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**west virginia** department of environmental protection

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Office of Oil and Gas  
601 57th Street SE  
Charleston, WV 25304  
(304) 926-0450  
(304) 926-0452 fax

Earl Ray Tomblin, Governor  
Randy C. Huffman, Cabinet Secretary  
www.dep.wv.gov

August 07, 2013

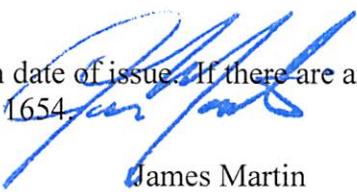
**WELL WORK PLUGGING PERMIT**

**Plugging**

This permit, API Well Number: 47-5101445, issued to MCELROY COAL COMPANY, is evidence of permission granted to perform the specified well work at the location described on the attached pages and located on the attached plat, subject to the provisions of Chapter 22 of the West Virginia Code of 1931, as amended, and all rules and regulations promulgated thereunder, and to all conditions and provisions outlined in the pages attached hereto. Notification shall be given by the operator to the Oil and Gas Inspector at least 24 hours prior to the construction of roads, locations, and/or pits for any permitted work. In addition, the well operator shall notify the same inspector 24 hours before any actual well work is commenced and prior to running and cementing casing. Spills or emergency discharges must be promptly reported by the operator to 1-800-642-3074 and to the Oil and Gas inspector.

Upon completion of the plugging well work, the above named operator will reclaim the site according to the provisions of WV Code 22-6-30. The above named operator will also file, as required in WV Code 22-6-23, an affidavit on form WR-38 by two experienced persons in the operator's employment and the Oil and Gas inspector that the work authorized under this permit was performed and a description given. Failure to abide by all statutory and regulatory provisions governing all duties and operations here under may result in suspensions or revocation of this permit and in addition may result in civil and/or criminal penalties being imposed upon the operator.

This permit will expire in two (2) years from date of issue. If there are any questions, please free to contact me at (304) 926-0499 ext. 1654.



James Martin  
Chief

Operator's Well No: M-1593  
Farm Name: HAMMERS, JACK R. & PAUL F.  
**API Well Number: 47-5101445**  
**Permit Type: Plugging**  
Date Issued: 08/07/2013

**Promoting a healthy environment.**

1) Date July 1, 2013  
2) Operator's Well No. M-1593  
3) API Well No. 47-51 - 01445

STATE OF WEST VIRGINIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
OFFICE OF OIL AND GAS

APPLICATION FOR A PERMIT TO PLUG AND ABANDON

4) Well Type: Oil \_\_\_\_/ Gas \_\_\_\_/ Liquid injection \_\_\_\_/ Waste disposal \_\_\_\_/  
(If "Gas, Production \_\_\_\_ or Underground storage \_\_\_\_) Deep \_\_\_\_/ Shallow X

5) Location: Elevation 1200.60' Watershed Unnamed Tributary to Grave Creek  
District Cameron County Marshall Quadrangle Cameron, WV 7.5'

6) Well Operator McElroy Coal Company 7) Designated Agent Adrienne Carney  
Address 6126 Energy Drive Address 6126 Energy Drive  
Moundsville, WV 26041 Moundsville, WV 26041

8) Oil and Gas Inspector to be notified 9) Plugging Contractor  
Name Bill Hendershot Name \_\_\_\_\_  
Address 403 James Street Address \_\_\_\_\_  
Mannington, WV 26582

10) Work Order: The work order for the manner of plugging this well is as follows:

Received

JUL 17 2013

Office of Oil and Gas  
WV Dept. of Environmental Protection

Notification must be given to the district oil and gas inspector 24 hours before permitted work can commence.

Work order approved by inspector \_\_\_\_\_ Date \_\_\_\_\_

## EXHIBIT NO. 1

From the experience and technology developed since 1970 in plugging oil and gas wells for mining through, Consolidation Coal's Northern West Virginia Operations will utilize one of the following two methods to plug all future wells.

4½ VENT PIPE METHOD

- (a) If active well: clean out to total depth and plug back according to state regulations to a minimum of 200 feet below lowest minable coal seam.
- (b) If abandoned well: clean out to first plug 200 feet below lowest minable seam.
- (c) Run 4½ casing from surface to minimum 200 feet below lowest minable seam and circulate 50/50 poz mix cement followed by expanding cement to surface. The expanding cement shall extend from minimum 200 feet below minable coal seam to a point 100 feet above.

