RATIONALE PAGE

NPDES Number: WV0093505 (NPR-4-Major) County: Harrison, Marion, Wetzel

Company Name: CONSOLIDATION COAL COMPANY

Facility Name: Robinson Run Mine No.95

SMA/Permit No.: 1363-12-033, U010483, U102592

Other Apps:

Date of Draft: 12/12/2013

Permit Writer: Heather Browning

Region: Philippi

1. New or expanded discharge? **YES**

2. Facility eligible for General Permit? **NO**

3. Basis for effluent limitation:

A. Determine uses of each receiving stream.

Stream Uses	Stream Name
1	BINGAMON CK
1	BUFFALO CK
1	COAL LICK RN
1	CUNNINGHAM RN
1	NOLAN RN
1	ROBINSON RN
1	TUCKER FK
1	UT BIG RN
1	UT CAMP RN
1	UT CUNNINGHAM RN
1	UT of UT (HARRIS FK) of BINGAMON CK
1	UT of UT (ROAD FK) of COAL LICK RN
1	UT QUAKER FK
1	UT2 BINGAMON CK
1	UT2 TENMILE RN

B. Parameters of concern:

YES	pH	**YES**	Fe	**YES**	Mn
YES	Al (D)	**YES**	Al (T)	**YES**	Others

Specify Others: Chloride

C. Justification Review: Consolidation Coal Company has submitted an application for the reissuance of an existing NPDES permit to maintain, monitor, and operate an AMD Plant, Bath house, Conveyor, Load out Facility, Preparation Plant, Refuse Area, Underground Disposal Area, Haul Road, and Deep Mine in the Pittsburgh seam of coal. The operation will discharge Treated Water and Storm Water into an Unnamed Tributary of Tenmile Run of Price Run of South Fork Fishing Creek of Ohio River. The operation will also discharge Treated Water and Storm Water into an Unnamed Tributary of Road Fork of/and Coal Lick Run of Glade Fork, Tucker Fork of Glade Fork, Nolan Run of Jones Run of Jones Creek of Tenmile Creek, an Unnamed Tributary of/and Quaker Fork, an Unnamed Tributary of Big Run, Unnamed Tributaries of/and Cunningham Run, an Unnamed Tributary of Harris Fork, and an Unnamed Tributary of/and Bingamon Creek all of Bingamon Creek, and Robinson Run all of West Fork River. The operation will also discharge Treated Water and Storm Water into an Unnamed Tributary of Camp Run of Owen Davy Fork of/and Buffalo Creek of Monongahela River. The facility is located 3.5 miles Northeast of Wallace in Eagle District of Harrison County, Mannington District of Marion County, and Grant District of Wetzel County.

This permit is located within the West Fork River, Monongahela River, and Ohio River Watersheds. Outlet 026 discharges into an Unnamed Tributary of Tenmile Run of Price Run of South Fork Fishing Creek of Middle Ohio North River Watershed in SWS 4659. Tenmile Run is not included in either the 2010 303(d) or draft 2012 303(d) lists as being impaired for any parameters.

Outlets 029 and 030 are located in the Monongahela River Watershed. Outlet 029 is located in SWS 3704 on an Unnamed Tributary of Camp Run of Owen Davy Fork of Buffalo

Creek. Camp Run is not included in either the 2010 303(d) or the draft 2012 303(d) lists as being impaired for any parameters. Outlet 030 is located in SWS 3716 on Buffalo Creek. Buffalo Creek is included in the draft 2012 303(d) list as being impaired for iron and chlorides. No TMDL has been approved at this time and no Waste Load Allocations (WLAs) have been assigned for this facility at this time.

