

**WEST VIRGINIA
DEPARTMENT OF ENVIRONMENTAL
PROTECTION**

**DIVISION OF MINING AND
RECLAMATION**

INDUSTRY TRAINING

BOND RELEASE PROCEDURES

---AND---

REQUIREMENTS

INSTRUCTOR: BILL LITTLE



west virginia electronic submission system

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Current User: LITTLE, BILL

Applicant: VINDEX ENERGY LLC

Ref. Id: S-2007-89 Phase 2 and 3 Release (04/25/2017)

Type: Phase 3 Release (Final) #2

Status: ERIS - Closed - Issued

Permit No.: S200789



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- MR-13:**
- MR-7-AD:**
- MR-7-AD:
- eMaps:**
- MR-7CK:**
- MR-7A:**
- MR-7B:**
- MR-7C:**
- MR-7Q:**

The items listed to the right make up the application.

By clicking on each item, you can fill out the required form and submit your application for approval.

Thursday July 27, 2017

"Promoting a Healthy Environment."

Please use Microsoft Internet Explorer 6.0 through 9.0

BASIC BOND RELEASE APPLICATION REQUIREMENTS								
REQUIREMENTS	TYPE OF RELEASE							
	Phase I	Phase II	Phase III	Quarry	Prospect	*** Not Started	*** Totally (100%) Over Bonded	Increment PH I, II, III
Inspector Checklist	X	X	X	X	X	X	X	X
Legal Advertisement	X	X	X	X				X
Water Data	1 raw water sample from each drainage (outlet) area X	1 year (12 months) raw water data (ie. inlet to structure, ponded, wet seal, etc.) X		1 year (12 months) raw water data (ie. inlet to structure, ponded, wet seal, etc.) X				X
Land-Owner Notification	Include list of <u>current</u> surface owners X	Include list of <u>current</u> surface owners X	Include list of <u>current</u> surface owners X					X
Seal Certification	Deep mine or auger X				Grouting of bore holes X			X
Sediment Control Removal		2 years after **LAS with 1 year raw water data X	2 years prior to Phase III X					X
MR-8 (Final Planting Report)	Recommended X							X
Final Maps	Must be signed by inspector, and must use standard color code X	Revised if bonded area altered after original (ie. overbonded, repermited) X	Same as Phase II X		Must accurately reflect reclaimed or not disturbed X			X
** MR-12 (Request for Special Use)	Roads / Buildings X	Ponds / Gas Wells X	Copies of signed previous approved MR-12's X					X

NOTE: MR-12's must accompany a release application. You now have the capability to complete the MR-8, MR-12 and MR-13 as part of the application, by selecting the 'ADD' button to the right of their menu item.

**LAS - Last augmented seeding

***Notarized letter from company officer stating "Not Started" or "Totally Overbonded"

X - Required

Blank - Not required



Applicant:	VINDEX ENERGY LLC	Type:	Phase 3 Release (Final) #2
Reference ID:	S-2007-89 Phase 2 and 3 Release (04/25/2017)	Permit ID:	S200789
General Information			
Status	ERIS - Closed - Issued	Printed:	Aug. 03, 2017 8:14 AM

Select Phase(s):

Phase 1 Phase 2 Phase 3

Select if applicable:

Quarry* Prospect* Not Started Totally Overbonded Mountaintop Removal*

* Denotes the item was automatically set from data in the DEP ERIS system. Contact Permit Reviewer if incorrect.

Related Permits (Office - Permit Number - Expire Date)

HPU	WV0095061	10/28/2018
-----	-----------	------------

Pending Applications of Related Permits
(Office - Permit Number- Type - Sequence)

--

County:

Street:

City:

Country: State:

Zip: Phone:

Correct address? If requesting a change, indicate address type: No Change Default Permit

Enter new address below:

Street:

City:

Country: State:

Zip: Phone:

Indicate the premining land uses below.



west virginia electronic submission system

section list

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Current User: LITTLE, BILL
Ref. Id: S-2007-89 Phase 2 and 3
 Release (04/25/2017)
Status: ERIS - Closed - Issued

Applicant: VINDEK
 ENERGY LLC
Type: Phase 3 Release
 (Final) #2
Permit No.: S200789



Phase 2 Attachments

- [Attachments](#)
- [Comments](#)
- [Instructions](#)

- MR-8:**

- [Raw Water History](#)
- [Copy of MR-8 \(Final Planting Report\)](#)
- Final Planting Report**

The items listed to the right make up the application.

By clicking on each item, you can fill out the required form and submit your application for approval.

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Thursday August 03, 2017

"Promoting a Healthy Environment."
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Applicant:	VINDEX ENERGY LLC	Type:	Phase 3 Release (Final) #2
Reference ID:	S-2007-89 Phase 2 and 3 Release (04/25/2017)	Permit ID:	S200789
Raw Water History			
Status	ERIS - Closed - Issued	Printed:	Jul. 27, 2017 10:55 AM

Provide 1 year history of raw water data.

NOTE: RAW WATER SAMPLED AND COLLECTED FOR BOND RELEASE WILL BE ANALYZED FOR ALL PARAMETERS ON THE APPLICABLE NPDES PERMIT WITH EFFLUENT LIMITATIONS OR THOSE PARAMETERS WITH MONITORING ONLY REQUIREMENTS FOR WHICH THERE IS AN APPLICABLE WATER QUALITY CRITERION.



Applicant:	AMERICAN BITUMINOUS POWER PARTNERS, L.P. LIMITED PARTNERSHIP	Type:	Incremental Phase 1 Release #3
Reference ID:	S200904 - Increment 3 Phase 1 Release (03/28/2017)	Permit ID:	S200904
Raw Water Data			
Status	ERIS - Tech Corr Received	Printed:	Aug. 03, 2017 8:16 AM


Provide raw water data (one raw sample from each drainage area).

NOTE: RAW WATER SAMPLED AND COLLECTED FOR BOND RELEASE WILL BE ANALYZED FOR ALL PARAMETERS ON THE APPLICABLE NPDES PERMIT WITH EFFLUENT LIMITATIONS OR THOSE PARAMETERS WITH MONITORING ONLY REQUIREMENTS FOR WHICH THERE IS AN APPLICABLE WATER QUALITY CRITERION.



Applicant:	VINDEX ENERGY LLC	Type:	Phase 3 Release (Final) #2
Reference ID:	S-2007-89 Phase 2 and 3 Release (04/25/2017)	Permit ID:	S200789
Copy of MR-8 (Final Planting Report)			
Status	ERIS - Closed - Issued	Printed:	Jul. 27, 2017 10:56 AM

Provide copy of approved MR-8 (Final Planting Report) or use "Add" button on next menu item.

	Applicant: VINDEX ENERGY CORPORATION Reference ID: S-2007-89 Phase 2 and 3 Release (05/17/2016) Status: New	Type: Phase 3 Release (Final) Permit ID: S200789 Printed: May. 17, 2016 3:09 PM

MR-8: Final Planting Report



FINAL PLANTING REPORT
(For Surface Coal Mine and Quarry Permits)
W. Va. Code 22 Articles 3 and 4



Standard
 Incremental
 Addendum to Original

Increment Number:


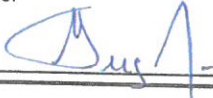
Increment Acres:
 Total Permitted Acres:

Total Disturbed Acres:
 Total Reclaimed Acres:

Date of Phase I Release: 
 Date Planting Completed: 

Yes	No	
		1. Postmining soil characteristics:
		Acidity (pH): <input type="text" value="6.0"/> Stoniness: <input type="text" value="Moderate"/> Steepness of Slope: <input type="text" value="Moderate"/>
<input checked="" type="radio"/>	<input type="radio"/>	2. Was soil treatment and revegetation accomplished according to approved Reclamation Plan?
		If no, explain:
		<input type="text"/>
<input checked="" type="radio"/>	<input type="radio"/>	Was variance granted?
		Date Approved: <input type="text"/> 
<input type="radio"/>	<input checked="" type="radio"/>	Substitute species?
		Date Approved: <input type="text"/> 
<input type="radio"/>	<input checked="" type="radio"/>	3. Is postmining soil analysis where mine soils have a past history of or the potential of producing acidic chemical characteristics attached?
		4. Where soil pH is less than 5.5, indicate rate per acre and method(s) used to neutralize acidity:
		Rate/acre: <input type="text" value="N/A"/> Method: <input type="text" value="N/A"/> Final soil pH: <input type="text" value="N/A"/>
		5. Indicate rate and analysis of fertilizer:
		Rate/acre: <input type="text" value="600"/> Analysis: <input type="text" value="10-20-20"/>
<input type="radio"/>	<input checked="" type="radio"/>	6. Is rate and analysis of fertilizer based on soil analysis? If yes, attach a copy of soil analysis to this report.
		7. Indicate rate and type of mulch:
		Rate/acre: <input type="text" value="4000"/> Type: <input type="text" value="Hay"/>
		8. Complete revegetation schedule and rate below:
		9. Actual cost of revegetation: <input type="text" value="\$600.00"/>

Species	Rate/Acre	Planting Location
Kentucky 31 Fescue	50	All
Birdsfoot Trefoil	10	All
Redtop	10	All
Perennial Ryegrass	15	All
Oats	15	All

Greg Nair	Power of Attorney	0/4/16	
Name of Principal Officer	Officer Title	Date	
Signature: 			



Applicant:	VINDEX ENERGY CORPORATION	Type:	Phase 3 Release (Final) #1
Reference ID:	S-2007-89 Phase 2 and 3 Release (05/17/2016)	Permit ID:	S200789
MR-8: Final Planting Report - DEP Section			
Status	ERIS - Closed ██████████	Printed:	Apr. 25, 2017 1:40 PM

<input checked="" type="radio"/> Approved <input type="radio"/> Denied	HARPER, DAVID PHILIP
Date: 8/8/2016	Inspector

Action:	<input checked="" type="radio"/> Approved <input type="radio"/> Denied <input type="radio"/> Withdrawn <input type="radio"/> Terminated
Date:	8/10/2016
DEP Release Specialist	WASHBURN, TERRY



Applicant:	VINDEX ENERGY LLC	Type:	Phase 3 Release (Final) #2
Reference ID:	S-2007-89 Phase 2 and 3 Release (04/25/2017)	Permit ID:	S200789
Current Surface Owners			
Status	ERIS - Closed - Issued	Printed:	Jul. 27, 2017 11:00 AM

List current surface owners with addresses.

Surface Owner(s) - Name and Address			
Name:	Vindex Energy Corporation - TRACT A		
Street:	100 Tygart Drive		
City:	Grafton		
Country:	United States of America	State:	West Virginia
Zip:	26354	Phone:	304-265-9700
Name:	Andrew Lee Evans, et al - TRACT B		
Street:	782 Arnold Mine Road		
City:	Grafton		
Country:	United States of America	State:	West Virginia
Zip:	26354	Phone:	N/A



Applicant:	VINDEX ENERGY LLC	Type:	Phase 3 Release (Final) #2
Reference ID:	S-2007-89 Phase 2 and 3 Release (04/25/2017)	Permit ID:	S200789
Copies of Letters and Return Receipts			
Status	ERIS - Closed - Issued	Printed:	Jul. 27, 2017 11:02 AM

Provide copies of letters and return receipts sent to:

- Current surface owners of record.
- Adjoining property owners of record.*
- Planning agencies.*
- Sewage and water treatment authorities or companies.*

* Not required for Quarry permits.



