



light of information which is already available to Objector Fishers. Brook also objects to each discovery request to the extent they are so vague, ambiguous, overbroad and unduly burdensome as to render it infeasible to respond.

2. Brook objects to Objector Fishers' discovery requests that seek anything outside Brook's permit application file distributed by the Department of Environmental Quality (DEQ) on March 28, 2017. This contested case will decide if DEQ correctly determined that Brook's permit application met the statutory and regulatory requirements governing permit applications under Wyoming law. The relevant analysis requires comparing Brook's permit application to those statutes and regulations. Information outside the permit application file does not assist that analysis and is irrelevant and not reasonably calculated to lead to the discovery of admissible evidence.

3. Brook objects to Objector Fishers' discovery requests that seek information available in Brook's permit application. The information in the application is publically available and has been since the permit application was filed in October, 2014. Furthermore, a complete copy of the official permit application file was produced to Fishers by DEQ on March 28, 2017.

4. Brook objects to Objector Fishers' discovery requests to the extent they seek information protected by the attorney-client privilege and work product doctrine. Such information will not be produced. Any inadvertent production or response covered by such privileges, immunities or discovery limitations does not waive any of Brook's rights to assert such privileges, immunities or discovery limitations, and Brook may withdraw from production any such information or documents inadvertently produced as soon as identified.

5. Brook reserves all rights to object as to the competency, relevancy, materiality and admissibility of the information disclosed in response to Objector Fishers' discovery

requests. Brook does not waive any objection concerning competency, relevancy, materiality or admissibility by responding to any discovery request.

6. A partial response by Brook to any discovery request is not a waiver by Brook of any objection applicable to a discovery request, or of the right of Brook to object to Objector Fishers' additional, supplemental or further discovery requests.

7. These General Objections apply to each of the following answers, responses and objections. Any failure to repeat an objection in response to a specific discovery request shall not be deemed a waiver of these General Objections.

8. Brook has made a reasonable inquiry into the factual matters at issue in these interrogatories, has collected the information in its custody and that it could readily obtain, and continues to investigate the factual matters at issue. As a result, Brook reserves the right to amend, supplement, or edit these responses if new information becomes available.

## **INTERROGATORIES**

**INTERROGATORY NO. 1:** List all parent, subsidiary or affiliated companies, or associated entities of Brook Mining Company, LLC and define their relationship to Brook Mining Company, LLC.

**ANSWER:** Brook objects to this interrogatory based on General Objections 1-3. Brook further objects to this interrogatory as overly broad, unduly burdensome, vague, ambiguous, and improperly seeking information that is neither relevant to the present contested case nor reasonably calculated to lead to the discovery of admissible evidence. Without waiving these objections, and pursuant to W.R.C.P. 33(d), Brook states that all relevant subsidiaries and/or parent companies are already identified in the Adjudication File, which is part of Brook's Permit to Mine Application. Brook further states that the following entities are related to Brook

as noted: Brook Mining Co., LLC is a Wyoming limited liability company in good standing and is owned by Ramaco Carbon, LLC (formerly known as Ramaco, LLC). Ramaco Carbon, LLC is also a Wyoming limited liability company in good standing. Brook Mining Co., LLC leases the coal it intends to mine pursuant to its Permit to Mine Application from Ramaco Wyoming Coal Co., LLC, a Wyoming limited liability company in good standing. Ramaco Wyoming Coal Co., LLC is also owned by Ramaco Carbon, LLC, though the only direct relationship between Brook Mining Co., LLC and Ramaco Wyoming Coal Co., LLC is the operative coal lease.

**INTERROGATORY NO. 2:** Identify by name, address, and telephone number all current employees of Brook Mining Company, LLC, who will be responsible for management and operation of the proposed Brook Mine. If Brook Mining Company, LLC's operations will be managed by someone other than Brook Mine employees, identify those persons or entities who will be responsible for managing and operating the mine.

