

STATE OF TENNESSEE

DEPARTMENT OF ENVIRONMENT AND CONSERVATION KNOXVILLE ENVIRONMENTAL FIELD OFFICE

3711 MIDDLEBROOK PIKE KNOXVILLE, TENNESSEE 37921-6538

PHONE (865) 594-6035

STATEWIDE 1-888-891-8332

FAX (865) 594-6105

September 6, 2006

Mr. David Slater, President Crossville Coal Inc. P.O. Box 267 Harriman, TN 37748

RE: Transfer of Ownership

Crossville Coal Inc.
Turner Surface Mine
NPDES Permit TN0071633
SMCRA Permit 3189
Cumberland County

Dear Mr. Slater:

On July 18, 2005, the Division was in receipt of an agreement and application for transfer of the referenced NPDES permit. The permit transfer from Cumberland Coal Company, LLC (original permittee) to Crossville Coal Inc. (new permittee) became effective thirty (30) days after our receipt of the agreement and transfer. Enclosed is a copy of the NPDES permit and permit title page for your files.

As the new permittee, you agree to comply with the terms and conditions of the permit, and to follow all monitoring and reporting requirements. You also agree that there will be no change in any operation at the site covered by this permit. Before any major modification or change in your operation occurs, the Division must approve revised plans and appropriate NPDES permit application forms.

If you have any questions concerning this correspondence write to the letterhead address above, or telephone Gary Mullins at (865) 594-5536 or John Price at (865) 594-5585.

Sincerely,

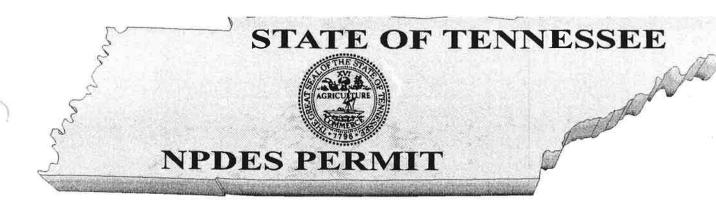
Paul E. Davis, Director

Division of Water Pollution Control

PED:MPS:GWM:JCP

Enclosure

cc: Elaine Hartmann, OSM, Knoxville Field Office NPDES Permit File



NPDES Permit TN0071633 Transfer of Ownership

Authorization to discharge under the National Pollutant Discharge Elimination System

Issued By

Tennessee Department of Environment and Conservation
Division of Water Pollution
2700 Middlebrook Pike, Suite 220
Knoxville, Tennessee 37921

Under authority of the *Tennessee Water Quality Control Act of 1977 (T.C.A. 69-3-101 et seq.*) and the egation of authority from the United States Environmental Protection Agency under the *Federal Water Pollution Control Act*, as amended by the *Clean Water Act of 1977 (33 U.S.C. 1251, et seq.*)

Discharger: Transferred to: Crossville Coal Inc. (new permittee)

Turner Surface Mine - SMCRA Permit 3189

From:

Cumberland Coal Company, LLC (original permittee)

Turner Mine 1 - SMCRA Permit 2981

is authorized to discharge treated wastewater and stormwater:

from a facility located in Cumberland County at latitude N35° 59′ 34″, longitude W84° 44′ 47″

consisting of 584 acres

to receiving waters named: Island Creek - 001, 001A; Unnamed tributary to Meadow Branch - 002; Millstone Branch - 003A, 003B, 003C; Little Meadow Branch - 004, 004A, 005, 005A; Rogers Creek - 006

in accordance with effluent limitations, monitoring requirements and other conditions set forth herein.

This permit shall become effective on: August 17, 2005

s permit shall expire on: January 26, 2009

Transmittal date: September 6, 2006

Paul E. Davis, Director

CN-0759



JUL 18 2005

Notice of Transfer National Pollutant Discharge Elimination System Permit

NPDES Permit TN00 71633

Cumberland Coal, Turner Mine hereafter known as the Ex (Company Name and Site Identification)	isting Permittee, and
Crossville Coal, Turner Mine hereafter known as the (Company Name and Site Identification)	he Proposed New Permittee,
agree to the following:	
The Proposed New Permittee , who has read and agrees to the terms of the permit issued to the Existing Permittee , hereby notifies the Division that the permit identified above is to be transferred to the Proposed New Permittee along with all rights and legal responsibilities, effective the time and dated listed below. The Proposed New Permittee agrees that there will be no changes in the permitted facilities that would affect the wastewater treatment systems as approved for the above identified permit.	
Please note that there address of the proposed permittee must accompa	any this Notice of Transfer.
The transfer shall be effective on August 15 Date	, 20 <u>05</u> .
Note: This Notice of Transfer shall be filed at least 30 days in advance of the proposed transfer date with the Division of Water Pollution Control-Mining Section, Knoxville Environmental Assistance Center, 2700 Middlebrook Pike, Suite 220, Knoxville, TN 37921. For the Proposed New Permittee:	
David Slater Responsible Official's Name	President/Director Title
Subscribed and sworn to before me by DAVID GUNADEKERA DAVID GUNADEKERA Barrister & Solicitor 1100 - 888 DUNSMUIR STREET VANCOUVER, B.C. V6C 3K4	this 14th day of 54/y, 2005. N/A My Commission Expires
For the Existing Permittee: W. E. Wearn H.E. Hearn Responsible Official's Name	Chief Manager Title
Subscribed and wouth before me by H.E. Hearn According Happing by Notary Public Public F LARGE	this 15^{16} day of $50/4$, 2005 . $6 - 28 - 06$ My Commission Expires