Applicant: VINDEX ENERGY LLC
Facility: S-2007-89 Phase 2 and 3 Release (04/25/2017)

Type: Phase 3 Release (Final) #2
Permit: S200789

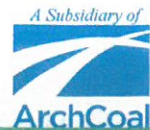
[Help](#) | [Comments](#) | [Close](#)

Action	Description	Select file to upload	File name/ Upload date	Version	CBI?
	Current Surface Owners of Record		S-2007-89 Current Surface Owners_6.12.17.pdf 06/12/2017	1	<input type="checkbox"/>
	Adjoining Property Owners of Record		S-2007-89 Adjoining Surface Owners_6.12.17.pdf 06/12/2017	1	<input type="checkbox"/>
	Planning Agencies		S-2007-89 Planning Agencies_6.12.17.pdf 06/12/2017	1	<input type="checkbox"/>
	Sewage and Water Treatment Authorities or Companies		S-2007-89 Sewage-Water Companies_6.12.17.pdf 06/12/2017	1	<input type="checkbox"/>

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VINDEX ENERGY CORPORATION

100 TYGART DRIVE • GRAFTON, WV • (304) 265-9700



April 25, 2017

CERTIFIED MAIL No. 7011 3500 0001 0569 5409
Return Receipt Requested

Vindex Energy Corporation
 100 Tygart Drive
 Grafton, WV 26354

To Whom it May Concern:

In compliance with the surface mining laws Legal Advertisement for Vindex Energy Corporation newspaper in conjunction with applying to the West Virginia Department of Environmental Protection for a Phase 2 and 3 release on Permit No. S-2007-89. This site is located in Union District of Grant County, 3.8 miles southeast of Mt. Storm and discharges into Laurel Run and an unnamed tributary of Abram Creek of Abram Creek of the North Branch Potomac River.

Current laws and regulations require that current surface landowners of property be notified of this release, Permit No. S-2007-89 and be given the opportunity to comment on it.

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CERTIFIED MAIL™ RECEIPT S-2007-89
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 For delivery information visit our website at www.usps.com®

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage	

Postmark Here **APR 27 2016**

Sent To: Vindex Energy Corporation
 Street, Apt. No. or PO Box No.: 100 Tygart Drive
 City, State, Zip: Grafton, WV 26354

PS Form 3800, August 2004

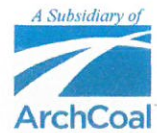
7011 3500 0001 0569 5409

Vindex Energy Corporation

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete Items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <u>Terry A. Nair</u> C. Date of Delivery <u>4/27/17</u></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p> <p style="text-align: center;">APR 27 2016</p>
<p>1. Article Addressed to:</p> <p>Vindex Energy Corporation 100 Tygart Drive Grafton, WV 26354</p>	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
<p>2. Article Number (Transfer from service label) <u>7011 3500 0001 0569 5409</u></p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>

VINDEX ENERGY CORPORATION

100 TYGART DRIVE • GRAFTON, WV • (304) 265-9700



April 25, 2017

CERTIFIED MAIL No. 7011 3500 0001 0569 5416
Return Receipt Requested

Andrew Lee Evans, et al
 782 Arnold Mine Road
 Elk Garden, WV 26717

To Whom it May Concern:

In compliance with the surface mining laws Legal Advertisement for Vindex Energy Corporation newspaper in conjunction with applying to the West Virginia Phase 2 and 3 release on Permit No. S-2007-89. This is 3.8 miles southeast of Mt. Storm and discharges into Laurel Run and an unnamed tributary of Abram Creek of Abram Creek of the North Branch Potomac River.

Current laws and regulations require that current surface landowners of property be notified of this release, Permit No. S-2007-89 and be given the opportunity to comment on it.

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Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage	

Sent To: Andrew Lee Evans, et al
 Street, Apt or PO Box: 782 Arnold Mine Road
 City, State: Elk Garden, WV 26717

PS Form 3811, February 2004

7011 3500 0001 0569 5416



Vindex Energy Corporation

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature X <i>Andrew Evans</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>Andrew Evans</i></p> <p>C. Date of Delivery <i>5-2-17</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>Andrew Lee Evans, et al 782 Arnold Mine Road Elk Garden, WV 26717</p>	<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p>7011 3500 0001 0569 5416</p>
<p>PS Form 3811, February 2004 Domestic Return Receipt 9-2007-89 23 102595-02-M-1540</p>	

7016 0910 0000 6483 5820

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CERTIFIED MAIL® RECEIPT
Domestic Mail Only

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OFFICIAL USE

Certified Mail Fee

Extra Services & Fees (check box, and fee as appropriate)

Return Receipt (hardcopy) \$ _____

Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

Postage \$ _____

Postmark Here

Mr. & Mrs. Kenneth Sanders
181 Arrowhead Dr.
Shinnston, WV 26431

Sent To _____
Street and Apt. _____
City, State, ZIP _____
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

Alliance Consulting, Inc.
Engineers · Constructors · Scientists

124 Philpott Lane
Raleigh County Airport Industrial Park
Beaver, WV 25813-9502

CERTIFIED MAIL



7016 0910 0000 6483 5820

Mr. & Mrs. Kenneth Sanders
181 Arrowhead Dr.
Shinnston, WV

CERTIFIED MAIL
RETURN RECEIPT

UNC
2643137184 P02



VSE 3-20

2-25

230 DE 1 0064/27/17
RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD
BC: 25813950224
2271-02542-27-42
2643137184 P02

TYPICAL COMMENT/CORRECTION SENT TO PERMITTEE WHEN NOTIFICATION LETTERS ARE "UNCLAIMED/RETURN-TO-SENDER".

Provide copies of Notification Letters and Return Receipts (Green Cards) sent to:

- Current surface owners of record.
- Adjoining property owners of record.*
- Planning agencies.*
- Sewage and water treatment authorities or companies.*

[NOTE: Permittee "MUST" provide evidence (Green Cards) that "all" required notifications for this increment were received. This means that all notification "must" be delivered and permittee "must" exhaust all effort (i.e., County Courthouse Research, Hand Delivery, etc.) of making sure said notifications was achieved. [NOTE: Returned Mail/Envelope (i.e., Return to Sender, Not Deliverable As Addressed, Unable to Forward, etc.) does "not" meet the requirements - -and/or-- acceptable for "notification for any phase release application. This matter/issue is the responsibility of the permittee --and-- needs to be resolved before this release request can be approved.]



Applicant:	VINDEX ENERGY LLC	Type:	Phase 3 Release (Final) #2
Reference ID:	S-2007-89 Phase 2 and 3 Release (04/25/2017)	Permit ID:	S200789
Final Map			
Status	ERIS - Closed - Issued	Printed:	Jul. 27, 2017 11:09 AM

Provide final map.

If underground, highwall, or auger mining occurred, a development and/or subsidence map is required.

N/A



Applicant: VINDEX ENERGY LLC
Facility: S-2007-89 Phase 2 and 3 Release
(04/25/2017)

Type: Phase 3 Release (Final)
#2
Permit: S200789

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Action Description

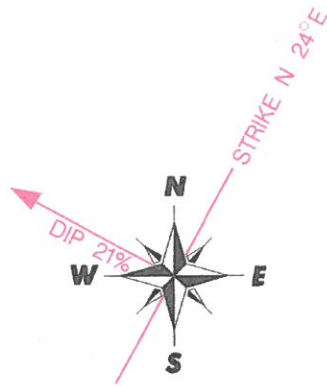
Select file to upload

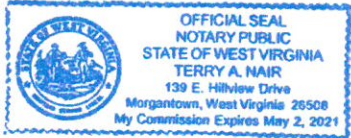
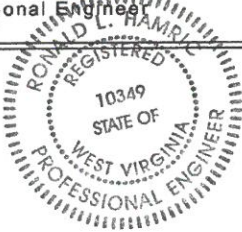
File name/ Upload date	Version	CBI?
S-2007-89 Ph. 2.3 FINAL MAP_signed 5.1.17.pdf 05/01/2017	0	<input type="checkbox"/>




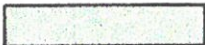




Final Map

[Help](#) | [Comments](#) | [Close](#)



State of West Virginia, County of: <u>Taylor</u>		I, the undersigned, hereby certify that this map is correct and shows, to the best of my knowledge and belief, all the information required by the mining laws of the state.	
Taken, Subscribed, and Sworn to before me this <u>1st</u> day of <u>May</u> , 2017.		_____ <u>Karl Homin</u> Professional Engineer	
Notary _____ My commission expires: <u>May 02, 2021</u>		Professional Engineer	
			
<h2>Vindex Energy Corporation</h2> <p>A Subsidiary of Arch Coal, Inc. 100 Tygart Drive Grafton, WV 26354</p> <h3>FINAL MAP</h3> <h3>PHASE 2 and 3 RELEASE - APRIL, 2017</h3> <p>Article 3 Permit No.: S-2007-89 Associated NPDES Permit No.: WV0095061 Job 88 Surface Mine</p> <p>Union District Mt. Storm, WV 7.5' Quadrangle</p> <p>Grant County West Virginia</p>			
DRAWN DATE BY		TOPOGRAPHIC CONTOUR INTERVAL = 20'	
REVISSED DATE BY		Scale: 1"=500'	
APPROVED		File No.: S200789 Ph. 2.3 FINAL MAP.dgn	
DATE BY		Sheet No.: 1 of 1	
Path DWG\VINDEI\VNDX-WV\JOB 88\RELEASES\PHASE 2 and 3\			

DISTURBED ACREAGE BREAKDOWN

PERMIT AREA NOT DISTURBED		0.00 AC.
REGRADED AREA		65.45 AC.
HAULROAD (covered by MR-12)		6.00 AC.
DRAINAGE SYSTEM (covered by MR-12)		3.90 AC.
AREA OVER-BONDED BY PERMIT S-2007-93		3.65 AC.
TOTAL PERMITTED AREA		79.00 AC.
MR-12 Special Use Areas		13.55 AC.



Applicant: MET RESOURCES, LLC
Facility: Increment 1 (02/16/2017)

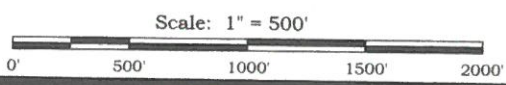
Type: Incremental Phase 1 Release #2
Permit: S401808

[Help](#) | [Comments](#) | [Close](#)

Action	Description	Select file to upload	File name/ Upload date	Version CBI?
	Final Map	Increment 1 - Phase 1 Release	Phase 1 Increment 1 Map signed.PDF 04/12/2017	0
	Final Map	[File was marked 'Not applicable']	04/12/2017	1

[Help](#) | [Comments](#) | [Close](#)

Rock District Mercer County
 Receiving Streams -
 Un-Named Tributaries of/and Crane Creek, Belcher Branch of Crane Creek,
 and Un-Named Tributaries of/and Godfrey Branch of Widemouth Creek,
 all of Bluestone River of New River
 Nearest Post Office - Montcalm



General Data

- Adjacent Operations
- Drainage Flow
- Drainage Area Boundary
- Rock Flume
- Sediment Control Structure
- 30° Angle Of Subsidence Survey
- 15° Angle Of Critical Deformation
- Property Line
- Auger/Highwall Mining Limits
- 1/2 Mile Radius
- Ephemeral/Intermittent Stream Point
- NPDES Outlet
- Surface Water Monitoring Site (Art. 3)
- In-Stream Monitoring Site (NPDES)
- Ground Water Monitoring Site
- BAS Monitoring Site
- Outcrop Barrier
- Poca. 6 Seam Mining / Augering
- Adverse Surface Tracts

Bonding Legend

Increment No. 1		69.00 Acres
Disturbed Area MR-12		1.43 Acres
Reclaimed Area		67.57 Acres
Undisturbed Area		0.00 Acres



Phase I Release Map
 Increment No. 1

Met Resources, LLC

P.O. Box 5064 Princeton, WV 24740

McComas Surface Mine No. 1

Poca. 6, 9, 7 & Splits, & Firecreek Seams

WV DEP Number S-4018-08
 MSHA Number 46-09311
 NPDES Number WV1023870

Rock District, Mercer County, West Virginia Crumpler 7.5' Series USGS Quadrangle

DATE: March 2017

DRAWN BY: TGR

Station21\Work\Met Resources\MR-5\WV1023870\Drawgs\Drainage Proposal Map.dwg



I, the undersigned, hereby certify that this map is correct and shows to the best of my knowledge and belief all the information required by the surface mining laws of this state.

P.E. or L.P.S.



