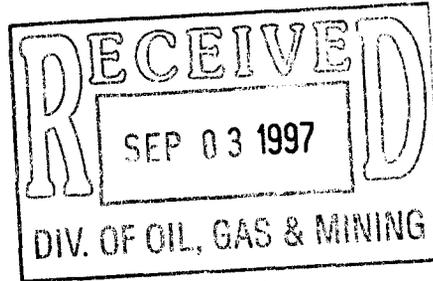


White Oak Mining

Scofield Route • Helper, Utah 84526 • Phone: 1-801-637-9200 • Fax: 1-801-448-9456

September 2, 1997

Mr. Steven Demczak
 Coal Regulatory Program
 Utah Division of Oil, Gas and Mining
 451 East 400 North
 Price, Utah 84501



ACT/007/001 #2

Subject: Cleaning of Sediment Pond 004A
 ACT 007/001, WHITE OAK MINING & CONSTRUCTION

Dear Steve,

White Oak is submitting this amendment to inform UDOGM of the methodology proposed for dredging the sediment slurry from Sediment Pond 004A and placing the material within the mine in the area labeled "West Mains" on the enclosed drawing. White Oak is pressed to complete this project before the onset of winter and would appreciate your assistance in expediently acquiring permission.

White Oak has scheduled Western Dredge, Inc. to dredge Sediment Pond 004A the week of September 22, 1997. Although, the ponds at White Oak have been cleaned by dragline and truck in the past, due to limited space for drying, cooler temperatures and precipitation in 1997 this method cannot currently be used. The pond cleaning is planned to comply with UDOGM regulations, which dictate the cleaning and disposal of sediment materials from ponds.

One of the uses planned for the "Spoil Management Area" approved in November 1996 was the drying and storage of the pond sediment, however this is not feasible with the quantity of sediment in Pond 004A and lateness of the season.

A dredge will be utilized to pump the sediment and water to an area within the mine which has been retreat mined and will not be used again. The area is currently barricaded to prevent entrance and will continue to be barricaded during and after the pumping is completed. No pumps or machinery will be used within the mine to transport the sediment slurry to its intended destination. The dredge and pumping equipment will be in the pond, with a pipeline extending from the dredge to the disposal point within the mine. The pipeline will be blocked/braced within the mine and secured on the surface. The dredging system is powerful enough to pump directly from the pond to the intended in-mine destination.

The "West Mains" at its furthestmost point is the most advantageous storage location due to the down-dip attitude of the entries and crosscuts. This will allow for even flow and distribution of the sediment within the area. The West Mains is at a lower elevation than the portals by approximately 100 feet.

The pond is filled to it's intended capacity, therefore the assumption is that there is approximately 300,000 cf of combined sediment and water. According to the records available for review, when the pond was cleaned in 1986 it was enlarged. The quantity of sediment and water is calculated using the enlarged capacity.

The slurry material is a non combustibile combination of water and sediment (silt and sand). A sample of the pond sediment/water has been submitted to a laboratory for acid/toxic analysis. The results should be available within 7 to 10 working days.

Permission to pump the slurry in-mine has also been requested from Bill Knepp of the U.S. Department of Labor, MSHA, District 9.

Should you have any questions, I can be contacted at (801) 561-1555. Thank you for your assistance.

Sincerely yours,



Vicky S. Bailey
Permitting Consultant

cc: Mark Wayment
Larry Jones
Mike Suflita
Pam Grubaugh-Littig (Letter only)

APPLICATION FOR PERMIT CHANGE

Title of Change: White Oak Mining and Construction, Inc. requests permission to place sediment from Pond 004A within the "West Mains" of their mine.

Permit Number: ACT 007/001

Mine: White Oak

Permittee: White Oak Mining

Description, include reason for change and timing required to implement:

- | | | |
|---|--|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 1. Change in the size of the Permit Area? _____ acres <input type="checkbox"/> increase <input type="checkbox"/> decrease. |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 2. Change in the size of the Disturbed Area? _____ acres <input type="checkbox"/> increase <input type="checkbox"/> decrease. |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 3. Will permit change include operations outside the Cumulative Hydrologic Impact Area? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 4. Will permit change include operations in hydrologic basins other than currently approved? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 5. Does permit change result from cancellation, reduction or increase of insurance or reclamation bond? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 6. Does permit change require or include public notice publication? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 7. Permit change as a result of a Violation? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 8. Permit change as a result of a Division Order? |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No | 9. Permit change as a result of other laws or regulations? Disposal of sediment from sediment pond |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 10. Does permit change require or include ownership, control, right-of-entry, or compliance information? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 11. Does the permit change affect the surface landowner or change the post mining land use? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 12. Does permit change require or include collection and reporting of any baseline information? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 13. Could the permit change have any effect on wildlife or vegetation outside the current disturbed area? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 14. Does permit change require or include soil removal, storage or placement? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 15. Does permit change require or include vegetation monitoring, removal or revegetation activities? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 16. Does permit change require or include construction, modification, or removal of surface facilities? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 17. Does permit change require or include water monitoring, sediment or drainage control measures? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 18. Does permit change require or include certified designs, maps, or calculations? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 19. Does permit change require or include underground design or mine sequence and timing? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 20. Does permit change require or include subsidence control or monitoring? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 21. Have reclamation costs for bonding been provided or revised for any change in the reclamation plan? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 22. Is permit change within 100 feet of a public road or perennial stream or 500 feet of an occupied dwelling? |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No | 23. Is this permit change coal exploration activity <input type="checkbox"/> inside <input type="checkbox"/> outside of the permit area? |

Attach 7 complete copies of proposed permit change as it would be incorporated into the Mining and Reclamation Plan.

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

Wesley S. Bailey Permitting Consultant
 Signed - Name - Position - Date 9/3/97

Subscribed and sworn to before me this 3 day of Sept 1997
Diane Rubey
 Notary Public

My Commission Expires: May 1 1998
 Attest: STATE OF Utah
 COUNTY OF Salt Lake



Notary Public
DIANE RUBEY
 1884 West North Temple, Suite 2170
 Box 148801
 Salt Lake City, Utah 84114-8801
 My Commission Expires
 May 1, 1998
 State of Utah

Received by Oil, Gas & Mining

RECEIVED

SEP 03 1997

DIV. OF OIL, GAS & MINING
 ASSIGNED PERMIT CHANGE NUMBER

