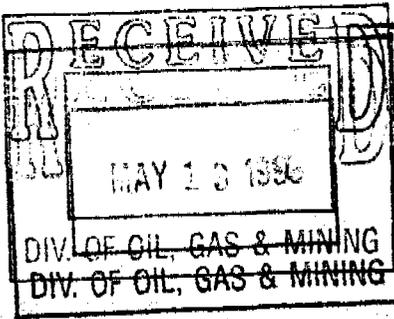


0039



**BUCKRIDGE**  
**Environmental**  
**Engineering, Inc.**

Engineers/Scientists

8344 Susan Court  
Newburgh, IN 47630-3248  
Telephone (812)858-9970  
Facsimile (812)858-9985

May 6, 1996

Ms. Pam Grubaugh-Littig  
Division of Oil, Gas and Mining  
355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203

RE: Amax Coal Holding Company - Castle Gate Mine  
Transfer Application - Permit No. ACT/007/004 # 3

Dear Ms. Grubaugh-Littig:

Pursuant to R645-301-100.117.200, enclosed please find an Affidavit of Publication for the public notice advertising the submittal of Amax Coal Holding Company's pending application for transfer of Amax Coal Company's coal mining permit for the Castle Gate Mine. The public notice was published one (1) time in the Sun Advocate newspaper on April 30, 1996.

Should you have any questions concerning this matter, please contact me at the letterhead address or telephone number.

Sincerely,

*James W. Buck*  
James W. Buck, P.E.  
President

JWB:jb

enclosure

cc: M. Kegley - Cyprus Amax Minerals Company  
S. Fetherhuff - Cyprus Amax Minerals Company  
J. Pappas - Cyprus Plateau Mining

AFFIDAVIT OF PUBLICATION

STATE OF UTAH)

SS.

County of Carbon,)

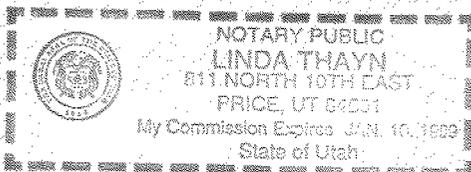
I, Kevin Ashby, on oath, say that I am the Publisher of the Sun Advocate, a twice-weekly newspaper of general circulation, published at Price, State and County aforesaid, and that a certain notice, a true copy of which is hereto attached, was published in the full issue of such newspaper for 1 (One) consecutive issues, and that the first publication was on the 30th day of April, 1996 and that the last publication of such notice was in the issue of such newspaper dated the 30th day of April, 1996.

*Kevin Ashby*  
Kevin Ashby - Publisher

Subscribed and sworn to before me this 30th day of April, 1996.

*Linda Thayne*  
Notary Public My commission expires January 10, 1999 Residing at Price, Utah

Publication fee, \$62.81



**NOTICE OF APPLICATION  
FOR TRANSFER OF A PERMIT  
Amax Coal Holding Company**

Notice is hereby given that Amax Coal Holding Company, 9100 East Mineral Circle, Englewood, Colorado 80112-3299, has filed an application with the Utah Department of Natural Resources, Division of Oil, Gas & Mining for transfer of Permit ACT/007/004 to operate under the provisions of the Utah Coal Mining and Reclamation Act pursuant to R645-303-300 of the Utah Coal Program Regulations. The present permittee under the permit is Amax Coal Company. The permit area is located in Carbon County, Utah as follows:

Township 12, Range 9 East, SLBM - Portions of SE $\frac{1}{4}$ , SW $\frac{1}{4}$ , SE $\frac{1}{4}$ , SE $\frac{1}{4}$  and SW $\frac{1}{4}$ , SE $\frac{1}{4}$  of Section 22; Section 26 all except for E $\frac{1}{2}$ , E $\frac{1}{2}$ ; Section 27; Section 28; Section 29 all except N $\frac{1}{2}$ , NW $\frac{1}{4}$  and NW $\frac{1}{4}$ , NE $\frac{1}{4}$ ; Section 30 all except N $\frac{1}{2}$ , N $\frac{1}{2}$ ; Section 31; Section 32; Section 33; Section 34; portions of N $\frac{1}{2}$ , W $\frac{1}{2}$ , SW $\frac{1}{4}$ , and E $\frac{1}{2}$ , SE $\frac{1}{4}$  of Section 35; S $\frac{1}{2}$ , NW $\frac{1}{4}$  and portions of SW $\frac{1}{4}$ , SE $\frac{1}{4}$  and NE $\frac{1}{4}$  of Section 36.

Township 13 South, Range 9 East, SLBM - Portions of the N $\frac{1}{2}$ , NW $\frac{1}{4}$  of Section 1; portions of NE $\frac{1}{4}$  and NW $\frac{1}{4}$  of Section 2; NW $\frac{1}{4}$  and portions of NE $\frac{1}{4}$ , SE $\frac{1}{4}$ , and SW $\frac{1}{4}$  of Section 3; N $\frac{1}{2}$  and portions of SE $\frac{1}{4}$  and SW $\frac{1}{4}$  of Section 4; NE $\frac{1}{4}$  and portions of NW $\frac{1}{4}$ , SE $\frac{1}{4}$  and SW $\frac{1}{4}$  of Section 5; N $\frac{1}{2}$  and portions SW $\frac{1}{4}$  and SE $\frac{1}{4}$  of Section 6; portion of NE $\frac{1}{4}$  of Section 8; portions of NE $\frac{1}{4}$  and NW $\frac{1}{4}$  of Section 9; portions of NE $\frac{1}{4}$  and NW $\frac{1}{4}$  of Section 10.