STATE OF WEST VIRGINIA, COUNTY OF McDOWELL
 Taken, subscribed and sworn to before me this
 3 Day of Mar 2017
 My commission expires Oct 3 2021

 Notary Public



Applicant:	VINDEX ENERGY LLC	Type:	Phase 3 Release (Final) #2
Reference ID:	S-2007-89 Phase 2 and 3 Release (04/25/2017)	Permit ID:	S200789
Copy of MR-12 (Request for Special Use)			
Status	ERIS - Closed - Issued	Printed:	Jul. 27, 2017 11:10 AM

Provide copy of approved MR-12 (Special Use Request) or use "Add" button on next menu item.

N/A




Applicant: VINDEX ENERGY LLC
Facility: S-2007-89 Phase 2 and 3 Release (04/25/2017)

Type: Phase 3 Release (Final) #2
Permit: S200789

[Help](#) | [Comments](#) | [Close](#)

Action Description	Select file to upload	File name/ Upload date	Version	CBI?
Copy of MR-12	Copy of Andrew L Evans-Roads MR-12	2 Andrew L Evans-HR 1_Access Roads_12.11.13.pdf 04/25/2017	0	<input type="checkbox"/>
Copy of MR-12	Copy of Andrew S Evans-Roads MR-12	3 Andrew S Evans-HR 1_Access Roads_12.11.13.pdf 04/25/2017	0	<input type="checkbox"/>
Copy of MR-12	Copy of John Lough-Roads MR-12	4 John Lough-HR 1 and Access Roads_12.11.13.pdf 04/25/2017	0	<input type="checkbox"/>
Copy of MR-12	Copy of Vindex Energy-Drainage MR-12	5 Vindex_MR-12-DRAINAGE_1.2.14.pdf 04/25/2017	0	<input type="checkbox"/>
Copy of MR-12	Copy of Vindex Energy-Haulroad MR-12	5 Vindex_MR-12-HAULROAD_1.2.14.pdf 04/25/2017	0	<input type="checkbox"/>
Copy of MR-12	Copy of Vindex Energy-Roads MR-12	1 Vindex Energy-Access Roads_12.11.13.pdf 04/25/2017	0	<input type="checkbox"/>

[Help](#) | [Comments](#) | [Close](#)

	Applicant: VINDEX ENERGY CORPORATION Reference ID: Job 88 Phase 1 Release (09/10/2012)	Type: Phase 1 Release #1 Permit ID: S200789 Status: ERIS - Tech Corr Requested
	MR-12: Request for Special Use	Printed: Dec. 11, 2013 11:13 AM

REQUEST FOR SPECIAL USE

For more desirable land use, drainage structures, recreation sites, buildings, etc. Request is made for permission to carry out a special use project on disturbed land as detailed in the Mining and Reclamation Plan submitted with the application for the permit listed below or as detailed in the supplemental plan attached herewith.

Description of Special Use Project:

To leave Haulroad, haulroad ditch, haulroad sump, 18" culvert and sump, 24" culvert and sump in place for landowners access onto property.

Building
 Road
 Drainage Structure
 Other

Size of Special Use Project: acres

NOTE: Structure(s) must be in use by landowner prior to Phase III approval

Permittee Name and Address:

Name:

Street:

City:

Country: State:

Zip: Phone:

Landowner Name and Address:

Name:

Street:

City:

Country: State:

Zip: Phone:

Identify any attachments to this request.

<input type="checkbox"/> Contract	<input type="checkbox"/> Maps
<input type="checkbox"/> Compliance Insured	<input type="checkbox"/> *Spillway Calculations
<input type="checkbox"/> Plans	<input type="checkbox"/> *Plan, View, Cross Sections, Details, and Calculations
<input type="checkbox"/> Other	

**Complete only when "Drainage Structure" is selected above.*

NOTES: Current plan view, cross sections, details, and calculations shall be certified by approved person which demonstrates that structures meet current rules and regulations.

MR-12 must be submitted with bond release application; i.e., cannot be submitted as a separate application.

The undersigned hereby grants permission to develop a Special Use Project as described in the associated permit. Provide the appropriate signatures (notarized) and dates as follows:

Vindex Energy Corporation
(Name of Surface Owner)

[Signature] 12/30/13
Signature Date

State of: Maryland
County: Carroll

Taken, subscribed and sworn to before me this 30th day of December, 2013.
My Commission Expires _____

ROX A. WOODEN
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires 03-20-2017

[Signature]
Notary Public

(SEAL)

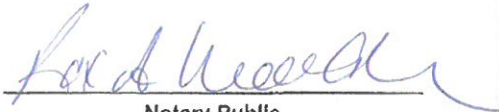
[Signature]
Thomas S. Brown
(Permittee Principal Officer)

[Signature] 12-30-2013
Signature Date

State of: Maryland
County: Carroll

Taken, subscribed and sworn to before me this 30th day of December, 2013.
My Commission Expires _____

ROX A. WOODEN
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires 03-20-2017

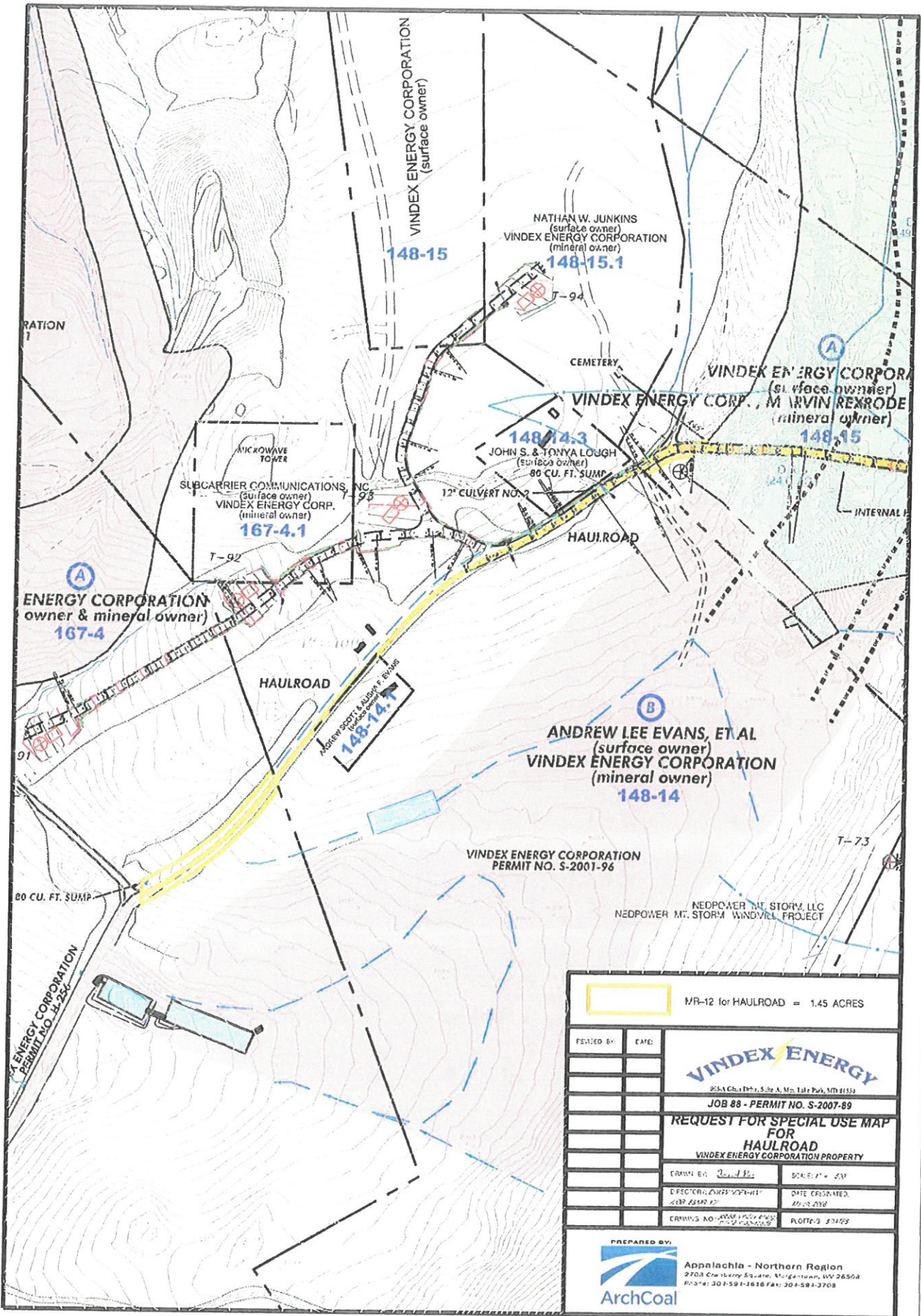
(SEAL) 
Notary Public




Applicant:	VINDEX ENERGY CORPORATION	Type:	Phase 1 Release #1
Reference ID:	Job 88 Phase 1 Release (09/10/2012)	Permit ID:	S200789
MR-12: Request for Special Use - DEP Section			
Status	ERIS - Closed - Issued	Printed:	May. 16, 2016 11:14 AM


ROCKWOOD, DAVID	04/04/2014
Inspector	Date

WASHBURN, TERRY	4/4/2014
DEP Release Specialist	Date



MR-12 for HAULROAD = 1.45 ACRES

PREPARED BY:	DATE:
 <small>265A Ch. 1 Det. Site A, Mt. Lake Park, MN 55154</small> JOB 88 - PERMIT NO. S-2007-89 REQUEST FOR SPECIAL USE MAP FOR HAULROAD VINDEX ENERGY CORPORATION PROPERTY	
DRAWN BY: <i>David H.</i>	SCALE: 1" = 50'
DIRECTOR: <i>David H.</i>	DATE CREATED: 05-05-2007
DRAWING NO.: <i>0008-14-14.1-14.5</i>	PLOT: <i>14.1-14.5</i>

PREPARED BY:

 Appalachia - Northern Region
 2708 Cherry Square, Morgantown, WV 26504
 Phone: 304-591-3616 Fax: 304-591-3708

SUBJECT: MR-12's

1. Purpose: Clarification of submittal and routing of MR-12's.
2. Definitions: Special Use
3. Legal Authority: 38-2-4.9, 38-2-5.5
4. Policy/Procedures:

There are several scenarios that involve leaving roads and drainage structures in place after final bond release. This procedure describes the process and the approval routing for these situations.

Roads

1. If a road is proposed to be left [in the original permit application] an MR-12 Special Use Form is not required.
2. If the road(s) is(are) proposed to be left and the proposal is not in the permit application, an MR-12 Special Use Form needs to be executed. Submittal of the MR-12 is at the time of application for Phase I bond release and shall be made part of the Phase I application package.
3. If circumstances arise where the permittee wants to leave a road after a phase of release has been granted, the MR-12 will be submitted upon and included with the application for the next phase of bond release.
4. The road proposed to be left shall be shown on the final map as disturbed/unreclaimed acreage. The bond calculation will reflect this and 100% bond for this acreage will be maintained until final release.

Water Retention Structures

1. If a water retention structure is proposed to be left, an MR-12 form must be executed.

2. The size and configuration of the structure must be certified by an approved person which demonstrates that the structure meets current regulation requirements.
3. The MR-12 will be submitted as part of an application for Phase II bond release. The Phase II release application will be submitted to the local inspector and after the inspector signs off on the certification (MR-13) he/she forwards the total release application to the bond release unit.

GENERAL NOTE: It is the permittees' responsibility to maintain roads and water retention structures until final (Phase III) bond release is approved.

SUBJECT: Roads/Water Retention Structures/Other Structures

1. Purpose: To leave roads and water retention structures and other structures for the benefit of the landowner.
2. Definitions: Surface Mining Operations
3. Legal Authority: 22-3-13, 38-2-5.5
22-3-23, 38-2-4.9
4. Policy/Procedures:

At the time of application for Phase II release, if a structure or road is to be left unreclaimed, an MR-12 form must be included with the release package.

