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COAL ENERGY GROUP 2, LLC
WILDCAT LOADOUT
MINING AND RECLAMATION PLAN
CHAPTER 1, LEGAL
CHAPTER 1, LEGAL

R645-301-100. GENERAL

A proposed crude oil unloading station, storage system, and railcar loading stations will be located on the west side of the Utah Railroad tracks. These facilities will be bonded before any implementation or construction is started.

R645-301-110. LEGAL, FINANCIAL, AND COMPLIANCE INFORMATION

Legal, Financial Compliance and Information

The objective of this chapter is to set forth all relevant information concerning ownership and control of Coal Energy Group 2, LLC, the ownership and control of the property to be affected by mining activities and all other information and documentation required.

Compliance Information

a) Suspension and Revocation

Coal Energy Group 2, LLC, affiliates or persons controlled by or under common control with Intermountain Power Agency have not forfeited a mining bond or similar security in lieu of bond.

b) Forfeiture of Bond

Coal Energy Group 2, LLC, affiliates or persons controlled by or under common control with Intermountain Power Agency have not forfeited a mining or similar security in lieu of bond.

c) History of Violations

Coal Energy Group 2, LLC and affiliated companies have not received any violation received within the last three years prior to the date of this application. See attached amended and restated Appendix B Part B

R645-301-111. INTRODUCTION

Introduction and Overview of Project Permit Application

A. Introduction

This permit application is being submitted by Coal Energy Group 2, LLC, in order that coal can be stored and loaded out of this coal loadout facility located at Wildcat Junction, near Helper, Utah. This facility is known as the Wildcat Loadout. Coal Energy Group 2, LLC is a Nevada limited liability company registered to do business in the State of Utah. Coal Energy Group 2, LLC has a permit to operate its coal loading and storage facility known as Wildcat Loadout, in accordance with the appropriate regulations. This coal loadout facility is located on land owned by the United States of America in Carbon County, Utah.

Coal Energy Group 2, LLC was granted the right-of-way in November, 2018, by the Bureau of Land Management of the United States Department of the Interior.
Coal Energy Group 2, LLC has leased to Coal Energy Group 3, LLC the coal transloading side of the facility. Coal Energy Group 2, LLC controls all lands within the coal loadout facility area. Coal Energy Group 2, LLC has therefore prepared this coal loadout facility permit application rewritten under the R645 Coal Mining Rules format, for submission to the appropriate regulatory authorities for review and approval.

Coal Energy Group 2, LLC has also leased to Wildcat Midstream Limited Partners, the oil transloading side of the facility.

Coal Transloading:
Coal Energy Group 3, LLC
6602 Ilex Circle, Naples, FL 34109
Attn: Bob Nead, Phone: 239-825-2332

Oil Transloading:
Wildcat Midstream Limited Partnership
P.O. Box 2200, Fort Worth, TX 76113
Attn: Matthew Cooper, Phone: 817-231-8938

B. Overview and Summary of Project

Coal storage and loading activities at Wildcat started officially on April 2, 1985, when the first coal was brought there for storage and eventual loadout, under a permit issued to Andalex Resources, Inc. by the Bureau of Land Management, U.S. Department of the Interior. The permit was then assigned to Intermountain Power Agency and most recently was assigned to Coal Energy Group 2, LLC. This coal loadout facility is located approximately three miles west of U.S. Highway 6, Consumer's Road, Helper, Utah, in Carbon County and can be more accurately described as parts of Section 33, Township 13 South, Range 9 East, S.L.B. & M. (please see Figure 1). The permit area contains approximately 100.19 acres, of which 12.5 acres are under lease to the Utah Railway by the Bureau of Land Management. The facility is located within a 270 acre BLM right-of-way. The serial number for this right-of-way is U-48027.

There are no perennial streams or bodies of water on the property. Water for culinary purposes is supplied by Price Municipal Corporation and hauled down to the facility using approved culinary tank trucks. The water is in turn stored in an approved culinary tank at the loadout.

