

Illinois Registration Number

Hillsboro Energy, LLC

Firm

12051 9th Avenue; P.O. Box 457

Hillsboro, IL 62049

Address

217-532-7310

Phone Number



11/30/21

Lic. Exp. Date

Clayton Cross

Signature

8-25-2020

Date

PROFESSIONAL DESIGN FIRM CERTIFICATION

Complete if applicable. If not, respond N/A.

N/A

As an employee of a Professional Design Firm as defined by the Illinois Department of Financial and Professional Regulation, I certify that the professional design firm is registered and in good standing with the Illinois Department of Financial and Professional Regulation.

Professional Design Firm Name

Professional Design Firm Number

Lic. Exp. Date



CERTIFICATE OF LIABILITY INSURANCE

Received Electronically
 Dept of Natural Resources
 Aug 29, 2020
 Certificate Holder: IL Dept of Natural Resources
 Land Reclamation Division

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Reschini Agency, Inc. 922 Philadelphia Street P.O. Box 449 Indiana PA 15701		CONTACT NAME: Traci Dindinger PHONE (A/C, No, Ext): (724) 349-1300 E-MAIL ADDRESS: tdindinger@reschini.com FAX (A/C, No): (724) 349-1446	
		INSURER(S) AFFORDING COVERAGE	
		INSURER A: Underwriters at Lloyds, London	
		INSURER B:	
		INSURER C:	
		INSURER D:	
		INSURER E:	
		INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** 20 Foresight/Hillsboro **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY			PC304004o	06/01/2020	06/01/2021	EACH OCCURRENCE \$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000
							MED EXP (Any one person) \$ 10,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						PERSONAL & ADV INJURY \$ 1,000,000
	<input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC						GENERAL AGGREGATE \$ 2,000,000
	OTHER:						PRODUCTS - COMP/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person) \$
	<input type="checkbox"/> OWNED AUTOS ONLY	<input type="checkbox"/> SCHEDULED AUTOS					BODILY INJURY (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS ONLY	<input type="checkbox"/> NON-OWNED AUTOS ONLY					PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> UMBRELLA LIAB	<input type="checkbox"/> OCCUR					EACH OCCURRENCE \$
	<input type="checkbox"/> EXCESS LIAB	<input type="checkbox"/> CLAIMS-MADE					AGGREGATE \$
	DED <input type="checkbox"/> RETENTION \$ <input type="checkbox"/>						\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	<input type="checkbox"/> Y / N	<input type="checkbox"/> N / A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/>
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)						E.L. EACH ACCIDENT \$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Coverage for blasting subsidence is included in the above referenced policy.

CERTIFICATE HOLDER

IL Dept of Natural Resources Land Reclamation Division
 Office of Mines and Minerals
 One Natural Resources Way
 Springfield IL 62702-1273

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Traci Dindinger

Technical Data Information Sheet

62 Ill. Adm. Code 1777.13

The applicant shall include a comprehensive list of all technical data submitted to support the permit application.
Refer to Operator Memorandum No. 2012-04

[illegible]

ATTACHMENT I.11
DRAFT PUBLIC NOTICE

PUBLIC NOTICE

Pursuant to the Surface Coal Mining Land Conservation and Reclamation Act (PA-81-1015, as amended) and the Rules and Regulations of the Act, Hillsboro Energy LLC, 925 South Main Street, Hillsboro, IL 62049, hereby gives notice that Significant Permit Revision No. 2 to Permit No. 399, Deer Run Mine, was determined to be complete by the Illinois Department of Natural Resources, Office of Mines and Minerals, Land Reclamation Division, One Natural Resources Way, Springfield, IL 62702-1271 to conduct underground coal mining operations under Permit 399.