The MR-12 will be revised to include this statement:
"It is the permittee's responsibility to maintain this structure until final bond release".

If, during the time period between MR-12 approval and Phase III release the surface owner changes, the MR-12 is no longer valid and must be re-executed or the structure(s) must be reclaimed. If the landowner changes his mind between time of MR-12 approval and Phase III release, the WVDEP will consider that a property rights dispute and proceed as such.

This policy/procedure does not in any way prohibit a permittee from executing an MR-12 at Phase III (final) release. The proper time for MR-12 application is at Phase II release, but circumstances will arise that precludes this.

The approval path for MR-12's follows the same path as any other bond release application with the exception of permitting section involvement. After the appropriate inspector signs off, he delivers application to the permitting supervisor. Once the permit supervisor has signed off on the MR-12, the release package goes to the release specialist/supervisor for final disposition.

The MR-12's will no longer be recorded at the courthouse.

SUBJECT: Oil and Gas Wells on Permitted Areas

1. Purpose: Establish procedure allowing oil and gas operations on permitted areas

2. Definitions: Oil and Gas operations include, but are not limited to: oil well, gas well, pipelines, access roads, storage tanks, ancillary oil & gas facilities.

3. Legal Authority: 22-3-10, 38-2-7

4. Policy/Procedures:

Oil and gas activities may take place on reclaimed mining operations without additional liability to the permittee if the following procedure is followed:

1. For the areas to be utilized by the oil and gas operation, a post-mining land use change to "light" industry is submitted and approved.
2. A Phase I or Phase II bond release application is submitted and approved. When the release is processed, the areas shown on the map as oil and gas sites will have 100% of the bond released, thereby deleting them from the permit.
3. If the access road is part of the proposed oil and gas operation, a dual use letter signed by both parties allowing ingress & egress by the mining permittee.



Applicant:	VINDEX ENERGY LLC	Type:	Phase 3 Release (Final) #2
Reference ID:	S-2007-89 Phase 2 and 3 Release (04/25/2017)	Permit ID:	S200789
Demonstration - Chemical Treatment			
Status	ERIS - Closed - Issued	Printed:	Jul. 27, 2017 11:13 AM

Provide demonstration in accordance with 38-2-12.2(e) if chemically treating discharge. *(Not required for Quarry permits.)*

N/A

WV Reg. 38-2-14.7.d., the regulation states: "If it is established on basis of such monitoring that the hydrologic balance is being preserved without treatment, the treatment facilities may be removed. A one (1) year "raw water" history of meeting the applicable effluent limitations shall be adequate to establish that the hydrologic is being preserved."

In conclusion, the following DEP Bond Release recommendation/suggestion is as follows:

- [1] Withdraw submitted Incremental Phase 1 Bond Releases,
- [2] Remove "all" water treatment equipment from this permit/bonded area if no longer needed,
- [3] Obtain one (1) year "raw water" history of meeting the existing applicable effluent limitations after elimination water treatment.
- [4] Resubmit the "Withdrawn" Incremental Phase 1 Bond Release applications (Inc. #4, #5, #6) back the WVDEP Bond Release Unit for review..... [NOTE: Please respond with 10 days of this comment/correction delivery.]



SUBJECT: Chemical Water Treatment

1. Purpose: To clarify the differences between "Passive", "Prevention", and "Remediation" as those terms relate to chemical water treatment
2. Definitions:
 - a) "Passive Treatment" includes, anoxic drains, limestone trenches, artificial wetlands and other systems designed to alleviate the need to actively add neutralizing agents to water in order to meet effluent limits.
 - b) "Prevention" in this context refers to approved selective materials handling, addition of alkaline material to pit floors, backfill, backstack and other areas to prevent the formation of acidic drainage.
 - c) "Remediation" means the active, on-going treatment of acid mine drainage in order to meet effluent limits.
3. Legal Authority: 22-3-2(c)(5), 22-3-3(a), 38-2-2.21 Policy/Procedures: 38-2-12.2.e,

Since the Office of Surface Mining did not approve the definition of chemical treatment (as it relates to passive treatment), the following guidelines shall be followed.

- (A) Bond releases will not be approved on sites using passive treatment systems. (See definition of passive system) Exception: Phase 1 is approvable under provisions of 38-2-12.2.e.
- (B) Bond releases will be granted on areas that utilized preventive measures to control acid formation and are meeting effluent limits without active chemical treatment of water.
- (C) Bond releases will not be granted on areas that have remedial chemical water treatment in order to meet effluent limits. Exception: Phase 1 is approvable under provisions of 38-2-12.2.e.

This clarification in no way limits placement of limestone rip-rap in sediment ditches, diversion ditches, pond entrance/exit channels, etc...

The inspector along with the bond release specialist will have to utilize judgment and on-site experience to determine if an operation is routing poor or marginal quality water through a ditch rip-rapped with limestone to remedy the water quality problem or if the rip-rap is solely for erosion control.

This clarification also does not limit the utilization of limestone as a durable surfacing material for haulroads.



Applicant:	VINDEX ENERGY LLC	Type:	Phase 3 Release (Final) #2
Reference ID:	S-2007-89 Phase 2 and 3 Release (04/25/2017)	Permit ID:	S200789
Copy of MR-13 (Certification of Drainage System)			
Status	ERIS - Closed - Issued	Printed:	Jul. 27, 2017 11:15 AM

Provide copy of approved MR-13 (Certification of Drainage System) certifying compliance with 38-2-13.5.f. for drill hole management (*Prospect only*) or use "Add" button on next menu item.

- N/A
 Mine Seal
 Auger Hole Seal
 Other

SUBJECT: Removal of Sediment Control Structures

PURPOSE

The purpose of this guidance is to identify the procedure for removal of sediment control structures upon a drainage area meeting the definition of "reclamation area" per 40CFR434 for post mining areas (backfilling and grading complete, revegetation commenced) while ensuring preservation of the hydrologic balance and meeting applicable regulations pertaining to abandonment procedures of sediment control structures.

DISCUSSION

According to 38CSR2-14-7(d), "Where any discharge from the permit requires treatment during the mining operation in order to meet applicable effluent limitations, water monitoring of such discharges shall continue following grading approval. If it is established on the basis of such monitoring that the hydrologic balance is being preserved without treatment, the treatment facilities can be removed. A one (1) year history of meeting applicable effluent limitations shall be adequate to establish that the hydrologic balance is being preserved."

Additionally, 38CSR2-5.4(h) *Abandonment Procedures*, states "abandonment and/or removal of sediment control or other water retention structures shall not occur within 2 years after the last augmented seeding nor less than 2 years before final bond release."

"Adequate treatment" is defined in Chapter 22, Article 3, Section 3 as "treatment of water by physical, chemical or other approved methods in a manner so that the treated water does not violate the effluent limitations or cause a violation of the water quality standards..."

38CSR2-2 further defines chemical treatment and sediment control structures as follows:

Chemical Treatment means the treatment of water from a surface coal mining operation using chemical reagents such as but not limited to sodium hydroxide, calcium carbonate, or anhydrous ammonia for the purpose of meeting applicable state and federal effluent limitations. Chemical treatment does not include passive treatment systems such as but not limited to limestone drains, wetlands, alkaline addition, application of fly ash, agricultural lime, or injection of fly ash, limestone, or other minerals into underground coal operations.

Sediment Control or Other Water Retention Structure, Sediment Control or Other Water Retention System, or Sediment Pond means an impoundment designed, constructed, and maintained in accordance with this rule for the purpose of removing solids from water in order to meet applicable water quality standards or effluent limitations before the water is discharged into the receiving stream. Examples include wildlife ponds, settling basins, and all ponds and facilities or structures used for water treatment.

Sediment control structures will be considered treatment facilities, requiring one year of monitoring to ensure the hydrologic balance, for the purpose of this policy. Chemical treatment can be removed at any point when no longer necessary. Diversion ditches/ conveyances used strictly for conveyance of surface runoff only are not considered sediment control structures for the purpose of this policy and therefore, not considered treatment. Diversions/conveyances, even if not designed for sediment control, should not be removed until appropriate raw water is sampled at the entrance to the sediment control structure(s).

Therefore, the procedures set forth in the following paragraphs shall be followed to determine data requirements to ensure preservation of the hydrologic balance prior to removal of a sediment control structure:

PROCEDURE

1. Permittee shall collect and submit the following data required to ensure preservation of the hydrologic balance to the inspector for review. **Raw water shall be analyzed for all parameters on the approved NPDES permit.**
 - A. **Outlets with sediment control structures** – Provide one (1) year of raw water data, sampled prior to the sediment control structure, and submitted no sooner than two (2) years after the last augmented seeding. This raw water data is necessary to request removal of the sediment control structure or grant an MR-12 to allow a structure to remain in place after Phase III bond release. Provide corresponding discharge data for the raw water sampling.
 - B. **On-bench outlets (precipitation-induced) are associated with sediment control structures designed to minimize solids. Therefore, the one (1) year raw water requirements apply to on-bench outlets as well.** Provide one (1) year of raw water data, sampled when flow exists and document other sample dates as “no flow”; submit effluent data as confirmation of “no flow” conditions and inspector confirmation is required. If outlet does not flow, provide one (1) year of documentation demonstrating that no influent (raw water) flow occurred with confirmation from the inspector. **Samples of pooled raw water are not necessary.**
2. Assuming all raw water and effluent data meets effluent limitations (monthly average and daily maximum) and applicable water quality criterion for report only parameters, the required time frame of a minimum of two (2) years after the last augmented seeding has been completed, and the structure can be removed per the post-mining SWROA plan, permittee shall submit a “Request for Structure Removal” form to inspector for approval. The approved form will be submitted by the inspector with the subsequent MR-6 inspection form.
3. Permittee shall commence structure removal as soon as possible after approval from Environmental Inspector Supervisor is received.
4. Permittee shall notify inspector when removal is complete so inspector can document on MR-6 inspection form.
5. Once the sediment structure is removed, the permittee shall request deletion of the outlet on the associated NPDES permit through a modification or reissuance application.

MUST NOTE:

- i. For wet seals, if sediment control structure is removed, then outlet must be relocated to the wet seal. This outlet and its associated monitoring requirements will remain until Phase III bond release.
- ii. If multiple sources of flow exist into the structure(s), then individual inflow sources must be collected at the entrance of the sediment control structure. All observed sources of flow, i.e. valley fill toes, deep mine discharge seals, must be sampled individually at the point of flow origin, even if they have a common outlet. The sampling frequency is the same as set forth in the current NPDES permit and is parameter-specific. Therefore, if semi-monthly sampling is required at the associated outlet for a particular parameter, then the raw water sampling frequency is semi-monthly. If the outlet has a reduced monitoring frequency of quarterly, then the sampling frequency for raw water is quarterly.

**** A form for this policy has been created (MR-13R) you can find this form on our web page under DMR forms.**



Applicant:	VINDEX ENERGY LLC	Type:	Phase 3 Release (Final) #2
Reference ID:	S-2007-89 Phase 2 and 3 Release (04/25/2017)	Permit ID:	S200789
Notarized Statement			
Status	ERIS - Closed - Issued	Printed:	Jul. 27, 2017 11:38 AM

Provide copy of notarized statement by the permittee that all applicable reclamation requirements specified in the permit have been completed. *(Not required for Quarry permits.)*

N/A



Applicant: VINDEX ENERGY LLC
Facility: S-2007-89 Phase 2 and 3 Release
(04/25/2017)

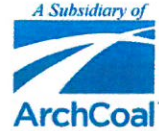
Type: Phase 3 Release (Final)
#2
Permit: S200789

[Help](#) | [Comments](#) | [Close](#)

Action Description	Select file to upload	File name/ Upload date	Version	CBI?
Notarized Statement		S-2007-89 Ph. 2.3 Notary Statement.pdf 05/01/2017	0	<input type="checkbox"/>
Other	copy of Greg Nair POA	2017 G.NAIR Company POA- VINDEX.pdf 05/01/2017	0	<input type="checkbox"/>

[Help](#) | [Comments](#) | [Close](#)

VINDEX ENERGY CORPORATION
100 TYGART DRIVE • GRAFTON, WV 26354 • (304) 265-9700



April 25, 2017

Mr. William Little – Release Specialist
WV Department of Environmental Protection
47 School Street, Suite 301
Philippi, WV 26416

**RE: Vindex Energy Corporation
Permit S-2007-89
Phase 2 and 3 Release**

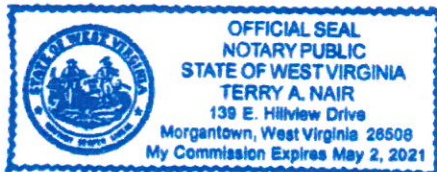
Dear Sir:

We would like to inform you that Vindex Energy Corporation has completed all applicable reclamation requirements specified in the permit application.

