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

IN RE BROOK MINE APPLICATION)
TFN 6 2-025) DOCKET 17-4802

**POWDER RIVER BASIN RESOURCE COUNCIL’S PRE-HEARING MEMORANDUM
EXHIBIT B: EXHIBIT DESIGNATION LIST**

The Powder River Basin Resource Council (“Resource Council”) hereby designates the following exhibits for the hearing to be held May 22-26, 2017 in the above-captioned proceedings.

EXHIBITS

- Exhibit 1: Objections to the coal mining permit application filed by the Resource Council
- Exhibit 2: Objections to the coal mining permit application filed by Anton Bocek
- Exhibit 3: Objections to the coal mining permit application filed by Jane Buyok
- Exhibit 4: Objections to the coal mining permit application filed by Joan Tellez
- Exhibit 5: Objections to the coal mining permit application filed by John & Vanessa Buyok
- Exhibit 6: Objections to the coal mining permit application filed by Bill Bense
- Exhibit 7: Objections to the coal mining permit application filed by Wendy Condrat
- Exhibit 8: Objections to the coal mining permit application filed by Sadie Clarendon
- Exhibit 9: Objections to the coal mining permit application filed by Gillian Malone
- Exhibit 10: Objections to the coal mining permit application filed by Brooke Collins

Exhibit 11: Power Point presentation prepared by Dr. Marino to use as a demonstrative exhibit at the hearing. This exhibit was finalized May 16, 2017 and may be slightly adjusted prior to the hearing.

Exhibits 12-14: Dr. Marino's expert report separated into three files given size. This report was attached to the Resource Council's objections to the coal mining permit application filed with DEQ on January 27, 2017 and was also provided as a part of the expert disclosures filed in the docket to these proceedings.

Exhibit 15: A copy of the Academy of Geo-Professionals website providing information on board certified experts. The website copied is <http://www.geoprofessionals.org/board-certified-experts/diplomate-categories>

Exhibit 16: A copy of the website listing board certified experts certified by the Academy of Geo-Professionals, including Dr. Marino. The website copied is <http://www.geoprofessionals.org/board-certified-experts/diplomate-directory>

Exhibit 17: Mr. Wireman's expert report provided as a part of the expert disclosures filed in the docket to these proceedings.

Exhibit 18: CVs of experts Mr. Wireman and Dr. Marino

Exhibit 19: Biography of Sue Ann Spencer from her company's website

Exhibit 20: Attachments included with the Resource Council's objections to the coal mining permit application filed with DEQ on January 27, 2017.

Exhibit 21: Brook's answers to the Fishers to discovery questions

Exhibit 22: Brook's answers to the Resource Council to discovery questions

Exhibit 23: DEQ's answers to the Fishers to discovery questions

Exhibit 24: DEQ's answers to the Resource Council to discovery questions

Exhibit 25: Brook Mine Overview from Ramaco, downloaded from their website, dated May 2014

Exhibit 26: February 27, 2017 Sheridan Press article entitled "Ramaco Carbon plans research, manufacturing facility for coal products"

Exhibit 27: April 4, 2017 NPR radio story from the program *Here and Now* entitled "Coal CEO Looks For New Ways To Revive the Industry"

- Exhibit 28: October 16, 2015 electronic mail correspondence¹ between Thomas Sansonetti and Jeffrey Pope (Brook attorneys) and Andrew Kuhlmann (DEQ attorney) regarding the proposed “Sheridan Industrial Park” associated with the proposed coal mine permit
- Exhibit 29: Air Quality Permit No. P0019732 issued to Wyoming Ramaco Coal Company, LLC on January 25, 2016
- Exhibit 30: June 04, 2015 electronic mail correspondence between BJ Kristiansen and Deanna Hill
- Exhibit 31: January 31, 2017 electronic mail correspondence between Mark Rogaczewski and Jim Ruby discussing “proposed mining operations within 100 feet of a public road”
- Exhibit 32: May 19, 2014 electronic mail correspondence between Justin Douthat and Jeff Barron regarding “surface mining beneath the county road”
- Exhibit 33: May 15, 2014 electronic mail correspondence between Jeff Barron and Justin Douthat regarding an “affected county road”
- Exhibit 34: July 25, 2014 Google Earth picture identifying a county road to relocate
- Exhibit 35: February 24, 2016 DEQ alluvial valley floor determinations for the Brook Mine
- Exhibit 36: February 08, 2016 electronic mail correspondence between BJ Kristiansen and Jeff Barron regarding alluvial valley floor determinations
- Exhibit 37: December 14, 2016 electronic mail correspondence between BJ Kristiansen and Shannon Anderson regarding alluvial valley floor determinations
- Exhibit 38-40: April 3, 2009 Contract Documents and Specifications for AML Project 17J, Carney Mine Subsidence Mitigation, submitted by PHC Reclamation, Inc. (This exhibit was split into thirds given its size)²
- Exhibit 41: May 12, 2010 AML Contract Processing Slip, submitted by Earth Work Solutions, for the AML Project 17J, Carney Mine project
- Exhibit 42: May 12, 2009 information associated with AML Project 17J, Carney Mine Rd. Subsidence Abatement

¹ The electronic mail correspondence included on this list was produced by DEQ or Brook through discovery in these proceedings.

² All of the AML files included on this list were either produced by DEQ through discovery in these proceedings or found on the DEQ AML database.

