



west virginia department of environmental protection

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Austin Caperton, Cabinet Secretary
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August 5, 2020

PERMIT SUPERVISOR'S FINDINGS

APPLICANT: Keystone Coal Reserves LLC
MINE NAME: Beacon Surface Mine Renewal
APPLICATION No.: S200710 Renewal 1

This operation is located northeast of Davis in Davis District of Tucker County, West Virginia. The site is located above the Beaver Creek of Blackwater River of Cheat River of the Monongahela River Watershed. The surface mining operation consists of 136.0 acres. The pre-mining land uses is forestland. The post mining land use will be the same.

The application was received in the Philippi regional office on August 1, 2019. Permit review and inspection and enforcement personnel completed their review and the company was advised to advertise on December 12, 2019. The public comment period ended on March 6, 2020. During the comment period we received a request for an informal conference and the conference was held online on June 10, 2020.

As part of the conference, we provided background and history for the permit and answered questions to the best of our ability. We then received comments. Approximately 35 people attended the conference online, including participants from the WVDEP. We received seven verbal comments and one written comment. One commenter spoke in favor of the application while the remaining commenters were opposed.

Most of the comments opposed to the operation were based on aesthetics. Tucker County depends on tourism and the viewshed and potential AMD could threaten the recreational benefits in the Beaver Creek/Black Water and Cheat River watersheds. The water shed group has been executing a plan for improvements. While we noted the current and historical mine discharges have been compliant for pH and metals, there continues to be a concern within the watershed group about water quality. One commenter suggested continuous monitoring in Beaver Creek for pH and conductivity.

As a background, in July 2012 the WVDOH condemned the northern 43 acres of the permit for Corridor H construction. This jurisdiction termination removed the access to the permit and the sediment ponds and the NPDES outlets that were located in this area. The company proposed boundary revision 4 to reset the pond locations and access roads. However, getting restarted was difficult. Quite a bit of spoil was in the Corridor H right of way and now the company needed to match that regrade and have a plan approved to continue mining. Beacon Resources, the original mine owner, never really got restarted mining after the DOH condemnation. The operation went inactive August 0f 2013.

In October of 2013 Beacon Resources sold the company to Keystone Reserves, LLC. The transfer was approved in May of 2014. After another attempt to restart production, the mine continued to be idle while a new mining plan was devised. The renewal includes those plans and a new NPDES permit has been drafted for the new outlets and stream monitoring points as part of that plan. The company will not be able to restart until that NPDES permit is approved.

Promoting a healthy environment.

Based upon the positive recommendations of the permit review team, the local reclamation inspector, and upon my oversight in the regional review of each phase of the application, I believe this application complies with all applicable laws and regulations and provides the best alternative to having the site reclaimed to approximate original contour.

Clarence E. Wright, P.E.
Acting Permit Supervisor