



Court Upholds Ramaco's Rights to Mine Coal

District Judge Affirms Earlier Environmental Quality Council Vote for Ramaco

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Sheridan, WY – Local carbon tech company Ramaco Carbon's right to mine its private coal assets in the state cleared a key hurdle Friday, after a Wyoming District Court Judge affirmed that the Wyoming Environmental Quality Council (EQC) was correct to give Ramaco a "order in lieu" of consent over objections from Big Horn Coal, a subsidiary of Utah-based coal mining company Lighthouse Resources and a surface owner to part of Ramaco's holdings. Consent in lieu is a provision in Wyoming statutes which allow a state agency to grant consent to a mining applicant's permit filing when a surface owner is being unreasonable in withholding such consent.

Ramaco attorney Tom Sansonetti noted that the Wyoming District Court found the state EQC had the statutory authority to determine Ramaco's right to extract coal underneath Big Horn Coal's surface land. Big Horn Coal had appealed the unanimous EQC vote in 2016.

At issue in the appeal were Ramaco's longstanding express property rights to use the surface lands for the express purpose of mining its coal as set out in a 1954 deed. Sansonetti explained that the EQC is tasked by state statutes to find the presence of five elements, one of which is whether the applicant has the right to extract coal. In this instance, he said the District Court affirmed that the EQC can interpret the 1954 deed and other property rights documents when determining the statutory elements for "order in lieu" of consent.

On the question of present and future mining, Sansonetti said the District Court found that the language of the 1954 deed when read along with a 1983 release agreement between the parties' predecessors effectively precludes Big Horn Coal from objecting to Ramaco's Brook Mine's application for a mining permit. Evidence presented in the 2016 EQC hearings, Sansonetti said, showed Big Horn Coal's intent was to extract money, asking in a letter for \$8 million from Ramaco to access Ramaco's own mineral and surface estate.



Big Horn Coal’s challenge to the EQC order claimed the decision was not supported by substantial evidence. The Court found the opposite – that the EQC order in lieu of consent was indeed supported by substantial evidence, Sansonetti said.

Ramaco has recently submitted a revised mine permit application to the DEQ. The Court’s decision means that Ramaco does not have to re-obtain consent from Big Horn Coal since all landowner consents associated with the original application carry over to the revised application.

At a time when other thermal coal companies are struggling, Ramaco chairman Randall Atkins said the resolution of this case is one more positive step toward creating the vertically-integrated coal mining, research and advanced manufacturing platform in Sheridan which Ramaco has been pursuing. Ramaco's innovation is to pursue the alternative use of coal to make advanced carbon manufactured products, rather than burning coal for power generation. Coal from the proposed Brook Mine near Sheridan mine would be used in Ramaco’s planned iCAM research campus for coal-to-products research and development, and later in manufacturing carbon products at the adjoining iPark mine-mouth industrial park. Construction on the first phase of the iCAM research park is now underway.

At the conclusion of the case, Atkins noted the irony that Lighthouse Resources — an out-of-state coal company seeking Wyoming state funding for its proposed coal export terminal permit in Washington State — would object to a new coal mine permit in Wyoming.

Ramaco’s Brook Mine would be the first private coal mine permitted in Wyoming in more than four decades.

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