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REPORT OF THE PROCEEDINGS of the
Public Hearing concerning Permit No. 352, taken
at the Illinois Department of Natural Resources,
Office of Mines and Minerals, 503 East Main
Street, Benton, Illinois, on the 26th day of
January, 2012, at 6:00 p.m.

ORIGINAL

1 MR. FOWLER: Good evening. My name
2 is Scott Fowler. I am the supervisor for --
3 well, I'll have to go through a formal thing
4 here, if you don't mind. I'm the supervisor for
5 the Office of Mines and Minerals, the Land
6 Reclamation Division. We are part of the
7 Department of Natural Resources. And I have been
8 appointed the hearing officer for tonight's
9 hearing.

10 We are here tonight to conduct a public
11 hearing concerning mining activities within 100
12 feet of a public road, as proposed by the
13 American Coal Company, Incorporated, in its
14 application for incidental boundary revision to
15 Permit No. 352. This hearing is being held under
16 the authority of 62 Illinois Administrative Code
17 1761.14(b) and 1774.14 promulgated under the
18 Surface Coal Mining Land Conservation and
19 Reclamation Act.

20 The format for this hearing is informal.
21 The purpose of the hearing is to allow the public
22 to present data, views, and arguments on the
23 pending incidental boundary revision application
24 and to determine whether the interest of the
25 public and affected landowners will be protected

1 concerning activities within 100 feet of the
2 public road.

3 Those of you who have filled out speaker
4 forms for us will be given an opportunity to make
5 comments. Representatives of American Coal are
6 present. They are -- I'll go through them. Mike
7 Tacosik, Gary --

8 MR. BROADBENT: Gary Broadbent.

9 MR. WOOD: Nelson Wood.

10 MR. FOWLER: Nelson Wood.

11 MR. MORMINO: Mark Mormino.

12 MR. FOWLER: Mark Mormino.

13 MR. BROADBENT: We also have Vickie
14 Kujawa.

15 MR. FOWLER: Oh, I'm sorry. We have
16 Vickie Kujawa.

17 Because we are required by regulations
18 to make a verbatim transcript of the hearing, it
19 is imperative that if you wish to speak you sign
20 in so that we can have your name and address for
21 the record.

22 If you have written comments, a written
23 statement, maps, or other information to be
24 submitted for the record, please let me know and
25 we will enter it into the record.

1 Once the hearing is adjourned, we will
2 leave the record open for ten days to submit
3 written comments. That is February 6th, since
4 the tenth day falls on a weekend. So we're going
5 to push it up to the 6th. The Land Reclamation
6 staff will review all comments made here at the
7 hearing and those received in writing, as well as
8 the application itself. A decision will be made
9 to issue, deny, or require modification to the
10 application. If modifications are required, we
11 will notify the applicant of required
12 modifications; and once we have reviewed the
13 responses, we will issue our final decision.

14 Comments made at the hearing, as well as
15 comments received in writing, will be addressed
16 in our decision finding. Anyone who signed up to
17 speak, who sends us written comments, or has just
18 indicated they are in attendance tonight by
19 filling out that form will receive a copy of our
20 written decision finding when it is issued.

21 We also have for the Land Reclamation
22 Division here today Bill O'Leary, who is the
23 inspector for that site.

24 What we generally have done in the past
25 on hearings, when there's a lot of people, we

1 will take down questions that are brought up from
2 the audience and we'll write them down and then
3 address them at the end. But since there's so
4 few people here tonight, and I don't suspect
5 we'll go real late, and I don't want to
6 inconvenience anybody that wants to speak and is
7 going to be held up because we're answering
8 questions, I don't think we're going to have that
9 problem tonight, so I am going to try to answer
10 questions that we can as we go. If somebody has
11 got a question as they speak and have comments,
12 we'll try to address everything we can. We
13 probably don't have an answer to everything,
14 because we are still reviewing this application.
15 We have not made a decision on this, so that's
16 why we're here tonight is to try to get comments
17 from you to aid us in our evaluation of this
18 application.