Historically, coal loading activities had been the sole use for this permit area, even prior to being leased to Coal Energy Group 2, LLC. This is evidenced by the fact that the soil survey of the area revealed that of the eight test holes, two completely lacked topsoil and one located along the tracks had approximately two feet of fine coal and no topsoil. Coal had been stored along the tracks for shipping purposes in the past. It is appropriately justifiable to conclude that Coal Energy Group 2, LLC's proposed use of the area for coal storage and loading activities will be fully
compatible with its previous use, and as such, no significant new disturbance of the area has occurred. Observations have shown that the previous land use consisting of wildlife habitat and migrations has not been interrupted. This is evidenced by repeated sightings of deer herds moving through the permit area. Other mammals and birds continue to use this area for their habitat. Access to the loadout and storage facility is by paved county and state roads, which are also maintained by the county and state.

Coal is hauled from local mines that may desire coal loading services. All surface and support facilities necessary for present operations have been completed. There are no additions or modifications proposed at this time. Aside from the DOGM permit, Coal Energy Group 2, LLC has acquired all the necessary approvals, licenses, rights-of-way, and permits at both state and federal levels to conduct coal storage and loading operations on the plan area. The facility is designed to handle loading and crushing activities up to 5.5 million tons per year.

Upon cessation of coal loading activities, reclamation activities will commence in accordance with the plans outlined in this application. The land will be restored to a condition equal to or better than the pre-mining condition, according to available technology.

This facility is located in an area where mining and its related activities have been the main industry, and as a result, the surrounding communities are properly adapted. The labor supply is excellent and well trained. With all these considerations, coupled with the prudent management at Coal Energy Group 2, LLC, the Wildcat Coal Loadout Facility is a model operation in the Carbon County area with no significant environmental or socioeconomic impact.

C. Organization of Application

This permit application has been organized in accordance with the general requirements for format and contents as outlined in the R645 Coal Mining Rules.

R645-301-112. IDENTIFICATION OF INTERESTS

Identification of Interests

1. Permit Applicant

   Coal Energy Group 2, LLC
   6602 Ilex Circle
   Naples, FL 34109
   (239) 825-2332

2. Legal and Equitable Owners of Record

   The addresses of owners of record are as follows:

   INCORPORATED
   MAR 05 2019
   Div. of Oil, Gas & Mining
All land within the permit area in question is owned by the United States of America and is leased by the Utah Railroad Corporation and Intermountain Power Agency.

3. Purchasers of Record Under Real Estate Contracts

There are no purchasers of record under any real estate contracts of areas to be affected by surface operations and facilities of this loadout, and there are no purchasers of record under any real estate contracts of the coal to be loaded out.

R645-301-112.100. TYPE OF BUSINESS

Coal Energy Group 2, LLC (CEG2) is a Nevada limited liability company registered to do business in the State of Utah. CEG2 is managed by its Members. This facility stores, processes and ships coal for various operations in the area. This mining permit application has been prepared by CEG2 and is being submitted for review and approval by the appropriate regulatory authorities.

R645-301-112.200. NAMES, LOCATIONS, RESIDENT AGENT

Resident Agent who will accept service of process for Coal Energy Group 2, LLC
Wildcat Loadout, ACT/007/033:

Larry Johnson
463 North 100 West, Suite 1
Cedar City, UT 84720
(435) 691-2983

R645-301-112.300. OTHER THAN SINGLE PROPRIETORSHIPS

Coal Energy Group 2, LLC holds the exclusive coal operating interests in the permit area.
R645-301-112.310. OFFICERS AND SHAREHOLDERS

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<th>Name</th>
<th>Address</th>
<th>Title</th>
<th>Date Position Assumed</th>
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<tr>
<td>Bob Nead</td>
<td>6602 Ilex Circle</td>
<td>Member</td>
<td>May 2018</td>
</tr>
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<td></td>
<td>Naples, FL 34109</td>
<td></td>
<td></td>
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<tr>
<td>Jim Wayland</td>
<td>2841 Capistrano Way</td>
<td>Member</td>
<td>May 2018</td>
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<td></td>
<td>Naples, FL 34105</td>
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<tr>
<td>Larry Johnson</td>
<td>463 North 100 West, Suite 1</td>
<td>General Manager</td>
<td>September 2018</td>
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<td>Cedar City, UT 84720</td>
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R645-301-112.320. OWNERSHIP AND CONTROL RELATIONSHIP TO APPLICANT

Refer to R645-301-112.310 for ownership and control information.

