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February 6, 2020

Well Installation Board
PO Box 250
Rolla, MO 65402

Re: Variance for Permit #006072-M
Philip Tearney

Dear Board Members:

My name is Phil Tearney and I am the President of Continental Coal, Inc. We are the only remaining coal mining company in the state of Missouri and operate a strip mine in Bates County employing 12 people. We have obtained many coal mining permits thru the Land Reclamation Program over the last 25 years and are currently preparing a new permit application this spring.

As a part of our permitting process we must evaluate a potential reserve area by drilling test holes which I am licensed to complete. After we define an area to permit and in consultation with Land Rec we then are required to install water monitoring wells. These monitoring wells are to monitor the quantity and quality of the shallow water bearing zone.

Due to the fact that I have never interned under a licensed water monitoring well installer I do not qualify to install these few monitoring wells we need. Because of the uniqueness to our permitting process we always have a licensed P.E. and Geologist on site when we complete these monitoring wells. In addition, we notify Land Rec of the installation date and often they are on site as well.

Currently we have to locate someone who is licensed to be on site along with all of the other individuals involved for a specific time that is always weather sensitive. This outside contractor is there strictly to observe as I operate the drill and the licensed P.E. actually places the PVC in the hole and completes the installation. Over the last 10 years we have installed 9 monitoring wells and plugged 3 and anticipate installing 2 new wells in 2020.

I am asking for a variance which would allow me to install and plug water monitoring wells strictly for coal strip mining permits. Since we have physically done the actual work for years and with both a P.E. and Geologist on site we have significant supervision and understanding of the rules and regulations governing these type wells. We have never had a regulatory problem with these wells in 25 years. These wells are typically less than 75 feet and are completed 2 feet below the bottom of the coal seam. The area that we are working has been designated by the EPA as aquifer exempt status and does not encounter potable water.

We appreciate the board taking this under consideration and hope this letter explains our need and request for a variance.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Phil Tearney". The signature is fluid and cursive, with a long horizontal stroke at the end.

Phil Tearney
President