



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			Applicant Type	
Mailing Address 938 Mt. Airy Drive, Suite 200 <small>(Street # and Name or P.O. Box)</small>			<input type="checkbox"/> Individual <input type="checkbox"/> PA Corporation <input type="checkbox"/> Non-PA Corporation <input type="checkbox"/> General Partnership <input checked="" type="checkbox"/> Limited Partnership <input type="checkbox"/> Municipality <input type="checkbox"/> Other <input type="checkbox"/> Pending	
Johnstown <small>(City)</small>	PA <small>(State)</small>	15904-6819 <small>(Zip Code + Four)</small>		25646 <small>(Mining Operators License #)</small>
(814) 254-4065 <small>(Telephone #)</small>	(814) 254-4212 <small>(FAX #)</small>	- VOLUNTARY - <small>(Social Security Number if individual)</small>	27-1457916 <small>(Federal Tax ID #)</small>	
Application Contact Tercek <small>(Last Name)</small>			Type of Mining Activity	
Mark <small>(First Name)</small>			<input checked="" type="checkbox"/> Underground Mine <input type="checkbox"/> Coal Preparation <input type="checkbox"/> Refuse Disposal <input type="checkbox"/> Other	
R. <small>(MI)</small>			Yes No Blasting Anticipated <input type="checkbox"/> <input checked="" type="checkbox"/>	
_____ <small>(Social Security #) Voluntary</small>				
President <small>(Title)</small>				
Mailing Address 938 Mt. Airy Drive, Suite 200 <small>(Street # and Name or P.O. Box)</small>				
Johnstown <small>(City)</small>		PA <small>(State)</small>	15904-6819 <small>(Zip Code + Four)</small>	
mark.tercek@lctenergy.com <small>(Email)</small>				
Application Type				
<input type="checkbox"/> New Permit <input checked="" type="checkbox"/> Permit Revision <input type="checkbox"/> Permit Transfer <input type="checkbox"/> 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.				

SECTION C. SITE INFORMATION

Location of Operation – for underground mines provide main portal location

County(ies)	Municipality(ies)	County Code
Westmoreland	Donegal Township	65
_____	_____	_____
_____	_____	_____

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

Champion Creek (CWF) _____

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

Site Contact

Tercek	Mark	R.
(Last Name)	(First Name)	(MI)
President _____		
(Title)		

Mailing Address

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

Acme PA 15610 _____
 (City) (State) (Zip Code + Four)

mark.tercek@lctenergy.com (814) 254-4065 Ext. (814) 254-4212
 (Email) (Telephone #) (FAX #)

<u>Extent of Mining</u>	<u>Permitted</u>	<u>Proposed under this application.</u>	<u>Total</u>
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Underground Mines:

Underground Permit Area	2844.9 acres	1452.0 acres	4296.9 acres
Subsidence Control Plan Area	2739.0 acres	1411.5 acres	4150.5 acres

Surface Activity Site Area for Underground Mines (attach list as needed)

Main Portal	67.7 acres	0 acres	67.7 acres
_____	_____ acres	_____ acres	_____ acres
Total Surface Activity Site Area for Underground Mines	67.7 acres	0 acres	67.7 acres

Coal Refuse:

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:

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	Joseph	W.
(Last Name)	(First Name)	(MI)
_____	_____	
Project Director	CME Engineering LP	
(Title)	(Name of Consulting Firm)	

Mailing Address

165 East Union Street, Suite 100
(Street # and Name or P.O. Box)

Somerset _____ PA _____ 15501- _____
(City) (State) (Zip Code + Four)

joe.lloyd@cmemgmt.com _____ (814) 443-3344 Ext. 3035 (814) 444-0365
(Email) (Telephone #) (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? Yes No
2. Is there an adopted municipal or multi-municipal comprehensive plan? Yes No
3. Is there an adopted county-wide zoning ordinance, municipal zoning ordinance or joint municipal ordinance? Yes 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

Module 2: General Information

Check those modules included in this application (submit only those which apply). See Appendix D of the instructions for modules and documents required for permit transfer, name changes, and ownership changes.

