

NOTE: DO NOT MODIFY THIS FORM. Use typewriter or print neatly with blue ink. Submit two (2) copies one of which must be an original Form I (t) as supplied by the Department of Environmental Quality, Land Quality Division.

STATE OF WYOMING
DEPARTMENT OF ENVIRONMENTAL QUALITY
LAND QUALITY DIVISION
APPLICATION FOR
PERMIT TRANSFER

Handwritten initials: MB, SM, PS, JH, KM, BK, DL, CHEY, DE, LM, DM, GY, JM, DS

I. (a) Name, telephone number, and mailing address of transferor (current permittee):
Contura Coal West, Inc., Belle Ayr Mine
P.O. Box 3039, Gillette, WY 82717-3039, (307) 687-3400

(b) Location of mining operation (county): Campbell

(c) Permit number to be transferred: 214-T8

(d) The total number of acres in the approved permit area and the total approved affected acreage.

Table with 2 columns: Permit Acres, Approved Acreage to Affect. Rows: Original Permit, Approved Amendments, Total Acres.

Attach a legal description of above acreages as Appendix "C" and original USGS Quad Map(s) with permit and amendment areas clearly shown and identified.

2. (a) Name, telephone number, and mailing address of transferee (proposed permittee):
Blackjewel, LLC, Belle Ayr Mine
P.O. Box 3039, Gillette, WY 82717-3040 (307) 687-3400

(b) If the Transferee is a partnership, association, corporation or limited liability co., the names and addresses of all managers, partners and executives directly responsible for operations in this State:

Name: Jeffrey J. Pilon Address: P.O. Box 3039, Gillette, WY 82717
Title: Chief Operating Officer Phone No: (307) 687-3406

Name: Daniel P. Baker Address: P.O. Box 3039, Gillette, WY 82717
Title: Vice President Operations Phone No: (307) 687-3450

Name: Address:
Title: Phone No:

Name: Address:
Title: Phone No:

3. Name, telephone number, and address of the agent or person of the Transferee to whom any notices under the provisions of the Wyoming Environmental Quality Act, Land Quality Division or Rules and Regulations adopted thereunder may be sent:
Mark Thrall
P.O. Box 3039, Gillette, WY 82717-3039

4. The provisions of the transferred permit are severable, and if any provision of the permit, or the application of any provision of the permit, to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of the permit, shall not be affected thereby.

DEQ Exhibit 2

Initial JP

Date 9/12/2018

Permit No. 214
TFN No. 62/299

5. For surface coal mining operations, right of entry to or inspection of any operation, premises, records, or equipment shall not require advance notice.

SWORN STATEMENT OF TRANSFEROR

State of Wyoming)
)ss
County of Campbell)

I Jeffrey J. Pilon being duly sworn on my oath that I am the Transferor (or President or Vice President if the Transferor is a corporation) for the foregoing permit transfer; that I have read the said application and fully know the contents thereof; that all statements contained in the permit transfer application are true and correct to my best knowledge and belief; by execution of this statement I certify that Transferor is in full compliance with the Wyoming Environmental Quality Act, the Rules and Regulations promulgated thereunder, and the terms and conditions of Mining Permit No. 214-T8. Approval of this transfer by the Department of Environmental Quality does not constitute a conclusion that the Transferor is in full compliance.

Dated this 12th day of September, 20 18.



No Corporate Seal
(Corporate Seal)

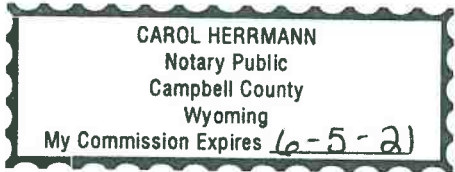
Signature: Jeffrey J. Pilon

Name: Jeffrey J. Pilon
(Printed or typed)

Title: Chief Operating Officer

The foregoing instrument was acknowledged before me by Jeffrey J. Pilon this 12th day of September, 20 18.

Witness my hand and official seal.



(Notary Seal)

Carol Herrmann
(Notary Public or Secretary if a Corporation)

Carol Herrmann
(Name printed or typed)

My Commission Expires: June 5, 2021

FINAL SWORN STATEMENT OF TRANSFEREE

State of Wyoming)
)ss
County of Campbell)

I Jeffrey J. Pilon being duly sworn on my oath that I am the Transferee (or President or Vice President if the Transferee is a corporation) for the foregoing mining permit transfer; that I have read the said application and fully know the contents thereof; that I further agree to be bound by all of the terms and conditions of the original permit and any amendments, revisions, or renewals thereof and accept all unfulfilled reclamation liabilities of statutes, rules and of the permit; that all statements contained in the permit transfer application are true and correct to my best knowledge and belief, by execution of this statement I certify that Blackjewel, LLC, Transferee, or entities controlled by or under common control with the transferee has the right and power by legal estate owned to mine from the land for which this permit transfer is desired; that transferee or entities controlled by or under common control with the transferee has not forfeited, or is not involved in forfeiture proceedings for, a bond posted for reclamation purposes; and if a **surface coal mining application**, that transferee or entities controlled by or under common control with the transferee has paid the reclamation fees for this and all coal mining operations under the jurisdiction of P.L. 95-87 as required by Title IV of that law; and the applicant or entities controlled by or under common control with the applicant has not had any Federal or State coal mining permits suspended or revoked in the five years preceding the date of this applicant; and by completion and submission of this application, hereby give consent to allow the Director, the Administrator and/or his authorized representatives, at reasonable times and upon presentation of appropriate credentials, to enter upon and have access to any and all lands covered by this permit and amendments thereto and to inspect and copy any records or documents, obtain or monitor any samples or sampling, for any activities associated with the operation and permit.

Dated this 12th day of September, 2018.

Signature: [Signature]
Name: Jeffrey J. Pilon
(Printed or typed)

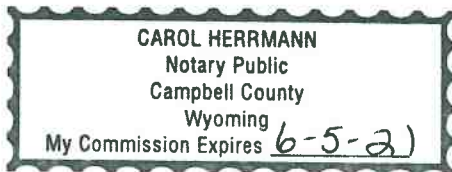
Title: Chief Operating Officer



No Corporate Seal
(Corporate Seal)

The foregoing instrument was acknowledged before me by Jeffrey J Pilon this 12th day of September, 2018.

Witness my hand and official seal.



(Notary Seal)

Carol Herrmann
(Notary Public or Secretary if a Corporation)

Carol Herrmann
(Name printed or typed)

My Commission Expires: June 5, 2021

Initial JP

Date 9/12/2018

Permit No. 214
TFN No. DEQ02-00003

INDEX SHEET FOR MINE PERMIT AMENDMENTS OR REVISIONS

Page 1 of 2
 Date 8/30/2018
 TFN 6 2/299

MINE COMPANY NAME: Contura Coal West, Inc.

MINE NAME: Belle Ayr Mine

PERMIT NO.: 214-T8

ORIGINAL SUBMITTAL DATE: January 30, 2018, **August 30, 2018**

Statement:
 I, (Mark Thrall), an authorized representative of Contura Coal West, Inc. declare that only the items listed on this and all consecutively numbered Index Sheets are intended as revisions to the current permit document. In the event that other changes inadvertently occurred due to this revision, those unintentional alterations will not be considered approved. Please initial and date.

NOTES: 1) Include all revision or change elements and a brief description of or reason for each revision element.
 2) List all revision or change elements in sequence by volume number; number index sheets sequentially as needed.

VOLUME NUMBER	PAGE, MAP OR OTHER PERMIT ENTRY TO BE REMOVED	PAGE, MAP OR OTHER PERMIT ENTRY TO BE ADDED	DESCRIPTION OF CHANGE
1	Volume 1 Table of Contents Pages TC1 – TC2	Volume 1 Table of Contents Pages TC1 – TC2	Page TC1-1 - Revised title of Sub-Section 1.4-5 to "VACANT". Page TC1-2 – Changed page numbers for Table 1.10-4.
1	Introduction Page Page i	Introduction Page Page i	Replaced references to Contura Coal West, LLC and Contura Wyoming Land Company with Blackjewel, LLC.
1	Section 1.1	Section 1.1	Insert new Form 1(t) when approved.
1	Section 1.2 Pages 1.2-2 and 1.2-3	Section 1.2 Pages 1.2-2 - 1.2-3	Inserted new Form 3 "Application for License to Mine" for Blackjewel, LLC.
1	Section 1.4 Pages 1.4-1 – 1.4-5	Section 1.4 Pages 1.4-1 – 1.4-3	Revised paragraph 1 to include reference to the transfer of rights from Contura Coal West, LLC and Contura Wyoming Land Company, LLC to Blackjewel, LLC. Replace current Certificates of Authority with new ones for Blackjewel, LLC. Removed certificates for Contura Wyoming Land Company, LLC as it no longer exists.
1	Sub-Section 1.4.5 Pages 1.4.5-1 and 1.4.5-2		Removed Sub-Section 1.4-5 "Contura Wyoming Land Company, LLC Surface Landowner's Consent" as Blackjewel, LLC is now the operator and land owner of all permit lands.
1	Section 1.5 Page 1.5-1	Section 1.5 Page 1.5-1	Replaced occurrences of Contura Coal West, LLC or Contura with Blackjewel, LLC or Blackjewel.
1	Section 1.10 Pages 1.10-1 – 1.10-2	Section 1.10 Pages 1.10-1 – 1.10-2	Replaced references to Contura Coal West, LLC with Blackjewel, LLC.