Outlets 001, 002, 003, 004, 005, 006, 008, 009, 010, 011, 012, 013, 016, 019, 020, 021, 022, 023, 024, 025, 027, 028, and 031 are located in the West Fork River Watershed. Outlet 024 is located in SWS 1086 on an Unnamed Tributary of Cunningham Run. Outlet 028 is located in SWS 1087 on an Unnamed Tributary of Cunningham Run. Outlets 008 and 027 are located in SWS 1088 on Cunningham Run of Bingamon Creek. Cunningham Run is not included in either the 2010 303(d) or the draft 2012 303(d) lists as being impaired for any parameters. There are no new WLAs for Outlets 024, 028, 008, and 027 for any parameters. Outlet 012 is located in SWS 1094 on an Unnamed Tributary of Big Run of Bingamon Creek. Big Run is not included in either the 2010 303(d) or the draft 2012 303(d) lists as being impaired for any parameters. There are no new WLAs for Outlet 012 for any parameters. Outlet 010 is located in SWS 1102 on an Unnamed Tributary of Road Fork of Coal Lick Run of Glade Fork of Bingamon Creek. Road Fork is not included in either the 2010 303(d) or the draft 2012 303(d) lists as being impaired for any parameters. There are no new WLAs for Outlet 010 for any parameters. Outlet 013 is located in SWS 1103 on Coal Lick Run of Glade Fork of Bingamon Creek. Coal Lick Run is not included in either the 2010 303(d) or the draft 2012 303(d) lists as being impaired for any parameters. There are no new WLAs for Outlet 013 for any parameters. Outlet 023 is located in SWS 1107 on Tucker Fork of Glade Fork of Bingamon Creek. Tucker Fork is not included in either the 2010 303(d) or the draft 2012 303(d) lists as being impaired for any parameters. There are no new WLAs for Outlet 023 for any parameters. Outlet 011 is located in SWS 1110 on an Unnamed Tributary of Harris Fork of Bingamon Creek. Harris Fork is included in the draft 2012 303(d) list as being impaired for chlorides. A TMDL has not been approved to date and no WLAs have been assigned for this facility. Outlet 019 is located in SWS 1113 on an Unnamed Tributary of Quaker Fork of Bingamon Creek. Outlet 021 is located in SWS 1114 on Quaker Fork of Bingamon Creek. Quaker Fork is not included in either the 2010 303(d) or the draft 2012 303(d) lists as being impaired for any parameters. There are no new WLAs for Outlets 019 and 021 for any parameters. Outlet 006 is located in SWS 1090 on an Unnamed Tributary of Bingamon Creek. Outlet 009 is located in SWS 1097 on Bingamon Creek. Outlets 001 and 025 are located in SWS 1108 on Bingamon Creek. Bingamon Creek is included in the draft 2012 303(d) list as being impaired for chlorides. No TMDL has been approved to date and no WLAs have been assigned for this facility. Outlets 002, 004, 005, and 022 are located in SWS 1148 on Robinson Run. Outlets 003 and 016 are located in SWS 1149 on Robinson Run. Robinson Run is not included in either the 2010 303(d) or the 2012 303(d) lists as being impaired for any parameters. There are no new WLAs for Outlets 002, 004, 005, 022, 003, and 016 for any parameters. Outlets 020 and 031 are located in SWS 1205 on Nolan Run of Jones Run of Jones Creek of Tenmile Creek. Nolan Run is included in the draft 2012 303(d) list as being impaired for iron and manganese. No TMDL has been approved to date and no WLAs have been assigned for this facility.

None of the receiving streams associated with this permit are considered trout waters.

The applicant is requesting several changes in this reissuance. First, the applicant is requesting to delete Outlets 004, 009, and 414. Outlet 004 was originally intended to discharge overflow from the Nolan's Run Impoundment to the preparation plant for reuse. This discharge line has not been operational for several decades and has been replaced by a pumping system. Since the capability to discharge from Outlet 004 is no longer needed, the pipe has been capped and the outlet is being deleted in this reissuance. Outlet 009 is associated with the Oakdale Portal which has been reclaimed and Outlet 009 is being deleted in this reissuance. The bathhouse associated with Outlet 414 has been closed and this outlet is no longer needed and is being deleted in this reissuance. Second, the applicant is requesting to add two sewage outlets (425 and 429). These sewage outlets were previously included with Outlets 025 and 029. These outlets are being separated so that Outlets 425 and 429 will monitor sewage and Outlets 025 and 029 will monitor mining related discharges. The applicant is also proposing to pump water from this facility to Consolidation Coal Company's Four States Mine No. 20 Thorn Aeration Pond (NPDES Permit No. WV0050598). This water will then be pumped to the Northern West Virginia Water Treatment Facility (NPDES Permit No. WV0065269) and will discharge through Outlet 003.

EFFLUENT LIMITATIONS-
This permit is subject to new source performance standards (NSPS) 40CFR434.35. As such, pH and total suspended solids (TSS) are in accordance with NSPS. The water quality effluent limitations assigned for iron, manganese, and aluminum are as or more stringent than would be required by NSPS ELGs.

