

PUBLIC NOTICE

11-01

AQUATIC RESOURCE ALTERATION PERMIT/ §401 CERTIFICATION

TN DEPT OF ENVIRONMENT & CONSERVATION
DIVISION OF WATER POLLUTION CONTROL
MINING SECTION
3711 MIDDLEBROOK PIKE
KNOXVILLE, TN 37921-6538
Fax # 865-594-6105

ISSUE DATE April 1, 2011

EXPIRATION DATE May 1, 2011

TO WHOM IT MAY CONCERN: Enclosed is a current public notice of permit applications, notice of individual permit decisions, and/or announcement of public hearings or meetings. Public comment and participation are encouraged on all of these issues.

The application described herein has been submitted for an Aquatic Resource Alteration Permit under *The Tennessee Water Quality Control Act of 1977*, T.C.A. §69-3-108. In addition, federal permits may be required from the U. S. Army Corps of Engineers or from the Tennessee Valley Authority under §404 of the *Clean Water Act* and §26a of the *Tennessee Valley Authority Act*, respectively. Section 401 of the *Clean Water Act* requires that an applicant obtain a water quality certification from the state when a federal permit is required. This notice may cover applications subject to §401 or navigation permitting (Rule 1200-04-08).

The purpose of this notice is to inform interested parties of this permit application and to ask for comments and information necessary to determine possible impacts to water quality. Persons wishing to comment on a proposal are invited to submit written comments to the department. Written comments must be received within **thirty days of the date that this notice is posted**. Comments will become part of the public record and will be considered in the final decision. The applicant's name and permit number should be referenced.

The permit application, supporting documentation including detailed plans and maps, and related comments are available for review and/or copying at the department's mining section.

Interested persons may also request in writing that the department hold a public hearing on an application. The request must be filed within the comment period, indicate the interest of the person requesting it, and the reasons that the hearing is warranted, and the water quality issues being raised. When there is sufficient public interest in water quality issues, the department will hold a hearing in accordance with Rule 1200-4-1-.04(4)(f).

In deciding whether to issue or deny a permit, the department will consider all comments of record and the requirements of applicable federal and state laws. In making this decision, a determination will be made regarding the potential lost value of the resource compared to the value of any proposed mitigation. The department shall consider practicable alternatives to the alteration. The department shall also consider loss of waters or habitat, diminishment in biological diversity, cumulative or secondary impacts to the water resource, and adverse impacts to unique, high quality, or impaired waters.

The Tennessee Department of Environment and Conservation is committed to principles of equal opportunity, equal access and affirmative action. Contact the EEO/AA Coordinator at 1-888-867-7455 or the ADA Coordinator at 1-866-253-5827 for further information. Hearing impaired callers may use the Tennessee Relay Service (1-800-848-0298).

PUBLIC NOTICE

PERMIT APPLICATION: NRS11.061

APPLICANT: Mr. James Thacker, Attorney-in-Fact
Kopper Glo Mining, LLC
P. O. Box 203
Clairfield, TN 37715

LOCATION: The proposed alterations are located near Clairfield, Tennessee, in Claiborne County. The alterations are at N36.52653 latitude, W83.85513 longitude.

WATERSHED DESCRIPTION: Spruce Lick Branch is in the Clear Fork of the Cumberland River watershed (HUC 05130101). Spruce Lick Branch is a tributary to Tackett Creek. This stream is not classified as Exceptional Tennessee Waters. Spruce Lick Branch is impacted by significant alterations to the stream morphology and hydrology from pre-SMCRA coal related mining activities. The affected stream reach is impounded as a 15.54 acre reservoir with an estimated storage capacity of 50,628,604 gallons. The affected waters are located in the Cumberland Mountain Thrust Block, ecoregion 69E.

PROJECT DESCRIPTION: Kopper Glo Mining, LLC has submitted an application for new water withdrawal activities from an existing impoundment on Spruce Lick Branch. This withdrawal would provide water for the operation of the Double Mountain Mine, NPDES Permit #TN0069337.