R645-301-112.400. PENDING, CURRENT AND PREVIOUS COAL PERMITS


2. Both James Wayland and Robert Nead owns a 50% interest in the Kinney #2 Mine, Utah Coal Program Permit No. C/007/0047 pending final approval. Coal Energy Group 3, LLC., Permittee is in the process of acquiring an MSHA ID No.

R645-301-112.500. SURFACE AND MINERAL OWNERSHIP

All surface and subsurface areas contiguous to the permit area are owned by the United States. The name and address of the responsible authority representing the federal government is as follows:

Bureau of Land Management
Utah State Office
P.O. Box 45155
440 West 200 South, Suite 500
Salt Lake City, Utah 84145-0155
(801) 539-4001

INTEGRATED
MAR 05 2019
Div. of Oil, Gas & Mining
R645-301-112.600. ADJACENT SURFACE AND MINERAL OWNERSHIP

Refer to Plate 16 for adjacent surface and mineral ownership.

R645-301-112.700. MSHA NUMBERS FOR ALL MINE-ASSOCIATED STRUCTURES

The Wildcat Loadout and Refuse Pile have the following MSHA I.D. Numbers:

Loadout MSHA I.D. 42-01864
Refuse Pile MSHA I.D. 1211-UT-09-01864-01

R645-301-112.800. STATEMENT OF ALL LANDS AND INTERESTS IN LANDS

N/A

R645-301-113. VIOLATION INFORMATION

History of Violations

R645-301-113.100. COMPLIANCE INFORMATION

Neither Coal Energy Group 2, LLC nor any subsidiary, affiliate or persons controlled by or under common control with Coal Energy Group 2, LLC has:

1. Had a federal or state permit to conduct coal mining and reclamation operations suspended or revoked in the five years preceding the date of submission of the Application; or

2. Has forfeited a performance bond or similar security deposited in lieu of bond.

R645-301-113.110. SUSPENDED OR REVOKED PERMITS

Refer to R645-301-113.100 for ownership and control information.

R645-301-113.120. FORFEITED BONDS

Refer to R645-301-113.100 for ownership and control information.

R645-301-113.200. EXPLANATION OF PERMIT OF BOND FORFEITURE

N/A

R645-301-113.210 PERMIT AND BOND IDENTIFICATION

The following is a list of all other licenses and permits under applicable state and federal land use, air and water quality, water rights, and health and safety laws and regulations held by Intermountain Power Agency in order to operate its coal loading facility. These permits can also be found in Appendix B.
State:
1. State of Utah
   Department of Natural Resources
   Division of Oil, Gas, and Mining
   1594 West North Temple, Suite 1210
   Box 145801
   Salt Lake City, Utah 84114-5801

   Reference I.D.: DOGM MRP C/007/033

2. State of Utah
   Department of Health
   Division of Environmental Health
   150 West North Temple
   P.O. Box 2500
   Salt Lake City, Utah 84110

   - Air Quality Construction and Operation Permit
     Approved July 22, 1982
   - Water Quality - Sediment and Drainage
     Approved September 15, 1982
   - Septic and Culinary Plan (1) Approved April 1, 1982

3. Utah Division of Water Quality
   P.O. Box 144870
   Salt Lake City, Utah 84114-4870

   - UPDES Discharge Permit #UTG040007

Federal:
1. Bureau of Land Management
   Utah State Office
   P.O. Box 45155
   440 West 200 South, Suite 500
   Salt Lake City, Utah 84145-0155

   - Right-of-Way
     Permit Number U-48027
     Granted January 12, 1982
     Amended February 5, 2007
     Assigned to Intermountain Power Agency on August 1, 2011
     Assigned to Coal Energy Group 2, LLC on November 8, 2018
R645-301-113.220. REGULATORY AUTHORITIES INVOLVED

See above

R645-301-113.230. CURRENT STATUS OF PERMIT AND BOND

See above

R645-301-113.240. ADMINISTRATIVE OR JUDICIAL PROCEDURES

None

R645-301-113.250. CURRENT STATUS OF PROCEEDINGS

None

R645-301-113.300. LIST OF ALL VIOLATIONS NOTICES

A list of violations for the applicant, affiliates, members or managers or persons controlled by or under common control with the applicant who have received a violation during the last three-year period can be found in Appendix B Part B.

