



BJ Kristiansen &lt;bj.kristiansen@wyo.gov&gt;

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**Brooks Questions**

2 messages

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**John Heyneman** <jheyne1@gmail.com>  
To: BJ Kristiansen <bj.kristiansen@wyo.gov>

Thu, Apr 21, 2016 at 4:04 PM

Hi there Mr. BJ,

Hope you wintered well and are looking forward to a sun kissed Spring. Sure was nice to get wet all weekend. Fingers crossed that more is on the way.

Wondering if you can give me a couple short answers.

Assume you know that Ramaco is taking padlock and Big Horn Coal to the EQC for a judgment in lieu of surface owners consent. We talked about this probability many months ago in your office. Did the Brooks permit receive a certification of completeness? Doesn't seem possible because they are still seeking access and taking the EQC route to gain it. But I am told their application has been deemed complete. On same topic, we have a letter from WWC stating that Brooks mine plan and reclamation plan have been deemed technically adequate. Is that right; Technical components of the mine permit application have been approved? I was under impression that the permit had to be deemed complete before technical adequate process could begin.

Thank BJ....all this has been going on for along time, and you probably explained this to me before. I am happy to stop by the office if that would be easier than explaining things to me via e-mail.

Jh

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**BJ Kristiansen** <bj.kristiansen@wyo.gov>  
To: John Heyneman <jheyne1@gmail.com>

Mon, Apr 25, 2016 at 8:36 AM

John,

Sorry to be so late in replying. My email is acting up and I just got this email in my inbox. To answer your questions:

- The permit application review and approval is a three step process, each step following the next. The first step is declaring the application complete. We look at the application to ensure that all of the necessary parts for review are present, such as the Adjudication, Mine Plan, Reclamation Plan, etc. The document is then declared complete, all of the parts are present. We performed this review on the day we received the application back on November 3, 2014 and found it complete, ready for technical review.
- The second phase of the application process is the technical completeness and adequacy review. This involves using our technical experts to pick the application apart on a scientific basis to determine if all of the components are appropriate to a coal mine application. This undergoes several rounds of review to address and correct deficiencies, misstatements, inaccuracies, and other aspects of the application that does not meet regulatory constraints. We are currently in Round 5 with the Brook Mine application. The only item left that needs to be addressed is surface owner consent to the Mine and Reclamation Plan.
- Once that issue has been addressed, the application is finalized and the final public notice is sent to the papers, to be run for four weeks. This starts the 60 day public comment period. Comments are received and addressed in a manner that fulfills all statutory requirements.

EXHIBIT A

- When the comments have been addressed, a bond is set for the first year of mine life and a permit is issued. This is an important point; no bond is required until the permit application is finalized and a permit is issued. LQD can't hold a bond until an instrument is available to facilitate the process.
- On the matter of finding the Mine and Reclamation plans technically adequate, that is correct to a certain point. Since there are no outstanding issues involved with the Mine and Rec plans, they are technically complete. The only item left is the aforementioned surface owner consent in the Adjudication section of the application. However, the Mine and Rec plans have no standing until the entire application has been declared technically complete, so they are essentially in limbo until that happens. The Mine and Rec plans, in their current forms, are the ones to be used for presentation to surface owners to gain consent. Any others from prior iterations of the application are superseded.

Feel free to stop in any time you have the urge to do so. I hope I answered your questions to your satisfaction and, if not, I will be happy to do my best to clarify your understanding of our process.

-bj

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"The trouble with quotes on the Internet is you never know if they are genuine." - Abraham Lincoln