

86 Monarch Road
Ranchester, WY 82839
January 23, 2017

Mr. Kyle Wendtland, Administrator
Department of Environmental Quality
Land Quality Division
200 West 17th Street
Cheyenne, WY 82002

Re: RAMACO Brook Mine

Dear Mr. Wendtland:

We would like to object to the issuance of a Permit To Mine for the RAMACO Brook Mine as it is currently described in the permit document on file with the Land Quality Division. Our families have lived in Monarch and Kooi for over 100 years. We are landowners within ½ mile of the permit boundary and have concerns about detrimental impacts to our property and operations that would result from the mining operation as currently described in the document. We believe that these concerns should be addressed before a Permit to Mine is issued.

The DEQ has previously received a document outlining deficiencies in the permit document prepared by me, John Buyok, on behalf of the Padlock Ranch as part of the hearing before the Environmental Quality Council and dated April 22, 2016. A copy of that document is attached to this letter. This letter is intended to expand on that document in regard to our particular situation with our property.

Our objections are as follows:

1. We're not sure what the mine plan is going to entail. The permit document with the DEQ Land Quality Division is for mining 2 million tons per year to begin with and then scaling up to ten million tons per year for most of the mining period. The Air Quality permit is only for 2 million tons per year. Mr. Atkins said in one interview reported in the press that they were going to be mining smaller amounts of metallurgical coal and using it in an industrial facility at Acme. He has also said in other interviews reported in the press that they will be mining relatively small amounts of coal and selling it on the local market. Obviously, we can't determine the potential effects of the mining on us and our property when the plans for the mine change every few months and have never been identified with clarity.
2. The list of affected properties within ½ mile of the permit boundary is incomplete. Our house and several of our outbuildings are located within ½ mile of the permit boundary, but are not listed. This is also true for some of our neighbors.

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3. We're concerned about the effects of blasting. The majority of our 844-acre property overlies the historic Old Monarch Mine and the Monarch 45 Mine and we have active subsidence occurring now. Blasting within about ½ mile of the old mine can only exacerbate the subsidence that is occurring. This is definitely a safety concern for us. I nearly lost a tractor three years ago in a subsidence hole that opened up as I drove across it. Another of the recent subsidence holes that opened up was about 10 feet in diameter at the surface, widened out to about 30 feet wide below the surface and was more than 25 feet deep. If a person or animal fell into one, they would be lucky to escape alive, particularly given the potential for toxic gases in the old mine. Subsidence in the past has also resulted in fires due to spontaneous combustion of the remaining coal after exposure to oxygen.

This is not only a concern to us personally. Our property is open year-round to the public as a Wyoming Game and Fish Walk-In Hunting Area. Since it is open to the public for hunting, we have also opened it up for non-motorized outdoor recreation such as snowshoeing, cross-country skiing, dog-walking, hiking, running, mountain-biking, and horseback riding. We have hundreds of people every year who use the property for recreation and we are concerned about their safety if additional subsidence occurs.

Also, the unconsolidated alluvium in the Tongue River Valley conducts vibrations very well. Until the railroad track was upgraded recently, dishes would rattle in our cupboards when a coal train went by on the tracks over a quarter mile away. We still have vibrations whenever a train passes by, but they're not quite as bad now. The alluvium will transmit seismic waves created by blasting at the proposed mine just as efficiently, so we are concerned about the integrity of our concrete foundations and water wells.

4. The groundwater modeling done for the permit document shows that our domestic well will be affected by mining by increasing drawdown in the well. We can't afford to have any increased drawdown because our well nearly went dry during the drought period in the early 2000's. We were pumping sediment from the bottom of the well in both 2001 and 2004. If the well goes dry, we don't have any other well options. We drilled down to 1,000 feet in two different locations when we were getting ready to build our home and couldn't find another aquifer. The water quality isn't very good in the coal seam in which our well is completed, but it can be treated with a water softener for general use and reverse osmosis for drinking water.

We also tried to dig shallow wells in the alluvium and the total dissolved solids (TDS) in them was even worse than in our domestic well, probably due to drainage from the old mines. Shallow wells also are subject to bacterial and chemical contamination. In addition, due to the clay in the alluvium, shallow alluvial wells in our area usually make less than 2 gallons per minute in output.

