

APPENDIX B

STATE COMMENTS ON THE REPORT

HENRY C. LIST
SECRETARY



PAUL E. PATTON
GOVERNOR

COMMONWEALTH OF KENTUCKY
NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET

OFFICE OF THE SECRETARY
FRANKFORT KENTUCKY 40601
TELEPHONE: (502) 564-3350

December 16, 2002

OSM LEXINGTON

DEC 18 2002

FIELD OFFICE

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

RE: Draft OSM EY 2002 Twentieth Annual Evaluation Summary Report

Dear Mr. Kovacic:

Reference is made to your November 25, 2002 correspondence and the draft "Evaluation Year 2002 Summary Report" you conveyed with that letter. Personnel from each of the divisions within my agency have completed a brief review of the draft document and offer the following comments and observations.

Acid Mine Drainage (AMD) (Pages 6, 22)

On June 5, 2002, the Department for Surface Mining Reclamation and Enforcement (DSMRE) issued a Long-Term Treatment (LTT) Policy, which superseded the previous Acid Mine Drainage (AMD) Policy. The LTT Policy was established to be inclusive of substandard discharges that do not fall under the definition of acid mine drainage. Specifically, "*acid mine drainage*" is defined by regulations to be those discharges that have a pH of less than 6 and acidity in excess of alkalinity. This definition does not include the parameter of iron, even though the production of iron is distinctly related to the AMD generation process. The LTT policy revised the terminology of the original AMD policy requiring an expanded inventory of sites, which require treatment of effluent for any chemical parameter.

Public Roads (Page 12)

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, which are included in the definition of "surface coal mining operations" on November 20, 1986.



AN EQUAL OPPORTUNITY EMPLOYER M/F/D

Mr. William J. Kovacic
Comments Draft 2002 Annual Report
Page Two
December 16, 2002

In the suspension notice, OSM announced that it “...recognizes 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 relationship between public roads and the ‘affected area’.” No such rule has been proposed to date.

Slurry Impoundments – Phase I (Page 26)

The overall number of impoundments should be corrected to 118, 90 coal slurry and 28 fresh water ponds.

Report on October 2000 Breakthrough at the Big Branch Slurry Impoundment (Page 26)

The narrative infers that a failure to “fully address the breakthrough potential” in the 1994 Impoundment Sealing Plan may have contributed to the October 2000 breakthrough and slurry release. OSM’s Report on October 2000 Breakthrough at the Big Branch Slurry Impoundment states “OSM cannot conclude definitively whether the 1994 Impoundment Sealing Plan would have prevented a breakthrough because the seepage barrier was not constructed in accordance with the plan.”

Section II – Page 2

While acknowledging the historical coal production in the 1990’s, no mention is made of the steady yearly decline in production for the late 1990’s up through the end of this evaluation year.

Section II Page 3, Last Paragraph

The word “work” should be changed to “works” to accurately describe the activity required to be permitted. Additionally, using the term “Permitted and Bonded”, does not accurately describe the requirements under the Kentucky program. While some “underground only” permits exist in Kentucky with the minimum Regulatory Bond to obtain permit approval, reclamation bonds are not tied to events or costs that may occur on the surface of areas overlying underground works.

Section III, Paragraph 2

It should be noted the DSMRE made blasting practices and the prevention of off-site impacts a top priority prior to the reference comments received “from the environmental community”.

Section IV, Page 7

While the referenced meeting of September 25, 2002 was a productive event that benefited all agencies in attendance, this was by far not the first acknowledgement that off-site blasting impacts were of major concern to the agencies. Programmatic enhancements were well under way a full year prior to this meeting. To imply that this was the meeting that identified "Flyrock" as a major problem lends the reader to believe the agencies did not take this issue seriously prior to that date. Additionally, the last sentence of this paragraph would be more representative of Kentucky's efforts if it stated, "Kentucky will be adding dedicated blasting inspection personnel in the Regional Offices to improve compliance monitoring and reduce the likelihood of off-site blasting impacts." Rather than the language stated in the draft.

Section IV General Comment

OSM uses the term "Flyrock" as a "Catchall" for a description of any rock or debris that leaves the permit area as a direct result of blasting activities. The use of this term does not accurately describe all events that occur as a result of blasting activities. A number of off-site impacts occur from material that is not ejected from the blast site through the air but rather "Rolls" off of the permit from the force of gravity as a direct result of blasting activities.

Page 8

While acknowledging many of the activities DSMRE has undertaken in the enhancement of its inspection and enforcement of blasting, several notable activities have been omitted. The following is requested to be added to the list in addition to those activities presented.

DSMRE has taken an active role in working with the KY DMM to enhance and refine the current blasting certification training and testing program in Kentucky.

DSMRE has, in most instances, imposed the maximum allowed civil penalties for violations involving off-site impacts related to blast events.

For the referenced permit that the 3 off-site impact events, DSMRE filed a "Show Cause" action with the office of Administrative Hearings to revoke the permit.

Page 9 – Technological Enhancements

DSMRE recommends the following statement be added to the paragraph pertaining to improved technological enhancements in enforcement procedures:

Efforts continue to work flow the entire inspection and enforcement process with the "Roll-Out" and implementation of an electronic (paperless) document management system in early 2003.

Page 13 – Surety & Bonding

It should be noted that of the referenced one (1) company that is "...in the process of replacing its Frontier Bonds", replacement bonds were included in the "Transfer, Sale, or Assignment of Permit Rights" applications with the Division of Permits. These "replacement bonds" contain language that apply the new surety liability to both the transferee and transferor during the pending of a final action on the transfer application. Therefore, for all intent and purpose, the Frontier Bonds have been replaced with acceptable surety coverage. The Frontier Bonds for this company are being retained on Department records until a final action is taken on the transfer applications.

Surety & Bonding – DSMRE recommends a new bullet be added to this section of the report addressing the tightening of criteria for issuance of Surety Bonds to Mining Companies and the perceived reduction in the number of insurance companies willing to write reclamation bond coverage to mining companies. The tightening of bond availability and increased costs to the mining industry in Kentucky has been represented to our agency as a major issue for mining interest in Kentucky.

Page 15 – Mountaintop Removal

The title of this issue should be changed to more accurately describe the subject and content of the paragraph directly below. The revised program enhancements for the design and construction of durable rock fills apply to many methods of mining in addition to Mountaintop Removal.

Page 15 – Unauthorized Fills

This paragraph mentions DSMRE issued "CO's" on the four (4) mine sites. This is an incorrect statement as the DSMRE issued Non-Compliances (NC's) to the four (4) mine sites which ceased any disposal activities in those fills until approval is granted from the Corps of Engineers.

Page 18 – Off-Site Impacts

Again, "Flyrock" is used as a term that encompasses any material that leaves the permitted boundary as a result of blasting. The use of this term should be clarified throughout the report.

Page 24 – Random Sample

The last paragraph in this section references an increase in violations for "Surety Failure" and "Backfilling & Grading/contemporaneous Reclamation". While the increase in violations for Surety Failure is supported by fact, the reason given for the increase in the second category is based on perceived observations of emphasis on those permits cited. To provide a general statement that the violations were a direct result of the past "Coal Boom", while believed to be a factor, should not be tied to one unverifiable factor.

Mr. William J. Kovacic
Comments Draft 2002 Annual Report
Page Five
December 16, 2002

Page 24 – Blast Log Evaluation Program

The second paragraph should be clarified with regard to the “potential problems with seismograph monitoring”. During the OSM analysis, the potential problem was found with the set up of some seismographs by or under the direction of, the Permittee and not seismographs installed by DSMRE.

Page 25 – Temporary Cessation

The last sentence of the third paragraph is totally incorrect. Subsequent to the joint OSM/DSMRE study, and informal discussions with the Kentucky Department for Mines and Minerals, A Temporary Cessation review procedure for the evaluation of requests by Permittees was developed and implemented. This procedure (copy attached) is being utilized for the evaluation of Temporary Cessation requests and has already resulted in the initiation of reclamation activities on a number of permits previously in “Temporary Cessation” status. DSMRE respectfully requests that all references to the lack of a procedure for the review of Temporary Cessation requests be stricken from the final report.

Page 27 – Inspection Frequency

DSMRE has noted the slight decline from previous years in required inspection frequency. While still at a highly respectable level, the emphasis on this program requirement has not waned. The primary reason for the slight decline in the percentage of inspectable units meeting required frequency was due to serious medical conditions affecting a number of inspection and supervisory staff during this evaluation year, resulting in a few inspections not being conducted in a timely manner.

As always, we greatly appreciate the opportunity to review and provide comment on this matter. 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

CEC/PR/vl

Attachment

cc: Larry Adams, Director
Mark Thompson, Director
Steve Hohmann, Director



COMMONWEALTH OF KENTUCKY
NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION CABINET
DEPARTMENT FOR SURFACE MINING RECLAMATION & ENFORCEMENT
FRANKFORT, KENTUCKY 40601
CARL E. CAMPBELL
COMMISSIONER

MEMORANDUM

TO: Environmental Control Managers
Chief Inspectors
Inspectors

FROM: Mark W. Thompson, Director *MW*
Division of Field Services

DATE: June 13, 2002

SUBJECT: Permits in Temporary Cessation of Operations Status

Attached is a list, recently obtained from the Kentucky Department of Mines and Minerals (DMM), that provides a cross-reference between DSMRE underground permits and DMM licenses. The DSMRE permits listed are currently in temporary cessation status. For each permit, the current status of the DMM license is provided. This list will be updated periodically by DMM.