Yes	No		Module	Date of Last Revision
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1: Application	1	6/2021
<input checked="" type="checkbox"/>	<input type="checkbox"/>	2: General Information	2	6/2021
<input checked="" type="checkbox"/>	<input type="checkbox"/>	3: Ownership/Compliance Information	3	3/2012
<input checked="" type="checkbox"/>	<input type="checkbox"/>	4: Areas Where Mining is Prohibited or Restricted	4	6/2021
<input checked="" type="checkbox"/>	<input type="checkbox"/>	5: Property Interests/Right of Entry	5	10/2013
<input checked="" type="checkbox"/>	<input type="checkbox"/>	6: Environmental Resource Maps	6	10/2013
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7: Geologic Information	7	3/2012
<input checked="" type="checkbox"/>	<input type="checkbox"/>	8: Hydrology/Baseline Biology	8	7/2013
<input type="checkbox"/>	<input checked="" type="checkbox"/>	9: Operations Maps - Surface Activity Sites	9	10/2013
<input checked="" type="checkbox"/>	<input type="checkbox"/>	10: Operation Plan	10	5/2013
<input type="checkbox"/>	<input checked="" type="checkbox"/>	11: Erosion and Sedimentation Controls	11	3/2012
<input checked="" type="checkbox"/>	<input type="checkbox"/>	12: Treatment Systems	12	10/2012
<input checked="" type="checkbox"/>	<input type="checkbox"/>	13: Impoundments	13	3/2012
<input type="checkbox"/>	<input checked="" type="checkbox"/>	14: Liners and Caps	14	6/2019
<input type="checkbox"/>	<input checked="" type="checkbox"/>	15: Streams/Wetlands	15	6/2021
<input type="checkbox"/>	<input checked="" type="checkbox"/>	16: Air Quality and Noise Control	16	3/2012
<input type="checkbox"/>	<input checked="" type="checkbox"/>	17: Soils/Prime Farmland	17	7/2012
<input type="checkbox"/>	<input checked="" type="checkbox"/>	18: Land Use/Reclamation	18	10/2013
<input type="checkbox"/>	<input checked="" type="checkbox"/>	19: Reclamation Schedule and Cost Information	19	10/2013
<input type="checkbox"/>	<input checked="" type="checkbox"/>	20: Coal Refuse/Coal Ash - Sources and Properties	20	3/2012
<input type="checkbox"/>	<input checked="" type="checkbox"/>	21: Coal Refuse Construction Plans	21	3/2012
<input checked="" type="checkbox"/>	<input type="checkbox"/>	22: Subsidence Control and Underground Mine Maps	22	10/2013
<input type="checkbox"/>	<input checked="" type="checkbox"/>	23: Mine Openings	23	3/2012
<input type="checkbox"/>	<input checked="" type="checkbox"/>	24: Special Protection Waters	24	4/2015
<input type="checkbox"/>	<input checked="" type="checkbox"/>	25: Coal Ash Beneficial Use	25	3/2012
<input type="checkbox"/>	<input checked="" type="checkbox"/>	26: Remining of Areas with Preexisting Pollutational Discharges	26	3/2012
<input type="checkbox"/>	<input checked="" type="checkbox"/>	27: Beneficial Use as a Soil Additive/Substitute	27	5/2015
<input type="checkbox"/>	<input checked="" type="checkbox"/>	28: Blasting Plan	28	6/2018
<input type="checkbox"/>	<input checked="" type="checkbox"/>	29: Disposal of Excess Spoil	29	3/2012
<input type="checkbox"/>	<input checked="" type="checkbox"/>	30: Underground Disposal/Backstowing	30	3/2012
<input type="checkbox"/>	<input checked="" type="checkbox"/>	31: In Situ Processing	31	3/2012
<input type="checkbox"/>	<input checked="" type="checkbox"/>	32: Surface Site Stability	32	3/2012

