



Jeremiah W. (Jay) Nixon, Governor

Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

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**TO REVIEW THE DRAFT MINUTES AND INFORMATION ON THE VARIOUS ITEMS, PLEASE REFER TO OUR WEB SITE AT:
<http://www.dnr.mo.gov/env/lrp/Commission/lrc.htm>**

AGENDA

LAND RECLAMATION COMMISSION MEETING

**LaCharrette Conference Room
Lewis and Clark State Office Building
1101 Riverside Drive
Jefferson City, Missouri
September 27, 2012
10:00 a.m.**

1. Call to Order
2. Approval of July 26, 2012 Commission Meeting Minutes

INDUSTRIAL MINERALS

3. Hearing Request – Central Stone Company – LaGrange Site, 555 Acres, Permit Expansion, Lewis County
4. Summary of Industrial Mineral Bond Release Requests Approved by the Staff Director

PERMITS, CONTRACTS AND DESIGN

5. Coal Permitting Activities Update
6. Abandoned Mined Lands Status Update

OTHER BUSINESS

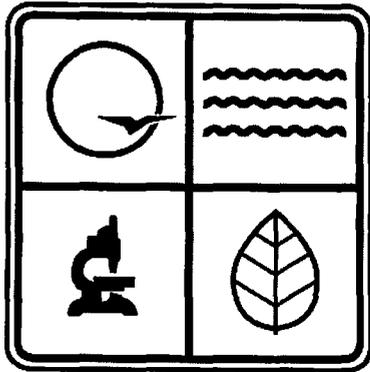
7. Introduction of Lauren Cole as the Land Reclamation Program/Commission Secretary
8. Staff Resolution – Ms. Amanda Lowe

9. Comments from the Public

ADJOURNMENT OF MEETING

The Land Reclamation Commission will meet in closed session beginning at 8:30 a.m. on September 27, 2012, to discuss: (1) Personnel actions as provided for in Section 610.021(3); (2) Legal actions, causes of actions or litigation as provided for in Section 610.021(1); and (3) Confidential and privileged matters with the Commission's attorney as provided for in Section 610.021(1), RSMo, 2003.

If you have any questions regarding this meeting, please contact the Land Reclamation Program at (573) 751-4041. Persons requiring special services at the meeting can make arrangements by calling 1-800-361-4827 or (573) 751-4041. Hearing and speech impaired persons may contact the Department through Relay Missouri, 1-800-735-2966.



**MISSOURI
DEPARTMENT OF
NATURAL RESOURCES**

**LAND RECLAMATION
COMMISSION MEETING**

September 27, 2012 10:00 A.M.

LEWIS AND CLARK STATE OFFICE BUILDING

LACHARRETTE CONFERENCE ROOM

1101 RIVERSIDE DR.

JEFFERSON CITY, MO



Jeremiah W. (Jay) Nixon, Governor

Sara Parker Pauley, Director

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Recycled Paper

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**MINUTES OF THE
LAND RECLAMATION COMMISSION MEETING
NIGHTINGALE CREEK CONFERENCE ROOM
LEWIS AND CLARK STATE OFFICE BUILDING
1101 RIVERSIDE DRIVE
JEFFERSON CITY, MISSOURI
July 26, 2012**

Vice Chairman Dr. Gregory Haddock called the meeting to order on July 26, 2012 at 10:00 a.m., at the Department of Natural Resources, Lewis and Clark State Office Building, Nightingale Creek Conference Room, located at 1101 Riverside Drive, in Jefferson City, Missouri.

Commissioners Present: Dr. Haddock, Vice Chairman; Joe Gillman; Paul Dickerson; Aaron Jeffries; and Dr. Gertsch. Not present Chairman Jim DiPardo.

Staff Present: Kevin Mohammadi, Program Director; Teri Bibbs; Bill Zeaman; Joyce Luebbering; Larry Slechta; Kurtis Cooper; Don Cripe; Steve Femmer; Ron Dumey; Richard Harris; Gene Noe; Tucker Fredrickson; Mike Mueller; Guy Frazier; and George Segawa.

Others Present: Jenny Frazier, Assistant Attorney General; Van Beydler, Department of Natural Resources, Division of Environmental Quality Administration; Steve Rudloff, Missouri Limestone Producers Association; Harvey Kahle, Landowner; Marie Brinkmann, Trustee; Jean Riffle, Guest; and Lenna Dungen, Guest.

Approval of May 24, 2012 Commission Meeting Minutes

Agenda Item #2

Commissioner Gertsch made a motion to approve the May 24, 2012, Meeting Minutes as written. Commissioner Gillman seconded the motion. The motion passed unanimously.

INDUSTRIAL MINERALS

Hearing Request Concerning the Request for Approval of Reclaimed Land – River Cement dba Buzzi Unicem, USA

Agenda Item #3

Joyce Luebbering, Environmental Specialist III presented this hearing request before the Commission. On May 29, 2012, the Land Reclamation Program received a Request for Approval of Reclaimed Land from River Cement dba Buzzi Unicem, USA. This request was

DRAFT

for three acres of land located on the Kahle/Price Pit #4 property located in Gasconade County.

On June 11, 2012, the Land Reclamation Program received a letter from Mr. Harvey Kahle stating his request for a hearing before the Land Reclamation Commission. Mr. Kahle had concerns that the location of the haul road on the map submitted with the request was not correct. Mr. Kahle was unhappy about a dead oak tree that had not been removed and his gates not being delivered as promised. He also had a complaint that during an inspection, Ms. Luebbering and Mr. Fred Bullock entered his field and damaged his terrace in October 2009.

On June 14, 2012, Ms. Katie Jost notified the Land Reclamation Program that the dead oak had been removed and Mr. Kahle's gates had been delivered. On June 19, 2012, staff was able to verify this during a site visit.

Ms. Luebbering presented the Commission with pictures of the site along with pictures taken by Mr. Harvey Kahle.

It was decided that Mr. Kahle's concerns had no bearing on the Request for Approval of Reclaimed Land by River Cement dba Buzzi Unicem, USA.

Commissioner Gillman made a motion to deny the hearing request. Commissioner Gertsch seconded the motion. A roll call vote was taken. The motion passed with 5 yes votes.

Commission Gertsch: yes

Commissioner Dickerson: yes

Commissioner Gillman: yes

Commissioner Jeffries: yes

Commissioner Haddock: yes

Chairman DiPardo: not present

Summary of Industrial Mineral Bond Release Requests Approved by the Program

Director

Agenda Item #4

Larry Slechta, Environmental Specialist III, reported on this Agenda Item to the Commission. There was no action required by the Commission. This Summary was provided for the Commission's information. The Commission thanked him for his report.

PERMITS, CONTRACTS AND DESIGN

Coal Permitting Activities Update

Agenda Item # 5

Mike Mueller, Contracts and Design Unit Chief, reported on this Agenda Item. There was no action required by the Commission. The Commission thanked him for his report.

Abandoned Mined Lands Status Update

Agenda Item #6

Mike Mueller, Contracts and Design Unit Chief, reported on this Agenda Item. There was no action required by the Commission. The Commission thanked him for his report.

PROJECTS AND INSPECTION UNIT

Summary of Coal Bond Releases Approved by the Program Director

Alternate Fuels, Blue Mound Mine Permit 1990-01 Bond/Liability Release Application PP-12-002

Agenda Item #7

Richard Harris, Environmental Specialist III reported on this agenda item to the Commission. He gave the Commission a summary of the coal bond releases that have been approved by the Program Director: Alternate Fuels, Blue Mound Mine Permit No. 1990-01, PP-12-002, which was a total of 303 acres released. The Commission thanked him for his report. There was no action required by the Commission.