**ANSWER:** Brook objects to this interrogatory based on General Objections 1-3. Brook further objects to this interrogatory as overly broad, unduly burdensome, vague, ambiguous, and improperly seeking information that is neither relevant to the present contested case nor reasonably calculated to lead to the discovery of admissible evidence. Without waiving these objections, Brook states that it does not currently have any employees and has not, at this time, identified the individuals or entities who may be responsible for managing and operating the mine.

**INTERROGATORY NO. 3:** Identify whether there are any outstanding citations notices of violation or similar action by any governmental entity against Brook Mining Company, LLC or any of its parent, subsidiary or affiliated companies, but not limited to,

Ramaco, LLC, Ram Mining, LLC, Ramaco Resources, Inc., and Ramaco Development, LLC. In relation to each matter identified describe the resolution of the matter or if it is still pending.

**ANSWER:** Brook objects to this interrogatory based on General Objections 1-3. Brook further objects to this interrogatory as overly broad, unduly burdensome, vague, ambiguous, and improperly seeking information that is neither relevant to the present contested case nor reasonably calculated to lead to the discovery of admissible evidence. Brook also objects to this interrogatory to the extent it implies any other entity is a parent, subsidiary, or affiliated company. See Answer to Interrogatory Number 1. Without waiving these objections, Brook states it has no citations or violations, outstanding or otherwise. Brook further states that Ramaco Carbon, LLC has no citations or violations, outstanding or otherwise.

**INTERROGATORY NO. 4:** Identify all tangible assets Brook Mining Company, LLC has in addition to any coal rights it may have in Wyoming and the value of such assets.

**ANSWER:** Brook objects to this interrogatory based on General Objections 1-3. Brook further objects to this interrogatory as overly broad, unduly burdensome, vague, ambiguous, and improperly seeking information that is neither relevant to the present contested case nor reasonably calculated to lead to the discovery of admissible evidence. Brook further objects to this interrogatory as improperly seeking disclosure of information that is highly confidential and proprietary regarding Brook's business practices and assets. In addition, Brook objects to this interrogatory as seeking information outside the scope of the applicable statutes and regulations. To the extent that this interrogatory seeks information related to Brook's bonding, Brook has no intention of either self-bonding or collateralized bonding with respect to its mine permit.

**INTERROGATORY NO. 5:** Identify the current estimate for the yearly tonnage of coal production anticipated by Brook Mine in each of the first five years of coal production, if those estimates differ from what is listed in the current mine plan.

**ANSWER:** Brook objects to this interrogatory based on General Objections 1-3. Brook further objects to this interrogatory as overly broad, unduly burdensome, vague, ambiguous, and improperly seeking information that is neither relevant to the present contested case nor reasonably calculated to lead to the discovery of admissible evidence. Without waiving these objections, and pursuant to W.R.C.P. 33(d), Brook's current estimates for the yearly tonnage of anticipated coal production is set forth in the Mine Plan. See (without limitation) Table MP.1-2 of the Permit to Mine Application as referenced in Section MP.1.7.

**INTERROGATORY NO. 6:** Identify the current estimate of the number of full-time employees of the Brook Mine in each of the first five years of the mine's operation.

**ANSWER:** Brook objects to this interrogatory based on General Objections 1-3. Brook further objects to this interrogatory as overly broad, unduly burdensome, vague, ambiguous, and improperly seeking information that is neither relevant to the present contested case nor reasonably calculated to lead to the discovery of admissible evidence. In addition, Brook objects because this interrogatory does not seek information related to the permitting process. This case will determine if Brook's Permit to Mine Application met the applicable statutory and regulatory requirements for obtaining a permit. Neither Wyoming statutes nor regulations require a permit applicant to identify the number of employees the mine may employ. Brook further states specific details regarding the number of employees anticipated during the first five years of the mine's operation are not required for permit issuance. The Permit to Mine Application includes reference to this information generally. Additional details will be included

in Brook's future operational plans, but are not prerequisites to a permit. Without waiving these objections, and pursuant to W.R.C.P. 33(d), see the Socioeconomic Analysis found in the Correspondence File of TFN 6 2-025.