- Has a check, payable to the Commonwealth of Pennsylvania for the proper amount, been included? Yes No
- Has the application been properly executed and if a corporation, the corporate seal affixed? Yes No
- Is a copy of the public notice attached to this module? Yes No

(The notice must indicate whether the application is for a new permit, permit revision, permit renewal or permit transfer, and specifically reference areas to be affected by both surface and underground operations, stream variances, stream crossings, stream channel changes, streambed deformation and dewatered stream restoration, road variances, blasting, fly ash deposition and land use changes.)

(Example Public Notices are included in the Instructions as Appendix F (deep mines and prep plants) and Appendix G (coal refuse)).

- Have arrangements been made to publish public notice of this application? (Proof of publication must be submitted to the Department upon completion of the publication requirements.) See Appendix E of the Instructions for information regarding permit type vs. public notice and proof of publication requirements. Yes No

- Has documentation been provided indicating that the advertisement requirement of §86.31(a) is in the process of being satisfied? (Intent to publish requirement, 86.70) Yes No

I do hereby certify that this application includes: all of the modules checked above; payment of application fee(s), and all other information as noted above.



Signature of Applicant or Responsible Official
 Mark R. Tercek, President

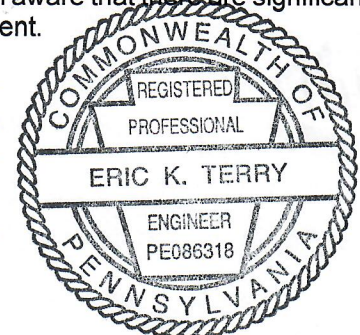
PERSON(S) AUTHORIZED BY APPLICANT TO PREPARE THIS APPLICATION

The application, plans, reports and specifications shall be certified by a licensed professional engineer, licensed professional geologist or licensed land surveyor, as appropriate. Certain items, such as; haul road design (87.160, 89.26, 90.134), stream channel diversions (87.104, 90.105), dams and impoundments (87.73, 87.112, 90.39, 80.112, 89.101), disposal of excess spoil (87.131), variance to contouring (87.175), subsidence control plan maps (89.154), and maps, plans, and cross sections (90.21, 90.46) require preparation and certification by specific professionals. Please review the appropriate sections of Chapters 86-90 to ensure compliance with these certification requirements.

Registered Professional Engineer

I, Eric K. Terry, P.E. do hereby certify to the best of my knowledge, information and belief, that the information contained in Modules 10, 12, 13, 22, and the accompanying application, plans, specifications and reports have been prepared in accordance with accepted practice of engineering, are true and correct, and are in accordance with the Rules and Regulations of the Department of Environmental Protection. I further certify that it is within my professional expertise to verify the correctness of the information. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

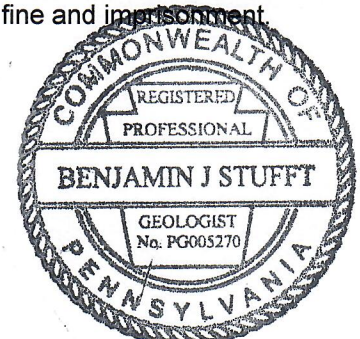
Signature _____
Address CME Engineering LP
165 East Union Street, Suite 100
Somerset, PA 15501
Telephone No. 814-443-3344 Date 10/1/2021



Registered Professional Geologist

I, Benjamin J. Stufft, P.G. do hereby certify to the best of my knowledge, information and belief, that the information contained in Modules 6, 7, 8, and the accompanying application, plans, specifications and reports has been prepared in accordance with accepted practice of geology and hydrology, are true and correct and are in conformance with the Rules and Regulations of the Department of Environmental Protection. I further certify that it is within my professional expertise to verify the correctness of the information. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Signature _____
Address CME Engineering LP
165 East Union Street, Suite 100
Somerset, PA 15501
Telephone No. 814-443-3344 Date 10/1/2021



