

**Expression of Interest – No. DEP15901:**

**To Provide Services for  
Mapping and Engineering Design Services for Reclamation of Forfeited Mine Permits**

**Energy Marketing, Permit #U-24-84  
Roblee Coal, Co., Permit #D-49-82  
Roblee Coal, Co., Permits #O-1009-93 and #U-1001-91  
Buffalo Coal, Co. Permit #S-52-80**



*Prepared For:*  
**West Virginia Department of Environmental Protection**  
Dept. of Special Reclamation  
105 S. Railroad Street  
Philippi, West Virginia 26416-9998  
304-457-3219

*Submitted by:*  
**Marshall Miller & Associates, Inc.**  
601 Morris Street, Suite 204  
Charleston, West Virginia 25301  
304-344-3970

RECEIVED

2012 JUN 28 AM 7:00

WV PURCHASING  
DIVISION



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601 Morris Street / Suite 204 / Charleston, WV 25301 / Tel (304) 344-3970 / Fax (304) 344-3986 / Email [emr@mma1.com](mailto:emr@mma1.com)

June 28, 2012

Mr. Guy Nisbet, Senior Buyer  
**Purchasing Division**  
2019 Washington Street, East  
P.O. Box 50130  
Charleston, West Virginia 25305-0130

*RE: Request for Expression of Interest:  
RFQ # DEP15901*

Dear Mr. Nisbet:

**Marshall Miller & Associates, Inc. (MM&A)** provides this response to the Expression of Interest (*EOI*) referenced above. MM&A has extensive in-house capabilities and experience in geology and engineering design, and is well-qualified to undertake mine reclamation assignments. Our staff of approximately 189 personnel includes professional staff of civil and mining engineers, hydrogeologists, geologists, surveyors, environmental scientists, and construction managers who understand the engineering and regulatory issues involved in mine lands reclamation.

MM&A has direct experience working with the **West Virginia Department of Environmental Protection's (WVDEP)** Small Operator Assistance Program (*SOAP*), Landfill Closure Assistance Program (*LCAP*), and Leaking Underground Storage Tank Program (*LUST*). Also MM&A has direct experience working with the Virginia Division of Mine Land Reclamation.

MM&A offers a highly-qualified and highly-experienced staff with in-house support capabilities that are well tailored to the demands of the requested activities. Our strengths in hydrogeology, geology, environmental assessment and engineering, coupled with our direct mining industry experience, makes MM&A uniquely qualified to perform the services desired.

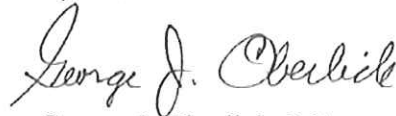
Mr. Guy Nisbet, Senior Buyer  
**Purchasing Division**  
June 27, 2012  
Page 2  
(EOI - No. DEP15901)

We look forward to discussing these projects in an interview, and would like to invite you to visit our facilities if you should have the opportunity.

Sincerely,  
**Marshall Miller & Associates, Inc.**



Christopher S. Butler, P.E.  
*Senior Engineer*



George J. Oberlick, P.E.  
*Vice President*

/rgw  
Enclosures  
(PRP4386)



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### PROPOSAL DOCUMENTS

#### *Attachment A*

Request for Quotation

Affidavit

#### *Attachment B*

OSR Consultant Confidential Qualification Questionnaire

OSR and Related Project Experience Matrix

#### *Attachment C*

Statement of Qualifications





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## CORPORATE OVERVIEW

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**Marshall Miller & Associates (MM&A)**, an international consulting firm headquartered in Bluefield, Virginia, U.S.A., offers services in the energy, environmental and engineering sectors worldwide, as well as to financial, insurance, government and various private and public sector companies. Over a 36-year history, MM&A has evolved into a leader in the mineral resource, environmental, and carbon management industries. The company's success is based on an understanding of client needs and a commitment to applying and developing advanced engineering and scientific solutions through our talented and experienced staff of geologists; hydrologists; earth scientists; and mining, petroleum, environmental, and civil engineers and other professionals.

As a leading consulting firm in the United States working in the coal and oil & gas industries, our energy-related client base consists of over 250 companies. MM&A provides advisory and technical services on project feasibility, acquisition due diligence, mineral reserve and resource reporting, and operations assessment, among other services. In the early 1990s MM&A added environmental services to provide diversification and to insulate the company from the cyclic nature of the energy business. Professional services include environmental risk assessment, remediation, environmental site assessments, environmental impact studies, hazardous waste evaluation, compliance monitoring and reporting, permitting and emergency response. MM&A offers these services to the energy and transportation industries, federal and state government agencies, financial and insurance companies, and local industrial markets proximal to our regional office locations. Our environmental client base consists of over 500 companies.

In 2005 we combined the experience and technical expertise of our energy and environmental staff to focus on emerging carbon capture and storage projects. MM&A is an active participant in multiple projects including the injection of 20,000 tons of CO<sub>2</sub> into an unconventional gas reservoir and various carbon footprint evaluations. Our staff is knowledgeable of the mandatory reporting rules (*MRR*) related to greenhouse gases (*GHG*) as proposed by the US Environmental Protection Agency. MM&A engineering, geological, and environmental professionals are leaders in this newly developing field which represents a natural



extension of MM&A services to business sectors where we have an excellent reputation and strong client relationships.

MM&A is well positioned to continue our growth in the challenging global economic climate of 2011, and beyond. The strength and diversification of the MM&A staff gives us a solid base from which to capitalize on changing market conditions and to provide technical services to a wide variety of industries. We thank our clients for their trust and confidence in our services, and for helping us to achieve our success. Client satisfaction remains our number one goal.



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## PROJECT APPROACH

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### Project Summary

Mapping and engineering design services are requested in Expression of Interest (EOI) DEP15901 for the following forfeited mine permit sites:

- Energy Marketing site consists of approximately 17.88 acres in Barbour County, Permit # U-24-84
- Roblee Coal Co., site consists of approximately 13.2 acres in Barbour County, Permit # D-49-82
- Roblee Coal Co., sites consisting of two permits, approximately 51.48 acres and 27.4 acres, in Upshur County, Permit # O-1009-93 and Permit # U-1001-91, respectively and
- Buffalo Coal Co., site consists of approximately 191 acres in Grant County, Permit # S-52-80.

Project specific services requested include:

1. Site investigation of existing features, surveying and mapping,
2. Laboratory analysis of soils and coal refuse as necessary,
3. Location of potential borrow areas,
4. Subsurface investigations,
5. Reclamation engineering design, and
6. Preparation of construction documents.

### Scope of Work

MM&A understands that the project design may be developed in separate phases. The tasks outlined in scope of work, herein, maybe applied on multiple design phases.

### **SITE CHARACTERIZATION**

The characterization of the sites will include review of existing information (reports, data, maps, climatological records, etc.) and field reconnaissance, followed as needed by supplemental investigation that may include site investigation of existing features, surveying and mapping, laboratory analysis of soil, coal refuse and water, subsurface investigations to determine location as well as limits and depths of borrow and refuse, location of potential borrow areas either on-



site or near-by and/or site hydrogeologic investigation. Specific components of the work may include:

- Field collection of soil and hydrogeologic data as necessary, including:
  - Subsurface investigations through drilling, direct-push intrusions, and/or well installations as needed.
  - Surveying of wells and borings, in accordance with WV groundwater monitoring standards.
  - Subsurface earth materials sample collection as needed, to include rock cores, soil split-spoon samples, soil Shelby tube samples, and/or soil direct-push core samples.
  - Surface and/or subsurface water sample collection, from wells, springs, seeps, ponds, or streams as necessary.
  - Proper abandonment of borings and/or wells after use.
- Laboratory analytical services will be provided, to address soils and water as appropriate. These may include soil nutrient and engineering characteristics, soil contaminant analyses, and water contaminant analyses. Contaminant analyses may involve NPDES program-related, stormwater-related, or other analytical suites.

