

MINUTES OF MEETING  
OF  
ILLINOIS STATE MINING BOARD  
INA, ILLINOIS  
APRIL 22, 2010

The following State Mining Board members were present:

Jerry Cross  
William McClusky  
Tim Kirkpartrick  
Don Stewart  
George Teegarden  
Dave Webb  
Joe Angleton, Executive Officer

The meeting was called to order by Executive Officer Joe Angleton. A roll call of board members was made with all members in attendance. Having a quorum of board members present, Mr. Angleton proceeded with the meeting.

The minutes from the October 22, 2009 State Mining Board meeting was reviewed and accepted as presented.

The first item on the agenda was an overview by Tom Hastenstab, Knight Hawk Coal, of the drilling project pursuant to the Whippoorwill Mine. The Knight Hawk Coal's Prairie Eagle South mine began operations in May 2009 as drift mine operating a modified supersection. The Prairie Eagle South would be mining in close proximity to the Whippoorwill Mine, which was abandoned in 1946 but only had maps through 1941. Records seemed to indicate the mine worked an additional 18 acres beyond what was outlined in the 1941 map. A surface seismic survey was conducted for a distance of approximately 3,000 feet with the survey not indicating any evidence of underground workings. The depth of the Prairie Eagle South and Whippoorwill Mines in the area surveyed was approximately 100 feet. Based on this survey the Prairie Eagle South began driving east when it encountered excessive water coming from the coal rib and upon drilling ahead found a mine void.

The company began drilling a series of holes with the hope of establishing the true extent of the adjacent abandoned mine. 250 holes have been drilled with 25 holes having entered the mine void. Fifty more holes are planned. Once a clear line is determined the company was mine no closer than 100 feet of this line and if they do decide to advance closer Knight Hawk Coal will develop a drill plan and present it to the Mining Board.

Another abandoned mine is west of the Prairie Eagle South is approximately two years from reaching at the mine's current development. While it does not have to be addressed at this time it will become an issue and the Illinois State Geological Survey is working on that area. A small

mine, Maynard Mine, operated from 1889-1893 has been relocated by the survey and appears to have mined approximately 1/3 acre. The company will set aside 6 ½ acres for this mine.

The members of the Board raised several questions regarding the earlier surface seismic survey that was conducted by the University of Rolla personnel. It was stated the Board had previously discussed this issue and Board Member Webb at that time indicated he would have felt better if a baseline was established from boreholes to ensure the accuracy of the seismic survey.

Board Member Webb reiterated this opinion stating the seismic survey personnel should have gone across known abandoned workings to establish what signal or readings they would obtain from void areas, thus ensuring accuracy in their analysis.

Don McBride, southern inspection district administrator, stated he was comfortable with the procedures the company is currently following pursuant to the Whippoorwill Mine. However, he asked should we be confident with the seismic survey conducted for the Arch of IL Kathleen Mine, which is from the 1980s.

Board Member Teegarden felt to be on the safe side the company should always drill. The company would continue to review how to address future mining development around abandoned coal mines.

Executive Director apologized to the new members of the Board, Tim Kirkpatrick and William McClusky, for failing to introduce them and did so at this time.

The next item on the agenda was Peabody Midwest Mining, Gateway Mine shaft approval request being presented by Herb Gibson of Cowin & Associates. This shaft was to be approximately 100 feet in depth with 35 feet stiff clay over the bedrock. The company would extract a 15 ½ feet diameter shaft with the finished shaft being 14 feet in diameter. The company would excavate the first 15 – 20 feet for the concrete collar. After this process is complete, the excavation will be on 20 foot intervals using a Texas Grab for mucking. There will not be any workers in shaft during the mucking. Forms will be set after each 20 feet of excavation. Fall protection will be used anytime workers are over 6 feet above ground level. The blasting plan calls for drilling hole depth of 6 feet. The company will go from non- el to electrical caps once the coal seam is reached.

Gateway Mine has already mined into the area. Cribbing and stoppings will be set around the shaft and Cowin will shoot through into the mine workings. The Gateway Mine management will be notified as to when this will occur so no one is in the mine at the time of blasting through. Board member Kirkpatrick made a motion to accept Cowin's shaft development plan, seconded by Board member Cross and approved by unanimous vote.

The next item was the suspension of mine examiner certification at the White County Coal, Pattiki Mine. The mine examiner, Gabe Sutton, had his certification suspended after MSHA inspectors found he had placed two times on the boards along the belt line. Mr. Sutton had been performing his on-shift belt examination and apparently placed an on-shift examination time and a pre-shift examination time while conducting the on-shift. When the MSHA inspectors found

the double timed board it was 7:00 pm and the board was already marked with the pre-shift time of 8:15 pm. Mr. Sutton had his mine examiner certification temporarily suspended pending review by the State Mining Board and was suspended without pay by the company for three days. The company has chosen not to dismiss Mr. Sutton but has brought him back in a lower wage position. Mr. Sutton was in attendance and was asked questions by the board members.

Board member Teegarden state previous board policy was any deliberate act of misconduct should require a one year suspension and be required to take the mine examiner examination before certification was re-instated. He felt this situation warranted this action. Board member Stewart stated there had been a similar situation at his mine and that was the action taken. Following further discussion on the issue, Board member Cross made the motion that Mr. Sutton receives a one year suspension of his mine examiner certification and re-instatement without needing to take an examination. However, Mr. Sutton must appear before the Board prior to being re-issued his certification. The motion was passed unanimously.

The final item on the agenda was two presentations by Patten Mining, LLC, Deer Run Mine. The first was submittal of their emergency hoist plan, which was being installed on the intake side of their intake/return shaft. Coalfield Services would be installing the emergency hoist and would similar to the emergency hoist installed at the M-Class Mining MC #1 Mine. The emergency hoist would have a rated speed of 375 feet/minute and could evacuate 120 miners/hour. The company indicated the mine would have approximately 60 underground at one time.. The cage will be 3 feet 10 inches wide and 7 feet long, which is sufficient to hold a stretcher and perform CPR. Board member Stewart made the motion to accept the company's emergency hoist plans with a second from Board member Webb. Motion passed.

The second presentation by Patten Mining regarding a revision to their pit development plans. The company originally proposed leaving the pit open with sides sloped away from mine entrance. The company is proposing to backfill back to the original ground contour. The company indicated there was several reasons for this change; eliminate drainage issues, control slope stability issues and gain a storage area for mine supplies. An explanation was given to how the tunnel construction and backfill would be accomplished. The tunnel from slope entrance to surface will be 1,045 in length and inside dimensions will be height of 14 feet 2 inches and width of 21 feet 6 inches. Roof and wall of tunnel will be of 3,500 psi concrete construction. At the deepest portion of the tunnel a low density geo-foam will be placed on the tunnel roof, which will help disperse weight. Backfill material will be composed of stone and compacted soil and finally loose soil material will bring the elevation back to original ground level. Following questions on tunnel construction and stability, Board member Teegarden made a motion to accept Patten Mining's backfill plan with a second by Board member Webb. Motion passed.

With no further business the meeting was adjourned.

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Joe Angleton, Executive Officer

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Jerry Cross, Secretary