The watershed size of Spruce Lick Branch is too small to estimate an accurate 7Q10 low flow using the U.S. Geological Survey's StreamStats web program. The extrapolations derived from StreamStats estimates indicate that Spruce Lick Branch has 7Q10 low flow of less than 0.01 cfs at the confluence with Tackett Creek. Kopper Glo Mining, LLC, has recorded flow at the inlet and outlet of the existing Spruce Lick Branch impoundment on nine occasions since October 2008. At the inlet a minimum flow of 184.01 gallons per minute (0.41 cfs) was recorded on 10/21/2008 and a maximum of 8316.26 gallons per minute (18.53 cfs) on 4/21/09. At the outlet, a minimum flow of 104.57 gallons per minute (0.233 cfs) was recorded on 10/21/2008 and a maximum of 8159.18 gallons per minute (18.18 cfs) on 4/21/09.

Kopper Glo Mining, LLC proposes to withdraw up to a maximum of 60,000 gallon per day from a floating pump installed in the Spruce Lick Branch impoundment. The pump will withdraw from the impoundment at a maximum rate of 41.67 gallons per minute (0.09 cfs). Water is to be pumped to a 10,000 gallon water tank and held for use.

USGS TOPOGRAPHIC QUADRANGLE: Fork Ridge, TN (144 SE)

PERMIT COORDINATOR: Dave Turner
Tennessee Dept. of Environment & Conservation
Division of Water Pollution Control
Mining Section
3711 Middlebrook Pike
Knoxville, TN 37921-6538

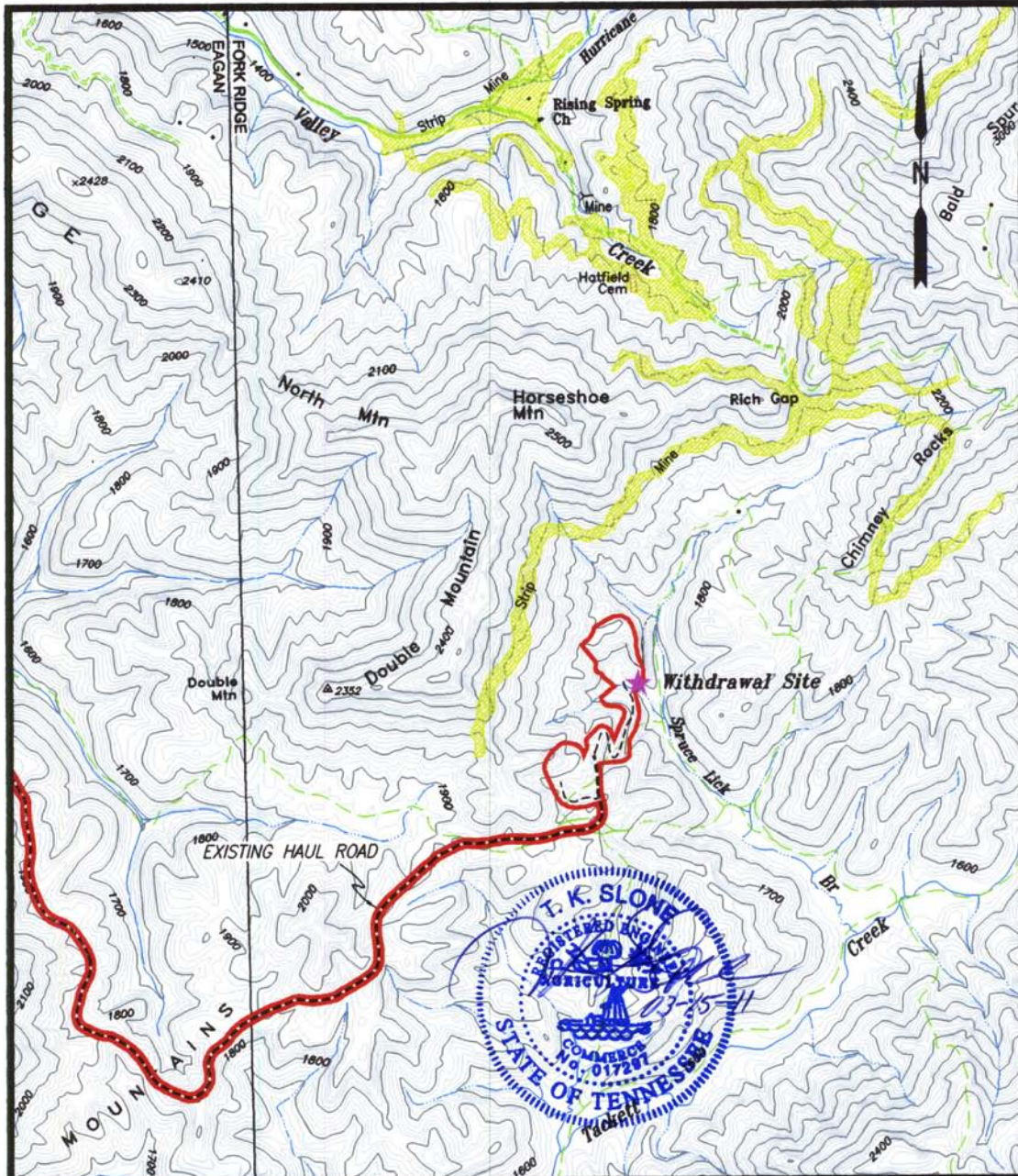
No decision has been made whether to issue or deny this permit. The purpose of this notice is to inform interested parties of this permit application and to ask for comments and information necessary to determine possible impacts to water quality. Persons wishing to comment on the proposal are invited to submit written comments to the department. Written comments must be received within **thirty days of the date that this notice is posted**. Comments will become part of the public record and will be considered in the final decision. The applicant's name and permit number should be referenced.

