

## **Arch Coal Responds to EPA's Latest Action Against Key Permit for Proposed Spruce No. 1 Mine**

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After various efforts over the past few months to address EPA's concerns with the Spruce permit, Arch Coal is disappointed that EPA has chosen to take the unprecedented action to initiate the veto process under Section 404(c) of the Clean Water Act against a validly issued and existing permit. The Spruce permit is the most scrutinized and fully considered permit in West Virginia's history. The 13-year permitting process included the preparation of a full environmental impact statement, the only permit in the eastern coal fields to ever undergo such review. We are evaluating all possible options for relief from the government's actions and intend to vigorously defend the Spruce permit by all legal means. Further, we intend to oppose the government's efforts to extend the stay in Judge Chambers' court with respect to our pending motion for summary judgment.