

June 20, 2008

Ms. Marlene N. Spence
KDHE-Surface Mining Section
4033 Parkview Drive
Frontenac, Kansas 66763

Re: KGS Clearance Request
Vanderford Property Landslide Abatement
Sec. 9, T. 33 S., R. 22.E.
Cherokee County, Kansas

Dear Ms. Spence:

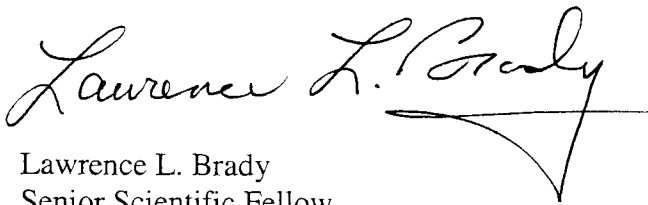
I have reviewed the information and request that you recently sent to the Kansas Geological Survey by e-mail concerning the recent landslide threatening a residential structure on abandoned mined-land spoil in the northeast portion of Sec. 9, T. 33 S., R. 22.E., in Cherokee County, Kansas. The proposed solution to this problem site requires the removal of mine spoil from about 5 acres in the outlined area of Section 9, or from an area in the southeast portion of Sec. 4, T. 33 S., R. 22.E. in the outlined area. This spoil material will be used to stabilize the slide.

Strip-mining for coal was completed on all of the problem area and proposed borrow areas that you have outlined on your map for planned stabilization efforts. It is believed that the coals that were strip-mined were mainly the Mineral coal bed, and the Fleming coal bed. These coal beds are all part of the Cabaniss Formation of the Cherokee Group of rocks in southeastern Kansas.

The proposed stabilization efforts of this mine-spoil landslide problem should correct physical problems resulting from past strip-mining of the coals, thus making the area safer for persons and property in the area. The Mineral coal was the most important coal strip-mined in this immediate area and it was the lowermost of a probable two-seam mining operation at this site. Underlying the Mineral coal is the Scammon coal that was not mined in this area due to the thin coal bed and quality concerns of the coal. This would still be an appropriate reason to not mine the Scammon coal at this site. About 80 feet deeper than the Mineral coal at the proposed problem site is the Weir-Pittsburg coal bed that was deep-mined about 6 miles to the northeast, but that coal is uneconomic in the outlined problem area due to the thin nature of the coal bed. Therefore, the potential for additional strip-mining of coal, or possible future deep mining of Weir-Pittsburg coal at this outlined problem site should not be a concern and you should continue with your plans for correcting the landslide problem threatening the residential structure.

The above discussion represents our best assessment based on the information that the Kansas Geological Survey has about this locality and/or proposed project at the time of this writing. Other geologic conditions, not discussed herein, or for which the Kansas Geological Survey has no knowledge, may affect the viability or safe plan of operation for the correction of the problems associated with the outlined area of this property.

Sincerely,

A handwritten signature in cursive script that reads "Lawrence L. Brady". The signature is written in black ink and includes a long, horizontal, slightly wavy line extending from the end of the name.

Lawrence L. Brady
Senior Scientific Fellow

Subject: Vanderford Emergency
From: MSpence@kdhe.state.ks.us
Date: Fri, 20 Jun 2008 09:43:43 -0500
To: harrison@kgs.ku.edu, lbrady@kgs.ku.edu

Good Morning Dr. Harrison,

As I indicated on the phone, Larry Brady has already made an initial contact back with me. I have however attached the work plan which more clearly defines the area in question. Let me know if you need any more information and thank you both.

