

**Commonwealth of Kentucky
Department for Natural Resources
Division of Mine Permits**

Application for Water Quality Certification for Surface Coal Mining Activities

The Clean Water Act Section 401 Water Quality Certification (WQC) program in Kentucky ensures that activities which may involve a discharge into waters of the Commonwealth which require federal permit or license are consistent with Kentucky's water quality standards in 401 KAR Chapter 5. The Energy and Environment Cabinet has authorized the Department for Natural Resources to issue water quality certifications related to surface coal mining operations. The project may not start until all necessary approvals are obtained. For questions concerning the WQC process, contact the WQC Coordinator at (502)-564-2320.

- 1. Applicant Name: Nally & Hamilton Enterprises, Inc.**
Mailing Address: 195 Commercial Drive, Suite 105 London, KY 40744
Contact Person: Stephen Hamilton
Telephone No: (606) 878-1500
E Mail Address: nheinc@nallyandhamilton.com
- 2. Consultant Name & Address: Waypoint, LLC**
771 Corporate Dr. Suite 650 Lexington, KY 40503
Telephone No. (859) 219-7880
E Mail Address: jesse@waypointllc.com
- 3. Provide a brief description of the proposed activity and stream impact.**
Remining activities related to the construction of 3 embankment ponds, drainage corridors, and mine-through areas.
- 4. Project Location Information:**

County Bell_ ; USGS Quadrangle Name Varilla/Middlesboro North Nearest

Community & Road Intersection: Colmar; KY 188 and KY988 Longitude

36.66492° Latitude -83.64782° (Approximate center of the project area)
- 5. List the names of all streams affected by the proposed project: Cranes Creek, UTs to Cranes Creek, UT Clear Fork**

6. For each affected watershed provide the acreage above the toe of the lowest permanent structure.
N/A
7. For each affected stream provide the linear feet of impact, whether the impact is temporary or permanent and indicate if the stream reach is classified as ephemeral, intermittent, or perennial.

Table 1. Proposed Alteration Summary			
Impact Type / Site	Name / Flow Regimes	Temporary or Permanent	Length (Feet)
Remine Area / UT Cranes Creek	S3 / Int	Temporary	844
Pond EP4 / Cranes Creek	S4 / Per	Temporary	142
Pond EP4 / Cranes Creek	S4 / Int	Temporary	310
Corridor 6 / Cranes Creek	S4 / Int	Temporary	330
Remine Area / Cranes Creek	S4 / Int	Temporary	145
Remine Area / UT Cranes Creek	S4A / Int	Temporary	1060
Pond EP4 / UT Cranes Creek	S5 / Int	Temporary	46
Corridor 5 / UT Cranes Creek	S5 / Int	Temporary	345
Remine Area / UT Cranes Creek	S5 / Int	Temporary	810
Corridor 4-1 / UT Cranes Creek	S8 / Int	Temporary	434
Pond EP3 / UT Cranes Creek	S8 / Per	Temporary	447
Corridor 3 / UT Cranes Creek	S9 / Int	Temporary	454
Pond 1 / UT Clear Fork	S12 / Int	Temporary	673
NWP49 Total			6,040

8. Provide the acreage of wetlands that would be impacted: N/A
9. Beginning at the nearest intersection of two public roads, provide directions to the project site:

0.75 miles NE from KY 188's junction with KY988
10. Has application been submitted to the U.S. Army Corps of Engineers for this project? Yes X No _____. If yes, indicate type of application:

NW 12 ____ NW 14 __ NW 21 ____ NW 27 ____ NW 49 __X__
NW 50 ____ Individual __ Other ____

11. Provide the following permit numbers associated with this mining activity:
SMCRA Permit No. _807-0501_, KPDES No. KYGE41104

12. The following attachments must be provided:

- a. A watershed map showing all ponds and hollowfills to scale with all intermittent, and perennial stream reaches clearly identified.
- b. A 7.5 minute topographic map delineating the proposed project area.
- c. A copy of the complete Compensatory Mitigation Plan

List all other plans and profiles included with this application:

See Mitigation Plan

I hereby request approval for construction across or along a stream as described in this application and supporting attachments. All of the information provided with this application is true and accurate to the best of my belief and knowledge.

Applicant's Signature:

, Date: 9/4/2026
If signed by applicant's agent, attach power of attorney

SUBMIT APPLICATION AND ATTACHMENTS TO:

WQC COORDINATOR
DIVISION OF MINE PERMITS
300 SOWER BLVD.
FRANKFORT, KENTUCKY 40601