## ENGINEERING DESIGN

The scope of work will include engineering and design of highwall and refuse reclamation and drainage control including grading plans and cross sections of the refuse areas, sediment and erosion control plans including required ponds. Specific components of the work may include:

- Grading and slope stability evaluation,
- Borrow/spoil balance evaluation,
- Stormwater transport, storage, and routing design, and
- Engineer's construction cost estimate.

All applicable permit applications, right-of-ways, right-of-entries, and approvals shall be a part of the work to be performed. Work will be in compliance and general conformity with original mine permit reclamation plans or modifications that **West Virginia Office of Special Reclamation (OSR)** approves to meet current industry standards.



## RECLAMATION DRAWINGS, SPECIFICATIONS, AND PERMITS PREPARATION

The scope of work will include preparation of construction drawings and specifications suitable for letting of construction bids and the bidding process.

### Evaluation Criteria

*1. West Virginia Registered Professional Engineers (WVRPE) in the Primary Office – 20 pts*

- The Primary office designated to complete the project will be in Charleston, West Virginia.
- MM&A is capable of executing this project from our Charleston, Beckley or Bluefield offices with the following staff.

OFFICE	WV RPE
Charleston	Christopher S. Butler, PE George J. Oberlick, PE
Beckley	Travis B. Cantley, PE William O. Dickey, PE Marybeth Winters, PE Paul I. McCombs, PE
Bluefield	Justin S. Douthat, PE Joseph R. Overbay, PE Gerard J. Enigk, PE David J. McChesney, PE Myron Amick, PE

*2. Reclamation engineering design experience of Primary Office's WVRPE as it relates to the specific project problem areas – 25 pts*

- Mr. Christopher S. Butler, P.E. has experience executing West Virginia Abandon Mine Lands (WV-AML) projects, such as the Cow Creek-Sarah Ann Waterline, Glen Morgan Subsidence, Owens Refuse (AST Investigation), and Omega Mine AMD Remediation. He has extensive experience completing reclamation projects for the WVDEP's LCAP program that include site characterization, engineering design of regrade slopes and drainage controls, and construction specifications and drawings.
- Mr. George J. Oberlick, P.E. has extensive experience managing, operating and consulting on mining project. During his career he has been responsible for mine engineering, permitting, exploration, and operations that include coal refuse disposal facilities and highwall elimination.

3. *Available WV-OSR Design Teams within the Primary Office (A design team should consist of one Project Engineer, one CAD person, and availability of other support personnel as required by the particular project) – 20pts*

- Our Charleston office design team is immediately available to complete the preliminary design documents within 60 days of a purchase order. The Charleston design team will be led by Mr. Christopher S. Butler, P.E. and assisted by Mr. Joe Martin as design engineer and CAD designer, respectively. The design team will be assisted with support personnel such as Mr. Charlie Schlosser and Mr. Jeff Almond as required and provided quality assurance/quality control (QA/QC) oversight by Mr. George J. Oberlick, P.E.

4. *Oral Interview – 35pts*

- We are prepared to present a summary of our:
  - Corporate/personal experience as it relates to the projects
  - Proposed project management plan
  - Key personnel available for the proposed work
  - Proposed subcontractors (mapping and laboratory)
  - Product quality control
  - Project cost control
  - Our knowledge of regulatory rules and programs, coal mining and reclamation practices and project management abilities.











# Attachment A



State of West Virginia  
Department of Administration  
Purchasing Division  
2019 Washington Street East  
Post Office Box 50130  
Charleston, WV 25305-0130

# Request for Quotation

RFQ NUMBER  
DEP15901

PAGE  
1

ADDRESS CORRESPONDENCE TO ATTENTION OF  
GUY NISBET  
304-558-8802

RFQ COPY

TYPE NAME/ADDRESS HERE

Marshall Miller & Associates  
200 George St., Suite 6  
Beckley, WV 25801

ENVIRONMENTAL PROTECTION  
DEPT. OF  
OFFICE OF SPECIAL RECLAMATION  
105 S. RAILROAD STREET  
PHILIPPI, WV  
26416-9998 304-457-3219

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
05/23/2012				

BID OPENING DATE: 06/28/2012 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	JB		906-29		
				DESIGN		
				EXPRESSION OF INTEREST		
				THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, THE WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION, IS SOLICITING EXPRESSIONS OF INTEREST FOR PROFESSIONAL MAPPING AND DESIGN SERVICES AT THE BOND FORFEITED PERMITS OF ENERGY MARKETING U-24-84; ROBLEE COAL CO. D-49-82 IN BARBOUR COUNTY, WEST VIRGINIA, ROBLEE COAL COMPANY O-1009-93 AND U-1001-91 IN UPSHUR COUNTY, WEST VIRGINIA; AND BUFFALO COAL CO. S-52-80 IN GRANT COUNTY, WEST VIRGINIA PER THE FOLLOWING BID REQUIREMENTS AND ATTACHED SPECIFICATIONS.		
				BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THE STATE MAY DEEM THIS CONTRACT NULL AND VOID, AND TERMINATE SUCH CONTRACT WITHOUT FURTHER ORDER.		
				ANY INDIVIDUAL SIGNING THIS BID IS CERTIFYING THAT: (1) HE OR SHE IS AUTHORIZED BY THE BIDDER TO EXECUTE THE BID OR ANY DOCUMENTS RELATED THERETO ON BEHALF OF THE BIDDER, (2) THAT HE OR SHE IS AUTHORIZED TO BIND THE BIDDER IN A CONTRACTUAL RELATIONSHIP, AND (3) THAT THE BIDDER HAS PROPERLY REGISTERED WITH ANY STATE AGENCIES THAT MAY REQUIRE REGISTRATION.		

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Cal I m</i>	TELEPHONE 304-255-8937	DATE 6/27/12
TITLE SR. Engineer	FEIN 54-0989421	ADDRESS CHANGES TO BE NOTED ABOVE

WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'



