



ENERGY AND ENVIRONMENT CABINET
DEPARTMENT FOR NATURAL RESOURCES

Steven L. Beshear
Governor

Division of Mine Permits
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October 31, 2011

Leonard K. Peters
Secretary

Carl E. Campbell
Commissioner

WHITNEY C. BLACKBURN-LYNCH
ERM2
2265 HARRODSBURG ROAD, SUITE 200
LEXINGTON, KENTUCKY 40504

RE: Armstrong Coal Company, Inc.
Application # 892-0110 NW

Dear Ms. Blackburn-Lynch,

This office recently received the corrected report, "Bioarchaeological Investigations of the Bennett Cemetery (15Oh176) for the Proposed Equality Boot Mine in Ohio County, Kentucky," prepared by Alexandra D. Bybee of Cultural Resource Analysts, Inc. This report presents the results of a Phase III data recovery investigation conducted for the above referenced permit application.

In this report, the excavated human remains and material culture of 57 individuals buried between circa 1871 and the 1940s in a rural cemetery in western Kentucky are described and interpreted in detail. The investigator has **recommended that no additional work be conducted within this area.** Division of Mine Permits personnel have reviewed the author's methods and conclusions, and **concur with this recommendation.** The Division congratulates Ms. Bybee on the authorship of what may well be the finest archaeology technical report received by this office, to date. A copy of the SHPO comments will be forwarded to you upon receipt by the Division.

The Division now considers the applicant to have **successfully completed the permitting requirement to consider and protect significant cultural resources** for the subject permit application. If you have any questions concerning this matter, please contact me at the Critical Resources Review Section, at (502) 564-2320.

Sincerely,

Ms. Davie Ransdell, Supervisor
Critical Resources Review Section
Division of Mine Permits

c: Permit File Stephen Ibershoff (e)
Charles Niquette, CRAI
Lindy Casebier, SHPO (e)
CRRS / ARCH CLEARANCE LTR

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