# IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF MISSOURI EASTERN DIVISION 

In re:
PATRIOT COAL CORPORATION, et al., Debtors.
Debtors.

Case No. 12-51502 (Jointly Administered) Chapter 11
$\square$

NOTICE IS FURTHER GIVEN that Claimant recorded a Notice of Mechanics’ Lien in the county or counties in which the work was performed within one hundred days of the service dates pursuant to the West Virginia Mechanics’ Lien Law．

NOTICE IS FURTHER GIVEN of the perfection of the Liens in the Property， including lots and tracts of land and upon the buildings，structure，and improvements thereon and proceeds，products，offspring，rents，and profits of such Property．A true and correct copy of the Claimant＇s recorded Notice（s）of Mechanics Lien and claim are attached hereto as Exhibit＂1．＂

NOTICE IS FURTHER GIVEN that Claimant has a right to assert the Liens and intends to assert and enforce the Liens．This Notice is being filed and served pursuant to 11 U．S．C．§ 546（b）（2）in lieu of commencement of a suit in chancery pursuant to the West Virginia Mechanics’ Lien Law．

Date：February 27， 2013

Respectfully submitted，
POLSINELLI SHUGHART PC
／s／Sherry K．Dreisewerd
Sherry K．Dreisewerd（MO47908）
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100 South Fourth Street，Suite 1000
St．Louis，Missouri 63102
（314）889－8000
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Attorneys for Strata Mine Services，LLC，a subsidiary of Strata Worldwide，LLC

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the Strata Mine Services, LLC's Notice of Perfection of Mechanics' and Materialmens' Liens was served electronically through the Court's ECF system on all registered users on February 27, 2013:

Office of the U.S. Trustee
111 South $10^{\text {th }}$ Street, Suite 6353
St. Louis, Missouri 63102

Patriot Coal Corporation
12312 Olive Blvd., Suite 400
St. Louis, MO 63141
ATTN: Marguerite O’Connell
Reclamation Claims
Curtis, Mallet-Prevost, Colt \& Mosle LLP
101 Park Avenue
New York, NY 10178
ATTN: S. Reisman
M. Cohen

Conflicts Counsel for Debtors
Patriot Coal Corporation
c/o GCG, Inc.
190 S. LaSalle Street, Suite 1520
Chicago, IL 60603
ATTN: Elizabeth Vrato
Claims and Noticing Agent for Debtors
Davis Polk \& Wardwell LLP
450 Lexington Avenue
New York, NY 10017
ATTN: Brian M. Resnick
Marshall S. Huebner
Davis Polk
Counsel for Debtor
Marcia Goldstein
Joseph Smolinsky
Weil Gotshal \& Manges LLP
767 Fifth Avenue
New York, NY 10153
Counsel for Administrative Agents for Proposed Postpetition Lenders
Margot B. Schonholtz

Ana Alfonso<br>Jeffrey Goldfarb<br>Willkie Farr \& Gallagher LLP<br>787 Seventh Avenue<br>New York, NY 10019<br>Counsel for Administrative Agents for Proposed Postpetition Lenders<br>Thomas Moers Mayer<br>Adam C. Rogoff<br>Gregory G. Plotko<br>Bradley O’Neill<br>Kramer Levin Naftalis \& Frankel LLP<br>1177 Avenue of the Americas<br>New York, NY 10036<br>Counsel for Official Committee of Unsecured Creditors

/s/ Rebecca M. O’Brien

## Notice of Mechanic's Lien

To: Shonk Land Company, LLC<br>John J. Shonk Building<br>194 Summers Street<br>Charleston, WV 25301<br>Payne-Gallatin Company<br>300 Capitol Street, Suite 1503<br>Charleston, WV 25301<br>Kanawha Eagle Coal, LLC<br>500 Lee Street, East, Suite 202<br>Charleston, WV 25301<br>Panther LLC<br>500 Lee Street, East, Suite 202<br>Charleston, WV 25301<br>Patriot Coal Corporation<br>12312 Olive Blvd., Suite 400<br>St. Louis, MO 63141



You will please take notice that the undersigned, Strata Mine Services, LLC, a subsidiary of Strata Worldwide, LLC, 67925 Bay Berry Drive, Saint Clairsville, Ohio 43950, a Georgia corporation, has furnished work and materials to you, by and through your agent, Panther LLC, which is a subsidiary of Patriot Coal Corporation, for use in inter alia, the erection, construction and improvement of your real property and related facilities, known as the following; Panther LLC Speed Mine, Mine No. 2/Panther Preparation Plant, Dry Branch, Cabin Creek Magisterial District, Kanawha County and Sherman Magisterial District, Boone County, West Virginia, and more particularly described in Exhibit A, attached hereto, and the said work and materials were of the nature and were furnished on the dates and in the quantities and at the price as shown in the following invoices, attached hereto as Exhibit B.

You are further notified that the undersigned has not been paid the sum of $\$ 108,457.27$, exclusive of finance charges, and that it claims a lien upon your
interest in the said lots or tracts of land and upon the buildings, structures and improvements thereon, to secure the payment of said sum.

STRATA MINE SERVICES, LL


Gerry Sutton, Accounting Asst., Finance Department, Strata Mine Services, LLC

State of Ohio,

County of $B E 1 \times 10 / 1 /$

Ms. Gerry Sutton, being first duly sworn, upon her oath says that the statements in the foregoing Notice of Mechanic's Lien contained herein are true, as she verily believes.


Accounting Assistant, Finance Department, Strata Mine Services, LLC

Taken, subscribed and swot to before me this $30^{+2}$ day of August, 2012.


## Exhibit A

Please see Permit Details, attached hereto, setting forth the permit information issued to Panther LLC, and more particularly describing Mine No. 2 and the Panther Preparation Plant, which are 1.20 miles south of Dry Branch, in the Cabin Creek Magisterial District of Kanawha County, West Virginia, and the Sherman Magisterial District in Boone County, West Virginia, as well as attachment 1, MR-17 Application for Permit Renewal Article 3 Permit No. UO-391.

## Permit Details

| (1) Permit |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: |
| PERMITTEE |  |  | PANTHER LLC |  |  |
| DEP OFFICE |  |  | OMR |  |  |
| PERMIT ID |  |  | U039100 |  |  |
| ISSUE DATE |  |  | 03/01/79 |  |  |
| EXPIRATION DATE |  |  | 04/07/13 |  |  |
| FACILITY NAME |  |  | Mine No. 2/Panther Preparation Plant |  |  |
| ORIGINAL ACRES |  |  | 9 |  |  |
| DISTURBED ACRES |  |  | 76.0700 |  |  |
| RECLAIMED ACRES |  |  |  |  |  |
| CURRENT ACRES |  |  | 115.61 |  |  |
| (1)Permit Status |  |  |  |  |  |
| OPEN/CLOSED |  |  | $\bigcirc$ |  |  |
| STATUS |  |  | AM-Active, Moving Coal |  |  |
| (52) Permit Activities |  |  |  |  |  |
| OFFICE | ACRES ADDED | ACRES DELETED | MILESTONE | DATE | COMMENT |
| OMR | 0 | 0 | Renewal Letter | 09/02/97 | PRINTED RENEWAL LETTER |
| OMR | 0 | 0 | Revision | 01/16/98 | Permit Revised-6 |
| OMR | 4.4 | 0 | Incidental <br> Boundary <br> Revision | 06/03/98 | Incidental Boundary Revision-6 |
| OMR | 0 | 0 | Revision | 08/31/98 | Permit Revised-7 |
| OMR | 0 | 0 | Renewal | 08/31/98 | Permit Renewed-1 |
| OMR | 0 | 0 | Revision | 01/04/99 | Permit Revised-8 |
| OMR | 3.6 | 0 | Incidental Boundary Revision | 01/04/99 | Incidental Boundary Revision-8 |
| OMR | 0 | 0 | Inactive Status | 11/03/99 | Inactive-1 |
| OMR | 0 | 0 | Operator Assignment | 05/03/00 | Op Asgn - <br> Appalachian Eagle, Inc. |
| OMR | 1.57 | 0,74 | Incidental Boundary Revision | 07/12/00 | Incidental Boundary Revision-9 |
| OMR | 1.84 | 0 | Incidental Boundary Revision | 09/22/00 | Incidental Boundary Revision-10 |
| OMR | 0 | 0 | Revision | 04/11/01 | Permit Revised-12 |
|  |  |  | Incidental |  |  |