19 So we'll try to answer your questions as you go.
20 Potentially, you know, the coal company may be
21 able to answer some of the questions, if they
22 wish. They're not required to. But we'll try --
23 or Bill and I, we'll try to do our best in
24 answering what we can.

25 We have got probably the last person to

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1 come. Hi, I'm Scott Fowler. I'm the supervisor
2 for the Land Reclamation Division.

3 UNIDENTIFIED SPEAKER: Herb is my
4 name.

5 MR. FOWLER: We appreciate you
6 coming. Herb?

7 UNIDENTIFIED SPEAKER: Yeah.

8 MR. FOWLER: All right. Do you plan
9 on speaking tonight?

10 UNIDENTIFIED SPEAKER: No.

11 MR. FOWLER: Okay. Then you don't
12 have to sign in, Herb, for us.

13 Generally, if the coal company wishes to
14 make a small presentation on what their project
15 is, it kind of helps with the evening so that
16 people can understand what the application is
17 about, what they're trying to address in the
18 application, and it helps the public to get a
19 better understanding of what's going on out
20 there.

21 Mike, did you --

22 MR. TACOSIK: Actually, Scott, if
23 it's okay, could Mark do it? I have got a
24 terrible cold.

25 MR. FOWLER: That's fine. As long as

1 somebody -- if somebody wants to kind of describe
2 what's going on out there.

3 Mark, if you'd like? Mark Mormino?

4 MR. MORMINO: Yes, Mark Mormino. I'm
5 the Chief Engineer at the American Coal Company.
6 This project is a ventilation shaft site where
7 we're going to do a blind drill, two 12 foot in
8 diameter shafts. One shaft will be equipped with
9 a mine fan, a ten-foot Joy fan, and the other one
10 will just be strictly an intake. It's not to put
11 men down or materials. Now, that's not to say
12 that we won't put materials down in an emergency,
13 but we do not intend for it to be the main supply
14 shaft into the mine. This strictly is for
15 ventilation. There will be surface bore holes
16 where we'll supply the mine of rock dust,
17 emulsion oil, and we'll be able to put rock down
18 in the mine.

19 Am I missing anything?

20 MR. TACOSIK: Power bore holes.

21 MR. MORMINO: Yeah, there could be
22 power going into the mine. It will not be a man
23 and material hoist.

24 MR. FOWLER: Okay. Thank you. I'm
25 just going to go down the list of people that are

1 signed in and you can say yes or no if you want
2 to make a comment for the record.

3 So the first person I have on the list
4 is Jess Moore. Do you want to say something?

5 MR. JESS MOORE: Yeah. I have been
6 talking with Mr. Nelson Wood, but me and my wife
7 are here tonight just basically to get a better
8 understanding of what exactly is going to take
9 place out there at this site, the effect that
10 it's going to have on our family. To be a little
11 bit more specific, we live exactly 300 feet from
12 where the site is proposed, directly on the south
13 side of Bird Road. We have a nice home there and
14 spent a lot of time working to develop the place.
15 We're both very young and concerned about how
16 it's going to affect our family in the long run.
17 We're looking to start having kids. I grew up in
18 a household -- my dad is also here, as well as my
19 father-in-law -- I grew up in a household where
20 you could go outside, and we lived in the
21 country, and you could do just about anything you
22 want to. We're concerned about, obviously, the
23 safety of our kids, and then the health of our
24 kids in the long run, whenever we start having
25 them, due to the fact that there's going to be

1 noise and lights and stuff like that there 24
2 hours a day.

3 As I spoke with Nelson Wood earlier,
4 we're not interested in causing any problems for
5 the coal mine itself. I'm not one of those
6 people that's against the coal mines, never have
7 been, but we're definitely concerned about what's
8 going to take place out there and how it's going
9 to affect our lives, the traffic on the road. I
10 mean, we're definitely serious about having
11 children. We definitely don't want to see
12 anything happen to them when we do have them.

13 As far as how it's going to affect our
14 livelihood, I farm. I've built a real nice shop
15 there exactly right next door to my house, within
16 walking distance. This is something that I am
17 going to live around, be around throughout the
18 day, all day long.

