UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

JAN 27 2016

The Honorable John C. Cruden
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice
Ben Franklin Station
P.O. Box 7611
Washington, D.C. 20044

Dear Mr. ~~Cruden~~: John

The U.S. Environmental Protection Agency (EPA) is referring a request for the filing of a bankruptcy Proof of Claim in the bankruptcy proceeding initiated by Alpha Natural Resources Inc., and numerous related affiliates (Alpha). EPA seeks to preserve claims for violations of the Clean Water Act (CWA) and existing agreements and obligations contained in a comprehensive 2014 Consent Decree between EPA and Alpha and to ensure injunctive relief obligations are fulfilled. EPA is seeking the filing of a proof of claim pursuant to Section 501(a) of the Bankruptcy Code, 11 U.S.C. § 501(a). The underlying CWA violations fall under Sections 309(b) and (d) of the CWA, 33 U.S.C. § 1319(b) and (d). The proper venue for this action will be the Eastern District of Virginia Bankruptcy Court, where the Alpha bankruptcy is pending.

If you have any questions, please do not hesitate to contact me or have your staff contact Mr. Douglas Frankenthaler, Assistant Regional Counsel assigned to this matter, at 215-814-2472.

Sincerely,

Shawn M. Garvin
Regional Administrator

Enclosures

cc: Ms. Cynthia Giles
Assistant Administrator for
Enforcement and Compliance Assurance

Printed on 100% recycled/recyclable paper with 100% post-consumer fiber and process chlorine free.
Customer Service Hotline: 1-800-438-2474