| OMR | 4.9 | 0 | Boundary Revision | 04/24/01 | Incidental Boundary Revision-11 |
| :---: | :---: | :---: | :---: | :---: | :---: |
| OMR | 8.1 | 0 | Incidental Boundary Revision | 04/24/01 | Incidental Boundary Revision-12 |
| OMR | 0 | 0 | Revision | 08/14/01 | Permit Revised-13 |
| OMR | 0 | 0 | Revision | 07/19/01 | Permit Revised-15 |
| OMR | 0 | 0 | Revision | 07/23/01 | Permit Revised-9 |
| OMR | 0 | 0 | Operator Assignment | 07/26/01 | Op Asgn - Speed Mining, Inc. |
| OMR | 5.48 | 0 | Incidental Boundary Revision | 09/10/01 | Incidental Boundary Revision-13 |
| OMR | 0 | 0 | Revision | 11/19/01 | Permit Revised-14 |
| OMR | 0 | 0 | Revision | 01/09/02 | Permit Revised-10 |
| OMR | 15.58 | 0 | Incidental Boundary Revision | 05/29/02 | Incidental Boundary Revision-14 |
| OMR | 0 | 0 | Renewal Letter | 10/10/02 | PRINTED RENEWAL LETTER |
| OMR | 0.55 | 0 | Incidental Boundary Revision | 01/21/03 | Incidental Boundary Revision-15 |
| OMR | 0 | 0 | Revision | 02/03/03 | Permit Revised-17 |
| OMR | 4.54 | 0 | Incidental Boundary Revision | 02/11/03 | Incidental Boundary Revision-16 |
| OMR | 12.64 | 0 | Incidental Boundary Revision | 04/10/03 | Incidental Boundary Revision-17 |
| OMR | 0 | 0 | Revision | 05/15/03 | Permit Revised-18 |
| OMR | 0 | 0 | Revision | 05/15/03 | Permit Revised-19 |
| OMR | 0 | 0 | Renewal | 08/13/03 | Permit Renewed-2 |
| OMR | 3 | 0 | Incidental Boundary Revision | 01/28/04 | Incidental Boundary Revision-18 |
| OMR | 17.84 | 0 | Incidental Boundary Revision | 02/24/04 | Incidental Boundary Revision-19 |
| OMR | 0.4 | 0.4 | Incidental Boundary Revision | 05/10/04 | Incidental Boundary Revision-20 |
| OMR | 0 | 0 | Revision | 12/10/04 | Permit Revised-20 |
| OMR | 0 | 0 | Permit Transfer | 01/12/05 | Transfer - Panther Llc |
| OMR | 0 | 0 | Revision | 02/17/05 | Permit Revised-21 |
|  |  |  | Incidental |  | Incidental Boundary |


| OMR | 13.45 | 13.45 | Boundary Revision | 05/10/05 | Revision-21 |
| :---: | :---: | :---: | :---: | :---: | :---: |
| OMR | 6.72 | 6.72 | Incidental Boundary Revision | 06/08/06 | Incidental Boundary Revision |
| OMR | 0 | 0 | Activated Inactive Permit | 08/01/06 | Inactive Status Expired - 05/12/2002 |
| OMR | 0 | 0 | Revision | 02/01/07 | Permit Revised |
| OMR | 0 | 0 | Renewal Letter | 02/01/08 | PRINTED RENEWAL LETTER |
| OMR | 0 | 0 | Renewal Letter | 02/01/08 | PRINTED RENEWAL LETTER |
| OMR | 0 | 0 | Renewal | 07/30/08 | Permit Renewed |
| OMR | 2.1 | 2.1 | Incidental Boundary Revision | 07/30/08 | Incidental Boundary Revision |
| OMR | 8.5 | 8.5 | Incidental Boundary Revision | 02/02/09 | Incidental Boundary Revision |
| OMR | 0 | 0 | Revision | 02/03/09 | Permit Revised |
| OMR | 0 | 0 | Operator Assignment | 06/16/09 | Op Asgn - Speed Mining Llc |
| OMR | 0 | 0 | Operator Assignment | 06/16/09 | $\begin{array}{\|l} \hline \text { Op Asgn-Coal } \\ \text { Clean Lic } \\ \hline \end{array}$ |
| OMR | 0 | 0 | Revision | 10/07/09 | Permit Revised |
| OMR | 0.7 | 0.7 | Incidental Boundary Revision | 11/04/09 | Incidental Boundary Revision |
| OMR | 0 | 0 | Revision | 05/17/10 | Permit Revised |
| OMR | 0.97 | 0 | Incidental Boundary Revision | 05/12/11 | Incidental Boundary Revision |

(1) Variances

| Permit Variance | Within 100 feet of a stream |
| :--- | :--- |
| (1) County / Quad |  |
| (21) Inspectable Units |  |
|  |  |
| Quad: CEDAR GROVE |  |
| INSPECTABLE UNIT CODE | TYPE |
| ENTIRE | Surface Coal Mine |
| 010 | Water Outfall |
| 012 | Water Outfall |
| 014 | Water Outfall |
| 013 | Water Outfall |
| 016 | Water Outfall |


| 015 |  | Water Outfall |  |
| :---: | :---: | :---: | :---: |
| 017 |  | Water Outfall |  |
| 018 |  | Water Outfall |  |
| 002 |  | Water Outfall |  |
| 019 |  | Water Outfall |  |
| 022 |  | Water Outfall |  |
| 001 |  | Water Outfall |  |
| 004 |  | Water Outfall |  |
| 003 |  | Water Outfall |  |
| 005 |  | Water Outfall |  |
| 007 |  | Water Outfall |  |
| 006 |  | Water Outfall |  |
| 008 |  | Water Outfall |  |
| 01 |  | Water Outfall |  |
| 009 |  | Water Outfall |  |
| (1) Permit Geography |  |  |  |
| INSPECTABLE UNIT CODE: | ENTIRE |  | Show Map |
| MAGISTERIAL DIST: | CABIN C |  |  |
| NEAREST POST OFFICE: | DRY BRA |  |  |
| LATITUDE: | $38^{\circ} 9^{\prime} 51.0$ |  |  |
| LONGITUDE: | $81^{\circ} 28^{\prime} 5$. |  |  |
| COUNTY: | Kanawha |  |  |
| USWRC WATERSHED: | Upper Ka | wha River |  |
| SCS WATERSHED: | Cabin Cr |  |  |

Click here to see Inspection Details
Click here to see Violation Details

## Permit Details

| (1) Permit |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: |
| PERMITTEE |  |  |  | PANTHER LLC |  |
| DEP OFFICE |  |  |  | OMR |  |
| PERMITID |  |  |  | 0011283 |  |
| ISSUE DATE |  |  |  | 08/11/83 |  |
| EXPIRATION DATE |  |  |  | 08/11/13 |  |
| FACILITY NAME |  |  |  |  |  |
| ORIGINAL ACRES |  |  |  | 14.98 |  |
| DISTURBED ACRES |  |  |  | 16.6800 |  |
| RECLAIMED ACRES |  |  |  |  |  |
| CURRENT ACRES |  |  |  | 16.68 |  |
| (1)Permit Status |  |  |  |  |  |
| OPEN/CLOSED |  |  | 0 |  |  |
| STATUS |  |  | AM-Active, Moving Coal |  |  |
| (1) Permit Activities Allowed |  |  |  |  |  |
| ACTIVITY |  |  | BEGIN DATE |  | END DATE |
| Preparation Plant - Other |  |  | 08/11/1993 |  |  |
| (16) Permit Activities |  |  |  |  |  |
| OFFICE | ACRES ADDED | ACRES DELETED | MILESTONE | DATE | COMMENT |
| OMR | 0 | 0 | Revoke Permit | 10/08/91 | Converted from forfeited bonds |
| OMR | 0 | 0 | Reinstated | 09/04/92 | Conv from forfeiture lifted |
| OMR | 0 | 0 | Reinstated | 09/04/92 | Forfeiture Lifted |
| OMR | 0 | 0 | Renewal Letter | 01/05/98 | PRINTED RENEWAL LETTER |
| OMR | 0 | 0 | Renewal | 09/02/98 | Permit Renewed-1 |
| OMR | 0 | 0 | Inactive Status | 11/03/99 | Inactive-1 |
| OMR | 0 | 0 | Renewal Letter | 02/10/03 | PRINTED RENEWAL LETTER |
| OMR | 0 | 0 | Revision | 07/14/03 | Permit Revised-2 |
| OMR | 0 | 0 | Renewal | 08/21/03 | Permit Renewed-2 |
| OMR | 0 | 0 | Permit Transfer | 01/12/05 | Transfer - Panther LIc |
| OMR | 0 | 0 | Activated Inactive Permit | 08/01/06 | Inactive Status Expired - 05/12/2002 |
| OMR | 0 | 0 | Revision | 04/02/07 | Permit Revised |
|  |  |  |  |  | PRINTED RENEWAL |


| OMR | 0 | 0 | Renewal Letter | $02 / 01 / 08$ | LETTER |
| :--- | :--- | :--- | :--- | :--- | :--- |
| OMR | 0 | 0 | Renewal Letter | $02 / 01 / 08$ | lRINTED RENEWAL <br> LETTER |
| OMR | 0 | 0 | Renewal | $07 / 21 / 08$ | Permit Renewed |
| OMR | 0 | 0 | Operator <br> Assignment | $08 / 16 / 09$ | Op Asgn - Coal Clean <br> LIc |