Registered Professional Land Surveyor

I, _____ do hereby certify to the best of my knowledge, information and belief, that the information contained in Modules _____, and the accompanying application, plans, specifications and reports has been prepared in accordance with accepted practice of land surveying and engineering land surveys, are true and correct and are in conformance with the Rules and Regulations of the Department of Environmental Protection. I further certify that it is within my professional expertise to verify the correctness of the information. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Signature _____
Address _____

Telephone No. _____ Date _____

Professional Seal

PUBLIC NOTICE

Pursuant to the PENNSYLVANIA CLEAN STREAMS LAW, the PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION Rules and Regulations, the SURFACE MINING CONSERVATION and RECLAMATION ACT, and the BITUMINOUS MINE SUBSIDENCE and LAND CONSERVATION ACT as amended, notice is hereby given that LCT Energy, LP, doing business at 938 Mt. Airy Drive, Suite 200, Johnstown, PA 15904, has made application to the Pennsylvania Department of Environmental Protection for an expansion revision to the existing Coal Mining Activity Permit No. 65131301 for the Rustic Ridge #1 Mine. No revisions to NPDES Permit No. PA0236241 are proposed with this application.

The existing Rustic Ridge #1 Mine is located in Donegal Township, Westmoreland County and Saltlick Township, Fayette County, Pennsylvania. The existing permit has 2,844.9 acres of approved underground permit area and 2739.0 acres of subsidence control plan area. The existing surface site encompasses an area of 67.7 acres. The proposed underground permit expansion encompasses an additional 1452.0 acres of underground permit area and 1411.5 acres of subsidence control plan area. No new surface site acres are proposed in the revision.

The southwestern point of the underground expansion permit is located at approximately 2100 feet southwest of the intersection of SR 31 and Thompson Road. The northwestern point of the underground expansion permit is located at approximately 2250 feet northwest of the intersection of SR 31 and Thompson Road. The northeastern point of the underground expansion permit is at approximately 2400 feet northwest of the intersection of Jones Mills Stahlstown Road and Upper Tabernacle Road. The southeastern point of the underground expansion permit is located at approximately 1000 feet southeast of the intersection of Jones Mills Stahlstown Road and Old Franklin Road. The proposed expansion areas can be found on the Donegal, Seven Springs, and Stahlstown, PA U.S.G.S., 7.5-minute topographic maps.

The existing operation will continue to include three NPDES discharge points that will discharge into Champion Creek. The discharge points are located as follows: Outfall 001 is located approximately 380 feet northeast from the point where Champion Creek passes beneath County Line Road (SR-1058) and will discharge treated surface runoff to Champion Creek. Outfall 002 is located approximately 1,970 feet northeast from the point where Champion Creek passes beneath County Line Road (SR-1058) and will discharge treated surface runoff to Champion Creek. Outfall 003 is located approximately 1,865 feet northeast from the point where Champion Creek passes beneath County Line Road (SR-1058) and will discharge treated mine drainage to UNT #9 to Champion Creek.

A copy of the application is available for public inspection and copying for a fee, by appointment, at the Westmoreland County Recorder of Deeds, 2 North Main Street, Suite 503, Greensburg, PA 15601. Written comments, objections, or a request for an informal conference may be submitted to the Department of Environmental Protection, California District Mining Office, 25 Technology Drive, California Technology Park, Coal Center, PA 15423, no later than 30 days following the final (4th) publication of this notice.

Module 10: Operation Plan

This Module is designed so that it can be used for new permit applications and permit revision applications. When using it to complete a revision application, the responses may reference the original approved application or be worded to apply specifically to the new activity or site being proposed. Information submitted under this Module must be certified by a licensed professional engineer.