The 4½ will remain open from surface to a minimum of 80 feet below that minable coal seam.

SOLID PLUG METHOD

- (a) If active well: clean out to total depth and plug back according to state regulations to a minimum of 200 feet below lowest minable coal seam.
- (b) If an abandoned well: clean out to first plug 200 feet below lowest minable coal seam.
- (c) Circulate through tubing or drill steel an expanding cement plug from a minimum of 200 feet below minable coal seam to a point 100 feet above minable coal.

Circulate through tubing or drill steel 50/50 poz mix from 100 feet above coal seam to surface.

A monument will be installed with API No. and stating "solid plug".

Received

7 2013

1) Date: July 1, 2013  
2) Operator's Well Number M-1593  
3) API Well No.: 47 - 51 - 01445

**STATE OF WEST VIRGINIA**  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS**  
**NOTICE OF APPLICATION TO PLUG AND ABANDON A WELL**

4) Surface Owner(s) to be served:	5) (a) Coal Operator
(a) Name <u>Jack R. Hammers</u>	Name <u>McElroy Coal Company</u>
Address <u>165 Oakmont Road</u>	Address <u>6126 Energy Drive</u>
<u>Wheeling, WV 26003</u>	<u>Moundsville, WV 26041</u>
(b) Name <u>Paul F. Hammers</u>	(b) Coal Owner(s) with Declaration
Address <u>#3 Squire Valley</u>	Name _____
<u>Barboursville, WV 25504</u>	Address _____
(c) Name _____	Name _____
Address _____	Address _____
6) Inspector _____	(c) Coal Lessee with Declaration
Address _____	Name _____
Telephone _____	Address _____

**TO THE PERSONS NAMED ABOVE:** You should have received this Form and the following documents:

- (1) The application to Plug and Abandon a Well on Form WW-4B, which sets out the parties involved in the work and describes the well its and the plugging work order; and
- (2) The plat (surveyor's map) showing the well location on Form WW-6.

The reason you received these documents is that you have rights regarding the application which are summarized in the instructions on the reverses side. However, you are not required to take any action at all.

Take notice that under Chapter 22-6 of the West Virginia Code, the undersigned well operator proposes to file or has filed this Notice and Application and accompanying documents for a permit to plug and abandon a well with the Chief of the Office of Oil and Gas, West Virginia Department of Environmental Protection, with respect to the well at the location described on the attached Application and depicted on the attached Form WW-6. Copies of this Notice, the Application, and the plat have been mailed by registered or certified mail or delivered by hand to the person(s) named above (or by publication in certain circumstances) on or before the day of mailing or delivery to the Chief.

Well Operator McElroy Coal Company  
 By: Adrienne Carney  
 Its: sl. Project Engineer / Agent  
 Address 6126 Energy Drive  
Moundsville, WV 26041  
 Telephone 304-843-3565

**Received**

Subscribed and sworn before me this 1st day of July 2013

JUL 17 2013

My Commission Expires Aug 5, 2022

**Oil and Gas Privacy Notice**

The Office of Oil and Gas processes your personal information, such as name, address and phone number, as a part of our regulatory duties. Your personal information may be disclosed to other State agencies or third parties in the normal course of business or as needed to comply with statutory or regulatory requirements, including Freedom of Information Act requests. Our office will appropriately secure your personal information. If you have any questions about our use of your personal information, please contact DEP's Chief Privacy Officer at [depprivacyofficer@wv.gov](mailto:depprivacyofficer@wv.gov).



**SURFACE OWNER WAIVER**

5101445P

Operator's Well  
Number

M-1593

**INSTRUCTIONS TO SURFACE OWNERS NAMED ON PAGE WW4-A**

The well operator named on page WW-4A is applying for a permit from the State to plug and abandon a well. (Note: If the surface tract is owned by more than three persons, then these materials were served on you because your name appeared on the Sheriff's tax ticket on the land or because you actually occupy the surface tract. In either case, you may be the only owner who will actually receive these materials.) See Chapter 22 of the West Virginia Code. Well work permits are valid for 24 months. If you do not own any interest in the surface tract, please forward these materials to the true owner immediately if you know who it is. Also, please notify the well operator and the Office of Oil and Gas.

