

## APPENDIX A

### TABULAR SUMMARY OF CORE DATA TO CHARACTERIZE THE PROGRAM

These tables present data pertinent to mining operations and state and federal regulatory activities within Kentucky. They also summarize funding provided by OSM and Kentucky staffing. Unless otherwise specified, the reporting period for the data contained in all tables is October 1, 2000, to September 30, 2001. Additional data used by OSM in its evaluation of Kentucky's performance is available for review in the evaluation files maintained by OSM's LFO.

TABLE 1

<b>COAL PRODUCTION</b> (Millions of short tons)			
<b>Annual Evaluation Period</b>	<b>Surface Mines</b>	<b>Underground Mines</b>	<b>Total</b>
Coal production <sup>A</sup> for entire State:			
1998	56.500	92.500	149.000
1999	53.000	89.000	142.000
2000	50.500	84.400	134.900
<b>Total</b>	<b>160.000</b>	<b>265.900</b>	<b>425.900</b>

<sup>A</sup> Coal production as reported in this table is the gross tonnage which includes coal that is sold, used, or transferred as reported to OSM by each mining company on form OSM-1 line 8(a). Gross tonnage does not provide for a moisture reduction. OSM verifies tonnage reported through routine auditing of mining companies. This production may vary from that reported by states or other sources due to varying methods of determining and reporting coal production.

TABLE 2

INSPECTABLE UNITS As of September 30, 2001															
Coal mines and related facilities	Number and status of permits								Insp. Units <sup>D</sup>	Permitted acreage <sup>A</sup> (hundreds of acres)					
	Active or temporarily inactive		Inactive		Abandoned		Totals			IP	PP	Total			
	IP	PP	Phase II bond release												
			IP	PP	IP	PP									
<b>STATE AND PRIVATE LANDS REGULATORY AUTHORITY: STATE</b>															
Surface mines		792		70		8		0	870	870		4224	4224		
Underground mines		802		1	40		4	1	846	847	0.09	11801	11801		
Other facilities		381			2		3	0	386	386		549	549		
Subtotals	0	1975		1	112		0	15	1	2102	2103	0.09	16574	16574	
<b>FEDERAL LANDS REGULATORY AUTHORITY: STATE</b>															
Surface mines		7						0	7	7		10	10		
Underground mines		21						0	21	21		278	278		
Other facilities		5						0	5	5		16	16		
Subtotals	0	33		0	0		0	0	0	33	33	0	304	304	
<b>ALL LANDS<sup>B</sup></b>															
Surface mines		799		70		8		0	877	877		4234	4234		
Underground mines		823		1	40		4	1	868	868	0.09	12079	12079		
Other facilities		386			2		3	0	391	391		565	565		
Totals	0	2008		1	112		0	15	1	2136	2136	0.09	16878	16878	
Average number of permits per inspectable unit (excluding exploration sites)										<u>1</u>					
Average number of acres per inspectable unit (excluding exploration sites)										<u>790</u>					
Number of exploration permits on state and private lands:										<u>0</u>		On Federal lands <sup>C</sup> :		<u>0</u>	
Number of exploration notices on State and private lands:										<u>397 *</u>		On Federal lands <sup>C</sup> :		<u></u>	
<b>* includes federal lands</b>															
IP: Initial regulatory program sites															
PP: Permanent regulatory program sites															
<sup>A</sup> When a unit is located on more than one type of land, include only the acreage located on the indicated type of land.															
<sup>B</sup> Numbers of units may not equal the sum of the three preceding categories because a single inspectable unit may include lands in more than one of the preceding categories.															
<sup>C</sup> Includes only exploration activities regulated by the state pursuant to a cooperative agreement with OSM or by OSM pursuant to a federal lands program. Excludes exploration regulated by the Bureau of Land Management.															
<sup>D</sup> Inspectable units includes multiple permits that have been grouped together as one unit for inspection frequency purposes by some state programs.															

TABLE 3

STATE PERMITTING ACTIVITY												
As of September 30, 2001												
Type of Application	Surface Mines			Underground Mines			Other Facilities			Totals		
	App. Rec.	Issued	Acres	App. Rec.	Issued	Acres <sup>A</sup>	App. Rec.	Issued	Acres	App. Rec.	Issued	Acres
New Permits	100	58	13,270	40	28	38,384	12	11	1,236	152	97	52,890
Renewals	46	40	30,534	74	61	98,368	41	22	2,529	161	123	131,431
Transfers, sales, and assignments of permit rights	67	75		97	64		52	42		216	181	
Small operator assistance	56	25		18	15		1	0		75	40	
Exploration permits	0	0		0	0		0	0		0	0	
Exploration notices <sup>B</sup>		253									253	
Revisions (exclusive of incidental boundary revisions)		36			9			7			52	
Incidental boundary revisions		158	457		101	282		45	26		304	765
Amendments		42	10,626		41	24,439		7	184		90	35,249
Major revisions		24	1,575		30	7,973		6	16		60	9,564
<b>Totals</b>	<b>269</b>	<b>645</b>	<b>44,261</b>	<b>229</b>	<b>278</b>	<b>137,034</b>	<b>106</b>	<b>127</b>	<b>3,791</b>	<b>604</b>	<b>1,050</b>	<b>185,086</b>

\*\*Exploration notices do not distinguish type of mining.

OPTIONAL - Number of mid-term permit reviews completed that are not reported as revisions. 245

<sup>A</sup> Includes only the number of acres of proposed surface disturbance.

<sup>B</sup> State approval not required. Involves removal of less than 250 tons of coal and does not affect lands designated unsuitable for mining.

TABLE 4

DEGREE OF IMPACT		OFF-SITE IMPACTS														Total		
		People			Land			Water			Structures			Total				
		minor	moderate	major	minor	moderate	major	minor	moderate	major	minor	moderate	major					
TYPE OF IMPACT																		
Blasting				1			18										1	20
Land Stability				9	1													10
Hydrology	6			9	2		2	49	6		4							86
Encroachment				32	10		4											46
Other				14	1		4	1								1		21
Total	6	0	0	65	14	28	50	6	4	1	8	1	1	1	1	1	1	183
Total number of inspectable units:		2,136																
Inspectable units free of off-site impacts:		2,042																

TABLE 5

<b>ANNUAL STATE MINING AND RECLAMATION RESULTS</b>		
<b>Bond Release Phase</b>	<b>Applicable Performance Standard</b>	<b>Acreage Released During This Evaluation Period</b>
Phase I	- Approximate original contour restored - Topsoil or approved alternative replaced	10,987.20
Phase II	- Surface stability - Establishment of vegetation	9,246.69
Phase III	- Post-mining land use/productivity restored - Successful permanent vegetation - Groundwater recharge, quality, and quantity restored - Surface water quality and quantity restored	19,022.42
	<b>Bonded Acreage Status<sup>A</sup></b>	<b>Acres</b>
Total number of bonded acres at end of last review period (September 30, 2000). <sup>B</sup>		Not Available
Total number of bonded acres during this evaluation year.		Not Available
Number of acres bonded during this evaluation year that are considered remining, if available.		Not Available
Number of acres where bond was forfeited during this evaluation year (also report this acreage on Table 7).		235.81

<sup>A</sup> Bonded acreage is considered to approximate and represent the number of acres disturbed by surface coal mining and reclamation operations.

<sup>B</sup> Bonded acres in this category are those that have not received a Phase III or other final bond release (state maintains jurisdiction).