## GENERAL TERMS & CONDITIONS REQUEST FOR QUOTATION (RFQ) AND REQUEST FOR PROPOSAL (RFP)

1. Awards will be made in the best interest of the State of West Virginia.
  2. The State may accept or reject in part, or in whole, any bid.
  3. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125 fee.
  4. All services performed or goods delivered under State Purchase Order/Contracts are to be continued for the term of the Purchase Order/Contracts, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods this Purchase Order/Contract becomes void and of no effect after June 30.
  5. Payment may only be made after the delivery and acceptance of goods or services.
  6. Interest may be paid for late payment in accordance with the *West Virginia Code*.
  7. Vendor preference will be granted upon written request in accordance with the *West Virginia Code*.
  8. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
  9. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
  10. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern the purchasing process.
  11. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
  12. **BANKRUPTCY:** In the event the vendor/contractor files for bankruptcy protection, the State may deem this contract null and void, and terminate such contract without further order.
  13. **HIPAA BUSINESS ASSOCIATE ADDENDUM:** The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, is available online at [www.state.wv.us/admin/purchase/vro/hipaa.html](http://www.state.wv.us/admin/purchase/vro/hipaa.html) and is hereby made part of the agreement provided that the Agency meets the definition of a Cover Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.
  14. **CONFIDENTIALITY:** The vendor agrees that he or she will not disclose to anyone, directly or indirectly, any such personally identifiable information or other confidential information gained from the agency, unless the individual who is the subject of the information consents to the disclosure in writing or the disclosure is made pursuant to the agency's policies, procedures, and rules. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in <http://www.state.wv.us/admin/purchase/privacy/noticeConfidentiality.pdf>.
  15. **LICENSING:** Vendors must be licensed and in good standing in accordance with any and all state and local laws and requirements by any state or local agency of West Virginia, including, but not limited to, the West Virginia Secretary of State's Office, the West Virginia Tax Department, and the West Virginia Insurance Commission. The vendor must provide all necessary releases to obtain information to enable the director or spending unit to verify that the vendor is licensed and in good standing with the above entities.
  16. **ANTITRUST:** In submitting a bid to any agency for the State of West Virginia, the bidder offers and agrees that if the bid is accepted the bidder will convey, sell, assign or transfer to the State of West Virginia all rights, title and interest in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the State of West Virginia for price fixing and/or unreasonable restraints of trade relating to the particular commodities or services purchased or acquired by the State of West Virginia. Such assignment shall be made and become effective at the time the purchasing agency tenders the initial payment to the bidder.
- I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, limited liability company, partnership, or person or entity submitting a bid for the same material, supplies, equipment or services and is in all respects fair and without collusion or fraud. I further certify that I am authorized to sign the certification on behalf of the bidder or this bid.

### INSTRUCTIONS TO BIDDERS

1. Use the quotation forms provided by the Purchasing Division. Complete all sections of the quotation form.
2. Items offered must be in compliance with the specifications. Any deviation from the specifications must be clearly indicated by the bidder. Alternates offered by the bidder as EQUAL to the specifications must be clearly defined. A bidder offering an alternate should attach complete specifications and literature to the bid. The Purchasing Division may waive minor deviations to specifications.
3. Unit prices shall prevail in case of discrepancy. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
4. All quotations must be delivered by the bidder to the office listed below prior to the date and time of the bid opening. Failure of the bidder to deliver the quotations on time will result in bid disqualifications: Department of Administration, Purchasing Division, 2019 Washington Street East, P.O. Box 50130, Charleston, WV 25305-0130.
5. Communication during the solicitation, bid, evaluation or award periods, except through the Purchasing Division, is strictly prohibited (W.Va. C.S.R. §148-1-6.6).





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
02/02/2009

Page 1 of 3

PRODUCER  Willis HRH 26 Century Blvd. P. O. Box 305191 Nashville, TN 372305191	877-945-7378	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.
INSURERS AFFORDING COVERAGE		NAIC#
INSURER A: American International Specialty Lines In		26883-001
INSURER B: Commerce and Industry Insurance Company		19410-003
INSURER C:		
INSURER D:		
INSURER E:		

## COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ADD'L LTR	INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS
A		GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC	PROP2772529	11/1/2008	11/1/2009	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
B		AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	CA2600308	11/1/2008	11/1/2009	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN EA ACC \$ AUTO ONLY: AGG \$
A		EXCESS/UMBRELLA LIABILITY <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE  DEDUCTIBLE <input checked="" type="checkbox"/> RETENTION \$ 10,000	PROU2772600	11/1/2008	11/1/2009	EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ 10,000,000 \$ \$ \$
B		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under SPECIAL PROVISIONS below	5316752	11/1/2008	11/1/2009	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
A		OTHER Professional Liability	PROP2772529	11/1/2008	11/1/2009	\$1,000,000 per claim \$2,000,000 policy agg \$25,000 Deductible

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

See Attached

## CERTIFICATE HOLDER

Proof of Insurance - -
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## CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.
AUTHORIZED REPRESENTATIVE <i>Heather Myerson</i>

**Willis****CERTIFICATE OF LIABILITY INSURANCE**

Page 2 of 3

DATE  
02/02/2009

PRODUCER		877-945-7378	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.	
Willis HRH 26 Century Blvd. P. O. Box 305191 Nashville, TN 372305191		INSURERS AFFORDING COVERAGE		NAIC#
INSURED	Marshall Miller & Associates, Inc. Attn: Steven Carpenter 534 Industrial Park Road Bluefield, VA 24605	INSURER A: American International Specialty Lines In		26883-001
		INSURER B: Commerce and Industry Insurance Company		19410-003
		INSURER C:		
		INSURER D:		
		INSURER E:		

## DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS

Coverage: Contractors Pollution Liability  
Policy No.: PROP2772529  
Effective: 11/1/08 Expiration: 11/1/09  
Carrier: American International Specialty Lines Insurance Company  
Limits: \$1,000,000 per Occurrence  
\$2,000,000 Aggregate



## **IMPORTANT**

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

## **DISCLAIMER**

This Certificate of Insurance does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

STATE OF WEST VIRGINIA  
Purchasing Division

## PURCHASING AFFIDAVIT

West Virginia Code §5A-3-10a states: No contract or renewal of any contract may be awarded by the state or any of its political subdivisions to any vendor or prospective vendor when the vendor or prospective vendor or a related party to the vendor or prospective vendor is a debtor and the debt owed is an amount greater than one thousand dollars in the aggregate.

### DEFINITIONS:

"Debt" means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon.

"Debtor" means any individual, corporation, partnership, association, limited liability company or any other form or business association owing a debt to the state or any of its political subdivisions. "Political subdivision" means any county commission; municipality; county board of education; any instrumentality established by a county or municipality; any separate corporation or instrumentality established by one or more counties or municipalities, as permitted by law; or any public body charged by law with the performance of a government function or whose jurisdiction is coextensive with one or more counties or municipalities. "Related party" means a party, whether an individual, corporation, partnership, association, limited liability company or any other form or business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceeds five percent of the total contract amount.

EXCEPTION: The prohibition of this section does not apply where a vendor has contested any tax administered pursuant to chapter eleven of this code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a payment plan or agreement and the vendor is not in default of any of the provisions of such plan or agreement.

Under penalty of law for false swearing (West Virginia Code §61-5-3), it is hereby certified that the vendor affirms and acknowledges the information in this affidavit and is in compliance with the requirements as stated.

### WITNESS THE FOLLOWING SIGNATURE

Vendor's Name: Marshall Miller + Associates

Authorized Signature: Pat I. McGee Date: 6/27/12

State of West Virginia

County of Raleigh, to-wit:

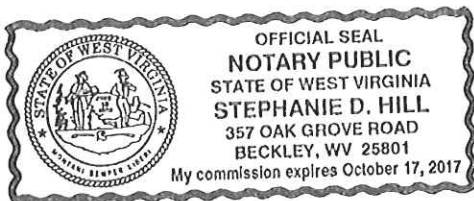
Taken, subscribed, and sworn to before me this 27 day of JUNE, 2012.

My Commission expires October 17, 2017.

