

OFFICE OF GENERAL COUNSEL

RAILROAD COMMISSION OF TEXAS NOTICE OF PUBLIC COMMENT AND PUBLIC HEARING DOS REPÚBLICAS COAL PARTNERSHIP, DOCKET NO. C5-0003-SC-42-C Application for Renewal/Revision/Expansion of Surface Coal Mining and Reclamation Permit No. 42A, Eagle Pass Mine

The Railroad Commission of Texas will hold a public hearing (public comment) beginning at 1:00 p.m. on June 14, 2011 and ending at 9:00 p.m. at the City of Eagle Pass International Center for Trade, 3295 Bob Rogers Drive, Eagle Pass, Texas on the application by Dos Repúblicas Coal Partnership (DRCP) for renewal/revision/expansion of its surface coal mining and reclamation Permit No. 42A for the Eagle Pass Mine located in Maverick County. This portion of the hearing will be for the purpose of public comment and requests for party status. The public comment hearing is also scheduled to resume on Wednesday June 15, 2011 from 9:00 a.m. to 1:00 p.m. The portion of the hearing for the merits of the application including the presentation of evidence and testimony will be held at a later date. A Commission hearings examiner will hold the public comment hearing. The hearing may be continued at various times and places by announcement at the hearing. If the hearing should be cancelled, a notice will appear in the newspaper in which this notice of hearing is published prior to the date scheduled for hearing.

Public comments may be made at this portion of the hearing from interested persons. A short presentation may be made by the applicant at the beginning of the meeting. Notice of application for this matter was previously published, and written public comments have previously been taken from interested persons. Public comments must be relevant to the application for renewal/revision/expansion.

Persons having an interest which is or may be adversely affected by the application and who wish to become parties to the proceeding to participate at the later hearing on the merits are asked to file a request for party status with the Commission by Monday, June 6, 2011. All requests for party status must be received by the Commission no later than Monday, June 13, 2011. Persons intending to participate as parties should review the Commission's procedural rules, "Practice and Procedure," available on the Commission's website, www.rrc.state.tx.us in order to be aware of the rights and responsibilities of parties, including participation in the presentation of testimony, evidence, and cross-examination. The applicant, Dos Repúblicas Coal Partnership is a party, as well as the Commission's Surface Coal Mining and Reclamation Division Staff. The Division staff is responsible for preparing a technical and administrative review of the application called a Technical Analysis.

Notice of Hearing
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Requests for party status or questions concerning the hearing should be directed to Marcy J. Spraggins, Hearings Examiner, Office of General Counsel, Railroad Commission of Texas, P. O. Box 12967, Austin, Texas, 78711-2967. The hearing will be held pursuant to the Texas Surface Coal Mining and Reclamation Act, Tex. NAT. RES. CODE ANN. Ch. 134, the Administrative Procedure Act, TEX. GOV'T CODE, Ch. 2001, and the Commission's "Practice and Procedure" and the "Coal Mining Regulations," 16 TEX. ADMIN. CODE Chs. 1 and 12, respectively.

Copies of the application are available for public review in the Office of the Maverick County Clerk, 500 Quarry Street, Suite 2, Eagle Pass, Texas, and at the Railroad Commission's Surface Mining and Reclamation Division, 11th Floor, 1701 North Congress Avenue, Austin, Texas 78711. An individual with a disability who plans to attend this meeting and who requires auxiliary aids or services should notify the Commission as far in advance as possible so that appropriate arrangements can be made. Requests may be made to the Personnel Office of the Railroad Commission of Texas by mail at P. O. Box 12967, Austin, Texas 78711-2967; by telephone at (512) 463-6981 or TDD No. (512) 463-7284; by email at ADA@rrc.state.tx.us or in person at 1701 North Congress Avenue, Suite 12-100, Austin, Texas.

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