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

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October 25, 1994

Lonnie Mills
Sr. Environmental Engineer
Amax Coal Company
P.O. Drawer PMC
Price, Utah 84501

Re: Reclamation Changes at Sowbelly Canyon, Amax Coal Company, Castle Gate Coal Mine, ACT/007/004-94D, Folder #3, Carbon County, Utah

Dear Mr. Mills:

The field changes to the reclamation plan at Sowbelly Canyon received September 7, 1994 are approved with the following conditions:

1. Within 30 days of receipt of this letter, Exhibit 3.2-2B must be changed to identify the location of the existing culverts and submitted to the Division for inclusion in the plan,
2. Road A-2 may not be used frequently and should only be used when there is no water in the channel so the water quality is not diminished by this activity.
3. Within 15 days of completion of the reclamation of the channels, as-built of the reclamation channels which include the riprap, filter blanket and base material size distribution, and a map or description of the exact reach of channels that are lined with filter fabric must be submitted to the Division for inclusion in the plan.

If you have any questions, please call me.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Pamela Grubaugh-Littig'.

Pamela Grubaugh-Littig
Permit Coordinator

cc: Daron Haddock
Steve Johnson
Paul Baker



File #3

PERMIT AMENDMENT APPROVAL

Title: <u>Reclamation Changes</u>	PERMIT NUMBER: <u>007/004</u>
Description: <u>Field changes @ Sowbelly Cyn.</u>	PERMIT CHANGE #: <u>94D</u>
	MINE: <u>Castle Gate</u>
	PERMITTEE: <u>Amax Coal Co.</u>

WRITTEN FINDINGS FOR PERMIT APPLICATION APPROVAL

YES, NO or N/A

1. The application is complete and accurate and the applicant has complied with all the requirements of the State Program.	Yes
2. The proposed permit area is not within an area under study or administrative proceedings under a petition, filed pursuant to R645-103-400 or 30 CFR 769, to have an area designated as unsuitable for coal mining and reclamation operations, unless:	Yes
A. The applicant has demonstrated that before January 4, 1977, substantial legal and financial commitments were made in relation to the operation covered by the permit application, or	Yes
B. The applicant has demonstrated that the proposed permit area is not within an area designated as unsuitable for mining pursuant to R645-103-300 and R645-103-400 or 30 CFR 769 or subject to the prohibitions or limitations of R645-103-230.	Yes
3. For coal mining and reclamation operations where the private mineral estate to be mined has been severed from the private surface estate, the applicant has submitted to the Division the documentation required under R645-301-114.200.	Yes
4. The Division has made an assessment of the probable cumulative impacts of all anticipated coal mining and reclamation operations on the hydrologic balance in the cumulative impact area and has determined that the proposed operation has been designed to prevent material damage to the hydrologic balance outside the permit area.	Yes
5. The operation would not affect the continued existence of endangered or threatened species or result in destruction or adverse modification of their critical habitats, as determined under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).	Yes
6. The Division has taken into account the effect of the proposed permitting action on properties listed on and eligible for listing on the National Register of Historic Places. This finding may be supported in part by inclusion of appropriate permit conditions or changes in the operation plan protecting historic resources, or a documented decision that the Division has determined that no additional protection measures are necessary.	Yes
7. The Applicant has demonstrated that reclamation as required by the State Program can be accomplished according to information given in the permit application.	Yes
8. The Applicant has demonstrated that any existing structure will comply with the applicable performance standards of R645-301 and R645-302.	Yes
9. The Applicant has paid all reclamation fees from previous and existing coal mining and reclamation operations as required by 30 CFR Part 870.	Yes
10. The Applicant has satisfied the applicable requirements of R645-302.	NA
11. The Applicant has, if applicable, satisfied the requirements for approval of a long-term, intensive agricultural postmining land use, in accordance with the requirements of R645-301-353.400.	NA

SPECIAL CONDITIONS OR STIPULATIONS TO THE PERMIT AMENDMENT APPROVAL

YES NO

1. Are there any variances associated with this permit amendment approval? If yes, attach.		X
2. Are there any special conditions associated with this permit amendment approval? If yes, attach. <i>See attached Tech Memo</i>	X	
3. Are there any stipulations associated with this permit amendment approval? If yes, attach. <i>See comments in section</i>		X

The Division hereby grants approval for Permit Amendment to the Existing Permit by incorporation of the proposed changes described herein and effective the date signed below. All other terms and conditions of the Existing Permit shall be maintained and in effect except as superseded by this Permit Amendment.

Signed Daron R. Haddock
 _____, Division of Oil, Gas and Mining

10/19/94
 EFFECTIVE DATE