State: Kentucky  
PA: KY 4194 SGA  
Project Name: Hardburly Refuse Fill 2 AML Enhancement Project  
Project Description: Reclaim abandoned coal refuse pile for reprocessing.

### I. GENERAL EXCEPTIONS

Does the project type specifically require an EA in 516 DM 6, Appendix 8, as specified in Item I of the attached instructions?  
No [x]  Yes [ ]

### II. DEPARTMENT OF INTERIOR EXCEPTIONS

Will the project have any of the following:

- A significant adverse effect on public health or safety?  
  No [x]  Yes [ ]

An adverse effect on any of the following unique geographic characteristics? If 'yes,' check the ones that apply:

- [ ] Parks (state, local or National)  
  [ ] Wild or Scenic Rivers

- [ ] Recreation or Refuge Lands  
  [ ] Wetlands

- [ ] Wilderness Areas  
  [ ] Floodplains

- [ ] Ecologically Significant or Critical Areas  
  [ ] Sole or Principal Drinking Water Aquifers

- [ ] Prime Farmlands

Highly controversial environmental effects?  
No [x]  Yes [ ]

Highly uncertain and potentially significant environmental effects or unique or unknown environmental risks?  
No [x]  Yes [ ]

A precedent for future action or a decision in principle about future actions with potentially significant environmental effects?  
No [x]  Yes [ ]

Directly related to other actions with individually insignificant but cumulatively significant environmental effects?  
No [x]  Yes [ ]

Adverse effects on properties listed or eligible for listing on the National Register of Historic Places?  
No [x]  Yes [ ]

Adverse effects on species listed or proposed to be listed on the List of Endangered or Threatened Species, or have adverse effects on designated Critical Habitat for these species?  
No [x]  Yes [ ]
Require compliance with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Wetlands Protection) or The Fish and Wildlife Coordination Act?  
No [x]  Yes [ ]

Threaten to violate a Federal, State, Tribal or local law or requirement imposed for the protection of the environment?  
No [x]  Yes [ ]

III. RESOURCE IMPACT EXCEPTIONS

Are there any unresolved issues or adverse effects requiring specialized mitigation for any of the following resources? If yes, check the ones that apply.  
No [x]  Yes [ ]

- Topography
- Land Use (includes prime farmland)
- Soils
- Vegetation (includes wetlands)
- Hydrology
- Fish and Wildlife
- Historic and Cultural
- Recreation
- Air Quality
- Noise
- Other (includes socio-economics)

IV. ATTACH CONSULTATION LETTERS AND A LOCATION MAP

V. RESPONSIBLE OFFICIAL CERTIFICATION

Signature:  
Date: 2/31/2012

Name and Title: Robert F. Scott, Director  
Division of Abandoned Mine Lands

VI. OSM DETERMINATION

[ ] This project conforms with the exclusion criteria in 516 DM 6, Appendix 8, and is excluded from further NEPA compliance.

[ ] This project does not conform with the exclusion criteria in 516 DM 6, Appendix 8, and requires an environmental assessment.

Signature:  
Date: 8/29/12

Name and Title: Joseph L. Blackburn, Field Office Director