ARKANSAS DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY

LOCATION - SUBJECT CROWN CONSTRUCTION COMPANY, INC.

MINUTE ORDER NO. 80-19

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WHEREAS, on November 16, 1979, Crown Construction Company, Inc. requested bond release for the following permits:

Permit No. 49
Permit No. 49, Amendment No. 1
Permit No. 49, Amendment No. 2
Permit No. 49, Amendment No. 3

WHEREAS, by agreement of the landowner, portions of the mined areas will be left as ponds that have now been filled with water, and in conjunction with the request for bond release, the permittee has requested an exemption from the pH requirements, due to a current pH of less than 4.0 and the inability of the permittee at a reasonable expense to attain the required pH limitations;

WHEREAS, Act 236 of 1971, the Arkansas Open Cut Land Reclamation Act of 1971, which is the Act under which these permits were issued, provides that the operator shall prevent formation of acid mine water or discharge mine water in a manner to conform with water pollution criteria, which by Minute Order 72-12 requires a pH of 6.0 - 8.0, unless an exception is approved.

WHEREAS, the Permittee has demonstrated that there is no immediate or imminent danger to life, property or the environment associated with the ponds;

WHEREAS, the remainder of the lands affected by the above-described mining operations have been adequately reclaimed;

NOW, THEREFORE, the Arkansas Commission on Pollution Control and Ecology:

Approves the release of the reclamation bonds securing the obligation of the permittee to reclaim the permits identified above.

COMMISSIONERS

C.H. FOR S.W.

SUBMITTED BY: Chuck Nestrud DATE PASSED: