

**From:** [David Schellinger](#)  
**To:** [Mark Rogaczewski](#)  
**Cc:** [BJ Kristiansen](#)  
**Subject:** Proposed changes to Overburden Guideline 1B  
**Date:** Wednesday, October 21, 2015 9:56:12 AM

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Exhibit 52

Mark:

As BJ and I reviewed the overburden sampling analyses for the Brook Mine, an underground mine, it was determined that the current sampling intensity and location directives provide in the Guideline for overburden baseline of 1 core sample analysis per 40 acres in the area to be disturbed would not be adequate to characterize overburden in the areas to be disturbed. Where overburden sampling should be concentrated in those areas where box cuts will be placed (where overburden will be removed), the current Guideline would allow overburden sampling anywhere within the disturbance area, including disturbed areas where surface disturbance will not occur (overburden overlying areas where underground coal removal is expected). Also, with a small total surface disturbance acreage associated with the mining operation, the total number of samples provided if one sample location per 40 acres were analyzed would be few. Due to the highly variable geology in the area, BJ Kristiansen and I determined that some form of linear ft. sampling in the box cut areas would provide more adequate sampling density. We have asked for a density of 1 sample per 1300 linear feet (1/8 section = 1320 linear ft.) in the areas where box cuts were expected with a minimum of two samples per box cut taken approximately 1/3 of the total distance from each end of the box cut. If sampling was not possible in the box cut location due to terrain, sampling would be expected as close to the box cut location as possible.

During outcrop mining where 20-30 feet of overburden may be removed from above mined seams before mining becomes economically unfeasible, a linear baseline sampling of overburden would also be more adequate.

We believe that this is an equitable way to obtain overburden baseline sampling on mines where underground mining or any other form of mining (bentonite) where long narrow disturbances would be expected. We recommend altering the Guidance for baseline overburden assessment to better reflect the methods of mining used, and look forward to further discussion on the subject.

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David Schellinger  
Natural Resources Analyst  
WDEQ/LQD District III  
2100 W. 5th Street  
Sheridan, WY 82801  
Phone: (307)675-5611

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