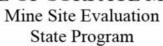


U.S. DEPT. OF THE INTERIOR OFFICE OF SURFACE MINING





9. Permit Numl S-4013-01 11. Field Visit 11/29/2024 mm - dd - yyyy 14. Permit Stat	Date 12. Purpose OSEF	10. Permit Type PP 13. SRA Present N
11/29/2024 mm - dd - yyyy 14. Permit Stat	OSEF	
11/29/2024 mm - dd - yyyy 14. Permit Stat	OSEF	
nm - dd - уууу 14. Permit Stat	tus 15. Site Status	
T. C. S. S. J. S.	tus 15. Site Status	
IN		16. Facility Type
10.7 10.0 10.0	NM	A
17. OSM Offic	ce # 18. CCID #	19. Land Code
111		s
20. M.S.H.A. II	D# 21. State Abbrev.	22. County/Burrough
46-03404	WV	MCDOWELL
23. AVS Perm	nittee Entity ID Number	24. State Office
095019		Fayetteville
1.		5 77 - 1 81
	27. Reviewing Offi	cial:
nser		Flesher
		ature:
#570		ONE SECTION AND ADDRESS OF THE SECTION ADDRESS OF THE S
<u> </u>	1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -	DESINSTITE!
	Date: 12/10/2	2024
Permit	000 000 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	
	CCCitizen Complaint (initia	
OSM inspector at any t	The state of the s	ne site
energy of the second se	enancia de como como de labracione de la compansión de la compansión de la compansión de la compansión de la c	
s or not yet commenced	1.	
not reclaimed to Progra	m standards.	
		Program standards.
ng activity on cito, cito	NC Non City Visit, Chatter of	f aits and data-mined
d release.	Forfeiture Pending: The	RA is pursuing actions to
e RA has granted int to 30 CFR	FP revoke the permit, collect and/or reclamation of for	t the performance bond(s), related site is in progress.
	FR Forfeited and Reclaimed	J: Forfeiture reclamation
d area. For interim		doned site that is permitted bu
se. Phase II bond release	there is no bond. WC Wildcat: Coal mining an	d reclamation operations have
a.	or are taking place and t	the activity is not covered by
	the required permits from	n the RA.
xploration Permits	KGovernment Financed	Construction Exemption
otice of Intent to Explore		
Actiple to and 2/3		
	46-03404 23. AVS Perm 095019 #579 #579 #679 Permit OSM inspector at any the site without complete feiture: Bond forfeiture: not yet commenced Reclaimed Forfeiture: Forfeited licable: When site is under the site without completed and into 30 CFR Phase I bond release did area. For interimise. Phase II bond release did area. For interimise. Exploration Permits of the properties	27. Reviewing Offication 27. Reviewing Offication 27. Reviewing Offication 28. Signature 28. Date: 12/10/2 29. Date: 12/10/2 29. Date: 12/10/2 20. Citizen Complaint Reference Complaint (initian Coff Assistance) OSM inspector at any time during the review of the minute site without completing reclamation as defined in 30 offeiture: Bond forfeiture officially in process or complete sor not yet commenced. Reclaimed Forfeiture: Forfeited site where all bonds have treclaimed to Program standards. 28. Phase I bond release did area. For interim see. 29. Phase I bond release did area. For interim see. 20. Phase I bond release did area. For interim see. 20. Phase I bond release did area. For interim see. 21. Reviewing Offication Ferviewer 22. Reviewing Offication Ferviewer 23. Date: 12/10/2 24. Signature: Complaint Reference Complaint (initial Coff Assistance) 25. All surface and underground coal mining activities of the site without completed site where all bonds have been reclaimed to forfeiture: Forfeited site where all bonds have been reclaimed to forfeiture Pending: The Ferviewer Pending: The Ferviewer All surface and reclaimed to and/or reclamation of for Forfeiture Pending: The Ferviewer All surface and Reclaimed completed. 26. Som inspector at any time during the review of the minute driving the review of th

The Small Business and Agriculture Regulatory Enforcement Ombudsman and 10 Regional Fairness Boards were established to receive comments from small businesses about Federal agency enforcement actions. The Ombudsman will annually evaluate the enforcement activites and rate each agency's responsiveness to small business. If you are a small business (a business with 500 or fewer employees including those of affiliates) and wish to comment on the enforcement or compliance activities of OSM, call 1-888-REG-FAIR (1-888-734-3247).

Page 1

U.S. DEPT. OF THE INTERIOR OFFICE OF SURFACE MINING

Mine Site Evaluation

_ IRLUESTONE COAL CORP 1 18_4013_01 1 111/79/7074 1	te Program iation Page
---	---------------------------