TABLE 6

STATE AND OSM ENFORCEMENT ACTIVITY				
Type of Enforcement	Actions Taken by State		Actions Taken by OSM	
	Number of Actions	Number of Violations	Number of Actions	Number of Violations
Notice of violation issued	775	1360	0	0
Imminent harm cessation order issued	24	NA	0	0
Failure-to-abate cessation order issued	72	NA	0	0
Show-cause order issued for pattern of violations	1			
Permit suspended <sup>A</sup>	3			
Permit revoked	14			
Individual civil penalty assessed	54	100		
Criminal penalty requested				
Criminal penalty assessed				
Injunction requested	13	32		
Injunction obtained	37	79		
Settlement agreement approved in lieu of further enforcement action	195	372		

<sup>A</sup> Average duration of permit suspension: 2 months

TABLE 6A

CITIZEN COMPLAINTS		
Number of Complaints	State	OSM
Actions pending as of October 1, 2000	61	17
Complaints received in EY 2001	886	54
Complaints referred to state		54
Complaints investigated	844	54
Responses provided to complainant	823	52
Actions pending as of September 30, 2001	79	19



TABLE 6B

STATE INSPECTION ACTIVITY								
Type of inspectable unit	Number of inspections conducted		Percent of required inspections conducted <sup>A</sup>		Inspectable units for which State met required inspection frequency			
	Complete inspections	Partial inspections	Complete inspections	Partial inspections	Complete inspections		All inspections	
COAL MINES AND FACILITIES					Number	%	Number	%
Active	8,976	15,198	99%	100%	2,008	99	2,008	99
Inactive	508	260	100%		112	100	112	100
Abandoned	63	23	100%	100%	15	100	15	100
<b>TOTALS</b>	<b>9,547</b>	<b>15,481</b>	<b>99%</b>	<b>100%</b>	<b>2,135</b>	<b>99</b>	<b>2,135</b>	<b>99</b>
Exploration permits <sup>B</sup>								
Exploration permits <sup>B</sup>	2,262							

<sup>A</sup> Calculated on a site-specific basis. Excess complete inspections are considered partial inspections. For each site, any inspections in excess of the total number required by the approved program are not included.

<sup>B</sup> Includes all valid or unreclaimed notices and permits. No inspection frequency data are provided since SMCRA does not establish a minimum numerical inspection frequency for coal exploration activities.

TABLE 7

<b>STATE BOND FORFEITURE ACTIVITY (Permanent Program Permits)</b>		
<b>Bond Forfeiture Reclamation Activity by SRA</b>	<b>Number of Sites</b>	<b>Acres</b>
Sites with bonds forfeited and collected that were unreclaimed as of September 30, 2000 (end of previous evaluation year) <sup>A</sup>	138	4,100.84
Sites with bonds forfeited and collected during Evaluation Year 2001 (current year)	25	235.81
Sites with bonds forfeited and collected that were re-permitted during Evaluation Year 2001 (current year)	0	0.00
Sites with bonds forfeited and collected that were reclaimed during Evaluation Year 2001 (current year)	17	633.66
Sites with bonds forfeited and collected that were unreclaimed as of September 30, 2001 (end of current year) <sup>A</sup>	140	3,309.30
Sites with bonds forfeited but uncollected as of September 30, 2001 (end of current year)		
<b>Surety/Other Reclamation (In Lieu of Forfeiture)</b>		
Sites being reclaimed by surety/other party as of September 30, 2000 (end of previous evaluation year) <sup>B</sup>	2	511.30
Sites where surety/other party agreed to do reclamation during Evaluation Year 2001 (current year)	2	183.02
Sites being reclaimed by surety/other party that were re-permitted during Evaluation Year 2001 (current year)	None	
Sites with reclamation completed by surety/other party during Evaluation Year 2001 (current year) <sup>C</sup>	5	428.33
Sites being reclaimed by surety/other party as of September 30, 2001 (current evaluation year) <sup>B</sup>	22	3,626.39
<sup>A</sup> Includes data only for those forfeiture sites not fully reclaimed as of this date <sup>B</sup> Includes all sites where surety or other party has agreed to complete reclamation and site is not fully reclaimed as of this date <sup>C</sup> This number also is reported in Table 5 as Phase III bond release has been granted on these sites		

TABLE 8

<b>KENTUCKY STAFFING</b> (Full-time equivalents at the end of evaluation year)	
<b>Function</b>	<b>EY 2001</b>
<b>Regulatory Program</b>	
Permit review	84.00
Inspection	195.00
Other (administrative, fiscal, personnel, etc.)	30.00
<b>Regulatory Program Total</b>	<b>309.00</b>
<b>AML Program Total</b>	<b>82.00</b>
<b>TOTAL</b>	<b>391.00</b>

Numbers represent DSMRE staffing only and do not include Office of Legal Services, Office of Administrative Hearings, and Office of the Inspector General staff funded through the A&E Grant. The A&E Grant funds a total of 354.49 positions.

TABLE 9

<b>FUNDS GRANTED TO KENTUCKY BY OSM</b> (Millions of dollars)  <b>EY 2001</b>		
<b>Type of Grant</b>	<b>Federal Funds Awarded</b>	<b>Federal Funding as a Percentage of Total Program Costs</b>
Administration and enforcement	12.17	50%
Federal lands	0.49	100%
Abandoned mine lands	18.89	100%
Small operator assistance	1.03	100%
<b>Totals</b>	<b>32.58</b>	

TABLE 10

**KENTUCKY  
INSPECTION ACTIVITY**

**PERIOD: OCTOBER 1, 2000 - SEPTEMBER 30, 2001**

Inspectable Unit Status	Number of Inspections Conducted	
	Complete	Partial
Active*	8,976	15,198
Inactive*	508	260
Abandoned*	63	23
<b>Total</b>	<b>9,547</b>	<b>15,481</b>
<b>Exploration</b>	<b>1,581</b>	<b>681</b>

\* Use terms as defined by the approved state program.

TABLE 11

<b>KENTUCKY ENFORCEMENT ACTIVITY</b>		
<b>PERIOD: OCTOBER 1, 2000 - SEPTEMBER 30, 2001</b>		
<b>Type of Enforcement Action</b>	<b>Number of Actions*</b>	<b>Number of Violations*</b>
<b>Notice of Violation</b>	775	1,360
<b>Failure-to-Abate Cessation Order</b>	72	NA
<b>Imminent Harm Cessation Order</b>	24	NA

\* Do not include those violations that were vacated.

TABLE 12

<b>LANDS UNSUITABLE ACTIVITY</b>			
<b>KENTUCKY</b>			
<b>PERIOD: OCTOBER 1, 2000 - SEPTEMBER 30, 2001</b>			
Number of Petitions Received	1		
Number of Petitions Accepted	1		
Number of Petitions Rejected	0		
Number of Decisions Declaring Lands Unsuitable	1	Acreage Declared as Being Unsuitable	2,364
Number of Decisions Denying Lands Unsuitable	0	Acreage Denied as Being Unsuitable	* See Note

\* Note: The original petition requested that 5,226 acres be designated as unsuitable; 2,862 acres were deleted because there were no identifiable coal reserves in that portion of the area.

APPENDIX B

STATE COMMENTS ON THE REPORT



JAMES E. BICKFORD  
SECRETARY



PAUL E. PATTON  
GOVERNOR

COMMONWEALTH OF KENTUCKY  
NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET  
DEPARTMENT FOR SURFACE MINING RECLAMATION & ENFORCEMENT

FRANKFORT, KENTUCKY 40601

CARL E. CAMPBELL  
COMMISSIONER

OSM LEXINGTON

December 5, 2001

DEC 7 2001

FIELD OFFICE

Mr. William J. Kovacic, Field Office Director  
Office of Surface Mining  
2675 Regency Road  
Lexington, Kentucky 40503-2922

RE: Draft OSM EY 2000 Annual Report

Dear Mr. Kovacic:

Reference is made to your correspondence of November 9, 2001 wherein you conveyed for our review the draft "Evaluation Year 2001 Annual Report on the Kentucky Permanent Regulatory and Abandoned Mine Land Programs" for the period October 1, 2000 through September 30, 2001. Various personnel within my agency have completed a quick review of the draft document and offer the following comments and observations.

**1. Pine Mountain Settlement School LUP 00-2 (Page 6)**

The Secretary's Order of April 27, 2001 specifically identified adverse effects to the viewshed of the Pine Mountain Settlement School property as a whole, not the school itself. Further, the Secretary's Order did not halt existing surface mining operations, a proposed surface mine expansion within the Lands declared unsuitable was disallowed.