INDEX SHEET FOR MINE PERMIT AMENDMENTS OR REVISIONS

VOLUME NUMBER	PAGE, MAP OR OTHER PERMIT ENTRY TO BE REMOVED	PAGE, MAP OR OTHER PERMIT ENTRY TO BE ADDED	DESCRIPTION OF CHANGE
1	Table 1.10-1 All	Table 1.10-1 Pages 1 - 7	Updated Table 1.10-1 "List of Current Licenses and Permits".
1	Table 1.10-2 All	Table 1.10-2 Page 1	Updated Table 1.10-2 "Review of Three-Year Violation History.
1	Table 1.10-3 All	Table 1.10-3 Page 1	Updated Table 1.10-3 "Permits and Pending Applications".
1	Table 1.10-4 All	Table 1.10-4 Page 1	Revised Table 1.10-4 "Principal Officers and Directors" to reflect new organization.
1	Section 1.11	Section 1.11	Insert new Publisher's Affidavit after permit transfer publication.

INTRODUCTION

Contura Coal West, LLC assigned its rights and changed its name to Blackjewel, LLC on December 8, 2017. Any references to Contura Coal West, LLC or Contura Wyoming Land Company found in text or on maps throughout the Belle Ayr Mine Permit 214 shall be interpreted as Blackjewel, LLC.

1.0 Adjudication File (WDEQ Appendices A, B, C, and E)

All materials required to complete WDEQ Appendices A, B, C, and E have been included in Section 1.0.

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STATE OF WYOMING

DEPARTMENT OF ENVIRONMENTAL QUALITY
LAND QUALITY DIVISION
APPLICATION FOR
PERMIT TRANSFER

- I. (a) Name, telephone number, and mailing address of transferor (current permittee): _____
Contura Coal West, Inc., Belle Ayr Mine
P.O. Box 3039, Gillette, WY 82717-3039, (307) 687-3400
- (b) Location of mining operation (county): Campbell
- (c) Permit number to be transferred: 214-T8
- (d) The total number of acres in the approved permit area and the total approved affected acreage.

Permit Acres	Approved Acreage to Affect
Original Permit <u>7,007.4</u>	Original Permit <u>4,123</u>
Approved Amendments <u>6,400.39</u>	Approved Amendments <u>6,635</u>
Total Acres <u>13,407.79</u>	Total Acres <u>10,758.0</u>

Attach a legal description of above acreages as Appendix "C" and original USGS Quad Map(s) with permit and amendment areas clearly shown and identified.

2. (a) Name, telephone number, and mailing address of transferee (proposed permittee): _____
Blackjewel, LLC, Belle Ayr Mine
P.O. Box 3039, Gillette, WY 82717-3040 (307) 687-3400
- (b) If the Transferee is a partnership, association, corporation or limited liability co., the names and addresses of all managers, partners and executives directly responsible for operations in this State:
- | | |
|--|---|
| Name: <u>Shane D. Durgin</u> | Address: <u>P.O. Box 3039, Gillette, WY 82717</u> |
| Title: <u>Chief Operating Officer</u> | Phone No: <u>(307) 687-3462</u> |
| Name: <u>Daniel P. Baker</u> | Address: <u>P.O. Box 3039, Gillette, WY 82717</u> |
| Title: <u>Vice President Operations</u> | Phone No: <u>(307) 687-3450</u> |
| Name: <u>Jeffrey J. Pilon</u> | Address: <u>P.O. Box 3039, Gillette, WY 82717</u> |
| Title: <u>Vice president Engineering</u> | Phone No: <u>(307) 687-3406</u> |
| Name: _____ | Address: _____ |
| Title: _____ | Phone No. _____ |
3. Name, telephone number, and address of the agent or person of the Transferee to whom any notices under the provisions of the Wyoming Environmental Quality Act, Land Quality Division or Rules and Regulations adopted thereunder may be sent: Mark Thrall
P.O. Box 3039, Gillette, WY 82717-3039
4. The provisions of the transferred permit are severable, and if any provision of the permit, or the application of any provision of the permit, to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of the permit, shall not be affected thereby.

5. For surface coal mining operations, right of entry to or inspection of any operation, premises, records, or equipment shall not require advance notice.

SWORN STATEMENT OF TRANSFEROR

State of Wyoming)
)ss
County of Campbell)

I Shane D. Durgin being duly sworn on my oath that I am the Transferor (or President or Vice President if the Transferor is a corporation) for the foregoing permit transfer; that I have read the said application and fully know the contents thereof; that all statements contained in the permit transfer application are true and correct to my best knowledge and belief; by execution of this statement I certify that Transferor is in full compliance with the Wyoming Environmental Quality Act, the Rules and Regulations promulgated thereunder, and the terms and conditions of Mining Permit No. 214-T8. Approval of this transfer by the Department of Environmental Quality does not constitute a conclusion that the Transferor is in full compliance.

Dated this 30th day of August, 2018.

Signature: Shane D. Durgin

Name: Shane D. Durgin
(Printed or typed)

(Corporate Seal)

no corporate seal

Title: Chief Operating Officer

The foregoing instrument was acknowledged before me by Shane D. Durgin this 30th day of August, 2018.

Witness my hand and official seal.

Tina M. Hutt
(Notary Public or Secretary if a Corporation)



(Notary Seal)

Tina M. Hutt
(Name printed or typed)

My Commission Expires: 3/9/2021

FINAL SWORN STATEMENT OF TRANSFEREE

State of Wyoming)
)ss
County of Campbell)

I Shane D. Durgin being duly sworn on my oath that I am the Transferee (or President or Vice President if the Transferee is a corporation) for the foregoing mining permit transfer; that I have read the said application and fully know the contents thereof; that I further agree to be bound by all of the terms and conditions of the original permit and any amendments, revisions, or renewals thereof and accept all unfulfilled reclamation liabilities of statutes, rules and of the permit; that all statements contained in the permit transfer application are true and correct to my best knowledge and belief, by execution of this statement I certify that Blackjewel, LLC, Transferee, or entities controlled by or under common control with the transferee has the right and power by legal estate owned to mine from the land for which this permit transfer is desired; that transferee or entities controlled by or under common control with the transferee has not forfeited, or is not involved in forfeiture proceedings for, a bond posted for reclamation purposes; and if a **surface coal mining application**, that transferee or entities controlled by or under common control with the transferee has paid the reclamation fees for this and all coal mining operations under the jurisdiction of P.L. 95-87 as required by Title IV of that law; and the applicant or entities controlled by or under common control with the applicant has not had any Federal or State coal mining permits suspended or revoked in the five years preceding the date of this applicant; and by completion and submission of this application, hereby give consent to allow the Director, the Administrator and/or his authorized representatives, at reasonable times and upon presentation of appropriate credentials, to enter upon and have access to any and all lands covered by this permit and amendments thereto and to inspect and copy any records or documents, obtain or monitor any samples or sampling, for any activities associated with the operation and permit.

Dated this 30th day of August, 2018.

Signature: *Shane D. Durgin*

Name: Shane D. Durgin
(Printed or typed)

(Corporate Seal)
no corporate seal

Title: Chief Operating Officer

The foregoing instrument was acknowledged before me by Shane D. Durgin this 30th day of August, 2018.

Witness my hand and official seal.

Tina M. Hutt
(Notary Public or Secretary if a Corporation)



Tina M. Hutt
(Name printed or typed)

(Notary Seal)

My Commission Expires: 3/9/2021

Initial SD

Date 8/30/18

1.2 License to Mine Application (WDEQ Form 3)

COPY

NOTE:

DO NOT CUT OR MODIFY THIS FORM. Sign with blue ink. Submit two (2) copies, one of which must be an original Form 3 as supplied by the Department of Environmental Quality, Land Quality Division.

STATE OF WYOMING
DEPARTMENT OF ENVIRONMENTAL QUALITY
LAND QUALITY DIVISION
APPLICATION FOR LICENSE TO MINE

This application in duplicate for a license to mine is submitted in accordance with the provisions of the Wyoming Statute §35-11-410.

1. Applicant Information Name: Blackjewel, LLC Phone: (307) 687-3301
Address: Blackjewel L.L.C.
1051 Main Street
Milton, West Virginia 25541

2. Location of mining operation (County): Campbell

3. (a) A copy of the mining permit, submitted herewith, for the lands which are to be affected by the proposed mining operation:
Permit No. 214 Issued 29th day of June, 2017

(b) If the applicant is other than the permit holder, a copy of the instrument of permission submitted herewith, from the permit holder granting to the applicant the right thereto;

4. Maps showing the location and the numbers of acres to be affected by the proposed mining operation for the first year of operation if less than the full extent of the permit area.

(Map of affected area may be submitted with legal description if desired). The scale of maps shall be reasonable so as to show necessary detail, width of map not to exceed 48".