28. Per Codes:1=Compliance, 2=Noncompliance, 3=N	formanc	e Stand	ard Categor	ies Previously Cit	ed, 7=Permit Defect
	energy and and a			H.	Subsidence Control Plan
A. Administrative	D. Backfilling			··· —	Subsidence Control I an
Mining within Valid Permit		Exposed Openings		I. Roads	
Mining within Bonded Area		Contemporaneous		1.	Road Construction
 Terms & Conditions of Permit 	3 A	Approximate Orig	inal Contour	2.	Certification
4 Liability Insurance	4 F	Iighwall Eliminat	ion	3.	
Ownership and Control	5. S	teep Slopes (incl	ides downslope)		Surfacing and Maintenance
Temporary Cessation			and Toxic Materials		Reclamation
7. AML Rec. Fees - Non-Respondent		stabilization (rills		1912-11	
8 AML Rec. Fees - Failure to Pay	-		and guines)	J. Signs &	& Markers
6 ANIL Rec. Fees - Failure to Pay	E. Excess Spor			1	_ Signs
B. Hydrologic Balance	1 F				Markers
Drainage Control	2I	Orainage Control		v	Distance Prohibitions
2 Inspections & Certifications	3 \$	Surface Stabilizati	on	K	Distance Fromotions
Siltation Structures		nspections & Cer		L. Revege	etation
Discharge Structures		57 19495-011		-	
5 Diversions	F. Coal Mine				_ Vegetative Cover
6 Effluent Limits		les/Impoundmen		2	Timing
 Ground Water Monitoring 		Drainage Control		M.	Postmining Land Use
Surface Water Monitoring		Surface Stabilizat	ion	-	
Drainage - Acid-Toxic Materials	3 1	Placement		N. Other	
10. Impoundments	4 1	Inspections & Cer	rtifications	General	
11. Stream Buffer Zones	5 1	Impounding Struc	etures	Performance Category	
11Sucain Barier Zones	G. Use of Exp	nlosives		Category	
C. Topsoil & Subsoil		Blaster Certificati	on		
1 Removal	2 - 1	Distance Prohibit	ons		
Substitute Materials		Distance Prohibit			
Storage and Protection		Blast Survey/Sche			
4 Redistribution	523	Warnings & Reco		8 <u></u> 8 . 18	
		Control of Advers	e Effects	3 3	1.5 (0)
Performance Standard Catego	ries	E.	Excess Spoil Disposal		(816/817.71-74)
30 CFR Counterparts		1	Placement		71(e)
A. Administrative		2.	Drainage Control		71(f)
Valid Permit Mining within Bonded Area	773.11 773.11	4.	Inspections & Certifications		71(g) 71(h)
3 Terms & Conditions of Permit	773 17	F.	Coal Mine Waste (Ref)	ase Piles/Impo	undments)816/817.81-84)
4. Liability Insurance 5. Ownership and Control 6. Temporary Cessation 842.	800.60	1.	Drainage Control		
6. Temporary Cessation ————————————————————————————————————	11(e) & 816/817.131	3.	Placement		83(c)
7. AML Rec. Fees Non-Respondent	870.15(b)	4	Immedians and Cartification		93(d)
7. AML Rec. Fees - Non-Respondent 8. AML Rec. Fees - Failure to Pay B. Hydrologic Balance		c ^{5.}	Impounding Structures		
1 Dramage Control		0.	Blaster Certification		(310/317.01-03)
Inspections & Certifications	49(a)(10)	2.	Distance Prohibitions		61(d)
Siltation Structures Discharge Structures	46 47	3.			62-64 66&68
5. Diversions — 6. Effluent Limits — — — — — — — — — — — — — — — — — — —	43	5.	Control of Adverse Effects		67
Effluent Limits Ground Water Monitoring	42	H.	Subsidence Control Pla	n	(817.121-122)
8. Surface Water Monitoring	41(c) 41(e)	I.	Roads		(816/817.150-151)
O Designate Asid Tomic Metarials	41/6	1.	Road Construction		150(c)
10. Impoundments 11. Stream Buffer Zones	49 57	3.	Drainage		150(b)-151(d)
C. Topsoil & Subsoil -	(816/817.22)	4.	Surfacing and Maintenance -		150(e)-151(d)
C. Topsoil & Subsoil — 1. Removal — 2. Substitute Materials.	22(a)	T 5.	Signs & Mankey		150(f) 816/817.11)
2 Character 1 Danta stient	22/-1	J.	Signs & Markers		
4. Redistribution	22(d)	2.	Markers		11(a),(b),&(c) 11(a),(b),(d),(e),&(f)
Storage and Protection Redistribution D.Backfilling & Grading Exposed Openings	-816/817.95-107)	K.	Distance Prohibitions		(761.11)
Exposed Openings	4,15,&823.11&21	L.	Revegetation		(816/817.111-116)
Approximate Original Contour	102(a)(1)	1.	Timing		111 & 116
4. Highwall Elimination	102(a)(2)	M.	Postmining Land Use		(816/817.133)
Highwall Elimination Steep Slopes (includes downslope) Handling of Acid & Toxic Materials	102(c)		=		
7. Stabilization (rills and gullies)	95(b)				