Marlene

(See attached file: VanderfordSlidePlan1.pdf)

Marlene N. Spence
KDHE - Surface Mining Section
4033 Parkview Drive
Frontenac, Kansas 66763

Phone: 620-231-8540
FAX: 620-231-0753

VanderfordSlidePlan1.pdf	Content-Type: application/pdf
	Content-Encoding: base64

Subject: KGS Clearance
From: MSpence@kdhe.state.ks.us
Date: Thu, 19 Jun 2008 17:37:43 -0500
To: harrison@kgs.ku.edu, lbrady@kgs.ku.edu

Mr. Harrison and Mr. Brady:

The Kansas Department of Health and Environment, Surface Mining Section has been informed of a landslide on an abandoned mine land spoil pile that is threatening a residential structure. We are attempting to expedite the NEPA compliance requirements at this location in order to stabilize the slide before further damage is done. We are requesting a letter from the Kansas Geological Survey stating whether or not this project will affect any future mining reserves.

The site is located along Belleview Road in Section 9, Township 33S, Range 22E in rural Cherokee County, Kansas. A potential borrow area is located in Section 4 across the road. Both areas are outlined on the attached USGS quad maps (Oswego and Hallowell). Approximately 5 acres of disturbance to the abandoned mine spoils and the strip pit will be required to abate the hazard. An area at the end of a strip pit approximately 300 feet by 500 feet needs to be filled to stabilize the slide. A portion of the area to be filled will include provisions for drainage. Upon completion of the stabilization, the area will be limed, fertilized and re-seeded.

Due to the possibility for further damage to the residence, we are requesting that you reply by response to this e-mail or by FAX.

Thank you for your prompt assistance. If you need further information or clarification, please feel free to contact me.

(See attached file: vanderf3 2.jpg)

Marlene N. Spence
KDHE - Surface Mining Section
4033 Parkview Drive
Frontenac, Kansas 66763

Phone: 620-231-8540
FAX: 620-231-0753

vanderf3 2.jpg	Content-Type: image/jpeg Content-Encoding: base64
----------------	--

Subject: Re: KGS Clearance
From: Lawrence Brady <lbrady@kgs.ku.edu>
Date: Fri, 20 Jun 2008 11:40:25 -0500
To: MSpence@kdhe.state.ks.us
CC: William Harrison <harrison@kgs.ku.edu>

MSpence@kdhe.state.ks.us wrote:

Mr. Harrison and Mr. Brady:

The Kansas Department of Health and Environment, Surface Mining Section has been informed of a landslide on an abandoned mine land spoil pile that is threatening a residential structure. We are attempting to expedite the NEPA compliance requirements at this location in order to stabilize the slide before further damage is done. We are requesting a letter from the Kansas Geological Survey stating whether or not this project will affect any future mining reserves.

The site is located along Belleview Road in Section 9, Township 33S, Range 22E in rural Cherokee County, Kansas. A potential borrow area is located in Section 4 across the road. Both areas are outlined on the attached USGS quad maps (Oswego and Hallowell). Approximately 5 acres of disturbance to the abandoned mine spoils and the strip pit will be required to abate the hazard. An area at the end of a strip pit approximately 300 feet by 500 feet needs to be filled to stabilize the slide. A portion of the area to be filled will include provisions for drainage. Upon completion of the stabilization, the area will be limed, fertilized and re-seeded.

Due to the possibility for further damage to the residence, we are requesting that you reply by response to this e-mail or by FAX.

Thank you for your prompt assistance. If you need further information or clarification, please feel free to contact me.

attached file: vanderf3 2.jpg)

(See

Marlene N. Spence
KDHE - Surface Mining Section
4033 Parkview Drive
Frontenac, Kansas 66763

Phone: 620-231-8540
FAX: 620-231-0753

Ms. Spence--

Attached is my letter representing the Kansas Geological Survey response to you concerning the potential of future coal mining in the area of the proposed Vanderford Property Emergency Landslide Abatement Project. Contact me should you have additional questions or need additional information from the KGS concerning this problem. I will send a formal letter to you by U.S. Mail.
Sincerely.....Lawrence L. Brady, Senior Scientific Fellow, Kansas Geological Survey

Spence-SM-KDHE Rec.6.20.08.doc

Content-Type: application/msword
Content-Encoding: base64