AFFIX SEAL HERE

NOTARY PUBLIC

Stephanie D. Hill



# Attachment B

**WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION  
OSR CONSULTANT QUALIFICATION QUESTIONNAIRE**

**Attachment "B"**

<b>PROJECT NAME</b> <b>Mapping and Engineering Design Services for Reclamation of Forfeited Mine Permits (RFQ # DEP15901)</b>		<b>DATE (DAY, MONTH, YEAR)</b> <b>28, June, 2012</b>		<b>FEIN NUMBER</b> <b>54-0989421</b>	
<b>1. FIRM NAME</b> <b>Marshall Miller &amp; Associates, Inc.</b>		<b>2. HOME OFFICE BUSINESS ADDRESS</b> <b>534 Industrial Park Road</b> <b>Bluefield, VA 24605</b>		<b>3. FORMER FIRM NAME</b>	
<b>4. HOME OFFICE TELEPHONE</b> <b>(276) 322-5467</b>	<b>5. ESTABLISHED (YEAR)</b> <b>1975</b>	<b>6. TYPE OWNERSHIP</b> <b>Corporation</b>		<b>6a. WV REGISTERED DBE (Disadvantaged Business Enterprise)</b> <b>NO</b>	
<b>7. PRIMARY OSR DESIGN OFFICE: ADDRESS/ TELEPHONE/ PERSON IN CHARGE/ NO. OSR DESIGN PERSONNEL EACH OFFICE</b> <b>601 Morris Street, Suite 204, Charleston, West Virginia 25301 / George Oberlick / 4 Personnel (Primary Office for Project)</b> <b>200 George Street, Suite 6, Beckley, West Virginia 25801 / Jeff Almond / 17 Personnel</b> <b>534 Industrial Park Rd., Bluefield, Virginia 24605 / (276) 322-5467 / K. Scott Keim / 97 Personnel</b>					
<b>8. PRINCIPAL OFFICERS OR MEMBERS OF FIRM</b> <b>Marshall Miller, Scott Keim, Ronald Mullenex &amp; Cathy Yost</b>			<b>8a. NAME, TITLE, &amp; TELEPHONE NUMBER - OTHER PRINCIPALS</b>		
<b>9. PERSONNEL BY DISCIPLINE (Bold Lettering Indicates Minimum Design Team Members)</b>					
<u>6</u> ADMINISTRATIVE — ARCHITECTS <u>5</u> <b>BIOLOGIST</b> * <b>CADD OPERATORS</b> — CHEMICAL ENGINEERS <u>7</u> <b>CIVIL ENGINEERS</b> <u>3</u> CONSTRUCTION INSPECTORS ** DESIGNERS <u>17</u> DRAFTSMEN	<u>1</u> ECOLOGISTS — ECONOMISTS <u>2</u> ELECTRICAL ENGINEERS — ENVIRONMENTALISTS <u>1</u> ESTIMATORS <u>44</u> <b>GEOLOGISTS</b> — HISTORIANS <u>7</u> HYDROLOGISTS	— LANDSCAPE ARCHITECTS <u>1</u> MECHANICAL ENGINEERS <u>14</u> <b>MINING ENGINEERS</b> — PHOTOGRAMMETRISTS — PLANNERS: URBAN/REGIONAL — SANITARY ENGINEERS <u>2</u> SOILS ENGINEERS — SPECIFICATION WRITERS	<u>1</u> STRUCTURAL ENGINEERS <u>2</u> <b>SURVEYORS</b> — TRAFFIC ENGINEERS <u>76</u> OTHER  <u>189</u> TOTAL PERSONNEL		
* All of our draftsmen and most of our civil and mining engineers operate Computer Aided Drafting and Design (CADD). ** All of our civil engineers and many of our draftsmen are designers.					
<b>TOTAL NUMBER OF WV REGISTERED PROFESSIONAL ENGINEERS IN PRIMARY OFFICE: <u>2</u> (21 total, 7 of which are Civil).</b> <b>*RPEs other than Civil and Mining must provide supporting documentation that qualifies them to supervise and perform this type of work.</b>					
<b>10. HAS THIS JOINT-VENTURE WORKED TOGETHER BEFORE?    YES    NO    N/A</b>					

11. OUTSIDE KEY CONSULTANTS/SUB-CONSULTANTS ANTICIPATED TO BE USED. Attach "OSR Consultant Qualification Questionnaire"

[illegible]

12. A. Is your firm experienced in Special Reclamation remediation/Mine Reclamation Engineering?

**YES** Description and Number of Projects:

MM&A personnel are experienced in engineering and construction aspects to reclaim mine lands. Our projects typically involve site grading, portal seals, mine refuse instability, sedimentation pond design, coal refuse embankment and impoundment design and reclamation, haul road design, rock fill/earthen dam design and remediation, flood routing, hydrological and hydraulic analyses of watershed areas. We have successfully completed more than 10 projects during the past 5 years requiring this experience.

NO

B. Is your firm experienced in soil analysis and coal reuse analyses?

**YES** Description and Number of Projects:

MM&A does not operate a soils analysis laboratory. However, our geologist and engineers are highly experienced in sampling of soils and coal and interpreting results of soil analyses for construction purposes and refuse reprocessing. We have successfully completed more than 10 projects during the past 5 years requiring this experience.

NO

C. Is your firm experienced in hydrology and hydraulics for handling mine water discharges on mining sites?

**YES** Description and Number of Projects:

MM&A personnel are experienced in hydrology and hydraulics; including mine water discharges (non-acidic and acidic waters) runoff system design, storm water structure design and modeling, watershed studies, stream restoration, and channel hydraulics. We have successfully completed more than 10 projects during the past 5 years requiring this experience. MM&A personnel are experienced in AMD evaluation and abatement design. Our experience includes sampling, data evaluation, regulatory statistical reporting, alternative source demonstration and corrective action planning and design. We have successfully completed more than 7 projects during the past 10 years requiring this experience.

NO

D. Does your firm produce its own aerial photography and develop contour mapping?

**YES** Description and Number of Projects:

NO

MM&A subcontracts aerial photography and contour mapping development. MM&A utilizes aerial photography and contour mapping on a routine basis and is experienced with requirements and standards for these services.

E. Is your firm experienced in design of highwall elimination, grading and material handling plans for land reclamation?

**YES** Description and Number of Projects

MM&A personnel are experienced in grading and material handling plans for mine land reclamation. We have successfully completed more than 10 projects during the past 5 years requiring this experience.

NO

**13. PERSONAL HISTORY STATEMENT OF PRINCIPALS AND ASSOCIATES RESPONSIBLE FOR OSR PROJECT DESIGN (Furnish complete data but keep to essentials)**

NAME & TITLE (Last, First, Middle Int.)	YEARS OF EXPERIENCE	
	YEARS OF OSR DESIGN EXPERIENCE:	YEARS OF OSR RELATED DESIGN EXPERIENCE:
<b>Butler, Christopher S. Senior Engineer</b>	4 years (AML) 0 years (OSR)	17 years
<b>Brief Explanation of Responsibilities</b> Chris Butler is a civil engineer with extensive experience in landfill site investigations, monitoring system design and compliance evaluation, closure design and construction monitoring. He has been the project manager and supervisor in charge of diverse investigations and projects, including landfill closures under the WVDEP LCAP (Kanawha Western landfill, Fayette County landfill, Central West Virginia, Mingo County landfill and Berkeley County landfill). He has served as principal in charge of geologic reserve exploration, evaluation and development. He has experience with large scale earthmoving associated with surface mining operations. In addition, he has experience with a wide range of WV-AML reclamation projects including site grading, subsidence, waterline extensions, and acid mine drainage mitigation.		
<b>EDUCATION (Degree, Year, Specialization)</b> <ul style="list-style-type: none"> <li>• Master of Science / 1995 / Civil Engineering / West Virginia University</li> <li>• Bachelor of Science / 1993 / Civil Engineering / West Virginia University</li> </ul>		
<b>MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS</b>  National Society of Professional Engineers, West Virginia (President 2012)		<b>REGISTRATION (Type, Year, State)</b> <ul style="list-style-type: none"> <li>• Registered Professional Engineer, West Virginia, No. 13740</li> <li>• West Virginia Licensed Remediation Specialist, Registration Expired</li> <li>• West Virginia Department of Environmental Protection (WVDEP) Approved Person for preparing, signing and certifying surface mine permit applications</li> </ul>