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Any impacts to our residential well would mean immediate hardship, only alleviated by the drilling of a new well of similar production and quality, which may not be possible based on our experience.

5. As stated in the attached document, the monitoring wells to assess impacts to alluvial water levels are in the wrong place and cannot be used to determine effects of mining on the alluvium. This is important to us because a portion of our land near the Tongue River is sub-irrigated. Drawdowns in the alluvium could affect the production of these valuable lands.
6. The permit document as currently configured appears to show that the majority of the coal mined will be loaded at or near the Taylor Quarry and hauled out by truck from the current Quarry access road. At ten million tons per year, a loaded truck and trailer with a pup will be going down the Frontage Road approximately every 1 minute and 50 seconds, 24 hours a day, 365 days a year. Unloaded trucks will be returning at the same rate so it will be a safety hazard for anyone else to use the Frontage Road, not to mention Interstate 90 or the Port of Entry.
7. We are concerned that the bonding for the mine will not be sufficient to address future impacts due to subsidence and to cover reclamation of the proposed pits and facilities. The bonding should be sufficient to cover damage to adjacent properties due to blasting at the mine. As discussed in the attached document, the subsidence control plan is very sketchy and is based on only two overburden strength samples. The Brook Mine only commits to monitoring for subsidence for six months and to mitigating subsidence through bond release. The other mines in the area are still subsiding even though some of them have been closed down for almost 100 years and the most recent that was in operation has been closed for 54 years.

We are also concerned that, due to the method of mining, it would be very easy for the operators to cheat and remove the coal that is required to be left to prevent subsidence. Damages would probably not show up until it was too late to recover the cost of mitigation.

8. Finally, we are concerned about whether we can trust the Brook Mine to be accountable for any of the damages to our property that do occur. So far, they have not been good neighbors. We had a coal fire that surfaced along the tramway track grade to the Old Monarch Mine in the early spring of 2014. It had the potential to be disastrous to us because it was located only about 100 yards from my sister's house and the prevailing winds were in the right direction to carry sparks from the burning coal on the surface into the dense vegetation along the Tongue River. We contacted the DEQ Abandoned Mine Lands Division and they put the fire on their priority list and, in short order, had an engineer out to look at ways to put out the fire. The engineer came up with a plan, but he needed permission from RAMACO to put the fire out because they own the mineral rights on our property. Months went by with no progress in getting permission

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from RAMACO. We were getting very nervous because we were getting into the summer when dry conditions can make vegetation very susceptible to ignition. The engineer became very frustrated and called me to tell me that he was unable to get permission from RAMACO. We didn't know what else to do, so we started calling every government agency that might have any jurisdiction over RAMACO's operation and asking if they could help us get permission to put out the fire. RAMACO finally did give permission, but it was August before the contractor was able to get the fire put out. We were very lucky that we didn't have a disaster for both us and our neighbors due to RAMACO's intransigence on this matter. If it is this difficult to get RAMACO to do something that did not cost them a penny, was in their financial interest because it was their coal that was burning, and required no more effort than signing a piece of paper, we can only imagine the difficulties we will have getting them to mitigate any damages caused by the Brook Mine and costing them real money.

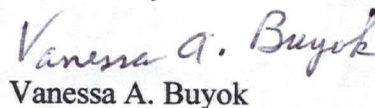
Our property is under a conservation easement owned and stewarded by the Sheridan Community Land Trust so they have an interest in impacts to the property due to mining. The Sheridan County Commissioners have been involved in the Land Trust and should also be aware of the potential traffic problems and, as previously mentioned, our property is a Wyoming Game and Fish Department Walk-In Hunting Area. We have copied the Land Trust, the Commissioners, and the Game and Fish Access Coordinator with this letter.

We would like to request an informal hearing with the DEQ Administrator to address these concerns before the Permit to Mine for the Brook Mine is issued. We may be contacted at (307) 673-0068 or at jbuyok@honyocker.com if you have any questions. Thank you for your attention to this matter.

