



Randall Mills, Project Coordinator
USDI Bureau of Land Management
411 Briarwood Dr., Ste 404
Jackson, MS 39206

C/o US Forest Service
Daniel Boone National Forest
Redbird District

Dear US Forest Service and BLM,

On behalf of the Cumberland Chapter of the Sierra Club, representing approximately 5000 members throughout Kentucky, I wish to comment on the proposal for KYES 53865, Bledsoe Coal Lease proposal to underground mine 174 acres within the Redbird District of the Daniel Boone National Forest.

The block of coal proposed for leasing is the western portion of USA Tract R-3094Bd and is bounded on the east, west and north by current mine reserves held by Bledsoe Coal Corporation.

In your guidance, you state that your charge is to "Ensure that exploration, development and production of mineral and energy resources are conducted in an environmentally sensitive manner and that these activities are integrated with the planning and management of other resources using the principles of ecosystem management."

2A

I wish to note that this specific coal company has been cited by the US Department of Labor Mine Safety and Health Administration in April of 2011 for having a pattern of violations that were "significant and substantial" at another Kentucky mine within their operations. (see attachment). So we have great concerns on the ability of this coal company to conduct their operations within the Daniel Boone in a responsible manner of appropriate benefit to the public when it comes to this new operation.

2B

Also, the site in question, as you note, is 20 miles south of Hyden. There are substantial mining operations south of Hyden that have been shown to have significantly impaired water quality, including problems with acid drainage, high conductivity levels and problems with dissolved solids, plus contamination from Selenium. The watersheds within the Redbird District at the

2B

proposed site drain into these same watersheds, and therefore we have concerns of the accumulated effect these additional mining operations will have on this watershed off of the middle fork of the Kentucky River. Also the forest service already has several restoration actions within its boundaries to address acid mine drainage from old mineworks that have existed for years, and are only being mitigated with marginal success. Because of this, we wish to discourage further impacts within the national forest boundaries. The Sierra Club places the water quality of Kentucky as a high priority and is particularly concerned with the cumulative effects of mine drainage on our Eastern KY. waterways.

2C

We also have concerns regarding the biodiversity of the proposed area. While there has been strip mining on the private land adjacent to the lease site, this particular area of the Redbird district itself, in our opinion, shows little surface impact and is within a fairly contiguous canopy of forested land. We believe the higher value for this land is in watershed protection rather than in energy production, particularly when taking the above-mentioned cumulative impacts to waterways into consideration.

We also wish to comment on the BLM criteria that "Coal leasing in this area helps meet the nation's growing demand for energy in the generation of electricity for residential and industrial uses. It also supports the President's Energy Initiative and the 1984 MOU on Energy Leasing. Mining of this coal would provide economic returns to national, state and local economies.". We question this rationale in the case of Bledsoe Energy since much coal production in Appalachia is being shipped out of state and out of the country. Coal as an energy resource has been on the decline in Kentucky and there has been a significant decline in coal jobs as well. By leasing more of the public's resources to prolong support a declining industry, this prevents a broader, more diverse base of job opportunities to come into these communities. Maintaining the health of our national lands and forests provides their own job opportunities and we encourage the forest service to take these trade-offs into consideration.

Respectfully submitted,

Lane Boldman
Mining Chair, Cumberland Chapter Sierra Club
114 Woodford Dr.
Lexington, KY 40504
859-552-1173

U.S. Department of Labor

Mine Safety and Health Administration
1100 Wilson Boulevard
Arlington, Virginia 22209-3939



April 12, 2011

Mr. Jerry Oliver
Superintendent
Abner Branch Rider
Bledsoe Coal Corporation
Rt. 2008 Box 351 A
Big Laurel, KY 40808

Dear Mr. Oliver:

You are hereby notified that the Mine Safety and Health Administration (MSHA) has determined that a Pattern of Violations exists at the Abner Branch Rider Mine (ID 15-19132). The determination was made on the basis of the Mine's repeated significant and substantial (S&S) violations of mandatory safety and health standards pursuant to § 104(e) of the Mine Act, 30 C.F.R. Part 104 and MSHA's *Pattern of Violations Screening Criteria (2010)*.

We have carefully considered all of the information you submitted in response to MSHA's November 19, 2010 notification that a Potential Pattern of Violations (PPOV) existed at the Abner Branch Rider Mine, including the results of the corrective action program instituted at the Mine to reduce its rate of significant and substantial violations, as well as the information you presented in response to the District Manager's draft report finding that a pattern of violations continues to exist. Because Abner Branch Rider Mine failed to significantly reduce its rate of S&S violations and no mitigating circumstances exist to justify the Mine's repeated incidence of S&S violations, I concur with the District Manager's recommendation that a POV exists at the Mine.

If upon any inspection within 90 days after issuance of this Notice, MSHA finds any violation of a mandatory health or safety standard that could significantly and substantially contribute to the cause and effect of a coal or other mine safety or health hazard, MSHA shall issue an order requiring the operator to cause all persons in the area affected by such violation, except those persons referred to in Section 104(c) of the Mine Act, to be withdrawn from, and to be prohibited from entering such area until an Authorized Representative of the Secretary determines that such violation has been abated. This POV notice will terminate if, upon an inspection of the entire Mine, MSHA finds no S&S violations of mandatory safety and health standards. The enclosed Notice of Pattern of Violations shall remain posted at the Abner Branch Rider Mine until it is terminated by an Authorized Representative of the Secretary in accordance with 30 C.F.R. § 104.5.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin G. Stricklin".

Kevin G. Stricklin
Administrator for
Coal Mine Safety and Health

Enclosure

You can now file your MSHA forms online at www.MSHA.gov. It's easy, it's fast, and it saves you money!