



Module 1: Application for Bituminous Underground Mine, Coal Preparation Plant and/or Coal Refuse Disposal Area

Before completing this form, read the step-by-step instructions provided with this Permit Application Package.

SECTION A. PROJECT INFORMATION

Operation Name: Rustic Ridge #1

Permit No. (existing site): 65131301

SECTION B. APPLICANT INFORMATION

Applicant Name

LCT Energy, LP

Mailing Address

938 Mt. Airy Drive, Suite 200

(Street # and Name or P.O. Box)

Johnstown

(City)

PA

(State)

15904-6819

(Zip Code + Four)

- VOLUNTARY -

(814) 254-4065

(Telephone #)

(814) 254-4212

(FAX #)

(Social Security
Number)
(if individual)

27-1457916

(Federal Tax ID #)

Application Contact

Tercek

(Last Name)

Mark

(First Name)

R.

(MI)

(Social Security #)
Voluntary

President

(Title)

Mailing Address

938 Mt. Airy Drive, Suite 200

(Street # and Name or P.O. Box)

Johnstown

(City)

PA

(State)

15904-6819

(Zip Code + Four)

mark.tercek@lctenergy.com

(Email)

Application Type

☐ New Permit

☒ Permit Revision

☐ Permit Transfer

☐ Renewal

Permit Revision Description: This application proposes to add 1,452.0 acres to the underground permit area and add 1,411.5 acres to the subsidence control plan area of the existing Rustic Ridge #1 Mine. The proposed expansion is located to the north of the approved underground permit boundary. This proposed expansion does not include any new surface permit area.

Applicant Type

- ☐ Individual
☐ PA Corporation
☐ Non-PA Corporation
☐ General Partnership
☒ Limited Partnership
☐ Municipality
☐ Other
☐ Pending

25646

(Mining Operators License #)

Type of Mining Activity

- ☒ Underground Mine
☐ Coal Preparation
☐ Refuse Disposal
☐ Other

Yes No

Blasting Anticipated ☐ ☒

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF MINING PROGRAMS

SECTION C. SITE INFORMATION

Location of Operation – for underground mines provide main portal location

County(ies)	Municipality(ies)	County Code
<u>Westmoreland</u>	<u>Donegal Township</u>	<u>65</u>
_____	_____	_____
_____	_____	_____

U.S.G.S. Map Name(s) Donegal, PA

Map Coordinates (center of proposed permit area) (center of main portal for underground mines)

Latitude 40° 06' 01" Longitude 79° 23' 39"

Name(s) of receiving stream(s)/Chapter 93 Classification

<u>Champion Creek (CWF)</u>	_____
_____	_____
_____	_____
_____	_____

MSHA Mine I.D. No. (include date of issuance) #3610089 Issued 10/25/2013

Site Contact

<u>Tercek</u>	<u>Mark</u>	<u>R.</u>
(Last Name)	(First Name)	(MI)
<u>President</u>	_____	
(Title)		

Mailing Address

896 County Line RD
(Street # and Name or P.O. Box)

<u>Acme</u>	<u>PA</u>	<u>15610</u>
(City)	(State)	(Zip Code + Four)
<u>mark.tercek@lctenergy.com</u>	<u>(814) 254-4065</u>	<u>Ext. (814) 254-4212</u>
(Email)	(Telephone #)	(FAX #)

	<u>Extent of Mining</u>	<u>Permitted</u>	<u>Proposed under this application.</u>	<u>Total</u>
<u>Underground Mines:</u>				
Underground Permit Area	2844.9 - 16.2 = <u>2828.7</u> acres	<u>1452.0</u> acres	<u>4280.7</u> acres	
Subsidence Control Plan Area	2739.0 - 16.2 = <u>2722.8</u> acres	<u>1411.5</u> acres	<u>4134.3</u> acres	
<u>Surface Activity Site Area for Underground Mines (attach list as needed)</u>				
<u>Main Portal</u>	<u>67.7</u> acres	<u>0</u> acres	<u>67.7</u> acres	
_____	_____ acres	_____ acres	_____ acres	
Total Surface Activity Site Area for Underground Mines	<u>67.7</u> acres	<u>0</u> acres	<u>67.7</u> acres	
<u>Coal Refuse:</u>				
Disposal Site	_____ acres	_____ acres	_____ acres	
Support Area	_____ acres	_____ acres	_____ acres	
Total Refuse Area plus Support Area	_____ acres	_____ acres	_____ acres	
Coal Preparation Activity Area	_____ acres	_____ acres	_____ acres	

Comments: This application proposes to permit approximately 1452.0 acres underground permit area and 1411.5 acres of subsidence control plan area. This application also proposes to delete approximately 16.2 acres of approved underground permit area and subsidence control plan area.

SECTION D. PERMIT COORDINATION

If coal processing activities are proposed, will the total amount of coal processed be equal to or greater than 200 tons/day?

☐ Yes ☒ No (If yes, please document the permit number below.)

BAQ-GPA/GP Permit Number: _____

Will underground tanks for storage of fuel or chemicals be located within the proposed permit area? ☐ Yes ☒ No
(if Yes, please complete Module 10.8)

SECTION E. APPLICATION FEE

Refer to the DEP web page "Fees Associated with Mining Activities" to calculate the appropriate fee for the application package.
<https://www.dep.pa.gov/Business/Land/Mining/BureauofDistrictMining/Pages/Fees.aspx>

Total Fee submitted: \$1,250

Description of total fee included (new permit + NPDES permit, etc.):

Revision to Bituminous Coal Underground Mining Permit

Additional fees may be required for water obstructions, stream modifications, and dams. Contact the DMO to discuss.