**2. Electronic Permitting (Page 8)**

The Division of Permits has been accepting electronic Ownership and Control applications for review since September 1, 1997 with hard copy submittal scanned and processed through electronic workflow. Over 4,500 Ownership and Control applications have been processed electronically as of March 1, 2001. The first true electronic technical permit application, Sidney Coal Company, Inc. (Permit No. 898 - 5741, Amendment No. 3) was issued on September 21, 2000.



Electronic workflow processing is currently being implemented throughout the Technical Review Sections and will be utilized to monitor both electronic and hard copy submittals. Electronic workflow processing builds accountability into permit monitoring by tracking an application from desk to desk throughout the permitting process. Further, electronic workflow processing will utilize built in fail-safes to prevent the approval of an application prior to the close of the public comment period or with pending protests.

The report fails to mention the progress made in implementing initiatives for improved technological enhancements in enforcement procedures. Credit should be acknowledged for the electronic mine inspection report program and digital imaging replacing photographs.

### **3. Impoundment Inspections (Page 9)**

The report incorrectly categorizes the DSMRE review of all "High-Risk" Impoundments. The term "High-Risk" should be changed to "High Breakthrough Potential" to properly correspond with the MSHA classification system.

### **4. Disposal of Underground Waste (Page 10)**

As outlined in OSM's FY 2001 review of outstanding program amendment issues, DSMRE may develop policy guidelines with respect to existing regulations relative to the disposal of underground mine waste in backfill areas in lieu of promulgating new regulations..

### **5. Public Roads (Page 10)**

On July 15, 1985, Judge Thomas A. Flannery of the United States District Court for the District of Columbia remanded the Federal rule defining the public road exemption in Civil Action No. 79-1144. In response to Judge Flannery's ruling OSM suspended the definition of "affected area" in 30 CFR 701.5 insofar as it excludes roads that are included in the definition of "surface coal mining operations" on November 20, 1986.

In the suspension notice, OSM announced that it "...recognized that this suspension provides imperfect guidance in a difficult area. Thus, OSMRE intends to develop and propose, at a later date, a new rule to clarify the relation between public roads and the affected area". To date, no such rule has been proposed. The report should recognize that the DSMRE has repeatedly advised the OSM Lexington Field Office that once federal regulations are promulgated, Kentucky would propose a prospective program amendment with state program counterparts that are "no less effective".

**6. Surety Bonding Companies (Page 11)**

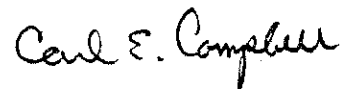
The last paragraph mentions official notices that were sent out by the DSMRE on October 5, 2001 to permittees regarding two surety bonding companies. Although this is correct, that action falls outside the reporting period that ended September 30, 2001.

**7. Supplement to Table 7**

Would OSM please recognize the ongoing efforts of DAML by adding the following supplement to Table 7 - During EY 2001, DAML issued 17 new group contracts containing 61 forfeited permits with a total of 290.87 acres. In addition, DAML continued reclamation activities on 10 group contracts containing 38 permits with 843.18 acres from the previous evaluation year (EY). DAML completed reclamation on 21 group contracts containing 52 permits with 470.97 acres and 26 small purchase contracts consisting of 29 permits with 48.77 acres. At the end of EY 2001, 7 group contract containing 25 permits with 129 acres were still ongoing.

As always, we greatly appreciate the opportunity to review and provide comment on this report. Please let me know if you have any questions or if we can be of further assistance in this matter.

Sincerely,



Carl E. Campbell  
Commissioner

CC: James E. Bickford, Secretary  
Larry Adams, Director  
Mark Thompson, Director  
Steve Hohmann, Director

APPENDIX C

PERMITTEES ISSUED NON-COMPLIANCES BY DSMRE  
(Listed by Descending Number of Non-Compliances)

Permittee	# NCs	Violations	Permits in Violation	Total Permits	Permitted Acres	Disturbed Acres
NALLY & HAMILTON ENTERPRISES INC	54	91	16	31	16,961.9	9738.14
BRANHAM & BAKER COAL COMPANY INC	44	81	20	63	52,896.99	9326.92
LESLIE RESOURCES INC	29	44	10	46	26,685.82	15653.06
HARLAN RECLAMATION SERVICES LLC	27	34	7	16	28,421.15	1664.37
CHEYENNE RESOURCES INC	24	47	10	13	4,921.61	3297.34
CONSOL OF KENTUCKY INC	24	40	10	46	48,981.75	4737.05
PREMIER ELKHORN COAL COMPANY	22	41	12	37	41,440.5	6106.89
SOLOMONS MINING COMPANY	22	50	7	8	2,880.47	1278.42
CENTENNIAL RESOURCES INC	21	33	12	15	7,645.43	4645.5
MANALAPAN MINING COMPANY INC	21	43	6	15	26,148.86	1262.34
MARTIN COUNTY COAL CORPORATION	21	43	10	32	27,755.12	7970.67
SIDNEY COAL COMPANY INC	19	32	11	42	75,251.22	890.27
SUNNY RIDGE MINING COMPANY INC	16	28	7	26	10,786.56	4173.04
LODESTAR ENERGY INC	15	37	8	49	28,654.916	7024.246
GOLDEN OAK MINING COMPANY	11	20	5	8	6,953.99	328.26
CR MINING COMPANY	10	14	5	6	3,406.9	1953.45
ADDINGTON MINING INC	9	22	7	59	23,342.99	12517.46
CLINTWOOD ELKHORN MINING COMPANY	9	13	5	35	34,710.12	1094.82
CZAR COAL CORPORATION	9	10	7	30	17,193.62	1982.46
BDCC HOLDING COMPANY INC	8	13	6	22	32,302.19	777.74
KANNAN MINING COMPANY	8	13	2	3	368.94	550.1
RESOURCE LAND COMPANY LLC	8	9	1	2	10,202.9	412
STAR FIRE MINING COMPANY	8	14	5	10	7,703.05	5490.58
STRAIGHT CREEK COAL RESOURCES COMPANY	8	16	6	28	22,429.91	5640.01
DIAMOND MAY COAL COMPANY	7	7	5	16	12,633.47	2033.55
LOCUST GROVE INC	7	16	5	13	5,559.67	2396.68
MCCOY ELKHORN COAL CORPORATION	7	11	3	25	23,272.35	601
AMERICAN COAL CORPORATION	6	6	3	5	2,259.7	230.5
COASTAL COAL COMPANY LLC	6	7	5	30	28,381.31	1734.93
HANSCO ENERGY CORPORATION	6	15	3	7	1,755.46	1442.46
IKERD-BANDY CO INC	6	14	4	20	9,135.68	5004.56
KNOTT COUNTY MINING COMPANY	6	10	3	7	9,725.56	267
MAJESTIC COLLIERIES COMPANY	6	6	3	10	1,750.89	325.04
APPOLO FUELS INC	5	6	4	31	13,811.45	2282.87
CNS MINING INC	5	8	1	1	2,622.35	7.4
HARLAN-CUMBERLAND COAL COMPANY	5	7	2	2	976.44	24.74
JERICOL MINING INC	5	6	3	16	17,400.62	1125.37
LEE-PAUL COAL COMPANY INC	5	15	4	5	159.21	106.75
B R C COAL COMPANY INCORPORATED	4	4	2	2	743.59	410.96
BEECH CREEK ENERGY INC	4	6	2	4	286.75	96.65
BEECH FORK PROCESSING INC	4	4	4	19	17,548.13	1007.97
SLEDGEOE COAL CORPORATION	4	7	3	21	27,930.16	1628.87
CAMBRIAN COAL CORPORATION	4	6	3	16	4,678.18	2825.13
CHISHOLM COAL COMPANY	4	5	1	1	4,197.32	316.25
COAL-MAC INC	4	11	3	5	1,894.14	867.75