Responsibility Release Requests for Riedel Energy for Permits # 1986-04, 1986-06, and 1987-02

Agenda Item #8

Gene Noe, Environmental Engineer III, reported on this Agenda Item to the Commissioners. The staff requests the Commission consider a bond forfeiture responsibility release for three permits issued to Riedel Energy during the 1980s. These sites are located in northeast Missouri in Ralls County just outside of Perry, Missouri. Both landowners have been contacted regarding this release.

Commissioner Gillman made a motion to grant the Land Reclamation Program release from reclamation responsibility for the Riedel permits and all acreages associated with the permits. Commissioner Jeffries seconded the motion. A roll call vote was taken. The motion passed with 5 yes votes.

Commission Gertsch: yes

Commissioner Dickerson: yes

Commissioner Gillman: yes

Commissioner Jeffries: yes

Commissioner Haddock: yes

Chairman DiPardo: not present

CLOSED SESSION

Commissioner Gillman made a motion that the Land Reclamation Commission meet in Closed Session on September 27, 2012, prior to an open meeting for the purpose of discussing personnel actions, legal actions, causes of actions or litigation as provided in Section 610.021 RSMo, 2003. Commissioner Jeffries seconded the motion. A roll call vote was taken. The motion passed with 5 yes votes.

DRAFT

Commission Gertsch: yes
Commissioner Dickerson: yes
Commissioner Gillman: yes
Commissioner Jeffries: yes
Commissioner Haddock: yes
Chairman DiPardo: not present

ADJOURNMENT OF MEETING

Commissioner Gertsch made a motion to adjourn the meeting. Commissioner Jeffries seconded the motion. The motion passed unanimously.

The Meeting adjourned at 10:55 a.m.

Respectfully submitted,

Chairman

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES

Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

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MEMORANDUM

DATE: September 6, 2012

TO: Land Reclamation Commission

FROM: Joyce Luebbering, Environmental Specialist III 
Land Reclamation Program

SUBJECT: Hearing Request Concerning Central Stone Company's – LaGrange New Site
Permit Expansion Application for 555 Acres, Lewis County

BACKGROUND:

On May 31, 2012, the Missouri Department of Natural Resources, Land Reclamation Program received a new site permit expansion application from Central Stone Company, LaGrange Site for 555 Acres in Lewis County. After the application was deemed complete, the company published the public notice once a week, beginning on June 14, 2012, for four consecutive weeks in the *The Press-News Journal*, a legal newspaper in Lewis County. The company also sent by certified mail a notice of intent to operate a surface mine to the appropriate government officials and adjacent landowners. The proposed new site permit expansion application is for a 555-acre sand and gravel mining operation is located in Sections 18, 19, 24, Township 60 North, and Ranges 5 and 6 West in Lewis County. The proposed mine operation timeframe is to the year 2062.

The Staff Director received a letter during the comment period concerning the proposed new site permit expansion application. The letter provided comments, a request for a public meeting and a request for a hearing. We request that the commission refer to Attachment 1 in this packet for staff's response to individual comments. Central Stone Company respectfully declined to hold a public meeting. The next step in the process is to proceed to a request for a hearing before the Land Reclamation Commission.

Therefore, we present a request for a hearing before the commission at the September 27, 2012 meeting. On August 22, 2012, the Staff Director did provide people with a letter informing them of the location, date, time and how to prepare for the September 27, 2012, commission meeting.

The Land Reclamation Act addresses the issues of requesting a public meeting, and requests for a hearing. The Missouri Department of Natural Resources does provide protection concerning issues of air pollution. The Department does not have any jurisdiction to address concerns related to property values, water quantity, or vehicular traffic and road conditions.

Staff Director's Notice of Recommendation

The Land Reclamation Act at Section 444.773.3, RSMo, requires that the Staff Director make a formal recommendation regarding the issuance or denial of an applicant's permit. In addition, the "Act" at 444.773.1, RSMo, requires the Director to consider any written comments when making the notice of recommendation. After consideration of issues provided in the letter, the Director's recommendation is to issue the new site permit expansion application, for 555 acres in Lewis County sought by Central Stone Company at the LaGrange Site. The Director's recommendation for approving this new site permit expansion application is based on the fact that the company has satisfied the requirements for application completeness. This fulfills the first step of a two step process.

The second step in the process involves the Land Reclamation Commission making the final decision on whether or not people have standing to grant a hearing.

JL/tb



Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

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MEMORANDUM

DATE: September 6, 2012

TO: Land Reclamation Commission

FROM: Kevin Mohammadi, Staff Director 
Land Reclamation Program

SUBJECT: Director's Recommendation – Central Stone Company, Permit #0028, LaGrange Sand and Gravel Site, New Site Expansion Application – 555 acres; Lewis County

The following constitutes the Director's Recommendation based on a review of application completeness, consideration of written comments received and the required components of the recommendation.

Staff Director's Notice of Recommendation

The Land Reclamation Act at Section 444.773.3, RSMo, requires that the Staff Director make a formal recommendation to the commission regarding the issuance or denial of an applicant's permit. In addition, the "Act" at 444.773.1, RSMo, requires the Director to consider any written comments when making the notice of recommendation. After consideration of provided comments and application completeness, it is my recommendation to the commission to issue the new site expansion to the permit for 555 acres at LaGrange Sand and Gravel in Lewis County sought by Central Stone Company.

Attachment 1 describes the issues that have been raised. As Staff Director, I recommend approval of the pending mining permit application because the company has satisfied all of the application requirements of the "Land Reclamation Act".

My recommendation for approving this new site expansion application is based on the fact that the applicant has satisfied the requirements for application completeness as required by both law and regulation. Furthermore, all comments received by the program have been considered and responded to in Attachment 1 to this recommendation which is being provided to the commission for their review.

The issue of whether or not to grant a formal hearing requested by the petitioner opposed to this permit now rests with the Land Reclamation Commission.

Required Components of the Recommendation

The Land Reclamation Act requires that the director make a formal recommendation regarding the issuance or denial of an applicant's permit. Rules at 10CSR 40-10.040(2)(A) requires that the Director's recommendation be based on several specific items as follows:

1. The application's compliance with section 444.772, RSMo (The Law);
2. The application's compliance with 10 CSR 40-10.020 (The Regulations);
3. Consideration of any written comments received;
4. Whether the operator has had a permit revoked or a bond forfeited; and
5. If a petition is filed and a hearing is held, the commission shall make the decision on permit issuance or denial.

Items 1 and 2: These are basically the same issue stating that the application must meet the criteria for application completeness in both the statutes and the rules. After staff review of the new site expansion application from Central Stone Company, the staff determined that the application has met the standards of both the statutes and the rules.

Item 3: For consideration of all written comments received, please refer to Attachment 1.

Item 4: The applicant has never had a permit revoked or a bond forfeited, in accordance with the full language of the rules at 10CSR 40-10.040(2)(A)4.

Item 5: During the public notice and comment period, a request for a public meeting was received by: Daniel Warning. On July 20, 2012, Central Stone Company respectfully declined to hold a public meeting.

During the public notice and comment period, Mr. Warning also requested a formal courtroom hearing.

Summary Comments

Attachment 1 identifies that there are several concerns for this proposed permit expansion application. The Land Reclamation Act addresses the issues of a request for a public meeting and requests for a hearing. The Land Reclamation Act addresses the issue of past compliance by Central Stone Company. The Department does not have any jurisdiction to address concerns related to traffic, water quantity, or property devaluation.

Acting on a mining permit in which petitioners object to the permit requires two separate actions. First, the law requires that the director provide a recommendation to the commission concerning the issuance of a permit. When making the recommendation the director must do two things: 1. Evaluate the application for technical adequacy and completeness and, 2. Consider all written comments received during the public comment period.

