



KENTUCKY ENERGY &
ENVIRONMENT CABINET

Individual §401 Water Quality Certification Request Form

More information regarding federal regulation 40 CFR 121 and the nine components listed in this form may be viewed on the [U.S. EPA Overview of §401 Certification](#) webpage.

This form may be used to request §401 Water Quality Certification and submitted to the Division of Mine Permits and to the licensing or permitting Federal agency. For the U.S. Army Corps of Engineers contact information, please review the [District map](#).

Contact Thomas Barbour at Thomas.Barbour@kv.gov, or 502-782-6549 with any questions.

Component (1) - Identify the project proponent(s) (applicant) and a point of contact

Applicant Name: Nally & Hamilton Enterprises, Inc. - Stephen Hamilton

Phone No.: 606-878-1500

E-mail Address: nheinc@nallyandhamilton.com

An Application for Permit to Construct Across or Along A Stream and/or Water Quality Certification (Form DOW 7116, July 2008) is required for Individual Water Quality Certification. Date submitted:

Component (2) - Identify the proposed project

Brief Description of the activity: KDMP Permit # 807-0501 Surface Coal Mine Operation

Component (3) - Identify the applicable federal license or permit

☒ Nationwide Permit (NWP) Permit Number: NWP49 ☐ §404 Individual Permit ☐ §10 Individual Permit

☐ §10/ §404 Letter of Permission (LOP)

☐ §10/ §404 Regional General Permit Number:

☐ Federal Energy Regulatory Commission

☐ TVA 26a Permit

Component (4) – Identify the location and nature of any potential discharge that may result from the proposed project and the location of receiving waters

4a. Linear feet of stream impacts: 6,040 Acreage of wetland impacts:

4b. Surface Water Body Name: Cranes Creek

4c. Latitude & Longitude (decimal degrees): 36.667530° -83.634788°

Component (5) – Include a description of any methods and means proposed to monitor the discharge and the equipment or measures planned to treat, control, or manage the discharge

5a. Brief description of best management practices (BMPs) to be implemented to minimize the impacts to surface waters, including sediment and erosion control measures.: SMCRA Permit BMPs

Component (6) - Include a list of all other federal, interstate, tribal, state, territorial, or local agency authorizations required for the proposed project, including all approvals or denials already received

Authorization/ Permit Name	Issuing Agency	Status (approved, denied, application submitted)
SMCRA	KDMP	Approved 7-15-24

Component (7) - Include documentation that a pre-filing meeting request was submitted to the certifying authority at least 30 days prior to submitting the certification request.

[This can include the email containing the Application for Permit to Construct Across or Along A Stream and/or Water Quality Certification (Form DOW 7116, July 2008)] ☐ Attached

Components (8) and (9) – ‘The project proponent hereby certifies that all information contained herein is true, accurate, and complete to the best of my knowledge and belief’; and ‘The project proponent hereby requests that the certifying authority review and take action on this CWA 401 certification request within the applicable reasonable period of time.’

Print Project Proponent Name (applicant):

Stephen Hamilton

Project Proponent Signature (applicant):

X 

Date:

9-4-2026

Submit the completed form and attachments through email to Thomas.Barbour@ky.gov.