Effective June 13, 2002, in an effort to limit misuse of the temporary cessation status and compel reclamation of mine sites where appropriate, the following procedures will be followed upon receipt of a notice of temporary cessation from a permittee:

1. The notice of temporary cessation will be reviewed by the appropriate inspector to insure the notice states to what extent equipment will be removed from the mine site, and the approximate date on which mining operations will resume. If the notice fails to provide either of these items, the notice should be returned to the permittee with instructions to review the notice to include the information.
2. Upon receipt of a proper notice of temporary cessation, the appropriate inspector will review the DMM list for information regarding the status of the license. For any permit for which the status of the license has been "abandoned" for **five years or more**, the "Notice of Temporary Cessation" letter (copy attached) is to be mailed (certified) to the permittee. This letter will require the permittee to provide the following information:



Environmental Control Managers
Page Two
June 13, 2002

- a. An explanation of the extended length of the cessation (the reason(s) preventing the resumption of mining).
 - b. A copy of an underground mine map showing the current extent of mining and the remaining coal reserves.
 - c. A written statement affirming that all leases or permissions (other than the DMM license) are currently valid.
3. Following receipt of the additional information, the inspector, chief inspector and regional engineer will review the map in comparison with the approved MRP map for verification of coal reserves. In addition, these personnel will review the underground mine map for information regarding mine conditions, such as water, bad top, etc. for an assessment of whether future mining can occur.
4. In the event the permittee fails to provide the information required in (1.) and (2.), above, or if a review of the information provided determines the notice of temporary cessation is not valid, the "TempCessDenial" letter (copy attached) is to be mailed (certified) to the permittee. This letter includes a preventative enforcement comment requiring commencement of reclamation operations within thirty days. Should the permittee fail to commence reclamation operations as required on the MIR, a Notice of Non-Compliance for 405 KAR 18:020 should be issued, again requiring commencement of reclamation operations.
5. All notices of temporary cessation will be entered and tracked in SMIS in the new "Temporary Cessation" database. In addition, two reports have been developed to assist enforcement personnel in monitoring the status of each notice. These reports should be reviewed each month to identify those notices which may require an action.

Any questions or special circumstances regarding the above procedures may be referred through the appropriate supervisory personnel to the Director of Field Services.

MWT/ks/cs

x: Carl Campbell
Allen Luttrell
Larry Adams

APPENDIX C

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

10/28/2002

Note: 255 non-compliances were written as a result of the Frontier Insurance Company failure.

Permittee	# NCs	Violations	Permits in Violation	Total Permits	Permitted Acres	Disturbed Acres
ADDINGTON MINING INC	72	76	59	59	24,589.94	12,342.47
LESLIE RESOURCES INC	65	78	46	45	29,170.75	15,987.13
SUNNY RIDGE MINING COMPANY INC	34	37	23	21	10,178.93	3,633.74
STRAIGHT CREEK COAL RESOURCES COMPANY	34	34	28	28	22,758.91	6,106.6
STAR FIRE MINING COMPANY	31	40	10	10	7,793.2	5,554.32
MARTIN COUNTY COAL CORPORATION	28	40	10	29	24,262.29	8,011.67
CENTENNIAL RESOURCES INC	28	34	15	12	6,125.24	4,184.2
NALLY & HAMILTON ENTERPRISES INC	26	44	15	29	16,353	9,619.91
BRANHAM & BAKER COAL COMPANY INC	24	47	13	6	3,151.34	1,645.91
SIDNEY COAL COMPANY INC	22	39	11	42	76,423.39	973.21
CONSOL OF KENTUCKY INC	19	34	12	42	48,691.52	3,625.55
COOK AND SONS MINING INC	17	25	10	20	22,017.4	1,144.76
AEP KENTUCKY COAL LLC	16	25	12	60	55,367.95	7,017.51
17 WEST MINING INC	16	16	13	16	11,375.66	7,293
MANALAPAN MINING COMPANY INC	13	20	4	15	27,723.73	1,307.62
PREMIER ELKHORN COAL COMPANY	13	20	6	38	42,213.06	6,678.35
SOLOMONS MINING COMPANY	12	22	4	8	3,296.29	1,756.42
LODESTAR ENERGY INC	11	25	10	34	24,030.2709	4,586.98
KNOTT COUNTY MINING COMPANY	10	10	8	8	9,873.1	372
ROADSIDE PROCESSING INC	9	21	2	2	145.15	145.15
CHEYENNE RESOURCES INC	9	20	5	13	5,082.98	3,374.34
HARLAN RECLAMATION SERVICES LLC	9	16	6	16	30,276.05	1,662.77
CLARK ELKHORN COAL COMPANY	9	9	9	9	4,436.73	115.37
LOST MOUNTAIN MINING COMPANY	9	9	9	9	4,368.7	3,438.7
FCDC COAL INC	8	19	5	19	13,625.91	204.63
REDBONE COAL COMPANY INC	8	9	7	7	4,864.83	1,444.82
EDCO ENERGY CORPORATION	7	23	3	3	424.17	20.7
SHAMROCK COAL COMPANY INCORPORATED	7	12	3	11	20,261.45	880.23
DIAMOND MAY COAL COMPANY	7	10	4	18	14,270.67	3,973.6
IKERD-BANDY CO INC	7	8	7	9	6,295.51	3,981.16
KENTUCKY MAY COAL COMPANY INC	6	12	5	32	21,772.73	1,345.71
CLINTWOOD ELKHORN MINING COMPANY	6	8	5	37	36,876.46	1,239.85
CZAR COAL CORPORATION	6	7	4	28	18,957.8	2,414.01
BELL COUNTY COAL CORPORATION	6	6	2	13	19,077.96	1,037.7
CR MINING COMPANY	6	6	6	6	3,406.9	1,953.45
BDCC HOLDING COMPANY INC	5	9	3	22	33,766.67	759.59
BERKELEY ENERGY CORPORATION	5	9	4	14	5,552.59	239.99
BLED SOE COAL CORPORATION	5	9	5	22	28,084.67	1,980.87
KANNAN MINING COMPANY	5	8	2	3	368.94	130.45
MCCOY ELKHORN COAL CORPORATION	5	8	4	25	31,654.84	499.33
APEX ENERGY INC	5	7	4	15	9,512.18	2,906.4
LEECO INC	5	6	4	13	28,722.76	395.33
M & G COAL SALES INC	5	6	3	4	487.52	159.62
EVERGREEN MINING INC	4	12	3	4	232.42	137.6
RICHARDSON FUEL INC	4	12	4	8	4,829.89	534.7

Permittee	# NCs	Violations	Permits in Violation	Total Permits	Permitted Acres	Disturbed Acres
T & R COAL COMPANY	4	10	1	1	30.13	10
HAZARD IV ENERGY INC	4	9	1	1	50.6	10
LOCUST GROVE INC	4	9	2	14	6,115.3	3,172.18
LEE-PAUL COAL COMPANY INC	4	8	4	5	159.21	106.75
MCCOY COAL COMPANY	4	8	1	1	1,359.77	1,144.16
APPOLO FUELS INC	4	7	3	31	13,590.62	2,187.87
MOUNTAIN SPUR COALS & ENERGY INC	4	7	2	3	4,693.11	11.89
COASTAL COAL COMPANY LLC	4	5	4	33	39,771.16	749.81
NEW HORIZONS COAL INC	4	5	4	16	13,227.17	874.16
BUCKHORN PROCESSING COMPANY	4	4	4	4	394.85	322.85
HARLAN-CUMBERLAND COAL COMPANY LLC	4	4	2	5	5,512.42	191.54
AUSTIN COAL INC	3	6	1	1	407.18	55
BEECH CREEK ENERGY INC	3	5	2	4	286.75	96.65
FRASURE CREEK MINING LLC	3	5	1	2	3,486.94	180
ISLAND FORK CONSTRUCTION LTD	3	5	2	4	1,121.3	385.5
LONG FORK COAL COMPANY	3	5	1	6	5,845.05	211.94
PYRAMID MINING INC	3	5	2	5	2,747.3	1,940.4
RGT MINING AND CONSTRUCTION CO	3	5	1	1	215	6
STURGEON MINING COMPANY INC	3	5	2	7	670.21	280.9
RESOURCE LAND COMPANY LLC	3	4	2	2	10,202.9	412
SANDLICK COAL COMPANY INC	3	4	3	12	11,212.52	531.14
ADDINGTON ENTERPRISES INC	3	3	3	2	985.59	125
BLACK DIAMOND RESOURCES INC	3	3	2	4	1,988.2	515
JERICOL MINING INC	3	3	2	16	17,678.47	1,145.37
LILY RESOURCES CO INC	3	3	1	1	74.51	55
MAJESTIC COLLIERIES COMPANY	3	3	2	9	1,680.02	362.62
MOTTS BRANCH COAL INC	3	3	3	15	9,419.49	1,726.58
MINNEHAN MINING LLC	2	12	1	1	170.01	30
BSE MINING INC	2	8	2	2	635.29	11
H B & S COAL COMPANY INC	2	8	2	3	341.39	151.48
FOSSIL FUEL LEASING INC	2	7	2	2	296.52	132.48
SAM C FRANKLIN & SON INCORPORATED	2	7	1	1	594.85	140
DONICO MINING INC	2	5	1	1	39.8	3.3
BEVINS BRANCH RESOURCES INC	2	4	1	1	1,567.84	200
HOPKINS COUNTY COAL LLC	2	4	2	17	11,089.6	5,963.1
PHELPS COAL & LAND COMPANY INC	2	4	1	1	3,923.53	18.26
STAR RUN INC	2	4	1	1	671.91	3
CHISHOLM COAL COMPANY	2	3	1	1	4,199.42	316.25
CNS MINING INC	2	3	1	1	2,622.35	7.4
H & D COAL COMPANY INC	2	3	2	2	644.51	295
HANCO ENERGY CORPORATION	2	3	2	8	2,094.77	1,482.46
KENTUCKY DARBY COAL COMPANY	2	3	2	7	12,614.67	128.95
MARATHON COAL CORPORATION	2	3	1	2	103.29	3.58
NATURAL LAND COMPANY INC	2	3	1	1	968.01	0
WEDDINGTON BRANCH MINING CO INC	2	3	1	1	161.5	166.5