Permittee	# NCs	Violations	Permits in Violation	Total Permits	Permitted Acres	Disturbed Acres
COOK AND SONS MINING INC	4	6	3	16	16,860.51	888.79
REEDY COAL CO INC	4	4	1	2	3,624.76	77
RICHARDSON FUEL INC	4	9	4	9	5,020.15	603.16
STURGEON MINING COMPANY INC	4	6	4	9	1,547.53	408.2
17 WEST MINING INC	3	4	3	15	11,052.81	7273
ADDINGTON INC	3	13	2	5	4,165.64	3066.84
APEX ENERGY INC	3	3	3	16	9,687.33	2601.9
B & P COAL COMPANY INC	3	5	1	1	509.05	7.73
CLOVERFORK MINING & EXCAVATING INC	3	8	3	7	2,582.19	1136.53
CRYSTAL COLLIERIES INC	3	3	1	1	226.9	5
EDCO ENERGY CORPORATION	3	10	3	3	424.17	20.7
FCDC COAL INC	3	7	2	16	9,603.52	177.7
G & G ENERGIES INC	3	8	1	1	23.4	17.3
H & D COAL COMPANY INC	3	8	1	2	639.99	295
H B & S COAL COMPANY INC	3	16	2	3	341.39	195.8
HARLAN-CUMBERLAND COAL COMPANY LLC	3	4	2	4	4,283.92	173.23
HOLSTON MINING INC	3	4	2	6	5,446.65	902.67
KENTEC COAL CO INC	3	7	1	1	107.37	50
KENTUCKY PROCESSING COMPANY	3	5	3	3	430.8	427.41
LEECO INC	3	4	2	11	21,436.77	392.83
LEVISA FORK MINING COMPANY	3	4	3	16	12,061.17	941.91
MC MINING LLC	3	4	2	3	9,287.24	196.42
MOTTS BRANCH COAL INC	3	3	2	13	7,413.73	1675.3
MOUNTAIN SPUR COALS & ENERGY INC	3	6	1	3	4,693.11	11.89
ROADSIDE PROCESSING INC	3	6	2	2	145.15	145.15
SANDLICK COAL COMPANY INC	3	6	3	12	11,060.43	525.14
THE ELK HORN COAL CORPORATION	3	7	1	4	7,904.47	109.45
WHITAKER COAL CORPORATION	3	3	2	15	19,701.73	1400.68
BELFRY COAL CORPORATION	2	4	2	7	6,669.23	755.63
BEVINS BRANCH RESOURCES INC	2	5	1	1	1,364.17	100
CANDLE RIDGE MINING INC	2	9	1	5	590.3	74.6
CORNETTSVILLE COAL CO	2	6	1	1	533.24	8
DEMA COAL COMPANY INC	2	7	2	2	639.75	5.7
EVANS COAL CORPORATION	2	3	1	2	418.6	60
FOSSIL FUEL LEASING INC	2	7	1	2	295.99	132.48
GATLIFF COAL COMPANY	2	3	1	29	18,963.38	1684.43
GENTEC PROCESSING INC	2	4	1			
HOLBROOK MINING COMPANY INC	2	3	1	2	294.21	173
JAMIESON CONSTRUCTION COMPANY	2	3	2	10	1,415.39	599.15
JOHNS CREEK COAL COMPANY	2	2	2	2	5,611.35	58
KENTUCKY MAY COAL COMPANY INC	2	2	2	32	20,064.95	1958.94
LONG FORK COAL COMPANY	2	3	1	6	5,844.5	210.94
MATCO INC	2	2	1	1	12	12
MCCOY COAL COMPANY	2	3	1	1	1,359.77	1144.16
MILL BRANCH MINING COMPANY INC	2	3	1	5	1,446.02	23.37

Permittee	# NCs	Violations	Permits in Violation	Total Permits	Permitted Acres	Disturbed Acres
MILLER BROS COAL INC	2	3	2	12	4,988.49	3150.85
NATURAL LAND COMPANY INC	2	2	1	1	968.01	4
NEW HORIZONS COAL INC	2	2	2	18	15,768.09	865.93
PATRIOT COAL COMPANY LTD	2	3	2	9	12,081.81	3678.2
PONTIKI COAL LLC	2	4	1	6	19,836.9	175.8
SHAMROCK COAL COMPANY INCORPORATED	2	3	1	12	16,194.98	943.23
STRATA MINING INC	2	2	1	2	794.7	380
WHYMORE COAL COMPANY INC	2	3	1	6	773.98	211.799
AMERICAN MINING & MANUFACTURING CORPORATION	1	3	1	1	933.7	3
APOLLO COAL COMPANY	1	1	1	4	834.46	33.47
APPALACHIAN LAND COMPANY	1	2	1	1	24.03	12.7
APPCO MINING INC	1	1	1	1	139.86	1.56
AUSTIN COAL INC	1	1	1	1	87.7	30
B G & M COAL CO INC	1	2	1	1	335.99	260
B-FOUR INC	1	3	1	1	19.7	19.7
BBQ RESOURCES INC	1	3	1	1	160.75	90
BELL COUNTY COAL CORPORATION	1	1	1	16	21,734.4	1034.07
BERKELEY ENERGY CORPORATION	1	1	1	15	5,303.75	239.99
BLACK MAGIC RESOURCES INC	1	1	1	1	148	148
BLACKHEART INC	1	6	1	1	301.19	129
BUCK COAL INC	1	2	1	6	5,744.04	476.8
BUCKHORN PROCESSING COMPANY	1	1	1	4	394.85	322.85
C T & L COAL COMPANY	1	1	1	1	127.34	62
CLARK ELKHORN COAL COMPANY	1	2	1	10	4,545.7	124.93
CO-OP COAL CORPORATION	1	2	1	1	170.75	6.75
CORBIN COAL COMPANY	1	1	1	4	2,322.28	1168.73
CORBIN COAL COMPANY INC	1	1	1	1	354.77	330
COUGAR PROCESSING CORPORATION	1	1	1	2	1,196.6	13
CROCKETT COLLIERIES (KY) INC	1	1	1	2	143.61	10.21
CUMBERLAND RIVER COAL COMPANY	1	1	1	12	12,382.51	1028.68
D & C MINING CORPORATION	1	2	1	2	119.9	19.65
D & H COAL COMPANY OF LAUREL COUNTY INC	1	1	1	2	112.17	59
DIXIE FUEL COMPANY	1	1	1			
DIXIE FUEL COMPANY LLC	1	1	1	5	4,860.64	91.46
DONICO MINING INC	1	2	1	1	39.8	3.3
ELKHORN CONSTRUCTION CO INC	1	2	1	1	198.6	166.6
ELY FUEL COMPANY	1	1	1	1	5.95	5.95
EVERGREEN LAND CORPORATION	1	2	1	1	458.24	5
EVERGREEN MINING INC	1	4	1	2	139.02	98.6
FRONTIER MINING COMPANY INC	1	1	1	2	1,719.9	748
H E C COAL COMPANY INC	1	4	1	1	1,033.83	600.17
HAZARD IV ENERGY INC	1	4	1	1	50.6	10
HENDRICKSON EQUIPMENT INC	1	2	1	1	59.78	8
JAMES H TAYLOR MINING COMPANY INC	1	2	1	1	824.89	10.89
KELLY BRANCH RESOURCES INC	1	2	1	1	1,554.91	3.5