**INTERROGATORY NO. 7:** Identify each person whom Brook Mining Company, LLC expects to call or utilize as an expert at the contested case hearing. In relation to each expert, **regardless of whether or not the expert is a "retained" expert**, identify the following:

1. His or her name, current address and area of expertise, and the name of any company, organization or entity with which the expert is employed or affiliated.
2. Specifically identify and give a comprehensive statement of all opinions the expert will offer at trial or any hearing, and give a detailed explanation of the basis and facts upon which the expert relies for his or her proffered opinion.
3. Identify all publications authored or co-authored by the expert within the last 10 years.
4. Identify all cases in which the expert has testified as an expert witness (by deposition or trial testimony) within the last 4 years. As to each case, identify the approximate date of the case, names of the parties and their lawyers and the court which exercised jurisdiction.
5. Identify all documents supplied to the expert by you and all documents of any sort reviewed by the expert in relation to this case.

If experts have not yet been identified, fully supplement this response when such experts are identified or concurrently with expert disclosures as may be required by any case management order or scheduling order.

**ANSWER:** Brook objects to this interrogatory based on General Objections 1-3. Brook further objects to this interrogatory as overly broad, unduly burdensome, vague, ambiguous, and improperly seeking information that is neither relevant to the present contested case nor reasonably calculated to lead to the discovery of admissible evidence. In addition,

Brook objects to this interrogatory because it seeks highly confidential and propriety information. Brook also objects because the interrogatory related to non-retained experts seeks disclosures not required and not possible under the Rules of Civil Procedure. The non-retained experts that Brook has identified in its expert witness disclosures dated March 17, 2017 are by definition not employed by Brook. Brook does not have access to these witnesses to disclose the information requested. Without waiving these objections, and pursuant to W.R.C.P. 33(d), see Brook's expert witness disclosures dated March 17, 2017 and the expert report of Jeff Barron dated April 3, 2017. Brook further reserves the right to present expert rebuttal testimony in response to the information and testimony presented at the contested case hearing.

**INTERROGATORY NO. 8:** Identify all witnesses that you will call or may call at any contested case hearing in this matter. In relation to each witness, identify the witness by name, provide contact information, any company or organization which employees the witness and a summary of the material information which you believe this witness may have or testify to at any hearing.

**ANSWER:** Brook objects to this interrogatory based on General Objections 1-3. Brook also objects because the Environmental Quality Council set the date of May 17, 2017 for parties to disclose witness and exhibit lists. Without waiving these objections, Brook may call the following witnesses to testify at the contested case hearing: Jeff Barron, P.E. WWC Engineering; Kenneth Woodring, Ramaco Senior Operations Advisor; and any witness called by DEQ. Brook reserves the right to either call or not call any of the aforementioned witnesses and by listing them here in no way waives any objection Brook may have to the testimony of these witnesses.



**INTERROGATORY NO. 9:** Identify the relationship between Mr. Niles Veal of Sheridan, Wyoming and Brook Mining Company, LLC or any other subsidiary or affiliated company of Ramaco Resources, Inc. Include in your answer the length of employment with or agency for Brook Mining or any of Ramaco Resources, Inc.'s subsidiaries or affiliated companies along with his job description. Your answer should identify whether you acknowledge Niles Veal is a person authorized to act on behalf of Brook Mining or any of its parent companies.

**ANSWER:** Brook objects to this interrogatory based on General Objections 1-3. Brook further objects to this interrogatory as vague and ambiguous. Without waiving these objections, Brook states that Mr. Niles Veal is a contract land agent who represents Brook on a limited basis with respect to landowner negotiations and other matters pertinent to the Adjudication File.

**INTERROGATORY NO. 10:** Other than Brook Mining Company, LLC, identify any other company (subsidiary, parent or affiliated), or any officer, director, CEO, shareholder, or any other individual who has provided a guarantee to be responsible for the reclamation or remediation costs exceeding the current bonding requirement set forth in the Mine Plan or for any environmental impacts such as water or air pollution.