19 So that's just basically what we're
20 concerned about. We're here to see what exactly
21 is going to take place and get some more definite
22 answers on some things. Obviously, we were
23 curious as to whether or not there would be
24 equipment being lowered down there or men being
25 lowered down there. We're concerned about

1 whether or not they'll be using Bird Road as an
2 access road and how that's going to, you know,
3 disturb it. It's not a very good, heavy-built
4 road in the first place. We're just concerned
5 about the traffic and the safety and our
6 well-being of our family. Like I said, we live
7 out in the middle of nowhere, basically, and we
8 like it that way. I have already discussed with
9 them that, you know, it's basically really going
10 to be disturbing our livelihood as far as where
11 we live at, our family life, to have to look at
12 that everyday, because right now we can look out
13 our back deck and look at nothing but open air
14 and pretty, beautiful wheat fields.

15 So that's why we're here. We wanted to
16 get a better understanding of what was going to
17 take place.

18 MR. FOWLER: Thank you.

19 MR. JESS MOORE: Thank you.

20 MR. FOWLER: Bill and I will be
21 available after the hearing if you have, you
22 know, specific questions that we may be able to
23 address. I know a lot of the issues that you
24 brought up, the Mine Regulatory program doesn't
25 have rules that cover a lot of those things, but

1 we can discuss some of the specific things that
2 you have that you would like to talk with us
3 after the meeting, if you have specific
4 questions. I don't know if the coal company is
5 going to be available to try to address any of
6 your concerns or not, but we can try. Yes, sir?

7 MR. JESS MOORE: One more thing. I
8 mean, we were also kind of curious as to get a
9 better understanding of how long this is going to
10 be there; you know, a period of years, obviously,
11 I'm sure. And, you know, if there's things that
12 might change as far as the site in the long run,
13 different things; you know, would they be putting
14 men down there or anything like that? Those are
15 things that we are also concerned about.

16 MR. FOWLER: Okay. Thank you. Danny
17 Moore?

18 MR. DANNY MOORE: That's me. He's
19 pretty much said anything I needed to say.

20 MR. FOWLER: Okay.

21 MR. DANNY MOORE: But one other thing
22 I have got a question on is if they do use the
23 road for an access road, are they going to
24 maintain it and keep it up or is the township
25 going to be responsible for that or what's going

1 to happen there?

2 MR. FOWLER: Again, like I said,
3 there's things that we have jurisdiction over in
4 our program, and, unfortunately, a public road is
5 not one of the areas that we can control or
6 regulate, unfortunately.

7 Gary Broadband?

8 MR. BROADBENT: Broadbent. You got
9 it.

10 MR. FOWLER: Okay.

11 MR. BROADBENT: Yes, I would like to
12 make a statement, Mr. Fowler. Thank you very
13 much for taking the time to have this hearing.
14 We appreciate the Department's attention to this
15 important issue. And certainly, you know,
16 building this shaft, building the site, is very
17 important for American Coal.

18 I'm senior attorney for Murray Energy
19 Corporation, which is the parent company of
20 American Coal. Some of my colleagues here have
21 been introduced already, but, for the record, we
22 have Nelson Wood, who is our land manager. We
23 have Mark Mormino, who is our chief engineer.
24 Mike Tacosik, who is our project engineer. And
25 Vickie Kujawa, who is an environmental engineer.

1 I am not an engineer, but we have all the bases
2 covered.

3 American Coal, as the name suggests, is
4 a large coal company. We employ approximately
5 900 people here in Saline County. They're
6 hardworking men and women, and they're paid a
7 good wage. They earn a substantially higher
8 salary than the typical Illinois resident. We're
9 the largest employer in Saline County, and one of
10 the largest employers in Southern Illinois. And
11 safety is our top priority. It really is the
12 heart and soul of American Coal. And the shaft
13 is essential to provide -- to protect our miners,
14 to provide clean air for them to breathe
15 underground, to keep potentially explosive
16 methane and dangerous substances like that out of
17 the mine. It's important in emergency situations
18 to drop supplies; and, also, to give us access to
19 our underground facilities for the things that
20 were mentioned earlier by Mark as rock dust and
21 other items.