Permittee	# NCs	Violations	Permits in Violation	Total Permits	Permitted Acres	Disturbed Acres
KENTUCKY DARBY COAL COMPANY	1	1	1	6	11,295.73	128.95
KENTUCKY UNITED COAL LLC	1	2	1	5	2,688.9	1393
KING BROTHERS COAL INC	1	1	1	1	572.82	8.35
LANDMARK MINING COMPANY INC	1	2	1	7	2,260.36	117.56
LEFT FORK MINING COMPANY INC	1	2	1	3	3,536.64	89.05
LITTLE BOYD COAL CO INC	1	3	1	1	404.74	250
LITTLE VALLEY COAL CO INC	1	2	1	1	121.95	5.95
MARTIN COAL PROCESSING CORPORATION	1	1	1	1	12	12
MASSIVE MINING INC	1	1	1	1	129.1	17
MELVA SIDING CO	1	2	1	1	2.04	2.04
MILLER BROS CONST INC	1	2	1	1	2,537.98	2300
MINE RITE COAL CO INC	1	1	1	8	1,805.46	216.55
MINERAL RESOURCES INC	1	1	1	1	855.41	1.55
MONEY BRANCH COAL COMPANY	1	1	1	3	5,685.02	39
P C & H CONSTRUCTION INC	1	1	1	7	3,257.82	1233.6
PANTHER LAND CORPORATION	1	1	1	2	530.8	41.26
PATRICK PROCESSING LLC	1	1	1	2	1,260.6	15.5
PEABODY COAL COMPANY	1	1	1	23	49,529.6	9266.6
PENNYRILE COAL CO INC	1	2	1	2	7,892.81	1014.9
PETER CAVE MINING COMPANY	1	2	1	5	14,891.9	860.71
PETER FORK MINING COMPANY	1	4	1	10	2,713.92	361.34
PIGMY COAL COMPANY	1	1	1	2	2,210.97	32
POLEY COAL CORPORATION	1	1	1			
PROCESSING SYSTEMS LLC	1	1	1			
R M MINING COMPANY INC	1	2	1	1	3.68	3.68
RAVEN RESOURCES INC	1	2	1	1	44.39	15.3
RED STAR COAL COMPANY	1	3	1	2	1,021.94	792.36
SAND HILL ENERGY INC	1	1	1	7	252.1	90
SCHOATE MINING CO LLC	1	1	1	1	765.5	340
STAR RUN INC	1	1	1	1	671.91	3
TRANSMAR LAND CORPORATION	1	1	1	2	941.9	501
V & M MINING COMPANY OF PAINTSVILLE INC	1	4	1	2	248.8	6.69
WASH RIDGE COAL CO INC	1	1	1	9	1,798.93	988.1
WEDDINGTON BRANCH MINING CO INC	1	2	1	1	161.5	166.5
WELLMORE COAL CORPORATION	1	1	1	17	10,645.9	292.83
WEST COAL INC	1	1	1	1	88	16
WIDOWS-GROVE COAL COMPANY INC	1	2	1	1	257.8	7
ZIELINSKI CONSTRUCTION CORPORATION	1	1	1	6	1,077.9	899.3



APPENDIX D

PERMITTEES ISSUED NON-COMPLIANCES BY DSMRE  
(Listed Alphabetically)

Permittee	# NCs	Violations	Permits in Violation	Total Permits	Permitted Acres	Disturbed Acres
17 WEST MINING INC	3	4	3	15	11,052.81	7273
ADDINGTON INC	3	13	2	5	4,165.64	3066.84
ADDINGTON MINING INC	9	22	7	59	23,342.99	12517.46
AMERICAN COAL CORPORATION	6	6	3	5	2,259.7	230.5
AMERICAN MINING & MANUFACTURING CORPORATION	1	3	1	1	933.7	3
APEX ENERGY INC	3	3	3	16	9,687.35	2601.9
APOLLO COAL COMPANY	1	1	1	4	834.46	33.47
APPALACHIAN LAND COMPANY	1	2	1	1	24.03	12.7
APPCO MINING INC	1	1	1	1	139.86	1.56
APPOLO FUELS INC	5	6	4	31	13,811.45	2282.87
AUSTIN COAL INC	1	1	1	1	87.7	30
B & P COAL COMPANY INC	3	5	1	1	509.05	7.73
B G & M COAL CO INC	1	2	1	1	335.99	260
B R C COAL COMPANY TNCORPORATED	4	4	2	2	743.59	410.96
B-FOUR INC	1	3	1	1	19.7	19.7
BBQ RESOURCES INC	1	3	1	1	160.75	90
BDCC HOLDING COMPANY INC	8	13	6	22	32,302.19	777.74
BEECH CREEK ENERGY INC	4	6	2	4	286.75	96.65
BEECH FORK PROCESSING INC	4	4	4	19	17,548.13	1007.97
BELFRY COAL CORPORATION	2	4	2	7	6,669.23	755.63
BELL COUNTY COAL CORPORATION	1	1	1	16	21,734.4	1034.07
BERKELEY ENERGY CORPORATION	1	1	1	15	5,303.75	239.99
BEVINS BRANCH RESOURCES INC	2	5	1	1	1,364.17	100
BLACK MAGIC RESOURCES INC	1	1	1	1	148	148
BLACKHEART INC	1	6	1	1	301.19	129
BLED SOE COAL CORPORATION	4	7	3	21	27,930.16	1628.87
BRANHAM & BAKER COAL COMPANY INC	44	81	20	63	52,896.99	9326.92
BUCK COAL INC	1	2	1	6	5,744.04	476.8
BUCKHORN PROCESSING COMPANY	1	1	1	4	394.85	322.85
C T & L COAL COMPANY	1	1	1	1	127.34	62
CAMBRIAN COAL CORPORATION	4	6	3	16	4,678.18	2825.13
CANDLE RIDGE MINING INC	2	9	1	5	590.3	74.6
CENTENNIAL RESOURCES INC	21	33	12	15	7,645.43	4645.5
CHEYENNE RESOURCES INC	24	47	10	13	4,921.61	3297.34
CHISHOLM COAL COMPANY	4	5	1	1	4,197.32	316.25
CLARK ELKHORN COAL COMPANY	1	2	1	10	4,545.7	124.93
CLINTWOOD ELKHORN MINING COMPANY	9	13	5	35	34,710.12	1094.82
CLOVERFORK MINING & EXCAVATING INC	3	8	3	7	2,582.19	1136.53
CNS MINING INC	5	8	1	1	2,622.35	7.4
CO-OP COAL CORPORATION	1	2	1	1	170.75	6.75
COAL-MAC INC	4	11	3	5	1,894.14	867.75
COASTAL COAL COMPANY LLC	6	7	5	30	28,381.31	1734.93
CONSOL OF KENTUCKY INC	24	40	10	46	48,981.75	4737.05
COOK AND SONS MINING INC	4	6	3	16	16,860.51	888.79
CORBIN COAL COMPANY	1	1	1	4	2,322.28	1168.73

