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# Consol discusses court decision to halt mining near Ryerson park

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WAYNESBURG – Consol Energy has asked Commonwealth Court to overturn a decision of the state Environmental Hearing Board that will force the company’s Bailey Mine to change its mining plan to avoid mining beneath a stream at Ryerson Station State Park. At a meeting held by the company Tuesday at Greene County Fairgrounds, attended by about 150 employees and representatives of vendors and contractors, Consol officials explained the company’s response to the recent court decision and announced a campaign to seek the support of elected officials. The EHB decision, issued last week on a petition filed by the Center for Coalfield Justice and Sierra Club, prohibits the company from mining in its current longwall panel within 100 feet of Kent Run in Ryerson Station State Park. “We think it (the EHB decision) is patently wrong,” said Jimmy Brock, chief executive officer of CNX Coal Resources LP, an affiliate of Consol which operates the mine. “Our plan, right now, is we’re going to vigorously defend it and we’re going to appeal it.” Brock said the company believes the EHB erred in ignoring technical expertise on stream impacts from the company and state Department of Environmental Protection, which had granted a permit to mine beneath the stream. He spoke of two other streams that were mined under and were restored with costly synthetic liners. The streams both now exceed their pre-mining conditions for both stream flow and aquatic life, he said. Kurt Salvatori, CNX vice president for administration, said the company intends to fight the decision “to the bitter end.” The

decision, he said, could set a precedent that will make it difficult to longwall mine in areas where there are streams. “The Center for Coalfield Justice has just handed the playbook to anybody who wants to stop us from doing our job,” Salvatori said. He noted the state Department of Conservation and Natural Resources also has not agreed to let the company on park property to conduct stream restoration work. The company is now making plans to abandon the nearly 850 feet of coal in the current longwall panel to maintain the 100-foot buffer and will move the longwall to a new panel. The mine will reach the point at which it must stop to preserve the buffer on about Feb. 8. Brock said the company will be abandoning about 350,000 tons of coal valued at about \$15.5 million. The early move to a new panel also could affect the schedule for mining future panels, he said. Salvatori said the company needs its help to contact Gov. Tom Wolf for his support. “We have to make sure we can preserve the jobs and livelihoods of not only everybody in this room but also the employees and contractors who serve the mine,” he said. “The governor is with us,” Tom Johnson, vice president of external relations, said later. “We need to have him be more with us.” Johnson also said the company has received support from U.S. Rep. Tim Murphy, R-Upper St. Clair, state Rep. Pam Snyder, D-Jefferson, state Sen. Camera Bartolotta, R-Carroll Township and Greene County commissioners. The Center for Coalfield Justice was also held up for frequent criticism. “Their goal is not to protect Kent Run, which is what this issue is about, their goal is to stop longwall mining all together and to eliminate our jobs,” Salvatori said. Coalfield Justice and Sierra Club have filed several appeals against permits issued by DEP that have allowed the company to mine beneath streams claiming damage to the streams violates Clean Water Laws. Patrick Grenter, executive director of the center, declined to comment Tuesday.

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