



**ENVIRONMENTAL AND PUBLIC PROTECTION CABINET**

DEPARTMENT FOR NATURAL RESOURCES

Division of Abandoned Mine Lands

2521 Lawrenceburg Road  
Frankfort, Kentucky 40601  
[www.kentucky.gov](http://www.kentucky.gov)

**Ernie Fletcher**  
Governor

**Teresa J. Hill**  
Secretary

November 6, 2006

Mr. Evan Smith  
PO Box 1422  
Whitesburg, KY 41858

Dear Mr. Smith:

On October 17, 2006, personnel from this division's London office investigated the orange-colored water seep entering Little Dry Fork Creek, near the C&I Transmission Shop and across from the Parkway Motel along Highway 15, in Letcher County. Roger Martin of the Kentucky Division of Water reported this problem to us on your behalf. The Abandoned Mine Land (AML) Program is designed to reclaim areas affected by past mining activity. The Federal Surface Mining Act and associated regulations, with which we must comply, specify various priorities for undertaking AML projects. Generally, higher priorities are assigned to problems that most directly affect public health, safety and welfare. In short, higher priorities are assigned to sites which have the most severe problems.

Our investigation and subsequent mine history research indicates that the area of the orange-colored seep was deep mined until approximately 1952. The orange water does not pose a significant threat to public health, safety or welfare. Our extremely limited AML funds must be spent toward the reclamation of higher priority problems such as dangerous landslides, burning coal refuse piles and open shafts which more directly threaten public health, safety and welfare. It is highly unlikely that our AML program will address problems such as those you reported in the near future. However, we will keep your complaint on file should substantial AML funding increases occur, in the long term, that would enable us to consider problems like yours.

We sincerely regret that we cannot be more responsive to your concerns. If you have additional information or questions regarding this matter, please contact our Program Development Branch at 502/564-2141 during normal working hours.

Sincerely,

Carl B. Hays  
Branch Manager

CBH:BO:JR:tym

c: London AML

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