Effluent limits for manganese were previously capped at tech based at Outlets 001, 002, 003, 005, 006, 008, 010, 011, 012, 013, 016, 019, 021, 022, 023, 024, 025, 026, 027, 028, 029, and 030 and will remain the same in this reissuance. Since Outlet 020 is located within the 5-mile zone upstream of a known water supply, effluent limits

for manganese were previously capped at water quality and will remain the same in this reissuance. Effluent limits for manganese at Outlet 031 were previously set in accordance with an anti-degradation review and will remain the same in this reissuance.

Effluent limits for iron at Outlets 001, 002, 003, 005, 006, 008, 010, 011, 016, 020, 022, 024, 025, 027, 028, and 030 were previously capped at water quality and will remain the same in this reissuance. Effluent limits for iron at Outlets 012, 013, 019, and 021 were previously set in accordance with the TMDL that was approved in 2002 and will remain the same in this reissuance. Effluent limits for iron at Outlets 023, 026, and 029 were previously capped at tech based and will remain the same in this reissuance. Effluent limits for iron at Outlet 031 were previously set in accordance with an anti-degradation review and will remain the same in this reissuance.

Effluent limits for total aluminum at Outlets 030 and 031 were previously set in accordance with an anti-degradation review and will remain the same in this reissuance. Total aluminum is currently report only at Outlets 001, 002, 003, 005, 006, 008, 010, 011, 012, 013, 016, 019, 020, 021, 022, 023, 024, 025, 026, 027, 028, and 029. Effluent limits for total aluminum are being capped at water quality for warm water (non-trout) at each of these outlets in this reissuance.
Selenium - The selenium concentration provided in Table 2-IV-C for Outlet 030 were well below the water quality criteria. The selenium concentrations provided in Tables 2-IV-C for Outlets 010, 013, 025, 027, 028, and 029 were below the minimum detection limit and well below the approved water quality criteria. The selenium data provided in the last reissuance of this permit in Tables 2-IV-C were consistently below the minimum detection limits and well below the water quality criteria. None of the receiving streams associated with this permit are included on either the 2010 303(d) or the draft 2012 303(d) lists as being impaired for selenium. None of the receiving streams have an approved TMDL with WLAs for selenium. Selenium monitoring is required at Outlet 024 because ash is being utilized at the Robinson Run Refuse Facility. A review of Table 2-IV-C results for adjacent permits show selenium levels that are below the minimum detection limits and selenium monitoring has not been added to any outlets associated with these facilities. Selenium monitoring is not being added to any outlets associated with this permit in this reissuance.

Total dissolved solids (TDS), sulfate, and specific conductance are being added as report only to each outlet and the associated in-stream monitoring stations in order to further characterize mining related discharges.

Hardness is being added as report only to the in-stream outlets and each outlet that receives pumped discharge (002, 003, 006, 008, 010, 011, 016, 020, 025, and 031) and the in-stream monitoring stations. Hardness was previously added to Outlet 024 as report only and will remain in this reissuance.

Several parameters of concern associated with the utilization of ash (Arsenic, Selenium, Barium, Copper, Lead, Zinc, and Mercury) were previously added to Outlet 024 as report only. Additional parameters of concern associated with the utilization of ash (Antimony, Beryllium, Cadmium, Chromium, Hexavalent Chromium, Nickel, Silver, and Thallium) are being added as report only at Outlet 024 in this reissuance. All parameters associated with the utilization of ash will be monitored monthly. All parameters associated with the utilization of ash are also being added to stream monitoring station DSCR17 as report only in this reissuance.

Chloride - Several of the outlets associated with this permit receive deep mine water (002, 003, 006, 008, 010, 011, 016, 020, 025, and 031). Some of the receiving streams associated with this permit are included in the draft 2012 303(d) list as being impaired for chloride (Bingamon Creek and Buffalo Creek). Outlets 008 and 011 were previously assigned effluent limits for chlorides and these limits will remain in this reissuance. Chloride was previously added as report only to stream monitoring stations UHF-3 and DHF-4 and will remain in this reissuance. Chlorides are being added as report only to stream monitoring stations UCR-5 and DCR-6 in this reissuance.

