

Thomas L. Sansonetti (Wyo. State Bar # 43354)
Isaac N. Sutphin, P.C. (Wyo. State Bar # 6-3711)
Jeffrey S. Pope (Wyo. State Bar # 7-4859)
HOLLAND & HART LLP
2515 Warren Avenue, Suite 450
P.O. Box 1347
Cheyenne, WY 82003-1347
Telephone: (307) 778-4200
tlsansonetti@hollandhart.com
insutphin@hollandhart.com
jspope@hollandhart.com

Exhibit 22

ATTORNEYS FOR PERMIT APPLICANT
BROOK MINING COMPANY, LLC

**BEFORE THE ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING**

IN RE BROOK MINE APPLICATION)
) Civil Action No. 17-4802
TFN 6 2-025)

**BROOK MINING COMPANY, LLC’S ANSWERS TO FIRST SET OF INTERROGATORIES AND
REQUESTS FOR PRODUCTION OF DOCUMENTS BY POWDER RIVER BASIN RESOURCE COUNCIL**

Permit Applicant Brook Mining Company, LLC (Brook), by and through undersigned counsel, responds to Powder River Basin Resource Council’s (Powder River) First Set of Interrogatories and Requests For Production of Documents pursuant to the Order of Consolidation and Schedule dated March 13, 2017, as follows:

GENERAL OBJECTIONS

Brook incorporates each of these General Objections into the specific responses below.

1. Brook will respond pursuant to the applicable provisions of the Wyoming Rules of Civil Procedure and any purported instructions, definitions, requirements or requests inconsistent with the Rules are objected to and will be disregarded. In particular, Brook objects to the discovery requests to the extent they are overly broad, unduly burdensome or oppressive in the amount and format of the information required, or unreasonably cumulative or duplicative in

light of information which is already available to Objector Powder River. 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 Powder River's discovery requests that seek anything outside Brook's Permit to Mine 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 to Mine Application met the statutory and regulatory requirements governing permit applications under Wyoming law. The relevant analysis requires comparing Brook's Permit to Mine Application to those statutes and regulations. Information outside the Permit to Mine 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 Powder River's 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 Powder River by DEQ on March 28, 2017.

4. Brook objects to Objector Powder River's 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 Powder River's 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 Powder River's 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 and requests, 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: Identify and describe all persons employed by Brook Mining Co., LLC.

ANSWER: Brook objects to this interrogatory based on General Objections 1-3. Brook further objects to this interrogatory as 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 it presently has no employees.

INTERROGATORY NO. 2: Identify and describe any advisors, consultants, or experts, if any, hired or used by Brook in preparing or reviewing your permit application. Please describe the qualifications of these individuals.

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 Permit to Mine Application identifies those persons or entities who Brook used to prepare its permit application. Those persons and entities, along with their subject matter expertise, include: James Nyenhuis (Soil Scientist); Intermountain Resources (Wildlife); BKS (Vegetation); Intermountain Labs (Air Quality Monitoring/Overburden Quality Analysis); Cardno MMA (Subsidence Control Plan/Mine Planning); CDG Engineers (Rail); and Kid Pronghorn (Drilling).

INTERROGATORY NO. 3: Identify and describe all subsidiary and/or parent companies/entities related to Brook.

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 Brook's mine permit 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. 4: Please explain the relationship between Brook and Ramaco Carbon, LLC, if any. Please explain whether Brook considers the proposed “industrial park” and “research center” as part of its mining project and if not, why not.

ANSWER: Brook objects to this interrogatory based on General Objections 1-3. Brook further objects to this interrogatory as improperly seeking information that is neither relevant to the present contested case nor reasonably calculated to lead to the discovery of admissible evidence. This case will review whether Brook’s Permit to Mine Application complied with Wyoming’s applicable statutes and regulations. The case has nothing to do with what Brook will do with the coal once it leaves the mine. Without waiving these objections, Brook states that Ramaco Carbon, LLC owns Brook Mining Co., LLC, see Answer to Interrogatory Number 3. Brook further states that it has no ownership interest in the proposed “industrial park” and “research center” and such are neither considered mining projects nor are they a part of the subject Permit to Mine Application.

INTERROGATORY NO. 5: Please explain efforts to market coal from the proposed mining operation and please describe any and all contracts, if any exist, for sale of coal to entities outside the permit boundary.

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. This case will review whether Brook's Permit to Mine Application complied with Wyoming's applicable statutes and regulations. The case has nothing to do with what Brook will do with the coal once it leaves the mine. Finally, Brook objects to this interrogatory because it seeks highly confidential and proprietary information regarding Brook's business and operational plans.

INTERROGATORY NO. 6: Please describe any plans for blasting in the area, including proposed blasting timing and amounts. Describe and identify any planned restrictions on blasting, including weather conditions, weekends, holidays, etc.