R645-301-113.310. IDENTIFICATION OF VIOLATIONS

See R645-301-113.300 above.

R645-301-113.320. DESCRIPTION OF VIOLATIONS

See R645-301-113.300 above.

R645-301-113.330. LOCATION OF VIOLATIONS PROCEEDINGS

See R645-301-113.300 above.

R645-301-113.340. STATUS OF VIOLATIONS PROCEEDINGS

See R645-301-113.300 above.
R645-301-113.350. ACTIONS TAKEN TO ABATE VIOLATIONS

See R645-301-113.300 above.

R645-301-113.320. DESCRIPTION OF VIOLATIONS

See R645-301-113.300 above.

R645-301-113.330. LOCATION OF VIOLATIONS PROCEEDINGS

See R645-301-113.300 above.

R645-301-113.340. STATUS OF VIOLATIONS PROCEEDINGS

See R645-301-113.300 above.

R645-301-113.350. ACTIONS TAKEN TO ABATE VIOLATIONS

See R645-301-113.300 above.

R645-301-114. RIGHT-OF-ENTRY INFORMATION

The legal right to enter and conduct coal loading activities in the permit area (collectively, the "Entry Rights") based on the language contained therein include those items listed below (a copy of which is included in Appendix B).

1. Bureau of Land Management ("BLM") Right of Way No. U-48027 dated January 1982 between Tower Resources, Inc. and BLM, as amended by that certain Amendment dated February 5, 2007. By Decision dated November 8, 2018, BLM approved the assignment of the right of way to Coal Energy Group 2, LLC. This right of way contains 270 acres described as the NE¼SW¼NE¼, S¼SW¼NE¼, E¼SW¼, SE¼ of Section 33, Township 13 South, Range 9 East, SLBM.

2. BLM Right of Way No. U-52810 dated May 1984. The right of way contains 10.37 acres within Sections 28 and 33, Township 13 South, Range 9 East, SLBM.

3. Lease dated December 1, 1981 between Utah Railway Company and Tower Resources, Inc., as amended by that certain Lease Amendment dated February 8,
1983. The Lease covers thirteen acres within Section 33, Township 13 South, Range 9 East, SLBM.

4. Beaver Creek Coal Company Letter Agreement. An unrecorded Agreement from Beaver Creek Coal Company to Andalex Resources, Inc., dated July 28, 1988, granting Andalex the right to use a small portion of land for the Wildcat Loadout operations. The area granted is located to the east of Beaver Creek Coal Company's fence to the railroad right-of-way and south of the "new gate."

The permit area is located on 123.19 acres on the following described lands:

**Township 13 South, Range 9 East, SLBM**

Section 33: NW1/4SE1/4, N1/2SW1/4SE1/4, E1/2E1/2NE1/4SW1/4, E1/2NE1/4SE1/4SW1/4, NE1/4SE1/4SE1/4SW1/4, NW1/4SW1/4SE1/4, E1/2E1/4SW1/4NE1/4 and Portions of N1/2NW1/4NE1/4SE1/4, NE1/4SW1/4NE1/4, SW1/4SW1/4NE1/4, NW1/4SE1/4SW1/4NE1/4, WI/2NE1/4SW1/4, WI/2E1/2NE1/4SW1/4, WI/2E1/2SE1/4SW1/4, SW1/4SE1/4SW1/4NE1/4 containing 123.19 acres.