Outlets 001, 006, and 025 discharge into an Unnamed Tributary of/and Bingamon Creek. Bingamon Creek is included in the draft 2012 303(d) list as being impaired for chlorides. Outlets 006 and 025 receive pumped deep mine water and effluent limits for chlorides are being added to these outlets in this reissuance. Chloride will be report only for twelve months after issuance of this permit and effluent limits for chloride will become effective in the thirteenth month. No deep mine water is pumped to Outlet 001 and chlorides are being added as report only in this reissuance. Chlorides are being added as report only to the stream monitoring stations associated with outlets 001, 006, and 025 (UBC12, DBC-13, UUBC-1, and DUBC-2).

Outlet 030 discharges into Buffalo Creek. Buffalo Creek is included in the draft 2012 303(d) list as being impaired for chlorides. Outlet 030 is an on-bench structure that does not receive pumped deep mine water. Since Buffalo Creek is listed as impaired for chloride, chlorides are being added as report only to Outlet 030 in this reissuance.

Outlets 002, 003, 005, 016, and 022 discharge into Robinson Run. Robinson Run is not

included in either the 2010 303(d) or the draft 2012 303(d) lists as being impaired for chlorides. Outlets 002, 003, and 016 all receive pumped deep mine water, therefore effluent limits for chloride are being added to these outlets in this reissuance. Chloride will be report only for twelve months after issuance of this permit and effluent limits for chloride will become effective in the thirteenth month. Chloride is being added as report only to stream monitoring station DRR-11 in this reissuance. Outlets 005 and 022 do not receive any deep mine water and chlorides are not being added to these outlets in this reissuance.
Outlet 010 is an in-stream structure that does receive deep mine water and chloride limits are being applied to this outlet in this reissuance. Chloride will be report only for twelve months after issuance of this permit and effluent limits for chloride will become effective in the thirteenth month. Chloride is being added as report only to stream monitoring stations URF-7 and DRF-8 in this reissuance.

Outlets 020 and 031 both receive deep mine water and chloride limits are being added to these outlets in this reissuance. Chloride will be report only for twelve months after issuance of this permit and effluent limits for chloride will become effective in the thirteenth month. Chloride is being added as report only to stream monitoring stations DNR-9 and URR-10 in this reissuance.

Outlets 012, 013, 019, 021, 023, 024, 026, 027, 028, and 029 do not receive any deep mine water and do not discharge into any streams listed as impaired for chlorides; therefore chlorides are not being added to these outlets in this reissuance.

Since two sewage outlets are being added, all parameters associated with monitoring sewage discharges are being removed from Outlets 025 and 029 in this reissuance. These parameters will now be monitored at Outlets 425 and 429.
No additional parameters of concern were identified from the effluent characterization data provided in Tables 2-IV-A, B, and C. (Please see attached POC Worksheets).

NARRATIVE WATER QUALITY STANDARDS -
According to the "Permitting Guidance for Surface Coal Mining Operations to Protect West Virginia's Narrative Water Quality Standards, 47CSR2 Sections 3.2.e and 3.2.i" issued August 12, 2010 and revised August 18, 2012, precipitation induced discharges are unlikely to cause or contribute to violations of West Virginia's narrative water quality standards. Precipitation induced discharges (storm water) flow only in response to precipitation and do not have residence time with un-weathered rock and therefore would not be expected to have elevated mineralization/ions in the discharge. Precipitation-induced outlets (i.e. associated with on-bench sediment structures that discharge in direct response to precipitation only) only flow at times when the receiving streams have the greatest assimilative capacity (dilution). Outlets 001, 003, 021, 022, 023, 024, 026, 027, and 028 flow very seldom and are considered primarily precipitation-induced. Since these outlets are considered primarily precipitation-induced, the WVDEP's "Permitting Guidance for Surface Coal Mining Operations to Protect West Virginia's Narrative Water Quality Standards, 47CSR2 Sections 3.2.e and 3.2.i" does not apply to these outlets.

Outlets 002, 005, 006, 008, 010, 011, 016, 019, 020, 025, 029, 030, and 031 are non-precipitation induced however these outlets are considered substantially complete.

