

FEB 18 2020

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To whom it may concern,

We are residents of Race Fork Rd., and nearby areas in the vicinity of Hurley, VA. We are writing to inform you of problems associated with permit #1101995 operated by Clintwood JOD LLC.

Coal trucks hauling off of this permit regularly track an excessive amount of mud and dust onto Race Fork Rd. These trucks appear to be routinely overloaded, and are sometimes not tarped. Often, coal trucks are going too fast, and/or driving in the middle of our narrow road, making it unsafe for us to drive on the only road in and out of our community. In early December, two trucks had a collision on Race Fork Rd., near the intersection with Ira Hurley Rd. Luckily, this collision was minor enough that no one was hurt.

In hot, dry weather, the mud dries up and becomes dust, which is stirred up by every passing vehicle, making it impossible for us to do anything outside our homes without getting dust in our eyes, and breathing it into our lungs.

Clintwood JOD LLC's sweeper truck on Race Fork Rd is not functioning properly. Specifically, the sucking mechanism is either very weak, or not working at all, causing the truck to just stir up a big cloud of dust behind it. This gets so bad that it can be difficult to see the sweeper truck at all. At one point, this even resulted in a motorist who was unable to see the sweeper truck running into the back of it.

While the maintenance and upkeep of the public road is not under the authority of the DMME, enforcement of the air pollution control plan associated with permit #1101995 is. According to this portion of the permit,

General measures to suppress fugitive dust associated with existing haul roads on 1101995 include road surfacing (stone) and watering. These general measures will be employed during wet weather for road surfacing and dry weather for watering. Additional measures will be employed if fugitive dust generation becomes a problem. The specific measures which would be taken will depend on the nature and magnitude of the problem.

Clintwood JOD is not adhering to this Air Pollution Control Plan in two ways:

- First, the permittee is not properly surfacing its haul roads. Though some portions of the haul roads that directly connect to Race Fork Rd. were surfaced with gravel after DMME issued a haul road maintenance violation to the permittee in December, coal trucks must leave these gravel surfaces and drive across bare, disturbed earth to where coal is being removed, causing the trucks to become caked with the mud which then tracks into our community. All portions of the haul roads must be surfaced with gravel, and properly maintained.

Additionally, the permittee ought to construct a paved pad at the top of one or more of the existing haul roads, and use this as an on-permit stockpile area, so



that coal trucks are able to load up without having to drive across areas where they become caked with mud.

- Second, it is clear that fugitive dust associated with permit #1101995 has become a problem. Therefore, the Air Pollution Control Plan requires that the permittee take additional measures to address the situation. It is within the power of the DMME to direct what specific measures must be taken. At the very least, the permittee should be required to utilize a minimum of two properly functioning sweeper trucks to reduce hazards to the residents of Race Fork Rd.

Please consider this letter as a formal complaint and request for a citizen inspection of permit #1101995, and respond directly to Mike Ashby to let us know what actions the DMME plans to take on these issues. We would like for Mike Ashby, accompanied by Willie Dodson or another representative of Appalachian Voices, to participate in the citizen inspection.

Thanks very much,

- Petition -

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