ANSWER: Brook objects to this interrogatory based on General Objections 1-3. Brook further objects to this interrogatory as vague, ambiguous, and seeking a level of technical detail not required as part of Brook's mine permit application. Thus, Brook objects to this interrogatory as improperly seeking disclosure of 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), see Addendum MP-7 (Blasting Plan), Section MP.24 (Protection of Public Safety), and Section MP.13 (Subsidence Control Plan) of Brook's Permit to Mine Application produced by DEQ on March 28, 2017 and expert report of Jeff Barron dated April 3, 2017.

INTERROGATORY NO. 7: Please describe any relationship Brook has with Cloud Peak Energy, including but not limited to agreements for surface use, ingress/egress, rights of way, etc.

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. Finally, Brook objects to this interrogatory as improperly seeking highly confidential and propriety information regarding Brook's business practices. Without waiving these objections, Brook states that it has no business or contractual relationship with Cloud Peak Energy at this time.

INTERROGATORY NO. 8: Please disclose whether Brook has obtained surface owner access or orders in lieu of consent from all surface owners within the permit boundary, including the BNSF.

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 has obtained surface owner consent forms (Form 8) or an order in lieu of consent from all surface owners required by the Wyoming Environmental Quality Act. Brook further states it has not acquired surface owner consent from the BNSF because BNSF's interest in land covered by Brook's Permit to Mine Application does not invoke the Wyoming Environmental Quality Act's requirement for surface owner consent. *See Belle Fourche Pipeline Co. v. State*, 766 P.2d 537, 541-43 (Wyo. 1988). See generally Volume I (Adjudication File) of Brook's Permit to Mine Application produced by DEQ on March 28, 2017.

INTERROGATORY NO. 9: Please disclose whether Brook is aware of coal fires in the area at the present or in the past.

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 is aware of coal fires within its proposed permit boundary.

INTERROGATORY NO. 10: Please disclose whether Brook is aware of subsidence in the area at the present or in the past.

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 is aware of past subsidence within its proposed permit boundary.

REQUESTS FOR PRODUCTION OF DOCUMENTS

REQUEST NO. 1: Provide a copy of all state and federal permits received by Brook for the proposed project.

RESPONSE: Brook objects to this request based on General Objections 1-3. Brook further objects to this request as overly broad, unduly burdensome, vague, ambiguous, and improperly seeking documents that are neither relevant to the present contested case nor reasonably calculated to lead to the discovery of admissible evidence. Without waiving these objections, see Air Quality Permit (Brook 025335-25447) included in the responsive documents produced herewith. Also see the Request for an MSHA Number (Brook 025331-025334) and the working files regarding Brook's MSHA Permit Application (Brook 025449-025729).

REQUEST NO. 2: Provide a copy of any permit applications to MSHA.

RESPONSE: Brook objects to this request based on General Objections 1-3. Brook further objects to this request as overly broad, unduly burdensome, vague, ambiguous, and improperly seeking documents that are neither relevant to the present contested case nor reasonably calculated to lead to the discovery of admissible evidence. Without waiving these objections, Brook states it has only applied to MSHA to request an MSHA Number. Additional permit application materials have not yet been submitted to MSHA. For a copy of Brook's working files regarding its MSHA Permit Application, see Brook's Response to Request Number 1.

REQUEST NO. 3: Provide a copy of the traffic control plan referenced in the permit application.

RESPONSE: Brook objects to this request based on General Objections 1-3. Brook further objects to this request as improperly seeking documents that are 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 its traffic control plan is an operational requirement, a detailed draft of which is not required under the mine permit application standards. The Permit to Mine Application includes commitments regarding the need for a traffic control plan. Additional details will be included in Brook's future operational plan and will be subject to continuing DEQ oversight and enforcement. Brook further states that pertinent and relevant traffic control information is found in the Permit to Mine Application file at Section MP.14.11 (Traffic Control Plan).

REQUEST NO. 4: Provide a copy of any agreements, if any, with Cloud Peak Energy.

RESPONSE: Brook objects to this request based on General Objections 1-3. Brook further objects to this request as overly broad, unduly burdensome, vague, ambiguous, and

improperly seeking documents that are neither relevant to the present contested case nor reasonably calculated to lead to the discovery of admissible evidence. Finally, Brook objects to this request as improperly seeking highly confidential and propriety information regarding Brook's business and operational practices. Without waiving these objections, Brook states that it has no business or contractual relationship with Cloud Peak Energy at this time.

REQUEST NO. 5: Please provide any and all documents, data, or other evidence that demonstrate the amount of water saturation in the targeted coal seams and what the groundwater inflow rates are in relation to the proposed mine excavations.

