

COMMONWEALTH OF KENTUCKY  
ENERGY AND ENVIRONMENT CABINET  
FILE NO. FOV-26-1-0130  
PERMIT NO. 898-0819  
NON-COMPLIANCE NO. 53-2371

CONTINENTAL LAND CO LLC;  
RECKONING RECLAMATION, LLC

PETITIONERS

-VS-

ENERGY AND ENVIRONMENT CABINET

RESPONDENT

\*\*\*\*\*  
**PETITION FOR REVIEW**  
\*\*\*\*\*

Come the Petitioners, Continental Land Co. LLC and Reckoning Reclamation, LLC, by counsel, and for their Petition for Review herein, state as follows:

1. On April 22, 2026, a representative for the Respondent issued to Cambrian Coal LLC and the Petitioners Notice of Non-Compliance No. 53-2371 (the "Non-Compliance") alleging the following violation on Permit No. 898-0819 issued to Cambrian (the "Permit"):

**1. Other – 405 KAR 8:010, Section 18**

Permittee has failed to apply for renewal of the KPDES Permit to the Division of Water.

A true and accurate copy of the Non-Compliance is attached hereto and made a part hereof marked Exhibit A.

2. The following remedial measures were required by the Respondent in the Non-Compliance in order for the Petitioners to abate/remediate the Non-Compliance:

**1. Other.**

Within 30 days, Permittee is to submit required information for renewal of their KPDES Permit to the Division of Water and obtain acceptance of submittal of their KPDES Permit renewal information.

3. The Petitioners are filing this Petition for Review to contest the validity of the Non-Compliance, the remedial measures set forth therein, and the designation of the Petitioners as “Other” entities responsible for the violations cited in the Non-Compliance and they are entitled to administrative relief pursuant to 400 KAR 1:110, Section 7, and the reasons for such relief are as follows:

a. The Non-Compliance and the remedial measures set forth therein are clearly erroneous based on evidence that will be introduced at the Formal Hearing scheduled in this matter.

b. The responsibility for the violation cited in the Non-Compliance and the remedial measures set forth therein are the responsibility of Premier and not the Petitioners.

c. The Petitioners are not owners or controllers of Premier or the Permit within the meaning of KRS Chapter 350 and the regulations

promulgated thereto, nor are the Petitioners the permittee of the Permit or the designated operator on the Permit.

d. The ownership and control regulations promulgated by the Cabinet are more stringent than the ownership and control regulation promulgated by the United States Office of Surface Mining, Reclamation and Enforcement and therefore are void.

**WHEREFORE**, the Petitioners, Continental Land Co. LLC and Reckoning Reclamation, LLC, pray as follows:

1. That this matter be scheduled for a Formal Hearing in Pikeville, Kentucky, which is a location convenient to the Petitioners, the Respondent and all potential witnesses.

2. That the Hearing Officer make a determination that the Petitioners are not the permittee of the Permit, are not owners and controllers of Premier or the Permit, are not an operator on the Permit and that the ownership and control regulations are more stringent than the ownership and control regulations approved by the United States Office of Surface Mining, Reclamation and Enforcement and are therefore void.

3. That the Hearing Officer enter a Recommendation to the Secretary that Notice of Non-Compliance No. 53-2371 be vacated.

4. For all other relief to which the Petitioners may be entitled.

Respectfully submitted

/s/ Charles J. Baird

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### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing  
Petition for Review was e-mailed to the following on this the 6<sup>th</sup> day of May,  
2026:

The original to:

Energy and Environment Cabinet  
Office of Administrative Hearings  
211 Sower Blvd.  
Frankfort, KY 40601  
Email: [eecoahtfilings@ky.gov](mailto:eecoahtfilings@ky.gov)

Lance Huffman, General Counsel  
Department for Natural Resources  
300 Sower Blvd., 3<sup>rd</sup> Floor  
Frankfort, KY 40601  
Email: [lance.huffman@ky.gov](mailto:lance.huffman@ky.gov)

/s/Charles J. Baird  
Charles J. Baird, Esq.

606.1170/Petition for Review  
PN 898-0819/NC 53-2371

Permittee Name: **CAMBRIAN COAL LLC**

I.D. # **015646**

An inspection conducted on **04/22/2026** revealed that permit **898-0819** is in violation of approved provisions and/or regulations. The extent of the violation(s) and or remedial action(s) is as follows:

**1** Code **OT** Regulation/Performance Standard **Other - 405 KAR 8:010, Section 18**

Permittee responsible for violation

Permittee and operator

Other

**016224 - CONTINENTAL LAND CO LLC**  
**016221 - RECKONING RECLAMATION, LLC**  
**016367 - Range Bluegrass Land, LLC**

ID#: \_\_\_\_\_ responsible for violation.  
ID#: \_\_\_\_\_ responsible for violation.

Description of violation and location:

**Permittee has failed to apply for renewal of the KPDES permit to the Division of Water.**

Violation occurred on Increment # **1, 2, 3, 4, 5, 6, 7, 8**

Bonded by Surety Name: **CONTINENTAL HERITAGE INSURANCE COMPANY**

ID#: **0922**

Violation Correctable – Remedial Measures to be performed:

**Within 30 days, Permittee is to submit required information for renewal of their KPDES permit to the Division of Water and obtain acceptance of submittal of their KPDES permit renewal information.**

You are ordered to correct the above violation by **3:00 PM** on **05/22/2026**.

Violation Non correctable – Because:

Code  Regulation/Performance Standard

Permittee responsible for violation

Permittee and operator

Other

ID#: \_\_\_\_\_ responsible for violation.  
ID#: \_\_\_\_\_ responsible for violation.

Description of violation and location:

Violation occurred on Increment #

Bonded by Surety Name:

ID#: \_\_\_\_\_

Violation Correctable – Remedial Measures to be performed:

You are ordered to correct the above violation by  on .

Violation Non correctable – Because:

Env. Inspector:	<i>Jerry Overstreet</i> 4/23/2026	I.D. No:	<b>050358</b>	Date:	<b>4/22/26</b>
Env. Control Supervisor:	<i>Jerry Overstreet</i> 4/23/2026 <small>Signed by: Jerry Overstreet</small>	Env. Control Manager:	<i>Gina McGinnis</i> 4/28/2026 <small>Signed by: Gina McGinnis</small>		

Person On-Site To Whom Copy Was Delivered:

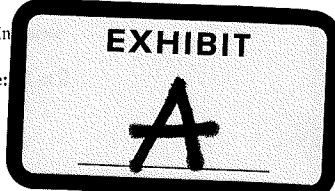
Signature:  Double-Click to Sign

Person To Whom Copy Was Hand Delivered:

Signature:  Double-Click to Sign

Certified Mail No.

Certified Date



Contact Inspector at:

**Lydia Harkleroad**

upon completion of remedial measures