

0029

*Outgoing  
c/8/15/0025*

**From:** Pete Hess  
**To:** shawn.baker@cwmining.com  
**CC:** Daron Haddock; Jim Smith; Joe Helfrich  
**Date:** 7/23/2008 9:24 AM  
**Subject:** Culvert C-14D

*[Handwritten mark]*

Shawn...

Based upon Joe's initial voice mail call to Daron, yesterday PM, I have discussed the C-14D culvert installation with Daron, and we feel it would be alright if Hiawatha Coal Company proceeded with the installation, so at least that portion of this project can be completed prior to the startup of the longwall.

Our only question, in looking at the Worksheet for Circular Channel which you provided was what storm event was used to run the Flowmaster program ? I assumed it was the 10 yr 24 hour event....get back to me on this would you ? Also, when the entire package is put together, submit the proper C1-C2 forms along with a brief description of what the entire project entails in the cover letter.

Also, the Division is fully aware that MSHA is putting pressure on the Company to get the guard rail installed around the SW side of pond "B", as well as widening the road to accommodate two lane truck travel through that area.

If there is a concern here, from my aspect, it would be the stability of the outer edge of the road through the area where the short section of ditch D-11U will be taken out, particularly due to the trucks vehicle weights which will be pushing on that outside edge wanting to push it into the pond.

I would suggest having your engineer look at that to determine if a Hilfiker or some other method of retaining the fill through that area is needed to prevent a truck rolling into the pond. No guard rail would stop that..

You may proceed with the C-14D culvert installation, but you need to be aware that, if down the line it is determined that a larger CMP is needed, the Company will be responsible for this larger CMP installation. We will ask Jim Smith to look at your provided culvert design when he gets back.

Also, this approval is ONLY FOR THIS C-14D INSTALLATION. You must still provide designs and P.E. certification that the stability of this section of primary road where D-11U will be filled in and the road will be widened will meet the requirements of R645-301-512.250, 534.200, 534.300, 534.310, 534.320, and 534.340.