Permittee	# NCs	Violations	Permits in Violation	Total Permits	Permitted Acres	Disturbed Acres
CORBIN COAL COMPANY INC	1	1	1	1	354.77	330
CORNETTSVILLE COAL CO	2	6	1	1	533.24	8
COUGAR PROCESSING CORPORATION	1	1	1	2	1,196.6	13
CR MINING COMPANY	10	14	5	6	3,406.9	1953.45
CROCKETT COLLIERIES (KY) INC	1	1	1	2	143.61	10.21
CRYSTAL COLLIERIES INC	3	3	1	1	226.9	5
CUMBERLAND RIVER COAL COMPANY	1	1	1	12	12,382.51	1028.68
CZAR COAL CORPORATION	9	10	7	30	17,193.62	1982.46
D & C MINING CORPORATION	1	2	1	2	119.9	19.65
D & H COAL COMPANY OF LAUREL COUNTY INC	1	1	1	2	112.17	59
DEMA COAL COMPANY INC	2	7	2	2	639.75	5.7
DIAMOND MAY COAL COMPANY	7	7	5	16	12,633.47	2033.55
DIXIE FUEL COMPANY	1	1	1			
DIXIE FUEL COMPANY LLC	1	1	1	5	4,860.64	91.46
DONICO MINING INC	1	2	1	1	39.8	3.3
EDCO ENERGY CORPORATION	3	10	3	3	424.17	20.7
ELKHORN CONSTRUCTION CO INC	1	2	1	1	198.6	166.6
ELY FUEL COMPANY	1	1	1	1	5.95	5.95
EVANS COAL CORPORATION	2	3	1	2	418.6	60
EVERGREEN LAND CORPORATION	1	2	1	1	458.24	5
EVERGREEN MINING INC	1	4	1	2	139.02	98.6
FCDC COAL INC	3	7	2	16	9,603.52	177.7
FOSSIL FUEL LEASING INC	2	7	1	2	295.99	132.48
FRONTIER MINING COMPANY INC	1	1	1	2	1,719.9	748
G & G ENERGIES INC	3	8	1	1	23.4	17.3
GATLIFF COAL COMPANY	2	3	1	29	18,963.38	1684.43
GENTEC PROCESSING INC	2	4	1			
GOLDEN OAK MINING COMPANY	11	20	5	8	6,953.99	328.26
H & D COAL COMPANY INC	3	8	1	2	639.99	295
H B & S COAL COMPANY INC	3	16	2	3	341.39	195.8
H E C COAL COMPANY INC	1	4	1	1	1,033.83	600.17
HANNCO ENERGY CORPORATION	6	15	3	7	1,755.46	1442.46
HARLAN RECLAMATION SERVICES LLC	27	34	7	16	28,421.15	1664.37
HARLAN-CUMBERLAND COAL COMPANY	5	7	2	2	976.44	24.74
HARLAN-CUMBERLAND COAL COMPANY LLC	3	4	2	4	4,283.92	173.23
HAZARD IV ENERGY INC	1	4	1	1	50.6	10
HENDRICKSON EQUIPMENT INC	1	2	1	1	59.78	8
HOLBROOK MINING COMPANY INC	2	3	1	2	294.21	173
HOLSTON MINING INC	3	4	2	6	5,446.65	902.67
IKERD-BANDY CO INC	6	14	4	20	9,135.68	5004.56
JAMES H TAYLOR MINING COMPANY INC	1	2	1	1	824.89	10.89
JAMIESON CONSTRUCTION COMPANY	2	3	2	10	1,415.39	599.15
JERICOL MINING INC	5	6	3	16	17,400.62	1125.37
JOHNS CREEK COAL COMPANY	2	2	2	2	5,611.35	58
KANNAN MINING COMPANY	8	13	2	3	368.94	550.1

Permittee	# NCs	Violations	Permits in Violation	Total Permits	Permitted Acres	Disturbed Acres
KELLY BRANCH RESOURCES INC	1	2	1	1	1,554.91	3.5
KENTEC COAL CO INC	3	7	1	1	107.37	50
KENTUCKY DARBY COAL COMPANY	1	1	1	6	11,295.73	128.95
KENTUCKY MAY COAL COMPANY INC	2	2	2	32	20,064.95	1958.94
KENTUCKY PROCESSING COMPANY	3	5	3	3	430.8	427.41
KENTUCKY UNITED COAL LLC	1	2	1	5	2,688.9	1393
KING BROTHERS COAL INC	1	1	1	1	572.82	8.35
KNOTT COUNTY MINING COMPANY	6	10	3	7	9,725.56	267
LANDMARK MINING COMPANY INC	1	2	1	7	2,260.36	117.56
LEE-PAUL COAL COMPANY INC	5	15	4	5	159.21	106.75
LEEEO INC	3	4	2	11	21,436.77	392.83
LEFT FORK MINING COMPANY INC	1	2	1	3	3,536.64	89.05
LESLIE RESOURCES INC	29	44	10	46	26,685.82	15653.06
LEVISA FORK MINING COMPANY	3	4	3	16	12,061.17	941.91
LITTLE BOYD COAL CO INC	1	3	1	1	404.74	250
LITTLE VALLEY COAL CO INC	1	2	1	1	121.95	5.95
LOCUST GROVE INC	7	16	5	13	5,559.67	2396.68
LODESTAR ENERGY INC	15	37	8	49	28,654.916	7024.246
LONG FORK COAL COMPANY	2	3	1	6	5,844.5	210.94
MAJESTIC COLLIERIES COMPANY	6	6	3	10	1,750.89	325.04
MANALAPAN MINING COMPANY INC	21	43	6	15	26,148.86	1262.34
MARTIN COAL PROCESSING CORPORATION	1	1	1	1	12	12
MARTIN COUNTY COAL CORPORATION	21	43	10	52	27,755.12	7970.67
MASSIVE MINING INC	1	1	1	1	129.1	17
MATCO INC	2	2	1	1	12	12
MC MINING LLC	3	4	2	3	9,287.24	196.42
MCCOY COAL COMPANY	2	3	1	1	1,359.77	1144.16
MCCOY ELKHORN COAL CORPORATION	7	11	3	25	23,272.35	601
MELVA SIDING CO	1	2	1	1	2.04	2.04
MILL BRANCH MINING COMPANY INC	2	3	1	5	1,446.02	28.37
MILLER BROS COAL INC	2	3	2	12	4,988.49	3150.85
MILLER BROS CONST INC	1	2	1	1	2,537.98	2300
MINE RITE COAL CO INC	1	1	1	8	1,805.46	216.55
MINERAL RESOURCES INC	1	1	1	1	855.41	1.55
MONEY BRANCH COAL COMPANY	1	1	1	3	5,685.02	39
MOTT'S BRANCH COAL INC	3	3	2	13	7,413.73	1675.3
MOUNTAIN SPUR COALS & ENERGY INC	3	6	1	3	4,693.11	11.89
NALLY & HAMILTON ENTERPRISES INC	54	91	16	31	16,961.9	9738.14
NATURAL LAND COMPANY INC	2	2	1	1	968.01	4
NEW HORIZONS COAL INC	2	2	2	18	15,768.09	865.93
P C & H CONSTRUCTION INC	1	1	1	7	3,257.82	1253.6
PANTHER LAND CORPORATION	1	1	1	2	530.8	41.26
PATRICK PROCESSING LLC	1	1	1	2	1,260.6	15.5
PATRIOT COAL COMPANY LTD	2	3	2	9	12,081.81	3678.2
PEABODY COAL COMPANY	1	1	1	23	49,529.6	9266.6

Permittee	# NCs	Violations	Permits in Violation	Total Permits	Permitted Acres	Disturbed Acres
PENNYRILE COAL CO INC	1	2	1	2	7,892.81	1014.9
PETER CAVE MINING COMPANY	1	2	1	5	14,891.9	860.71
PETER FORK MINING COMPANY	1	4	1	10	2,713.92	361.34
PIGMY COAL COMPANY	1	1	1	2	2,210.97	32
POLEY COAL CORPORATION	1	1	1			
PONTIKI COAL LLC	2	4	1	6	19,836.9	175.8
PREMIER ELKHORN COAL COMPANY	22	41	12	37	41,440.5	6106.89
PROCESSING SYSTEMS LLC	1	1	1			
R M MINING COMPANY INC	1	2	1	1	3.68	3.68
RAVEN RESOURCES INC	1	2	1	1	44.39	15.3
RED STAR COAL COMPANY	1	3	1	2	1,021.94	792.36
REEDY COAL CO INC	4	4	1	2	3,624.76	77
RESOURCE LAND COMPANY LLC	8	9	1	2	10,202.9	412
RICHARDSON FUEL INC	4	9	4	9	5,020.15	603.16
ROADSIDE PROCESSING INC	3	6	2	2	145.15	145.15
SAND HILL ENERGY INC	1	1	1	7	252.1	90
SANDLICK COAL COMPANY INC	3	6	3	12	11,060.43	525.14
SCHOATE MINING CO LLC	1	1	1	1	765.5	340
SHAMROCK COAL COMPANY INCORPORATED	2	3	1	12	16,194.98	943.23
SIDNEY COAL COMPANY INC	19	32	11	42	75,251.22	890.27
SOLOMONS MINING COMPANY	22	50	7	8	2,880.47	1278.42
STAR FIRE MINING COMPANY	8	14	5	10	7,703.05	5490.58
STAR RUN INC	1	1	1	1	671.91	3
STRAIGHT CREEK COAL RESOURCES COMPANY	8	16	6	28	22,429.91	5640.01
STRATA MINING INC	2	2	1	2	794.7	380
STURGEON MINING COMPANY INC	4	6	4	9	1,547.53	408.2
SUNNY RIDGE MINING COMPANY INC	16	28	7	26	10,786.56	4173.04
THE ELK HORN COAL CORPORATION	3	7	1	4	7,904.47	109.45
TRANSMAR LAND CORPORATION	1	1	1	2	941.9	501
V & M MINING COMPANY OF PAINTSVILLE INC	1	4	1	2	248.8	6.69
WASH RIDGE COAL CO INC	1	1	1	9	1,798.93	988.1
WEDDINGTON BRANCH MINING CO INC	1	2	1	1	161.5	166.5
WELLMORE COAL CORPORATION	1	1	1	17	10,645.9	292.83
WEST COAL INC	1	1	1	1	88	16
WHITAKER COAL CORPORATION	3	3	2	15	19,701.73	1400.68
WHYMORE COAL COMPANY INC	2	3	1	6	773.98	211.799
WIDOWS-GROVE COAL COMPANY INC	1	2	1	1	257.8	7
ZIELINSKI CONSTRUCTION CORPORATION	1	1	1	6	1,077.9	899.3