Outlet 002 is associated with Sediment Pond #1. Sediment Pond #1 is designed not to discharge, but to provide water for preparation plant activities and for the active mine works. Sediment Pond #1 receives water from multiple sources including the active coarse coal refuse, a reclaimed slurry refuse pile, the preparation plant area, and processed water from the plant thickener. This pond has the potential to handle emergency overflow from Sediment Pond #4.
The active coarse refuse site was started in 1984 and has approximately 12 years of service remaining. The abandoned slurry impoundment reached full capacity in 1982 and was reclaimed in 1984. To reduce infiltration into the reclaimed slurry area and coarse coal refuse, the material was well compacted and sloped to drain off benches to minimize infiltration into the refuse material. Surface flow is diverted around the refuse areas to minimize contact with the refuse material. It is collected into sediment ponds located outside of jurisdictional waters before eventually draining into Sediment Pond #1. Additional water from the coarse coal refuse area is collected in an under-drain system that was constructed to capture emergent water which minimizes contact with the pulverized material. Any remaining refuse placement is above any emergent groundwater, therefore no additional under-drain will be constructed, and this placement is not expected to impact the quantity or quality of the non-precipitation induced discharge at the toe of the coarse refuse area.
Processed water throughout the plant area is directed into Sediment Pond #2 through a series of drainage structures. The water then collects in Sediment Pond #1 and is pumped to an AMD treatment facility at Nolan's Run where it is treated and released into the Nolan's Run Slurry Impoundment. Water stored at Nolan's Run is pumped into the Freshwater Impoundment. The Freshwater Impoundment supplies water to Margaret Lake which is used in the active mining processes at the Robinson Run Mine or is gravity-fed back at the preparation plant for reuse. The system is designed to provide the maximum amount of water reuse where possible for economic and environmental purposes.
Outlet 002 is operationally controlled to not discharge and has had no reported flow

over the last year.

Outlet 005 is associated with Sediment Pond #4 at the Preparation Plant and has two 500 gpm pumps to move water from this area to the freshwater impoundment for necessary mine use or to Sediment Pond #1 for emergency purposes in the event of overflow. There is no mine water pumped to this outlet. Sediment Pond #4 is managed by float controls. Potential sources are surface run-off from the inactive supply yard above the pond and from non-precipitation seeps along the slope. The surface cover adjacent Sediment Pond #4 is either vegetated or compacted gravel to reduce ponding and infiltration. Outlet 005 is operationally controlled to not discharge and has had no reported flow over the last year.

Outlet 006 is an in-stream outlet located at the Edgell AMD facility. This outlet shows fairly consistent flows attributed to protective pumping of deep mine water from the Williams Mine. There are no plans to expand pumping at this outlet. Mining was completed pre- 1990's for the mine, which the Edgell Pond now drains. The key elements for pumping is to reduce water off the in-place seals adjacent the active portion of the Robinson Run Mine and to remove potential of surface discharge from the Williams mine. The only discharge from this outlet is surface run-off and treated deep mine water from areas where mineral removal has been completed for decades.

Outlet 008 is located at the Main North AMD facility. This outlet shows fairly consistent flows. The pumps associated with this outlet have not been utilized in the past five years and any flow reported at this outlet is surface run-off and groundwater influences at the pond. The surface area around the pond is reclaimed. There is no plan to reestablish the inactive pumps. Water that was once pumped to this outlet is now pumped from the Harris Fork deep-well and the 3 North or Big Indian pump to the Lowe AMD treatment facility (without day-lighting) and then discharges at Outlet 011.

Outlets 010 and 011 show consistent flows. Outlet 010 is associated with the Neely Hollow AMD Treatment Facility. Outlet 011 is associated with the Lowe AMD Treatment Facility. These facilities are designed as protective pumping efforts for the mine. Both sites pump water that is adjacent to active mine workings which prevents water from encroaching on underground mine seals and leakage through barrier coal. The facilities only discharge treated mine water, not associated with mineral removal, from each AMD facility. Outlet 010 receives pumped water from the Efaw #1 deep well and the Neely Hollow submersible pumps. Outlet 011 receives pumped water from the Harris Fork deep-well and the 3 North or Big Indian pumps. All surface areas have been reclaimed and no active mineral removal is associated with the facilities. The majority of the older sections of the Robinson Run Mine were sealed in 2009. Outlets 012 and 013 show fairly consistent flows. Outlet 012 is associated with the Big Run Shaft Pond. Outlet 013 is associated with the Sloan Shaft Pond. Both air shaft sites have been inactive since 2004. No mineral removal activity was ever associated with these two areas. The outlets receive only surface runoff. Ponds and sumps still remain at both Outlets 012 and 013. The Big Run Shaft site was last used in the early 2000's and reclamation activities were approved by the WVDEP in March 2010. Reclamation of the site included reshaping slopes and re-establishing the natural drainage pattern. The Sloan Shaft site was last used in the early 2000's and reclamation was completed in 2009. Reclamation of the site included re-vegetating and reshaping slopes to re-establish the natural drainage pattern.