(1) County / Quad

County: Kanawha
Quad: CEDAR GROVE
(10) Inspectable Units

| INSPECTABLE UNIT CODE | TYPE |
| :--- | :--- |
| 001 | Dam |
| ENTIRE | Surface Coal Mine |
| 003 | Water Outfall |
| 007 | Water Outfall |
| 005 | Water Outfall |
| 008 | Water Outfall |
| 006 | Water Outfall |
| 002 | Water Outfall |
| 001 | Water Outfall |
| 004 | Water Outfall |

(1) Permit Geography

| INSPECTABLE UNIT CODE: | ENTIRE | Show Map |
| :--- | :--- | :--- |
| MAGISTERIAL DIST: | CABIN CREEK |  |
| NEAREST POST OFFICE: | DRY BRANCH |  |
| LATITUDE: | $38^{\circ} 10^{\prime} 24.0000^{\prime \prime}$ |  |
| LONGITUDE: | $81^{\circ} 27^{\prime} 53.0000^{\prime \prime}$ |  |
| COUNTY: | Kanawha |  |
| USWRC WATERSHED: | Upper Kanawha River |  |
| SCS WATERSHED: | Cabin Creek |  |

Click here to see Inspection Details
Click here to see Violation Details

## Permit Details

| (1) Permit |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: |
| PERMITTEE |  |  |  | PANTHER LLC |  |
| DEP OFFICE |  |  |  | OMR |  |
| PERMIT ID |  |  |  | 0000282 |  |
| ISSUE DATE |  |  |  | 01/06/82 |  |
| EXPIRATION DATE |  |  |  | 01/27/14 |  |
| FACILITY NAME |  |  |  |  |  |
| ORIGINAL ACRES |  |  |  | 30.13 |  |
| DISTURBED ACRES |  |  |  | 121.0600 |  |
| RECLAIMED ACRES |  |  |  |  |  |
| CURRENT ACRES |  |  |  | 147.49 |  |
| (1)Permit Status |  |  |  |  |  |
| OPEN/CLOSED |  |  | 0 |  |  |
| STATUS |  |  | AM-Active, Moving Coal |  |  |
| (1) Permit Activities Allowed |  |  |  |  |  |
| ACTIVITY |  |  | BEGIN DATE |  | END DATE |
| Refuse Disposal - Other |  |  | 01/27/1993 |  |  |
| (25) Permit Activities |  |  |  |  |  |
| OFFICE | ACRES ADDED | ACRES DELETED | MILESTONE | DATE | COMMENT |
| OMR | 0 | 0 | Revoke Permit | 10/08/91 | Converted from forfeited bonds |
| OMR | 0 | 0 | Reinstated | 09/04/92 | Conv from forfeiture. lifted |
| OMR | 0 | 0 | Reinstated | 09/04/92 | Forfeiture Lifted |
| OMR | 6.73 | 0 | Incidental Boundary Revision | 07/17/97 | Incidental Boundary Revision-5 |
| OMR | 3.9 | 0 | Incidental Boundary Revision | 05/19/98 | Incidental Boundary Revision-7 |
| OMR | 0 | 0 | Renewal Letter | 08/01/98 | PRINTED RENEWAL LETTER |
| OMR | 0 | 0 | Renewal | 09/02/98 | Permit Renewed-1 |
| OMR | 4 | 0 | Incidental Boundary Revision | 05/06/99 | Incidental Boundary Revision-8 |
| OMR | 0 | 0 | Inactive Status | 11/03/99 | Inactive-1 |
| OMR | 1.3 | 1.3 | Incidental Boundary | 02/25/00 | Incidental Boundary Revision-9 |


|  |  |  | Revision |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: |
| OMR | 0.45 | 0 | Incidental Boundary Revision | 11/08/00 | Incidental Boundary Revision-10 |
| OMR | 67.05 | 0 | Incidental Boundary Revision | 11/15/01 | Incidental Boundary Revision-11 |
| OMR | 0 | 0 | Renewal Letter | 07/09/03 | PRINTED RENEWAL LETTER |
| OMR | 4.73 | 0 | Incidental Boundary Revision | 01/28/04 | Incidental Boundary Revision-12 |
| OMR | 0 | 0 | Renewal | 04/01/04 | Permit Renewed-2 |
| OMR | 2.83 | 0 | Incidental Boundary Revision | 05/06/04 | Incidental Boundary Revision-13 |
| OMR | 0 | 0 | Revision | 06/11/04 | Permit Revised-5 |
| OMR | 0 | 0 | DAM Certificate Issued | 07/16/04 | DAM Inspectable Unit Added-2 |
| OMR | 0 | 0 | Revision | 09/21/04 | Permit Revised-6 |
| OMR | 0 | 0 | Permit Transfer | 01/12/05 | Transfer - Panther Lic |
| OMR | 0 | 0 | Activated Inactive Permit | 08/01/06 | Inactive Status Expired 05/12/2002 |
| OMR | 0 | 0 | Revision | 04/21/08 | Permit Revised |
| OMR | 0 | 0 | Renewal | 07/08/08 | Permit Renewed |
| OMR | 0 | 0 | Operator Assignment | 06/16/09 | Op Asgn - Coal Clean Llc |
| OMR | 23.6 | 0 | Incidental Boundary Revision | 06/22/10 | Incidental Boundary Revision |
| (1) Variances |  |  |  |  |  |
| Permit Variance |  |  | Within 100 feet of a stream |  |  |
| (1) County / Quad |  |  |  |  |  |
| County: Kanawha |  |  | Quad: CEDAR GROVE |  |  |
| (9) Inspectable Units |  |  |  |  |  |
| INSPECTABLE UNIT CODE |  |  |  | TYPE |  |
| 001 |  |  |  | Dam |  |
| ENTIRE |  |  |  | Surface Coal Mine |  |
| REFUSE |  |  |  | Valley Fill |  |
| 007 |  |  |  | Water Outfall |  |
| 006 |  |  |  | Water Outfall |  |
| 001 |  |  |  | Water Outfall |  |


| 003 | Water Outfall |
| :--- | :--- |
| 002 | Water Outfall |
| 005 | Water Outfall |

(1) Permit Geography

| Show Map |  |  |
| :--- | :--- | :--- |
| INSPECTABLE UNIT CODE: | ENTIRE |  |
| MAGISTERIAL DIST: | CABIN CREEK |  |
| NEAREST POST OFFICE: | DRY BRANCH |  |
| LATITUDE: | $38^{\circ} 9^{\prime} 47.0000^{\prime \prime}$ |  |
| LONGITUDE: | $81^{\circ} 28^{\prime} 7.0000^{\prime \prime}$ |  |
| COUNTY: | Kanawha |  |
| USWRC WATERSHED: | Upper Kanawha River |  |
| SCS WATERSHED: | Cabin Creek |  |