U.S. DEPT. OF THE INTERIOR OFFICE OF SURFACE MINING

Mine Site Evaluation

A. Specific State Law/Regulations Violated: WV Eq. H.2.28.4	Permittee/ Person BLUESTONE COAL CORP Permit Number S-4013-01 Field	ld Visit Date 11/29/2024 State Program Continuation Page
B. Description: WV DEP failure to identify patterns of violations. C. Performance Standard: AN D. Abated (Y/N): N Hydrology Encroachment Other L. Off: Site Impacts People Land Water Structures Blasting L. Off: Site Impacts People Land Water Structures Blasting L. Off: Site Impacts People Land Water Structures Blasting Stability L. Off: Site Impacts People Land Water Structures Blasting Stability L. Off: Site Impacts People Land Water Structures Blasting Stability L. Off: Site Impacts People Land Water Structures Blasting Stability L. Off: Site Impacts People Land Water Structures Blasting L. Off: Site Impacts People Land Water Structures Blasting L. Off: Site Impacts People Land Water Structures Blasting L. Off: Site Impacts People Land Water Structures Blasting L. Off: Site Impacts People Land Water Structures Blasting L. Off: Site Impacts People Land Water Structures Blasting L. Off: Site Impacts People Land Water Structures Blasting Stability L. Off: Site Impacts L. O	A Specific State Law/Regulations Violated: WV Pag 38 2 204	L. Off-Site Impacts
C. Performance Standard: AN D. Abated (Y/N): N Brytrology G. Optional: H. Any Off-Site Impacts (Y/N): N Other G. A. Specific State Law/Regulations Violated: WV Beg 38-3-20.64.1 B. Description: WV DEF Falue to revoke penus. A. Specific State Law/Regulations Violated: WV Beg 38-3-20.64.1 B. Description: WV DEF Falue to revoke penus. C. Performance Standard: AN D. Abated (Y/N): N Blasting G. Optional: H. Any Off-Site Impacts (Y/N): N Other G. Optional: H. Any Off-Site Impacts (Y/N): N Other G. Optional: WV Beg 38-3-20.34.1 B. Description: Penusine falue to show III.Co. C. Performance Standard: AN D. Abated (Y/N): N D. Abated (Y/N):	B. Description:	People Land Water Structures
E. OSM Action: 2 F. OSM Action Number: X24-111-579-003 Viol#: 01 A. Specific State Law/Regulations Violated: WV Reg 38-2-20-4.h.1 D. Osh Action: 2 F. OSM Action Number: X24-111-579-003 Viol#: 02 G. Optional: H. Any Off-Site Impacts (Y/N): N E. OSM Action: 2 F. OSM Action Number: X24-111-579-003 Viol#: 02 G. Optional: H. Any Off-Site Impacts (Y/N): N I. Latitude: 0372858 J. Longitude: 0612405 K. Elevation: D. Abated (Y/N): N Other D. Off-Site Impacts L. Off-Site Impacts People Land Water Structures Blasting Stability Hydrology Encroachment Other D. Othe		
G. Optional: I. Latitude: O372858 J. Longitude: D812405 K. Elevation: L. Off-Site Impacts People Land Water Structures Blasting G. Optional: I. Latitude: D372858 J. Longitude: E. OSM Action: L. Off-Site Impacts People Land Water Structures Blasting G. Optional: I. Latitude: D372858 J. Longitude: D4 Specific State Law/Regulations Violated: WV Reg 38-2-20.3 a B. Description: Penaltee foliuse to abuse BICOs. C. Performance Standard: AN D. Absted (Y/N): N Other L. Off-Site Impacts L. Off-Site Impacts People Land Water Structures Blasting G. Optional: L. Off-Site Impacts L. Off-Site Impacts People Land Water Structures Blasting H. Any Off-Site Impacts People Land Water Structures Blasting G. Optional: L. Off-Site Impacts People Land Water Structures Blasting G. Optional: L. Off-Site Impacts People Land Water Structures Blasting G. Optional: L. Off-Site Impacts People Land Water Structures Blasting G. Optional: L. Off-Site Impacts People Land Water Structures Blasting G. Optional: L. Off-Site Impacts People Land Water Structures Blasting G. Optional: A. Specific State Law/Regulations Violated: WV Reg 38-2-20.3 b B. Description: Penaltee foliuse to abuse FTACOs. Blasting G. Optional: A. Specific State Law/Regulations Violated: WV Reg 38-2-20.3 b People Land Water Structures Blasting G. Optional: A. Specific State Law/Regulations Violated: WV Reg 38-2-20.3 b People Land Water Structures Blasting G. Optional: A. Specific State Law/Regulations Violated: WV Reg 38-2-20.3 b People Land Water Structures Blasting G. Optional: A. Specific State Law/Regulations Violated: WV Reg 38-2-20.3 b People Land Water Structures Blasting G. Optional: A. Specific State Law/Regulations Violated: WV Reg 38-2-20.3 b People Land Water Structures Blasting G. Optional: A. Specific State Law/Regulations Violated: WV Reg 38-2-20.3 b People Land Water Structures Blasting G. Optional: A. Specific State Law/Regulations Violated: WV Reg 38-2-20.3 b Peop		Hydrology
A. Specific State Law/Regulations Violated: WV Reg 38-2-30.4 k.1 E. OSM Action: 2 F. OSM Action Number: X24-111-579-003 Viol#: 03 A. Specific State Law/Regulations Violated: WV Reg 38-2-20.3 a B. Description: Wy DEP False to revoke permit. C. Performance Standard: AN D. Abated (Y/N): N Blasting Stability Blaydrology Encroachment Other D. Abated (Y/N): N Other D. Abated (Y/N): N D. Abate		Encroachment
A. Specific State Law/Regulations Violated:		Other
B. Description: Wy DEP Failure to revoke permit. C. Performance Standard: E. OSM Action: 2 F. OSM Action Number: H. Any Off-Site Impacts (Y/N): N		L. Off-Site Impacts