10/28/2002

Permittee	# NCs	Violations	Permits in Violation	Total Permits	Permitted Acres	Disturbed Acres
BEAVER MINERALS INC	2	2	1	1	160.74	100
BEECH FORK PROCESSING INC	2	2	1	19	16,386.45	1,371.41
BLACK HILLS COAL INC	2	2	2	4	1,269.6	925
BURIED SUNSHINE TRANSPORT INC	2	2	2	5	206.4	115.4
C G M COAL CO INC	2	2	1	1	99.66	5
GATLIFF COAL COMPANY	2	2	2	27	17,714.36	1,123.62
KENTUCKY UNITED COAL LLC	2	2	2	4	2,630.4	1,425
PEABODY COAL COMPANY	2	2	1	21	49,066.6	9,216.40
PETER FORK MINING COMPANY	2	2	2	10	2,713.92	369.34
SOUTHFORK COAL CO	2	2	1	6	4,553.99	308.74
V & M MINING COMPANY OF PAINTSVILLE INC	2	2	1	1	126.7	4.94
WASH RIDGE COAL CO INC	2	2	2	9	1,799.88	982.1
WEBSTER COUNTY COAL LLC	2	2	2	8	24,554.85	545.7
CORBIN COAL COMPANY INC	1	7	1	1	354.77	330
HENDRICKSON EQUIPMENT INC	1	7	1	1	59.78	8
WHYMORE COAL COMPANY INC	1	6	1	6	810.65	201.4
ADDINGTON INC	1	4	1	4	3,826.58	3,066.84
AMERICAN COAL CORPORATION	1	4	1	3	1,693.3	148.3
C & R COAL COMPANY INC	1	4	1	2	190.7	55.7
DON GOBLE MINING	1	4	1	1	65	3
DOUBLE M #2 MINE INC	1	4	1	1	420	
JESS BOWLING	1	4	1	1	129.4	10
CLEAR CREEK COAL CO INC	1	3	1	1	26	7
COAL-MAC INC	1	3	1	4	1,088.67	863.57
D S ENERGY INC	1	3	1	3	2,490.26	9.05
DIAMOND COAL COMPANY	1	3	1	1	27.8	11.9
H B COAL INC	1	3	1	1	74	4
HOLBROOK MINING COMPANY INC	1	3	1	2	294.21	173
PETER CAVE MINING COMPANY	1	3	1	5	14,891.9	860.71
REYNOLDS BRANCH COAL CO INC	1	3	1	1	1,282.7	7.89
APPCO MINING INC	1	2	1	1	139.86	1.56
BEAR BRANCH COAL CO INC	1	2	1			
CLOVERFORK MINING & EXCAVATING INC	1	2	1	7	2,585.19	1,163.53
FIRE RING FUELS INC	1	2	1			
FRIENDSHIP ENERGY INC	1	2	1	1	254.7	132
KEYSTONE SENIOR LLC	1	2	1	1	4.25	4.25
LANDMARK MINING COMPANY INC	1	2	1	7	2,262.25	117.56
M & N ENTERPRISES INC	1	2	1	2	247.1	200.2
MAGIC COAL COMPANY	1	2	1	1	2,180.3	70
MASSIVE MINING INC	1	2	1	1	129.1	17
PATRICK PROCESSING LLC	1	2	1	2	1,260.6	17.5
PENNYRILE COAL CO INC	1	2	1	2	7,892.81	1,014.9
PREMIUM ELKHORN COAL CORPORATION	1	2	1	2	1,140.32	1.11
WINN CONSTRUCTION COMPANY INC	1	2	1	8	3,555.4	2,179
AMERICAN MINING & MANUFACTURING CORPORATION	1	1	1	1	933.7	3

Permittee	# NCs	Violations	Permits in Violation	Total Permits	Permitted Acres	Disturbed Acres
B-FOUR INC	1	1	1			
BLACK MAGIC RESOURCES INC	1	1	1	1	148	148
BROKEN RIDGE LLC	1	1	1	1	310.19	177.21
C T & L COAL COMPANY	1	1	1	1	127.34	46
CONCO COAL COMPANY INC	1	1	1	1	124.42	10
DEBRA LYNN COALS INC	1	1	1	14	6,888.35	468.36
DENHAM & LEWIS PROCESSING INC	1	1	1	1	5	5
DIXIE FUEL COMPANY LLC	1	1	1	4	3,740.89	87.96
DOUBLE B MINING INC	1	1	1	1	34.3	15
EASTERN RESOURCES INC	1	1	1	1	199	199
ECLIPSE COLLIERIES INC	1	1	1	2	2,190.93	35.69
ELKHORN CONSTRUCTION CO INC	1	1	1	1	198.6	166.6
ELMO GREER & SONS LLC	1	1	1	1	43.6	10
ENERGY ENVIRONMENTAL RESOURCES INC	1	1	1	1	49.91	7
EVANS COAL CORPORATION	1	1	1	2	486.9	100
FERRO COALS INC	1	1	1	1	4	4
GREEN COAL COMPANY INC	1	1	1	2	756.2	760
HARDSHELL TIPPLES INC	1	1	1	1	889.06	9
HOLSTON MINING INC	1	1	1	6	5,447.88	902.67
JOHNS CREEK PROCESSING COMPANY	1	1	1	6	3,985.15	290.81
KELLY BRANCH RESOURCES INC	1	1	1	1	1,554.91	10
KENTUCKY PRINCE MINING COMPANY	1	1	1	1	19.29	19.29
LEFT FORK MINING COMPANY INC	1	1	1	3	3,536.64	89.05
LEVISA FORK MINING COMPANY	1	1	1	16	11,056.35	451.41
LITTLE BOYD COAL CO INC	1	1	1	1	405.74	250
MAPLE RIDGE MINING CORPORATION	1	1	1	3	957.59	14.89
MELL COAL CORPORATION	1	1	1	1	22	10
MINE RITE COAL CO INC	1	1	1	9	1,978.15	219.85
NEW RIDGE MINING COMPANY	1	1	1	8	3,265.74	314.24
PHILLIP F BURDEN	1	1	1	2	118	90
PONTIKI COAL LLC	1	1	1	6	20,008.6	186.8
R & S COAL INC	1	1	1	1	266.9	16.9
SHAMROCK FUEL INCORPORATED	1	1	1	2	48.57	48.57
SPIKE CONSTRUCTION CO	1	1	1	1	30.34	30.3
STRATA MINING INC	1	1	1	3	931.95	425
W H BOWLIN COAL COMPANY	1	1	1	1	156.96	131
WEST COAL INC	1	1	1	1	88.65	16

APPENDIX D

PERMITTEES ISSUED NON-COMPLIANCES BY DSMRE
(Listed Alphabetically)

Note: 255 non-compliances were written as a result of the Frontier Insurance Company failure.

Permittee	# NCs	Violations	Permits in Violation	Total Permits	Permitted Acres	Disturbed Acres
17 WEST MINING INC	16	16	13	16	11,375.66	7,293
ADDINGTON ENTERPRISES INC	3	3	3	2	985.59	125
ADDINGTON INC	1	4	1	4	3,826.58	3,066.84
ADDINGTON MINING INC	72	76	59	59	24,589.94	12,342.47
AEP KENTUCKY COAL LLC	16	25	12	60	55,367.95	7,017.51
AMERICAN COAL CORPORATION	1	4	1	3	1,693.3	148.3
AMERICAN MINING & MANUFACTURING CORPORATION	1	1	1	1	933.7	3
APEX ENERGY INC	5	7	4	15	9,512.18	2,906.4
APPCO MINING INC	1	2	1	1	139.86	1.56
APPOLO FUELS INC	4	7	3	31	13,590.62	2,187.87
AUSTIN COAL INC	3	6	1	1	407.18	55
B-FOUR INC	1	1	1			
BDCC HOLDING COMPANY INC	5	9	3	22	33,766.67	759.59
BEAR BRANCH COAL CO INC	1	2	1			
BEAVER MINERALS INC	2	2	1	1	160.74	100
BEECH CREEK ENERGY INC	3	5	2	4	286.75	96.65
BEECH FORK PROCESSING INC	2	2	1	19	16,386.45	1,371.41
BELL COUNTY COAL CORPORATION	6	6	2	13	19,077.96	1,037.7
BERKELEY ENERGY CORPORATION	5	9	4	14	5,552.59	239.99
BEVINS BRANCH RESOURCES INC	2	4	1	1	1,567.84	200
BLACK DIAMOND RESOURCES INC	3	3	2	4	1,988.2	515
BLACK HILLS COAL INC	2	2	2	4	1,269.6	925
BLACK MAGIC RESOURCES INC	1	1	1	1	148	148
BLED SOE COAL CORPORATION	5	9	5	22	28,084.67	1,980.87
BRANHAM & BAKER COAL COMPANY INC	24	47	13	6	3,151.34	1,645.91
BROKEN RIDGE LLC	1	1	1	1	310.19	177.21
BSE MINING INC	2	8	2	2	635.29	11
BUCKHORN PROCESSING COMPANY	4	4	4	4	394.85	322.85
BURIED SUNSHINE TRANSPORT INC	2	2	2	5	206.4	115.4
C & R COAL COMPANY INC	1	4	1	2	190.7	55.7
C G M COAL CO INC	2	2	1	1	99.66	5
C T & L COAL COMPANY	1	1	1	1	127.34	46
CENTENNIAL RESOURCES INC	28	34	15	12	6,125.24	4,184.2
CHEYENNE RESOURCES INC	9	20	5	13	5,082.98	3,374.34
CHISHOLM COAL COMPANY	2	3	1	1	4,199.42	316.25
CLARK ELKHORN COAL COMPANY	9	9	9	9	4,436.73	115.37
CLEAR CREEK COAL CO INC	1	3	1	1	26	7
CLINTWOOD ELKHORN MINING COMPANY	6	8	5	37	36,876.46	1,239.85
CLOVERFORK MINING & EXCAVATING INC	1	2	1	7	2,585.19	1,163.53
CNS MINING INC	2	3	1	1	2,622.35	7.4
COAL-MAC INC	1	3	1	4	1,088.67	863.57
COASTAL COAL COMPANY LLC	4	5	4	33	39,771.16	749.81
CONCO COAL COMPANY INC	1	1	1	1	124.42	10
CONSOL OF KENTUCKY INC	19	34	12	42	48,691.52	3,625.55
COOK AND SONS MINING INC	17	25	10	20	22,017.4	1,144.76