As stated in the first paragraph of this recommendation the application has been deemed adequate and complete by the program's staff. Written consideration to all comments received during the public notice period is being provided to the commission as an attachment to this recommendation for the commission's review.

As Staff Director, I recommend approval of the pending site expansion application because, in fact, the applicant has satisfied all of the technical permit application requirements of "The Land Reclamation Act" and consideration has been given to all written comments received. This completes the director's obligations under items 1 and 2 above.

The Land Reclamation Commission must now decide if the evidentiary hearing requested by the petitioner opposed to the issuance of the permit is warranted. In this case, issues of concern received by petitioners opposing the permit did receive a written response to the extent the program and company were able.

The petitioner who requested an informal public meeting and formal hearing have been advised, by the program regarding the Director's recommendation. Since a hearing has been requested, the petitioner has been informed of the date, time and location of the commission meeting where the petitioner will have the opportunity to convince the commission through the submission of good faith evidence that he does, in fact, have standing as defined by the regulations in order for the commission to order that a hearing be granted. The regulations which define standing are found at 10 CSR 40-10.080(2) and read as follows:

10 CSR 40-10.080 (2) - Establishing Standing for a Formal Public Hearing.

(A) For a formal public hearing to be granted by the Land Reclamation Commission, the petitioner must first establish standing.

(B) The petitioner is said to have standing to be granted a formal public hearing if the petitioner provides good faith evidence of how their health, safety, or livelihood will be unduly impaired by the issuance of the permit. The impact to the petitioner's health, safety, and livelihood must be within the authority of any environmental law or regulation administered by the Missouri Department of Natural Resources.

Attachment 1

Consideration of and Response to Public Comments Received Regarding the Proposed 555 Acre New Site Expansion Application, Central Stone Company, LaGrange Sand and Gravel, Lewis County

The Staff Director of the Missouri Department of Natural Resources, Land Reclamation Program received a letter providing comments, requesting a public meeting, and requesting a hearing concerning the proposed new site addition expansion application sought by Central Stone Company. One person opposed to the issuance of the permit that provided comments during the proper notification timeframe.

Listed below are the issues raised during the public notice comment period, and the staff's responses in consideration of each comment or concern received.

Groundwater Levels

Comments: "Drainage problems. This mine will disrupt Mr. Warning's farm drainage."

"Well water irrigation damage. This mine will draw down the water table of Mr. Warning's fields, and affect area irrigation systems, as it fills with more and more water to displace the sand being mined over 50 years."

Response: Concerns about water wells becoming contaminated or a drop in the static ground water levels due to a nearby mining operation are understandable, although this does not happen often. Currently, the Missouri Department of Natural Resources does not regulate private water well issues.

We have also spoken with the Department's Water Protection Program to further understand what someone can do to protect their supply of water. From those conversations we learned that there are no laws in Missouri that provides protection for maintaining a viable groundwater supply to recharge a well. For more information concerning water wells, contact the department's Public Drinking Water Branch at (573) 751-5331.

Traffic/Road Damage

Summary of Concerns: "Road damage. This mine will lower the water table, changing the ground structure underneath the public roadway. This mine will also cause excessive, heavy truck usage, beyond what the road is built to handle."

"Truck traffic will cause dust and also excessive wear on county roadways beyond what the roads were built to sustain."

Response: The Missouri Department of Natural Resources has no authority to regulate traffic on public roads in Missouri. It would be best to contact local authorities about nuisance traffic, damage to roads or safety issues from the mining operation if this permit is granted. Our authority over the mining operation is limited to the mine site, including the environmental controls and reclamation activities at that site. Once the mineral is removed from its natural deposit, the Land Reclamation Act does not contain statutes regarding weight limits or any other damage that might be caused by hauling the material on public roads.

Sink Holes and Surrounding Topography

Comments: “This mining is proposed in a known sinkhole area, and can cause destabilization of surrounding farm land as the water table lowers in 50 years, causing new sinkholes in neighboring farms.”

Response:

A sinkhole is a natural depression or hole in the Earth's surface caused by karst processes — the chemical dissolution of limestone. The mechanisms of formation involve natural processes of erosion or gradual removal of slightly soluble bedrock (such as limestone) by percolating water, the collapse of a cave roof, or a lowering of the water table.

The nearest known sinkhole is located about six and three-quarters miles south of the proposed mining operation on the West side of the Highway near the Sunrise Access area. There are other known sinkholes located seven and half miles south of the proposed mining operation near the Souldard Access in the Upper Mississippi Conservation Area. There is a limestone quarry located between this sinkhole and the proposed mining area. This information was obtained through the Missouri Center for Applied Research and Environmental Systems (CARES) with no other known sinkhole features nearby.

The proposed mine site is in the flood plain, not composed of karst topography. This area is not new to mining. Bordering this property is Wakonda State Park. This park features six lakes and a rare sand prairie that was created through a unique series of events involving both nature and by human. During the ice age, glaciers pushing boulders, gravel and sand from the northern part of the continent moved into what today is northern Missouri. As the ice melted, glacial outwash carved floodplains and deposited enormous amounts of gravelly rock. South of LaGrange, these gravel deposits were very deep and became one of the largest sources of road-surfacing material in the state.

Beginning in 1924, private companies contracted by the highway commission began removing the gravel deposits. The overlying sand and clay were removed so the underlying gravel could be mined. By the late 1980s, more than 26 million tons of sand and gravel had been removed. Most of the gravel was used on 23,400 miles of Missouri's secondary highways.

After much of the gravel deposits had been exhausted, the state highway commission deeded 273 acres to the Missouri State Park Board in 1960. In 1992, the Missouri Department of Natural Resources acquired an additional 777 acres from Central Stone Co. The natural and man-made features of the park have blended together to create a variety of recreation options.

The gravel excavation left the park with six lakes. Agate, Jasper, Quartz and Wakonda lakes are favorites among fishermen. Sand from the quarries also helped to create the state park system's largest natural sand swimming beach along Wakonda Lake.

The mining of sand and gravel does not guarantee a change will take place in the water table level or the formation of sinkholes in the area. If the sinkholes are already present in the area before this operation has begun, other factors may be responsible for the formation of the sinkholes in the surrounding topography. The Missouri Department of Natural Resources does not have regulations that provide protection for maintaining the water table level or viable water supply.

Dust

Comments: "Silica dust. The piles of sand will blow silica into the air, which is a known lung carcinogen, as well as the cause of silicosis."

Response: The generation of dust at any type of mining and processing operation may come from a variety of sources. Some of those sources involve stockpiles, sorting operations, and road traffic. Physical irritant effects caused by exposure to excessive amounts of dusts and particulates can cause irritation; such irritation involves the skin, eyes, nose, upper respiratory tract and mucous membranes. An excessive amount of dust can cause problems with visibility. Missouri air quality laws do not tolerate visible dust emissions migrating off the property boundary. Dust must be contained within the property boundary of Central Stone Company, if the permit is issued. If dust is seen escaping the confines of the property boundary or if there are excessive amounts of dust noticed during normal operation then Central Stone Company will need to take immediate corrective actions. Our contact person for Central Stone Company is Mr. Robert Savage who may be contacted by telephone at (309) 757-8250 or in writing at 46445 Sweetbay Lane, Hannibal, Missouri, 63401-7211.

If Central Stone Company fails to take corrective actions concerning fugitive dust migrating onto adjacent properties, then do not hesitate to contact the Department's Air Pollution Control Program. A dust complaint can be made to the department's Northeast Regional Office by telephone at (660) 385-8000 or in writing at 1709 Prospect Drive, Macon, Missouri, 63552-2602. It will prove best to ask to speak with someone in the Air Pollution Unit. The Department's air laws regulate dust generated at a mine site.