Interested persons may also request in writing to the attention of the **permit coordinator** that the department hold a public hearing on this application. The request must be filed within the comment period, indicate the interest of the person requesting it, the reasons that the hearing is warranted, and the water quality issues being raised. When there is sufficient public interest in water quality issues, the department will hold a public hearing.

The permit application, supporting documentation including detailed plans and maps, and related comments are available for review and/or copying by appointment during business hours at the following address:

ATTN: Tina E. Jones (865-594-6035)
Tennessee Dept. of Environment & Conservation
Division of Water Pollution Control
Mining Section
3711 Middlebrook Pike
Knoxville, TN 37921-6538

In deciding whether to issue or deny a permit, the department will consider all comments of record and the requirements of applicable federal and state laws.



<p>KOPPER GLO MINING, LLC P.O. BOX 203 CLAIRFIELD, TN 37715 DOUBLE MOUNTAIN MINE WATER WITHDRAWAL ARAP</p>	<p>GENERAL LOCATION MAP SCALE: 1"=2000' EAGAN (4257 III SW) and FORK RIDGE (144-SE) PREPARED BY: IRTEC P.O. BOX 308 CARYVILLE, TENNESSEE 37714 PHONE (423) 566-1915</p>	<p>CLAIBORNE COUNTY LAT: 36.52653° LONG: 83.85513° RECEIVED PERMIT BOUNDARY ——— MAR 17 2011 FILE DWG: KG-DMM-ARAP-GLM DATE: 02/22/11</p>
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Natural Resources