## Click here to see Inspection Details

Click here to see Violation Details

# MR-17 APPLICATION FOR PERMIT RENEWAL ARTICLE 3 PERMIT NO. UO-391 

# MINE NO. 2 AND PANTHER PREPARATION PLANT CABIN CREEK, KANAWHA COUNTY, WEST VIRGINIA 

## Prepared for

P-G \& H, INC.
BECKLEY, WEST VIRGINIA

ALLIANCE PROJECT NO. B02-442-388
DECEMBER 2002

| Beckley, WV | Bristol, VA |
| :---: | :---: |
| Raleigh County Aiport Industrial Park | 111 Piedmont Avenue |
| Beaver, WV 25813-9502 | P.O. Box 939 |
| Telephone: (304) 255-0491 | Bristol, VA 24201 |
| Telephone: (540) 466-2710 |  |

page no. $\qquad$ correction no. $\frac{1}{3 / 5 / 03}$ CORRECTION DATE $3 / 5 / 03$ JMB

| INSTRUCTIONS |  |
| :---: | :---: |
| This advertisement is for a renewal application for a Chapter 22A, Article 3 permit. | Ad will be published once a week for four successive weeks with six full days between publication. |
| Initial Date of Publication 3jislo 3 | Final Date of Publication 4/5/03 |

## ADVERTISEMENT

Notice is hereby given that P-G \& H, Inc., 430 Harper Park Drive, Beckley, WV 25801
(Permittee Name and Business Street Address) has a permit on file with the Department of Environmental Protection (DEP) for the surface mining of approximately 81.16 acres and has submitted an application to the DEP, 116 Industrial Drive, Oak Hill, WV 25901 (Regional DEP Office Adress), for renewal of Article 3 Permit Number UO-391 to operate a deep mine (Surface/Tipple/Preparation Plant/Haulroad/Shop Area/Pace Up Deep Mine) in the No. 2 Gas.(Peerless) (Geological Titte) seam of coal.

The operation is discharging into Longbottom Creek of Cabin Creek (Receiving Stream) of the Kanawha River (Major Subbasin) and is located 1.20 (miles), south (Direction) of Dry Branch (Nearest Post Office) in Cabin Creek District of Kanawha County and Sherman District of Boone County, Longitude $81{ }^{\circ} \underline{28}{ }^{\prime} \underline{05}$ " and Latitude $\underline{38}^{\circ}$ 09 ${ }^{\prime}$ 51 " (Coordinates from USGS Topographic Map).
Surface of the area associated herewith is owned by:

| NAME | ADDRESS |
| :--- | :--- |
| Shonk Land Co. | Box 69, Charleston, WV 25301 |
| Payne Gallitin Mining Co. | 1280 One Valley Square, Charleston, WV 25301 |
| Kanawha Eagle Coal, LLC | P. O. Box 189, Comfort, WV 25049 |

*and the mineral associated herewith is owned by:

| NAME | ADDRESS |
| :--- | :--- |
| Shonk Land Co. | Box 69, Charleston, WV 25301 |
| Payne Gallitin Mining Co. | 1280 One Valley Square, Charleston, WV 25301 |
| Kanawha Eagle Coal, LLC | P. O. Box 189, Comfort, WV 25049 |

CORRECTION NO. $\frac{1}{\text { CORRECTON DATE } 3 / 5 / 03}$ CORRECTION DATE
JMB

Surface of the area within 100 feet of the permit area is owned by:

|  |  |
| :--- | :--- |
| NAME | ADDRESS |
| Shonk Land Co. | Box 69, Charleston, WV 25301 |
| Payne Gallitin Mining Co. | 1280 One Valley Square, Charleston, WV 25301 |
| Kanawha Eagle Coal, LLC | P. O. Box 189, Comfort, WV 25049 |

*and the mineral within 100 feet of the permit area is owned by:

| NAME | ADDRESS |
| :--- | :--- |
| Shonk Land Co. | Box 69, Charleston, WV 25301 |
| Payne Gallitin Mining Co. | 1280 One Valley Sguare, Charleston, WV 25301 |
| Kanawha Eagle Coal, LLC | P. O. Box 189, Comfort, WV 25049, |

Written comments and/or requests for an informal conference of the permit renewal application shall identify the applicant and application number and will be received by the Permit Supervisor at the DEP address above until 5/5/03, or thirty (30) days from date of final publication. A copy of the application will be available for review until $5 / 5 / \beta 3$ or thirty (30) days from date of final publication in the DEP Regional Office located at the address above AND in the Kanawha and Boone Counties Clerk's Office during normal business hours.

DEP Telephone No. 304-465-1911
Permit No. UO-391
*These items are to be completed only for operations involving mineral removal.

Include location map in accordance with 38-2-3.2(b)(2)



Article 3 Filing Fee: $\$ 2,000.00$ Check No: 0069015942 FEIN:

- RECEIVED

Address: 430 Harper Park Drive $\quad$ AUG 052003

(NoTE: The appllant aszumes responsibility for mail delivered to the business malling address and wifl notify DEP of all address changes through final retease of perm it.)



## Attachments:

$\triangle$ Current Insurance Certificate

- Progress map(s) of same size and scale as proposal map indicating ąll permit revisions and incidental boundary revisions
Q Copy of Completed Sample Advertisement form
$\square$ Subsidence Control Plan, Updated Mine Development Map, and Abandonment Plan (ifapplicable)
$\square$ Article 3 Reniewal Fee of $\$ 2,000,00$ (Fees are to be paid in form of Certified Check, Cashier's Check or Bank Money Order)
$\square$ SHPO and Land Inquiries (ifapplicible)
$\square$ Revision, Incidental Boundary Revision (IBR), and Amendment Approvals
$\square$ Bond Attachment (if applicable)

MR-17 page 2
page no. CORRECTION NO, $\frac{2}{8 / 5 / 03}$

In accordance with 22-3-19 of the West Virginia Code, any valid permit issued pursuant to this article shall carry with it the right of successive renewal upon expiration with respect to areas within the boundaries of the existing permit.

In accordance with current rules and regulations, the following provisions have been complied with in making this request for renewal of the above-referenced surface mining permit:
A. The terms and conditions of the preplan are being satisfactorily met.
B. The operation is in compliance with the applicable environmental protection standards of the Act and the Rules and Regulations.
C. Will not substantially jeopardize your continuing responsibility on existing permit areas.
D. The performance bond and insurance policy for the operation will continue in effect.
E. All required additional, revised, or updated information has been provided.

The information contained in this application is true and correct to the best of my knowledge and belief.


County of PALE/GOH
Taken, subscribed and sworn to before me the undersigned authority in my said county and state this $\mathcal{L}_{7 \text {, }}$ day of ADust, 2003

My Commission Expires Cere3ru $1720 / 1$


NOTARY PUBLIC


$\varepsilon W I$
$\frac{\varepsilon / 5 / E}{\frac{1}{a}}$ on uо!ponios
$\ldots$

## Exhibit B

Said Strata Mine Services, LLC, Invoices, as well as Purchase Order No. 615081-2210, dated April 23, 2012, and related invoices:

- Invoice No. SI13220, dated April 27, 2012;
- Invoice No. SI13359, dated April 27, 2012;
- Invoice No. SI13406, dated May 4, 2012;
- Invoice No. SI13424, dated May 11, 2012;
- Invoice No. SI13503, dated May 18, 2012;
- Invoice No. SI13538, dated May 25, 2012;
- Invoice No. SI13599, dated May 25, 2012;
- Invoice No. SI13862, dated June 1, 2012;
- Invoice No. SI13837, dated June 30, 2012; and,
- Invoice No. SI14082, dated June 30, 2012.

All of which include the contract price, payments thereon and amounts owed, affixed hereto.