22 The letter that gave rise to this
23 hearing, written by Steven and Angela Triplett,
24 who, for the record, I do not believe are at the
25 hearing here, they have raised basically three

1 issues; the issue of dust, the issue of noise,
2 and the issue of light in the permitted area. I
3 think it's worth noting that none of these are
4 safety concerns. Our permit application is
5 sound. We believe that it should be approved,
6 without modification. It is important for us to
7 have the ability to build this shaft to access
8 the mine; and, really, that supports 900 jobs at
9 American Coal and helps to protect the health and
10 safety of our miners.

11 We have been in conversations with the
12 Moore family, trying to resolve some of their
13 questions. I know Nelson has worked closely with
14 them, and we intend to continue doing so. We
15 plan on being a good neighbor; and I think we
16 have been a good neighbor in the past. And we're
17 committed to this area. It's really a blessing
18 that Saline County has such a wonderful natural
19 resource under its feet. Coal is a very
20 important part of the economy. And we're happy
21 to provide jobs and to promote safety.

22 MR. FOWLER: Thank you.

23 Harold Tate?

24 MR. TATE: Yes.

25 MR. FOWLER: Do you have anything you

1 would like to say?

2 MR. TATE: Well, I was just going to
3 talk about this fan a little bit, because I live
4 by that one out there on Tates Chapel Road. And
5 I talked to Nelson Wood about it. He come out to
6 the house. And it wasn't all you're talking
7 about, either, because we was lied to from day
8 one about what was going on, about what was going
9 to take place, about how we was going to get took
10 care of. And now we're sitting out there
11 listening to all this noise and getting all this
12 yellow dust off of that fan. We wash our house
13 down two times a year. And I asked the man, I
14 said, "When is the fan going to start?" Oh, he
15 said, "It's going to be a while." Three days
16 later it started. So if you was upfront, it
17 would be different, but if you're going to sit
18 and tell a guy stories, that ain't going to get
19 you nowhere.

20 I worked at American Coal. I examined
21 out there two years. I know. That's why I'm
22 saying what I'm saying, because I know what's
23 going on. And don't get me wrong, I worked in
24 the mines for 30 years. I appreciate the jobs
25 the guy's have got, but, now, it's not as good as

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1 you think it is. I sat and listened to this fan
2 roar constantly. We live on a farm out there.
3 And like the boy says right there, nice peace and
4 quiet, or it was. They come in there. It took
5 us two and a half years to set up. It took them
6 one day to tear us up. And it took us two years
7 fighting back and forth to get it put back
8 together, which we have to do it on our own,
9 because the people that was sent out there wasn't
10 reliable workers. They was tearing up more than
11 they was fixing. So I'm just trying to tell
12 these kids what they're in for. And I live by
13 one now, so I know what I'm talking about. Would
14 you want one of them in your back door blowing
15 there 24 hours a day? None of you would. But
16 it's all right to send them on other people, and
17 that's not right. We've had vibration out of
18 that fan. He come out there with Mike and I
19 asked Mike, I said, "Mike", I said, "What's
20 causing that vibration?" "Well, it shouldn't
21 be." It was shaking the windows in our house so
22 bad it broke the seals in our windows. I put new
23 windows in our house already. But, now, that's
24 unreal. Everything in our pole barn is shaking.
25 Stuff on the walls of our house are shaking.

1 But, no, it's not supposed to happen that way,
2 but it does. And that's what you people need to
3 know. Listen to the people that's living by
4 them; and don't shun them away because they're
5 trying to tell you you're tearing their stuff up.