**KOPPER GLO MINING, LLC
 DOUBLE MOUNTAIN MINE
 STREAM WITHDRAWAL DATA**

Observed Flows in Spruce Lick Branch at Matthew Mine Impoundment

Date	Inlet		Date	Outlet	
	Flow in C.F.S.	Flow in G.P.M		Flow in C.F.S.	Flow in G.P.M
10/21/08	0.41	184.01	10/22/08	0.233	104.57
11/19/08	0.64	287.23	11/19/08	0.94	421.87
12/16/08	4.96	2,226.05	12/16/08	4.11	1844.57
04/21/09	18.53	8,316.26	04/21/09	18.18	8159.18
06/19/09	1.645	738.28	06/19/09	4.586	2058.20
07/30/09	6.73	3,020.42	07/30/09	12.97	5820.94
08/24/10	0.6	269.28	08/24/10	0.7	314.16
12/21/10	0.56	251.33	12/21/10	0.67	300.70
01/27/11	0.58	260.30	01/27/11	0.84	376.99
Average	3.851	1,728.13	Average	4.803	2,155.69
Minimum	0.410	184.01	Minimum*	0.233	104.57

Average Gallons Per Day - 2,488,506.24 Average Gallons Per Day - 3,104,188.03
 Minimum Gallons Per Day - 264,971.52 Minimum Gallons Per Day - 150,581.38

Matthew Mine Impoundment

Estimated Surface Area - 15.54 Acres or 676,853 sq. ft.
 Estimated Storage** - 6,768,530 cu. Ft. or 50,628,604 gallons
 Approximate Drainage Area at Inlet - 570 Acres
 Approximate Drainage Area at Outlet - 820 Acres

* The minimum discharge is probably prejudice on the low side as a result of subsurface flow.

** Based on an average depth of about ten (10') feet.

Anticipated withdrawal need for underground mine - 30,000 to 60,000 gallons per day

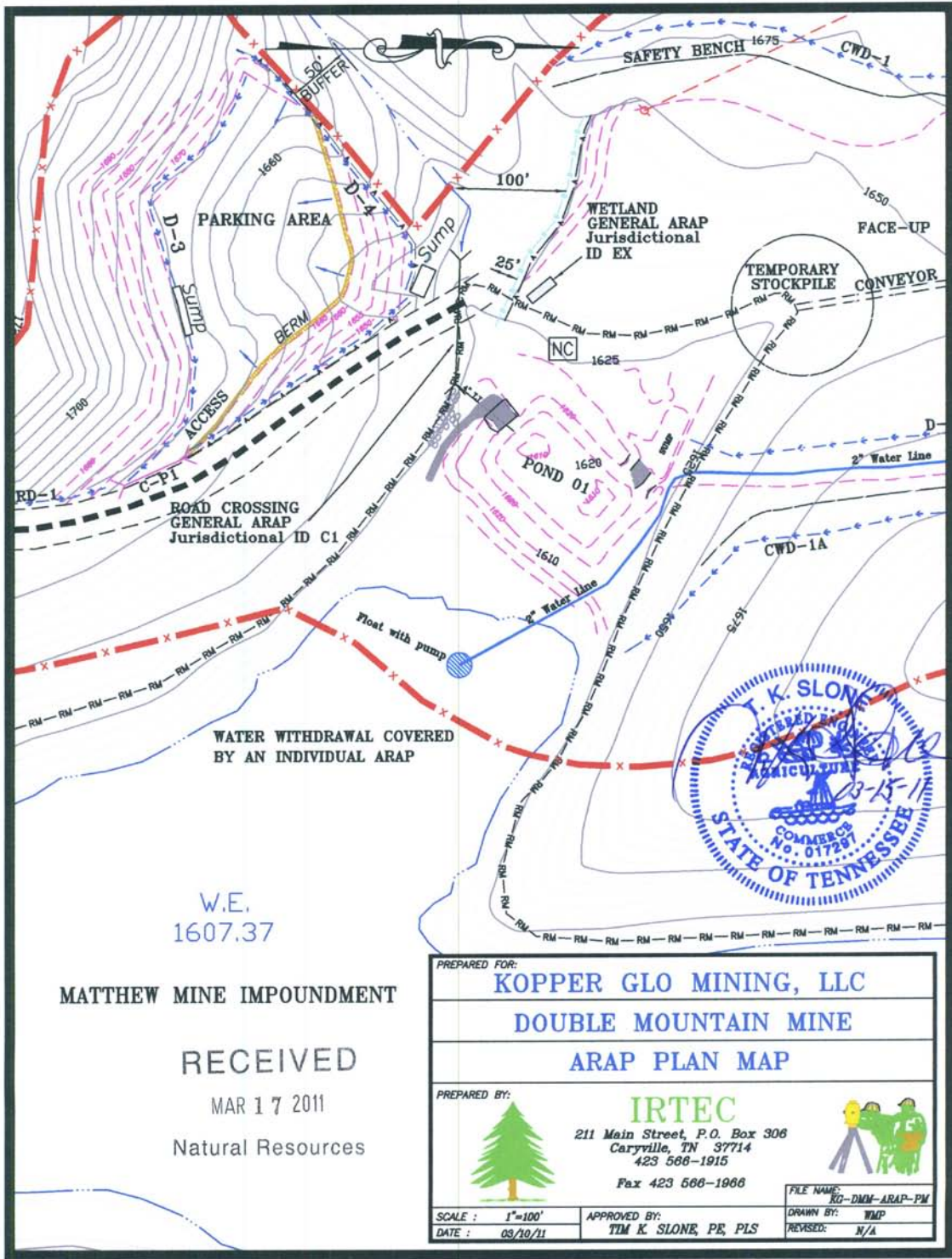
Daily Maximum Withdrawal in average gallons per minute - 41.67
 Percentage of minimum stream flow at inlet to impoundment - 22.64