Sincerely,



John P. Buyok



Vanessa A. Buyok

w/attachment

cc:w/attachments

Mr. Steve Maier, Chairman
Sheridan County Board of Commissioners
224 S. Main Street, Suite B1
Sheridan, WY 82801

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Mr. Colin Betzler, Executive Director
Sheridan Community Land Trust
P.O. Box 7185
Sheridan, WY 82801

Mr. Troy Tobiasson
Sheridan Region PLPW Coordinator
Wyoming Game and Fish Department
629 North Desmet Ave.
Buffalo, WY 82834

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Ramaco Brook Mine Permit Review, April 22, 2016
John Buyok

I finally made it through the revised Ramaco Brook Mine permit document that has been ruled technically complete by the DEQ Land Quality Division. In the meeting on the 21st of March, we discussed several questions that people had regarding the mining operation. The following summarizes what I found in the current permit document:

1. Adjudication File

The adjudication file is still incomplete. Several of my outbuildings and water rights that are located within ½ mile of the permit boundary are not listed and presumably would not be covered if they were damaged by mining operations. I also see other residences and outbuildings in this immediate area that are not listed. I'm not familiar enough with the rest of the area to determine if the same is true for other landowners, so each potentially affected landowner should check the list in Volume 1 of the permit document to see if their list is also incomplete.

2. Mining Quantities

We had discussed that Ramaco had been issued an air quality permit for only two million tons/year. The revised permit document shows production ramping up to 2 million tons/year in years 1 through 5 of mining, then production of 10 million tons/year for years 6 through 10. Years 11 and 12 will drop back to 2 million tons/year.

3. Location of Truck Hauling

The Mine Plan shows that most of the mining on the south side of the Tongue River will be done in the first year. Coal leaving the mine site by truck in the first year will go out the existing Big Horn Coal access road off the Decker highway, past the old Country Nite Club location.

During the remaining years, haul roads will connect the pits to the road accessing the frontage road along Interstate 90 at Taylor Quarry and all coal leaving the site will go out the Taylor Quarry access road and along the frontage road to the Interstate. By my calculations, at two million tons/year there will be a semi with a full sized trailer and a pup traveling the frontage road approximately every 9 minutes, 24 hours a day, 365 days a year. At ten million tons/year, the interval between trucks drops to about 1 minute and 50 seconds.

4. Replacement of Roads Removed by Mining

Ramaco commits to replacing county roads removed by mining. The permit document states that design of replacement roads will be done in consultation with Sheridan County and affected landowners and that the replacement road(s) will be completed and approved by the County and landowners before the existing road(s) is removed.

5. Water Use During Mining

The Mine Plan states that the mining operation will use about 328,200 gallons of water per day. It also states that this quantity is projected to be available from dewatering of

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the coal seams prior to and during mining and from surface water captured in sediment control and flood control structures. They say that they are aware of the Yellowstone Compact issues and will act in accordance with the Compact by obtaining State Engineer's Office permits for all wells and structures. Water from dewatering activities is expected to range from 1 to 75 gallons per minute over the mining period.

6. Surface Water Pollution from Mining Activities

The Mine Plan states that no discharge of surface or groundwater from the mining area is anticipated. All inflow from runoff, rainfall, and coal seam dewatering will be used for dust control or routed to sediment control ponds for evaporation.

7. Alluvial Valley Floor Impacts

The permit document states that Ramaco does not currently plan to underground mine in alluvial valley floors, but they may do so in the future with additional permitting and performance standards. The Mine Plan states that impacts to the alluvial valley floors along Big Goose Creek and the Tongue River adjacent to the mining area will be assessed using monitor wells in the alluvium to measure changes in groundwater levels and color infrared aerial photos to estimate changes in vegetation. The monitor well locations as shown are totally inadequate to measure changes in water levels due to mining. The monitor wells on Big Goose are upgradient and upstream of the mining area and cannot show any changes due to mining. The monitor wells on the Tongue River are located next to the river and will only show changes due to the changes in river flows. If the monitor wells are to show changes due to mining they should be located between the river or creek and the area to be mined, preferably close to the edge of the alluvial area.

8. Impacts to Existing Surface Water Rights

The Mine Plan indicates that impacts to existing surface water rights will be extremely small. It also states that any surface water right affected by mining will be replaced with a water source of similar quantity and quality.

9. Impacts to Existing Groundwater Rights

The groundwater model used to estimate potential impacts shows impacts to some existing wells. Attached is a table showing the ownership information and the amount of impact to wells that the groundwater model shows to be affected by mining.