Suggested scales: Up to 10 acres - 1" = 100'
Up to 40 acres - 1" = 200'
40 acres or more - 1" = 400'

5. Date (month and year) when operation will commence: Upon Approval
Estimated date (year) of termination of the proposed mining operation: 2033

6. A fee of \$25.00.

7. Name, telephone number, and address of the agent or persons to whom any notice under the provisions of the Wyoming Environmental Quality Act, Land Quality Division or Rules and Regulations adopted thereunder may be sent: Name: Mark Thrall Phone: 307-687-3308
Address: Mark Thrall
Belle Ayr Mine
PO Box 3039
Gillette Wyoming 82717

8. The provisions of this license are severable, and if any provision of the license, or the application of any provision of this license to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this license shall not be affected thereby.

TFN6 3/293
RECD DEC 15, 2017



Initial ST Date 12/12/17
(Principal)

Permit No. PT0214-78
TFN No. 63/293

FINAL SWORN STATEMENT

State of Wyoming)
County of Campbell)ss.
)

I Shane D. Durgin being duly sworn on my oath that I am the applicant (or the President or Vice President if the applicant is a corporation) for the foregoing "License to Mine"; that I have read the said application and fully know the contents, thereof; and that all statements contained in the License to Mine application are true and correct to my best knowledge and belief; by execution of this statement I certify that Blackjewel L.L.C, applicant or entities controlled by or under common control with the applicant has the right and power by the legal estate owned to mine from the land for which this License to Mine is desired; that applicant or entities controlled by or under common control with the applicant has not forfeited, or is not involved in forfeiture proceedings for, a bond posted for reclamation purposes nor has had a mining permit or a license to mine suspended or revoked; and if a **surface coal mining application**, that applicant or entities controlled by or under common control with the applicant has paid the reclamation fees for this and all coal mining operations under the jurisdiction of P.L. 95-87 as required by Title IV of that law; and that applicant or entities controlled by or under common control with the applicant has not had any Federal or State Coal mining permits or licenses to mine suspended or revoked in the five years preceding the date of this application.

Dated this 12th day of December, 2017.

Signature Shane D. Durgin
Name Shane D Durgin
(printed or typed)

(Corporate Seal)

Title Senior Vice President and Chief Operating Officer

The foregoing instrument was acknowledged before me by Shane D. Durgin this 12th day of December, 2017.

Witness my hand and official seal.



Tina M. Hutt
Notary Public or Secretary if a Corporation
Tina M. Hutt
(Name printed or typed)

This application when returned to you with the validating signature of the Administrator of the Land Quality Division, Department of Environmental Quality, becomes your License No. L-10
Effective date: Jan. 22, 2018

Approved by:

By: [Signature]
Administrator
Land Quality Division
Department of Environmental Quality

[Signature]
Director
Department of Environmental Quality

TFN6 3/293
RECD DEC 15, 2017



Initial SD
(Principal)

Date 12/12/17

Permit No. PT 0214-T
TFN No. 63/293

1.4 Surface Owner Consents

The documents in this section may refer to AMAX, Meadowlark Farms, RAG Wyoming Land Company, RAG Coal West, Inc., Foundation Wyoming Land Company, Foundation Coal West, Inc., Alpha Wyoming Land Company, Alpha Coal West, Inc., Contura Wyoming Land Company, LLC, or Contrua Coal West, LLC. Meadowlark Farms was a subsidiary of AMAX. Both AMAX and Meadowlark Farms assigned their respective rights to AMAX Coal Company, and Amax Coal West, Inc. Amax Coal West, Inc. changed its name to RAG Coal West, Inc. on June 30, 1999. Both RAG Coal West, Inc. and RAG Wyoming Land Company assigned their respective rights and changed their name to Foundation Coal West, Inc. and Foundation Wyoming Land Company on July 30, 2004. Foundation Coal West, Inc., and Foundation Wyoming Land Company assigned their respective rights and changed their names to Alpha Coal West, Inc. and Alpha Wyoming Land Company on July 31, 2009. Alpha Coal West, Inc. and Alpha Wyoming Land Company assigned their respective rights and changed their names to Contura Coal West, LLC and Contura Wyoming Land Company, LLC on July 25, 2016. Contura Coal West, LLC and Contura Wyoming Land Company, LLC assigned their respective rights and changed their names to Blackjewel, LLC on December 8, 2017.

Surface Ownership Right of Entry statements and documents required under Chapter 2, Section 2, (a)(iii) are provided herein as listed below:

- 1.4.1 Carter Oil Company Easement, Encroachment and Sublease Agreement, 12/14/76
- Amendment of Easement, Encroachment and Sublease Agreement, 4/13/83
- Agreement for Assignment of Coal Properties and Amendment of Easement Agreement, 5/8/91
- Third Amendment of Easement, Encroachment and Sublease Agreement, 3/30/93
- Ratification and Amendment of Agreement, 12/09/96
- Ratification and Fifth Amendment of Agreement, 1/01/02

Delaware

Page 1

The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "BLACKJEWEL L.L.C." IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE TWENTY-SEVENTH DAY OF NOVEMBER, A.D. 2017.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "BLACKJEWEL L.L.C." WAS FORMED ON THE TWENTY-FOURTH DAY OF MARCH, A.D. 2017.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE BEEN ASSESSED TO DATE.



6350320 8300

SR# 20177231651

You may verify this certificate online at corp.delaware.gov/authver.shtml

A handwritten signature in black ink, appearing to read "JWB", is written over a horizontal line. Below the line, the text "Jeffrey W. Bullock, Secretary of State" is printed.

Authentication: 203627851

Date: 11-27-17

STATE OF WYOMING
Office of the Secretary of State

I, ED MURRAY, SECRETARY OF STATE of the STATE OF WYOMING, do hereby certify that the filing requirements for the issuance of this certificate have been fulfilled.

CERTIFICATE OF Authority

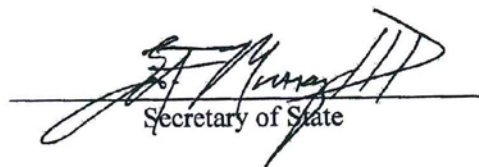
Blackjewel L.L.C.

Accordingly, the undersigned, by virtue of the authority vested in me by law, hereby issues this Certificate.

I have affixed hereto the Great Seal of the State of Wyoming and duly executed this official certificate at Cheyenne, Wyoming on this **4th** day of **December, 2017**.



Filed Date: 12/04/2017


Secretary of State

By: Angela Gonzales

1.5 Certificate of Public Liability Insurance

Blackjewel, LLC has a public liability insurance policy in force for the Belle Ayr surface mining and reclamation operation. Blackjewel will maintain the required insurance in force over the life of the permit, including any renewal necessary for completion of reclamation activities. An updated Certificate of Insurance will be provided to the Land Quality Division annually.

Comprehensive general liability coverage is for all operations under Department of Environmental Quality permits as referenced on the certificate and amendments thereto, including the use of explosives in such operations. The insurer will notify the Department of Environmental Quality if Blackjewel fails to renew the policy annually.

SECTION 1.10

Statement of Compliance and Right of Entry

This statement is given to meet the requirements of the Department of Environmental Quality - Land Quality Division current Coal Rules and Regulations, Chapter 2, Section 2 a(ii)-(v).

Neither Blackjewel, LLC nor any entities controlled by or under common control with Blackjewel, LLC has had any mining permit suspended or revoked in the last five years or forfeited a mining bond or similar security deposit in lieu of a bond.

A list of notices of violation pursuant to W.S. 35-11-406 (a)(xiv) describing the violation, when it occurred, any abatement action taken, the issuing regulatory authority, and any proceedings initiated concerning the violation is contained in Table 1.10-2 following this text. All surface coal mining operations owned or controlled by Blackjewel, LLC are currently in compliance with all applicable laws referred to in 35-11-406 (a)(xiv).

The necessary right of entry statements and documents required by W.S. 35-11-406 (a)(ii) and (b)(xi) are found in the "Surface Owner's Consent" Section 1.4. These documents clearly explain and support the legal rights claimed by Blackjewel, LLC; none of which are subject to pending litigation.

All lands, interests in lands, options, or pending bids on interests held or made by Blackjewel, LLC for lands which are contiguous to the Belle Ayr Mine permit area are identified in Section 1.7 (Appendix B).

No part of the area to be mined under this permit is within an area designated unsuitable for surface coal mining pursuant to W.S. 35-11-425, within an area under study for such an unsuitable designation, or within an area where mining is prohibited pursuant to Chapter 12 Section 1a(v).

The list identifying the Mine Safety and Health Administration identification number for the Belle Ayr Mine, and licenses, permits or approvals needed by Blackjewel, LLC to conduct the proposed operation, whether and when they have been issued, the issuing authority, and the steps to be taken to comply with the requirements follows in Table 1.10-1. Included are:

Copies or identifying numbers of all permits obtained from the State Engineer or from any other division of the Department of Environmental Quality, together with the following:

- References to where the information from the application for the approved Air Quality construction permit which affirmatively demonstrates an air quality monitoring program that provides sufficient data to evaluate the effectiveness of the fugitive dust control measures that are required to be used can be found.
- References to where the following information from the application for the approved Water Quality permit can be found to affirmatively demonstrate:

That Belle Ayr Mine has a detailed plan, with appropriate maps and cross sections, to control, protect, and treat, as necessary surface and groundwater regime within the mining permit area and adjacent areas in accordance with the standards set out by the Water Quality Division. The plan includes the approved quantitative limits on pollutants in discharges of water from all point sources as required by the most stringent applicable laws.

