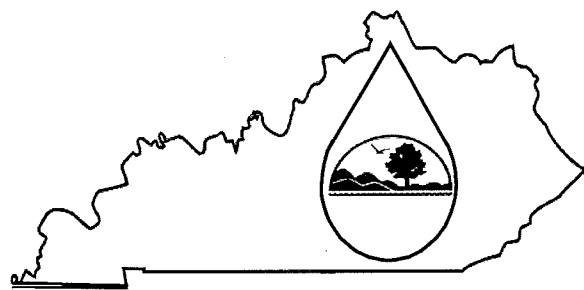


US EPA ARCHIVE DOCUMENT

4/1 AT 111103 KPDES FORM 1



KENTUCKY POLLUTANT DISCHARGE ELIMINATION SYSTEM

PERMIT APPLICATION

This is an application to: (check one)

- ☒ Apply for a new permit.
- ☐ Apply for reissuance of expiring permit.
- ☐ Apply for a construction permit.
- ☐ Modify an existing permit.

Give reason for modification under Item II.A.

A complete application consists of this form and one of the following:

Form A, Form B, Form C, Form F, or Form SC

For additional information contact:

Surface Water Permits Branch (502) 564-3410

I. FACILITY LOCATION AND CONTACT INFORMATION		AGENCY USE	0	1	0	9	3	2	1
A. Name of Business, Municipality, Company, Etc. Requesting Permit Czar Coal Corporation									
B. Facility Name and Location					C. Primary Mailing Address (all facility correspondence will be sent to this address). Include owner's mailing address (if different) in D.				
Facility Location Name:					Facility Contact Name and Title: Mr. ☒ Ms. ☐				
Czar Coal Corporation 880-0194					Larry D. Adams, P.E. Vice President in Permitting & Environmental Affairs				
Facility Location Address (i.e. street, road, etc., not P.O. Box):					Mailing Address:				
Grassy Gap Surface Mine – Located in Grassy Gap Branch					81 Enterprise Drive				
Facility Location City, State, Zip Code:					Mailing City, State, Zip Code:				
Debord, KY 41214					Debord, KY 41214				
D. Owner's name (if not the same as in part A and C):					Facility Contact Telephone Number:				
N/A					606-298-2340				
Owner's Mailing Address:					Owner's Telephone Number (if different):				
N/A					N/A				
II. FACILITY DESCRIPTION									
A. Provide a brief description of activities, products, etc: <i>The newly proposed project involves area and highwall mining of the Stockton coal reserves, the construction of one fill area (Fill No. 1), two existing in-stream ponds (Pond FWP-1 and Pond 1), and three upland ponds (Pond 100, Pond 101, and Pond 102). This project involves the disturbance of only 146.32 surface acres.</i>									
B. Standard Industrial Classification (SIC) Code and Description									
Principal SIC Code & Description:		1221 – Surface Mining							
Other SIC Codes:		N/A		N/A		N/A		N/A	

III. FACILITY LOCATION	
A. Attach a U.S. Geological Survey 7 ½ minute quadrangle map for the site. (See instructions)	
B. County where facility is located: Martin	City where facility is located (if applicable): Davella is located 8.2 miles NE of the project
C. Body of water receiving discharge: Sand Gap Branch of Middle Fork Rockcastle Creek, Grassy Gap Branch of Middle Fork Rockcastle Creek, Chestnut Cove Branch of Middle Fork Rockcastle Creek, Music Fork of Middle Fork Rockcastle Creek, and Middle Fork Rockcastle Creek of Rockcastle Creek of the Tug Fork of the Big Sandy River	
D. Facility Site Latitude (degrees, minutes, seconds): 37-43-42	Facility Site Longitude (degrees, minutes, seconds): 82-38-14
E. Method used to obtain latitude & longitude (see instructions): USGS 7.5 minute topographic map	

IV. OWNER/OPERATOR INFORMATION**A. Type of Ownership:**

☐ Publicly Owned ☒ Privately Owned ☐ State Owned ☐ Both Public and Private Owned ☐ Federally owned

B. Operator Contact Information (See instructions)

Name of Treatment Plant Operator: Czar Coal Corporation	Telephone Number: 606-298-2300
Operator Mailing Address (Street): 81 Enterprise Drive	
Operator Mailing Address (City, State, Zip Code): Debord, KY 41214	
Is the operator also the owner? Yes ☒ No ☐	Is the operator certified? If yes, list certification class and number below. Yes ☐ No ☒
Certification Class: N/A	Certification Number: N/A

V. EXISTING ENVIRONMENTAL PERMITS

Current NPDES Number: N/A	Issue Date of Current Permit: N/A	Expiration Date of Current Permit: N/A
Other DOW Operational Permit #: N/A	Kentucky DMR Permit Number(s): 880-0194 original	Sludge Disposal Permit Number: N/A
Other Existing Environmental Permit #: N/A	Other Existing Environmental Permit #: N/A	Other Existing Environmental Permit #: N/A

Which of the following additional environmental permit/registration categories will also apply to this facility?