Strata Mirre Services, LLC.
a subsidiary of Strata Woridwide, LLC
worlowioe 8995 Roswell Road

## INVOICE

Sandy Springs, GA $30350 \quad$ Invoice Number: Sl13220
740.695.6880

Invoice Date: 04/27/12
Page: 1
Ship
To: Panther LLC (Speed Mine) PO Box 66823
St L.ouls, MO 63166-6823

```
Speed Mine Cabin Creek Road Dawes Hollow Dawes, WV 25054
Cabin Creek Road Dawes Hollow
Dawes, WV 25054
```

| Del. Tlekel\# |  |
| :--- | :--- |
| Ship Via |  |
| Ship Date | $04 / 27 / 12$ |
| Due Date | $05 / 27 / 12$ |
| Terms | Net 30 Days |


| Customer ID | PATRIOT COAL-SPEED |
| :--- | :--- |
| P.O. Number | $615081-2210$ |
| P.O. Date | $04 / 27 / 12$ |
| Our Order No. | SO3549 |
| SalasPerson | Dave Nardo |
| Job \# | J3413 |


| tem/Description | Quantity | Unit Price | Total Price |
| :--- | ---: | ---: | ---: |
| PANELS- $4 \times 20$ | 4,800 | 11,60 | $55,680,00$ |
| $4^{\prime} \times 20^{\prime}$ Panels |  |  |  |

$4^{\prime} \times 20^{\prime}$ Panels


WORLEW:BY
Strata Mine Services, LLC.
a subsidiary of Strata Worldwide, LLC
8995 Roswell Road
Sandy Springs, GA 30350
740.695.6880

## INVOICE

Invoice Number, 5113406
Invoice Date: D5/04/12
Page: 1

```
Blli
To: Panther LLC (Speed Mine)
    Gary Creech
    Patriot Coal Corp - Speed Mine
    PO Box 66823
    St Louis, MO 63166-6823
```

Ship
To: Panther LLC (Speed Mine)
Speed Mine
Cabin Creek Road Dawes Hollow
Dawes, WV 25054

| Del. Ticket \# |  |
| :--- | :--- |
| Ship Via |  |
| Ship Date | $04 / 27 / 12$ |
| Due Date | $08 / 03 / 12$ |
| Terms | Net 30 Days |





Strata Mine Services, LLC.
a subsidiary of Strata Worldwide, LLC
8995 Roswell Road
Sandy Springs, GA 30350
740,695,6880

## INVOICE

Involce Number: SII3538
Involce Date: 05/25/12
Page: 1




Strata Mire Services, LLC.
a subsidlary of Strata Wortdwide, UC
8995 Roswell Road
Sandy Springs, GA 30350
740.695.6880

## INVOICE

Invoice Number: Sli3862
Invoice Date: 06/01/12
Page: 1
Page:
1

```
Bill
To: Panther LC (Speed Mine)
Gary Creach
Patriot Coal Corp -Speed Mine
PO Box 66823
    StLouls, MO 63166-8B23
St Louls, MO 63165-6823
```

Ship
To: Panther LLC (Speed Mine)
Speed Mine
Cabin Creek Road Dawes Hollow
Dawes, WV 25054

## CREDIT MEMO

Gredit Memo Number: S|13837
Credit Memo Date: 06/30/12
Page: 1

| Credil |
| :--- |
| To: Panther LLC (Speed Mine) |
| Gary Creech |
| Patritt Coal Corp - Speed Mine |
| PO Rox 66823 |
| St Louls, MO 63166-6823 |


|  | Customer iD PATRIOT COAL-SPEED |  |
| :--- | :--- | :--- |
| Ship Date | P.O. Number | 615081-2210 |
| Apply to Type | SalesPerson Dave Nardo |  |
| Apply to Number |  |  |



BII
BII
To: Panther LLC (Speed Mine)
To: Panther LLC (Speed Mine)
Gary Creech
Gary Creech
Patriot Coal Corp - Speed Mine
Patriot Coal Corp - Speed Mine
PO Box 66823
PO Box 66823
St Louls, MO 63166-6823
St Louls, MO 63166-6823

Strata Mine Services, LLC.
a subsidiary of Strata Woridwide, LLC
8995 Roswell Road Sandy Springs, GA 30350
740.695.6880

## INVOICE

Involce Number: SI14082
invoice Date: 05/30/12
Page: 1
Ship
To: Panther LLC (Speed MIne)
Gary Creech
Patriot Coal Corp - Speed Mine
PO Box 66823
St Louis, MO 63166-6823

| Del. Ticket\# |  |
| :--- | :--- |
| Ship Va |  |
| Ship Date | $08 / 09 / 12$ |
| Due Date | $07 / 30 / 12$ |
| Tems | Net 30 Days |


| Customer ID | PATRIOT COAL-SPEED |
| :--- | :--- |
| P.O. Number | $615081-2210$ |
| P.O. Date | $08 / 09 / 12$ |
| Our Order No. |  |
| SalesPerson | Dave Nardo |
| Job \# | J3413 |


| Item/Description | Quantity | Unit Price | Total Prica |  |
| :--- | ---: | ---: | ---: | ---: |
| Freight-3 loads | 3 | $2,000.00$ | 6.000 .00 |  |
| Freighl-1 loads |  | 1 | $1,497.11$ | $1,497.11$ |



# Notice of Mechanic's Lien 

To: Shonk Land Company, LLC
John J. Shonk Building
194 Summers Street
Charleston, WV 25301
Payne-Gallatin Company
300 Capitol Street, Suite 1503
Charleston, WV 25301
Kanawha Eagle Coal, LLC
500 Lee Street, East, Suite 202


Charleston, WV 25301
Panther LLC
500 Lee Street, East, Suite 202
Charleston, WV 25301
Patriot Coal Corporation
12312 Olive Blvd., Suite 400
St. Louis, MO 63141
You will please take notice that the undersigned, Strata Mine Services, LLC, a subsidiary of Strata Worldwide, LLC, 67925 Bay Berry Drive, Saint Clairsville, Ohio 43950, a Georgia corporation, has furmished work and materials to you, by and through your agent, Panther LLC, which is a subsidiary of Patriot Coal Corporation, for use in inter alia, the erection, construction and improvement of your real property and related facilities, known as the following; Panther LLC Speed Mine, Mine No. 2/Panther Preparation Plant, Dry Branch, Cabin Creek Magisterial District, Kanawha County and Sherman Magisterial District, Boone County, West Virginia, and more particularly described in Exhibit A, attached hereto, and the said work and materials were of the nature and were furnished on the dates and in the quantities and at the price as shown in the following invoices, attached hereto as Exhibit B.

You are further notified that the undersigned has not been paid the sum of $\$ 108,457.27$, exclusive of finance charges, and that it claims a lien upon your
interest in the said lots or tracts of land and upon the buildings, structures and improvements thereon, to secure the payment of said sum.

STRATA MINE SERVICES, LLC

By: $\frac{\sqrt{\text { Gerry Sutton, Accounting Asst., Finance Department, }}}{\begin{array}{l}\text { Strata Mine Services, LLC }\end{array}}$

State of Ohio,

County of $B E 1 \pm 1 O L / 1$;

Ms. Gerry Sutton, being first duly sworn, upon her oath says that the statements in the foregoing Notice of Mechanic's Lien contained herein are true, as she verily believes.


Accounting Assistant, Finance Department, Strata Mine Services, LLC

Taken, subscribed and sworn to before me this $30^{t h}$ day of August, 2012.


## Exhibit A

Please see Permit Details, attached hereto, setting forth the permit information issued to Panther LLC, and more particularly describing Mine No. 2 and the Panther Preparation Plant, which are 1.20 miles south of Dry Branch, in the Cabin Creek Magisterial District of Kanawha County, West Virginia, and the Sherman Magisterial District in Boone County, West Virginia, as well as attachment 1, MR-17 Application for Permit Renewal Article 3 Permit No. UO-391.

## Permit Details

| （1）Permit |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: |
| PERMITTEE |  |  | PANTHER LLC |  |  |
| DEP OFFICE |  |  | OMR |  |  |
| PERMIT ID |  |  | U039100 |  |  |
| ISSUE DATE |  |  | 03／01／79 |  |  |
| EXPIRATION DATE |  |  | 04／07／13 |  |  |
| FACILITY NAME |  |  | Mine No．2／Panther Preparation Plant |  |  |
| ORIGINAL ACRES |  |  | 9 |  |  |
| DISTURBED ACRES |  |  | 76.0700 |  |  |
| RECLAIMED ACRES |  |  |  |  |  |
| CURRENT ACRES |  |  | 115.61 |  |  |
| （1）Permit Status |  |  |  |  |  |
| OPEN／CLOSED |  |  | 0 |  |  |
| STATUS |  |  | AM－Active，Moving Coal |  |  |
| （52）Permit Activities |  |  |  |  |  |
| OFFICE | ACRES ADDED | ACRES DELETED | MILESTONE | DATE | COMMENT |
| OMR | 0 | 0 | Renewal Letter | 09／02／97 | PRINTED RENEWAL LETTER |
| OMR | 0 | 0 | Revision | 01／16／98 | Permit Revised－6 |
| OMR | 4.4 | 0 | Incidental Boundary Revision | 06／03／98 | Incidental Boundary Revision－6 |
| OMR | 0 | 0 | Revision | 08／31／98 | Permit Revised－7 |
| OMR | 0 | 0 | Renewal | 08／31／98 | Permit Renewed－1 |
| OMR | 0 | 0 | Revision | 01／04／99 | Permit Revised－8 |
| OMR | 3.6 | 0 | Incidental Boundary Revision | 01／04／99 | Incidental Boundary Revision－8 |
| OMR | 0 | 0 | Inactive Status | 11／03／99 | Inactive－1 |
| OMR | 0 | 0 | Operator Assignment | 05／03／00 | Op Asgn－ <br> Appalachian Eagle， inc． |
| OMR | 1.57 | 0.74 | Incidental Boundary Revision | 07／12／00 | Incidental Boundary Revision－9 |
| OMR | 1.84 | 0 | Incidental Boundary Revision | 09／22／00 | Incidental Boundary Revision－10 |
| OMR | 0 | 0 | Revision | 04／11／01 | Permit Revised－12 |
|  |  |  | Incidental |  |  |