Outlet 016 is an in-stream outlet associated with the Freshwater Impoundment. The Freshwater impoundment is used to store as much water as possible to make available for operational purposes within the mine and prep plant. This method maximizes the recycling of water to avoid the need for additional freshwater sources such as the Robinson Run stream. Flows into the impoundment are from the impounded Robinson Run, the Nolan Run Slurry Impoundment decant, and Sediment Pond #4 (prep plant).

Outlet 019 is located at the 6 North Airshaft site. It is an active ventilation shaft site with minimal surface flow. Ring water from the shaft is pumped to an onsite water tank and is not discharged from outlet 019. The surface cover adjacent the shaft is either vegetated or compacted gravel to reduce ponding and infiltration. No mineral activities are associated with this site.

Outlet 020 is located at the toe of the Nolan Run Impoundment. It includes an emergency spillway for the Nolan Run Impoundment and receives seepage discharge from the under drain sump, which is located adjacent to the Nolan Run emergency spillway. If this outlet were to ever discharge it would be from a significant rainfall event or an emergency situation and would not be routine. No flow has been recorded during the 2012 calendar year. The sump pond is designed to be pumped (500 gpm) back to the Nolan Run Impoundment. The sump has several control measures including an ultrasonic level indicator which monitors the level of the under drain drainage. If the level of the sump pond reaches a set point, it will send a signal to pump water back to the Nolan Run Impoundment. The sump is grouted around the upper limits to minimize seepage. This area will be maintained to ensure that no seepage or discharge from the sump spillway will occur. Additional capacity is anticipated for the Nolan Run Impoundment. As the embankment is heightened, the under drain flow from the initial stages will lessen as

the fines fill in the interstitial space within the coarse refuse; concurrently, seepage through the new stages of embankment will begin, but for a net increase in total flow of near zero. The pool level is maintained at the lowest practical level by pumps under normal operations in order to allow for no discharge at the outlet. Therefore, the additional slurry impoundment stages are not expected to have an effect on the quantity or quality of non-precipitation flow which enters the sump. The flow is operationally controlled and will be monitored to ensure that only precipitation-induced flow will discharge out of Outlet 020 for the life of the mine.

Outlet 025 is located at the Margaret Slope and Supply yard. It is associated with an on-bench sediment pond at this active facility. The sources of flow are surface run-off, ring water from the dewatering of the screen and sump, a sewage treatment plant and belt wash clean-up via a 100 gpm pump. The majority sources are from the ring water pump and the sewage treatment plant. The pond associated with the location does not receive mine pool water. Control measures to reduce discharge from Outlet 025 are mechanical. Belt spray wash water is controlled by the belt wheel, which only allows spray while the belt is actively moving. Belt spray wash is minimized to the extent possible to avoid oversaturating the coal that reduces the potential for the coal to mobilize on the belt and for environmental purposes. Water used for the spray comes from the nearby Margaret Lake, which is fed from recycled water at the Freshwater Lake near the preparation plant.

Outlet 029 is located at the active Camp Run Portal site that only transports men and supplies, not coal. Outlet 029 has discharged in the last 12 months with flows ranging from 0.42 to 20 gpm. There is no mineral contact and flow associated with the on-bench sediment pond is emergent water, surface runoff and/or the sewage treatment system. The surface cover adjacent the shaft is either vegetated, asphalt or compacted gravel to reduce ponding and infiltration. The outlet was modified in 2007 for addition of the sewage treatment system (Outlet 429).

Outlet 030 is located at the Rymer Airshaft and shows fairly consistent flows. However, reported flows only range only from 0.5 to 8 gpm in the last 12 months. It is an active ventilation shaft site with minimal surface flow from runoff, some nearby natural seeps and pumped ring water (emergent water) from the shaft to the sediment pond. The surface cover adjacent the shaft is either vegetated or compacted gravel to reduce ponding and infiltration. No minerals are brought to the surface at this site.

Please see additional comments.