Permittee	# NCs	Violations	Permits in Violation	Total Permits	Permitted Acres	Disturbed Acres
CORBIN COAL COMPANY INC	1	7	1	1	354.77	330
CR MINING COMPANY	6	6	6	6	3,406.9	1,953.45
CZAR COAL CORPORATION	6	7	4	28	18,957.8	2,414.01
D S ENERGY INC	1	3	1	3	2,490.26	9.05
DEBRA LYNN COALS INC	1	1	1	14	6,888.35	468.36
DENHAM & LEWIS PROCESSING INC	1	1	1	1	5	5
DIAMOND COAL COMPANY	1	3	1	1	27.8	11.9
DIAMOND MAY COAL COMPANY	7	10	4	18	14,270.67	3,973.6
DIXIE FUEL COMPANY LLC	1	1	1	4	3,740.89	87.96
DON GOBLE MINING	1	4	1	1	65	3
DONICO MINING INC	2	5	1	1	39.8	3.3
DOUBLE B MINING INC	1	1	1	1	34.3	15
DOUBLE M #2 MINE INC	1	4	1	1	420	
EASTERN RESOURCES INC	1	1	1	1	199	199
ECLIPSE COLLIERIES INC	1	1	1	2	2,190.93	35.69
EDCO ENERGY CORPORATION	7	23	3	3	424.17	20.7
ELKHORN CONSTRUCTION CO INC	1	1	1	1	198.6	166.6
ELMO GREER & SONS LLC	1	1	1	1	43.6	10
ENERGY ENVIRONMENTAL RESOURCES INC	1	1	1	1	49.91	7
EVANS COAL CORPORATION	1	1	1	2	486.9	100
EVERGREEN MINING INC	4	12	3	4	232.42	137.6
FCDC COAL INC	8	19	5	19	13,625.91	204.63
FERRO COALS INC	1	1	1	1	4	4
FIRE RING FUELS INC	1	2	1			
FOSSIL FUEL LEASING INC	2	7	2	2	296.52	132.48
FRASURE CREEK MINING LLC	3	5	1	2	3,486.94	180
FRIENDSHIP ENERGY INC	1	2	1	1	254.7	132
GATLIFF COAL COMPANY	2	2	2	27	17,714.36	1,123.62
GREEN COAL COMPANY INC	1	1	1	2	756.2	760
H & D COAL COMPANY INC	2	3	2	2	644.51	295
H B & S COAL COMPANY INC	2	8	2	3	341.39	151.48
H B COAL INC	1	3	1	1	74	4
HANNCO ENERGY CORPORATION	2	3	2	8	2,094.77	1,482.46
HARDSHELL TIPPLES INC	1	1	1	1	889.06	9
HARLAN RECLAMATION SERVICES LLC	9	16	6	16	30,276.05	1,662.77
HARLAN-CUMBERLAND COAL COMPANY LLC	4	4	2	5	5,512.42	191.54
HAZARD IV ENERGY INC	4	9	1	1	50.6	10
HENDRICKSON EQUIPMENT INC	1	7	1	1	59.78	8
HOLBROOK MINING COMPANY INC	1	3	1	2	294.21	173
HOLSTON MINING INC	1	1	1	6	5,447.88	902.67
HOPKINS COUNTY COAL LLC	2	4	2	17	11,089.6	5,963.1
IKERD-BANDY CO INC	7	8	7	9	6,295.51	3,981.16
ISLAND FORK CONSTRUCTION LTD	3	5	2	4	1,121.3	385.5
JERICOL MINING INC	3	3	2	16	17,678.47	1,145.37
JESS BOWLING	1	4	1	1	129.4	10

Permittee	# NCs	Violations	Permits in Violation	Total Permits	Permitted Acres	Disturbed Acres
JOHNS CREEK PROCESSING COMPANY	1	1	1	6	3,985.15	290.81
KANNAN MINING COMPANY	5	8	2	3	368.94	130.45
KELLY BRANCH RESOURCES INC	1	1	1	1	1,554.91	10
KENTUCKY DARBY COAL COMPANY	2	3	2	7	12,614.67	128.95
KENTUCKY MAY COAL COMPANY INC	6	12	5	32	21,772.73	1,345.71
KENTUCKY PRINCE MINING COMPANY	1	1	1	1	19.29	19.29
KENTUCKY UNITED COAL LLC	2	2	2	4	2,630.4	1,425
KEYSTONE SENIOR LLC	1	2	1	1	4.25	4.25
KNOTT COUNTY MINING COMPANY	10	10	8	8	9,873.1	372
LANDMARK MINING COMPANY INC	1	2	1	7	2,262.25	117.56
LEE-PAUL COAL COMPANY INC	4	8	4	5	159.21	106.75
LEEKO INC	5	6	4	13	28,722.76	395.33
LEFT FORK MINING COMPANY INC	1	1	1	3	3,536.64	89.05
LESLIE RESOURCES INC	65	78	46	45	29,170.75	15,987.13
LEVISA FORK MINING COMPANY	1	1	1	16	11,056.35	451.41
LILY RESOURCES CO INC	3	3	1	1	74.51	55
LITTLE BOYD COAL CO INC	1	1	1	1	405.74	250
LOCUST GROVE INC	4	9	2	14	6,115.3	3,172.18
LODESTAR ENERGY INC	11	25	10	34	24,030.2709	4,586.98
LONG FORK COAL COMPANY	3	5	1	6	5,845.05	211.94
LOST MOUNTAIN MINING COMPANY	9	9	9	9	4,368.7	3,438.7
M & G COAL SALES INC	5	6	3	4	487.52	159.62
M & N ENTERPRISES INC	1	2	1	2	247.1	200.2
MAGIC COAL COMPANY	1	2	1	1	2,180.3	70
MAJESTIC COLLIERIES COMPANY	3	3	2	9	1,680.02	362.62
MANALAPAN MINING COMPANY INC	13	20	4	15	27,723.73	1,307.62
MAPLE RIDGE MINING CORPORATION	1	1	1	3	957.59	14.89
MARATHON COAL CORPORATION	2	3	1	2	103.29	3.58
MARTIN COUNTY COAL CORPORATION	28	40	10	29	24,262.29	8,011.67
MASSIVE MINING INC	1	2	1	1	129.1	17
MCCOY COAL COMPANY	4	8	1	1	1,359.77	1,144.16
MCCOY ELKHORN COAL CORPORATION	5	8	4	25	31,654.84	499.33
MELL COAL CORPORATION	1	1	1	1	22	10
MINE RITE COAL CO INC	1	1	1	9	1,978.15	219.85
MINNEHAN MINING LLC	2	12	1	1	170.01	30
MOTTS BRANCH COAL INC	3	3	3	15	9,419.49	1,726.58
MOUNTAIN SPUR COALS & ENERGY INC	4	7	2	3	4,693.11	11.89
NALLY & HAMILTON ENTERPRISES INC	26	44	15	29	16,353	9,619.91
NATURAL LAND COMPANY INC	2	3	1	1	968.01	0
NEW HORIZONS COAL INC	4	5	4	16	13,227.17	874.16
NEW RIDGE MINING COMPANY	1	1	1	8	3,265.74	314.24
PATRICK PROCESSING LLC	1	2	1	2	1,260.6	17.5
PEABODY COAL COMPANY	2	2	1	21	49,066.6	9,216.40
PENNYRILE COAL CO INC	1	2	1	2	7,892.81	1,014.9
PETER CAVE MINING COMPANY	1	3	1	5	14,891.9	860.71
PETER FORK MINING COMPANY	2	2	2	10	2,713.92	369.34

Permittee	# NCs	Violations	Permits in Violation	Total Permits	Permitted Acres	Disturbed Acres
PHELPS COAL & LAND COMPANY INC	2	4	1	1	3,923.53	18.26
PHILLIP F BURDEN	1	1	1	2	118	90
PONTIKI COAL LLC	1	1	1	6	20,008.6	186.8
PREMIER ELKHORN COAL COMPANY	13	20	6	38	42,213.06	6,678.35
PREMIUM ELKHORN COAL CORPORATION	1	2	1	2	1,140.32	1.11
PYRAMID MINING INC	3	5	2	5	2,747.3	1,940.4
R & S COAL INC	1	1	1	1	266.9	16.9
REDBONE COAL COMPANY INC	8	9	7	7	4,864.83	1,444.82
RESOURCE LAND COMPANY LLC	3	4	2	2	10,202.9	412
REYNOLDS BRANCH COAL CO INC	1	3	1	1	1,282.7	7.89
RGT MINING AND CONSTRUCTION CO	3	5	1	1	215	6
RICHARDSON FUEL INC	4	12	4	8	4,829.89	534.7
ROADSIDE PROCESSING INC	9	21	2	2	145.15	145.15
SAM C FRANKLIN & SON INCORPORATED	2	7	1	1	594.85	140
SANDLICK COAL COMPANY INC	3	4	3	12	11,212.52	531.14
SHAMROCK COAL COMPANY INCORPORATED	7	12	3	11	20,261.45	880.23
SHAMROCK FUEL INCORPORATED	1	1	1	2	48.57	48.57
SIDNEY COAL COMPANY INC	22	39	11	42	76,423.39	973.21
SOLOMONS MINING COMPANY	12	22	4	8	3,296.29	1,756.42
SOUTHFORK COAL CO	2	2	1	6	4,553.99	308.74
SPIKE CONSTRUCTION CO	1	1	1	1	30.34	30.3
STAR FIRE MINING COMPANY	31	40	10	10	7,793.2	5,554.32
STAR RUN INC	2	4	1	1	671.91	3
STRAIGHT CREEK COAL RESOURCES COMPANY	34	34	28	28	22,758.91	6,106.6
STRATA MINING INC	1	1	1	3	931.95	425
STURGEON MINING COMPANY INC	3	5	2	7	670.21	280.9
SUNNY RIDGE MINING COMPANY INC	34	37	23	21	10,178.93	3,633.74
T & R COAL COMPANY	4	10	1	1	30.13	10
V & M MINING COMPANY OF PAINTSVILLE INC	2	2	1	1	126.7	4.94
W H BOWLIN COAL COMPANY	1	1	1	1	156.96	131
WASH RIDGE COAL CO INC	2	2	2	9	1,799.88	982.1
WEBSTER COUNTY COAL LLC	2	2	2	8	24,554.85	545.7
WEDDINGTON BRANCH MINING CO INC	2	3	1	1	161.5	166.5
WEST COAL INC	1	1	1	1	88.65	16
WHYMORE COAL COMPANY INC	1	6	1	6	810.65	201.4
WINN CONSTRUCTION COMPANY INC	1	2	1	8	3,555.4	2,179

The following is a list of companies that received NC's for surety failure. The companies and NC's on this page were also included on the previous pages. This page identifies companies that did not replace bonds as ordered by the state because of serious concerns with Frontier Insurance Company.