Monitoring programs for groundwater and surface water quality and quantity are described in Sections 2.6, 3.5, 4.6, and 5.3.

Belle Ayr Mine's solid waste management program is presented in Section 3.6.

All applications for permits to construct reservoirs as approved by the Wyoming State Engineer are provided in Section 3.5.

For any permits or approvals which have not been obtained, the information required which has been or will be submitted to the agencies involved, will be as shown in design and detail plans in this application, or as appropriately modified. All necessary permits from other agencies will be obtained prior to commencing construction, installation, or modification of the applicable structure.

Identification of Interests Including Owners of Record

Pursuant to Chapter 2, Section 2, a.(i)(B) of the Wyoming Department of Environmental Quality - Land Quality Division current Rules and Regulations, Blackjewel, LLC is providing in Table 1.10-4 the names and addresses of principal shareholders, officers and directors, and the resident agent of the applicant. In addition, the names under which the applicant operates or previously operated a surface coal mining operation in the United States within the five years preceding the date of application are also included.

**TABLE 1.10-1
List of Current Licenses and Permits**

<u>Authority Issuing and Permit</u>	<u>Date Issued</u>
-------------------------------------	--------------------

WYOMING PUBLIC LAND BOARD:

- (1) COAL LEASES:
- State Lease No. 0-26954A effective April 2, 2005

BUREAU OF LAND MANAGEMENT:

- (1) COAL LEASES:
- Modified Logical Mining Unit – WYW133407 (CASPLMU12) effective August 1, 1992, approved January 18, 2011
combines Federal leases WYW0317682 (Original - 09/01/65), WYW-80954 (10/1/82), WYW-78629 (9/1/82), Fee Coal and Wyoming State Coal Lease 0-26954A
 - Lease-By-Application (LBA) WYW161248 Effective 11/1/2011

- (2) SCORIA LEASES:
Federal WYW - 168367

(3) RESOURCE RECOVERY and PROTECTION PLAN (R2P2) Modifications:

- Original Lease September 1, 1965
- North Duck Nest and South Duck Nest Lease August 29, 1985
- Coal Recovery Line Modification July 10, 1989
- Create LMU (CASPLMU12) December 18, 1991
- Coal Fender Adjustment July 9, 1999
- Mine Plan Sequence August 30, 1999
- LBA 2000 April 18, 2001

MINE SAFETY and HEALTH ADMINISTRATION: Number: 48-00732 (not a permit)

LAND QUALITY DIVISION - Department of Environmental Quality:
Permit No. 214-T8 renewed October 28, 2013

WATER QUALITY DIVISION - Department of Environmental Quality:

Permit for Septic System 83-535	10/28/83
Permit for Septic System 87-363	12/09/87
Permit to Construct Monitoring Wells 90-347	10/25/90
NPDES Permit No. WY-0003514 (Point Source)	12/31/22 exp.
NPDES Permit No. WYR000209 (Stormwater)	08/31/17 exp.

**TABLE 1.10-1
(continued)**

List of Current Licenses and Permits

WYOMING STATE ENGINEER'S OFFICE - Groundwater:

Water and Observation Wells by Name	Permit Number (U.W.)	Date Issued
1 ST ENL BELLE AYR #2	P51362W	2/28/80
2ND ENL SCORIA HOLE #1	P33493W	5/24/76
3RD ENL SCORIA HOLE #1	P65874W	5/25/83
A401	P68986W	11/5/84
A401Y	P63248W	2/22/83
AV5 3	P71674W	12/30/85
B110HC	P62802W	12/7/82
B110ZC	P66767W	4/3/84
B161PD=B136KC	P57177W	10/1/81
B57EG	P66763W	4/3/84
B59FJ	P66765W	4/3/84
BA Ranch 24 12 Harrod	P76634W	4/25/88
BAS 17 A	P42088W	11/20/80
BAS 17 B	P42089W	11/20/80
BAS 17 C	P42090W	11/20/80
BAS 17 D	P42091 W	11/20/80
BAS 17 E	P42092W	11/20/80
BAS 17 F	P42093W	11/20/80
BAS 17H=BAS 20	P35467W	10/1/76
BAS20S	P66042W	12/6/83
BELLE AYR #2	P30276W	8/28/74
BELLE AYR #4	P92663W	7/30/93
BELLE AYR #5	P162280	8/30/04
BELLE AYR GUARD	P83664W	9/27/90
BELLE AYR SOUTH PIT	P30345W	10/10/74
CASSIDY #3	P16959P	12/31/39
CLABAUGH #4	P5515P	8/26/64
DFW #1	P83610W	9/20/90
DFW #10	P84866W	3/16/91
DFW #11	P85509W	7/2/91
DFW #12	P85510W	4/10/96
DFW #2	P83611 W	9/20/90
DFW #3	P83612W	9/20/90
DUNLAP #1	P23435P	7/26/73
DUNLAP #2	P23436P	7/26/73
DUNLAP #7 (DEEPENED)	P23441P	7/26/73
DUNLAP #8	P23442P	7/26/73
EARL #2	P5511P	4/13/51
ENL BELLE AYR GUARD WELL	P85119W	5/20/91

**TABLE 1.10-1
(continued)**

List of Current Licenses and Permits

Water and Observation Wells by Name	Permit Number (U.W.)	Date Issued
ENL BELLE AYR MINE - EAST SUMP	P85118W	5/20/91
ENL PLANT #2 WELL	P85120W	5/20/91
ENL SCORIA HOLE# 1	P30731 W	7/10/75
HAMER #1	P5509P	12/31/02
LBA-10C	P114830W	4/1/99
LBA-10D	P114831W	4/1/99
LBA-12C	P114832W	4/1/99
LBA-12D	P114833W	4/1/99
LBA-14C	P114834W	4/1/99
LBA-14D	P114835W	4/1/99
LBA-1C	P114823W	4/1/99
LBA-1D	P114824W	4/1/99
LBA-21C	P114836W	4/1/99
LBA-6C	P114826W	4/1/99
LBA-6D	P114827W	4/1/99
LBA-7C	P114828W	4/1/99
LBA-7D	P114829W	4/1/99
MORGAN ORIGINAL #1	P24866P	10/12/73
MORGAN #1	P61G	12/21/49
N11	P30024W	5/30/75
NORTH PIT RESERVOIR #1	P81322W	8/29/89
P551273	P122563W	1/26/00
P568375	P122124W	3/24/00
P571375	P122121W	1/21/00
P577293	P122196W	1/21/00
P577372	P122116W	1/21/00
P577375	P122115W	1/21/00
P581303	P122184W	1/21/00
P581309	P122176W	1/21/00
P581362	P122131W	1/21/00
P581365	P122128W	1/21/00
P581369	P122114W	1/21/00
P581375	P122113W	1/21/00
P584342	P122147W	1/21/00
P584346	P122144W	1/21/00
P584352	P122139W	1/21/00
P584355	P122136W	1/21/00
P584359	P122133W	1/21/00
P584362	P122130W	1/21/00
P584365	P122127W	1/21/00
P584369	P122112W	1/21/00

**TABLE 1.10-1
(continued)**

List of Current Licenses and Permits

Water and Observation Wells by Name	Permit Number (U.W.)	Date Issued
P584372	P122111W	1/21/00
PL1901	P95746W	6/20/94
PL1902	P95747W	6/20/94
PL1902-1	P97483W	10/18/94
PL1903	P95748W	6/20/94
PL2401	P95749W	6/20/94
PL2402	P95750W	6/20/94
PL2403	P95751W	6/20/94
PL2501	P95752W	9/1/94
PL2502	P95753W	9/1/94
PL3001	P95754W	6/20/94
PLANT #2	P36441 W	12/17/76
RAY #1	P3582W	11/17/69
ROBB #3=A563C	P44518W	8/4/78
RW 0402	P103119W	7/24/96
RW 2701	P43545W	5/22/78
RW 2703	P43547W	5/22/78
RW 2704	P43548W	5/22/78
RW 2705	P52424W	6/10/80
RW 2706	P55984W	2/26/81
RW 2707	P70216W	5/20/85
RW 2804	P73594W	11/3/86
RW2902	P70217W	5/20/85
RW 3201	P109926W	5/4/98
RW 3304-1	P69371 W	2/11/85
RW 3401	P52425W	6/10/80
RW 3402	P55988W	2/26/81
RW 3403	P55989W	2/26/81
RW 3404	P103121W	7/24/96
RW 3405	P103122W	7/24/96
RW 3406	P59294W	12/24/81
RW 3407	P65873W	10/31/83
RW3408	P70224W	5/20/85
RW 3409	P103123W	7/26/96
SCORIA HOLE #1	P29416W	3/11/74
TRAILER WELL #1	P3398OW	6/22/76
UB 0301	P8650OW	10/31/91
UB3301	P103118W	7/24/96
UB3401	P86501W	10/31/91
WRR1 9	P30034W	5/30/75
NWSW SECTION 30 DEWATER (12 WELLS)	P203313W	3/15/15

