



State of Ohio Environmental Protection Agency

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September 11, 2009

Mr. Kevin Pierard, Chief
Watersheds and Wetlands Branch
U.S. Environmental Protection Agency Region 5
77 West Jackson Blvd. (WW-16J)
Chicago, IL 60604-3590

Scott Hans, Chief
Regulatory Branch
Department of the Army
Pittsburgh District Corps of Engineers
William S. Moorhead Federal Building
1000 Liberty Ave., Suite 2200
Pittsburgh, PA 15222

Dear Messrs. Pierard and Hans:

On June 2, 2009, I provided you with a copy of the **Casey Run Task Force, Summary Document**, which detailed efforts of the Casey Run Task Force to investigate alternatives to managing coal slurry and coarse refuse generated from the Murray Energy Corporation mining activities in the Captina Creek Watershed from the American Century and Ohio Valley underground mines.

The Task Force acknowledged in this original summary document that while significant progress identifying and reviewing alternatives was made, additional work to gather more detailed information was needed.

Attached for your further review is a copy of the **Casey Run Task Force, Second Phase**. As you will see, this report provides significant and detailed information about how the Task Force 1) reviewed alternative locations for a possible slurry impoundment; 2) evaluated why filter presses failed at the American Century mine; 3) supported efforts by Murray Energy Corporation to apply for a permit and consider underground injection of coal slurry as a way to prolong the life of their existing impoundment; and 4) suggested significant impoundment design changes to minimize impacts from any possible future impoundment.

On behalf of the Task Force, I encourage you to review the document. I understand that efforts are underway to bring the Task Force, USEPA, and the Army Corps together soon for a meeting to discuss this report. I think this an outstanding idea. It will be a prime opportunity for all parties to share information, ask questions, and, ultimately provide Murray Energy Corporation with as much guidance as possible as they prepare appropriate permit applications to the ACOE and Ohio EPA.

Please feel free to contact me if you have any questions.

Sincerely,

Craig Butler, Chief

Attachment

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