Property Devaluation

Concern: "This mine can cause erosion of farm property values."

Response: The concern involving property devaluation is a real issue among residents who live near a mining operation. The mere presence of a mining operation may potentially decrease property values during mining and cause concerns among prospective homebuyers. It is not always true that mining causes property devaluation. There are some instances, where in fact, that the presence of quarry did not affect the value of a property.

Anyone has every right to seek restitution for damage that Central Stone Company is responsible for. No one has the right to cause devaluation of someone else's property without proper reimbursement or settlement for those damages. This is based on laws governing property rights not laws that govern mining.

The Land Reclamation Act does not provide guidance for property devaluation that neighbors a mine site. Rather, the declaration of The Land Reclamation Act identifies the need to protect and perpetuate the taxable value of property while allowing for the responsible mining of mineral resources.

Request for a Public Meeting

Concerns: "My client, Daniel Warning, owns land directly across from the proposed 50 year strip mining location referenced above. He is requesting an informal public meeting and a formal courtroom hearing on this matter."

Response: On Friday, July 20, 2012, Central Stone Company respectfully declined to hold a public meeting.

Request for a Hearing

Concerns: "My client, Daniel Warning, owns land directly across from the proposed 50 year strip mining location referenced above. He is requesting an informal public meeting and a formal courtroom hearing on this matter."

Response: The request for a hearing has been placed on the Missouri Land Reclamation Commission's September 27, 2012, agenda. The decision as to whether or not a formal hearing will be granted rests solely with the Missouri Land Reclamation Commission. In order for the commission to grant a formal hearing, the petitioners must first establish standing. The petitioners are said to have standing if the petitioners provide good faith evidence of how their health, safety or livelihood will be unduly impaired by the issuance of the permit. The impact to the petitioner's health, safety and livelihood must be within the authority of any environmental law or regulation administered by the Missouri Department of Natural Resources.

The request for hearing will be presented to the Land Reclamation Commission on September 27, 2012, at 10:00 AM. The location will be at the Missouri Department of Natural Resources, Lewis and Clark State Office Building, LaCharrette Conference room, 1101 Riverside Drive, Jefferson City, Missouri 65101. If the Commission grants the requests for a hearing, the actual hearing will be scheduled at a later date. It should be understood that if a hearing is granted, the burden of proof shall be on the applicant for the permit. If the Commission finds, based on competent and substantial scientific evidence on the record of the hearing, that an interested party's health, safety or livelihood will be unduly impaired by the issuance of that permit, the Commission may deny such permit.

MAY 31 2012



MISSOURI DEPARTMENT OF NATURAL RESOURCES
LAND RECLAMATION PROGRAM

PERMIT APPLICATION FOR INDUSTRIAL MINERAL MINES - 10 CSR 40-10.020(1)

NAME OF CORPORATION, COMPANY, PARTNERSHIP OR INDIVIDUAL Central Stone Company		DATE 05/24/2012	
MAILING ADDRESS 46445 Sweetbay Lane		CITY Hannibal	STATE MO
		ZIP CODE 63401-7211	
CONTACT PERSON Robert J. Savage		TELEPHONE NUMBER WITH AREA CODE (309) 757-8250	
CHECK ANY THAT APPLY <input type="checkbox"/> New Permit <input type="checkbox"/> Permit Amendment <input type="checkbox"/> Permit Revision <input checked="" type="checkbox"/> Permit Expansion			
Site Name or Number	Acreage	Location: County, Section, Township, Range (east or west)	
1. LaGrange Sand & Gravel (CS61)	126	Lewis, Sec. 18, 19, 24, T.60N.-R.5&6W.	
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ATTACH ADDITIONAL SHEETS IF NECESSARY - SIGNATURE AND NOTARIZATION REQUIRED FOR ALL APPLICANTS			
SIGNATURE OF APPLICANT <i>Robert J. Savage</i>		TITLE Environmental Manager	DATE 05/24/2012
Appeared before me this <u>24</u> day of <u>May</u> , 20 <u>12</u> to me personally known, who executed the above as their free acts and deeds.			
NOTARY PUBLIC EMBOSSE	STATE Illinois	COUNTY (OR CITY OF ST. LOUIS) Rock Island	
	SUBSCRIBED AND SWORN BEFORE ME, THIS 24th DAY OF May YEAR 2012		
	NOTARY PUBLIC SIGNATURE <i>Stephen E. Clausen</i>	MY COMMISSION EXPIRES 8-24-2014	
	NOTARY PUBLIC NAME (TYPED OR PRINTED) Stephen E. Clausen		
MISSOURI DEPARTMENT OF NATURAL RESOURCES LAND RECLAMATION PROGRAM P.O. BOX 176 JEFFERSON CITY, MO 65102-0176 PHONE: 573-751-4041 FAX: 573-751-0534 Mail completed copy to:			
FOR DEPARTMENT USE ONLY: APPROVED BY		DATE APPROVED	PERMIT NUMBER
			EXPIRATION DATE

MAY 31 2012



MISSOURI DEPARTMENT OF NATURAL RESOURCES
LAND RECLAMATION PROGRAM
PERMIT APPLICATION FOR INDUSTRIAL MINERAL MINES
GEOLOGIC RESOURCES FEE WORKSHEET - 256.700 RSMo.

NAME OF CORPORATION, COMPANY, PARTNERSHIP OR INDIVIDUAL Central Stone Company		PERMIT NUMBER 0028	DATE 05/24/2012
MAILING ADDRESS 46445 Sweetbay Lane		CITY Hannibal	STATE MO
CONTACT PERSON Robert J. Savage		TELEPHONE NUMBER WITH AREA CODE (309) 757-8250	
TYPE OF PERMIT REQUEST - CHECK ANY THAT APPLY <input type="checkbox"/> New Permit <input type="checkbox"/> Permit Renewal <input type="checkbox"/> Permit Amendment <input checked="" type="checkbox"/> Permit Expansion			
Site Name or Number	Acreage	Location: County, Section, Township, Range (east or west)	Commodity
1. LaGrange Sand & Gravel (CS61)	126	Lewis, Sec. 18, 19, 24, T.60N.-R.5 & 6 W.	Sand & Gravel
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FEES Maxed Out			
A. Annual Permit Fee (\$50 per operator)			\$ 60
B. Site Fee (\$50 per site)			\$ 0.00
C. Acreage Fee: (\$6 per acre on first 300 acres bonded; plus \$3 per bonded acre in excess of 300 acres)			\$ 0.00
Total: (add items A, B and C)			\$ 0.00
Note: Maximum Geologic Resources Fee per operator is \$3,500. If total exceeds \$3,500 then only pay			\$ 3,500
Note: Operators mining less than 5,000 tons of gravel annually are exempt.			
MISSOURI DEPARTMENT OF NATURAL RESOURCES LAND RECLAMATION PROGRAM P.O. BOX 176 JEFFERSON CITY, MO 65102-0176 PHONE: 573-751-4041 FAX: 573-751-0534			
SIGNATURE OF APPLICANT <i>Robert J. Savage</i>		TITLE Environmental Manager	DATE 05/24/2012

