

EXHIBIT D

BEFORE THE ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING

In re Brook Mining Co., LLC coal mine)	
permit – PT0841)	
)	EQC Docket No. 20-4802
)	
)	

DECLARATION OF ANTON BOCEK

I, Anton Bocek, declare as follows:

1. I am a member of the Powder River Basin Resource Council (PRBRC). I have been a member of PRBRC since January 2017. My sister, Joan, serves on the Board of Directors of PRBRC. We are members who financially contribute to the organization each year to renew our membership.
2. My sister and I are members of PRBRC because it is a group of people that represent our values and interests in protecting the quality of life in Sheridan County and the rest of Wyoming.
3. We first got interested in the organization when our neighbors John Buyok and Mary Fisher told us about a group of people getting together to talk about the proposed Brook Mine. I was happy to participate in those meetings and work together with my neighbors and the staff of PRBRC to protect our property and our environment in the Tongue River Valley.
4. Proceedings like this one before the EQC are complicated and expensive. I have not personally intervened because I know PRBRC can represent my interests and the organization has the resources to participate.

5. I live at 11 Slater Creek Lane in the Tongue River Valley of Sheridan County. I have lived on that land my entire life. My grandparents bought the farm in 1920 and it's been in the family ever since. My parents lived here, my kids grew up here, and it is very special to me because of what the land means to my family.
6. I have spent a lot of money and time making improvements on the property. I built the home I have lived in for the last forty-two years.
7. I worked at Big Horn Coal for about 14 years. I started out as a laborer, then I ran some heavy equipment, and then I was on the blasting crew for several years. So I know a thing or two about coal mining. I'm not opposed to coal – it was my livelihood for many years.
8. My farm is the closest property to the place where Brook proposes to start its mine, at the old Taylor Quarry.
9. When I travel to and from Sheridan, I get off the interstate and travel down Wyoming Highway 345, which is the frontage road. The frontage road is the only way I can get to my property.
10. I've heard that Brook plans to use the frontage road to haul its coal from the Taylor Quarry to the iCam facility. I still don't know how many trucks there will be – no one does – but I've seen coal haul trucks before and I know they are loud, can be a safety issue and will cause road damage. That road is now 70 miles per hour and with trucks going that fast it might not be safe to turn in and out of my property. I'm concerned about sharing this road with the haul trucks and I'm worried about the impacts to the road. I would hope the company would reach some kind of agreement with WYDOT to set speed limits and weight limits but it doesn't seem like they have done that yet. I was surprised there wasn't anything in the mine plan

about the use of the frontage road and what it means for the people like me that live out near the mine.

11. Having been on the blasting crew at a mine, I know what kind of impacts there can be. With Brook doing blasting, I'm concerned about foundations in my well and the well on the family farm. I'm concerned about the old buildings. At the family farm, the house that is there is a block structure. And there's a barn that is approximately a hundred years old with rock taken from the area that is the foundation of that barn.
12. When I was at Big Horn, there were some neighbors that had well issues, wells that had to be re-drilled because of blasting. And my farm is actually closer to the Brook Mine than those neighbors were to Big Horn so the proximity of the mine to my house and family farm worries me.
13. I am going through the pre-blast survey process with Brook, and I have requested a seismograph to be placed at my house, but I know if there are damages it will take a long time – and probably a lot of money for lawyers and experts – to get things addressed.
14. I'm also concerned about the air quality getting worse because of the mine. Having been on a strip mine, I know all about the dust that can happen during mining. I live just across the interstate downhill from the mine and if the air gets worse that will affect me. And seeing dust in the sky even off my property will change for the worse my quality of life out here in the Valley.
15. One thing that has really bothered me over the many years the mine has tried to get a permit is that they still haven't done the analysis of subsidence potential. The company got a permit to mine for basically forty years but as I understand what I have read they didn't do the analysis for anything but the strip mine, which is just the first five years.

16. I support PRBRC's work to evaluate the subsidence control plan and to challenge the DEQ's decision to let this company get a permit for areas it hasn't evaluated yet. DEQ's approach doesn't make a lot of sense to me, and I worry it will cause problems later on because DEQ might not be able to take away the permit once it has already been given to the company.
17. I also don't know why DEQ would say people like me – the neighbors and those impacted by this mine – won't have a right to get notice and submit comments about the information Brook will have to submit later on years from now. I listened to Dr. Marino give his comments at the informal conference and I agree with his approach that the company shouldn't get a permit for any land where it hasn't done a good evaluation.
18. I know it's impossible to prevent all of the impacts to my land and life, but I'm glad PRBRC is trying to get the company to fill in the gaps in its permit application. A better traffic plan and more information about who will operate and how much coal will be mined will help us neighbors. I also support any effort to ensure I have an ability to comment on any permit amendments, especially ones as important as the subsidence control plan.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief and that this declaration was executed in Sheridan County, Wyoming on Oct. 13, _____, 2020.



Anton Bocek