**13. PERSONAL HISTORY STATEMENT OF PRINCIPALS AND ASSOCIATES RESPONSIBLE FOR OSR PROJECT DESIGN (Furnish complete data but keep to essentials)**

NAME & TITLE (Last, First, Middle Int.)	YEARS OF EXPERIENCE	
	YEARS OF OSR DESIGN EXPERIENCE:	YEARS OF OSR RELATED DESIGN EXPERIENCE:
<b>Oberlick, George J. Vice President</b>	0 years	39 years
<b>Brief Explanation of Responsibilities</b> Provide project management support and participates in domestic and international assignments involving due diligence for mergers and acquisitions. His responsibilities include preparation of technical reports to support coal reserve classifications and requirements of U.S. and Canadian securities agencies, operations and safety audits for coal mining companies, loss control surveys, support services related to coal sales agreements, and coal mine scoping and pre-feasibility evaluations.		
<b>EDUCATION (Degree, Year, Specialization)</b> Bachelor of Science / 1969 / Engineering of Mines / West Virginia University		
<b>MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS</b> Society for Mining, Metallurgy and Exploration, Careers in Coal, Board of Directors, Inez Deposit Bank, FSB, Louisa, Kentucky, Past Chairman, Board of Trustees, Three Rivers Medical Center, Louisa, Kentucky, Past Member, Small Business Advisory Council of the Federal Reserve Bank of Cleveland		<b>REGISTRATION (Type, Year, State)</b> <ul style="list-style-type: none"> <li>• Professional Engineer, West Virginia, Certification No. 008342</li> <li>• Professional Engineer, Illinois, Certification No. 062-048266</li> </ul> Mine Manager: Illinois; Mine Foreman: West Virginia, Kentucky and Colorado



**13. PERSONAL HISTORY STATEMENT OF PRINCIPALS AND ASSOCIATES RESPONSIBLE FOR OSR PROJECT DESIGN (Furnish complete data but keep to essentials)**

NAME & TITLE (Last, First, Middle Int.)	YEARS OF EXPERIENCE	
<b>McCombs, Paul I</b>	YEARS OF OSR DESIGN EXPERIENCE:  0 years	YEARS OF OSR RELATED DESIGN EXPERIENCE:  37 years
<p><b>Brief Explanation of Responsibilities</b>          Responsibilities include ensuring all required permits for both surface and underground mining are obtained from state and federal agencies. Design and supervise the implementation of underground projections, ventilation and roof control plans. Design, plan and coordinate installation and maintenance of surface structures including refuse disposal areas, roads, water and sewage systems and material handling system. Prepare and/or evaluate coal property acquisition and leases. Prepare and monitor capital expenditures for five year budgets. Quarterly sediment control structure certifications. Quarterly and annual refuse impoundment certifications. Coordinate refuse stage construction and installation of various decant pipes, ditches and monitoring devices. Construction project management of belt lines, access/haul roads, mine face-up work, water and sewage systems for new portals. Preform internal environmental audits for compliance with EPA Consent Agreement. Interact with OSM, EPA, DEP and MSHA during inspections.</p>		
<p><b>EDUCATION (Degree, Year, Specialization)</b></p> <ul style="list-style-type: none"> <li>• MSEM / 1988 / Engineering Management / WV College of Graduate Studies</li> <li>• BSCE / 1976 / Civil Engineering / West Virginia University</li> <li>• Architectural Drafting / 1972 / Fairmont State College</li> </ul>		
MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS	<p><b>REGISTRATION (Type, Year, State)</b></p> <ul style="list-style-type: none"> <li>• Professional Engineer, West Virginia, Certification No. 8433</li> </ul>	

**13. PERSONAL HISTORY STATEMENT OF PRINCIPALS AND ASSOCIATES RESPONSIBLE FOR OSR PROJECT DESIGN (Furnish complete data but keep to essentials)**

NAME & TITLE (Last, First, Middle Int.)	YEARS OF EXPERIENCE	
<b>Martin, Joe Drafting Technician</b>	YEARS OF OSR DESIGN EXPERIENCE:  10 years (AML)	YEARS OF OSR RELATED DESIGN EXPERIENCE:  19 years
<p><b>Brief Explanation of Responsibilities</b>          Provide project mapping and data collection and manipulation on mining, civil engineering, coal and environmental projects. Manage databases of environmental and base data to better coordinate internal project use.</p>		
<p><b>EDUCATION (Degree, Year, Specialization)</b></p> <ul style="list-style-type: none"> <li>• Bachelor of Arts /1992 / Industrial Technology / West Virginia Institute of Technology</li> <li>• Associate Degree / 1990 / Drafting and Design/ West Virginia Institute of Technology</li> </ul>		
MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS	REGISTRATION (Type, Year, State)	



13. PERSONAL HISTORY STATEMENT OF PRINCIPALS AND ASSOCIATES RESPONSIBLE FOR OSR PROJECT DESIGN (Furnish complete data but keep to essentials)			
NAME & TITLE (Last, First, Middle Int.)		YEARS OF EXPERIENCE	
<b>Almond, Jeffery A. Senior Permit Consultant</b>		YEARS OF OSR DESIGN EXPERIENCE:  0 years	YEARS OF OSR RELATED DESIGN EXPERIENCE:  41 years
Brief Explanation of Responsibilities Responsible for consulting and engineering services in order to obtain state and federal mining related permits in West Virginia, Virginia and Kentucky. Managed permitting projects from the initial meetings with clients through final issuance by state and federal agencies while assuring budgets are met.			
EDUCATION (Degree, Year, Specialization) • Mining Engineering / Virginia Polytechnic Institute and State University			
MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS		REGISTRATION (Type, Year, State)	
13. PERSONAL HISTORY STATEMENT OF PRINCIPALS AND ASSOCIATES RESPONSIBLE FOR OSR PROJECT DESIGN (Furnish complete data but keep to essentials)			
NAME & TITLE (Last, First, Middle Int.)		YEARS OF EXPERIENCE	
<b>Schlosser, Charles S</b>		YEARS OF OSR DESIGN EXPERIENCE:  0 years	YEARS OF OSR RELATED DESIGN EXPERIENCE:  1 year
Brief Explanation of Responsibilities Project engineer; financial analyst.			
EDUCATION (Degree, Year, Specialization) Bachelors of Science / 2008 / Mining and Minerals Engineering / Virginia Polytechnic Institute and State University			
MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS Society for Mining, Metallurgy and Exploration – 1 year		REGISTRATION (Type, Year, State) Engineer-In-Training (E.I.T.) / 2008 / Virginia	

14. PROVIDE A LIST OF SOFTWARE AND EQUIPMENT AVAILABLE IN THE PRIMARY OFFICE WHICH WILL BE USED TO COMPLETE OSR  
DESIGN SERVICES

SOFTWARE\*

Norton Antivirus (Individual and Server)  
Microsoft Professional Office Suite (latest version)  
AutoCAD 2012  
Land Desktop / Civil 3D 2009  
Carlson Civil 2012  
Microstation  
Dot-Soft Tool Pac for AutoCAD  
Grapher 7  
Quick Flow  
Twodan  
DUMPStat  
Rockware Utilities  
Century Compulog/Display/Log  
Adobe Design Suite (Photoshop, In Design, Acrobat, Illustrator)  
Raster Design (2003)  
Better WMF  
Tralaine Coordinate Conversion Software  
Corpscon 6 - Coordinate Conversion Software  
MS Photo Processing  
SedCAD 4.0  
Civil Tools Pro  
Bentley CivilStorm, CulvertMaster, FlowMaster  
HEC-HMS and HEC-RAS  
ESRI ArcView/ArcInfo/ArcGIS (latest version)  
GeoStudio 2004 (Slope/W, Seep/W and Sigma/W)  
StedWin 2.81 (with PCSTABL5M & PCSTABL6H)