CATEGORY	EXISTING PERMIT WITH NO.	PERMIT NEEDED WITH PLANNED APPLICATION DATE
Air Emission Source	N/A	N/A
Solid or Special Waste	N/A	N/A
Hazardous Waste - Registration or Permit	N/A	N/A

VI. DISCHARGE MONITORING REPORTS (DMRs)

KPDES permit holders are required to submit DMRs to the Division of Water on a regular schedule (as defined by the KPDES permit). Information in this section serves to specifically identify the name and telephone number of the DMR official and the DMR mailing address (if different from the primary mailing address in Section I.C).

A. DMR Official (i.e., the department, office or individual designated as responsible for submitting DMR forms to the Division of Water):	Czar Coal Corporation
DMR Official Telephone Number:	606-298-2340
B. DMR Mailing Address:	
- Address the Division of Water will use to mail DMR forms (if different from mailing address in Section I.C), or - Contact address if another individual, company, laboratory, etc. completes DMRs for you; e.g., contract laboratory address.	
DMR Mailing Name:	Larry D. Adams, P.E. Vice President in Permitting & Environmental Affairs
DMR Mailing Address:	81 Enterprise Drive
DMR Mailing City, State, Zip Code:	Debord, KY 41214

VII. APPLICATION FILING FEE

KPDES regulations require that a permit applicant pay an application filing fee equal to twenty percent of the permit base fee. Please examine the base and filing fees listed in "Form 1 Instructions" and enclose a check payable to "Kentucky State Treasurer" for the appropriate amount. For permit renewals, please include the KPDES permit number on the check to ensure proper crediting. Please see the separate document "General Instructions" for an expanded description of the base fee amounts.

Facility Fee Category:

Surface Mining

Filing Fee Enclosed:

\$660.00

VIII. CERTIFICATION

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

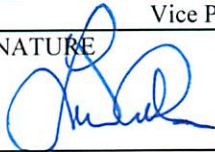
NAME AND OFFICIAL TITLE (type or print):

Mr. ☒ Ms. ☐ Larry D. Adams, P.E.
Vice President in Permitting & Environmental Affairs

PHONE NUMBER: 606-298-2340

EMAIL: larry.a@czarky.net

SIGNATURE



DATE:

3/23/11

Return completed application form and attachments to: **Surface Water Permits Branch, Division of Water, 200 Fair Oaks Lane, Frankfort, KY 40601.** Direct questions to: **Surface Water Permits Branch at (502) 564-3410.**

LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that **Czar Coal Corporation** ("Czar"), a Kentucky corporation, hereby constitutes and appoints **Larry D. Adams**, an employee of Matrix Energy, LLC, a Kentucky limited liability company and affiliate of Czar, its true and lawful attorney-in-fact and agent, with full power and authority to execute and deliver on behalf of Czar, all mining permit and related documentation required by the Kentucky Energy and Environmental Cabinet (including all departments and divisions thereunder), the Kentucky Division of Water, West Virginia Department of Environment Protection, the Army Corp. of Engineers, or any other state or federal agency in order to participate in mining activities in the Commonwealth of Kentucky or in the State of West Virginia.

This Power of Attorney shall be effective as of its date of execution and shall remain in effect until revoked in writing. No person acting in reliance upon this power shall be charged with notice of any revocation hereof in the absence of actual knowledge of such revocation.

It is Czar's intention to grant to its attorney-in-fact full and complete authority to act for it and in its stead in the specific matter above described. In no event shall persons relying on this Power of Attorney be required to ascertain the authority of Czar's attorney-in-fact to act hereunder, and all persons dealing with said attorney-in-fact shall be entitled, in the absence of actual knowledge of revocation, to rely upon the authority of such person, and the acts of such person shall bind Czar and acquit persons dealing with my said attorney-in-fact to the same extent as if Czar had been acting in its own behalf.

IN TESTIMONY WHEREOF, witness my signature this 30th day of December, 2010.

Czar Coal Corporation

By: James H. Booth
James H. Booth, President

STATE OF KENTUCKY)
) SCT.
COUNTY OF MARTIN)

The foregoing Limited Power of Attorney was subscribed, sworn to and acknowledged before me on this the 30th day of December, 2010, by James H. Booth, President of **Czar Coal Corporation**, a Kentucky corporation, on behalf of said corporation.

My Commission Expires:

08-18-2013

Cynthia Cline
Notary Public, State at Large, Kentucky

THIS INSTRUMENT PREPARED BY:

Hebece D. Bohman
Czar Coal Corporation
Legal Department
107 Dennis Drive
Lexington, KY 40503