**ANSWER:** Brook objects to this interrogatory based on General Objections 1-3. Brook further objects to this interrogatory as overly broad, unduly burdensome, vague, ambiguous, and improperly seeking information that is neither relevant to the present contested case nor reasonably calculated to lead to the discovery of admissible evidence. Brook also objects to this interrogatory as improperly seeking disclosure of information that is highly confidential and proprietary regarding Brook's business practices and assets. In addition, Brook

objects to this interrogatory as seeking information outside the scope of the applicable statutes and regulations in that, at present, Brook has no intention of either self-bonding or collateralized bonding. Without waiving these objections, and pursuant to W.R.C.P. 33(d), see Brook's Permit to Mine Application produced by DEQ on March 28, 2017, which includes all information and documentation provided to DEQ. Specifically, please refer (without limitation) to the Bond Estimate Folder and the document entitled Brook Mine 2015 Bond.

**INTERROGATORY NO. 11:** Identify with specific reference to provisions in the current mine plan any documentation which provides compensation for damages to affected landowners regarding issues pertaining to domestic and stock water wells, homes and foundations, medical expenses or injury associated with diminished or dangerous air quality levels, and other potential adverse effects of the mine operation on affected landowners and members of the public.

**ANSWER:** Brook objects to this interrogatory based on General Objections 1-3. Brook further objects to this interrogatory as overly broad, unduly burdensome, vague, ambiguous, and improperly seeking information that is neither relevant to the present contested case nor reasonably calculated to lead to the discovery of admissible evidence. Brook also objects to the extent this interrogatory misconstrues Brook's obligations under the Wyoming Environmental Quality Act and implies obligations that Brook does not have under Wyoming law. Without waiving these objections, and pursuant to W.R.C.P. 33(d), see (without limitation) Sections MP.14.6 (Pre-Blast Survey), MP.14.7 (Blast Monitoring & Distance to Structures), and MP.16 (Protection of Other Resources...) of Brook's Permit to Mine Application produced by DEQ on March 28, 2017. See also the Environmental Quality Act and associated regulations. Brook has to post a surface owner protection bond for those who own the surface within the

mine permit boundary and have not entered into a surface use agreement with Brook. As to domestic and stock water wells, Brook has statutory and regulatory obligations related to those inside and outside the permit boundary. Brook is also required to conduct its operations as a reasonably prudent operator and to reclaim any affected property.

**INTERROGATORY NO. 12:** Identify and describe with specificity all direct communications by and between any objecting landowner and Brook Mining Company, LLC or any of its representatives, agents, employees, directors, officers in which you contend the objecting landowner's questions and concerns about the mine plan were "discussed and addressed". Include in your answer the names, addresses, and phone numbers of all individuals involved in any such occurrences, the date of the occurrence, the location of any such occurrence and the substance of the conversation or communication.

**ANSWER:** Brook objects to this interrogatory based on General Objections 1-3. Brook further objects to this interrogatory as overly broad, unduly burdensome, vague, ambiguous, and improperly seeking information that is neither relevant to the present contested case nor reasonably calculated to lead to the discovery of admissible evidence. Brook also objects because this interrogatory improperly seeks settlement discussions subject to Wyoming Rule of Evidence 408. Without waiving these objections, Brook has had general communications with the Fishers regarding an alleged trespass, which occurred in July 2013. In addition, Brook has engaged in general discussions regarding water quality and quantity with Mr. John Barbula. Mr. Barron and Mr. Veal communicated with Mr. Barbula in January 2017 to discuss baseline water studies. Arrangements were made to conduct baseline studies, but Mr. Barbula, through his wife, subsequently instructed Brook not to proceed with the studies. Brook also had direct conversations with Wendy Condrat. Mr. Barron contacted Ms. Condrat in response to her

inquiries regarding the permit. Mr. Barron provided Ms. Condrat with a copy of the Traffic Control Map and discussed surface owner protections within the Permit to Mine Application. Brook has also had informal discussions with objecting landowners before, during, and after public meetings at the Sheridan County Commission.

