

Eighty-Four Mining Company
P.O. Box 284
Eighty Four, Pennsylvania 15330

October 8, 2001

John M. & Cynthia W. McGinnis
100 Circle Road
Washington, PA 15301

Re: Notification of Underground Mining
Tax Map No(s). 20-6-19
Sheet No(s). 503, 603

This Notice is sent to you in accordance with the Pennsylvania Bituminous Mine Subsidence and Land Conservation Act as amended (BMSLCA) and regulations of the Pennsylvania Department of Environmental Protection (DEP) at 25 Pa. Code Chapter 89.

Eighty-Four Mining Company (EFMC) is presently conducting underground mining operations at the Eighty-Four mine in the Pittsburgh seam of coal located in South Strabane Township, Amwell Township, and North Bethlehem Township, Washington County, Pennsylvania.

Maps showing all workings which are intended to be undertaken or developed within each succeeding six-month period (six-month maps) in the Eighty-Four mine are deposited in the office of the Washington County Recorder of Deeds and are available to the public for inspection and copying. EFMC normally submits six-month maps in December and June of each year.

A copy of the permit application and mine map for the Eighty-Four mine has also been deposited in the Washington County Recorder's offices and in DEP's Division of Mine Subsidence Regulation, 3913 Washington Road, McMurray, Pennsylvania, 15317 and are available for inspection during regular business hours. Please contact the DEP at (724) 941-7100 to set up an appointment.

Recently, the BMSLCA was amended by Act 54 of 1994 and effective on August 21, 1994, underground bituminous mine operators are required to repair or compensate for subsidence damage caused by mining occurring after August 21, 1994, to certain dwellings used for human habitation and agricultural structures. If you believe subsidence damage to your property has occurred, you may submit a written complaint to the office of the DEP and/or EFMC listed above. A mine operator shall not be liable to repair or compensate for such damage if, upon request, the landowner denies access to the property on which the buildings or structures that may be damaged are located to conduct pre-mining and post-mining surveys.

The BMSLCA, as amended, now provides that mine operators are required to replace or restore certain water supplies that are affected by underground mining occurring after August 21, 1994. In any proceeding under this new water replacement provision, the operator is presumed to be responsible for the contamination, diminution, or interruption of the water supply if it is located within an area above the mine determined by projecting a 35 degree angle from the vertical from the outside of any area where coal is removed after August 21, 1994. This presumption is unavailable to any landowner who, upon request, refuses access to the operator to the property to conduct a pre-mining survey of the water supply.

EFMC wishes to conduct a pre-mining survey of your property. Please indicate your permission for such a survey by signing and returning the enclosed self-addressed postcard. I may be contacted at (412) 831-4443 to arrange a mutually convenient time for the survey.

If you believe that any existing source of water that you are presently using for domestic or agricultural purposes has been adversely affected by our underground mining occurring after August 21, 1994, please contact me.

Effective August 21, 1994, the right of landowners under Section 15 of the BMSLCA to purchase support coal for existing or proposed structures overlying underground coal mines has been eliminated by the repeal of Section 15 pursuant to Act 54 of 1994. Accordingly, EFMC will no longer entertain offers to purchase support pursuant to the BMSLCA. However, I am available to discuss our mining plans and to answer any questions you may have about possible impacts of subsidence.

Very truly yours,



Pat Wildeman
Land Agent

Enclosure

Certified Mail No. 7000 0600 0028 8261 6877