The Mine Plan in Section MP.6.3.2 also says that adjudicated wells impacted by mining will be replaced if they are no longer usable. The interesting part of this is that Ramaco has only committed to replacing adjudicated wells. Adjudication of a well requires specialized equipment and a significant amount of time so the State Engineer's Office has typically not had adequate staff to adjudicate groundwater rights. Of the hundreds of wells within three miles of the mining permit area, only a handful are adjudicated. The attached table shows that only one of the wells projected to be affected is adjudicated. In other words, most of us will be responsible for replacing our own wells if mining causes us to lose our groundwater supply.

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Permit No.	Name	Owner	Use	Location		Adjudicated	Drawdown (ft)
				Township and Range	Section and Quarter Quarter		
P33064W	Hutton #1	Big Horn Coal	Domestic	T57N,R84W	9, NWNW	No	7.4
P48251W	Padlock WW BH429	Flying V Cattle Company	Stock	T57N,R84W	9, SENE	No	25.8
P98281W	P5 Stock Well #1	Big Horn Coal/ Peter Kiewit Sons	Stock	T57N,R84W	10, SENW	No	1.9
P68201W	Buyok Ranch #2	Jane Buyok	Domestic	T57N,R84W	19, SENW	No	1.2
P92235W	Buyok #4	J. and V. Buyok	Domestic/Stock	T57N,R84W	19, SENW	No	1.2
P83047W	1990 Office Well	Big Horn Coal	Miscellaneous	T57N,R84W	21, NWNE	Yes	0.1
P35036W	DeLapp #3	Peter Kiewit Sons	Stock	T57N,R84W	27, NENE	No	0.4
P40563W	DeLapp #4	Peter Kiewit Sons	Domestic/Stock	T57N,R84W	27, NENE	No	0.4
P144442W	St. Francis #3	Laya Trust, et al	Domestic/Stock	T57N,R85W	10, NESW	No	Mined Out
P119576W	St. Francis #1	Laya Trust, et al	Domestic/Stock	T57N,R85W	14, NESW	No	1.5
P120822W	St. Francis #2	Laya Trust, et al	Domestic/Stock	T57N,R85W	14, NESW	No	1.5
P36783W	Brown #1	R.S. and P. Brown	Domestic	T57N,R85W	23, SENW	No	0.1
P82129W	North #1	?	Domestic/Stock	T57N,R85W	23, NENE	No	0.8
P91874W	Laya #1	Laya Trust, et al	Domestic	T57N,R85W	23, NWNE	No	0.5
P63975W	Addleman #2	W.D. and M. Fisher	Domestic	T57N,R85W	24,SENE	No	1.6
P71814W	Legerski Ranch #1	Taylor Investments, LLC	Domestic	T57N,R85W	24,NENW	No	2.2

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10. Subsidence Control

Ramaco has changed the mining plan slightly to leave more coal to support the land surface. They are still basing their mining design on only two overburden samples that were tested to determine strength. They are still only committing to monitor for subsidence for six months following mining in an area and are only committing to mitigate any subsidence through bond release.

My concern is that the subsidence control plan commits them to leave more than half of the coal to prevent subsidence. It will be very tempting for them to cheat and take more coal since the equipment will be in place and they would be able to reduce their costs by doing so. The DEQ won't be monitoring them 24 hours a day and it seems to me that it would be easy to cover up so that it wouldn't be obvious that more coal was taken.

11. Pre-Blast Survey

The Mine Plan, Section MP.14.6, says that the blasting schedule will notify all residents or owners of a man-made structure within ½ mile of the permit boundary. The resident or owner can request a pre-blast survey from the DEQ. If a survey is requested, a qualified person from Ramaco will do the survey. It says that pre-blast surveys of all pipes, cables, transmission lines, wells and water systems will be limited to surface condition and other readily available data. A written copy of the survey will be submitted to the Land Quality Division administrator and the person requesting the survey.

12. Impacts on Existing Underground Mines

The Mine Plan states that blast monitoring will occur if blasting is within 500 feet of an existing abandoned underground mine. It also states that highwall mining will not affect underground mines. I can't find any discussion on what will be done if blasting causes subsidence at the abandoned underground mines.

13. Padlock Pipelines, Tanks, and Livestock Watering Systems

As far as I can tell, there is still no discussion of the existence of any of the Padlock facilities. Therefore, there is no commitment to replace any of the facilities removed by mining. As discussed under point 9, they also do not commit to replacing the well or spring if damaged by mining.

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