| OMR | 4.9 | 0 | Boundary Revision | 04/24/01 | Incidental Boundary Revision-11 |
| :---: | :---: | :---: | :---: | :---: | :---: |
| OMR | 8.1 | 0 | Incidental Boundary Revision | 04/24/01 | Incidental Boundary Revision-12 |
| OMR | 0 | 0 | Revision | 06/14/01 | Permit Revised-13 |
| OMR | 0 | 0 | Revision | 07/19/01 | Permit Revised-15 |
| OMR | 0 | 0 | Revision | 07/23/01 | Permit Revised-9 |
| OMR | 0 | 0 | Operator Assignment | 07/26/01 | Op Asgn - Speed Mining, Inc. |
| OMR | 5.48 | 0 | Incidental Boundary Revision | 09/10/01 | Incidental Boundary Revision-13 |
| OMR | 0 | 0 | Revision | 11/19/01 | Permit Revised-14 |
| OMR | 0 | 0 | Revision | 01/09/02 | Permit Revised-10 |
| OMR | 15.58 | 0 | Incidental Boundary Revision | 05/29/02 | Incidental Boundary Revision-14 |
| OMR | 0 | 0 | Renewal Letter | 10/10/02 | PRINTED RENEWAL LETTER |
| OMR | 0.55 | 0 | Incidental Boundary Revision | 01/21/03 | Incidental Boundary Revision-15 |
| OMR | 0 | 0 | Revision | 02/03/03 | Permit Revised-17 |
| OMR | 4.54 | 0 | Incidental Boundary Revision | 02/11/03 | Incidental Boundary Revision-16 |
| OMR | 12.64 | 0 | Incidental Boundary Revision | 04/10/03 | Incidental Boundary Revision-17 |
| OMR | 0 | 0 | Revision | 05/15/03 | Permit Revised-18 |
| OMR | 0 | 0 | Revision | 05/15/03 | Permit Revised-19 |
| OMR | 0 | 0 | Renewal | 08/13/03 | Permit Renewed-2 |
| OMR | 3 | 0 | Incidental Boundary Revision | 01/28/04 | Incidental Boundary Revision-18 |
| OMR | 17.84 | 0 | Incidental Boundary Revision | 02/24/04 | Incidental Boundary Revision-19 |
| OMR | 0.4 | 0.4 | Incidental Boundary Revision | 05/10/04 | Incidental Boundary Revision-20 |
| OMR | 0 | 0 | Revision | 12/10/04 | Permit Revised-20 |
| OMR | 0 | 0 | Permit Transfer | 01/12/05 | Transfer - Panther Llc |
| OMR | 0 | 0 | Revision | 02/17/05 | Permit Revised-21 |
|  |  |  | Incidental |  | Incidental Boundary |


| OMR | 13.45 | 13.45 | Boundary Revision | 05/10/05 | Revision-21 |
| :---: | :---: | :---: | :---: | :---: | :---: |
| OMR | 6.72 | 6.72 | Incidental Boundary Revision | 06/06/06 | Incidental Boundary Revision |
| OMR | 0 | 0 | Activated Inactive Permit | 08/01/06 | Inactive Status Expired - 05/12/2002 |
| OMR | 0 | 0 | Revision | 02/01/07 | Permit Revised |
| OMR | 0 | 0 | Renewal Letter | 02/01/08 | PRINTED RENEWAL LETTER |
| OMR | 0 | 0 | Renewal Letter | 02/01/08 | $\begin{aligned} & \hline \text { PRINTED } \\ & \text { RENEWAL LETTER } \end{aligned}$ |
| OMR | 0 | 0 | Renewal | 07/30/08 | Permit Renewed |
| OMR | 2.1 | 2.1 | Incidental Boundary Revision | 07/30/08 | Incidental Boundary Revision |
| OMR | 8.5 | 8.5 | Incidental Boundary Revision | 02/02/09 | Incidental Boundary Revision |
| OMR | 0 | 0 | Revision | 02/03/09 | Permit Revised |
| OMR | 0 | 0 | Operator Assignment | 06/16/09 | Op Asgn - Speed Mining Lic |
| OMR | 0 | 0 | Operator Assignment | 08/16/09 | $\begin{aligned} & \text { Op Asgn - Coal } \\ & \text { Clean Lic } \end{aligned}$ |
| OMR | 0 | 0 | Revision | 10/07/09 | Permit Revised |
| OMR | 0.7 | 0.7 | Incidental Boundary Revision | 11/04/09 | Incidental Boundary Revision |
| OMR | 0 | 0 | Revision | 05/17/10 | Permit Revised |
| OMR | 0.97 | 0 | Incidental <br> Boundary <br> Revision | 05/12/11 | Incidental Boundary Revision |
| (1) Variances |  |  |  |  |  |
| Permit Variance |  |  | Within 100 feet of a stream |  |  |
| (1) County / Quad |  |  |  |  |  |
| County: Kanawha |  |  | Quad: CEDAR GROVE |  |  |

(21) Inspectable Units

| INSPECTABLE UNIT CODE | TYPE |
| :--- | :--- |
| ENTIRE | Surface Coal Mine |
| 010 | Water Outfall |
| 012 | Water Outfall |
| 014 | Water Outfall |
| 013 | Water Outfall |
| 016 | Water Outfall |


| 015 |  | Water Outfall |  |
| :---: | :---: | :---: | :---: |
| 017 |  | Water Outfall |  |
| 018 |  | Water Outfall |  |
| 002 |  | Water Outfall |  |
| 019 |  | Water Outfall |  |
| 022 |  | Water Outfall |  |
| 001 |  | Water Outfall |  |
| 004 |  | Water Outfall |  |
| 003 |  | Water Outfall |  |
| 005 |  | Water Outfall |  |
| 007 |  | Water Outfall |  |
| 006 |  | Water Outfall |  |
| 008 |  | Water Outfall |  |
| 01 |  | Water Outfall |  |
| 009 |  | Water Outfall |  |
| (1) Permit Geography |  |  |  |
| INSPECTABLE UNIT CODE: | ENTIRE |  | Show Map |
| MAGISTERIAL DIST: | CABIN CR | EK |  |
| NEAREST POST OFFICE: | DRY BRA |  |  |
| LATITUDE: | $38^{\circ} 9{ }^{\prime} 51.0$ |  |  |
| LONGITUDE: | $81^{\circ} 28{ }^{\prime} 5.0$ |  |  |
| COUNTY: | Kanawha |  |  |
| USWRC WATERSHED: | Upper Kanan | awha River |  |
| SCS WATERSHED: | Cabin Cre |  |  |

