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State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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May 26, 1994

Mr. Mike Gipson, Mine Manager  
White Oak Mining and Construction Company, Inc.  
Scofield Route  
P. O. Box 60  
Helper, Utah 84528

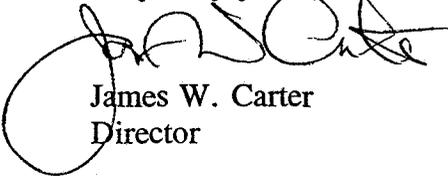
Re: Findings for Transfer of Permit, Valley Camp Of Utah, Inc. to White Oak Mining and Construction, Inc., Belina/White Oak Mine Complex, ACT/007/001, Folder #3, Carbon County, Utah

Dear Mr. Gipson:

The Division has found that White Oak Mining and Construction Company, Inc. has met all requirements for a transfer of permit rights as required under R645-303-300. Therefore, in accordance with the attached findings, the application for transfer of the permit for the Belina/White Oak mine is hereby approved. White Oak Mining and Construction Company, Inc. is now responsible for compliance with the existing permit and all commitments and obligations relating to the Belina operations transferred from Valley Camp of Utah, Inc. The expiration date of this permit is August 24, 1994.

You should now proceed to amend your Mining and Reclamation Plan to reflect the changes. Appropriate replacement pages, including, but not limited to the list of corporate officers, surface and coal ownership maps, lease ownership descriptions, should all be updated and submitted for insertion into your plan. Please submit 12 copies of the revised information for distribution to other agencies. If you have any questions, please call Daron Haddock, Permit Supervisor at 538- 5340.

Very truly yours,

  
James W. Carter  
Director

Enclosures

cc:: David Lung, Valley Camp  
R. Dawes, OSM-WSC  
T. Ehmatt, OSM-AFO  
L. Braxton, DOGM  
D. Haddock, DOGM

## FINDINGS

Transfer of Permit Rights  
White Oak Mining and Construction Company, Inc.  
Belina/White Oak Mine  
ACT/007/001  
Carbon County, Utah

May 26, 1994

The applicant for transfer of permit rights, White Oak Mining and Construction Company, Inc., has committed to continue to conduct the operations involved in full compliance with the terms and conditions of the permit issued to Valley Camp of Utah on August 24, 1984, and subsequently renewed on August 25, 1989, May 25, 1990 and July 5, 1990. Therefore, Findings of the original Decision Document and renewal Decision Documents are still pertinent and satisfy the requirements of R645-300-133.

Currently, White Oak Mining and Construction Company, Inc. has submitted a bond sufficient to cover reclamation costs in the permit area. After this permit transfer has been effected, White Oak Mining and Construction Company, Inc. will be responsible for the entire area which was under permit by Valley Camp of Utah and will assume all liability for compliance with terms and conditions of the Belina Mine permit and any orders, stipulations or conditions associated with that permit.

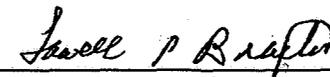
The following findings specifically apply to the application for transfer of permit rights:

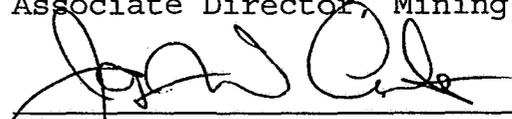
1. DOGM's records and the results of a 510{c} clearance check, show that neither White Oak Mining and Construction Company, Inc., Valley Camp of Utah, Inc. or any affiliates control or have controlled coal mining and reclamation operations with a demonstrated pattern of willful violations of the Act of such nature and duration and with such resulting irreparable damage to the environment as to indicate an intent not to comply with the Act. At the present time, Valley Camp of Utah does have current violations at the Belina Complex, however, all of the violations are in the process of being corrected as required by R645-300-132. White Oak will assume responsibility for completing abatement and correcting the violations.
2. The State of Utah, DOGM has determined that the application for transfer of permit rights is accurate and complete, and complies with the requirements of R645-300-133.100.
3. The applicant has the legal right to enter and begin coal mining activities at the Belina/White Oak Mine

through an acquisition agreement between Kanawha and Hocking Coal and Coke Company/Valley Camp of Utah, Inc. and White Oak Mining and Construction Co., Inc. executed September 16, 1993. (R645-300-133.300)

4. Valley Camp of Utah, Inc. and White Oak Mining and Construction Company, Inc. have paid all reclamation fees from previous and existing coal mining and reclamation operations as required by 30 CFR part 870. (R645-300-133.730)
5. Procedures for public participation have complied with requirements of the Act and the Utah State Program. Notice was published in the Price Sun Advocate on September 28, 1993 as required by R645-303-322.
6. The applicant has obtained a performance bond equivalent to the bonding requirements of the existing permit, in the amount of \$5,891,000 (R645-303-342).

  
Permit Supervisor

  
Associate Director, Mining

  
Director