

disposal area. Approximately 150,000 cubic yards of compacted refuse may be temporarily stockpiled on the RPE and/or LRP when the RPEE is inaccessible (e.g. inclement weather, poor ground conditions, etc.) and will be later hauled to the RPEE for permanent disposal. Approximately five to six, 20-yard truckloads per hour (when CPP refuse is being generated) will be hauled from the refuse bin to the RPEE. An average of 300,000 tons per year of coal refuse is expected to be compacted into the refuse pile, with a maximum of 500,000 tons anticipated in any given year. Detailed engineering and designs of the RPE East area, including haul roads and drainage features, is included in Exhibit 82. Approximately 150,000 cubic yards of coal may also be temporarily stored on the RPE and LRP as needed to manage inventory and shipping requirements.

The Lone Pine Gulch Development Waste Pile contained approximately 17,000 cubic yards of material generated from the development of the Lone Pine Gulch fan intake and return entries. Designs for this pile are contained in Exhibit 42A. This development waste pile was completed, soil-covered and seeded in the fall of 1995. The facility was decommissioned and the Lone Pine facilities, including the development waste pile, in 2005.

Although most of the refuse material generated at West Elk Mine will end up in the refuse disposal areas, some non-coal waste may be disposed of in one of two other ways. First, some non-combustible materials may be placed in abandoned mine workings. Second, suitable materials may be crushed and used for graveling roadways in the mine. Overall, relatively little material will be disposed of using these alternate methods.

All disposal areas and the development waste pile were designed and are maintained according to CMLRB regulations. As such, they are not located near underground mine air shafts, tipples, or other surface installations. The refuse disposal areas are also constructed and operated in compliance with MSHA regulations, including signs posted with the assigned MSHA identification number and other necessary information. The signs are posted next to the entrance to each of the disposal areas per MSHA regulations.

Refuse Production During Permit Term

All coal refuse generated during this permit term will be disposed in the permanent refuse disposal areas described above.

(9) Return of Coal Mine Waste to Abandoned Workings

MCC does not return coal mine waste generated from the mine to its abandoned mine workings at West Elk Mine. All coal mine waste is disposed of in the permanent refuse disposal areas described above.

(10) Return of Coal Processing Waste to Abandoned Workings

MCC does not return coal processing waste generated at West Elk Mine to the underground workings. All coal processing waste is disposed of in the permanent refuse disposal areas described above.