10.1 Description of Operations

a. Provide a description of operations that will take place under this permit.

- i. If the operation involves underground mining, describe the method of mining (longwall, room and pillar, etc.); the estimated life of the mine; the type of haulage and underground machinery; the maximum number of working faces; the anticipated annual production in tons; the anticipated underground acreage that will be affected each year; surface activity sites and the activities which will take place at each (coal storage, ventilation, rock dust transport, etc.); the means by which coal will be transported from the operation; and the system that will be used to convey mine drainage to treatment. If mining will re-affect existing workings, identify the company that developed those workings and the time frame during which that mining took place.

LCT Energy, LP is proposing an underground expansion to the existing mining operation on the Lower Kittanning coal seam called the Rustic Ridge #1 Mine. The mine continues to be a room and pillar mine and retreat (pillar extraction) mining is not proposed. The proposed underground expansion adds approximately 1,452.0 acres of underground permit area and 1411.5 acres of subsidence control plan area.

Conveyor belt haulage is utilized to transport the coal from the working sections to the surface. Underground machinery to be used includes: two (2) continuous miners, shuttle cars and/or continuous haulage, roof bolters, feed breakers, pumps, battery and diesel scoops, battery and diesel man trips and rock dusters. The mine will employ, at a minimum, two (2) coal producing sections working two (2) shifts per day.

The proposed reserves provide an estimated mine life of approximately 19 years at a production rate of 600,000 tons per year. The mining is anticipated to progress at a rate of approximately 200 acres per year.

No additional surface acres are proposed in this application. No trucks will be permitted within the coal stockpile area. Also, coal material shall not be tracked onto the public road nor allowed to enter erosion and sedimentation facilities.

Waters pumped from the mine will be limited to 1.44 MGD (1000 gpm).

- ii. If the operation involves coal preparation, describe the estimated life of the operation; the types of processing equipment used; media used in separation processes; chemical treatment of coal or refuse; source and quality of make-up water; the means by which coal will be transported to and from site; and whether the facilities are designed to recirculate or discharge water from the coal preparation circuit.

Not applicable. No coal will be processed on site.

- iii. If the operation involves coal refuse disposal:

Not applicable.

- (1) Describe the type of operation (head of hollow fill, cross valley embankment, side hill embankment, ridge embankment, heaped embankment, surface mine backfill, disposal into underground mine workings, etc.); the estimated life of the operation; the type of equipment which will be used to handle and compact refuse; the systems that will be used to monitor, collect, manage and treat runoff and leachate; and any chemical treatment to which refuse will be subjected (surfactants, bactericides, alkalizing agents, etc.)

(2) If the operation does not involve disposal in abandoned, inactive or active underground mine or in abandoned or unreclaimed surface mines, outline the technical, economic and safety considerations prohibiting such disposal.

- b. If the operation will involve the discharge of coal processing wastes, underground mine development wastes, coal ash, mine drainage treatment sludge, flue gas desulfurization sludge, or inert stabilizing materials to underground workings:

Not applicable.

- c. Describe the nature of the material to be discharged, the system which will be used to convey the material to the point of discharge, and the means of controlling the material within the underground workings.

Not applicable.

- d. If the operation will include the use of fly ash or bio-solids, describe the purpose for which the material will be used and the site(s) on which it will be used.

Not applicable.

Module 12: Treatment Systems

Instructions: 25 Pa. Code §91.23 requires that all plans, reports, and specifications for treatment facilities be certified by a licensed professional engineer and bear an imprint or legible facsimile of his/her seal. (At least one copy must bear an original seal and signature.)

12.1 Discharges

A National Pollutant Discharge Elimination System (NPDES) permit is needed for all mining permits. Application for an NPDES permit can be made at the same time as the mining permit using the options described below.

Please check which option is being used for this permit.