MAY 31 2012



MISSOURI DEPARTMENT OF NATURAL RESOURCES
LAND RECLAMATION PROGRAM
SITE INFORMATION

COMPLETE THIS FORM FOR EACH SEPARATE AREA OF DISTURBANCE ASSOCIATED WITH MINING OPERATIONS			
SITE			
SITE NAME OR NUMBER LaGrange Sand & Gravel (CS61)			PERMIT NUMBER 0028
COMPANY Central Stone Company			
COUNTY Lewis	% SECTION Part NW18,SW18,NW19,NE24,NW24.	SECTION 18, 19, 24.	
TOWNSHIP 60N.	RANGE 5W.,6W.	ACRES 555	
RIVER OR STREAM NAME (FOR IN-STREAM ACRES) N/A			
MINERAL COMMODITY Sand & Gravel		ESTIMATED TONS/YEAR (GRAVEL SITES) 500,000	
LANDOWNER			
NAME OF LANDOWNER (COMPLETE A SEPARATE FORM FOR EACH LANDOWNER) Central Stone Company (Knox County Stone; Richter-Green Agreement to Purchase 06/15/2012)			
MAILING ADDRESS 1701 5th Avenue			
CITY Moline	STATE IL	ZIP CODE 61265	
MINERAL RIGHTS OWNER			
MINERAL RIGHTS OWNER (COMPLETE A SEPARATE FORM FOR EACH MINERAL RIGHTS OWNER) Central Stone Company (Knox County Stone; Richter-Green Agreement to Purchase 06/15/2012)			
MAILING ADDRESS 1701 5th Avenue			
CITY Moline	STATE IL	ZIP CODE 61265	
LEGAL RIGHT TO MINE			
<input type="checkbox"/> Mineral Deed <input checked="" type="checkbox"/> Warranty Deed <input checked="" type="checkbox"/> Other (Describe):		<input type="checkbox"/> Lease <input type="checkbox"/> Verbal	
			DATE OF AGREEMENT 06/15/2012
OTHER			
Site conforms with All Planning / Zoning Requirements <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Not Applicable			
Is the Mine Plan Boundary located 1,000 ft. or closer to the property boundary of an accredited school that has been established for five or more years? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Not Applicable			
Note: Each site must be shown on a map and be included in a public notice and an approved mine plan.			
SIGNATURE REQUIRED			
SIGNATURE OF APPLICANT 		TITLE Environmental Manager	DATE 05/24/2012
FOR DEPARTMENT USE ONLY			
Land Reclamation Program Site Number:			



MISSOURI DEPARTMENT OF NATURAL RESOURCES
LAND RECLAMATION PROGRAM
MINE PLAN

MAY 31 2012

COMPANY NAME

TYPE OF MINE PLAN (CHECK ONE)
 Short Term – for one permit year Long Term – for period through date 12/31/2062

DESCRIPTION OF SITE PRIOR TO LAND RECLAMATION COMMISSION PERMITTING (BY APPLICANT OR PRIOR OPERATOR), INCLUDING SOIL, VEGETATION AND TOPOGRAPHY.
 The affected area topography is relatively flat and lies in the Mississippi River flood plain, which is currently protected by a levee. The area is presently being farmed as tillable soil. The soil is a sandy silty loam.

OPERATION PLAN – 10 SCR 40 – 10.020(2)(D)1

A. TOPSOIL

AVERAGE DEPTH OF TOPSOIL, PRIOR TO LAND RECLAMATION COMMISSION PERMITTING 0"-24" (+/- 12")	IS TOPSOIL TO BE SOLD OR DISCARDED OFF-SITE? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
---	---

DESCRIBE METHODS AND EQUIPMENT USED FOR TOPSOIL REMOVAL
 The topsoil will be removed by conventional earth moving equipment, including but not limited to, scrapers, dozers, excavators, end loaders an haul trucks.

DESCRIBE METHODS AND EQUIPMENT USED FOR TOPSOIL STORAGE AND PROTECTION
 Although, relatively very little topsoil exists, it will be stored and/or used around the outside edges of the proposed sand and gravel pit area to act as a visual berm (5'-8' in height, 3:1 slopes and seed with a pasture mix for erosional protection) and/or cover material, aiding the growth of vegetation for wildlife habitat. When all reserve material has been mined, the excess topsoil will be used to reclaim the pit edge.

PERMIT NUMBER 0028	SITE NAME LaGrange Sand & Gravel (CS61)	LAND RECLAMATION PROGRAM ASSIGNED SITE NUMBER 2441
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B. SPOIL

DESCRIBE METHODS AND LOCATION OF SPOIL PLACEMENT AND DISPOSAL

The spoil (overburden) will be partially used to level the proposed plant site/stockpile area (consisting of approximately 25-50 acres). The remainder of the spoils will be used as core material for visual berms or backfilled into areas of areas of previous sand and gravel extractions.

RECEIVED
MO LAND RECLAMATION COMM.

MAY 31 2012

C. ACID MATERIALS

DESCRIBE METHODS AND EQUIPMENT USED FOR HANDLING ACID MATERIALS (IF NONE IS ANTICIPATED, WRITE "NONE" BELOW)

None are present or anticipated.

D. PIT INFORMATION (GIVE ALL DIMENSIONS IN FEET)

DESCRIBE LOCATION AND ORIENTATION OF PIT, IF NOT CLEAR ON SITE MAPS

See attached maps.

Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Will any excavation be at or within 50' of the right-of-way of any public road?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Will any highwall consisting of unconsolidated materials be left within 50 feet of the right-of-way of any public road? (Note: For unconsolidated materials left in place, a slope of no more than 40 degrees may start near the right-of-way, and in no case may the excavation be closer to the right-of-way than 50' or 25' plus 1 1/2 time the depth of unconsolidated material, whichever is greater, unless a variance is granted by the Land Reclamation Commission.)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Will any excavation start at or within 50' of any property line? (Note: If the answer is yes, a safety barrier may be needed.)

PERMIT NUMBER
0028

SITE NAME
LaGrange Sand & Gravel (CS61)

LAND RECLAMATION PROGRAM ASSIGNED SITE NUMBER
2441

RECLAMATION PLAN – 10 CSR 40-10.020(2)(D)2

A. REVEGETATION (ATTACH ADDITIONAL SHEETS, IF NEEDED)

REVEGETATION MIX #1	PURPOSE OR LAND USE Wildlife	SEEDING OR PLANTING TIME Spring-Fall
---------------------	---------------------------------	---

DESCRIBE METHODS AND EQUIPMENT TO BE USED FOR SEEDING OR PLANTING
 Broadcast and/or tractor drill seeding.

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 MO LAND RECLAMATION COMM.
 MAY 31 2012

Lime and fertilizer will be applied according to recommendations based upon soil analyses from a qualified soils lab. Mulch will be applied to all slopes exceeding 5:1.

Seeded Species	Pounds/Acre	Tree or Shrub Species	Stems/Acre
Fescue	15		
Bromegrass	5		
Rye	5		

REVEGETATION MIX #1	PURPOSE OR LAND USE	SEEDING OR PLANTING TIME
---------------------	---------------------	--------------------------

DESCRIBE METHODS AND EQUIPMENT TO BE USED FOR SEEDING OR PLANTING

Lime and fertilizer will be applied according to recommendations based upon soil analyses from a qualified soils lab. Mulch will be applied to all slopes exceeding 5:1.

Seeded Species	Pounds/Acre	Tree or Shrub Species	Stems/Acre

PERMIT NUMBER 0028	SITE NAME LaGrange Sand & Gravel (CS61)	LAND RECLAMATION PROGRAM ASSIGNED SITE NUMBER 2441
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B. GRADING

DESCRIBE PROPOSED RECLAIMED TOPOGRAPHY, INCLUDING SLOPES

The mine plan area will be made up of a lake (impounded water) created by dredging (362 acres), graded slope/wildlife habitat around the perimeter (120 acres) and a industrial development area (73 acres). Graded slopes will be no greater than 3:1 to waters edge. Stockpiled topsoil, if needed, will cover all affected areas and slopes, and be seeded to prevent erosion.

RECEIVED
MO LAND RECLAMATION COMM.