- Exhibit 43: April 22, 2008 information associated with AML Project 17J, Acme No. 1 fire subsidence
- Exhibit 44: June 29, 2015 information associated with AML Project 17J, Old Monarch Mine subsidence
- Exhibit 45: December 12, 2016 electronic mail correspondence between Melissa Bautz and BJ Kristiansen regarding AML's study of subsidence risk in the permit area
- Exhibit 46: Figure 5 from the Sheridan County Land Use Plan documenting "hazardous areas" including "Known Subsidence Area[s]"
- Exhibit 47: USGS Paper 1164, "Effects of Coal Mine Subsidence in the Sheridan, Wyoming Area," 1980
- Exhibit 48: October 07, 2015 electronic mail correspondence between BJ Kristiansen and Jeff Barron regarding removal of a rail loadout facility from the permit application
- Exhibit 49: July 9, 2014 electronic mail correspondence between Ron Destefano and Jeff Barron regarding coal handling facilities and an associated spur track for review by WYDOT
- Exhibit 50: Handwritten notes from Mark Rogaczewski produced by DEQ during discovery discussing a conversation with Jeff Barron regarding rail facilities inside the permit boundary
- Exhibit 51: June 07, 2015³ electronic mail correspondence between Brian Wood and Doug Emme regarding subsidence control plans/highwall mining requirements (and snow)
- Exhibit 52: October 21, 2015 electronic mail correspondence between Mark Rogaczewski and David Schellinger regarding overburden sampling analyses
- Exhibit 53: July 05, 2016 electronic mail correspondence between Matthew Kunze and BJ Kristiansen regarding CHIA requirements
- Exhibit 54: June 03, 2014 electronic mail correspondence between Matthew Kunze and BJ Kristiansen the permit and the CHIA
- Exhibit 55: December 10, 2015 electronic mail correspondence between BJ Kristiansen and LQD staff regarding the permit application review
- Exhibit 56: February 23, 2015 electronic mail correspondence between BJ Kristiansen and Andrew Kuhlmann regarding permit application review

³ Although this is the final date for the email, as produced by DEQ, given the conversation about the snow in response to the previous email dated Nov. 10, 2014, it is possible that the correct date would be in the Nov. 2014 date range.

- Exhibit 57: March 16, 2015 electronic mail correspondence between BJ Kristiansen and Andrew Kuhlmann regarding permit application review
- Exhibit 58: January 12, 2016 electronic mail correspondence between BJ Kristiansen and Andrew Kuhlmann regarding permit application review
- Exhibit 59: January 14, 2016 electronic mail correspondence between BJ Kristiansen and Andrew Kuhlmann regarding permit application review
- Exhibit 60: November 17, 2015 electronic mail correspondence between BJ Kristiansen and Kyle Wendtland regarding permit application review
- Exhibit 61: March 24, 2016 electronic mail correspondence between BJ Kristiansen, Kyle Wendtland, and Alan Edwards regarding permit application review
- Exhibit 62: April 12, 2016 electronic mail correspondence between Alan Edwards and Mark Rogaczewski (copying Kyle Wendtland) regarding permit application review
- Exhibit 63: March 15, 2017 letter from Tony Wendtland to Joan Tellez
- Exhibit 64: April 5, 2000 OSMRE Directive 882, Handbook for Calculation of Reclamation Bond Amounts
- Exhibit 65: Brook draft reclamation bond calculation, provided through discovery
- Exhibit 66: Another draft of a reclamation bond calculation
- Exhibit 67: Brook Mine 2015 Bond
- Exhibit 68: OSMRE 2013 Annual Evaluation Report for the Wyoming Regulatory Program, October 2013, excerpts related to evaluation of blasting
- Exhibit 69: Supplemental OSMRE Special Study Topic Oversight Report on Blasting in Wyoming for the 2013 Annual Evaluation Report for the Wyoming Regulatory Program
- Exhibit 70: April 12, 2016 electronic mail correspondence between Mark Rogaczewski and Kyle Wendtland regarding a meeting request from the Resource Council
- Exhibit 71: April 27, 2016 electronic mail correspondence between Kyle Wendtland and Alan Edwards regarding a meeting request from the Resource Council
- Exhibit 72: April 7, 2017 presentation from Atlas Carbon on Advanced Carbon Products given in Gillette, Wyoming
- Exhibit 73: Photo of Resource Council member home in the area, provided by John Buyok

- Exhibit 74: Photo of recreation use on the Tongue River near the mine site provided by the Sheridan Community Land Trust
- Exhibit 75-78: Photos of the Bocek property, provided by Joan Tellez and Anton Bocek
- Exhibit 79: Aerial photo of the area of Resource Council member properties, provided by the Sheridan Community Land Trust
- Exhibit 80-82: Photos of subsidence on the Buyok property, provided by John Buyok
- Exhibit 83: Game & Fish Department Map of Sheridan County Walk-in Areas 1, 6, and 7
- Exhibit 84: OSMRE subsidence course training materials provided by OSMRE to DEQ
- Exhibit 85: March 6, 2017 electronic mail correspondence between Jeff Barron and BJ Kristiansen regarding a Sheridan County Board of County Commissioners meeting
- Exhibit 86: July 22, 2014 information on AML project 17.32 relating to the Buyok-Monarch mine fire
- Exhibit 87: July 31, 2014 information on AML project 17.32 for mine subsidence abatement at the Carney Mine
- Exhibit 88: September 2, 2016 information on AML project 17.32 for portal closures at the Acme, Kooi, and Old Monarch Mines
- Exhibit 89: Jan 30, 2017 electronic mail correspondence between LQD staff, Todd Parfitt, and Alan Edwards
- Exhibit 90: Letter from the Tongue River Water Users regarding concerns with the proposed mine