Greg Nair – Power of Attorney – Vindex Energy Corporation.

Subscribed and sworn before me this 1st day of May, 2017.

My Commission Expires: May 02, 2021



Notary Public



Applicant:	VINDEX ENERGY LLC	Type:	Phase 3 Release (Final) #2
Reference ID:	S-2007-89 Phase 2 and 3 Release (04/25/2017)	Permit ID:	S200789
MR-7-AD: Advertisement			
Status	ERIS - Closed - Issued	Printed:	Jul. 27, 2017 11:41 AM

INSTRUCTIONS	
This advertisement is for an application for a release of an Article 3 permit.	Ad will be published once a week for four successive weeks with six full days between publication. Advertisement must include a location map.
Initial Date of Publication: 5/2/2017	Final Date of Publication: 5/23/2017

ADVERTISEMENT	
Notice is hereby given that	
VINDEX ENERGY CORPORATION, 100 TYGART DRIVE, GRAFTON, WV 26354	
has submitted an application with the Department of Environmental Protection (DEP), 47 School Street, Suite 301, Philippi, WV, 26416-1600 for a Phase <input type="text" value="2 and 3"/> release on Permit Number <input type="text" value="S200789"/> issued for <input type="text" value="79"/> acres.	
The permit is located in <input type="text" value="UNION"/> District of <input type="text" value="Grant"/>	
County, <input type="text" value="3.8"/> miles <input type="text" value="southeast"/> (Direction) of <input type="text" value="MOUNT STORM"/> (Nearest PO) on	
Laurel Run and an unnamed tributary of Abram Creek	
(Primary Receiving Stream) of	
Abram Creek	
(Secondary Receiving Stream) of	
N. Potomac River (Major Drainage Basin).	
VINDEX ENERGY CORPORATION completed <input type="text" value="final reclamation"/> on	
<input type="text" value="6/29/2001"/> (Date) and is requesting release of <input type="text" value="100"/> percent of the reclamation performance bond currently in the amount of \$ <input type="text" value="\$40,000.00"/> .	
Written comments will be received at the DEP address above until <input type="text" value="6/22/2017"/> , or thirty (30) days from date of final publication.	

REMINDER

**AS PER THE “BASIC BOND RELEASE APPLICATION REQUIREMENTS”,
LEGAL ADVERTISEMENT FOR BOND RELEASE APPLICATIONS CAN “ONLY” BEING PUBLICATION IN THE NEWSPAPER ON-OR-AFTER THE SAID BOND RELEASE APPLICATION HAS BEEN SUBMITTED TO WVDEP.**

<<<REASON>>>

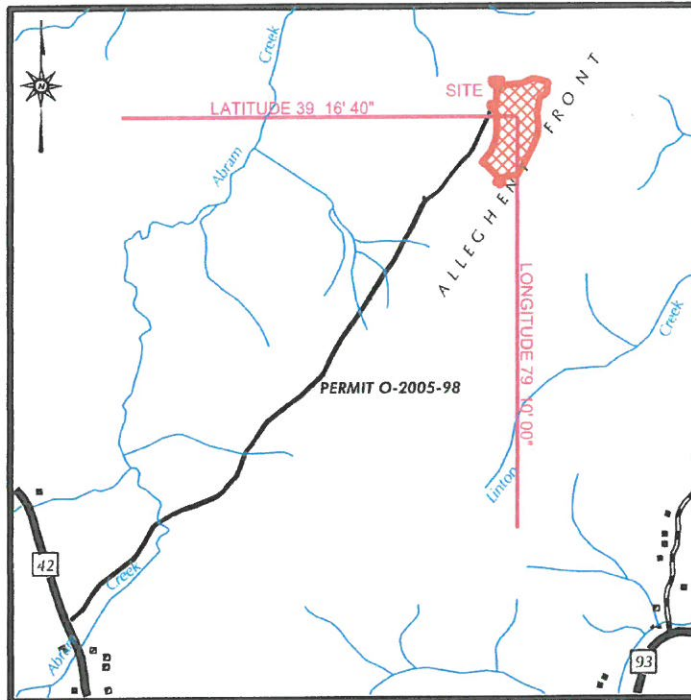
THE BOND RELEASE APPLICATION MUST BE ON FILE @ DEP FOR PUBLIC REVIEW WHILE LEGAL AD IS BEING PUBLISHED.



Applicant:	VINDEX ENERGY CORPORATION	Type:	Phase 3 Release (Final)
Reference ID:	S-2007-89 Phase 2 and 3 Release (04/25/2017)	Permit ID:	S200789
MR-7-AD: Advertisement			
Status	New	Printed:	Apr. 25, 2017 2:56 PM

INSTRUCTIONS	
This advertisement is for an application for a release of an Article 3 permit. Initial Date of Publication: <input type="text" value="5/2/2017"/> <input type="button" value="id"/>	Ad will be published once a week for four successive weeks with six full days between publication. Advertisement must include a location map. Final Date of Publication: <input type="text" value="5/23/2017"/> <input type="button" value="id"/>

ADVERTISEMENT	
Notice is hereby given that <input type="text" value="VINDEX ENERGY CORPORATION, 100 TYGART DRIVE, GRAFTON, WV 26354"/> has submitted an application with the Department of Environmental Protection (DEP), 47 School Street, Suite 301, Philippi, WV, 26416-1600 for a Phase <input type="text" value="2 and 3"/> release on Permit Number <input type="text" value="S200789"/> issued for <input type="text" value="79"/> acres.	
The permit is located in <input type="text" value="UNION"/> District of <input type="text" value="Grant"/>	
County, <input type="text" value="3.8"/> miles <input type="text" value="southeast"/> (Direction) of <input type="text" value="MOUNT STORM"/> (Nearest PO) on <input type="text" value="Laurel Run and an unnamed tributary of Abram Creek"/> (Primary Receiving Stream) of <input type="text" value="Abram Creek"/> (Secondary Receiving Stream) of <input type="text" value="N. Potomac River"/> (Major Drainage Basin).	
<input type="text" value="VINDEX ENERGY CORPORATION"/> completed <input type="text" value="final reclamation"/> on <input type="text" value="6/29/2001"/> <input type="button" value="id"/> (Date) and is requesting release of <input type="text" value="100"/> percent of the reclamation performance bond currently in the amount of \$ <input type="text" value="\$40,000.00"/> .	
Written comments will be received at the DEP address above until <input type="text" value="6/22/2017"/> <input type="button" value="id"/> , or thirty (30) days from date of final publication .	



LOCATION MAP

SCALE: 1 INCH = 1 MILE

ART. 3 PERMIT NO. S-2007-89
NPDES PERMIT NO. WV0095061
USGS Mt. Storm, WV Quad, 7-12 Min. Series
Union District, Grant County, WV
Nearest (P.O.): Mt. Storm, WV Approx. 3.8 miles

Receiving Stream: Laurel Run and
an unnamed tributary of Abram Creek
of the North Branch Potomac River

Certificate of Publication

State of West Virginia
County of Grant, to-wit:

The undersigned hereby certifies
that the annexed notice was duly
published in the

Grant County Press

a weekly newspaper published at
Petersburg, Grant County, West
Virginia, for 4 consecutive
weeks ending on the 23 day of
May, 2017

GRANT COUNTY PRESS

By Dana J. Galen

Advertising Manager

Publishing Notice \$ 447.20

Hand Bills _____

Miscellaneous _____

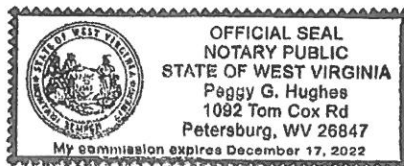
Total \$ 447.20

Sworn before me on this the 23

day of May, 2017

Peggy G. Hughes
Notary Public

Dec 17, 2022
My Commission Expires



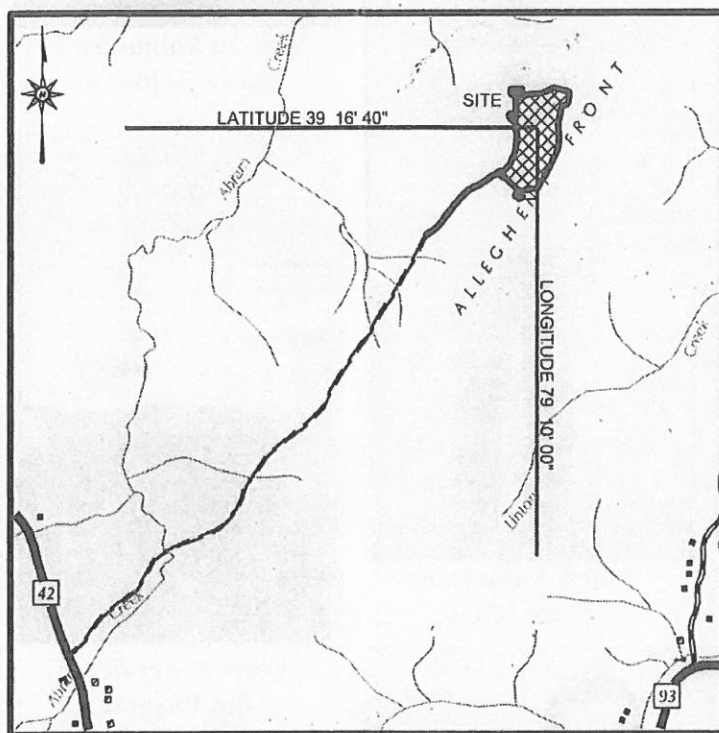
ADVERTISEMENT

Notice is hereby given that VINDEK ENERGY CORPORATION, 100 Tygart Drive, Grafton, WV 26354, has submitted an application with the Department of Environmental Protection (DEP), 47 School Street, Suite 301, Philippi, WV 26416-1600 for a Phase 2 and 3 release on Permit Number S200789 issued for 79 acres.

The permit is located in Union District of Grant County, 3.8 miles southeast of Mount Storm on Laurel Run and an unnamed tributary of Abram Creek of Abram Creek of N. Potomac River.

Vindex Energy Corporation completed final reclamation on 6/29/2001 and is requesting release of 100 percent of the reclamation performance bond currently in the amount of \$40,000.00.

Written comments will be received at the DEP address above until 6/22/2017, or thirty (30) days from date of final publication.