EQUIPMENT

MM&A utilizes state of the art computer equipment and peripherals including:

HP 815 MFP 42" Scanner/Plotter  
HP 800 42" Plotter  
Photo quality printers and plotters  
DVD Reader/Recorder  
CD Reader/Recorder  
Microtek Desktop Scanner  
Multi-Core Workstations  
Various Laser / Inkjet Printers  
Document Binding Equipment  
Leica Total Station - TC600, equipped with TDS data collector  
Leica Total Station - TC800, equipped with TDS data collector  
Leica Survey Grade GPS System - 300 Series (centimeter accuracy)  
Trimble 5600 Series Reflectorless Total Station with Laser Scan Capability  
Trimble Geoexplorer 2005 series Handheld GPS (sub-meter accuracy)

*\* MM&A will purchase any software if deemed necessary to complete a project based on approval by the project manager.*

15. CURRENT ACTIVITIES ON WHICH YOUR FIRM IS THE DESIGNATED ENGINEER OF RECORD

PROJECT NAME, TYPE AND LOCATION	NAME AND ADDRESS OF OWNER	NATURE OF YOUR FIRM'S RESPONSIBILITY	ESTIMATED CONSTRUCTION COST	PERCENT COMPLETE
Threemile Surface Mine Coal Boone/Kanawha Counties, WV	Coyote Coal Company Charleston, WV	Design drainage controls, spoil disposal plan, transportation, mine planning, spoil regrade, reclamation, and stream mitigation.	\$75,000,000	5%
Royal Stone Quarry Aggregate Richmond, VA	Vulcan Construction Materials Winston-Salem, NC	Design cut/fill and grading plan to achieve overburden removal volumes that balance with available spoil storage volume. Included construction bid package.	Unknown	On-going
McDowell County Landfill – Leachate Storage Tank Upgrade	WVDEP-Landfill Closure Assistance Program	Design leachate storage tank, including site grading and hydraulic design. Prepare construction documents and preform construction monitoring services.	\$1,000,000	On-going
AMEI Mining Complex	AmericanMountaineer Energy, Inc.	Design drainage controls, spoil disposal sites, refuse impoundment, regrade and reclamation plans, stream mitigation plans and AMD prevention plans.	Unknown	On-Going
Devils Backbone Highwall Miner No. 1 Surface Mine	Pocahontas Coal Company Beckley, WV	Design drainage controls, mine planning, plan for regrade of existing pre-law highwall elimination, reclamation plans, and spoil balance.	Unknown	On-Going
Meredith Branch Deep Mine	Cliffs Logan County Coal Man, WV	Design water quality mitigation treatment design.	Unknown	On-Going
TOTAL NUMBER OF PROJECTS: 6			TOTAL ESTIMATED CONSTRUCTION COSTS: \$1,075,000	

**16. CURRENT ACTIVITIES ON WHICH YOUR FIRM IS SERVING AS A SUB-CONSULTANT TO OTHERS**

[illegible]

**17. COMPLETED WORK WITHIN LAST 5 YEARS ON WHICH YOUR FIRM WAS THE DESIGNATED ENGINEER OF RECORD**

[illegible]

**16. CURRENT ACTIVITIES ON WHICH YOUR FIRM IS SERVING AS A SUB-CONSULTANT TO OTHERS**

[illegible]

**17. COMPLETED WORK WITHIN LAST 5 YEARS ON WHICH YOUR FIRM WAS THE DESIGNATED ENGINEER OF RECORD**

[illegible]

18. COMPLETED WORK WITHIN LAST 5 YEARS ON WHICH YOUR FIRM HAS BEEN A SUB-CONSULTANT TO OTHER FIRMS (INDICATE PHASE OF WORK FOR WHICH YOUR FIRM WAS RESPONSIBLE)

PROJECT NAME, TYPE AND LOCATION	NAME AND ADDRESS OF OWNER	ESTIMATED CONSTRUCTION COST OF YOUR FIRM'S PORTION	YEAR	CONSTRUCTED (YES OR NO)	FIRM ASSOCIATED WITH
Federal Prison Site Selection Study-Letcher County Kentucky	US Department of Justice-Bureau of Prisons	\$53,000,000	2012	NO	Cardno-Tec, Inc.

19. Use this space to provide any additional information or description of resources supporting your firm's qualifications to perform work for the West Virginia Office of Special Reclamation.

20. The foregoing is a statement of facts.

Signature: Peter Lawson Title: EVP

Printed Name: Peter Lawson

Date: 06/27/12



**OSR and RELATED PROJECT EXPERIENCE MATRIX**

PROJECT	Exp. Basis C=Corp. P=Personal	Additional Info Provided in Section (s)	PROJECT EXPERIENCE REQUIREMENTS																PRIMARY STAFF PARTICIPATION/CAPACITY *** M=Management P=Professional				
			Forfeited Surface Mine Reclamation	Forfeited Deep Mine Reclamation	Portal/Shaft Closure	Hydrologic/hydraulic Design/Eval.	Remining Evaluation	Mine/Refuse Fire Abatement	Subsidence Investigation Mitigation	Hazardous Waste Disposal	Project Specifications	Water Quality Evaluation/Mitigation/ Replacement	Construction Inspection/Management	Water Treatment	Equipment/Structure Removal	Stream Restoration	Geotechnical/Stability	NPDES/Stormwater Preparation	Chris Butler, PE	Justin Douthat, PE	Jeffery Almond	Jerry Enright, PE	
WVDEP-AML Glen Morgan Subsidence	P								X		X							P					
WVDEP-AML Omega Mine AMD Remediation	P					X				X						X		P					
WVDEP-AML Cow Creek - Sarah Ann Waterline	P															X		P					
WVDEP-AML Owens Refuse	P									X				X				P					
WVDEP-LCAP Reclamation (8 Projects)	C/P		X			X				X	X	X	X	X		X		M/P					
Reclamation Maple Meadow No. 1 Shaft	C				X						X		X										
Reserve Evaluation Coal Refuse Impoundments (3 projects)	C/P						X									X					M/P		
Evaluation Mine Pool Water for Power Station Source Water	C/P					X						X		X							M/P		
End of Mine Reclamation Cost Estimations (Surface/Deep Mines)	C/P		X	X	X									X		X		P	M/P				
Reclamation Design & Planning (2 projects)	C/P					X										X			M/P				
Surface Mine Compensatory Mitigation Plan (8 projects)	C/P					X									X					M/P			
Buck Lilly Excess Soil Reclamation, WVDEP Special Reclamation	C/P		X			X						X		X		X				M/P			
VA-MLR Landslide Remediation (3 project)	C				X						X					X							

\* List whether project experience is corporate or personnel based or both.

\*\* Use this area to provide specific sections or pages if needed for reference.

\*\*\* List Primary Design personnel and their functional capacity for the projects listed.