**TABLE 1.10-1
(continued)**

List of Current Licenses and Permits

Water and Observation Wells by Name	Permit Number (U.W.)	Date Issued
NESE SECTION 25 DEWATER (12 WELLS)	P203314W	3/15/15
NESW SECTION 30 DEWATER (12 WELLS)	P203315W	3/31/15
SENE SECTION 25 DEWATER (12 WELLS)	P203388W	3/31/15
SWNW SECTION 30 DEWATER (12 WELLS)	P203389W	7/15/15
SENW SECTION 30 DEWATER (12 WELLS)	P203390W	1/28/15
NENE SECTION 25 DEWATER (12 WELLS)	P203811W	1/28/15
SESE SECTION 25 DEWATER (5 WELLS)	P197053W	7/15/15
SWSE SECTION 25 DEWATER (5 WELLS)	P197061W	3/31/15
NENW SECTION 30 DEWATER (12 WELLS)	P206146W	3/31/15
NWNW SECTION 30 DEWATER (12 WELLS)	P206145W	8/30/16
NESE SECTION 24 DEWATER (12 WELLS)	P207097W	8/30/16
SESE SECTION 24 DEWATER (12 WELLS)	P207098W	4/21/17
NWSW SECTION 19 DEWATER (12 WELLS)	P207099W	4/21/17
NESW SECTION 19 DEWATER (12 WELLS)	P207100W	4/21/17
SWSW SECTION 19 DEWATER (12 WELLS)	P207101W	4/21/17
SESW SECTION 19 DEWATER (12 WELLS)	P207102W	4/21/17

**TABLE 1.10-1
(continued)**

List of Current Licenses and Permits

WYOMING STATE ENGINEER'S OFFICE – Surface Water:

<u>Reservoir</u>	<u>Authority Issuing & Permit</u>	<u>Priority Date</u>
BANPDES 002	SE-9038-RES	5/30/85
BANPDES 013	SE-9096-RES	7/2/85
BANPDES 015	SE-9143-RES	5/30/85
BANPDES 019	SE-10431-RES	9/17/96
Boneyard Sediment	SE-8557-RES	9/14/81
Caballo Lake	SE-10285-RES	02/05/96
Coal Barn	SE-10288-RES	11/3/93
Coal Haul Road	SE-8311-RES	6/9/81
Duck Nest	SE-10488-RES	11/22/96
Gralla's Gulch Sediment	SE-8310-RES	6/9/81
Northwest	SE-8663-RES	7/11/83
Sediment BA8	SE-P9280R	7/9/87
Sediment BA8 ENL.	SE-9676-RES	10/17/90
Sediment BA10	SE-10432-RES	9/17/96
Sediment BA34	SE-10433-RES	9/17/96
Sediment BA57	SE-10437-RES	9/17/96
Temporary North Pit	SE-9521-RES	7/10/89
Upper Gralla's Gulch	SE-8771SR	1/28/81

**TABLE 1.10-1
(continued)**

List of Current Licenses and Permits

OTHER:

AIR QUALITY DIVISION - Department of Environmental Quality:

Permit No. P0014896

6/3/2015

BUREAU OF ALCOHOL, TOBACCO AND FIREARMS (Dept. of Treasury):

20-Manufacturer of High Explosives: License/Permit applied for – awaiting new license.

U.S. NUCLEAR REGULATORY COMMISSION:

License #49-26963-03
Effective 8/11/90

FEDERAL COMMUNICATIONS COMMISSION:

KTY898

Expires 8/25/2023

U.S. FISH & WILDLIFE SERVICE:

Migratory Birds of High Federal Interest and Raptor Mitigation Plan
(approved 1/29/2016)

Table 1.10-2

Blackjewel, LLC - Review of Three-Year Violation History

Permittee	Permit #	MSHA #	NOV #	Inspector	Date Issued	Status	Violation Activity
Alpha Coal West, Inc.	428	48-01078	5632-15	Kurt King	11/18/2015	NOV Issued	Description of Violations: Spoil was dozed onto topsoil at a reclaimed area.
					5/27/2016	Abated/Terminated	Current Actions Taken to Abate: Area was cleaned in November 2015 and then re-seeded on May 18, 2016. Area was inspected on May 26, 2016 by Stacy Page/DEQ-LQD and violation was terminated on May 27, 2016.

Table 1.10-3

Permits and Pending Applications

Mining is authorized by the permits listed after each of the following mines and the companies under which whose name the mines were operated.

All permits issued within the last 5 years preceding the date of this application for surface coal mining operations in the United States.

Permittee	Mine Name	SMCRA Number	Location	Status	Expiration Date
Blackjewel, LLC	Eagle Butte Mine	428	Eagle Butte Mine	Active	11/3/2020
Blackjewel, LLC	Belle Ayr Mine	214	Belle Ayr Mine	Active	10/28/2018

Table 1.10-4 – PRINCIPAL OFFICERS AND DIRECTORS

Blackjewel, LLC			
Address	Belle Ayr Mine P.O. Box 3039 Gillette, WY 82717-3039	Eagle Butte Mine P.O. Box 3040 Gillette, WY 82717-3040	
FEIN#	81-2965229		
Name	Position	Beginning Date	Ending Date
Shane D. Durgin	Chief Operating Officer	12/8/2017	
Daniel P. Baker	Vice President Operations	12/8/2017	
Jeoffrey J. Pilon	Vice President Engineering	12/8/2017	

Blackjewel Holdings, LLC			
Address	1051 Main Street Milton, WV 25541		
FEIN#	26-3810823		
Name	Position	Beginning Date	Ending Date
Jeffery A. Hoops	President & CEO	3/24/2017	
Drew Kesler	Chief Financial Officer	3/24/2017	



Mark Rogaczewski <mark.rogaczewski@wyo.gov>

Re: Belle Ayr Transfer AVS Request

1 message

Kim Pandullo <kim.pandullo@wyo.gov>
To: Mark Rogaczewski <mark.rogaczewski@wyo.gov>

Mon, Feb 12, 2018 at 10:31 AM

AVS was run on this application on 2/8/18. Ended with 45 conditional violations but 0 were outstanding.

Thank you and have a wonderful day!!

Kim Pandullo
Administrators' Secretary
Office Support Specialist II

State of Wyoming
DEQ-Land Quality Division **Note: NEW ADDRESS**
200 W. 17th St., Suite 10
Cheyenne, WY 82002
kim.pandullo@wyo.gov
(307) 777-7655
fax (307) 635-1784

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On Mon, Feb 12, 2018 at 10:06 AM, Mark Rogaczewski <mark.rogaczewski@wyo.gov> wrote:
Kim,

Please perform a AVS check for Belle Ayr Mine - Permit 214-T8 - Transfer from Contura Coal West, LLC to Blackjewel, LLC - TFN 6 2/299.

Thanks,

Mark Rogaczewski
Supervisor
LQD District III
2100 West 5th Street
Sheridan, WY 82801
307-675-5616
mark.rogaczewski@wyo.gov

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DEQ02-
00032

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**DEQ02-
00033**

2/12/2018

State of Wyoming Mail - Belle Ayr Transfer AVS Request

6 2/299



Mark Rogaczewski <mark.rogaczewski@wyo.gov>

Belle Ayr Transfer AVS Request

1 message

Mark Rogaczewski <mark.rogaczewski@wyo.gov>

Mon, Feb 12, 2018 at 10:06 AM

To: Kim Pandullo <kim.pandullo@wyo.gov>

Kim,

Please perform a AVS check for Belle Ayr Mine - Permit 214-T8 - Transfer from Contura Coal West, LLC to Blackjewel, LLC - TFN 6 2/299.

Thanks,

Mark Rogaczewski
Supervisor
LQD District III
2100 West 5th Street
Sheridan, WY 82801
[307-675-5616](tel:307-675-5616)
mark.rogaczewski@wyo.gov

**DEQ02-
00034**



6 2/299

Mark Rogaczewski <mark.rogaczewski@wyo.gov>

Re: FW: Wyoming Insurance - WY Dept of Environmental COI

1 message

Craig Hults <craig.hults@wyo.gov>

Wed, Apr 4, 2018 at 4:25 PM

To: Mark Thrall <Mark.Thrall@blackjewel.us>

Cc: Mark Rogaczewski <mark.rogaczewski@wyo.gov>, Tina Hutt <Tina.Hutt@blackjewel.us>

Mark, to date I have not received the hard-copies of the Blackjewel COI's. The electronic attachments provided had a certificate for PT0214 and not PT0428. Also I note that the endorsement attachment has an incorrect reference to PT0212 instead of PT0214 and the endorsement should state that "in the event of any substantive changes to the policy" the certificate holder will be given 45 days notice. The endorsement currently states in the event of "cancellation" we will be provided notice. Finally, the endorsement was addressed to "Craig Hill" instead of "Craig Hults"; I wouldn't have required revision to that but if it is going to be revised for the other corrections I thought I would mention it. Please do not hesitate to contact me. Craig.

On Thu, Feb 22, 2018 at 2:09 PM, Mark Thrall <Mark.Thrall@blackjewel.us> wrote:

Have you received and reviewed the Blackjewel certificates?