6 That's all I have got to say.

7 MR. FOWLER: Thank you.

8 MR. BROADBENT: If I could just
9 address some of your statement.

10 MR. TATE: Yeah.

11 MR. BROADBENT: We appreciate you
12 saying that. I don't know the specifics of what
13 you were told, but I can say that we certainly
14 don't mean to disturb you, you know. And we
15 have -- I work out of Ohio and we have a fan
16 that's right there at the office; and I hear it
17 buzzing, you know, right there from my office,
18 you know. So --

19 MR. TATE: So you know what I'm
20 talking about?

21 MR. BROADBENT: I know the noise it
22 makes, you know. And sometimes the white noise
23 is nice. But --

24 MR. DANNY MOORE: Do you work there
25 by that fan --

1 MR. BROADBENT: Yeah, I do.

2 MR. DANNY MOORE: -- or do you live
3 by it?

4 MR. BROADBENT: Well, actually,
5 there's one that close to where we live, too.

6 MR. DANNY MOORE: How close?

7 MR. BROADBENT: I don't know how many
8 feet, but we can hear it. We can hear it. And,
9 again, you know, I don't know the specifics of
10 how you were treated, but we certainly -- you
11 know, as I said earlier, we try to be a good
12 neighbor, and we'll do that here.

13 MR. FOWLER: Thank you.

14 Nelson Wood?

15 MR. WOOD: Just a couple of comments.
16 One to Mr. Tate. We did have an agreement with
17 Mr. Tate that he signed and that I was under the
18 impression had taken care of his issues. And so
19 I wanted to state that for the record that there
20 was an agreement. The other thing is that I
21 personally had discussions with him and nothing
22 that I said was untrue. And I want that for the
23 record as well. And we tried every way to work
24 with him. We had rights to mine and went through
25 some negotiations at arm's length, but if these

1 issues had been brought up at that time, there
2 could have been some other things done, possibly,
3 but we did what we could and what we thought was
4 fair. Apparently he thought it was fair at the
5 time because they did sign the agreement.

6 The only other issue I would mention
7 is -- and this was what Danny Moore had mentioned
8 about the road -- we do have an agreement with
9 the road commissioner, whose name is David Moore,
10 and we have always complied with that agreement
11 in the past and intend to in the future. Mike
12 Tacosik works with him closely. And that road
13 will be protected, and I promise you that; that
14 will get done.

15 MR. DANNY MOORE: Okay.

16 MR. TATE: And I also should mention
17 in the permit we have an option to not actually
18 get on the county road. And I can't speak for
19 the engineers here as to if we'll use that
20 access, but there could be a possibility that
21 we're not even on the road.

22 But, other than that, that's really all
23 I have.

24 MR. FOWLER: Thank you. The last
25 person we have on the list that's signed up for

1 right now is Mike Tacosik.

2 Are you passing, Mike?

3 MR. TACOSIK: I have nothing to say.

4 MR. FOWLER: Okay. That is the last
5 speaker we have. Is there anyone else or anybody
6 who wants to make an additional comment for the
7 record?

8 MR. TATE: Yeah, I would like to.

9 MR. FOWLER: Could you restate your
10 name?

11 MR. TATE: Harold Tate. The thing
12 that Mr. Wood said about us signing the time he
13 come out there, he pretty well put it to us if we
14 didn't sign it they could do what they wanted to
15 anyway. And this was the only thing that we
16 could sign that would cover our house to be
17 jacked up, so we signed it and give it to him.

18 MR. FOWLER: Thank you.

19 MR. TATE: I'm not done. He also
20 stated that he was a man to be hands-on when this
21 was all taking place. I didn't see him once out
22 there checking on nothing. Once it started, it
23 was over. So he can say what he wants to about
24 his records or anything else.

25 MR. FOWLER: Okay.

1 MR. JESS MOORE: Jess Moore.

2 MR. FOWLER: Jess, that's right.

3 MR. JESS MOORE: Gary? Is that it?

4 MR. BROADBENT: Yes.

5 MR. JESS MOORE: You don't seem to be
6 very old. I don't know how old you are. And I
7 notice you're married. Do you have kids?

8 MR. BROADBENT: No. We have two dogs
9 and a horse.

10 MR. JESS MOORE: Okay. Do you live
11 out in the country or?

12 MR. BROADBENT: Yeah.

13 MR. JESS MOORE: Okay. Well, my
14 question to you is: If you lived where I live
15 at, and you don't know where I live at --

16 MR. BROADBENT: I do, actually.

17 MR. JESS MOORE: Do you? Have you
18 been to my house?

19 MR. BROADBENT: I haven't been in,
20 but I have seen it from the road.

21 MR. JESS MOORE: Nelson was there
22 today.

23 And, Nelson, you would agree with me
24 it's a nice place?

25 MR. WOOD: It is.

1 MR. JESS MOORE: Is it not?

2 MR. WOOD: Yes, it is.

3 MR. JESS MOORE: I'm getting ready to
4 hopefully produce children in the future. We
5 want kids. And I know my dad and father-in-law
6 want grand kids. Would you be comfortable, and
7 honestly answer me, would you be comfortable
8 living next to that for the next 10 to 20 years?