**INTERROGATORY NO. 13:** If either a non-adjudicated or non-permitted domestic or stock water well is utilized by a landowner within one-half mile of the mine permit boundary and such well is adversely impacted by mining operations, does Brook Mine commit to repair and/or replace impacted or damaged domestic and stock water wells?

**ANSWER:** Brook objects to this interrogatory based on General Objections 1-3. Brook further objects to this interrogatory as overly broad, unduly burdensome, vague, ambiguous, and improperly seeking information that is neither relevant to the present contested case nor reasonably calculated to lead to the discovery of admissible evidence. Without waiving these objections, Brook will abide by applicable Wyoming statutes and regulations subject to oversight from DEQ. Pursuant to W.R.C.P. 33(d), see also (without limitation) Sections MP.14.6 (Pre-Blast Survey), MP.14.7 (Blast Monitoring & Distance to Structures), and MP.16 (Protection of Other Resources...) of Brook's Permit to Mine Application produced by DEQ on March 28, 2017, and the expert report of Jeff Barron dated April 3, 2017 for further information about Brook's statutory and regulatory requirements.

**INTERROGATORY NO. 14:** Identify with specificity the design, nature and extent of any Air Quality Monitoring Program (both on and off the permit area) which will be implemented and utilized by Brook Mine during its mining operations which will ensure compliance with applicable state and federal air quality standards and the plan currently in place that defines how any adverse impacts will be controlled, stopped and remediated. Include in your

answer the name of the individual or individuals who designed the Program. If no such Air Quality Monitoring Program has been designed, state that fact in your answer. If your answer is a reference to the Mine Plan, provide specific citation to those aspects of the Mine Plan which you claim provide the answer to this question.

**ANSWER:** Brook objects to this interrogatory based on General Objections 1-3. Brook further objects to this interrogatory as overly broad, unduly burdensome, vague, ambiguous, and improperly seeking information that is neither relevant to the present contested case nor reasonably calculated to lead to the discovery of admissible evidence. Brook also objects because this interrogatory seeks information outside the permit area. This contested case will decide if DEQ correctly determined if Brook's Permit to Mine Application met the statutory and regulatory requirements of Wyoming law. The relevant analysis requires comparing Brook's Permit to Mine Application to the applicable statutes and regulations. None of those statutes or regulations discuss an Air Quality Monitoring program outside the permit area. Further, Brook has already obtained an Air Quality Permit from the Air Quality Division of the Wyoming DEQ. Without waiving these objections, as an operational concern Brook will develop an Air Quality Monitoring program and implement the program, subject to continuing DEQ oversight, before it begins operating its mine. Pursuant to W.R.C.P. 33(d), see (without limitation) Section MP.16.3 of Brook's Permit to Mine Application produced by DEQ on March 28, 2017 and DEQ's Guideline 6 and Guideline 6a.

**INTERROGATORY NO. 15:** Identify with specificity the design, nature and extent of any Water Quality Monitoring Program (both surface and subsurface on and off the mine permit area) which will be implemented and utilized by Brook Mine during its mining operations to ensure that water sources suffer no adverse impacts or degradation and the plan

currently in place that defines how any adverse impacts will be controlled, stopped and remediated. Include in your answer the name of the individual or individuals who designed the programs. If no such Water Quality Monitoring Program has been designed, state that fact in your answer. If your answer is a reference to the Mine Plan, provide specific citation to those aspects of the Mine Plan which you claim provide the answer to this question.