LOCATION MAP

SCALE: 1 INCH = 1 MILE

ART. 3 PERMIT NO. S-2007-89
NPDES PERMIT NO. WV0095061
USGS Mt. Storm, WV Quad, 7-1/2 Min. Series
Union District, Grant County, WV
Nearest (P.O.): Mt. Storm, WV Approx. 3.8 miles



Applicant:	VINDEX ENERGY LLC	Type:	Phase 3 Release (Final) #2
Reference ID:	S-2007-89 Phase 2 and 3 Release (04/25/2017)	Permit ID:	S200789
Height Measurement Tally Sheet			
Status	ERIS - Closed - Issued	Printed:	Jul. 27, 2017 11:43 AM

HEIGHT MEASUREMENT TALLY SHEET

[Click here for Policy for Ground Cover and Productivity Success Standards](#)

Date:

In Height:	Total
1"	<input type="text"/>
2"	<input type="text"/>
3"	<input type="text"/>
4"	<input type="text"/>
5"	<input type="text"/>
6"	<input type="text"/>
7"	<input type="text"/>
8"	<input type="text"/>
9"	<input type="text"/>
10"	<input type="text"/>
11"	<input type="text"/>
12"	<input type="text"/>
13"	<input type="text"/>
14"	<input type="text"/>
15"	<input type="text"/>

Total measured:	<input type="text" value="0"/>
Total inches measured:	<input type="text" value="0"/>
Average height of above samples:	<input type="text" value="NaN"/>
Forage Mass in Tons:	<input type="text" value="NaN"/>

CALIBRATION WORK SHEET

Date:

Use distribution of height data to arrive at range definitions.
 Then set calibration set to meet criteria as shown:
 Low Range: from -2 SD to -1 SD

Low-Mid Range: from -1 SD to Mean
 High-Mid Range: from Mean to +1 SD
 High Range: from +1 SD to +2 SD

	Ranges (inches)	Sample	Height (inches)	Weight (grams)
Low:	<input type="text" value="N/A"/> to <input type="text" value="N/A"/>	Low-1	<input type="text"/>	<input type="text"/>
		Low-2	<input type="text"/>	<input type="text"/>
		Low-3	<input type="text"/>	<input type="text"/>
Low-Mid:	<input type="text" value="N/A"/> to <input type="text" value="N/A"/>	Low Mid-1	<input type="text"/>	<input type="text"/>
		Low Mid-2	<input type="text"/>	<input type="text"/>
		Low Mid-3	<input type="text"/>	<input type="text"/>
		Low Mid-4	<input type="text"/>	<input type="text"/>
		Low Mid-5	<input type="text"/>	<input type="text"/>
High-Mid:	<input type="text" value="N/A"/> to <input type="text" value="N/A"/>	High Mid-1	<input type="text"/>	<input type="text"/>
		High Mid-2	<input type="text"/>	<input type="text"/>
		High Mid-3	<input type="text"/>	<input type="text"/>
		High Mid-4	<input type="text"/>	<input type="text"/>
		High Mid-5	<input type="text"/>	<input type="text"/>
High:	<input type="text" value="N/A"/> to <input type="text" value="N/A"/>	High-1	<input type="text"/>	<input type="text"/>
		High-2	<input type="text"/>	<input type="text"/>
		High-3	<input type="text"/>	<input type="text"/>



Applicant: VINDEX ENERGY LLC
Facility: S-2007-89 Phase 2 and 3 Release
(04/25/2017)

Type: Phase 3 Release (Final)
#2
Permit: S200789

Help | Comments | Close

Action Description

Select file to upload

File name/
Upload date

Version CBI?



Other

2013 Vegetation Study

[Job 88 2013 report+appendix.pdf](#)
04/25/2017

0

Help | Comments | Close

SURVEYOR AND ASSOCIATES, INC.

**119 East High Street
Kingwood, West Virginia 26537**

**(304) 329-2325 (voice)
(304) 329-3215 (fax)**

August 14, 2013

Mr. Terry Nair
Arch Coal Company
2708 Cranberry Square
Morgantown, West Virginia 26508

Subject: 2013 Vegetation Yield Evaluation at Vindex Job 88 Surface Mine
(Permit S-2007-89), Grant County, West Virginia.
SURVEYOR & ASSOCIATES Project No. 13-530

Dear Mr. Nair:

SURVEYOR & ASSOCIATES INC. is pleased to provide this summary report describing the results of the post-reclamation vegetation yield evaluation at the above-referenced surface mine site. The goal of the study was to provide vegetation yield data requested by the West Virginia Department of Environmental Protection (WVDEP) for reclamation bond release.

Introduction

Vegetation yield studies were initiated at six reclaimed Patriot Mining Company surface mine sites in Monongalia County in the late summer and fall 2003. The studies were performed under the direction of Ron Hamric, with technical assistance from Dr. Jeff Skousen of the West Virginia University Division of Plant and Soil Sciences. Reclaimed mine sites where post-mining land use included hay harvesting were evaluated by counting the total number of hay bales harvested to determine yield per acre. Reclaimed mine sites where no hay harvesting has been conducted were initially evaluated by collecting vegetation samples at regular intervals; drying the samples and weighing to determine dry weight; and extrapolating the sample weights to an average yield per acre for comparison to per acre hay yield data collected by the West Virginia Department of Agriculture.

A number of additional assessments have been performed since 2003 at reclaimed mine sites in Barbour, Grant, Harrison, Lewis, Monongalia, Marion, and Preston Counties. The evaluations have been performed by 1) using actual yield records (i.e. documentation of hay harvested); 2) vegetation sampling and weighing according to guidance provided by West Virginia University Division of Plant and Soil Science; 3) height measurement with the pasture plate meter; and 4) a combination of techniques (1) and (2) or techniques (1) and (3) for partially harvested sites.

In March 2007 WVDEP published *Productivity and Ground Cover Success Standards*. These standards, which were finalized in September 2008, recognized the pasture plate method

described by Rayburn and Rayburn (1998) as an acceptable means of estimating forage mass. This guidance established a yield of 1.6 tons of dry matter per acre as a minimal standard for successful revegetation; an average vegetation height of 8.5 inches (for unharvested sites) as determined by the pasture plate meter is also an acceptable standard for success.

The reclaimed Job 88 Surface Mine in the Union District of Grant County was subsequently added as a study site in 2013. No previous vegetation assessments have been performed at this site.

There has been no measured hay harvesting at the revegetated site, therefore height measurements with the pasture plate meter were used to evaluate vegetation productivity.

Site Description

Permit S-2007-89 is a coal surface mine in the Upper and Lower Freeport and Lower Kittanning coal seams. The site is located in the Union District of Grant County, and lies on the Mount Storm 7.5-minute topographic quadrangle. The operation was originally bonded for a total of 79 acres. According to the final map, the total disturbed and regraded area consisted of about 69.55 acres, plus an additional 8.45 acres for haul road and drainage control. The regraded acreage was designated for Pasture/Hayland post-mining land use.

Methods of Investigation

Eighty vegetation height measurement points were established in a grid-like pattern for the purpose of plate meter height measurements. The points were plotted on site aerial photography to facilitate location of the points in the field. The number of measurement points is consistent with WVDEP guidance for the use of the pasture plate meter, which specifies at least 60 but not more than 200 height measurements (*Productivity and Ground Cover Success Standards*, September 2008). The regraded portion of the reclaimed permit area designated as pasture/Hayland and height measurement locations, plotted on a 2011 aerial photograph of the study area, are shown on **Figure 1** in **Appendix A**. An enlarged version of the aerial photograph was used to locate the measurement points in the field. Vegetation heights were measured on August 7, 2013.

Height measurements were recorded to the nearest inch on a tally sheet. Average forage mass was determined from average height measurements according to the following equation:

$$FM \text{ (tons/ac)} = 502 HT - 9.25 (HT)^2 / 2000 \quad (1)$$

Where FM = Forage Mass in tons/acre
 HT = Height in inches

The height (HT) value used in the above equation is the mean height as determined from an appropriate number of measurements with the pasture plate meter.

Results

Forage heights as determined with the pasture plate meter were recorded on tally sheets that are presented in **Appendix B**. Representative photographs of the revegetated areas are shown in **Appendix C**.

The average plate meter height at 80 measurement points on the unharvested Job 88 site was determined to be 11.49 inches. Therefore, vegetation growth would be considered successful based on height alone in the unharvested area. Forage mass calculations using the average height of 11.49 inches in Equation 1 above gives an average yield of 2.27 tons/acre for the unharvested area, which exceeds the 1.6 tons/acre success standard expressed in WVDEP guidance.

Conclusions and Recommendations

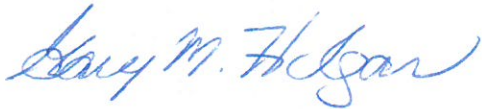
Site-specific height measurements with the pasture plate meter on regraded portions of the Job 88 Surface Mine in 2013 indicated that the vegetation cover is successful both on the basis of height (average height of 11.49 inches) and calculated forage mass (2.27 tons/acre).

It is our understanding that WVDEP presently requires two years of site-specific vegetation yield data prior to bond release. Therefore, a vegetation yield assessment study should be performed again in 2014 to provide the additional vegetation yield data needed to initiate bond release.

Please do not hesitate to contact us with any questions or comments you may have regarding this report or any of the data included herein.

Sincerely,

SURVEYOR & ASSOCIATES INC.



Gary M. Hilgar, PG, LRS
Senior Geologist

Attachments

Cc: Ryan Sweetwood

APPENDIX A

Measurement Point Locations



LEGEND	
●	Plate Meter Measurement Point
□	Regraded Area Designated As Pasture - Hayland

MFN: 13-530.DWG	
DRAWN BY: RS	CHECKED BY: GMH
DATE: 08-13-13	SCALE: 1"= 400'

FIGURE 1
2013 VEGETATION MEASUREMENT
POINT LOCATIONS
JOB 88
VINDEX ENERGY CORP.
PERMIT No. S-2007-89

SURVEYOR AND
ASSOCIATES, INC.
 119 EAST HIGH STREET
 KINGWOOD, WV 26537

APPENDIX B

Measurement Tally Sheets

Height Measurement Tally Sheet

Company: *Vindex Energy* Date: *8/7/13*
 Permit #: *Job 88 (5-2007-89)*

Height (in.)	Tally Marks	Total
1"		
2"		
3"		
4"		
5"		
6"		
7"	//	2
8"		5
9"		10
10"		11
11"		15
12"		12
13"		9
14"		8
15"	//	2
16"		5
17"		1
Totals	80 pts	919 inches
Avg HT = 11.49 inches		

APPENDIX C

2013 Site Photographs



Photograph # 1:
S view over S end of site near haul road.



Photograph # 2:
SW view from central portion of site.

**SURVEYOR &
ASSOCIATES INC.**

PROJECT NO: 13-530

Page 1 of 4

DATE: August 2013

CLIENT: Vindex Energy Corporation

PROJECT:

Job 88 Surface Mine
2013 Vegetation Evaluation



Photograph # 3:
NW view from central portion of site.



Photograph # 4:
W view over N end of site.

**SURVEYOR &
ASSOCIATES INC.**

PROJECT NO: 13-530

Page 2 of 4

DATE: August 2013

CLIENT: Vindex Energy Corporation

PROJECT:

Job 88 Surface Mine
2013 Vegetation Evaluation



Photograph # 5:
SW view from NE corner of site.



Photograph # 6:
SE view vicinity of site pond area.

**SURVEYOR &
ASSOCIATES INC.**

PROJECT NO: 13-530

Page 3 of 4

DATE: August 2013

CLIENT: Vindex Energy Corporation

PROJECT:

Job 88 Surface Mine
2013 Vegetation Evaluation



Photograph # 7:
S view over NW portion of site.



Photograph # 8:
S-SE view from NW portion of site.

**SURVEYOR &
ASSOCIATES INC.**

PROJECT NO: 13-530

Page 4 of 4

DATE: August 2013

CLIENT: Vindex Energy Corporation

PROJECT:

**Job 88 Surface Mine
2013 Vegetation Evaluation**



Applicant:	VINDEX ENERGY LLC	Type:	Phase 3 Release (Final) #2
Reference ID:	S-2007-89 Phase 2 and 3 Release (04/25/2017)	Permit ID:	S200789
eMaps: Maps and eMap Data Section			
Status	ERIS - Closed - Issued	Printed:	Jul. 27, 2017 11:52 AM

This section is to attach, where appropriate, the proposal, drainage, and subsidence control maps along with the eMap. Click the 'Attachments' button at the top right.

The eMap file is used by WVDEP to update the GIS database. It will prevent errors in representing the applicant's permit features that arise from manually georeferencing and digitizing scanned images of permit maps. It also will reduce misrepresentation due to data being out of date.