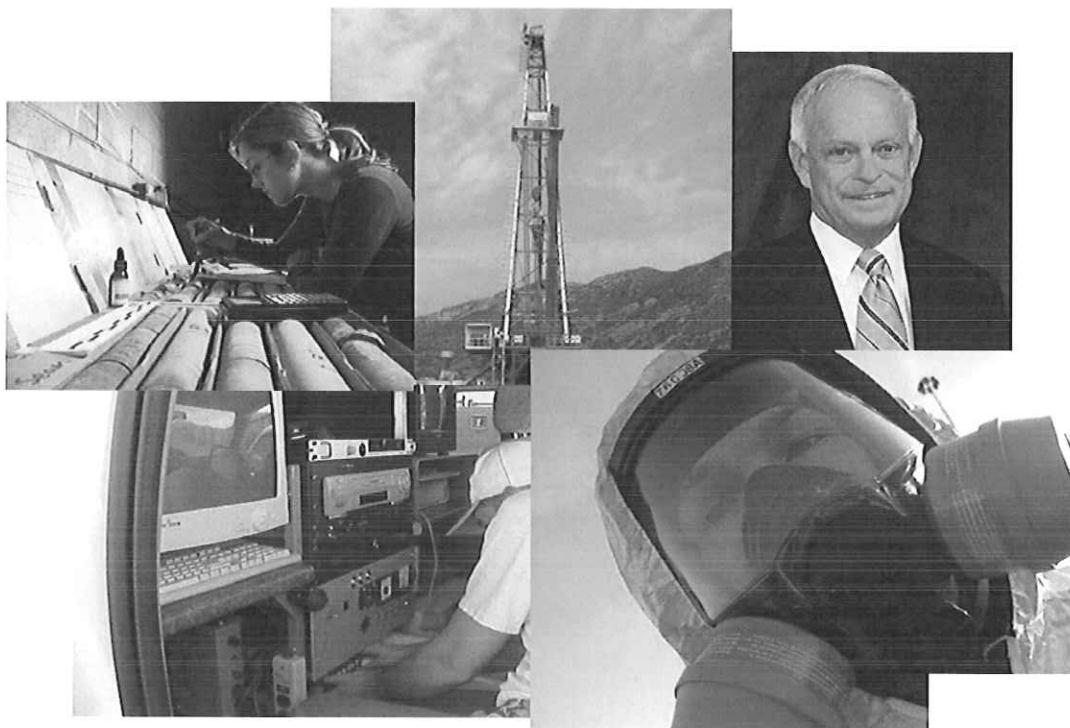
Attachment "C"

# Attachment C

# MARSHALL MILLER & ASSOCIATES, INC.

## INTERNATIONAL CONSULTANTS

ENERGY • ENVIRONMENTAL • ENGINEERING



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**Marshall Miller & Associates (MM&A)**, an international consulting firm headquartered in Bluefield, Virginia, U.S.A., offers services in the energy, environmental and engineering sectors worldwide, as well as to financial, insurance, government and various private and public sector companies. Over a 36-year history, MM&A has evolved into a leader in the mineral resource, environmental, and carbon management industries. The company's success is based on an understanding of client needs and a commitment to applying and developing advanced engineering and scientific solutions through our talented and experienced staff of geologists; hydrologists; earth scientists; and mining, petroleum, environmental, and civil engineers and other professionals.


As a leading consulting firm in the United States working in the coal and oil & gas industries, our energy-related client base consists of over 250 companies. MM&A provides advisory and technical services on project feasibility, acquisition due diligence, mineral reserve and resource reporting, and operations assessment, among other services. In the early 1990s MM&A added environmental services to provide diversification and to insulate the company from the cyclic nature of the energy business. Professional services include environmental risk assessment, remediation, environmental site assessments, environmental impact studies, hazardous waste evaluation, compliance monitoring and reporting, permitting and emergency response. MM&A offers these services to the energy and transportation industries, federal and state government agencies, financial and insurance companies, and local industrial markets proximal to our regional office locations. Our environmental client base consists of over 500 companies.

In 2005 we combined the experience and technical expertise of our energy and environmental staff to focus on emerging carbon capture and storage projects. MM&A is an active participant in multiple projects including the injection of 20,000 tons of CO<sub>2</sub> into an unconventional gas reservoir and various carbon footprint evaluations. Our staff is knowledgeable of the mandatory reporting rules (MRR) related to greenhouse gases (GHG) as proposed by the US Environmental Protection Agency. MM&A engineering, geological, and environmental professionals are leaders in this newly developing field which represents a natural extension of MM&A services to business sectors where we have an excellent reputation and strong client relationships.

MM&A is well positioned to continue our growth in the challenging global economic climate of 2011, and beyond. The strength and diversification of the MM&A staff gives us a solid base from which to capitalize on changing market conditions and to provide technical services to a wide variety of industries. We thank our clients for their trust and confidence in our services, and for helping us to achieve our success. Client satisfaction remains our number one goal.



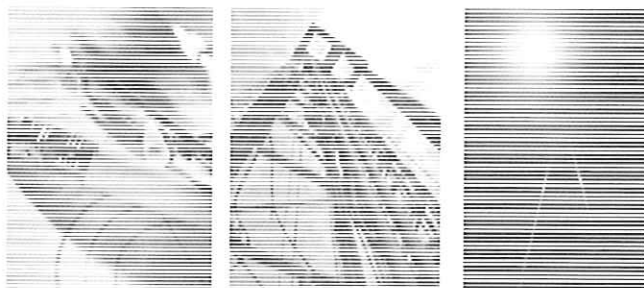
K. Scott Keim  
President



Marshall S. Miller  
Founder & Chairman Emeritus



**MARSHALL MILLER & ASSOCIATES**  
Bluefield Office



# SUMMARY OF SERVICES

## GEOLOGY

- Mineral Resource and Reserve Estimation and Public Reporting including SEC Industry Guide 7; Canadian NI 43-101; and Australasian JORC standards and requirements
- Wireline Geophysical Logging Services
- Field Exploration Project Design; Management; Core Description; Geotechnical Logging; Database management

## MINING ENGINEERING

- Open Pit and Underground Mine Design
- Permitting (SMCRA; NPDES; CWA; CAA)
- Valuation Services including Mineral Reserves, Property, Plant and Equipment, and Enterprise Value
- Mine Costing and Cash Flow Analysis; Mine Operations Assessment
- Mine Feasibility Studies; Due Diligence Services; Independent Engineer; and Advisory Services
- Geotechnical and Ventilation Engineering including Subsidence Prediction; Pillar Design; Ground Control and Roof Support; Mine Ventilation; and Mine Seals
- Impoundment and Embankment Design, Permitting, Inspection, Operations & Monitoring Capabilities

## OIL & GAS

- Resource Assessment - shale gas and coalbed methane
- Reserve Reporting
- Economic Analysis
- Due Diligence Support
- Expert Witness

## HYDROGEOLOGY

- Surface and Groundwater Monitoring and Data Management
- Water Supply Development
- Mine Inflow and Control
- Monitoring of Mine, Quarry or Construction Impact
- Mitigation of Hydrogeologic Impact
- Acid or Metal-Rich Drainage Prevention and Mitigation
- Mine Stream and Wetland Mitigation/Restoration

## ENVIRONMENTAL

- Environmental Site Assessments and Impact Studies
- Environmental Compliance Monitoring and Reporting; Third Party Audits
- Voluntary Remediation/Brownfield Redevelopment
- Property Acquisition Due Diligence
- Emergency Response; SPCC and Environmental Management Plans
- Asbestos, Lead, Radon & Mold Investigations
- Environmental Remediation and Hazardous Waste Management
- Mine Closure and Reclamation Liability Determination in accordance with GAAP (TOPIC 410); Management of Idle Mine Properties
- Permitting (SMCRA; NPDES; CWA; CAA)
- Carbon Capture & Storage; Carbon Footprint; Mandatory Reporting Rules

## CIVIL ENGINEERING

- Highway - Bridge Design
- Structural Engineering
- Site Development
- Mitigation Plans and Stream Restoration
- Geotechnical
- Infrastructure Design
- Railway-Heavy Transportation

**FOR MORE DETAILS VISIT US ON THE  
WEB AT [WWW.MMA1.COM](http://WWW.MMA1.COM), OR CALL  
TO DISCUSS YOUR PROJECT NEEDS  
AND TIMING.**