From: Mark Thrall**Sent:** Tuesday, February 6, 2018 10:26 AM**To:** Craig Hults <craig.hults@wyo.gov>**Subject:** Wyoming Insurance - WY Dept of Environmental COI

Craig;

Have you received these?

Please note new contact information:

Mark Thrall

Environmental Manager Sr.

Eagle Butte and Belle Ayr Mines

Blackjewel, LLC

PO Box 3040

Gillette, WY 82717-3040

mark.thrall@blackjewel.us

307-687-3308 Work

307-689-1565 Cell

**DEQ02-
00035**

BLACKJEWEL

From: Heather Hammond [mailto:heather@blackdiamondinsurancegroup.com]
Sent: Monday, January 29, 2018 2:48 PM
To: Jeff Hoops <Jeff.Hoops@blackjewel.us>; Mark Thrall <Mark.Thrall@blackjewel.us>
Cc: Joff Pilon <Joff.Pilon@blackjewel.us>; Shane Durgin <Shane.Durgin@blackjewel.us>;
csr@blackdiamondinsurancegroup.com
Subject: RE: PRB Weekly Coal Inventories and Wyoming Insurance - WY Dept of Environmental COI

See attached COI as requested for Wyoming Department of Environmental. If you need anything further, please let me know. Thanks!

Thank you,

Heather Hammond

534 East Main Street

Stanville KY 41659

606-478-2400 ph

606-478-2401 fax



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--

Craig Hults, Natural Resources Program Principal

Land Quality Division, Wyoming Department of Environmental Quality
200 W. 17th Street, Suite 10 (Note New Address)
Cheyenne, WY 82002

(307) 777-7066, craig.hults@wyo.gov

DEQ02-

00036

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**DEQ02-
00037**

6 2/299



Mark Rogaczewski <mark.rogaczewski@wyo.gov>

Fwd: TFN's 6 1/299 and 6 2/299 - Blackjewel Transfer Application forms

1 message

Carol Bilbrough <carol.bilbrough@wyo.gov>
To: Mark Rogaczewski <mark.rogaczewski@wyo.gov>

Fri, Apr 6, 2018 at 9:59 AM

That is one concern out of the way. Our bond is still good.

----- Forwarded message -----

From: **Craig Hults** <craig.hults@wyo.gov>
Date: Fri, Apr 6, 2018 at 9:51 AM
Subject: Re: TFN's 6 1/299 and 6 2/299 - Blackjewel Transfer Application forms
To: Carol Bilbrough <carol.bilbrough@wyo.gov>

Carol, Contura is in good standing with the WY SOS. See attached. Craig.

On Fri, Apr 6, 2018 at 9:36 AM, Carol Bilbrough <carol.bilbrough@wyo.gov> wrote:
Craig, would you please check into the status of Contura Coal West, LLC? Per the email chain below, it would be good to know the status of the company. thanks

----- Forwarded message -----

From: **Mark Rogaczewski** <mark.rogaczewski@wyo.gov>
Date: Fri, Apr 6, 2018 at 9:23 AM
Subject: Re: TFN's 6 1/299 and 6 2/299 - Blackjewel Transfer Application forms
To: Carol Bilbrough <carol.bilbrough@wyo.gov>

Carol,

I have relayed LQD's concerns related to the bond submittal a couple of times to Mark Thrall and Tina Hutt. I also included the requirement for a bond to be submitted in my March 9, 2018 review letters for their transfer applications. Kyle is also aware that LQD has not received bond instruments.

Mark

On Fri, Apr 6, 2018 at 8:53 AM, Carol Bilbrough <carol.bilbrough@wyo.gov> wrote:
Mark, I checked the bond spreadsheet and there is no evidence that they have submitted a bond. Do you know anything about their plans? If Conturra doesnt exist as a company any more, there is some urgency in getting a new bond.

thanks, Carol

On Fri, Apr 6, 2018 at 7:43 AM, Mark Rogaczewski <mark.rogaczewski@wyo.gov> wrote:
Thanks!

On Wed, Apr 4, 2018 at 4:30 PM, Craig Hults <craig.hults@wyo.gov> wrote:
Mark and Shannon, the above referenced transfer application forms are acceptable as submitted and may be approved. Also I sent a reminder to Mark Thrall re: the insurance certificates. They have not been received to date. The electronic copy that was provided was only for PT0214 and the endorsement attachment contained some errors as well. Will hopefully hear back soon regarding the certificates. It seems the insurance is in place we just need the supporting paperwork for that portion. Craig.

--

Craig Hults, Natural Resources Program Principal

**DEQ02-
00038**

Land Quality Division, Wyoming Department of Environmental Quality
200 W. 17th Street, Suite 10 (Note New Address)
Cheyenne, WY 82002

(307) 777-7066, craig.hults@wyo.gov

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--

Mark Rogaczewski
Supervisor
LQD District III
2100 West 5th Street
Sheridan, WY 82801
307-675-5616
mark.rogaczewski@wyo.gov

E-Mail to and from me, in connection with the transaction of public business, is subject to the Wyoming Public Records Act and may be disclosed to third parties.

--

Carol Bilbrough, PhD
Program Manager
WDEQ Land Quality Division
307-777-6772
carol.bilbrough@wyo.gov

E-Mail to and from me, in connection with the transaction of public business, is subject to the Wyoming Public Records Act and may be disclosed to third parties.

--

Mark Rogaczewski
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LQD District III
2100 West 5th Street
Sheridan, WY 82801
307-675-5616
mark.rogaczewski@wyo.gov

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--

Carol Bilbrough, PhD
Program Manager

**DEQ02-
00039**

WDEQ Land Quality Division
307-777-6772
carol.bilbrough@wyo.gov

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--

Craig Hults, Natural Resources Program Principal

Land Quality Division, Wyoming Department of Environmental Quality
200 W. 17th Street, Suite 10 (Note New Address)
Cheyenne, WY 82002

(307) 777-7066, craig.hults@wyo.gov

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--

Carol Bilbrough, PhD
Program Manager
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307-777-6772
carol.bilbrough@wyo.gov

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 **Contura_SOS_Standing_(4_6_2018).pdf**
18K

**DEQ02-
00040**

STATE OF WYOMING * SECRETARY OF STATE
EDWARD A. BUCHANAN
BUSINESS DIVISION

2020 Carey Avenue, Cheyenne, WY 82002-0020

Phone 307-777-7311 · Fax 307-777-5339

Website: <http://soswy.state.wy.us> · Email: business@wyo.gov

Filing Information



Please note that this form CANNOT be submitted in place of your Annual Report.

Name	Contura Coal West, LLC		
Filing ID	2016-000720534		
Type	Limited Liability Company	Status	Active

General Information

Old Name		Sub Status	Current
Fictitious Name		Standing - Tax	Good
		Standing - RA	Good
Sub Type		Standing - Other	Good
Formed in	Delaware	Filing Date	07/19/2016 10:09 AM
Term of Duration	Perpetual	Delayed Effective Date	
		Inactive Date	

Principal Address

2273 Bishop Rd
Gillette, WY 82718

Mailing Address

2273 Bishop Rd
Gillette, WY 82718

Registered Agent Address

Corporation Service Company
1821 Logan Ave
Cheyenne, WY 82001

Parties

Type	Name / Organization / Address
------	-------------------------------

Notes

Date	Recorded By	Note
------	-------------	------

Filing Information



Please note that this form CANNOT be submitted in place of your Annual Report.

Name	Contura Coal West, LLC		
Filing ID	2016-000720534		
Type	Limited Liability Company	Status	Active

Most Recent Annual Report Information

Type	Original	AR Year	2017
License Tax	\$54,419.42	AR Exempt	N
AR Date	7/11/2017 8:23 AM	AR ID	02875902
Web Filed	N		

Officers / Directors

Type	Name / Organization / Address
------	-------------------------------

Principal Address

2273 Bishop Rd
Gillette, WY 82718

Mailing Address

2273 Bishop Rd
Gillette, WY 82718

Annual Report History

Num	Status	Date	Year	Tax
02875902	Original	07/11/2017	2017	\$54,419.42

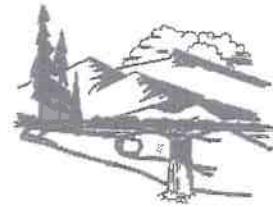
Amendment History

ID	Description	Date
2018-002261476	RA Name/Address Change Registered Agent # Changed From: 0162225 To: 0173386 Registered Agent Organization Name Changed From: C T Corporation System To: Corporation Service Company Registered Agent Physical Address 1 Changed From: 1908 Thomes Ave To: 1821 Logan Ave	03/10/2018
2017-002099884	Delinquency Notice - Tax	07/02/2017
2016-001961346	Address Update Principal Address 1 Changed From: 2079 Herndon Rd To: 2273 Bishop Rd Principal City Changed From: McClure To: Gillette Principal State Changed From: VA To: WY Principal Postal Code Changed From: 24269 To: 82718	10/08/2016
2016-001955282	Address Update Principal Address 1 Changed From: 1615 Brett Rd OPS III To: 2079 Herndon Rd Principal City Changed From: New Castle To: McClure Principal State Changed From: DE To: VA Principal Postal Code Changed From: 19720 To: 24269	09/26/2016
See Filing ID	Initial Filing	07/19/2016



Department of Environmental Quality

To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.



