

Module 3: Ownership/Compliance Information

Instructions: Provide the following information on 8½ x 11” sheets of paper. Attach the page(s) to this module and identify as “*Exhibit 3: Ownership/Compliance Information*”. Use number, letter, and heading to identify the information.

Note: If the applicant is currently a licensed mine operator or has submitted an application for a mine operator's license to the Department, provide only information concerning coal ownership, contractors, compliance on Federal mining permits, and the most current status of any violation on mining permits outside Pennsylvania. The general ownership information outlined in Module 3.1 and the compliance information regarding mining permits within Pennsylvania will be generated from the information on file with the Department (in eFACTS) for licensed mine operators.

Mine Operators License #: 25646

3.1 Ownership Interest

Identify whether the applicant is a single proprietorship, corporation, partnership, association, or other business entity. For businesses other than single proprietorships provide the following:

- a. Names, social security number (voluntary), employer identification number, and addresses of every officer, partner, associate, director, or other person performing a function similar to a director of the applicant;
Refer to eFACTS.
- b. Name, social security number (voluntary), employer identification number, and address of any person who is a principal shareholder of the applicant (Note: A principal shareholder is any person who is the legal owner of ten percent or more of any class of voting stock);
Refer to eFACTS.
- c. Names under which the applicant, partner, or principal shareholder previously operated a coal mining operation in Pennsylvania and the United States within the five (5) years preceding the date of this application.
Refer to eFACTS.
- d. Name, social security number (voluntary), employer identification number of the following persons:
 - i. Person having the ability to commit the financial or real property assets or working resources of an entity.
Refer to eFACTS.
 - ii. Person controlling or owning the coal to be mined under the proposed permit under a lease, sublease or other contact, and having the right to receive the coal after mining or having authority to determine the manner in which the proposed coal mining activity is conducted.
Refer to eFACTS.
 - iii. Person who is another relationship with the permit applicant which gives the person authority directly or indirectly to determine the manner in which the proposed coal mining activity is to be conducted.
Refer to eFACTS.
 - iv. Person who owns or controls the persons specified in Module 3.1, either directly or indirectly.
Refer to eFACTS.
- e. For each person listed in Module 3.1 (a.) through (d.), provide the following: title of person's position, date position or stock ownership was assumed, date of departure from position (if applicable, percentage of ownership, location within organizational structure, relationship to the applicant.
Refer to eFACTS.

3.2 Contractor

If a contractor will be conducting the operation provide the name, address and telephone number of the contractor and if the contractor is a business entity other than a single proprietor, provide the names and addresses of the respective principals, officers, and resident agents.

None.

3.3 Permit Interests

Identify by permit or application number and regulatory authority any current or previous coal mining permits in Pennsylvania and the United States held by the applicant for the five-year period immediately preceding this application and of any pending permit application to conduct coal mining activities in the United States.

Refer to eFACTS for permits within the Commonwealth. The applicant has had no coal mining permit interests outside the Commonwealth within the past five years.

3.4 Related Entity Information

List the names of entities who own or control the applicant or who are owned or controlled by the applicant. Provide the following for each: employer ID number, federal and state permit numbers, MSHA numbers (include date of issuance), application numbers for pending mining permits, name, address, social security number (voluntary) and employer ID number of every officer, partner, associate, principal shareholder, director, or other person performing a function similar to director. Also, for each person listed in Module 3.1 a through d and Module 3.2 who is, or has been, associated with another entity as an owner or controller within the five-year period preceding the date of this application, provide the following: name of each entity they were/are associated with, employer ID number, federal and state permit numbers, MSHA numbers (with date of issuance).

Refer to eFACTS.

3.5 Compliance

Identify any State or Federal mining permit or bond in the last five-year period prior to the date of submission of this application that the applicant, person owned or controlled by the applicant, person who owns or control the applicant, or any related party had suspended, revoked or forfeited. (Note: Any related party is any partner, associate, officer, parent corporation, subsidiary corporation, affiliate or persons under common control with the applicant, contractor or subcontractor.) Identify the suspension, revocation, or forfeiture by:

Refer to eFACTS for compliance issues within the Commonwealth. No federal compliance issues exist.

- a. Identification number and date of the issuance of the permit or date and amount of bond or similar security;
- b. Identification of the authority that suspended or revoked a permit or forfeited a bond and the stated reason for that action;
- c. The current status of the permit, bond or similar security involved;
- d. The date, location, and type of any administrative or judicial proceedings initiated concerning the suspension, revocation, or forfeiture; and
- e. The current status of these proceedings.

3.6 Violation History

List each violation for which the applicant, related party, person owned or controlled by the applicant, or person who owns or controls the applicant, has been found responsible in any adjudicated proceeding, agreement, consent order or decree, or which resulted in a cease order or an assessment of a civil penalty notice received by the applicant in connection with any coal mining activities during the three-year period prior to the date of application. Only list the violations of the Surface Mining Conservation and Reclamation Act, Air Pollution Control Act, Clean Streams Law, Coal Refuse Disposal Control Act, Article IX-A of the Administrative Code of 1929, Bituminous Mine Subsidence and Land Conservation Act, Dam Safety and Encroachments Act, Solid Waste Management Act, or the Federal Surface Mining Control and Reclamation Act of 1977 and any law, rule or regulation of any department or agency of the United States or of any state in the United States pertaining to environmental protection. For each violation notice, provide the following:

Refer to eFACTS for a violation history within the Commonwealth. No federal violation issues exist.

- a. The date of issuance and identity of the appropriate regulatory authority, department, or agency.
- b. Permit number, compliance order number and a brief description of the particular violation.
- c. The date, location, and type of any administrative or judicial proceedings initiated concerning the violation.
- d. The current status of the violation; and
- e. The actions, if any, taken by the applicant to abate the violation, and proof which is satisfactory to the regulatory authority, department, or agency which has jurisdiction over such violation that the violation has been corrected, or is in the process of being corrected.