# YOUR SATISFACTION IS OUR FOCUS & GOAL...

CONTACT ANY OF THE INDIVIDUALS  
BELOW TO DISCUSS YOUR PROJECT  
REQUIREMENTS

- **SCOTT KEIM, C.P.G.**, President and Principal Geologist [PH. 276.322.5467]
- **PETER LAWSON, M.B.A.**, Executive Vice President and Director - Energy Services [PH. 304.255.8937]
- **JOE VANCE, C.P.G.**, Senior Vice President and Director - Environmental Services [PH. 804.798.6525]
- **RON MULLENEX, C.P.G.**, Senior Vice President and Principal Hydrogeologist [PH. 276.322.5467]
- **JOHN E. FEDDOCK, P.E.**, Senior Vice President and Principal Engineer; Lexington, KY Branch Manager [PH. 859.263.2855]
- **HANS NAUMANN, P.E.**, Senior Vice President [PH. 859.263.2855]
- **WILLIAM (BILL) DICKEY, P.E.**, Vice President and Principal Civil Engineer [PH. 304.255.8937]
- **GEORGE OBERLICK, P.E.**, Vice President; Charleston, WV Branch Manager [PH. 304.344.3970]
- **MATT CONRAD, P.G.**, Senior Vice President and Principal Petroleum Geologist; Kingsport, TN Branch Manager [PH. 423.279.9775]
- **MIKE MILLER, P.E.**, Senior Vice President and Principal Petroleum Engineer [PH. 423.279.9775]
- **VINCE ALAIMO**, Vice President; Ashland, VA Branch Manager [PH. 804.798.6525]
- **LARRY GEORGE, P.G.**, Raleigh, NC Branch Manager [PH. 919.786.1414]

- **SUZANNE BAILEY, P.G.**, Mission KS Branch Manager [PH. 913.648.4424]
- **BRENT SCOTT**, Bluefield, VA Environmental Branch Manager [PH. 276.322.5467]
- **JEFF ALMOND**, Senior Permitting Consultant, Beckley, WV Branch Manager [PH. 304.255.8937]
- **JOHN LYNDZINSKI, C.P.G.**, Vice President and Camp Hill, PA Branch Manager [PH. 717.730.7810]
- **DAVID WILLIAMSON, P.G.**, Senior Geologist and Shreveport, LA Branch Manager [PH. 318.868.4848]

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## MM&A GLOBAL PROJECT LOCATIONS - ILLUSTRATIVE EXAMPLES



### LEGEND:

- Bluefield, VA USA Headquarters
- Representative Project Locations
- Additional Staff Experience



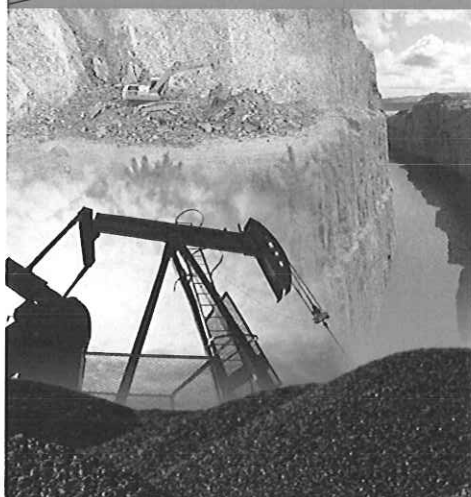
### MARSHALL MILLER & ASSOCIATES, INC. GLOBAL PROJECTS (2011 Update)

For visual quality, only representative projects shown





# MARSHALL MILLER & ASSOCIATES®



## Overview

Marshall Miller & Associates, Inc. is a unique mining engineering, geological, and environmental firm that was formed in 1975 and was primarily involved in the prediction of geological complexities associated with the identification and production of natural resources. Today the company offers much more, providing mining, civil, structural, geotechnical, and environmental engineering services to coal, oil & gas, land, and aggregate companies, financial institutions, Federal and State agencies, and manufacturing companies world-wide.

### Corporate Headquarters

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International  
Organization for  
Standardization

## Fact Sheet

### Primary Service Offerings

#### ENERGY & MINERAL RESOURCES

Reserve Evaluations  
Prediction of Mining Hazards  
Mine Operation Evaluation  
Mine Planning  
Cash Flow Analysis & Valuations  
Mine Seal Design  
Environmental Permitting  
Hydrogeology  
Mine Reclamation Design  
Quarry Evaluation & Design  
Geophysical Logging Services  
GIS

#### CARBON MANAGEMENT

Carbon Capture & Storage  
Greenhouse Gas Inventories & Reductions  
Certified Carbon Credit Verifier (CCX)  
U.S. EPA - Methane to Markets  
Coalbed Methane

#### CIVIL SERVICES

Coal Refuse/Ash Disposal  
Dam Facility Engineering  
Site Development  
Construction Management  
QA/QC Inspections  
Storm Water Management  
Solid Waste Engineering  
Geotechnical Engineering  
Water Treatment and Distribution  
Wastewater Collection/Treatment

#### ENVIRONMENTAL SERVICES

Air & Clean Water Act Permitting  
Risk Assessments  
Emergency Response  
Remedial Action/Corrective Action  
Voluntary Remediation/Brownfields  
Regulatory Compliance  
Environmental Site Assessments  
UST/AST Investigations  
Multi-phase Extraction System  
Direct Push Drilling  
Asbestos/Lead/Radon  
NEPA Documents  
Hazardous Waste

### Clients

- ◆ Aggregate/Industrial Mineral Producers
- ◆ Utility Companies
- ◆ U.S. Federal, State, and Local Government Agencies
- ◆ Public/Private Sector Coal Companies
- ◆ Law Firms
- ◆ Financial Firms

### Key Facts

- ◆ Over 200 Employees
- ◆ 10 Offices in the U.S.
- ◆ Ranked on Engineering News-Record's (ENR) List of the Top 500 Design Firms for The 13<sup>th</sup> Consecutive Year
- ◆ 24-7 Emergency Response Teams  
TOLL FREE: 866.730.7810
- ◆ 41 Registered Professional Geologists
- ◆ 24 Registered Professional Engineers
- ◆ 4 Engineers-In-Training

### Signature Projects

- ◆ Engineer and Remediation Contractor for the Remedial Design and Implementation of the ROD Specified Remedial Action at the North Carolina State University Lot 86 National Priorities List Site
- ◆ Siting Evaluation, Permitting, and Civil Construction Management for the 650 MW Longview Coal Fired Power Plant
- ◆ Iluka Resources - Alternative Industrial Water Supply: Concord and Brink Well Field Exploration, Design and Construction
- ◆ Subject Matter Experts (SME) for ISO 17024 Certification of ISO 14064 and 14065
- ◆ International Energy Project Locations Include: Australia, Canada, Chile, China, Argentina, Colombia, the Czech Republic, Germany, India, Kazakhstan, Mexico, Turkey, and Venezuela
- ◆ Prime Contractor and Researcher for the management of the U.S. Department of Energy's SECARB Central Appalachian Coal Seam Project
- ◆ Mine Feasibility Study for a 5-Million-Ton/Yr. Longwall Operation Including Reserve Analysis, Mine Planning, Equipment Selection, Financial Modeling, Environmental Impact Study, Transportation Assessment, and Marketing Study
- ◆ Coalbed Methane Feasibility Study Involving ~100 Multi-Lateral Wells, 200 Vertical Wells, and In-Mine Horizontal Wells
- ◆ Numerous Merger & Acquisition Projects Throughout the United States, South America, and Europe