**NOTE: YOU ARE NOT REQUIRED TO FILE ANY COMMENT.  
WHERE TO FILE COMMENTS AND OBTAIN ADDITIONAL INFORMATION:**

Chief, Office of Oil and Gas  
Department of Environmental Protection  
601 57<sup>th</sup> St. SE  
Charleston, WV 25304  
(304) 926-0450

**Time Limits and methods for filing comments.** The law requires these materials to be served on or before the date the operator files his Application. You have **FIVE (5) DAYS** after the filing date to file your comments. Comments must be filed in person or received in the mail by the Chief's office by the time stated above. You may call the Chief's office to be sure of the date. Check with your postmaster to ensure adequate delivery time or to arrange special expedited handling. If you have been contacted by the well operator and you have signed a "voluntary statement of no objection" to the planned work described in these materials, then the permit may be issued at any time.

**Comments must be in writing.** Your comments must include your name, address and telephone number, the well operator's name and well number and the approximate location of the proposed well site including district and county from the application. You may add other documents, such as sketches, maps or photographs to support your comments.

The Chief has the power to deny or condition a well work permit based on comments on the following grounds:

- 1) The proposed well work will constitute a hazard to the safety of persons.
- 2) The soil erosion and sediment control plan is not adequate or effective;
- 3) Damage would occur to publicly owned lands or resources;
- 4) The proposed well work fails to protect fresh water sources or supplies;
- 5) The applicant has committed a substantial violation of a previous permit or a substantial violation of one or more of the rules promulgated under Chapter 22, and has failed to abate or seek review of the violation..."

**If you want a copy of the permit as it is issued or a copy of the order denying the permit, you should request a copy from the Chief.**

**VOLUNTARY STATEMENT OF NO OBJECTION**

I hereby state that I have read the instructions to surface owners and that I have received copies of a Notice and Application For A Permit To Plug And Abandon on Forms WW-4A and WW-4B, and a survey plat.

I further state that I have no objection to the planned work described in these materials, and I have no objection to a permit being issued on those materials.

FOR EXECUTION BY A NATURAL PERSON  
ETC.

FOR EXECUTION BY A CORPORATION,  
**Received**

_____	Date _____	Name _____	_____
Signature		By	JUL 17 2013
		Its	_____
			Date _____
		Signature	Office of Oil and Gas WV Dept. of Environmental Protection Date

API No. 47-51-01445 510245P  
Farm Name Hammers  
Well No. M-1593

**INSTRUCTIONS TO COAL OPERATORS  
OWNERS AND LESSEE**

The well operator named on the obverse side of WW-4 (B) is about to abandon the well described in the enclosed materials and will commence the work of plugging and abandoning said well on the date the inspector is notified. Which date shall not be less than five days after the day on which this notice and application so mailed is received, or in due course should be received by the Department of Environmental Protection Office of Oil & Gas.

This notice and application is given to you in order that your respective representatives may be present at the plugging and filling of said well. You are further notified that whether you are represented or not the operator will proceed to plug and fill said well in the manner required by Section 24, Article 6, Chapter 22 of the Code and given in detail on obverse side of this application.

NOTE: If you wish this well to be plugged according to 22-6-24(d) then as per Regulation 35CSR4-13.9 you must complete and return to this office on form OB-16 "Request by Coal Operator, Owner, or Lessee for plugging" prior to the issuance of this plugging permit.

**WAIVER**

The undersigned coal operator \_\_\_\_\_ / owner \_\_\_\_\_ / lessee \_\_\_\_\_ / of the coal under this well location has examined this proposed plugging work order. The undersigned has no objection to the work proposed to be done at this location, provided, the well operator has complied with all applicable requirements of the West Virginia Code and the governing regulations.