9 MR. BROADBENT: I would.

10 MR. JESS MOORE: Honestly answer
11 that.

12 MR. BROADBENT: I would.

13 MR. JESS MOORE: You could stand
14 living next to that for the next 10 to 20 years,
15 with young children, babies, a fan roaring 24
16 hours a day, the lights on at night, and live 300
17 feet away from it? And, work next to it all day
18 long?

19 MR. BROADBENT: I work by a fan
20 now --

21 MR. JESS MOORE: And don't say --

22 MR. BROADBENT: -- and I live by a
23 fan now.

24 MR. JESS MOORE: And don't say
25 because you work for the coal mines, because

1 that's the honest answer. You work for the coal
2 mines. It's your job to say yes.

3 MR. BROADBENT: I can tell you, man
4 to man, yes, that I would do it.

5 MR. JESS MOORE: What's your
6 reasoning?

7 MR. BROADBENT: The reason is because
8 it's -- because you have a nice place there.
9 Because the noise is not that bad. Because the
10 dust, we have agreed to use dust suppressants, if
11 it becomes a problem. The lights aren't going to
12 be shining on your house. They're going to be
13 pointed towards the shaft. And it's not a safety
14 concern. You know, it's not like you're kids or
15 anyone else is going to fall down this thing. I
16 mean, is --

17 MR. JESS MOORE: Is this whole site
18 going to be fenced off?

19 MR. BROADBENT: I don't know the
20 details of it.

21 MR. MORMINO: The shafts themselves
22 will be.

23 MR. JESS MOORE: What about the rest
24 of the area?

25 MR. MORMINO: It will just be a

1 rock -- the facilities that need protection or to
2 keep people from will be fenced off.

3 MR. JESS MOORE: Well, I mean, like I
4 said before, I'm not against mining coal at all.
5 I'm interested in the fact that I'm young. I'm
6 going to raise a family. And, up to this point,
7 no one has given me a reason to be happy about
8 the fact that it's going to be there, period.
9 And I would invite you to come sit on my deck one
10 day with me when it's beautiful outside and enjoy
11 the view, because I think you would definitely
12 reconsider your thoughts on that. Because my
13 view is towards the back of my house, which is
14 directly at what you guys are going to be doing.
15 And, like I said, I'm not upset with the fact
16 that you're mining coal. My dad has mined coal
17 for 30 years. And I have everything I have
18 because of that. So I am not disputing that.
19 The only thing I'm disputing is the fact that
20 you're basically destroying the home that we --
21 not physically destroying it, but the place that
22 we go home for peace. And my peace is not
23 listening to a fan all day.

24 MR. BROADBENT: Well, I think it's
25 important to note that the type of fan that we're

1 putting in is going to have the noise suppressed.
2 So instead of just having a fan blowing out
3 towards your house, it will blow up into the air.
4 And that does a lot to suppress the sound. We
5 drove past one earlier today that was kind of of
6 that design that blows up in the air, and that
7 helps to decrease the noise.

8 MR. JESS MOORE: And the other
9 biggest concern -- and I know you said it would
10 be an emergency case -- but we don't like the
11 thought that they could be lowering equipment
12 down or anything like that out there. And that
13 was something that we had just found out not too
14 far back, just recently, that that was proposed
15 to be out there where they could do that. We
16 know that there's a site over at Hamburg that
17 they do that; and I drove by that the other day
18 and it's nothing worth looking at. You know what
19 I mean? There's flashing lights going on, backup
20 alarms and stuff like that going on, and semis
21 going in and out it seems like on a regular
22 basis.