RESPONSE: Brook objects to this request based on General Objections 1-3. Brook further objects to this request as overly broad, unduly burdensome, and improperly seeking documents that are neither relevant to the present contested case nor reasonably calculated to lead to the discovery of admissible evidence. Without waiving these objections, see Volume IV (Topography, Geology, and Overburden Assessment), Volume V (Hydrology), and Section MP.8 (Water Use) 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. Also see generally the responsive documents produced herewith with specific reference to Folder D-5, Folder D-6, and Mine Plan Folder.

REQUEST NO. 6: Provide a copy of any other subsidence control plans prepared by Jeff Barron at any time in his career.

RESPONSE: Brook objects to this request based on General Objections 1-3. Brook further objects to this request as overly broad, unduly burdensome, vague, ambiguous, and improperly seeking documents that are neither relevant to the present contested case nor reasonably calculated to lead to the discovery of admissible evidence. Without waiving these

objections, Mr. Barron has not prepared “any other” subsidence control plans. Few mines in Wyoming require subsidence control plans. But in his work preparing Brook’s Permit to Mine Application, Mr. Barron reviewed other subsidence control plans. Mr. Barron also utilized experts identified in previous discovery responses to assist in developing the subsidence control plan. See Addendum MP-6, Section MP-6 of Brook’s Permit to Mine Application.

REQUEST NO. 7: Provide a copy of Brook’s Exhibit 45 provided to the EQC as part of Docket 16-1601.

RESPONSE: According to Brook’s Exhibit List filed with the EQC in Docket 16-1601, Exhibit 45 was a placeholder for demonstrative exhibits. Brook used more than one demonstrative exhibit during the two-day hearing in Docket 16-1601. If you can provide details of the specific document you are requesting, Brook will produce the same in response to this Request.

AVAILABILITY FOR INSPECTION

In addition to the documents that Brook has produced in response to these discovery requests, Brook will also make certain other files available for supervised inspection at the Sheridan Office of Western Water Engineering, located at 1849 Terra Avenue Sheridan, WY 82801. The files available for inspection are numerous CAD drawings and related electronic files. Brook will not produce these documents because they are highly confidential, proprietary work that will not be available for public consumption or distributed outside Brook’s immediate control. They represent a large economic investment that if widely distributed could give other companies, including some involved in this case, an unearned competitive advantage purchased through the discovery process. Nevertheless, Brook will allow review of these documents to fairly meet discovery requests. Please contact undersigned counsel to arrange for inspection.

Nothing in this offer to allow inspection shall be construed in any way as a waiver of Brook's objections to the discovery requests as set forth herein.

As to Answers to Interrogatories:

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)

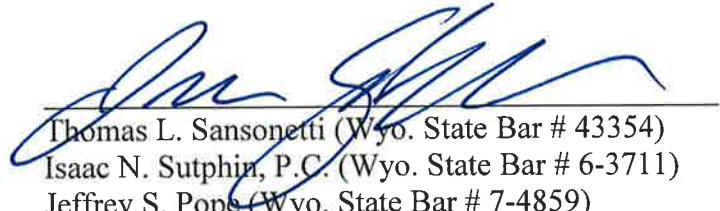
Signed and sworn to before me on the ____ day of _____ 2017, by Kenneth Woodring as Senior Operations Advisor of Ramaco, LLC.

Notary Public

My commission expires: _____

DATED: April 21, 2017.

AS TO OBJECTIONS:

A handwritten signature in blue ink, appearing to read "Tom Sansonetti", is written over a horizontal line.

Thomas L. Sansonetti (Wyo. State Bar # 43354)
Isaac N. Sutphin, P.C. (Wyo. State Bar # 6-3711)
Jeffrey S. Pope (Wyo. State Bar # 7-4859)
HOLLAND & HART LLP
2515 Warren Avenue, Suite 450
P.O. Box 1347
Cheyenne, WY 82003-1347
Telephone: (307) 778-4200
tlsansonetti@hollandhart.com
insutphin@hollandhart.com
jspope@hollandhart.com

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:

Lynnette J. Boomgaarden
Clayton H. Gregersen
Crowley Fleck, PLLP
237 Storey Boulevard, Suite 110
Cheyenne, WY 82009
lboomgaarden@crowleyfleck.com
cgregersen@crowleyfleck.com

Todd Parfitt
Director, DEQ
200 W. 17th Street
Cheyenne, WY 82002
Todd.Parfitt@wyo.gov

Attorneys for Big Horn Coal

Andrew Kuhlmann
Assist. Attorney General
andrew.kuhlmann@wyo.gov
james.larock@wyo.gov
Attorneys for DEQ

Shannon Anderson
Powder River Basin Resource Council
sanderson@powderriverbasin.org

Alan Edwards
Deputy Director, DEQ
Alan.edwards@wyo.gov

Jay Gilbertz
Attorney for Mary and David Brezik-Fisher
jgilbertz@yonkeetoner.com

Brook Collins
38 Monarch Road
Ranchester, WY 82839
bpcharlie@wbaccess.net