Matthew H. Mead, Governor



Todd Parfitt, Director

CR	KM	DE	GY
SM	BK	LM	JM
PS	DL	DM	DS
JH	<u>CHEY</u>		

Mark Thrall
Blackjewel LLC
PO Box 3039
Gillette, WY 82717

RE: Bond Return – Permit Nos. PT0428 & PT0214
PT0428: XL Specialty Insurance Company Surety No. US00085572SU18A
PT0428: Atlantic Specialty Insurance Company Surety No. 800036595
PT0428: Endurance American Insurance Company Surety No. EAIC79000049
PT0214: XL Specialty Insurance Company Surety No. US00085571SU18A
PT0214: Endurance American Insurance Company Surety No. EAIC79000048

Dear Mr. Thrall:

As requested, the above referenced Surety Bonds are enclosed. The Surety Bonds had received a favorable review from the Attorney General's Office, and would be acceptable. However, we understand you'd prefer to change the amounts within the bond instruments before submissions.

Should you have any questions regarding your bond instrument, please feel free to contact Casey Robb (307-777-6910 or casey.robbs2@wyo.gov).

Sincerely,

Casey Robb
Bonding Analyst
Department of Environmental Quality
Enclosures

Date: 8/7/18



CR

cc: District 3 – Mark Rogaczewski

6/2/29



Department of Environmental Quality

To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.



Matthew H. Mead, Governor

Todd Parfitt, Director

SM	KM	DE	GY
SM	BK	LM	JM
PS	DL	DM	DS
JH	CHEY		

Mark Thrall
Blackjewel LLC
PO Box 3039
Gillette, WY 82717

RE: Bond Acceptances – Permit No. PT0214
New Bond: Endurance American Insurance Company Surety No. EAIC179000048
New Bond: Endurance Assurance Corporation Reinsurance for Surety No. EAIC179000048
New Bond: Atlantic Specialty Insurance Company Surety No. 800036605
New Bond: Indemnity National Insurance Company Surety No. N-7001125
New Bond: XL Specialty Insurance Company Surety No. US00085571SU18A
Held On Permit: Contura Coal West LLC Collateral Bond No. CBC-001

Dear Mr. Thrall:

The above referenced bonds have been accepted by the Wyoming Department of Environmental Quality, and copies are enclosed. This permit's total aggregate bond amount provided by and for Blackjewel LLC is now \$119,068,500.00 in accordance with the June 5, 2018 Director's Bond Letter. **Please be advised this is only an approval for the above referenced bonds, and not an approval for the permit transfer.** The details of the bonding for the permit are on the back side of this page.

Should you have any questions regarding your bond instrument, please feel free to contact Casey Robb (307-777-6910 or casey.robbs@wyo.gov).

Sincerely,

Todd Parfitt
Todd Parfitt

Director
Department of Environmental Quality
Enclosures

Date: 8/29/18



TP:CR

cc: District 3 – Mark Rogaczewski
cc: District 3 – Pat Seurer

DEQ02-00044

Permit No.	Bond Provided By	Bond Action	Bondor	Bond No.	Bond Type	Previous Bond Amount	Change	Direct Writing Surety Coverage Amount	Reinsurance Amount	Current Bond Amount	Total Required Bond Amount
				A	B	C	D	E	F	G	H
PT0214	Blackjewel LLC	Acceptance	Endurance American Insurance Company	EALC179000048	Surety		\$52,068,500.00	\$40,000,000.00		\$52,068,500.00	
PT0214	Blackjewel LLC	Acceptance	Endurance Assurance Corporation	EALC179000048	Reinsurance				\$12,068,500.00	\$50.00	
PT0214	Blackjewel LLC	Acceptance	Atlantic Specialty Insurance Company	800026605	Surety		\$10,000,000.00			\$10,000,000.00	
PT0214	Blackjewel LLC	Acceptance	Indemnity National Insurance Company	N-7001325	Surety		\$5,000,000.00			\$5,000,000.00	
PT0214	Blackjewel LLC	Acceptance	XL Specialty Insurance Company	US000865719UBA	Surety		\$25,251,000.00			\$25,251,000.00	
PT0214	Contura Coal West LLC	Held on Permit	Contura Coal West LLC	CBC-001	Collateral	\$26,749,000.00				\$26,749,000.00	
Totals For	Blackjewel LLC					\$26,749,000.00	\$92,319,500.00	\$40,000,000.00	\$12,068,500.00	\$119,068,500.00	\$119,068,500.00

Permit No.	Bond Provided By	Bond Action	Bondor	Bond No.	Bond Type	Current Bond Amount
PT0214	Contura Coal West LLC	None	Aspen American Insurance Company	SU08198	Surety	\$30,807,767.00
PT0214	Contura Coal West LLC	None	XL Specialty Insurance Company	US000798645U17A	Surety	\$12,500,000.00
PT0214	Contura Coal West LLC	None	North American Specialty Insurance Company	2181552	Surety	\$16,583,233.00
PT0214	Contura Coal West LLC	None	Atlantic Specialty Insurance	800031980	Surety	\$10,000,000.00
PT0214	Contura Coal West LLC	None	U.S. Specialty Insurance Company	1000963307	Surety	\$12,450,000.00
PT0214	Contura Coal West LLC	None	Liberty Mutual Insurance Company	01905878	Surety	\$10,000,000.00
PT0214	Contura Coal West LLC	Held on Permit	Contura Coal West LLC	CBC-001	Collateral	\$26,749,000.00
Totals For	Contura Coal West LLC					\$119,089,000.00



6 2/299

SM	KM	DE	GY
PS	BK	LM	JM
JH	DL	DM	DS
	CHEY		

BLACKJEWEL

Belle Ayr and Eagle Butte Mines

August 30, 2018

Mr. Mark Rogaczewski
 Supervisor
 Department of Environmental Quality
 2100 West 5th Street
 Sheridan WY 82801

RE: Permit Transfers
 Belle Ayr Mine Permit 214-T8, TFN 6 2/299
 Eagle Butte Mine Permit 428-T7, TFN 6 1/299

Dear Mr. Rogaczewski:

Blackjewel, LLC herein, submits response to comments that were received on March 9, 2018 for the Eagle Butte and Belle Ayr Mines application for permit transfers.

The reclamation performance bonds for Eagle Butte and Belle Ayr were accepted by the Department of Environmental Quality on August 29, 2018. Approved Certificates of Insurance were received on May 4, 2018.

Eagle Butte Mine: Section 1.2 has been revised to remove references to all License to Mine documents prior to L11 for Blackjewel, LLC. All pages from Section 1.2 are being submitted. We request that any active License to Mine documents other than L6 (Dry Fork Coal Co.) and L11 be terminated. Form 1(t) and Table 1.7-3 Principal Officers and Directors are being resubmitted to reflect organizational changes since the original submittal.

Belle Ayr Mine: Section 1.2 does not list any previous License to Mine documents, so no change has been made as requested. We request that any active License to Mine documents other than L10 be terminated. Form 1(t) and Table 1.10-4 Principal Officers and Directors are being resubmitted to reflect organizational changes since the original submittal.

Should you have any questions regarding this information please feel free to contact me at (307) 687-3308 or Tina Hutt at (307) 687-3302.

Sincerely,



Mark Thrall
 Environmental Manager



INDEX SHEET FOR MINE PERMIT AMENDMENTS OR REVISIONS

MINE COMPANY NAME: Contura Coal West, Inc. MINE NAME: Belle Ayr Mine PERMIT NO.: 214-T8
 ORIGINAL SUBMITTAL DATE: January 30, 2018, August 30, 2018

Statement: *MT*
 I, (Mark Thrall), an authorized representative of Contura Coal West, Inc. declare that only the items listed on this and all consecutively numbered Index Sheets are intended as revisions to the current permit document. In the event that other changes inadvertently occurred due to this revision, those unintentional alterations will not be considered approved. Please initial and date.
 NOTES: 1) Include all revision or change elements and a brief description of or reason for each revision element.
 2) List all revision or change elements in sequence by volume number; number index sheets sequentially as needed.