1. **Coverage under General Permit BMR GP-104** (Document No. 5600-PM-MR0388).

This type of NPDES coverage is applicable for non-special protection watersheds where the only potential discharge to surface waters of the Commonwealth will be composed entirely of **stormwater**, in which the main potential pollutant is sediment. To apply for coverage under GP104, complete the Notice of Intent form no. 5600-PM-MR0008 and submit it with this mining permit application.

2. **Individual NPDES Permit**

An individual NPDES permit is applicable for those sites that have any one of the following characteristics:

- Permit area is in a special protection watershed (HQ/EV).
- The permit specifies a discharge of treated water (beyond simple containment of stormwater runoff), mine drainage treatment facilities discharge, process water or pumped groundwater.
- Discharge authorization does not qualify under the GP-104.

To apply for coverage under an individual NPDES permit associated with mining activities, complete form no. 5600-PM-MR0032.

3. **Other Option**

Check here if another option is chosen and provide an explanation: _____

12.2 Waste Streams

Describe the anticipated volume and quality of water that will be generated by the following sources (address flow rate, flow duration, and periodic increments, as appropriate):

a. Drainage from underground workings, include basis for estimate;

Based on water pumped from the underground workings and the mined area through July 2021, the Rustic Ridge #1 Mine is producing 0.17 gpm/acre. Using this measured mine water rate per acre, the maximum developed mine (approx. 4,297 acres) will not require additional storage capacity. Since a maximum of approximately 4,297 acres of the underground permit area will be deep mined on the Lower Kittanning coal seam, the total projected amount of water to be produced at the full extent of mining is 731 gpm or 43,860 gph. The water will be pumped to the treatment ponds (TP-1 and TP-2) at a total maximum rate of 1,500¹ gpm. Treatment ponds TP-1 and TP-2 will be used for the development of the portal area and dewatering the active sections of the mine. The anticipated water quality, from mining on the Lower Kittanning seam in the local area, will be acidic with slightly elevated metals content.

¹ As per private settlement agreement between LCT Energy, L.P. and Mountain Watershed Association, the mine water pumping rate will be limited to 1.44 MGD.

- b. Runoff which will come into contact with coal or other polluttional materials at surface mining activity sites.
Not applicable to this application. Previously approved.
- c. Drainage from leachate drains at coal refuse disposal sites.
None. Not applicable.

12.3 Systems Overview

Describe all treatment systems that will be used to handle mine drainage and other waters requiring treatment prior to discharge. Include design capacity of each system and the projected effluent quality.

Not applicable to this application. Previously approved.

12.4 Flow Diagrams

- a. Provide a flow diagram for each system described in the preceding section describing sources, flow patterns, flow volumes, and key system components.
Not applicable to this application. Previously approved.
- b. For sites where coal preparation, coal refuse disposal, and mine drainage treatment will take place, provide a copy of the Operations Map (Exhibit 9.1) with the following information added or highlighted. Label the map Exhibit 12.4 - Water Handling Plan.

Not applicable to this application. Previously approved.

- i. The exact location of each outfall,
- ii. Sources of flow to each outfall (Color coded so that all sources contributing to an individual outfall can be identified.),
- iii. The direction of flow in each collector pipe or channel,
- iv. Surface water monitoring points, and
- v. Other mining-related discharges that enter the receiving stream within the mapped area.

12.5 Chemical Feed Systems

Describe the equipment that will be used to feed and mix treatment chemicals.

Not applicable to this application. Previously approved.

12.6 Settling/Treatment Facilities

Describe tanks, ponds and other containment facilities that will be used in the treatment process, including their respective volumes, construction, and detention capacities.

Not applicable to this application. Previously approved.

12.7 Sludge Disposal

Describe the anticipated volume of sludge that will be generated by each treatment system and the frequency of sludge removal operations. Describe the means of sludge disposal and the disposal site.

Not applicable to this application. Previously approved.