C. Performance Standard: AN D. Abated (Y/N): N E. OSM Action: 2 F. OSM Action Number: X24-111-579-003 Viol#: 02 G. Optional: H. Any Off-Site Impacts (Y/N): N I. Latitude: 0372858 J. Longitude: WV Reg 38-2-20.3 x B. Description: Permittee failure to abate BICOs. C. Performance Standard: AN D. Abated (Y/N): N E. OSM Action: 2 F. OSM Action Number: X24-111-579-003 Viol#: 03 G. Optional: H. Any Off-Site Impacts (Y/N): N I. Latitude: 0372858 J. Longitude: WV Reg 38-2-20.3 x Blasting Stability Hydrology Encroachment Other D. Diff-Site Impacts People Land Water Structures Blasting Stability L. Off-Site Impacts People Land Water Structures Blasting Stability D. Diff-Site Impacts People Land Water Structures Blasting Stability D. Diff-Site Impacts People Land Water Structures L. Off-Site Impacts A Specific State Law/Regulations Violated: WV Reg 38-2-20.3 b B. Description: Permittee failure to abate FTACOs. C. Performance Standard: AN D. Abated (Y/N): N Blasting Stability D. Diff-Site Impacts People Land Water Structures Blasting Stability D. Diff-Site Impacts People Land Water Structures Blasting Stability D. Diff-Site Impacts People Land Water Structures Blasting Stability D. Diff-Site Impacts People Land Water Structures People Land Water Structures Blasting Stability D. Diff-Site Impacts People Land Water Structures People Land Water Str		People Land Water Structures
E. OSM Action: 2 F. OSM Action Number: X24-111-579-003 Viol#: 02 G. Optional: H. Any Off-Site Impacts (Y/N): N I. Latitude: 0372858 J. Longitude: 0812405 K. Elevation: A. Specific State Law/Regulations Violated: WV Reg 38-2-203.a B. Description: Permittee failure to abute IBCOs. C. Performance Standard: AN D. Abated (Y/N): N E. OSM Action: 2 F. OSM Action Number: X24-111-579-003 Viol#: 03 G. Optional: H. Any Off-Site Impacts (Y/N): N I. Latitude: 0372858 J. Longitude: 0812405 K. Elevation: A. Specific State Law/Regulations Violated: WV Reg 38-2-20.3.b B. Description: Permittee failure to abute FTACOs. C. Performance Standard: AN D. Abated (Y/N): N A. Specific State Law/Regulations Violated: WV Reg 38-2-20.3.b B. Description: Permittee failure to abute FTACOs. C. Performance Standard: AN D. Abated (Y/N): N E. OSM Action: 2 F. OSM Action Number: X24-111-579-003 Viol#: 04 H. Any Off-Site Impacts (Y/N): N E. OSM Action: 2 F. OSM Action Number: X24-111-579-003 Viol#: 04 H. Any Off-Site Impacts (Y/N): N E. OSM Action: 2 F. OSM Action Number: X24-111-579-003 Viol#: 04 H. Any Off-Site Impacts (Y/N): N Other D. Description: D. Descripti	WV DEP Failure to revoke permit.	Blasting
E. OSM Action: 2 F. OSM Action Number: X24-111-579-003 Viol#: 02 G. Optional: H. Any Off-Site Impacts (Y/N): N I. Latitude: 0372858 J. Longitude: 0812405 K. Elevation: A. Specific State Law/Regulations Violated: WV Reg 38-2-20.3 s B. Description: Permittee failure to abate IHCOs. C. Performance Standard: AN D. Abated (Y/N): N E. OSM Action: 2 F. OSM Action Number: X24-111-579-003 Viol#: 03 G. Optional: H. Any Off-Site Impacts (Y/N): N I. Latitude: 0372858 J. Longitude: 0812405 K. Elevation: A. Specific State Law/Regulations Violated: WV Reg 38-2-20.3 b B. Description: Permittee failure to abate FTACOs. C. Performance Standard: AN D. Abated (Y/N): N E. OSM Action: 2 F. OSM Action Number: X24-111-579-003 Viol#: 04 B. Description: Permittee failure to abate FTACOs. C. Performance Standard: AN D. Abated (Y/N): N E. OSM Action: 2 F. OSM Action Number: X24-111-579-003 Viol#: 04 B. Description: Permittee failure to abate FTACOs. C. Performance Standard: AN D. Abated (Y/N): N E. OSM Action: 2 F. OSM Action Number: X24-111-579-003 Viol#: 04 B. Description: Permittee failure to abate FTACOs. C. Performance Standard: AN D. Abated (Y/N): N E. OSM Action: 2 F. OSM Action Number: X24-111-579-003 Viol#: 04 B. Description: Permittee failure to abate FTACOs. C. Performance Standard: AN D. Abated (Y/N): N E. OSM Action: 2 F. OSM Action Number: X24-111-579-003 Viol#: 04 B. Description: Permittee failure to abate FTACOs. C. Performance Standard: AN D. Abated (Y/N): N E. OSM Action: 2 F. OSM Action Number: X24-111-579-003 Viol#: 04 B. Description: D. Abated (Y/N): N E. OSM Action: 2 F. OSM Action Number: X24-111-579-003 Viol#: 04 B. Description: D. Abated (Y/N): N B. Description: D.	C. Performance Standard: AN D. Abated (Y/N): N	Stability
G. Optional: I. Latitude: 0372858 J. Longitude: 0812405 K. Elevation: Other L. Off-Site Impacts Femilitee failure to abate FIACOs. D. Abated (Y/N): I. Latitude: 0372858 J. Longitude: O812405 K. Elevation: L. Off-Site Impacts Femilitee failure to abate FIACOs. L. Off-Site Impacts Femilitee failure to abate FIACOs. L. Off-Site Impacts L. Off-Site Impacts L. Off-Site Impacts Femilitee failure to abate FIACOs. C. Performance Standard: D. Abated (Y/N): N L. Off-Site Impacts Femilitee failure to abate FIACOs. C. Performance Standard: D. Abated (Y/N): N L. Off-Site Impacts Feople Land Water Structures Blasting Stability Hydrology Femilitee failure to abate FIACOs. C. Performance Standard: D. Abated (Y/N): N H. Any Off-Site Impacts (Y/N): N H. Any Off-Site Impacts (Y/N): N Coptional: H. Any Off-Site Impacts (Y/N): N H. Any Off-Site Impacts (Y/N): N Coptional: D. Abated (Y/N): N Coptional: H. Any Off-Site Impacts (Y/N): N Coptional: D. Abated (Y/N): N Coptional: D.	E. OSM Action: 2 F. OSM Action Number: X24-111-579-003 Viol#: 02	Hydrology
A. Specific State Law/Regulations Violated: WV Reg 38-2-20 3 a B. Description: Permittee failure to abate HCOs. C. Performance Standard: AN D. Abated (Y/N): N E. OSM Action: 2 F. OSM Action Number: X24-111-579-003 Viol#: 03 A. Specific State Law/Regulations Violated: WV Reg 38-2-20 3 b B. Description: Permittee failure to abate FTACOs. C. Performance Standard: AN D. Abated (Y/N): N I. Latitude: 0372858 J. Longitude: 0812405 K. Elevation: L. Off-Site Impacts H. Any Off-Site Impacts (Y/N): N C. Performance Standard: WV Reg 38-2-20 3 b People Land Water Structures Blasting Stability D. Other L. Off-Site Impacts L. Off-Site Impacts H. Any Off-Site Impacts People Land Water Structures Blasting Stability D. Other Hydrology Hydrology Hydrology D. Hydrology D. Abated (Y/N): N Hydrology D. Cher D. Other	G. Optional: H. Any Off-Site Impacts (Y/N): N	