VOLUME NUMBER	PAGE, MAP OR OTHER PERMIT ENTRY TO BE REMOVED	PAGE, MAP OR OTHER PERMIT ENTRY TO BE ADDED	DESCRIPTION OF CHANGE
1	Volume 1 Table of Contents Pages TC1 – TC2	Volume 1 Table of Contents Pages TC1 – TC2	Page TC1-1 - Revised title of Sub-Section 1.4-5 to "VACANT". Page TC1-2 – Changed page numbers for Table 1.10-4.
1	Introduction Page Page i	Introduction Page Page i	Replaced references to Contura Coal West, LLC and Contura Wyoming Land Company with Blackjewel, LLC.
1	Section 1.1	Section 1.1	Insert new Form 1(t) when approved.
1	Section 1.2 Pages 1.2-2 and 1.2-3	Section 1.2 Pages 1.2-2 - 1.2-3	Inserted new Form 3 "Application for License to Mine" for Blackjewel, LLC.
1	Section 1.4 Pages 1.4-1 – 1.4-5	Section 1.4 Pages 1.4-1 – 1.4-3	Revised paragraph 1 to include reference to the transfer of rights from Contura Coal West, LLC and Contura Wyoming Land Company, LLC to Blackjewel, LLC. Replace current Certificates of Authority with new ones for Blackjewel, LLC. Removed certificates for Contura Wyoming Land Company, LLC as it no longer exists.
1	Sub-Section 1.4.5 Pages 1.4.5-1 and 1.4.5-2	Section 1.5 Page 1.5-1	Removed Sub-Section 1.4-5 "Contura Wyoming Land Company, LLC Surface Landowner's Consent" as Blackjewel, LLC is now the operator and land owner of all permit lands.
	Section 1.5 Page 1.5-1	Section 1.5 Page 1.5-1	Replaced occurrences of Contura Coal West, LLC or Contura with Blackjewel, LLC or Blackjewel.
	Section 1.10 Pages 1.10-1 – 1.10-2	Section 1.10 Pages 1.10-1 – 1.10-2	Replaced references to Contura Coal West, LLC with Blackjewel, LLC.



INDEX SHEET FOR MINE PERMIT AMENDMENTS OR REVISIONS

VOLUME NUMBER	PAGE, MAP OR OTHER PERMIT ENTRY TO BE REMOVED	PAGE, MAP OR OTHER PERMIT ENTRY TO BE ADDED	DESCRIPTION OF CHANGE
1	Table 1.10-1 All	Table 1.10-1 Pages 1 - 7	Updated Table 1.10-1 "List of Current Licenses and Permits".
1	Table 1.10-2 All	Table 1.10-2 Page 1	Updated Table 1.10-2 "Review of Three-Year Violation History.
1	Table 1.10-3 All	Table 1.10-3 Page 1	Updated Table 1.10-3 "Permits and Pending Applications".
1	Table 1.10-4 All	Table 1.10-4 Page 1	Revised Table 1.10-4 "Principal Officers and Directors" to reflect new organization.
1	Section 1.11	Section 1.11	Insert new Publisher's Affidavit after permit transfer publication.



BLACKJEWEL

Belle Ayr and Eagle Butte Mines

August 30, 2018

Mr. Mark Rogaczewski
Supervisor
Department of Environmental Quality
2100 West 5th Street
Sheridan WY 82801

RE: Permit Transfers
Belle Ayr Mine Permit 214-T8, TFN 6 2/299
Eagle Butte Mine Permit 428-T7, TFN 6 1/299

Dear Mr. Rogaczewski:

Blackjewel, LLC herein, submits response to comments that were received on March 9, 2018 for the Eagle Butte and Belle Ayr Mines application for permit transfers.

The reclamation performance bonds for Eagle Butte and Belle Ayr were accepted by the Department of Environmental Quality on August 29, 2018. Approved Certificates of Insurance were received on May 4, 2018.

Eagle Butte Mine: Section 1.2 has been revised to remove references to all License to Mine documents prior to L11 for Blackjewel, LLC. All pages from Section 1.2 are being submitted. We request that any active License to Mine documents other than L6 (Dry Fork Coal Co.) and L11 be terminated. Form 1(t) and Table 1.7-3 Principal Officers and Directors are being resubmitted to reflect organizational changes since the original submittal.

Belle Ayr Mine: Section 1.2 does not list any previous License to Mine documents, so no change has been made as requested. We request that any active License to Mine documents other than L10 be terminated. Form 1(t) and Table 1.10-4 Principal Officers and Directors are being resubmitted to reflect organizational changes since the original submittal.

Should you have any questions regarding this information please feel free to contact me at (307) 687-3308 or Tina Hutt at (307) 687-3302.

Sincerely,

Mark Thrall
Environmental Manager



Mark Rogaczewski <mark.rogaczewski@wyo.gov>

Transfer Update/Draft SDD

1 message

Mark Rogaczewski <mark.rogaczewski@wyo.gov>

Wed, Oct 3, 2018 at 2:30 PM

To: Mark Thrall <Mark.Thrall@blackjewel.us>, Gretchen Anderson <Gretchen.Anderson@blackjewel.us>

Gretchen and Mark,

LQD has completed our review of the review responses and new Form 1's associated with the transfer applications for the Belle Ayr and Eagle Butte Mines from Contura Coal West, LLC to Blackjewel, LLC. There are no outstanding topics remaining to be addressed.

Please review the attached draft revised State Decision Documents (SDD) for the referenced transfer applications. Only sections of the current SDD needing revisions are provided for your review. Please let me know whether or not you have any questions. If you have no questions, I will send these applications to final public notice and forward the attached draft SDD's to Cheyenne to be made available for public review with the application materials.

Thanks,

--

Mark Rogaczewski
Supervisor
LQD District III
2100 West 5th Street
Sheridan, WY 82801
307-675-5616
mark.rogaczewski@wyo.gov

2 attachments

 **428TransfertoBlackjewelSDDTFN61299.docx**
23K

 **214TransferBlackjewelSDDTF62299MJR.docx**
23K

**DEQ02-
00050**

10/3/2018

State of Wyoming Mail - AVS Check Belle Ayr Mine - TFN 6 2/299

6 2/299



Mark Rogaczewski <mark.rogaczewski@wyo.gov>

AVS Check Belle Ayr Mine - TFN 6 2/299

1 message

Mark Rogaczewski <mark.rogaczewski@wyo.gov>

Wed, Oct 3, 2018 at 12:02 PM

To: Tammi Pusheck <tammi.pusheck1@wyo.gov>, Karin Quigley <karin.quigley@wyo.gov>

Karin,

Please perform an Applicator Violator System check for Contura Coal West, LLC - belle Ayr Mine - Permit 214 - Transfer to Blackjewel, LLC. This transfer application is being tracked under TFN 6 2/299.

Please let me know if you have any questions.

Thanks,

Mark Rogaczewski

Supervisor

LQD District III

2100 West 5th Street

Sheridan, WY 82801

307-675-5616

mark.rogaczewski@wyo.gov

DEQ02-
00051

BLACKJEWEL

Belle Ayr and Eagle Butte Mines

October 18, 2018

Mr. Mark Rogaczewski
Land Quality Division
Department of Environmental Quality
2100 West 5th St.
Sheridan, WY 82801

**Re: Affidavits of Notice, Transfer Applications
Belle Ayr Mine, Permit No. 214-T8, TFN 6 2/299
Eagle Butte Mine, Permit No. 428-T7, TFN 6 1/299**

Dear Mark:

Enclosed are the Affidavits of Notice for the Belle Ayr and Eagle Butte Mine Permit Transfers. The final Public Notice began running on October 9, 2018 in the Gillette News-Record for four consecutive weeks. Copies of the current mine plan maps were mailed to the Wyoming Oil and Gas Conservation Commission and copies of the complete transfer applications including the draft State Decision Documents have been filed with the Campbell County Clerk.

Please contact me at 307-687-3413 if you have questions or concerns.

Sincerely,



Gretchen Anderson, P.E.
Environmental Compliance Manager

Enclosures

BEFORE THE DEPARTMENT OF ENVIRONMENTAL QUALITY
LAND QUALITY DIVISION

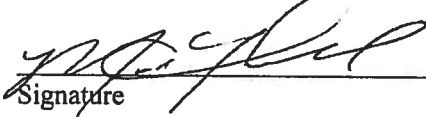
IN THE MATTER OF THE PERMIT TRANSFER)
APPLICATION FOR CONTURA COAL WEST, LLC)
BELLE AYR MINE, PERMIT 214-T8, TRANSFER)
TO BLACKJEWEL L.L.C.)
TFN 6 2/299)

**AFFIDAVIT OF MARK THRALL
OF NOTICE**

I, Mark Thrall, after being duly sworn upon my oath, deposes and states as follows:

1. I am appointed to the office of Environmental Manager for Blackjewel, L.L.C. I am submitting this affidavit to comply with the sworn statement requirement in W.S. §35-11-406(j). In my capacity as Environmental Manager, I am responsible for ensuring that Contura Coal West, LLC has complied with the notice requirements in W.S. §35-11-406(j) for the above-captioned permit application. This application is for a coal mine permit transfer.
2. On October 5, 2018, Contura Coal West, LLC received notice from the Department of Environmental Quality, Land Quality Division that it has determined our application is complete and suitable for final publication.
3. On October 9, 2018, The Gillette News-Record printed the first notice in the required four week sequence for final publication of this application. On October 9, 2018, Contura Coal West, LLC mailed a copy of the application mining plan map to the Wyoming Oil and Gas Conservation Commission.

DATED 10-18-18



Signature

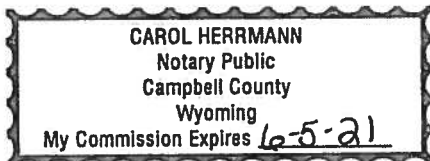
Mark Thrall, Environmental Manager

STATE OF WYOMING)
)ss
COUNTY OF CAMPBELL)

Subscribed, sworn to and acknowledged before me by Mark Thrall
on this 18th day of October, 2018.

Carol Herrmann

Notary Public



My Commission expires: June 5, 2021