MAY 31 2012

C. DESCRIBE THE GENERAL SEQUENCE AND TIMING OF THE FOLLOWING ACTIVITES

GRADING

Berms and topsoil areas will be graded and seeded directly after placement. The 3:1 slope along the lake edge will also be graded after the mineral reserves are exhausted.

REPLACEMENT OF TOPSOIL

As the lake expands and the reserves are exhausted, final slope will be graded and the stockpiled topsoil, if needed, will be placed to a depth of 18 to 20 inches along the slope.

REVEGETATION

Seeding and mulching will be done after topsoil placement. All will be done in the spring to fall after all final slopes are completed.

AVERAGE DEPTH OF REPLACED TOPSOIL (INCHES)
18-20

D. USE OF LAND WHEN RECLAIMED

Estimate acreage of each land use below, after reclamation	Estimated Acres
Wildlife (forest or other habitat with livestock excluded)	120
Agricultural (pasture, cropland and horticultural)	0
Development (residential, industrial and recreational)	73
Water Impoundments (for wildlife, agriculture or development)	362

PERMIT NUMBER 0028	SITE NAME LaGrange Sand & Gravel (CS61)	LAND RECLAMATION PROGRAM ASSIGNED SITE NUMBER 2441
-----------------------	--	---

MAY 31 2012

By my signature, I attest to the following:

1. All statements made on this Mine Plan Form are correct, complete, and true, to the best of my knowledge.
2. I, or the company I am authorized to represent, intend to mine in accordance with this Mine Plan form, and in accordance with the Missouri Land Reclamation Act, Sections 444.760 through 444.790, RSMo 2009, and all rules, regulations, orders, decisions and permits of the Missouri Land Reclamation Commission pertaining to my company's surface mining operations.
3. I have obtained the approval of all landowners, (for all lease agreements made after Aug. 28, 1990 on leased land) for all proposed post-mining land uses.
4. I have obtained the approval of all landowners, (for all lease agreements made after Aug. 28, 1990 on leased land) for all proposed seed mixtures.
5. I have a valid agreement with all landowners that gives me the right to grant access to the Director of the Missouri Land Reclamation Commission and authorized representatives, and I grant such access, and further where I have no such right, I have attached signed affidavits from the landowners, granting such access.

SIGNATURE AND NOTARIZATION REQUIRED

SIGNATURE OF APPLICANT <i>Robert Swage</i>	TITLE Environmental Manager	DATE 05/24/2012
---	--------------------------------	--------------------

Appeared before me this 24th day of May, 2012, to me personally known, who executed the above as their free acts and deeds.

NOTARY PUBLIC EMBOSSER	STATE Illinois	COUNTY (OR CITY OF ST. LOUIS) Rock Island	
	SUBSCRIBED AND SWORN BEFORE ME, THIS <u>24th</u> DAY OF <u>May</u> YEAR <u>2012</u>		
	NOTARY PUBLIC SIGNATURE <i>Stephen E Clausen</i>	MY COMMISSION EXPIRES <u>8/24/2014</u>	RUBBER STAMP CLEAR AREA BELOW OFFICIAL SEAL STEPHEN E. CLAUSEN NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRES 8-24-2014
	NOTARY PUBLIC NAME (TYPED OR PRINTED) Stephen E. Clausen		

FOR DEPARTMENT USE ONLY

APPROVED BY	DATE APPROVED	PERMIT NUMBER	SITE NAME AND NUMBER <i>La Breeze S&G 2441</i>
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MAY 31 2012



MISSOURI DEPARTMENT OF NATURAL RESOURCES
LAND RECLAMATION PROGRAM
CONSENT TO ENTRY

COMPANY NAME Central Stone Company		PERMIT NUMBER 0028	SITE NAME(S) OR NUMBER(S) LaGrange Sand & Gravel (CS61)		
NAME OF OPERATOR Central Stone Company		SIGNATURE		DATE 05/24/2012	
We, the undersigned, hereby grant to the Director of the State of Missouri Land Reclamation Program and authorized representatives the right of entry upon our lands or surface mining operations for the purpose of making necessary field inspections, covering land reclamation in order to ensure compliance with the Land Reclamation Act, Sections 444.760 to 444.790 RSMo.					
LANDOWNER SIGNATURE					
Required for permits that mine greater than 10,000 ton/year granting consent to entry from Landowner(s) or other authorized persons.					
NAME OF LANDOWNER Central Stone Company (Knox County Stone)		SIGNATURE <i>Paul J. Swag</i>		DATE 05/24/2012	
COUNTY Lewis	¼ SECTION	SECTION 18,19,24.	TOWNSHIP 60N.	RANGE 5W.,6W.	ACRES 555
NAME OF LANDOWNER		SIGNATURE		DATE	
COUNTY	¼ SECTION	SECTION	TOWNSHIP	RANGE	ACRES
NAME OF LANDOWNER		SIGNATURE		DATE	
COUNTY	¼ SECTION	SECTION	TOWNSHIP	RANGE	ACRES
NAME OF LANDOWNER		SIGNATURE		DATE	
COUNTY	¼ SECTION	SECTION	TOWNSHIP	RANGE	ACRES
NAME OF LANDOWNER		SIGNATURE		DATE	
COUNTY	¼ SECTION	SECTION	TOWNSHIP	RANGE	ACRES
NAME OF LANDOWNER		SIGNATURE		DATE	
COUNTY	¼ SECTION	SECTION	TOWNSHIP	RANGE	ACRES
NAME OF LANDOWNER		SIGNATURE		DATE	
COUNTY	¼ SECTION	SECTION	TOWNSHIP	RANGE	ACRES
NAME OF LANDOWNER		SIGNATURE		DATE	
COUNTY	¼ SECTION	SECTION	TOWNSHIP	RANGE	ACRES
NAME OF LANDOWNER		SIGNATURE		DATE	
COUNTY	¼ SECTION	SECTION	TOWNSHIP	RANGE	ACRES
NAME OF LANDOWNER		SIGNATURE		DATE	
COUNTY	¼ SECTION	SECTION	TOWNSHIP	RANGE	ACRES
NAME OF LANDOWNER		SIGNATURE		DATE	
COUNTY	¼ SECTION	SECTION	TOWNSHIP	RANGE	ACRES

JUL 23 2012

AFFIDAVIT OF PUBLICATION

STATE OF MISSOURI }
COUNTY OF LEWIS } SS

Public Notice of Surface Mining Application - New Site Addition to permit

Central Stone Company, 46445 Sweetbay Lane, Hannibal, Missouri 63401-7211 has applied for a new site(s) addition to their permit from the Department of Natural Resources, Land Reclamation Commission, to mine Sand & Gravel on 55.5 acre(s) of land located in Lewis County, Section(s) 18, 19, 24. Township(s) 60 North Range(s) 5 & 6 West.

This(ese) operation(s) will be conducted during the approximate dates of 6/15/2012 to 12/31/2062.

Written comments, a request for an informal public meeting, and/or a formal courtroom hearing may be made by any person with a direct, personal interest in one or more of the factors that the Missouri Land Reclamation Commission may consider in issuing a permit, as required by The Land Reclamation Act, section 444.760 to 444.790 RSMo. The commission may grant a formal courtroom hearing if the commission finds, based on good faith evidence provided to them, that someone's health safety and livelihood will be unduly impaired by the issuance of the permit. In order to be granted a formal courtroom hearing, the health, safety and livelihood impact must be within the authority of an environmental law or regulation administered by the Missouri Department of Natural Resources. Mail written comments, request for a formal hearing and/or an informal public meeting to: Director, Land Reclamation Program, Department of Natural Resources, P.O. Box 176, Jefferson City, MO 65102-0176. Written comments and requests for a formal courtroom hearing and/or an informal public meeting shall be on file at the director's office within 15 days of the last date of publication of this notice. For more information about this process, please contact the Land Reclamation Program by telephone at 573-751-4041

1st Pub. June 14, 2012

4t

7-5

I, Daniel W. Steinbeck, being duly sworn according to law that I am the editor of *The Press-News Journal*, a weekly newspaper of general circulation in the County of Lewis, which has been admitted to the Post Office as a periodical in the City of Canton, which newspaper has been published regularly and consecutively for a period of three years and has a list of bona fide subscribers voluntarily engaged as such who have paid or agreed to pay a stated price for a subscription for a definite period of time, and that such newspaper has complied with the provisions of Section 473.033 Revised Statutes of Missouri, 1949. The affixed notice appeared in said newspaper on the following consecutive weeks (issues).