4. Types of effluent limitations:

Technology Based Outlets (1): 026

Water Quality Based Outlets (23): 001, 002, 003, 005, 006, 008, 010, 011, 012, 013, 016, 019, 020, 021, 022, 023, 024, 025, 027, 028, 029, 030, 031

Best Professional Judgement Based Outlets (0):

Special Outlets (2): 201(B), 202(D)

Ammonia Outlets (0):

Sewage Outlets (3): 416, 425, 429

Additional Comments: Outlet 031 is associated with the Nolans Run Impoundment and is not constructed. The outlet and associated Sediment Pond #020 will be constructed outside of the existing stream channel. This outlet will receive flow from surface runoff from the topsoil borrow area and the spillway for Outlet 020 will be redirected through the new Sediment Pond #020. Any flow from the borrow area will be precipitation induced since the borrow area and sediment pond are located outside of any jurisdictional waters and outside of the influence of any emergent groundwater. The majority of the flow received from the redirected spillway and sump at Outlet 020 through Outlet 031 will be precipitation induced since multiple control measures are already in place to minimize the volume of non-precipitation induced flow. See Outlet 020 discussion for more details.

Since all control measures are in place at Outlets 002, 005, 006, 008, 010, 011, 012, 013, 016, 019, 020, 025, 029, 030, and 031 and these outlets are past the point where additional control measures could be implemented to reduce impacts on the aquatic ecosystem, the operations contributing to these outlets are considered substantially complete. Therefore, WVDEP's "Permitting Guidance for Surface Coal Mining Operations to Protect West Virginia's Narrative Water Quality Standards, 47CSR2 Sections 3.2.e and 3.2.i" does not apply to these outlets.

As previously mentioned Outlets 004 and 009 are being deleted in this reissuance. The capability to discharge form Outlet 004 is no longer needed because a pumping system was installed and supplies all water needed at the preparation plant. Outlet 009 is

associated with the reclaimed Oakdale Portal. Since the shaft has been filled and this area has been reclaimed, this outlet is no longer needed and is being deleted in this reissuance.

Special Effluent Characterization Condition -
The permittee must perform Table 2-IV-A, B and C analyses within two (2) years of commencement of a new discharge. This condition applies to the not constructed on-bench outlets (031). This condition is located in section D.6 of this permit.

Special Sampling Condition -
This Special sampling condition is being added to the permit to verify the presumption that discharges from on-bench outlets which flow only in response to precipitation would not be expected to have reasonable potential to cause or contribute to a violation of the narrative water quality standards. The sampling is also intended to document relationship between discharges from on-bench outlets (precip-induced) and stream quality and to verify that discharges from these outlets only flow when streams have the greatest assimilative capacity. Sample site criteria are being specified to direct sampling to the outlet(s) which are most likely to discharge during any given sampling event in response to precipitation. The sample locations will change in response to the progress of mining. This condition is located in section D.7 of this permit.

Reopener Clause -
A reopener clause has been added to this permit and is located in section D.8 of this permit.

Table 2-IV-A, B, C Analysis-
The permittee must perform Table 2-IV-A, B, C analyses upon first discharge of Outlets 002 and 020 because no representative data was provided in the permit application. Representative outlets are acceptable for discharges which receive drainage from similar mining activities and are of the same outlet type. Two (2) copies of the Table 2-IV, A, B and C analyses and any additional potential pollutant analyses must be submitted to the regional office Permit Supervisor and Inspector Supervisor within 30 days of sampling. This condition is located in section D.9 of this permit.

Discharge through another NPDES Permit -
Water from this NPDES permit is approved to be pumped to Consolidation Coal Company's Four States Mine No. 20 Thorn Aeration Pond (NPDES Permit No. WV0050598). This water will then be pumped to the Northern West Virginia Water Treatment Facility (NPDES Permit No. WV0065269) and will discharge through Outlet 003. All three operations are owned and operated by Consolidation Coal Company. Module 1R was approved in Modification #3 for NPDES permit WV0050598, approved December 2012. This condition is contained in section D.10 of this permit.

5. Special Conditions or other monitoring requirements:

Stream Monitoring: DBC13, DCR-6, DCR17, DHF-4, DNR-9, DRF-8, DRR-11, DSCR17, DUBC-2, DUTR15, UBC12, UCR-5, UCR16, UHF-3, URF-7, URR-10, USCR16, UUBC-1, UUTR14

Groundwater Monitoring:

6. Does the application contain:

Valley fills/refuse?	N/A
In Ephemeral Streams?	N/A
In Intermittent/Perennial Streams?	N/A