APPENDIX E

2000 FILL INFORMATION

## 2000 Fill Information

A comprehensive effort was completed by the Lexington Field Office (LFO) to collect fill information on all new permits, amendments, and major amendments issued by Kentucky's Department for Surface Mining Reclamation and Enforcement (DSMRE) during Calendar Year (CY) 2000. The purpose of this effort was two-fold. First, to identify those permitting actions involving excess spoil fills (fills) on either surface, underground, or other mining operations. Second, to collect pertinent fill and watershed information on each of the proposed fills. DSMRE issued a total of 196 permitting actions (62 new permits, 84 amendments, and 50 major amendments) in CY 2000 involving surface, underground, or other mining operations. LFO found 98 permitting actions that contained information on 270 proposed fills. The other 98 permitting actions did not involve fills. Table 1 breaks out the permitting actions with proposed fills.

**Table 1**

Mining Type	New Permits/ Number of Fills	Amendments/ Number of Fills	Major Amendments/ Number of Fills	Totals
Surface Mining	29/123	18/67	0/0	47/190
Underground Mining	27/37	19/37	3/4	49/78
Other Mining	0/0	1/1	1/1	2/2

An analysis was completed on each of the 270 fills. Table 2 provides the averages for some of the important features relating to the fills.

**Table 2**

Feature	Surface Mines	Underground Mines	Other Mines
Acres	16.17 acres	5.82 acres	30.33 acres
Volume	2,467,636 yds <sup>3</sup>	459,883 yds <sup>3</sup>	5,696,024 yds <sup>3</sup>
Length	1,278 feet	573 feet	1,650 feet
Watershed Acres	71.27 acres	59.50 acres	68.62 acres

Table 3 breaks out the number of fills by watershed acreage.

**Table 3**

Watershed Acreage	Number of Fills
Less than 50 Acres	157
50 Acres to 100 Acres	64
100 Acres to 150 Acres	22
150 Acres to 200 Acres	12
200 Acres to 250 Acres	10
Greater than 250 Acres	5
<b>Total</b>	<b>270</b>

Table 4 breaks out the number of fills by fill acreage.

**Table 4**

<b>Fill Acreage</b>	<b>Number of Fills</b>
Less than 5 Acres	94
5 Acres to 10 Acres	63
10 Acres to 20 Acres	55
20 Acres to 30 Acres	31
30 Acres to 50 Acres	17
50 Acres to 100 Acres	8
100 Acres to 200 Acres	2
Greater than 200 Acres	0
<b>Total</b>	<b>270</b>

Table 5 breaks out the number of fills proposed, average watershed acres, and average fill acres in each of the Corps of Engineers Districts in Kentucky.

**Table 5**

<b>Corps of Engineers Districts</b>	<b>Number of Fills</b>	<b>Average Watershed Acres</b>	<b>Average Fill Acres</b>
<b>Huntington District</b>	132	59.16	14.08
<b>Louisville District</b>	83	71.52	15.11
<b>Nashville District</b>	55	84.50	8.74

A second effort was conducted by LFO that collected permit specific information on each of the 62 (31 surface, 29 underground, and 2 other) new coal mining permits issued in CY 2000. This effort focused on several different sections of the permit application including permitted acreage, mine type, total volume of spoil generated, swell factor, spoil placed in excess spoil storage areas compared to spoil used for reclamation, remining, and use of highwall miners.

Table 6 provides a comparison by mine type of the information collected on new surface coal permits issued in CY 2000.



Table 6

		MTR, Area	Contour, Auger	Underground	Other
<b>New Permits with an AOC Variance Approved</b>		0	0	0	0
Average Percent of Overburden Returned to Bench		%	%	%	%
Range of Overburden Returned to Bench		%	%	%	%
New Permits with Remining Variances					
	Average Returned	%	%		%
	Range Returned	%	%		%
Average Number of Fills Proposed					
Range of Fills Proposed					
<b>New Permits Without an AOC Variance Approved</b>		15	16	29	2
Average Percent of Overburden Returned to Bench		68%	89%	92%	0%
Range of Overburden Returned to Bench		45% to 92%	77% to 100%	52% to 105%	0%
New Permits with Remining Variances		5	4	3	0
	Average Returned	64%	95%	83%	%
	Range Returned	48% to 77%	90 to 100%	52 to 100%	%
Average Number of Fills Proposed		5.1	3.1	1.3	0
Range of Fills Proposed		0 to 16	0 to 7	0 to 4	0

On the following pages, Tables 7, 8 and 9 summarizes the information collected on all new permits issued in CY 2000, for surface, underground, and other mining operations.