A. Specific State Law/Regulations Violated: WV Reg 38-2-20.3.a B. Description: Permittee failure to abate IHCOs. C. Performance Standard: AN D. Abated (Y/N): N E. OSM Action: 2 F. OSM Action Number: X24-111-579-003 Viol#: 03 G. Optional: H. Any Off-Site Impacts (Y/N): N I. Latitude: 0372858 J. Longitude: 0812405 K. Elevation: A. Specific State Law/Regulations Violated: WV Reg 38-2-20.3.b People Land Water Structures Hydrology Hydrology Encroachment Other C. Performance Standard: WV Reg 38-2-20.3.b People Land Water Structures Blasting Stability L. Off-Site Impacts C. Performance Standard: WV Reg 38-2-20.3.b People Land Water Structures Blasting Stability Hydrology Encroachment Other C. Performance Standard: AN D. Abated (Y/N): N E. OSM Action: 2 F. OSM Action Number: X24-111-579-003 Viol#: 04 G. Optional: H. Any Off-Site Impacts (Y/N): N Other D. Other	I. Latitude: 0372858 J. Longitude: 0812405 K. Elevation:	Other
A. Specific State Law/Regulations Violated: WV Reg 38-2-20.3.a B. Description: Permittee failure to abate IHCOs. C. Performance Standard: AN D. Abated (Y/N): N E. OSM Action: 2 F. OSM Action Number: X24-111-579-003 Viol#: 03 G. Optional: H. Any Off-Site Impacts (Y/N): N I. Latitude: 0372858 J. Longitude: 0812405 K. Elevation: A. Specific State Law/Regulations Violated: WV Reg 38-2-20.3.b People Land Water Structures Hydrology Hydrology Encroachment Other C. Performance Standard: WV Reg 38-2-20.3.b People Land Water Structures Blasting Stability L. Off-Site Impacts C. Performance Standard: WV Reg 38-2-20.3.b People Land Water Structures Blasting Stability Hydrology Encroachment Other C. Performance Standard: AN D. Abated (Y/N): N E. OSM Action: 2 F. OSM Action Number: X24-111-579-003 Viol#: 04 G. Optional: H. Any Off-Site Impacts (Y/N): N Other D. Other		L. Off-Site Impacts
C. Performance Standard: AN D. Abated (Y/N): N E. OSM Action: 2 F. OSM Action Number: X24-111-579-003 Viol#: 03 G. Optional: H. Any Off-Site Impacts (Y/N): N I. Latitude: 0372858 J. Longitude: 0812405 K. Elevation: A. Specific State Law/Regulations Violated: WV Reg 38-2-20.3.b Blasting Stability Hydrology Encroachment Other C. Performance Standard: WV Reg 38-2-20.3.b People Land Water Structures Blasting Stability Hydrology Encroachment Description: Permittee failure to abate FTACOs. C. Performance Standard: AN D. Abated (Y/N): N E. OSM Action: 2 F. OSM Action Number: X24-111-579-003 Viol#: 04 G. Optional: H. Any Off-Site Impacts (Y/N): N Other Description: Other	Services Assistance	11 11. 11. 11. 11. 11. 11. 11. 11. 11
E. OSM Action: 2 F. OSM Action Number: X24-111-579-003 Viol#: 03 G. Optional: H. Any Off-Site Impacts (Y/N): N 1. Latitude: 0372858 J. Longitude: 0812405 K. Elevation: A. Specific State Law/Regulations Violated: WV Reg 38-2-20.3.b B. Description: Permittee failure to abate FTACOs. C. Performance Standard: AN D. Abated (Y/N): N E. OSM Action: 2 F. OSM Action Number: X24-111-579-003 Viol#: 04 G. Optional: H. Any Off-Site Impacts (Y/N): N Cher Characteristics of the properties of the prop	B. Description: Permittee failure to abate IHCOs.	Blasting
E. OSM Action: 2 F. OSM Action Number: X24-111-579-003 Viol#: 03 G. Optional: H. Any Off-Site Impacts (Y/N): N I. Latitude: 0372858 J. Longitude: 0812405 K. Elevation: A. Specific State Law/Regulations Violated: WV Reg 38-2-20.3.b B. Description: Permittee failure to abate FTACOs. C. Performance Standard: AN D. Abated (Y/N): N E. OSM Action: 2 F. OSM Action Number: X24-111-579-003 Viol#: 04 G. Optional: H. Any Off-Site Impacts (Y/N): N Hydrology Encroachment Stability Stability Hydrology Encroachment Other Hydrology Encroachment Other Other Other Other	C. Performance Standard: AN D. Abated (Y/N): N	Stability
G. Optional: I. Latitude: 0372858 J. Longitude: 0812405 K. Elevation: A. Specific State Law/Regulations Violated: WV Reg 38-2-20.3.b B. Description: Permittee failure to abate FTACOs. C. Performance Standard: AN D. Abated (Y/N): N E. OSM Action: 2 F. OSM Action Number: X24-111-579-003 Viol#: 04 G. Optional: H. Any Off-Site Impacts (Y/N): N Other Hydrology Hydrology Encroachment Other Hydrology Encroachment Other Other		Hydrology
I. Latitude: 0372858 J. Longitude: 0812405 K. Elevation: A. Specific State Law/Regulations Violated: WV Reg 38-2-20.3.b B. Description: Permittee failure to abate FTACOs. C. Performance Standard: AN D. Abated (Y/N): N E. OSM Action: 2 F. OSM Action Number: X24-111-579-003 Viol#: 04 G. Optional: H. Any Off-Site Impacts (Y/N): N Other L. Off-Site Impacts Feople Land Water Structures Blasting Stability Hydrology Hydrology Encroachment Fine Troachment Description: Proceedings of the process		Encroachment
A. Specific State Law/Regulations Violated: WV Reg 38-2-20.3.b B. Description: Permittee failure to abate FTACOs. C. Performance Standard: AN D. Abated (Y/N): N E. OSM Action: 2 F. OSM Action Number: X24-111-579-003 Viol#: 04 G. Optional: H. Any Off-Site Impacts (Y/N): N Other Other		Other
B. Description: Permittee failure to abate FTACOs. C. Performance Standard: AN D. Abated (Y/N): N E. OSM Action: 2 F. OSM Action Number: X24-111-579-003 Viol#: H. Any Off-Site Impacts (Y/N): N Other Other		L. Off-Site Impacts
C. Performance Standard: AN D. Abated (Y/N): N E. OSM Action: 2 F. OSM Action Number: X24-111-579-003 Viol#: O4 H. Any Off-Site Impacts (Y/N): N Other		People Land Water Structures
E. OSM Action: 2 F. OSM Action Number: X24-111-579-003 Viol#: 04 G. Optional: H. Any Off-Site Impacts (Y/N): N Other Other	Permittee failure to abate FTACOs.	Blasting
E. OSM Action: 2 F. OSM Action Number: X24-111-579-003 Viol#: 04 G. Optional: H. Any Off-Site Impacts (Y/N): N Other Other	C. Performance Standard: AN D. Abated (Y/N): N	
G. Optional: H. Any Off-Site Impacts (Y/N): N Other	E. OSM Action: 2 F. OSM Action Number: X24-111-579-003 Viol#: 04	
	G. Optional: H. Any Off-Site Impacts (Y/N): N	
	I. Latitude: 0372858 J. Longitude: 0812405 K. Elevation:	