17 West Mining, Inc.	12
Addington Enterprises, Inc.	3
Addington Mining, Inc.	57
B-Four, Inc.	1
Branham & Baker Coal Company, Inc.	1
Buckhorn Processing Company	4
Buried Sunshine Transport, Inc.	2
Centennial Resources, Inc.	16
Clark Elkhorn Coal Company	9
CR Mining Company	6
Eastern Resources, Inc.	1
Ferro Coals, Inc.	1
Ikerd-Bandy Company, Inc.	6
Kentucky Prince Mining Company	1
Knott County Mining Company	8
Leslie Resources, Inc.	46
Little Boyd Coal Company, Inc.	1
Lost Mountain Mining Company	9
McCoy Coal Company	1
Phelps Coal & Land Company, Inc.	1
Redbone coal Company, Inc.	7
Star Fire Mining Company	10
Straight Creek Coal Resources Company	28
Sunny Ridge Mining Company, Inc.	23
Weddington Branch Mining Company, Inc.	1

APPENDIX E

2001 FILL INFORMATION

2001 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 in eastern Kentucky by Kentucky's Department for Surface Mining Reclamation and Enforcement (DSMRE) during Calendar Year (CY) 2001. 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. Third, to collect measurements from the sediment pond to the mine area and fill. DSMRE issued a total of 256 permitting actions (94 new permits, 107 amendments, and 55 major amendments) in CY 2001 involving surface, underground, or other mining operations. LFO found 111 permitting actions that contained information on 289 proposed fills. The other 145 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	45/150	29/72	3/4	77/226
Underground Mining	19/41	12/19	2/2	33/62
Other Mining	1/1	0/0	0/0	1/1

An analysis was completed on each of the 289 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	13.01 acres	3.97 acres	42.70 acres
Volume	1,849,541 yd ³	278,000 yd ³	1,923,376 yd ³
Length	1,087 feet	546 feet	2,250 feet
Watershed Acres	59.02 acres	40.38 acres	723.09 acres

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

Table 3

Watershed Acreage	Number of Fills
Less than 50 Acres	189 (66%)
50 Acres to 100 Acres	47 (16%)
100 Acres to 150 Acres	27 (9%)
150 Acres to 200 Acres	16 (6%)
200 Acres to 250 Acres	6 (2%)
Greater than 250 Acres	4 (1%)

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

Table 4

Fill Acreage	Number of Fills
Less than 5 Acres	140 (48%)
5 Acres to 10 Acres	51 (18%)
10 Acres to 20 Acres	54 (19%)
20 Acres to 30 Acres	15 (5%)
30 Acres to 50 Acres	20 (7%)
50 Acres to 100 Acres	8 (2.7%)
100 Acres to 200 Acres	1 (0.3%)
Greater than 200 Acres	0 (0%)

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

Corps of Engineers Districts	Number of Fills	Average Watershed Acres	Average Fill Acres
Huntington District	125	62.07 acres	13.97 acres
Louisville District	104	57.38 acres	10.94 acres
Nashville District	61	47.20 acres	5.74 acres

As noted in Table 3, LFO found 5 fills on 4 different permits, that affect watershed areas greater than 250 acres. Table 6 identifies those permits and fills.

Table 6

Surface Mines				
Company	Permit	Fill ID	Fill Acres	Watershed Acres
Harlan Fuel Company	8480181	SRA	37.70 acres	761.20 acres
Sandlick Coal Company	8489019	REFUSE	42.70 acres	723.09 acres
Addington Mining, Incorporated	8980567	#4	19.53 acres	261.80 acres
Lodestar Energy, Incorporated	8980566	#7	125.80 acres	251.90 acres

A second effort was conducted by LFO that collected permit specific information on each of the 94 (59 surface, 26 underground, and 9 other) new coal mining permits issued in CY 2001. 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 7 provides a comparison by mine type of the information collected on new surface coal permits issued in CY 2001.

Table 7

		MTR, Area	Contour, Auger	Underground	Other
New Permits with an AOC Variance Approved		3	0	0	0
Average Percent of Overburden Returned to Bench		75 %			
Range of Overburden Returned to Bench		61% - 86%			
New Permits with Remining Variances		0			
	Average Returned				
	Range Returned				
Average Number of Fills Proposed		3.7			
Range of Fills Proposed		1 - 9			
New Permits Without an AOC Variance Approved		13	43	26	9
Average Percent of Overburden Returned to Bench		80%	89%	83%	22%
Range of Overburden Returned to Bench		52% - 100%	60% - 100%	42% - 100%	0% - 100%
New Permits with Remining Variances		5	9	3	1
	Average Returned	90%	94%	93%	0%
	Range Returned	73% - 100%	75% - 100%	88% - 100%	0%
Average Number of Fills Proposed		2.4	2.5	1.6	0.1
Range of Fills Proposed		0 - 7	0 - 10	0 - 7	0 - 1

A third effort was conducted by LFO to collect information on the distance from the fills to the ponds and the distance from the mining areas to the ponds. Measurements were taken at the pond located below the fill. A total of 250 fills (210 fills with new ponds, 40 fills with existing ponds) were evaluated (See Appendix A).

Table 8 provides a comparison by new and existing ponds collected on new permits, amendments, and major amendments.

Table 8

Features Measured	Average Distance
Existing Ponds to Fills	821 feet
Existing Ponds to Mining Area	270 feet
New Ponds to Fills	400 feet
New Ponds to Mining Area	304 feet

On the following pages, Tables 9, 10 and 11 summarizes the information collected on all new permits issued in CY 2001, for surface, underground, and other mining operations.

Table 9 - Surface Mines

Company	Permit Number	Acres	Mine Type	AOC Variance (Y/N)	Swelled Overburden (yds ³)	Predicted Swell Factor	Proposed Overburden Placed in Fills (yds ³)	Proposed Overburden used in Reclamation/Percent (yds ³ /%)	Number of Fills Proposed
Bell County Coal	8070291	267.20	Contour, Auger	N	7,490,771	.15	968,235	6,522,536 (87)	2
Addington Mining Inc	8130229	494.84	Area, Contour, Auger	N	19,575,180	.25	3,954,516	15,620,664 (80)	4
Sand Hill Energy Inc	8260496	23.70	Contour, Auger	N	762,958	.25	0	762,958 (100)	0
Evergreen Mining Inc	8260501	68.60	Area	Y	1,653,291	.25	0	1,653,291 (100)	0
Sand Hill Energy Inc	8260535	14.20	Contour	N	1,619,888	.19	141,663	1,478,225 (91)	3
Ruby Coal Company	8260546	17.6	Contour, Auger	N	299,280	.24	33,066	266,200 (89)	1
Gray's Excavating	8260549	3.10	Contour	N	69,962	.18	2,202	67,760 (97)	1
T & R Coal Co Inc	8260550	30.13	Contour, Auger	N	531,142	.18	25,813	505,329 (95)	1
Wayne Reid	8260552	10.10	Contour	N	201,491	.18	20,798	180,693 (90)	0
Wayne Reid	8260554	31.20	Contour	N	811,072	.21	97,979	713,093 (88)	3
Chas Coal LLC	8260558	441.00	Area, Contour, Auger	Y	2,247,051	.30	606,931	1,640,120 (73)	1
Henson Branch Coal Inc	8360285	8.51	Contour, Auger	N	81,636	.25	0	81,636 (100)	0
Motts Branch Coal Inc	8360289	313.00	Contour, Auger	N	8,645,688	.30	1,289,095	7,356,593 (85)	4
Maple Ridge Mining	8360290	8.67	Contour, Auger	Y	17,576	.25	0	17496 (100)	0
Harlan Fuel Company	8480181	174.49	Contour, Auger	N	3,322,861	.20	837,777	2,485,519 (75)	1
Harlan Reclamation Services	8480204	765.36	Contour, Auger	Y	1,010,556	.20	0	1,010,556 (100)	0
Debra Lynn Coals	8480209	186.11	Contour, Auger	Y	3,076,933	.20	0	3,076,933 (100)	0
T & T Coal Inc	8550166	45.80	Contour	N	1,432,696	.20	158,052	1,275,144 (89)	2
Joe & Alfred Akemon	8550167	67.63	Contour	N	2,864,788	.20	418,587	2,461,762 (86)	4
United Farming Inc	8550168	61.90	Contour, Auger	N	2,061,956	.22	319,556	1,742,400 (85)	3
Barkwood Mining	8580162	6.35	Area	Y	152,100	.20	0	152,100 (100)	0
Beechfork Processing Inc	8580164	16.53	MTR	Y	248,196	.25	55,565	192,631 (78)	1
Czar Coal Corporation	8580165	481.69	Contour, Auger, Underground	Y	18,248,203	.25	2,798,874	15,449,328 (85)	7
D & A Equipment	8580167	85.93	Contour	N	6,142,000	.20	998,000	5,144,000 (84)	7
Nally & Hamilton Enterprises Inc	8600380	525.15	Area, Contour, Auger	N	31,162,784	.20	8,801,063	22,361,721 (72)	5
Consol of Kentucky	8600390	520.40	Area, Contour, Auger	N	35,120,553	.25	10,428,301	24,692,252 (70)	4
Miller Bros Coal Inc	8600391	199.37	Area, Contour, Auger	N	23,474,188	.25	8,569,462	14,632,385 (62)	1
Whymore Coal Company Inc	861047	177.88	Contour, Auger	N	3,235,316	.20	505,508	2,890,246 (89)	10
Jamieson Construction	8630285	108.36	Contour, Auger	N	2,582,855	.20	574,467	2,008,388 (78)	5
Rockcastle Mining Co	8640139	277.10	Area, Contour	N	33,911,367	.20	1,934,548	31,976,819 (94)	3

