



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF MINING PROGRAMS

OWNERSHIP AND COMPLIANCE

8/2021

Other Information [§86.62]

Provide the name and address for the following:

- a. Person(s) having the ability to commit financial or real property assets or working resources of an entity.
- b. Person(s) who have another relationship with the permit applicant which gives the person authority directly or indirectly to determine the manner in which the proposed coal mining activity is to be conducted.
- c. The resident agent of the applicant who will accept service of process.
- d. The person who will pay the abandoned mine land reclamation fee.

The company is a Pennsylvania licensed mine operator. The information is on file with the Pennsylvania DEP (see eFACTS).

Coal Rights [§§ 86,37, 86.62, 86.64]

Provide the name, address, social security number (optional) and employer identification number of the person owning the coal to be mined under the proposed permit under a lease, sublease or other contract, and, if not the same, the person having the right to receive the coal after mining or having authority to determine the manner in which the proposed coal mining activity is conducted.

Surface Tract Number	Coal Owner
0001	Berwind Corporation 509 15 th Street, Windber, PA 15963
0002	Berwind Corporation 509 15 th Street, Windber, PA 15963
0002A	Berwind Corporation 509 15 th Street, Windber, PA 15963
0003	Berwind Corporation 509 15 th Street, Windber, PA 15963
0004	James D. & Celeste M. Marsh 997 Centennial Drive, Windber, PA 15963
0009	Rosebud Mining Company 301 Market Street, Kittanning, PA 16201
0010	Robert D. Marsh 987 Centennial Drive, Windber, PA 15963

Coal Rights [§§ 86,37, 86.62, 86.64]

Provide the name, address, social security number (optional) and employer identification number of the person owning the coal to be mined under the proposed permit under a lease, sublease or other contract, and, if not the same, the person having the right to receive the coal after mining or having authority to determine the manner in which the proposed coal mining activity is conducted. (cont.)

Surface Tract Number	Coal Owner
0015	Berwind Corporation 509 15 th Street, Windber, PA 15963
0016	Berwind Corporation 509 15 th Street, Windber, PA 15963
0017	Berwind Corporation 509 15 th Street, Windber, PA 15963
0024	Wilmore Coal Company 509 15 th Street, Windber, PA 15963
1968	Berwind Corporation 509 15 th Street, Windber, PA 15963

Federal Compliance Information [§86.63]

Compliance information must be reported for the applicant, contractor, and any related party - any partner, associate, officer, director, shareholder, parent corporation, subsidiary corporation, affiliate or persons under common control with the applicant, contractor or subcontractor.

- a. Identify all Federal and State (other than Pennsylvania) mining permits in the last five-year period prior to the date of submission of this application that the applicant or any related party had suspended or revoked, or forfeited the mining bond or similar security. Provide the following for each mining permit suspension, revocation, and forfeiture:
- Identification number, date of permit issuance, and date and amount of bond or similar security forfeited;
 - Identification of the authority that suspended or revoked the permit, or forfeited the bond, and the stated reason for that action;
 - The current status of the permit, bond or similar security involved;
 - Date, location, and type of administrative or judicial proceedings initiated concerning the suspension, revocation, or forfeiture including the name of the person to whom the action was issued; and
 - The current status of the proceedings.

Not applicable.

Federal Compliance Information [§86.63] (cont.)

- b. List each violation of the Federal Surface Mining Control and Reclamation Act of 1977, or of State Law or regulation enacted thereunder, and any law, rule or regulation of the United States pertaining to air, water or

environmental protection incurred in conjunction with any coal mining activities during the 3-year period prior to the date of application, for which the applicant or a person who owns or controls the applicant has been found responsible in any adjudicated proceeding, agreement, consent order or decree, or which resulted in a cease order or an assessment of a civil penalty notice received by the applicant or person who owns or controls the applicant. For each violation notice, provide the following:

- Date of issuance and identity of the appropriate regulatory authority, department, or agency;
- Permit number, compliance order number and a brief description of the particular violation;
- Date, location, and type of any administrative or judicial proceedings initiated concerning the violation;
- The current status of the violation; and
- Actions taken by the applicant to abate the violation, and proof which is satisfactory to the regulatory authority, department, or agency which has jurisdiction over such violation that the violation has been corrected, or is in the process of being corrected.

PA violation history is available on line through the PA DEP website (See eFACTS). There have been no violations in the past three years at out of state operations.