1) Deferred to State Action
2) TDN Issued
3) NOV Issued
3) NOV Issued
4) FTA-CO Issued
5) IH-CO Issued
6) ID-CO Issued (Imminent Danger to Public)
7) Previously cited by RA, abatement pending
9) Abated during or before OSM inspection
9) Follow-up of Federal Action
0) Off-site impact with no violation

Off-Site Impacts

For each type of impact and resource affected, enter
"N, D, or J" to describe the degree of off-site impact:

N - Minor Occurrence
D - Moderate Occurrence
J - Major Occurrence

Page 3 of 3 Revised October 1, 2010



U.S. DEPT. OF THE INTERIOR OFFICE OF SURFACE MINING Mine Site Evaluation



Permit: \$401301

Permittee: Bluestone Coal Corporation

Inspection Dates: 11/29/2024

Summary: This was an Oversight State Enforcement Follow-Up Inspection performed by James Kinser at the 39A Surface Mine in McDowell County, WV. No other personnel were present on inspection. Temperature was approximately 31 degrees, and the weather was scattered snowfall. No mining, reclamation, or violation abatement has occurred since my last inspection on 11/15/2024. No attempt to abate any of the on-ground violations listed below has been made by the company since the violations were issued.

Enforcement Federal Cessation Order C24-111-579-001 (Imminent Harm) was previously issued on 5/6/2024. The permittee was actively mining coal without a valid permit, as observed during inspection on 5/3/2024.