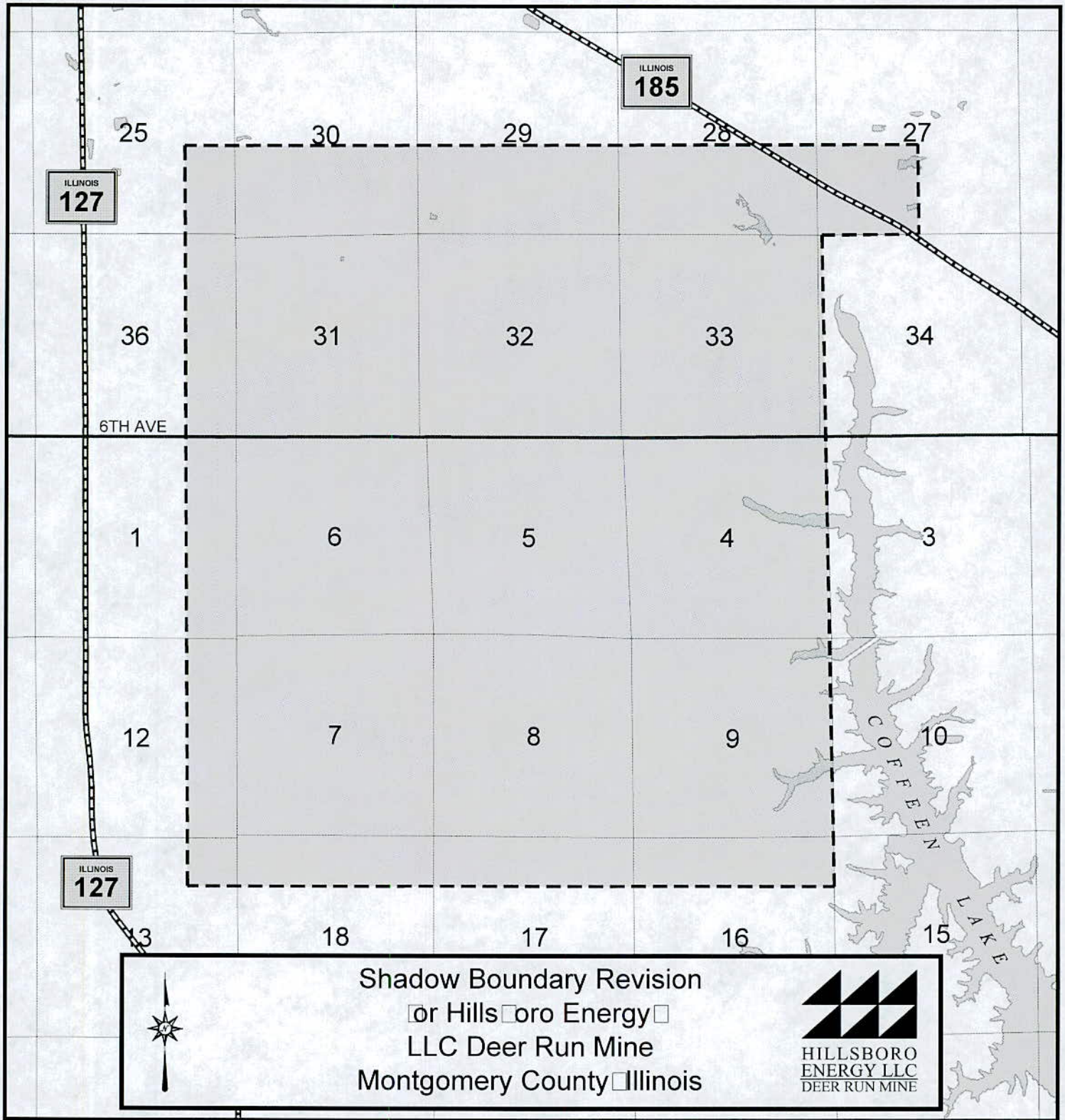
The additional Shadow Area is located in Montgomery County as follows:

T8N, R4W, Sections 25 & 36, T7N, R4W, Sections 1, 12, & 13, T8N, R3W, Sections 27, 28, 29, 30, 31, 32, 33, 34, T7N, R3W, Sections 4, 5, 6, 7, 8, 9, 16, 17, 18

Copies of the application are on file at the County Clerk's Office, Montgomery County Courthouse, #1 Courthouse Square, Hillsboro, IL 62049 and the Illinois Department of Natural Resources, Office of Mines and Minerals, Land Reclamation Division, One Natural Resources Way, Springfield, IL 62702-1271.

Comments, objections, or requests for informal conferences or public hearings may be submitted to the Illinois Department of Natural Resources, Office of Mines and Minerals, Land Reclamation Division, One Natural Resources Way, Springfield, IL 62702-1271.

Note: The above is to be published in "The Journal-News", 431 South Main Street, P.O. Box 100, Hillsboro, IL 62049



Aug 26, 2020

MAP INDEX/COVER SHEET

- Map 1 General Location Map
- Map 2 Identification of Interests Map
- Map 3 Pre-Mining Land Use Map
- Map 4 Hydro-Geological Map
- Map 5 Trivoli Sandstone Thickness Map
- Map 6 Underground Operations Map
- Map 7 U.G. Timing Map
- Map 8a Post Subsidence Map
- Map 8b Post Subsidence Map
- Map 8c Post Subsidence Map Coffeen Lake
- Map 9 Overburden Thickness Map
- Map 10 Bedrock Thickness Map
- Map 11 Coal Seam Structure Map
- Map 12 Post Subsidence Major Drainage Profiles

(SEAL)



Clayton A. Cross

Clayton A. Cross, P.E. 062-068486

11-30-2021

License Exp. Date

8-25-2020

Date

Hereby certify, that the information on the maps listed above and its supporting documentation pertaining to the engineering aspects of this submittal are accurate to the best of my knowledge and belief.

Map Disclaimer Statement:

Maps were prepared for inclusion in this permit application and is for informational purposes only. The maps may or may not be suitable for other legal, engineering, or surveying purposes. The maps do not represent an actual survey and only represent the approximate relative location of property boundaries, section lines, and other topographic and geographic features that are depicted on the maps. Maps were produced by Hillsboro Energy, LLC for the sole purpose of complying with the requirements of this permit application.