Even if there were no recharge to the Matthew Mine Impoundment, the anticipated maximum daily withdrawal would only lower the level of impounded water within the pool by about 0.01 feet or about 1/8 of an inch.

RECEIVED

MAR 17 2011

Natural Resources



W.E.
 1607.37

MATTHEW MINE IMPOUNDMENT

RECEIVED

MAR 17 2011

Natural Resources

PREPARED FOR:		
KOPPER GLO MINING, LLC		
DOUBLE MOUNTAIN MINE		
ARAP PLAN MAP		
PREPARED BY:		
IRTEC		
211 Main Street, P.O. Box 306 Caryville, TN 37714 423 568-1915 Fax 423 566-1966		
SCALE : 1"=100'	APPROVED BY:	FILE NAME:
DATE : 03/10/11	TIM K. SLONE, PE, PLS	KG-DMM-ARAP-PM
		DRAWN BY: WMP
		REVISED: N/A

PUBLIC NOTICE

PERMIT APPLICATION: NR10MS.015

APPLICANT: Mr. James Thacker, Attorney-in-Fact
Kopper Glo Mining, LLC
P. O. Box 203
Clairfield, TN 37715

LOCATION: The proposed alterations are located near Clairfield, Tennessee, in Claiborne County. The alterations are at N36.500046 latitude, W83.89108 longitude.

WATERSHED DESCRIPTION: The proposed wetland alterations are in the Clear Fork of the Cumberland River watershed (HUC 05130101). The affected wetland resources are in the Tackett Creek subwatershed including its tributaries. These wetlands are not classified as Exceptional Tennessee Waters. The watershed is impacted by significant alterations from pre-SMCRA coal related mining activities. The affected waters are located in the Cumberland Mountain Thrust Block, ecoregion 69E.

PROJECT DESCRIPTION: Kopper Glo Mining, LLC has submitted an application to fill and mitigate approximately 4.93 acres of wetlands associated mining pre-SMCRA mine bench. The alterations proposed are associated with the Log Mountain Surface Mine, NPDES # TN0069361, on the Blue Gem coal seam.

Kopper Glo Mining, LLC, proposes to mitigate by the creation of 20.04 acres of wetland at the required mitigation ratio of 4:1 to achieve no net loss of resource value. The mitigation wetlands will be created by converting thirty six sediment basins into wetlands post mining. Water depths in the basins will be lowered to 18 inches and then the riparian areas will be planted with native trees.

USGS TOPOGRAPHIC QUADRANGLE: Eagan, TN (144 SW)

PERMIT COORDINATOR: Dave Turner
Tennessee Dept. of Environment & Conservation
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