

**BLACKJEWEL**

**FILED**

NOV 30 2018

Jim Ruby, Executive Secretary  
Environmental Quality Council  
5 October 2018



Kyle Wendtland, Administrator  
Land Quality Division of the Department of Environmental Quality  
200 W. 17<sup>th</sup> Street, Suite 10  
Cheyenne, WY 82002

RE: Request that the Powder River Basin Resource Council's Objections be denied and that the appraisal report remain confidential.

Dear Mr. Wendtland:

Blackjewel L.L.C. received a copy of the Powder River Basin Resource Council's ("PRBRC") objections the renewal of mining permit PT214 at the Belle Ayr Mine which we are currently operating. The confidentiality of the appraisal report is tantamount and vital to our continued viability and remaining competitive in the coal market. For reasons more fully outlined below, we are requesting that the Land Quality Division of the Department of Environmental Quality maintain the business secrets which were conveyed to it for the renewal of our mining permit.

The PRBRC's objections fail to take into consideration several important key factors. Coal mining and the coal market is highly competitive. Numerous competitors often seek to gain advantage over another by determining costs paid and values for certain parcels of land, reserves, or other items which may garner an edge in the market. Keeping appraisals of land secret and confidential is not only tantamount to current mining operations, but also important for valuation purposes in the event of future acquisitions and growth of the company. Simply stated, disclosing the appraisal would place us at a competitive disadvantage, not only now but into the foreseeable future. As a company working hard to provide good paying jobs for hundreds of citizens in Wyoming, we desperately need the confidentiality of the appraisal to remain that – confidential. We are currently confident in the future of the Belle Ayr mine and our stewardship with Wyoming to help ensure the Environmental Quality both during and after mining is complete.

The questions posed by the PRBRC seek information which should not be disclosed. You have done well and provided publicly needed information. We simply request now that you maintain the confidentiality of information which would place us precariously in a situation of competitive disadvantage.

Sincerely,

A handwritten signature in blue ink, appearing to read "Eric Thomas Frye".

Eric Thomas Frye  
General Counsel  
Blackjewel L.L.C.