1. This file should contain a subset of features found on proposal/drainage and subsidence control plan maps.
2. A file is only required for actions that also require a proposal/drainage map, renewal/progress map, final map, or subsidence control plan map.
3. Applicants should use the available CAD templates for DWG files, or follow instructions for creating shapefiles or a personal geodatabase.

The eMap file for this application should conform to the WVDEP eMap standards as defined at the following location:
eMap Standards Requirements

WVDEP eMap AutoCAD Templates are available at the following locations:

Template files for North Zone
Template files for South Zone

A free dwg file viewer can be downloaded from the following location: (Click the "Download Now" button)

Free Autodesk DWG viewer

For any questions about the eMap file or standards, please contact:

Nick Schaer (Email: Nick.A.Schaer@wv.gov Phone: 304-926-0499 ext 1510)
Mike Shank (Email: Michael.C.Shank@wv.gov Phone: 304-926-0499 ext 1620)



Applicant: VINDEX ENERGY LLC
Facility: S-2007-89 Phase 2 and 3 Release (04/25/2017)

Type: Phase 3 Release (Final) #2
Permit: S200789

[Help](#) | [Comments](#) | [Close](#)

Action Description	Select file to upload	File name/ Upload date	Version	CBI?
eMap ONLY please		S-2007-89 Ph. 2.3 FINAL MAP_signed 5.1.17.pdf 05/01/2017	0	<input type="checkbox"/>
Proposal, drainage, and subsidence control maps			0	

[Help](#) | [Comments](#) | [Close](#)



Applicant: MET RESOURCES, LLC
Facility: Increment 1 (02/16/2017)

Type: Incremental Phase 1 Release #2
Permit: S401808

[Help](#) | [Comments](#) | [Close](#)

Action	Description	Select file to upload	File name/ Upload date	Version CBI?
	eMap ONLY please		Location Map.pdf 03/06/2017	0
	Proposal, drainage, and subsidence control maps	Final Map signed & Notarized	Final Map signed 2-28-17.PDF 04/12/2017	0
	Proposal, drainage, and subsidence control maps	[File was marked 'Not applicable']	04/12/2017	1
	Other	Approved Incremental Bond Map signed & Notarized	Incremental Bond Map signed.pdf 04/12/2017	0

[Help](#) | [Comments](#) | [Close](#)

Met Resources, LLC

P.O. Box 5064 Princeton, WV 24740

Attachment D-2
Incremental Bonding Map
McComas Surface Mine No. 1
Amendment # 1 S401808
NPDES WV1023870

LEGEND

-  Increment 1 - 69.00 ac.
-  Increment 2 - 16.72 ac.
-  Increment 3 - 35.00 ac.
-  Increment 4 - 35.00 ac.

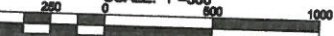
Total - 155.72 ac.

DATE: June 2015

DRAWN BY: JH

X:\met resources\401808\amendment # 1\cadd\incremental bonding.dwg

SCALE: 1"=500'



SHEET 1 OF 1

I, the undersigned, hereby certify that this map is correct and shows all the information, to the best of my knowledge and belief, required by the Surface Mining Laws of this State.


PE or PS

State of West Virginia
County of McDowell



Taken, subscribed and sworn to before me this 30 day of June 2015
My commission expires Oct 3, 2021


NOTARY PUBLIC

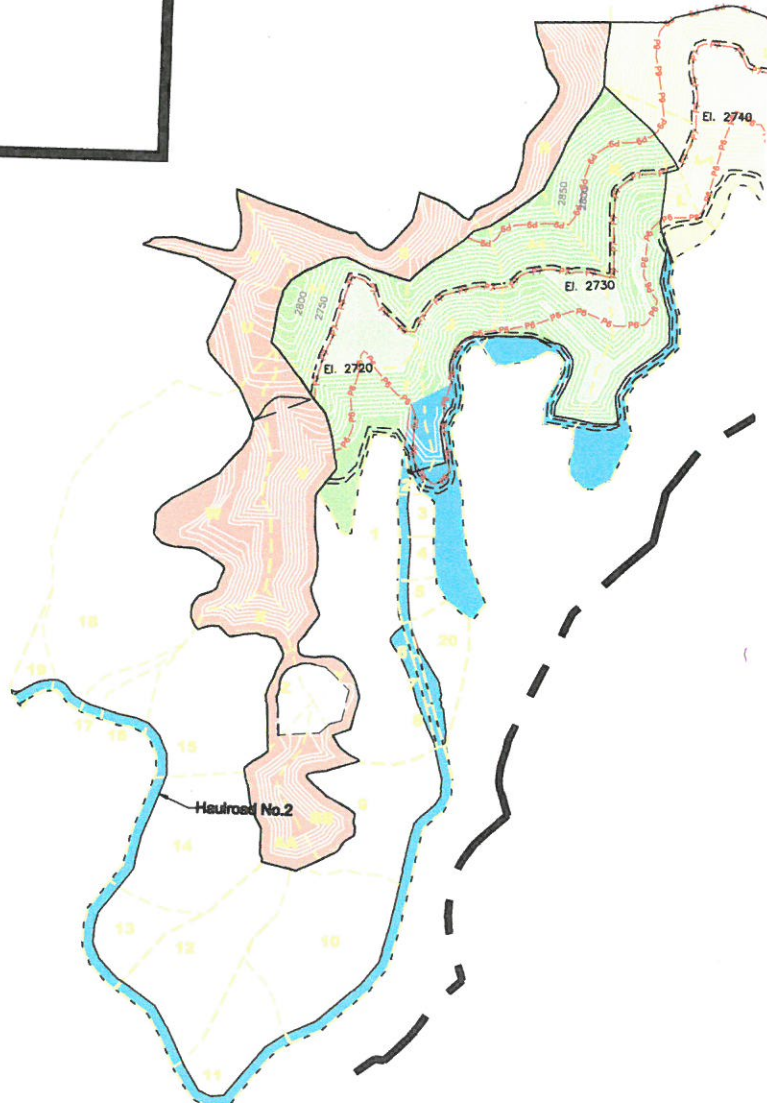


Map Prepared By:



TRUE LINE, INC.

P.O. BOX 65
THORPE, WV 24689
(204) 448-2118
Fax (204) 448-2328
Email: true1inc@true1inc.net



EXAMPLES

-----OF-----

BOND RELEASE

“OFFICE REVIEW”

COMMENTS

AND/OR

CORRECTIONS

RETURNED TO

COMPANY

05/31/2017 - Provide copy of notarized statement by the "permittee" [not the operator >> **[REDACTED]** that all applicable reclamation requirements specified in the permit have been completed.

Advertisement

05/31/2017 - Permittee should have/needs to start publication of Legal Ad. When received, include copy of Legal Ad --and-- Cert. of Publication.

Send Admin Corr

Send Tech Corr

Close

General Information

05/31/2017 - Include "up-to-date" information that supports "**[REDACTED]**" as the "Authorized Agent" for **[REDACTED]**.

Copies of Letters and Return Receipts

05/31/2017 - Provide copies of "original" notification letters and return receipts (green cards) sent to: • Current surface owners of record. • Adjoining property owners of record.* • Planning agencies.* • Sewage and water treatment authorities or companies.*

Copy of MR-12 (Request for Special Use)

05/31/2017 - [NOTE: Prior to Phase I Approval, All "Main and Internal Haul/Access Roads" must be abandoned, reclaimed and seeded according to the approved plan (See "Original Permit" Section Q = Attachment Q-1) ----or ---- obtain MR-12 (Request for Special Use) for landowner(s) to retain said roads --and/or-- drainage structures after Phase III (Final) Approval. [NOTE: Provide copy of approved MR-12 (Special Use Request) or use "Add" button on next menu item.....This will allow the Env. Inspector and Bond Release Representative to approve/sign said submitted MR-12.]

Copy of MR-13 (Certification of Drainage System)

05/31/2017 - 1.] Please include verification to validate that all of the "Final" Construction Certifications for the permanent drainage control, valley fills, flumes, etc. associated with this INCREMENT have been certified.....-----

Include Regrading X-Sections that show "before, proposed regrade and existing regrade" ground lines that represent this INCREMENT. Also, X-Sections must be @ the same locations as show on the Proposal/Drainage Map --and/or-- any update to the approved permit. Also, permittee "must" meet the "approved" PMLU for this permit/increment.

Final Map

05/31/2017 - The permittee/applicant must include/show the extent of "all" actual augering/highwall mining, approved auger limits, augering direction, etc. of "all" highwall/auger mining for every seam mined associated with this increment. [NOTE: "All" submitted e-release maps must be signed by R.P.E. and notarized. Also, Include copy of "approved" Incremental Bonding Map in this section.]

Notarized Statement

conjunction with it. The records must demonstrate that the average annual productivity for the property is equal to at least 1.6 tons of hay per acre

Copy of MR-13 (Certification of Drainage System)

06/06/2017 - 1.] Please include verification to validate that all of the "Final" Construction Certifications for the permanent drainage control, valley fills, flumes, etc. associated with this INCREMENT have been certified.....

Include Regrading X-Sections that show "before, proposed regrade and existing regrade" ground lines that represent this INCREMENT. Also, X-Sections must be @ the same locations as show on the Proposal/Drainage Map --and/or-- any update to the approved permit. Also, permittee "must" meet the "approved" PMLU for this permit/increment.

Copy of MR-8 (Final Planting Report)

06/05/2017 - Due to the complexity of the approved planting plan (Revision No.11 - Approved: 12/4/2013), permittee needs to obtain confirmation w/information that said approved planting plan has been followed and "all" aspects (i.e., planting design, standards for success, maintenance schedule and performance standards) of the mentioned planting plan has been achieved.

Current Surface Owners

06/05/2017 - "Current Surface Owners" submitted doesn't match the "Current Surface Owners" on Increment No. 1 Phase III Final Map.....Please review and correct. [NOTE: If "Current Surface Owners" don't match, permittee "must" notify the correct surface owners.]

Copies of Letters and Return Receipts

06/02/2017 - Provide copies of Notification Letters and Return Receipts (Green Cards) sent to: • Current surface owners of record. • Adjoining property owners of record.* • Planning agencies.* • Sewage and water treatment authorities or companies.* [NOTE: Permittee "MUST" provide evidence (Green Cards) that "all" required notifications for this increment were received. This means that all notification "must" be delivered and permittee "must" exhaust all effort (i.e., County Courthouse Research, Hand Delivery, etc.) of making sure said notifications was achieved. [NOTE: Returned Mail/Envelope (i.e., Return to Sender, Not Deliverable As Addressed, Unable to Forward, etc.) does "not" meet the requirements --and/or-- exceptable for "notification for any phase release application. This matter/issue is the responsibility of the permittee --and-- needs to be resolved before this release request can be approved.]

Copy of MR-12 (Request for Special Use)

06/05/2017 - Obtain MR-12 (Request for Special Use) for landowner(s) to retain said roads --and/or-- drainage structures after Phase III (Final) Approval. [NOTE: Provide copy of signed (by Inspector & Bond Release Representative)/approved MR-12 (Special Use Request) --or-- use "Add" button on next menu item.....This will allow the Env. Inspector and Bond Release Representative to approve/sign said submitted MR-12. [Note: Permittee might want to use/upload the MR-12 information that was included in the "WITHDRAWN" Incremental Phase 3 that was submitted on 8/27/2013.]

Final Map

06/05/2017 - [NOTE: "All" submitted e-release maps must be signed by R.P.E. and notarized. Also, Include copy of "approved" Incremental Bonding Map in this section.]

General Information

06/05/2017 - As per WV Reg. 38-2-9.3.f., "For areas areas to be developed for hayland or pasture land, the operator shall achieve at least a ninety (90) percent ground cover and a productivity level as set forth by the Secretary during any two (2) years of the responsibility period except for the first year.....Please provide two years of productivity records based on hay and/or cattle production for this permit and any permit managed in

Current Surface Owners

07/05/2017 - Please provide updated address for landowners [REDACTED]. WVDEP Landowner notification was returned 07/03/17 stating " Moved left no address" and "Unable to forward".