The Entry Rights are held by the Coal Energy Group 2, LLC pursuant to the terms and conditions of the following instruments:

1. September 10, 2018 Rights of Way, Leases, Real Property Agreements-Assignments Assignment and Assumption Agreement ("CEG2 Assignment") between Intermountain Power Agency and Coal Energy Group 2, LLC, recorded with the Carbon County Recorder on September 10, 2018 at Entry No. 842946, Book 913, Page 575. A copy of the CEG2 Assignment is attached hereto as Appendix B-Part A-22;

2. September 10, 2018 Quitclaim Deed ("CEG2 Quitclaim") between Intermountain Power Agency, as Grantor, and Coal Energy Group 2, LLC, Grantee, recorded with the Carbon County Recorder on September 10, 2018 at Entry No. 842944, Book 913, Page 568. A copy of the CEG2 Quitclaim is attached hereto as Appendix B-Part A-23; and


R645-301-114.100. DOCUMENTATION

Appendix B

R645-301-114.200. SEVERED SURFACE AND MINERAL ESTATES
Appendix B

R645-301-114.210. WRITTEN SURFACE OWNER CONSENT FOR COAL EXTRACTION
N/A

R645-301-114.220. CONVEYANCE EXPRESSLY GRANTING RIGHT TO MINE COAL
N/A

R645-301-114.230. DOCUMENTATION OF LEGAL AUTHORITY TO MINE COAL
N/A

R645-301-114.300. ADJUDICATION OF PROPERTY RIGHTS DISPUTES

The Division does not have the authority to adjudicate property rights disputes.

R645-301-115. STATUS OF UNSUITABILITY CLAIMS

R645-301-115.100. IDENTIFICATION OF LANDS UNSUITABLE

The permit area is not within an area designated unsuitable for the effects of mining activities, specifically, coal loading activities, under study for designation in an administrative proceeding initiated under those parts.

Further, there are no occupied dwellings within 300 feet of the permit.

R645-301-115.200. CLAIMS OF EXEMPTION BY COMMITMENT PRIOR TO JANUARY 4, 1977
None

R645-301-115.300. MINING AND RECLAMATION OPERATIONS WITHIN 300 FEET OF AN OCCUPIED DWELLING OR WITHIN 100 FEET OF A PUBLIC ROAD

The Consumers Road and the Trestle Road are public roads within 100 feet of the disturbed area boundary.

R645-301-116. PERMIT TERM

The requested term of this permit is five years. Coal Energy Group 2, LLC will then apply for five year extensions over the life of this operation.

R645-301-116.100. SCHEDULE OF PHASED MINING AND RECLAMATION ACTIVITIES
R645-301-116.200. PERMIT TERM IN EXCESS OF FIVE YEARS

The requested term of this permit is five years. Coal Energy Group 2, LLC will then apply for five year extensions over the life of this operation.

R645-301-116.210. COMPLETENESS AND ACCURACY FOR LONGER TERM

N/A

R645-301-116.220. DEMONSTRATION OF NEED FOR LONGER TERM

N/A

R645-301-117. INSURANCE, PROOF OF PUBLICATION AND FACILITIES OR STRUCTURES USED IN COMMON

Appendix B contains certificates of liability insurance covering personal injury and property damage resulting from this operation.

R645-301-117.100. LIABILITY INSURANCE

Appendix B

R645-301-117.200. NEWSPAPER PUBLICATION

A copy of the newspaper advertisement of this Mining and Reclamation Plan and proof of publication of the advertisement is filed with the Division and made part of the complete application. (See Appendix B).

R645-301-117.300. FACILITIES USED IN COMMON

N/A

R645-301-118. FILING FEE

N/A

R645-301-120. PERMIT APPLICATION FORMAT AND CONTENTS

Summary of Table of Contents

R645-301-100. General
R645-301-200. Soils
R645-301-300. Biology
R645-301-400. Land Use and Air Quality
R645-301-500. Engineering
R645-301-600. Geology
R645-301-700. Hydrology
R645-301-121. REQUIREMENTS

R645-301-121.100. CURRENT INFORMATION

Information is current.

R645-301-121.200. CLEAR AND CONCISE

Information is clear and concise.

R645-301-121.300. FORMAT REQUIREMENTS

To facilitate review of the application, each chapter listed above has been further divided into specific parts and sections. These can be found listed in the detailed table of contents appearing at the beginning of this text along with the page numbers on which they appear. This table of contents also contains lists of figures, tables, plates, exhibits, and appendices to facilitate cross referencing between chapters.