Date: \_\_\_\_\_

\_\_\_\_\_

By: \_\_\_\_\_

Its \_\_\_\_\_

**Received**

JUL 17 2013

5101445P

STATE OF WEST VIRGINIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
OFFICE OF OIL AND GAS

CONSTRUCTION AND RECLAMATION PLAN AND SITE REGISTRATION APPLICATION FORM  
GENERAL PERMIT FOR OIL AND GAS PIT WASTE DISCHARGE

Operator Name McElroy Coal Company OP Code \_\_\_\_\_

Watershed Unnamed Tributary to Grave Creek Quadrangle Cameron, WV 7.5' <sup>278</sup>

Elevation 1200.60' County Marshall <sup>51</sup> District Cameron <sup>01</sup>

Description of anticipated Pit Waste: N/A

Will a synthetic liner be used in the pit? N/A

Proposed Disposal Method For Treated Pit Wastes:

- Land Application
- Underground Injection ( UIC Permit Number \_\_\_\_\_ )
- Reuse (at API Number \_\_\_\_\_ )
- Off Site Disposal (Supply form WW-9 for disposal location)
- Other (Explain See Attached Letter)

Proposed Work For Which Pit Will Be Used:

- Drilling
- Workover
- Other (Explain \_\_\_\_\_)
- Swabbing
- Plugging

I certify that I understand and agree to the terms and conditions of the GENERAL WATER POLLUTION PERMIT issued on August 1, 2005, by the Office of Oil and Gas of the West Virginia Department of Environmental Protection. I understand that the provisions of the permit are enforceable by law. Violations of any term or condition of the general permit and/or other applicable law or regulation can lead to enforcement action.

I certify under penalty of law that I have personally examined and am familiar with the information submitted on this application form and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment.

Company Official Signature *Adrienne Carney*

Company Official (Typed Name) Adrienne Carney

Company Official Title Senior Project Engineer

Subscribed and sworn before me this 1st day of July, 2013

Received

*Wanda J. [Signature]*

Notary Public JUL 17 2013

My commission expires Aug 5, 2022



**LEGEND**

- Property Boundary
- Road
- Existing Fence
- Planned Fence
- Stream
- Open Ditch
- Rock
- North
- Buildings
- Water wells
- Drill site

- Diversion
- Spring
- Wet Spot
- Drain Pipe with size in inches
- Waterway
- Cross Drain
- Artificial Filter Strip
- Pit: cut walls
- Pit: compacted fill walls
- Area for Land Application of Pit Waste

Proposed Revegetation Treatment: Acres Disturbed \_\_\_\_\_ Prevegetation pH \_\_\_\_\_

Lime \_\_\_\_\_ Tons/acre or to correct to pH \_\_\_\_\_

Fertilizer (10-20-20 or equivalent) \_\_\_\_\_ lbs/acre (500 lbs minimum)

Mulch \_\_\_\_\_ Tons/acre

**Seed Mixtures**

Seed Type	Area I		Seed Type	Area II	
		lbs/acre			lbs/acre
_____			_____		
_____			_____		
_____			_____		

Attach:  
Drawing(s) of road, location, pit and proposed area for land application.

Photocopied section of involved 7.5' topographic sheet.

Plan Approved by: \_\_\_\_\_

Comments: \_\_\_\_\_

7/2013

Title: \_\_\_\_\_ Date: \_\_\_\_\_

Field Reviewed? ( ) Yes ( ) No



McElroy Coal Company  
6126 Energy Drive  
Moundsville, West Virginia 26041

phone: 724/485-3192  
phone: 304/843-3565  
fax: 304/843-3511

July 1, 2013

Department of Environmental Protection  
Office of Oil & Gas  
601-57<sup>TH</sup> Street  
Charleston, West Virginia 25304

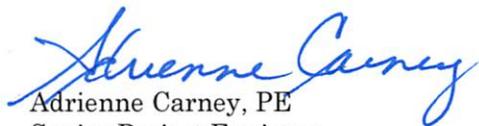
To Whom It May Concern:

As per the Division of Environmental Protection, Office of Oil & Gas request, McElroy Coal Company, Ohio Valley Operations, submits the following procedures utilizing pit waste.

Upon submitting a well work application (without a general permit for Oil & Gas Pit Waste Discharge Application), McElroy Coal Company, Ohio Valley Operations, will construct no pits, but instead will use mud tanks to contain all drilling muds.