Company	Permit Number	Acres	Mine Type	AOC Variance (Y/N)	Swelled Overburden (yds ³)	Predicted Swell Factor	Proposed Overburden Placed in Fills (yds ³)	Proposed Overburden used in Reclamation/Percent (yds ³ /%)	Number of Fills Proposed
M & G Coal Sales	8640146	125.25	Contour, Auger	N	39,577,079	.10	830,825	37,608,551 (95)	2
Levisa Fork Mining	8640149	235.00	Contour, Auger	Y	8,333	.20	0	8,333 (100)	0
Mine Rite Coal Co	8640150	33.72	Contour, Auger	N	368,000	.25	57,000	367,000 (98)	2
H B & S Coal Company Inc	8650070	334.11	Area	N	18,781,833	.20	4,443,295	14,338,540 (76)	7
Lilly Resources Co	8660251	74.51	Area, Contour, Auger	N	7,160,226	.20	645,011	6,526,693 (91)	1
Austin Coal Inc	8660252	87.70	Contour, Auger	N	5,441,348	.25	914,339	4,527,009 (83)	3
Nally & Hamilton	8660254	361.81	Contour, Auger	N	13,719,690	.25	1,979,061	11,740,629 (85)	7
Hobert Mineral Inc	8660255	25.90	Area, Contour, Auger	Y	263,337	.20	0	263,337 (100)	0
Nally & Hamilton	8660257	168.74	Contour, Auger	Y	11,436,446	.25	0	11,436,448 (100)	0
Kipar Inc	8670408	25.85	Contour, Auger	Y	389,111	.20	64,851	324,260 (83)	1
17 West Mining	8800140	388.83	MTR, Processing Plant	Y	39,828,446	.25	20,665,408	19,595,498 (61)	9
Ruby Coal Company	8950123	22.50	Contour	N	484,049	.25	24,048	460,001 (95)	1
Sturgeon Mining Co	8950134	48.20	Contour	N	885,391	.20	149,566	744,583 (84)	1
H B & S Coal Inc	8950135	89.87	Contour, Auger	N	3,890,834	.20	441,385	3,449,468 (89)	1
T & T Coal Inc	8950136	35.67	Contour	N	1,482,200	.20	69,059	1,413,141 (95)	3
T & T Coal Inc	8950137	34.41	Contour	N	958,705	.20	118,902	845,387 (88)	3
Nally & Hamilton	8970418	90.06	Contour, Auger	N	4,180,560	.25	354,338	3,826,222 (90)	1
Noble Construction	8970422	14.30	Contour	N	726,892	.20	65,820	661,072 (91)	1
Candle Ridge Mining	8970430	341.20	Contour, Auger	N	12,851,380	.30	3,761,861	9,089,519 (71)	9
Lodestar Energy Inc	8980370	232.84	Contour, Auger	N	1,890,622	.20	792,517	1,098,105 (58)	3
Big Creek Mining Co	8980562	591.20	Contour, Auger	N	14,613,235	.20	4,444,940	10,168,295 (70)	7
Sidney Coal Co	8980573	887.35	Contour, Auger	N	34,492,407	.25	13,197,024	30,637,373 (89)	4
Solomons Mining Co	8980582	323.94	Contour, Auger	N	26,235,353	.25	10,401,531	15,833,822 (60)	5
Branham & Baker Coal Co	8980595	150.30	Contour, Auger	Y	1,682,211	.20	0	1,682,211 (100)	0
Branham & Baker Coal Co	8980609	103.74	MTR, Contour, Auger	Y	2,356,014	.20	324,505	2,031,509 (86)	1
Addington Mining Inc	8980611	159.27	Area	Y	11,495,911	.25	2,921,026	8,574,885 (75)	1
Buried Sunshine	9180385	4.80	Contour	N	42,746	.20	0	42,746 (100)	0
Buried Sunshine	9180388	33.20	Contour, Auger	N	1,679,402	.20	0	1,679,402 (100)	0
Phil Mac Enterprises	9180389	13.40	Area	N	192,980	.20	93,704	99,704 (52)	4

Table 10 - Underground Mines

Company	Permit Number	Acres	Mine Type	AOC Variance (Y/N)	Swelled Overburden (yds ³)	Predicted Swell Factor	Proposed Overburden Placed in Fills (yds ³)	Proposed Overburden used in Reclamation/Percent (yds ³ /%)	Number of Fills Proposed
Evans Coal Corp	8075190	335.50	Underground, Contour, Auger	Y	3,281,010	.20	247,775	3,033,235 (92)	4
Ikerd Bandy Co Inc	8265047	45.00	Underground	N	0	0	0	0	0
Maple Ridge Mining Corp	8365395	456.41	Underground	N	43,991	.25	44,214	35,193 (80)	1
Levisa Fork Mining LLC	8365399	290.00	Underground, Contour, Auger	N	620,000	.20	137,000	483,000 (78)	1
Frasure Creek Venture	8365423	3,269.41	Underground, Contour, Auger	N	16,810,994	.25	4,200,294	12,610,700 (75)	4
Little Creek Venture LLC	8485385	896.00	Underground	N	58,800	.20	0	58,800 (100)	0
Roda Resources LLC	8485386	223.90	Underground	N	0	0	0	0	0
Kelly Branch Resources	8485389	1,554.91	Underground	N	9,529	.20	2,796	6,733 (71)	1
Harlan Reclamation Services	8485390	849.53	Underground	N	80,499	.25	19,781	60,718 (75)	1
Sandlick Coal Company	8485402	1,814.82	Underground	N	120,653	.25	120,404	120,653 (100)	1
Marsh Coal Company	8605247	504.66	Underground	Y	44,902	.25	5,248	39,654 (88)	2
RGT Mining & Construction	8615313	215.00	Underground, Contour, Auger	N	1,319,000	.12	414,000	905,000 (69)	7
Mallie Coal Co	8615315	58.60	Underground	Y	8,006	.20	0	8,006 (100)	0
G & S Coal Inc	8615316	106.40	Underground, Contour, Auger	N	197,007	.20	16,815	180,192 (91)	2
Mine Rite Coal Company	8645009	374.56	Underground, Contour, Auger	N	761,000	.20	149,000	612,000 (80)	5
Shamrock Coal Company	8665130	980.89	Underground	N	109,575	.25	0	109,575 (100)	0
Harlan Reclamation Services	8675226	518.62	Underground	N	141,211	.25	139,666	97,861 (69)	1
Coastal Coal Company	8675229	903.30	Underground	N	1,380,483	.25	239,349	1,315,883 (95)	1
Leeco Inc	8975106	1,062.05	Underground, Contour	N	372,483	.25	80,840	291,643 (78)	1
Sidney Coal Company	8984029	1,226.30	Underground	N	67,191	.25	67,191	67,191 (100)	3
Branham & Baker Coal Co Inc	8984083	4,212.10	Underground	N	50,732	.20	53,333	48,607 (96)	1
Lodestar Energy Inc	8984094	534.00	Underground, Contour, Auger	N	3,400,718	.25	702,419	2,699,896 (79)	3
Berkeley Energy Corp	8984096	1,645.84	Underground	N	43,178	.30	25,178	18,000 (42)	1
Sidney Coal Company	8984103	1,959.91	Underground	N	26,813	.20	25,611	23,030 (86)	1
Clintwood Elkhorn Mining	8984122	676.91	Underground	N	0	0	0	0	0
Clintwood Elkhorn Mining	8984123	431.66	Underground	N	0	0	0	0	0

Table 11 - Other Mines

Company	Permit Number	Acres	Mine Type	AOC Variance (Y/N)	Swelled Overburden (yds ³)	Predicted Swell Factor	Proposed Overburden Placed in Fills (yds ³)	Proposed Overburden used in Reclamation/Percent (yds ³ /%)	Number of Fills Proposed
Cumberland River Coal	8137025	20.80	Haul Road	N	0	0	0	0	0
Sandlick Coal Company	8489019	182.00	Refuse Storage	N	0	0	1,923,376	0	1
Consol of Kentucky Inc	8607007	72.00	Haul Road	N	0	0	0	0	0
Harlan Reclamation Services	8677019	1.50	Haul Road	N	0	0	0	0	0
Melungeon Enterprises	8679012	18.00	Refuse Recovery	Y	0	0	0	0	0
Martin County Coal	8807013	369.58	Haul Road	N	0	0	0	0	0
Czar Coal Corporation	8807014	57.46	Haul Road, Conveyor Belt	N	0	0	0	0	0
Sunny Ridge Mining Co	8987052	38.28	Haul Road	N	0	0	0	0	0
Millard Processing	8987056	10.30	Haul Road	N	0	0	0	0	0