Nature of Violation: Permittee is engaging in surface mining activities without a valid permit which constitutes a condition or practice which causes or can reasonably be expected to cause significant imminent environmental harm to land, air, or water resources. A valid permit shall include a description of how, to the extent possible using the best technology currently available, the operator will minimize disturbances and adverse impacts on fish and wildlife and related environmental values, including compliance with the Endangered Species Act, during the surface coal mining and reclamation operations. This mining activity is in direct proximity to Pinnacle Creek of the Guyandotte River. Pinnacle Creek contains the endangered Guyandotte River Crayfish and its critical habitat. An operator shall not disturb any surface areas, succeeding increments or operations prior to acceptance by the regulatory authority of the required performance bond.

Abatement Action Required: Permittee shall submit a complete application for a mining permit and obtain a valid permit with the West Virginia Department of Environmental Protection.

Federal CO remains unabated. A renewal application had previously been submitted. The permittee has not responded to technical comments requested by WV DEP on 10/28/2024.

TDN X24-111-579-003:

Violation # 1: WVDEP failed to comply with WV Reg 38-2-20.4 by failing to promptly review, identify, and act on patterns of violations for the enforcement actions listed below issued by WVDEP within previous 12 months.

Violation # 2: WVDEP failed to comply with WV Reg 38-2-20.4.h.1. to revoke permit S401301 due to the company's failure to initiate abatement measures for FTACO's # 21, 24, 30, 31, 32, 37, 38, 39, 40, 41, 42, & 43 and IHCO's # 27, 33, & 44.

Violation #3: Bluestone Coal Corporation failed comply with WV Reg 38-2-20.3.a. by failing to abate IHCO #27, 33, and 44.

Violation # 4: Bluestone Coal Corporation failed comply with WV Reg 38-2-20.3.b. by failing to abate FTACO's # 21, 24, 30, 31, 32, 37, 38, 39, 40, 41, 42, and 43.

WV DEP Enforcement Actions:

- IHCO 44 Issued 11/27/2024 Drainage control on unreclaimed areas previously permitted as U401587 and U401687. Drainage control maintenance at Fill 3 and Ponds 1, 2, and 3.
- FTACO 43 (NOV 36) Issued 10/1/2024 Article 3 surface water and groundwater monitoring.
 - Abatement due 11/1/2024. Remains unabated.
- FTACO 42 (NOV 35) Issued 10/1/2024 Valley Fill Construction and Certification.
 - Abatement due 11/1/2024. Remains unabated.
- FTACO 41 (NOV 34) Issued 10/1/2024 Disturbing unpermitted area prior to submittal of bond.
 - Abatement due 11/1/2024. Remains unabated.
- FTACO 40 (NOV 29) Issued 10/1/2024 Backfill and Regrading.
 - Abatement due 11/1/2024. Remains unabated.
- FTACO 39 (NOV 26) Issued 10/1/2024 Expired NPDES Permit.
 - Abatement due 11/1/2024. Remains unabated.
- FTACO 38 (NOV 25) Issued 10/1/2024 Drainage control.
 - o Abatement due 11/1/2024. Remains unabated.
- FTACO 37 (NOV 23) Issued 10/1/2024 Pit water accumulation.
 - Abatement due 11/1/2024. Remains unabated.
- IHCO 33 Issued 6/17/2024 Offsite disturbance from erosion at Outlet 008.
 - Abatement due 7/17/2024. Remains unabated.
- FTACO 32 (NOV 19) Issued 5/30/2024 Diversion ditch maintenance.
 - Abatement due 6/29/2024. Remains unabated.
- FTACO 31 (NOV 17) Issued 5/30/2024 Sediment control structure maintenance.
 - Abatement due 6/29/2024. Remains unabated.
- FTACO 30 (NOV 18) Issued 5/30/2024 Drainage system construction certification.
 - Abatement due 6/29/2024. Remains unabated.
- IHCO 27 Issued 5/30/2024 Disturbing permitted area prior to submittal of bond.
 - o Abatement due 6/29/2024. Remains unabated.
- FTACO 24 (NOV 22) Issued 5/6/2024 Runoff from coal stockpile area.
 - Issued 5/6/2024. Abatement due 6/6/2024. Remains unabated.
- FTACO 21 (NOV 15) Issued 2/15/2024 Expired Article 3 Permit.
 - o Abatement due 3/18/2024. Remains unabated.