From June 14, 2012 to July 5, 2012
First insertion June 14, 2012
Second insertion June 21, 2012
Third insertion June 28, 2012
Fourth insertion July 5, 2012
Fifth insertion _____, 20____

Daniel W. Steinbeck
Editor

Subscribed and sworn to before me this 5th day of

July, 2012

L. Debbie J. Diering Notary Public

My commission expires _____

Vicki J. Stiffey
Notary Public - Notary Seal
State of Missouri Lewis County
My Commission Expires 1/25/2015
Commission # 11633346

Filed and Recorded this _____ day of _____, 20____

Printer's Fee \$ 241.00

Luebbering, Joyce

From: Bob Savage <savage@riverstonegrp.com>
Sent: Friday, July 20, 2012 9:59 AM
To: Luebbering, Joyce
Cc: chuck@riverstonegrp.com; Duane Harsell
Subject: RE: Central Stone - LeGrange Site Public Meeting Request

Ms. Luebbering,

Based on the fact that, as of July 20, 2012, the only objectionable response to the expansion permit application was made by The Kruse Law Firm, LLC, representing Mr. Daniel Warning, Central Stone Company respectively declines to hold a public meeting in regards to the LaGrange site in Lewis County.

Central Stone Company will be awaiting any further information pursuant to MoDNR Land Reclamation Program procedures.

Robert J. Savage

Robert J. Savage
Vice President
RiverStone Group, Inc.

Environmental Manager
Central Stone Company

1701 5th Avneue
Moline, IL 61265
Phone: (309) 757 8250
Fax: (309) 743 3609
Cell: (309) 781 4009
Email: savage@riverstonegrp.com

From: Luebbering, Joyce [<mailto:joyce.luebbering@dnr.mo.gov>]
Sent: Monday, July 16, 2012 11:40 AM
To: 'savage@riverstonegrp.com'
Subject: Central Stone - LeGrange Site Public Meeting Request

Mr. Savage,

Due to public notification requirements concerning the site expansion permit application at Central Stone Company – LeGrange Site in Lewis County, I received one request that a public meeting be held. I am aware that you have already received a copy of the letter. The "Land Reclamation Act" at 444.773.3, RSMo, reads in part, "...If a public meeting is requested pursuant to this chapter and the applicant agrees, the director shall, within thirty days after the time for such request has passed, order that a public meeting be held..."

A public meeting usually involves all concerned parties siting down in a round table type of discussion in an attempt to resolve issues expressed by concerned citizens. After the meeting, a recommendation is issued. The recommendation

states whether or not the site expansion permit application should be issued. There is also an attachment of the issues discussed at the public meeting. The choice of electing to hold a public meeting or to respectfully decline to hold a public meeting is for the company to decide.

We have an obligation to respond to the people requesting the public meeting. Does Central Stone Company agree to hold the requested public meeting? I understand the public notice period does not end until July 19, 2012. Your prompt reply to this request will enable staff to begin working with you to prepare for the public meeting at the soonest possible opportunity. Thank you for your attention to this matter.

Joyce Luebbering
Environmental Specialist III
Department of Natural Resources
Land Reclamation Program
573-751-0612

JUL 13 2012

The Kruse Law Firm, LLC

Russell J. Kruse

Attorney at Law

548 South Main Street, P.O. Box 125

Concordia, MO 64020-0125

Telephone: (660) 463-2221 Fax: (660) 463-6000

E-mail: russell@kruselaw.net

Licensed in Missouri & Illinois

July 12, 2012

Director, Land Reclamation Program
Department of Natural Resources
PO Box 176
Jefferson City, MO 65102-0176

Re: ***Central Stone Company***
555 acres Lewis Co. Sections 18, 19, 24 Township 60N Range 5W & 6W

Dear Director:

My client, Daniel Warning, owns land directly across from the proposed 50 year strip mining location referenced above. He is requesting an informal public meeting and a formal courtroom hearing on this matter.

This sand mine, which will fill with water in a short time, will cause the following known problems:

1. Drainage problems. This mine will disrupt Mr. Warning's farm drainage.
2. Well water irrigation damage. This mine will draw down the water table of Mr. Warning's fields, and affect area irrigation systems, as it fills with more and more water to displace the sand being mined over 50 years.
3. Road damage. This mine will lower the water table, changing the ground structure underneath the public roadway. This mine will also cause excessive, heavy truck usage, beyond what the road is built to handle.
4. This mining is proposed in a known sink hole area, and can cause destabilization of surrounding farm land as the water table lowers in 50 years, causing new sink holes in neighboring farms.
5. Silica dust. The piles of sand will blow silica into the air, which is a known lung carcinogen, as well as the cause of silicosis.

JUL 13 2012

Dept. Natural Resources, Land Reclamation
Central Stone Co.
July 12, 2012
Page 2

6. Truck traffic will cause dust and also excessive wear on county roadways beyond what the roads were built to sustain.
7. This mine can cause erosion of farm property values.

Thank you for your attention to these issues. We await your word on hearing dates.

Sincerely,

The Kruse Law Firm, LLC


Russell J. Kruse
RJK

pc: Daniel Warning

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES

Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

www.dnr.mo.gov

August 22, 2012

The Kruse Law Firm, LLC
Russell J. Kruse, Attorney at Law
548 South Main Street
P.O. Box 125
Concordia, MO 64020-0125

Dear Mr. Kruse,

Thank you for your letter representing Daniel Warning in his request for a formal hearing involving the proposed new site expansion for Central Stone Company, LeGrange Sand and Gravel Site in Lewis County.

This letter is written to notify you that the Land Reclamation Commission at their meeting on Thursday September 27, 2012, will discuss the matter of the formal hearing request. This meeting will be held at the Lewis and Clark State Office Building, LaCharrette Conference room, 1101 Riverside Drive, Lower Level, Jefferson City, Missouri. Please refer to the enclosed map for directions. Upon arrival, enter through the main entrance, and then please check in with the receptionist for directions to the meeting room.

The purpose of this agenda item before the Land Reclamation Commission will be to provide the Commission with basic information to make an informed decision about whether or not you have standing to be granted a hearing. Before a request for a hearing can be granted, the person who has submitted a petition must demonstrate to the Land Reclamation Commission that there is a basis for a hearing. Please be prepared at that time to explain to the Commission why you feel your health, safety, or livelihood will be unduly impaired by the issuance of the permit. If you are unable to attend the September 27, 2012 meeting, the Commission will consider your written request. If a hearing is granted, it would be scheduled after September 27, 2012.

Please be aware the term "hearing" is a formal proceeding that occurs before a hearing officer, who functions like a judge, in which parties are generally represented by legal counsel and present evidence to support their position. If a hearing is granted, the hearing will delay the issuance of the permit until the matter is heard by the hearing officer. The hearing officer then issues a recommendation to the Land Reclamation Commission for consideration and the final decision then rests with the Commission.