MEASUREMENTS FROM PONDS TO MINE AREA
AND EXCESS SPOIL FILLS

PERMITTEE NAME	PERMIT NUMBER	FILL NUMBER	POND NUMBER	POND STATUS	POND TO MINE	POND TO FILL	SEGMENT PERMITTED
JAMIESON CONSTRUCTION COMPANY	8070290	2	3	N	500	200	Yes
JAMIESON CONSTRUCTION COMPANY	8070290	4	2	N	400	400	Yes
BELL COUNTY COAL CORPORATION	8070291	1	1	N	300	0	Yes
BELL COUNTY COAL CORPORATION	8070291	2	2	N	600	0	Yes
EVANS COAL CORPORATION	8075190	1	3	N	500	600	Yes
EVANS COAL CORPORATION	8075190	2	3	N	500	1,200	Yes
EVANS COAL CORPORATION	8075190	BD1	3	N	500	1,200	Yes
EVANS COAL CORPORATION	8075190	BD2	3	N	500	1,200	Yes
ADDINGTON MINING INC	8130229	1	B	N	200	0	Yes
ADDINGTON MINING INC	8130229	2	C	N	150	0	Yes
ADDINGTON MINING INC	8130229	3	F	N	150	100	Yes
ADDINGTON MINING INC	8130229	4	A	N	200	0	Yes
MILLER BROS COAL INC	8130250	A	A	N	200	400	Yes
MILLER BROS COAL INC	8130250	B	B	N	500	100	Yes
MILLER BROS COAL INC	8130250	C	C	N	400	500	Yes
MILLER BROS COAL INC	8130250	D	C	N	400	500	Yes
SAND HILL ENERGY INC	8260535	1	1	N	100	200	Yes
SAND HILL ENERGY INC	8260535	2	1	N	100	900	Yes
SAND HILL ENERGY INC	8260535	A	1	N	100	0	Yes
RUBY COAL COMPANY OF LONDON	8260546	#1	1	N	100	50	Yes
GRAY'S EXCAVATING INC.	8260549	#1	#1	E	25	25	Yes
T & R COAL CO INC	8260550	1	1	N	150	150	Yes
WAYNE REID & DARRELL MCQUEEN C	8260554	1	1	N	200	600	Yes
WAYNE REID & DARRELL MCQUEEN C	8260554	2	1	N	200	500	Yes
WAYNE REID & DARRELL MCQUEEN C	8260554	3	2	N	150	50	Yes
CHAS COAL LLC	8260558	1	4	E	1,000	2,500	Yes
FCDC COAL INC	8365110	2	2	N	50	0	Yes
LEVISA FORK MINING COMPANY	8365399	1	1	N	50	0	Yes
FRASURE CREEK MINING LLC	8365423	1	6	N	50	400	Yes
FRASURE CREEK MINING LLC	8365423	2	3	N	100	200	Yes
FRASURE CREEK MINING LLC	8365423	3	3	N	100	1,400	Yes
FRASURE CREEK MINING LLC	8365423	4	2	N	600	600	Yes
NALLY & HAMILTON ENTERPRISES I	8480184	4	11	E	150	2,100	Yes
MANALAPAN MINING COMPANY INC	8480191	4	19	N	600	50	Yes
MANALAPAN MINING COMPANY INC	8480191	5	17	N	600	100	Yes
MANALAPAN MINING COMPANY INC	8480191	6	16	N	500	100	Yes
HARLAN RECLAMATION SERVICES	8485376	#3	1	E	0	2,400	Yes
HARLAN RECLAMATION SERVICES	8485376	#4	1	E	0	200	Yes
KELLY BRANCH RESOURCES INC	8485389	1	1	N	0	250	Yes
SANDLICK COAL COMPANY INC	8485402	1	1	N	800	800	Yes
T & T COAL INC	8550166	1	2	E	150	150	Yes
T & T COAL INC	8550166	2	4	E	400	50	Yes
JOE & ALFRED AKEMON	8550167	1	1	N	0	0	Yes
JOE & ALFRED AKEMON	8550167	2	2	N	0	0	Yes
JOE & ALFRED AKEMON	8550167	3	3	N	0	0	Yes
JOE & ALFRED AKEMON	8550167	4	6	N	50	25	Yes
UNITED FARMING INC	8550168	1	3	N	150	50	Yes
UNITED FARMING INC	8550168	2	2	N	100	50	Yes

PERMITTEE NAME	PERMIT NUMBER	FILL NUMBER	POND NUMBER	POND STATUS	POND TO MINE	POND TO FILL	SEGMENT PERMITTED
UNITED FARMING INC	8550168	3	4	N	1,500	100	Yes
CZAR COAL CORPORATION	8580165	1	1	N	300	800	Yes
CZAR COAL CORPORATION	8580165	2	2	N	200	50	Yes
CZAR COAL CORPORATION	8580165	3	3	N	300	0	Yes
CZAR COAL CORPORATION	8580165	4	4	N	250	0	Yes
CZAR COAL CORPORATION	8580165	5	5	N	200	400	Yes
CZAR COAL CORPORATION	8580165	6	6	N	200	0	Yes
CZAR COAL CORPORATION	8580165	6A	6	N	200	600	Yes
D & A EQUIPMENT INC	8580167	1	2	N	150	100	Yes
D & A EQUIPMENT INC	8580167	2	3	N	200	150	Yes
D & A EQUIPMENT INC	8580167	3	4	N	150	250	Yes
D & A EQUIPMENT INC	8580167	4	5	N	250	250	Yes
D & A EQUIPMENT INC	8580167	5	6	N	250	150	Yes
D & A EQUIPMENT INC	8580167	6	7	N	250	50	Yes
D & A EQUIPMENT INC	8580167	7	8	N	250	150	Yes
LESLIE RESOURCES INC.	8600356	#4	#51	N	230	230	Yes
LESLIE RESOURCES INC.	8600356	#5	#5	N	250	250	Yes
MILLER BROS COAL INC	8600383	1A	1	E	400	700	Yes
CONSOL OF KENTUCKY INC	8600390	1	1	N	150	600	Yes
CONSOL OF KENTUCKY INC	8600390	2	2	N	100	200	Yes
CONSOL OF KENTUCKY INC	8600390	3	D1	N	500	800	Yes
CONSOL OF KENTUCKY INC	8600390	4	1	N	150	200	Yes
MILLER BROS COAL INC	8600391	1	1	N	600	200	Yes
KENTUCKY MAY COAL COMPANY INC	8605159	B	1	E	0	400	Yes
KNOTT COUNTY MINING CO.	8605188	#A	#2	N	350	600	No
KNOTT COUNTY MINING CO.	8605188	#C	#2	N	200	400	No
CONSOL OF KENTUCKY INC	8605202	1	1	E	150	600	Yes
DIAMOND MAY COAL COMPANY	8605223	#2	1	E	150	3,800	Yes
MARSH COAL COMPANY LLC	8605247	B	1	N	100	200	Yes
MARSH COAL COMPANY LLC	8605247	A	1	N	100	200	Yes
ROCKHOLDS COAL CO INC	8610453	1	2	E	250	800	Yes
ROCKHOLDS COAL CO INC	8610453	2	2	E	250	600	Yes
WHYMORE COAL COMPANY INC	8610457	1	1	N	100	350	Yes
WHYMORE COAL COMPANY INC	8610457	2	1	N	100	1,000	Yes
WHYMORE COAL COMPANY INC	8610457	3	2	N	150	150	Yes
WHYMORE COAL COMPANY INC	8610457	4	2	N	150	650	Yes
WHYMORE COAL COMPANY INC	8610457	5	3	N	300	350	Yes
WHYMORE COAL COMPANY INC	8610457	6	3	N	300	1,000	Yes
WHYMORE COAL COMPANY INC	8610457	7	4	N	0	300	Yes
WHYMORE COAL COMPANY INC	8610457	8	4	N	0	1,000	Yes
WHYMORE COAL COMPANY INC	8610457	9	5	N	250	300	Yes
WHYMORE COAL COMPANY INC	8610457	10	6	N	300	150	Yes
RGT MINING & CONSTRUCTION CO	8615313	1	1	N	100	150	Yes
RGT MINING & CONSTRUCTION CO	8615313	2	2	N	100	0	Yes
RGT MINING & CONSTRUCTION CO	8615313	3	3	N	50	0	Yes
RGT MINING & CONSTRUCTION CO	8615313	4	4	N	50	0	Yes
RGT MINING & CONSTRUCTION CO	8615313	5	1	N	100	600	Yes
RGT MINING & CONSTRUCTION CO	8615313	6	1	N	100	500	Yes
RGT MINING & CONSTRUCTION CO	8615313	7	1	N	100	100	Yes
G & S COAL INC	8615316	1	1	N	0	800	Yes
G & S COAL INC	8615316	2	2	N	0	800	Yes

PERMITTEE NAME	PERMIT NUMBER	FILL NUMBER	POND NUMBER	POND STATUS	POND TO MINE	POND TO FILL	SEGMENT PERMITTED
JAMIESON CONSTRUCTION COMPANY	8630285	1	1	N	250	50	Yes
JAMIESON CONSTRUCTION COMPANY	8630285	2	1	N	250	1,800	Yes
JAMIESON CONSTRUCTION COMPANY	8630285	3	1	N	250	2,400	Yes
JAMIESON CONSTRUCTION COMPANY	8630285	4	1	N	250	2,200	Yes
JAMIESON CONSTRUCTION COMPANY	8630285	5	1	N	250	2,000	Yes
ROCKCASTLE MINING COMPANY INC	8640139	1	1	N	150	0	Yes
ROCKCASTLE MINING COMPANY INC	8640139	2	2	N	150	50	Yes
ROCKCASTLE MINING COMPANY INC	8640139	3	3	N	250	50	Yes
M & G COAL SALES INC	8640146	#1	1	N	100	50	Yes
M & G COAL SALES INC	8640146	#2	2	N	50	50	Yes
MINE RITE COAL CO INC	8640150	1	1	N	300	150	Yes
MINE RITE COAL CO INC	8640150	2	1	N	300	200	Yes
MINE RITE COAL COMPANY INC	8645009	1	1	N	150	150	Yes
MINE RITE COAL COMPANY INC	8645009	2	2	N	100	100	Yes
MINE RITE COAL COMPANY INC	8645009	3	3	N	50	125	Yes
MINE RITE COAL COMPANY INC	8645009	4	4	N	30	10	Yes
MINE RITE COAL COMPANY INC	8645009	5	5	N	30	150	Yes
H B & S COAL COMPANY INC	8650070	1	1	N	400	2,200	Yes
H B & S COAL COMPANY INC	8650070	2	1	N	400	1,100	Yes
H B & S COAL COMPANY INC	8650070	3	2	N	300	400	Yes
H B & S COAL COMPANY INC	8650070	4	4	N	400	1,200	Yes
H B & S COAL COMPANY INC	8650070	6	5	N	150	200	Yes
H B & S COAL COMPANY INC	8650070	7	3	N	200	150	Yes
H B & S COAL COMPANY INC	8650070	8	3	N	200	400	Yes
LESLIE RESOURCES INC	8660229	17	1805	N	200	400	Yes
LESLIE RESOURCES INC	8660229	18	1806	N	150	500	Yes
LESLIE RESOURCES INC	8660229	19	1807	N	50	650	Yes
LESLIE RESOURCES INC	8660229	20	1807	N	50	600	Yes
LESLIE RESOURCES INC	8660229	21	1808	N	100	400	Yes
BLED SOE COAL CORPORATION	8660237	9	1171A	E	250	400	Yes
BLED SOE COAL CORPORATION	8660237	10	1173	E	700	2,600	Yes
LILLY RESOURCES CO INC	8660251	1	1	N	350	0	Yes
NALLY & HAMILTON ENTERPRISES I	8660254	1	1	N	400	800	Yes
NALLY & HAMILTON ENTERPRISES I	8660254	2	3	N	450	300	Yes
NALLY & HAMILTON ENTERPRISES I	8660254	3	3	N	450	250	Yes
NALLY & HAMILTON ENTERPRISES I	8660254	4	3	N	450	2,200	Yes
NALLY & HAMILTON ENTERPRISES I	8660254	6	3	N	450	650	Yes
NALLY & HAMILTON ENTERPRISES I	8660254	7	7	N	150	200	Yes
NALLY & HAMILTON ENTERPRISES I	8660254	8	7	N	150	200	Yes
KANNAN MINING COMPANY	8670381	86751	1	N	250	300	Yes
CUMBERLAND RIVER COAL COMPANY	8670382	1	3	N	900	2,300	Yes
CUMBERLAND RIVER COAL COMPANY	8670382	2	3	N	900	700	Yes
CUMBERLAND RIVER COAL COMPANY	8670382	3	2	N	1,200	800	Yes
KANNAN MINING COMPANY	8670402	3	2	N	200	150	Yes
CONSOL OF KENTUCKY INC	8670407	2	1	E	50	1,000	Yes
CONSOL OF KENTUCKY INC	8670407	9	3	N	200	50	Yes
CONSOL OF KENTUCKY INC	8670407	10	5	N	200	50	Yes
KIPAR INC	8670408	1	1	N	0	700	Yes
CHEYENNE RESOURCES INC	8670411	1	P1	E	300	0	Yes
COOK AND SONS MINING INC	8670416	3	3	N	550	100	Yes
CONSOL OF KENTUCKY INC	8675182	7	8	N	100	50	Yes

