

**Powder River Basin Resource Council * Kanawha Forest Coalition
Kentuckians for the Commonwealth * Western Organization of Resource Councils
Citizens Coal Council * Foundation for Pennsylvania Watersheds
Northern Plains Resource Council * Mountain Watershed Association
Eastern Pa Coalition for Abandoned Mine Reclamation
Appalachian Voices * Appalachian Citizens' Law Center
WildEarth Guardians * OVEC-Ohio Valley Environmental Coalition
Coal River Mountain Watch * Kentucky Resources Council
Citizens For Water * NYH2o * Damascus Citizens for Sustainability
Center for Biological Diversity * Sierra Club**

July 15, 2019

Glenda Owens
Acting Director
Office of Surface Mining Reclamation and Enforcement
1849 C Street NW
Washington, DC 20240
Via electronic mail to: DeputyDirector.Owens@osmre.gov; gowens@osmre.gov

RE: Significant concerns regarding the Blackjewel/Revelation Energy bankruptcy

Dear Acting Director Owens,

On behalf of our millions of members, many of whom live in areas directly affected by coal mining operations, the undersigned organizations write to you to express our concerns about Blackjewel/Revelation Energy's bankruptcy filing that occurred on July 1, 2019. We ask that you work swiftly to exercise the full scope of the Office of Surface Mining Reclamation & Enforcement's ("OSMRE") authority to ensure that no mine is left abandoned and that all fees and penalties are paid to federal and state regulatory authorities.

While Blackjewel/Revelation Energy's bankruptcy took many by surprise, it did not surprise our organizations as we have been closely watching the companies and have seen a troubling pattern and practice of environmental and workplace violations, as well as financial mismanagement. The companies, and their affiliated entities, have dozens of outstanding Surface Mining Control & Reclamation Act ("SMCRA") and Clean Water Act violations, along with almost a million dollars in outstanding Mine Safety and Health Administration ("MSHA") fines and penalties.

We know you share our immediate and pressing concerns about the condition of the 30+ mining operations in West Virginia, Kentucky, Virginia, and Wyoming in the wake of the bankruptcy

and the companies' CEO abruptly resigning as a condition of limited financing. This limited financing secured in the bankruptcy thus far is not sufficient to operate the mines and as a result the mines are currently sitting idle and without appropriate protections, including site stabilization, dust mitigation, water treatment and management, and remediation of other environmental hazards. We ask OSMRE to work with state regulatory authorities and to coordinate across the four states to initiate a rapid response task force to assess the mine sites and ensure environmental protection, as well as the prevention of any off-site impacts. Our organizations look forward to assisting OSMRE and state regulatory authorities in achieving this mission.

In addition to addressing immediate problems, we are also very concerned about the future liabilities at these mines and the significant risk of bond forfeiture. Not all reclamation bonding is secure during a bankruptcy, and we have concerns about pool bonding and real property collateral bonding used by the mining companies. We would appreciate any information OSMRE can provide about the reclamation bonding status at the mines and detailed information about any steps OSMRE is taking in order to shore up these bonding obligations in the wake of the bankruptcy filings.

We also ask OSMRE to investigate whether there are unpaid abandoned mine land ("AML") fees or other payments and fees to OSMRE and the Department of Interior. Given the history of the companies' many financial delinquencies we are gravely concerned about negative impacts to the agencies and the AML fund.

Thank you for your time and attention. We look forward to your response.

Sincerely,

Joyce Evans
Chair
Powder River Basin Resource Council
Sheridan, WY

Becky Mitchell
Chair
Northern Plains Resource Council
Billings, MT

Chad Cordell
Kanawha Forest Coalition
Charleston, WV

Meta Mendel-Reyes
Chair
Kentuckians for the Commonwealth
London, KY

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Mary Varson Cromer
Deputy Director
Appalachian Citizens' Law Center, Inc.
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Jeremy Nichols
Climate and Energy Program Director
WildEarth Guardians
Denver, CO

Vivian Stockman
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OVEC-Ohio Valley Environmental Coalition
Huntington, WV

Tom FitzGerald
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Frankfort, KY

Joe Levine
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Citizens For Water
NYC, NY

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