The Willow Creek Refuse Removal area is located in Carbon County, Utah: SW $\frac{1}{4}$  of Section 31, Township 12 South, Range 10 East; NW $\frac{1}{4}$  of Section 6, Township 13 South, Range 10 East; NE $\frac{1}{4}$  of Section 1, Township 13 South, Range 9 East.

The permit area is shown on the following U.S. Geological Survey 7.5-minute maps: Standardville, Kyune, Matt's Summit, Helper, and Deadman Canyon.

Any person having an interest which is or may be adversely affected by a decision on the transfer, assignment or sale of the permit rights, including an official of any federal, state or local government agency, may submit written comments within thirty (30) days of the date of this publication to:

Utah Department of Natural Resources  
Division of Oil, Gas & Mining  
355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
Published in the Sun Advocate April 30, 1996.



# APPLICATION FOR PERMIT CHANGE

Title of Change: <b>Modifications to the Castle Gate Coal Mine Permit, Section 3.3</b>	Permit Number: <b>ACT/007/004</b>
	Mine: <b>Castle Gate Mine</b>
	Permittee: <b>AMAX Coal Company</b>

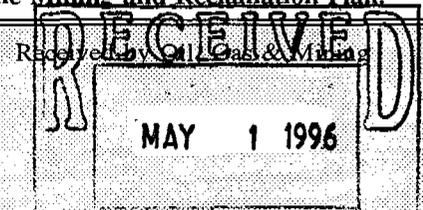
Description, include reason for change and timing required to implement: Section 3.3 has been modified to present new final reclamation plans for the main canyon and as-built conditions of the reclaimed Mine No. 4 Canyon. Also, the entire text of this section was updated to reflect the current status of mining operations within Hardscrabble Canyon.

<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? Violation # _____
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	8. Permit change as a result of a Division Order? D.O.# _____
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	9. Permit change as a result of other laws or regulations? Explain: _____
<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 checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	14. Does permit change require or include soil removal, storage or placement?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	15. Does permit change require or include vegetation monitoring, removal or revegetation activities?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	16. Does permit change require or include construction, modification, or removal of surface facilities?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	17. Does permit change require or include water monitoring, sediment or drainage control measures?
<input checked="" type="checkbox"/> Yes	<input 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 checked="" type="checkbox"/> Yes	<input 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?

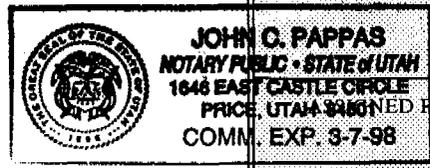
**Attach 5 complete copies of proposed permit change as it would be incorporated into the Mining and Reclamation Plan.**

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.

*John C. Pappas* Environmental Engineer 4/19/96  
Signed - Name - Position - Date



Subscribed and sworn to before me this 19 day of APRIL, 19 96.  
*John C. Pappas*  
Notary Public  
My Commission Expires: 3-7, 19 98  
Attest: STATE OF UTAH  
COUNTY OF CARBON



1648 EAST CASTLE CIRCLE  
PRICE, UTAH 84302  
COMM. EXP. 3-7-98



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

Michael O. Leavitt  
Governor

Ted Stewart  
Executive Director

James W. Carter  
Division Director

355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
801-538-5340  
801-359-3940 (Fax)  
801-538-5319 (TDD)

April 26, 1996

Frank Woods, Vice President and Controller  
Amax Coal Company  
9100 East Mineral Circle  
Englewood, Colorado 80112

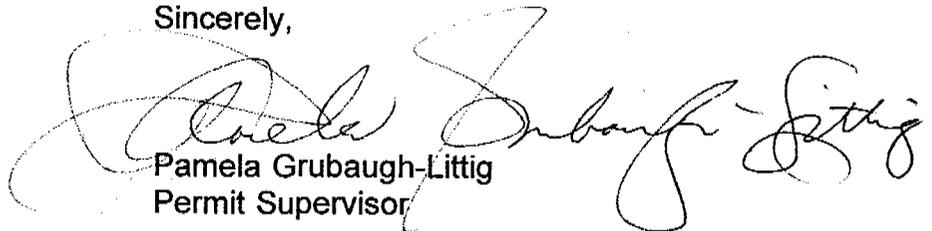
Re: Permit Transfer from Amax Coal Company to Amax Coal Holding Company,  
Castle Gate Mine, Amax Coal Company, ACT/007/004, Folder #3, Carbon  
County, Utah

Dear Mr. Woods:

The Division has determined the permit transfer application for the Castle Gate Mine from Amax Coal Company to Amax Coal Holding Company administratively complete. Upon receipt of this notice, you are advised to publish a Notice of this Permit Transfer Application pursuant to R645-303-322 in the Sun Advocate. Please send a copy of the Affidavit of Publication to the Division as soon as it is available.

You must also place a copy of the application at the Carbon County Courthouse during the public notice period. If you have any questions, please call me.

Sincerely,



Pamela Grubaugh-Littig  
Permit Supervisor

cc: Johnny Pappas, Amax Coal Company  
James W. Buck, Buckridge Environmental Engineering  
Daron Haddock  
Paul Baker