PERMITTEE NAME	PERMIT NUMBER	FILL NUMBER	POND NUMBER	POND STATUS	POND TO MINE	POND TO FILL	SEGMENT PERMITTED
COASTAL COAL COMPANY LLC	8675229	1	1	N	0	500	Yes
COASTAL COAL COMPANY LLC	8675259	1	3	N	200	100	Yes
COASTAL COAL COMPANY LLC	8675259	2	4	N	350	400	Yes
17 WEST MINING INC	8800011	48	26	N	200	1,200	Yes
MARTIN COUNTY COAL CORPORATION	8800034	2	289	E	200	450	Yes
17 WEST MINING INC.	8800140	#9A	#10	N	350	1,420	Yes
17 WEST MINING INC.	8800140	#10	#10	N	350	350	Yes
17 WEST MINING INC.	8800140	#11	#5	N	1,000	0	Yes
17 WEST MINING INC.	8800140	#12	#6	N	850	200	Yes
17 WEST MINING INC.	8800140	#13	#7	N	950	1,500	Yes
17 WEST MINING INC.	8800140	#13A	#7	N	950	600	Yes
17 WEST MINING INC.	8800140	#14	#8	N	1,200	300	Yes
17 WEST MINING INC.	8800140	#14A	#9	N	800	200	Yes
17 WEST MINING INC.	8800140	#14B	#8A	N	900	150	Yes
MINE RITE COAL CO. INC.	8880079	#3	#2	E	100	2,100	Yes
MINE RITE COAL CO. INC.	8880079	#4	#16	E	120	600	No
MINE RITE COAL CO. INC.	8880079	4	17	N	1,500	1,000	Yes
RUBY COAL COMPANY OF LONDON IN	8950123	1	2	N	150	100	Yes
STURGEON MINING COMPANY INC	8950134	1	1	N	400	1,000	No
H B & S COAL INC	8950135	1	1	N	250	800	Yes
T & T COAL INC	8950137	1	1	N	200	200	Yes
T & T COAL INC	8950137	2	2	N	0	350	Yes
T & T COAL INC	8950137	3	DO	N	0	0	Yes
STAR FIRE MINING COMPANY	8970377	2	122	N	600	200	Yes
IKERD-BANDY CO INC	8970395	18	50	N	400	50	Yes
IKERD-BANDY CO INC	8970395	19	51	N	200	0	Yes
IKERD-BANDY CO INC	8970395	20	52	N	200	500	Yes
IKERD-BANDY CO INC	8970395	21	52	N	200	600	Yes
IKERD-BANDY CO INC	8970395	22	53	N	400	600	Yes
IKERD-BANDY CO INC	8970395	23	54	N	400	500	Yes
IKERD-BANDY CO INC	8970395	24	56	N	400	200	Yes
IKERD-BANDY CO INC	8970395	25	57	N	250	250	Yes
IKERD-BANDY CO INC	8970395	SHF A	58	N	400	400	Yes
NALLY & HAMILTON ENTERPRISES I	8970418	BS	1	N	0	0	Yes
CHEYENNE RESOURCES INC	8970421	3	4	N	800	0	Yes
CHEYENNE RESOURCES INC	8970421	4	B	E	900	600	Yes
CHEYENNE RESOURCES INC	8970421	1	2	E	400	300	Yes
NOBLE CONSTRUCTION	8970422	BFI	1	N	0	200	Yes
CANDLE RIDGE MINING INC	8970430	1	1	N	200	0	Yes
CANDLE RIDGE MINING INC	8970430	2	2	N	150	0	Yes
CANDLE RIDGE MINING INC	8970430	3	3	N	50	0	Yes
CANDLE RIDGE MINING INC	8970430	4	4	N	50	100	Yes
CANDLE RIDGE MINING INC	8970430	5	5	N	100	800	Yes
CANDLE RIDGE MINING INC	8970430	6	1	N	200	1,100	Yes
CANDLE RIDGE MINING INC	8970430	7	2	N	150	1,000	Yes
CANDLE RIDGE MINING INC	8970430	8	3	N	50	500	Yes
CANDLE RIDGE MINING INC	8970430	9	4	N	50	100	Yes
LEECO INC	8975106	1	993	E	0	6,000	Yes
LODESTAR ENERGY INC	8980370	#1	1	N	250	400	Yes
LODESTAR ENERGY INC	8980370	#2	2	N	300	1,200	Yes
LODESTAR ENERGY INC	8980370	#3	2	N	300	400	Yes

PERMITTEE NAME	PERMIT NUMBER	FILL NUMBER	POND NUMBER	POND STATUS	POND TO MINE	POND TO FILL	SEGMENT PERMITTED
SUNNY RIDGE MINING COMPANY INC	8980473	8	16	E	100	200	Yes
SUNNY RIDGE MINING COMPANY INC	8980473	10	21	E	0	300	Yes
SUNNY RIDGE MINING COMPANY INC	8980473	12	29	N	1,200	150	Yes
ADDINGTON MINING INC	8980528	8	20	N	1,400	700	Yes
ADDINGTON MINING INC	8980528	9	22	N	1,000	200	Yes
ADDINGTON MINING INC	8980542	3	20	E	500	400	Yes
BRANHAM & BAKER COAL COMPANY I	8980556	2	1	E	50	500	Yes
BRANHAM & BAKER COAL COMPANY I	8980556	6	1	E	50	400	Yes
ADDINGTON MINING INC	8980563	9	25	N	600	0	Yes
LODESTAR ENERGY INC	8980566	7	17	N	600	100	Yes
LODESTAR ENERGY INC	8980566	8	18	N	600	100	Yes
LODESTAR ENERGY INC	8980566	9	19	N	600	200	Yes
LODESTAR ENERGY INC	8980566	10	20	N	500	200	Yes
LODESTAR ENERGY INC	8980566	11	21	N	650	100	Yes
LODESTAR ENERGY INC	8980566	12	22	N	600	100	Yes
ADDINGTON MINING INC.	8980567	#3	#3	N	550	300	No
ADDINGTON MINING INC.	8980567	#4	#4	N	900	300	No
SIDNEY COAL COMPANY INC	8980573	1	3	N	150	0	Yes
SIDNEY COAL COMPANY INC	8980573	2	TBE2	N	100	0	Yes
SIDNEY COAL COMPANY INC	8980573	3	2	E	150	50	Yes
SIDNEY COAL COMPANY INC	8980573	4	2	E	150	100	Yes
APEX ENERGY INC	8980597	15	9	E	1,200	150	Yes
ADDINGTON MINING INC	8980611	1	1	E	1,100	100	Yes
CAMBRIAN COAL CORPORATION	8980618	4	25	E	350	400	Yes
CAMBRIAN COAL CORPORATION	8980618	5	25	E	350	200	Yes
SOLOMONS MINING COMPANY	8980624	5	13	N	400	500	Yes
SOLOMONS MINING COMPANY	8980624	6	14	N	500	200	Yes
SOLOMONS MINING COMPANY	8980624	7	15	N	400	600	Yes
SOLOMONS MINING COMPANY	8980624	8	16	N	400	400	Yes
SOLOMONS MINING COMPANY	8980624	9	17	N	200	400	Yes
SOLOMONS MINING COMPANY	8980624	10	17	N	200	200	Yes
SIDNEY COAL COMPANY INC	8984029	1	1	E	100	100	Yes
SIDNEY COAL COMPANY INC	8984029	2	4A	N	300	300	Yes
SIDNEY COAL COMPANY INC	8984029	3	4A	N	200	200	Yes
LODESTAR ENERGY INC	8984094	1	1	N	100	200	Yes
LODESTAR ENERGY INC	8984094	2	1	N	100	550	Yes
LODESTAR ENERGY INC	8984094	3	1	N	100	1,000	Yes
BERKELEY ENERGY CORPORATION	8984096	1	1	N	0	600	Yes
SIDNEY COAL COMPANY INC	8984103	1	E1	N	100	0	Yes
SIDNEY COAL COMPANY INC	8985739	1	1	E	100	100	Yes
SIDNEY COAL COMPANY INC	8985739	2	4A	E	300	300	Yes
SIDNEY COAL COMPANY INC	8985739	3	4A	E	200	200	Yes
SIDNEY COAL COMPANY INC	8985739	1A	1	E	50	900	Yes
SIDNEY COAL COMPANY INC	8985818	SCB-1	E-1	E	100	75	Yes
CLINTWOOD ELKHORN MINING CO.	8985915	#1	#2&2A	N	50	50	No
PHIL MAC ENTERPRISES INC	9180389	1	1	N	300	100	Yes
PHIL MAC ENTERPRISES INC	9180389	2	2	N	350	450	Yes
PHIL MAC ENTERPRISES INC	9180389	3	2	N	350	300	Yes
PHIL MAC ENTERPRISES INC	9180389	4	2	N	350	450	Yes