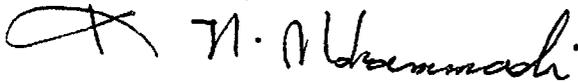
The criteria for determining standing is described within the "Land Reclamation Act." See, e.g., Section 444.773 RSMo. This Act contains the governing laws by which this agency and the industry, which it regulates, must abide. I am enclosing a copy of "The Land Reclamation Act" with this letter.

I am in the process of preparing a recommendation concerning permit issuance or denial that is required by Section 444.773.1 RSMo. You will receive a copy of that recommendation prior to the September 27,

2012, Land Reclamation Commission meeting. The recommendation will only advise the Land Reclamation Commission whether or not the applicant has met all the technical requirements of *The Land Reclamation Act* in order to qualify for a permit. Please note that this recommendation is just the first step in the process of deciding whether to issue, deny, or issue the permit with conditions. This recommendation will take into consideration all written comments as required by the law. The Commission's decision regarding whether or not to grant a hearing will be based mainly on what is presented to them by you at the September 27, 2012, Commission meeting, which is the second step in the process of deciding whether to issue, deny, or issue the permit with conditions. Please note that you can access the agenda and other documents included for this meeting by accessing the following web site, which will be updated shortly before the meeting: <http://www.dnr.mo.gov/env/lrp/commission/lrc.htm>

If you have any questions concerning this matter, you may contact Joyce Luebbering of my staff at (573) 751-0612. Thank you very much for your interest in this matter and we look forward to your participation in the future.

Sincerely,
LAND RECLAMATION COMMISSION



Kevin Mohammadi
Program Director

KM:jl:jh

Enclosures: Map, The Land Reclamation Act

C: Central Stone Company
Attn: Robert Savage
46445 Sweetbay Lane
Hannibal, MO 63401-7211



Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

www.dnr.mo.gov

MEMORANDUM

DATE: August 30, 2012

TO: Land Reclamation Commission

FROM: Larry Slechta, Environmental Specialist III
Land Reclamation Program 

SUBJECT: Summary of Industrial Mineral Bond Release Requests Approved by Staff Director

The Staff Director of the Land Reclamation Program has reviewed, evaluated, and approved the following Industrial Mineral bond release requests. This summary is being provided for the Commission's information:

Company	Permit #	Mine	Land Use	Acres Released	Amount Released
Double Eagle Aggregates LLC	0772T	Webster County, Site #0749 Site #2 Clay Pit	6-Acres Industrial	6	\$0.00
Hunt Midwest Mining-Green Quarries, Inc.	0102	Ray County, Site #0128 Richmond Quarry	11- Acres Wildlife	11	\$5,500.00
Lemons Landfill Corporation dba Lemons Gravel Company	0054	Stoddard County, Site #0981 Open Pit Site #1	62-Acres Industrial	62	\$31,000.00
Lemons Landfill Corporation dba Lemons Gravel Company	0054	Stoddard County, Site #0074 Open Pit Site # 3	5- Acres Wildlife	5	\$2,500.00
Meramec Aggregates, Inc.	0640	Franklin County, Site #1890, Site #2 S&G Pit	4-Acres Water 1-Acre Wildlife	5	\$8,000.00
Pace Construction Company	0190	Montgomery County, Site # 0278, Danville Quarry	128-Acres Undisturbed	128	\$64,000.00

Memorandum to the Commission
August 30, 2012
Page Two

Staff presented the above request for bond release to the Staff Director. The Staff Director approved the releases noted above following review of the requests along with photographs taken during the bond release inspections.

Confirmation of the approval has been sent to the company and bonding entities.

LS:tb

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES

Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

www.dnr.mo.gov

MEMORANDUM

DATE: September 3, 2012

TO: Land Reclamation Commission

FROM: Michael Mueller, Chief *MM*
Permits, Contracts and Design Unit

SUBJECT: Coal Permitting Activities Update

This report covers coal permitting activities between July 3, 2012, the date of the last update; and September 3, 2012, the date this memo was prepared.

During this reporting period, LRP received four (4) new coal permit actions that require review and approval. By the end of the reporting period, one (1) of these permit actions had been finalized and the remaining three (3) were under review.

On August 23, 2012, the LRP received a permit application from Continental Coal, Inc. to expand their Hume Mine and add an additional 111.9 acres to their permitted area. This proposed expansion is expected to be the final acreage added to the Hume Mine permit and should extend their mining operations into the fall of 2013. The coal permit review staff is currently working to review and deem this application complete so that the company may begin their public notification process. Simultaneously, staff are conducting a technical review to assure the permit meets the requirements of the Missouri Surface Mining Law and the Land Reclamation Act (RSMo 444).

MM:ts

MEMORANDUM

DATE: September 3, 2012

TO: Land Reclamation Commission

FROM: Michael Mueller, Chief *M. Mueller*
Permits, Contracts and Design Unit

SUBJECT: AML Status Update

Abandoned Mine Land (AML) Reclamation Projects

LESTER DAVIS RECLAMATION PROJECT

Approximately 95% of the earthmoving and grading activities are complete. All of the critical work including backfilling the highwalls and pits has been done. Additionally, the riprap swales were constructed early in the project to serve as sediment control structures. The overall grade of the site has been approved and the treatment lime has been applied and incorporated into the soil. The contractor is currently on schedule to complete the work in mid-September, well before the contract completion date of November 14, 2012. Upon completion, the site will be seeded with a green cover crop to add organic matter to the developing soil and to control erosion.

This 38 acre project in Barton County is located on private lands and the Lester Davis State Memorial Forest which is owned and managed by the Missouri Department of Conservation (MDC). This project was designed to eliminate the health and safety hazards associated with several highwalls and pits located immediately adjacent to a county gravel road.

ARDATH HIGHWALLS RECLAMATION PROJECT

Design of the Ardath Highwalls Reclamation Project is complete. The design was submitted to the Missouri Office of Administration, Facilities Management, Design and Construction (OA, FMDC) for review, prior to bidding. A pre-bid meeting will be held on September 5, 2012 to allow interested contractors an opportunity to visit the site and pose questions about the reclamation project. Bids for this project will be opened on September 20, 2012.

ARDATH HIGHWALLS RECLAMATION PROJECT (Cont.)

Reclamation of this site will eliminate two extremely dangerous highwalls, two Hazardous Water Bodies, and one Clogged Stream feature that is located immediately adjacent to heavily traveled county gravel roads. Following earth-moving activities, all disturbed areas will be revegetated with a mixture of warm-season grasses or cool-season grasses and legumes and subsequently fenced off to exclude livestock until the areas have been properly established for livestock pasture.

LITTLE TIPPLE RECLAMATION PROJECT

TRIAD Environmental Services has completed the draft design for the Little Tipple Reclamation Project. The AML staff is currently working to review this final draft. Upon approval, the plans and specifications will be submitted to the OA, FMDC for advertisement and bidding of the reclamation project. This project will eliminate the health and safety hazards associated with one long wall and an endwall that are situated immediately adjacent to a county gravel road in southwestern Bates County. The estimated cost of construction is roughly \$300,000 to \$500,000.

MILLERSBURG RECLAMATION PROJECT

The design plan and drawings for the Millersburg Reclamation Project are 85% complete. During the reporting period, the AML staff hired a local contractor to excavate soil test pits to ascertain the quality of the spoil and seek high quality spoil material to use as select cover material. Spoil samples were collected and sent to a lab for testing. Staff is currently working to develop the technical specifications for the contract.

This reclamation project will grade and revegetate two sites to reduce acid-sediment runoff into Miller's Creek located in west-central Callaway County. The work will eliminate a dangerous highwall, stabilize barren and eroding spoil piles, eliminate two polluted water bodies, and address clogged stream conditions. After final grading, all disturbed areas will be revegetated with a mixture of warm-season grasses or cool-season grasses and legumes for livestock pasture.

MM:ts