Exhibits include appropriate supporting documents, reports and publications and are included as appendices.

Maps which were not reduced to fit into the text are included in a separate volume as plates. All maps and plans are submitted in accordance with the requirements.

R645-301-122. REFERENCED MATERIALS

All references and referenced publications and materials are listed under R645-301-130.

R645-301-123. APPLICATION FOR PERMITS, CHANGES, RENEWALS, OR TRANSFERS

This permit is submitted to update information to the R645 permit format.

R645-301-130. REPORTING AND TECHNICAL DATA

Preparation of Application

A. Persons and Consultants Involved

The following persons and/or organizations were involved in collection and analysis of the technical data set forth in prior versions of this application.

1. In House Consulting Services
   a) Andalex Resources, Inc., AMCA Coal Leasing, Inc.

   Samuel C. Quigley - General Manager
Michael W. Glasson - Senior Geologist
David E. Shaver - Chief Engineer

2. Outside Consulting Services
   a) Dan W. Guy - Registered Professional Engineer
      (State of Utah No. 4548)
      Price, Utah
      - Sedimentation and Drainage Control Plan
   b) Bruce T.S. Ware - Registered Land Surveyor
      Price, Utah
   c) Rollins, Brown, and Gunnell Provo, Utah
      - Foundation Study
   d) Earl Jensen - Soil Scientist
      Price, Utah
   e) Roy Harniss - Range Scientist
      Logan, Utah
      - Vegetation Inventory

B. Coordination and Consultation with Governmental Agencies

The following governmental agencies were consulted in the preparation of
information set forth in the prior versions of this application.

U.S. Department of Agriculture
Soil Conservation Service
Price, Utah

U.S. Department of the Interior
Bureau of Land Management
Price, Utah
Salt Lake City, Utah

Office of Surface Mining Reclamation
and Enforcement
Denver, Colorado

U.S. Fish and Wildlife Service
Salt Lake City, Utah

State of Utah:
C. References

Andalex Resources, Inc. 1987 - Mining and Reclamation Plan
Submitted to the State of Utah

Department of Natural Resources, DOGM

Doelling, H.H. 1972 - Central Utah Coal Fields U.G.M.S. Monograph Series No. 3


U.S.D.I. 1979 - Final Environmental Statement, Development of Coal Resources in Central Utah, Parts 1 and 2

D. Bibliography


R645-301-131. TECHNICAL DATA REQUIREMENTS

Where applicable, technical data submitted has been identified as to who prepared the information and is stamped by that registered professional engineer (P.E.).

R645-301-132. TECHNICAL ANALYSES REQUIREMENTS

Analyses are prepared by a qualified professional engineer.

R645-301-140. MAPS AND PLANS

Per Division Requirement.

R645-301-141. MAP FORMATS

Per Division Requirement.

R645-301-142. PHASES OF OPERATIONS AND MINING ACTIVITY

Introduction and Overview of Project Permit Application

This permit application is being submitted by Coal Energy Group 2, LLC, in order that coal can be stored and loaded out of its coal loadout facility located at Wildcat Junction, near Helper, Utah. This facility is known as the Wildcat Loadout. Coal Energy Group 2, LLC is a Nevada limited liability company registered to do business in the State of Utah. Coal Energy Group 2, LLC hereby seeks the permit to operate its coal loading and storage facility known as Wildcat Loadout, in accordance with the appropriate regulations. This
coal loadout facility is located on land owned by the United States of America in Carbon County, Utah.

Andalex was granted the right-of-way in January, 1982, by the Bureau of Land Management of the United States Department of the Interior. The right-of-way was subsequently amended on February 5, 2007 and assigned to Intermountain Power Agency on August 1, 2011. The right-of-way was transferred to Coal Energy Group 2, LLC on November 8, 2018. Coal Energy Group 2, LLC, the designated operator, controls all lands within the proposed coal loadout facility area. Coal Energy Group 2, LLC, has therefore prepared this coal loadout facility permit application for submission to the appropriate regulatory authorities for review and approval.