23 MR. MORMINO: That's a material
24 shaft.

25 MR. JESS MOORE: Okay. And that's

1 something we're concerned about, also, is, you
2 know, I can understand in an emergency situation
3 that something like that would go down, but to be
4 doing it on a daily basis or a weekly basis or
5 even a monthly basis is something that we're also
6 concerned about.

7 And the reason why I asked about the
8 site being fenced off, I know how I was when I
9 was a kid. I got into all kinds of stuff at mom
10 and dad's house. You had to track me down for
11 about a quarter mile away, or better. And I just
12 know that that's why we live where we live at is
13 so that we can have that freedom. And it's like
14 I told Nelson this morning, if I wanted to live
15 next to noise and lights being on all day, I
16 would move to town, but I don't want to live in
17 town. That's the reason why I live where I live
18 at. And it's also right in the middle of our
19 farm, which gives me the option to go to their
20 side of the farm or my grandma's side of the
21 farm. I'm in the middle of everything. And we
22 like it there. We love that house. We've poured
23 our heart and soul into it. We've remodeled it.
24 We made it a home. It was nothing but a trash
25 home when we got it, honest to God. And Nelson

1 knows because he was there before it was done --
2 before what's been done to it.

3 So, I mean, that's where we're coming
4 from. We're not against the fact that the coal
5 mines is there. We're tickled to death that you
6 provide the jobs that you do, but very, very
7 concerned about how it's going to affect us in
8 the long run, whether it be five years from now
9 or 20 years. I don't know how -- that's the
10 biggest thing that we don't know is how long are
11 we going to have to deal with this. So, those
12 are things we're concerned about.

13 MR. FOWLER: Okay. Thank you. Is
14 there anybody else who would like to make a
15 comment?

16 MR. DANNY MOORE: I just wanted to
17 say one other thing. I worked -- my name is
18 Danny Moore. I've worked in the mines for 30
19 plus years now. And, like he said, we're not
20 against you mining coal. We know we need the
21 jobs. You know, we know you provide good jobs.
22 But we are concerned about all the things that
23 he's just mentioned and about the upkeep of it.

24 MR. FOWLER: Okay. Anyone else?

25 Okay. Noting that all those wishing to

1 make comments have done so, I will restate that
2 the hearing record will remain open until
3 February 6th for interested parties to submit
4 written comments for the record. As noted
5 earlier, once the hearing record is closed, the
6 Land Reclamation staff will review all the
7 comments made at this hearing and received in
8 writing as well as the application. A decision
9 will be made to issue, deny, or require
10 modification to the application. If
11 modifications are required, we will notify the
12 applicant of those required modifications; and
13 once we have received responses, we will issue
14 our final decision.

15 Comments made at the hearing, as well as
16 comments received in writing, will be addressed
17 in the final decision findings. Anyone who spoke
18 tonight, who has simply indicated that they were
19 in attendance, or has -- or who sends us written
20 comments will receive a copy of our written
21 decision finding when it is issued.

22 For those who wish to submit written
23 comments, our mailing address is -- and I'm sure
24 everybody could read that. Even I can read that,
25 and I have bad eyes. It's Mr. Scott Fowler,

1 Illinois Department of Natural Resources, Land
2 Reclamation Division, One Natural Resource Way,
3 in Springfield.

4 Thank you for your participation. And
5 the hearing is adjourned.

6 (Hearing was concluded at 6:45 p.m.)

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STATE OF ILLINOIS)
) SS
COUNTY OF FRANKLIN)

I, Michele Thomas, a Notary Public in and for the County of Franklin, State of Illinois, do hereby certify:

That the said proceeding was taken before me as a Notary Public at the said time and place and was taken down in shorthand writing by me;

That I am a certified Shorthand Reporter of the State of Illinois, that the said proceeding was thereafter under my direction transcribed into computer-assisted transcription, and that the foregoing transcript constitutes a full, true, and correct report of the proceedings which then and there took place;

IN WITNESS WHEREOF, I have hereunto subscribed my hand and affixed my official seal this 1st day of February, 2012.

Michele Thomas

Michele Thomas, CSR#084-004396
Notary Public in and for the
County of Franklin, State of
Illinois