Copies of Letters and Return Receipts

07/10/2017 - Provide copies of letters and return receipts (GREEN CARDS) sent to: • Current surface owners of record. • Adjoining property owners of record. • Planning agencies. • Sewage and water treatment authorities or companies.*

MR-7-AD: Advertisement

07/10/2017 - When received, provide copy of Legal Ad --and-- Cert. of Publication.

Raw Water History

07/10/2017 - Provide information (dates) when Sediment Channel No.1, Cells 1-6 were eliminated/removed. [Also, provide approved/signed copies with raw water information of MR-13R's for the above mentioned drainage structures.]

Copies of Letters and Return Receipts

06/16/2017 - Provide copies of Notification Letters and Return Receipts (Green Cards) sent to: • Current surface owners of record. • Adjoining property owners of record.* • Planning agencies.* • Sewage and water treatment authorities or companies.* [NOTE: Permittee "MUST" provide evidence (Green Cards) that "all" required notifications for this increment were received. This means that all notification "must" be delivered and permittee "must" exhaust all effort (i.e., County Courthouse Research, Hand Delivery, etc.) of making sure said notifications was achieved. [NOTE: Returned Mail/Envelope (i.e., Return to Sender, Not Deliverable As Addressed, Unable to Forward, etc.) does "not" meet the requirements --and/or-- exceptable for "notification for any phase release application. This matter/issue is the responsibility of the permittee --and-- needs to be resolved before this release request can be approved.]

General Information

06/22/2017 - Upon my review it was found that the PMLU is not currently being met for Phase 3 Release. The PMLU of this permit is "Residential". According to the original permit, Section "N" - Attachment N.1.B. - Page 170.1 - Item No. 9 . "Upon completion of mining, regarding and satisfactory completion of revegetation is established, Pond A will be filled in as the site is regraded to A.O.C. The house will then be returned to a new foundation on the reclaimed site, so as to conform to the desired post-mining land use, which is "residential."" As a result of this, the application will need to be withdrawn. There are a few options on how to proceed. 1)You may either apply for Phase 2 release after withdrawing this application, at which point you could do the required work for the house foundation and then apply for Phase 3 release. 2) You may seek a permit revision after withdrawing this application to change the PMLU to something such as hay land/pasture. However you would need to provide at a minimum two years of productivity reports. If this data is available from past years then this may be a more favorable route.

06/28/2017 -

SECOND NOTICE: Although, as of this day, Revision No. 1 (PUMA) has been submitted (5/12/2017), reviewed and was returned back to permittee w/ comments on 5/18/2017. Permittee must diligently pursue approval of Revision No. 1 (PUMA). Therefore, again, As per PUMA Policy Clarification (6/13/2016), "All underground mine permits must be evaluated to determine the need for a PUMA, with such determination documented in the permit record." Therefore, within 30 days of the completion of underground mining operations [inspector should have notified the company/permittee via MR-6 (inspection report) of the said PUMA revision], the permittee shall submit --and--obtain approval of a DEEP MINE ABANDONMENT PLAN in the form

Copy of MR-12 (Request for Special Use)

05/26/2017 - THIRD REQUEST>>>>> When received.....Include/Provide a copy of signed/approved MR-12 (Special Use Request) or use "Add" button on next menu item.....***This will allow the Env. Inspector and Bond Release Representative to approve/sign said submitted MR-12.*** [NOTE: "ONLY" Resubmit this "Incremental Bond Release Request" when this comment has been resolved/corrected.]

Copy of MR-12 (Request for Special Use)

07/17/2017 - Permittee needs remove uploaded MR-12's for this Phase 3 application -- and-- just include a copy of the approved MR-12's. [See Phase 1 & 2 Bond Release Application (Approved: 7/26/2016) for said copy of "approved" MR-12's (5).]

Notarized Statement

07/17/2017 - Permittee needs to provide a "Notarized Statement" for this Phase 3 Bond Release Request. (NOTE: The submitted "Notarized Statement" was for the "approved" Phase 1 & 2 Release Application So remove and replace with the correct "Notarized statement".

Guidelines

07/17/2017 - As per " BASIC BOND RELEASE APPLICATION REQUIREMENTS", Legal Advertisement must be included in "all" Phase 1, 2, 3, Quarry and Incremental Phase 1,2, & 3 Bond Release Applications.

General Information

07/17/2017 - Include a copy of the "Approved" MR-8's (Trees and Grasses - Final Planting Report).

MR-12: Request for Special Use

- 07/17/2017 - See MR-12 Comment.....
- 07/17/2017 - See MR-12 Comment.....
- 07/17/2017 - See MR-12 Comment.....
- 07/17/2017 - See MR-12 Comment.....
- 07/17/2017 - See MR-12 Comment.....
- 07/17/2017 - See MR-12 Comment.....

<input type="checkbox"/> Send Admin Corr	<input type="checkbox"/> Send Tech Corr	Close
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of an Article 3 permit revision. {NOTE: The permittee will "NOT" obtain APPROVAL of this Phase 3 Bond Release Request until this PUMA matter has been resolved.} If you have any questions on this PUMA matter/issue, please contact your I&E Inspector --and/or-- his Supervisor. [NOTE: Permittee has 7 days to "Withdraw --or-- this bond release request will be "DENIED".]

MR-7-AD: Advertisement

06/28/2017 - Permittee should have/needs to start publication of Legal Ad. When received, include copy of Legal Ad --and-- Cert. of Publication.

Raw Water History

06/28/2017 - Provide a copy of the "approved" MR-13R for "Excavated Sediment Pond A" w/ 12 months of raw water analyzed as per the existing NPDES effluent limits during the time of removal/elimination of said drainage structure. [NOTE: Although, Selenium (Se), Hardness and Total Settleable Solids are "Report Only", raw water samples must be collected, analyzed and reported for these "mentioned" NPDES parameters.]

Copy of MR-8 (Final Planting Report)

06/28/2017 - Include/Provide a copy of signed/approved by Inspector & Bond Release Specialist MR-8 (Final Planting Report) or use "Add" button on next menu item....***This will allow the Env. Inspector and Bond Release Representative to approve/sign said submitted MR-8.***

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06/06/2017 - Permittee should have started the publication of the Legal Ad upon the submittal of this Incremental Phase 1 Bond Release Request. When received, include copy of the Legal Ad --and-- Certificate of Publication.

Copies of Letters and Return Receipts

06/06/2017 - Provide copies of the "actual" notification letters and return receipts (Green Cards) sent to: • Current surface owners of record. • Adjoining property owners of record.* • Planning agencies.* • Sewage and water treatment authorities or companies.* [JUST A REMINDER: Permittee "MUST" provide evidence (Green Cards) that "all" required notifications were received. This means that the permittee "must" exhaust all effort (i.e., County Courthouse Research, Hand Delivery, etc.) of making sure said notifications was achieved. [NOTE: Returned Mail/Envelope (i.e., Return to Sender, Not Deliverable As Addressed, Unable to Forward, etc.) does "not" meet the requirements --and/or-- acceptable for "notification for any phase release application. This type of matter/issue needs to be resolved before any release request can be approved.]

Copy of MR-12 (Request for Special Use)

06/06/2017 - [NOTE: Prior to Phase I Approval, All "Main and Internal Haul/Access Roads" "must" be abandoned, reclaimed and seeded according to the approved plan (See "Original Permit" Section Q = Attachment Q-1) ----or ---- obtain MR-12 (Request for Special Use) for landowner(s) to retain said roads -- and/or-- drainage structures after Phase III (Final) Approval. [NOTE: Provide copy of approved MR-12 (Special Use Request) or use "Add" button on next menu item.....This will allow the Env. Inspector and Bond Release Representative to approve/sign said submitted MR-12.]

General Information

06/06/2017 - As per WV Reg. 38-2-12.2.c., the Secretary may not release all or part of the bond for the permit or increment thereof in accordance with the following schedule if violations (N.O.V. [REDACTED]) exist relative to the permitted site. Also, this matter/issue "must" be resolved before any further review (office/field) can occur that pertains to the incremental Phase 1 bond release application. [NOTE: Permittee has 7 days from the receipt of this comment to either "Withdraw" this release application --and/or-- the release could possibly be "Denied".]

Advertisement

https://apps.dep.wv.gov/webapp/_dep/securearea/application/sendMail.cfm

6/6/2017

https://apps.dep.wv.gov/webapp/_dep/securearea/application/sendMail.cfm

6/6/2017

eMaps: Maps and eMap Data Section

07/12/2017 - Move submitted FINAL MAP in this section to the " Final Map Section".

Final Map

07/12/2017 - Move submitted FINAL MAP in this section to the " eMaps: Maps and eMap Data Section".

Copy of MR-13 (Certification of Drainage System)

07/12/2017 - Provide map --and/or-- drawing to show location(s) of mine seals (dry & wet).

Final Map

07/12/2017 - Show/color all associated drainage system info (i.e., discharge points, structure w/ name, show how runoff is being lowered across the regraded/reclaimed area, etc.)

Raw Water Data

07/12/2017 - What NPDES [REDACTED] Outlets --and-- Drainage Structures were/are associated with this permit? Provide information.....

General Information

07/14/2017 - Include signed copy of MR-7 Form.

Final Map

07/14/2017 - Please remove submitted "Final Map" if no revisions or changes has occurred since Phase 1 Approval (12/5/2014).

Guidelines

07/14/2017 - As per " BASIC BOND RELEASE APPLICATION REQUIREMENTS", Legal Advertisement must be included in Phase 1, 2, 3, Quarry and "all" Incremental Phase 1,2, & 3 Bond Release Applications.

Notarized Statement

07/14/2017 - Provide a "Notarized Statement" that reflects the "new" request for a Phase 2 & 3 Release -- not -- Phase 1 Release since it was approved on 12/5/2014.

Copy of MR-13 (Certification of Drainage System)

07/14/2017 - It has been determined by information obtained from present Environmental Inspector, past MR-6 Inspection Reports and "Google Earth" Imagery that Pond No. 1 (Outlet 001) and Pond No. 2 (Outlet 004) was "not" eliminated/removed until June 2016. Therefore, as per WV Reg. 38-2-5.4.h., this permit/operation will "not" be eligible for Phase 3 (Final) Release until June 1st., 2018. [NOTE: Permittee should consider "Withdraw" of this Phase 2 & 3 Bond Release Request Application, complete/correct "all" comments and resubmit on -or- after June 1st., 2018. Also, permittee should think about submitting a NPDES Modification to delete outlets (001 & 004).....just a suggestion!]

Copies of Letters and Return Receipts

07/14/2017 - Provide copies of actual/signed (Phase 2 & 3) notification letters and return receipts (Green Cards) sent to: • Current surface owners of record. • Adjoining property owners of record.* • Planning agencies.* • Sewage and water treatment authorities or companies.* [NOTE: Obtain this information and include with resubmittal.]

Copy of MR-8 (Final Planting Report)

07/14/2017 -Include/Provide a copy of signed by Env. Inspector --and-- Bond Release Specialist/approved MR- (Final Planting Report) for trees or use "Add" button on next menu item....***This will allow the Env. Inspector and Bond Release Representative to approve/sign said submitted MR-8's.*** [NOTE: See "Original/Approved" Permit Application Attachment O-9 Item G (Trees and Shrub Planting)>>>Permittee must followed the "Approved" Planting Plan. The present submitted MR-8 shows that "Dogwood and Redbud" was planted for the "Trees and Shrub Planting which was not the approved -nor- mentioned tree or shrub to be planted @ this site.....Please

explain -and/or- include if any tree and shrub species were planted on the submitted MR-8 (Final Planting Report).]

Raw Water History

07/14/2017 - Permittee "must" submit one year (12 months) of raw samples (within the last twelve (12) months for each outlet (001 & 004) associated with this permit. [Also, Permittee "must" include (signed/approved) information from the Environmental Inspector to confirm "NO FLOW" at any outlets associated with this permit.]

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QUESTIONS ????????