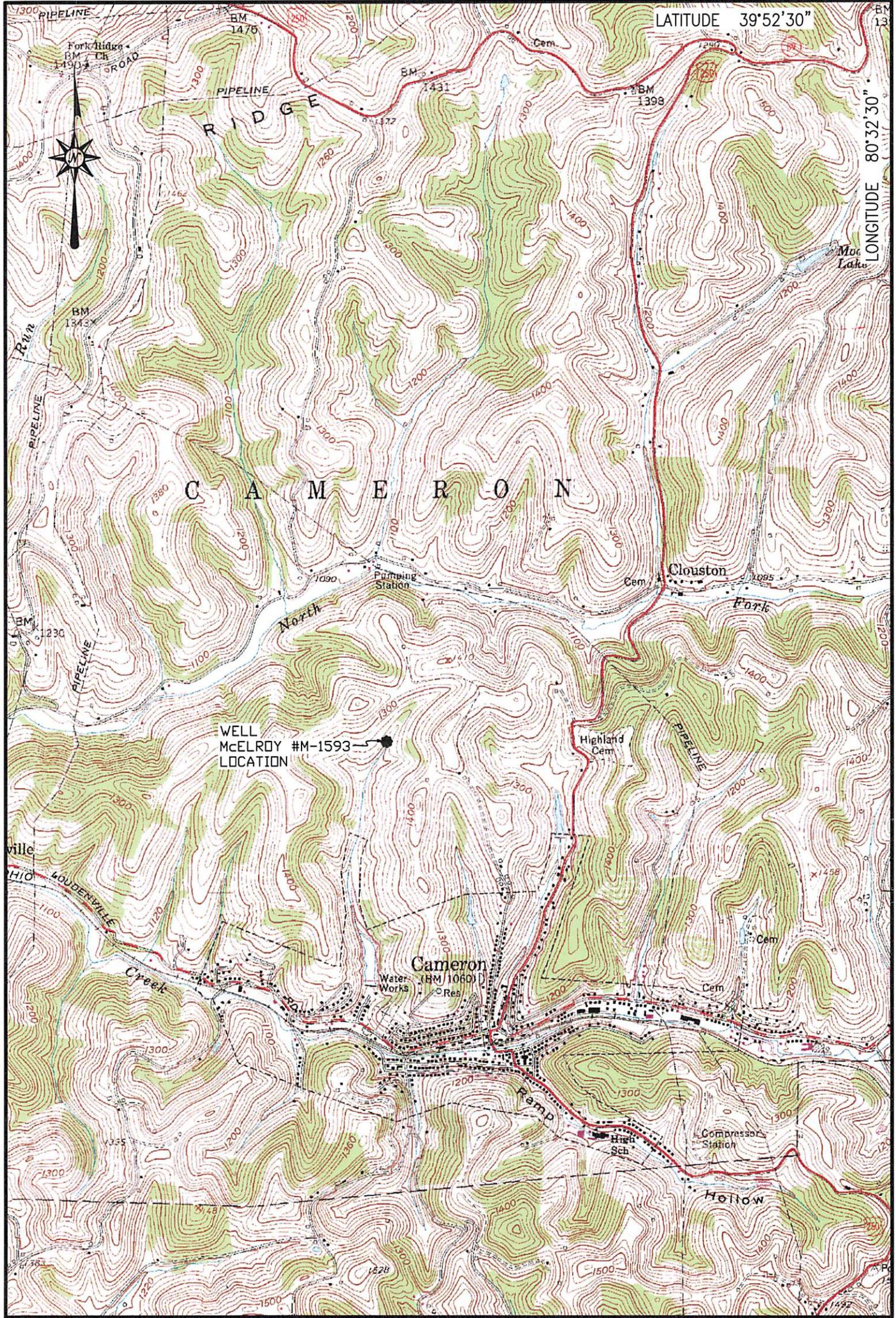
Once the well is completed, that material (minus the cave material) will be trucked to the next well to be plugged or to DEP facilities number U-0033-83, O-1023-92, O-1001-00, or U-1025-91.

Sincerely,

  
Adrienne Carney, PE  
Senior Project Engineer



JUL 17 2013



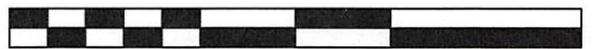
**Blue Mountain Engineering**  
 11023 MASON DIXON HIGHWAY  
 BURTON, WV 26562  
 PHONE: (304) 662-6486

LOCATION MAP  
 JULY 1, 2013

McELROY WELL # M-1593  
 CAMERON QUADRANGLE  
 WEST VIRGINIA

SCALE 1" = 2000'

0'      2000'      4000'      6000'



**BLUE MOUNTAIN ENGINEERING**