Figure 1 – Coal Stockpile Area



Figure 2 – Highwall at Doughnut Hole Area



Figure 3 - Last Mining Area

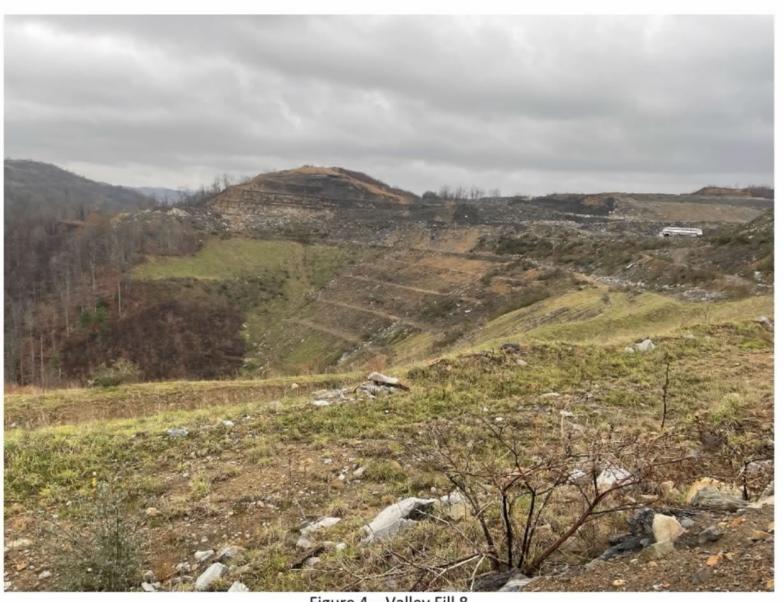


Figure 4 – Valley Fill 8



UNITED STATES DEPARTMENT OF THE INTERIOR	Originating Office:	Beckley Area Office	,		
Office of Surface Mining	US DOI, Office of Surface Mining 313 Harper Park Drive	2			
Reclamation and Enforcement		313 Harper Park Drive	-		
TEN-DAY NOTICE		Beckley, West Virginia 25801			
		2			
Number X24-111-579-003 TV 4	Telephone Number:	(304) 255-5265			
Tan Day Nation to the State of West Vinginia					
Ten-Day Notice to the State of West Virginia					
You are notified that, as a result of (e.g. a federal inspection, citizen information, etc.) the Secretary has reason to believe that the person described below is in violation of the Act or a permit condition required by the Act. If the State Regulatory Authority fails within ten days after receipt of this notice to take appropriate action to cause the violation(s) described herein to be corrected, or to show cause for such failure and transmit notice of your action to the Secretary through the originating office designated above, then a Federal inspection of the surface coal mining operation at which the alleged violation(s) is occurring will be conducted and appropriate enforcement action as required by Section 521 (a)(1) of the Act will be taken.					
Permittee: BLUESTONE COAL CORP	C	County: MCDOWELL	✓ Surface		
(Or Operator if No Permit)					
Mailing Address: 302 SOUTH JEFFERSON STREET,	, ROANOKE, VA 240	011	Underground		
Permit Number: S-4013-01 Mine Name: 39A	SURFACE MINE		✓ Other		
(Multiple Permits See Remarks)			·		
01 NATURE OF VIOLATION AND LOCATION:					
WV DEP failure to identify patterns of violations.					
Section of State Law, Regulation or Permit Condition believed to have been violated: 102 NATURE OF VIOLATION AND LOCATION: WV DEP Failure to revoke permit. Section of State Law, Regulation or Permit WV Reg 38-2-20.4.h.1					
	eved to have been viola				
03 NATURE OF VIOLATION AND LOCATION:					
Permittee failure to abate IHCOs.					
Section of State Law, Regulation or Permit WV Reg 38-2-20.3.a Condition believed to have been violated:					
Remarks or Recommendations:					
See Attached MSE.					
Date of Notice: 11/29/2024					
Signature of Authorized Representative: Qames Kinser					
160 20 92 30					
Page 1 of 2 Print Nan	ne and ID: James Kin	nser ID# 579			
			Revised July 8, 2024		

UNITED STATES DEPARTMENT OF THE INTERIOR Office of Surface Mining		Originating Office:	Beckley Area Office				
		NIERIOR	Originating Office.	US DOI, Office of Surface Mining			
		Reclamation and Enforcen				313 Harper Park Drive	
		TEN DAY NOTICE				Beckley, West Virginia 25801	
		TEN-DAY NOTICE					
	Number	X24-111-579-003	TV	4	Telephone Number:	(304) 255-5265	
	Ten-Day	Notice to the State of	Wes	st Virginia			
04	NATURE	OF VIOLATION AND LOCA	ATION	ī:			
	Permittee	failure to abate FTACOs.					
	1 et mittee	Tanure to abate I TACOs.					
					70 mm - 1920 - 1931 - 19		
	Section of State Law, Regulation or Permit WV Reg 38-2-20.3.b Condition believed to have been violated:						
\vdash	NATURE	OF VIOLATION AND LOCA	ATION	I:		-	
	miroid	or violation in b book	11101				
						F. (S)	
					te Law, Regulation or lieved to have been viol		
				Condition ber	leved to have been viol	ated.	
\vdash	NATURE OF VIOLATION AND LOCATION:						
	11110100	01 (102.11101(12.12.12.12.10.1					
					te Law, Regulation or l		
				Condition bel	ieved to have been viol	ated:	
	NATIDE	OF VIOLATION AND LOCA	ATION	Τ•			
	MATURE	OF VIOLATION AND LOCA	THON	٠.			
				Section of Sta	te Law, Regulation or l	Permit	
				Condition bel	ieved to have been viol	ated:	
	NATURE OF VIOLATION AND LOCATION:						
	NATURE	OF VIOLATION AND LOCA	ATION	V:			
					te Law, Regulation or l		
				Condition bel	ieved to have been viol	ated:	
	37477777	OPTION AMERICAN AND TO S	A TOTAL	*			
	NATURE	OF VIOLATION AND LOCA	ATTON	V:			

Section of State Law, Regulation or Permit Condition believed to have been violated:

Date of Notice: 11/29/2024

Page 2 of 2

Signature of Authorized Representative: James Kinser

Print Name and ID: James Kinser ID# 579

Revised July 8, 2024