Table 7 - Surface Mines

Company	Permit Number	Acres	Mine Type	AOC Variance (Y/N)	Swelled Overburden (yds <sup>3</sup> )	Predicted Swell Factor	Proposed Overburden Placed in Fills (yds <sup>3</sup> )	Proposed Overburden used in Reclamation/Percent (yds <sup>3</sup> /%)	Number of Fills Proposed	Remining (Y/N)	Highwall Miner (Y/N)
Evans Coal Corporation	8070289	82.10	Contour, Auger	N	4,588,152	.20	92,926	4,495,226 (98)	2	N	N
Sand Hill Energy Inc	8260509	14.90	Area	N	652,409	.18	0	600,966 (92)	0	N	N
Apogee Coal Company	8480179	429.31	Contour, Auger	N	18,251,772	.20	2,925,074	15,326,698 (84)	2	N	N
Manalapan Mining Co Inc	8480192	480.95	Contour, Auger	N	32,750,509	.25	1,103,431	31,647,078 (97)	7	Y	N
New Horizons Coal Inc	8480201	475.33	Area, Contour, Auger	N	49,442,251	.25	10,452,777	38,989,474 (78)	1	N	Y
Hendrickson Equipment Inc	8600378	59.78	Contour, Auger	N	1,581,920	.20	159,404	1,422,516 (90)	1	Y	N
Miller Brothers Coal Inc	8600384	409.10	Area	N	44,038,535	.25	17,195,229	26,843,306 (61)	3	N	N
Motts Branch Coal Inc	8600388	407.10	MTR, Contour	N	29,235,808	.25	16,090,477	13,200,976 (45)	4	N	N
Miller Brothers Coal Inc	8600389	449.21	Area, Contour, Auger	N	48,695,415	.25	12,790,264	35,905,151 (74)	9	N	N
Sandhill Energy Inc	8610449	54.30	Contour	N	1,574,273	.18	178,740	1,395,533 (89)	3	N	N
T & W Transport LTD	8610455	4.60	Contour	N	89,951	.18	6,692	83,259 (93)	1	N	N
London Motorplex Inc	8630283	26.80	Contour	N	1,629,763	.21	240,083	1,389,680 (85)	1	N	N
Nally & Hamilton Entr	8670377	573.52	Contour, Auger	N	55,241,840	.25	3,966,292	51,275,548 (93)	5	N	N
Consol of Kentucky Inc	8670404	779.76	Area, Contour, Auger	N	28,594,578	.25	12,260,059	16,334,519 (57)	2	Y	Y
Consol of Kentucky Inc	8670405	451.00	Area, Contour, Auger	N	26,169,355	.25	8,879,407	19,718,518 (75)	4	N	N
Golden Oak Mining Co	8670406	138.23	Area, Contour	N	19,220,070	.25	4,562,282	14,657,788 (77)	2	Y	N
Consol of Kentucky Inc	8670407	493.60	Area, Contour, Auger	N	24,652,489	.25	7,239,691	17,412,798 (71)	8	Y	N
17 West Mining Inc	8800137	446.28	Area, Contour, Auger	N	34,959,125	.25	14,798,541	20,160,584 (58)	7	N	Y
17 West Mining Inc	8800139	717.33	MTR, Area	N	69,174,112	.25	26,695,418	42,478,694 (61)	16	N	N
17 West Mining Inc	8800141	455.59	Area, Contour, Auger	N	37,623,774	.25	10,662,115	28,278,556 (75)	6	N	Y
Locust Grove Inc	8970417	132.30	Contour, Auger	N	40,740	.00	0	40,740 (100)	0	Y	Y
Tunes Mining Inc	8970419	145.37	Contour, Auger	N	2,777,742	.20	138,127	2,639,615 (95)	5	N	N
Lodestar Energy Inc	8980566	564.42	Area, Contour, Auger	N	60,195,217	.20	18,603,454	41,591,763 (69)	6	Y	N
Pontiki Coal LLC	8980569	13.60	Area	N	75,500	.20	31,200	44,300 (59)	2	N	N
Sidney Coal Company Inc	8980570	391.10	Contour, Auger	N	16,451,112	.20	1,908,890	14,542,222 (89)	4	N	Y
Bevins Branch Resources Inc	8980571	1,347.86	Area, Contour, Auger	N	89,650,441	.25	27,263,097	62,387,344 (70)	8	Y	Y
Big Creek Mining Inc	8980577	260.70	Contour, Auger	N	3,964,189	.30	712,041	3,252,148 (82)	3	N	Y
Solomons Mining Company	8980583	392.30	Contour, Auger	N	34,150,824	.25	6,165,855	27,984,969 (82)	4	N	N
Solomons Mining Company	8980592	374.20	Contour, Auger	N	28,389,689	.30	5,375,969	23,422,905 (82)	4	N	N
Candle Ridge Mining Inc	9180383	35.20	Contour, Auger	N	1,085,500	.30	250,500	835,000 (77)	2	N	N
Candle Ridge Mining Inc	9180384	103.00	Contour, Auger	N	2,112,000	.20	128,000	1,984,000 (94)	1	Y	N

Table 8 - Underground Mines

Company	Permit Number	Acres	Mine Type	AOC Variance (Y/N)	Swelled Overburden (yds <sup>3</sup> )	Predicted Swell Factor	Proposed Overburden Placed in Fills (yds <sup>3</sup> )	Proposed Overburden used in Reclamation/Percent (yds <sup>3</sup> /%)	Number of Fills Proposed	Remining (Y/N)	Highwall Miner (Y/N)
Givens Coal Co Inc	8075172	305.36	Underground	N	31,250	.25	31,250	31,250 (100)	2	N	N
Bell County Coal Corp	8075179	254.00	Underground	N	53,282	.25	53,282	53,282 (100)	1	N	N
Bell County Coal Corp	8075188	2,129.95	Underground	N	109,979	.20	22,876	87,103 (79)	1	N	N
The Elk Horn Coal Corp	8365381	514.53	Underground, Contour, Auger	N	231,000	.20	16,600	214,400 (92)	1	N	N
FCDC Coal Inc	8365382	286.40	Underground	N	141,104	.25	39,854	101,250 (72)	1	N	N
BDCC Holding Co Inc	8485347	319.86	Underground	N	16,544	.25	16,544	16,544 (100)	2	N	N
Jericol Mining Inc	8485363	66.00	Underground	N	122,593	.25	122,593	122,593 (100)	1	N	N
Kentucky Darby Coal Co	8485369	455.50	Underground	N	16,065	.25	16,065	14,539 (91)	1	N	N
Natural Land Company Inc	8485370	968.01	Underground	N	45,688	.20	1,452	44,236 (97)	2	N	N
Harlan Reclamation Services	8485379	1,757.50	Underground	N	234,856	.20	234,856	245,683 (105)	1	N	N
Kentucky Darby Coal Co	8485382	959.50	Underground	N	66,661	.25	65,362	66,661 (100)	1	N	N
Maggard Mining Inc	8485384	133.57	Underground	N	69,500	.25	69,500	69,500 (100)	1	N	N
Motts Branch Coal Inc	8605237	432.76	Underground	N	44,758	.25	44,758	44,758 (100)	1	N	N
Gatliff Coal Company	8615312	482.70	Underground	N	137,720	.20	15,824	121,896 (89)	4	N	N
Bledsoe Coal Corporation	8665129	706.20	Underground, Contour	N	51,203	.25	51,203	40,894 (80)	2	N	N
Phoenix Mining Inc	8675214	322.67	Underground, Contour, Auger	N	162,799	.25	160,664	162,799 (100)	3	N	N
Coastal Coal Company LLC	8675227	925.00	Underground	N	204,591	.20	97,798	106,793 (52)	1	Y	N
Martin County Coal Corp	8805160	1,280.31	Underground	N	333,583	.25	52,900	280,683 (84)	1	N	N
Czar Coal Corporation	8805165	921.91	Underground	N	21,792	.25	21,792	21,792 (100)	1	N	N
BSE Mining Inc	8885023	371.45	Underground, Processing Plant	N	89,598	.10	89,598	89,598 (100)	2	N	N
Branham & Baker Coal Co Inc	8984024	395.58	Underground	N	23,774	.25	23,774	23,774 (100)	1	N	N
McCoy Elkhorn Coal Corp	8984031	1,196.91	Underground, Refuse Disposal	N	68,361	.25	2,147	66,214 (97)	1	N	N
Holston Mining Inc	8984071	338.30	Underground	N	11,314	.25	11,314	10,987 (97)	1	Y	N
McCoy Elkhorn Coal Corp	8984084	919.68	Underground	N	46,788	.25	46,788	46,788 (100)	1	N	N
Premier Elkhorn Coal Co	8984091	256.92	Underground	N	243,249	.20	104,068	139,181 (57)	1	N	N
McCoy Elkhorn Coal Corporation	8984093	3,216.53	Underground	N	55,944	.20	55,944	52,468 (94)	1	N	N
Sidney Coal Company Inc	8984095	917.90	Underground	N	30,811	.20	30,811	30,811 (100)	1	N	N
American Mining & Manufacturing	8984123	933.40	Underground	N	751,080	.20	67,080	684,000 (91)	0	N	N
G & S Coal Inc	9185172	135.60	Underground	N	24,200	0	24,200	24,200 (100)	0	Y	N

Table 9 - Other Mines

Company	Permit Number	Acres	Mine Type	AOC Variance (Y/N)	Swelled Overburden (yds <sup>3</sup> )	Predicted Swell Factor	Proposed Overburden Placed in Fills (yds <sup>3</sup> )	Proposed Overburden used in Reclamation/Percent (yds <sup>3</sup> /%)	Number of Fills Proposed	Remain g (Y/N)	Highwall Miner (Y/N)
Pine Branch Coal Sales Inc	8977005	15.00	Haul Road	N	0	0	0	0	0	N	N
Clintwood Elkhorn Mining Company	8989111	3.60	Refuse Removal	N	55,475	.20	0	0	0	N	N