Make check payable to "Commonwealth of Pennsylvania"

SECTION F. CONSULTANT

(if more than one consultant prepared this application provide information on separate sheets)

Lloyd
(Last Name)

Joseph
(First Name)

W.
(MI)

Project Director
(Title)

CME Engineering LP
(Name of Consulting Firm)

Mailing Address

165 East Union Street, Suite 100

(Street # and Name or P.O. Box)

Somerset
(City)

PA
(State)

15501-
(Zip Code + Four)

joe.lloyd@cmemgmt.com
(Email)

(814) 443-3344
(Telephone #)

Ext. 3035

(814) 444-0365
(FAX #)

SECTION G. LAND USE INFORMATION

Have you submitted the Act 67, Act 68, and Act 127 Notification Letters to the municipality and county where the mining project is proposed? ☐ Yes ☒ No

List the municipality(ies) and county(ies) that received the Act 67, Act 68, and Act 127 notification letters:
(Attach a separate "Section G. Land Use Information for each Municipality or County listed.)

Complete for new permits and all major revisions that include new surface area.

- | | | |
|---|---|--|
| 1. Is there an adopted county or multi-county comprehensive plan? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 2. Is there an adopted municipal or multi-municipal comprehensive plan? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 3. Is there an adopted county-wide zoning ordinance, municipal zoning ordinance or joint municipal ordinance? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If "No" is answered to questions 1, 2, or 3, proceed to Section H, Additional Related Information.

4. Does the project meet the provisions of the zoning ordinance or does the proposed project have zoning approval?
☒ Yes ☐ No (If zoning approval has been received, attach documentation.)
5. Applicants are encouraged to submit copies of local land use approvals or other evidence of compliance with local comprehensive plans and zoning ordinances. Have you submitted local municipal and county approval letters for this mining project with this permit application?
☐ Yes ☒ No (if yes, please attach the local municipal and county approval letters.)
6. Have you addressed any concerns from the local municipal and county prior to submitting the application to the Department?
☐ Yes ☒ No (If yes, please attach all correspondence addressing the concerns.)

SECTION H. ADDITIONAL RELATED INFORMATION

Name and Address of Public Review Office where a copy of this application is on file for public review. (reference Appendix B if appropriate)

Westmoreland County Recorder of Deeds
2 North Main Street, Suite 503
Greensburg, PA 15601
Tel: (724) 830-3518

Have you paid all reclamation fees to the Federal Office of Surface Mining Reclamation and Enforcement as required by the Federal Surface Mining Control and Reclamation Act of 1977 (30 USC 1232)? ☒ Yes ☐ No

Provide the following as applicable to the proposed operation:

Pre-Application No. NA

Small Operator Assistance Program (SOAP) Project No. NA

Notice of Intent to Explore No. 65121906

PNDI – Search results ☒ Yes ☐ No (if yes, complete Module 4.5)

Environmental Justice Areas ☐ Yes ☒ No

(if yes, provide plan for enhanced public participation)

Application Date October 1, 2021

This project must be submitted for review to the PA State Historic Preservation Office using the PA-SHARE online tool at <https://share.phmc.pa.gov/pashare/landing>.

Provide the Project Number Assigned by PHMC: 2014PR15023

Attach all correspondence received from PHMC Refer to attached PHMC correspondence.

If yes is answered for any of the following, show the location(s) on required maps in Modules 6.2, 6.3, 9.1, and 18.1.

Are any cultural or historic resources listed on the National Register of Historic Places located within or adjacent (within 1000ft.) to the proposed permit area? ☐ Yes ☒ No

Are any publicly owned parks located within or adjacent (within 1000ft.) to the proposed permit area? ☐ Yes ☒ No

Are any significant archaeological sites located within or adjacent (within 1000ft.) to the proposed permit area? ☐ Yes ☒ No

If yes, describe the site: _____

Are mining activities proposed in any restricted areas (25 Pa Code Section 86.102)? ☐ Yes ☒ No

If yes, identify which of the following will overlie the mine plan or lie within 1,000 feet of a surface mining activity: (show the location(s) on required maps in Modules 6.2, 6.3, 9.1, and 18.1).

Restricted Areas:

- ☐ Allegheny National Forest
- ☐ Pennsylvania Scenic Rivers System(s)
- ☐ State Forest(s)
- ☐ State Game Land(s)
- ☐ State Park(s)
- ☐ State Wilderness Area(s)
- ☐ Known Archaeological Sites.
- ☐ None of the Above

For each category "checked" above that may be adversely affected by proposed underground or surface mining activities, provide a description of the measures to be used to prevent or minimize the impacts. _____

SECTION I. AFFIDAVIT

Commonwealth of Pennsylvania, County of Somerset

I, Mark R. Tercek being duly sworn, according to law, depose and say that I ~~(am the applicant)~~ (am an officer or official of the applicant) ~~(have the authority to make this application)~~ and that the plans, reports and documents submitted as part of the application are true and correct to the best of my knowledge and belief. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Sworn and Subscribed to Before Me This

1st day of October 2021
(month) (year)

Mark R. Tercek

Signature of Applicant or Responsible Official

Christine A. Hainzer
Signature of Notary Public

Mark R. Tercek

Name (Typed) of Applicant or Responsible Official

Notary Seal

Commonwealth of Pennsylvania - Notary Seal
Christine A. Hainzer, Notary Public
Somerset County
My commission expires February 18, 2023
Commission number 1288368
Member, Pennsylvania Association of Notaries

938 Mt. Airy Drive, Suite 200

Address of Applicant

Johnstown, PA 15904

Address of Applicant

President

Applicant Title and Corporate Seal