## Permit Details

| (1) Permit |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: |
| PERMITTEE |  |  |  | PANTHER LLC |  |
| DEP OFFICE |  |  |  | OMR |  |
| PERMITID |  |  |  | 0011283 |  |
| ISSUE DATE |  |  |  | 08/11/83 |  |
| EXPIRATION DATE |  |  |  | 08/11/13 |  |
| FACILITY NAME |  |  |  |  |  |
| ORIGINAL ACRES |  |  |  | 14.98 |  |
| DISTURBED ACRES |  |  |  | 16.6800 |  |
| RECLAIMED ACRES |  |  |  |  |  |
| CURRENT ACRES |  |  |  | 16.68 |  |
| (1)Permit Status |  |  |  |  |  |
| OPEN/CLOSED |  |  | 0 |  |  |
| STATUS |  |  | AM-Active, Moving Coal |  |  |
| (1) Permit Activities Allowed |  |  |  |  |  |
| ACTIVITY |  |  | BEGIN DATE |  | END DATE |
| Preparation Plant - Other |  |  | 08/11/1993 |  |  |
| (16) Permit Activities |  |  |  |  |  |
| OFFICE | ACRES ADDED | ACRES DELETED | MILESTONE | DATE | COMMENT |
| OMR | 0 | 0 | Revoke Permit | 10/08/91 | Converted from forfeited bonds |
| OMR | 0 | 0 | Reinstated | 09/04/92 | Conv from forfeiture lifted |
| OMR | 0 | 0 | Reinstated | 09/04/92 | Forfeiture Lifted |
| OMR | 0 | 0 | Renewal Letter | 01/05/98 | PRINTED RENEWAL LETTER |
| OMR | 0 | 0 | Renewal | 09/02/98 | Permit Renewed-1 |
| OMR | 0 | 0 | Inactive Status | 11/03/99 | Inactive-1 |
| OMR | 0 | 0 | Renewal Letter | 02/10/03 | PRINTED RENEWAL LETTER |
| OMR | 0 | 0 | Revision | 07/14/03 | Permit Revised-2 |
| OMR | 0 | 0 | Renewal | 08/21/03 | Permit Renewed-2 |
| OMR | 0 | 0 | Permit Transfer | 01/12/05 | Transfer - Panther Llc |
| OMR | 0 | 0 | Activated Inactive Permit | 08/01/06 | Inactive Status Expired - 05/12/2002 |
| OMR | 0 | 0 | Revision | 04/02/07 | Permit Revised |
|  |  |  |  |  | PRINTED RENEWAL |


| OMR | 0 | 0 | Renewal Letter | $02 / 01 / 08$ | LETTER |
| :--- | :--- | :--- | :--- | :--- | :--- |
| OMR | 0 | 0 | Renewal Letter | $02 / 01 / 08$ | PRINTED RENEWAL <br> LETTER |
| OMR | 0 | 0 | Renewal | $07 / 21 / 08$ | Permit Renewed |
| OMR | 0 | 0 | Operator <br> Assignment | $06 / 16 / 09$ | Op Asgn - Coal Clean <br> LIc |

(1) County / Quad

County: Kanawha
Quad: CEDAR GROVE
(10) Inspectable Units

| INSPECTABLE UNIT CODE | TYPE |
| :--- | :--- |
| 001 | Dam |
| ENTIRE | Surface Coal Mine |
| 003 | Water Outfall |
| 007 | Water Outfall |
| 005 | Water Outfall |
| 008 | Water Outfall |
| 006 | Water Outfall |
| 002 | Water Outfall |
| 001 | Water Outfall |
| 004 | Water Outfall |

(1) Permit Geography

| INSPECTABLE UNIT CODE: | ENTIRE | Show Map |
| :--- | :--- | :--- |
| MAGISTERIAL DIST: | CABIN CREEK |  |
| NEAREST POST OFFICE: | DRY BRANCH |  |
| LATITUDE: | $38^{\circ} 10^{\prime} 24.0000^{\prime \prime}$ |  |
| LONGITUDE: | $81^{\circ} 27^{\prime} 53.0000^{\prime \prime}$ |  |
| COUNTY: | Kanawha |  |
| USWRC WATERSHED: | Upper Kanawha River |  |
| SCS WATERSHED: | Cabin Creek |  |

## Click here to see Inspection Details

Click here to see Violation Details

## Permit Details

| (1) Permit |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: |
| PERMITTEE |  |  |  | PANTHER LLC |  |
| DEP OFFICE |  |  |  | OMR |  |
| PERMIT ID |  |  |  | 0000282 |  |
| ISSUE DATE |  |  |  | 01/06/82 |  |
| EXPIRATION DATE |  |  |  | 01/27/14 |  |
| FACILITY NAME |  |  |  |  |  |
| ORIGINAL ACRES |  |  |  | 30.13 |  |
| DISTURBED ACRES |  |  |  | 121.0600 |  |
| RECLAIMED ACRES |  |  |  |  |  |
| CURRENT ACRES |  |  |  | 147.49 |  |
| (1)Permit Status |  |  |  |  |  |
| OPEN/CLOSED |  |  | $\bigcirc$ |  |  |
| STATUS |  |  | AM-Active, Moving Coal |  |  |
| (1) Permit Activities Allowed |  |  |  |  |  |
| ACTIVITY |  |  | BEGIN DATE |  | END DATE |
| Refuse Disposal - Other |  |  | 01/27/1993 |  |  |
| (25) Permit Activities |  |  |  |  |  |
| OFFICE | ACRES ADDED | ACRES DELETED | MILESTONE | DATE | COMMENT |
| OMR | 0 | 0 | Revoke Permit | 10/08/91 | Converted from forfeited bonds |
| OMR | 0 | 0 | Reinstated | 09/04/92 | Conv from forfeiture lifted |
| OMR | 0 | 0 | Reinstated | 09/04/92 | Forfeiture Lifted |
| OMR | 6.73 | 0 | Incidental Boundary Revision | 07/17/97 | Incidental Boundary Revision-5 |
| OMR | 3.9 | 0 | Incidental <br> Boundary <br> Revision | 05/19/98 | Incidental Boundary Revision-7 |
| OMR | 0 | 0 | Renewal Letter | 06/01/98 | PRINTED RENEWAL LETTER |
| OMR | 0 | 0 | Renewal | 09/02/98 | Permit Renewed-1 |
| OMR | 4 | 0 | Incidental Boundary Revision | 05/06/99 | Incidental Boundary Revision-8 |
| OMR | 0 | 0 | Inactive Status | 11/03/99 | Inactive-1 |
| OMR | 1.3 | 1.3 | Incidental Boundary | 02/25/00 | Incidental Boundary Revision-9 |


|  |  |  | Revision |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: |
| OMR | 0.45 | 0 | Incidental Boundary Revision | 11/08/00 | Incidental Boundary Revision-10 |
| OMR | 67.05 | 0 | Incidental Boundary Revision | 11/15/01 | Incidental Boundary Revision-11 |
| OMR | 0 | 0 | Renewal Letter | 07/09/03 | PRINTED RENEWAL LETTER |
| OMR | 4.73 | 0 | Incidental Boundary Revision | 01/28/04 | Incidental Boundary Revision-12 |
| OMR | 0 | 0 | Renewal | 04/01/04 | Permit Renewed-2 |
| OMR | 2.83 | 0 | Incidental Boundary Revision | 05/06/04 | Incidental Boundary Revision-13 |
| OMR | 0 | 0 | Revision | 06/11/04 | Permit Revised-5 |
| OMR | 0 | 0 | DAM Certificate Issued | 07/16/04 | DAM Inspectable Unit Added-2 |
| OMR | 0 | 0 | Revision | 09/21/04 | Permit Revised-6 |
| OMR | 0 | 0 | Permit Transfer | 01/12/05 | Transfer - Panther Llc |
| OMR | 0 | 0 | Activated Inactive Permit | 08/01/06 | Inactive Status Expired 05/12/2002 |
| OMR | 0 | 0 | Revision | 04/21/08 | Permit Revised |
| OMR | 0 | 0 | Renewal | 07/08/08 | Permit Renewed |
| OMR | 0 | 0 | Operator Assignment | 06/16/09 | Op Asgn - Coal Clean Lic |
| OMR | 23.6 | 0 | Incidental Boundary Revision | 06/22/10 | Incidental Boundary Revision |
| (1) Variances |  |  |  |  |  |
| Permit Variance |  |  | Within 100 feet of a stream |  |  |

(1) County / Quad

| County: Kanawha | Quad: CEDAR GROVE |
| :--- | :--- |

(9) Inspectable Units

| INSPECTABLE UNIT CODE | TYPE |
| :--- | :--- |
| 001 | Dam |
| ENTIRE | Surface Coal Mine |
| REFUSE | Valley Fill |
| 007 | Water Outfall |
| 006 | Water Outfall |
| 001 | Water Outfall |


| 003 | Water Outfall |
| :--- | :--- |
| 002 | Water Outfall |
| 005 | Water Outfall |


| (1) Permit Geography |  |  |
| :--- | :--- | :--- |
| INSPECTABLE UNIT CODE: | ENTIRE | Show Map |
| MAGISTERIAL DIST: | CABIN CREEK |  |
| NEAREST POST OFFICE: | DRY BRANCH |  |
| LATITUDE: | $38^{\circ} 9^{\prime} 47.0000^{\prime \prime}$ |  |
| LONGITUDE: | $81^{\circ} 28^{\prime} 7.0000^{\prime \prime}$ |  |
| COUNTY: | Kanawha |  |
| USWRC WATERSHED: | Upper Kanawha River |  |
| SCS WATERSHED: | Cabin Creek |  |