**ANSWER:** Brook objects to this interrogatory based on General Objections 1-3. Brook further objects to this interrogatory as overly broad, unduly burdensome, vague, ambiguous, and improperly seeking information that is neither relevant to the present contested case nor reasonably calculated to lead to the discovery of admissible evidence. Brook also objects because this interrogatory seeks information outside the permit area. This contested case will decide if DEQ correctly determined if Brook's Permit to Mine Application met the statutory and regulatory requirements of Wyoming law. The relevant analysis requires comparing Brook's Permit to Mine Application to the applicable statutes and regulations. Without waiving these objections, as an operational concern Brook will develop a Water Quality Monitoring program and implement the program, subject to continuing DEQ oversight, before it begins operating its mine. Pursuant to W.R.C.P. 33(d), see (without limitation) Section MP.16.4 of Brook's Permit to Mine Application produced by DEQ on March 28, 2017 and DEQ's Guideline 8.

**INTERROGATORY NO. 16:** Identify the projected or estimated cost, expense or expenditure of the overburden removal to excavate the access trenches or openings for providing the access area necessary to facilitate the highwall mining equipment and activities at the Brook Mine facility proposed in Sheridan County, Wyoming. If projections or estimates exist only for a portion of the project (i.e. one trench) identify that the projection or estimate is so limited and the scope to which the projection or estimate applies. Your response should include

the name(s) of all individuals or companies involved in preparing these calculations and any data relied upon in formulating the calculations.

**ANSWER:** Brook objects to this interrogatory based on General Objections 1-3. Brook further objects to this interrogatory as overly broad, unduly burdensome, vague, ambiguous, and improperly seeking information that is neither relevant to the present contested case nor reasonably calculated to lead to the discovery of admissible evidence. Brook also objects to this interrogatory because it seeks highly confidential and propriety information regarding Brook's proposed business and operational plans.

**INTERROGATORY NO. 17:** Identify whether data and samples collected on the Fisher property without authorization from the Fishers on July 1, 2013, including soil, vegetation and foliage samples, by representatives from BKS Environmental Associates, Inc. was tested and/or analyzed and whether such data and testing was included in the mine plan.

**ANSWER:** Brook objects to this interrogatory based on General Objections 1-3. Brook further objects to this interrogatory as overly broad, unduly burdensome, vague, ambiguous, and improperly seeking information that is neither relevant to the present contested case nor reasonably calculated to lead to the discovery of admissible evidence. Without waiving these objections, BKS Environmental Associates, Inc., did not collect any data or samples from the Fishers' property on July 1, 2013 or at any other time. As a result, no testing or analysis took place.

As to Answers to Interrogatories:

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By: Kenneth Woodring  
Senior Operations Advisor of Ramaco, LLC. Mr.  
Woodring affirms that the foregoing responses are  
based upon information communicated by Ramaco,  
LLC personnel and records, and that upon  
information and belief, the foregoing responses are  
true and correct.

STATE OF GEORGIA                    )  
  ) ss.  
COUNTY OF GREEN                )

Signed and sworn to before me on the \_\_\_\_ day of \_\_\_\_\_ 2017, by Kenneth Woodring as Senior Operations Advisor of Ramaco, LLC.

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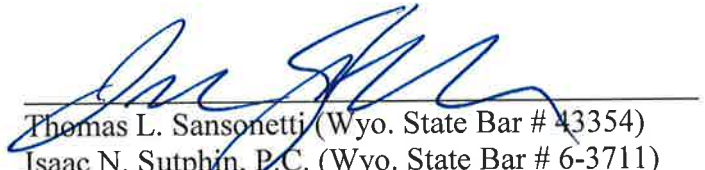
Notary Public

My commission expires: \_\_\_\_\_

DATED: April 21, 2017.



AS TO OBJECTIONS:



Thomas L. Sansonetti (Wyo. State Bar # 43354)

Isaac N. Sutphin, P.C. (Wyo. State Bar # 6-3711)

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ATTORNEYS FOR PERMIT APPLICANT  
BROOK MINING COMPANY, LLC

**CERTIFICATE OF SERVICE**

I hereby certify that on April 21, 2017, I served a true and correct copy of the foregoing  
by email to the following:

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