Coal storage and loading activities at Wildcat started officially on April 2, 1985, when the first coal was brought there for storage and eventual loadout, under a permit issued to Andalex Resources by the Bureau of Land Management, U.S. Department of the Interior and assigned to Coal Energy Group 2, LLC on September 10, 2018. This coal loadout facility is located approximately three miles west of U.S. Highway 6, Consumer’s Road, Helper, Utah, in Carbon County and can be more accurately described as parts of Section 33, Township 13 South, Range 9 East, S.L.B. & M. (please see Plate 1). The property contains approximately 270 acres, of which 12.5 acres are under lease to the Utah Railway by the Bureau of Land Management. The serial number for this right-of-way is U-48027. The permit area occupies 100.19 acres within the BLM right-of-way.

There are no perennial streams or bodies of water on the property. Water for culinary purposes is supplied by Price Municipal Corporation and hauled down to the facility using approved culinary tank trucks. The water is in turn stored in an approved culinary tank at the loadout.

Historically, coal loading activities had been the sole use for this permit area, even prior to being leased to Coal Energy Group 2, LLC. This is evidenced by the fact that the soil survey of the area revealed that of the eight test holes, two completely lacked topsoil and one located along the tracks had approximately two feet of fine coal and no topsoil. Coal had been stored along the tracks for shipping purposes in the past. It is appropriately justifiable to conclude that Coal Energy Group 2, LLC’s proposed use of the area for coal storage and loading activities will be fully compatible with its previous use, and as such, no significant new disturbance of the area has occurred. Observations have shown that the previous land use consisting of wildlife habitat and migrations has not been interrupted. This is evidenced by repeated sightings of deer herds moving through the permit area. Other mammals and birds continue to use this area for their habitat. Access to the loadout and storage facility is by paved county and state roads, which are also maintained by the county and state.

Coal is hauled from the Castle Valley Mining, LLC, C/015/0025, and other local mines that may desire coal loading services. All surface and support facilities necessary for present operations have been completed. There are no additions or modifications proposed at this time.

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Aside from the DOGM permit, Coal Energy Group 2, LLC has acquired all the necessary approvals, licenses, rights-of-way, and permits at both state and federal levels to conduct coal storage and loading operations on the plan area. The facility is designed to handle loading and crushing activities up to 5.5 million tons per year.

Upon cessation of coal loading activities, reclamation activities will commence in accordance with the plans outlined in this application. The land will be restored to a condition equal to or better than the premining condition, according to available technology.

This facility is located in an area where mining and its related activities have been the main industry, and as a result, the surrounding communities are properly adapted. The labor supply is excellent and well trained. With all these considerations, coupled with the prudent management at Coal Energy Group 2, LLC, the Wildcat Coal Loadout Facility is a model operation in the Carbon County area with no significant environmental or socioeconomic impact.

R645-301-142.100. PRIOR TO AUGUST 3, 1977

None by Coal Energy Group 2, LLC. A wash plant and loadout were operated by other independent companies or individuals in areas presently consumed by Coal Energy Group 2, LLC’s surface facilities. Coal Energy Group 2, LLC’s encroachment onto these previously disturbed areas transferred the responsibility for reclamation to Coal Energy Group 2, LLC. The specific locations of disturbed areas prior to Coal Energy Group 2, LLC’s mining activities are irrelevant.

R645-301-142.200. AFTER AUGUST 3, 1977

All of Coal Energy Group 2, LLC’s surface facilities and mining operations began after August 3, 1977.

R645-301-142.210. PRIOR TO MAY 3, 1978

See R645-301-142.100.

R645-301-142.220. SMALL OPERATOR’S EXEMPTION PRIOR TO JANUARY 1, 1979

N/A

R645-301-142.300. AFTER MAY 3, 1978 (OR JANUARY 1, 1979 FOR SMALL OPERATOR’S EXEMPTION) AND PRIOR TO APPROVAL OF STATE PROGRAM

N/A

R645-301-142.400. AFTER ISSUANCE OF PERMIT BY THE DIVISION

A list of all applicable permits is included in Appendix B.

R645-301-150. COMPLETENESS
Per Division.

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