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

IN THE MATTER OF PERMIT RENEWAL )	OAH DOCKET NO. 19-004-220
APPLICATION OF CONTURA COAL )	C103
WEST, LLC.: PT0214; )	EQC DOCKET NO. 18-4803
AND IN THE MATTER OF THE )	EQC DOCKET NO. 18-4805
APPLICATIONS FOR COAL MINE )	
PERMIT TRANSFERS OF BLACKJEWEL, )	
LLC.: PT0214 & PT0428. )	

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**DEPARTMENT OF ENVIRONMENTAL QUALITY'S  
STATUS REPORT**

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The State of Wyoming, Department of Environmental Quality (DEQ), hereby submits the following status report related to the propriety of continuing the stay entered by the Council in these proceedings:

1. The permit transfer applicant in these proceedings, Blackjewel, LLC., filed a voluntary petition for relief under Chapter 11 of the bankruptcy code in the Southern District of West Virginia on July 1, 2019. In response, and with the consent of all parties to these proceedings, the Council stayed this matter on July 10, 2019.

2. On July 25, 2019, Blackjewel filed a motion with the bankruptcy court seeking authorization to conduct an auction for the sale of certain Blackjewel assets, including the Belle Ayr and Eagle Butte mines. The Court approved the motion, and

Blackjewel conducted an auction over the course of three days beginning on August 1, 2019. The current permit holder, Contura Coal West, LLC, was the successful bidder for both Wyoming mines at the auction. On August 5, 2019, after hearing all objections to the proposed sale, the bankruptcy court approved the sale of the Wyoming mines.

3. As of the writing of this status report, the sale of the Wyoming mines from Blackjewel to Contura has not closed. Until closing occurs the stay in these proceedings should continue. If the sale closes, these proceedings will become moot, and DEQ anticipates that the parties will return to the Council and seek dismissal. If closing does not occur, DEQ anticipates that the parties, which will likely then include a trustee appointed by the bankruptcy court, will report back to the Council with their views on how to proceed.

4. Accordingly, DEQ believes that the Council should continue the stay and take no action in these proceedings at this time. In the event that the parties do not seek dismissal before the Council's next regular meeting, DEQ proposes to submit a second status report in advance of the Council's next regular meeting.

DATED this 13th day of August, 2019.

 FOR:

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## CERTIFICATE OF SERVICE

I hereby certify that I served a true and correct copy of the foregoing upon the persons below via e-mail and by depositing the same in the United States mail, first-class postage prepaid, this 13th day of August 2019, addressed as follows:

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*Hunter Davila*

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