## Click here to see Inspection Details

Click here to see Violation Details

# MR-17 APPLICATION FOR PERMIT RENEWAL ARTICLE 3 PERMIT NO. UO-391 

MINE NO. 2 AND PANTHER PREPARATION PLANT CABIN CREEK, KANAWHA COUNTY, WEST VIRGINIA

Prepared for
P-G \& H, INC.
BECKLEY, WEST VIRGINIA

ALLIANCE PROJECT NO. B02-442-388
DECEMBER 2002

| Beckley, WV | Bristol, VA |
| :---: | :---: |
| Raleigh County Aipport Industrial Park | 124 Philpott Lane |
| Beaver, WV 25813-9502 | 111 Piedmont Avenue |
| Telephone: (304) 255-0491 | Pristol, Box 939 24201 |
| Telephone: (540) 466-2710 |  |

PAGE NO. $\qquad$ CORRECTION NO CORRECTION DATE $3 / 5 / 03$ JMB

| INSTRUCTIONS |  |
| :---: | :---: |
| This advertisement is for a renewal application for a Chapter 22A, Article 3 permit. | Ad will be published once a week for four successive weeks with six full days between publication. |
| Initial Date of Publication 3 jislo 3 | Final Date of Publication $4 / 5 / 03$ |

## ADVERTISEMENT

Notice is hereby given that P-G \& H, Inc. 430 Harper Park Drive, Becklev, WV 25801
(Permittee Name and Business Street Address) has a permit on file with the Department of Environmental Protection (DEP) for the surface mining of approximately 81.16 acres and has submitted an application to the DEP, $\qquad$ 116 Industrial Drive, Oak Hill, WV 25901 (Regional DEP Office Address), for renewal of Article 3 Permit Number UO-391 to operate a deep mine (Surface/Tipple/Preparation Plant/Haulroad/Shop Area/Face Up Deep Mine) in the No. 2 Gas_(Peerless) (Geological Title) seam of coal.

The operation is discharging into Longbottom Creek of Cabin Creek (Receiving Stream) of the Kanawha River (Major Subbasin) and is located 1.20 (miles), south (Direction) of Dry Branch (Nearest Post Office) in Cabin Creek District of Kanawha County and Sherman District of Boone County, Longitude $8 \underline{1}^{\circ} \underline{28}{ }^{\prime} \underline{05} "$ and Latitude $\underline{38}^{\circ} \underline{09} \underline{\prime}^{\prime \prime}$ (Coordinates from USGS Topographic Map).
Surface of the area associated herewith is owned by:

| NAME | ADDRESS |
| :--- | :--- |
| Shonk Land Co. | Box 69, Charleston, WV 25301 |
| Payne Gallitin Mining Co. | 1280 One Valley Square, Charleston, WV 25301 |
| Kanawha Eagle Coal, LLC | P. O. Box 189, Comfort, WV 25049 |

*and the mineral associated herewith is owned by:

| NAME |  |
| :--- | :--- |
| Shonk Land Co. | ADDRESS |
| Payne Gallitin Mining Co. | Box 69, Charleston, WV 25301 |
| Kanawha Eagle Coal, LLC | P. O. Box Valley Square, Charleston, WV 25301 Comfort, WV 25049 |

Surface of the area within 100 feet of the permit area is owned by:

|  |  |
| :--- | :--- |
| NAME | ADDRESS |
| Shonk Land Co. | Box 69, Charleston, WV 25301 |
| Payne Gallitin Mining Co. | 1280 One Valley Square, Charleston, WV 25301 |
| Kanawha Eagle Coal, LLC | P. O. Box 189, Comfort, WV 25049 |

*and the mineral within 100 feet of the permit area is owned by:

| NAME | ADDRESS |
| :--- | :--- |
| Shonk Land Co. | Box 69, Charleston, WV 25301 |
| Payne Gallitin Mining Co. | 1280 One Valley Sguare, Charleston, WV 25301 |
| Kanawha Eagle Coal, LLC | P. O. Box 189, Comfort, WV 25049 |

Written comments and/or requests for an informal conference of the permit renewal application shall identify the applicant and application number and will be received by the Permit Supervisor at the DEP address above until 5/5/03, or thirty (30) days from date of final publication. A copy of the application will be available for review until $5 / 5 / 03$ or thirty (30) days from date of final publication in the DEP Regional Office located at the address above AND in the Kanawha and Boone Counties Clerk's Office during normal business hours.

DEP Telephone No. 304-465-1911 Permit No. UO-391
*These items are to be completed only for operations involving mineral removal.

Include location map in accordance with 38-2-3.2(b)(2)



## Attachments:

区 Current Insurance Certificate
Progress map(s) of same size and scale as proposal map indicating all permit revisions and incidental boundary revisions
$\boxed{\square}$ Copy of Completed Sample Advertisement form
$\square$ Subsidence Control Plan, Updated Mine Development Map, and Abandonment Plan (ifapplicable)
Article 3 Renewal Fee of $\$ 2,000.00$ (Fees are to be paid in form of Certified Check, Cashier's Check or Bank Money Order)
$\square \quad \mathrm{SHPO}$ and Land Inquiries (ifapplicable)
$\square$ Revision, Incidental Boundary Revision (IBR), and Amendment Approvals
$\square$ Bond Attachment (if applicable)

MR－17 page 2


In accordance with 22－3－19 of the West Virginia Code，any valid permit issued pursuant to this article shall carry with it the right of successive renewal upon expiration with respect to areas within the boundaries of the existing permit．

In accordance with current rules and regulations，the following provisions have been complied with in making this request for renewal of the above－referenced surface mining permit：

A．The terms and conditions of the preplan are being satisfactorily met．
B．The operation is in compliance with the applicable environmental protection standards of the Act and the Rules and Regulations．
C．Will not substantially jeopardize your continuing responsibility on existing permit areas．
D．The performance bond and insurance policy for the operation will continue in effect．
E．All required additional，revised，or updated information has been provided．

The information contained in this application is true and correct to the best of my knowledge and belief．


## 

County of PA LelGH
Taken，subscribed and sworn to before me the undersigned authority in my said county and state this $\mathcal{S}_{\text {In }}$ day of Avuls， 2003.

My Commission Expires Geco 3 eve 17 20／1


NOTARY PUBLIC




## Exhibit B

Said Strata Mine Services, LLC, Invoices, as well as Purchase Order No. 615081-2210, dated April 23, 2012, and related invoices:

- Invoice No. SI13220, dated April 27, 2012;
- Invoice No. SI13359, dated April 27, 2012;
- Invoice No. SI13406, dated May 4, 2012;
- Invoice No. SI13424, dated May 11, 2012;
- Invoice No. SI13503, dated May 18, 2012;
- Invoice No. SI13538, dated May 25, 2012;
- Invoice No. SI13599, dated May 25, 2012;
- Invoice No. SI13862, dated June 1, 2012;
- Invoice No. SI13837, dated June 30, 2012; and,
- Invoice No. SI14082, dated June 30, 2012.

All of which include the contract price, payments thereon and amounts owed, affixed hereto.


Strata Mine Services, LLC.
a subsidiary of Strata Wortdwide, LLC
8995 Roswell Road
Sandy Springs, GA $30350 \quad$ Invoice Number: Sit3220
740.695 .6880

## INVOICE

Invoice Date: 04/27/12

Page: 1
Ship
To: Panther LLC (Speed Mine)
Speed Mine
Cabln Craek Road Dawes Hollow Dawes, WV 25054
PO Bax 66823
St Louls, MO 63166-6823








## CREDIT MEMO

Gredit Memo Number: S113837
Credit Memo Date: 06/30/12
Page: 1
Credit
To: Ponther LLC (Speed Mine)
Gary Creech
Patriot Coal Corp-Speed Mine
PO Box 66823
StLouls, MO 63166-6823

|  | Customer ID <br> PATRIOT COAL-SPEED <br> Ship Date | P.O. Number |
| :--- | :--- | :--- |
| 615081-2210 |  |  |
| Apply to Type | SalesPerson | Dave Nardo |
| Apply to Number |  |  |




